TRACY CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, June 1, 2021, 7:00 P.M.

Tracy City Hall, 333 Civic Center Plaza, Tracy Web Site: www.cityoftracy.org

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

THIS MEETING WILL BE OPEN TO THE PUBLIC FOR IN-PERSON AND REMOTE PARTICIPATION. SEATING CAPACITY IN COUNCIL CHAMBERS WILL BE LIMITED TO THE FIRST 16 PEOPLE, ON A FIRST COME, FIRST SERVE BASIS. ADDITIONAL LIMITED SEATING WILL BE AVAILABLE ON THE SECOND FLOOR IN ROOM 203 (MAX. CAPACITY OF 15). COMPLIANCE WITH ALL PUBLIC HEALTH & SAFETY GUIDELINES INCLUDING COVID-19 SCREENING, TEMPERATURE CHECKS, FACE COVERINGS, AND PHYSICAL DISTANCING MEASURES WILL BE REQUIRED FOR IN-PERSON ATTENDANCE. PLEASE PLAN TO ARRIVE APPROXIMATELY 15 MINUTES PRIOR TO THE SCHEDULED MEETING START TIME TO ALLOW FOR SCREENING PROCESSES. MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE REMOTELY IN THE MEETING VIA THE FOLLOWING METHODS:

As always, the public may view the City Council meetings live on the City of Tracy's website at www.CityofTracy.org or on Channel 26. To view from the City's website, select "Watch Live Council Meetings" from the drop down menu "Select an Online Service" at the top of the City's homepage. You will be directed to the "Council Meeting Videos" page where you may select the video for the appropriate date under "Upcoming Events."

If you only wish to watch the meeting and do not wish to address the Council, the City requests that you stream the meeting through the City's website or watch on Channel 26.

***Remote Public Comment**:*

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

- *Comments via:*
  - **Online by visiting** https://cityoftracyevents.webex.com and using the following **Event Number:** 142 097 5476 and **Event Password**: TracyCC
  - ***If you would like to participate in the public comment anonymously***, you may submit your comment in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.

- *Protocols for commenting via WebEx:*
  - *If you wish to comment on the "Consent Calendar", "Items from the Audience/Public Comment" or "Regular Agenda" portions of the agenda:*

Date Posted: May 27, 2021

        - *Listen for the Mayor to open that portion of the agenda for discussion, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.*
        - *If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.*
    - *Comments for the "Consent Calendar" "Items from the Agenda/Public Comment" or "Regular Agenda" portions of the agenda will be accepted until the public comment for that item is closed.*

- *The total allotted time for public comment will be as follows:*
    - *Consent Calendar:* ***10 minutes***
    - *Items from the Audience:* ***15 minutes***
    - *Regular Items:* ***10 minutes***

Comments received on Webex outside of the comment periods outlined above will not be included in the record.

Americans With Disabilities Act - The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in Council meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6105) 24 hours prior to the meeting.

Addressing the Council on Items on the Agenda - The Brown Act provides that every regular Council meeting shall provide an opportunity for the public to address the Council on any item within its jurisdiction before or during the Council's consideration of the item, provided no action shall be taken on any item not on the agenda. To facilitate the orderly process of public comment and to assist the Council to conduct its business as efficiently as possible, members of the public wishing to address the Council are requested to, but not required to, hand a speaker card, which includes the speaker's name or other identifying designation and address to the City Clerk prior to the agenda item being called. Generally, once the City Council begins its consideration of an item, no more speaker cards will be accepted. An individual's failure to present a speaker card or state their name shall not preclude the individual from addressing the Council. Each citizen will be allowed a maximum of five minutes for input or testimony. In the event there are 15 or more individuals wishing to speak regarding any agenda item including the "Items from the Audience/Public Comment" portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes. When speaking under a specific agenda item, each speaker should avoid repetition of the remarks of the prior speakers. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak. At the Presiding Officer's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Consent Calendar - All items listed on the Consent Calendar are considered routine and/or consistent with previous City Council direction. One motion, a second, and a roll call vote may enact the items listed on the Consent Calendar. No separate discussion of Consent Calendar items shall take place unless a member of the City Council, City staff or the public request discussion on a specific item.

Addressing the Council on Items not on the Agenda – The Brown Act prohibits discussion or action on items not on the posted agenda. The City Council's Meeting Protocols and Rules of Procedure provide that in the interest of allowing Council to have adequate time to address the agendized items of business, "Items from the Audience/Public Comment" following the Consent Calendar will be limited to 15-minutes maximum period. "Items from the Audience/Public Comment" listed near the end of the agenda will not have a maximum time limit. A five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council. When members of the public address the Council, they should be as specific as possible about their concerns. If several members of the public comment on the same issue an effort should be made to avoid repetition of views already expressed.

Notice - A 90 day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90 day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a City Council action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the City Council prior to or at the public hearing.

Full copies of the agenda are available on the City's website: *www.cityoftracy.org*

CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL
ANNOUNCEMENTS

1. CONSENT CALENDAR

1.A. ADOPTION OF MAY 18, 2021 REGULAR MEETING MINUTES

1.B. AUTHORIZE APPLICATION(S) FOR THE PROPOSITION 68: PER CAPITA GRANT PROGRAM AND AUTHORIZE THE CITY MANAGER, OR DESIGNEE, TO EXECUTE CONTRACTS TO ACCEPT THE PER CAPITA GRANT FUNDS

1.C. APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND TRACY CITY CENTER ASSOCIATION

1.D. AUTHORIZE THE SUBMISSION OF A UNITED STATES DEPARTMENT OF JUSTICE'S COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT APPLICATION FOR THE PROJECTED AMOUNT OF $125,000 FOR MENTAL HEALTH, WELLNESS, AND PEER SUPPORT RELATED TRAINING, SERVICES, EQUIPMENT, AND TECHNOLOGY FOR LAW ENFORCEMENT AND AUTHORIZE THE CITY MANAGER TO ACCEPT THE $125,000, IF AWARDED

1.E. WAIVE SECOND READING AND ADOPT ORDINANCE 1308, AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 5.08 "ANIMALS" OF TITLE 5 "SANITATION AND HEALTH" OF THE TRACY MUNICIPAL CODE TO ADHERE TO CURRENT STANDARDS OF ANIMAL CARE AND PRACTICES AND ESTABLISH NEW OPERATIONAL ADMINISTRATIVE PRACTICES AND PERMITTING REQUIREMENTS

1.F. APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR WEST PARKWAY VILLAGE – PHASE 1 TRACT NO. 3966, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

1.G. APPROVE AMENDMENT NO.1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH FCGA ARCHITECTURE, INC. FOR THE TRACY TRANSIT CENTER RENOVATION, CIP NO. 77584, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF $111,320

1.H. APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR ELLIS PHASE 3, TRACT 4007, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

2. ITEMS FROM THE AUDIENCE

3. REGULAR AGENDA

3.A. PUBLIC HEARING AND APPROVAL OF THE 2020 URBAN WATER MANAGEMENT PLAN INCLUDING THE WATER SHORTAGE CONTINGENCY PLAN

3.B. PUBLIC HEARING TO INTRODUCE AN ORDINANCE AMENDING TRACY MUNICIPAL CODE SECTION 10.08.2930 REGARDING THE MINIMUM LOT FRONTAGE REQUIREMENT IN THE HIGHWAY SERVICE ZONE

3.C. DISCUSS AND PROVIDE DIRECTION ON 2021 NATIONAL COMMUNITY SURVEY™

3.D. INTRODUCE AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 7.16 "PARKS AND COMMUNITY SERVICES COMMISSION" OF TITLE 7 "PUBLIC WORKS" OF THE TRACY MUNICIPAL CODE TO CHANGE THE MAKEUP OF THE PARKS AND COMMUNITY SERVICES COMMISSION FROM SEVEN TO FIVE MEMBERS; ADOPT A RESOLUTION AMENDING THE PARKS AND COMMUNITY SERVICES COMMISSION, TRANSPORTATION ADVISORY COMMISSION, AND TRACY ARTS COMMISSION BYLAWS TO CHANGE THE MAKEUP OF THE COMMISSIONS FROM SEVEN TO FIVE MEMBERS, AND ADDING THE REQUIREMENT FOR THE PLANNING COMMISSION, TRACY ARTS COMMISSION, AND YOUTH ADVISORY COMMISSION TO REPORT TO THE CITY COUNCIL ANNUALLY

4. ITEMS FROM THE AUDIENCE

5. STAFF ITEMS

6. COUNCIL ITEMS AND COMMENTS

7. ADJOURNMENT

TRACY CITY COUNCIL REGULAR MEETING MINUTES

May 18, 2021, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy *Web Site:* www.ci.tracy.ca.us

Due to the COVID-19 emergency, the regular meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20, which suspends certain requirements of the Ralph M. Brown Act. Residents participated remotely via email, phone and WebEx during the meeting.

Mayor Young called the meeting to order at 7:06 p.m.

Mayor Young led the Pledge of Allegiance.

Deacon Jack Ryan, St. Bernard's Catholic Church provided the invocation.

Roll call found Council Members Arriola, Bedolla, Davis, Mayor Pro Tem Vargas, and Mayor Young present.

Mayor Young announced the following Proclamations: National Police Week – May 9 – 15, 2021, and (AAPI) Asian American and Pacific Islander Heritage Month – May 2021.

Lee Neves, Chief of Staff from Assemblymember Carlos Villapudua's office provided an informational presentation/legislative update.

1. CONSENT CALENDAR – Following the removal of consent item 1.B by Alice English and 1.F by Alvin Vaughn motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.

   1.A APPROVAL OF MAY 4, 2021, CLOSED SESSION AND REGULAR MEETING MINUTES – **Minutes were adopted**

   1.C APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF TRACY AND HF&H CONSULTANTS, LLC TO PERFORM A SOLID WASTE RATE STUDY, INCREASING THE NOT TO EXCEED AMOUNT BY $17,000 FOR A TOTAL NOT TO EXCEED AMOUNT OF $147,720 **– Resolution 2021-056** approved Amendment No. 1 to Professional Services Agreement with HF&H Consultants.

   1.D APPROVE THE DEFERRED IMPROVEMENT AGREEMENT (DIA) FOR SEEFRIED INDUSTRIAL PROPERTIES, AND AUTHORIZE FOR THE CITY CLERK TO FILE THE DEFERRED IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER **– Resolution 2021-057** approved the Deferred Improvement Agreement for Seefried Industrial Properties.

   1.E WAIVE SECOND READING AND ADOPT **ORDINANCE 1307**, AN ORDINANCE OF THE CITY OF TRACY ADDING CHAPTER 7.28 ("WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY") TO

TITLE 7 ("PUBLIC WORKS") OF THE TRACY MUNICIPAL CODE – **Ordinance 1307 was adopted.**

1.B APPROVE A THREE-YEAR PROFESSIONAL SERVICES AGREEMENT WITH MTM TRANSIT, LLC, FOR SERVICES RELATING TO THE CITY OF TRACY'S TRACER PUBLIC TRANSIT SYSTEM WITH A TOTAL NOT TO EXCEED AMOUNT OF $10,917,793.01

Ed Lovell, Transit Manager provided the staff report.

Alice English pulled the item to enable virtual participants to hear the staff report.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt **Resolution 2021-058** approving a three-year Professional Services Agreement with MTM Transit, LLC, for services relating to the City of Tracy's Tracer public transit with a total of a not to exceed amount of $10,917,793.01. Roll call found all in favor; passed and so ordered.

1.F. ADOPT RESOLUTION AUTHORIZING THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATION PROGRAM (LCTOP) FOR THE USE OF FREE STUDENT BUS RIDES USING AN ALLOCATION OF $28,116 IN LCTOP FUNDS

Ed Lovell, Transit Manager provided the staff report.

Alvin Vaughn strongly supported using the allocation of LCTOP funds to subsidize free bus fares for students.

There were no comments from City Council.

ACTION: Motion was made by Council Member Davis and seconded by Council Member Arriola to adopt **Resolution 2021-059** authorizing the submittal of a project nomination and allocation request for the Low Carbon Transit Operation Program (LCTOP), the execution of the certifications and assurances and authorized agent forms for LCTOP for the following project: Free Student Fares, $28,116.

2. ITEMS FROM THE AUDIENCE – Kathy offered condolences to the family of Paul Green who lost his life in a motorcycle accident, shared her concerns regarding traffic in Tracy, and stated Joranollo and Schulte and Marietta and Schulte need signal lights.

Shawn Cannon stated citizens voted for Measure A - slow growth and against Measure Y. Ms. Cannon shared her concerns regarding Council Member Bedolla, his intent to run for State Assembly, and asked him to step down.

Chris Overhuel spoke about Council continuously siding with developers, expressed his concerns regarding Council Member Bedolla, and added all representatives serve at the behest of the public of Tracy.

Nick Windsatt advocated for a Trader Joes in downtown Tracy.

Justin Mattos spoke about Council's constant support of developers, shared his concerns regarding Council Member Bedolla and his intent to run for State Assembly, and suggested Mayor Pro Tem Vargas also step down due to an FPPC ruling.

Mayor Pro Tem Vargas responded it was a filing error 5-6 years back, was fined $200, and the FPPC has closed that matter.

Council Member Arriola objected to characterization of some of the comments from the prior caller.

Lowella Vista stated she recently moved to Tracy, thought cost of living was going to be great but with COVID was ridiculous and asked Council if there was anything they can do about it, and shared concerns regarding speeding issues.

Dotty Nygard spoke about bike ridership increase in Tracy, following the road rules in a partnership that makes them feel wanted and supported, and asked to be able to do this without the permits and insurance requirements.

James Hallen spoke about bike life being a growing trend, shared concerns regarding traffic and safety issues and requested to allow vesting up as citizens to be volunteers of the Police Department.

Robert Tanner shared his concerns regarding fireworks, another drought, and suggested the City rethink breaking ground for the Aquatics Park.

Josh Dean and son Cody stated as members of a bike riding community they look forward to working with the City, and asked to be allowed to continue to be outdoors and be a positive part of the community.

Alice English shared her concerns regarding Mayor Pro Tem Vargas not disclosing the company she was working for, and expressed disappointment regarding Council Member Bedolla.

Mayor Pro Tem Vargas stated she disagreed with Ms. English's false statements, and divisiveness attitude to this Council.

Dan Evans shared concerns regarding Council Member Bedolla not adhering to his campaign promises, running for State Assembly, and Mayor Pro Tem Vargas's FPPC ruling.

Mayor Pro Tem Vargas responded it was a clerical error, and the disclosure where she worked was on the document.

Garret Murphy stated he has met with Parks and Recreation and the Police Department about bike life and all are on board with what they are doing, and was not sure why permits are needed.

Jennifer Morelos requested Council build the swim center as designed, as a center for all aspects of the community.

Brandon Kanner requested Council build the swim center as designed, as a center for all aspects of the community.

Jim Bozeman commented about Mayor Pro Tem Vargas's FPPC ruling and encouraged Mayor Young to remove her from any economic or policy committees on which she sits.

Lisa Goode stated bike riding is a big thing now and requested Council to consider new bike paths that are safer and off main streets.

3. REGULAR AGENDA

3.A DISCUSS CITY'S RESPONSE TO COVID-19 (VERBAL REPORT)

Jenny Haruyama, City Manager provided an update and presentation on the City's response to COVID-19.

City Council comments and questions followed.

Adrianne Richardson, City Clerk stated Claudia Fab submitted an email with a link to information regarding vaccination concerns.

City Council accepted the report.

3.B PUBLIC HEARING OF THE CITY COUNCIL TO CONSIDER ADOPTION OF THE CITY OF TRACY FISCAL YEARS 2021-22 OPERATING AND CAPITAL BUDGET AND ADOPTION OF THE FUND RESERVE, DEBT, AND INVESTMENT POLICIES

Karin Schnaider, Finance Director provided the staff report.

Mayor Young opened the public hearing.

Robert Tanner spoke about the Police Budget and the decrease in the Code Enforcement budget, which needs to increase due to issues. Also need three more Police cars on each shift, and increase in the Police force.

Alice English echoed Mr. Tanner's comments and spoke about speeding in South Tracy, had hoped that the new 7-11 location would have been a nice Police satellite office, and look at funding for new Police Officers.

Mayor Young closed the public hearing.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Vargas to adopt **Resolution 2021-060** approving the City of Tracy Debt and Investment Policies for FY 2021-22. Roll call vote found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Pro Tem Vargas to adopt **Resolution 2021-061** approving the Funds Reserves Policy Effective Fiscal Year Ending June 30, 2021. Roll call vote found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla to adopt **Resolution 2021-062** approving the Operating, Debt and Capital Budget for Fiscal Year 2021-2022. Roll call vote found all in favor; passed and so ordered.

3.C INTRODUCE AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 5.08 "ANIMALS" OF TITLE 5 "SANITATION AND HEALTH" OF THE TRACY MUNICIPAL CODE TO ADHERE TO CURRENT STANDARDS OF ANIMAL CARE AND PRACTICES AND ESTABLISH NEW OPERATIONAL ADMINISTRATIVE PRACTICES AND PERMITTING REQUIREMENTS

Brittany Pasquale, Animal Services Supervisor, provided the staff report.

City Council questions followed.

Kaycee Thomas asked about the definition of a community cat and whether those rules for applying to be a caregiver would apply on an individual's property.

Trish Johnson, Saving Ferals thanked staff for a great presentation and seeing it through for our animals and supported the program.

Adrianne Richardson, City Clerk read the title of proposed Ordinance.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to waive the reading of the full text and introduce **Ordinance 1308** an ordinance amending Chapter 5.08 "Animals" of Title 5 "Sanitation and Health" of the Tracy Municipal Code to adhere to current standards of animal care and practices and establish new operational administrative practices and permitting requirements. Roll call vote found all in favor; passed and so ordered.

3.D APPOINT ONE APPLICANT TO SERVE ON THE MEASURE V RESIDENTS' OVERSIGHT COMMITTEE FROM ELIGIBILITY LIST

Adrianne Richardson, City Clerk, provided the staff report.

There was no public comment.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to approve the subcommittee's recommendations to appoint Tai'Rance Kelly to the Measure V Residents' Oversight Committee to serve the remainder of the term, beginning May 19, 2021 to February 28, 2022. Roll call vote found Council Members Bedolla, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Arriola abstained.

3.E APPOINT THREE APPLICANTS TO SERVE ON THE CITY OF TRACY TRANSPORTATION ADVISORY COMMISSION

Adrianne Richardson, City Clerk, provided the staff report.

The Council Subcommittee consisting of Council Member Davis and Council Member Bedolla announced their recommendations.

Alice English thanked Council for bringing back Commissioners Cooper and Khanna, and asked why a recruitment is opened when there are commissioners that are doing a good job and want to stay on the commission.

William Muetzenberg encouraged Council and commissioners to look at how the City can incentivize residents and visitors to get out of their cars, prioritize Tracer and make sure neighborhoods and developments are better integrated with our public transportation.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Davis and seconded by Council Member Bedolla to approve the subcommittee's recommendations and reappoint Gary Cooper, Rajnish Khanna, and appoint Sharanjit Dhillon to the City of Tracy Transportation Advisory Commission to serve a 4-year term beginning May 19, 2021 and ending April 30, 2025. The following candidates were placed on the 12-month eligibility list: 1) Nicholas Sese, (2) William Muetzenberg, (3) Manjit Ghuman, and (4) Raj Dhillon. Roll call vote found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – None

5. STAFF ITEMS – Jenny Haruyama, City Manager provided an update on the following action taken by the City Manager during the COVID emergency.

- Awarded contract to Goodland Landscape Construction, Inc. of Tracy, California for Alden Park and Ken Yasui Park Playground Renovation Project CIP 78173.

6. COUNCIL ITEMS – Mayor Pro Tem Vargas reported on the Latino Caucus, and League of California meetings, and announced Valley Link certified the EIR and is moving to design process and funding. Mayor Pro Tem Vargas requested a discussion with the Master Plan update on bike and trails regarding waiving any permit fees, insurance for the bike group. Wanted to understand how we can ask for a permit fee when it is not a facility rental. Council Member Bedolla seconded the request.

Council Member Bedolla spoke about the County being in extreme drought, the 2011 Sustainability Action Plan provisions and requested support to direct the City to modernize the 2011 sustainability action plan - with higher focus on drought tolerant landscaping - with targets for the year 2030 or 2035; to publish work plans with a performance period of two consecutive fiscal years; and to publish a halfway point progress report. Council Member Arriola seconded the request.

Council Member Bedolla requested support for the next affordable housing discussion to include options for adjustments to city residential development fees. Including to adjust fees on affordable projects and below market rate projects; to set charges on the square footage of a project; and to develop or refine best practices overall and if a project changes during the development process.

Jenny Haruyama, City Manager confirmed the item will be coming back and it would be broad enough to include Council Member Bedolla's recommendations. Mayor Pro Tem Vargas seconded Council Member Bedolla's request.

Council Member Bedolla requested support for the next affordable housing or growth management discussion to include amending a portion of the growth management ordinance to reflect when Council has a discretionary item before them and there is a request to move into the secondary residential area that a community benefit or community benefit funds be considered to help with expansion of roadways, water and sewer infrastructure, fire stations, parks and schools.

Leticia Ramirez, City Attorney asked Council Member Bedolla if he was requesting a Council policy to require a community benefit whenever there is a discretionary project or act before Council to include a project in the secondary residential growth area.

Council Member Bedolla responded yes. Whenever there is a discretionary item before Council asking to be brought into the secondary residential area there would at least be some kind of trigger where Council can discuss a possible community benefit from the applicant. Mayor Young seconded the request.

Council Member Arriola recognized and honored the loss of Officer Jimmy Inn of Stockton Police Department who was killed in the line of duty last week. In addition, Council Member Arriola thanked our Tracy Police department who participated in the procession and helped with control traffic, and such an honorable thing to work alongside other partner agencies.

Mayor Pro Tem Vargas stated in regards to drought, in the past water was cut on the trees and trees should continue to be watered during the drought.

Ms. Haruyama responded no decision has been made on modifying or rationing water until we receive more direction from the State. If there is any type of change that is significant to what we are doing now, it would be brought to Council's attention but for now it can be kept at the operational level. Ms. Haruyama confirmed she would send Council a memo if there are any changes.

Mayor Young stated the Eleventh Street center divide looks good and gave kudos to Public Works. Mayor Young reported on various meetings and events she attended.

Mayor Young requested support to bring back a revision to Section 2, D.2 of Exhibit A to Resolution 2020-009 – Adopting a Council Policy Establishing a Selection Process for Appointments to City Advisory Bodies, to update language relating to the eligibility list. Mayor Pro Tem Vargas supported the request.

7. ADJOURNMENT – Time: 10:48 p.m.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adjourn. Roll call vote found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on May 13, 2021. The above are action minutes. A recording is available at the office of the City Clerk.

_____
Mayor

ATTEST:

_____
City Clerk

June 1, 2021

AGENDA ITEM 1.B

REQUEST

AUTHORIZE APPLICATION(S) FOR THE PROPOSITION 68: PER CAPITA GRANT PROGRAM AND AUTHORIZE THE CITY MANAGER, OR DESIGNEE, TO EXECUTE CONTRACTS TO ACCEPT THE PER CAPITA GRANT FUNDS

EXECUTIVE SUMMARY

The City of Tracy has the opportunity to submit application(s) for local park rehabilitation projects to the Proposition 68, Per Capita Program. The program announced that the City of Tracy has been allocated $177,952 through Per Capita for cities and $56,113 in Urban County Per Capita Funds for a total of $234,065 in Per Capita Funds. To receive these funds the City of Tracy must submit a resolution and qualifying application(s) for verification of eligibility and awarding of funds.

This item requests Council authorize the submission of an application to the Per Capita Program and authorize the City Manager or designee to execute contracts to accept these grant funds, if awarded.

DISCUSSION

The Per Capita Program is funded through Proposition 68, Parks and Water Bond Act of 2018. The program is administered through the State of California Natural Resources Agency, Department of Parks and Recreation, Office of Grants and Local Services (OGALS). The Per Capita Program is designed for local governments to fund local park rehabilitation, creation, and improvements on a per capita basis. Grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address neighborhoods lacking access to the outdoors. In order for eligible projects to receive funding, the capital improvement must be for recreational purposes. Projects are intended to serve “severely disadvantaged communities”, which are defined by the program as communities with median household incomes less than 60% of the statewide average. Projects that do not serve “severely disadvantage communities” require a 20% match.

The Per Capita Grant also expects recipients, to the extent practicable, consider a range of actions as identified in the “Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters", dated January 12, 2018, when submitting an application that include, but is not limited to:

(A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
(B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
(C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.

(D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
(E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.
(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.
(G) Identifying possible staff liaisons to diverse populations.

In May 2019, City staff attended Public Hearings hosted by OGALS in regards to the Per Capita Program. On May 31, 2019 staff submitted a required Per Capita Allocation Questionnaire, and accompanying documents, to declare the City's eligibility and interest in Per Capita Program Funds. The City was notified from OGALS that the City of Tracy has been allocated $177,952 through Per Capita for Cities and $56,113 in Urban County Per Capita Funds for a total of $234,065 in Per Capita Funds.

Proposed Application

Hoyt Park – Per Capita Improvements (CIP 78184): Frank Hoyt Park is located within one of Tracy's severely disadvantaged neighborhoods and improvement needs have been identified within the park that are eligible for the Per Capita Grant funding. This project is included in the proposed five year FY2021-2026 Capital Improvement Plan (CIP) Outlook, and matches the Grant's requirements in addressing outdoor access to increase visitation and access by diverse populations. See Attachment A for additional details about the project.

As referenced in the Grant's Procedural Guide, multiple eligible projects at the same site may be submitted under one application, and multiple applications may be submitted to use allocated funds, however projects at multiple sites must have separate applications. If additional project funds are available, staff will evaluate other parks/projects eligible for funds and submit additional applications for funds. At this time, staff intends to submit only one application.

Timeline for the Per Capita Program includes:

- Now – Passing a Resolution accepting Per Capita Funds
- December 2021 – Deadline to submit application package(s) to OGALS
- June 2022 – Contract for projects must be fully encumbered, signed by OGALS and City of Tracy
- December 2023 – Complete all eligible projects
- March 2024 – Deadline for all project completion packages to OGALS

STRATEGIC PLAN

This agenda item supports the City of Tracy's Quality of Life Strategic Priority, which is to provide an outstanding quality of life by enhancing the City's amenities, business mix and services and cultivating connections to promote positive change and progress in our community.

FISCAL IMPACT

Approval of this item is expected to have minimal impact on the City General Fund. Staff time will be absorbed within the current Department and City operating budgets. If the proposed projects are deemed eligible and the application is approved, staff's time administering the grant, construction, and project soft costs are eligible for reimbursement.

RECOMMENDATION

That the City Council, by resolution, authorize submission of application(s) for the Prop 68: Per Capita Grant and authorize the City Manager, or designee, to execute contracts to accept the Per Capita Grant Funds.

Prepared by: Thien Nguyen, Recreation Services Supervisor

Reviewed by: Jolene Jauregui-Correll, Recreation Services Manager
Richard Joaquin, Parks Planning and Development Manager
Brian MacDonald, Director of Parks & Recreation
Karin Schnaider, Director of Finance
Midori Lichtwardt, Assistant City Manager

Approved by: Jennifer D. Haruyama, City Manager

Attachments:

Attachment A – Hoyt Park - Per Capita Improvements Project Detail Sheet

Capital Improvement Program

Parks & Recreation Improvements
Hoyt Park - Per Capita Improvements
Proposed Project

Project Number: 78184
Project Budget: $234,065
Project Manager:
Department: Parks & Recreation
Project Priority: Low
Project Type: Capital Maintenance
Customers Served: Residents City Services
Council Strategic Priority: N/A

Description: The City of Tracy has the opportunity to rehabilitate existing infrastructure at Hoyt Park through the Proposition 68, Per Capita Program. The project includes resurfacing and re-stripping the parking lot, replacing bench and table furnishings in the park, and addressing other amenities, pending available funds.

Justification: Per Capita funds were awarded to the City of Tracy in 2020 and projects that are located within disadvantaged communities are eligible and preferred locations for funds to be spent to "address neighborhoods lacking access to outdoors". Projects must be for capital outlay and recreational purposes with Hoyt Park being an eligible park in the City that can benefit from infrastructure improvements.

Comments:
- Spring 2021- Passing a Resolution accepting Per Capita Funds
- December 2021 – Deadline to submit application package(s) to OGALS
- June 2022 – Contract for projects must be fully encumbered, signed by OGALS and City of Tracy
- December 2023 – Complete all eligible projects
- March 2024 – Deadline for all project completion packages to OGALS

Request for Proposals and construction is expected between January 2022-December 2023

Resolutions:

Year Identified: **Start Date:** 2021/2022 **Est. Completion Date:** 2023/2024

<- - - - - - - Projected - - - - - ->

Fund Name	Expended	Carryover	FY2021/22	FY2022/23	FY2023/24	FY2024/25	FY2025/26	Total
Grant Funding	$ -	$ -	$ 234,065	$ -	$ -	$ -	$ -	$ 234,065

RESOLUTION _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRACY APPROVING APPLICATION(S) FOR PER CAPITA GRANT FUNDS AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE CONTRACTS TO ACCEPT THE PER CAPITA GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract(s) with the State of California to complete project(s);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tracy hereby:

1. Approves the filing of project application(s) for Per Capita program grant project(s); and
2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that all projects proposed will be consistent with the park and recreation element of the City of Tracy general or recreation plan (PRC §80063(a)), and
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and
6. Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and
7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the City of Tracy will consider a range of actions that include, but are not limited to, the following:
    (A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
    (B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
    (C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.
    (D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
    (E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.
(G) Identifying possible staff liaisons to diverse populations.

8. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).
9. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).
10. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and
11. Delegates the authority to the City Manager, or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and
12. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

* * * * * * * * * * * * * *

The foregoing Resolution _____ was adopted by Tracy City Council on the 1st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 1, 2021

AGENDA ITEM 1.C

REQUEST

APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND TRACY CITY CENTER ASSOCIATION

EXECUTIVE SUMMARY

The Tracy City Center Association (TCCA) is a non-profit public benefit California Corporation that is dedicated to revitalizing Downtown Tracy and the surrounding area. TCCA works in partnership with the City of Tracy through a prior Disbursement Agreement and hosts a number of annual public events to the benefit of the community. The City is providing in-kind services to TCCA annual events, and is seeking to formalize this partnership through a Memorandum of Understanding (MOU) with a four-year term.

DISCUSSION

Tracy City Center Association (TCCA) is a non-profit public benefit California corporation that operates the Downtown Tracy Community Benefit District ("District"). The District exists to benefit businesses and to revitalize Downtown Tracy by promoting beautification and marketing efforts of particular benefit to the properties located within its boundaries. The District was formed in 2009 pursuant to the Property and Business improvement District law of 1994 and generates revenue through annual property assessments from the properties located within its boundary. The District has a western boundary of A and 10th Streets, a northern boundary of 11th Street and Central Avenue, eastern is the east side of Central Avenue, with the southern boundary at 6th Street and the commercial block between 6th and D Streets. TCCA's goal "is to facilitate the investment of private and public capital, the offering of quality public improvements, educational, cultural, artistic, charitable, and social events & services that will result in the increased economic well-being of residents, employees, business & property owners within the TCCA district and the downtown locality".

TCCA has worked in partnership with the City through a Disbursement Agreement since 2010 (Attachment A, Exhibit D), which sets forth the terms and conditions under which the District must operate. The Disbursement Agreement includes non-specific language regarding TCCA hosting downtown special events and enhanced operations.

In an effort to promote the District's identity and to increase customer traffic downtown, TCCA plans and hosts the Downtown Farmers' Market, as well as the following annual community events: Taps on Tenth, Downtown Tracy Wine Stroll, Halloween Parade, Holiday Parade, Tree Lighting Ceremony, and Santa Hut.

These events have become annual traditions for local residents. TCCA hosts and organizes these events in partnership with the City, taking on coordinating, staffing, cleaning, and other responsibilities with these public events and throughout the year. These annual events have been important investments in the local community, as they have provided social, economic, and artistic opportunities to local businesses and residents to celebrate and come together in the City.

This updated MOU formalizes facility use, fee waivers, and in-kind services and support provided to the TCCA by multiple City departments and responsibilities of TCCA in submitting applications, acquiring permits, maintaining insurance and coordinating these events. This MOU is formatted to provide transparency about the partnership and detail the exchange of services between the TCCA and the City. City staff is amenable to the negotiated terms and exchange of services included in the MOU and is able to fund support through existing operating budgets.

STRATEGIC PLAN

This agenda item supports the City of Tracy's Quality of Life Strategic Priority, and specifically implements the following goal:

Goal 3: Provide City programming and events that bolster quality of life.

FISCAL IMPACT

Approval of this MOU will have a fiscal impact to the General Fund as a loss of revenue related to the use of City facilities, various maintenance and landscape costs, as well as staffing and equipment budgets, which will be absorbed by department operating budgets. The total estimated annual net liability to the City, based on FY 2019-2020 Master Fee Schedule and Salary Schedule is $23,465.89 annually. The hosting of Special Events in Downtown Tracy generates additional foot and vehicle traffic that leads to tax revenue for the City from Downtown Businesses.

RECOMMENDATION

That City Council, by resolution, approve the Memorandum of Understanding between the City of Tracy and TCCA.

Prepared by: Thien Nguyen, Recreation Services Supervisor

Reviewed by: Jolene Jauregui-Correll, Recreation Services Manager
Brian MacDonald, Director of Parks & Recreation
Don Scholl, Director of Public Works
Karin Schnaider, Director of Finance
Midori Lichtwardt, Assistant City Manager

Approved by: Jennifer D. Haruyama, City Manager

ATTACHMENTS

Attachment A – MOU between the City of Tracy and Tracy City Center Association

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND THE TRACY CITY CENTER ASSOCIATION

I. **PARTIES:** This Memorandum of Understanding (Agreement) is made by and between the City of Tracy (City), a municipal corporation, and the Tracy City Center Association (TCCA) a non-profit public benefit California corporation.

II. **RECITALS:** TCCA is a non-profit organization that represents businesses and property owners in the Downtown Tracy Community Benefit District by promoting the investment opportunities and community benefits of Downtown Tracy to residents and visitors through business attraction efforts, community events, and beautification activities.

The City Council recognizes TCCA as assisting the City in providing services and support to downtown business.

III. **RESPONSIBILITIES:** It is agreed by and between the parties hereto that each party shall have the following responsibilities:

A. City shall provide:

1. Maintenance of:

   a. Landscape care for all City owned public parking lots and landscaping outside the TCCA district boundaries (Exhibit A), excluding the sidewalk and paver parking area on the north side of 6th Street between Central Ave. & D Street.

   b. Irrigation system management and repair – The future growth of the street trees may result in abandonment of these systems due to the inability to make repairs without causing significant damage to the tree roots.

   c. Irrigation/lighting system management and repair of City controlled infrastructure in TCCA managed public parking lots (Exhibit B), including providing continued electric and water service for said systems. Excludes plant and tree replacement, slurry seal, asphalt repair, general upkeep/maintenance or insurance.

   d. Tree pruning and/or removal within Exhibit A, including TCCA managed public parking lots/alleys (Exhibit B).

   e. Landscape care at the Fire Department administrative offices located at 835 N. Central Avenue, Tracy. Care of this area is subject to the conditions governed by the terms contained within the JPA between the City and the South San Joaquin County Fire Authority.

   f. Provide landscape mulch, when available, at no cost from City tree contractor.

   g. Repair and replacement of all benches and flower pots within Exhibit A, as funds are available.

h. Repair, replace, and program up-lights, bollard lights, string lights and outlets, as needed. Repairs and replacements will be limited to basic, routine and safety related tasks and could be limited depending upon budget constraints. Major repairs, replacements or upgrades must be processed through the City's Capital Improvement Project (CIP) process and are not guaranteed.

i. Provide twice per week, street sweeping within Exhibit A on 10th Street and Central Avenue in coordination with TCCA operational staff and/or contractors.

2. For TCCA special events within Exhibit A, City will provide:

a. Pending event review and comment by Special Event Review Team and approval by Parks and Recreation Director, facility use and special event permit for Tracy Downtown Farmers' Market, held within Exhibit A, waive all City fees and charges, except as noted herein, to provide:

i. Electrical outlet access within Exhibit A as available.
ii. City staff printing and posting of "no parking" signage as required.
iii. Alcohol permit for City streets, pending City Council approval, per the Tracy Municipal Code, for beer or wine vendor.

b. Pending event review and comment by Special Event Review Team and approval by Parks and Recreation Director, facility use and special event permit for Taps on Tenth annual event held on City streets, waive all City fees and charges, except as noted herein, to provide:

i. City staff printing and posting of "no parking" signage as required. City staff and equipment to execute street and parking lot closures and re-openings.
ii. Power outlet access on Tenth Street and Central Avenue as available.
iii. Alcohol permit for City streets, pending City Council approval, per the Tracy Municipal Code.
iv. Tracy Police Department event support, with coverage to be determined at the discretion of the Police Chief or designee.

c. Pending event review and comment by Special Event Review Team and approval by Parks and Recreation Director, facility use and special event permit for Downtown Tracy Wine Stroll annual event held on City streets, waive all City fees and charges, except as noted herein, to provide:

i. Electrical outlet access at Front Street Plaza, as available.
ii. City staff printing and posting of "no parking" signage as required. City staff and equipment to execute street and parking lot closures and re-openings.

iii. Power outlet access on Tenth Street and Central Avenue as available.
iv. Alcohol permit for City streets, pending City Council approval, per the Tracy Municipal Code.
v. Tracy Police Department event support, with coverage to be determined at the discretion of the Police Chief or designee.

d. Pending event review and comment by Special Event Review Team and approval by Parks and Recreation Director, facility use and special event permit for Halloween annual event held on City streets, waive all City fees and charges, except as noted herein, to provide:

i. Electrical outlet access at Front Street Plaza, as available.
ii. City staff printing and posting of "no parking" signage as required. City staff and equipment to execute street and parking lot closures and re-openings.
iii. Power outlet access on Tenth Street and Central Avenue as available.

e. Pending event review and comment by Special Event Review Team and approval by Parks and Recreation Director, facility use and special event permit for the Holiday Light Parade (pre-approved "Holiday Parade Route") held on City streets and Tree Lighting Ceremony at Front Street Plaza, held on a Saturday in December, and Santa Hut program at Front Street Plaza during the months of November and December, waive all City fees and charges, except as noted herein, to provide:

i. Electrical outlet access at Front Street Plaza, as available.
ii. City staff printing and posting of "no parking" signage for the parade and at Front Street Plaza, as required. City staff and equipment to execute street and parking lot closures and re-openings.
iii. Power outlet access on Central Avenue for parade judges' station.
iv. Tracy Police Department event support, with coverage to be determined at the discretion of the Police Chief or designee.
v. City Facility Attendant support, with coverage to be determined by the Parks and Recreation Director, not to exceed 10 hours of staff time.
vi. Permit use of Front Street Plaza for holiday tree and Santa Hut visits thorough the months of November and December, per event details and schedule provided by TCCA.

f. Submit requests for additional special events requiring City event support and in-kind services through City Staff review, policy, and available budget.

3. Submit and refer requests for non-TCCA special events within Exhibit A to TCCA for review and input.

B. TCCA shall:

1. Provide maintenance within Exhibit A to include:

    a. Enhance litter removal and overall cleanliness.

    b. Sidewalk sweeping and steam cleaning as needed.

    c. Weed control of all planter beds, pots and sidewalks/walkways (including pavers).

    d. Flower pot planting and care.

    e. Planter bed mulch application (City will arrange for 'free' recycled mulch to be dropped at a designated location when needed and as available from our tree maintenance contractor).

    f. Cleaning all benches, trash receptacles, and flower pots.

    g. Seasonal lighting in trees – TCCA to appropriately install lights (per code) so as not to cause harm to the trees. Lights will be removed in a timely manner.

2. Provide community events, to include the Downtown Farmers' Market, Taps on Tenth, Downtown Tracy Wine Stroll, Halloween Parade, Holiday Parade and Tree Lighting, and any other Downtown TCCA sponsored events that will benefit the community and downtown businesses:

    a. For the Downtown Farmers' Market:

        i. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application and layout map in writing no later than 5 business days prior to the event date.
        ii. Submit permit applications for all required safety inspections from the City and South San Joaquin County Fire Authority, with fee payment if required, a minimum of 10 business days in advance of event date.
        iii. Adhere to the final, City-approved event schedule, layout map, and conditions of permits and approvals.
        iv. Provide staffing, equipment, and signage to execute street closures per posted notices at TCCA expense.
        v. Adequately clean any City facilities and public right of way to acceptable condition after permitted use and facilitate payment for any repairs to damages caused by such use, other than normal wear and tear, in excess of the damage deposit, including traffic control devices and public safety equipment used during permitted event.

vi. Obtain ABC license for beer and/or wine vendors as required by law.
vii. Ensure Downtown Farmers' Market provides routine and as-needed cleaning of all City areas and amenities impacted by its operations, including but not limited to: streets, sidewalks, gutters, light poles, benches, etc.

b. For the Taps on Tenth annual event, or comparable event, held on City streets:

i. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application and layout map in writing no later than 5 business days prior to the event date.
ii. Submit permit applications for all required safety inspections from the City and South San Joaquin County Fire Authority, with fee payment if required, a minimum of 10 business days in advance of event date.
iii. Obtain applicable ABC licenses as required by law.
iv. Conduct regular meetings as needed with TCCA staff, volunteers, and City staff to coordinate event details, and adhere to the final, City-approved event schedule, layout map, and permit conditions.
v. Provide the necessary staff, volunteers, vendors, equipment, and promotions to successfully conduct the Taps on Tenth event, and have a TCCA representative on site during permitted reservation times.
vi. Provide supplemental portable toilets and hand washing stations on site for event, at TCCA expense. Coordinate with City staff for delivery.
vii. Clean and restock portable toilets and empty trash receptacles during event.
viii. Adequately clean any City facilities and public right of way to acceptable condition after permitted use and facilitate payment for any repairs to damages caused by such use, other than normal wear and tear, including traffic control devices and public safety equipment used during permitted event.

c. For the Downtown Tracy Wine Stroll annual event, or comparable event, held on City streets:

i. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application and layout map in writing no later than 5 business days prior to the event date.
ii. Submit permit applications for all required safety inspections from the City and South San Joaquin County Fire Authority, with

fee payment if required, a minimum of 10 business days in advance of event date.

iii. Obtain applicable ABC licenses as required by law.

iv. Conduct regular meetings as needed with TCCA staff, volunteers, and City staff to coordinate event details, and adhere to the final, City-approved event schedule, layout map, and permit conditions.

v. Provide the necessary staff, volunteers, vendors, equipment, and promotions to successfully conduct the Downtown Tracy Wine Stroll event, and have a TCCA representative on site during permitted reservation times.

vi. Provide supplemental portable toilets and hand washing stations on site for event, at TCCA expense. Coordinate with City staff for delivery.

vii. Clean and restock portable toilets and empty trash receptacles during event.

viii. Adequately clean any City facilities and public right of way to acceptable condition after permitted use and facilitate payment for any repairs to damages caused by such use, other than normal wear and tear, including traffic control devices and public safety equipment used during permitted event.

d. For the annual youth Halloween event, or comparable event, held on City streets:

i. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application and layout map in writing no later than 5 business days prior to the event date.

ii. Submit permit applications for all required safety inspections from the City and South San Joaquin County Fire Authority, with fee payment if required, a minimum of 10 business days in advance of event date.

iii. Conduct regular meetings as needed with TCCA staff, volunteers, and City staff to coordinate event details, and adhere to the final, City-approved event schedule, layout map, and permit conditions.

iv. Provide the necessary staff, volunteers, vendors, equipment, and promotions to successfully conduct the Halloween event, and have a TCCA representative on site during permitted reservation times.

v. Adequately clean any City facilities and public right of way to acceptable condition after permitted use and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, including traffic control devices and public safety equipment used during permitted event.

e. For the annual Holiday Light Parade and Tree Lighting Ceremony event and Santa Hut program held on City streets and at Front Street Plaza:

   i. Submit a facility use and special event application and event layout map with all required supplemental materials, and pay refundable damage deposit, a minimum of 90 days and no more than 12 months in advance of event date. Communicate any and all changes to the event application and layout map in writing no later than 5 business days prior to the event date.
   ii. Submit permit applications for all required safety inspections from the City and South San Joaquin County Fire Authority, with fee payment if required, a minimum of 10 business days in advance of event date.
   iii. Conduct regular meetings with TCCA staff, volunteers, and City staff to coordinate event details, and adhere to the final, City-approved event schedule, layout map, and permit conditions.
   iv. Provide the necessary staff, volunteers, vendors, equipment, and promotions to successfully conduct the Holiday Light Parade and Tree Lighting Ceremony event, and Santa Hut program, and have a TCCA representative on site during permitted reservation times.
   v. Provide supplemental portable toilets and hand washing stations on site for event, at TCCA expense. Coordinate with City staff for delivery.
   vi. Clean and restock portable toilets and empty trash receptacles during event.
   vii. Adequately clean any City facilities and public right of way to acceptable condition after permitted use and facilitate and pay for any repairs to damages caused by such use, other than normal wear and tear, including traffic control devices and public safety equipment used during permitted event.

f. Submit requests for additional special events requiring City event support and in-kind services through City Staff review, policy, and available budget.

g. Events shall not interfere with TRACER bus service.

h. Hold regular meetings with staff, volunteers, and City to collaborate on ideas and implementation of events.

i. Obtain Facility Use and Special Event and/or Temporary Use Permits and/or Encroachment Permits as required by the Tracy Municipal Code or City Policy.

j. Adhere to the City's established facility rental policies and processes outlined in the City's Facility Reservation Handbook attached as Exhibit C.

3. Review and provide input for proposed non-TCCA special events within Exhibit A.

4. To the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold harmless the City from and against any claims arising out of TCCA's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole, active negligence or willful misconduct of the City. In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "TCCA" means Tracy City Center Association, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses in connection therein) and any allegations of these; and "Arising out of" includes "pertaining to" and "relating to.

5. Throughout the duration of this Agreement, maintain insurance to cover TCCA, its agents, representatives, and employees in connection with the performance of services under this Agreement at the minimum levels set forth here.

    a. Commercial General Liability (with coverage at least as broad as ISO form CG 00 01 01 96) coverage shall be maintained in an agreement not less than $4,000,000 general aggregate and $2,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.
    b. Notice of Cancellation. TCCA shall notify City if the policy is cancelled before the expiration date. For the purpose of this notice requirement, any material change in the policy is considered a cancellation. TCCA shall immediately obtain a replacement policy.
    c. Authorized Insurers. All insurance companies providing coverage to TCCA shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.
    d. Insurance Certificate. TCCA shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City Attorney, no later than five days after the execution of this Agreement.
    e. Additional Insured Endorsement. TCCA shall provide an Additional Insured Endorsement page naming the City of Tracy as an additional insured.
    f. Substitute Certificates. No later than 30 days before the policy expiration date of any insurance policy required by this Agreement, TCCA shall provide a substitute certificate of insurance.
    g. TCCA's Obligation. Maintenance of insurance by TCCA as specified in this Agreement shall in no way be interpreted as relieving TCCA of any responsibility whatsoever (including indemnity obligations under this Agreement), and TCCA may carry, at its own expense, such additional insurance as it deems necessary.

C. The parties shall agree that:

1. This Agreement shall be subject to any and all policies, regulations and ordinances of the City of Tracy.

2. Under no circumstances shall this Agreement be interpreted as creating a partnership, joint venture or employment between the parties. Each party acknowledges and agrees that it neither has, nor will give the appearance of having, any legal authority to bind or commit the other party in any way other than adherence to the terms of this Agreement. TCCA and City agree that each party shall be responsible for the payment of wages and benefits of each of their respective employees and agents.

IV. **TERMINATION**: Either party may terminate this Agreement by providing thirty (30) days prior written notice to the other party of its intention to terminate.

V. **TERM:** This Agreement shall take effect on April 6, 2021 and shall expire on June 30, 2025. City, at the sole discretion of the City Manager or designee, may extend the term of this Agreement in two-year increments.

VI. **AMENDMENTS**: This Agreement may be amended in writing and the amendment must be approved by mutual Agreement of both parties.

VII. **DESIGNATED REPRESENTATIVES**: For the purposes of administering the Agreement, the Association President for Tracy City Center Association and the Parks and Recreation Director for the City of Tracy shall act as representatives for their respective organizations.

VIII. **NOTICES**:

City of Tracy, a municipal corporation

City of Tracy
Parks and Recreation Director
333 Civic Center Plaza
Tracy, CA 95376

Tracy City Center Association, a non-profit public benefit California corporation

Tracy City Center Association
Attn: John Oh, Association President
20 W. 11th Street
Tracy, CA 95376

With a copy to:

City Attorney
333 Civic Center Plaza
Tracy, CA 95376

IX. **ENTIRE AGREEMENT**: This Agreement constitutes the entire Agreement between the City and TCCA. The Parties further agree that any agreements, written or oral, or MOUs entered into by the Parties, prior to the effective date of this Agreement, shall have no further force or effect. Any amendment to this Agreement, including oral modification, must be reduced to a writing and signed by both the City and TCCA.

IX. **SIGNATURES**: The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of TCCA and the City. This Agreement shall inure to the benefit of and be binding upon the parties thereto and their respective successors and assigns.

CITY OF TRACY, a Municipal Corporation

_____
Nancy D. Young, Mayor

Date:_____

TRACY CITY CENTER ASSOCIATION, a Non-profit Public Benefit California Corporation

_____
John Oh, Association President

Date: 5/14/21

ATTEST:

_____
Adrianne Richardson, City Clerk

Date:_____

APPROVED AS TO FORM:

_____
Leticia Ramirez, City Attorney

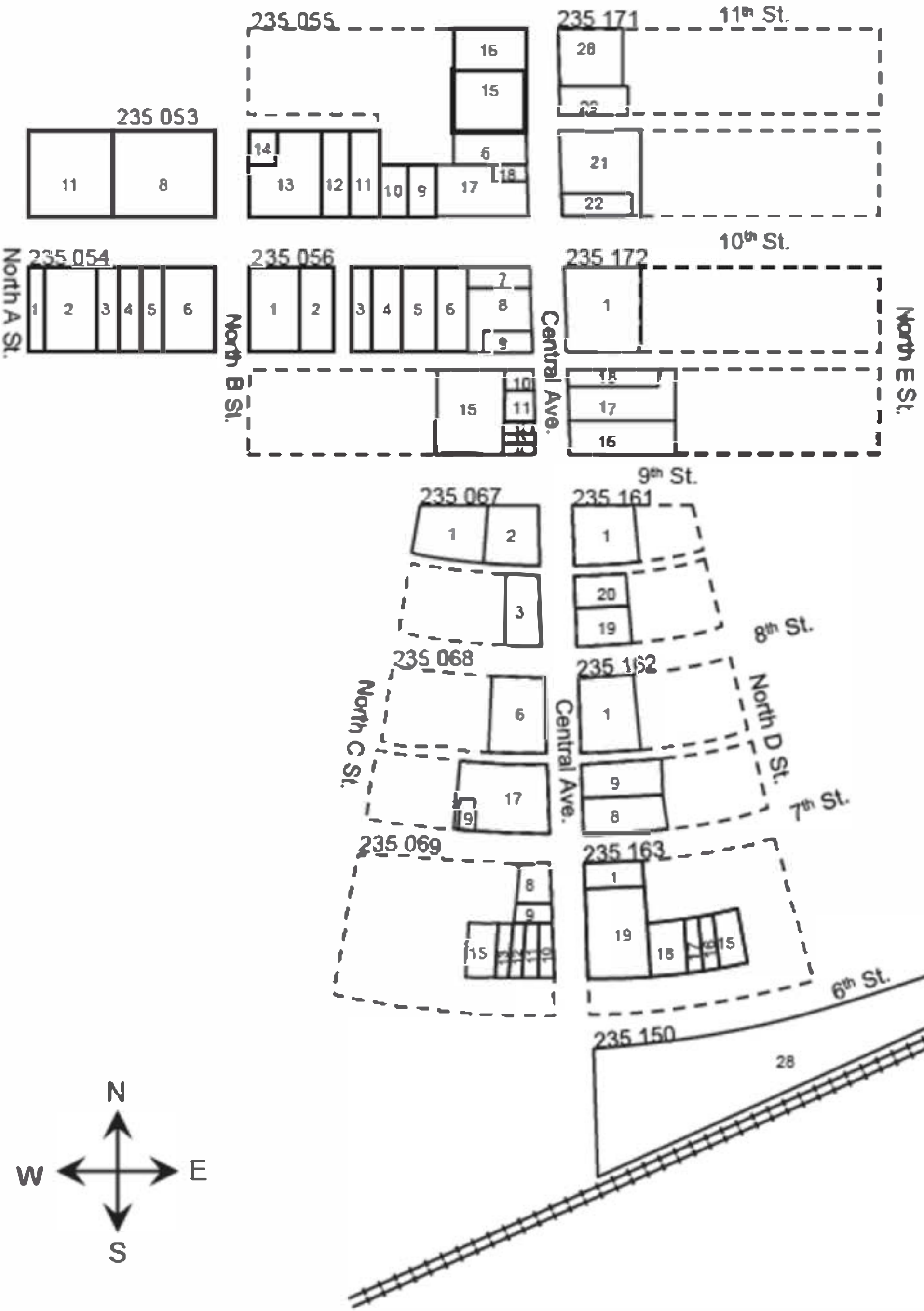
Date:_____

Exhibits:

A TCCA Proposed Benefit Zone 2015
B: TCCA-maintained parking lots map
C: City of Tracy Facility Reservation Handbook
D: Disbursement Agreement between the City of Tracy and Tracy City Center Association (July 2010)

EXHIBIT A

Proposed Benefit Zone 2015



All-Day Public Parking

EXHIBIT B - TCCA Maintained Parking Lots

DOWNTOWN TRACY
TRACY CITY CENTER ASSOCIATION

Holly Dr.
11th Street
Tracy Inn
Grunauer Alley
East Street
Civic Center Dr.
Chamber of Commerce
Tracy City Hall
10th Street
A Street
B Street
Gillett Alley
Tracy Community Center
Post Office
9th Street
N. School Street
Central Avenue
8th Street
F Street
Jackson Alley
E Street
C Street
D Street
Grand Theatre
7th Street
Eagan Alley
6th Street
Downtown Plaza
Transit Station

N
W
E

Ample hourly street parking and private lots also available throughout Downtown Tracy.

TCCA District Boundaries



EXHIBIT C

CITY OF TRACY

Facility Reservation Handbook

Effective July 1, 2016



City of Tracy Parks & Recreation Department
Community Facilities Division
333 Civic Center Plaza, Tracy, CA 95376
Phone: (209) 831-6201
Fax: (209) 831-6218
Email: facilityreservations@cityoftracy.org

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INTRODUCTION

Thank you for considering the City of Tracy for your next business, family, or personal gathering or event. The City's Parks & Recreation Department, through its Community Facilities Division, administers the allocation and reservation of City-owned and operated indoor facilities and outdoor, park and picnic areas.

The City of Tracy recognizes the importance of providing safe, well-maintained and aesthetically appealing facilities to all users. The policy provided herein reflects this philosophy, as well as the City's desire to provide an outstanding quality of life through park amenities and facilities.

Please carefully review this handbook prior to submitting your request for facility usage, and sign the Acknowledgement Form on the last page of the Handbook to signify that you (and/or the representing organization) have read and understood the information and policy herein.

Contact information for the Community Facilities Division is as follows:

Tracy City Hall
333 Civic Center Plaza
Tracy, CA 95376

City Hall Business Hours:
Monday – Thursday 8:00 am – 6:00 pm
Friday* 8:00 am – 5:00 pm

**City offices are closed every other Friday. Please call ahead for office availability.*

Phone (209) 831-6201
Fax (209) 831-6218
Email facilityreservations@cityoftracy.org

City website: www.thinkinsidethetriangle.com
Online facility reservations (picnic areas only): www.TracyArtsandRec.com

GENERAL FACILITY RESERVATION PROCEDURES

Reservation Requests

Reservation requests must be submitted no later than 30 calendar days prior to the event date. Applications for reservations that do not require further review (see **Special Permits & Requirements**, p. 13) may be accepted within the 30-day window. An ***Approved*** Facility Use Permit is required for all indoor facility reservations, or for exclusive use of a reservable outdoor facility. Additional activities requiring a Facility Use Permit are detailed in TMC 4.16.050.

To hold an available date for a facility reservation or special event on public property, the following must be submitted:

- ☐ **APPLICATION:** Completed Facility Use Application. Application must be submitted by a person twenty-one (21) years of age or older (TMC 4.16.060(b)).
- ☐ **POLICIES ACKNOWLEDGMENT:** Signed Facility Reservation Handbook Acknowledgment Form
- ☐ **APPLICATION FEE:** ***Non-refundable*** Permit Application Fee ($35) or Special Event Application Fee ($77 non-profit/$153 private or commercial)
- ☐ **SECURITY/ALCOHOL DEPOSITS:** Payment of security and alcohol deposits, if applicable

The following requirements are due ***no later than 30 calendar days prior*** to the reservation date:

- ☐ **USE FEES:** Payment of use fees, usually a per-hour rental fee
- ☐ **INSURANCE:** Provide Certificate outlined in insurance requirements
- ☐ **ADDITIONAL REQUIREMENTS:** Submit additional requirements, or supplemental permits, required as conditions of your permit (e.g., copes of City of Tracy business license, ABC license, County Health Permit, security guard contract, vendor contract for inflatable, etc.).

When all requirements have been met, the City will approve and issue a:

- ☐ **FACILITY USE PERMIT:** An ***Approved*** Facility Use Permit status indicates that all reservation requirements and full payment have been submitted and approved.

If the above obligations are not met, the City reserves the right to consider the event cancelled and subject to the stated **Cancellation & Refund Policy**. The City also reserves the right to cancel the contract and release the facility. **Submittal of an application does not guarantee that the reservation request has been authorized.**

Hours of Use

- Reservations may be requested during the following hours. Exceptions may be approved by the Director, or his/her designee, as a condition of the Permit.
  - **Indoor facility hours:** 8:00 am-1:00 am (excluding Transit Station Lobby, Civic Center Lobby)
  - **Outdoor park/facility hours:** 8:00 am to Dusk
- If requesting to set up the night prior to the event in an indoor facility, the reservation will be booked and charged up until 10:00 pm that evening (or the reservation end time, whichever is later), and then starting at 8:00 am the morning of the reservation.
- Reservations on City Holidays are contingent upon staff availability and shall be charged Weekend Rates.

Facility Tours

Facility tours are available during business hours, respecting the privacy of other facility users and renters using the facility, and are based upon staff availability. Contact the Community Facilities Division at (209) 831-6201 or facilityreservations@cityoftracy.org to schedule a 15-minute appointment.

FACILITY BOOKING POLICIES

Rental Classifications

The City has established the following rental classifications:

- **City of Tracy-Sponsored Programs:** Activities organized by the City of Tracy
- **Non-Profit:** Groups that have obtained 501(c)3 status as a charitable organization.
- **Government-Sponsored Events:** A governmental function, which benefits the city of Tracy residents
- **Private:** Individuals or groups holding private events not open to the public.
- **Commercial:** Companies, groups, or individuals holding events (social, business, educational, or profit making) for their own private use.

Allocations & Scheduling

- Requests for use of facilities are addressed on a first-come, first-served and as-available basis according to the following, maximum booking windows:
    - **City-Sponsored Programs:** 18 months prior to event
    - **Non-Profit Organizations & Government Agencies:** 12 months prior to event
    - **Private Groups and Individuals & Commercial Uses:** 10 months prior to event
- Only the designated organization representative(s) listed on the City reservation account or in the Memorandum of Understanding (MOU), or other legal agreement with the City, will be permitted to book facilities for their affiliated organization. Other individuals must receive permission in writing from the organization representative to reserve facilities for the organization, or under the organization's name (see **Authorized Agent**, p. 10).
- The City reserves the right to cancel any event as deemed necessary for the safety of all participants and in the best interest of the facility.
- The City of Tracy will not grant use of its facilities to any individual or group, political or otherwise, that advocates the overthrow of the government of the United States of America or the State of California by force, violence or any other unlawful means; or to any individual or group, political or otherwise, that discriminates because of race, religious creed, color, national origin, ancestry or sex.

Consecutive Booking Policy

- Bookings of large rooms, 1,500 square feet or greater (Tracy Community Center, Civic Center Lobby, Council Chambers, Tracy Transit Station Lobby) and large parks (Dr. Powers, Lincoln, and Veterans Parks) may not to exceed nine (9) bookings within a three (3) month period. Renters are required to complete their first set of bookings prior to renting for an additional period.
- Bookings of small meeting rooms, less than 1,500 square feet, are allowed for as many dates as needed, within a calendar year, for either groups or individuals. Renters may book on a monthly or weekly basis.

Non-Profit Status

An organization's non-profit status must be on file and current in order to qualify for a non-profit priority classification and rental rate. Proof of non-profit status must be submitted no later than 30 days prior to the reservation date. An organization must demonstrate its non-profit status by:

- Being registered as a non-profit business or corporation with the State of California **or** an acknowledged IRS 501(c) organization, **and**
- Maintaining good standing (business entity status "Active") with the State of California Secretary of State's office (http://kepler.sos.ca.gov).

FACILITY USE PERMIT REQUIREMENTS

Facility Use Permit Conditions

- Reservations may not be transferred, assigned, or sublet.
- Applicant is subject to all conditions listed on the Facility Use Permit.
- Requests for activities beyond the scope of a traditional facility reservation must be included as part of the Facility Use Application, and approved activities must be listed as conditions of the Facility Use Permit (see **Special Permits & Requirements,** p. 13).
- Facility users must have a copy of their Facility Use Permit on hand during each reservation and must be prepared to present it to City staff on demand. Facility users without permits may be asked to vacate the facility.
- The City reserves the right, on a case-by-case basis, to add conditions or modifications to the Facility Use Permit.

Permitted Hours

- **Permitted reservation hours must include set-up and clean-up time. Set-up and clean-up are the renter's responsibility.** Users may not access a facility prior to their permitted reservation time, and the facility must be cleaned and vacated by the end time specified in the Facility Use Permit.
- The applicant is responsible to meet all facility clean-up requirements.
- The applicant must be present during the entire reservation. If unavailable, the applicant may authorize another individual, in writing, to act as their representative.
- Fees will not be refunded if actual use time is less than the rental period agreed upon in the Facility Use Permit.
- Supplies and equipment may not be stored in City facilities overnight without prior arrangement and approval, conditions of which shall be listed on the Facility Use Permit. Any items left in or on the property will be held for two (2) business days, after which time, said items will be disposed of at the discretion of City staff. Additional rental, staff, and disposal fees may apply and may be deducted from the security deposit.

Amending the Permit

- Changes to the reservation must be made in writing, a minimum of 3 business days in advance, but in no case later than 12:00 noon on the Wednesday prior to the reservation.
- Changes to a rental date may be considered as a cancellation and re-booking if amendments are made within the ranges of when cancellation fees would be assessed. (See **Cancellation & Refund Policy**, p. 9.)

Insurance Requirements

Insurance must provide protection from claims arising from injuries or damage to other people or property. The following items are required on the insurance certificate, and the endorsement page must be included:

- The certificate of insurance must be submitted no later than 30 calendar days prior to the reservation date.
- Insured's name is the same as listed on the Facility Use Application.
- Minimum of $1,000,000 General Liability Insurance, and $2,000,000 Aggregate.
- Naming of the City of Tracy as "Additional Insured."
- Date, time and location of event.
- If serving and/or selling alcohol, a liquor liability endorsement to the user's general liability is required.
- If selling items of any kind, a product liability endorsement to the user's general liability is required.

continued, next page

- Certificate Holder: City of Tracy/Community Facilities Division
  333 Civic Center Plaza
  Tracy, CA 95376

Grounds for Permit Denial or Revocation

- The City reserves the right to deny an allocation request in order to accommodate a City-sponsored/co-sponsored program or special event.
- The City of Tracy reserves the right to refuse to grant the use of its facilities to any person or group if such use is deemed to be contrary to the best interest of the City and/or its residents.
- A request may be denied, or a permit cancelled, on the grounds that the applicant has previously had a Facility Use Permit revoked in the City of Tracy or another jurisdiction for violation of permit conditions, or failure to fulfill any use requirement by the established deadline, including, but not limited to, the payment of facility fees or extra fees.
- Permits may be cancelled for failure to adhere to policies outlined in the Facility Reservation Handbook, as presented herein, or as contained in the Tracy Municipal Code. **Failure to uphold conditions of an approved Permit may result in immediate revocation of the Permit, with no refund of use fees.**

Appealing Permit Denial or Revocation

Applicants shall have the right to appeal to the Parks and Community Services Commission a permit denial, permit condition, the Director's refusal to waive the filing deadline, or the Director's decision pertaining to fees or insurance coverage. Notice of appeal shall be filed with the Director stating the grounds for appeal.

The appeal must be filed no later than 12:00 noon on Thursday, a week preceding the Parks and Community Services Commission meeting, to be placed on the next regular meeting's agenda. Regular meetings of the Parks and Community Services Commission are scheduled on the first Thursday of each month, at 7:00 p.m. inside of City Hall Council Chambers. The decision of the Parks and Community Services Commission may be appealed to the City Council which has final authority.

FACILITY DEPOSITS & USE FEES *(Adopted July 1, 2016)*

Security and Alcohol Deposits
A Security Deposit is required to reserve any indoor City facility and is due at time of booking. An additional Alcohol Deposit is required to reserve an indoor or outdoor City facility when alcohol will be served/ sold.

All deposits are fully refundable three to four weeks after the event if the following criteria are met:

- There is no damage to the facility.
- There is no additional City staff time required to clean or repair the facility as a result of the event.
- The cleaning of the facility is completed per the checklist.
- The hours of use do not exceed those paid for and agreed upon in the rental contract.
- Only the rooms designated on the rental contract were used.
- Police or City staff intervention was not required as a result of the event.

Facility security deposits may be waived by the department for membership, public or business meetings conducted by local non-profit organizations or other governmental agencies, when no other activities are being conducted in association with said meeting.

Indoor Facility Fees
See individual facility information sheets for user fees, amenities, and requirements. Reservations on City Holidays are contingent upon staff availability and shall be charged Weekend Rates. Weekend rates begin on Fridays at 5:00 pm. If requesting to set up the night prior to the event, the reservation will be charged up until 10:00 pm that evening (or the reservation end time, whichever is later), and starting at 8:00 am the morning of the reservation.

	Security Deposit	Additional Alcohol Deposit
Entire Community Center/ Main Rooms	$472	$472
Conference/Meeting Rooms	$236	$472

Extra Dumpster Disposal Fee (required for crab feeds)	$100 / rental / dumpster

Park & Picnic Area Fees
For information on reserving sports fields, request a copy of the **Sports Field Reservation Handbook**. For information on reserving sports courts, including tennis courts, see the Sports Courts information sheet.

A security deposit is required for any event with alcohol, approved inflatable(s), and non-traditional activities. Fees related to supplemental permit applications, such as tent and generator permits, may also apply.

Estimated Attendance	Security Deposit
Fewer than 50 + traditional picnic activities	N/A
50-100; or less than 50 + non-traditional picnic activities	$112
101 to 200 attendees	$224
201 to 300 attendees	$336
301 or more attendees	$559

Inflatable Structures Administrative Fee	$50 / day / structure
Mobile Stage Rental Fee (non-profits only)	$350 / day

	Hourly Rate (minimum booking hours apply)		
Group Classification	**1-50 People**	**51-100 People**	**101+ People**
Non-Profit (Max $108/day)	$15	$21	$28
Private	$26	$37	$49
Commercial	$37	$54	$70

Facility Use Fee Classifications

Non-profit/government, private, and commercial rates are available. "Commercial" rates apply for any activity conducted in or on a City facility where monies are collected for the specific purpose to financially benefit an individual, business, or organization; non-profit corporations are excluded.

Payments

- Non-refundable Permit Application Fee, refundable Security Deposit, and Alcohol Deposit (if applicable) are due upon submittal of Facility Rental Application.
- The balance of all use fees is due no later than thirty (30) calendar days prior to reservation.
- Payments accepted include: American Express, Discover, MasterCard, Visa, check, cash.
- Personal checks will ***not*** be accepted on behalf of a non-profit, for-profit, or commercial organizations. Checks must be issued by the associated organization.
- Payment plans are available by request, as approved by the Director or his/her designee.
- **If payments are not made on time, facilities may be released, and the reservation may be subject to the Cancellation and Refund Policy.**

Cancellation & Refund Policy

Cancellation fees are determined by the date the City receives written notification by the responsible party listed on the Facility Rental Permit of their intent to cancel the event. Upon receipt of the written cancellation request, the refund, if applicable, will be processed as follows:

	NUMBER OF DAYS PRIOR TO EVENT				
	90 Days or More	**89-61 Days**	**60-31 Days**	**30-15 Days**	**14 Days or Less**
Entire Community Center/ Main Rooms	No penalty	50% of fees held	75% of fees held	100% of fees held	100% of fees held
Conference/Meeting Rooms	No penalty	No penalty	No penalty	50% of fees held	50% of fees held
Park & Picnic Areas	No penalty	No penalty	No penalty	50% of fees held	50% of fees held

Cancellation fees and designated percentages are calculated from the rental fee listed in the Facility Use Permit. Any fees assessed on cancelled events will be deducted from the security deposit, if fees have not been paid. Deposits and rental fees will be refunded in the same form of payment (cash payments are refunded by check), within four (4) weeks of the final permit date.

Exception: If the event is cancelled by the permit holder or the City due to inclement or extreme weather conditions, a full credit will be issued to the permit holder's account to apply to another park/picnic area use within 12 months of the permitted date.

GENERAL FACILITY USE POLICIES & PROCEDURES

Audio/Visual Equipment
The following audio/visual amenities are included with the facility reservation. The permit holder is responsible for all A/V system set-up during the reservation and must provide additional equipment, including but not limited to: laptop, speakers, and connector cables.

Tracy Civic Center (City Hall)
- Council Chambers: Projector and screen
- Room 203: Projector and screen

Tracy Community Center
- Main Hall: Lectern with microphone, projector screen

Tracy Transit Station
- Room 103: Portable projector (subject to availability only) and screen
- Room 104: Portable projector (subject to availability only) and screen
- Room 105: Projector and screen

Authorized Agent
An applicant representing an organization renting a City facility is required to provide a letter from the agency or organization, on official letterhead, specifically authorizing the individual to conduct business with the City of Tracy to reserve a facility on the organization's behalf, and signed by the individual listed on the business license, a titled officer, or designated signatory.

Cleaning Requirements
See **Cleaning Checklist** at end of this Handbook.

Damages
The applicant agrees to reimburse the City for all costs incurred in repairing damages including, but not limited to, the facility, furnishings, fixtures, grounds, and/or additional cleaning required outside of the normal scope for said facility maintenance, including sidewalk steam cleaning and street sweeping if needed, which occurred in connection with the permitted activity and caused by the renter, sponsoring organizations and/or attendees. Reimbursement for such expenses that are in excess of the security deposit will be invoiced to the renter. Said costs must be paid to the City within thirty (30) days of receipt of the invoice. Failure to meet this deadline may be cause for legal action. The renting party will be responsible for any costs incurred by the City for such legal action and/or any costs to collect on any judgment against that party.

Decorations
- Tacks, nails, screws, duct tape and scotch tape are not permitted on walls, tables, trees, park poles and amenities, standards, etc. Painter's tape and removable, self- stick hooks are permissible.
- No decorations are allowed which would damage or discolor the facility or grounds.
- Any special decorations, activities, or amenities must have the written approval of the Parks & Recreation Department.
- All decorations must be non-combustible or non-flammable material, or shall be treated or maintained in a flame-retardant condition.
- Open flames or candles (with the exception of small birthday candles) are not allowed inside any facility.

- All streamers, balloons, signage and other decorations must be removed from the facility and properly disposed of immediately after the event. Fees may be withheld from the deposit if City staff time is required to remove or dispose of any remaining decorations.
- Decorations may not be hung from the room dividers at the Tracy Community Center.

Event Promotion
City staff will not distribute or promote information on rentals and uses held in City facilities. Therefore, ensure fliers, advertisements and other promotional materials list the renter's contact phone number. Applicant must provide copies of all event fliers and/or advertisements, as well as website links for events held at City facilities.

Floor Layout Plan
Applicants with indoor facility reservations with 50 attendees or greater must submit a floor layout plan for approval, including decorations plan and extra amenities, to ensure all safety codes and regulations are adhered to. The City reserves the right to place additional requirements on the Facility Use Permit.

Food Preparation and Warming
Where applicable, the kitchens are to be used for the warming of food and minor preparation only. Per State and County Health Code regulations, full meal preparation is not allowed. Any food/beverage items left on site will be disposed of immediately following the rental period as indicated on the contract. Fees may be withheld from the deposit if City staff time is required to dispose of any leftover food or trash.

The use of chafing dishes for the warming of food will be approved provided the following conditions are met:

- Paper and plastic table coverings shall not be used.
- There are no combustible decorations within 10 feet of the food warming table, including wall hung curtains, drapes or decorations.
- There are no combustible napkins, plates, cups (paper, plastic or cloth) placed on the serving table or within 10 feet of the chaffing dishes.
- All open flame canisters for the chafing dishes must be firmly affixed to the chaffing dish and supported above the serving table surface.
- No open flame for cooking is to take place within the occupancy.
- NOTE: Additional conditions apply and shall be imposed for food preparation and warming in proximity to tents and other membrane structures. (See **Tents / Booths / Canopies**, p. 15.)

Good Neighbor Policy
Please arrive quietly and depart in the same manner to avoid disrupting the neighborhood. Balls and /or any other equipment thrown, batted, kicked, or otherwise propelled that land on private property are not to be retrieved without permission of property owner. Do not climb walls or enter gates to gain access onto private property. For assistance, contact the Facility Attendant.

Inappropriate Behavior
Any type of indecent exposure including public urination or any other inappropriate exposure will not be tolerated. The Tracy Police Department will be contacted immediately should individuals become unruly and further enforcement is needed.

Live Animals
Live animals are not allowed inside City buildings with the exception of service animals and Police canines. Owners are responsible for cleaning up after their service animals. Permit holders must indicate a designated waste area for service animals attending their event.

Animals must be leashed at all times at City parks and sports fields. Animals may not access sports fields while games are in play. Farm animals of any type are not allowed on/in public facilities to include public buildings, grounds and parking lots. This includes, but is not limited to, horses and ponies.

Parking & Overnight Policy
Parking is restricted to designated areas only. Parking large vehicles such as RVs, moving trucks and tractor-trailer trucks on City property is prohibited. Vehicles are not permitted to be parked on the grass or sidewalks. Damage done to City property or a facility as a result of a vehicle will be charged against the Security Deposit.

Unless the Permit expressly allows it, no overnight parking of vehicles in City parking lots is allowed at any time (this includes RVs and other camper vehicles). Individuals or organizations cannot charge or collect revenue for the use of public parking.

Police Enforcement
If a renter refuses to comply with City Facility Reservation Policies or follow the request of a City staff member, the Tracy Police Department Dispatch will be notified for assistance. For your own convenience, in the case of an emergency, the Tracy Police Department Dispatch can be reached at (209) 831-4552.

Smoking
Smoking is not permitted inside City facilities. State Law GC 7597(a) states: "No public employee or member of the public shall smoke any tobacco product inside a public building, or in an outdoor area within 20 feet of a main exit, entrance, or operable window of a public building, or in a passenger vehicle, as defined by Section 465 of the Vehicle Code, owned by the state."

Temperature Control
Temperature at the Tracy Community Center and Civic Center (City Hall) are centrally controlled and can only be adjusted 2 degrees in either direction from the thermostat at the location. Thermostat control is not available at the Transit Station. Contact the on-duty Facility Attendant for assistance or concerns.

SPECIAL PERMITS & REQUIREMENTS

The following items may require further review and approval from multiple City departments, and therefore require an advanced written request to process. Upon approval, City staff will add approved item(s) as a condition(s) of the Facility Use Permit.

Alcohol Permit/ABC License
Possession or consumption of alcohol is prohibited in all City parks and facilities without a Facility Use Permit and Alcohol Deposit on file. Tracy Municipal Code 4.16.050(f) provides guidelines regarding the possession of or consumption of any alcoholic beverage in designated City parks and facilities. The following criteria have been established by the Parks and Community Services Commission by which permits will be granted or denied:

- Not allowed in locations that are adjacent to schools (TMC 4.16.180(s))
- Restricted to sites with restroom facilities on site
- Not to exceed six (6) hours total facility usage
- Glass beverage containers are not allowed within the boundaries of any park (TMC 4.16.180(r))
- Restricted to beer and wine; distilled spirits are not permitted at any time
- Must have a park permit and alcohol deposit on file

Alcohol served and/or sold at a function held in a City facility requires an Alcohol Deposit and a Host Liquor Liability endorsement to the user's General Liability insurance.

Alcohol sold by any means (selling tickets, cost in admission price, donations, or charging a sponsor fee) also requires the user to obtain a City of Tracy Business License and an Alcoholic Beverage Control (ABC) Liquor License. Both requirements must be on file with the Community Facilities Division prior to the renter being issued an Approved Facility Use Permit with alcohol permit condition. Security guards are required as a condition of an ABC license, 1 security guard per 100 guests. (See **Security Guards**, p. 15.)

Amplified Sound
A permit is required for use of amplified sound in a park. The Director, upon granting a permit for use of any amplified sound system, may impose reasonable restrictions concerning the location of the sound system, and the maximum decibel level for the sound system (TMC 4.16.150). (See **Facility Electrical Access**, p. 14.)

BBQ Grills / Cooking Trailers
BBQs are designated and supplied by the City, and are located near the Picnic Areas. Use of private BBQs is not permitted. Requests to use a larger BBQ cooking trailer must be submitted in writing or on the rental application. Such requests will require a detailed Event Map, including trailer location and description of fuel source, size and type. Approved BBQ cooking trailers must be placed in an approved designated area at least 20 feet from the nearest tent or structure and supervised at all times to prevent injury to bystanders. BBQs and cooking trailers are not permitted on the premises of the Tracy Transit Station.

Channel 26 Filming
Requests for Channel 26 to film an event must be noted on the facility application and are subject to staff availability and additional fees. To discuss your specific filming needs and obtain a quote for services, contact Channel 26 directly at (209) 831-6220 or channel26@ci.tracy.ca.us.

Concessions & Merchandise Sales
The sale of items in any City park is prohibited without a permit from the Community Facilities Division. Facility

users interested in selling merchandise or food and beverage items at their event held at a City park or facility must request authorization to do so in writing, obtain a permit from the Community Facilities Division, obtain a City of Tracy Business License (TMC 4.16.140), and obtain a product liability endorsement as part of the insurance certificate. (See **Vendors**, p. 15.)

The City may deny a permit application if the sole purpose of the activity is advertising or sale of any product, goods, wares or merchandise and is designed to be held for private profit and not for First Amendment expression (TMC 4.16.090(i)).

County Health Permit
If you are selling or serving food to the general public, and you are not cooking in an approved kitchen, including the Tracy Community Center, you may be required to obtain a County Health Permit. A Temporary Event Health Permit Application can be obtained from the San Joaquin County Environmental Health Department website: http://www.sjcehd.com/docs/TEMPORARY%20EVENT%20APPLICATION.pdf

Event Map
If an event is expected to have more than 100 attendees and/or is intended to utilize areas of the Park, not considered to be the picnic area, an event layout map is required, which requires additional time to process. The City reserves the right to place additional requirements on the event use permit.

Facility Electrical Access
Any and all access to City electrical units must be requested in writing from the Community Facilities Division. The City reserves the right to impose restrictions on electrical access due to outlet load capacities. Approved access and capacity will be noted on the Facility Use Permit.

Generators
Applicant must specify the size, type, and intended location of each generator to be used. The City reserves the right to impose restrictions on use and placement of equipment. Some generators may require an additional permit application and fees.

Inflatable Structures
The Parks and Community Services Commission has established that the erection or placement on park property of portable and inflatable structures is allowed by permit and at the following, designated parks only: Dr. Powers Park, Galli Family Park, Hoyt Park, Lincoln Park, Veterans Park, and Zanussi Park. Applicant must use a vendor from the City's Approved Provider List only to reserve inflatable play equipment, and shall provide written proof of contract. Inflatable shall not remain in the park past the approved, permitted time. Applicant must sign additional **Inflatable Structures Policy**.

Mobile Stages
Size, type, and placement of any mobile stage or platform must be approved by the City as a condition of the permit. Rental of the City's Mobile Stage is available to non-profit organizations only, and is subject to availability.

Recycling Program/Bins
The City of Tracy has adopted a Special Events Recycling program to assist the city to meet mandatory recycling goals. Groups conducting large public events in city parks are requested to contact the City's Recycling Coordinator at (209) 831-6300 to obtain a copy of the program and develop a recycling plan for their event. The City can also provide portable recycling bins to be used during special events and/or park rentals. The applicant agrees to reimburse the City for all costs incurred by it due to damage or replacement of equipment. It is the

renter's responsibility to dispose of the recyclables, and any and all proceeds received from such disposal are the property of the renter.

Security Guards
Security guards may be required as a condition of a Facility Use Permit at the discretion of the Tracy Police Department. Events requiring an ABC license for alcohol must have one security guard per 100 attendees. Applicant must include a copy of the security guard contract with facility application packet.

Street Closures
Street closures are not permitted for private events on public streets. Requests for street closure for parades, fun runs, and other special events will be considered on a case-by-base basis, are contingent upon Transit schedule and needs, and may be subject to additional fees and conditions as determined by the City. There are three City-approved, downtown parade routes: Short, Standard, and Long. Processions generally do not require street closures but require a permit and may be subject to additional permit conditions.

Tents / Booths / Canopies
All Events with tents or canopies are required to complete an additional form. Tents are defined as having walls; canopies are defined as having no walls. Tents larger than 400 square feet, and canopies larger than 700 square feet will require a Tent Permit and inspection by Tracy Building and Fire Prevention on the day they are set up (additional permit application and fees may apply). Tents and canopies must be adequately weighted; no grass stakes permitted. Tents must be 20 feet from permanent buildings and structures, parking areas, lot lines, generators, and BBQs.

Vehicle Access
No vehicles may be driven on sports fields or parks without a City-issued Vehicle Access Permit, including golf cart or mule-type vehicles. Additionally, it is unlawful to ride or drive any horse or other animal or any motorized vehicle, cycle, go-cart or scooter other than on the roads or drives provided for such purpose (TMC 4.16.180(l)).

A request must be submitted in writing to the Community Facilities Division, and upon approval, specific conditions of vehicle access and applicable fees will be added to your permit. **Approved requests will be restricted to loading and unloading ONLY**, and a limited number of "Temporary Access Passes" will be issued for the event. The pass must be displayed on the dashboard of the vehicle at all times while in the park or open space and is valid only for the date, time, location and event as indicated on the pass. Violators will be cited and fined appropriately.

Vendors
If you would like to host a vendor(s) during your rental, submit a written request to the Community Facilities Division. Each vendor must be in possession of a business license and liability insurance. Additional conditions may apply to food vendors. **Tents/Booths/Canopies** policy applies. (See **Concessions & Merchandise Sales**, p. 13.)

The City may deny a permit application if the sole purpose of the activity is advertising or sale of any product, goods, wares or merchandise and is designed to be held for private profit and not for First Amendment expression (TMC 4.16.090(i)).

RESERVABLE CITY FACILITIES

Indoor Facilities
See individual facility information sheets for fees, amenities, and requirements.

Tracy Civic Center (City Hall), 333 Civic Center Plaza
- Lobby (additional conditions and restrictions apply)
- Council Chambers
- Conference Room 109
- Conference Room 203

Tracy Community Center, 950 East St.
- Entire Facility (required for weekend rentals)
- Main Hall
- Conference Rooms A and B

Tracy Sports Complex, 955 Crossroads Dr.
- Meeting Room

Tracy Transit Station, 50 E. Sixth St.
- Entire Facility
- Room 103 or Room 104
- Combo Room 103/104
- Room 105
- Lobby (hour restrictions apply)
- Outside Patio

Outdoor, Park & Picnic Areas

Large Parks and Outdoor Areas:
- Civic Center Outdoor Area (Park/Amphitheatre/Fountain/Patio), 333 Civic Center Plaza
- Dr. Powers Park*, 900 W. Lowell Ave.
- Lincoln Park*, East St. & Eaton Ave.
- Veterans Park*, 238 Glenhaven Dr.

Other Reservable Parks:
- Bland Park, 1753 Blandford Ln.
- Ceciliani Park, Cypress & Hickory
- Galli Park*, 2341 W. Lowell Ave.
- Hoyt Park*, 300 3rd St.
- Kenner Park, 1850 Kavanagh Rd.
- Larson Park, Central & Ferdinand
- Talley Park, 1551 Dove Ct.
- Thoming Park, 100 Cambridge Place
- Zanussi Park*, 1500 Promenade Cir.

* Inflatable Play Structures/Jump Houses permitted at these locations only. Additional fee, security deposit and insurance requirements apply.

CLEANING CHECKLIST – INDOOR FACILITIES*

Check off each item completed, and give list to Facility Attendant at check-out time.

Facility/Room: _____ **Permit #** _____

		Renter (✓)	City Staff (✓)
ALL MAIN ROOMS AND MEETING ROOMS			
Decorations removed from all walls and ceilings and properly disposed of at the completion of the function.			
Balloons removed from ceilings.			
Tables and chairs free of all tape and strings, wiped off, stacked neatly, and returned to storage area.			
	Tracy Community Center: Maximum 5 chairs per rack, 8 stacked tables, stored according to posted diagram.		
	Tracy Sports Complex Meeting Room: Chairs and tables stored according to posted diagram.		
	Tracy Transit Station: 103 and 104: Return 10 tables, 32 chairs to EACH; 105: 11 tables, 60 chairs. Refer to back of check-in/out sheet for current amenities.		
A/V equipment returned to proper location, if applicable.			
Floor dust mopped, and wet mopped (hot water only) where needed.			
Hallways and lobby cleaned of all food and trash.			
Carpets vacuumed.			
All personal items, supplies and equipment removed from the facility.**			
All debris around exterior of building (walkways and planted areas) disposed of properly.			
All trash bagged and placed <u>inside</u> the dumpster located outside of the facility.			
Return thermostat to neutral position or original temperature.			
Storage closets locked and secured.			
All lights turned off.			
ALL doors to outside locked and secured.			
RESTROOMS			
Restrooms cleaned of all trash; toilets flushed.			
KITCHEN FACILITY			
All dishes/utensils/tableware removed from facility.			
Stovetop and ovens cleaned.			
Stove and oven turned OFF.			
All food removed from oven and refrigerator.			
Refrigerator wiped clean, inside and out.			
Microwave wiped clean, inside and out.			
All sinks scrubbed and cleaned; disposal sink emptied. NOTE: The garbage disposal should not be used to discard large quantities of waste food but just the food remnants that remain when the container is rinsed after it has been emptied into the trash or storage container.			
All counter tops cleaned.			

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**** The renter is expected to provide their own cleaning supplies to clean the facility.*** *The City will furnish paper towels, bathroom tissue, plastic garbage bags, broom, mop, vacuum and bucket. If emergency maintenance or other assistance is required during non-business hours, call the Facility Attendant on duty at (209) 640-2733.*

*** Any items left in or on the property will be held for (2) business days, after which time, said items will be disposed of at the discretion of City staff. Additional facility use, staff, and/or disposal fees may apply.*

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CITY OF TRACY FACILITY RESERVATION HANDBOOK ACKNOWLEDGEMENT FORM

I, _____, have read and understood the policies and procedures contained in the City of Tracy Facility Reservation Handbook, and agree to abide by them. I understand that failure to adhere to these policies may result in forfeiture of the deposit and any fees that I have paid. I have retained a copy of the Handbook for my reference and will share the information contained in the Handbook with the individuals and/or organization that I represent.

In addition to the policies and procedures listed in this Handbook, all functions conducted on/in City facilities must abide by the Tracy Municipal Codes as listed in Sections 4.16 and 4.40. A complete list of Municipal Codes is located on the City of Tracy web site at www.ci.tracy.ca.us.

I understand that the City of Tracy cannot anticipate every situation that may occur, nor can it anticipate all questions regarding a particular policy and that the City reserves the right to amend these policies as necessary. I have clarified any questions I have regarding these policies prior to executing this Acknowledgement.

I understand that the City of Tracy has the right to stop all usage, cancel and/or revoke my Facility Use Permit, if a violation of the policies and procedures contained in the Handbook are made by me, another organization representative(s), or an event or meeting attendee.

_____

Event Title Event Date

_____

Printed name of facility user

_____

Signature of facility user Today's Date

_____

Name of organization (if applicable)

DISBURSEMENT AGREEMENT BETWEEN THE CITY OF TRACY AND THE TRACY CITY CENTER ASSOCIATION

Whereas, on December 15, 2009, the City Council, by Resolution No. 2009-240, approved the creation of the Downtown Tracy Community Benefit District ("District" or "CBD") pursuant to the Property and Business improvement District law of 1994, (California Streets and Highways Code Sections 36600, et seq.); and

Whereas, the District is intended to benefit the businesses in the District and revitalize the Downtown by promoting the Downtown District identity, providing and maintaining sidewalk beautification and public parking, providing business attractions and activities, and marketing activities and improvements of particular benefit to the properties located within the District as more specifically identified in the Downtown Tracy Community Benefit District Management District Plan for the District ("District Plan"), attached hereto as **Exhibit A** and on file with the City Clerk; and

Whereas, pursuant to Sections 36614.5 and 36651 of the California Streets and Highways Code, the Tracy City Center Association ("Recipient"), a non-profit entity, has been established to administer and implement the activities and improvements specified in the District Plan; and

Whereas, the establishment of the District will be funded entirely by property assessments in the boundaries and is projected at $132,214, which will be disbursed to the Association to administer and implement the improvements and activities set forth in the District Plan; and

Whereas, this Disbursement Agreement between the City of Tracy and the Tracy City Center Association ("Agreement") sets forth the terms and conditions under which the District must operate in using any assessment disbursements ("CBD funds") from the City to implement and administer the District Plan;

Now Therefore, the parties to this Agreement covenant as follows:

1. Parties and Effective Date. This Agreement is made and entered into as of July 14, 2010, between the City of Tracy, a municipal corporation ("City"), located at 333 Civic Center Plaza, Tracy, California 95376 and the Tracy City Center Association, a California non-profit corporation ("Recipient").

2. Scope of Disbursement Duties. Recipient agrees to perform the tasks, responsibilities and obligations as specified in this Agreement and in the District Plan ("Disbursement Duties"), attached hereto as **Exhibit A** and on file with the City Clerk, and in the annual reports and budgets approved by the City. Recipient shall designate an individual who shall be responsible for communications with City for the duration of this Agreement. Nothing in this Agreement shall be construed to

require Recipient to perform as specified in the District Plan if funds are not available to perform those duties from the District revenues collected from the District assessments.

3. Method of Performing Disbursement Duties. Recipient will determine the method, details and means of performing the Disbursement Duties described in **Exhibit A**.

4. Time of Performance. Recipient's Disbursement Duties shall begin on January 1, 2011, and shall continue contingent upon the annual review and approval of the District by the City and the annual collection of revenues generated from the assessments collected from the District, unless this Agreement is otherwise terminated pursuant to Section 13 of this Agreement, or until it is terminated by law on December 31, 2015.

5. Recipient Responsibilities.

   5.1. Program Implementation and Operation. Recipient shall be fully responsible for developing, implementing, directing and operating the District Plan. Recipient assumes all responsibility for completing activities as required in implementing the District Plan **(Exhibit A)** and its programs.

   5.2. Competitive Bidding. Recipient shall competitively bid all contracts over $15,000 and shall keep and provide copies of all bids submitted for review to any affected property owners or to the City upon request. The lowest qualified bidder shall receive any service contract that is bid. Recipient shall present its written bidding policy and procedures to the City. Once the contract has been publicly bid and the lowest qualified applicant has been selected, that selected contract may remain for up to three years from the commencement of the contract, but may not extend beyond the term of this Agreement without the express written consent of the City and is subject to provisions outlined in Section 5.9.3 below.

   5.3. Separate bank account for District (CBD) funds. All CBD funds received by Recipient pursuant to this Agreement shall be held in a bank account separate and apart from any other funds managed or administered by Recipient. CBD funds are not to be co-mingled with any other funds. Tracking of assessment funds is to occur separately and copies of all CBD bank account statements shall be made available to the City upon request. Prior to disbursement of any funds from the City under this Agreement, Recipient shall provide the City with evidence of the establishment of the required CBD bank account.

   5.4. CBD name on all activities funded by the CBD. The name "Downtown Tracy Community Benefit District" or an appropriate abbreviation or substitute shall appear on all marketing and promotional materials funded in part or in whole by CBD moneys. Prior to holding a special event Recipient shall consult with

City for use of City of Tracy name.

5.5. Reporting to affected property owners. A statement of activities funded by CBD moneys and the cost of each shall be distributed to every affected property owner once a year within 60 days of each fiscal year end. A copy of this statement and a list of property owner names, addresses and/or e-mail addresses to which the notice was sent shall be made available to the City and the public upon request.

5.6. Rate Payer Survey. Recipient may administer a rate payer survey to all affected property owners. Results of the survey shall be compiled by Recipient and a summary submitted to the City. Such survey shall be performed at a time specified by the City at its sole discretion but in no event shall such survey be required more than once every three (3) years. The City may request that copies of each separate property owner response also be submitted to the City by Recipient as an attachment to the summary report.

5.7. Open Meetings. Recipient shall comply with the open meeting requirements of the Ralph M. Brown Act with regard to all business conducted in performing the terms and conditions of this Agreement.

5.8. Creation and Maintenance of Central Files and Records. Recipient shall create and maintain central files and records for the District which shall contain documents designated by the City. Such files and records shall be made available for inspection as specified in Section 17 below and shall at a minimum include a copy of the Articles of Incorporation and Bylaws of the Recipient, a current copy of this Agreement between Recipient and the City, the District Plan, the assessment methodology used to calculate assessments, the latest annual report submitted by the Recipient and approved by the City, a list of Recipient board members, proof of insurance coverage required pursuant to this Agreement, and all other financial and operational records related to this Agreement, including, but not limited to, those required by the Ralph M. Brown Act pursuant to Section 5.7 above. Recipient files and records shall be subject to public disclosure pursuant to the California Public Records Act (California Government Code Sections 6250 et seq.).

5.9. Program and Budget Reports.

5.9.1. Annual Report and Budget. Recipient shall submit to the City an annual report and budget for each fiscal year for which assessments are to be levied and collected, in a format to be designated by the City. Annual reports shall be submitted on or before May 1st of each year commencing in 2011, and shall describe improvement and activities provided in the prior fiscal year in addition to other information required by the above-referenced legislation. The

District's next annual report and budget shall be submitted on or before May 1, 2011. Any proposed changes to the assessments, including allowable percentage increases, if any, shall not be implemented until the following fiscal year. If there are changes requested that would require a public hearing and/or a public meeting pursuant to state law as amended, then the report shall be submitted at a time to be determined by the City and in sufficient time to comply with public notice requirements and the City agenda processing timelines then in effect. The budget for any year shall not be effective until approved by the City as being in compliance with the District Plan.

5.9.2. Budget. Each program specified in the Plan and succeeding budgets shall be implemented within the budget amount specified and in accordance with the District Plan in **Exhibit A** and in annual reports and budgets approved by the City. Any obligations or expenditures for items not budgeted shall not be paid from the assessments collected for the District.

5.9.3. General Fund Not Liable. Neither the General Fund of the City, nor any other fund, revenue source or monies whatsoever of the City, except the actual collected District assessment net revenue, shall be liable for payment of any obligations arising from this Agreement. Any obligations incurred by Recipient are not a debt of the City, nor a legal or equitable pledge, charge, lien or encumbrance upon any of its property or upon its income, receipts or revenues.

5.10. Financial Statements.

5.10.1. Within 60 days of each fiscal year end, Recipient shall submit a full disclosure financial statement, including an Actual versus Budgeted Expenditures summary. In addition to the financial statement, Recipient shall provide the following within 60 days of fiscal year end:

(a) On years when the fiscal year ends in an even number, commencing with fiscal year 2011/2012, a Certified Public Accountant's (CPA) Review Report .
(b) On years when the fiscal year ends in an odd number, commencing with fiscal year 20012/13, a CPA Compilation Report.

Both reports must be prepared by an independent CPA acceptable to the City. Upon the City's review of the CPA Review Report or CPA Compilation Report, if the City is not satisfied with the statement or report or with regard to the propriety of Recipient's commitment or expenditure of funds during the corresponding reporting period, then

the City may request that the Recipient provide either an Expanded Review of the District or require that the Recipient prepare full audited financial statements. For purposes of preparing the above financial statements and reports, Budgeted Expenditures shall mean expenditures approved by the City and on file with the Office of the City Clerk for the corresponding fiscal year, as amended by the City pursuant to applicable legislation.

5.10.2. Where applicable, the statement or audits must be conducted in accordance with Government Auditing Standards (2003 and subsequent revisions) prescribed by the Comptroller General of the United States. All other reports and audits shall be prepared in accordance with Generally Accepted Accounting Principles in the United States of America.

5.10.3. The audit must be conducted by a Certified Public Accounting (CPA) firm acceptable to the City. Recipient is encouraged, to the extent feasible to procure its reports and audits from qualified small, local and minority and women-owned Tracy firms.

5.10.4. Funds to cover only the CBD portion of the financial statement, report or audit can be set aside in the CBD budget.

5.10.5. If a full audited financial statement is required, a Management Letter shall be requested from the Certified Public Accounting firm and be presented to the City.

5.10.6. The statement, report or audited financial statement and the Management Letter shall be delivered to the City at the address provided in Section 27 of this Agreement.

5.10.7. Recipient shall make available on-line current copies of the CBD quarterly financial statements for access by all interested parties.

5.10.8. Assessment Records. Recipient shall maintain a complete database for each business assessed within the District, containing the following information:

(i) Assessor's Parcel Number

(ii) Street Address

(iii) Name and Address of Owner of Record

(iv) Amount of the Assessment Levied

(v) Proportionate Financial Obligation Imposed, compared to District

(vi) Assessment Calculations, including all variables used

(vii) Recipient agrees to maintain such information and make it available to businesses within the District during regular business hours.

5.11. Annual Assessment Preparation. By June 1 of each operating year, Recipient shall supply the City with assessment data for the subsequent tax year (July 1 – June 30), in a format to be prescribed by the Director of Finance of the City of Tracy. The assessment data shall include all of the information required in "Assessment Records," paragraph 5.10.8, above.

5.12. Liaison with Community. Recipient shall maintain an on-going relationship with the assessed District property owners and any affected residents and business owners, which shall include:

5.12.1. Annual Public Meeting. Recipient shall organize and conduct, at a minimum, one annual public meeting to be noticed in writing and mailed to all property owners of record in the District. This meeting will be conducted at a location convenient to the District. A representative of the City Manager or his/her designee may attend as a member of the panel to provide information and assistance.

5.12.2. Regular Meetings of the Recipient Board to conduct business to implement the District Plan.

5.12.3. Other Events and activities which involve the members of the District and which encourage attainment of the goals and objectives of the District Plan.

5.12.4. Recipient shall notify all assessees in writing when an increase in assessments is proposed.

5.12.5. Recipient shall deliver to each affected District member of record, written notice of any and all upcoming Recipient board elections with lead time sufficient to allow all interested parties to participate in the process of board member election. Recipient shall allow members to participate in the board elections by mail.

5.12.6. Cost and Expense Records. In accordance with generally accepted accounting principles, Recipient shall maintain full and complete records of activities performed under this Agreement. Such records shall be open to inspection by the City, board members and the

public pursuant to the Public Records Act. Recipient agrees to maintain all such records a minimum of four years after the termination of this Agreement.

5.12.7. Program Coordination. Recipient shall complete Disbursement Duties and shall cooperate with the City Manager or his/her designee and shall utilize and cooperate with such personnel as the City Manager or his/her designee shall designate in the implementation of the District Plan, including program development and coordination of District activities with City functions.

6. City Responsibilities.

6.1. Administration. This Agreement shall be administered by the City Manager or his/her designee on behalf of the City. The City Manager or his/her designee shall:

6.1.1. Coordinate the collection of the annual assessment through the City's Finance Department.

6.1.2. Provide general assistance, clarification, or information to Recipient, the assessed parties and the public.

6.1.3. Direct the disbursement of funds to Recipient in accordance with this Agreement, the District Plan and subsequent approved budgets. City shall promptly forward funds to Recipient in accordance with the terms of this Agreement.

6.1.4. Maintain a liaison with Recipient, including coordination of services with and from various City agencies, departments or divisions, as mutually agreed to by the City Manager or his/her designee and Recipient.

6.1.5. Provide free meeting space for Recipient board and committee meetings at the Tracy Transit Center, the Fire Administration Building, or City Hall to the extent that meeting rooms are available in those facilities during the normal business hour operations for each facility.

6.2. Discrepancies and Assessment Disputes. The City Manager or his/her designee may assist with the resolution of any discrepancies in individual assessment amounts or calculations. The City Manager or his/her designee reserves the right to:

6.2.1. Conduct reviews of existing primary data; verify assessment data as compiled by any consultant, subcontractor or other party hired by

Recipient; and perform field or on-site inspections to verify the accuracy of existing or secondary data, or to investigate the claim of any business license holder in the District.

6.2.2. Recalculate the assessment amount due and direct the City Finance Department to respond appropriately.

6.3. Disbursements. The annual District assessments will be collected by the County pursuant to the City Finance Department collection procedures and will be transmitted to Recipient less the City's cost of billing and collection which shall be in addition to costs defined in Paragraph 6.3.4, below. The City shall not be obligated to disburse amounts of the assessments not collected at the time called for pursuant to the schedule for disbursements. Upon request by Recipient and with approval of the City Manager (or his or her designee) funds in an amount in excess which have actually been received by the City may be disbursed at an earlier time than provided for herein.

6.3.1. Disbursement of funds shall be on the following schedule. City shall provide upfront disbursements from the anticipated annual appropriations in the following approximate percentages on or around the following dates:

July 1:	Fifty percent (50%) of annual appropriation
January 1:	Fifty percent (50%) of annual appropriation

City shall collect and retain the assessments from the County as reimbursement for the upfront disbursements, which are expected to be received in the following percentages on or around the following dates:

December 31:	Forty percent (40%) of annual appropriation
Mid-February:	Next 13% (total 53%)
April 30:	Next 27% (total 80%)
June 30:	Next 20% (total 100%)

6.3.2. Funds shall be disbursed automatically by the City to Recipient at the time and in the amounts designated in Section 6.3.1 above. Disbursements shall be contingent upon Recipient being in compliance with all provisions set forth in this Agreement. The applicable City costs and fees outlined in Section 6.3.4 below shall be subtracted from the disbursements. The City reserves the right to request at any time a current financial summary of all CBD funds committed and/or spent during the previous quarter(s) from Recipient. Such financial summary shall be submitted by Recipient to the City within ten (10) business days of the City's request. The City reserves the right to review the summary and to refuse to disburse any further installments if it is not satisfied with the statement or with

regard to the propriety of Recipient's commitment or expenditure during the previous quarter(s). This provision is solely for the benefit of the City and does not confer any rights or cause of action on behalf of any third parties including the Advisory Board or assessees of the district.

6.3.3. If there is an adjustment due to changes in the receipts of the District, it may be adjusted in the following year. The City shall not be responsible for delays in payment by affected assessees.

6.3.4. Costs and Expenses. The City of Tracy and the County of San Joaquin will deduct from the funds collected on behalf of the district the respective costs and fees of the City and County collection, including the City's costs of administering the District. Such costs and fees may include amounts charged by the County in addition to a 1% (one percent) fee charged by the City. The City's 1% fee shall be calculated on the basis of total funds received from the County on behalf of the District plus 1% of all amounts received from tax-exempt property owners billed directly by the City. Deduction for this 1% of the collected funds shall be made from the second payment as described in the schedule in Section 6.3.1 above. Such costs and fees will be withheld prior to making any distribution to Recipient. At the request of Recipient, City shall provide Recipient with a detailed statement of any costs and fees incurred and deducted by City. Notwithstanding the above, the City shall waive its 1% fee for the first three years the District receives funding to assist the District in becoming economically viable.

7. Ownership of Documents. The designs, plans, reports, files, invoices, investigation materials documents prepared or acquired by or for Recipient pursuant to this Agreement become the joint property of the City and Recipient. Recipient agrees to exercise diligence in providing for the secure storage of all such materials and to provide copies for official City records on request from City.

8. Independent Contractor. It is expressly agreed that in the performance of the Disbursement Duties necessary to carry out this Agreement, Recipient shall be, and is, an independent contractor, and is not an employee of City. Recipient has and shall retain the right to exercise full control and supervision of the activities, and full control over the employment, direction, compensation and discharge of all persons assisting Recipient in the performance of its Disbursement Duties hereunder. Recipient shall be solely responsible for all matters relating to the payment of its employees, including compliance with social security, withholding and all other regulations governing such matters, and shall be solely responsible for Recipient's own acts and those of Recipient's subordinates and employees.

9. Recipient Not Agent of City. Neither Recipient nor any of its employees, agents,

representatives, contractors or subcontractors is or shall be deemed to be an agent of the City for any purpose, including fulfillment of Recipient's obligations pursuant to this Agreement.

10. Recipient's Qualifications. Recipient represents that it has the qualifications and skills necessary to perform the Disbursement Duties under this Agreement in a competent and professional manner without the advice or direction of City. This means Recipient is able to fulfill the requirements of this Agreement. Failure to perform all of the Disbursement Duties required under this Agreement will constitute a material breach of the Agreement and may be cause for termination of the Agreement. Recipient has complete and sole discretion for the manner in which the work under this Agreement is performed. Recipient will arrange for any necessary staff and board training regarding Recipient's obligations under this Agreement, as well as the requirements of the California Streets and Highways Code Section 36600 *et seq.*, as amended, relating to the operation of a Property and Business Improvement District.

11. Termination on Notice. The City may terminate this Agreement for Recipient's breach of any provision of this Agreement. In addition to the foregoing, annually the City Manager or his/her designee may review the performance of Recipient under this Agreement and, at the City Manager's or his/her designee's sole discretion, the City Manager or his/her designee may terminate this Agreement without cause by giving sixty (60) days' written notice to Recipient. Such notice shall be made in accordance with the "Notices" section of this Agreement.

12. Agents/Brokers. Recipient warrants that it has not employed or retained any subcontractor, agent, company or person other than bona fide, full-time employees of Recipient working solely for it, to solicit or secure this Agreement, and that Recipient has not paid or agreed to pay any contactor, subcontractor, agent, company or persons other than bona fide employees any fee, commission, percentage, gifts or any other consideration, contingent upon or resulting from the award of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability or, in its discretion, to deduct from the agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage or gift.

13. Non-Discrimination/Equal Employment Practices. Recipient shall not discriminate or permit discrimination against any person or group of persons in any manner prohibited by federal, state or local laws. During the performance of this Agreement, Recipient and Recipient's contractors, subcontractors, if any, shall not discriminate against any employee or applicant for employment in any manner prohibited by federal, state or local laws. This nondiscrimination policy shall include, but not be limited to, the following: employment, upgrading, failure to promote, demotion or transfer, recruitment advertising, layoffs, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

14. Inspection of Books and Records.

14.1. During the term of this Agreement, and for a period of four (4) years after the termination of this Agreement, or two (2) years after the closure of any disputed matter, whichever occurs later, (the "Audit Period"), Recipient shall maintain financial and operational records related to this Agreement. Recipient shall make all books and records open to inspection by the governing agency, City Auditor or their individually assigned designee during normal business hours at a location within a twenty-five (25) mile radius of the City of Tracy for the period designated.

14.2. During the Audit Period, Recipient hereby grants to City or its designee(s), upon one (1) days prior notice to Recipient, access to and the right to make copies of any of Recipient's books, statements, documents, papers or records ("Financial Information") which arise from or relate to the terms and conditions of this Agreement and the performance of any duties pursuant to this Agreement, or any other agreement between the parties, in order to permit City to conduct audits, examinations, excerpts and transition audits (collectively hereafter referred to as "Audit or Audits"). Recipient authorizes the City's Finance Director or designee to obtain such information directly from these sources. City's right to Audit and to make copies shall apply whether such Financial Information is located at Recipient's offices or at Recipient's banks, financial institutions or lenders, or at the offices of Recipient's financial consultants, accountants or bookkeepers. For the purposes of such Audit, Recipient waives its right to the confidentiality of all Financial Information and Recipient authorizes the City or its designee(s) to access, obtain and make copies of Financial Information directly from Recipient's banks, financial institutions or lenders, or from Recipient's financial consultants, accountants or bookkeepers.

14.3. Such Audits may be performed by City through its employees or by its designees including, without limitation, a third party auditor retained by City. City's right to Audit under this section is independent, separate and distinct from any right to audit such books and records reserved by law or contract, or as a condition of funding, by the county, state or federal government.

14.4. If any Audit reveals any variance from any financial record or report received from Recipient by City in excess of one percent (1%) of the amount shown on such financial record or report, Recipient shall immediately reimburse City for all costs and expenses incurred in conducting such Audit. Such reimbursement shall be paid for by Recipient using Recipient's own funds, separate and apart, from any funds received by Recipient pursuant to this Agreement. Failure to pay such variance and the cost of the Audit as required herein shall constitute a material breach of the Agreement and City may terminate the Agreement in accord with the termination provisions of Section 13 of this Agreement and Recipient shall be subject to a breach of

contract claim for damages by City and a claim for return of all funds provided to Recipient by City pursuant to this Agreement.

15. Insurance. Unless a written waiver is obtained from the City's Risk Manager, Recipient must provide the insurance listed in **Exhibit B** attached hereto and incorporated herein by reference.

16. Indemnification

16.1. Notwithstanding any other provision of this Agreement, Recipient shall indemnify and hold harmless (and at City's request, defend) City, and each of their respective Councilmembers, officers, partners, agents, employees and volunteers (each of which persons and organizations are referred to collectively herein as "Indemnitees" or individually as "Indemnitee") from and against any and all liabilities, claims, lawsuits, losses, damages, demands, debts, liens, costs, judgments, obligations, administrative or regulatory fines or penalties, actions or causes of action, and expenses (including reasonable attorneys' fees) caused by or arising out of any:

(i) Breach of Recipient's obligations, representations or warranties under this Agreement;

(ii) Act or failure to act in the course of performance by Recipient under this Agreement;

(iii) Negligent or willful acts or omissions in the course of performance by Recipient under this Agreement;

(iv) Claim for personal injury (including death) or property damage to the extent based on the strict liability or caused by any negligent act, error or omission of Recipient;

(v) Unauthorized use or disclosure by Recipient of confidential information that the City may provide Recipient; and

(vi) Claim of infringement or alleged violation of any United States patent right or copyright, trade secret, trademark, or service mark or other proprietary or intellectual property rights of any third party.

16.2. For purposes of the preceding Subsections (i) through (vi), the term "Recipient" includes Recipient, its officers, directors, employees, representatives, agents, servants, consultants, volunteers, contractors and subcontractors.

16.3. City shall give Recipient prompt written notice of any such claim of loss or damage and shall cooperate with Recipient, in the defense and all related

settlement negotiations to the extent that cooperation does not conflict with City's interests.

16.4. Notwithstanding the foregoing, if Recipient fails or refuses to defend City with Counsel acceptable to City, City shall have the right to engage its own counsel for the purposes of participating in the defense. In addition, City shall have the right to withhold any payments due Recipient in the amount of anticipated defense costs plus additional reasonable amounts as security for Recipient's obligations under this Section 19. In no event shall Recipient agree to the settlement of any claim described herein without the prior written consent of City.

16.5. Recipient acknowledges and agrees that it has an immediate and independent obligation to indemnify and defend Indemnitees from any action or claim which potentially falls within this indemnification provision, which obligation shall arise at the time any action or claim is tendered to Recipient by City and continues at all times thereafter, without regard to any alleged or actual contributory negligence of any Indemnitee. Notwithstanding anything to the contrary contained herein, Recipient's liability under this Agreement shall not apply to any action or claim arising from the sole negligence, or willful misconduct of an Indemnitee.

16.6. All of Recipient's obligations under this Section 19 are intended to apply to the fullest extent permitted by law (including, without limitation, California Civil Code Section 2782) and shall survive the expiration or sooner termination of this Agreement.

16.7. The indemnity set forth in this Section 19 shall not be limited by the City's insurance requirements contained in this Agreement, or by any other provision of this Agreement. City's liability under this Agreement shall be limited to payment of Recipient in accord to the terms and conditions under this Agreement and shall exclude any liability whatsoever for consequential or indirect damages even if such damages are foreseeable.

17. Political Prohibition. Subject to applicable State and Federal laws, moneys paid pursuant to this agreement shall not be used for political purposes, sponsoring or conducting candidate's meetings, engaging in voter registration activity, nor for publicity or propaganda purposes designed to support or defeat legislation pending before federal, state or local government.

18. Religious Prohibition. There shall be no religious worship, instruction, or proselytization as part of, or in connection with the performance of the Agreement.

19. Conflict of Interest

19.1. Recipient

The following protections against conflict of interest will be upheld:

(i) Recipient certifies that no member of, or delegate to the Congress of the United States shall be permitted to share or take part in this Agreement or in any benefit arising therefrom.

(ii) Recipient certifies that no member, officer, or employee of the City or its designees or agents, and no other public official of the City who exercises any functions or responsibilities with respect to the programs or projects covered by this Agreement, shall have any interest, direct or indirect in this Agreement, or in its proceeds during his/her tenure or for one year thereafter.

(iii) Recipient shall immediately notify the City of any real or possible conflict of interest between work performed for the City and for other clients served by Recipient.

(iv) Recipient warrants and represents, to the best of its present knowledge, that no public official or employee of City who has been involved in the making of this Agreement, or who is a member of a City board or commission which has been involved in the making of this Agreement whether in an advisory or decision-making capacity, has or will receive a direct or indirect financial interest in this Agreement in violation of the rules contained in California Government Code Section 1090 et seq., pertaining to conflicts of interest in public contracting. Recipient shall exercise due diligence to ensure that no such official will receive such an interest.

(v) Recipient further warrants and represents, to the best of its present knowledge and excepting any written disclosures as to these matters already made by Recipient to City, that (1) no public official of City who has participated in decision-making concerning this Agreement or has used his or her official position to influence decisions regarding this Agreement, has an economic interest in Recipient or this Agreement, and (2) this Agreement will not have a direct or indirect financial effect on said official, the official's spouse or dependent children, or any of the official's economic interests. For purposes of this paragraph, an official is deemed to have an "economic interest" in any (a) for-profit business entity in which the official has a direct or indirect investment worth $2,000 or more, (b) any real property in which the official has a direct or indirect interest worth $2,000 or more, (c) any for-profit business entity in which the official is a director, officer, partner, trustee, employee or manager, or (d) any source of income or donors of gifts to the official (including nonprofit entities) if the income or value of the gift totaled more than $500 the previous year. Recipient agrees to promptly disclose to City in writing any information it may receive concerning any such

potential conflict of interest. Recipient's attention is directed to the conflict of interest rules applicable to governmental decision-making contained in the Political Reform Act (California Government Code Section 87100 et seq.) and it's implementing regulations (California Code of Regulations, Title 2, Section 18700 et seq.).

(vi) Recipient understands that in some cases Recipient or persons associated with Recipient may be deemed a "city officer" or "public official" for purposes of the conflict of interest provisions of Government Code Section 1090 and/or the Political Reform Act. Recipient further understands that, as a public officer or official, Recipient or persons associated with Recipient may be disqualified from future City contracts to the extent that Recipient is involved in any aspect of the making of that future contract (including preparing plans and specifications or performing design work or feasibility studies for that contract) through its work under this Agreement.

(vii) Recipient shall incorporate or cause to be incorporated into all subcontracts for work to be performed under this Agreement a provision governing conflict of interest in substantially the same form set forth herein.

19.2. No Waiver
Nothing herein is intended to waive any applicable federal, state or local conflict of interest law or regulation.

19.3. Remedies and Sanctions
In addition to the rights and remedies otherwise available to the City under this Agreement and under federal, state and local law, Recipient understands and agrees that, if the City reasonably determines that Recipient has failed to make a good faith effort to avoid an improper conflict of interest situation or is responsible for the conflict situation, the City may (1) suspend payments under this Agreement, (2) terminate this Agreement, (3) require reimbursement by Recipient to the City of any amounts disbursed under this Agreement. In addition, the City may suspend payments or terminate this Agreement whether or not Recipient is responsible for the conflict of interest situation.

20. Assignment. Recipient shall not assign or otherwise transfer any rights, duties, obligations or interest in this Agreement or arising hereunder to any person, persons, entity or entities whatsoever without the prior written consent of City and any attempt to assign or transfer without such prior written consent shall be void. Consent to any single assignment or transfer shall not constitute consent to any further assignment or transfer.

21. Business Tax Certificate. Recipient shall obtain and provide proof of a valid City

business tax certificate, if applicable. Said certificate must remain valid during the duration of this Agreement.

22. Governing Law. This Agreement shall be governed by the laws of the State of California.

23. Notice. If either party shall desire or be required to give notice to the other, such notice shall be given in writing, by prepaid U.S. certified or registered postage, addressed to recipient as follows:

For the City of Tracy:
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
Attention: City Manager

For Recipient

Tracy, CA _____

24. Entire Agreement of the Parties. This Agreement supersedes any and all agreements, either oral or written, between the parties with respect to the rendering of Disbursement Duties by Recipient for City with regard to the District and contains all of the representations, covenants and agreements between the parties with respect to the rendering of those duties. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any parties, which are not contained in this Agreement, and that no other agreement, statement or promise not contained in this Agreement will be valid or binding.

25. Modification. Any modification of this Agreement will be effective only if it is in a writing signed by both parties.

26. Partial Invalidity. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will continue in full force and effect without being impaired or invalidated in any way.

INTENTIONALLY LEFT BLANK

27. Approval. If the terms of this Agreement are acceptable to Recipient and City, then sign and date below.

CITY:
CITY OF TRACY,
a municipal corporation

R. Leon Churchill Jr.
By: R. Leon Churchill, Jr.
Title: CITY MANAGER
Date: 7/14/10

Attest:

Sandra Edwards
By: Sandra Edwards
Title: CITY CLERK
Date: 7-19-10

Approved As To Form:

(KAT WELLMAN)
FOR: By: Daniel G. Sodergren
Title: CITY ATTORNEY
Date: 7/13/10

RECIPIENT:
TRACY CITY CENTER ASSOCIATION,
a California non-profit corporation

Dan Schack, pres
By: Dan Schack
Title: President
Date: 07/12/10

Exhibit A

Downtown Tracy Community Benefit District Management District Plan

THE DOWNTOWN TRACY COMMUNITY BENEFIT DISTRICT MANAGEMENT DISTRICT PLAN

For a Property Business Improvement District/Community Benefit District for Downtown Tracy

Formed Under California Streets and Highway Code Section 36600
Property Business Improvement District Act of 1994

Final Plan – October 15, 2009
Amended – July 6, 2010

Prepared by:
New City America, Inc.
and the
Downtown Tracy CBD Steering Committee

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For the Downtown Tracy Community Benefit District – Tracy, California

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Attachment

A. Engineer's Report

Section 1
Management District Plan Summary

The name of this Property-Based Community Benefit District is the Downtown Tracy Community Benefit District (the "CBD). The District is being established pursuant of the Section 36600 et seq. of the California Streets and Highways Code, the "Property and Business Improvement District Law of 1994 as "amended", hereinafter to as the State Law.

Current BID and Parking District:

The current Downtown Tracy Business Improvement District provides improvement and special benefit to businesses within Downtown Tracy, however with very limited resources available on an annual basis. Furthermore, the existing BID has historically been managed by the City of Tracy, not by a distinct non-profit district management corporation.

Once adopted, this new Downtown Tracy Community Benefit District (PBID) will replace the existing BID and set forth steps for its disestablishment commencing the existing merchant based district in Fiscal Year 2009-10.

The current Downtown Tracy Parking District was established under the PBID Act of 1994 and is set to expire in 2010. The parking district is currently operating from a carry forward reserves of over $50,000, resulting in the need not to assess benefiting parcel owners over the past 3 years. This new Downtown Tracy CBD will replace much of the $19,000.00 in revenues potentially authorized to be generated by this parking district.

This existing parking district assessment will also be eliminated *only for those parcels included in the new Downtown CBD*, by act of the Tracy City Council - once this new Downtown Tracy CBD has been adopted.

Therefore the potential maximum of $49,000 in annual revenues generated by the sum of the Downtown Tracy BID and Downtown Tracy parking district will be replaced by the proposed Downtown Tracy CBD budget of $132,214.00 for the first year of operations. The Downtown Tracy CBD will absorb the special benefit services that are currently being funded by both the BID and the Parking District and replace them with a new and improved special benefits district.

Background:

In October the Downtown Tracy CBD Steering Committee sent all property owners a survey gauging property owner support for the *concept* of a new special benefits district for the Downtown Tracy business community. After soliciting response from the majority of affected property owners, in December the CBD Steering Committee voted overwhelmingly to accept the positive findings of the survey and move to the CBD formation stage. This report is the result of that planning process.

We are forming this district under the backdrop of the phenomenal changes in the economy.

The Current Economic Condition:

We are witnessing a time of great and historic financial turmoil, unlike we have seen in the last 70 years. Real estate prices have collapsed, residential foreclosures are at historic highs, the retail industry is consolidating unlike any time in a generation, the commercial real estate market is uncertain, the financial sector in Wall Street is in a near melt down condition and the ability to raise funds publicly and privately has not been more difficult in years.

So, at first, this may not seem to be the best time to talk about a new "assessment district" to fund special benefit services, but the unfortunate reality is this is the time we will probably need it more than ever before.

We expect City government to provide services that maintain the public rights of way in a clean and orderly fashion, but unfortunately a looming local budget deficit and the anticipated raiding by the state government of local coffers will ultimately lead to a great strain on the current level of City funded services in the Downtown. In fact, with the City and the state predicting years of structural budget deficits, City services that we are experiencing today are probably the best we will be getting for the foreseeable future.

Normally people's greatest investment is their business, their home or in their commercial property. In a time of great financial uncertainty, the one thing that people will rely on is the maintenance of the value of their primary equity. In many ways, this is why it is called "real" estate.

The proposed Downtown Tracy Community Benefit District seeks to create a low-cost system in which benefiting commercial property owners and businesses fund services that the City will not or cannot fund. Those services will include the things that make this area more attractive to new businesses, fund business attraction strategies, promoting events that create a positive image of Downtown Tracy, cleaning and maintaining sidewalks, funding beautification programs, and a host of other special benefit services.

The Downtown Tracy CBD seeks to serve as the funding mechanism for business community controlled special benefits program.

The Rapid Growth of CBDs in the Region:

Currently, Business Improvement Districts or Community Benefit Districts are operating in San Francisco, Oakland, San Jose, Sacramento, Downtown Stockton and Livermore. In addition, your neighboring city of Manteca is currently in the process of forming a similar district for their downtown area.

Why have so many Downtown businesses and property owners throughout the region voted to create these new assessment districts (CBDs)? Because they realize that their respective cities cannot provide services at the level that business and local residents expect.

The issues of building a critical mass of retail, attracting new businesses and jobs, and improving the identity of Downtown Tracy are paramount to all who work in, conduct business in and visit Downtown Tracy area. More importantly, maintaining the value of one's property, business or residence is critical today and there is no better way to maintain that value that ensuring that the district as a whole is managed properly.

The Downtown Tracy CBD will fund new improvements and activities, including special events, advertising, marketing and promotions, business attraction, sidewalk maintenance, parking district services, administrative services and special programs to support the benefiting CBD business and property owners. Each of the programs is designed to meet the goals of the CBD; to improve the commercial appeal, appearance and the cleanliness of the CBD, to increase building occupancy and lease rates, to encourage new business development and attract ancillary businesses, new mixed use residential developments and services.

Boundary: See Section 2, Page 8 and Maps on page 10.

Budget: The total first year Downtown Tracy CBD budget for FY 2010 - 11 is approximately $132,214.00 and is composed of the following elements:

Improvements, Activities, Services: The Improvements and Activities for the first year of the Proposed Downtown Tracy Community Benefit District (PBID) are as follows. The categories of special benefit services are based upon five general areas including District Identity, Business Attraction, Sidewalk Operations, Administration, and Contingency/Reserve. The amount allocated per service and the percentage a listed below.

PROGRAM OR ACTIVITY FUNDED BY THE DOWNTOWN TRACY COMMUNITY BENEFIT DISTRICT	APPROXIMATE % OF FIRST YEAR ANNUAL BUDGET	ESTIMATED ANNUAL COSTS AND BASIS FOR FUNDING (PROPERTY VARIABLE)
District Identity, Special Events, programs	38%	$ 50,000.00 (Approximately 80% building square footage assessments)
Business Attraction Services	9%	$ 12,000.00 (Approximately 20% of building square footage assessments)
Sidewalk Operations, Beautification and Parking District Services	19%	$ 25,000.00 (Approximately 100% of linear frontage assessments)
Enhanced Residential Beautification and Evening Security (for future use when condos are built in the district)	0%	$ 00.00 (future condo building square footage)
Administration/Corporate Operations	30%	$ 39,000.00 (85% of Lot assessments)
Contingency/City and County Fees/Reserves	4%	$ 6,214.00 (15% of lot size assessments)
TOTAL	100%	$ 132,214.00

Benefit Zones:

There will be one "benefit zone" in the proposed Downtown Tracy CBD.

The State Law and State Constitution, Article XIII (d), require that special assessments be levied according to the special benefit each parcel receives from the improvements. In order to match assessment rates to special benefits received, four categories of assessments have been created within the Downtown Tracy Property Business Improvement District.

A line item for special benefits for new single family residential units (which don't currently exist but are anticipated), has been included, since the benefit they would receive from the CBD will be different that the benefits received by businesses or commercial property owners.

All services will only be provided within the District Boundaries.

First Year Annual Costs:

Annual assessments are based upon an allocation of program costs by categories of parcels. Three property assessment variables, including street frontage, parcel square footage, and building square footage, will be used in this calculation. For condo residential unit parcels, only building square footage will be assessed since livable square footage is a measure of the impact

and draw of the specific special benefits (security and beautification, etc.) derived as residential stakeholders.

Ground floor commercial condominiums will be assessed based on all three regular assessment variables. Whereas, upper floor commercial condominiums will be assessed for building square footage only due to their indirect access to street frontage.

PROPERTY VARIABLE	FIRST YEAR ANNUAL COST
Building Square Footage (Non-residential)	$ 0.17 per square foot
Lot or Parcel square footage	$ 0.0875 per square foot
Linear Frontage	$ 3.50 per linear foot
Single Family Residential Parcel - (building square footage only)	$ 0.30 per square foot of

Methods of Financing: A levy of special assessments upon real property that receives special benefits from the improvements and activities. (See Section 4, for assessment methodology)

Public owned property will be assessed based on all three assessment variables, for all services that provide special benefits. Freestanding parking structures and surface parking lots will be assessed based on all three regular assessment variables.

Cap:
An annual Cost of Living Adjustment shall be allowable in the district. As approved by the Board of Directors of the Owner's Association, the management corporation shall have the option to increase the annual assessment rates based upon the San Joaquin County Consumer Price Index, *or* an amount not to exceed 5% (five percent) per year. Any determination of an annual increase will be communicated in writing to the City Manager's Office.

District Formation:
The District modification requires a submission of petitions from property owners representing at least 50% plus one of the total assessments. In the case of the proposed Downtown Tracy CBD, that assessment amount totals $ 66,108.00. Once, the petitions representing $ 66,108.00 from the area parcels have been accepted by the City Council, the City Council may adopt an Ordinance of Intention to mail out ballots to all affected property owners. The District is formed if the weighted majority of all returned ballots support the District formation and if the City Council approves the proposed CBD.

Duration:
The Downtown Tracy CBD shall have a five year term which shall commence on July 1, 2010 and expire on June 30, 2015.

Governance:

The Owners' Association will review District budgets and policies annually within the limitations of the Management District Plan. Annual reports, financial statements and newsletter will be filed with the City of Tracy, (City). The Owners' Association will oversee the day-to-day implementation of services as defined in the Management District Plan.

Section 2

Downtown Tracy Community Benefit District Boundaries

Boundaries: The following text will define the updated boundaries of the Downtown Tracy Improvement District CBD.

General Description of the Proposed Boundaries: Parcels in the commercial corridors of the Downtown Tracy CBD/PBID will include as follows:

- *Northern Boundary*: All parcels on the north side of 10th Street from the northeastern corner of the intersection of 10th Street and Central Avenue (including parcels # 235 171 022 and 235 171 021, 235 055 006, 235 055 018 and 235 055 017)), running westward to include all parcels along the north side of 10th Street up to and including the northeastern corner parcel at the intersection of North Street and 10th Street (parcel #235 53 011).

- *Southern Boundary:* All parcels on the north side of 6th Street between the commercial parcels from North D Street on the east, parcel 235-250 015, running westward to parcel 235-069-015.

- *Western Boundary*: The parcels on the east side of North A Street from the northeastern corner of the intersection of 10th Street and North A, (parcel # 235 053 011), including the southeastern corner of the intersection of 10th Street and North Street, (parcel # 235 054 001) shall serve as the northwestern corner of the district. Continuing eastward to include the parcels on the northwestern and southwestern corners of the intersection of 10th Street and Central Avenue, (parcels # 235 055 006, 235 055 018, 235 055 011 and 235 056 007). Running southward along the west side of Central Avenue to include all parcels fronting onto Central Avenue (including parcel # 235 067 001 at 9th Street), continuing southward to the western most parcel at 6th Street and Central Avenue (parcel # 235 069 015).

- *Eastern Boundary*: Beginning at northeastern corner of the intersection of 10th Street and Central Avenue (parcels 235 171 021 and 235 171 022), running south to include all of the parcels fronting along the east side of Central Avenue to the easternmost parcel at the intersection of 6th Street and Central Avenue (parcel # 235 163 015).

District Boundary Rationale

The property uses within the general boundaries of the Downtown Tracy Community Benefit District are a mix of retail, commercial, entertainment, office, civic, residential and parking. Services and improvements provided by the District are primarily designed to provide special

benefits to the retail, entertainment and commercial land uses and eventually including condo residential unit parcels once they are built within the boundaries of the District. The assessment methodology has been created to provide adequate funding for the varying special benefit needs of these various land uses.

Table 2 - A
Streets and Address Series for Parcels included in the Downtown Tracy Community Benefit District (PBID)

The following chart has been included to make it easier for property owners in the District to identify their parcels.

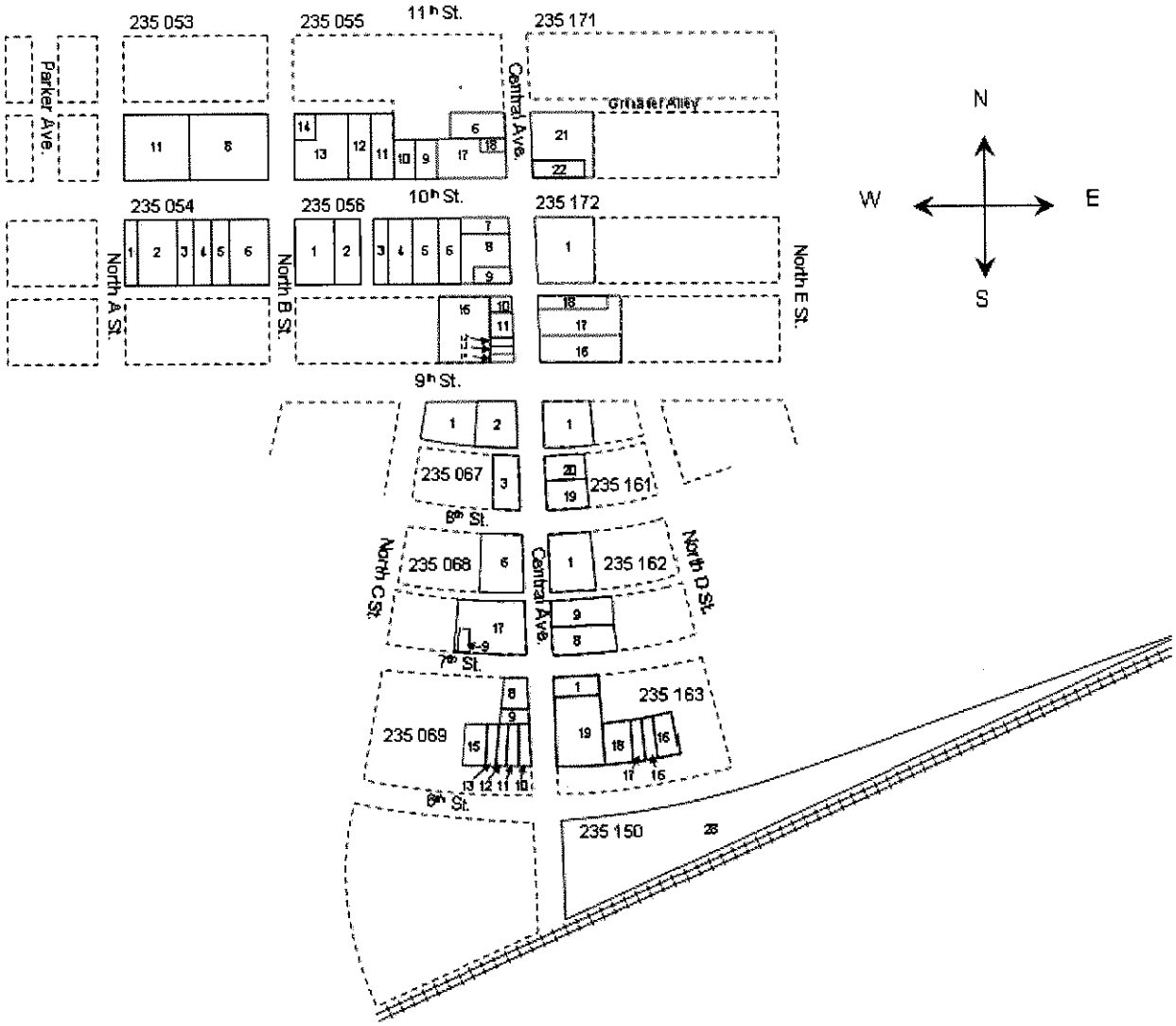
Street	*Address Series*
E. 6th Street	17-35
W. 6th Street	5-19
E. 7th Street	7
W. 7th Street	25
E. 8th Street	3
W. 9th Street	15
W. 10th Street	24-154
N. B Street	1010
N. Central Avenue	601-1025

Downtown Tracy CBD

Benefit Zone Map

April 2009

Surrounding Boundaries
(Not included in district)



NEW CITY

Map created by John Li Mandri; New City America Inc.

Section 3
District Improvement and Activity Plan

Process to Establish the Improvement and Activity Plan

Through a series of Downtown Tracy Business Improvement Association Meetings and property owner meetings beginning last September. Meetings amount the business and property owners took place on the following dates:

- August 21st, DTBIA and Property Owners meeting
- October 2nd, DTBIA and Property owners meeting
- December 11th, Property Owners Meeting
- January 29th, CBD Plan Task Force meeting
- February 12th, CBD Plan Task Force meeting
- February 26th, CBD Plan Task Force meeting (plan approved)
- April 22nd, CBD Steering Committee to discuss revisions to the plan, plan revised based upon input of the Steering Committee;
- June 17th, CBD Steering Committee, update on progress of petition drive under revised plan. Strategy on how to close the gap on the weighted petition support for the district.

Two full length articles have been written about the CBD investigation and formation process in the Tracy Press since last summer.

Over 40 business and property owners attended the various meetings between August and February. In addition, a CBD survey was mailed to each and every property owner in the original boundaries of the proposed district to ascertain the level of conceptual support for the services of the CBD.

The survey conducted in October and November demonstrated clear support for the services that would be funded by this new property assessment district. The priority services as outlined by the CBD Plan Task Force included the following:

1. **District Identity services** which include special events, marketing and advertising and programs that promote the identity of Downtown Tracy;
2. **Business Attraction services** which bring businesses from outside of Downtown to set up their retail businesses in Downtown. There has been a believe that Downtown lacked the "critical mass" of retail and needed at least 150,000 – 200,000 square feet of pure retail space to create itself into a destination point;
3. **Sidewalk beautification and maintenance services** to supplement the level of City services, particularly as greater foot traffic is generated in Downtown;
4. **Administration and oversight of these new services** and of the new district management corporation;

All of the improvements and activities detailed below, are provided only to properties defined as being within the boundaries of the District and provide special benefit to the property owners of those properties within the proposed District. No improvements or activities are provided to properties outside the District boundaries. All benefits derived from the assessments outlined in this Management District Plan fund services directly benefiting the property owners in this specialized zone. Inasmuch as all services will be provided to the properties defined as being within the District boundaries and no services will be provided outside the District boundaries any potential general benefits are intangible and not quantifiable.

All benefits derived from the assessments outlined in the Management District Plan are for services directly benefiting the property, business owners and residents within this area and support increased commerce, business attraction and retention, retained and increased commercial property rentals, enhanced safety and cleanliness in the District, improved District identity, and eventually specialized beautification and enhanced programs for the condo residential unit parcels (when built) within the District.

The total improvement and activity plan budget for 2010, which is funded entirely by property assessments in the boundaries, is projected at $132,214.00. The costs of providing each of the budget components was developed from actual experience obtained in providing these same services in similar districts throughout the State of California.

The Downtown Tracy CBD Plan Task Force has prioritized the following categories of special benefit services for the new District. The categories of special benefit services provide enough clarity to property owners to understand the intent of the budget category, however give the Owners' Association the flexibility its needs to allocate the services based upon the changing needs of the district from year to year within each budgeted category. The following category of special benefit services shall only be provided to parcels within the District.

Budget: The total first year Downtown Tracy CBD budget for 2010 is approximately $132,214.00 and is composed of the following elements:

Improvements, Activities, Services:

DISTRICT IDENTITY: **$ 50,000 38%**

Examples of these special benefit services and costs include, but are not limited to:

- Web site development and updating
- Brochures
- Advertising
- Special Events
- Holiday decorations
- Branding of Downtown
- Banner programs
- Public art displays
- Logo development
- Public space design and work
- Signage
- Staff support related to these programs

BUSINESS ATTRACTION TO DOWNTOWN: **$ 12,000 9%**

- Hiring professionals or firms to identify new businesses to open in Downtown Tracy
- Work with the City to facilitate an pro-business philosophy among City staff
- Work in cooperation between District Management Corporation, professionals, new businesses and City to achieve rapid results

SIDEWALK OPERATIONS, BEAUTIFICATION, AND PARKING DISTRICT: **$ 25,000 19%**

Examples of these special benefit services and costs include, but are not limited to:

- Private security over and above those services currently provided by the Downtown Tracy Police Department
- Regular sidewalk and gutter sweeping
- Regular sidewalk steam cleaning
- Beautification throughout the district
- Enhanced trash emptying
- Timely graffiti removal, within 24 hours as necessary
- Tree and vegetation maintenance
- Special events maintenance and security
- Maintenance of City parking lots and lighting

ADMINISTRATION AND CORPORATE OPERATIONS: **$ 39,000 30%**

Examples of these special benefit services and costs include, but are not limited to:

- Staff and administrative costs
- Insurance

- Office related expenses
- Rent (First year donated for cost savings)
- Financial reporting and Accounting
- Legal work
- Setting up management non-profit corporation

CONTINGENCY/CITY AND COUNTY FEES/RESERVE: **$ 6,214.00 4%**

Examples of these special benefit services and costs include, but are not limited to:

- Delinquencies
- City Fees
- County fees
- Reserves

Reserve for Slow Payments:

Five percent of the budget is held in reserve to offset delinquent and/or slow payment from private properties.

Reserves are budgeted for those funds that remain from the 5% set aside, that are over and above those that have not been collected and are over and above the city fees. These reserves shall be carried forward from year to year, or may be reallocated to the designated budgetary categories found within the Management District Plan.

All services will only be provided within the District Boundaries.

Methods of Financing: A levy of special assessments upon real property that receives special benefits from the improvements and activities. (See Section 4, for assessment methodology)

Benefit Zones: The State Law and State Constitution, Article XIII (d), require that special assessments be levied according to the special benefit each parcel receives from the improvements. In order to match assessment rates to special benefits received, four categories of assessments have been created within the Downtown Tracy Property Business Improvement District. Those categories of assessment include commercial and condo residential unit parcel assessments. There will be one benefit zone in the proposed Downtown Tracy CBD.

Summation of Categories of Special Benefit Services for the Downtown Tracy Community Benefit District

Table 3 – A

PROGRAM OR ACTIVITY FUNDED BY THE DOWNTOWN TRACY COMMUNITY BENEFIT DISTRICT	APPROXIMATE % OF FIRST YEAR ANNUAL BUDGET	ESTIMATED ANNUAL COSTS AND BASIS FOR FUNDING (PROPERTY VARIABLE)
District Identity, Special Events, programs	38%	$ 50,000.00 (Approximately 80% building square footage assessments)
Business Attraction Services	9%	$ 12,000.00 (Approximately 20% of building square footage assessments)
Sidewalk Operations, Beautification and Parking District Services	19%	$ 25,000.00 (Approximately 100% of linear frontage assessments)
Enhanced Residential Beautification and Evening Security (for future use when condos are built in the district)	0%	$ 00.00 (future condo building square footage)
Administration/Corporate Operations	30%	$ 39,000.00 (Approximately 85% of lot size assessments)
Contingency/City and County Fees/Reserves	4%	$ 6,214.00 (Approximately 15% of lot size assessments)
TOTAL	100%	$ 132,214.00

Five Year Operating Budget:

A projected five-year operating budget for the Downtown Tracy CBD is provided below. The projections are based upon the following assumptions:

- Assessments will be subject to changes in the San Joaquin County Consumer Price Index (CPI), with annual increases not to exceed 5% per year. Increases will be determined by the Owners Association and in no case shall annual increases exceed 5% per year, nor shall they exceed the actual CPI increase in a given year.

Assessments for specific programs may be reallocated from year-to-year among District activities within a 10% range within each budget line item and may not exceed 10% of the total budget for all programs and activities. Changes based upon District needs and changed services must be approved by the Tracy City Council by way of the annual district report.

*Five Year Projection of Maximum Assessment for the Downtown Tracy PBID**

Table 3 – B

Program or activity funded by the Downtown Tracy Community Benefit District	2011	2012	2013	2014	2015
District Identity, Special Events, programs	$50,000.00	$52,500.00	$55,125.00	$57,881.25	$60,775.31
Business Attraction	$12,000.00	$12,600.00	$13,230.00	$13,891.50	$14,586.08
Sidewalk Operations, Beautification and Parking District Services	$25,000.00	$26,250.00	$27,562.50	$28,940.63	$30,387.66
Enhanced Residential Beautification and Evening Security (for future use when condos are built in the district)					
Administration/Corporate Operations	$39,000.00	$40,950.00	$42,997.50	$45,147.38	$47,404.74
Contingency/City and County Fees/Reserves	$6,214.00	$6,524.70	$6,850.94	$7,193.48	$7,553.16
Total	**$132,214.00**	**$138,824.70**	**$145,765.94**	**$153,054.23**	**$160,706.94**

*Assumes a 5% yearly increase on all budget items.

Note: Any accrued interest or delinquent payments will be expended in the above categories.

Section 4
Assessment Methodology

The Downtown Tracy CBD is a property-based benefit assessment type district being established as a Property Business Improvement District (PBID) pursuant to Section 36600 et *seq.* of the California Streets and Highways Code, also known as the Property and Business Improvement District Law of 1994 (the "Act"). Due to the special benefit assessment nature of assessments levied within a CBD/PBID, District program costs are to be distributed amongst all identified specially benefiting properties based on the proportional amount of special program benefit each property is expected to derive from the assessments collected. Within the Act, frequent references are made to the concept of relative "benefit" received from CBD/PBID programs and activities versus amount of assessment paid. Only those properties expected to derive special benefits from CBD/PBID funded programs and activities may be assessed and only in an amount proportional to the relative special benefits expected to be received.

The method used to determine special benefits derived by each identified property within a CBD begins with the selection of a suitable and tangible basic benefit unit. For property related services, such as those proposed in the Downtown Tracy CBD, the benefit unit may be measured in linear feet of primary street frontage or parcel size in square feet or building size in square feet or number of building floors or proximity to major corridors in average linear feet, or any combination of these factors. Quantity takeoffs for each parcel are then measured or otherwise ascertained. From these figures, the amount of benefit units to be assigned to each property can be calculated. Special circumstances such as unique geography, land uses, development constraints etc. are carefully reviewed relative to specific programs and improvements to be funded by the CBD in order to determine any levels of diminished benefit which may apply on a parcel-by-parcel or categorical basis.

Based on the factors described above such as geography and nature of programs and activities proposed, an assessment formula is developed which is derived from a singular or composite basic benefit unit factor or factors. Within the assessment formula, different factors may be assigned different "weights" or percentage of values based on their relationship to programs/services to be funded.

Next, all program and activity costs, including incidental costs, District administration and ancillary program costs, and benefit zones are estimated. It is noted, as stipulated in Proposition 218, and now required of all property based assessment Districts, indirect or general benefits may not be incorporated into the assessment formula and levied on the District properties; only direct or "special" benefits and costs may be considered. Indirect or general benefit costs, if any, must be identified and, if quantifiable, calculated and factored out of the assessment cost basis to produce a "net" cost figure.

In addition, Proposition 218 no longer automatically exempts government owned property from being assessed and if special benefit is determined to be conferred upon such properties, they must be assessed in proportion to special benefits conferred in a manner similar to privately owned property assessments.

From this, the value of a basic benefit unit or "basic net unit cost" can be computed by dividing the total amount of estimated net program costs by the total number of benefit units. The amount of assessment for each parcel can be computed at this time by multiplying the Net Unit Cost times the number of Basic Benefit Units per parcel. This is known as "spreading the assessment" or the "assessment spread" in that all costs are allocated proportionally or "spread" amongst all properties within the CBD.

The method and basis of spreading program costs varies from one CBD/PBID to another based on local geographic conditions, types of programs and activities proposed, and size and development complexity of the District. CBD/PBIDs may require secondary benefit zones to be identified to allow for a tiered assessment formula for variable or "stepped-down" benefits derived.

During the first year of operation, approximately forty-one percent of the District's revenues will be generated from the commercial building square footage; approximately nineteen per cent of the District revenues will be generated from the linear frontage property variable; and approximately forty percent of the District revenues will be generated from parcel square footage or lot size. No revenues or percentage will be generated from the condo or single family residential units within the District since currently none exist.

Street Frontage Defined:

Properties are assessed for all street frontages. Properties with more than one street frontage, such as corner lots or whole block parcels are assessed for the sum of all of the parcel's street frontage. Linear front footage data was obtained from the County Assessor's parcel maps and reviewed by staff at New City America. In addition, property verification forms were mailed out to all affected property owners to verify the data New City America had collected.

Linear street frontage assessments will generate approximately $25,000 in funding during the first year of the CBD/PBID and will fund those special benefit services that one encounters in walking along the mile and a quarter of frontage in Downtown Tracy.

Street frontage is assessed at the rate of $3.50 per linear foot since that is the amount estimated necessary to cover the costs related to regular sidewalk sweeping, trash removal and parking related expenses. These costs are based upon similar districts of equal size and the amount they require to cover these related special benefit services.

Building Square Footage Defined:
Building square footage is defined as gross building square footage as determined by the outside measurements of a building. Building Square footage data was obtained from the County Assessor's parcel maps and reviewed by staff at New City America. In addition, property verification forms were mailed out to all affected property owners to verify the data New City America had collected.

Building square footage assessments will generate approximately $62,000 for the first year of the district. The building square footage will cover the costs of special events that are currently underway and funding by merchants, branding of the district, establishment of a new web site as well as attracting new businesses to Downtown Tracy. The costs of the "District Identity" component of the plan will fund those special benefits that benefit the building owners in the district. Those costs are estimated to be a little over 1 ½ cents per month per square foot of building space in the district.

Lot Square Footage Defined:
Lot square footage is defined as the total amount of area within the borders of the parcel. The borders of a parcel are defined on the County Assessor's parcel maps and was confirmed by New City America staff. In addition, property verification forms were mailed out to all affected property owners to verify the data New City America had collected.

The parcel or lot size will generate approximately $45,000 for the first year of the district. Lot size assessments will fund those special benefit services that are equally benefitting all property owners in the district – namely the administration of the district and oversight of the special benefit services. A part time administrator is envisioned to work for the district and donated office space has already been offered by a local major property owner. In addition, any delinquencies, City collection costs or County collection costs will be covered from the assessments generated from the lot size of the district.

Condo Residential Unit Parcel Defined:
Condo Residential Unit building square footage is defined as the livable building square footage within the walls of the condo residential unit parcel. Unlike the other commercial parcels in the district, including commercially operated apartment buildings, condo residential unit parcels are assessed for building square footage only, and not assessed for linear frontage and lot square footage. Currently there are no condos or single family residential units in the proposed district boundaries.

As a result of continued development, the District may experience the addition or subtraction of assessable commercial footage for parcels included and assessed within the BID boundaries. The modification of parcel improvements assessed within the District may then change upwards or downwards the amount of total footage assessment of these parcels.

In future years, the assessments for the special benefits bestowed upon the included CBD parcels may change in accordance with the assessment methodology formula listed in the modified Management District Plan and Engineer's Report provided the assessment rate does not change. If the assessment formula changes, then a Proposition 218 ballot will be required for approval of the formula changes

Calculation of Assessments

The proportionate special benefit derived by each identified parcel shall be determined in a relationship to the entirety of the improvement or the maintenance and operation expenses of an improvement or for the cost of property service being provided. Per California Constitutional Amendment Article XIII D, Section 2(i), 'Special Benefit', means a particular and distinct benefit over and above general benefits conferred on a real property located in the district or to the public at large.

Three factors shall be used in the determination of the annual assessments. They include the property variables of lot size, linear frontage and commercial building square footage. A single family resident would only be assessed on livable building square footage.

These three factors are derived by multiplying their weighted percentage of benefit by the total budget amount and dividing the result by the total measurement for each benefit factor. These three factors are calculated as follows:

Table 4 – A
First Year Annual Costs by Property Variable

PROPERTY VARIABLE	FIRST YEAR ANNUAL COST
Building Square Footage (Non-residential)	$ 0.17 per square foot
Lot or Parcel size	$ 0.0875 per square foot
Linear Frontage	$ 3.50 per linear foot
Single Family Residential Unit Parcel - building square footage only	$ 0.30 per square foot of livable residential building space

Table 4 – B
Factors Used in Generating Funds Per Special Benefit Service

Special Benefit Service	Explanation of Services	Costs Attributed to Which Property Variable	Annual Estimated Costs
District Identity Special Events, and programs	See pages 14 - 16	Bldg square footage	$50,000.00
Business Attraction	See p. 14 - 16	Bldg. square footage	$ 12,000.00
Sidewalk Operations, parking district	See p. 14 - 16	Linear Frontage	$ 25,000.00
Administration	See p. 14 -16	Lot size	$ 39,000.00
Contingency	See p. 14 -16	Lot size	$ 6,214.00
Total Costs			**$ 132,214.00**

No assessment shall be imposed on any parcel, which exceeds the reasonable cost of the proportional special benefits conferred upon that parcel. Only special benefits are assessable and these benefits must be separated from any general benefits. A general benefit is defined as a benefit to properties in the surrounding community or a benefit to the public in general resulting from improvement, activity or service to be provided by the assessment levied.

The special benefits funded by this new District will be over and above existing City of Tracy baseline service levels in the commercially zoned parcels and will serve to increase tenancies, increase commerce, increase economic viability and fund a system of cleanliness and beautification over and above current service levels.

All General Benefits (if any) to the surrounding community and general public are intangible and not able to be quantified. All benefits derived from the assessment outlined in the Management District Plan (MDP) fund only services directly benefiting the property owners in this specialized District in maintenance and security, as well as increased commerce and all the other goals and objectives of the Downtown Tracy CBD's purpose.

Properties are assessed as defined on the county assessor's most current parcel maps.

The preceding methodology is applied to the database of parcels within the District. The process for compiling the property database includes the following steps:

- A report was submitted to the City Manager's office using the data obtained from the San Joaquin County Tax Assessors office. The City Manager's office is reviewing the report.
- A list of properties to be included within the Downtown Tracy CBD is provided in section 7.

The basis of funding shall be through special benefit assessments levied on real property throughout the District. The rates of assessment vary by the proportionate amount of special benefit received by each parcel. A detailed explanation of the special benefit assessment rationale is made in the attached Engineer's Report.

The Calculation of Assessment for each parcel in the Downtown Tracy CBD is as follows:

Commercial parcel assessment
The typical assessment method for all commercial parcels and ground floor commercial condominiums is:

Total Street Frontage X $3.50 per linear foot
plus
Total Lot Square Footage X $0.0875 per square foot
plus
Total Building Square footage X $0.17 per square foot
Equals
TOTAL PARCEL ASSESSMENT

All privately owned property in the district will be assessed using the above calculation, with the exception of condo residential unit parcels, which are defined previously.

Condo/Single residential unit parcels

Condo residential unit parcels built on commercially zoned parcels are assessed as a separate category. These condo residential units are not built on residentially zoned land, but rather on commercially zoned parcels within the boundaries of the Downtown Tracy CBD. Currently none of these land uses exist but may be developed in the five year term of the district.

These condo residential unit parcels will be assessed for their building square footage only at the rate of $0.30 per square foot in the first year in which they have been given a parcel number. These residents will receive special benefits from clean and safe services but not other programs designed to attract and retain businesses. Therefore, they will pay 100% of the special benefits provided from the target services and programs provided. A detailed explanation of their special benefit and the rationale for this assessment is provided in the attached Engineer's Report. The Calculation of Assessment for each Condo Residential Unit in the BID is as follows:

Total Residential Unit Square footage X $0.30 per Square Foot

Equals

TOTAL CONDO RESIDENTIAL UNIT ASSESSMENT

Publicly owned parcels

Publicly owned property will be assessed the same as privately owned property. Each public parcel will pay 100% of the assessment for the special benefits received.

Commercial condominium parcels

Ground floor commercial condominiums will be treated like independent "mini" commercial buildings and assessed based on their divided building area, the footprint of land they cover, and the amount of direct street frontage towards the exterior of the building. Ground floor commercial condominiums will pay 100% of the special benefits for the assessment, based upon which benefit zone they are within.

Upper floor commercial condominiums, however, do not have direct access to street frontage services and are deemed to only receive special benefit for the commercial services rendered to the entire building. Therefore, they will pay 100% of the special benefits provided from the target services and programs provided. A further explanation of their special benefit and the rationale for this assessment is provided in the attached Engineer's Report.

Database for Downtown Tracy PBID:
Table 4 – C

Linear Frontage Total	*Lot Square Footage Total*	*Building Square Footage Total*	*Condo Residents Unit Parcels, Building Square Footage to be assessed*
6,953 linear feet	530,712 sq. ft.	361,421 sq. ft.	0 sq. feet

Amount Generated during the First Year by Property Variable for the Downtown Tracy CBD – Total Revenues: $132,214.37
Table 4 – D

Linear Frontage Total	*Lot Square Footage Total*	*Building Square Footage Total*
$24,335.50	*$46,437.30*	*$61,441.57*

Maximum Assessment
Assessments will be subject to changes in the San Joaquin County Consumer Price Index (CPI), for all urban consumers, annual increases not to exceed 5% per year. Increases will be determined by the CBD Owners' Association and will vary between 0 and 5% in any given year.

The following projections illustrate a potential 5% annual increase.

Maximum Assessments by Property Variable
Table 4 – E

Projected Assessment	2011	2012	2013	2014	2015
Linear Feet	$3.50	$3.68	$3.86	$4.05	$4.25
Lot Square Footage	$0.08750	$0.09	$0.10	$0.10	$0.11
Building Square Footage	$0.17	$0.18	$0.19	$0.20	$0.21
Residential Building Square Footage	$0.30	$0.32	$0.33	$0.35	$0.36

Budget Adjustments
Annual budget surpluses, if any, will be rolled into the following year's budget. Assessments will be set annually, within the constraints of the CPI or land use changes. Revenues from the delinquent accounts may be expended in the year they are received. If the District is not renewed, any remaining funds will be returned to property owners in the proportion by what each property owner paid.

If the District renews and money is left over from the previous term, the balance of remaining funds will be rolled over into the renewed district. However, the rolled over funds may only be used within the boundaries of the old district. Funds collected from the previous CBD term cannot be expended for activities, services, or improvements in the expanded area but may be used to finish renewal activities.

Time and Manner for Collecting Assessments

The Downtown Tracy CBD/PBID assessment will appear as a separate line item on annual property tax bills prepared by the County of San Joaquin. The assessments shall be collected at the same time and in the same manner as for the ad valorem property tax paid to the County of San Joaquin. These assessments shall provide for the same lien priority and penalties for delinquent payment as is provided for the ad valorem property tax.

However, assessments may be billed directly by the City for the 1st fiscal year of operation or during a partial year based upon the District timing. The areas will then by the County for all subsequent years. Any delinquent assessments owed for the first year will be added to the property tax roll for the following year. The "property owner" means any person shown as the owner/taxpayer on the last equalized assessment roll or otherwise known to be the owner/taxpayer by the City.

Disestablishment

California State Law, Section 36670 provides for the disestablishment of a District. Upon the termination of the previous District, any remaining revenues shall be transferred to the renewed District, if one is established, pursuant to Streets and Highways Code Section 36660(b). Unexpended funds will be returned to property owners based upon each parcels percentage contribution to the total year 2013 assessments if the District is not renewed. Unexpended funds may also be used for renewal costs if the District decided to pursue renewal of the District for another term.

Government Assessments

The Downtown Tracy CBD Management Plan assumes that the City of Tracy and other government entities will pay assessments for the public property within the boundaries of the District. Article XIII D, Section 4 of the California Constitution was added in November of 1996 to provide for these payments.

Parcels owned by the City of Tracy or the Redevelopment Agency, the State of California and the County of San Joaquin shall receive benefits, commensurate with the assessments paid into the Downtown Tracy CBD. The publicly owned parcels are presumed to benefit equally to the privately owned parcels for the special benefits provided.

Future Development

As a result of continued development, the District may experience the addition or subtraction of assessable commercial or residential building footage for parcels included and assessed within the District boundaries. The modification of parcel improvement assessed within the

District may then change upwards or downwards the amount of total building square footage assessment for these parcels.

In the future years, the assessments for the special benefits bestowed upon the included CBD parcels may change in accordance with the assessment methodology formula listed in the Management District Plan and Engineer's Report provided the assessment rate does not change. If the assessment formula changes, then a Proposition 218 ballot will be required for approval of the formula changes.

Assessment of Possessory Interests

The Downtown Tracy Community Benefit District Management District Plan provides for the levy of assessments for the purpose of providing improvements and promoting activities that benefit property owners and business owners within the District. These assessments are not taxes for the general benefit of the city, but are assessments for the improvements and activities that confer special benefits upon owners of interest in real property for which the improvement and activities are provided.

The Assessments levied are levied on the basis of the estimated benefit to the real property within the property and business improvement district. Owners of possessory interest in real property within the district are owner of real property and benefit from the proposed improvements and activities. Because assessments are levied based on estimated benefit, owners of possessory interest are required to pay their fair share of assessments.

Possessory interest tax is collected by San Joaquin County as per California Revenue and Taxation(R&T) Code Section 61, 107-107.9, 480.6 and Property Tax Rules 20, 21-22 and 27-28, only in those instances where an underlying property owner is not paying real property taxes. Likewise, as it relates to owners of possessory interests, the assessment for the proposed district shall be levied on these owners only where no underlying assessment is levied. There fore, fair share shall be determined on the same basis as the assessment calculation for all other owners.

All Possessory interest owners shall be assessed based on the total for all assessment variables that would be including front frontage, lot square footage and building square footage- an assessment that would be equal to the assessment that would have been levied on the underlying property owner. This assessment represents the benefit from the proposed activities and improvements.

The assessment shall be collected at the same time and in the same manner as does the possessory interest tax paid to the County of San Joaquin. These assessments shall provide for the same lien priority and penalties for delinquent payment as is provided for the possessory interest tax.

The "property owner" of the possessory interest shall be any person shown as the owner of land on the last equalized possessory interest assessment roll or otherwise known to be the

owner of land by the city council. The City Council has no obligation to obtain other information as to the ownership of the interest, and its determination of ownership shall be final and conclusive for the purposes of the district.

Government Owned Parcels in the
Downtown Tracy CBD
Table 4 - F

APN	Legal Owner	Site Street	Annual Assessment	Percent
235-067-01	City of Tracy	835 N. Central Ave.	$3,386.41	2.56%
235-067-02	City of Tracy	885 N. Central Ave.	$1,517.51	1.15%
235-068-09	City of Tracy	25 W.7th St.	$391.95	0.30%
235-068-17	City of Tracy	713 N. Central Ave.	$6,454.66	4.88%
235-150-28	City of Tracy	E. 6th St.	$1,257.90	0.95%
		Total	$13,008.43	9.84%
235-056-15	Tracy City of Community Development Agency	15 W. 9th St.	$2,060.88	1.56%

Section 5
District Rules and Regulations

Pursuant to the Property Business Improvement District Law of 1994, as amended, CBD/PBID may establish rules and regulations that uniquely apply to the District. The District has adopted the following rules:

- Current and future condo residential unit parcels shall be assessed as a special category at $0.30 per square foot of their parcel building square footage and their assessments will contribute to the Sidewalk Operations and Beautification special benefit services, as well as fund special evening security services and peripheral enhanced beautification programs, responsive to their specific needs.

Bonds:
The District will not issue any bonds related to any program.

Section 6
Implementation Timetable

The Downtown Tracy CBD is expected to be established and begin implementation of the Management District Plan on July 1, 2010. Consistent with State Law, the Downtown Tracy CBD/PBID will have a five year term through June 30, 2015.

Time Line for Formation of the New Downtown Tracy CBD

FORMATION STAGE- DOWNTOWN TRACY CBD	2009 - 2010
1. Write newsletter summarizing survey results, send out property verification form to all affected property owners	Property Verification Forms mailed in January, Newsletter mailed February 17th
2. Write preliminary Downtown Tracy PBID/CBD Management District Plan based upon survey priorities - submit to CBD Steering Committee, meet frequently with Steering Committee until plan has been fully supported. Plan will include boundaries, prioritized special benefit services, term, management, benefit zones, etc.	January - February
3. Finalize Management District Plan, get approval from the Downtown Tracy CBD Steering Committee	April
4. Have plan approved by certified assessment engineer. Once certified, have plan submitted to City Attorney's office for review. Once City Attorney's office has reviewed and approved the plan, initiate petition drive to trigger ballot, mail out plan to all property owners (need minimum of 50% weighted support of property owners to endorse plan, weighted petition will include the City parcels)	March - July
5. Complete petition drive, submit petitions to the Redevelopment Agency. Brief City officials as necessary or instructed. Update property owners on progress of formation effort. Build support among weighted property owners, provide educational material and educational forums as necessary.	April – October
6. Work with the City on ballot preparation, City Council adopts Resolution of Intent, authorizes City Manager to vote on the petition and vote in the balloting.	October 22nd
7. Follow up with Downtown Tracy business and CBD Steering Committee to ensure weighted majority property owners vote and return ballots	June - October
8. Attend public hearing, help City in processing ballots. District approved based upon supportive weighted vote of returned ballots	December 2009
9. Once formed, work with Downtown CBD Steering Committee and DTBIA members to -create new non-profit management district corporation. -Adopt bylaws, -choose interim officers, -select interim Board, -file articles of incorporation with State of California, -prepare for transfer of funds from County to City to new CBD management District Corporation; -prepare to select District Manager and service providers	December – February 2010
10. First assessments transferred from County to the City	Late December 2010
11. First assessments transferred from City to newly formed District Management Corporation	January 2011
12. Services begin	February 2011

Section 7
Parcel Numbers of Properties Included

The assessment methodology used is based on the following property variables: building square footage, lot size, linear frontage, building use and whether it is a condo residential unit parcel.

List of Parcels in the Downtown Tracy CBD:

APN	Assessment
235-053-08	$5,328.83
235-053-11	$6,795.59
235-054-01	$2,176.78
235-054-02	$2,375.38
235-054-03	$1,191.23
235-054-04	$1,371.62
235-054-05	$1,315.18
235-054-06	$4,653.36
235-055-06	$1,538.72
235-055-09	$1,462.50
235-055-10	$1,281.11
235-055-11	$1,681.25
235-055-12	$1,735.94
235-055-13	$4,671.92
235-055-14	$1,848.63
235-055-17	$3,036.63
235-055-18	$418.99
235-056-01	$4,042.21
235-056-02	$2,603.95
235-056-03	$1,267.73
235-056-04	$1,620.34
235-056-05	$2,030.16
235-056-06	$1,565.94
235-056-07	$2,224.90
235-056-08	$1,858.40
235-056-09	$1,671.68
235-056-10	$1,009.56
235-056-11	$1,298.56
235-056-12	$861.41
235-056-13	$456.55
235-056-14	$766.30
235-056-15	$2,060.88
235-067-01	$3,386.41
235-067-02	$1,517.51
235-067-03	$2,896.79
235-068-06	$3,166.92
235-068-09	$391.95
235-068-17	$6,454.66
235-069-08	$1,115.95
235-069-09	$303.98
235-069-10	$636.13
235-069-11	$322.00
235-069-12	$322.00
235-069-13	$309.75
235-069-15	$624.75
235-150-28	$1,257.90
235-161-01	$3,326.93
235-161-19	$918.75
235-161-20	$677.51
235-162-01	$3,037.01
235-162-08	$1,481.55
235-162-09	$2,648.75
235-163-01	$1,728.84
235-163-15	$2,002.56
235-163-16	$848.33
235-163-17	$634.30
235-163-18	$3,196.43
235-163-19	$3,671.18
235-171-21	$3,585.31
235-171-22	$1,801.13
235-172-01	$3,580.90
235-172-16	$4,523.53
235-172-17	$2,469.33
235-172-18	$1,153.19

Exhibit B

INSURANCE REQUIREMENTS

DOWNTOWN TRACY CITY CENTER ASSOCIATION

ASSOCIATION shall, throughout the duration of this Agreement, maintain insurance to cover ASSOCIATION, its agents, representatives, and employees in connection with the performance of services under this Agreement at the minimum levels set forth below:

1. **Commercial General Liability** (with coverage at least as broad as ISO form CG 00 01 01 96) "per occurrence" coverage shall be maintained in an amount not less than $2,000,000 general aggregate and $1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.

2. **Automobile Liability** (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") "claims made" coverage shall be maintained in an amount not less than $1,000,000 per accident for bodily injury and property damage.

3. **Workers' Compensation** coverage shall be maintained as required by the State of California.

4. **Endorsements.** ASSOCIATION shall obtain endorsements to the automobile and commercial general liability with the following provisions:

   > The CITY (including its elected officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."

5. **Coverage.** For any claims related to this Agreement, ASSOCIATION's coverage shall be primary insurance with respect to the CITY. Any insurance maintained by the CITY shall be excess of the ASSOCIATION's insurance and shall not contribute with it.

6. **Notice of Cancellation.** ASSOCIATION shall obtain endorsements to all insurance policies by which each insurer is required to provide thirty (30) days prior written notice to the CITY should the policy be canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation.

7. **Authorized Insurers.** All insurance companies providing coverage to ASSOCIATION shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

8. **Insurance Certificate.** ASSOCIATION shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City, no later than five (5) days after the execution of this Agreement.

9. **Substitute Certificates.** No later than thirty (30) days prior to the policy expiration date of any insurance policy required by this Agreement, ASSOCIATION shall provide a substitute certificate of insurance.

10. **ASSOCIATION's Obligation.** Maintenance of insurance by the ASSOCIATION as specified in this Agreement shall in no way be interpreted as relieving the ASSOCIATION of any responsibility whatsoever (including indemnity obligations under this Agreement), and the ASSOCIATION may carry, at its own expense, such additional insurance as it deems necessary.

11. **Permits for Special Events.** The ASSOCIATION shall comply with City permit process and insurance requirements for special events under Tracy Municipal Code Section 4.40, as may be revised in the future, and any other Tracy Municipal Codes that may apply.

12. **Insurance for Public Parking Lots.** .This coverage is not intended to include any insurance coverage that may be required for the public parking lot lease agreements. Parking lot insurance coverage will be required in addition to the above insurance requirements in types and amounts as required under the lease

RESOLUTION 2021-_____

APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND TRACY CITY CENTER ASSOCIATION

WHEREAS, The Tracy City Center Association (TCCA) is a non-profit public benefit California corporation with the purpose of bringing about the revitalization of Downtown Tracy and surrounding area; and

WHEREAS, TCCA plans and hosts the Downtown Farmers' Market, as well as annual community events: Taps on Tenth, Downtown Tracy Wine Stroll, Halloween Parade, Holiday Parade, Tree Lighting Ceremony, and Santa Hut; and

WHEREAS, The Tracy City Council recognizes TCCA as a valuable partner to the City in providing these events and supporting the economic growth within the City of Tracy; and

WHEREAS, To formalize the responsibilities of both TCCA and the City in regards to business services and community events, and to be transparent about the exchange of services and use of City facilities, TCCA has requested to enter into a Memorandum of Understanding (MOU) with the City;

NOW, THEREFORE, BE IT RESOLVED, That the City Council does hereby approve the Memorandum of Understanding (MOU) between the City of Tracy and the Tracy City Center Association.

* * * * * * * * * * * * * * * * * * * *

The foregoing Resolution 2021-_____ was adopted by Tracy City Council on the 1st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

_____
MAYOR

ATTEST

_____
CITY CLERK

June 1, 2021

AGENDA ITEM 1.D

REQUEST

AUTHORIZE THE SUBMISSION OF A UNITED STATES DEPARTMENT OF JUSTICE'S COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT APPLICATION FOR THE PROJECTED AMOUNT OF $125,000 FOR MENTAL HEALTH, WELLNESS, AND PEER SUPPORT RELATED TRAINING, SERVICES, EQUIPMENT, AND TECHNOLOGY FOR LAW ENFORCEMENT AND AUTHORIZE THE CITY MANAGER TO ACCEPT THE $125,000, IF AWARDED

EXECUTIVE SUMMARY

The City of Tracy Police Department has an opportunity to submit a grant application for the Department of Justice's Community Oriented Policing Services (COPS) Law Enforcement Mental Health and Wellness Program grant for funding peer support services, training, equipment, and technology in support of Law Enforcement Mental Health and Wellness.

The Law Enforcement Mental Health and Wellness Act (LEMHW or the "Act") Program grant offers awards up to $125,000 for departments that offer programs in support of these efforts and to improve the delivery of and access to mental health and wellness services. Staff recommends that the City of Tracy submit an application and if awarded, that Council authorize the appropriation to the Police Department budget for FY 21/22.

DISCUSSION

The Law Enforcement Mental Health and Wellness Act supports good mental and psychological health as essential components for law enforcement officers to be effective in keeping our communities safe from crime and violence. The Act supports efforts to protect the mental health and well-being of law enforcement officers and deputies. Unfortunately, the stress of officers' work and the stigma associated with seeking assistance for emotional and mental health issues have led to negative consequences such as divorce, alcoholism, injury, and even an increase in suicides for officers across the country.

The 2015 Final Report of the President's Task Force on 21st Century Policing Pillar Six-Officer Wellness and Safety states, "A large portion of officer injuries and deaths are not the result of interaction with criminal offenders but the outcome of poor physical health due to poor nutrition, lack of exercise, sleep deprivation, and substance abuse."

The Pillar advises that agencies should "focus on strategies in several areas: physical, mental, and emotional health…."

It further states, "The officers who protect us must also be protected—against incapacitating physical, mental, and emotional health problems as well as against the hazards of their job. Their wellness and safety are crucial for them, and their agencies, as well as the well-being of the community they serve."

Based on the recommendations within the report, Tracy Police Department has placed an emphasis on the health, wellness, and physical fitness of its law enforcement officers. In 2016, the department opened an on-site fitness center. In 2018, the department facilitated full scale health physicals for officers which provided reports and feedback to officers regarding their overall health. In addition, the department implemented an on-duty workout program for sworn personnel. In 2019, the department initiated a contract for Psychological Services and Peer Support Training for its personnel, and acquired a personalized Employee Assistance Program, Psychological and well-being mobile application through Cordico, Inc. In 2020, the department expanded its onsite gym to encourage physical fitness and health.

Tracy Police Department is seeking this grant to continue its efforts in supporting our law enforcement personnel. The proposal will include the expansion of our Peer Support Team, additional training to include Basic Peer Support and update/refresher courses for Peer Support, a robust psychological services contract to include a spouse support group, educational books for all Tracy Police Department personnel, fitness challenges to encourage engagement in the department, foster teamwork, and promote good health, increased utilization of our Cordico Wellness Application, and increased participation in our psychological services. Additionally, we will offer partnerships with our nearby law enforcement agencies to offer and facilitate Peer Support Training for their departments, and assist in their efforts to ensure the good health and wellness of their personnel.

Proposed Estimated Grant Expenses	
Officer Safety, Health, and Wellness Training and Services	Cost
2 year – Psychological Services Agreement for professional health and wellness training, services and counseling to include, critical incident stress debriefings, crisis management briefings, on-site response, crisis intervention, peer support training, individual crisis intervention counseling services, and spousal support group	$80,000
3 day On-Site POST Certified Basic Peer Support Training (30 people)	$10,200
1 day On-Site POST Certified Peer Support Refresher course (30 people)	$3,800
Peer Support Program and Grant management (10 hours per month for 2 years)	$18,850
Book – Emotional Survival for Law Enforcement by Dr. Kevin Gilmartin (qty. 150)	$2,200
Training Aid for Officers/Family – Emotional Survival for Law Enforcement (qty. 10)	$3,500
Book – Police Mental Barricade Book by Nicholas Ruggiero (qty. 150)	$1,450
Training/Lecture by Nicholas Ruggiero – Suicide	$2,500

Prevention, Leadership Development, Peer Support	
Enhancements to Cordico Wellness Application to incorporate employee fitness and wellness challenges and activities	$2,500
Total	**$125,000**

STRATEGIC PLAN

This agenda item relates to the Council's Strategic Plan in the area of Public Safety.

FISCAL IMPACT

If successful, the City of Tracy will receive up to $125,000. There is no negative impact to the current fiscal budget as no City match is required. Accepting this grant funding requires the funds to be appropriated from the Federal COPS Program and the award be added to the Police Department's Operating Budget.

RECOMMENDATION

Staff recommends that City Council authorize, by resolution, the application submission and acceptance of the grant and, if awarded, authorize the City Manager to accept the award of up to $125,000 from the 2021 Department of Justice's Community Oriented Policing Services (COPS) Law Enforcement Mental Health and Wellness Program's grant for funding peer support services, training, equipment, and technology in support of Law Enforcement Mental Health and Wellness.

Prepared by: Beth Lyons, Support Operations Division Manager

Reviewed by: Sekou Millington, Chief of Police
Karin Schnaider, Finance Director

Approved by: Jenny Haruyama, City Manager

RESOLUTION _____

AUTHORIZING THE SUBMISSION OF A UNITED STATES DEPARTMENT OF JUSTICE'S COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT APPLICATION FOR THE PROJECTED AMOUNT OF $125,000 FOR MENTAL HEALTH, WELLNESS, AND PEER SUPPORT RELATED TRAINING, SERVICES, EQUIPMENT, AND TECHNOLOGY FOR LAW ENFORCEMENT AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE $125,000, IF AWARDED

WHEREAS, Staff has learned of a grant funding opportunity through the United States DOJ's COPS Office with an award opportunity to support mental health and wellness of law enforcement personnel, and

WHEREAS, The specifics of the grant award includes awards up to $125,000 and includes a two (2) year grant term, and

WHEREAS, This grant, if awarded, would provide mental health, wellness, peer support related training, professional services, equipment and technology for law enforcement personnel

NOW THEREFORE BE IT RESOLVED, That the City Council of the City of Tracy hereby authorizes the submission of a United States Department of Justice (DOJ) Community Oriented Policing Services (COPS) grant application for a projected amount of $125,000 for mental health, wellness, and peer support related training, professional services, equipment, and technology for law enforcement and authorizing the City Manager to accept the $125,000 grant, if awarded.

* * * * * * * *

The foregoing Resolution _____ was passed and adopted by the Tracy City Council on the 1st day of June, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
Mayor

ATTEST:

_____
City Clerk

June 1, 2021

AGENDA ITEM 1.E

REQUEST

WAIVE SECOND READING AND ADOPT ORDINANCE 1308, AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 5.08 "ANIMALS" OF TITLE 5 "SANITATION AND HEALTH" OF THE TRACY MUNICIPAL CODE TO ADHERE TO CURRENT STANDARDS OF ANIMAL CARE AND PRACTICES AND ESTABLISH NEW OPERATIONAL ADMINISTRATIVE PRACTICES AND PERMITTING REQUIREMENTS

EXECUTIVE SUMMARY

Ordinance 1308 was introduced at the regular Council meeting held on May 18, 2021. Ordinance 1308 is before Council for adoption.

DISCUSSION

This agenda item is in response to the public's interest in the welfare and treatment of animals within the City of Tracy, and Animal Services' ability to effectively serve the needs of animals and their owners throughout the community. In 2019, the City of Tracy's Animal Services Unit ("Animal Services") of the Tracy Police Department consulted with a nationally accredited shelter consultant Sarah Pizano, to address the public's concerns surrounding the welfare of animals within the community and those that encounter Animal Services. The consultant provided direction to update and add language to Chapter 5.08 "Animals" of the Tracy Municipal Code ("TMC").

The proposed ordinance will help the City of Tracy transition to the current standard of care and practices that are conscious of animal welfare and rights, and will allow Animal Services to use the updated TMC as a tool for enforcement to ensure the humane treatment of animals.

Through many City Council discussions, City Council, Animal Services, and the public identified specific areas where Animal Services could potentially improve its practices and operations. Consultant, Sarah Pizano, recommended various changes to the TMC, including changes to reflect the current terminology that is used and considered humane. The proposed ordinance will change and omit terminology throughout the TMC, such as eliminating "tethering", and changing "small animal shelter" to "Animal Shelter", the word "kill" to "humanely euthanize", and "Animal Control Officers" to "Animal Services Officers". This ordinance will also be updating current Standards and Practices, License, Fees, Permit Requirements, Allocation of Funds, Alterations of Multiple Impounds, Hearing Processes, Community Cats, Breeder Certificates and Microchipping.

STRATEGIC PLAN

This agenda item relates to the Council's Strategic Plan in the area of Public Safety and Quality of Life.

FISCAL IMPACT

There is no fiscal impact related to this agenda item. The City is in the process of studying and updating the Master Fee Schedule, updates to fees will provide some revenue to mitigate the costs of providing Animal Control services to the public. Any fee not already included in the Master Fee schedule would be brought back to Council for discussion and adoption before implementation.

RECOMMENDATION

That the City Council waive second reading of the full text and adopt an ordinance amending Chapter 5.08 "Animals" of Title 5 "Sanitation and Health" of the Tracy Municipal Code to adhere to current standards of animal care and practices and establish new operational administrative practices and permitting requirements.

Prepared by: Necy Lopez, Deputy City Clerk

Reviewed by: Adrianne Richardson, City Clerk
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

Attachment A: Ordinance 1308

ATTACHMENT A

ORDINANCE 1308

AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 5.08 "ANIMALS" OF TITLE 5 "SANITATION AND HEALTH" OF THE TRACY MUNICIPAL CODE TO ADHERE TO CURRENT STANDARDS OF ANIMAL CARE AND PRACTICES AND ESTABLISH NEW OPERATIONAL ADMINISTRATIVE PRACTICES AND PERMITTING REQUIREMENTS

WHEREAS, in 2019, the City of Tracy's Animal Services Unit ("Animal Services") of the Tracy Police Department, City Council, and the public had various discussions to identify specific areas where Animal Services could potentially improve its practices and operations, and

WHEREAS, in response to these discussions, Animal Services consulted with a nationally-accredited animal shelter consultant to address how Animal Services could improve its current standards, practices, and enforcement, and

WHEREAS, Animal Services and the consultant conducted a full review of Chapter 5.08 "Animals" of the Tracy Municipal Code and identified areas where changes could be made to reflect the current terminology that is used and considered humane, and

WHEREAS, changes and updates to Chapter 5.08 "Animals" of the Tracy Municipal Code are necessary to adhere to current standards of animal care and practices, to align with Animal Services' current operations and practices, to facilitate Animal Services' goals, and to comply with state law, and

WHEREAS, the City has an interest in the welfare and treatment of animals within the City.

NOW THEREFORE, the City Council of the City of Tracy does ordain as follows:

SECTION 1: The City Council hereby amends Chapter 5.08 "Animals" of Title 5 "Sanitation and Health" of the Tracy Municipal Code as shown in Exhibit "A" attached hereto.

SECTION 2: If any provision or the application of this Ordinance is for any reason held to be unconstitutional, invalid, or otherwise unenforceable, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted each subsection or provision of this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

SECTION 3: This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 4: This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* *

The foregoing Ordinance 1308 was introduced at a regular meeting of the Tracy City Council on the 18th day of May, 2021, and finally adopted on the _____ day of _____, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Chapter 5.08 - ANIMALS

Sections:

Article 1. - Dogs

5.08.010 - Unlawful to permit rabid animals to run at large.

It shall be unlawful for any person owning, having an interest in, harboring, or having the care, charge, control, custody, or possession of a dog or other animal, knowing that such dog or animal has rabies, to allow or permit such dog or animal to go free and run at large within the City.

(Prior code § 5-2.101)

5.08.020 - Health Officer to be notified immediately upon suspicion of rabies.

Whenever the owner or person having the custody or possession of any animal shall observe or learn that such animal has shown symptoms of rabies, or has acted in a manner which should lead a reasonable person to suspect that such animal might have rabies, such owner or person having the custody or possession of such animal shall immediately notify the Health Officer or his representatives and shall allow the Health Officer to make an inspection or examination of such animal and to quarantine such animal until it shall be established to the satisfaction of such official that such animal has or does not have rabies.

(Prior code § 5-2.102)

5.08.030 - Quarantine.

Whenever it shall appear to the Health Officer or Animal Services Officer that there is reason to believe that any dog or other animal has rabies, or has been exposed to rabies, the Health Officer or Animal Services Officer shall make an inspection and examination of such animal and shall quarantine such animal until it shall be established to the satisfaction of such official that such animal has or does not have rabies.

(Prior code § 5-2.103)

5.08.040 - Quarantine required.

Whenever it is shown that any dog or cat has bitten any person, the owner or person having the custody or possession thereof, upon an order of the Health Officer or Animal Services Officer, shall quarantine such animal and keep it confined for a period of ten (10) days and shall allow the Health Officer or Animal Services Officer to make inspections or examinations of such animal at any time during such period. The Animal Services Officer has the discretion to determine the location of where such quarantine will take place.

(Ord. 1120 § 1, 2008: Ord. 1040 § 5 Exh. E (part), 2002: prior code § 5-2.104)

5.08.050 - Disposition of rabid dogs.

If it shall appear to the Health Officer or Animal Services Officer, upon examination, that a dog or other animal has rabies, the officer shall humanely euthanize such dog or other animal forthwith.

(Ord. 1120 § 2, 2008: prior code § 5-2.105)

5.08.060 - Quarantine of animals biting another animal.

Whenever any animal shall be bitten by another animal with rabies or that potentially has rabies, the owner or person having the custody or possession of the animal so bitten, upon being informed thereof, shall either humanely euthanize such animal or quarantine it and keep it confined for a period of six (6) months, and the Health Officer or Animal Services Officer shall have the power, in his or her discretion, to humanely euthanize or quarantine the animal so bitten in the event the owner or person having the custody or possession thereof shall fail to do so immediately or in the event the owner or person having the custody or possession thereof is not readily accessible.

(Prior code § 5-2.106)

5.08.070 - Transporting dogs to or from cities or counties in which there is or has been rabies.

No person shall take a dog or permit or encourage a dog to go from a City or town in which rabies exists, or has existed, within six (6) months previously, or from any place in the County within five (5) miles of which rabies exists or has existed within six (6) months previously, to any county in which rabies does not exist or has not been known to be present within six (6) months.

(Prior code § 5-2.107)

5.08.080 - Transporting dogs from rabies areas.

No person shall bring a dog into the City from a county in which rabies is present or has been known to be present within six (6) months.

(Prior code § 5-2.108)

5.08.090 - Entering upon premises.

(a) The Animal Services Officer is authorized to enter upon any land or premises where any animal is kept for the purposes of taking up, seizing, or impounding any animal running at large, staked, herded, or grazing thereon contrary to the provisions of this chapter or for the purpose of ascertaining whether any law of the County or State relating to the care, treatment, or impounding of any animal or whether any provision of this chapter is being violated.

(b) The Animal Services Officer is authorized to enter upon any land or premises for the purpose of apprehending and impounding a vicious dog or other animal that constitutes a threat or hazard to the safety of any person.

(Prior code § 5-2.109)

5.08.100 - Vicious or dangerous animals.

(Repealed by Ord. 1074 § 1, 2005. For present provisions concerning potentially vicious or dangerous animals, see Article 4 of this chapter.)

Article 2. - Animal Shelter and Animal Services

5.08.110 - Animal shelter authorized.

A public animal shelter is hereby authorized in the City. The animal shelter shall be located at some convenient place to be fixed by the Council. Such animal shelter shall be and remain under the charge and control of the Tracy Police Department.

The Tracy Police Department shall cause all animals impounded to be provided with sufficient food and water suitable therefor and shall keep such animal shelter in a clean and sanitary condition at all times.

(Ord. 1040 § 5 Exh. E (part), 2002: prior code § 5-2.201)

5.08.120 - Office of Animal Services established.

The Office of Animal Services is hereby established. The Animal Services Officer shall be appointed by the Chief of Police and shall receive such compensation as the Council, from time to time, may provide. For the purposes of enforcement of this chapter and other laws, the title "Animal Services Officer" shall be synonymous with "Animal Control Officer" and shall include the Animal Services Supervisor, Police Officers when enforcing this chapter, the Animal Services Officer, and assistants and deputies that have satisfactorily completed a certified course in "Powers and Arrest."

(a) The Animal Services Officer, and all assistants and deputies, shall satisfactorily complete a certified course in "Powers of Arrest." Such persons may thereafter exercise the powers of arrest as specified in section 836.5 of the California Penal Code on any person who has committed a misdemeanor or infraction in their presence which is a violation of the provisions of this chapter.

(b) The Animal Services Officer, and all assistants and deputies, may carry weapons when acting in the course of their employment, providing they have satisfactorily completed a course of training in the carrying and use of firearms.

(Ord. 1040 § 5 Exh. E (part): prior code § 5-2.202)

5.08.130 - License tags for dogs.

(a) Licenses required. It is hereby declared unlawful for any dog, not duly vaccinated, licensed, and registered in accordance with the provisions of this section, to be in the City or to be owned, kept, or possessed in the City by any person. Licenses shall not be transferable on a change of ownership, nor from one dog to another. Licenses will be issued for a term of one (1) year for dogs under one (1) year of age, and for a term of three (3) years for dogs over one (1) year of age. Licenses will be issued at the time they are purchased, and shall expire at the end of their term.

(b) Vaccinations required. Any person desiring to keep a dog in the City, within ten (10) days after the dog attains the age of four (4) months and prior to licensing the dog, shall have the dog vaccinated by a licensed veterinarian with a canine anti-rabies vaccine.

(c) Veterinarian collaboration required. All veterinarians within the City shall provide rabies records to the Animal Services Supervisor upon his or her request. The records provided must specify the animal owner’s first and last name, address, and phone number, the name and physical description of the animal, and the date the rabies vaccine was administered.

(d) License fees. Any person desiring to keep a dog over the age of four (4) months in the City, shall pay the City a license fee within thirty (30) days after acquiring such a dog or within thirty (30) days of an owned dog attaining the age of four (4) months. The license fee shall be established by resolution of City Council. Such fee shall be reduced by one-half (½) or more if a certificate is presented from a licensed veterinarian that the dog is spayed or neutered. Licenses of dogs over the age of four (4) months shall be renewed before or upon expiration of the current license. The license fee shall be

delinquent if not paid on or before the due date. A penalty determined by resolution of City Council shall be added to the fee when the license is delinquent. All license terms issued shall not exceed the expiration date of the anti-rabies vaccination.

Two and 50/100ths ($2.50) dollars for each unaltered male or female dog and one and 50/100ths ($1.50) dollars for each altered male or female dog of the fees collected pursuant to the provisions of this subsection shall be deposited into an account for Rabies Treatment and Eradication, thus allowing Tracy Animal Services to provide discounted rabies vaccines. At the end of each fiscal year, any remaining amount of such fees may be transferred, by the order of Council, to the General Fund provided that sufficient funds remain to adequately carry out the administration of the Animal Shelter's operations.

(e) Certificates of vaccination. A dog license shall not be issued unless the applicant shows Animal Services a valid certificate of canine anti-rabies vaccination, which certificate adequately describes the physical features of the dog, the date of vaccination, the type of vaccine used, and bears the signature of a licensed veterinarian.

(f) Type and frequency of vaccinations. The type of vaccine acceptable and the frequency of vaccination shall be determined by the Department of Public Health of the State.

(g) House-to-house checks. A house-to-house check may be conducted to locate dogs which are not vaccinated or licensed according to the provisions of this section to cause licenses to be taken and vaccinations to be given for such dogs.

(h) License tags. A suitable tag shall be furnished by the City to each owner who shall pay such license fee, which tag the owner shall attach and keep attached to a collar around the neck of such dog at all times. Such tag shall have legibly stamped thereon the registered number of the dog.

(i) Registration records. The City shall keep a record in which it shall register the number of such tags supplied to each of the owners of such dogs, a description of the dog, the period for which such tag was purchased, the amount received therefor, and the residence address of the owner thereof.

(j) Dogs not allowed at large. Such license shall entitle the owner of the dog for which such license is issued to keep such dog in the City during the term for which the license was issued; provided, however, such owner at all times shall keep such dog securely enclosed in a room, pen, or enclosure or shall keep such dog secured on a leash, and it shall be unlawful for any person at any time to have, own, or possess any dog within the City, whether the dog shall be licensed or not, unless such dog shall be kept so enclosed or on a leash.

(k) Impoundment of dogs at large. It is hereby made the duty of the Tracy Police Department to take and impound any dog so licensed and registered which may be found in the City, and also to take and impound any dog, whether licensed and registered or not, which may be found in the City if such dog is not enclosed or is not on a leash as provided in this section, or if the owner cannot be located to return the dog.

(l) Notices of impoundment. If any dog so taken or impounded shall be licensed or registered, and if such tag and number shall be upon the collar of such dog, the Tracy Police Department shall give a notice to the owner thereof within forty-eight (48) hours after such dog shall have been taken. Such notice shall state that the dog has been taken and impounded and that such dog will be disposed of or humanely euthanized as provided in this section. Such notice shall be served upon the owner by delivering the notice to such owner personally, or by leaving the notice with any person at the place of residence of the owner, as stated in the records of the City, or by posting the notice in a conspicuous place at the address of such owner, or by United States mail.

(m) Redemption of impounded dogs and cats. At any time within three (3) days after such notice shall have been so given, the owner or possessor of such licensed dog may redeem the dog by paying to the City a redemption fee and a boarding fee established by resolution of the Council. The owner or possessor of an unlicensed dog may redeem the dog by purchasing a license and paying to the City the same charges and fees set forth in this subsection. The owner or possessor of a cat may redeem the cat by paying to the City the same charges and fees set forth in this subsection. All dogs and cats not redeemed, as provided in this section, may be assigned to a third party provided the third party

agrees to indemnify the City for incurred costs of care, and for the proper license fees, and for assignment fees, and further agrees to carry out the other provisions of this section, or the dog or cat may be humanely euthanized by the Animal Service Officer after five (5) business days of the impoundment of cat and unlicensed dogs and five (5) business days after proper notification of impoundment to the owners of licensed dogs.

(n) Mandatory alteration for multiple impounds. Any unaltered dog or cat impounded three (3) or more times from the same owner within the lifetime of the animal shall be spayed or neutered at the owner's expense prior to redemption. Animal Services shall provide the owner with notice of such determination. At the option of the owner, a private veterinarian may perform the spaying or neutering. In the event the owner chooses to have a private veterinarian perform the spaying or neutering, the owner must provide animal services with documentation showing that the animal was altered within thirty (30 days) of such alteration.

(1) Hearing. In the event an owner wishes to challenge the mandatory alteration for multiple impounds, the owner shall notify Animal Services in writing within ten (10) days after receiving notice from Animal Services that the animal must be altered. A hearing shall be set within thirty (30) days of receiving written notice from the owner, and written confirmation of the date, time, and place of the hearing shall be provided to the owner at least (5) days before the hearing by personal delivery or mail. The Hearing Officer, as defined in Section 1.12.030 of this Code, shall consider all relevant evidence presented at the hearing. The formal rules of evidence shall not apply.

(2) Hearing Officer's decision. Following the hearing and within fifteen (15) days of the hearing, the Hearing Officer shall notify the owner in writing of his or her decision.

(o) Prohibition against adopting unaltered dogs or cats.

(1) The animal shelter shall not adopt any dog or cat which has not been spayed or neutered, unless the dog or cat cannot be medically-cleared for surgery by a veterinarian. The fee for alteration shall be determined by resolution of Council, and shall be comparable to the fee charged by veterinarians in the locale.

(2) In the event a dog or cat is adopted unaltered because the dog or cat is not medically-cleared for surgery at the time of adoption, once medically-cleared the adopter shall provide Animal Services with written documentation that the dog or cat has been spayed or neutered within sixty (60) days of the surgery. Failure to comply with this section shall result in an administrative citation specified in Chapter 1.28 of this Code.

(p) Prohibition against adopting dogs which have not been vaccinated for rabies: Deposits for costs of rabies vaccination.

(1) The animal shelter shall not adopt any dog which has not been vaccinated for rabies, unless the adopter obtains a rabies vaccination voucher from Animal Services. The fee for the voucher shall be determined by resolution of Council, and shall be comparable to the fee charged by veterinarians in the locale.

(2) Any dog four (4) months of age or younger at the time of adoption shall be vaccinated for rabies within ten (10) days after attaining the age of four (4) months and prior to licensing. Any dog over four (4) months of age at the time of adoption shall be vaccinated for rabies and licensed within ten (10) days.

(Ord. 1040 § 5 Exh. E (part), 2002; prior code § 5-2.203)

(Ord. No. 1159, § 12, 6-7-2011)

5.08.140 - Animal Service Officer shall wear a badge.

The Animal Services Officer shall wear, while engaged in the discharge of his or her duties, a badge designating his or her office, except that when any police officer acts as Animal Services Officer, his or her badge as such police officer shall be sufficient.

(Ord. 1040 § 5, Exh. E (part), 2002: prior code § 5-2.204)

5.08.150 - Interference with Animal Services Officer unlawful.

It is unlawful for any person to resist or interfere with the Animal Services Officer in the discharge of his or her official duties or to in any way, directly or indirectly, remove any animal from the animal shelter without lawful authority.

(Ord. 1040 § 5 Exh. E (part), 2002: prior code § 5-2.205)

5.08.160 - Record of all animals entering animal shelter required to be kept.

The Animal Services staff shall keep a record of every animal entering the animal shelter, setting forth a description thereof, the date and manner of disposition of the animal, whether notice was given to the owner and the date such notice was given, and the name of the person to whom adopted or transferred.

(Ord. 1040 § 5 Exh. E (part), 2002: prior code § 5-2.206)

5.08.170 - Burial of deceased animals.

It is the duty of all persons owning or possessing a deceased animal to dispose of such animal within twenty-four (24) hours upon the animal dying. If the animal weighs twenty-five (25) pounds or under, the animal may be buried at the owner's premises, and shall be buried at least one (1) foot underground. If the animal weighs more than twenty-five (25) pounds, the owner must bring the animal to the animal shelter or a licensed veterinarian for disposal.

(Ord. 1040 § 5 Exh. E (part), 2002: prior code § 5-2.207)

5.08.180 - Failure or refusal of owner to bury deceased animal.

If any person fails or neglects to bury or otherwise dispose of any animal as provided for in this article, then in such case it shall be the duty of the Animal Services Officer to proceed forthwith to have the same disposed of, and it shall be lawful for the City to charge to and recover from the owner or possessor of such deceased animal the cost of disposal thereof; and such person who shall neglect or refuse to bury or dispose, or cause the burial or disposal of, any deceased animal as provided for in this article upon his premises or in any public place of which he or she is the owner or possessor, or pay the City the cost incurred in burying such deceased animal, shall be guilty of a misdemeanor. In case the Animal Services Officer, after diligent search, cannot find the owner or possessor of any deceased animal, in this article referred to, the Animal Services Officer shall cause the same to be disposed of and the cost thereof shall be paid by the City.

(Ord. 1040 § 5 Exh. E (part), 2002: prior code § 5-2.208)

5.08.185. - Owner surrender of live animals.

If an owner wishes to surrender an animal to the Animal Services Officer or Police Department, the owner shall pay the cost of surrendering the animal, in an amount established by resolution of the City Council.

(Ord. No. 1159, § 13, 6-7-2011)

5.08.190 - Council may contract.

The Council may contract with the Society for the Prevention of Cruelty to Animals or the County for the administration of this article and section 5.04.240 of article 3 of this chapter.

(Prior code § 5-2.209)

Article 3. - Other Than Household Pets

5.08.200 - Declaration of council.

The Council does hereby find and determine that the growth and development of the City for residential purposes has reached such a stage that the keeping of animals or poultry within the City, unless properly regulated as to location and sanitary conditions and as to certain animals unless definitely limited in number or entirely prohibited, is detrimental to public health, safety and general welfare and that the public interest requires that the Council prescribe the following rules and regulations with respect thereto set forth in this article.

(Prior code § 5-2.301)

5.08.210 - Definitions.

(a) Wherever the word "animals" is used herein, it shall be construed to include horses, ponies, mules, jacks, jennies, cows, bulls, calves, heifers, sheep, goats, swine, rabbits and all other domestic or domesticated animals other than household pets.

(b) "Poultry" shall be construed to include pigeons, chickens, ducks, geese, turkeys, and all other domestic or domesticated fowls other than household pets.

(c) "Household pets" shall be construed to include cats, dogs, canaries, parrots and other kindred animals and birds usually and ordinarily kept as household pets.

(d) "Dwelling" shall be construed to mean the main or principal dwelling located on the property of a person other than the keeper of the animals or poultry.

(Prior code § 5-2.302)

5.08.220 - Unsanitary conditions prohibited.

It is hereby declared to be a nuisance and it shall be unlawful for any person to keep or permit to be kept upon any premises, any animals or poultry or household pets in a foul, offensive, obnoxious, filthy unsanitary or inhumane condition.

(Ord. 1040 § 5 Exh. E (part), 2002: prior code § 5-2.303)

5.08.230 - Animals at large.

It is hereby declared to be a nuisance and it is unlawful for any person to allow or permit animals, poultry or household pets, to run at large upon any public street or place, or to trespass upon the property of another. This section shall not apply to community cats, as described in Article 6 of this Chapter.

(Ord. 1040 § 5 Exh. E (part), 2002: prior code § 5-2.304)

5.08.240 - Impounding.

The Chief of Police and all police officers and other persons employed to perform any of such duties are hereby authorized and empowered to take up and impound any animals or poultry running at large in violation of the provisions of this article, and to keep such animals or poultry confined at the animal shelter or at such other place as the Chief of Police may provide, for not less than three (3) days unless such animals or poultry be redeemed by the payment in the amount established by resolution of the City Council. Notices containing a description of the animals or poultry impounded shall be posted publicly for at least three (3) days.

If after five (5) days the animals or poultry are not redeemed, the Chief of Police shall be deemed to have acquired jurisdiction over the animals or poultry and is hereby authorized to humanely euthanize, or to sell, or to otherwise dispose of them, and any proceeds derived therefrom shall accrue to the City, to be deposited in its general fund.

(Prior code § 5-2.305)

(Ord. No. 1159, § 14, 6-7-2011)

5.08.250 - Unnecessary noise.

It is hereby declared to be a nuisance and it shall be unlawful to keep, maintain, or permit on any lot or parcel of land, any animals, poultry or household pets, which by any sound or cry shall disturb the peace and comfort of any neighborhood or interfere with any person in the reasonable and comfortable enjoyment of life or property.

(Prior code § 5-2.306)

5.08.260 - Limitations—Rabbits and poultry.

It is hereby declared to be a nuisance and it shall be unlawful to keep or permit to be kept, upon any premises in the City, any rabbits or poultry:

(a) Within twenty-five (25') feet of any dwelling, school, church, or hospital, or,

(b) If more than thirty (30) in all of any such rabbits or poultry are kept, within fifty (50') feet of any dwelling, school, church or hospital.

(c) If more than 200 in all, of such rabbits or poultry, except by special permit of the Council first had and obtained, or to keep any rooster over four (4) months old within fifty (50') feet of any dwelling, school, church, or hospital. This provision limiting the maximum number of rabbits or poultry to 200 in all shall not be retroactive or effective as to rabbit or poultry ranches actually in operation as to the effective date hereof, where the average number of rabbits or poultry ordinarily kept at any such establishment exceeds the number.

(Prior code § 5-2.307)

5.08.270 - Horses, calves, goats, pygmy goats, etc.

It is hereby declared to be a nuisance and it shall be unlawful to keep or permit to be kept upon any premises in the City, any horse, mule, jack, jenny, cow, bull, calf, heifer, sheep, goat (except pygmy goats), swine, hog or pig (except pot belly pigs):

(a) On any lot containing less than 20,000 square feet; or

(b) In any corral or barn within seventy-five (75') feet of any dwelling.

(Prior code § 5-2.308)

5.08.280 - Hog manure.

It is hereby declared to be a nuisance and it shall be unlawful to use hog manure as a fertilizer within the City limits, unless such hog manure is turned into the soil within twenty-four (24) hours after it is spread.

(Prior code § 5-2.309)

5.08.290 - Abandonment.

Any cessation of operations of existing dairies, coupled with a change in the use of the premises for other purposes, shall be construed to be an abandonment of the premises for such original purpose.

(Prior code § 5-2.310)

5.08.300 - Maintenance of existing dairies.

The provisions of this article shall not be retroactive so as to apply to dairies actually in operation on November 21, 1950. No extensions or additions shall be permitted to be made to any such dairies except such alterations or repairs as may be required to be made therein to fulfill any requirements of the San Joaquin Department of Environmental Health and in such event such alterations or repairs may be made only upon the express permission of the Council, issued upon written approval of the San Joaquin Department of Environmental Health stating the necessity therefor; and provided further, that no enlargement of any existing dairy shall be permitted by adding to the number of animals kept upon any premises in the City in connection with such use.

(Ord. 1120 § 3, 2008: prior code § 5-2.311)

5.08.310 - Riding academies.

From and after November 21, 1950, no riding academies, clubs, or schools having horse, mule or pony corrals or barns in connection therewith, may be commenced, maintained or operated within the City, excepting upon special permit from the Council first had and obtained.

(Prior code § 5-2.312)

5.08.320 - Special permits—Public hearings.

In the event that any person believes that unreasonable restrictions or unnecessary and extraordinary hardship or damage will be imposed upon him or her from the carrying out of the strict letter of any of the provisions of this article, he or she may request a hearing thereon before the Council, and, after a public hearing thereon held upon notice to claimant, if the Council finds that unreasonable restrictions, unnecessary and extraordinary hardship or damage will be imposed upon him or her, then

any of the provisions or regulations hereby may be modified in harmony with the general purposes and objectives hereof to the end that the public health, safety and welfare of the people may be secured and substantial justice done.

(Prior code § 5-2.313)

5.08.330 - Pygmy goats and pot belly pigs.

Pygmy goats and pot belly pigs shall be allowed to be kept within the corporate limits of the City. All such pygmy goats and pot belly pigs will require registration and licensing with the City's Animal Services Officer.

(a) The license fee for pygmy goats and pot belly pigs shall be determined by resolution of City Council.

(b) Such license shall entitle the owner of the pygmy goat/pot belly pig for which such license is issued to keep such pygmy goat/pot belly pig in the City during the term for which the license was issued; provided, however, such owner at all times shall keep such pygmy goat/pot belly pig securely enclosed in a room, pen, or enclosure or shall keep such pygmy goat/pot belly pig secured or on a leash.

(c) It shall be unlawful for any person at any time to have, own, or possess any pygmy goat/pot belly pig within the City, whether the pygmy goat/pot belly pig shall be licensed or not, unless such pygmy goat/pot belly pig shall be kept so enclosed or on a leash as provided in subsection (b) of this section.

(d) It shall be unlawful for any person to keep a pot belly pig greater than nineteen (19") inches at the shoulders or weighing more than 150 pounds.

(e) It shall be unlawful for more than two (2) pygmy goats/pot belly pigs to be kept at any dwelling, establishment or residence within the City.

(Prior code § 5-2.314)

Article 4. - Potentially Dangerous or Vicious Animals

5.08.340 - Purpose.

This article is intended to reduce the risk of serious attacks or bites by dogs and other animals. The provisions of this article set forth the procedures for finding an animal potentially dangerous or vicious and subjecting the animal to appropriate controls and enforcement actions. This article is intended to supplement rather than supplant any other remedies available under this Code or State law.

(Ord. 1074 § 3 (part), 2005)

5.08.350 - Definitions.

(a) *"Animal Services Officer"* means a City of Tracy Animal Services Officer, assistant, or the City Manager's designee.

(b) *"Hearing Officer"* means a person designated by the City Manager to conduct an administrative hearing. The designated Hearing Officer shall be an impartial person, such as:

(1) A City employee from a department or division other than the Police Department, Animal Services division, or Code Enforcement division; or

(2) Someone selected randomly from a panel of law students and/or local attorneys willing to volunteer as a Hearing Officer; or

(3) Someone hired from an organization which provides Hearing Officers, in which case the cost will be shared equally by the City and the person cited.

(c) *"Owner"* of an animal shall include a keeper, custodian, handler, or a person having immediate control of the animal.

(d) *"Potentially dangerous"* describes an animal meeting any of the following criteria:

(1) Any animal which, when unprovoked, on two (2) separate occasions within the prior thirty-six (36) months, engages in aggressive behavior including, but not limited to growling, barking, chasing, lunging, and behaving in a manner that requires a defensive action by a person to prevent bodily injury when the animal is off the property of the owner of the animal;

(2) Any animal which, when unprovoked, bites a person inflicting a less severe injury than that defined in subsection (e) of this section;

(3) Any animal which, when unprovoked, has killed, seriously bitten, inflicted injury, or otherwise caused injury attacking a domestic animal off the property of the owner of the animal.

(e) *"Severe injury"* means any physical injury to a human being that results in muscle tear or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

(f) *"Vicious"* describes an animal meeting any of the following criteria:

(1) Any animal which, when unprovoked, inflicts severe injury on or kills a human being;

(2) Any animal previously determined to be a potentially dangerous animal which, within thirty-six (36) months after its owner has been notified of this determination, engages in any of the behaviors described in subsection (d) of this section;

(3) Any dog seized under section 599aa of the California Penal Code and upon the sustaining of a conviction of the owner or keeper under subdivision (a) of section 597.5 of the California Penal Code;

(4) Any potentially dangerous animal for which the owner has violated any provision of the Animal Services Officer's order or, if applicable, any provision of the Hearing Officer's order under section 5.08.380 of this article.

(Ord. 1111 § 4 Exh. A (part), 2007: Ord. 1074 § 3 (part), 2005)

5.08.360 - Determination of potentially dangerous animals and possible actions.

(a) Any animal that the Animal Services Officer believes to be potentially dangerous shall be impounded by or surrendered to the Animal Services Officer, or quarantined upon the owner's property in an approved enclosure, as directed by the Animal Services Officer.

(b) The Animal Services Officer shall take the severity of the injury and the number of attacks and the circumstances into consideration in making his or her determination. If the Animal Services Officer determines an animal to be potentially dangerous, he or she may take any of the following actions or a combination thereof:

(1) Take no further action against the animal and its owner;

(2) Order that the animal be put on a leash not to exceed six (6') feet long whenever accessible to public and/or be securely tied or chained and cage muzzled as ordered by the Animal Services Officer;

(3) Order that the owner of such animal shall immediately keep such animal in a run which is totally enclosed or held securely on a chain, or kept under other adequate control as approved by the Animal Services Officer. Or, if any of these means of restraint is impossible or impracticable, order

that such animal shall be impounded in the animal shelter facility at the owner's expense, until such time as the owner of such animal shall provide for the restraint of the animal either in a run which is totally enclosed or held securely on a chain or kept under other adequate control as approved by the Animal Services Officer;

(4) Order that the animal be spayed or neutered, at the owner's expense, within thirty (30) days of the potentially dangerous animal determination;

(5) Order that the owner or possessor of the animal and the animal attend at least one, eight-week training course, acceptable to the Animal Services Officer, on dog obedience;

(6) Order that the owner or possessor of the animal display a sign advising of the presence of a dangerous or potentially dangerous animal at the entrance to every place wherein any such animal is confined. The sign shall be capable of being understood by a child. The cost of the sign shall be the responsibility of the owner of the animal, and must be approved by the Animal Services Officer;

(7) Order that the owner or possessor of the animal purchase a dangerous dog permit from Animal Services, the fee of which shall be established by resolution of City Council;

(8) Order that the owner or possessor of the animal notify Animal Services and complete a declaration with Animal Services prior to any change in location of the animal or new ownership of the animal at least thirty (30) days prior to any such change. Animal Services shall have the discretion to require that the owner or possessor of the animal comply with certain conditions prior to any change in location of the animal or new ownership of the animal;

(9) Order any other appropriate reasonable action; and

(10) In addition to any of the above, the Animal Services Officer may order the owner to reimburse the City for the cost of maintaining the animal, if applicable.

(c) The Animal Services Officer, or his or her designee, is authorized to make whatever inspections he or she deems necessary to ensure compliance with this chapter, the provisions of his or her order and, if such order is appealed, any order the Hearing Officer may issue under section 5.08.380 of this article.

(d) The Animal Services Officer shall notify the owner of the animal in writing of his or her determination as well as the owner's right to appeal the officer's decision within five (5) business days, either in person or by first class mail with return receipt requested.

(e) If an animal has been determined to be potentially dangerous under this section, the owner may appeal such determination and any order resulting therefrom to the City Manager, under section 1.12.010 of this Code.

(f) It is unlawful to violate the terms of the Animal Services Officer's order or, if applicable, any order of the Hearing Officer issues under section 5.08.380.

(Ord. 1111 § 4 Exh. A (part), 2007: Ord. 1074 § 3 (part), 2005)

5.08.370 - Determination of vicious animals and possible actions.

(a) Any animal that the Animal Services Officer believes to be vicious shall immediately be impounded by or surrendered to the Animal Services Officer.

(b) The Animal Services Officer shall take the severity of the injury and the number of attacks and the circumstances into consideration in making his or her determination. If the Animal Services Officer determines an animal to be vicious, he or she may take any of the following actions or a combination thereof:

(1) Require that the animal be permanently removed from the City;

(2) Order that the animal be spayed or neutered, at the owner's expense, within thirty (30) days of the vicious animal determination;

(3) Order that the owner or possessor of the animal and the animal attend at least one, eight-week training course, acceptable to the Animal Services Officer, on dog obedience;

(4) Order that the owner or the custodian will lose all rights of ownership and control of the animal;

(5) Order the owner or possessor of the animal to surrender the animal to the Animal Services Officer for destruction;

(6) Order that the owner may not own or possess any dog or other animal weighing in excess of five (5 lbs.) pounds for a thirty-six-month period;

(7) Order that the owner or possessor of the animal purchase a vicious dog permit from Animal Services, the fee of which shall be established by resolution of City Council; and

(8) Order the owner to reimburse the City for the cost of maintaining the animal, if applicable.

(c) Before allowing a person to keep a vicious animal, the Animal Services Officer shall find all of the following:

(1) That allowing such will not result in any detriment or danger to the peace, health or safety of the people in the vicinity of the location the animal will be kept;

(2) That possession and maintenance of the animal at the location has not resulted in and is not likely to result in the animal being subjected to neglect, suffering, cruelty or abuse;

(3) The location where the animal is possessed or maintained is kept clean and sanitary, and the animal is provided with proper and adequate food, water, ventilation, shelter and care at all times;

(4) Possession of the animal at the location shall not violate any law, code, or regulation; and

(5) The animal will not be possessed or maintained at any other location than that specified in the order.

(d) The Animal Services Officer, or his or her designee, is authorized to make whatever inspections he or she deems necessary to ensure compliance with this chapter, the provisions of his or her order and, if such order is appealed, any order the Hearing Officer may issue under section 5.08.380 of this chapter.

(e) The Animal Services Officer shall notify the owner of the animal in writing of his or her determination, and the basis therefor, as well as the owner's right to appeal the officer's decision within five (5) business days, either in person or by first class mail with return receipt requested.

(f) If an animal has been determined to be vicious under this section, the owner may appeal such a determination and any order resulting therefrom to the City Manager under section 1.12.010 of this Code.

(g) It is unlawful to violate the terms of the Animal Services Officer's order or, if applicable, any order of the Hearing Officer issues under section 5.08.380.

(Ord. 1111 § 4 Exh. A (part), 2007: Ord. 1074 § 3 (part), 2005)

5.08.380 - Hearing.

(a) The Hearing Officer shall hold a hearing within ten (10) days, not including weekends or holidays, after receipt of the request if the animal has been surrendered to or impounded by the Animal Services Officer. Where the animal has not been surrendered to or impounded by the Animal Services Officer, the Hearing Officer shall promptly set a time and place for the hearing and shall cause notice of the hearing to be personally delivered to the owner or deposited in the mail.

(b) Prior to taking evidence on whether an animal is potentially dangerous or vicious at the hearing, any person designated to serve as a Hearing Officer is subject to disqualification for bias, prejudice, interest or for any other reason for which a judge may be disqualified in a court of law. If a Hearing Officer is so disqualified, a new Hearing Officer shall be designated and the new Hearing Officer shall promptly set a time and place for the hearing and shall cause notice of the hearing to be personally delivered to the owner or deposited in the mail.

(c) The Hearing Officer may continue hearings, based on good cause, as established by one of the parties to the hearing or if the Hearing Officer independently determines that due process has not been adequately afforded.

(d) The Hearing Officer shall consider all relevant evidence presented at the hearing. The formal rules of evidence shall not apply. The Hearing Officer shall also consider circumstances of mitigation including, but not limited to, the owner's and animal's history with animal services, the age of any attacked persons and any legal training of the animal in the use of deadly force.

(e) If the hearing is based on a complaint, the Hearing Officer may find that failure of the complainant to appear and testify at the hearing makes that complaint less credible.

(f) Before allowing a person to keep a vicious animal, the Hearing Officer shall find all of the following:

(1) That allowing such will not result in any detriment or danger to the peace, health or safety of the people in the vicinity of the location the animal will be kept;

(2) That possession and maintenance of the animal at the location has not resulted in and is not likely to result in the animal being subjected to neglect, suffering, cruelty or abuse;

(3) The location where the animal is possessed or maintained is kept clean and sanitary, and the animal is provided with proper and adequate food, water, ventilation, shelter and care at all times;

(4) Possession of the animal at the location shall not violate any law, code, or regulation; and

(5) The animal will not be possessed or maintained at any other location than that specified in the order.

(g) The Hearing Officer may uphold, modify or dismiss the determination of the Animal Services Officer on the basis of evidence produced at the hearing. Subsequently, the Hearing Officer shall give written notice of his or her decision by first class or registered mail sent within fifteen (15) days of the hearing to the owner.

(h) If the owner or keeper of the animal contests the Hearing Officer's decision, he or she may, within ten (10) days of the mailing of the Hearing Officer's notice of decision, appeal the decision of the Hearing Officer directly to the Superior Court in and for San Joaquin County at the courthouse with jurisdiction to hear such matters located closest to the City of Tracy. The owner or keeper of the animal shall serve personally or by first class return receipt mail, notice of the appeal to the City Clerk's within three (3) days of filing same with the court. Any such appeal shall be by trial de novo. Failure to timely file such an appeal or properly serve notice of same on the City will result in the Hearing Officer's decision being final.

(i) The determination of the court hearing the appeal shall be final and conclusive upon all parties.

(Ord. 1074 § 3 (part), 2005)

5.08.390 - Control of vicious animals.

(a) If the Animal Services Officer, Hearing Officer, or court allows a person to own or have custody of an animal determined to be vicious, the animal shall be kept securely confined indoors or in a securely enclosed escape-proof locked kennel or pen other than when on a leash as described in subsection (b) of this section. Such kennel, pen or structure must have secure sides and a secure top attached thereto. The kennel or pen shall be constructed in a manner so that it cannot be broken down by any action of the confined animal. All structures used for confinement of vicious animals must be locked

with a key or combination lock of sufficient strength to ensure confinement of the animal. Such structures must be erected upon a secure bottom or floor constructed of concrete or other material sufficient to prevent the animal from digging free. Vicious animals enclosed in a house, apartment, building or similar structure shall be allowed only where the windows and doors of such structure are secured to prevent the animal from exiting without the assistance of the owner or person with the right to control such animal.

(b) A vicious animal may be permitted off the owner's premises only when it is secured with a cage muzzle and is leashed on a leash not to exceed three (3') feet in length and under the control of a person eighteen (18) years of age or older, who is physically capable of restraining the animal. This leash must be capable of restraining four (4) times the weight of the animal. Moreover, the leash must be attached to a prong collar (commonly called a "pinch collar") of a type and fit acceptable and approved in advance by the Animal Services Officer. Vicious animals shall not be leashed or tethered at any time to inanimate objects such as trees, posts, or buildings. The muzzling device for vicious animals must be constructed so that it is impossible for the animal to remove it without human assistance.

(c) A sign advising of the presence of a vicious dog or animal shall be posted at the entrance to every place wherein any such vicious dog or animal is confined. The sign shall be capable of being understood by a child. The cost of the sign shall be the responsibility of the owner of the animal, and must be approved by the Animal Services Officer.

(d) Transportation of a vicious animal shall only be in locked animal carriers equivalent in construction quality to those used by commercial air carriers. Moreover, a vicious animal shall not be left unattended or loose in or about any motor vehicle.

(e) Upon any violation of this chapter, or a violation of any nonappealable order under this chapter, that is observed by the Animal Services Officer, or sworn to in a written affidavit from a complaining party, the Animal Services Officer shall issue an order for the owner or possessor of the vicious animal to surrender the vicious animal to the Animal Services Officer for destruction. This order shall be subject to the appeal provisions set forth in this chapter.

(f) The owner must notify Animal Services prior to any change in location of the animal or new ownership at least thirty (30) days prior to such change.

(Ord. 1074 § 3 (part), 2005)

5.08.400 - Exceptions.

(a) No animal may be declared potentially dangerous or vicious based only on any injury or damage sustained by a person who, at the time the injury or damage was sustained, was committing a willful trespass or other tort upon the animal possessor's or owner's premises, or the injured party was tormenting, abusing, or assaulting the animal, or was committing or attempting to commit a crime. No animal may be declared potentially dangerous or vicious based only on the animal protecting or defending a person within the immediate vicinity of the animal from an unjustified attack or assault. No animal may be declared potentially dangerous or vicious based only on an injury or damage sustained by a domestic animal which at the time of the injury or damage was sustained was tormenting, abusing or assaulting the animal.

(b) No animal may be declared potentially dangerous or vicious based only on an injury or damage to a domestic animal sustained while the animal was working as a hunting dog, herding dog, or predator control dog on the property of, or under the control of, its owner, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog.

(c) This article does not apply to Humane Society shelters, City Animal Services facilities, or to dogs while utilized by any Police Department or any Law Enforcement Officer in the performance of police work; guide dogs for the blind or deaf while performing their duties; dogs participating in field or obedience trials or conformation exhibitions; dogs assisting their owner in legal hunting activities or in the herding of livestock.

(Ord. 1074 § 3 (part), 2005)

Article 5. - Limitations on Number of Dogs and Cats

5.08.410 - Number limited; multiple pet permit required.

It shall be unlawful to own, keep or harbor more than three (3) adult dogs and/or three (3) adult cats at the same residence without first obtaining a multiple pet permit. For purposes of this section a cat or dog is considered to be an adult at four (4) months of age.

(Ord. No. 1133, l § 1, 3-3-2009)

5.08.420 - Application for multiple pet permit; fee's, investigation.

(a) Any person who desires to keep more than three (3) dogs and/or three (3) cats at any single residence in the City must apply to Animal Services for a multiple pet permit. A multiple pet permit shall be effective for five (5) years and must be renewed upon expiration.

(b) The application must be made on a form provided by Animal Services and there shall be paid a nonrefundable application fee, the amount of which shall be set by Council resolution, and revised from time to time, in an amount sufficient to recover the costs of administering the multiple pet permit program.

(c) The application shall identify the owner by name, address and telephone number, the animals by name, breed, age, sex and for dogs, City of Tracy License Number.

(d) Upon receipt of the application and application fee, Animal Services shall serve notice of application and comment cards to neighboring property owners within a 100-foot radius of the applicant's residence.

(e) An Animal Services Officer shall inspect the applicant's property to determine if the size and condition of the property is adequate for keeping additional animals, and whether the manner of keeping the additional animals may violate any of the provisions of this chapter or of State or Federal law.

(f) An Animal Services Officer shall investigate whether there have been previous complaints regarding animals involving the applicant in accordance with Section 5.08.430(c).

(Ord. No. 1133, l § 1, 3-3-2009)

5.08.430 - Application review.

(a) Issuance of a multiple pet permit is at the sole discretion of the Police Chief or designee, based on the criteria set forth in this section.

(b) At no time shall a permit be granted allowing more than five (5) dogs and/or five (5) cats. For the purposes of title 10 of this Code, the number of permitted dogs or cats allowed pursuant to the permit process set forth in this article shall not be counted in determining whether the residence meets the definition of "kennel".

(c) Permits shall not be granted when credible complaints exist regarding animals, kept at the applicant's current or previous residence, causing excessive noise, being overly aggressive, or running at large. The investigating Animal Services Officer shall determine the credibility of such complaints based on a preponderance of evidence standard.

(d) Permits shall not be granted when, in the discretion of the investigating Animal Services Officer, the condition of the residence is unsuitable for the health or proper containment of dogs or cats.

(e) Permits shall not be granted if neighboring property owners or persons in lawful possession of such neighboring properties provide credible testimony that the existing animals at the applicant's residence cause excessive noise, are overly aggressive, or have been found running at large. The investigating Animal Services Officer shall determine the credibility of such testimony based on a preponderance of evidence standard.

(f) Permits shall not be granted when, in the discretion of the investigating Animal Services Officer, additional animals may cause unreasonable noise, aggression, or sanitation issues.

(g) Permits shall be granted or denied within sixty (60) days of the Animal Services Division's receipt of a complete and accurate application, application fee and if approved, a permit fee.

(h) Denials of an application may be appealed to the City Manager, or designee, following the procedures set forth under section 1.12.010 of this Code.

(Ord. No. 1133, l § 1, 3-3-2009)

5.08.440 - Revocation of multiple pet permit.

(a) The permit may be revoked at any time by Animal Services when credible complaints on the keeping of additional animals are received or the applicant has provided false information on application. The investigating Animal Services Officer shall determine the credibility of such complaints based on a preponderance of evidence standard.

(b) Revocations may be appealed to the City Manager, or designee, following the procedures set forth under section 1.12.010 of this Code.

(Ord. No. 1133, l § 1, 3-3-2009)

Article 6. - Community cats

5.08.450 - Definitions.

(a) “Community cat” is any free roaming cat that is cared for by a registered community cat caregiver; a community cat may or may not be feral. Community cats are exempt from any licensing requirements required under this Chapter.

(b) “Community cat caregiver” is a person who registers with Animal Services as a community cat caregiver to provide food to community cats. A community cat caregiver is not the owner of a community cat.

5.08.460 - Community cat caregiver.

It shall be unlawful for any person within the City of Tracy to intentionally provide food, water, or other forms of sustenance to a community cat, unless the person registers as a community cat caregiver with Animal Services. Animal Services may impose certain conditions and requirements for a person to register as a community cat caregiver.

Article 7. - Breeder certificates

5.08.470 – Definitions.

(a) The term “breeder certificate” shall mean a written authorization issued by Animal Services giving the holder of the certificate permission to breed one (1) litter per year per designated animal.

(b) The term “breeder certificate holder” means the individual who applies for and obtains a breeder certificate from Animal Services.

5.08.480 – Breeder certificate requirements.

(a) A breeder certificate shall be effective for a period of one (year). Upon application and issuance of a breeder certificate, Animal Services will provide a breeder certificate number. The designated animal must be licensed pursuant to Section 5.08.130 of this Chapter. The fee for a breeder certificate shall be established by resolution of City Council.

(b) Any breeder certificate holder who advertises to the public the availability of any dog or cat for sale, adoption, or transfer, whether for compensation or otherwise, must prominently display the breeder certificate number on any such advertisement. Further, the breeder certificate holder must provide the breeder certificate number on any receipt of sale or transfer document to any person who purchases, adopts, or receives any animal from the breeder certificate holder.

(c) A breeder certificate holder may not sell, adopt, or transfer, whether for compensation or otherwise, any animal until it has reached the age of at least seven (7) weeks and has received its first immunization.

(d) The following animals are exempt from the breeder certificate requirements:

(1) Dogs appropriately trained and actively used by law enforcement agencies for law enforcement and rescue activities;

(2) Animals under the care of governmental agencies or Animal Services;

(3) Dogs documented as guide, signal, or service dogs;

(4) Dogs documented and enrolled in a guide, signal, or service dog breeding program;

(5) Dogs and cats under the care of valid 501(c)(3) animal rescue organizations at the discretion of Animal Services;

(6) Dogs and cats under the care of humane societies or societies for the prevention of cruelty to animals at the discretion of Animal Services; and

(7) When a veterinarian has determined that spaying or neutering is inappropriate due to the animal’s age or health.

Article 8. – Mandatory Microchipping for dogs and cats

5.08.490 – Requirements.

(a) All dogs and cats over the age of four (4) months and kept within City limits for a period of sixty (60) days or longer must be implanted with an identifying microchip. The owner or custodian of the dog or cat shall provide the microchip number to Animal Services within thirty (30) days of the microchipping procedure.

(b) If a dog or cat is adopted from the animal shelter and is not microchipped, the new owner shall provide Animal Services with documentation that the dog or cat has been microchipped within thirty (30) days of the date the dog or cat is adopted.

(c) If a microchipped dog or cat is sold, adopted, or transferred, the new owner shall provide Animal Services with his or her current address and contact information.

5.08.500 – Exemptions.

(a) This article does not require that a dog or cat be microchipped if a licensed veterinarian certifies in writing to Animal Services that the dog or cat is medically unfit for the microchipping procedure.

(b) This article does not require a dog or cat be microchipped in the event doing so would impose an economic hardship for the owner. Animal Services may require the owner to sign an economic hardship form.

June 1, 2021

AGENDA ITEM 1.F

REQUEST

APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR WEST PARKWAY VILLAGE – PHASE 1 TRACT NO. 3966, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

EXECUTIVE SUMMARY

Approval of the Final Subdivision Map (FSM) will facilitate the recordation of the Final Subdivision Map, consisting of 10 parcels and a Designated Remainder on approximately 17.6 acres, located on the southeast corner of Interstate 205 and International Parkway. This subdivision consists of retail commercial center with uses such as restaurants, retail stores, a fitness club, a hotel, and a gas station (West Parkway Village). R&B Delta II, LLC, a California Limited Liability Company (Subdivider), has signed the Subdivision Improvement Agreement (SIA) for the construction of the subdivision's improvements.

DISCUSSION

On January 22, 2020, Planning Commission approved the Tentative Map, for the development of 14 parcels known as West Parkway Village, Tract No. 3966 located on the Southeast corner of Interstate 205 and International Parkway, via Resolution No. 2020-001. West Parkway Village Tract No. 3966 will be composed of subdividing the 17.6-acre site into 14 parcels, ranging in size from approximately 32,000 square feet to 85,000 square feet. The site is planned as a retail commercial center with uses such as restaurants, retail stores, a fitness club, a hotel, and a gas station.

Subdivider submitted a Final Subdivision Map to the City and this agenda item is to approve the filing of the FSM for West Parkway Village – Phase 1 Tract No. 3966, to create 10 parcels and a Designated Remainder in conformance with the approved tentative map and to authorize the City Clerk to execute the SIA.

The FSM of West Parkway Village was reviewed and has been found to be in substantial compliance with the approved Tentative Subdivision Map. The Subdivider has executed the SIA for the completion of the water line to be located in the loop street within the project. Improvements along the frontage of the project on International Parkway and Daylight Road and offsite water, storm drainage and sanitary sewer mains required to serve West Parkway Village are currently in construction or to be completed by Prologis, the Developer of International Park of Commerce under a separate agreement. The Conditions of Approval for West Parkway Village require that the Subdivider to complete the improvements if not constructed by Prologis.

The SIA and FSM are on file with the City Engineer and are available for review upon request.

Upon completion of the public improvements, the City will accept the improvements for maintenance and will accept all offers of dedication of public easements at that time.

FISCAL IMPACT

Subdivider has paid the applicable engineering review fees, which include the cost of processing the Final Subdivision Map and Subdivision Improvement Agreement.

STRATEGIC PLAN

This agenda item is consistent with the Council approved Economic Development Strategy to ensure physical infrastructure necessary for development.

RECOMMENDATION

Staff recommends that the City Council of the City of Tracy, via resolution, approve the Final Subdivision Map and Subdivision Improvement Agreement for Tract 3966 West Parkway Village – Phase 1 and authorize the City Clerk to file the Final Subdivision Map and Subdivision Improvement Agreement with the San Joaquin County Recorder.

Prepared by Nanda Gottiparthy, PE, SNG & Associates, Inc.

Reviewed by Robert Armijo, PE, City Engineer / Assistant Director of Development Services
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

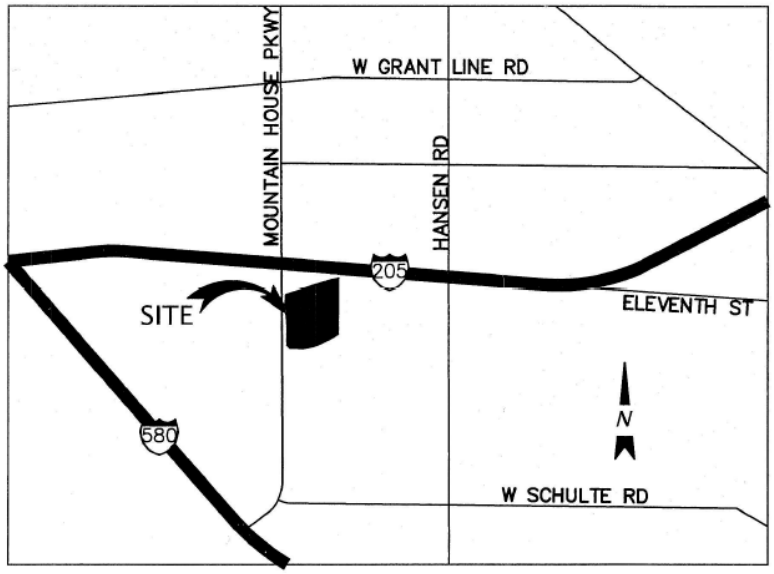
Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – Location Map
Attachment B – Final Subdivision Map
Attachment C – Subdivision Improvement Agreement

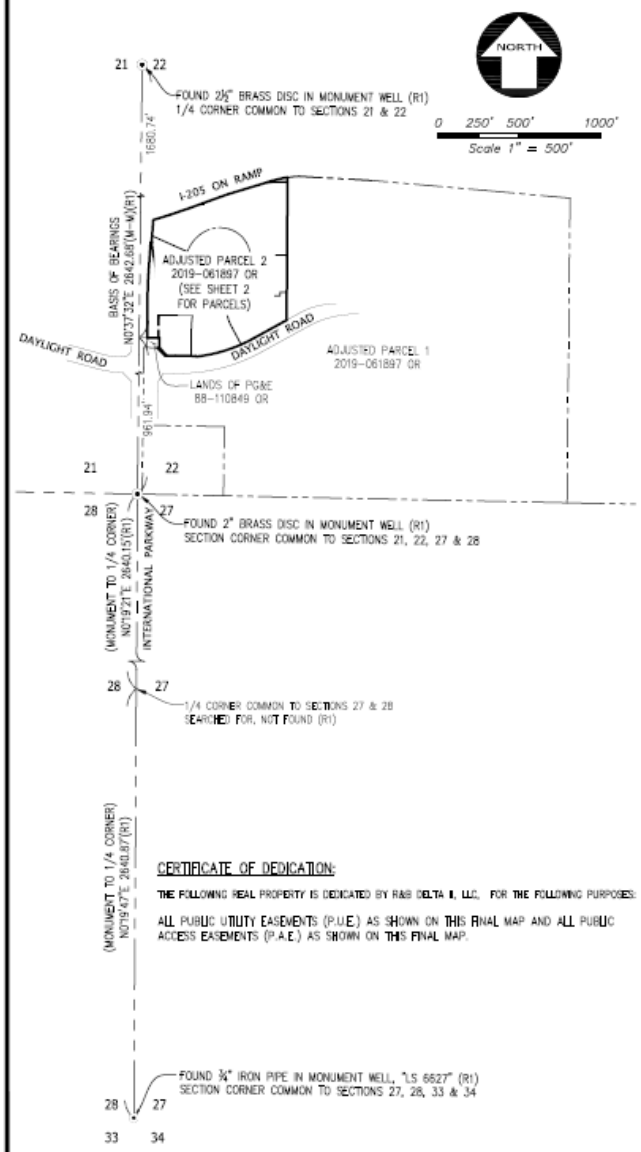
Attachment A

LOCATION MAP



VICINITY MAP

NOT TO SCALE



CERTIFICATE OF DEDICATION:

THE FOLLOWING REAL PROPERTY IS DEDICATED BY R&B DELTA II, LLC, FOR THE FOLLOWING PURPOSES:

ALL PUBLIC UTILITY EASEMENTS (P.U.E.) AS SHOWN ON THIS FINAL MAP AND ALL PUBLIC ACCESS EASEMENTS (P.A.E.) AS SHOWN ON THIS FINAL MAP.

NOTE:

APPROVAL OF THIS FINAL MAP IS SUBJECT TO THE TENTATIVE MAP (APPLICATION NO. TSM18-0002), CONDITIONS OF APPROVAL DATED JANYUARY 22, 2020.

J:\2009\A09500-140\DWG\MAPPING\A09500-140-PM-040507.dwg 5-07-21 12:23:43 PM dmoore

OWNER'S STATEMENT:

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE THE ALL THE PARTIES HAVING RECORD TITLE INTEREST IN THE LANDS SUBDIVIDED AND SHOWN ON THIS FINAL MAP OF "TRACT NO. 3966, SUBDIVISIONS OF SAN JOAQUIN COUNTY, WEST PARKWAY VILLAGE-PHASE 1", CITY OF TRACY AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

WE ALSO OFFER THE PROPERTY DESCRIBED BELOW, DEDICATED IN FEE FOR PUBLIC PURPOSES, PARCEL A AND PARCEL B FOR STREET DEDICATION TO THE CITY OF TRACY.

WE ALSO OFFER THE PROPERTY DESCRIBED BELOW, DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES, THE 10 FOOT PUBLIC UTILITY EASEMENT TO THE CITY OF TRACY.

WE ALSO OFFER THE PROPERTY DESCRIBED BELOW, DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES, THE VARIABLE WIDTH PUBLIC ACCESS EASEMENT TO THE CITY OF TRACY.

WE ALSO OFFER THE PROPERTY DESCRIBED BELOW, DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES, THE VARIABLE WIDTH WATER LINE EASEMENT TO THE CITY OF TRACY ALL AS SHOWN ON THIS MAP.

DATED THIS _____ DAY OF _____, 2021.

OWNER: R & B DELTA II, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
1200 CONCORD AVENUE, SUITE 200
CONCORD, CA 94520

BY: _____

PRINT NAME: _____

TITLE: _____

OWNER'S ACKNOWLEDGMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
) SS
COUNTY OF _____)

ON_____2020, BEFORE ME, _____

A NOTARY PUBLIC, PERSONALLY APPEARED _____

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND BY HIS/HER/THEIR SIGNATURES ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE: _____

PRINTED NAME: _____

PRINCIPAL PLACE OF BUSINESS: _____

COMMISSION NUMBER: _____

COMMISSION EXPIRES: _____

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF R & B DELTA II, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY ON OCTOBER, 2019. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET BY MAY 2023, AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED THIS _____ DAY OF _____, 2021.

LICENSED LAND SURVEYOR
DEAN A. JURADO
No. 9032
STATE OF CALIFORNIA

_____
DEAN A. JURADO, L.S. 9032

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2021, AT _____ M. IN BOOK ___ OF MAPS AND PLATS, AT PAGE _____, AT THE REQUEST OF KIER & WRIGHT.

FEE: $_____

BY: _____ _____
STEVE J. BESTOLARIDES ASSISTANT/DEPUTY RECORDER
ASSESSOR-RECORDER-COUNTY CLERK
SAN JOAQUIN COUNTY, CALIFORNIA

CITY ENGINEER'S STATEMENT:

I, ROBERT ARMIJO, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERATIONS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLIES WITH ALL THE PROVISIONS OF TITLE 10 AND 12 OF THE TRACY MUNICIPAL CODE, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, IF REQUIRED.

DATED THIS _____ DAY OF _____, 2021.

_____
ROBERT ARMIJO, R.C.E. 63173
CITY ENGINEER

CITY CLERK'S STATEMENT:

THIS IS TO STATE THAT AT ITS REGULARLY HELD MEETING ON THE ___ DAY OF _____, 20___ THE CITY COUNCIL OF THE CITY OF TRACY, CALIFORNIA PER COUNCIL RESOLUTION NO. _____ APPROVED THIS FINAL MAP OF "TRACT NO. 3966, SUBDIVISIONS OF SAN JOAQUIN COUNTY, WEST PARKWAY VILLAGE-PHASE 1", CITY OF TRACY, CALIFORNIA, AND ACCEPTED ON BEHALF OF THE PUBLIC FOR PUBLIC USE THE OFFER OF DEDICATION OF ALL PUBLIC UTILITY EASEMENTS (P.U.E.) AND ALL PUBLIC ACCESS EASEMENTS (P.A.E.) AND ALL WATER LINE EASEMENTS (W.L.E.) AND THE DEDICATION OF PARCEL A AND PARCEL B, IN FEE, FOR STREET PURPOSES, SAID DEDICATION SUBJECT TO THE COMPLETION OF IMPROVEMENTS, ALL AS SHOWN ON THIS FINAL MAP IN ACCORDANCE WITH TITLES 10 AND 12 OF THE TRACY MUNICIPAL CODE, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2021.

_____ _____
ADRIANNE RICHARDSON, CITY CLERK DATE
AND CLERK OF THE CITY COUNCIL

SURVEYOR FOR THE CITY'S STATEMENT:

I, DAVID W. ENKE, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP AND THAT IT COMPLIES WITH ALL THE PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA SUBDIVISION MAP ACT, AS AMENDED, AND THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 2021.

_____
DAVID W. ENKE, L.S. 4071
SURVEYOR FOR THE CITY

LICENSED LAND SURVEYOR
DAVID ENKE
No. 4071
Exp. 06-30-22
STATE OF CALIFORNIA

TRACT NO. 3966

SUBDIVISION OF SAN JOAQUIN COUNTY WEST PARKWAY VILLAGE – PHASE 1

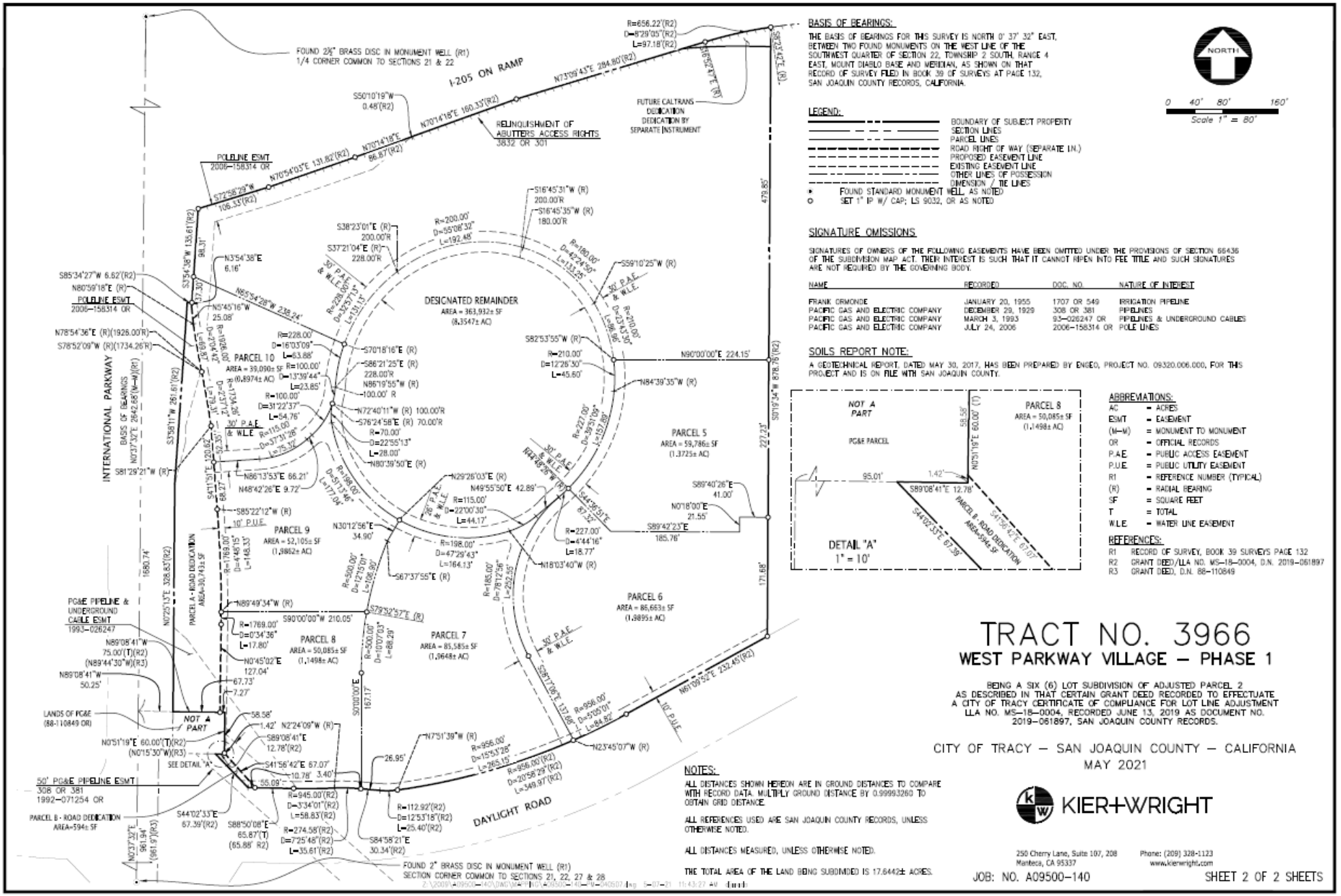
BEING A SIX (6) LOT SUBDIVISION OF ADJUSTED PARCEL 2 AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED TO EFFECTUATE A CITY OF TRACY CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT LLA NO. MS-18-0004, RECORDED JUNE 13, 2019 AS DOCUMENT NO. 2019-061897, SAN JOAQUIN COUNTY RECORDS.

CITY OF TRACY – SAN JOAQUIN COUNTY – CALIFORNIA
MAY 2021

KIER+WRIGHT

250 Cherry Lane, Suite 107, 208
Manteca, CA 95337
Phone: (209) 328-1123
www.kierwright.com

JOB: NO. A09500-140



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS NORTH 0° 37' 32" EAST, BETWEEN TWO FOUND MONUMENTS ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MOUNT DIABLO BASE AND MERIDIAN, AS SHOWN ON THAT RECORD OF SURVEY FILED IN BOOK 39 OF SURVEYS AT PAGE 132, SAN JOAQUIN COUNTY RECORDS, CALIFORNIA.

NORTH

0 40' 80' 160'
Scale 1" = 80'

LEGEND:

- BOUNDARY OF SUBJECT PROPERTY
- SECTION LINES
- PARCEL LINES
- ROAD RIGHT OF WAY (SEPARATE IN.)
- PROPOSED EASEMENT LINE
- EXISTING EASEMENT LINE
- OTHER LINES OF POSSESSION
- DIMENSION / TIE LINES
- ● FOUND STANDARD MONUMENT WELL, AS NOTED
- ○ SET 1" IP W/ CAP; LS 9032, OR AS NOTED

SIGNATURE OMISSIONS

SIGNATURES OF OWNERS OF THE FOLLOWING EASEMENTS HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436 OF THE SUBDIVISION MAP ACT. THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO FEE TITLE AND SUCH SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

NAME	RECORDED	DOC. NO.	NATURE OF INTEREST
FRANK ORMONDE	JANUARY 20, 1955	1707 OR 549	IRRIGATION PIPELINE
PACIFIC GAS AND ELECTRIC COMPANY	DECEMBER 29, 1929	308 OR 381	PIPELINES
PACIFIC GAS AND ELECTRIC COMPANY	MARCH 3, 1993	93-026247 OR	PIPELINES & UNDERGROUND CABLES
PACIFIC GAS AND ELECTRIC COMPANY	JULY 24, 2006	2006-158314 OR	POLE LINES

SOILS REPORT NOTE:

A GEOTECHNICAL REPORT, DATED MAY 30, 2017, HAS BEEN PREPARED BY ENGEO, PROJECT NO. 09320.006.000, FOR THIS PROJECT AND IS ON FILE WITH SAN JOAQUIN COUNTY.

ABBREVIATIONS:

AC	=	ACRES
ESMT	=	EASEMENT
(M-M)	=	MONUMENT TO MONUMENT
OR	=	OFFICIAL RECORDS
P.A.E.	=	PUBLIC ACCESS EASEMENT
P.U.E.	=	PUBLIC UTILITY EASEMENT
R1	=	REFERENCE NUMBER (TYPICAL)
(R)	=	RADIAL BEARING
SF	=	SQUARE FEET
T	=	TOTAL
W.L.E.	=	WATER LINE EASEMENT

REFERENCES:

R1 RECORD OF SURVEY, BOOK 39 SURVEYS PAGE 132
R2 GRANT DEED/LLA NO. MS-18-0004, D.N. 2019-061897
R3 GRANT DEED, D.N. 88-110849

NOTES:

ALL DISTANCES SHOWN HEREON ARE IN GROUND DISTANCES TO COMPARE WITH RECORD DATA. MULTIPLY GROUND DISTANCE BY 0.99993260 TO OBTAIN GRID DISTANCE.

ALL REFERENCES USED ARE SAN JOAQUIN COUNTY RECORDS, UNLESS OTHERWISE NOTED.

ALL DISTANCES MEASURED, UNLESS OTHERWISE NOTED.

THE TOTAL AREA OF THE LAND BEING SUBDIVIDED IS 17.6442± ACRES.

TRACT NO. 3966

WEST PARKWAY VILLAGE – PHASE 1

BEING A SIX (6) LOT SUBDIVISION OF ADJUSTED PARCEL 2 AS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED TO EFFECTUATE A CITY OF TRACY CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT LLA NO. MS-18-0004, RECORDED JUNE 13, 2019 AS DOCUMENT NO. 2019-061897, SAN JOAQUIN COUNTY RECORDS.

CITY OF TRACY – SAN JOAQUIN COUNTY – CALIFORNIA
MAY 2021

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250 Cherry Lane, Suite 107, 208
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Phone: (209) 328-1123
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JOB: NO. A09500-140

Z:\2009\A09500-140\DWG\MAPPING\A09500-140-TR-040503.dwg 5-07-21 11:43:27 AM

ATTACHMENT C

Recorded at the request of
and after recording, return to:
City Clerk, City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
(No recording fee, under Government Code §27383)

City of Tracy
SUBDIVISION IMPROVEMENT AGREEMENT
West Parkway Village

This Subdivision Improvement Agreement (Agreement or SIA) is entered into between the City of Tracy, a municipal corporation (City), and R&B DELTA II, L.L.C, A CALIFORNIA LIMITED LIABILITY COMPANY (Subdivider).

Recitals

A. The Subdivider is currently the owner of the real property located on the southeast corner of Interstate 205 and International Parkway (hereinafter "Property"), and more particularly described in Exhibit "A", attached and incorporated herein by its reference.

B. In accordance with the Subdivision Map Act (California Government Code sections 66410, *et seq.*) and the Subdivision Ordinance (Tracy Municipal Code, Title 12), the Subdivider has submitted to the City a Final Map (Final Map) for the Project known as West Parkway Village – Phase 1 Tract No. 3966 (the "Project"). The Final Map was approved by the City Council on _____, 2021, by Resolution No. _____, is on file with the City Clerk, and is incorporated here by reference.

C. The Project is geographically located on the southeast corner of Interstate 205 and International Parkway, Assessor's Parcel Number 209-460-35. The Tentative Map was prepared by Kier & Wright (the" Project Proponent") and approved by the Planning Commission on January 22, 2020, by Resolution No. 2020-001, is on file with the City Clerk, and is incorporated here by reference.

D. The Tentative Map approval was subject to certain conditions of approval (Conditions). The Conditions are attached here as Exhibit "B" and incorporated by reference.

E. Among other things, the Conditions describe improvements that are required for approval of the Final Map under the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards.

F. Improvement Plans and Specifications (which incorporate portions of the City's Standard Specifications) have been prepared on behalf of the Subdivider and approved by the City Engineer. They describe in more detail the improvements that are required for approval of the Final Map. The Plans and Specifications, as approved by the City Engineer, are on file with the City Engineer, and are incorporated here by reference. The term "Plans and Specifications" includes: 'International Park of Commerce Street Improvement Plans for International Parkway – Phase 1G Daylight Road – Phase 1J Storm Drain on Future Capital Parks Drive' prepared by Kier & Wright.

Collectively, these Plans and Specifications are referred to herein as the "***Work***" or "***Scope of Work.***"

G. Because the required improvements have not been completed, the Subdivider has requested to execute this Agreement as authorized by Government Code section 66462.

Now therefore, the parties agree as follows:

1. **Scope of Work; Location.** The Subdivider shall perform, or cause to be performed, the Work, to the satisfaction of the City Engineer. The Work includes improvements along the frontage of the Project on International Parkway and Daylight Road and as required in the Conditions.

The Work shall be performed, and all materials and labor shall be provided, at the Subdivider's expense, in the manner described in the Plans and Specifications. No change shall be made to the Scope of Work unless authorized in writing by the City Engineer. The Subdivider may submit a written request to the City Engineer for a change in the Scope of Work, as authorized by Tracy Municipal Code section 12.36.060(f).

The Subdivider shall perform all Work at the locations and grades shown on the Plans and Specifications. The Subdivider (a) has acquired any necessary easement or right-of-way or (b) has entered into a separate Agreement with the City to acquire the necessary easement or right-of-way at the Subdivider's expense.

2. **Time of Performance.** Time is of the essence in the performance of the Work, and the timing requirements set forth here shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. The Subdivider shall submit all requests for extensions of time to the City, in writing, no later than ten days after the start of the condition that purportedly caused the delay, and not later than the date on which performance is due.

2.1. **Commencement of Work**. No later than 15 days before the beginning of Work, the Subdivider shall provide written notice to the City Engineer of the date on which the Subdivider will begin Work. The Subdivider shall not begin Work until after the notice required by this section is properly provided, and the Subdivider shall not begin Work before the date specified in the written notice.

2.2. **Schedule of Work.** Concurrently with the written notice of beginning of Work, the Subdivider shall provide the City with a written schedule of Work, which shall be updated in writing as necessary to accurately reflect the Subdivider's prosecution of the Work.

2.3. **Completion of Work.** The Subdivider shall complete all Work by no later than 12 months after the City's execution of this Agreement.

2.4. **Reversion to Acreage.** If the Subdivider fails to begin the Work before the date on which completion is due, the Subdivider shall, upon written request by the City, consent to the reversion to acreage of all real property described by the

Final Map, and the Subdivider shall bear the costs of processing and implementing the reversion.

3. **Improvement Security.** Improvement securities (Faithful Performance, Labor and material and Warranty security) for completion of Frontage Improvements outlined in Section 1 above have been posted with a separate agreement by others. Concurrently with Subdivider's execution of this Agreement, the Subdivider shall furnish contract security, in a form authorized by the Subdivision Map Act (including Government Code sections 66499 *et seq.*) and Tracy Municipal Code section 12.36.080, in the following amounts:

   3.1. **Faithful Performance** security in the amount of $284,524 to secure faithful performance of this Agreement (until the date on which the City Council accepts the Work as complete) under Government Code sections 66499.1, 66499.4, and 66499.9.

   3.2. **Labor and Material** security in the amount of $284,524 to secure payment by the Subdivider to laborers and materialmen under Government Code sections 66499.2, 66499.3, and 66499.4.

   3.3. **Warranty** security in the amount of $28,452 to secure faithful performance of this Agreement for one year from the date on which the City Council accepts the Work as complete, under Government Code sections 66499.1, 66499.4, and 66499.9.

   3.4. **Monumentation** security in the amount of $ 6,000 to secure faithful performance of setting monuments pursuant to Government Code section 66496.

4. **Indemnification.** Subdivider shall, to the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold harmless the City from and against any claims arising out of Subdivider's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole, active negligence or willful misconduct of the City.

   In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "Subdivider" means the Subdivider, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses in connection therein); and "Arising out of" includes "pertaining to" and "relating to".

   The provisions of this section survive completion of the services or the termination of this contract and are not limited by the provisions of Section 5 relating to insurance.

5. **Insurance**. Concurrently with the execution of this Agreement, and prior to the commencement of any Work, Developer shall furnish evidence to City that all of the following insurance requirements have been satisfied by the Developer or its general contractor responsible for the Work. The insurance coverage requirements below can also be covered by umbrella policies if approved by the City.

5.1. General. Developer shall, throughout the duration of this Agreement, maintain or cause to be maintained insurance to cover Developer, its agents, representatives, contractors, subcontractors, and employees in connection with the performance of services for the Work covered by this Agreement at the minimum levels set forth herein.

5.2. Commercial General Liability. Developer shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than four million dollars ($4,000,000) per occurrence for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability and coverage for explosion, collapse and underground property damage hazards. Developer's general liability policies shall be primary and non-contributory and be endorsed using Insurance Services Office form CG 20 10 to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies. For construction contracts, an endorsement providing completed operations to the additional insured, ISO form CG 20 37, is also required.

5.3. Automobile Liability. Developer shall provide auto liability coverage for owned, non-owned, and hired autos using ISO Business Auto Coverage form CA 00 01, or the exact equivalent, with a limit of no less than two million dollars ($2,000,000) per accident.

5.4. Workers' Compensation. Developer shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance with limits of at least one million dollars ($1,000,000). Developer shall submit to City, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of City, its officers, agents, employees, and volunteers.

5.5. Professional Liability. Developer shall cause its design professionals to maintain professional liability insurance that insures against professional errors and omissions that may be made in performing the Services to be rendered in connection with this Agreement, in the minimum amount of one million dollars ($1,000,000) per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement, and Developer agrees to cause its design professionals to maintain continuous coverage through a period no less than three years after completion of the services required by this Agreement.

5.6. Notice of Cancellation. Developer shall obtain endorsements to all insurance policies by which each insurer is required to provide thirty (30) days' prior written notice to City should the policy be canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation.

5.7. Authorized Insurers. All insurance companies providing coverage to Developer shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

5.8. Insurance Certificate. Developer shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form reasonably satisfactory to the City Attorney.

5.9. Substitute Certificates. No later than five (5) calendar days prior to the policy expiration date of any insurance policy required by this Agreement, Developer shall provide City with a substitute certificate of insurance.

5.10. Developer's Obligation. Maintenance of insurance by Developer as specified in this Agreement shall in no way be interpreted as relieving Developer of any of its obligations hereunder (including indemnity obligations under this Agreement), and Developer may carry, at its own expense, such additional insurance as it deems necessary or desirable.

6. Independent Contractor Status. Subdivider is an independent contractor and is solely responsible for the acts of its employees, agents, and subcontractors, including any negligent acts or omissions. Subdivider is not City's employee and Subdivider shall have no authority, express or implied, to act on behalf of the City as an agent, or to bind the City to any obligation, unless the City provides prior written authorization to Subdivider.

7. Default.

7.1. Notice. If Subdivider is in default of this Agreement, as defined in Section 7.2, the City Engineer shall provide written notice to the Subdivider and the Subdivider's surety (if any) describing the default.

7.2. Events of default. The Subdivider shall be in default of this Agreement if the City Engineer determines that any one of the following conditions exist:

7.2.1. The Subdivider is insolvent, bankrupt, or makes a general assignment for the benefit of its creditors.

7.2.2. The Subdivider abandons the Project site.

7.2.3. The Subdivider fails to perform one or more requirements of this Agreement.

7.2.4. The Subdivider fails to replace or repair any damage caused by Subdivider or its agents, representatives, contractors, subcontractors, or employees in connection with performance of the Work.

7.2.5. The Subdivider violates any legal requirement related to the Work.

7.3. If the Subdivider fails to cure the default within five days, or provide adequate written assurance to the satisfaction of the City Engineer that the cure will be promptly started and diligently prosecuted to its completion, the City may, in the discretion of the City Engineer, take any or all of the following actions:

7.3.1. Cure the default and charge the Subdivider for the costs, including administrative costs and interest in an amount equal to 7% per annum from the date of default.

7.3.2. Demand the Subdivider complete performance of the Work.

7.3.3. Demand the Sub divider's surety (if any) complete performance of the Work.

8. Ownership of Work. All original documents prepared by Subdivider for this Agreement are the property of the City, and the Subdivider shall provide them to the City at the completion of Subdivider's Work, or upon demand from the City.

9. Inspection by the City; Fees. In order to permit the City to inspect the Work, the Subdivider shall, at all times, provide to the City proper and safe access to the Project site, and all portions of the Work, and to all shops where portions of the Work are in preparation.

Concurrently with the execution of this Agreement by the Subdivider, and prior to the commencement of any Work, the Subdivider shall pay the City inspection fees toward costs in the amount of three and one-half percent (3-1/2%) of the estimated Project costs (as approved by the City Engineer) in accordance with the Tracy Municipal Code. . Per TMC Section 12.36.100(c)(iv), inspection fees may be increased to reflect current construction costs.

10. Subdivider's Authorized Representative. At all times during the progress of the Work, Subdivider shall have a competent foreperson or superintendent (Superintendent) on site with authority to act on behalf of the Subdivider. The Subdivider shall, at all times, keep the City Engineer informed in writing of the names and telephone numbers of: (a) the Superintendent; and (b) all contractors and subcontractors performing the Work.

11. Acceptance of Work. Before the City Council's acceptance of the Work, the Subdivider is solely responsible for maintaining the quality of the Work and maintaining safety at the Project site. The Subdivider's obligation to perform the Work is not satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied, all outstanding fees and charges have been paid, and the City Council has accepted the Work as complete.

12. Warranty Period. The Subdivider shall warrant the quality of the Work, in accordance with the terms of the Plans and Specifications, for a period of one year after acceptance of the Work by the City Council. If during the one-year warranty period any portion of the Work is determined by the City Engineer to be defective as a result of an obligation of the Subdivider, the Subdivider shall be in default.

13. Miscellaneous.

13.1. Notices. All notices, demands, or other communications that this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or mailed to the other party as follows:

City:	City of Tracy Attn: City Engineer 333 Civic Center Plaza Tracy, CA 95376	Subdivider:	R&B DELTA II L.L.C., A CALIFORNIA LIMITED LIABILITY COMPANY Attn: Dana Parry 1200 Concord Avenue, Suite 200, Concord, CA, 94520
Copy to:	City Attorney's Office Attn: City Attorney 333 Civic Center Plaza Tracy, CA 95376		Tel: (925) 674-8400 Fax: (925) 689-1535 Email: danap@reynoldsandbrown.com

Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the address designated above, or (2) three working days after the deposit in the United States Mail of registered or certified mail, sent to the address designated above.

13.2 Modifications. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.

13.3 Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

13.4 Assignment and Delegation. This Agreement and any portion of it may not be assigned or transferred, nor shall any of the Subdivider's duties be delegated, without the City's prior written consent. Any attempt to assign or delegate this Agreement without the City's written consent shall be void and of no effect. A consent by the City to one assignment shall not be deemed to be a consent to any subsequent assignment.

13.5 Jurisdiction and Venue. The interpretation, validity and enforcement of the Agreement shall be governed by the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Joaquin.

13.6 Attorney's Fees. If legal action is begun to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.

13.7 Permits, Licenses, and Compliance with Law. The Subdivider shall, at the Subdivider's expense, obtain and maintain all necessary permits and licenses for the performance of the Work. Before City signs the Agreement, the Subdivider shall obtain a City of Tracy Business License. The Subdivider shall comply with all local, state, federal, and applicable laws, whether or not those laws are expressly stated in this Agreement.

13.8 Entire Agreement; Severability. This Agreement, including all documents incorporated by reference, comprises the entire integrated understanding between the parties concerning the improvements to be constructed for this Project. This Agreement supersedes all prior negotiations, representations, or agreements.
If a term of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in effect.

14. Signatures. The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity and authority to execute this Agreement. This Agreement shall inure to the benefit of and be binding upon the parties and their successors and assigns.

The parties agree to the full performance of the terms set forth here.

City of Tracy

_____

Nancy Young, Mayor

Date: _____

Approved by City Council on _____ by Resolution No. _____.]

Attest:

_____

By: Adrianne Richardson, City Clerk

Approved As To Form:

_____

By: Leticia Ramirez, City Attorney

Subdivider

R&B DELTA II LLC:

By: _____

Drew Mickel, Vice President

Date: 5-18-21

Federal Employer Tax ID No. 47-2466342

Exhibit A: Legal Description
B: Conditions of Approval

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Contra Costa)

On May 18, 2021 before me, Kathryn L. Gorman, Notary Public,
Date *Here Insert Name and Title of the Officer*

personally appeared Drew Mickel
Name(s) of Signer(s)

,

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

KATHRYN L. GORMAN
Notary Public - California
Contra Costa County
Commission # 2318387
My Comm. Expires Jan 23, 2024

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

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RESOLUTION 2021-_____

APPROVING THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR WEST PARKWAY VILLAGE – PHASE 1 TRACT NO. 3966, AND AUTHORIZING THE CITY CLERK TO FILE THE AGREEMENT WITH THE SAN JOAQUIN COUNTY RECORDER

WHEREAS, The Concept, Preliminary and Final Development Plan, and the Tentative Subdivision Map for West Parkway Village – Phase 1 Tract No. 3966, within the Cordes Ranch Specific Plan Area planned as a retail commercial center with uses such as restaurants, retail stores, a fitness club, a hotel and a gas station on approximately 17.6 acres was approved by Planning Commission on January 22, 2020, pursuant to Planning Commission Resolution No. 2020-001, and

WHEREAS, R&B Delta II LLC., a California Limited Liability Company (Subdivider) submitted a Final Subdivision Map for 10 parcels and a Designated Remainder in conformance with the approved TSM, and further described as Tract 3996 West Parkway Village – Phase 1, and

WHEREAS, Subdivider has executed the Subdivision Improvement Agreement and posted improvement security for the completion of the water line to be located within the loop street within the Project, and

WHEREAS, Improvements along the frontage of the Project on International Parkway and Daylight Road and offsite water, storm drainage and sanitary sewer mains required to serve West Parkway Village are currently in construction or to be completed by Prologis, the Developer of International Park of Commerce under a separate agreement. The Conditions of Approval for West Parkway Village require that the Subdivider shall complete improvements if not constructed by Prologis, and

WHEREAS, The Subdivision Improvement Agreement and Final Subdivision Map are on file with the City Engineer and are available for review upon request, and

WHEREAS, Upon completion of all the public improvements, the City will accept the public improvements for maintenance and will accept all offers of dedication of public easements, and

WHEREAS, The Developer has paid the applicable engineering review fees which include the cost of processing the Final Subdivision Map, Improvement Plans, and Subdivision Improvement Agreement;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the Final Subdivision Map and Subdivision Improvement Agreement for Tract 3996 West Parkway Village – Phase 1, and authorizes the City Clerk to file the Subdivision Improvement Agreement and the Final Subdivision Map with the Office of the San Joaquin County Recorder.

* * * * * * * * * * * * * * * * * *

The foregoing Resolution 2021-_____. was adopted by the Tracy City Council on the 1st day of June, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 1, 2021

AGENDA ITEM 1.G

REQUEST

APPROVE AMENDMENT NO.1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH FCGA ARCHITECTURE, INC. FOR THE TRACY TRANSIT CENTER RENOVATION, CIP NO. 77584, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF $111,320

EXECUTIVE SUMMARY

On October 19, 2020, the City Manager approved the Professional Services Agreement with FCGA Architecture, Inc., under Urgency Ordinance No. 1285, for the Tracy Center Renovation Project, CIP 77584 (Project), for a not-to-exceed amount of $91,425. The City requested a proposal for an additional task to evaluate the location of a back-up generator to the Project, and to amend the scope of services and increase compensation by an additional $19,895 for a total contract amount of $111,320, which exceeds the City Manager's contract authority.

Staff recommends that the City Council approve the amendment to the Professional Services Agreement with FCGA Architecture for the Transit Center Renovation as outlined in Attachment A, and authorize the City Manager to execute the agreement.

DISCUSSION

On June 10, 2020, the City issued a Request for Proposals for architectural design services for the Tracy Transit Center Renovation, CIP 77584 and on July 10, 2020, proposals were received from the following consultants:

- FCGA Architects, Inc., Danville, CA
- The KPA Group, Inc., Pleasanton, CA
- Dewberry Architects, Inc., Sacramento, CA

The City determined that the Consultant (i.e. FCGA Architects, Inc.) possesses the skills, experience and certifications required to provide the services. After negotiations between the City and the Consultant, the parties reached an agreement for the performance of services described in the Agreement. On October 19, 2020, the City Manager approved the Agreement in the amount of $91,425, under Urgency Ordinance No. 1285.

On April 2, 2021, the City requested a proposal from FCGA Architects, Inc. for an additional task to provide evaluation of and recommendations for alternate locations for a back-up generator that would be less visible from 6th Street. Although the currently proposed location is beneficial for mechanical and electrical points of connection, staff wants a review of alternate locations. The amendment to the original scope would be an additional $19,895, and when combined with the original contract the amount is $111,320, which exceeds the City Manager's contract authority.

Staff recommends that the City Council approve the amendment to the Professional Services agreement with FCGA Architects for the Transit Center Renovation Project as outlined in Attachment A, and authorize the City Manager to execute the agreement.

STRATEGIC PLAN

This agenda item is a routine operational item and is not related to the Council's Strategic Plans.

FISCAL IMPACT

The Tracy Transit Center Renovation, CIP 77584, is an approved Capital Improvement Project funded from Transit Capital Fund (F573) with a total budget of $400,000. Currently there is sufficient funding for the amendment in the amount of $19,895, with an available balance of $294,000 currently in the Project.

RECOMMENDATION

Staff recommends that City Council, by resolution, approve Amendment No.1 to the PSA with FCGA Architecture, Inc. for specialized professional services in the amount not-to-exceed $111,320, and authorize the City Manager to execute the agreement.

Prepared by: Ilene Macintire, PE, Senior Civil Engineer

Reviewed by: Robert Armijo, PE, City Engineer / Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – Amendment No.1 to PSA with FCGA Architecture, Inc.

CITY OF TRACY
AMENDMENT NO. 1 TO
PREOFESSIONAL SERVICES AGREEMENT WITH
FCGA ARCHITECTURE, INC. FOR THE
TRACY TRANSIT CENTER RENOVATION, CIP 77584

This Amendment No. 1 (**Amendment**) to the Processional Services Agreement with FCGA Architecture, Inc., for the Tracy Transit Center Renovation, CIP 77584, is entered into between the City of Tracy, a municipal corporation (**City**), and FCGA Architecture, a California corporation (**Consultant**). City and Consultant are referred to individually as "**Party**" and collectively as "**Parties**."

Recitals

A. The City and FCGA Architecture entered into a Professional Services Agreement (**Agreement**) for the Tracy Transit Center Renovations, CIP 77584, in the amount of $91,425, which was approved by the City Manager on October 19, 2020.

B. The parties now seek to amend the Agreement to include a new task under Item Task 7 in the Scope of Services regarding the backup generator and increase the compensation by an additional $19,895.

C. This Amendment is being executed pursuant to Resolution No. ____ approved by Tracy City Council on _____, 2021.

Now therefore, the Parties mutually agree as follows:

1. Incorporation by Reference. This Amendment incorporates by reference all terms set forth in the Agreement, unless specifically modified by this Amendment. The terms which are not specifically modified by this Amendment will remain in effect.

2. Terms of Amendment.

A. The following language shall be added to Section 3.1 of the Agreement:

> "For services preformed pursuant to Exhibit A-1, the City shall pay the Consultant a not-to-exceed amount of $19,895. The Consultant's billing rates shall cover all cost and expenses for Consultants performance of the work described in Exhibit A-1."

B. Exhibit A-1 "Scope of Services," attached hereto shall supplement Exhibit "A" of the Agreement.

C. Exhibit B-1 "Compensation" attached hereto shall supplement Exhibit "B" of the Agreement.

3. Modifications. This Amendment may not be modified orally or in any manner other than by an agreement in writing signed by both parties, in accordance with the requirements of the Agreement.

4. Severability. If any term of this Amendment is held invalid by a court of competent jurisdiction, the Amendment shall be construed as not containing that term, and the remainder of this Amendment shall remain in effect.

5. Signatures. The individuals executing this Amendment represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Amendment. This Amendment shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

The Parties agree to the full performance of the terms set forth here.

City of Tracy

By: _____
Nancy Young
Title: Mayor
Date: _____

Attest:

By: _____
Adrianne Richardson, City Clerk

Consultant

By: _____
Cedric Craig
Title: Chief Executive Officer
Date: 5.17.24

By: _____
Galen Grant
Title: President
Date: 5/17/24

Approved as to form

By: _____
Leticia Ramirez, City Attorney

EXIHIBIT A-1 Scope of Work

The Consultant shall provide architectural and design services for improvements to the Tracy Transit Center as described in more detail under the following tasks. All work shall be paid on a time and expense basis and the amounts listed below are estimates based on the hourly rates in Agreement Exhibit B and Exhibit B-1

Task 7: Back Up Generator Amended Scope of Work **$19,895**

The Consultant shall:

7-D **Evaluate Alternate Locations for Backup Generator**

- Participate in meetings with the City to establish alternative generator locations.
- Coordinate Alternate location and utility routing with MEP engineers
- Develop and define scope of civil engineering services required to evaluate alternate locations
- Assemble pertinent document and solicit civil engineering services proposal

7-D.1 **Generator Layout Feasibility**

- Facilitate study of proposed alternate locations and sub-consultant services
- Review existing site civil and survey drawings and site photographs for existing site features and utility locations
- Coordinate equipment locations, underground utilities, routing and general enclosure layout with City and sub-consultants

7-D.2 **Utility locating**

- Perform utility investigation services to determine approximate horizontal position and depth of detectable underground utilities in the path of the proposed gas and electrical line for the proposed generator. Mark the results of the investigation.

7-D.3 **Field Topographic Survey**

- Survey the marked results of the underground utility investigation and the planter at the proposed generator locations

7-D.4 **Generator Layout Feasibility**

- Review the survey and lay out of the generator to see if the new locations are feasible

7-D.5 **Deliverables**

- Cad drawing files containing all data collected, including survey of existing utilities in the area of work, location of proposed equipment and associated utilities, layout of proposed enclosure at alternate locations
- PDF files of proposed plan(s)
- Written report of findings and recommendations

RESOLUTION 2021-_____

APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH FCGA ARCHITECTURE, INC. FOR THE TRACY TRANSIT CENTER RENOVATION, CIP 77584, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF $111,320, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, FCGA Architecture, Inc., an Architectural Services consultant (Consultant), entered into a Professional Services Agreement with the City to provide specialized design and engineering services for the Tracy Transit Center Renovation Project, CIP 77584, and

WHEREAS, On October 29, 2020 the Professional Services Agreement was approved by the City Manager under Urgency Ordinance No. 1285, and

WHEREAS, On April 2, 2021 the City requested a proposal from FCGA Architects, Inc. for an additional task to provide evaluation of and recommendations for alternate locations for a back-up generator, and

WHEREAS, On April 16, 2021, the Consultant submitted its proposal to the City. After negotiations between the City and Consultant, the parties have reached an agreement for the performance of these additional services, and

WHEREAS, The Agreement is required to be amended to increase compensation by an additional $19,895, and when combined with the original contract the total not-to-exceed amount is $111,320;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves Amendment No.1 to the PSA with FCGA Architecture, Inc. for architectural services in the amount not-to-exceed $111,320, and authorizes the City Manager to execute the agreement.

* * * * * * * * * * *

The foregoing Resolution 2021-_____ was passed and adopted by the Tracy City Council on the 1st day of June, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 1, 2021

AGENDA ITEM 1.H

REQUEST

APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR ELLIS PHASE 3, TRACT 4007, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

EXECUTIVE SUMMARY

Approval of the Final Subdivision Map (FSM) will facilitate the recordation of the Final Subdivision Map, to construct residential houses within the Ellis Phase 3 Subdivision, which is located on the western terminus of Ellis Town Drive. This subdivision consists of approximately 308 single-family dwelling lots, two parks and four other parcels that will be created by the Final Subdivision Map. LS-Tracy LLC, a Delaware Limited Liability company (Subdivider) has signed the Subdivision Improvement Agreement (SIA) for the construction of the subdivision's improvements.

DISCUSSION

On May 8, 2019, Planning Commission approved the Tentative Map, for a residential development known as Ellis Phase 3, Tract 4007, located on the western terminus of Ellis Phase 2 (Gardens Neighborhood), Union Pacific Railroad Line to the south, agricultural land to the north and Lammers Road to the west, via Resolution No. 2019-012. Ellis Phase 3 Subdivision will be composed of approximately 311 single-family residential lots, two parks and four other parcels on approximately 74.36 acres.

Subdivider submitted a Final Subdivision Map to the City and this agenda item is to approve the filing of the FSM for Tract 4007, to create 308 single-family residential lots within the boundaries of and in conformance with the approved TSM and authorize the City to execute the SIA for the same tract. The SIA along with the bonds will guarantee that the Subdivider will construct the public improvements required to serve the subdivision.

The FSM of Tract 4007 Ellis Phase 3 - Town & Country was reviewed and has been found to be in substantial compliance with the approved Vesting Tentative Subdivision Map. The Subdivider has executed the SIA for the completion of the Subdivision Improvements including roadway improvements on Ellis Town Drive, Maddy Avenue, Randa Way, Rio Grande Drive, Gaylene Ann Place, Ryan Serpa Way, Turner Avenue, Neil Jerome Drive, Adeline Way, Jake Street, Miner Drive, Granger Street, Lammers Road (between Union Pacific Railroad Line to Ellis Town Drive), Lane 1, Lane 2, Lane 3, Lane 4, Lane 5 and other associated improvements. The roadway improvements include asphalt concrete pavement, curb, gutter, sidewalk, storm drainage, watermain connection, streetlights, signing and striping, pavement transition to existing roadway section, road widening, landscape and other improvements.

The Engineering Division has reviewed the Improvement Plans. The SIA, FSM, and Improvement Plans are on file with the City Engineer and are available for review upon request.

Upon completion of the public improvements, the City will accept the improvements for maintenance and will accept all offers of dedication of public easements at that time.

FISCAL IMPACT

The Subdivider has paid the applicable engineering review fees, which include the cost of processing the Final Subdivision Map and Subdivision Improvement Agreement.

STRATEGIC PLAN

This agenda item is consistent with the Council approved Economic Development Strategy to ensure physical infrastructure necessary for development.

RECOMMENDATION

Staff recommends that the City Council of the City of Tracy, via resolution, approve the Final Subdivision Map and Subdivision Improvement Agreement for Tract 4007 Ellis Phase 3 - Town & Country and authorize the City Clerk to file the Agreement with the San Joaquin County Recorder.

Prepared by: Nanda Gottiparthy, PE, SNG & Associates, Inc.

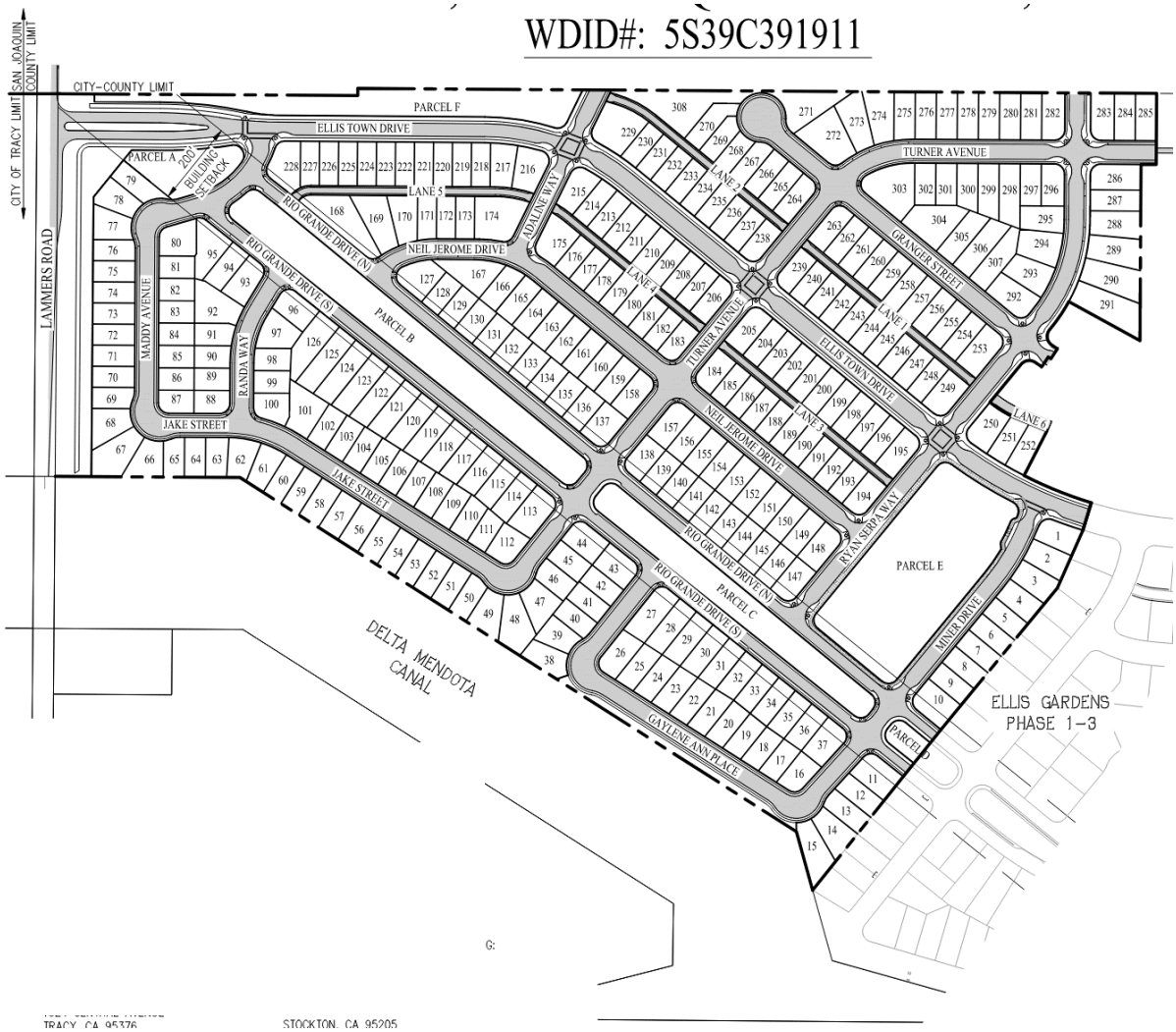
Reviewed by: Robert Armijo, PE, City Engineer / Assistant Director of Development Services
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – Location Map
Attachment B – Final Subdivision Map
Attachment C – Subdivision Improvement Agreement

LOCATION MAP



TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

cbg
CIVIL ENGINEERS ▪ SURVEYORS ▪ PLANNERS
SAN RAMON ▪ (925) 866-0322
SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM

MAY 2021

OWNER'S STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE PARTIES HAVING RECORD TITLE INTEREST IN THE LANDS SUBDIVIDED AND SHOWN ON THIS FINAL MAP OF "TRACT NO. 4007, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TOWN & COUNTRY, CITY OF TRACY, CALIFORNIA", AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE FOLLOWING DESCRIBED PROPERTY IS HEREBY DEDICATED IN FEE FOR PUBLIC PURPOSES:

1) LAMMERS ROAD WIDENING, ELLIS TOWN DRIVE, TURNER AVENUE, GRANGER STREET, RIO GRANDE DRIVE, RYAN SERPA WAY, MINER DRIVE, NEIL JEROME DRIVE, ADELINE WAY, MADDY AVENUE, RANDA WAY, JAKE STREET, GAYLENE ANN PLACE, LANE 1, LANE 2, LANE 3, LANE 4, AND LANE 5 FOR ROADWAY AND UTILITY PURPOSES.

2) PARCELS A, B, C, AND D FOR OPEN SPACE PURPOSES.

3) PARCELS E AND F FOR PARK PURPOSES.

THE FOLLOWING DESCRIBED PROPERTY IS HEREBY DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

1) ALL PUBLIC UTILITY EASEMENTS AS SHOWN ON THIS FINAL MAP.

2) ALL WATERLINE EASEMENTS AS SHOWN ON THIS FINAL MAP.

3) ALL EMERGENCY VEHICLE ACCESS EASEMENTS AS SHOWN ON THIS FINAL MAP.

4) ALL STORM DRAIN EASEMENTS AS SHOWN ON THIS FINAL MAP.

WE ALSO RELINQUISH TO THE CITY OF TRACY ALL RIGHTS OF VEHICULAR ACCESS OF LOTS 1, 195–205, 206–252 TO AND FROM ELLIS TOWN DRIVE; LOTS 10, 11, 43, 44, 95, 96, 168, AND 228 TO AND FROM RIO GRANDE DRIVE; LOTS 67–79 TO AND FROM LAMMERS ROAD; LOTS 253–270, 272, 292, AND 303 TO AND FROM GRANGER STREET; LOTS 16 AND 37 TO AND FROM MINER DRIVE; LOTS 112, 113, 137, 138, 157, 158, 183, 184, 205, 206, 238, 239, 263, 264, AND 286 TO AND FROM TURNER AVENUE; LOTS 147, 148, 194, 195, 249, 250, 253, 282, 283, AND 296 TO AND FROM RYAN SERPA WAY; LOTS 127, AND 167–194 TO AND FROM NEIL JEROME DRIVE; LOTS 174, 175, 215, 216, AND 229 TO AND FROM ADELINE WAY; LOTS 80, 95, AND 228 TO AND FROM MADDY AVENUE; LOT 93 TO AND FROM RANDA WAY; LOTS 87, 88, AND 100 TO AND FROM JAKE STREET; LOTS 15, 26, 27, AND 38 TO AND FROM GAYLENE ANN PLACE; AND LOT 79 TO AND FROM PARCEL A, ALL AS SHOWN ON THIS FINAL MAP.

WE ALSO RESERVE TO THE CITY OF TRACY, THE RIGHT TO CONTROL ACCESS OVER AND ACROSS THE 1' ACCESS RESERVE STRIP AT THE NORTHERN TERMINUS OF ADELINE WAY, THE NORTHERN TERMINUS OF GRANGER STREET, THE SOUTHEASTERN TERMINUS OF GRANGER STREET, THE NORTHERN TERMINUS OF RYAN SERPA WAY, AND THE EASTERN TERMINUS OF TURNER AVENUE, ALL AS SHOWN ON THIS FINAL MAP.

AS OWNER: LS–TRACY LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____ BY: _____

NAME: MARK CHAMBERLAIN NAME: _____

TITLE: VICE PRESIDENT TITLE: _____

DATE: 5/18/2021 DATE: _____

TRUSTEE'S STATEMENT

THE UNDERSIGNED CORPORATION, AS TRUSTEE UNDER THE DEED OF TRUST RECORDED ON DECEMBER 18, 2020, DOCUMENT NUMBER 2020–178634 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, CALIFORNIA; DOES HEREBY JOIN IN AND CONSENT TO THE FOREGOING OWNERS STATEMENT AND ALL DEDICATIONS SHOWN HEREIN.

FIRST AMERICAN TITLE INSURANCE COMPANY

BY: Diana L. Edwards

TITLE: ADR CAL ESCROW MANAGER

DATE: 5-19-21

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF California } SS.
COUNTY OF Contra Costa }

ON May 18, 2021 BEFORE ME, J. Fulop , A NOTARY PUBLIC, PERSONALLY APPEARED Mark Chamberlain , WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

SIGNATURE: J. Fulop

NAME (PRINT): J. Fulop

PRINCIPAL COUNTY OF BUSINESS: Alameda

MY COMMISSION NUMBER: 2303543

MY COMMISSION EXPIRES: Sep 27, 2023

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____ } SS.
COUNTY OF _____ }

ON _____, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

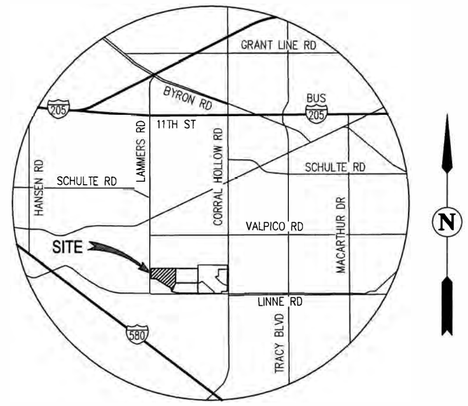
SIGNATURE: _____

NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

MY COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____



VICINITY MAP

NOT TO SCALE

TRUSTEE'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF California } SS.
COUNTY OF Contra Costa }

ON May 19, 2021, BEFORE ME, Renee Sheridan Mikus, A NOTARY PUBLIC, PERSONALLY APPEARED Diana L. Edwards, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

SIGNATURE: _____

NAME (PRINT): Renee Sheridan Mikus

PRINCIPAL COUNTY OF BUSINESS: Alameda

MY COMMISSION NUMBER: 2285677

MY COMMISSION EXPIRES: 5-16-23

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20_____, AT _____,M. IN BOOK____

OF MAPS AND PLATS, AT PAGE _____, AT THE REQUEST OF _____.

FEE: $ _____

_____ BY: _____

STEVE J. BESTOLARIDES ASSISTANT/DEPUTY RECORDER
ASSESSOR–RECORDER–COUNTY CLERK

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

cbg
CIVIL ENGINEERS

SAN RAMON ▪ (925) 866-0322
SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM

SURVEYORS ▪ PLANNERS

MAY 2021

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF THE SURLAND COMPANY, IN APRIL 2019. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2023; AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED AND THAT THIS TRACT MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

5/13/2021
DATE

LICENSED LAND SURVEYOR MARK H. WEHBER 7960 STATE OF CALIFORNIA

MARK H. WEHBER, P.L.S.
L.S. NO. 7960

STATEMENT OF THE SURVEYOR FOR THE CITY

I, DAVID W. ENKE, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT NO. 4007, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TOWN & COUNTRY, CITY OF TRACY, CALIFORNIA", AND THAT THE SUBDIVISION SHOWN HEREON COMPLIES WITH ALL THE PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA SUBDIVISION MAP ACT, AS AMENDED, AND THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

5/26/21
DATE

LICENSED LAND SURVEYOR DAVID W. ENKE 4071 STATE OF CALIFORNIA

DAVID W. ENKE, L.S. 4071
SURVEYOR FOR THE CITY

CITY ENGINEER'S STATEMENT

I ROBERT ARMIJO, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF TRACY, CALIFORNIA AND THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT NO. 4007, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TOWN & COUNTRY, CITY OF TRACY, CALIFORNIA", AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF CHAPTER 2 OF THE SUBDIVISION MAP ACT AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

26 MAY 21
DATE:

REGISTERED PROFESSIONAL ENGINEER ROBERT ARMIJO C 63173 CIVIL STATE OF CALIFORNIA

ROBERT ARMIJO, R.C.E. 63173
CITY ENGINEER

CERTIFICATE OF DEDICATION

THE CITY OF TRACY SHALL RECONVEY LAMMERS ROAD WIDENING, ELLIS TOWN DRIVE, TURNER AVENUE, GRANGER STREET, RIO GRANDE DRIVE, RYAN SERPA WAY, MINER DRIVE, NEIL JEROME DRIVE, ADELINE WAY, MADDY AVENUE, RANDA WAY, JAKE STREET, GAYLENE ANN PLACE, LANE 1, LANE 2, LANE 3, LANE 4, AND LANE 5 TO THE BELOW NAMED OWNER, OR SUCCESSOR IN INTEREST, IF THE CITY DETERMINES PURSUANT TO GOVERNMENT CODE SECTION 66477.5 THAT THE SAME PUBLIC PURPOSES FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY OR ANY PORTION THEREOF IS NOT NEEDED FOR SAID PUBLIC PURPOSES.

OWNER'S NAME: LS-TRACY LLC
ADDRESS: 660 NEWPORT CENTER DRIVE, SUITE 300
CITY/STATE: NEWPORT BEACH, CA 92660

SOILS REPORT

A SOILS REPORT WAS PREPARED BY ENGEO, DATED JULY 29, 2010, PROJECT NO. 3887.000.000, SIGNED BY STEVE HARRIS, GE AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.

NOTES:

1. APPROVAL OF THIS FINAL MAP IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE TENTATIVE SUBDIVISION MAP FOR THE TOWN & COUNTRY, TRACT NO. 4007 CONDITIONS OF APPROVAL THAT WAS APPROVED ON MAY 8, 2019, PURSUANT TO RESOLUTION 2019-012.

2. THE SAN JOAQUIN COUNTY AIRPORT LAND USE COMMISSION'S AIRPORT LAND USE COMPATIBILITY PLAN IDENTIFIES THE TRACY MUNICIPAL AIRPORT'S AIRPORT INFLUENCE AREA. PROPERTIES WITHIN THIS AREA ARE ROUTINELY SUBJECT TO OVERFLIGHTS BY AIRCRAFT USING THIS PUBLIC-USE AIRPORT AND, AS A RESULT, RESIDENTS MAY EXPERIENCE INCONVENIENCE, ANNOYANCE, OR DISCOMFORT ARISING FROM THE NOISE OF SUCH OPERATIONS. STATE LAW (PUBLIC UTILITIES CODE SECTION 21670 ET SEQ.) ESTABLISHES THE IMPORTANCE OF PUBLIC USE AIRPORTS TO THE PUBLIC INTEREST OF THE PEOPLE OF THE STATE OF CALIFORNIA. RESIDENTS OF PROPERTY NEAR SUCH AIRPORTS SHOULD THEREFORE BE PREPARED TO ACCEPT THE INCONVENIENCE, ANNOYANCE, OR DISCOMFORT FROM NORMAL AIRCRAFT OPERATIONS. RESIDENTS ALSO SHOULD BE AWARE THAT THE CURRENT VOLUME OF AIRCRAFT ACTIVITY MAY INCREASE IN THE FUTURE. ANY SUBSEQUENT DEED CONVEYING THIS PARCEL OR SUBDIVISIONS THEREOF SHALL CONTAIN A STATEMENT IN SUBSTANTIALLY THIS FORM.

3. ALL PERSONS PURCHASING LOTS WITHIN THE BOUNDARIES OF THIS APPROVED MAP SHOULD BE PREPARED TO ACCEPT THE INCONVENIENCES OR DISCOMFORTS ASSOCIATED WITH AGRICULTURAL OPERATIONS OR ACTIVITIES, SUCH AS NOISE, ODORS, INSECTS, DUST OR FUMES. SAN JOAQUIN COUNTY HAS DETERMINED THAT SUCH INCONVENIENCES OR DISCOMFORTS SHALL NOT BE CONSIDERED TO BE A NUISANCE.

4. ALL FRONT LOT CORNERS ARE TO BE REFERENCED WITH A NAIL AND TAG SET IN THE SIDEWALK, 1' FROM LOT CORNER ON SIDE LOT LINE PROJECTION. REAR CORNERS ARE TO BE REFERENCED WITH A REBAR AND CAP OR NAIL AND TAG.

SIGNATURE OMISSION:

PURSUIT TO SECTION 66436 OF THE CALIFORNIA SUBDIVISION MAP ACT THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED:

1. 16' WATER PIPELINE EASEMENT IN FAVOR OF THE U.S.A. PER 1551 OR 524 AND 2017-106917.
2. TEMPORARY RIGHT OF WAY AND EASEMENT FOR PUBLIC HIGHWAY IN FAVOR OF THE U.S.A. PER 1061 OR 45.
3. 16' WATER PIPELINE EASEMENT IN FAVOR OF THE U.S.A. PER 1531 OR 462.
4. 16' WATER PIPELINE EASEMENT IN FAVOR OF THE U.S.A. PER 1532 OR 123.
5. 16' WATER PIPELINE EASEMENT IN FAVOR OF THE U.S.A. PER 1613 OR 155.
6. 15' PIPELINE AND TELEGRAPH EASEMENT IN FAVOR OF STANDARD OIL COMPANY PER 951 OR 1.
7. 15' PIPELINE EASEMENT IN FAVOR OF PG&E PER 302 OR 443.
8. 30' CONSTRUCTION OR RECONSTRUCTION EASEMENT IN FAVOR OF PG&E PER 302 OR 443.
9. 50' "AGREEMENT MODIFYING AN EASEMENT" BETWEEN TUSO FARMS, INC, AND PG&E PER 92-047894.
10. 15' PIPELINE EASEMENT IN FAVOR OF PG&E PER 305 OR 185, CONVEYED TO STANDARD PACIFIC GAS LINE, INC. PER 404 OR 431, STANDARD OIL COMPANY OF CALIFORNIA PER 1012 OR 278, AND SACRAMENTO MUNICIPAL UTILITY DISTRICT PER DN 2000-00080020.
11. 30' CONSTRUCTION EASEMENT IN FAVOR OF PG&E PER 305 OR 185 CONVEYED TO STANDARD PACIFIC GAS LINE, INC. PER 404 OR 431, STANDARD OIL COMPANY OF CALIFORNIA PER 1012 OR 278, AND SACRAMENTO MUNICIPAL UTILITY DISTRICT PER DN 2000-00080020.
12. 15' PIPELINE AND TELEGRAPH EASEMENT IN FAVOR OF STANDARD OIL COMPANY PER 951 OR 3.
13. 50' "AGREEMENT MODIFYING AN EASEMENT" BETWEEN TUSO FARMS, INC, AND PG&E PER 92-038424.

CITY CLERK'S STATEMENT

THIS IS TO STATE THAT AT ITS REGULARLY HELD MEETING ON THE _____DAY OF _____, 20_____, THE CITY COUNCIL OF THE CITY OF TRACY, CALIFORNIA PER COUNCIL RESOLUTION NO. _____ APPROVED THIS FINAL MAP OF "TRACT NO. 4007, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TOWN & COUNTRY, CITY OF TRACY, CALIFORNIA", AND ACCEPTED ON BEHALF OF THE PUBLIC FOR PUBLIC USE THE OFFER OF DEDICATION IN FEE OF ALL STREET RIGHTS OF WAY AND PARCELS A THROUGH F, SUBJECT TO SATISFACTORY COMPLETION OF IMPROVEMENTS THEREON, IN ACCORDANCE WITH TITLES 10 AND 12 OF THE TRACY MUNICIPAL CODE, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP;

ACCEPTED ON BEHALF OF THE CITY THE RIGHT TO CONTROL ACCESS OVER AND ACROSS THE 1' ACCESS RESERVE STRIP AT THE NORTHERN TERMINUS OF ADELINE WAY, THE NORTHERN TERMINUS OF GRANGER STREET, THE SOUTHEASTERN TERMINUS OF GRANGER STREET, THE NORTHERN TERMINUS OF RYAN SERPA WAY, AND THE EASTERN TERMINUS OF TURNER AVENUE, ALL AS SHOWN ON THIS FINAL MAP.

ACCEPTED ON BEHALF OF THE CITY ALL RIGHTS OF VEHICULAR ACCESS OF LOTS 1, 195-205, 206-252 TO AND FROM ELLIS TOWN DRIVE; LOTS 10, 11, 43, 44, 95, 96, 168, AND 228 TO AND FROM RIO GRANDE DRIVE; LOTS 67-79 TO AND FROM LAMMERS ROAD; LOTS 253-270, 272, 292, AND 303 TO AND FROM GRANGER STREET; LOTS 16 AND 37 TO AND FROM MINER DRIVE; LOTS 112, 113, 137, 138, 157, 158, 183, 184, 205, 206, 238, 239, 263, 264, AND 286 TO AND FROM TURNER AVENUE; LOTS 147, 148, 194, 195, 249, 250, 253, 282, 283, AND 296 TO AND FROM RYAN SERPA WAY; LOTS 127, AND 167-194 TO AND FROM NEIL JEROME DRIVE; LOTS 174, 175, 215, 216, AND 229 TO AND FROM ADELINE WAY; LOTS 80, 95, AND 228 TO AND FROM MADDY AVENUE; LOT 93 TO AND FROM RANDA WAY; LOTS 87, 88, AND 100 TO AND FROM JAKE STREET; LOTS 15, 26, 27, AND 38 TO AND FROM GAYLENE ANN PLACE; AND LOT 79 TO AND FROM PARCEL A, ALL AS SHOWN ON THIS FINAL MAP; AND

ACCEPTED ON BEHALF OF THE PUBLIC FOR PUBLIC USE THE OFFERS OF DEDICATION OF ALL PUBLIC UTILITY EASEMENTS, WATERLINE EASEMENTS, EMERGENCY VEHICLE ACCESS EASEMENTS, AND STORM DRAIN EASEMENTS AS SHOWN ON THIS FINAL MAP.

AND PURSUANT TO GOVERNMENT CODE SECTIONS 66499.20.2 AND 66434(G) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE CITY OF TRACY DOES HEREBY ABANDON AND VACATE IN ITS ENTIRETY THE FOLLOWING INTERESTS LOCATED WITHIN THE BOUNDARY OF THIS MAP: ALL PUBLIC ACCESS EASEMENTS (PAE) AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED AUGUST 27, 2019 IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS.

_____ _____
ADRIANNE RICHARDSON DATE
CITY CLERK AND CLERK OF THE COUNCIL

EASEMENT NOTES:

(#) INDICATES EASEMENT NUMBER

(1) 16' WATER PIPELINE EASEMENT IN FAVOR OF THE U.S.A. PER 1551 OR 524 AND 2017-106917.

(2) TEMPORARY RIGHT OF WAY AND EASEMENT FOR PUBLIC HIGHWAY IN FAVOR OF THE U.S.A. PER 1061 OR 45.

(3) 16' WATER PIPELINE EASEMENT IN FAVOR OF THE U.S.A. PER 1531 OR 462.

(4) 16' WATER PIPELINE EASEMENT IN FAVOR OF THE U.S.A. PER 1532 OR 123.

(5) 16' WATER PIPELINE EASEMENT IN FAVOR OF THE U.S.A. PER 1613 OR 155.

(6) APPROXIMATE LOCATION OF 15' PIPELINE AND TELEGRAPH EASEMENT IN FAVOR OF STANDARD OIL COMPANY PER 951 OR 1.

(7) APPROXIMATE LOCATION OF 15' PIPELINE EASEMENT IN FAVOR OF PG&E PER 302 OR 443.

(7A) APPROXIMATE LOCATION OF 45' CONSTRUCTION OR RECONSTRUCTION EASEMENT IN FAVOR OF PG&E PER 302 OR 443.

(8) 50' "AGREEMENT MODIFYING AN EASEMENT" BETWEEN TUSO FARMS, INC, AND PG&E PER 92-047894.

(9) APPROXIMATE LOCATION OF 15' PIPELINE EASEMENT IN FAVOR OF PG&E PER 305 OR 185, CONVEYED TO STANDARD PACIFIC GAS LINE, INC. PER 404 OR 431, STANDARD OIL COMPANY OF CALIFORNIA PER 1012 OR 278, AND SACRAMENTO MUNICIPAL UTILITY DISTRICT PER DN 2000-00080020.

(9A) APPROXIMATE LOCATION OF 45' CONSTRUCTION EASEMENT IN FAVOR OF PG&E PER 305 OR 185 CONVEYED TO STANDARD PACIFIC GAS LINE, INC. PER 404 OR 431, STANDARD OIL COMPANY OF CALIFORNIA PER 1012 OR 278, AND SACRAMENTO MUNICIPAL UTILITY DISTRICT PER DN 2000-00080020.

(10) APPROXIMATE LOCATION OF 15' PIPELINE AND TELEGRAPH EASEMENT IN FAVOR OF STANDARD OIL COMPANY PER 951 OR 3.

(11) 8' ROADWAY EASEMENT IN FAVOR OF SAM TUSO, ET UX PER 3472 OF 381; QUITCLAIMED PER DN 2021-061475.

(12) 50' "AGREEMENT MODIFYING AN EASEMENT" BETWEEN TUSO FARMS, INC, AND PG&E PER 92-038424.

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	965.00'	10°12'52"	172.04'
C2	261.00'	17°11'17"	78.30'
C3	25.00'	85°32'27"	37.32'
C4	693.00'	0°37'40"	7.59'
C5	25.00'	95°11'58"	41.54'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C6	408.00'	10°41'34"	76.14'
C7	250.00'	38°21'15"	167.35' (M-M)
C8	250.00'	30°13'29"	131.88' (M-M)
C9	721.00'	1°28'46"	18.62'
C10	665.00'	1°22'01"	15.87'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C11	1000.00'	6°56'54"	121.22' (M-PL)

LINE TABLE		
NO	BEARING	LENGTH
L1	N00°20'28"E	203.00' (M-M)
L2	N00°20'28"E	286.56' (M-M)
L3	N89°39'32"W	128.00' (M-PL)
L4	N00°20'28"E	315.92' (M-M)
L5	N89°39'32"W	6.86' (M-PL)

LINE TABLE		
NO	BEARING	LENGTH
L6	N00°20'28"E	35.00'
L7	N89°39'32"W	59.84'
L8	N51°24'58"W	126.34' (M-PL)
L9	N39°27'05"E	98.18' (M-M)
L10	N50°32'55"W	127.59' (M-PL)

FOUND 1" IRON PIPE IN WELL(6)(7) AT THE NORTHEAST CORNER OF SECTION 1, T3S, R4E, MDB&M

T2S, R4E 36 6 T3S, R5E

T3S, R4E 1

1691.99' (1692.17')(6)

FOUND 1/2" REBAR IN PAVEMENT(6)

FOUND 3/4" IRON PIPE, LS 5340(4)

N00°26'44"E 17.00'

FOUND 1" IRON PIPE(6)

25'

710.00'

280.35'

31.81'

N89°38'32"W 710.00' (S89°44'00"W)(6)

FOUND 3/4" IRON PIPE(6)

N00°26'28"E 17.00'(S00°11'E)(6)

FOUND 3/4" IRON PIPE(6) S00°26'28"W 2.10'

(N89°43'30"E 4174.00')(5) (N89°44'00"E 4174.00')(6)

N89°38'32"W 4174.03'(T)

COUNTY OF SAN JOAQUIN / CITY OF TRACY

1893.03'(BOUNDARY)

11

TUSO, DN 99-016220

1571.00'

3/4" IRON PIPE(5) DESTROYED DURING CONSTRUCTION, RESET PER (10)

FOUND NAIL & TAG LS 8164(1)(8) AT THE CENTER OF SECTION 6, T3S, R5E, MDB&M

337.85'(10) N00°20'28"E

74 75 76 77 78 79 80 81 82 83

L1 L2 L3 L4 L5 L6 L7

AVALON STREET

KINGSBURG COURT

AUGUSTA AVENUE

(S00°17'E)(4)(5)(6) N00°20'28"E 1088.44'

C6 C7 C8

TRACT 3764 (1)

161 162

N60°06'59"E(R)(C8) N38°00'47"W(R)(C7)

N00°20'28"E 168.18'

N89°39'32"W 36.00'

SEE DETAIL A FOR TIES TO BASIS OF BEARINGS

DESIGNATED (10) REMAINDER

N00°20'28"E 417.84'

N39°27'05"E 4.53'

N61°14'29"W(R) 192.34'

C5 C10 C3 C9 C4 C2 C1

N34°15'07"E(R)

N34°59'32"E(R)

N32°53'06"E(R) 28.00'

N33°30'46"E(R) 28.00'

N39°27'05"E(R) 116.26'

N27°07'40"E(R) 118.95'

N67°44'12"W 73.74'

R=965.00' Δ=26°28'07" L=445.80'

N0°39'33"W(R)

Δ=15°44'45" L=284.44' R=1035.00'

Δ=16°15'15" L=273.76'

N16°24'18"E(R)

Δ=16°03'50" L=270.55' R=965.00'

N9°58'03"E(R)

N16°54'48"E(R) 68.00'

N23°49'26"E 149.57'

N89°39'32"W 902.50'

TRACT 3877 (11)

ELLIS TOWN DRIVE

143 144 145 146 147 148 149 150 151 152 153 154 155 156

MARGARET ADELE DRIVE

TRACT 3906 (12)

B (12)

L8 L9 L10

RIO GRANDE DRIVE

N39°27'05"E 426.85'

N51°02'23"W 472.75'

21.42'

N38°42'37"E 158.10'

N38°35'02"E 336.84' (BOUNDARY)

316.37'

143.84'

173.56'

SEE DETAIL A FOR TIES TO BASIS OF BEARINGS

N15°30'17"W 317.40' (S16°08'00"E)(5)(7) (N16°08'31"W 317.42')(4)

0.34' FOUND PIN IN CONCRETE 18" DEEP(4)(5)(7)

N74°21'08"W (S74°58'51"E)(7)

TRACT 3907 (13)

DETAIL A
NOT TO SCALE

FOUND 2.5" BRASS DISC IN MONUMENT WELL GPS-16(1)(3)

BASIS OF BEARINGS N00°13'39"W(CALCULATED)(1) 6297.62'(CALCULATED)(1) (N00°13'41"W 6297.22')(CALCULATED)(3)

FOUND 2" BRASS DISC ON HEADWALL GPS-9(1)(2)(3)

N02°05'39"W 5567.64' (CALCULATED)(1)(2) (N02°05'35"W 5567.26') (CALCULATED)(3)

FOUND BOLT IN MONUMENT WELL GPS-11(1)(2)(3)

N85°11'14"W 5320.24'(M-PL) (CALCULATED)

N23°21'14"E 2056.50' (CALCULATED)

N52°58'52"E 5364.00'(M-PL) (CALCULATED)

CORRAL HOLLOW ROAD

LAMMERS ROAD 50' WIDE

25' 25'

923.74' (923.99')(4) (923.56')(5)

N89°41'17"W 437.80' (N89°41'00"E)(5)(7) (N89°41'18"E 437.74')(4)

FOUND PIN IN CONCRETE(4)(5)(6)(7)

N03°42'54"E 231.55'(M-M)

FOUND BUREAU OF RECLAMATION BRASS DISK, GPS-2060 (3)

FOUND PIN IN CONCRETE 18" DOWN (4)(5)(7)

CITY OF TRACY / COUNTY OF SAN JOAQUIN

N50°58'58"W 2081.54'

N50°59'58"W 1882.36'

N57°31'17"W 1563.20' (S59°09'00"E)(5)(7) (N58°09'24"W 1563.45')(4)

DELTA MENDOTA CANAL U.S.A. 1061 O.R. 45

473.49'

N51°02'23"W

COUNTY OF SAN JOAQUIN / CITY OF TRACY

N0°26'44"E 906.90'(907.11')(6) (BOUNDARY)

200' HABITABLE SPACE SETBACK PER (10)

9A 8 7A 6 7 9 10 12 5 4 3 2 1

(N00°11'00"W)(4)(5)(6)(7) (3994.2')(4)(3993.71')(7) N00°26'44"E 3993.68' (SECTION CORNER TO SECTION CORNER) 1377.95' (7)(1377.79')(4)(1377.90')(5)

1 6 T3S, R4E 7 T3S, R5E

FOUND 2" IRON PIPE(4)(5)(6)(7) AT THE SOUTHWEST CORNER OF OF SECTION 6, T3S, R5E, MDB&M

REFERENCES:

(#) INDICATES REFERENCE NUMBER
(1) TRACT 3764 (42 M&P 43), CERTIFICATE OF CORRECTION (DN 2016-011616)
(2) RECORD OF SURVEY (30 SURVEYS 18)
(3) RECORD OF SURVEY (36 SURVEYS 118)
(4) PARCEL MAP (18 PM 167)
(5) RECORD OF SURVEY (7 RS 285)
(6) RECORD OF SURVEY (21 RS 11)
(7) RECORD OF SURVEY (33 RS 115)
(8) CORNER RECORD (CR 17-142)
(9) LOT LINE ADJUSTMENT DEED (DN 2017-058417)
(10) PARCEL MAP (26 PM 145)
(11) ELLIS GARDENS-PHASE 1, TRACT 3877 (43 M&P 82)
(12) ELLIS GARDENS-PHASE 2, TRACT 3906 (43 M&P 83)
(13) ELLIS GARDENS-PHASE 3, TRACT 3907 (43 M&P 84)

LEGEND

BOUNDARY LINE
SECTION LINE
LOT LINE
EASEMENT LINE
MONUMENT LINE
CITY LIMIT LINE
TIE LINE
(#) REFERENCE NUMBER
(R) RADIAL
(M-M) MONUMENT TO MONUMENT
(M-PL) MONUMENT TO PROPERTY LINE
FOUND STANDARD STREET MONUMENT PER(1), OR AS NOTED
FOUND REBAR AND CAP PER (1), OR AS NOTED
STANDARD STREET MONUMENT LS 7960, SET PER TRACTS 3877, 3906, AND 3907
PM PARCEL MAP
DN DOCUMENT NUMBER
AC ACRES
(1) EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

NOTES:

1. ALL DISTANCES SHOWN ARE MEASURED UNLESS OTHERWISE NOTED.
2. SUBDIVISION AREA: 73.65 ACRES±
3. PURSUANT TO GOVERNMENT CODE SECTIONS 66499.20.2 AND 66434(G) OF THE CALIFORNIA SUBDIVISION MAP ACT, THE FOLLOWING EASEMENT IS VACATED AND NOT SHOWN HEREON: ALL PUBLIC ACCESS EASEMENTS (PAE) AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED AUGUST 27, 2019 IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS.
4. THE EXISTING P.G.&E. GAS LINES AND THE EXISTING CHEVRON OIL LINE ARE LOCATED WITHIN THE EXISTING 50 FOOT EASEMENT, PER DOCUMENT 92-047894, AS VERIFIED BY CBG, DURING AN AS BUILT FIELD SURVEY OF THE POTHOLES ON THE EXISTING PIPE LINES DATED 8/23/2019. THIS INFORMATION IS SHOWN UPON THE IMPROVEMENT PLANS FOR THIS SUBDIVISION.

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 200' MAY 2021

200' 0' 100' 200' 400' 800'

GRAPHIC SCALE

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 150' MAY 2021

150' 0' 75' 150' 300' 600'

GRAPHIC SCALE

TUSO
DN 99-016220

COUNTY OF SAN JOAQUIN
CITY OF TRACY
PARCEL F
ELLIS TOWN DRIVE
PARCEL A
MADDY AVENUE
LANE 5
ADELINE WAY
LANE 2
TURNER AVENUE
GRANGER STREET
LANE 4
NEIL JEROME DRIVE
LANE 1
ELLIS TOWN DRIVE
LANE 3
LAMMERS ROAD
LAMMERS ROAD WIDENING
RANDA WAY
PARCEL B
RIO GRANDE DRIVE
JAKE STREET
DESIGNATED (10) REMAINDER
PARCEL E
MINER DRIVE
RYAN SERPA WAY
PARCEL C
GAYLENE ANN PLACE
PARCEL D
DELTA MENDOTA CANAL
U.S.A.
1061 O.R. 45
CITY OF TRACY
COUNTY OF SAN JOAQUIN
ELLIS GARDENS-PHASE 2
TRACT 3906 (12)
ELLIS GARDENS-PHASE 3
TRACT 3907 (13)
PARCEL B (12)

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

N

NOTES

1. ALL DISTANCES SHOWN ARE MEASURED UNLESS OTHERWISE NOTED
2. SEE SHEET 2 FOR ADDITIONAL NOTES.
3. ALL FRONT CORNERS ARE TO BE REFERENCED WITH A NAIL AND TAG SET IN THE SIDEWALK, 1' FROM LOT CORNER ON SIDE LOT LINE PROJECTION. REAR CORNERS ARE TO BE REFERENCED WITH A REBAR AND CAP OR NAIL AND TAG.

REFERENCES:

SEE SHEET 3 FOR REFERENCES

LEGEND

- BOUNDARY LINE
- LOT LINE/RIGHT-OF-WAY LINE
- SHEET LIMIT LINE
- (6) SHEET NUMBER
- RESTRICTED ACCESS
- CITY LIMIT LINE

SUBDIVISION SUMMARY

308 LOTS =	40.99 AC±
2 PARKS =	4.15 AC±
4 PARCELS =	4.05 AC±
STREET RIGHT OF WAY =	24.46 AC±
TOTAL =	73.65 AC±

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

LEGEND

———	BOUNDARY LINE
———	LOT LINE/RIGHT-OF-WAY LINE
- - - - - -	EASEMENT LINE
——— – – ———	MONUMENT LINE
——— – – ———	CITY LIMIT LINE
----------	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
⊠	STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
DN	DOCUMENT NUMBER
PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	25.00'	90°00'00"	39.27'
C2	347.00'	5°23'43"	32.68'
C3	347.00'	13°56'28"	84.43'
C4	408.00'	4°56'26"	35.17'
C5	408.00'	7°49'32"	55.73'
C6	408.00'	7°49'32"	55.73'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C7	408.00'	7°49'33"	55.73'
C8	20.00'	50°48'18"	17.73'
C9	20.00'	55°35'19"	19.40'
C10	416.50'	1°33'47"	11.36'
C11	416.50'	0°37'01"	4.48'

NOTES

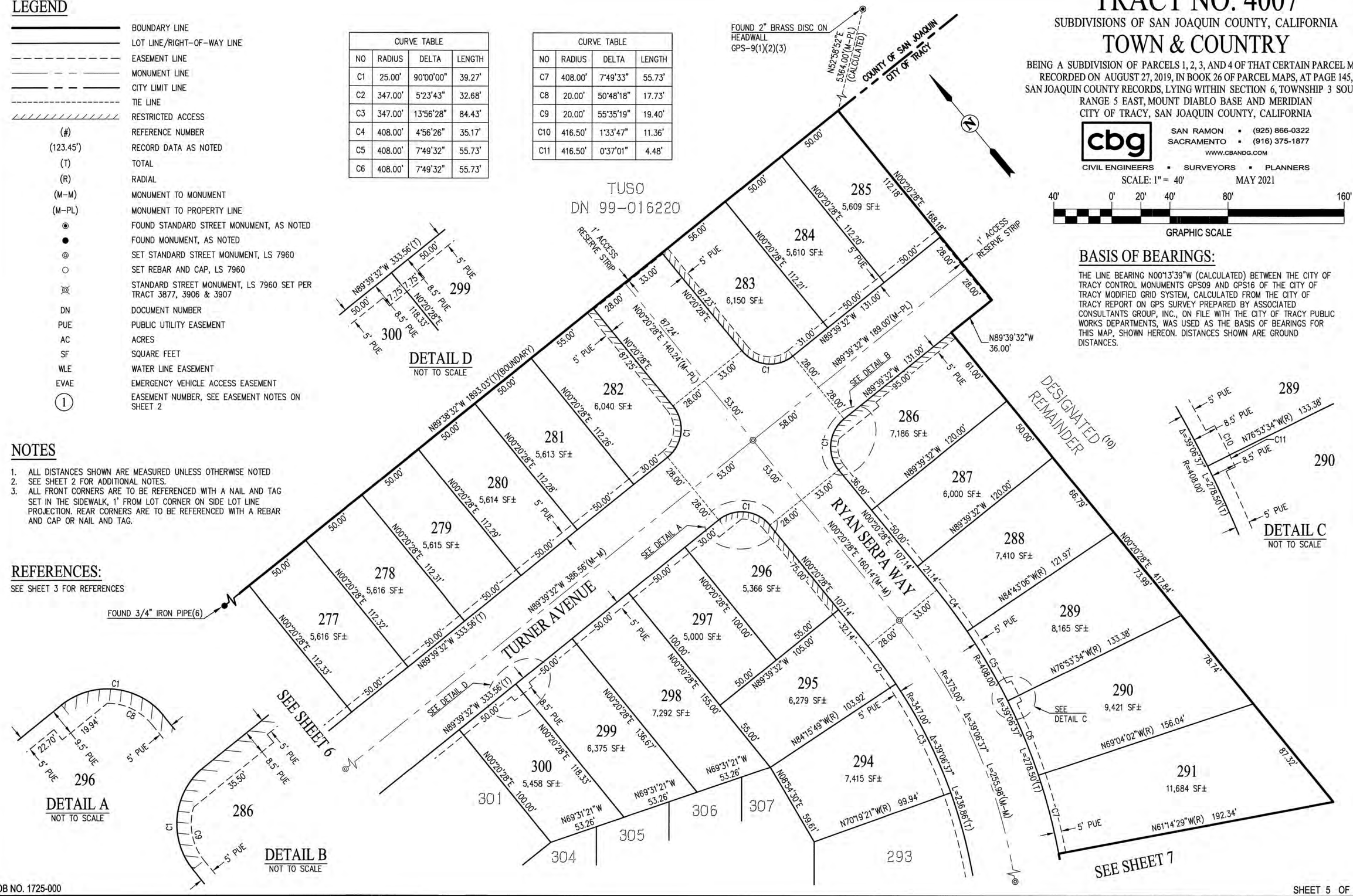
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THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.



DETAIL A
NOT TO SCALE

DETAIL B
NOT TO SCALE

DETAIL D
NOT TO SCALE

DETAIL C
NOT TO SCALE

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

NOTES

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REFERENCES:

SEE SHEET 3 FOR REFERENCES

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	40.00'	37°45'22"	26.36'
C2	58.00'	11°07'43"	11.27'
C3	58.00'	45°45'18"	46.32'
C4	58.00'	34°44'38"	35.17'
C5	25.00'	90°00'00"	39.27'
C6	25.00'	76°40'15"	33.45'
C7	278.00'	8°48'51"	42.77'
C8	278.00'	9°16'35"	45.01'
C9	278.00'	9°51'15"	47.81'
C10	278.00'	9°36'57"	46.66'
C11	40.00'	53°20'07"	37.24'
C12	25.00'	110°46'05"	48.33'
C13	58.00'	31°42'48"	32.10'
C14	58.00'	55°19'18"	56.00'
C15	58.00'	92°25'44"	93.56'

LINE TABLE			
NO	BEARING	LENGTH	
L1	N73°53'20"W	16.33'	
L2	N26°06'40"E	7.12'	
L3	N39°27'05"E	9.48'	(M–M)
L4	N26°06'40"E	22.34'	
L5	N73°53'20"W	20.21'	
L6	N61°14'42"W	21.27'	
L7	N39°51'07"W	21.27'	
L8	N39°27'05"E	18.00'	(M–M)
L9	N49°27'05"E	8.69'	(M–M)
L10	N89°39'32"W	3.56'	
L11	N89°38'32"W	22.11'	
L12	N00°21'28"E	5.00'	(R)
L13	N89°38'32"W	65.94'	
L14	N50°32'55"W	24.10'	
L15	N50°32'55"W	24.10'	
L16	N39°27'05"E	84.05'	
L17	N39°27'05"E	84.05'	



LEGEND

———	BOUNDARY LINE
———	LOT LINE/RIGHT-OF-WAY LINE
– – – – –	EASEMENT LINE
——— – – ———	MONUMENT LINE
——— – – ———	CITY LIMIT LINE
----------	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
⊗	STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
DN	DOCUMENT NUMBER
PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

NOTES

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2. SEE SHEET 2 FOR ADDITIONAL NOTES.
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REFERENCES:

SEE SHEET 3 FOR REFERENCES

LINE TABLE			
NO	BEARING	LENGTH	
L1	N39°27'05"E	7.16'	
L2	N39°27'05"E	4.53'	
L3	N39°27'05"E	18.00'	(M–M)
L4	N49°27'05"E	8.69'	(M–M)
L5	N50°32'55"W	200.49'	(M–M)
L6	N89°39'32"W	3.56'	
L7	N32°53'06"E	28.00'	(R)
L8	N33°30'46"E	28.00'	(R)

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	25.00'	110°46'06"	48.33'
C2	25.00'	90°00'00"	39.27'
C3	347.00'	12°56'45"	78.40'
C4	347.00'	6°49'41"	41.35'
C5	408.00'	10°41'34"	76.14'
C6	217.00'	7°56'34"	30.08'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C7	25.00'	95°11'58"	41.54'
C8	25.00'	85°32'27"	37.32'
C9	721.00'	1°28'47"	18.62'
C10	693.00'	0°37'40"	7.59'
C11	665.00'	1°22'01"	15.87'
C12	213.50'	4°09'30"	15.50'

DETAIL A
NOT TO SCALE

DETAIL B
NOT TO SCALE

SEE SHEET 5

SEE SHEET 6

SEE SHEET 9

SEE SHEET 8

TURNER AVENUE

RYAN SERPA WAY

GRANGER STREET

LANE 1 11,418 SF±

DESIGNATED[10] REMAINDER

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

- BOUNDARY LINE
- LOT LINE/RIGHT–OF–WAY LINE
- EASEMENT LINE
- MONUMENT LINE
- CITY LIMIT LINE
- TIE LINE
- RESTRICTED ACCESS
- (#) REFERENCE NUMBER
- (123.45') RECORD DATA AS NOTED
- (T) TOTAL
- (R) RADIAL
- (M–M) MONUMENT TO MONUMENT
- (M–PL) MONUMENT TO PROPERTY LINE
- ◉ FOUND STANDARD STREET MONUMENT, AS NOTED
- ● FOUND MONUMENT, AS NOTED
- ◎ SET STANDARD STREET MONUMENT, LS 7960
- ○ SET REBAR AND CAP, LS 7960
- ⊗ STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
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- PUE PUBLIC UTILITY EASEMENT
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- WLE WATER LINE EASEMENT
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- (1) EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

REFERENCES:

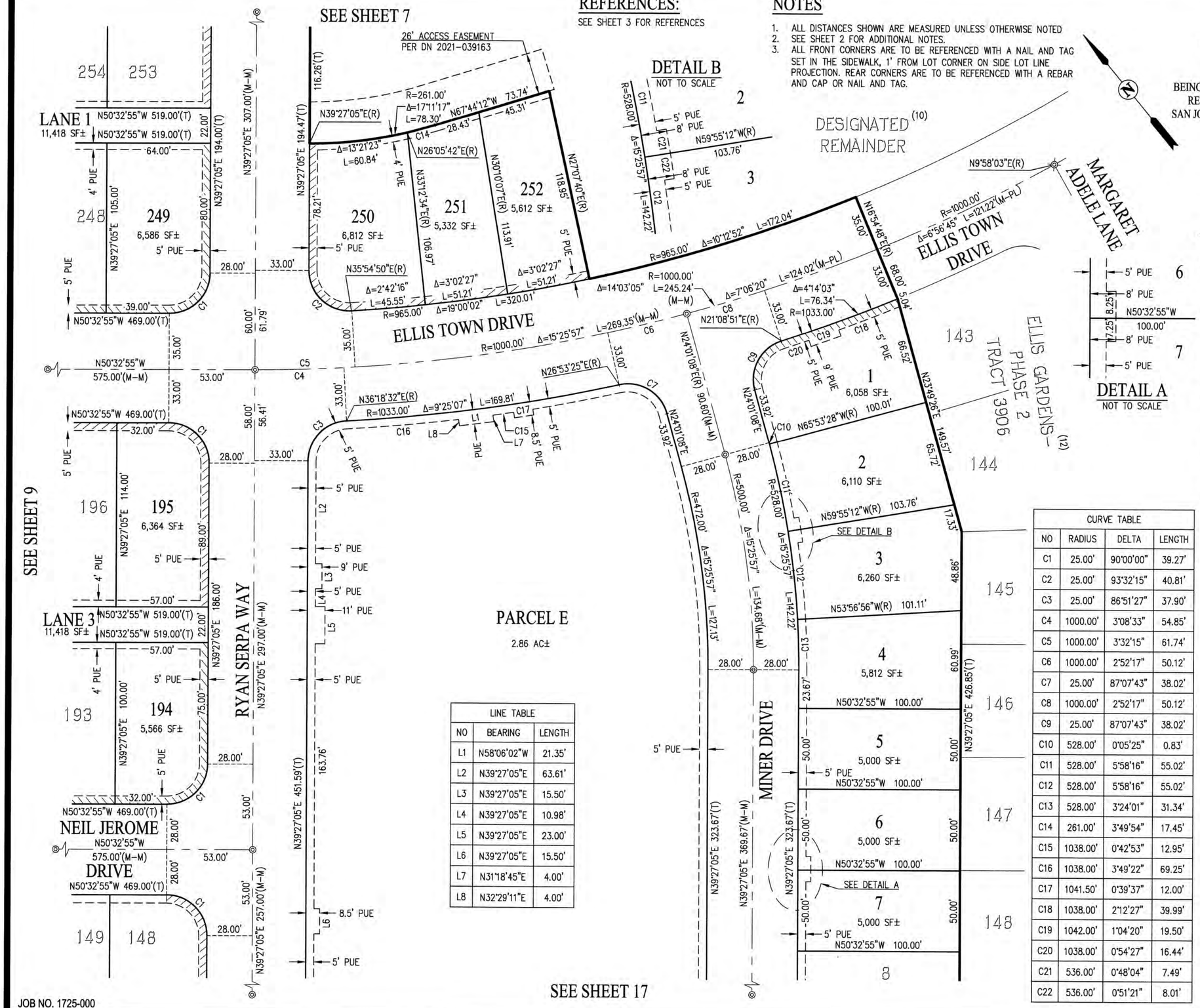
SEE SHEET 3 FOR REFERENCES

NOTES

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BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.



LINE TABLE		
NO	BEARING	LENGTH
L1	N58°06'02"W	21.35'
L2	N39°27'05"E	63.61'
L3	N39°27'05"E	15.50'
L4	N39°27'05"E	10.98'
L5	N39°27'05"E	23.00'
L6	N39°27'05"E	15.50'
L7	N31°18'45"E	4.00'
L8	N32°29'11"E	4.00'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	25.00'	90°00'00"	39.27'
C2	25.00'	93°32'15"	40.81'
C3	25.00'	86°51'27"	37.90'
C4	1000.00'	3°08'33"	54.85'
C5	1000.00'	3°32'15"	61.74'
C6	1000.00'	2°52'17"	50.12'
C7	25.00'	87°07'43"	38.02'
C8	1000.00'	2°52'17"	50.12'
C9	25.00'	87°07'43"	38.02'
C10	528.00'	0°05'25"	0.83'
C11	528.00'	5°58'16"	55.02'
C12	528.00'	5°58'16"	55.02'
C13	528.00'	3°24'01"	31.34'
C14	261.00'	3°49'54"	17.45'
C15	1038.00'	0°42'53"	12.95'
C16	1038.00'	3°49'22"	69.25'
C17	1041.50'	0°39'37"	12.00'
C18	1038.00'	2°12'27"	39.99'
C19	1042.00'	1°04'20"	19.50'
C20	1038.00'	0°54'27"	16.44'
C21	536.00'	0°48'04"	7.49'
C22	536.00'	0°51'21"	8.01'

LEGEND

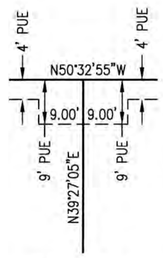
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- LOT LINE/RIGHT-OF-WAY LINE
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- MONUMENT LINE
- CITY LIMIT LINE
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- RESTRICTED ACCESS
- (#) REFERENCE NUMBER
- (123.45') RECORD DATA AS NOTED
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- (M-M) MONUMENT TO MONUMENT
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- ● FOUND MONUMENT, AS NOTED
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- (1) EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

NOTES

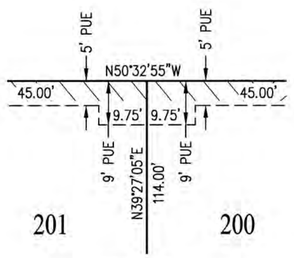
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REFERENCES:

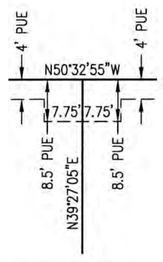
SEE SHEET 3 FOR REFERENCES



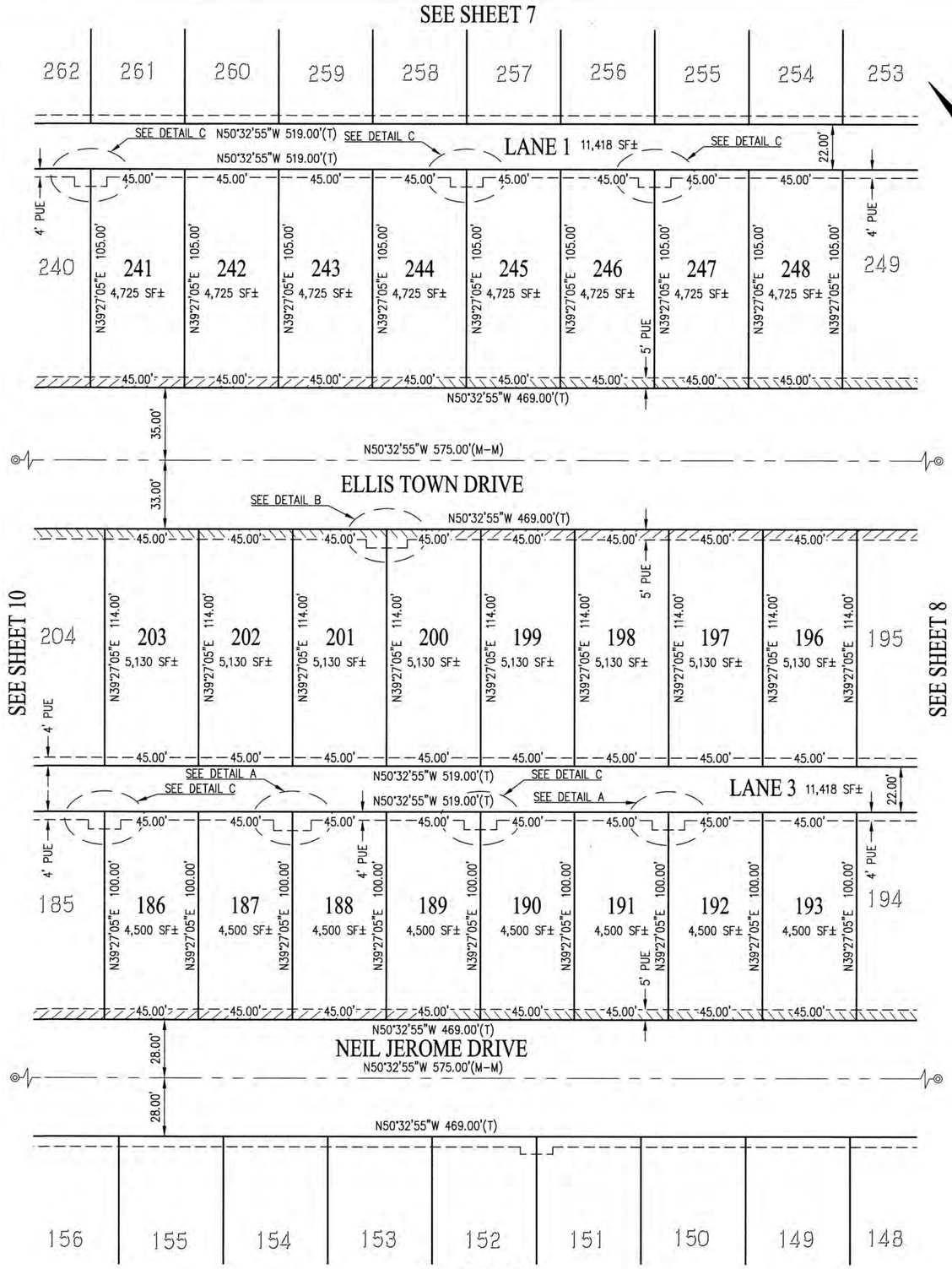
DETAIL A
NOT TO SCALE



DETAIL B
NOT TO SCALE



DETAIL C
NOT TO SCALE



TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

———	BOUNDARY LINE
———	LOT LINE/RIGHT-OF-WAY LINE
- - - - - -	EASEMENT LINE
——— - - ———	MONUMENT LINE
——— - - ———	CITY LIMIT LINE
----------	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
⊗	STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
DN	DOCUMENT NUMBER
PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

NOTES

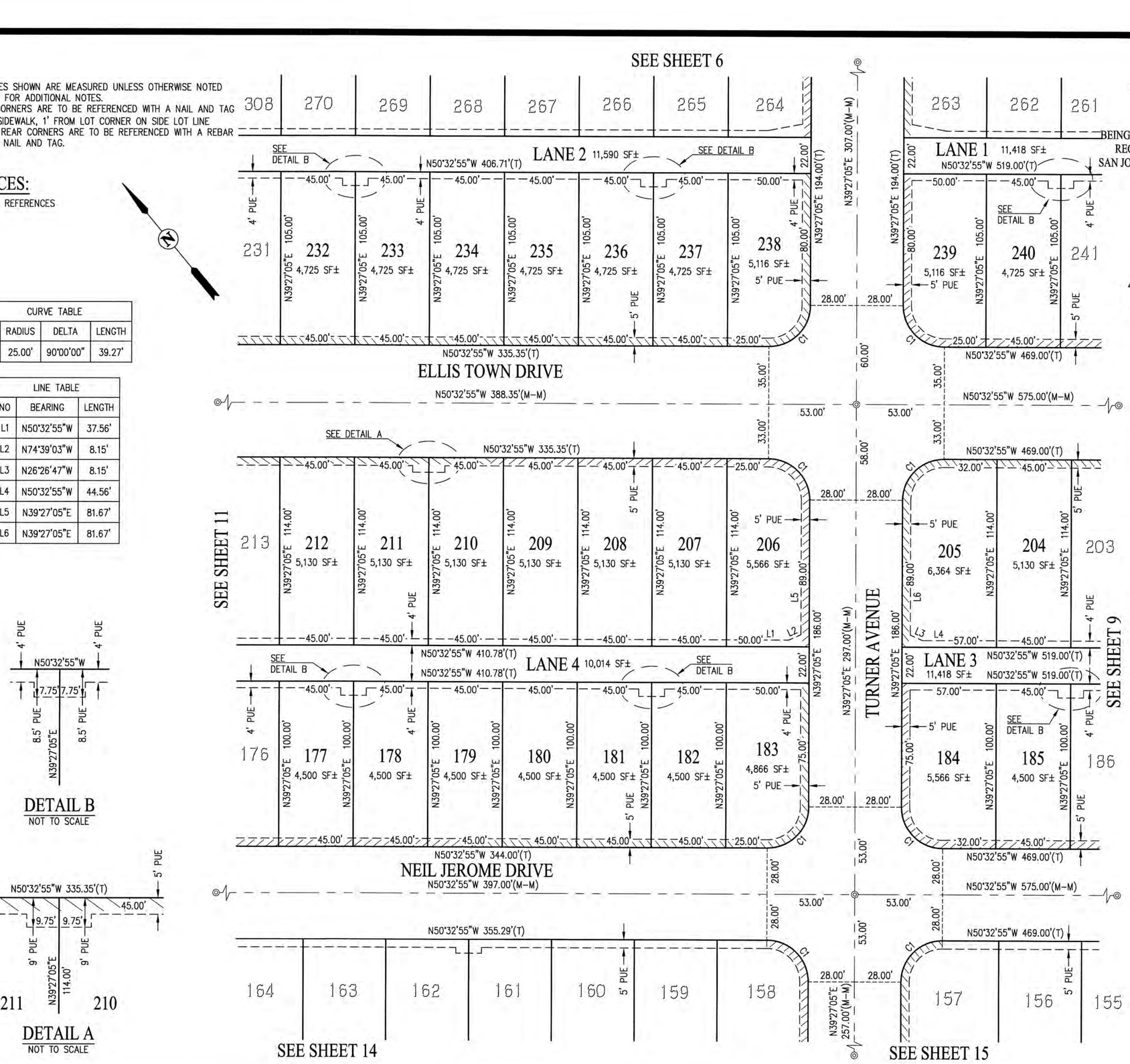
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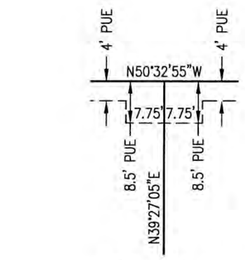
REFERENCES:

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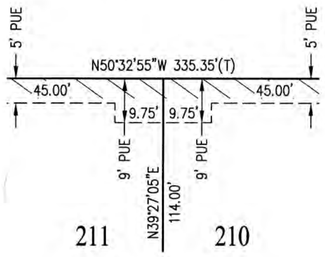
CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	25.00'	90°00'00"	39.27'

LINE TABLE		
NO	BEARING	LENGTH
L1	N50°32'55"W	37.56'
L2	N74°39'03"W	8.15'
L3	N26°26'47"W	8.15'
L4	N50°32'55"W	44.56'
L5	N39°27'05"E	81.67'
L6	N39°27'05"E	81.67'





DETAIL B
NOT TO SCALE



DETAIL A
NOT TO SCALE

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN
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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

BASIS OF BEARINGS:

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LEGEND

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———	LOT LINE/RIGHT-OF-WAY LINE
- - - - - -	EASEMENT LINE
——— — ———	MONUMENT LINE
——— — — ———	CITY LIMIT LINE
----------	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
⊗	STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
DN	DOCUMENT NUMBER
PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

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GRAPHIC SCALE

NOTES

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REFERENCES:

SEE SHEET 3 FOR REFERENCES

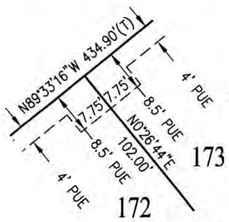
SEE SHEET 6

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	507.00'	1°34'58"	14.00'
C2	507.00'	7°22'42"	65.29'
C3	507.00'	6°27'21"	57.13'
C4	25.00'	100°14'55"	43.74'
C5	540.00'	6°46'15"	63.81'
C6	540.00'	5°19'33"	50.19'
C7	25.00'	81°11'47"	35.43'
C8	25.00'	88°04'00"	38.43'
C9	540.00'	5°24'40"	51.00'
C10	540.00'	5°53'05"	55.46'
C11	25.00'	92°24'25"	40.32'
C12	575.00'	6°27'14"	64.77'
C13	575.00'	4°29'25"	45.06'
C14	575.00'	0°27'46"	4.65'
C15	278.00'	7°36'27"	36.91'
C16	239.00'	0°47'18"	3.29'
C17	507.00'	0°31'31"	4.65'
C18	507.00'	5°05'39"	45.08'
C19	507.00'	5°18'50"	47.02'
C20	291.00'	9°14'49"	46.96'
C21	269.00'	8°54'41"	41.84'
C22	291.00'	10°51'59"	55.19'
C23	291.00'	7°50'46"	39.85'
C24	291.00'	18°42'45"	95.04'
C25	269.00'	18°08'26"	85.17'
C26	25.00'	75°31'33"	32.95'
C27	278.00'	11°11'29"	54.30'
C28	25.00'	84°16'02"	36.77'
C29	243.00'	0°49'57"	3.53'

LINE TABLE		
NO	BEARING	LENGTH
L1	N26°06'40"E	7.12'
L2	N73°53'20"W	20.21'
L4	N89°33'16"W	11.01'
L5	N50°32'55"W	4.00'
L7	N50°32'55"W	11.29'
L8	N89°33'16"W	11.29'



DETAIL B
NOT TO SCALE



DETAIL A
NOT TO SCALE

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

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——— - ———	MONUMENT LINE
——— – – ———	CITY LIMIT LINE
- - - - - -	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
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⊙	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
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DN	DOCUMENT NUMBER
PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

NOTES

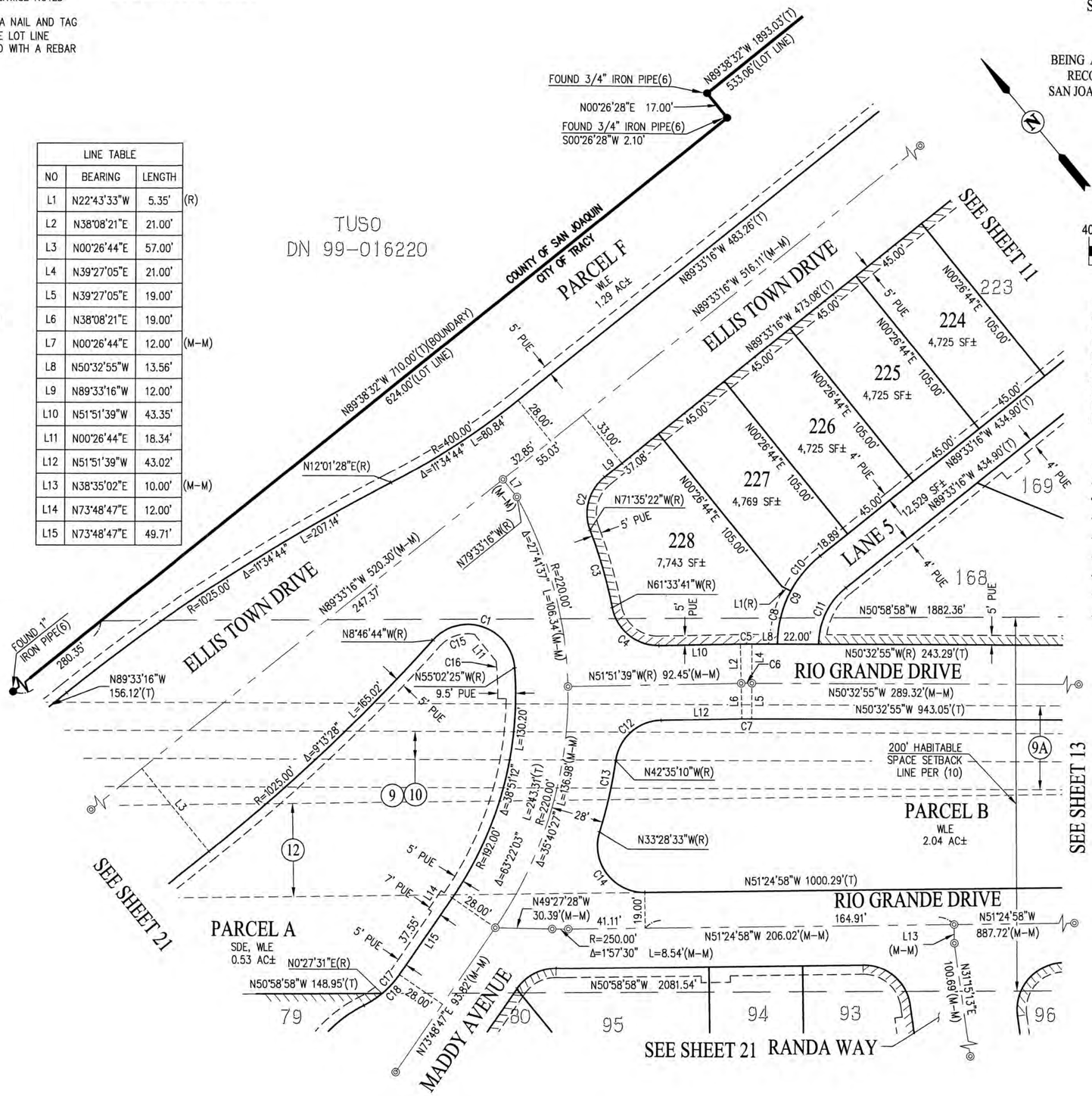
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REFERENCES:

SEE SHEET 3 FOR REFERENCES

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C1	25.00'	133°44'19"	58.35'	
C2	25.00'	72°02'06"	31.43'	
C3	248.00'	10°01'41"	43.41'	
C4	25.00'	80°17'58"	35.04'	
C5	271.00'	1°18'44"	6.21'	
C6	250.00'	1°18'44"	5.73'	(M–M)
C7	231.00'	1°18'44"	5.29'	
C8	61.00'	27°49'22"	29.62'	
C9	61.00'	50°59'39"	54.29'	
C10	61.00'	23°10'17"	24.67'	
C11	39.00'	50°59'39"	34.71'	
C12	25.00'	80°43'31"	35.22'	
C13	248.00'	9°06'37"	39.43'	
C14	25.00'	107°56'25"	47.10'	
C15	20.00'	58°23'36"	20.38'	
C16	182.50'	6°16'44"	20.00'	
C17	50.00'	15°43'42"	13.73'	
C18	50.00'	29°03'24"	25.36'	(T)

LINE TABLE			
NO	BEARING	LENGTH	
L1	N22°43'33"W	5.35'	(R)
L2	N38°08'21"E	21.00'	
L3	N00°26'44"E	57.00'	
L4	N39°27'05"E	21.00'	
L5	N39°27'05"E	19.00'	
L6	N38°08'21"E	19.00'	
L7	N00°26'44"E	12.00'	(M–M)
L8	N50°32'55"W	13.56'	
L9	N89°33'16"W	12.00'	
L10	N51°51'39"W	43.35'	
L11	N00°26'44"E	18.34'	
L12	N51°51'39"W	43.02'	
L13	N38°35'02"E	10.00'	(M–M)
L14	N73°48'47"E	12.00'	
L15	N73°48'47"E	49.71'	



BASIS OF BEARINGS:

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LEGEND

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——— – – ———	MONUMENT LINE
——— – – ———	CITY LIMIT LINE
-------	TIE LINE
////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
⊙	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
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DN	DOCUMENT NUMBER
PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2
SDE	STORM DRAIN EASEMENT

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

NOTES

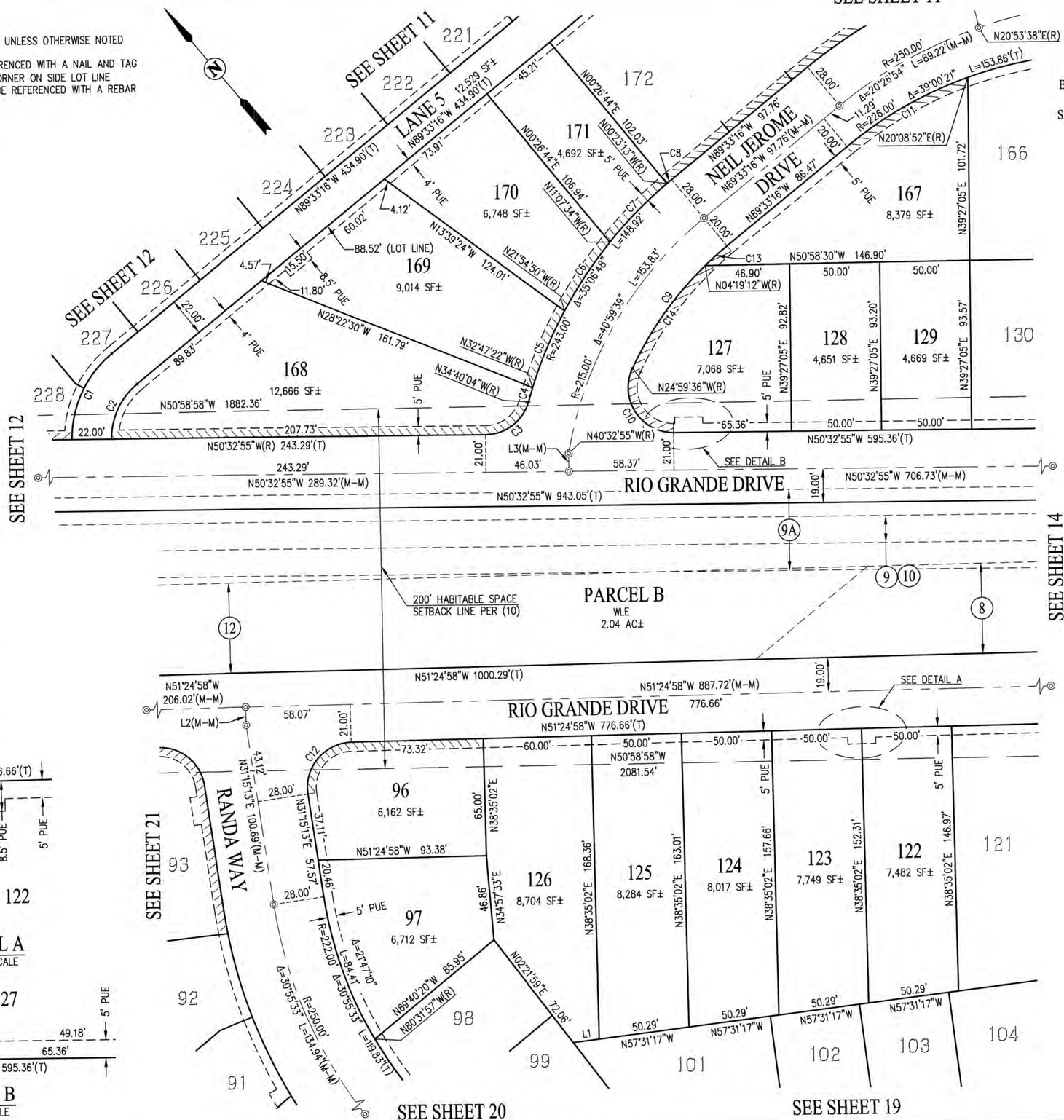
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REFERENCES:

SEE SHEET 3 FOR REFERENCES

LINE TABLE			
NO	BEARING	LENGTH	
L1	N57°31'17"W	14.54'	
L2	N38°35'02"E	10.00'	(M–M)
L3	N39°27'05"E	10.00'	(M–M)
L4	N50°32'55"W	0.69'	

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	61.00'	50°59'39"	54.29'
C2	39.00'	50°59'39"	34.71'
C3	25.00'	74°07'09"	32.34'
C4	243.00'	1°52'42"	7.97'
C5	243.00'	10°52'32"	46.12'
C6	243.00'	10°47'16"	45.75'
C7	243.00'	10°44'21"	45.55'
C8	243.00'	0°49'57"	3.53'
C9	195.00'	25°26'20"	86.58'
C10	25.00'	115°33'19"	50.42'
C11	226.00'	19°42'08"	77.72'
C12	25.00'	97°19'49"	42.47'
C13	195.00'	4°45'56"	16.22'
C14	195.00'	20°40'24"	70.36'



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(123.45')	RECORD DATA AS NOTED
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(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

JOB NO. 1725-000

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

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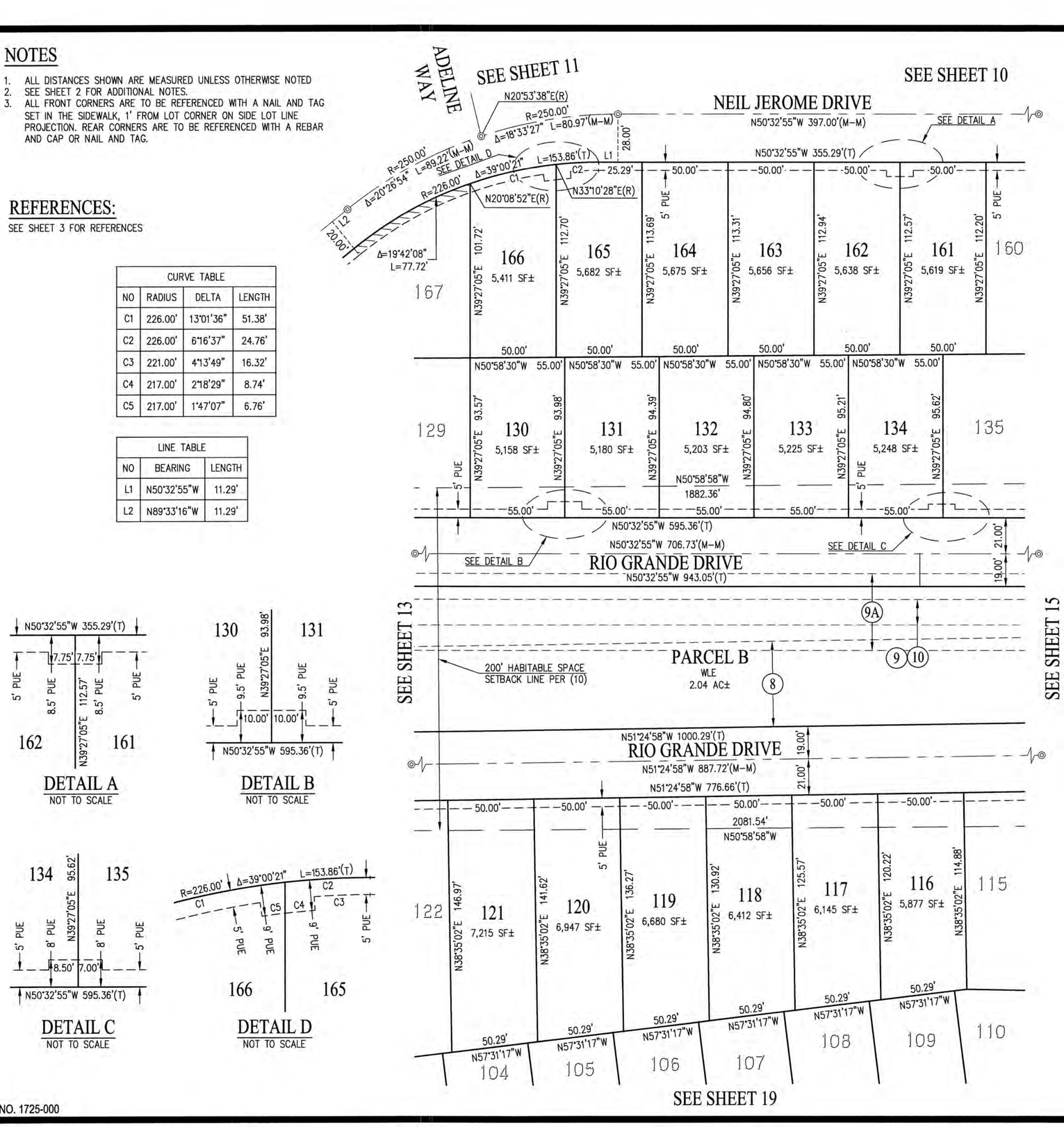
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REFERENCES:

SEE SHEET 3 FOR REFERENCES

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	226.00'	13°01'36"	51.38'
C2	226.00'	6°16'37"	24.76'
C3	221.00'	4°13'49"	16.32'
C4	217.00'	2°18'29"	8.74'
C5	217.00'	1°47'07"	6.76'

LINE TABLE		
NO	BEARING	LENGTH
L1	N50°32'55"W	11.29'
L2	N89°33'16"W	11.29'



DETAIL A
NOT TO SCALE

DETAIL B
NOT TO SCALE

DETAIL C
NOT TO SCALE

DETAIL D
NOT TO SCALE

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

———	BOUNDARY LINE
———	LOT LINE/RIGHT-OF-WAY LINE
- - - - - -	EASEMENT LINE
——— · ———	MONUMENT LINE
——— - - ———	CITY LIMIT LINE
·····	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
⊗	STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
DN	DOCUMENT NUMBER
PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SACRAMENTO ▪ (916) 375-1877
WWW.CBANDG.COM

SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

NOTES

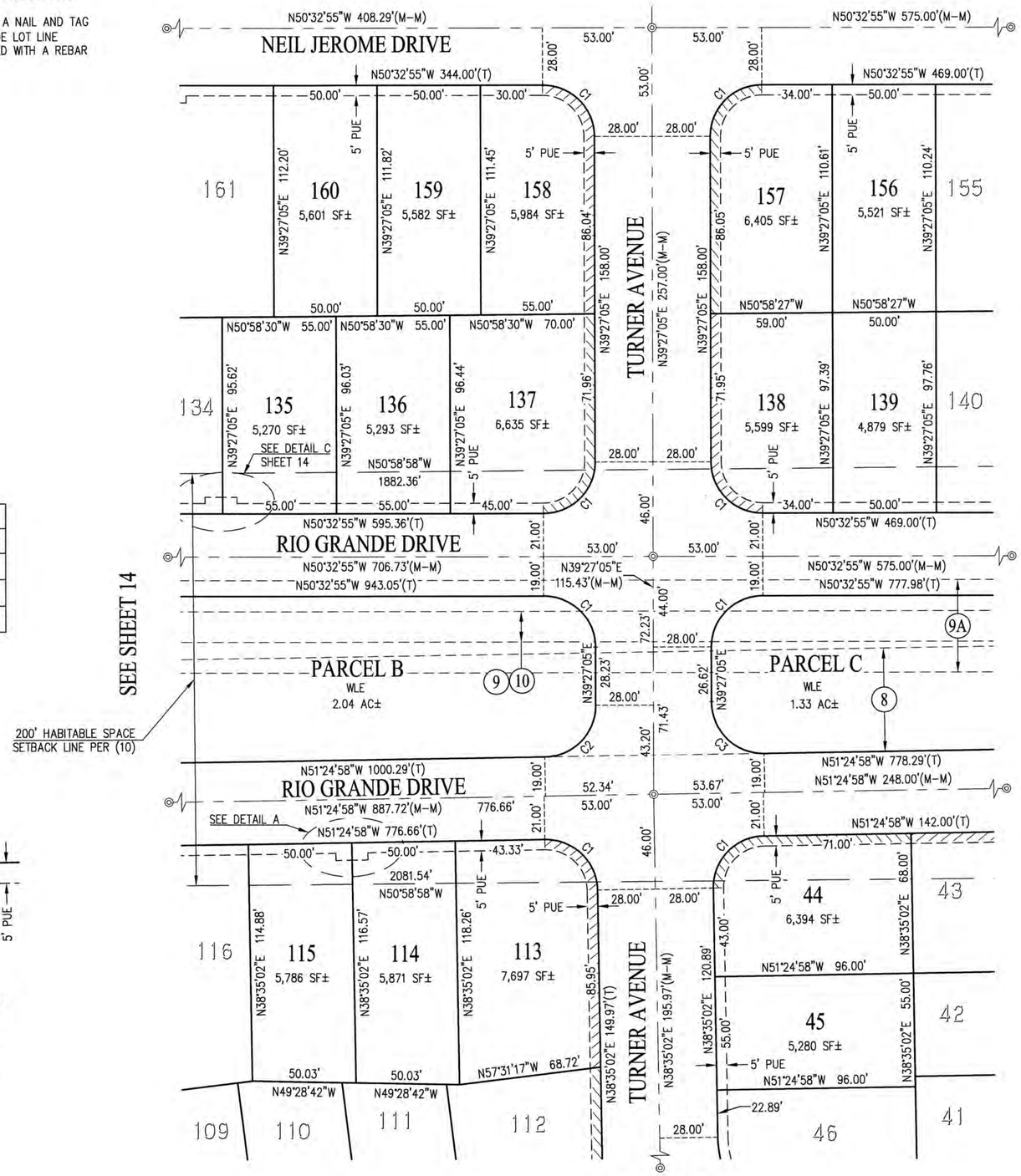
1. ALL DISTANCES SHOWN ARE MEASURED UNLESS OTHERWISE NOTED
2. SEE SHEET 2 FOR ADDITIONAL NOTES.
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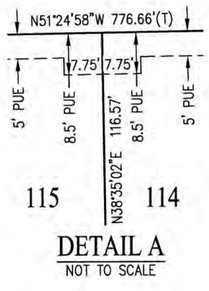
REFERENCES:

SEE SHEET 3 FOR REFERENCES

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	25.00'	90°00'00"	39.27'
C2	25.00'	89°07'57"	38.89'
C3	25.00'	90°52'03"	39.65'

SEE SHEET 10





DETAIL A
NOT TO SCALE

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

———	BOUNDARY LINE
———	LOT LINE/RIGHT-OF-WAY LINE
– – – – –	EASEMENT LINE
——— – – ———	MONUMENT LINE
——— – – ———	CITY LIMIT LINE
----------	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
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●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
⊠	STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
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AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

SEE SHEET 19

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

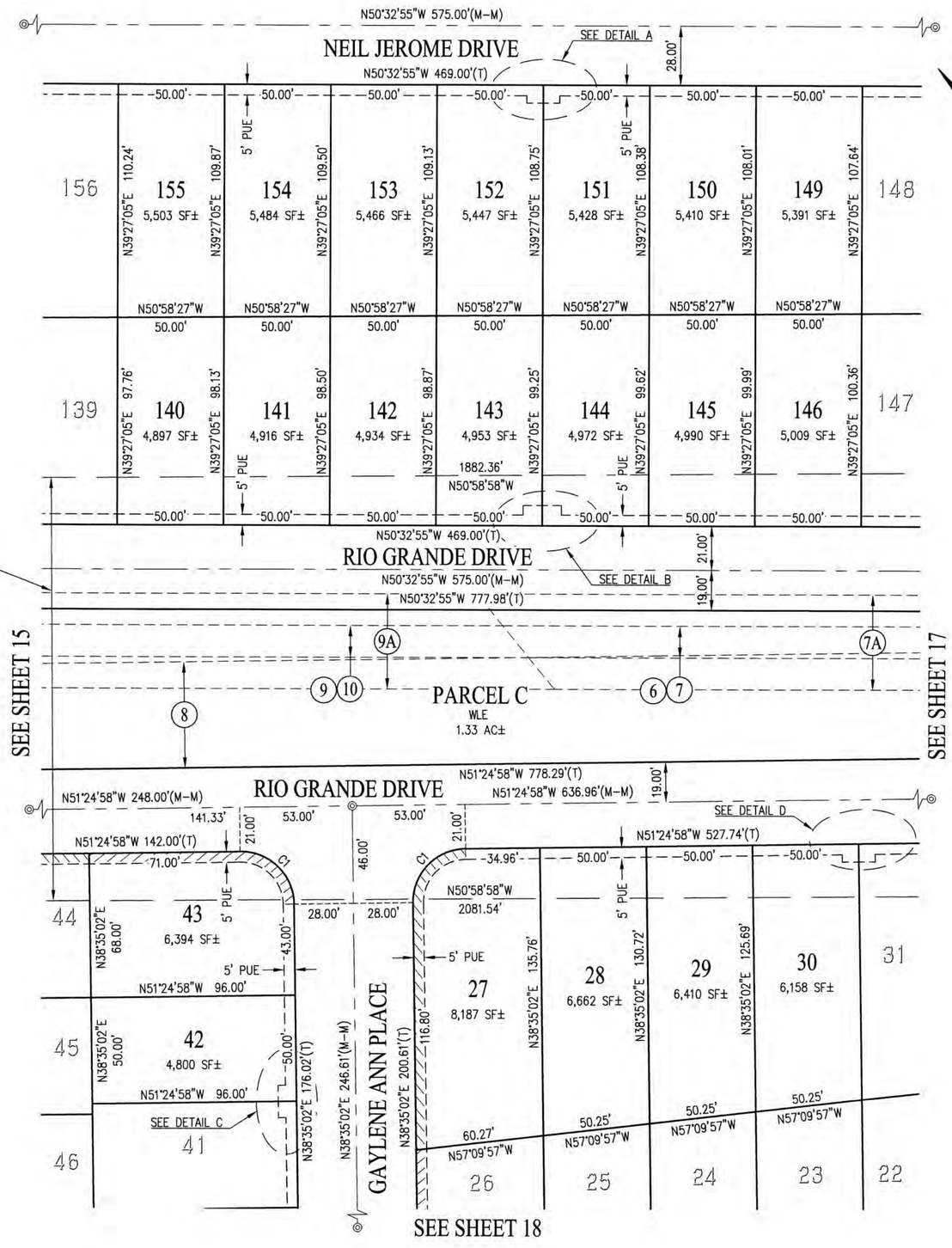
NOTES

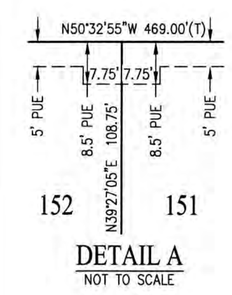
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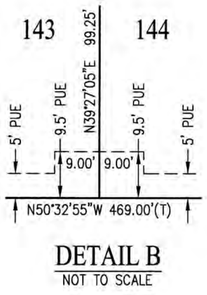
REFERENCES:

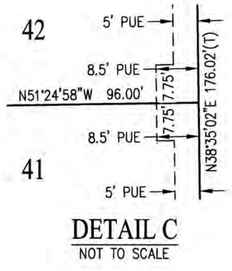
SEE SHEET 3 FOR REFERENCES

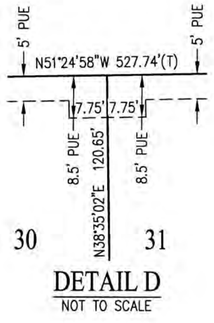
CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	25.00'	90°00'00"	39.27'











BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

———	BOUNDARY LINE
———	LOT LINE/RIGHT-OF-WAY LINE
- - - - - -	EASEMENT LINE
——— - - ———	MONUMENT LINE
——— - - ———	CITY LIMIT LINE
———	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
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PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

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SCALE: 1" = 40' MAY 2021

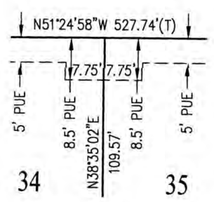
40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

NOTES

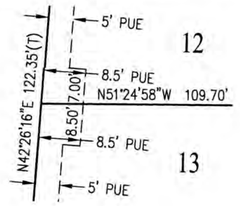
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2. SEE SHEET 2 FOR ADDITIONAL NOTES.
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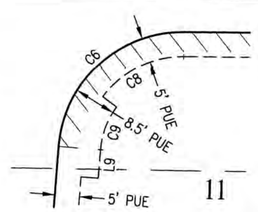
SEE SHEET 3 FOR REFERENCES



DETAIL A
NOT TO SCALE



DETAIL B
NOT TO SCALE



DETAIL C
NOT TO SCALE



BASIS OF BEARINGS:

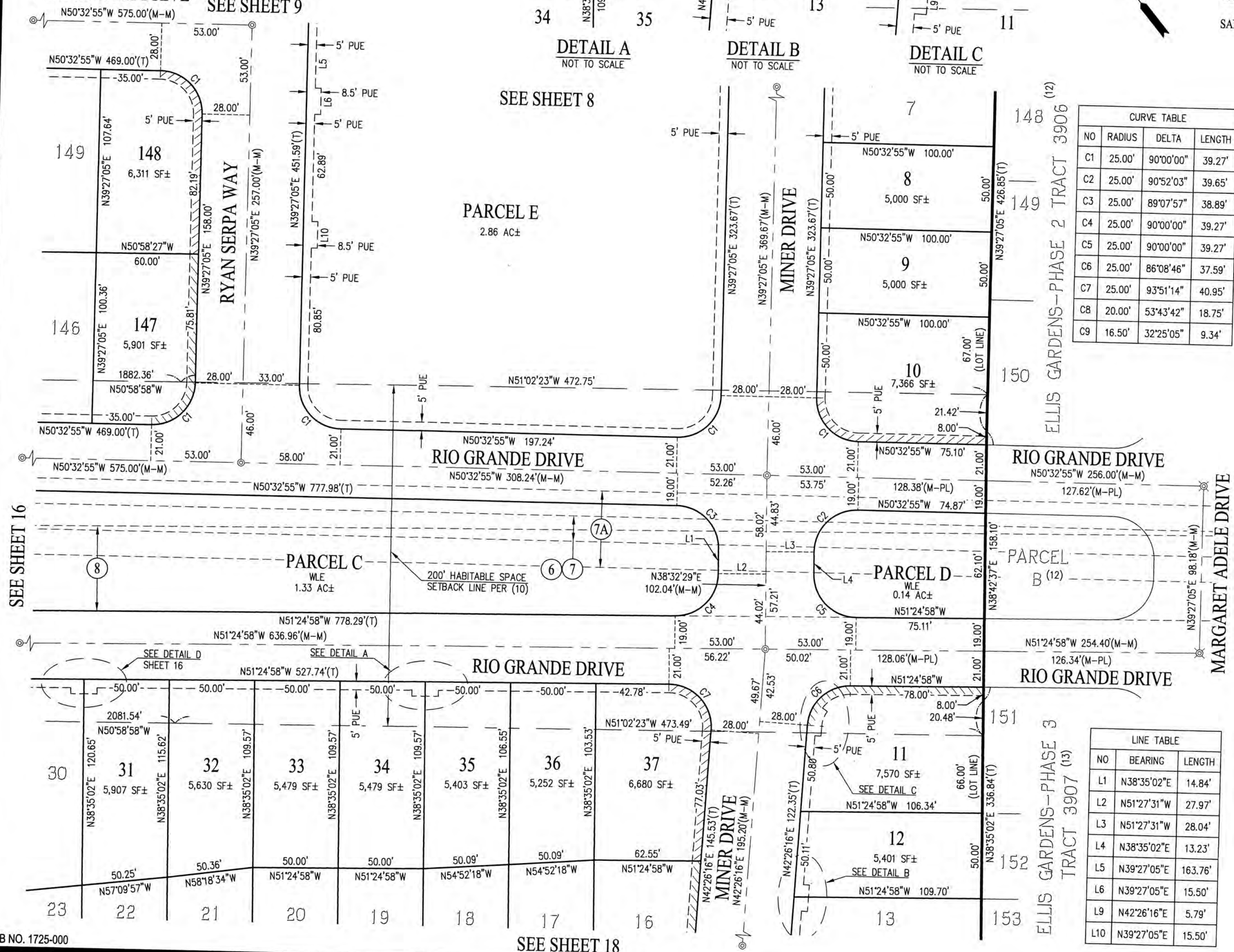
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CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	25.00'	90°00'00"	39.27'
C2	25.00'	90°52'03"	39.65'
C3	25.00'	89°07'57"	38.89'
C4	25.00'	90°00'00"	39.27'
C5	25.00'	90°00'00"	39.27'
C6	25.00'	86°08'46"	37.59'
C7	25.00'	93°51'14"	40.95'
C8	20.00'	53°43'42"	18.75'
C9	16.50'	32°25'05"	9.34'

LEGEND

- BOUNDARY LINE
- LOT LINE/RIGHT-OF-WAY LINE
- EASEMENT LINE
- MONUMENT LINE
- CITY LIMIT LINE
- TIE LINE
- RESTRICTED ACCESS
- (#) REFERENCE NUMBER
- (123.45') RECORD DATA AS NOTED
- (T) TOTAL
- (R) RADIAL
- (M-M) MONUMENT TO MONUMENT
- (M-PL) MONUMENT TO PROPERTY LINE
- ◉ FOUND STANDARD STREET MONUMENT, AS NOTED
- ● FOUND MONUMENT, AS NOTED
- ◎ SET STANDARD STREET MONUMENT, LS 7960
- ○ SET REBAR AND CAP, LS 7960
- ⊗ STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
- DN DOCUMENT NUMBER
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- AC ACRES
- SF SQUARE FEET
- WLE WATER LINE EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- (1) EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

LINE TABLE		
NO	BEARING	LENGTH
L1	N38°35'02"E	14.84'
L2	N51°27'31"W	27.97'
L3	N51°27'31"W	28.04'
L4	N38°35'02"E	13.23'
L5	N39°27'05"E	163.76'
L6	N39°27'05"E	15.50'
L9	N42°26'16"E	5.79'
L10	N39°27'05"E	15.50'



JOB NO. 1725-000

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'
GRAPHIC SCALE

LEGEND

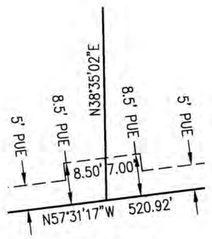
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———	LOT LINE/RIGHT-OF-WAY LINE
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//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
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(M–M)	MONUMENT TO MONUMENT
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(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

NOTES

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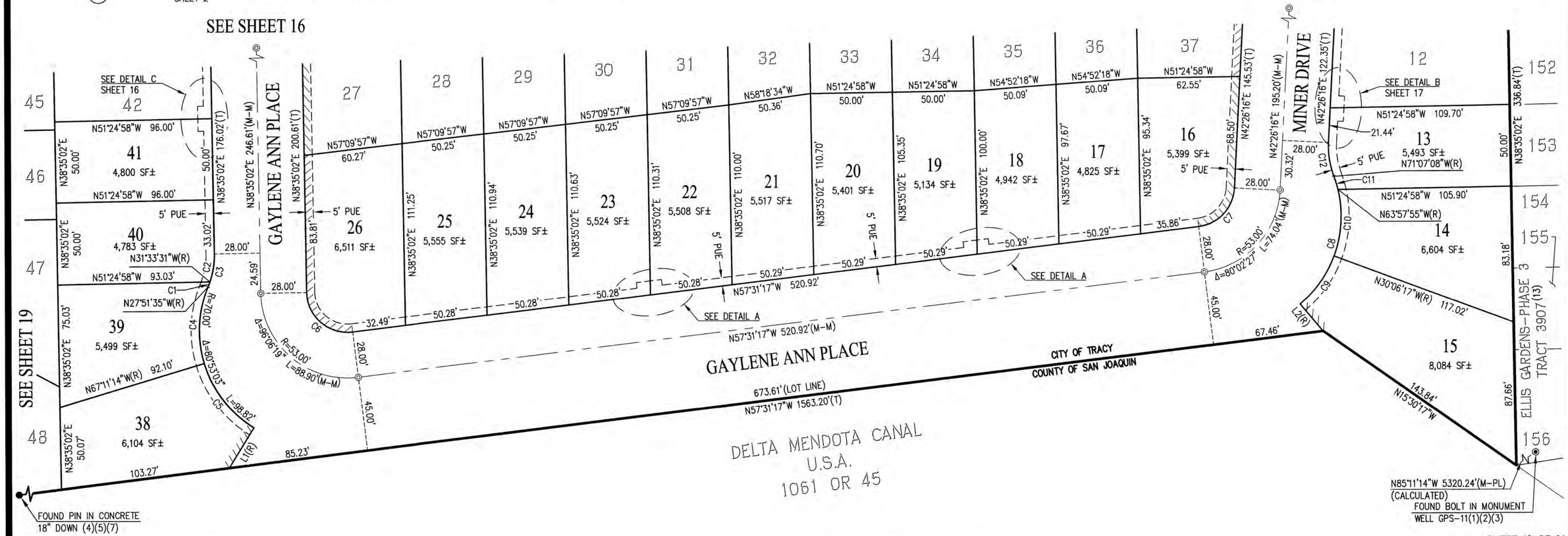
DETAIL A
NOT TO SCALE

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	50.00'	3°41'56"	3.23'
C2	50.00'	19°51'27"	17.33'
C3	50.00'	23°33'23"	20.56'
C4	70.00'	39°19'39"	48.05'
C5	70.00'	41°33'24"	50.77'
C6	25.00'	96°06'19"	41.93'
C7	25.00'	80°02'27"	34.92'
C8	70.00'	70°41'33"	86.37'
C9	70.00'	29°40'42"	36.26'
C10	70.00'	33°51'38"	41.37'
C11	70.00'	7°09'13"	8.74'
C12	50.00'	23°33'24"	20.56'

LINE TABLE			
NO	BEARING	LENGTH	
L1	N71°15'22"E	28.77'	(R)
L2	N00°25'35"W	21.71'	(R)

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.



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SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

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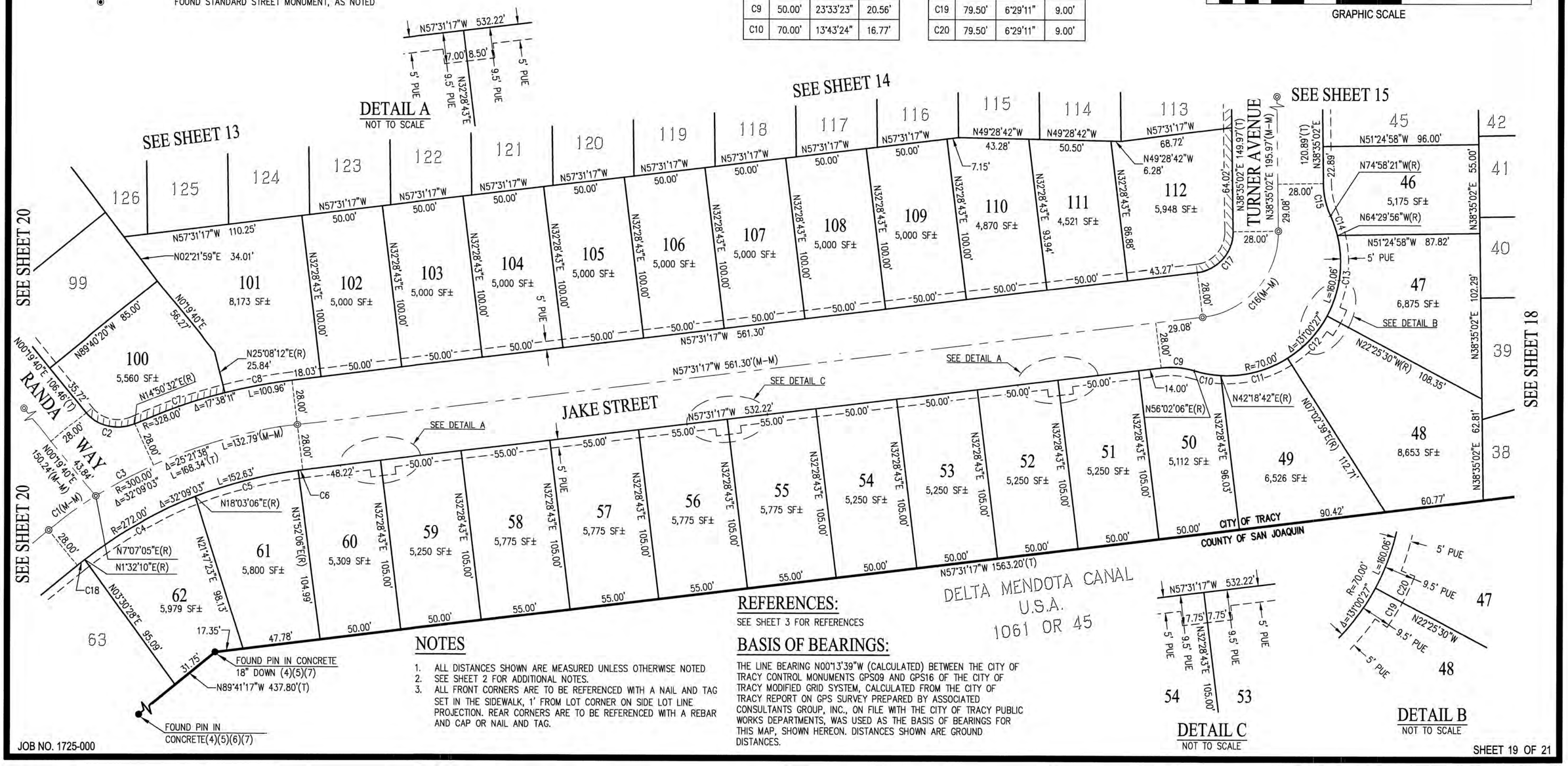
GRAPHIC SCALE

LEGEND

———	BOUNDARY LINE	●	FOUND MONUMENT, AS NOTED
———	LOT LINE/RIGHT-OF-WAY LINE	◎	SET STANDARD STREET MONUMENT, LS 7960
– – – –	EASEMENT LINE	○	SET REBAR AND CAP, LS 7960
——— – – ———	MONUMENT LINE	⊠	STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
——— – – ———	CITY LIMIT LINE	DN	DOCUMENT NUMBER
----------	TIE LINE	PUE	PUBLIC UTILITY EASEMENT
//////////	RESTRICTED ACCESS	AC	ACRES
(#)	REFERENCE NUMBER	SF	SQUARE FEET
(123.45')	RECORD DATA AS NOTED	WLE	WATER LINE EASEMENT
(T)	TOTAL	EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(R)	RADIAL	(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2
(M–M)	MONUMENT TO MONUMENT		
(M–PL)	MONUMENT TO PROPERTY LINE		
◉	FOUND STANDARD STREET MONUMENT, AS NOTED		

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C1	300.00'	6°47'25"	35.55'	(M–M)
C2	25.00'	75°29'08"	32.94'	
C3	300.00'	7°43'27"	40.44'	
C4	272.00'	16°30'56"	78.40'	
C5	272.00'	13°49'00"	65.59'	
C6	272.00'	0°36'37"	2.90'	
C7	328.00'	10°17'40"	58.93'	
C8	328.00'	7°20'31"	42.03'	
C9	50.00'	23°33'23"	20.56'	
C10	70.00'	13°43'24"	16.77'	

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C11	70.00'	35°16'03"	43.09'	
C12	70.00'	29°28'09"	36.00'	
C13	70.00'	42°04'26"	51.40'	
C14	70.00'	10°28'25"	12.80'	
C15	50.00'	23°33'23"	20.56'	
C16	53.00'	83°53'41"	77.60'	(M–M)
C17	25.00'	83°53'41"	36.61'	
C18	272.00'	1°12'30"	5.74'	
C19	79.50'	6°29'11"	9.00'	
C20	79.50'	6°29'11"	9.00'	



REFERENCES:

SEE SHEET 3 FOR REFERENCES

NOTES

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BASIS OF BEARINGS:

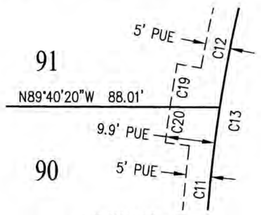
THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

NOTES

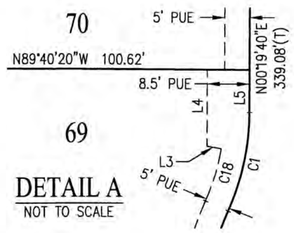
1. ALL DISTANCES SHOWN ARE MEASURED UNLESS OTHERWISE NOTED
2. SEE SHEET 2 FOR ADDITIONAL NOTES.
3. ALL FRONT CORNERS ARE TO BE REFERENCED WITH A NAIL AND TAG SET IN THE SIDEWALK, 1' FROM LOT CORNER ON SIDE LOT LINE PROJECTION. REAR CORNERS ARE TO BE REFERENCED WITH A REBAR AND CAP OR NAIL AND TAG.

REFERENCES:

SEE SHEET 3 FOR REFERENCES



DETAIL B
NOT TO SCALE

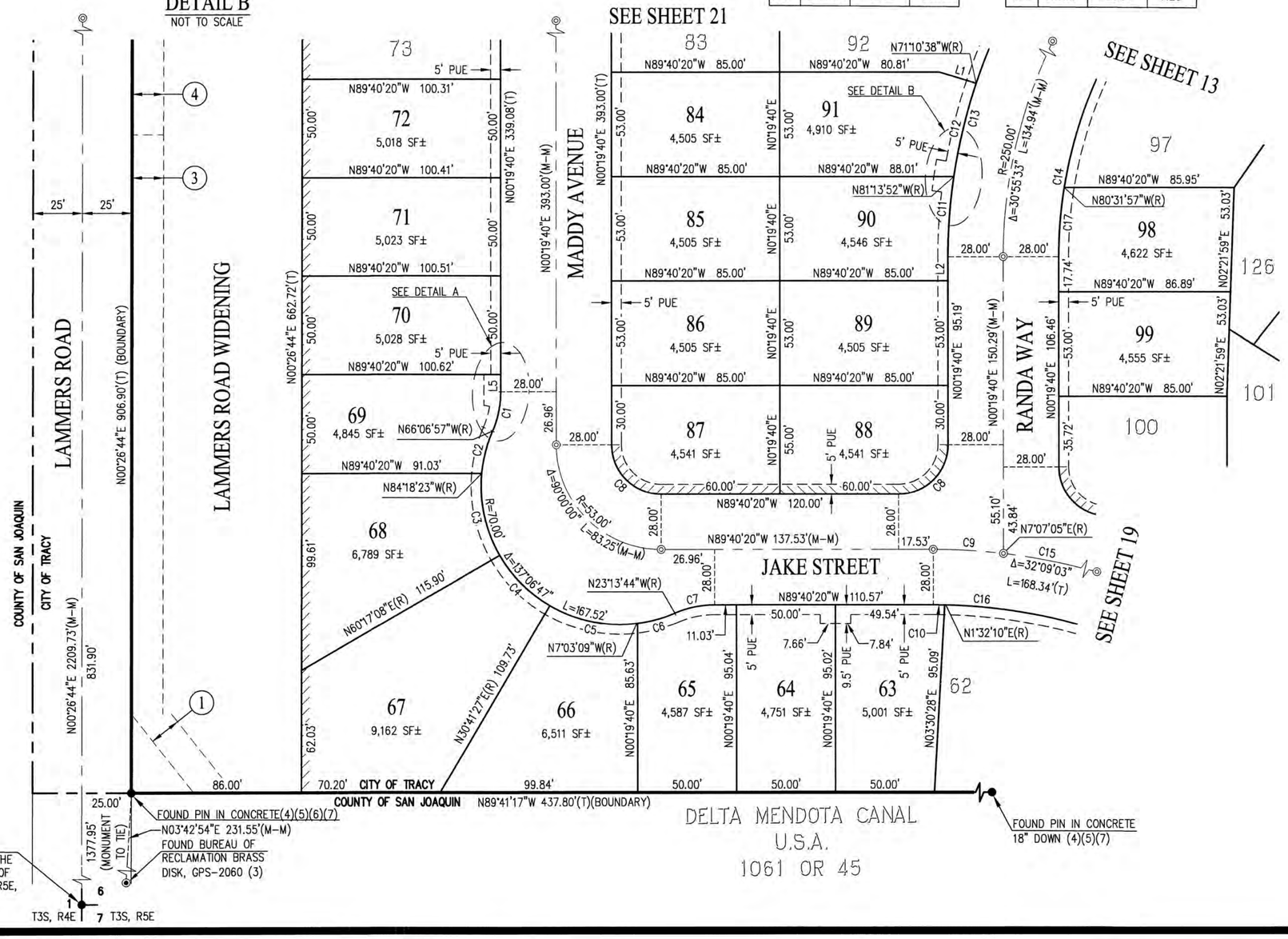


DETAIL A
NOT TO SCALE

LINE TABLE		
NO	BEARING	LENGTH
L1	N72°48'30"W	19.38'
L2	N00°19'40"E	12.19'
L3	N80°12'58"W	2.93'
L4	N00°19'40"E	15.50'
L5	N00°19'40"E	8.59'

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C1	50.00'	23°33'23"	20.56'	
C2	70.00'	18°11'26"	22.22'	
C3	70.00'	35°24'29"	43.26'	
C4	70.00'	29°35'41"	36.16'	
C5	70.00'	37°44'36"	46.11'	
C6	70.00'	16°10'35"	19.76'	
C7	50.00'	23°33'24"	20.56'	
C8	25.00'	90°00'00"	39.27'	
C9	300.00'	6°47'25"	35.55'	(M–M)
C10	272.00'	1°12'30"	5.74'	

CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C11	278.00'	8°26'28"	40.96'	
C12	278.00'	10°03'14"	48.78'	
C13	278.00'	30°55'33"	150.05'	
C14	222.00'	30°55'33"	119.83'	(T)
C15	300.00'	25°21'38"	132.79'	(M–M)
C16	272.00'	32°09'03"	152.63'	(T)
C17	222.00'	9°08'23"	35.42'	
C18	45.00'	14°06'00"	11.07'	
C19	287.90'	1°45'15"	8.81'	
C20	287.90'	1°26'54"	7.28'	



TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

BEING A SUBDIVISION OF PARCELS 1, 2, 3, AND 4 OF THAT CERTAIN PARCEL MAP RECORDED ON AUGUST 27, 2019, IN BOOK 26 OF PARCEL MAPS, AT PAGE 145, SAN JOAQUIN COUNTY RECORDS, LYING WITHIN SECTION 6, TOWNSHIP 3 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

cbg
SAN RAMON • (925) 866-0322
SACRAMENTO • (916) 375-1877
WWW.CBANDG.COM
CIVIL ENGINEERS • SURVEYORS • PLANNERS

SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

———	BOUNDARY LINE
———	LOT LINE/RIGHT–OF–WAY LINE
– – – –	EASEMENT LINE
——— – – ———	MONUMENT LINE
——— – – ———	CITY LIMIT LINE
———	TIE LINE
//////////	RESTRICTED ACCESS
(#)	REFERENCE NUMBER
(123.45')	RECORD DATA AS NOTED
(T)	TOTAL
(R)	RADIAL
(M–M)	MONUMENT TO MONUMENT
(M–PL)	MONUMENT TO PROPERTY LINE
◉	FOUND STANDARD STREET MONUMENT, AS NOTED
●	FOUND MONUMENT, AS NOTED
◎	SET STANDARD STREET MONUMENT, LS 7960
○	SET REBAR AND CAP, LS 7960
⊗	STANDARD STREET MONUMENT, LS 7960 SET PER TRACT 3877, 3906 & 3907
DN	DOCUMENT NUMBER
PUE	PUBLIC UTILITY EASEMENT
AC	ACRES
SF	SQUARE FEET
WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2

JOB NO. 1725-000

TRACT NO. 4007

SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA

TOWN & COUNTRY

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SCALE: 1" = 40' MAY 2021

40' 0' 20' 40' 80' 160'

GRAPHIC SCALE

REFERENCES:

SEE SHEET 3 FOR REFERENCES

NOTES

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LINE TABLE		
NO	BEARING	LENGTH
L1	N33°22'46"E	6.68'
L2	N72°48'30"W	19.38'
L3	N75°08'43"W	18.31'
L4	N00°26'44"E	18.13'
L5	N75°08'43"W	7.20'
L6	N75°08'43"W	25.51'

LINE TABLE			
NO	BEARING	LENGTH	
L7	N38°35'02"E	10.00'	(M–M)
L8	N49°27'28"W	30.39'	(M–M)

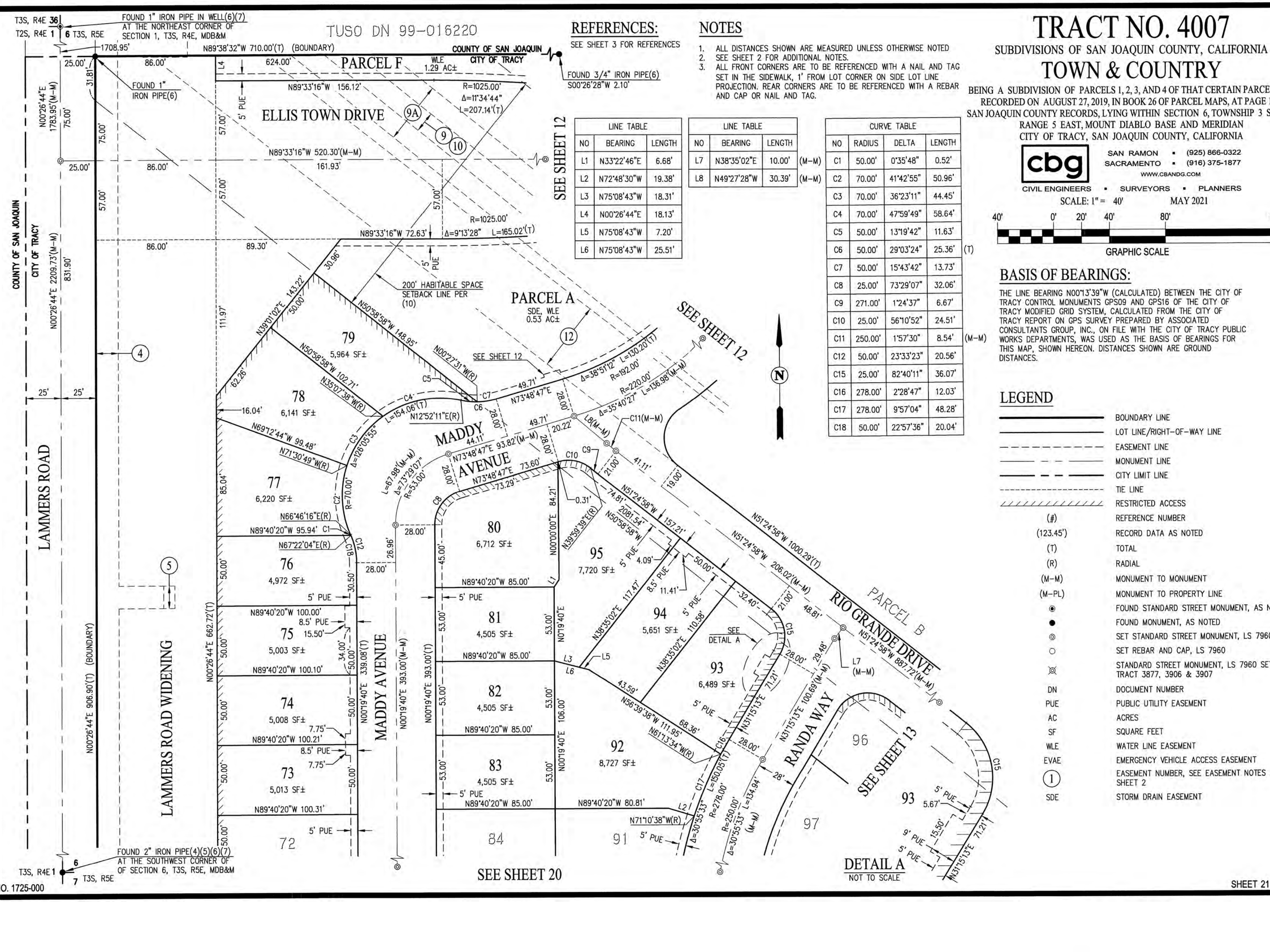
CURVE TABLE				
NO	RADIUS	DELTA	LENGTH	
C1	50.00'	0°35'48"	0.52'	
C2	70.00'	41°42'55"	50.96'	
C3	70.00'	36°23'11"	44.45'	
C4	70.00'	47°59'49"	58.64'	
C5	50.00'	13°19'42"	11.63'	
C6	50.00'	29°03'24"	25.36'	(T)
C7	50.00'	15°43'42"	13.73'	
C8	25.00'	73°29'07"	32.06'	
C9	271.00'	1°24'37"	6.67'	
C10	25.00'	56°10'52"	24.51'	
C11	250.00'	1°57'30"	8.54'	(M–M)
C12	50.00'	23°33'23"	20.56'	
C15	25.00'	82°40'11"	36.07'	
C16	278.00'	2°28'47"	12.03'	
C17	278.00'	9°57'04"	48.28'	
C18	50.00'	22°57'36"	20.04'	

BASIS OF BEARINGS:

THE LINE BEARING N00°13'39"W (CALCULATED) BETWEEN THE CITY OF TRACY CONTROL MONUMENTS GPS09 AND GPS16 OF THE CITY OF TRACY MODIFIED GRID SYSTEM, CALCULATED FROM THE CITY OF TRACY REPORT ON GPS SURVEY PREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENTS, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP, SHOWN HEREON. DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

———	BOUNDARY LINE
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WLE	WATER LINE EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
(1)	EASEMENT NUMBER, SEE EASEMENT NOTES ON SHEET 2
SDE	STORM DRAIN EASEMENT



Attachment C

Recorded at the request of
and after recording, return to:
City Clerk, City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
(No recording fee, under Government Code §27383)

City of Tracy
SUBDIVISION IMPROVEMENT AGREEMENT
Ellis Phase 3 - Town & Country Tract 4007 – Civil

This Subdivision Improvement Agreement (Agreement or SIA) is entered into between the City of Tracy, a municipal corporation (City), and LS-Tracy LLC, a Delaware limited liability company, (Subdivider).

Recitals

A. The Subdivider is currently the owner of the real property located at the western terminus of Ellis Town Drive (hereinafter "Property"), and more particularly described in Exhibit "A", attached and incorporated herein by its reference.

B. In accordance with the Subdivision Map Act (California Government Code sections 66410, *et seq.*) and the Subdivision Ordinance (Tracy Municipal Code, Title 12), the Subdivider has submitted to the City a Final Map (Final Map) for the Project known as Ellis Phase 3 - Town & Country, Tract 4007 (the "Project"). The Final Map was approved by the City Council on _____, 2021, by Resolution No. _____, is on file with the City Clerk, and is incorporated here by reference.

C. The Project is geographically located within the boundaries of the Tentative Map known as Tract 4007 (Tentative Map). The Tentative Map was prepared by The Surland Companies (the "Project Proponent") and approved by the Planning Commission on May 8, 2019, by Resolution No. 2019-012, is on file with the City Clerk, and is incorporated here by reference.

D. The Tentative Map approval was subject to certain conditions of approval (Conditions). The Conditions are attached here as Exhibit "B" and incorporated by reference.

E. Among other things, the Conditions describe improvements that are required for approval of the Final Map under the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards.

F. Improvement Plans and Specifications (which incorporate portions of the City's Standard Specifications) have been prepared on behalf of the Subdivider, and approved by the City Engineer. They describe in more detail the improvements that are required for approval of the Final Map. The Plans and Specifications, as approved by the City Engineer, are on file with the City Engineer, and are incorporated here by reference. The term "Plans and Specifications" includes: Ellis Phase 3 - Town & Country Improvement Plans, Tract 4007 prepared by CBG.

Landscape Plans and Specifications (which incorporate portions of the City's Standard Specifications) have been prepared on behalf of the Subdivider, and approved by the City Engineer. The Plans and Specifications, as approved by the City Engineer, are on file with the

City Engineer, and are incorporated here by reference. The term "Plans and Specifications" includes: Ellis Town & Country Phase 3A, Ellis Town & Country Phase 3B, and Ellis Town & Country Phase 3C Improvement Plans, Tract 4007 prepared by Gates + Associates.

Collectively, these Plans and Specifications are referred to herein as the "***Work***" or "***Scope of Work.***"

G. Because the required improvements have not been completed, the Subdivider has requested to execute this Agreement as authorized by Government Code section 66462.

Now therefore, the parties agree as follows:

1. **Scope of Work; Location.** The Subdivider shall perform, or cause to be performed, the Work described in the Plans and Specifications, Landscape Plans and Specifications, and the Conditions (Work), to the satisfaction of the City Engineer. The Work shall be performed, and all materials and labor shall be provided, at the Subdivider's expense, in the manner described in the Plans and Specifications. No change shall be made to the Scope of Work unless authorized in writing by the City Engineer. The Subdivider may submit a written request to the City Engineer for a change in the Scope of Work, as authorized by Tracy Municipal Code section 12.36.060(f).

   The Subdivider shall perform all Work at the locations and grades shown on the Plans and Specifications. The Subdivider (a) has acquired any necessary easement or right-of-way or (b) has entered into a separate Agreement with the City to acquire the necessary easement or right-of-way at the Subdivider's expense.

2. **Time of Performance.** Time is of the essence in the performance of the Work, and the timing requirements set forth here shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. The Subdivider shall submit all requests for extensions of time to the City, in writing, no later than ten days after the start of the condition that purportedly caused the delay, and not later than the date on which performance is due.

   2.1. **Commencement of Work**. No later than 15 days before the beginning of Work, the Subdivider shall provide written notice to the City Engineer of the date on which the Subdivider will begin Work. The Subdivider shall not begin Work until after the notice required by this section is properly provided, and the Subdivider shall not begin Work before the date specified in the written notice.

   2.2. **Schedule of Work.** Concurrently with the written notice of beginning of Work, the Subdivider shall provide the City with a written schedule of Work, which shall be updated in writing as necessary to accurately reflect the Subdivider's prosecution of the Work.

   2.3. **Completion of Work.** The Subdivider shall complete all Work by no later than 24 months after the City's execution of this Agreement.

   2.4. **Reversion to Acreage.** If the Subdivider fails to begin the Work before the date on which completion is due, the Subdivider shall, upon written request by the City, consent to the reversion to acreage of all real property described by the

Final Map, and the Subdivider shall bear the costs of processing and implementing the reversion.

3. **Improvement Security.** Concurrently with Subdivider's execution of this Agreement, and before beginning any Work, the Subdivider shall furnish contract security, in a form authorized by the Subdivision Map Act (including Government Code sections 66499 *et seq.*) and Tracy Municipal Code section 12.36.080, in the following amounts:

   3.1. **Faithful Performance** security in the amount of $18,860,000 to secure faithful performance of this Agreement (until the date on which the City Council accepts the Work as complete) under Government Code sections 66499.1, 66499.4, and 66499.9.

   3.2. **Labor and Material** security in the amount of $18,860,000 to secure payment by the Subdivider to laborers and materialmen under Government Code sections 66499.2, 66499.3, and 66499.4.

   3.3. **Warranty** security in the amount of $1,886,000 to secure faithful performance of this Agreement for one year from the date on which the City Council accepts the Work as complete, under Government Code sections 66499.1, 66499.4, and 66499.9.

   3.4. **Monumentation** security in the amount of $51,000 to secure faithful performance of setting monuments pursuant to Government Code section 66496.

4. **Indemnification.** Subdivider shall, to the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold harmless the City from and against any claims arising out of Subdivider's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole, active negligence or willful misconduct of the City.

   In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "Subdivider" means the Subdivider, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses in connection therein); and "Arising out of" includes "pertaining to" and "relating to".

   The provisions of this section survive completion of the services or the termination of this contract, and are not limited by the provisions of Section 5 relating to insurance.

5. **Insurance.** Concurrently with the execution of this Agreement by the Subdivider, and before beginning any Work, the Subdivider shall furnish evidence to the City that all of the following insurance requirements have been satisfied.

   5.1. **General.** The Subdivider shall, throughout the duration of this Agreement, maintain insurance to cover Subdivider, its agents, representatives, contractors, subcontractors, and employees in connection with the performance of services under this Agreement at the minimum levels set forth here.

   5.2. **Commercial General Liability** (with coverage at least as broad as ISO form CG 00 01) coverage shall be maintained in an amount not less than $12,000,000

general aggregate and $4,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage. The Subdivider shall also provide proof of "products/completed operations" coverage by renewing its General Commercial Liability coverage for at least three years after completion of the project.

5.3. **Automobile Liability** (with coverage at least as broad as ISO form CA 00 01, for "any auto") coverage shall be maintained in an amount not less than $2,000,000 per accident for bodily injury and property damage.

5.4. **Workers' Compensation** coverage shall be maintained as required by the State of California.

5.5. **Endorsements.** Subdivider shall obtain endorsements to the commercial general liability with the following provisions:

5.5.1. The City (including its elected and appointed officials, officers, employees, agents, and volunteers) shall be named as an Additional Insured.

5.5.2. For any claims related to this Agreement, Subdivider's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Subdivider's insurance and shall not contribute with it.

5.5.3. The Subdivider shall require its subcontractors to name it and the City as Additional Insureds.

5.6. **Notice of Cancellation.** Subdivider shall notify the City if the policy is canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy before the expiration shall be considered a cancellation. Subdivider shall immediately obtain a replacement policy.

5.7. **Authorized Insurers.** All insurance companies providing coverage to Subdivider shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California, with an AM Best rating of at least A-:VII.

5.8. **Insurance Certificate.** Subdivider shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance and endorsements, in a form satisfactory to the City Attorney before the City signs this Agreement.

5.9. **Substitute Certificates.** No later than 30 days before the policy expiration date of any insurance policy required by this Agreement, Subdivider shall provide a substitute certificate of insurance.

5.10. **Subdivider's Obligation.** Maintenance of insurance by the Subdivider as specified in this Agreement shall in no way be interpreted as relieving the Subdivider of any responsibility whatsoever (including indemnity obligations under this Agreement), and the Subdivider may carry, at its own expense, such additional insurance as it deems necessary.

6. **Independent Contractor Status.** Subdivider is an independent contractor and is solely responsible for the acts of its employees, agents, and subcontractors, including any negligent acts or omissions. Subdivider is not City's employee and Subdivider shall have no authority, express or implied, to act on behalf of the City as an agent, or to bind the City to any obligation, unless the City provides prior written authorization to Subdivider.

7. **Default.**

   7.1. Notice. If Subdivider is in default of this Agreement, as defined in Section 7.2, the City Engineer shall provide written notice to the Subdivider and the Subdivider's surety (if any) describing the default.

   7.2. Events of default. The Subdivider shall be in default of this Agreement if the City Engineer determines that any one of the following conditions exist:

      7.2.1. The Subdivider is insolvent, bankrupt, or makes a general assignment for the benefit of its creditors.

      7.2.2. The Subdivider abandons the Project site.

      7.2.3. The Subdivider fails to perform one or more requirements of this Agreement.

      7.2.4. The Subdivider fails to replace or repair any damage caused by Subdivider or its agents, representatives, contractors, subcontractors, or employees in connection with performance of the Work.

      7.2.5. The Subdivider violates any legal requirement related to the Work.

   7.3. If the Subdivider fails to cure the default within five days, or provide adequate written assurance to the satisfaction of the City Engineer that the cure will be promptly started and diligently prosecuted to its completion, the City may, in the discretion of the City Engineer, take any or all of the following actions:

      7.3.1. Cure the default and charge the Subdivider for the costs, including administrative costs and interest in an amount equal to 7% per annum from the date of default.

      7.3.2. Demand the Subdivider complete performance of the Work.

      7.3.3. Demand the Subdivider's surety (if any) complete performance of the Work.

8. **Ownership of Work.** All original documents prepared by Subdivider for this Agreement are the property of the City, and the Subdivider shall provide them to the City at the completion of Subdivider's Work, or upon demand from the City.

9. **Inspection by the City; Fees.** In order to permit the City to inspect the Work, the Subdivider shall, at all times, provide to the City proper and safe access to the Project

site, and all portions of the Work, and to all shops where portions of the Work are in preparation.

Concurrently with the execution of this Agreement by the Subdivider, and prior to the commencement of any Work, the Subdivider shall pay the City inspection fees toward costs in the amount of three and one-half percent (3-1/2%) of the estimated Project costs (as approved by the City Engineer) in accordance with the Tracy Municipal Code. . Per TMC Section 12.36.100(c)(iv), inspection fees may be increased to reflect current construction costs.

10. **Subdivider's Authorized Representative.** At all times during the progress of the Work, Subdivider shall have a competent foreperson or superintendent (Superintendent) on site with authority to act on behalf of the Subdivider. The Subdivider shall, at all times, keep the City Engineer informed in writing of the names and telephone numbers of: (a) the Superintendent; and (b) all contractors and subcontractors performing the Work.

11. **Acceptance of Work.** Before the City Council's acceptance of the Work, the Subdivider is solely responsible for maintaining the quality of the Work and maintaining safety at the Project site. The Subdivider's obligation to perform the Work is not satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied, all outstanding fees and charges have been paid, and the City Council has accepted the Work as complete.

12. **Warranty Period.** The Subdivider shall warrant the quality of the Work, in accordance with the terms of the Plans and Specifications, for a period of one year after acceptance of the Work by the City Council. If during the one year warranty period any portion of the Work is determined by the City Engineer to be defective as a result of an obligation of the Subdivider, the Subdivider shall be in default.

13. **Miscellaneous.**

13.1. **Notices.** All notices, demands, or other communications that this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or mailed to the other party as follows:

City: City of Tracy
Attn: City Engineer
333 Civic Center Plaza
Tracy, CA 95376

Subdivider: LS-Tracy LLC
Attn: Josh Santos
3130 Crow Canyon Pl, Suite 325
San Ramon, CA 94583
Tel: (925) 369-0221
Email: jsantos@landsea.us

Copy to: City Attorney's Office
Attn: City Attorney
333 Civic Center Plaza
Tracy, CA 95376

Copy to: Landsea Homes
Attn: Franco Tenerelli
660 Newport Center Dr. Suite 300
Newport Beach, CA 92660
Tel: (949) 345-8080
Email:ftenerelli@landseahomes.com

Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the address designated above, or (2) three working days after the deposit in the United States Mail of registered or certified mail, sent to the address designated above.

13.2 Modifications. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.

13.3 Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

13.4 Assignment and Delegation. This Agreement and any portion of it may not be assigned or transferred, nor shall any of the Subdivider's duties be delegated, without the City's prior written consent. Any attempt to assign or delegate this Agreement without the City's written consent shall be void and of no effect. A consent by the City to one assignment shall not be deemed to be a consent to any subsequent assignment.

13.5 Jurisdiction and Venue. The interpretation, validity and enforcement of the Agreement shall be governed by the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Joaquin.

13.6 Attorney's Fees. If legal action is begun to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.

13.7 Permits, Licenses, and Compliance with Law. The Subdivider shall, at the Subdivider's expense, obtain and maintain all necessary permits and licenses for the performance of the Work. Before City signs the Agreement, the Subdivider shall obtain a City of Tracy Business License. The Subdivider shall comply with all local, state, federal, and applicable laws, whether or not those laws are expressly stated in this Agreement.

13.8 Entire Agreement; Severability. This Agreement, including all documents incorporated by reference, comprises the entire integrated understanding between the parties concerning the improvements to be constructed for this Project. This Agreement supersedes all prior negotiations, representations, or agreements.

If a term of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in effect.

Remainder of page left intentionally blank

14. Signatures. The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity and authority to execute this Agreement. This Agreement shall inure to the benefit of and be binding upon the parties and their successors and assigns.

The parties agree to the full performance of the terms set forth here.

City of Tracy

_____

Nancy Young, Mayor

Date: _____

Approved by City Council on _____ by Resolution No. _____.]

Attest:

_____

By: Adrianne Richardson, City Clerk

Approved As To Form:

_____

By: Leticia Ramirez, City Attorney

Subdivider

LS-TRACY LLC:

LS-TRACY LLC, A DELAWARE LIMITED LIABILITY COMPANY

By: _____

Josh Santos
Division President

Date: March 8, 2021

Federal Employer Tax ID No. 85-3666716

Exhibit A - Legal Description of the Property
Exhibit B – Conditions of Approval

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)SS
COUNTY OF CONTRA COSTA)

On March 8, 2021, before me, J. Fulop, Notary Public,
personally appeared Josh Santos, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

J. FULOP
Notary Public - California
Alameda County
Commission # 2303543
My Comm. Expires Sep 27, 2023

This area for official notarial seal

EXHIBIT "A"
Page 1 of 1

FEBRUARY 24, 2021
JOB NO.: 1725-070

EXHIBIT A
PROPERTY DESCRIPTION
PARCELS 1, 2, 3, AND 4 (26 PM 145)
TRACY, CALIFORNIA

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF TRACY, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF PARCELS 1, 2, 3 AND 4, AS SAID PARCELS ARE SHOWN AND SO DESIGNATED ON THAT CERTAIN PARCEL MAP FILED FOR RECORD AUGUST 27, 2019 IN BOOK 26 OF PARCEL MAPS AT PAGE 145, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY.

END OF DESCRIPTION



SABRINA KYLE PACK, P.L.S.
L.S. NO. 8164

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Exhibit 1

City of Tracy
Conditions of Approval
Ellis Phase 3 (Town & Country)
Tentative Subdivision Map
Application Number TSM18-0005
May 8, 2019

These Conditions of Approval shall apply to the Tentative Subdivision Map for Ellis Phase 3 (Town & Country), Application Number TSM18-0005, consisting of approximately 73.64 acres in the Ellis Specific Plan Area, including approximately 310 residential lots, two parks and five other parcels, located between Corral Hollow Road and Lammers Road in the vicinity of Ellis Town Drive, Assessor's Parcel Number 240-140-47.

A. The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Subdivider".

2. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, the Development Services Director, or the City Engineer, to perform the duties set forth herein.

3. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director, to perform the duties set forth herein.

4. "EFIP" means the finance and implementation plan (titled "Ellis Program Area Finance and Implementation Plan") approved by the City Council on August 20, 2013 by Resolution 2013-136, and any amendments.

5. "EDA" means the development agreement (titled "Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC") approved by the City Council on March 19, 2013 by the adoption of Ordinance 1182, and any amendments.

6. "ESP" means the specific plan (titled "Ellis Specific Plan") approved by the City Council on January 22, 2013 by Resolution 2013-012, and any amendments.

7. "FEIR" means the Final Environmental Impact Report (titled "City of Tracy Modified Ellis Project Final Revised Environmental Impact Report"), bearing the State Clearing House Number 2012022023, certified by the City Council on January 22, 2013 by Resolution 2013-011, as adequate and in compliance with the California Environmental Quality Act (CEQA).

8. "Applicable Law" shall have the meaning set forth in section 1.03 of the EDA.

9. "Conditions of Approval" or "Conditions" means these conditions of approval.

10. "Project" means the Tentative Subdivision Map for Ellis Phase 3 (Town & Country), Application Number TSM18-0005, consisting of approximately 73.64 acres in the ESP Area, including approximately 310 residential lots, two parks, and five other parcels,

located between Corral Hollow Road and Lammers Road in the vicinity of Ellis Town Drive, Assessor's Parcel Number 240-140-47.

11. "Property" means the property shown on the Tentative Subdivision Map for Ellis Phase 3 (Town & Country), Application Number TSM18-0005, consisting of approximately 73.64 acres in the ESP Area, including approximately 310 residential lots, two parks, and five other parcels, located between Corral Hollow Road and Lammers Road in the vicinity of Ellis Town Drive, Assessor's Parcel Number 240-140-47.

12. "Subdivider" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. "Subdivider" also means the Developer, which shall include the Owner as described in the Preamble to the EDA, and all successors in interest.

B. Planning Division Conditions of Approval

1. Compliance with laws. The Subdivider shall comply with all Applicable Law.

2. Mitigation Measures. The Subdivider shall comply with all mitigation measures applicable to the Project in the FEIR, which was certified by the City Council on January 22, 2013 (SCH#2012022023).

3. Notice of protest period. Pursuant to Government Code Section 66020, including Section 66020 (d)(1), the City HEREBY NOTIFIES the Subdivider that the 90-day approval period (in which the Subdivider may protest the imposition of any fees, dedications, reservations, or other exactions that are within the purview of the Mitigation Fee Act [Government Code section 66000 et seq.] ("Exactions") and imposed on this Project by these Conditions of Approval) shall commence on the date of the conditional approval of this Project. If the Subdivider fails to file a protest of the Exactions within this 90-day period, which protest complies with all of the requirements of Government Code Section 66020, the Subdivider will be legally barred from later challenging any of the Exactions. The terms of this paragraph shall not affect any other deadlines or statutes of limitations set forth in the Mitigation Fee Act or other applicable law, or constitute a waiver of any affirmative defenses available to the Developer.

4. Conformance with Tentative Subdivision Map. All Final Maps shall be in substantial conformance with the approved Tentative Subdivision Map, which was received by the Development Services Department on May 2, 2019, and approved by the Planning Commission on May 8, 2019, unless modified herein by these Conditions of Approval.

5. Annexation to City of Tracy Community Facilities District No. 2016-2 (ECFD). Before final inspection or occupancy of the first dwelling (except for up to twelve model homes), the Subdivider shall, at its expense, annex, or cause to be annexed, the Property into the City of Tracy Community Facilities District No. 2016-2 (ECFD) (herein, the "CFD"). The Property is identified as part of the "Future Annexation Area" of the CFD, and therefore shall be annexed using the unanimous consent provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"). The Property may be annexed to an existing improvement area or to a new improvement area of the CFD, as contemplated by the proceedings forming the CFD. In annexing the Property to the CFD through the unanimous consent

process, the Subdivider will authorize the recordation of a Notice of Special Tax Lien on the Property evidencing the lien of the CFD. Upon successful annexation, the Property will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment approved for the improvement area in which the Property is annexed. The CFD, including any new improvement area in which the Property is annexed, is authorized to finance both public facilities and public landscaping. If funds are needed to pay for facilities or services authorized to be funded by the CFD before the CFD has collected sufficient special taxes from the Property to fully pay for such facilities or services in accordance with the Rate and Method of Apportionment, the Ellis CFD budget for landscape strips, and parks, and in accordance with the Ellis maintenance manual guidelines, the Subdivider shall deposit with the City, prior to the final inspection of, or issuance of a certificate of occupancy for (whichever occurs first), the first residential unit in the Project (except for up to twelve model homes), an amount mutually agreed upon by the City and Subdivider to fund the facilities and/or services until such time as the CFD has collected sufficient special taxes from the Property to fund such facilities and/or services in accordance with the Rate and Method of Apportionment, and Ellis CFD budget for landscape strips, and parks that require funding. Compliance with this Condition No. 6 shall satisfy the requirements for a funding mechanism for public landscaping of the Property.

6. The Subdivider shall maintain the hammerhead turn around at the dead end of Granger Street until future development is under construction and through access is provided, to the satisfaction of the Fire Marshall.

C. None

D. None

E. Engineering Division Conditions of Approval

E.1. General Conditions

Subdivider shall comply with the applicable requirements of the approved documents, technical analyses/ reports prepared for the Project listed as follows:

a. Specific Plan, titled "*Modified Ellis Specific Plan*" ("ESP") approved by the City Council on January 22, 2013 by Resolution 2013-012, and any subsequent amendments.

b. Finance and implementation plan titled "*Ellis Program Area Finance and Implementation Plan*" ("EFIP") approved by the City Council on August 20, 2013 by Resolution 2013-136, and any amendments.

c. Development Agreement titled "Amended and Restated Development Agreement by and between City of Tracy and Surland Communities, LLC" ("EDA") approved by the City Council on March 19, 2013 by the adoption of Ordinance 1182, and any amendments, including the first amendment, adopted by City Council on June 3rd 2014 (Ordinance 1194), and the second amendment, adopted by City Council on March 13, 2018 (Ordinance 1253).

d. Final Environmental Impact Report titled "*City of Tracy Modified Ellis Project Final Revised Environmental Impact Report*" (EEIR"), bearing the State Clearing House Number 2012022023, certified by the City Council on January 22, 2013 by Resolution 2013-011, as adequate and in compliance with California Environmental Quality Act (CEQA).

e. *Ellis Program Sub-Basin – Final Storm Drainage Technical Report* dated September 2012, and *Reevaluation of program Storm Drainage Infrastructure* dated August 4, 2015, and *Ellis Updated Retention Volume Analysis* dated April 15, 2019 by Storm Water Consulting, Inc., and any subsequent amendments. ("Storm Drainage Technical Report").

f. *Lammers Road/Ellis Town Drive Intersection* Technical Memorandum, prepared by Kimley-Horn & Associates, dated May 1, 2019, and any subsequent amendments. ("Traffic Memorandum").

E.2. Final Map

No Final Map within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the reasonable satisfaction of the City Engineer, that all the requirements set forth in these Conditions of Approval are completed, including, but not limited to the following:

E.2.1. Subdivider has submitted one (1) reproducible copy of the approved tentative subdivision map for the Project within ten (10) days after Subdivider's receipt of a notification of approval of the Tentative Subdivision Map. The signature of the owner of the Property on the Tentative Subdivision Map means consent to the preparation of the Tentative Subdivision Map and the proposed subdivision of the Property.

E.2.2. Each Final Map is prepared in accordance with the applicable requirements of the Tracy Municipal Code, these Conditions of Approval, the Ellis Specific Plan ("ESP"), Ellis Finance & Implementation Plan ("EFIP"), the Ellis Development Agreement ("EDA"), and in substantial conformance with the Tentative Subdivision Map, and Applicable Law.

E.2.3. Each Final Map includes and shows offer(s) of dedication of all right(s)-of-way and/or temporary or permanent easement(s) required to construct and serve the Project described by the Improvement Plans and Final Map, in accordance with Applicable Laws and these Conditions of Approval. If construction easement(s) is/are shown, it/they shall indicate the termination of the construction easement(s).

a. The Subdivider shall dedicate a 5-foot wide Public Utility Easement (PUE) along the lot frontages within the Property, the installation, repair, use, operation, and maintenance of other public utilities such as electric, gas, telephone, cable TV, and others. Larger private utility structures may require additional PUE "bump outs" to accommodate the structures.

b. The Subdivider shall coordinate with the respective owner(s) of the utilities including but not limited to PG&E, AT&T, and Comcast, for the

design and installation of these utilities within the Property. Engineering design and construction details of these utilities must be prepared as part of the joint utility trench plans to be submitted for City's review.

c. The Subdivider shall obtain the approval of all other public agencies with jurisdiction over the required public facilities.

d. Subdivider shall submit documentation for vacation or abandonment of existing easements that are shown on the Tentative Map to be abandoned.

E.2.4. All improvements on Lammers Road widening and safe transitions back to a two-lane roadway shall be located within existing City right-of-way or right-of-way dedication. If multiple final maps are to be filed, the Improvement Plans, as described above, must be prepared with a detailed phasing plan showing construction limits and logical sequence or order of constructing street and utilities improvements. The phasing plan shall clearly identify the improvements to be constructed with each construction phase.

E.2.5. Horizontal and vertical control for the Project shall be based upon the City of Tracy coordinate system and at least three 2nd order Class 1 control points establishing the "Basis of Bearing" and shown as such on the Final Map. The Final Map shall also identify surveyed ties from two of the horizontal control points to a minimum of two separate points adjacent to or within the Property described by the Final Map.

E.2.6. Subdivider has submitted a signed and stamped Engineer's Estimate that shows construction cost of subdivision improvements to be dedicated to the City.

E.2.7. Subdivider has submitted a signed and notarized Subdivision Improvement Agreement (SIA) and Improvement Security, for the completion of improvements that are required to serve the Project as shown on the Improvement Plans. The form and amount of Improvement Security shall be in accordance with the Applicable Law and the SIA.

E.2.8. Subdivider has submitted a signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, for the completion of offsite improvements that are required to serve the Project as shown on the Improvement Plans. The form and amount of Improvement Security shall be in accordance with the Applicable Law and the OIA.

E.2.9. Subdivider has paid engineering review fees or deposits including improvement plan checking, final map review, agreement processing, and all other deposits, or fees required by these Conditions of Approval and Applicable Laws.

E.2.10. Subdivider has submitted technical or materials specifications, cost estimates, and technical reports related to the design of improvements that are shown on the Improvement Plans and as required by these Conditions

of Approval.

E.2.11. Subdivider has submitted hydrologic and storm drainage calculations for the design and sizing of in-tract storm drainage pipes.

E.2.12. Subdivider in accordance with the terms of the ESP including Section 5.2, Option A shall be required to submit a signed and notarized Park Improvement Agreement (PIA) and Improvement Security, for the construction of the neighborhood park improvements described in Condition E.5.11, below. The form and amount of Improvement Security shall be in accordance with, Applicable Law, the EDA, ESP, EFIP, and the PIA.

E.2.13. Subdivider has submitted signed and stamped Improvement Plans as required in Condition E.5, below.

E.3. Grading Permit

The City will accept a grading permit application for the Project prior to the Final Map being approved by the City Council, if the Subdivider has provided all relevant documents related to said grading permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, and in accordance with the EDA, ESP, and EFIP, and Applicable Law including, but not limited to, the following:

E.3.1. Grading and Drainage Plans prepared on a 24" x 36" size polyester film (mylar). Grading and Drainage Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil Engineer and Geotechnical Engineer.

a. The City shall obtain all applicable signatures by City departments and Subdivider for outside agencies (where applicable) on the mylars including signatures by Building Official and Fire Code Official prior to Subdivider submitting the mylars to Engineering Division for City Engineer's approval.

b. Prior to the issuance of Grading Permit for the Project, Subdivider shall submit improvement plans and secure at least two plan reviews (for the design of on-site sewer improvements.)

c. Two (2) sets of the Project's Geotechnical Report signed and stamped by a licensed Geotechnical Engineer licensed to practice in the State of California. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, pavement design recommendations, percolation rate, and elevation of the highest observed groundwater level.

d. Three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) for the Project with a copy of the Notice of Intent (NOI) submitted to the State Water Quality Control Board (SWQCB) and any relevant documentation or written approvals from the SWQCB, including the Wastewater Discharge Identification Number (WDID#).

(i) After the completion of the Project, the Subdivider is responsible for filing the Notice of Termination required by SWQCB. The Subdivider shall provide the City with a copy of the completed Notice of Termination.

(ii) The cost of preparing the SWPPP, NOI and NOT, including the filing fee of the NOI and NOT, shall be paid by the Subdivider.

(iii) The Subdivider shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the applicable provisions of the, ESP, EFIP, EDA, and City's Storm Water Management Program, and Applicable Law.

e. Permit(s), agreement(s) and approval of other public agencies that has jurisdiction over the required public facilities, if applicable.

f. A copy of the Approved Fugitive Dust and Emissions Control Plan that meets San Joaquin Valley Air Pollution Control District (SJVAPCD) as required in Mitigation Measure 4.3-1b of the Modified Specific Plan Mitigation Monitoring and Reporting Program.

g. Subdivider shall provide written notice to irrigation district and/or affected property owner(s), as applicable and as required in Condition E.13.3 below, that such district and owners have been notified of the proposed Project improvements and the possibility that such improvements may affect irrigation facilities on the Project site. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Subdivider, if required.

h. The existing well serving the single-family residence at Lammers Road, shall be abandoned, and/or removed in accordance with the City and San Joaquin County requirements at the time the residence is demolished. The Subdivider shall be responsible for all costs associated with the abandonment or removal of the existing well(s) including the cost of permit(s) and inspection.

i. Payment of applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.

E.4. Encroachment Permit

Applications for encroachment permit may be accepted by the City as complete prior to the Final Map being approved by the City Council if the Subdivider provides all relevant documents related to said encroachment permit required by the applicable City Regulations, Applicable Law, and these Conditions of Approval, to the reasonable satisfaction of the City Engineer, including, but not limited to, the following:

E.4.1. Improvement Plans prepared on a 24" x 36" size 4-mil thick polyester film (mylar), that incorporate all the requirements described in these Conditions of Approval. Improvement Plans shall be prepared under the supervision of,

and stamped and signed by a Registered Civil Engineer, Traffic Engineer, Electrical Engineer, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

a. The City shall obtain all applicable signatures by City departments (where applicable) on the mylars including signatures by Building Official and Fire Code Official prior to Subdivider submitting the mylars to Engineering Division for City Engineer's approval.

E.4.2. Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans.

E.4.3. Traffic Control Plan, if necessary, shall be prepared under the supervision of and signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.

E.4.4. Tracy's Fire Marshal's signature on the Improvement Plans indicating their approval for the fire service connection and fire and emergency vehicle access for the Project.

E.4.5. If necessary, signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, to guarantee completion of off-site public improvements that are necessary to serve the Project as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with Section 12.36.080 of the Tracy Municipal Code (TMC), the ESP, EDA, EFIP, Applicable Law, and the OIA. The Subdivider's obligations in the OIA shall be deemed to be satisfied upon City Council's acceptance of the public improvements and release of the Improvement Security.

E.4.6. Check or wire payment for the applicable of engineering review deposits or fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable costs as required by these Conditions of Approval. The engineering review deposit or fees will be calculated based on the fee rate adopted by the City Council on May 16, 2017, per Resolution 2017-098, and Applicable Law. The deposits shall be in accordance with the EDA, applicable law, and the Program Improvements Credit and Reimbursement Agreement ("PICRA").

E.5. Improvement Plans

E.5.1. General: Improvement Plans shall contain the design, construction details and specifications of public improvements and all subdivision improvements that are required to serve the Project. The Improvement Plans shall be drawn on a 24" x 36" size 4-mil thick polyester film (mylar) and shall be prepared under the supervision of and stamped and signed by a Registered Civil Engineer, Traffic Engineer if applicable, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

The Improvement Plans, including the Grading and Drainage Plans, shall be prepared in accordance with the ESP, EDA, EFIP, and the City's Subdivision

Ordinance and Design Standards. The improvement plans for all improvements (onsite and off-site) required to serve the Project in accordance with the ESP, EDA, EFIP, and the City Design Documents, and these Conditions of Approval.

a. The Improvement Plans shall be prepared in mylar with the City of Tracy standard title and signature block.

b. The City shall obtain all applicable signatures by City departments and the Subdivider from outside agencies (where applicable) on the mylar including signatures by the Fire Marshal, prior to the Subdivider submitting the mylars to Engineering Division for City Engineer's approval.

E.5.2. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:

a. All existing and proposed utilities such as domestic water line, irrigation service, storm drain, and sanitary sewer, including the size and location of the pipes.

b. All supporting engineering calculations, materials information or technical specifications, cost estimate, and technical reports.

c. Two (2) copies of the Project's Geotechnical /Soils Report, prepared or signed and stamped by a Geotechnical Engineer.

d. The Project's on-site drainage connections to City's storm drainage system and storm water treatment in accordance with the ESP, EFIP, and EDA, and as reasonably approved by the City Engineer. Improvement Plans to be submitted with the hydrology and storm drainage calculations for the sizing of the on-site storm drainage piping system.

e. Three (3) sets of the Project's Storm Water Pollution Prevention Plan (SWPPP), Best Management Practices (BMPs) and a copy of the Notice of Intent (NOI) with the State-issued Wastewater Discharge Identification number (WDID#).

E.5.3. Grading and Storm Drainage Plans

Site Grading

a. Include all proposed erosion control methods and construction details to be employed and specify materials to be used.

b. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Geotechnical Engineer. A copy of the Project's Geotechnical Report must be submitted with the Grading and Storm Drainage Plans.

c. Site grading shall be designed such that the Project's storm water can gravity drain directly to an existing storm drain system with adequate

capacity to drain storm water from the Project Site in the event that the on-site storm drainage system fails or is clogged. The storm drainage release point is recommended to be at least 0.70 foot lower than the building finish floor elevation and shall be improved to the satisfaction of the City Engineer.

d. When the grade differential between the Project Site and adjacent property(s) exceeds 12 inches, a reinforced or masonry block, or engineered retaining wall is required for retaining soil. The Grading Plan shall show construction detail(s) of the retaining wall or masonry wall. The entire retaining wall and footing shall be constructed within the Project Site.

e. An engineered fill may be accepted as a substitute of a retaining wall, if the grade differential is less than 2 feet and subject to approval by the City Engineer. The Grading and Storm Drainage Plans must show the extent of the slope easement(s). The Subdivider shall be responsible for obtaining permission from owner(s) of the adjacent and affected property(s). The slope easement must be recorded, prior to the issuance of the final building certificate of occupancy.

f. If applicable, show all existing irrigation structure(s), channel(s) and pipe(s) that are to remain or to be relocated or to be removed, if any, after coordinating with the irrigation district or owner of the irrigation facilities. If there are irrigation facilities including tile drains, that are required to remain to serve existing adjacent agricultural uses, the Subdivider shall design, coordinate and construct required modifications to the improvements consistent with the existing applicable easement to the reasonable satisfaction of the City.

E.5.4. Permanent storm drainage connection

a. The Project's permanent storm drainage connection(s) shall be designed and constructed to meet City Standards and the recommendations in the Storm Drainage Technical Report.

b. The Subdivider shall record a temporary Storm Drain Easement for the 42-inch storm drain outfall pipe that runs from end of Tract 4007 Ellis Town & Country Subdivision boundary at the end of Randa Street through future Gardens Phase 4 to the temporary retention basin.

c. Detention Basin DET 3A is the required final solution of disposing storm water from the Project site. Ellis Phase 1 has designed and installed a Temporary Retention Basin as an interim solution of disposing storm water. The Subdivider will be responsible for design and installation of the Project's permanent storm drainage connection from the 42" outfall into the Temporary Retention Basin to CB22 at Sta. 10+04.00 on Kingsburg Court as shown on the Ellis Phase 1A Improvement Plans prepared by CBG, dated 8/27/2015. The Subdivider shall execute a Deferred Improvement Agreement (DIA) to assure removal of the temporary outfall and completion of the permanent storm drain

connection to CB22 when Detention Basin #3A is operational and the Temporary Retention Basin is no longer needed.

d. Prior to the approval of the Final Map for the Project, the Subdivider shall provide a Stormwater Quality Control Plan (SWQCP) detailing the methods in which the development will address compliance with the applicable City's *Multi-Agency Post-Construction Stormwater Standards Manual* (Manual). Prior to the issuance of the grading permit for the project, the SWQCP shall be reasonably approved by the City Engineer.

E.5.5. Temporary Drainage System – Retention Basin

Until such time as future DET 3A is operational, which includes adequate detention storage to accommodate storm runoff from development areas, the Temporary Retention Basin shall serve as the interim storm drainage discharge element for all Project drainage in conformance with City Design Standards.

a. Per Storm Drainage Technical Memo, the Temporary Retention Basin(s) shall be designed to retain storm water run-off from the Project resulting from 150% of the 10-year, 48-hour storm event, (with 0-feet of freeboard), as approved for the Ellis Project.

b. The Subdivider of Ellis Phase 1, Lennar, executed a Deferred Improvement Agreement, which assures Lennar's obligation to repair and maintain the Temporary Retention Basin while the storm drainage retention basin is in service and then to modify/remove Temporary Retention Basin and connect on-site storm drainage system to the master plan facilities when constructed and operational. Subdivider shall provide to the City documentation to demonstrate, to the satisfaction of the City Engineer, that existing Deferred Improvement Agreement and easement granted to Lennar by Surland adequately obligates Lennar to repair, maintain and remove the Temporary Retention Basin with the addition of storm flows from this Project.

c. The Subdivider of Ellis Phase 1 provided to the City a temporary storm drainage easement to grant rights to the City to access the temporary storm drainage retention basin(s) for any necessary emergency repair or maintenance work the City may have to perform within the basin site. Said temporary access easement includes a sunset clause that such easement will automatically be terminated at such time as the above-referenced permanent storm drainage improvements are completed.

E.5.6. Stormwater Treatment

a. Permanent storm water treatment measures for the Project to meet the requirements of the City's Multi-Agency Post-Construction Stormwater Standards Manual will be provided offsite within future DET 3A. If the storm water quality treatment measures that are required to be incorporated into DET 3A are not currently part of the program storm drainage infrastructure, the Subdivider shall be required to pay updated fees to be determined in

an Ellis FIP update, or other means as acceptable to the Subdivider and City.

E.5.7. Sanitary Sewer

a. Sanitary Sewer Facilities: The Subdivider shall design and install sanitary sewer facilities including the Project's sewer connection in accordance with City Regulations, Applicable Law and utility improvement plans approved by the City Engineer. The Subdivider is hereby notified that the City will not provide maintenance of the sewer lateral within the public right-of-way unless the sewer cleanout is located and constructed in conformance with Standard Plan No. 203. The City's responsibility to maintain on the sewer lateral is from the wye fitting to the point of connection with the sewer main.

b. The Subdivider shall record a temporary sewer easement for the 15-inch sewer pipe that runs from end of Tract 4007 Ellis Town & Country Subdivision boundary at the end of Randa Street through future Gardens Phase 4 and around the temporary retention basin, connecting to the existing 15-inch sewer stub from Ellis Phase 1A (at Sta. 10+00 on Kingsburg Ct., as shown in the Ellis Phase 1A Improvement Plans prepared by CBG, dated 8/27/2015.)

c. Subdivider shall sign an improvement agreement (Deferred Improvement Agreement), to remove the portion of the line that is a temporary sewer line through the future Gardens Phase 4 lots in the vicinity of the Temporary Retention Basin and to connect to the permanent 15" sewer stub when the Temporary Retention Basin is removed from service. The scope of improvements and security required with the Deferred Improvement Agreement will be determined during the improvement plan review.

d. Prior to the City's approval of a final map for the Project, the City shall complete an analysis of the capacity in the Corral Hollow Sewer Conveyance System, and the City and Subdivider shall come to agreement on a wastewater conveyance solution that is consistent with the development agreement.

e. Wastewater Treatment Capacity. The Subdivider is hereby notified that the City has limited wastewater treatment capacity in the City's Wastewater Treatment Plant until current and future expansion capital improvement projects are completed and operational. As of January 2019, the City had an unused capacity of approximately 150 EDU's within its wastewater treatment plant available to new development within the City on a first come-first served basis. These EDU's are currently available to serve the proposed project, but as other development projects within the City come forward and building permits are issued, this available capacity will be reduced. Upon approval of a final map, wastewater capacity for the total number of lots within the final map shall be reserved from the City's unused capacity referenced herein.

E.5.8. Water System.

a. Water Distribution System.

City's Consultant, West Yost Associates will review the water distribution system proposed in the Tentative Map and prepare memorandum with recommendations ("Water Memorandum").

Potable water line sizing, looping requirements and layout shall comply with recommendations of the Water Memorandum. Program infrastructure elements such as PRV's shall be paid from program (Master Plan) costs.

b. Recycled Water Line: On-site Recycled Water mains are required to serve Ellis Phase 3. As part of the on-site improvements for the Project, the Subdivider shall install 8-inch Recycled Water main along Ellis Town Drive. The 8-inch Recycled Water main shall be connected to Ellis Phase 2 Recycled Water Main at Ellis Town Drive.

c. Fire Service Line: The Subdivider shall design and install fire hydrants at locations approved by the City's Fire Marshal in accordance with applicable law. Before the approval of the plans, the Subdivider shall obtain written approval from the Fire Marshal.

(i) During the construction phases of the Project, the Subdivider shall be responsible for providing water infrastructure (temporary or permanent) capable of delivering adequate fire flows and pressure appropriate to the various stages of construction and as approved by the ESP, EFIP, EDA, and Fire Marshal.

d. Water Shutdown Plan and Traffic Control Plan:

If water main shut down is necessary, the City will allow a maximum of four hours water supply shutdown. The Subdivider shall be responsible for notifying residents or business owner(s), regarding the water main shutdown. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before the water main shutdown. Prior to starting the work described in this section, the Subdivider shall submit a Water Shutdown Plan and Traffic Control Plan to be used during the installation of any offsite water mains.

e. Domestic and Irrigation Water Services

Domestic water service shall be installed in accordance with City Regulations, Applicable Law and the utility improvement plans approved by the City Engineer. City's responsibility to maintain water lines shall be from the water main on the street to the back of the water meter (inclusive) only.

E.5.9. Lammers Road Frontage Street Improvements

a. As a part of the Final Map which includes Lammers Road, the Subdivider shall dedicate ROW along the property frontage of Lammers Road, in accordance with the Tentative Map.

b. The Subdivider shall design and construct interim improvements for Lammers Road, in accordance with the ESP, and Tentative Map and which may include widening of Lammers Road at the Ellis Town Drive intersection to provide one travel lane in each direction plus a left turn median lane and a right turn deceleration lane plus adequate transitions to provide safe transitions to the two lane Lammers road north and south of the project limits. Other frontage improvements may include but not limited to asphalt concrete pavement, landscape planter, 10' wide multi-use path, landscape setback planting area, fire hydrants, , landscaping with automatic irrigation system (Motorola Controller), pavement marking and striping, street lights, asphalt concrete overlay (where required), pavement transitions and other street and utility improvements that are required to serve the Project and based on the phasing plans as reasonably approved by the City Engineer.

   (i) The landscape improvements within the Landscape Setback area shall be constructed at the time of the adjacent interim improvements on Lammers Road. POA shall be responsible for maintenance of the landscape and associated irrigation improvements within the Landscape Setback area.

   (ii) Lammers Road improvements shall be designed and constructed by the Subdivider to meet the Applicable Law, and the requirements of the latest edition of the California Department of Transportation Highway Design Manual (HDM) and the California Manual of Uniform Traffic Control Devices (MUTCD), applicable City Design Standards and these Conditions of Approval, prior to the final inspection of the first building to be constructed on the Property.

   (iii) Per Figure 5.1 of Tracy Transportation Master Plan, the traffic impact fee program covers costs of improvements curb-to-curb on Lammers Road. All improvements behind the curb on Lammers Road are fronting property owner's obligation. The Subdivider shall design and construct improvements behind curb on Lammers Road including7-foot wide parkway landscaping, 10-foot wide multi-use path and 30-foot wide landscape setback area with the Final Map that includes Lammers Road.

   (iv) Construction of interim roadway improvements on Lammers Road shall not be eligible for fee credit or reimbursement if the improvements will be removed or reconstructed as part of program improvements for Lammers Road per the TMP.

c. Ellis Town Drive The Subdivider shall dedicate right-of way for the ultimate width for the Ellis Town Drive and construct interim improvements in conformance with the Tentative Map. Interim improvements shall include installation of landscape and sidewalk.

d. An Engineering evaluation will be required to determine if the existing Water Pipeline that delivers water from the Delta Mendota Canal to properties north of Ellis can remain in its present location when the Lammers Road and Ellis Town Drive interim widening improvements are

installed: the existing pipeline and appurtenances may need to be replaced or relocated out of the roadway right-of-way if required by the City Engineer's Engineering evaluation, which shall be funded by Subdivider.

E.5.10. Subdivision Roadway Improvements

a. Ellis Town Drive, Street 1, Street 2, Street 3, Street 4, Street 5, Street 6, Rio Grande Drive, Lane 1, Lane 2, Lane 3, Lane 4, Lane 5, Granger Street, Randa Street, Locomotive Avenue, Miner Drive and Other In-tract Streets:

The Subdivider shall dedicate all rights-of-way that are necessary to construct Ellis Town Drive, Street 1, Street 2, Street 3, Street 4, Street 5, Street 6,Rio Grande Drive, Lane 1, Lane 2, Lane 3, Lane 4, Lane 5, Granger Street, Randa Street, Locomotive Avenue, Miner Drive and all the in-tract streets based on their respective cross sections as shown on the Tentative Map.

(i) Design and construction details of the in-tract streets such as asphalt concrete pavement, curb, gutter, sidewalk, street light, water main, fire hydrant, landscaping with automatic irrigation system (Motorola), storm drain, catch basin and drop inlets, sanitary sewer main and lateral, water main, individual water service and meter, pavement marking and striping, traffic sign, driveway, handicap ramp and other street improvements shall be consistent with City Standards, and Applicable Law, unless specifically modified in the ESP, and Tentative Map, and shall be shown on the Improvement Plans.

(ii) Design and construction details for the lanes and alley approaches shall be as shown on the Tentative Map. The landscape slope within the lanes and alley shall be consistent with the Tentative Map.

b. Dead-End Streets

A gate per the ESP with appropriate traffic sign will be required at the end of Randa Street, Locomotive Avenue and Granger Street. A wooden fence shall be installed at the end and for the entire right-of-way width of these streets. To prevent street runoff from draining to adjacent property(s), a concrete curb shall be installed through the entire width of the pavement or curb-to-curb, unless the property ownership is the same, or the adjacent property owner has provided consent, or the streets are designed to handle drainage within the Project. Asphalt concrete berm or curb is an acceptable alternative solution. Construction details of the improvements described under this sub-section must be shown on the Improvement Plans, if ownership is not the same, or no consent is provided.

c. Granger Street Temporary Turnaround - Lot 271

As shown in the tentative Map, a temporary turnaround shall be

constructed near the end of Granger Street within Lot 271 for emergency vehicle use until such time as Granger Street is extended with a future development or final inspection of the 300th building permit (whichever comes first).

(i) A temporary Emergency Vehicle Access easement shall be recorded for the turn around. The temporary EVAE will terminate with extension of Granger Street or after final inspection of the 300th building permit.

(ii) The design and construction of the turnaround shall be in compliance with the California Fire Code.

(iii) The Subdivider shall execute a Deferred Improvement Agreement (DIA) to assure maintenance of the turnaround, removal of the turnaround and vacation of the temporary easement, and completion of curb and gutter, parkstrip, and sidewalk along Granger Street to the subdivision boundary. In the event that Granger Street is not extended, the turnaround shall be replaced with a cul-de-sac to the satisfaction of the City Engineer and Fire Marshal.

E.5.11. Neighborhood Parks

a. The Subdivider or Owner shall offer for dedication Parcel "E" and Parcel "F" for park purposes as required by sub-section 1.15(a) of the EDA and section 5.2 of the ESP on the Final Map which includes Parcel "E" and Parcel "F".

(i) The Subdivider shall design and construct the neighborhood park improvements consistent with the City Standards, ESP Park Plans, EFIP, EDA and Applicable Law.

b. The Subdivider shall submit park improvement plans, signed and notarized improvement agreement ("Park Improvement Agreement or PIA"), and Improvement Security in the amount and type specified in the ESP, EDA, and Applicable Law. The timing of commencement of the neighborhood park improvements, payment of fees and fee credits shall be in accordance with the ESP, Applicable Law, and Tracy Municipal Code.

E.5.12. Landscape Parcels A, B, C, D and F

a. The Native Preserve parcels shown on the Tentative Map as Parcels A, B, C, and D, and the Orchard Park parcel shown on the Tentative Map as Parcel F shall be dedicated to the City of Tracy and maintained by the Property Owner's Association. (POA)

b. Design and construction details related to maintenance vehicle access, driveway curb cuts, landscaping, fences and related improvements shall be in accordance with Applicable Law and the Tentative Map, and shown on the improvement plans for review and reasonable approval by the City Engineer.

(i) Design and construction details for work in the vicinity of the PG&E and Chevron pipelines shall also comply with the requirements listed below in Condition E5.14.

(ii) Fences shall be located such that they do not obstruct pedestrian access to sidewalks and shall be in compliance with the ESP, Applicable Law, and reasonably approved by the City Engineer.

E.5.13. Undergrounding of Overhead Utilities

Public Utility Easement

a. All private utility services to serve Project such as electric, telephone and cable TV must be installed underground, and to be installed within dedicated Public Utility Easement (PUE) and at the location as reasonably approved by the respective owner(s) of the utilities.

b. Overhead utilities along the adjacent frontage of the project on Lammers Road (with the exception of the high-voltage transmission lines with voltages greater than 34.5 KV) shall be placed in an underground facility in accordance with Tracy Municipal Code Chapter 11.08.

c. The Subdivider shall submit improvement plans for the installation of electric, gas, telephone and TV cable lines that are to be installed under the sidewalk or within the Public Utility Easement (PUE). The Subdivider shall complete the necessary coordination work with the respective owner(s) of the utilities for the design of these underground utilities and to ensure it can be constructed under the sidewalk or within the PUE.

d. Underground utility conduits may be installed under the sidewalks, and all boxes, structures and related facilities shall be located in the within the PUE.

e. Pavement cuts or utility trench(s) on existing street(s) for the installation of electric, gas, cable TV, and telephone will require the application of 2" asphalt concrete overlay and replacement of pavement striping and marking that are disturbed during construction. The limits of asphalt concrete overlay shall be 25 feet from both sides of the trench, and shall extend over the entire width of the adjacent travel lane(s) if pavement excavation encroaches to the adjacent travel lane or up to the street centerline or the median curb. If the utility trench extends beyond the street centerline, the asphalt concrete overlay shall be applied over the entire width of the street (to the lip of gutter or edge of pavement). Construction details and limits of asphalt concrete overlay shall be shown on the Improvement Plans.

E.5.14. PG&E and Chevron Oil Pipeline Easement and Facilities

a. Prior to issuance of building permits, the Subdivider shall submit documentation to the City to demonstrate compliance with Mitigation

Measures 4.7.1 c and 4.7.2 to the reasonable satisfaction of the City Engineer.

b. The Project Applicant and the pipeline operators should consider other measures for reducing risk suggested in the Pipelines and Informed Planning Alliance (PIPA) recommended practices on informed land use including:

(i) select landscaping vegetation to avoid root structures that damage pipeline coatings,

(ii) avoid planting trees that prevent direct observation of the pipelines by aerial patrol,

(iii) manage storm runoff to prevent erosion of pipeline bedding,

(iv) consider accessibility to pipeline personnel and first responders in the event of an emergency, and

(v) incorporate escape routes from areas within the Potential Impact Radius (PIR).

E.6. Building Permit - No building permit will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:

E.6.1. Payment of the EFIP Fees in accordance with Applicable Law for Roadway and Traffic, Water, Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities, and Park adopted by the City Council on August 20, 2013, per Resolution 2013-136, and any updates as applicable. The low density residential fee will apply to all the lots within the Tentative Map until such time as the program is replaced by another fee program.

E.6.2. Payment of the San Joaquin County Facilities Fees as required in Chapter 13.24 of the TMC, and these Conditions of Approval.

E.6.3. Payment of the Agricultural Conversion or Mitigation Fee as required in Chapter 13.28 of the TMC.

E.6.4. Payment of the Regional Transportation Impact Fees (RTIF) as required in Chapter 13.32 of the TMC.

E.7. Acceptance of Public Improvements

Public improvements will not be accepted by the City Council until after the Subdivider completes construction of the relevant public improvements, and also demonstrates to the City Engineer satisfactory completion of the following:

E.7.1. Correction of all items listed in the deficiency report prepared by the assigned Engineering Inspector relating to public improvements subject to City Council's acceptance.

E.7.2. Subdivider has completed the 90-day public landscaping maintenance period.

E.7.3. Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Subdivider, the City shall temporarily release the originals of the Improvement Plans to the Subdivider so that the Subdivider will be able to document revisions to show the "As Built" configuration of all improvements.

E.8. Temporary or Final Building Certificate of Occupancy

No Temporary or Final Building Certificate of Occupancy will be issued by the City until after the Subdivider provides reasonable documentation which demonstrates, to the satisfaction of the City Engineer, that:

E.8.1. The Subdivider has satisfied all the requirements set forth in Condition E.7, above, or the City has agreed to street by street acceptance for final building certificate and/or occupancy.

E.8.2. The Subdivider has completed construction of all required public facilities for the building for which a certificate of occupancy is requested and all the improvements required in these Conditions of Approval. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Subdivider shall use diligent and good faith efforts in taking all actions necessary to construct all public facilities required to serve the Project, and the Subdivider shall advance all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency), which shall be subject to the PICRA, and Applicable Law.

E.9. Agreements and Improvement Security

E.9.1. Subdivision Improvement Agreement: - Before the City's approval of the Final Map, the Subdivider shall execute a Subdivision Improvement Agreement (for the public facilities required to serve the real property described by the Final Map), post all required improvement security in accordance with Applicable Law, improvements shall be subject to the PICRA.

E.9.2. Deferred Improvement Agreement: - Before the City's approval of the First Final Map, the Subdivider shall execute a Deferred Improvement Agreement, if needed, which shall be in substantial conformance with the City's standard form agreement, and in accordance with Applicable Law, by which (among other things) the Subdivider agrees to complete construction of all remaining public facilities (to the extent the public facilities are not included in the Subdivision Improvement Agreement), under the Applicable Law, which shall be subject to the PICRA.

E.10. Improvement Security

The Subdivider shall provide improvement security for all public facilities, as required by the Subdivision Improvement Agreement and the Deferred Improvement Agreement (if necessary) and these Conditions of Approval. The form of the improvement security may be a surety bond, letter of credit or other form in

accordance with the EDA, Applicable Law, and section 12.36.080 of the TMC. The amount of improvement security shall be as follows:

E.10.1. Faithful Performance (100% of the estimated cost of constructing the public facilities),

E.10.2. Labor & Materials (100% of the estimated cost of constructing the public facilities),

E.10.3. Warranty (10% of the estimated cost of constructing the public facilities), and

E.10.4. Monumentation ($500 multiplied by the total number of street centerline monuments that are shown on the Final Map).

E.11. Release of Improvement Security

Improvement Security(s) described herein shall be released to the Subdivider after City Council's acceptance of public improvements, and after the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance of these Conditions of Approval, and completion of the following:

E.11.1. Improvement Security for Faithful Performance, Labor & Materials, and Warranty shall be released to the Subdivider in accordance with the EDA, and Section 12.36.080 of the TMC.

E.11.2. Written request from the Subdivider and a copy of the recorded Notice of Completion.

E.11.3. Monumentation Bond will be released to the Subdivider after City Council's acceptance of the public improvements and all monumentation shown on the Final Map is installed and tagged by a Land Surveyor licensed to practice in the State of California.

E.12. Benefit District

The Subdivider may make a written request to the City for the formation of a Benefit District for which the public facilities are required in accordance with these Conditions of Approval, the EDA, ESP, EFIP, and Applicable Law.

E.13. Special Conditions

E.13.1. All streets and utilities improvements within City's right-of-way shall be designed and constructed in accordance with the tentative map, ESP, EDA, EFIP, City Regulations, and City's applicable Design documents if not included in the ESP, EDA, EFIP, or tentative map, including the City's Facilities Master Plan for storm drainage, roadway, wastewater and water adopted by the City, or as otherwise specifically approved by the City.

E.13.2. All existing on-site well including the well serving the existing residence at Lammers Road, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Subdivider shall be responsible for all costs associated with the abandonment or removal of the existing well

including the cost of permit(s) and inspection. The Subdivider shall submit a copy of written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), prior to the issuance of the Grading Permit for the Improvement plans which include grading at the location of the well(s).

E.13.3. The Subdivider shall abandon or remove all existing irrigation structures, channels and pipes, located on improvement plans, if any, as directed by the City after joint coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including tile drains, located on improvement plans, if any, are required to remain to serve existing adjacent agricultural uses by legal right or easement, the Subdivider will design, coordinate and construct agreed modifications to the facilities to the satisfaction of the affected agency and the City. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Subdivider.

E.13.4. All improvement plans shall contain a note stating that the Subdivider (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers. Any damaged, displaced, obliterated or lost monuments or survey markers shall be re-established or replaced by a licensed Land Surveyor at the Subdivider's sole expense. A corner record must be filed in accordance with the State law for any reset monuments (California Business and Professions Code Section 8871).

E.13.5. Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or another public agency having jurisdiction. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the Grading Permit, Encroachment Permit, Building Permit, Improvement Plans, and OIA, if the City Council finds it necessary due to public health and safety reasons, and it is not in conflict with rights under the ESP, EFIP, or EDA, or Applicable Law. The Subdivider shall bear all the advance costs for the inclusion, design, and implementations of such additions and requirements, without any payment from the City. Costs may be applicable to the EFIP, or PICRA as reimbursement or credit. Health and Safety findings shall be made by the City Council under the terms of a review of the Health and Safety related issue, and PICRA reimbursement or credit approval shall be made at the same time by City Council.

E.13.6. Nothing in these Conditions of Approval is intended or may be interpreted to conflict with any of the vested elements and rights granted by the Ellis Development Agreement. In the event of any such conflict, the vested elements and rights granted by the Ellis Development Agreement shall control.

RESOLUTION 2021-_____

APPROVING THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR ELLIS PHASE 3, TRACT 4007, AND AUTHORIZING THE CITY CLERK TO FILE THE AGREEMENT WITH THE SAN JOAQUIN COUNTY RECORDER

WHEREAS, The Concept, Preliminary and Final Development Plan, and the Tentative Subdivision Map for Ellis Phase 3 Subdivision ("ELLIS PHASE 3, TRACT 4007 TSM"), approximately 311 single-family residential lots, two parks and four other parcels on approximately 74.36 acres, was approved by Planning Commission on May 8, 2019, pursuant to Resolution No. 2019-012, and

WHEREAS, Subdivider submitted a Final Subdivision Map to subdivide the parcel(s) into three hundred and eight (308) residential lots and is further described as Tract 4007 Ellis Phase 3, and

WHEREAS, The Subdivider has executed the Subdivision Improvement Agreement and posted improvement security which will guarantee the construction of the public utilities' improvements required to serve Tract 4007 Ellis Phase 3, and

WHEREAS, The Engineering Division has reviewed the Improvement Plans. The Subdivision Improvement Agreement, Final Subdivision Map, and Improvement Plans are on file with the City Engineer and are available for review upon request, and

WHEREAS, Upon completion of all the public improvements, the City will accept the public improvements for maintenance and will accept all offers of dedication of public easements, and

WHEREAS, The Developer has paid the applicable engineering review fees which includes the cost of processing the Final Subdivision Map, Improvement Plans, and Subdivision Improvement Agreement;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the Final Subdivision Map and Subdivision Improvement Agreement for Tract 4007 Ellis Phase 3 and authorizes the City Clerk to file the Agreement with the Office of the San Joaquin County Recorder.

* * * * * * * * * * * * * * * * *

The foregoing Resolution 2021-_____was adopted by the Tracy City Council on the 1st day of June 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 1, 2021

AGENDA ITEM 3.A

REQUEST

PUBLIC HEARING AND APPROVAL OF THE 2020 URBAN WATER MANAGEMENT PLAN INCLUDING THE WATER SHORTAGE CONTINGENCY PLAN

EXECUTIVE SUMMARY

State law requires urban water suppliers/agencies to update their respective Urban Water Management Plans once every five years. The updates generally include data up to and including the last day of December and are submitted to the State by July 1 of the following year. The City's 2015 Urban Water Management Plan update was approved and submitted to the State in 2016. The new update is due by July 1, 2021.

The City of Tracy, in conjunction with its consultant, EKI Environment & Water, Inc. (EKI), have prepared the 2020 Urban Water Management Plan (UWMP) and its Water Shortage Contingency Plan (WSCP) as required by the California Department of Water Resources. The update addresses the City's water resources for current customers and future development. While the City has reasonable water supplies during normal years, additional water sources will be needed during future drought years. This request is to conduct a public hearing and approve the 2020 Urban Water Management Plan. The update to the WSCP will require an amendment to the Tracy Municipal Code 11.28 Water Management under Article 6. Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals. Staff will schedule the amendment to the Tracy Municipal Code for City Council's approval at a later date.

DISCUSSION

California Water Code sections 10610 -10657, the Urban Water Management Planning Act (Act) requires urban water suppliers, such as the City of Tracy, once every five years to prepare an updated management plan of its current and future water resources in order to assure a continued adequate and reliable water supply to its customers. The City of Tracy 2015 UWMP update was last approved in 2016 and is now due for its five year update and submittal to the California Department of Water Resources (DWR) no later than July 1, 2021. The City contracted with EKI through the standard request for proposals process to prepare the UWMP update for 2020 under a Professional Services Agreement approved in November 2020. EKI's scope of work also included addressing the State's new requirements for preparation of the Urban Water Management Plan. These requirements include analysis and assessments for five consecutive dry-years, water reliability, drought risk assessment, seismic risk, energy use, water losses over five years, ground water sustainability plan, reduced delta reliance and more importantly, preparation of a Water Shortage Contingency Plan (WSCP).

Since then, City staff and EKI have been working together to compile and analyze pertinent data in order to complete the Urban Water Management Plan update. Overall, the City's water supplies are reasonably sufficient for its existing customers and the new developments within the General Plan area during the normal years. However, if

drought conditions persist, by the year 2025, the City will not have adequate water supplies to meet customer demands during drought years unless new water sources are acquired and certain infrastructure improvements are completed in order to make up for the projected water shortages during those years. In addition, during the dry years, the City must exercise more strict water conservation and efficiency measures to continue meeting water supply demands of its customers. The required infrastructure to make up for the short falls may include the recycled water exchange program, water storage during normal years, construction of additional Aquifer Storage and Recovery wells, passive water demand offsets, etc. It is projected that the City will have severe water shortages by 2045 during drought years

The projected shortages of water supplies during drought years are primarily due to new federal and state enacted policies and their impacts such as the Bureau of Reclamation reducing water allocations during drought years and potential curtailment of water supplies due to the San Francisco Bay/Sacramento – San Joaquin Delta Estuary (Bay-Delta) plan.

The 2020 UWMP addresses all requirements of the California Water Code including the Reduced Delta Reliance requirement. This requirement is addressed as Appendix B in the UWMP 2020 update. Even though this new requirement was established by DWR after adoption of the previous 2015 UWMP, DWR recommends that agencies should amend their 2015 UWMP to include the Reduced Delta Reliance analysis. Staff will bring this as a separate item for approval at a future date.

Due to the ongoing droughts and water shortages in California, existing water resources are dwindling. However, the City must continue its efforts to obtain new water sources including new water purchases, water storage banking, and Aquifer Storage Recovery (ASR) programs to make up for the shortfall amounts. Due to City Council's foresight and forward planning, the City's recycled water is a great viable source to offset some of City's future potable water demand during normal and drought years, by implementing a recycled water exchange program and by direct use of recycled water for irrigation purposes. Implementation of such an exchange program will require approval from the State and the City needs to fund and start such endeavors now, way ahead of any more new development in the City. The successful implementation of the recycled water exchange program may also open doors for future developments beyond the existing General Plan boundaries.

Staff is recommending approval of the City's 2020 Urban Water Management Plan including the Water Shortage Contingency Plan. The update of the Water Shortage Contingency Plan will require an amendment of the Tracy Municipal Code 11.28 Water Management, Article 6. A separate item for this amendment will be scheduled for Council's consideration at a later date.

The City is also working on updating its Water System Master Plan (Master Plan) which will be completed in the latter part of this year. The Master Plan will include more detailed information of potential new sources of water supplies including the required infrastructure improvements, along with the estimated costs. The Master Plan will also update the corresponding Tracy Infrastructure Master Plan (TIMP) fees and will provide

an implementation plan to ensure timely completion of such infrastructure and acquisition of water sources to meet the needs ahead of the new developments. Staff is coordinating with Development Services so both documents will complement each other.

STRATEGIC PLAN

This agenda item supports the Council Strategic Priority of Quality of Life by providing the necessary information so that the City is able to make informed decisions to meet water supply needs of the existing community and new developments.

FISCAL IMPACT

This item has fiscal impacts to revenues and expenditures in both the Water Enterprise fund and Tracy Infrastructure Master Plan (TIMP) fees which will be analyzed and appropriately addressed in the City's Water System Master Plan presently being updated. The Master Plan is anticipated to be completed for Council's consideration during the last quarter of this year. Due to the forecasted shortfalls in water supplies, the City will need to plan and fund the acquisition of water supplies, implement a recycled water exchange program, and construct infrastructure improvements, ahead of the projected water short falls and new developments to make up supplies for those short fall amounts. Cost for such planning, acquisition and construction will be mostly funded from the new developments through the TIMP fees.

RECOMMENDATION

Council conduct a public hearing and approve the Urban Water Management Plan 2020 update including the Water Shortage Contingency Plan.

Prepared by: Stephanie Reyna-Hiestand, Water Resources and Compliance Manager

Reviewed by: Kuldeep Sharma, Director of Utilities
Karin Schnaider, Director of Finance
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – Urban Water Management Plan (Draft)

ATTACHMENT A

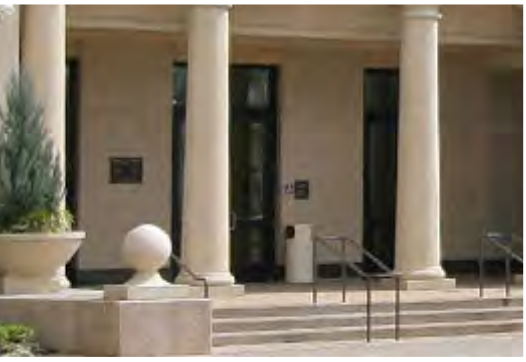
Public Review Draft May 2021

2020 Urban Water Management Plan

for City of Tracy









TRACY

eki environment & water

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ABBREVIATIONS

AB	Assembly Bill
AF	acre-foot
AFY	acre-foot per year
AMI	Advanced Metering Infrastructure
AOI	Area of Interest
ASR	Aquifer Storage and Recovery
AWWA	American Water Works Association
BBID	Byron Bethany Irrigation District
BCID	Banta-Carbona Irrigation District
BOD	biochemical oxygen demand
CASGEM	California Statewide Groundwater Elevation Monitoring
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CII	commercial, industrial, and institutional
CIMIS	California Irrigation Management Information System
CSD	Clover County Services District
CVP	Central Valley Project
CWC	California Water Code
DGWTP	Nick C. DeGroot Water Treatment Plant
DMC	Delta-Mendota Canal
DMM	demand management measures
DOF	Department of Finance
DRA	Drought Risk Assessment
DRT	Drought Response Tool
DWR	California Department of Water Resources
EO	Executive Order
ERP	Emergency Response Plan
ESJ	East San Joaquin
ET	Evapotranspiration
ETo	reference evapotranspiration
ft	foot
ft msl	feet above mean sea level
FY	fiscal year
GMO	Growth Management Ordinance
GPCD	gallons per capita per day
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
GWMP	groundwater management plan
IPR	Indirect Potable Reuse
IWRMP	Integrated Water Resources Management Plan
JJWTP	John Jones Water Treatment Plant
kWh/AF	kilowatt hours per acre-foot
LHMP	Local Hazard Mitigation Plan

M&I	Municipal and Industrial
MCL	Maximum Contaminant Level
MFR	Multi-Family Residential
MG	million gallons
mg/L	milligram per liter
MGD	million gallons per day
MWELO	Model Water Efficient Landscape Ordinance
MWQCF	Manteca Wastewater Quality Control Facility
NEPA	National Environmental Policy Act
NPDES	National Pollutant Discharge Elimination System
PPBP	Patterson Pass Business Park
PUD	Planned Unit Development
PWS	Public Water System
RGA	Residential Growth Allotment
R-GPCD	residential gallons per capita per day
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCADA	Supervisory Control and Data Acquisition
SCWSP	South County Water Supply Project
SFR	Single Family Residential
SGMA	Sustainable Groundwater Management Act
SLWD	San Luis Water District
SOI	Sphere of Influence
SSJID	South San Joaquin Irrigation District
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
TMC	Tracy Municipal Code
UAW	unaccounted-for water
ULFT	Ultra Low Flush Toilet
USBR	United States Bureau of Reclamation
USEPA	United States Environmental Protection Agency
UV	ultraviolet
UWMP	Urban Water Management Plan
WDO	Water Demand Offset
WRCM	Water Resources and Compliance Manager
WSA	Water Supply Assessment
WSCP	Water Shortage Contingency Plan
WSD	Water Storage District
WSID	West Side Irrigation District
WSMP	Water System Master Plan
WTF	Water Treatment Plant
WUE	Water Use Efficiency
WWTP	Wastewater Treatment Plant

1 INTRODUCTION

☑ ***CWC § 10630.5***

Each plan shall include a simple lay description of how much water the agency has on a reliable basis, how much it needs for the foreseeable future, what the agency's strategy is for meeting its water needs, the challenges facing the agency, and any other information necessary to provide a general understanding of the agency's plan.

This chapter discusses the importance and uses of this Urban Water Management Plan (UWMP or Plan), the relationship of this Plan to the California Water Code (CWC), the relationship of this Plan to other local and regional planning efforts, and how this Plan is organized and developed in general accordance with the *Urban Water Management Plan Guidebook 2020* (UWMP Guidebook 2020; DWR, 2021).[1]

1.1 Background and Purpose

The City of Tracy (referred to herein as the "City") is a growing community located in southwestern San Joaquin County. The City supplies a combination of surface water and groundwater to approximately 24,692 residential, commercial, industrial, institutional/governmental[2], and landscape accounts.

This UWMP is a foundational document and source of information about the City's historical and projected water demands, water supplies, supply reliability and potential vulnerabilities, water shortage contingency planning, and demand management programs.

The City's last UWMP was completed in 2016, referred to herein as the "2015 UWMP." This Plan is an update to the 2015 UWMP and carries forward information from that plan that remains current and is relevant to this Plan, and provides additional information as required by amendments to the UWMP Act (CWC §10610 – 10657). Although this Plan is an update to the 2015 UWMP, it was developed to be a self-contained, stand-alone document and does not require readers to reference information contained in previous plans.

1.2 Urban Water Management Planning and the California Water Code

The UWMP Act requires urban water suppliers to prepare an UWMP every five years and to submit this plan to the California Department of Water Resources (DWR), the California State Library, and any city or county within which the supplier provides water supplies. All urban water suppliers, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet annually are required to prepare an UWMP (CWC §10617).

[1] The UWMP Guidebook 2020 is available at: https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Urban-Water-Management-Plans

[2] The City grouped the institutional/governmental sector under the commercial sector in the 2020 Water System Master Plan (WSMP).

The UWMP Act was enacted in 1983. Over the years it has been amended in response to water resource challenges and planning imperatives confronting California. A significant amendment was made in 2009 as a result of the governor's call for a statewide 20% reduction in urban water use by 2020, referred to as "20x2020," the Water Conservation Act of 2009, and "SB X7-7." This amendment required urban retail water suppliers to establish water use targets for 2015 and 2020 that would result in statewide water savings of 20% by 2020. Beginning in 2016, urban retail water suppliers were required to comply with the water conservation requirements in SB X7-7 in order to be eligible for state water grants or loans. Chapter 5 of this plan contains the data and calculations used to determine compliance with these requirements.

A subsequent substantial revision to the UWMP Act was made in 2018 through a pair of bills (i.e., Assembly Bill 1668 and Senate Bill 606), referred to as "Making Water Conservation a California Way of Life" or the "2018 Water Conservation Legislation." These changes include significant revisions and additions to the required content for an UWMP and its associated Water Shortage Contingency Plan (WSCP). As applicable, the City's 2020 UWMP reflects the following significant revisions to the UWMP Act that have been made since 2015.

- ***Five Consecutive Dry-Year Water Reliability Assessment***. The Legislature modified the dry-year water reliability planning from a "multiyear" time period to a "drought lasting five consecutive water years."
- ***Drought Risk Assessment***. The Drought Risk Assessment (DRA) requires a supplier to assess water supply reliability over a five-year period from 2021 to 2025 that examines water supplies, water uses, and the resulting water supply reliability under a reasonable prediction for five consecutive dry years.
- ***Energy Intensity Analysis***. UWMPs are now required to include water system energy usage information that can be readily obtained.
- ***Seismic Risk***. The Water Code now requires suppliers to specifically address seismic risk to various water system facilities and to have a mitigation plan, and for this to be described in their WSCPs.
- ***Water Shortage Contingency Plan***. In 2018, the UWMP Act was modified to require a WSCP with specific elements, including developing procedures to perform an annual water supply and demand assessment.
- ***Groundwater Supplies Coordination***. The Water Code now requires that the 2020 UWMPs, for suppliers that utilize groundwater as a supply source, be consistent with Groundwater Sustainability Plans, in areas where those plans have been completed by the Groundwater Sustainability Agencies.
- ***Lay Description***. The Legislature included a new statutory requirement for suppliers to include a lay description of the fundamental determinations of the UWMP, especially regarding water service reliability, challenges ahead, and strategies for managing reliability risks.

The UWMP Act contains numerous other requirements that an UWMP must satisfy as seen in **Appendix A** of this Plan which lists each of these requirements and where in the Plan they are addressed.

1.3 Relationship to Other Planning Efforts

This Plan provides information specific to water management and planning by the City. However, water management does not happen in isolation; there are other planning processes that integrate with the UWMP to accomplish urban planning. Some of these relevant planning documents include the City's Local Hazard Mitigation Plan, Water Master Plan, draft Groundwater Sustainability Plan chapters for the Tracy Subbasin, and others. This Plan is informed by and helps to inform these other planning efforts.

1.4 Plan Organization

The organization of this Plan follows the same sequence as outlined in the UWMP Guidebook 2020.

Chapter 1 Introduction

Chapter 2 Plan Preparation

Chapter 3 System Description

Chapter 4 Water Use Characterization

Chapter 5 SB X7-7 Baselines, Targets, and 2020 Compliance

Chapter 6 Water Supply Characterization

Chapter 7 Water Service Reliability and Drought Risk Assessment

Chapter 8 Water Shortage Contingency Plan

Chapter 9 Demand Management Measures

Chapter 10 Plan Adoption, Submittal, and Implementation

Chapter 11 References

In addition to these 11 chapters, this Plan includes a number of appendices providing supporting documentation and supplemental information. Pursuant to CWC §10644(a)(2), this Plan utilizes the standardized forms, tables, and displays developed by DWR for the reporting of water use and supply information required by the UWMP Act. This Plan also includes additional tables, figures, and maps to augment the set developed by DWR, as appropriate. The table headers indicate if the table is part of DWR's standardized set of submittal tables.

1.5 Demonstration of Consistency with the Delta Plan

The Sacramento-San Joaquin Delta Reform Act of 2009 (Delta Reform Act) (CWC § 85000 et seq), established the coequal goals for the Sacramento-San Joaquin Delta (Delta) of "providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem." The Delta Reform Act also includes a state policy to reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency.

In addition to establishing the coequal goals, the Delta Reform Act created the Delta Stewardship Council, which is tasked with furthering the state's coequal goals for the Delta through development of a Delta

Plan. Delta Stewardship Council released the Delta Plan in 2013, which adopted 14 recommendations to achieve the coequal goals of water supply and reliability.

Although not required by the UWMP Act, in the UWMP Guidebook 2020, DWR recommends that all suppliers that are participating in, or may participate in, receiving water from a proposed project that is considered a "covered action" under the Delta Plan—such as a (1) multiyear water transfer; (2) conveyance facility; or (3) new diversion that involves transferring water through, exporting water from, or using water in the Delta—provide information in their UWMP to demonstrate consistency with the Delta Plan policy WR P1, Reduce Reliance on the Delta Through Improved Regional Water Self-Reliance (California Code of Regulations, Title 23, Section 5003).

The City has determined that it does receive water from a "covered action" under the Delta Plan. As such, these requirements do apply. These requirements are addressed in **Appendix B**.

1.6 Lay Description

☑ ***CWC § 10630.5***

Each plan shall include a simple lay description of how much water the agency has on a reliable basis, how much it needs for the foreseeable future, what the agency's strategy is for meeting its water needs, the challenges facing the agency, and any other information necessary to provide a general understanding of the agency's plan.

This Plan is prepared for the City of Tracy (also referred to as the City), which serves drinking water to a population of approximately 96,345 in San Joaquin County. The City is located approximately 68 miles south of Sacramento and 60 miles east of San Francisco. This Urban Water Management Plan (UWMP) serves as a foundational planning document and includes descriptions of historical and projected water demands and the City's water supplies and their associated reliability over a more than 20-year planning horizon. This document also describes the actions the City is taking to promote water conservation, both by the City itself and by its customers (referred to as "demand management measures"), and includes a plan to address potential water supply shortages such as drought or other impacts to supply availability (the Water Shortage Contingency Plan [WSCP]). This UWMP is updated every five years in accordance with state requirements under the Urban Water Management Planning Act and amendments (Division 6 Part 2.6 of the California Water Code [CWC] §§10610 – 10656). Past plans developed for the City are available on the California Department of Water Resources (DWR) Water Use Efficiency Data Portal website: https://wuedata.water.ca.gov/. This document includes 11 chapters, which are summarized below.

Chapter 1 Introduction

This chapter presents the background and purpose of the UWMP, identifies the Plan organization, and provides this lay description overview of the document. Because the City relies on water from the Sacramento-San Joaquin Delta, this section also discusses consistency with the Delta Plan.

Chapter 2 Plan Preparation

This chapter discusses key structural aspects related to the preparation of the UWMP, and describes the coordination and outreach conducted as part of the preparation of the Plan, including coordination with local agencies (i.e., Delta-Mendota Canal/Central Valley Project [DMC/CVP] Agencies and South County

Water Supply Program [SCWSP] Agencies, relevant Groundwater Sustainability Agencies [GSAs]) and the public.

Chapter 3 System Description

This chapter provides a description of the City's water system and the service area, including information related to the climate, population, and demographics. The City has a population of approximately 96,345 and has a climate characterized by hot springs, summers, and falls and mild winters with dense "Tule fog" can last for weeks. The majority of precipitation falls in the months of November through April, averaging 9.9 inches of rainfall annually.

Chapter 4 Water Use Characterization

This chapter provides a description and quantifies the City's current and projected demands through the year 2045. The City provides drinking water (also referred to as "potable water") to its customers. Water demands refer not only to the water used by customers, but also includes the water used as part of the system maintenance and operation, as well as unavoidable losses inherent in the operation of a water distribution system.

Water demand within the City was 17,628 acre-feet per year (AFY) on average between 2016 and 2020. Taking into account historical water use, expected population increase and other growth, climatic variability, and other assumptions, water demand within the City is projected to increase to 33,079 AFY by 2045, a change of 88% compared to the 2016-2020 average.

Chapter 5 SB X7-7 Baselines, Targets, and 2020 Compliance

In this chapter, the City demonstrates compliance with its per capita water use target for the year 2020. The Water Conservation Act of 2009 (Senate Bill X7-7) was enacted in November 2009 and requires the state of California to achieve a 20% reduction in urban per capita water use by December 31, 2020. In order to achieve this, each urban retail water supplier was required to establish water use targets for 2015 and 2020 using methodologies established by DWR. The City is in compliance with its 2020 water use target of 181 gallons per capita per day (GPCD).

Chapter 6 Water Supply

This chapter presents an analysis of the City's water supplies, as well as an estimate of water-related energy-consumption. The intent of this chapter is to present a comprehensive overview of the City's water supplies, estimate the volume of available supplies over the UWMP planning horizon, and assess the sufficiency of the City's supplies to meet projected demands under a variety of hydrologic conditions.

The City mainly relies on imported surface water from the United States Bureau of Reclamation (USBR), which supplies the City with DMC/CVP water, and the South San Joaquin Irrigation District (SSJID), which supplies Stanislaus River water through the SCWSP. In addition, a small portion of the City's water supply comes from groundwater extracted from the 373-square-mile Tracy Subbasin (DWR 5-22.15), part of the larger San Joaquin Valley Groundwater Basin. The Tracy Subbasin is not adjudicated and has not been designated by DWR as being in a condition of critical overdraft. However, as a medium priority basin, it is subject to the requirements of the Sustainable Groundwater Management Act (SGMA). Tracy is one of the seven Groundwater Sustainability Agencies (GSAs) that are cooperatively developing the Tracy Subbasin Groundwater Sustainability Plan (GSP), which must be completed by January 2022. The City also

receives water from its Aquifer Storage and Recovery (ASR) program and Semitropic Groundwater Storage Bank.

The City has been making significant efforts to augment its supplies, including expansion of the recycled water system, expansion of the ASR program, and development of the Recycled Water Distribution Network and Exchange project. Based on all available information, available supplies are expected to be sufficient to support the City's projected water demand through 2045 in normal years.

Calculation and reporting of water system energy intensity is a new requirement for the 2020 UWMPs. Energy intensity is defined as the net energy used for water treatment, conveyance, and distribution for all water entering the City's distribution system, and does not include the energy used to convey or treat wastewater. The energy intensity for the City is estimated to be 108 kilowatt hours per acre-foot of water (kWh/AF).

Chapter 7 Water Service Reliability and Drought Risk Assessment

This chapter assesses the reliability of the City's water supplies, with a specific focus on potential constraints such as supply availability, water quality, and climate change. The intent of this chapter is to identify any potential constraints that could affect the reliability of the City's supply (such as drought conditions) to support the City's planning efforts. Water service reliability is assessed during normal, single dry-year, and multiple dry-year hydrologic conditions.

The reliability analysis was performed based on SSJID's water reliability analysis, which assumes that the State Water Resources Control Board's (SWRCB's) released amendments to the Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) will not be implemented. If the Bay-Delta Plan Amendment is implemented, significant surface water cutbacks would likely be experienced, as presented in **Appendix G** of the UWMP.

Based on service reliability analysis, the City is expected to have adequate water supplies during normal years to meet projected demands through 2045. However, supply shortfalls are projected during single dry years and multiple dry years.

A Drought Risk Assessment (DRA) was also conducted during this analysis which evaluates the effects on available water supply sources of an assumed five-year drought commencing the year after the assessment is completed (i.e., from 2021 through 2025). Based on the DRA, the City is expected to have sufficient water supply in 2021, 2022, and 2025. However, supply shortfalls are projected in 2023 and 2024.

Chapter 8 Water Shortage Contingency Plan

This chapter describes the Water Shortage Contingency Plan (WSCP) for the City. The WSCP serves as a standalone document to be engaged in the case of a water shortage event, such as a drought or supply interruption. The WSCP defines specific policies and actions that will be implemented at various shortage level scenarios (e.g., implementing customer water budgets and surcharges, or restricting landscape irrigation to specific days and/or times). Consistent with DWR requirements, the WSCP includes six "stages of action" to address shortage conditions ranging from up to 10% to greater than 50% shortage.

Chapter 9 Demand Management Measures

This chapter includes descriptions of past and planned conservation programs that the City implements within each demand management measure (DMM) category outlined in the UWMP Act, specifically: (1)

water waste prevention ordinances, (2) metering, (3) conservation pricing, (4) public education and outreach, (5) distribution system water loss management, (6) water conservation program coordination and staffing support, and (7) "other" DMMs. The City has developed a suite of conservation programs and policies, which address each DMM category. The City intends to continue implementing these DMMs and will evaluate potential adjustments needed.

Chapter 10 Plan Adoption, Submittal, and Implementation

This chapter provides information on a public hearing, the adoption process for the 2020 UWMP and WSCP, the adopted UWMP and WSCP submittal process, UWMP and WSCP implementation, and the process for amending the adopted UWMP and WSCP. Prior to adopting the Plan, the City held a formal public hearing to present information on its UWMP and WSCP on 18 May 2021 at 7:00 PM. This UWMP and WSCP were submitted to DWR within 30 days of adoption and by the 1 July 2021 deadline.

Chapter 11 References

This chapter contains key references and sources used throughout the document.

2 PLAN PREPARATION

This chapter discusses the type of Urban Water Management Plan (UWMP or Plan) the City has prepared and includes information that will apply throughout the Plan. Coordination and outreach during the development of the Plan is also discussed.

Text from the UWMP Act has been included in grey text boxes with italicized font at beginning of relevant sections of this UWMP. The information presented in the respective UWMP sections and the associated text, figures, and tables are collectively intended to fulfill the requirements of that sub-section of the UWMP Act. To the extent practicable, supporting documentation has also been provided in the appendices. Other sources for the information contained herein are provided in the references section of this document.

Per California Water Code (CWC) §10644(a)(2), selected information for the 2020 UWMP updates must be presented in standardized tables for electronic submittal to DWR. The tables presented in this UWMP have been re-numbered, but the content has been preserved and the original DWR table numbers are included in parentheses in the table titles.

2.1 Basis for Preparing Plan

☑ ***CWC § 10617***

"Urban water supplier" means a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. An urban water supplier includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells for ultimate resale to customers. This part applies only to water supplied from public water systems subject to Chapter 4 (commencing with Section 116275) of Part 12 of Division 104 of the Health and Safety Code.

☑ ***CWC § 10620***

Every person that becomes an urban water supplier shall adopt an urban water management plan within one year after it has become an urban water supplier.

☑ ***CWC § 10621 (a)***

Each urban water supplier shall update its plan at least once every five years on or before July 1, in years ending in six and one, incorporating updated and new information from the five years preceding each update.

☑ ***CWC § 10621 (f)(1)***

Each urban water supplier shall update and submit its 2020 plan to the department by July 1, 2021.

☑ ***CWC § 10644 (a)(2)***

The plan, or amendments to the plan, submitted to the department … shall include any standardized forms, tables, or displays specified by the department.

In 1983, the California Legislature enacted the Urban Water Management Planning Act (UWMP Act) (California Water Code [CWC] §10610 - §10657). The UWMP Act states that every urban water supplier that provides water to 3,000 or more connections, or that provides over 3,000 acre-feet of water per year

(AFY) should make every effort to ensure the appropriate level of water service reliability to meet the needs of its customers during normal, dry, and multiple dry years.

As a water system that provides drinking water for human consumption, the City is regulated as a Public Water System (PWS) by the State Water Resources Control Board (SWRCB), Division of Drinking Water. **Table 2-1** lists the City's PWS identification number. The SWRCB requires that water agencies report water usage and other relevant PWS information via the electronic Annual Reports to the Drinking Water Program (eARDWP). These data are used by the state to determine, among other things, whether an urban retail water supplier has reached the threshold (3,000 or more connections or 3,000 AFY of water supplied) for submitting an UWMP.

As shown in **Table 2-1**, the City served 24,692 connections and 19,527 AFY in 2020 and is therefore subject to the requirements of the UWMP Act.

Table 2-1 Public Water Systems (DWR Table 2-1)

Public Water System Number	Public Water System Name	Number of Municipal Connections 2020	Volume of Water Supplied 2020
3910011	City of Tracy	24,692	19,527
	TOTAL	24,692	19,527
NOTES: (a) Volumes are in units of AF.			

As indicated in **Table 2-2**, the City's 2020 UWMP has been prepared individually for the City in general accordance with the format suggested in DWR's *Urban Water Management Plan Guidebook 2020*, dated March 2021 (Guidebook; DWR, 2021). Some sections of the outline presented in the Guidebook have been combined or arranged in a different order, but all the information requested in the UWMP Guidebook and Act is provided within this document. To the extent practicable, supporting documentation has also been provided in the appendices. Other sources for the information contained herein are provided in the references section of the document.

Per the Guidebook, the UWMP preparer is requested to complete a checklist of specific UWMP requirements to assist the DWR review of the submitted UWMP. The completed checklist is included in **Appendix A**.

Table 2-2 Plan Identification Type (DWR Table 2-2)

Select Only One	Type of Plan		Name of RUWMP or Regional Alliance *if applicable*
X	Individual UWMP		
		Water Supplier is also a member of a RUWMP	
		Water Supplier is also a member of a Regional Alliance	
	Regional Urban Water Management Plan (RUWMP)		
NOTES:			

2.2 UWMP Structure, Standard Units, and Basis for Reporting

The City is a retail water supplier. As further summarized in **Table 2-3**, unless otherwise indicated, the data included in the following sections is presented in units of acre-foot (AF) or AFY and annual values represent calendar years.

Further, consistent with the Guidebook, the terms "water use", "water consumption", and "water demand" are used interchangeably in this UWMP.

Table 2-3 Supplier Identification (DWR Table 2-3)

Type of Supplier	
	Supplier is a wholesaler
X	Supplier is a retailer
Fiscal or Calendar Year	
X	UWMP Tables are in calendar years
	UWMP Tables are in fiscal years
If using fiscal years provide month and date that the fiscal year begins (mm/dd)	
Units of measure used in UWMP	
Unit	AF
NOTES:	

2.3 Coordination and Outreach

Coordination with other water suppliers, cities, counties, and other community organizations in the region is an important part of preparing a UWMP and Water Shortage Contingency Plan (WSCP). This section identifies the agencies and organizations the City sought to coordinate with during preparation of this Plan.

2.3.1 Wholesale Coordination

☑ ***CWC § 10631 (h)***

An urban water supplier that relies upon a wholesale agency for a source of water shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available. The wholesale agency shall provide information to the urban water supplier for inclusion in the urban water supplier's plan that identifies and quantifies, to the extent practicable, the existing and planned sources of water as required by subdivision (b), available from the wholesale agency to the urban water supplier over the same five-year increments, and during various water-year types in accordance with subdivision (f). An urban water supplier may rely upon water supply information provided by the wholesale agency in fulfilling the plan informational requirements of subdivisions (b) and (f).

As shown in **Table 2-4**, the City's two wholesale surface water suppliers are: (1) the United States Bureau of Reclamation (USBR), and (2) the South San Joaquin Irrigation District (SSJID). As described in detail in Section 6.1.1, the City has a Municipal and Industrial (M&I) contract with the USBR for delivery of Central Valley Project (CVP) water conveyed via the Delta-Mendota Canal (DMC) (conjunctively referred to as DMC/CVP water). The City has acquired additional assignments of DMC/CVP Agricultural reliability (Ag-reliability) water through agreements with local irrigation districts (see Section 6.1.1). As stipulated by its contract terms, and as part of regular operations, the USBR notifies Tracy each year of the deliveries that it can expect to receive from the USBR. This notification process occurs regardless of whether it is a normal or dry year. The City in turn notifies the USBR each year of the deliveries that it expects to receive from the USBR during the following year.

As discussed in detail in Section 6.1.2, the City also purchases Stanislaus River water from SSJID, as provided by the South County Water Supply Project (SCWSP). The SSJID notifies the City of the deliveries that it can expect to receive from the SCWSP on an annual basis. The City in turn notifies the SSJID each year of the deliveries that it expects to receive over the next three years.

As part of the coordination effort for the 2020 UWMP, and in compliance with CWC §10631(h), the City provided USBR and SSJID with its water demand projections through 2045. As described in Section 7, the City relied on allocations from USBR and SSJID for the purposes of analyzing the reliability of its surface water supplies during normal and dry years through 2045.

Table 2-4 Water Supplier Information Exchange (DWR Table 2-4)

The retail Supplier has informed the following wholesale supplier(s) of projected water use in accordance with Water Code Section 10631.
Wholesale Water Supplier Name
South San Joaquin Irrigation District
U.S. Bureau of Reclamation
NOTES:

2.3.2 Agency Coordination

☑ ***CWC § 10620 (d) (2)***

Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.

On 4 February 2021, the City sent a letter, either by email or mail, to the agencies identified in **Table 2-5** to inform them that the City was in the process of updating its UWMP and WSCP and was soliciting their input. The letter sent to each of the above-mentioned agencies also informed them that the document would be available for review in May 2021 and welcomed their input and comments on the document. The Draft 2020 UWMP and WSCP were available for public review at the Tracy Public Library, the Tracy Department of Utilities, and the City Clerk's Office, as well as online at the City's website (https://www.ci.tracy.ca.us/). An email was also sent to these agencies informing them that the UWMP public hearing would be occurring at City Hall on 18 May 2021. A sample copy of the notification letters described above is included in **Appendix C**.

Table 2-5 Notification to Cities and Counties (DWR Table 10-1)

City Name	60 Day Notice	Notice of Public Hearing
City of Lathrop	X	X
City of Manteca	X	X
City of Escalon	X	X
County Name	**60 Day Notice**	**Notice of Public Hearing**
San Joaquin County	X	X
Other Agency Name	**60 Day Notice**	**Notice of Public Hearing**
Banta-Carbona Irrigation District	X	X
Byron-Bethany Irrigation District	X	X
Pescadero Reclamation District	X	X
San Luis & Delta-Mendota Water Authority	X	X
South San Joaquin Irrigation District	X	X
NOTES:		

2.3.3 Public Participation

☑ ***CWC § 10642***

Each urban water supplier shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of both the plan and the water shortage contingency plan. Prior to adopting either, the urban water supplier shall make both the plan and the water shortage contingency plan available for public inspection and shall hold a public hearing or hearings thereon. Prior to any of these hearings, notice of the time and place of the hearing shall be published within the jurisdiction of the publicly owned water supplier pursuant to Section 6066 of the Government Code. The urban water supplier shall provide notice of the time and place of a hearing to any city or county within which the supplier provides water supplies. Notices by a local public agency pursuant to this section shall be provided pursuant to Chapter 17.5 (commencing with Section 7290) of Division 7 of Title 1 of the Government Code. A privately owned water supplier shall provide an equivalent notice within its service area. After the hearing or hearings, the plan or water shortage contingency plan shall be adopted as prepared or as modified after the hearing or hearings.

Water suppliers are required by the UWMP Act to encourage active involvement of the community within the service area prior to and during the preparation of its UWMP and WSCP. The UWMP Act also requires water suppliers to make a draft of the UWMP and WSCP available for public review and to hold a public hearing regarding the findings of the UWMP and WSCP prior to its adoption. In addition to sending notices of the City's intent to prepare its UWMP and WSCP to the various agencies listed in **Table 2-5**, the City also included a public notice in the local newspaper (i.e., Tracy Press) notifying the public that the draft UWMP and WSCP were available for review and that the City was seeking public input and comments, including during the public hearing. Public participation in the development of the City's 2020 UWMP and WSCP is summarized in **Appendix D**.

The Public Review Draft 2020 UWMP and WSCP was available for public review at the Tracy Public Library, the Tracy Department of Utilities, and the City Clerk's Office on the City's website (https://www.cityoftracy.org/).

3 SYSTEM DESCRIPTION

☑ ***CWC § 10631 (a)*** *A plan shall be adopted in accordance with this chapter that shall do all of the following:*

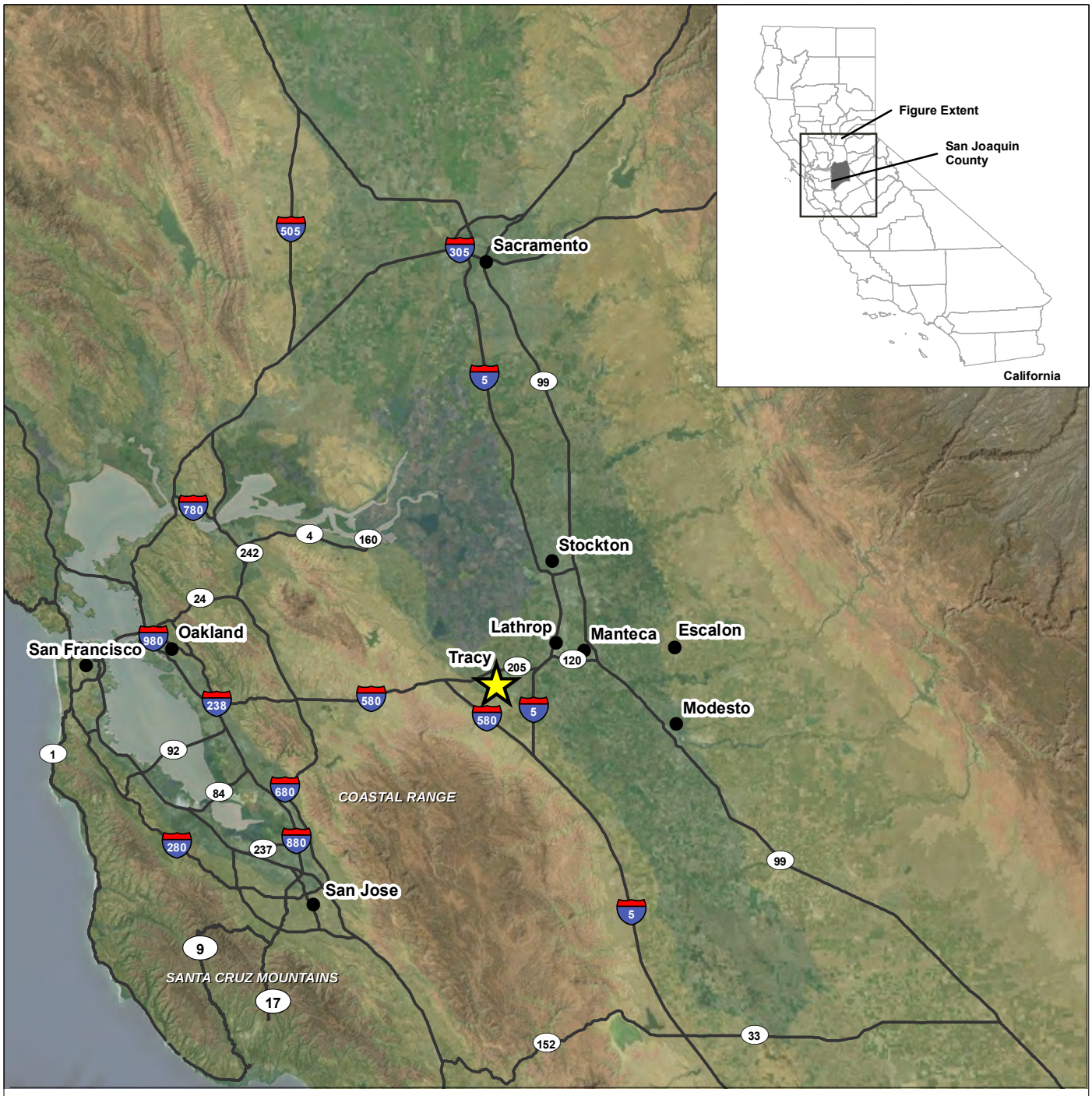
Describe the service area of the supplier, including current and projected population, climate, and other social, economic, and demographic factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year increments to 20 years or as far as data is available. The description shall include the current and projected land uses within the existing or anticipated service area affecting the supplier's water management planning. Urban water suppliers shall coordinate with local or regional land use authorities to determine the most appropriate land use information, including, where appropriate, land use information obtained from local or regional land use authorities, as developed pursuant to Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code.

This section provides an overview of the City of Tracy's (City's) service area and water system, including discussions of the City's service boundaries, planned developments, population, climate, and water system infrastructure.

3.1 City Limits and Sphere of Influence

The City's service area is located in San Joaquin County, 68 miles south of Sacramento and 60 miles east of San Francisco (**Figure 3-1**). The City lies east of the Coastal Range that separates California's Central Valley from the San Francisco Bay Area. Interstate 205 runs through the northernmost part of the City and connects Interstate 580 to Interstate 5, a major north-south interstate corridor east of Tracy. Ground surface elevations in Tracy range from 600 feet above mean sea level (ft msl) in the foothills along the southwestern boundary of the City to 9 ft msl at the northern boundary (Kennedy/Jenks, 1994). Tracy lies adjacent to the State Water Project's (SWP) California Aqueduct, the Delta-Mendota Canal (DMC), and the Old River. The Old River flows east to west just north of Tracy.

The existing incorporated area of the City encompasses approximately 22 square miles (Tracy, 2011). The Sphere of Influence (SOI) is the area outside of the City limits that Tracy expects to annex and urbanize in the future, including the expected physical limit of the City based on the most current available information (**Figure 3-2**). During the City's most recent General Plan update process, revisions to the SOI were made to more accurately reflect the areas where Tracy may grow in the future and locations where no urban growth is expected. The revised SOI is approximately 42 square miles, or 20 square miles larger than the City limits.



Legend

- City of Tracy
- Other City
- Highway

Notes

1. All locations are approximate.

Sources

1. Aerial basemap provided by ArcGIS Online.

N

0 20 40

Miles

DRAFT

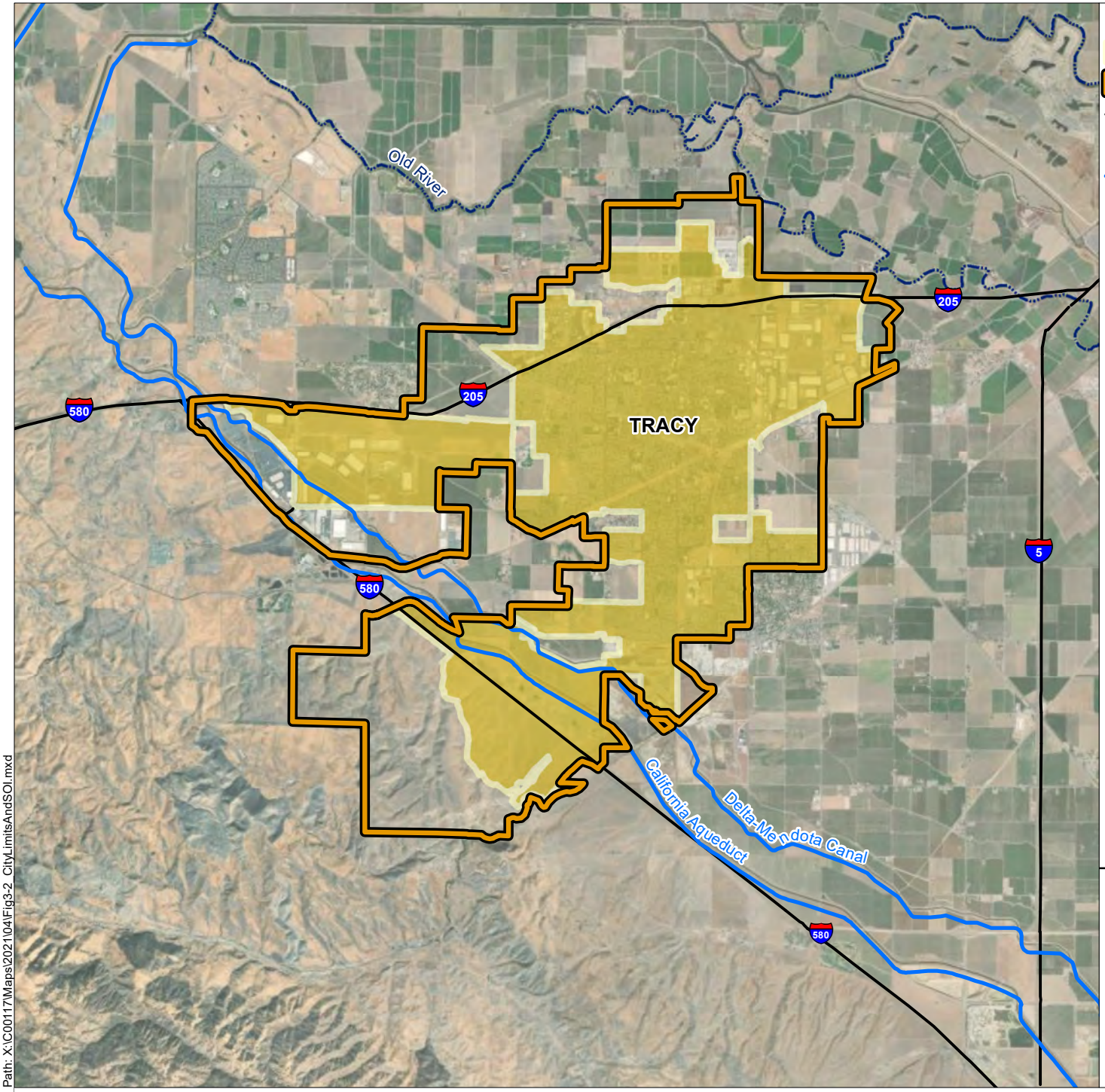
Regional Vicinity Map

City of Tracy
Tracy, CA
May 2021
EKI C00117.00

Figure 3-1

eki environment & water

Path: X:\C00117\Maps\2021\04\Fig3-1_RegionalVicinityMap.mxd



Legend

- City Limits / Existing Water Service Area
- Sphere of Influence
- Highway
- Stream or River
- Canal

Notes

1. All locations are approximate.

Sources

1. City limits and sphere of influence provided by the City.
2. Aerial base map provided by ArcGIS Online.

N

0 2 4

Miles

Service Area Map

DRAFT

City of Tracy
Tracy, CA
May 2021
EKI C00117.00

Figure 3-2

eki environment & water

Path: X:\C00117\Maps\2021\04\Fig3-2_CityLimitsAndSOI.mxd

3.2 Population Within the Service Area

The City currently provides water service to approximately 24,692 residential, commercial (including institutional/governmental), industrial, and landscape service connections. The historical and current population within the City's water service area is calculated by adding the population within the City limits, as reported by the California Department of Finance (DOF), and the population within Larch Clover County Services District (CSD), a small community located outside of the City limits but served by the City (see **Figure 3-2**). The Larch Clover CSD population is calculated by multiplying the number of residences in the community, as provided by the City's Finance Department, by the persons-per-household factor from the California DOF.

As of 1 January 2020, the population estimate for Tracy was 95,931 (DOF, 2020a). In 2020, the City also served 118 residential accounts in the Larch Clover CSD and the persons-per-household factor was 3.51 (DOF, 2020b). Using the methodology described above, the City's 2020 population was estimated to be 96,345. The historical and current population within the City's water service area is presented in **Table 3-1.**

Population growth was rapid in the City over the 15-year period 1990 through 2005, with the City growing by 139% (DOF, 2007; DOF, 2012). Between 2005 and 2020, however, growth has slowed relative to historical rates; population increased approximately 68% over this 15-year period. The reduction in growth rate has likely been caused by a combination of economic forces, such as the economic downturn of 2008 through 2011, and measures taken by the City to limit growth. In 1987, the City adopted a residential Growth Management Ordinance (GMO), which was amended in 2000 by the voter-initiated Measure A. The objective of the GMO and Measure A is to achieve a steady and orderly growth rate that allows for the adequate provision of services and community facilities, and includes a balance of housing opportunities. Under the GMO, builders must obtain a Residential Growth Allotment (RGA) to secure a residential building permit. The GMO limits the number of RGAs and building permits to an average of 600 housing units per year for market rate housing, with a maximum of 750 units in any single year, although there are exceptions for affordable housing (Tracy, 2011).

3.2.1 Future Population Growth

The population estimates for 2025 through 2045 are projected using the methodology presented in the City's 2020 Water System Master Plan (WSMP) (Tracy, 2020), which is currently in draft form and has not yet been adopted by City Council. The population projection in the WSMP from 2025 to 2040 is based on the Tracy Municipal Services Review (June 2019). The projected population at buildout was based on: (1) assumptions about the number of dwelling units for each development and planning area at buildout, and (2) an assumed number of people per dwelling unit (people/du). Separate people/du factors were developed for five categories of residential housing densities that reflect varying ranges of dwelling units per acre (du/acre). The people/du factors utilized in the 2020 WSMP are summarized below:

- The Very Low Density category encompasses a range of densities from 0.1 to 2.0 du/acre and is assigned a factor of 3.3 people/du.
- The Low Density category encompasses a range of densities from 2.1 to 5.8 du/acre and is assigned a factor of 3.3 people/du.

- The Medium Density category encompasses a range of densities from 5.9 to 12.0 du/acre and is assigned a factor of 2.7 people/du.
- The High Density category encompasses a range of densities from 12.1 to 25 du/acre and is assigned a factor of 2.2 people/du.
- The Very High Density category encompasses densities up to 40 du/acre and is assigned a factor of 1.5 people/du.

The 2020 WSMP applied these people/du factors to an assumed number of dwelling units at Buildout, which is assumed to occur in 2045 for the purpose of the UWMP. The 2020 WSMP Buildout accounts for growth in employment in addition to the residential growth.

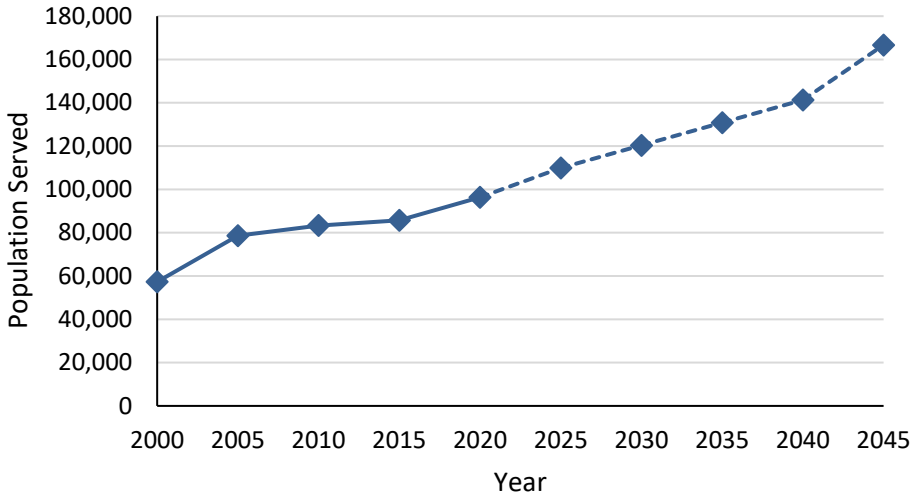
The City's projected population is presented in **Table 3-1** and the associated chart. Using the methodology described above, the City is projected to have a total population of approximately 166,700 people by the year 2045, which represents a 73% increase over the 2020 population.

Table 3-1 Population - Current and Projected (DWR Table 3-1)

Population Served	2020	2025	2030	2035	2040	2045
	96,345	109,900	120,367	130,833	141,300	166,700

NOTES:
(a) Current population is estimated from Department of Finance, Population Estimates for Cities, Counties, and the State, 2011-2020, with 2010 Benchmark, released 1 May 2020, adjusting for the population in Larch Clover CSD which is located outside the City Boundary. The Larch Creek Clover CSD population was estimated based on the total number of accounts (118) and a person per household factor of 3.51.
(b) Projected population are obtained from the City's 2020 WSMP. Population is assumed to increase linearly between 2025 and 2040, and population in 2045 is assumed to be the projected population at buildout.

Chart 3-1 Current and Projected Population



3.3 Other Social, Economic, and Demographic Factors

Demographics for the City are summarized in **Table 3-2**, which were obtained from the U.S. Census Bureau QuickFacts website. The same data are also provided for the State of California as a whole. Relative to the whole State, the City's population is slightly younger and more racially diverse. Attainment of higher education in the City are lower than the rest of California. Median household income is higher than for the State.

Table 3-2 Demographic and Housing Characteristics

Demographics (a)	City of Tracy	California
Age and Sex		
Persons under 5 years	6.1%	6.0%
Persons under 18 years	28.1%	22.5%
Persons 65 years and older	8.9%	14.8%
Female persons	50.2%	50.3%
Race and Hispanic Origin		
White alone	58.5%	71.9%
Black or African American alone	4.5%	6.5%
American Indian and Alaska Native alone	0.4%	1.6%
Asian alone	16.3%	15.5%
Native Hawaiian and Other Pacific Islander alone	1.2%	0.5%
Two or More Races	9.3%	4.0%
Hispanic or Latino	39.6%	39.4%
White alone, not Hispanic or Latino	33.1%	36.5%
Families & Living Arrangements		
Persons per household	3.50	2.95
Living in same house 1 year ago, percent of persons age 1 year+	86.6%	87.1%
Language other than English spoken at home, age 5 years+	43.3%	44.2%
Education		
High school graduate or higher, persons age 25 years+	85.4%	83.3%
Bachelor's degree or higher, persons age 25 years+	22.0%	33.9%
Income & Poverty		
Median Household Income (2019 dollars)	$92,046	$75,235
Per capita income in past 12 months (2019 dollars)	$31,540	$36,955
Persons in poverty	8.1%	11.8%
NOTES:		
(a) Demographic data per the U.S. Census Bureau QuickFacts website, https://www.census.gov/quickfacts/fact/table/tracycitycalifornia,CA/PST045219.		

3.4 Land Uses within Service Area

3.4.1 Existing Land Uses

Existing developed land use within the City consists primarily of low-density residential land use. With some exceptions, existing developed land use within the City limits conforms to the General Plan. **Figure**

3-3 shows the existing land uses of the City, while **Figure 3-4** shows the approved projects that are planned to be developed within the City.

3.4.2 Specific Plans and Large Planned Unit Developments

Numerous Specific Plans and large-scale Planned Unit Developments (PUDs) have been adopted within the City limits and SOI to accommodate anticipated future growth. General information regarding the City's major Specific Plans and PUDs could be found in the City's General Plan[3] (Tracy, 2011) and the 2020 WSMP[4] (Tracy, 2020). The locations of the City's planning areas are presented in **Figure 3-5**.

[3] The City's General Plan could be found in the City's website: https://www.ci.tracy.ca.us/documents/2011_General_Plan.pdf.

[4] The City's WSMP could be found in the City's website: https://www.ci.tracy.ca.us/documents/Water_System_Master_Plan_Update_Nov_2020.pdf.

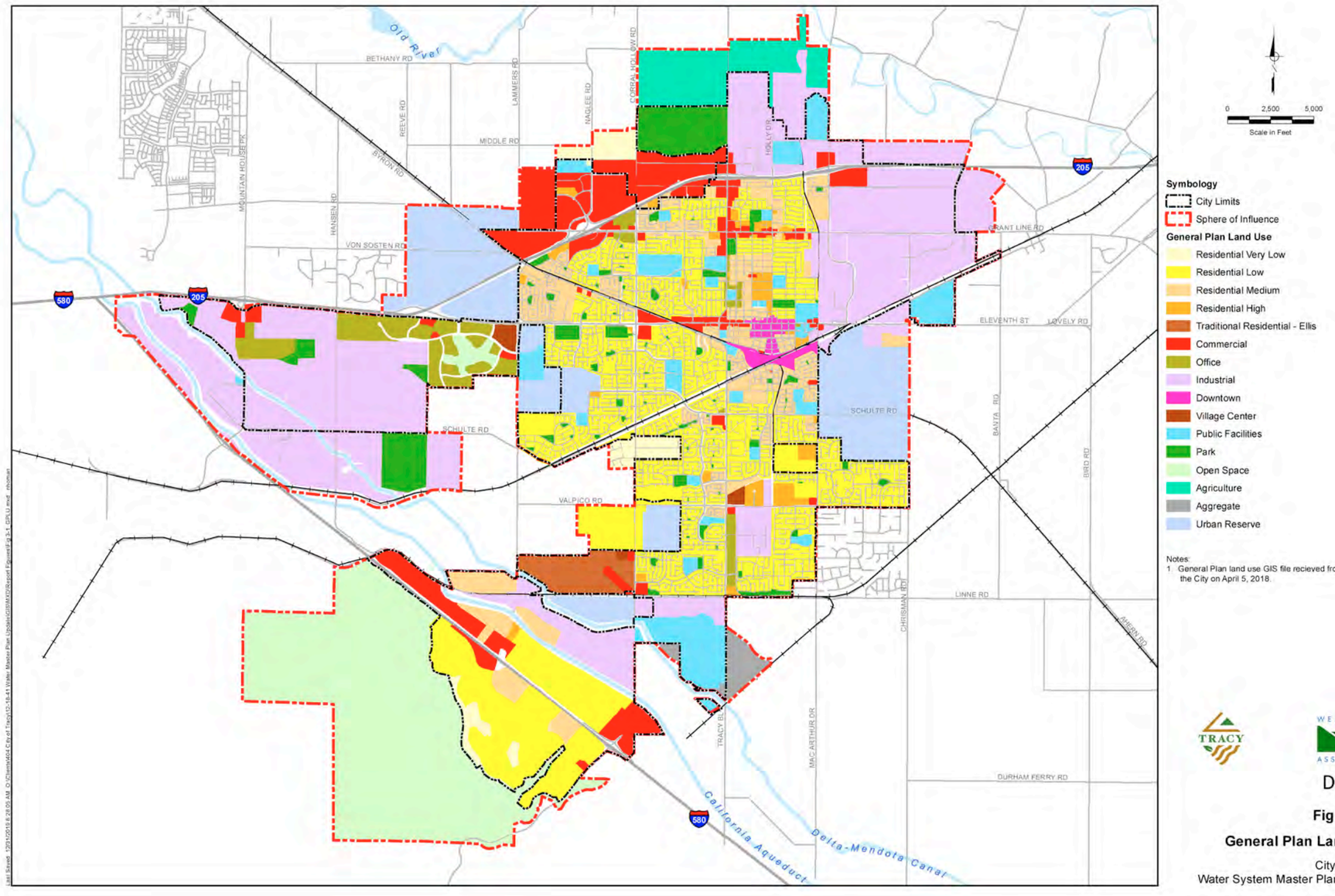


Figure 3-3 City Land Use (Adapted from the Draft 2020 WSMP, Figure 3-1)

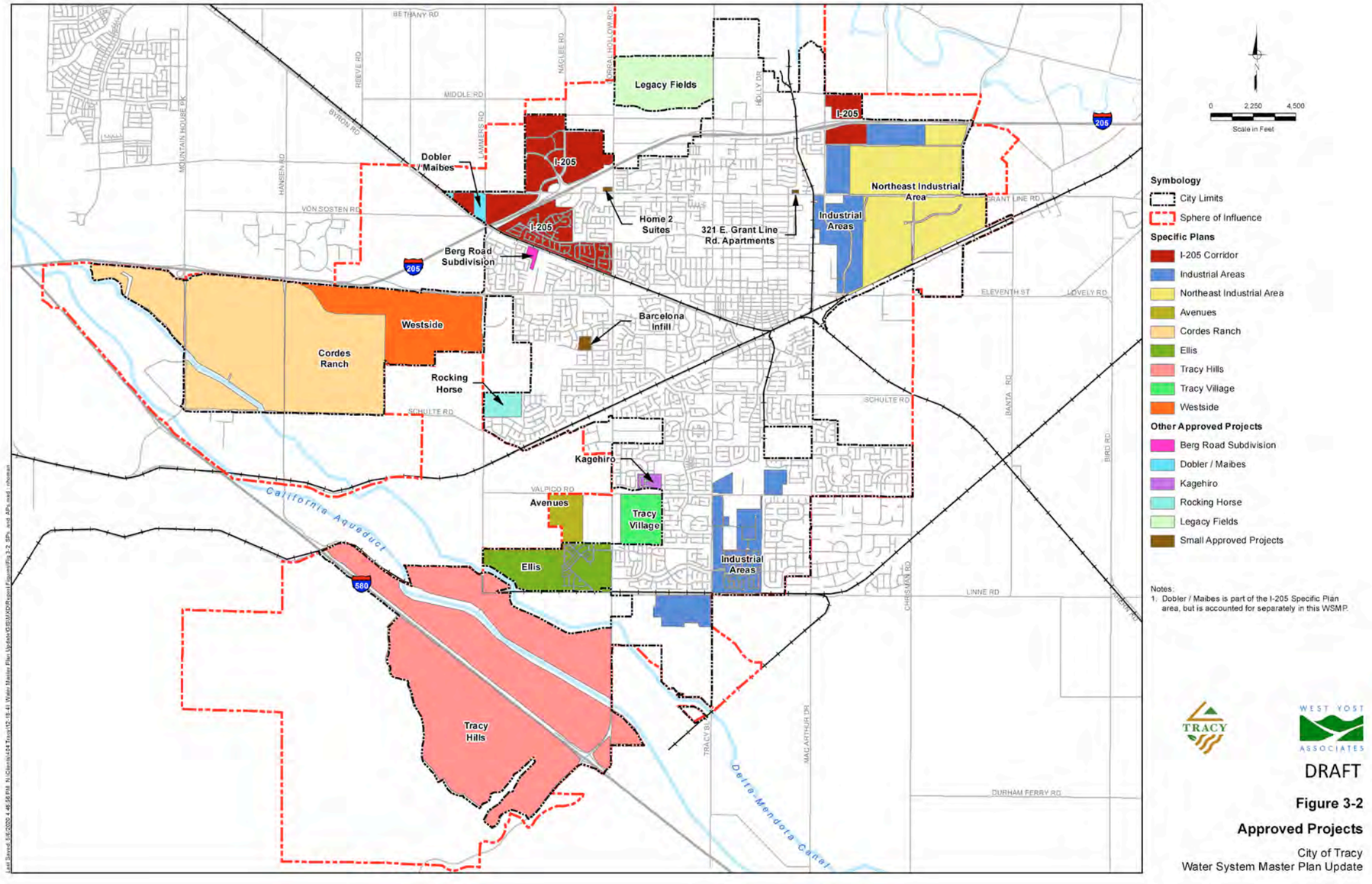


Figure 3-4 Approved Projects (Adapted from the Draft 2020 WSMP, Figure 3-2)

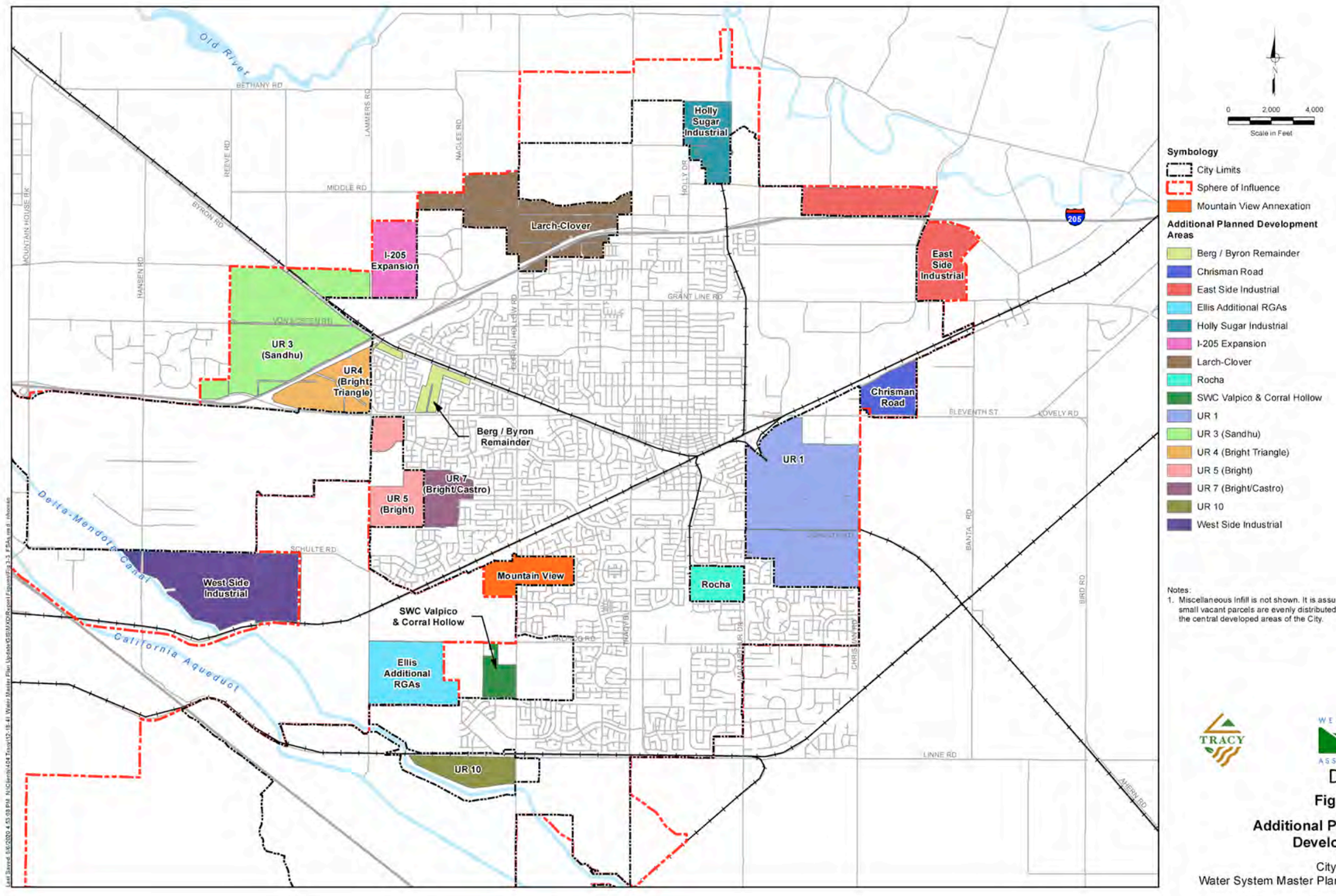


Figure 3-5 Planned Unit Developments (Adapted from the Draft 2020 WSMP, Figure 3-3)

3.5 Climate

Spring, summer, and fall are generally hot in Tracy, with temperatures often reaching over 100 degrees Fahrenheit (°F) on summer days. Tracy's winters are usually mild, although the dense "tule fog" can last for weeks. As shown in **Table 3-3** and the associated chart, rainfall in the area averages 9.9 inches per year and is generally confined to the wet season from late October to early May. The average reference evapotranspiration (ETo) for the region is 48.4 inches per year.

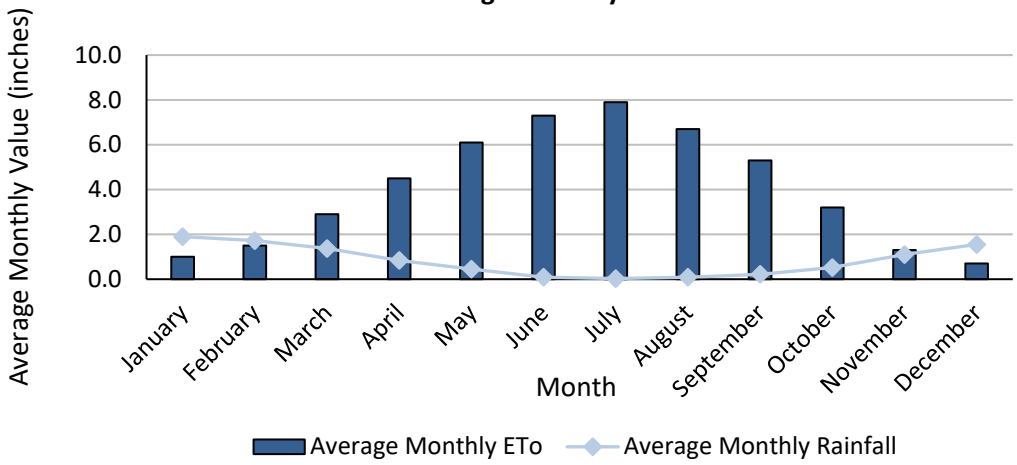
Since the average annual ETo is approximately 38.5 inches more than the average annual precipitation, and because more than 85% of the annual precipitation occurs between the months of November and April, growing turf or other plantings in this region requires a significant amount of irrigation during the dry season. This irrigation demand contributes to the overall and observed seasonal variation in water demand throughout the City's service area (see Section 4.1.1).

Table 3-3 Climate Characteristics

Month	Average Temperature		Standard Average ETo (inches)	Average Rainfall (inches)
	Min (°F)	Max (°F)		
January	36.7	54.1	1.0	1.9
February	40.0	61.0	1.5	1.7
March	42.6	66.7	2.9	1.4
April	45.5	73.1	4.5	0.8
May	50.4	80.7	6.1	0.5
June	55.2	88.0	7.3	0.1
July	57.1	93.6	7.9	0.0
August	55.7	92.1	6.7	0.1
September	53.9	87.9	5.3	0.2
October	48.7	78.5	3.2	0.5
November	42.1	64.9	1.3	1.1
December	36.6	54.7	0.7	1.6
Annual	47.0	74.6	48.4	9.9

NOTES:
(a) Temperature and precipitation data from Western Regional Climate Center Tracy Carbona Station (048999).
(b) Reference evapotranspiration data from California Code of Regulations, Title 23, Division 2, Chapter 2.7, Model Water Efficient Landscape Ordinance.
(c) Totals may not add exactly due to rounding.

Chart 3-3 Average Monthly Climatic Conditions



3.6 Climate Change Considerations

☑ ***CWC § 10630***

It is the intention of the Legislature, in enacting this part, to permit levels of water management planning… while accounting for impacts of climate change.

Projections of climate change in California indicate a further intensification of wet and dry extremes and shifting temperature. Changing climate can affect both water uses and supplies. For example, extreme and higher temperatures can lead to increases in water use; declining snowpack and earlier runoff patterns could result in changes in stream flows and reservoir operations; projection of frequent, severe, prolonged droughts could lead to not only less surface water available, but also exacerbating ongoing stressors in groundwater basins. Some of these pressures are already apparent in California as of 2021.

Several sections in the California Water Code (CWC) relevant to UWMPs refer to climate change. Pursuant to CWC requirements and the UWMP Guidebook, this Plan incorporates climate change considerations into following relevant sections:

- Chapter 3 – System Description,
- Chapter 4 – Water Use Characterization,
- Chapter 6 – Water Supply Characterization, and
- Chapter 7 – Water Service Reliability and Drought Risk Assessment.

Issues associated with climate change are discussed in the City's *Local Hazard Mitigation Plan*, dated September 2019, which is incorporated into this UWMP by reference (City LHMP; Tracy, 2019a). The City LHMP assesses the City's vulnerabilities to various hazards and presents mitigation strategies that are planned over the next five years. Impacts of climate change that are considered in the LHMP include water supply shortages, more frequent and intense drought and extreme heat events, flooding, and increased temperatures.

Climate change impacts on the City's water demands are discussed in Section 4.4, while climate change impacts on the City's water supply are discussed in Section 6.12.1.

3.7 Water Distribution System

The City serves water within the City limits and portions of the SOI. The existing potable water system infrastructure is presented on **Figure 3-6** and details of the potable water supply system are provided below.

3.7.1 Service Connections

Tracy provides water service to all water users within the City Limits, plus approximately 118 residences of the Larch-Clover CSD. All connections are metered. In 2020, the City served 24,692 metered service connections. The majority of service connections in the City are associated with single-family residential accounts.

3.7.2 Pressure Zones

Due to the several hundred-foot difference in elevation throughout its service area, Tracy has established different pressure zones for its treated water distribution system. **Figure 3-6** shows the area encompassed by the four existing pressure zones (Zones 1, 2, and 3 and Ellis Reduced Zone), as well as the water distribution infrastructure. To support the development planned in the foothills, a fifth pressure zone (Zone 4) is in development and two additional zones (Zones 5 and 6) have been proposed for future use. The elevations and pressures within each of the existing and proposed pressure zones are summarized in **Table 3-4**.

Table 3-4 Pressure Zone Elevations and Static Pressures

Pressure Zones	Service Elevation Range (feet)	Static Pressure Range (psi)
Zone 1	0-75	40-75
Zone 2	75-150	40-85
Zone 3	150 - 245	55 - 95
Ellis Reduced Zone	140 - 185	60 - 80
Zone 4	209 - 325	43 - 93
Zone 5	305 - 470	47 - 118
Zone 6	460 - 630	45 - 118

NOTES:
(a) Data from the City's Water System Master Plan (Tracy, 2020).
(b) Zones 4, 5, and 6 are specifically for Tracy Hills. Zone 4 is in development. Zones 5 and 6 are planned for future.

3.7.3 Storage Facilities

Tracy has five treated water storage reservoirs, including two clearwells and three storage tanks. Clearwell #1 and Clearwell #2 are located adjacent to the John Jones Water Treatment Plant (JJWTP), with storage capacities of approximately 0.66 million gallons (MG) and 4.0 MG, respectively. Additional storage is provided by the 2.4 MG Northeast Industrial (NEI) Tank, the 7.1 MG Linne Tank, and the 2.0 MG Cordes Tank. Since Clearwell #1 is operated as a chlorine contact basin, it is no longer considered to provide available storage capacity. The total available storage capacity is 15.5 MG (Tracy, 2020).

3.7.4 Water Treatment Facilities

The City's DMC surface water supplies are treated at the JJWTP, located at the southern end of the City just east of the DMC and the California Aqueduct. The JJWTP was constructed in 1979, expanded in 1988, and expanded and upgraded again in 2008. The permitted treatment capacity is 30 million gallons per day

(MGD), with a potential future expansion to 45 MGD. Groundwater is either treated at the wellhead or at the JJWTP.

Stanislaus River water, provided by the South County Water Supply Project (SCWSP), is treated at the Nick C. DeGroot Water Treatment Plant (DGWTP), located near Woodward Reservoir in San Joaquin County. The DGWTP, completed in 2005, has a current capacity of approximately 40 MGD and a final build-out capacity of 60 MGD.

3.7.5 SCWSP Distribution System

As described in Section 6.1, the SCWSP is a partnership between the cities of Tracy, Manteca, Lathrop, and Escalon and the South San Joaquin Irrigation District (SSJID), which developed a surface water treatment plant and pipeline system to deliver water from the Stanislaus River to each participating agency. Treated Stanislaus River water is conveyed from the DGWTP to the City through a 36-inch transmission main, where it is pumped to the City by the Mossdale Pump Station, which is operated by SSJID and located at the intersection of Manthey and Stewart Roads. Water from the Mossdale Pump Station first fills the Linne and NEI storage tanks before being pumped into the City's distribution system.

3.7.6 Groundwater Wells

The City currently owns and operates nine groundwater production wells: the Lincoln Well, Production Wells 1, 2, 3, 4, 5 (Lewis Manor Well, currently inactive), 6 (Park & Ride), 7 (Ball Park), and ASR Well 8 (see Section 6.3). The pumping capacity of the City's production wells ranges from 1,500 gallons per minute (gpm) to 2,500 gpm. All production wells are screened below the confining Corcoran Clay with sanitary seals that entirely seal the wells from the upper, unconfined aquifer.

Additionally, the City owns nested and clustered monitoring wells throughout its service area. These wells are screened over short intervals (i.e., less than 40 feet) and are designed to measure the properties of a specific aquifer.

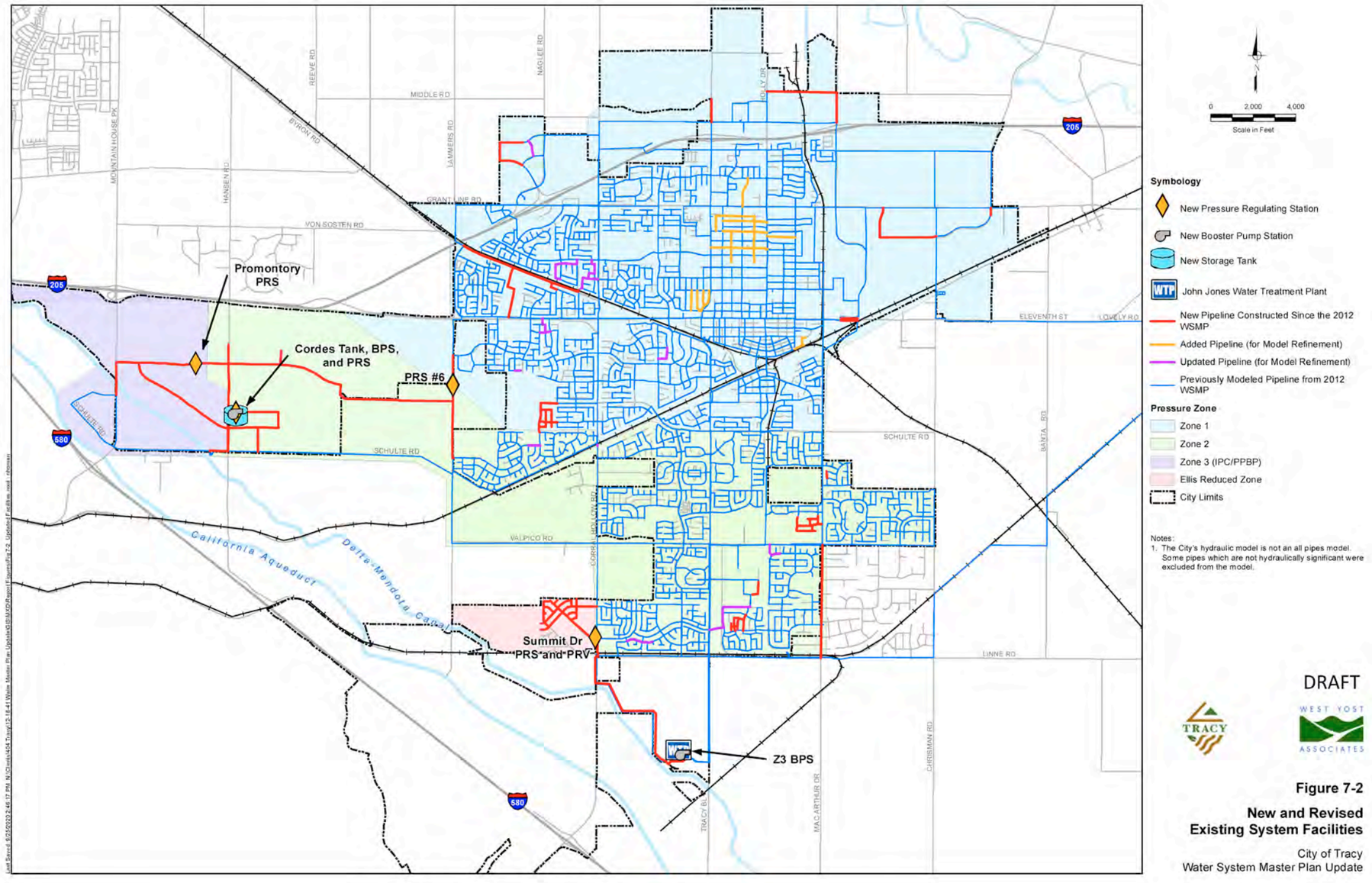


Figure 3-6 City Water System Map (Adapted from the Draft 2020 WSMP, Figure 7-2)

4 WATER USE CHARACTERIZATION

☑ ***CWC § 10631 (d) (1)*** *A plan shall be adopted in accordance with this chapter that shall do all of the following:*

For an urban retail water supplier, quantify, to the extent records are available, past and current water use, over the same five-year increments described in subdivision (a), and projected water use, based upon information developed pursuant to subdivision (a), identifying the uses among water use sectors, including, but not necessarily limited to, all of the following:

(A) Single-family residential.

(B) Multifamily.

(C) Commercial.

(D) Industrial.

(E) Institutional and governmental.

(F) Landscape.

(G) Sales to other agencies.

(H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.

(I) Agricultural.

(J) Distribution system water loss.

(2) *The water use projections shall be in the same five-year increments described in subdivision (a).*

This chapter provides a description and quantifies the City of Tracy's (City) past, current, and projected water uses through 2045. For the purposes of the Urban Water Management Plan (UWMP or Plan), the terms "water use" and "water demand" are used interchangeably. Recycled water is addressed comprehensively in Chapter 6, but a summary of recycled water demand is included in Section 4.2.2 of this chapter. The primary focus of this chapter is the historical and projected potable water uses in the City.

4.1 Current and Historical Total Water Demand

Among other factors, water demand is dependent on climate, population, industry, and the types of development present in a community. The following section of the UWMP presents the City's historical and current water demands, as well as the projected future demand in five-year increments between 2025 and 2045.

Sections 4.1 and 4.2 describe City's historical and projected residential, commercial, industrial, institutional, and landscape irrigation purposes within the City (water use sectors A through F, as defined in California Water Code (CWC) §10631(e)(1)). Distribution system water loss (water use sector J) is discussed in Section 4.1.3. As described in Section 4.3, this discussion does not include demands for water use sectors G through I as they are not applicable or present within the City's service area. Note that the water demand projections are presented based on the current best available information and are subject to review and revision every five years as part of the UWMP update process.

4.1.1 Current and Historical Potable Water Demand

Current and historical potable water use over the five-year period 2016 through 2020, including water use by individual customer sectors, is presented in **Table 4-1** and the associated charts.

Water demand within the City's service area is measured using water meters that are installed at each customer account. Records of current and historical water use at each account are maintained by the City and are based on billing data. Water demand within the City's service area is tracked and reported on a bi-monthly basis for the following sectors:

- The Single Family Residential (SFR) and Multi-Family Residential (MFR) sectors include all residences, including low-income residences, within the City's SOI.
- The Commercial sector includes food-related businesses, such as bakeries and restaurants, and non-food related businesses such as laundromats and car washes.
- The Industrial sector includes hotels, mortuaries, dry cleaners, and larger businesses such as Leprino Foods.
- The Institutional sector primarily includes government-related services, such as the police and fire departments and City Hall, as well as religious and educational buildings.
- The Dedicated Irrigation sector includes all dedicated irrigation meters at City parks, commercial property landscapes, park strips, medians, and schoolyards.

Table 4-1 Demands for Potable and Non-Potable Water - Actual (DWR Table 4-1)

Use Type	Additional Description *(as needed)*	Level of Treatment When Delivered	Volume				
			2016	2017	2018	2019	2020
Single Family	(a)	Drinking Water	8,568	9,271	9,543	9,762	9,640
Multi-Family	(a)	Drinking Water	940	903	915	1,002	1,052
Commercial	(a)	Drinking Water	1,281	1,314	1,356	1,729	1,893
Institutional/Governmental	(a) (b)	Drinking Water	485	594	531	511	
Industrial	(a)	Drinking Water	1,066	1,134	1,005	1,110	769
Landscape	(a)	Drinking Water	1,597	1,934	2,289	2,407	2,177
Groundwater recharge	(c)	Drinking Water	--	--	--	--	190
Losses	(a)	Drinking Water	1,385	1,609	1,184	1,025	3,689
Other	Construction (a)	Drinking Water	38	38	39	39	30
Other	Unbilled consumption (d)	Drinking Water	0	1,363	558	87	86
		TOTAL	15,360	18,160	17,420	17,672	19,527

NOTES:
(a) Water demand data were provided by the City. Losses were obtained from the AWWA Water Audit Reports.
(b) Commercial and Institutional/Governmental water uses were combined in 2020 data.
(c) Groundwater recharge is reported as the volume banked for the following year. 2016 to 2019 data are not available.
(d) The unbilled consumption was the difference between water supply and water consumption including losses.
(e) Totals may not sum due to rounding.
(f) Volumes are in units of AF.

Chart 4-1A Annual Water Demand by Sector: 2016-2020

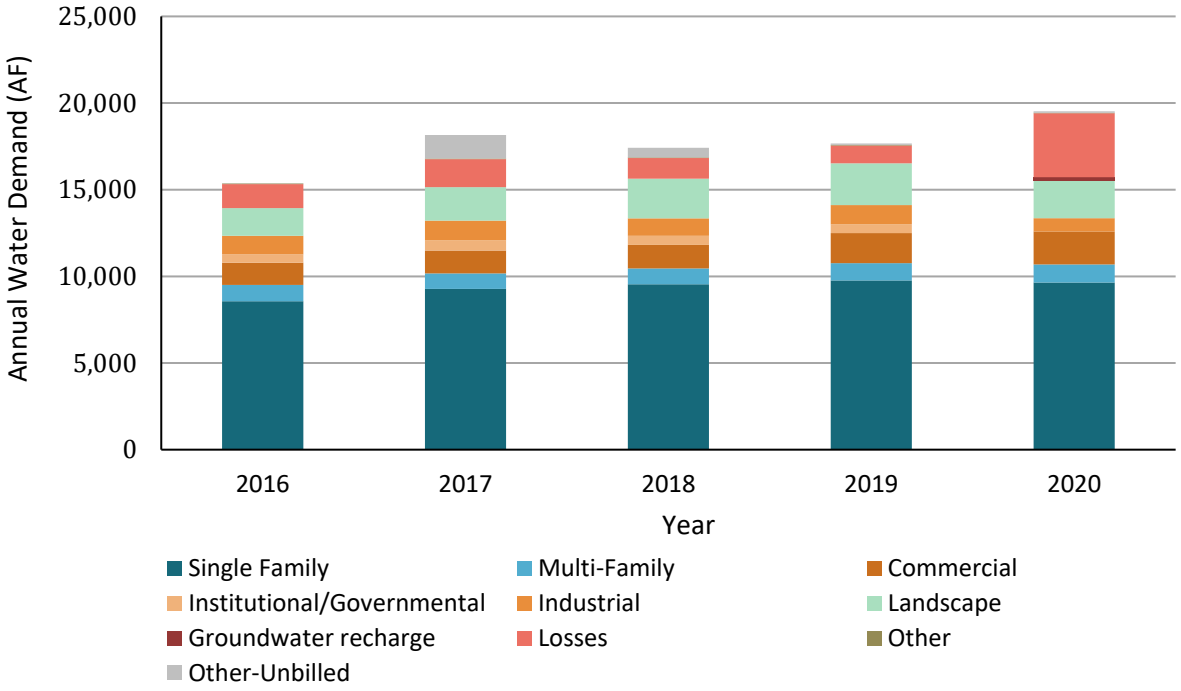
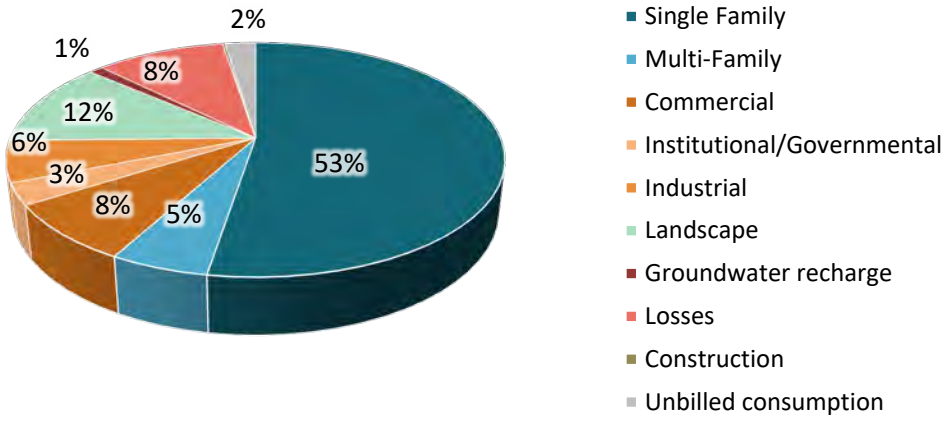


Chart 4-1B Percentage of Total Water Demand by Sector: 2016-2020



Total potable water demand in 2020 was 19,527 acre feet (AF). Between 2016 and 2020, water demand ranged from 15,360 AF in 2016 to 19,527 AF in 2020. As shown in **Table 4-1** and the associated charts, the City's potable water use is largely associated with residential accounts. Over the last five years, the single family and multi-family residential sectors together accounted for an average of 61% of the potable water demand in the City's service area; the single family sector has accounted for over 53% of the City's potable water demand over the last five years. The commercial, institutional/governmental, and industrial sectors collectively accounted for approximately 18%, the landscape sector accounted for 12%, while groundwater recharge and other uses accounted for 1% or less over the last five years.

Since California's precipitation patterns vary from one year to the next, Tracy's water demand fluctuates annually based on local rainfall. In hotter, drier years, irrigation and cooling needs can increase the City's potable water demand above what is needed during cooler or wetter years. Additionally, economic fluctuations can influence demand, as poor economic conditions can stall development projects and result in more vacant homes. Notably, water demands were largely influenced by behavioral changes and regulatory mandates during the historic drought.

As shown in **Table 4-1** and **Table 4-2** and their associated charts, the City water demand increased in 2012 and 2013 as economic conditions improved, before decreasing dramatically in 2014 and 2015 due to the voluntary and mandatory water conservation efforts that were implemented by the City's water customers during the extended drought. Water production has begun to rebound again in recent years (2016-2020) as water use restrictions were lifted and new development projects were constructed.

Table 4-2 Current and Historical Potable Water Demand and Population

Year	Potable Water Demand	Service Area Population	Per Capita Potable Water Use (GPCD)
2010	16,603	83,312	178
2011	16,882	83,648	180
2012	18,052	84,388	191
2013	18,587	84,883	195
2014	16,213	85,346	170
2015	14,041	85,707	146
2016	15,360	89,174	154
2017	18,160	90,980	178
2018	17,420	93,045	167
2019	17,672	95,000	166
2020	19,527	96,345	181

NOTES:
(a) 2010 to 2015 demand data are obtained from the 2015 UWMP. Detailed demand data from 2016 through 2020 are documented in Table 4-1.
(b) The population from 2010 to 2015 are obtained from the 2015 UWMP. The population from 2016 to 2020 are estimated from Department of Finance, Population Estimates for Cities, Counties, and the State, 2011-2020, with 2010 Benchmark, released 1 May 2020, adjusting for the population in Larch Clover CSD which is located outside the City Boundary. The Larch Creek Clover CSD population was estimated based on the total number of accounts (118) and a person per household factor of 3.51.
(c) Per capita potable water use is calculated by dividing the total annual potable water demand by service area population and the number of days in a year.
(d) Unless otherwise noted, volumes are in units of AF.

Chart 4-2A Current and Historical Water Demand and Population

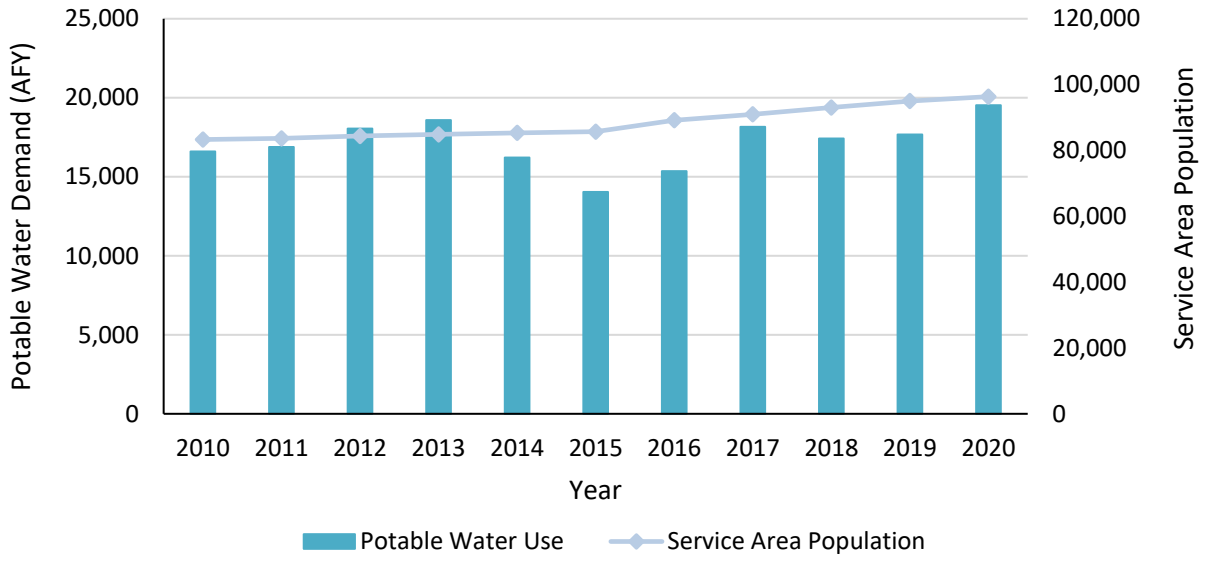
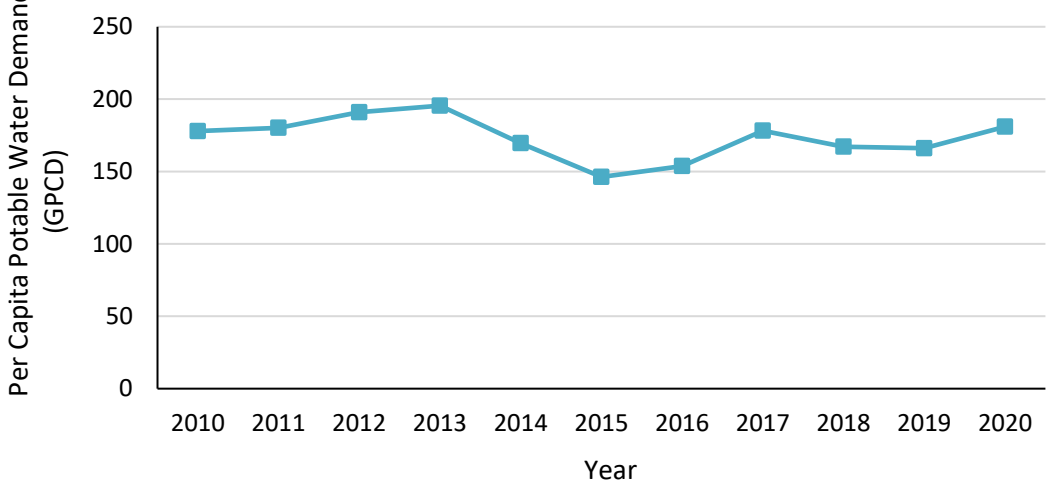


Chart 4-2B Current and Historical Per Capita Potable Water Use



4.1.2 Current and Historical Non-Potable Water Demand

The City anticipates using recycled water for landscape irrigation to offset potable water demands. The City's Wastewater Treatment Plant can currently produce up to approximately 9 million gallons per day (MGD) of tertiary-treated wastewater meeting Title 22 requirements, which can be used for landscape irrigation and other non-potable uses. Initially, the City intends to irrigate using recycled water at the Legacy Fields sports complex prior to 2025. Recycled water is discussed further in Chapter 6.

4.1.3 Distribution System Water Loss

☑ ***CWC § 10631 (3)***

(A) The distribution system water loss shall be quantified for each of the five years preceding the plan update, in accordance with rules adopted pursuant to Section 10608.34.

(B) The distribution system water loss quantification shall be reported in accordance with a worksheet approved or developed by the department through a public process. The water loss quantification worksheet shall be based on the water system balance methodology developed by the American Water Works Association.

(C) In the plan due July 1, 2021, and in each update thereafter, data shall be included to show whether the urban retail water supplier met the distribution loss standards enacted by the board pursuant to Section 10608.34.

Distribution system water losses for the previous five years are summarized in **Table 4-3**. Water loss is the sum of apparent and real losses. Apparent loss is associated with metering inaccuracies, billing, and administrative errors, authorized unmetered uses (e.g., system flushing and firefighting), and unauthorized uses. Real loss is associated with physical water lost through line breaks, leaks and seeps, and overflows of storage tanks. Since 2016, urban retail water suppliers have been required under CWC § 10608.34 and California Code of Regulations (CCR) § 638.1 et seq to quantify distribution system water losses using the American Water Works Association (AWWA) Free Water Audit Software (referred to as the "AWWA Water Loss Worksheet"). The City's Water Loss Worksheets are available through DWR's Water Use Efficiency Data Portal.[5]

In 2020[6], the City's water losses were estimated to be 3,689 AF, approximately 19% of the total volume of water supplied. The City actively manages its distribution system to minimize leakage through actions such as managing system-wide pressures to prevent pressure spikes, installing permanent acoustic leak sensors, and repairing all known leaks immediately. CWC §10631(3)(c) requires that this UWMP demonstrate whether the distribution loss standards enacted by the State Water Resources Control Board (SWRCB) pursuant to §10608.34 have been met. However, the SWRCB has yet to establish these standards, and thus consistency with these standards cannot be demonstrated herein.

[5] DWR's Water Use Efficiency Data Portal: https://wuedata.water.ca.gov/awwa_plans

[6] The City's 2020 water loss audit report has yet to be validated and is currently in draft form.

Table 4-3 12 Month Water Loss Audit Reporting (DWR Table 4-4)

Reporting Period Start Date	Volume of Water Loss
01/2016	1,385
01/2017	1,609
01/2018	1,184
01/2019	1,025
01/2020	3,689
NOTES: (a) Volumes are in units of AF. (b) 2020 losses were obtained from the draft 2020 AWWA audit report, while losses from other years were from validated audit reports. Water losses from 2020 may be modified during the validation process which the City will undergo during June 2021.	

4.2 Projected Total Water Demand

The City's water demand projections were prepared based on the methodology described in the City's 2020 Water System Master Plan (WSMP; Tracy, 2020). Projected total water demand is discussed in detail in the following subsections.

4.2.1 Projected Potable Water Demand

As described in more detail below and in the 2020 WSMP, the potable water demand projections were calculated as the sum of the two major components of future water demands: (1) the volume of potable water demand that best represents current water demands within the City (i.e., a "baseline" demand), and (2) the anticipated potable water demands associated with the future development projects and planning areas. In addition, this Plan includes assumptions regarding passive conservation savings.

The future water demands for buildout of the City's General Plan were projected based on unit water demand factors reflecting recent water use patterns and trends for the City's various land uses, consistency with the Model Water Efficient Landscape Ordinance (MWELO) for landscape irrigation water use and the use of recycled water for landscape irrigation for selected land use designations.

The assumptions used as the bases for demand projections were developed in close coordination with the City and reflect a land-use based approach consistent with the City's community planning. As described in Section 4.2.4, the methodology was modified slightly to be consistent with CWC §10631(d)(4)(A), which requires that "water use projections, where available, shall display and account for the water savings estimated to result from adopted codes, standards, ordinances, or transportation and land use plans identified by the urban water supplier, as applicable to the service area." Because the 2020 WSMP did not account for water savings associated with passive conservation, a county-specific multiplier from the DWR 2016 Projected Statewide and County-Level Effects of Plumbing Codes and

Appliance Standards (M.Cubed, 2016) was used to estimate passive savings, and the resulting volumes were subtracted from the demands shown in the WSMP.

Projected customer water demands for years 2025 through 2045 are presented in **Table 4-4**. These projected demands are broken down by sector, including water loss. As indicated in **Table 4-5**, the water use projections presented in **Table 4-4** include assumptions about future water savings due to passive conservation (see Section 4.2.4) and water use by lower income households (see Section 4.2.3).

Table 4-4 Use for Potable and Non-Potable - Projected (DWR Table 4-2)

Use Type	Additional Description *(as needed)*	Projected Water Use (a)				
		2025	2030	2035	2040	2045
Single Family		10,906	12,161	13,416	14,671	16,788
Multi-Family		1,429	1,546	1,663	1,781	2,566
Commercial	Note (b)	2,538	2,924	3,309	3,694	4,297
Industrial		1,749	2,583	3,418	4,252	5,318
Landscape		2,181	2,181	2,180	2,179	1,979
Losses	Note (c)	1,997	2,272	2,547	2,822	3,286
Other	Passive Savings (d)	-291	-566	-795	-997	-1,155
TOTAL		20,509	23,100	25,738	28,403	33,079

NOTES:
(a) Projected demands are obtained from the City's 2020 WSMP. Demands are assumed to increase linearly between 2025 and 2040, and demand in 2045 is assumed to be the projected demand at buildout.
(b) Sector Institutional/Governmental is grouped under Commercial in the projected water demand.
(c) Losses represent all the non-revenue water, which includes apparent loss, real loss, and unbilled authorized consumption. Losses were estimated to be 9.6% of the total consumption based on the 2020 WSMP.
(d) Passive savings were estimated using county specific multiplier from DWR 2016 Projected Statewide and County-Level Effects of Plumbing Codes and Appliance Standards on Indoor gallon per capita per day.
(e) The water served to PPBP is purchased by PPBP from the Byron Bethany Irrigation District. The City only provides treatment and delivery services for this water in accordance with a "treat and wheel" agreement. Therefore, the water demand associated with PPBP is not included herein.
(f) Volumes are in units of AF.

Chart 4-4 Current and Projected Potable Water Demand by Sector

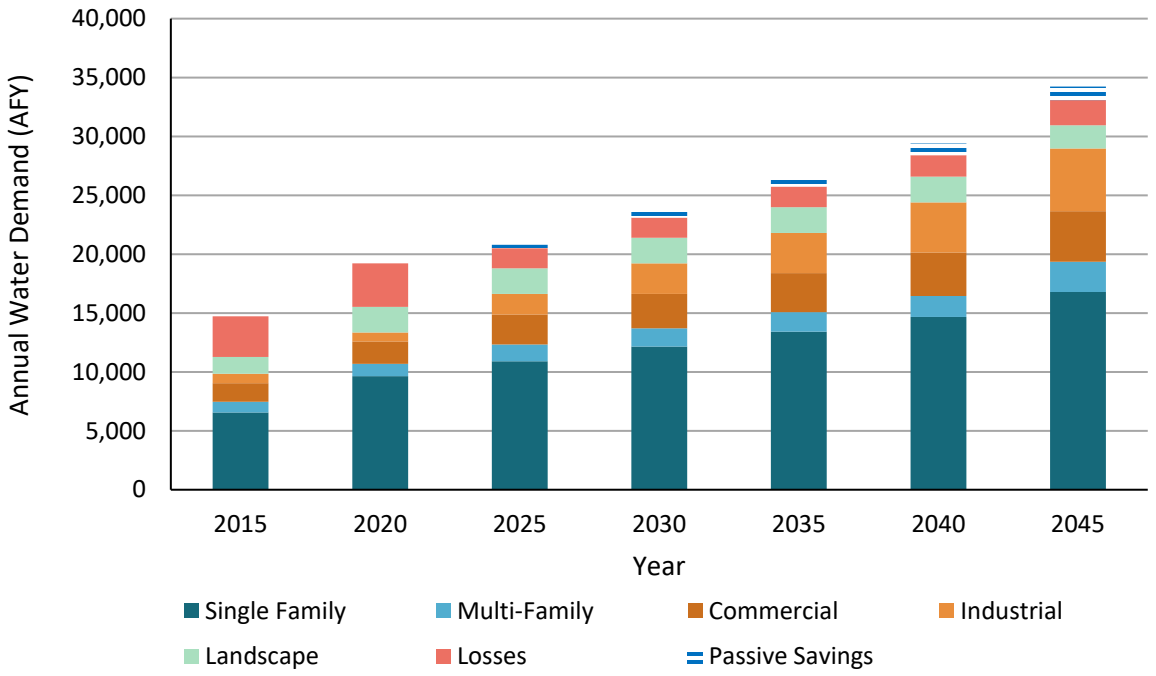


Table 4-5 Inclusion in Water Use Projections (DWR Table 4-5)

Are Future Water Savings Included in Projections?	Yes
If "Yes" to above, state the section or page number, in the cell to the right, where citations of the codes, ordinances, or otherwise are utilized in demand projections are found.	Section 4.2.4
Are Lower Income Residential Demands Included In Projections?	Yes
NOTES:	

4.2.2 Projected Non-Potable Water Demand

As discussed in Section 4.1.2 and discussed further in Section 6.7, the City is relying on recycled water use to offset potable water demands for future developments. Consistent with the 2020 WSMP, the demand projections in the 2020 UWMP assume that 15% of total gross acres will be landscaped and irrigated with recycled water for the following land use categories: Residential – Medium, Residential – High, Residential – Very High, Commercial, Office, Industrial, and Public Facilities. Future parks are assumed to be irrigated solely with recycled water. Since recycled water is to be used for irrigation, the unit water demand factor for parks (4.0 AFY/acre; Tracy, 2020) is applied to the irrigated portion of the above land use categories for the purposes of recycled water demand projections. To account for distribution system losses, the City has built in an assumed 5% water loss to its recycled water demand projections (Tracy, 2020).

The City's total water demand, including potable and non-potable demands, is summarized in Section 4.2.5 in five-year increments between 2025 and 2045 (buildout). By 2040, the City is projecting a recycled water demand of 4,200 AF, which will comprise approximately 13% of total water demand. By buildout or 2045, the City is projecting a recycled water demand of 6,300 AF, or approximately 16% of total demand. A full discussion of the City's recycled water supplies and projected use of recycled water within the City is presented in Section 6.7.

4.2.3 Water Use for Lower Income Households

☑ *CWC § 10631.1*

(a) The water use projections required by Section 10631 shall include projected water use for single-family and multifamily residential housing needed for lower income households, as defined in Section 50079.5 of the Health and Safety Code, as identified in the housing element of any city, county, or city and county in the service area of the supplier.

(b) It is the intent of the Legislature that the identification of projected water use for single-family and multifamily residential housing for lower income households will assist a supplier in complying with the requirements under Section 65589.7 of the Government Code to grant a priority for the provision of service to housing units affordable to lower income households.

As indicated in **Table 4-5**, water use projections presented in Section 4.2.1 and **Table 4-4** include projected water use by lower income households. A lower income household is defined under California Health and Safety Code §50079.5(a) to be 80% of median income, adjusted for family size. Approximately 24% of households in the City were classified as extremely low, very low, and low income households per the 2015-2023 Housing Element (Tracy, 2016). Thus, as shown in **Table 4-6,** the projected water demands for lower income households are estimated to be 24% of the total single-family and multi-family residential projected water uses included in **Table 4-4**. The resulting estimated water use for lower income households is expected to grow from 2,936 AF in 2025 to 4,606 AF at buildout, or 2045.

Table 4-6 Projected Potable Water Demand for Lower-Income Households

Lower-Income Water Demand Sector	Projected Water Use (AF)				
	2025	2030	2035	2040	2045
Single Family	2,596	2,894	3,193	3,492	3,996
Multi-Family	340	368	396	424	611
TOTAL	**2,936**	**3,262**	**3,589**	**3,915**	**4,606**

NOTES:
(a) Per the City's 2015-2023 Housing Element, in 2011, 24% of housing units served lower income households. It is assumed that approximately 24% of the future residential water demand will be associated with lower income households.

4.2.4 Water Savings from Codes, Standards, Ordinances, or Transportation and Land Use Plans

☑ ***CWC § 10631 (d) (4)***

(A) Water use projections, where available, shall display and account for the water savings estimated to result from adopted codes, standards, ordinances, or transportation and land use plans identified by the urban water supplier, as applicable to the service area.

(B) To the extent that an urban water supplier reports the information described in subparagraph (A), an urban water supplier shall do both of the following:

(i) Provide citations of the various codes, standards, ordinances, or transportation and land use plans utilized in making the projections.

(ii) Indicate the extent that the water use projections consider savings from codes, standards, ordinances, or transportation and land use plans. Water use projections that do not account for these water savings shall be noted of that fact.

"Passive conservation" refers to water savings resulting from actions and activities that do not depend on direct financial assistance or educational programs from the City. These savings result primarily from: (1) the natural replacement of existing plumbing fixtures with water-efficient models required under current plumbing code standards, and (2) the installation of water-efficient fixtures and equipment in new buildings and retrofits as required under CALGreen Building Code Standards. The projected water savings associated with passive savings, as summarized in **Table 4-7**, were estimated using county specific multiplier from DWR 2016 Projected Statewide and County-Level Effects of Plumbing Codes and Appliance Standards on Indoor gallon per capita per day (GPCD; M.Cubed, 2016)[7]. The projected water savings due to passive conservation are estimated to be 1,155 AFY by 2045. The water savings estimates incorporate the effects of the following codes and regulations:

- Assembly Bill (AB) 715, enacted in 2007, requires that any toilet or urinal sold or installed in California on or after January 1, 2014 cannot have a flush rating exceeding 1.28 and 0.5 gallons per flush, respectively. AB 715 superseded the state's previous standards for toilet and urinal water use set in 1991 of 1.6 and 1.0 gallons per flush, respectively. On April 8, 2015, in response to the Governor's Emergency Drought Response Executive Order (EO B-29-15), the California Energy Commission approved new standards for urinals requiring that they not consume more than 0.125 gallons per flush, 75% less than the standard set by AB 715.
- Water use standards for residential and commercial clothes washers and dishwashers are established by the U.S. Department of Energy through its authority under the federal Energy Policy and Conservation Act. Water use efficiency is summarized by the water factor for the appliance which measures the gallons of water used per cycle per cubic foot of capacity. A typical top-loading residential clothes washer manufactured in the 1990s had a water factor of around 12. In 2015, the allowable water factor for top- and front-loading residential clothes was reduced

[7] GPCD reduction factor is obtained from the "Total Effects, including Common Area and Coin-Op Clothes Washers and Non-Residential Toilets and Urinals" table from Attachment 3, which estimated passive savings associated with indoor fixtures from all sectors. The reduction factor is adjusted to reflect reduction relative to 2020.

to 8.4 and 4.7, respectively. In 2018, the water factor standard for top-loading residential clothes washers was reduced to 6.5. In 2010, the allowable water factor for top- and front-loading commercial clothes washers were reduced to 8.5 and 5.5, respectively. The maximum water factors for Energy Star compliant top- and front-loading washers are 3.7 and 4.3, respectively. The U.S. Environmental Protection Agency estimates that Energy Star washers comprised at least 60% of the residential market and 30% of the commercial market in 2011. An Energy Star compliant washer uses about two-thirds less water per cycle than a washer manufactured in the 1990s. Federal dishwasher water use efficiency standards were last updated in 2013. The maximum water uses for standard and compact sized dishwashers are 5.0 and 3.5 gallons per cycle, respectively.

- New construction and renovations in California are now subject to CALGreen Code requirements. CALGreen includes prescriptive indoor provisions for maximum water consumption of plumbing fixtures and fittings in new and renovated properties. CALGreen also allows for an optional performance path to compliance, which requires an overall aggregate 20% reduction in indoor water use from a calculated baseline using a set of worksheets provided with the CALGreen guidelines.
- Senate Bill (SB) 407, enacted in 2009, mandates that all buildings in California come up to current State plumbing fixture standards within this decade. This law establishes requirements that residential and commercial property built and available for use on or before January 1, 1994 replace plumbing fixtures that are not water conserving, defined as "noncompliant plumbing fixtures." This law also requires that effective January 1, 2017, a seller or transferor of single-family residential property must disclose to the purchaser or transferee, in writing, the specified requirements for replacing plumbing fixtures and whether the real property includes noncompliant plumbing. Similar disclosure requirements went into effect for multi-family and commercial transactions on January 1, 2019. Senate Bill (SB) 837, passed in 2011, reinforces the disclosure requirement by amending the statutorily-required transfer disclosure statement to include a disclosure on whether the property is in compliance with SB 407 requirements.

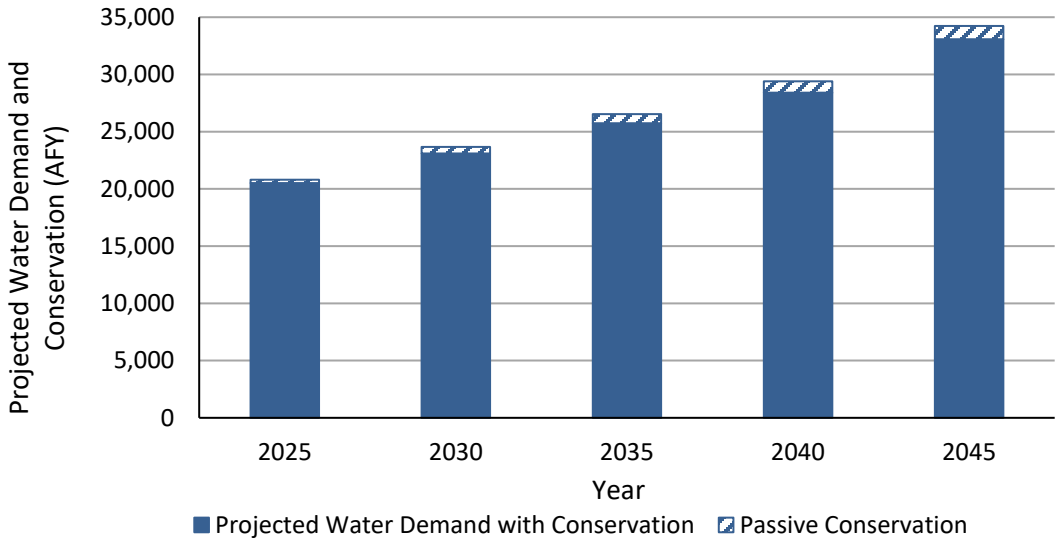
In addition, following the 2014-2016 drought, the State of California (State) developed the "Making Water Conservation a California Way of Life" framework to address the long-term water use efficiency requirements called for in executive orders issued by Governor Brown. In May of 2018, Assembly Bill (AB) 1668 and SB 606 (collectively referred to as the efficiency legislation) went into effect, which built upon the executive orders implementing new urban water use objectives for urban retail water suppliers. These new urban water use objectives are discussed in Section 4.6.

Table 4-7 Projected Potable Water Demand and Projected Passive and Active Water Conservation

Water Conservation Type	Projected Potable Water Demand (AF)				
	2025	2030	2035	2040	2045
Projected Water Demand	20,800	23,667	26,533	29,400	34,234
Projected Passive Conservation	291	566	795	997	1,155
Projected Water Demand after Passive Conservation Savings	20,509	23,100	25,738	28,403	33,079

NOTES:
(a) Passive savings were estimated using county specific multiplier from DWR 2016 Projected Statewide and County-Level Effects of Plumbing Codes and Appliance Standards on Indoor gallon per capita per day.

Chart 4-7 Projected Water Demand and Conservation



4.2.5 Projected Total Water Demand

The City's total projected water demands are summarized in **Table 4-8**.

Table 4-8 Gross Water Use (DWR Table 4-3)

	2020	2025	2030	2035	2040	2045 (opt)
Potable Water, Raw, Other Non-potable *From Tables 4-1R and 4-2 R*	19,527	20,509	23,100	25,738	28,403	33,079
Recycled Water Demand* *From Table 6-4*	0	1,000	2,067	3,133	4,200	6,300
TOTAL WATER USE	19,527	21,509	25,167	28,871	32,603	39,379
**Recycled water demand fields will be blank until Table 6-4 is complete.*						
NOTES: (a) Volumes are in units of AF.						

4.3 Water Use Sectors Not Included in the Demand Projections

Several water use sectors listed in CWC §10631(d)(1) are not included in the water demand projections described in Sections 4.2.1 and 4.2.2 because they are not applicable to the City. The following sectors were not included in the demand projections in this Plan:

- Sales to Other Agencies (CWC §10631(d)(1)(G)) – The City does not regularly sell water to other agencies.
- Saline Water Intrusion Barriers, Groundwater Recharge, or Conjunctive Use (CWC §10631(d)(1)(H)) – The City does not currently use, nor does it plan to use, water for saline water intrusion barriers. While the City has groundwater recharge and conjunctive use programs (see Section 6), the associated volumes are reported as net extractions in Section 6 and are not explicitly included as a water use sector in the demand projections.
- Agricultural (CWC §10631(d)(1)(I)) – The City does not currently, nor does it plan to, provide water for agricultural uses.

4.4 Climate Change Impacts to Demand

☑ ***CWC § 10635(b)***

(4) Considerations of the historical drought hydrology, plausible changes on projected supplies and demands under climate change conditions, anticipated regulatory changes, and other locally applicable criteria.

The methodology used to develop demand projections herein considers the impacts of climate change on projected demands. California experienced a historic drought between 2011-2017. In 2014, Governor Brown issued Executive Order B-26-14 declaring a Drought State of Emergency and requested all Californians to voluntarily reduce water use by 20%. In 2015, the State Water Resources Control Board implemented emergency conservation regulations that, among other things, required water agencies to reduce their water use and prohibited certain types of water uses. As a result, the City experienced an overall decrease in demands during the historic drought, most significantly during 2015. As explained further in the 2020 WSMP, the demand projections are based on a baseline water demand established based on the 2005-2013 period, during which customers increased their water use (in part due to the drought conditions, prior to the imposed restrictions). Thus, the periods used to develop the demand projections reflect conditions representative of the hotter, drier weather expected as a result of climate change.

4.5 Coordinating Water Use Projections

☑ ***CWC § 10631 (h)***

An urban water supplier that relies upon a wholesale agency for a source of water shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available.

As discussed in Sections 2.2 and 4.4, the City has been closely communicating with the United States Bureau of Reclamation (USBR) and South San Joaquin Irrigation District (SSJID). The City notifies the USBR each year of the deliveries that it expects to receive from the USBR during the following year. The City also notifies the SSJID each year of the deliveries that it expects to receive over the next three years. As part of the coordination effort for the 2020 UWMP, and in compliance with CWC §10631(j), the City supplied the USBR and SSJID with its water demand projections through 2045.

4.6 Urban Water Use Objectives (Future Requirements)

☑ ***CWC § 10609.20***

(a) Each urban retail water supplier shall calculate its urban water use objective no later than January 1, 2024, and by January 1 every year thereafter.

(b) The calculation shall be based on the urban retail water supplier's water use conditions for the previous calendar or fiscal year.

☑ ***CWC § 10609.22***

(a) An urban retail water supplier shall calculate its actual urban water use no later than January 1, 2024, and by January 1 every year thereafter.

(b) The calculation shall be based on the urban retail water supplier's water use for the previous calendar or fiscal year.

☑ ***CWC § 10609.24***

(a) An urban retail water supplier shall submit a report to the department no later than January 1, 2024, and by January 1 every year thereafter. The report shall include all of the following:

(1) The urban water use objective calculated pursuant to Section 10609.20 along with relevant supporting data.

(2) The actual urban water use calculated pursuant to Section 10609.22 along with relevant supporting data.

(3) Documentation of the implementation of the performance measures for CII water use.

(4) A description of the progress made towards meeting the urban water use objective.

(5) The validated water loss audit report conducted pursuant to Section 10608.34.

(b) The department shall post the reports and information on its internet website.

(c) The board may issue an information order or conservation order to, or impose civil liability on, an entity or individual for failure to submit a report required by this section.

Beginning in 2023, urban water retailers will be required to report on "annual water use objectives" by November 1 of each year and to achieve these objectives by 1 January 2027 (per CWC § 10609). The annual water use objectives will be calculated based on standards for indoor residential water use, outdoor residential water use, and distribution system water loss. Additionally, it is anticipated that performance-based standards for the commercial, industrial, and institutional sectors, separate from the annual water use objectives, will also be developed by Department of Water Resources (DWR) and implemented in the future. However, the specific standards that will be used to determine a retailer's annual urban water use objectives are currently under development by DWR, and thus, the annual urban water use objectives for the City cannot be calculated or estimated. Once the urban water use objectives are released, the City will evaluate its historical and current water use compared to the new objectives, and will evaluate the need to adjust its conservation and water loss management measures to meet the new objectives.

One of the components for calculating the future water use objectives is provided for in CWC §10609.4.(a), which states "(1) Until January 1, 2025, the standard for indoor residential water use shall be 55 gallons per capita daily. (2) Beginning January 1, 2025, and until January 1, 2030, the standard for indoor

residential water use shall be the greater of 52.5 gallons per capita daily or a standard recommended pursuant to subdivision (b). (3) Beginning January 1, 2030, the standard for indoor residential water use shall be the greater of 50 gallons per capita daily or a standard recommended pursuant to subdivision (b)." **Table 4-9** shows an estimate of future per capita residential water use, broken out by estimated indoor and outdoor water use[8]. Based on these estimates, per capita indoor residential potable water use is expected to be higher than the indoor use standards presented in the legislation. Although indoor residential water use is not expected to be within the indoor residential water use standard, it should be noted that because standards have not yet been developed for the outdoor water use or water loss components of the future water use objectives, it cannot be known whether projected demands for the City will be in compliance with the pending requirements.

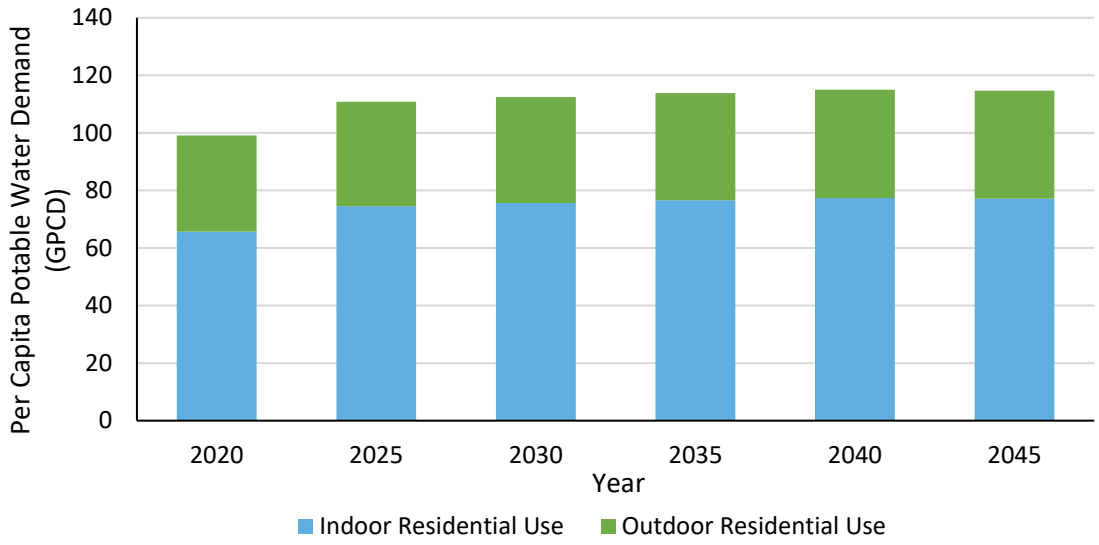
[8] Indoor water use was estimated to be the lowest monthly water use for the residential sector from 2016 to 2020, accounting for the number of days in each month. Outdoor water use for each sector was estimated to be the difference between the total water use and the estimated indoor water use. The residential indoor water use was estimated to be 66% of the total residential water use.

Table 4-9 Current and Projected Residential Per Capita Water Use

Year	Residential Potable Water Demand	Service Area Population	Per Capita Residential Potable Water Use (GPCD)	Approximate Per Capita Indoor Residential Potable Water Use (GPCD)	Approximate Per Capita Outdoor Residential Potable Water Use (GPCD)
2020	10,692	96,345	99	66	33
2025	12,335	109,900	100	66	34
2030	13,707	120,367	102	67	34
2035	15,079	130,833	103	68	35
2040	16,452	141,300	104	69	35
2045	19,354	166,700	104	69	35

NOTES:
(a) Indoor water use was estimated to be the lowest monthly water use for the residential sector from 2016 to 2020, accounting for the number of days in each month. Outdoor water use for each sector was estimated to be the difference between the total water use and the estimated indoor water use. The residential indoor water use was estimated to be 66% of the total residential water use.
(b) Unless otherwise noted, volumes are in units of AF.

Chart 4-9 Current and Projected Indoor and Outdoor Residential Per Capita Potable Water Use



5 SB X7-7 BASELINES, TARGETS, AND 2020 COMPLIANCE

☑ ***CWC § 10608.24 (b)***

Each urban retail water supplier shall meet its urban water use target by December 31, 2020.

☑ ***CWC § 10608.28***

(a) An urban retail water supplier may meet its urban water use target within its retail service area, or through mutual agreement, by any of the following:

(1) Through an urban wholesale water supplier.

(2) Through a regional agency authorized to plan and implement water conservation, including, but not limited to, an agency established under the Bay Area Water Supply and Conservation Agency Act (Division 31 (commencing with Section 81300)).

(3) Through a regional water management group as defined in Section 10537.

(4) By an integrated regional water management funding area.

(5) By hydrologic region.

(6) Through other appropriate geographic scales for which computation methods have been developed by the department.

(b) A regional water management group, with the written consent of its member agencies, may undertake any or all planning, reporting, and implementation functions under this chapter for the member agencies that consent to those activities. Any data or reports shall provide information both for the regional water management group and separately for each consenting urban retail water supplier and urban wholesale water supplier.

With the adoption of the Water Conservation Act of 2009, also known as Senate Bill (SB) X7-7, the state is required to reduce urban water use by 20% by the year 2020. Each urban retail water supplier was required to develop a baseline daily per capita water use ("baseline water use") in their 2010 Urban Water Management Plan (UWMP or Plan) and establish per capita water use targets for 2015 and 2020 in order to help the state achieve the 20% reduction.

In support of implementing the requirements of SB X7-7, the California Department of Water Resources (DWR) produced a set of methodologies for developing baseline and compliance water use and targets, which are included in Methodologies for Calculating Baseline and Compliance Urban Per Capita Water, California Department of Water Resources Division of Statewide Integrated Water Management Water Use and Efficiency Branch (Methodologies; DWR, 2016). As required by DWR, the City of Tracy (City) updated its baseline and target water use information in its 2015 UWMP and has not made any changes since then.

In this chapter, the City demonstrates compliance with its 2020 per capita water use target. As part of the compliance reporting for SB X7-7, water suppliers are required to complete and submit a set of standardized verification tables in their 2020 UWMPs. The information in these tables is discussed and summarized in the following subsections, and the complete set of SB X7-7 standardized tables is included in **Appendix E**.

5.1 Service Area Population

☑ ***CWC § 10608.20 (e)***

An urban retail water supplier shall include in its urban water management plan due in 2010 pursuant to Part 2.6 (commencing with Section 10610) the baseline daily per capita water use, urban water use target, interim urban water use target, and compliance daily per capita water use, along with the bases for determining those estimates, including references to supporting data.

☑ ***CWC § 10608.20 (g)***

An urban retail water supplier may update its 2020 urban water use target in its 2015 urban water management plan required pursuant to Part 2.6 (commencing with Section 10610).

☑ ***Methodology 2 Service Area Population****.*

DWR will examine discrepancy between the actual population estimate and DOF's projections for 2010; if significant discrepancies are discovered, DWR may require some or all suppliers to update their baseline population estimates. (DWR, 2016)

Table 5-1 provides estimates of the City's service area population for each of the baseline years and the 2020 compliance year. Per the Methodologies, DWR required that water suppliers calculate their baseline population using 2010 Census data. The population data presented in **Table 5-1** were based on data from the California Department of Finance (DOF) that incorporated 2010 Census data as a benchmark, and thus satisfies this requirement. The population calculation methodology is described in Section 3.2. The 2020 compliance year population for the City is 96,345.

Table 5-1 SB X7-7 Service Area Population

Year		Population
10 to 15 Year Baseline Population		
Year 1	1995	44,906
Year 2	1996	46,311
Year 3	1997	47,791
Year 4	1998	49,327
Year 5	1999	52,326
Year 6	2000	57,298
Year 7	2001	61,423
Year 8	2002	66,372
Year 9	2003	70,444
Year 10	2004	75,131
5 Year Baseline Population		
Year 1	2003	70,444
Year 2	2004	75,131
Year 3	2005	78,613
Year 4	2006	80,535
Year 5	2007	81,082
2020 Compliance Year Population		
2020		96,345
NOTES:		

5.2 Baseline Water Use

The baseline water use is the water supplier's average gross daily water use per capita measured in gallons. This baseline includes all water entering the delivery system, including water losses. A water supplier may deduct from its gross water use water conveyed to other urban water suppliers, water placed into long-term storage, recycled water delivered within the supplier's service area, water delivered for agricultural use, water conveyed to other urban water suppliers, and water used for industrial processes.

Water suppliers must define a 10- or 15-year base (or baseline) period for water use that is then used to develop their future target per capita water use. Water suppliers must also calculate water use over a 5-year baseline period and use that value to determine a minimum required reduction in water use by 2020. Utilizing a 15-year baseline period is only allowed for water suppliers that meet at least 10% of their 2008 measured retail water demand through recycled water; the City does not meet this criterion and thus selected a 10-year baseline.

The 10-year baseline water use for the City was calculated as 226 gallons per capita per day (GPCD) using gross per capita water usage data (calculated as total water entering the City's water distribution system divided by total population) for the 10-year period between 1995 and 2004. The 5-year baseline water

use was calculated as 209 GPCD using per capita water usage data for the 5-year period between 2003 and 2007. No deductions were made to the City's gross water use. The 5- and 10-year baseline water uses are shown in **Table 5-2**.

Table 5-2 Baselines and Targets Summary (DWR Table 5-1)

Baseline Period	Start Year	End Year	Average Baseline GPCD	Confirmed 2020 Target GPCD
10-15 year	1995	2004	226	181
5 Year	2003	2007	209	
NOTES:				

5.3 Water Use Targets

☑ ***CWC § 10608.20 (b)***

An urban retail water supplier shall adopt one of the following methods for determining its urban water use target pursuant to subdivision (a):

(1) Eighty percent of the urban retail water supplier's baseline per capita daily water use.

(2) The per capita daily water use that is estimated using the sum of the following performance standards:

(A) For indoor residential water use, 55 gallons per capita daily water use as a provisional standard. Upon completion of the department's 2016 report to the Legislature pursuant to Section 10608.42, this standard may be adjusted by the Legislature by statute.

(B) For landscape irrigated through dedicated or residential meters or connections, water efficiency equivalent to the standards of the Model Water Efficient Landscape Ordinance set forth in Chapter 2.7 (commencing with Section 490) of Division 2 of Title 23 of the California Code of Regulations, as in effect the later of the year of the landscape's installation or 1992. An urban retail water supplier using the approach specified in this subparagraph shall use satellite imagery, site visits, or other best available technology to develop an accurate estimate of landscaped areas.

(C) For commercial, industrial, and institutional uses, a 10-percent reduction in water use from the baseline commercial, industrial, and institutional water use by 2020.

(3) Ninety-five percent of the applicable state hydrologic region target, as set forth in the state's draft 20x2020 Water Conservation Plan (dated April 30, 2009). If the service area of an urban water supplier includes more than one hydrologic region, the supplier shall apportion its service area to each region based on population or area.

(4) A method that shall be identified and developed by the department, through a public process, and reported to the Legislature no later than December 31, 2010. The method developed by the department shall identify per capita targets that cumulatively result in a statewide 20-percent reduction in urban daily per capita water use by December 31, 2020. In developing urban daily per capita water use targets, the department shall do all of the following:

(A) Consider climatic differences within the state.

(B) Consider population density differences within the state.

(C) Provide flexibility to communities and regions in meeting the targets.

(D) Consider different levels of per capita water use according to plant water needs in different regions.

(E) Consider different levels of commercial, industrial, and institutional water use in different regions of the state.

(F) Avoid placing an undue hardship on communities that have implemented conservation measures or taken actions to keep per capita water use low.

☑ ***CWC § 10608.22***

Notwithstanding the method adopted by an urban retail water supplier pursuant to Section 10608.20, an urban retail water supplier's per capita daily water use reduction shall be no less than 5 percent of base daily per capita water use as defined in paragraph (3) of subdivision (b) of Section 10608.12. This section does not apply to an urban retail water supplier with a base daily per capita water use at or below 100 gallons per capita per day.

The Water Conservation Act requires that agencies calculate their 2020 water use targets (2020 Targets) using one of the following four methods:

- Method 1: 80% of the water supplier's baseline per capita water use;
- Method 2: Per capita daily water use estimated using the sum of performance standards applied to indoor residential use, landscaped area water use, and commercial, industrial, and institutional uses;
- Method 3: 95% of the applicable state hydrologic region target as stated in the State's 20x2020 Water Conservation Plan, dated February 2010; or
- Method 4: Total savings subtracted from baseline water use. Savings include metering savings, residential savings, commercial, industrial, and institutional savings, and landscape and water loss savings.

The City's 2020 Target was calculated to be 181 GPCD using Method 1, as presented in **Table 5-2**. Under CWC §10608.22, water suppliers must confirm that the 2020 Target will reduce 2020 water use by a minimum of 5% from the 5-year base daily per capita water use. As discussed in Section 5.2, the City's 5-year baseline water use is 209 GPCD. The 2020 Target (181 GPCD) is less than 95% of the 5-year baseline water use, so the selected 2020 Target is in compliance with the UWMP Act.

5.4 2020 Target Compliance

☑ ***CWC § 10608.24 (b)***

Each urban retail water supplier shall meet its urban water use target by December 31, 2020.

☑ ***CWC § 10608.24 (d)***

(1) When determining compliance daily per capita water use, an urban retail water supplier may consider the following factors:

(A) Differences in evapotranspiration and rainfall in the baseline period compared to the compliance reporting period.

(B) Substantial changes to commercial or industrial water use resulting from increased business output and economic development that have occurred during the reporting period.

(C) Substantial changes to institutional water use resulting from fire suppression services or other extraordinary events, or from new or expanded operations, that have occurred during the reporting period.

(2) If the urban retail water supplier elects to adjust its estimate of compliance daily per capita water use due to one or more of the factors described in paragraph (1), it shall provide the basis for, and data supporting, the adjustment in the report required by Section 10608.40.

☑ ***CWC § 10608.40***

Urban water retail suppliers shall report to the department on their progress in meeting their urban water use targets as part of their urban water management plans submitted pursuant to Section 10631. The data shall be reported using a standardized form developed pursuant to Section 10608.52.

The City's 2020 population was 96,345 and its 2020 water demand was 19,527 acre-feet, which results in a daily gross per capita water use estimate of 181 GPCD. As shown in **Table 5-3**, this 2020 actual water demand meets the target of 181 GPCD.

It should be noted that the 2020 water demand was higher than demands in 2018 and 2019, due to the fact that water losses in 2020 were almost three times higher than previous years. The City is currently investigating the causes of the increase in water losses during 2020, including performing calibration of flow meters and evaluating potential unauthorized water uses in the City. If 2020 water losses had been similar to 2018 and 2019 levels, the City's GPCD would have been significantly lower than the 2020 confirmed target.

Table 5-3 2020 Compliance (DWR Table 5-2)

2020 GPCD			2020 Confirmed Target GPCD	Did Supplier Achieve Targeted Reduction for 2020?
Actual 2020 GPCD	2020 TOTAL Adjustments	Adjusted 2020 GPCD *(Adjusted if applicable)*		
181	0	0	181	Yes
NOTES:				

6 WATER SUPPLY CHARACTERIZATION

☑ ***CWC § 10631 (b)*** *A plan shall be adopted in accordance with this chapter that shall do all of the following:*

Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a).

The City of Tracy (City or Tracy) obtains water from both surface water and groundwater sources. The amount of water that Tracy uses from each of its water supply sources varies from year to year based on contractual agreements, annual precipitation, and City policy about how to expand, utilize, and manage its water resources. The City's current and potential future water supplies are described in the following sections.

6.1 Purchased Water

The City purchases imported surface water from two wholesale water suppliers: (1) the United States Bureau of Reclamation (USBR), which supplies the City with Central Valley Project (CVP) water via the Delta-Mendota Canal (DMC; conjunctively referred to as DMC/CVP water), and (2) the South San Joaquin Irrigation District (SSJID), which supplies Stanislaus River water through the South County Water Supply Project (SCWSP). Information on these purchased water sources is provided below.

6.1.1 Central Valley Project Water via the Delta-Mendota Canal

The City has the following contractual entitlements for the DMC/CVP water supply:

- The City entered into a 40-year Municipal and Industrial (M&I) contract with the USBR in 1974 for an entitlement of 10,000 acre-feet per year (AFY) of surface water from the CVP via the DMC.[9] Though this contract expired in 2014, there have been a series of interim contract renewals to provide water service to the City while the USBR and the City negotiate the long-term contract and complete the required environmental documentation. The most recent interim renewal contract term began on 1 March 2020 and ends on 28 February 2022. The City anticipates on-going contract renewals for this source.
- In February 2004, the City entered into two contracts with the USBR for 5,000 AFY of agricultural (Ag) reliability water from the Banta-Carbona Irrigation District (BCID)[10] and 2,500 AFY of Ag-reliability water from the West Side Irrigation District (WSID).[11] In December 2013, the City and

[9] Contract No. 14-06-200-7858A, dated 22 July 1974.

[10] The "Agreement for Assignment of Entitlement to CVP Water Between the City of Tracy and the Banta-Carbona Irrigation District," dated 5 June 2001, assigned water to the City from BCID's contract with the USBR (Contract No. 14-06-200-4305A-IR7).

[11] The "Agreement for Assignment of Entitlement to CVP Water Between the City of Tracy and The West Side Irrigation District," dated 21 August 2001, assigned water to the City from WSID's contract with the USBR (Contract No. 7-07-20-W0045-IR7). The agreement was amended on 11 September 2002.

the WSID approved an additional assignment of 2,500 AFY of water, increasing the City's total assignment of WSID water to 5,000 AFY.

- A portion of the Tracy Hills Specific Plan area was annexed into the Byron Bethany Irrigation District (BBID) and is entitled to water service from BBID as part of its pre-1914 appropriative water rights. This water is delivered to the City via the DMC and is treated at the City's John Jones Water Treatment Plant (JJWTP) before delivery to Tracy Hills. The City anticipates that up to 4,500 AFY of the BBID pre-1914 water will be available to serve the Tracy Hills as it is built. However, the volume of water available is restricted to the actual demand in the portion of Tracy Hills within the BBID's service area. The projected potable water demand in this area is estimated to be 3,330 AFY at buildout (Tracy, 2020).
- The City also treats and serves small amounts of DMC/CVP water purchased by the Patterson Pass Business Park (PPBP) from BBID for use at the PPBP only. This water is not considered as part of the City's supply or demand because the City solely provides water treatment, delivery, and billing services in accordance with a "treatment and wheeling" agreement; the City does not manage either the supply or the demand.

Tracy's DMC/CVP water is treated at the JJWTP, which is located at the southern end of the City, just east of the DMC and the California Aqueduct. The JJWTP was constructed in 1979, expanded in 1988, and expanded and upgraded again in 2008. The current permitted treatment capacity of the JJWTP is 30 million gallons per day (MGD)[12] which is sufficient to treat all of Tracy's DMC/CVP water supplies. The treatment process at the JJWTP includes chemical oxidation, temperature equalization, coagulation, flocculation, filtration, granulated activated carbon adsorption, and ultraviolet (UV) light and chlorine/chloramine disinfection.

6.1.2 Stanislaus River Water

The City's SCWSP water supply is based on SSJID's senior, pre-1914 appropriative water rights to the Stanislaus River, coupled with an agreement with the USBR to store water in the New Melones Reservoir. The City purchases water from SSJID through the SCWSP. The SCWSP is a partnership between the City, SSJID, and the cities of Manteca, Lathrop, and Escalon. As part of the SCWSP, Tracy was initially allocated up to 10,000 AFY of water. In 2006, the City entered into a temporary contract with Escalon to purchase Escalon's allocation of 2,015 AFY of SCWSP supply until Escalon constructs the necessary infrastructure to convey the SCWSP water.[13] In 2013, the City acquired an additional 1,120 AFY of SCWSP water from the City of Lathrop.[14] The City's current contractual amount of SCWSP water is 13,135 AFY in total. Once the agreement with Escalon sunsets (anticipated to occur in 2025), the City's contractual allocation will be reduced to 11,120 AFY.

[12] The plant is designed for an ultimate capacity of 45 MGD. The piping, UV equipment, and other common components are hydraulically designed for the future expanded plant capacity.

[13] Escalon Amendment to Tracy- SSJID Water Supply Development Agreement, March 2006.

[14] Lathrop-Tracy Purchase, Sale and Amendment Agreement, dated 6 August 2013.

The Stanislaus River water is treated at the Nick C. DeGroot Water Treatment Plant (DGWTP), located near Woodward Reservoir in San Joaquin County. The DGWTP currently has a treatment capacity of 36 MGD. The treatment process at the DGWTP involves pre-chlorination, coagulation, dissolved air flotation pretreatment for removal of solids and dissolved material, chemical stabilization to minimize internal pipe corrosion, membrane filtration, and chlorination for disinfection.

The next phase of the SCWSP (Phase II) is anticipated to expand the treatment capacity of the DGWTP to approximately 60 MGD. The City will not be participating in Phase II of the SCWSP.

6.2 Groundwater

☑ ***CWC § 10631***

(b) (4) If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information:

(A) The current version of any groundwater sustainability plan or alternative adopted pursuant to Part 2.74 (commencing with Section 10720), any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management for basins underlying the urban water supplier's service area.

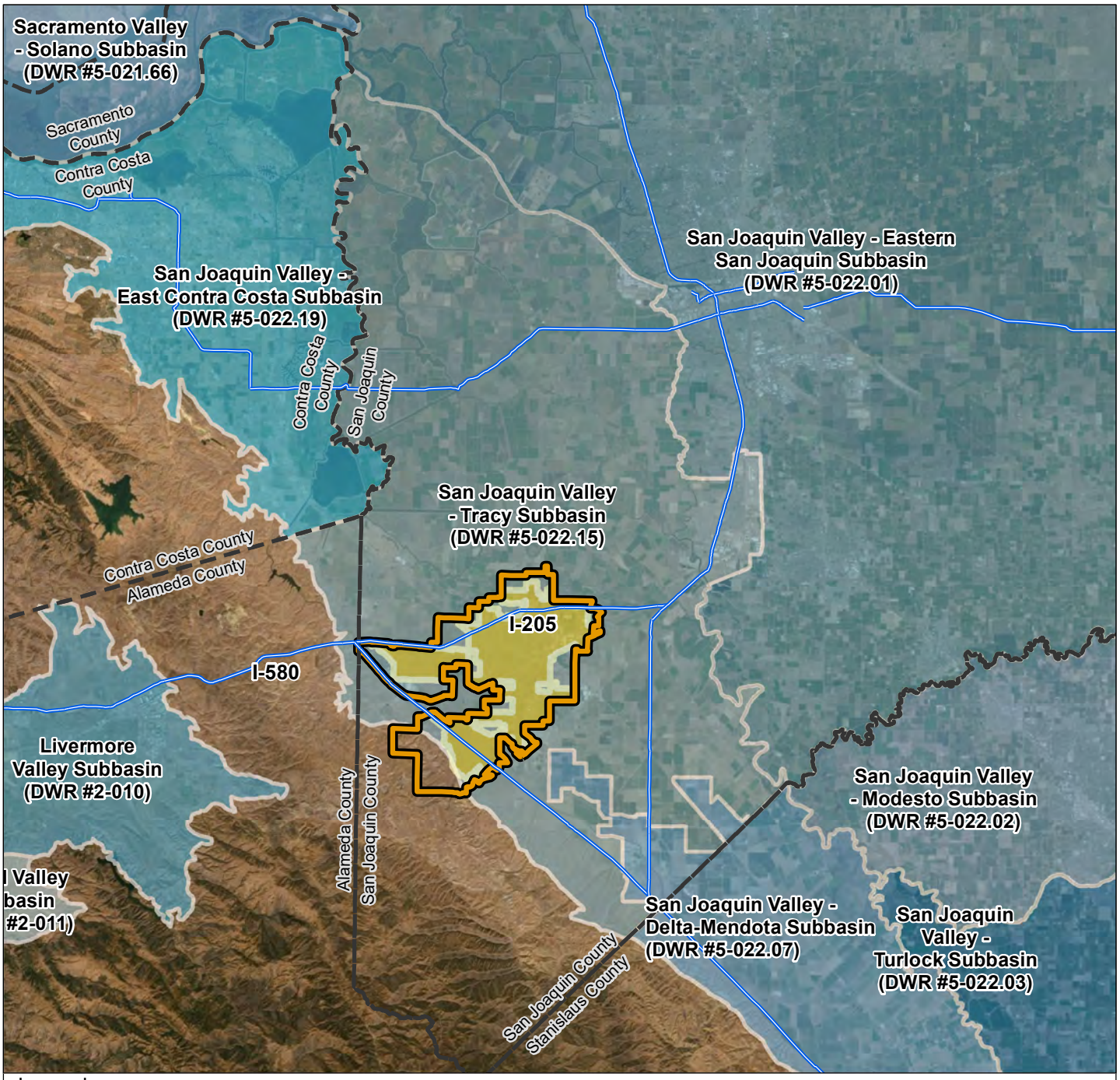
(B) A description of any groundwater basin or basins from which the urban water supplier pumps groundwater. For basins that a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. For a basin that has not been adjudicated, information as to whether the department has identified the basin as a high- or medium-priority basin in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to coordinate with groundwater sustainability agencies or groundwater management agencies listed in subdivision (c) of Section 10723 to maintain or achieve sustainable groundwater conditions in accordance with a groundwater sustainability plan or alternative adopted pursuant to Part 2.74 (commencing with Section 10720).

(C) A detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

The City's purchases of surface water are supplemented by local groundwater. Approximately 6% of the City's water supply was from local groundwater supply wells during 2020. This section includes information regarding the basin description, groundwater management, and the City's role as one of the six Groundwater Sustainability Agencies (GSAs) in the Groundwater Sustainability Plan (GSP) development process, followed by a discussion of the City's groundwater production.

6.2.1 Basin Description

The City overlies the Tracy Subbasin (Basin; Department of Water Resources [DWR] 5-22.15) of the San Joaquin Valley Groundwater Basin (DWR 5-22). The Tracy Subbasin is not adjudicated, and it is not in a condition of critical overdraft. **Figure 6-1** shows the City in relation to the Basin and adjacent basins.



Legend

Groundwater Basins and Subbasin

- Livermore Valley
- Sacramento Valley - Solano
- San Joaquin Valley - Delta-Mendota
- San Joaquin Valley - East Contra Costa
- San Joaquin Valley - Eastern San Joaquin
- San Joaquin Valley - Modesto
- San Joaquin Valley - Tracy
- San Joaquin Valley - Turlock
- Sunol Valley

- County Boundary
- Sphere of Influence
- City Limits / Existing Water Service Area
- Highways

Abbreviations

DWR = California Department of Water Resources

Notes

1. All locations are approximate.

N

0 6 12

Miles

DRAFT

Regional Setting and Groundwater Basins

Sources

1. Basemap is ESRI's ArcGIS Online world aerial map, obtained 30 April 2021.
2. DWR groundwater basins are based on the boundaries defined in California's Groundwater, Bulletin 118-2016 Update.

eki environment & water

City of Tracy
May 2021
EKI C00117.00

Figure 6-1

Path: X:\C00117\Maps\2021\04\Fig6-1_GWBasinLocation.mxd

The Tracy Subbasin is designated as a medium priority basin under DWR's 2019 Phase 2 Basin Prioritization (DWR, 2019a). Under this prioritization process, basins are ranked on eight components, and if a basin is assigned between 15 and 21 total points, it is defined as "medium priority." The main factors driving the Tracy Subbasin's designation include population growth (5 out of 5 possible points), irrigated acres (5 out of 5 possible points), number of public supply wells (3 out of 5 possible points), number of total wells (3 out of 5 possible points), and documented impacts including water quality (3 out of 5 possible points).[15]

As a DWR-designated medium priority basin, the Tracy Subbasin is subject to the requirements of the Sustainable Groundwater Management Act (SGMA), including the requirement to be covered by one or more GSAs and to prepare and submit to DWR one or more GSPs by 31 January 2022.

The Tracy Subbasin covers an area of approximately 373 square miles (DWR, 2019b). As shown on **Figure 6-1**, It is bounded on the northwest by the Old River south to the tri-county confluence point and on the south by the Clifton Forebay where it then follows the Contra Costa-Alameda County line to the foothills of the Coastal Range mountains. The northeast boundary follows the San Joaquin River south to the San Joaquin County Line with a slight jog to include the City of Lathrop on the west side of the river. The southern border of the Basin generally follows the San Joaquin-Stanislaus County line, with some irregular areas belonging to the Delta-Mendota Subbasin to the south. The western border follows the Coastal Range foothills from the San Joaquin-Stanislaus County line; north to the Contra Costa-Alameda County line. The Basin is a mix of Delta islands (mostly agriculture) and waterways along with urban and agricultural communities on the southern edge (GEI, 2020).

Further description of the Basin is included in the draft Basin Setting chapter of the GSP for the Tracy Subbasin, including the hydrogeologic conceptual model, and current and historical groundwater conditions. Draft GSP chapters are available on the Tracy GSP website: https://tracysubbasin.org/gsp-chapters/. Once the GSP has been submitted to DWR, the GSP is expected to be available on the DWR SGMA portal website: https://sgma.water.ca.gov/portal/gsp/all.

6.2.2 Non-SGMA Groundwater Management

Prior to the passage of SGMA, the City, BBID, Banta-Carbona Irrigation District (BCID), and San Joaquin County formed a Groundwater Advisory Committee to facilitate the development of a regional groundwater management plan (GWMP) for the Tracy Subbasin. The planning area of the Tracy GWMP encompassed the portion of the Tracy Subbasin underlying San Joaquin County. The Tracy GWMP was adopted in 2007 (GEI, 2007).

The key results of the Tracy GWMP include the following:

- Developing a general consensus among stakeholders regarding the characterization of the area's water problems, current and future demands, and groundwater conditions;

[15] DWR's 2019 Phase 2 Basin Prioritization used the basin's total possible ranking points assigned to each of the eight components to determine the priority. A basin is defined as Medium Priority if it has 15 to 21 total ranking points.

- Documenting the region's groundwater management goals and establishing basin management objectives to help measure progress in attaining the goals;
- Developing specific solutions and common programs for the basin; and
- Providing an implementation plan to direct future groundwater management activities.

The Tracy GWMP concluded that the Tracy Subbasin is full, but experiences groundwater quality issues in portions of the basin associated with nitrate, boron, sulfate, chloride, and total dissolved solids (TDS). As such, many of the groundwater management options that were recommended focused on creating available storage and managing pumping in order to increase water quality within the Tracy Subbasin.

San Joaquin County is the designated Monitoring Entity under California Statewide Groundwater Elevation Monitoring (CASGEM) for the portion of the Tracy Subbasin underlying the county. However, upon submission of the GSP, the CASGEM program will be superseded by the SGMA monitoring efforts.

6.2.3 SGMA Groundwater Management

As discussed in Section 6.2.1, the Tracy Subbasin is designated by DWR as a medium priority basin (DWR, 2019a). As such, the Tracy Subbasin is subject to the requirements of SGMA, which include the formation of a one or more GSAs and the development and implementation of one or more GSPs.

The City, BCID, BBID[16], City of Lathrop, San Joaquin County, and Stewart Tract are the six GSAs formed in the Tracy Subbasin and are working cooperatively to develop a single GSP. The Tracy Subbasin GSAs were awarded a DWR grant to develop the GSP. Pursuant to the Grant Agreement[17], each GSA designated an appointee to form the GSP Coordination Committee, and the San Joaquin County was appointed as the Grant Administrator. The Grant Administrator or any two appointees may call meetings of the GSP Coordination Committee as needed to in the GSP development process.

The GSP for the Tracy Subbasin is currently under preparation and is anticipated to be complete and submitted to DWR by the statutory deadline of 31 January 2022. As of March 2021, initial drafts of sections describing the plan area, hydrogeologic conceptual model and groundwater conditions have been prepared and are available for public review on the Tracy Subbasin website: https://tracysubbasin.org/gsp-chapters/.

6.2.4 Coordination with Groundwater Sustainability Agencies

As discussed in the previous section, the City is one of the six GSAs that are managing the Tracy Subbasin. The City has been actively involved in GSP development activities and will continue to be involved throughout SGMA implementation. The City has one appointee (and an alternate) on the Tracy Subbasin GSP Coordination Committee and the Technical Committee. The Coordination Committee meets quarterly from 1:00 p.m. to 3:00 p.m. on the third Thursday of the month. The Technical Committee meets from

[16] West Side Irrigation District has officially merged with Byron-Bethany Irrigation District in September 2020, which occurred later than the release of the draft GSP chapters.

[17] The Grant Agreement can be found in the Tracy Subbasin website: https://tracysubbasin.org/resources/.

1:00 p.m. to 3:00 p.m. on the third Thursday of every month, with the exception of the months when the Coordination Committee meets.

6.2.5 Groundwater Production

As discussed in Section 3.7.6, the City owns and operates a total of nine active municipal wells, with one of the active wells being an aquifer storage and recovery (ASR) well as further discussed in Section 6.3. The pumping capacity of the City's production wells ranges from 1,400 gallons per minute (gpm) to 2,500 gpm. The production wells draw groundwater solely from the confined portion of the Lower Tulare Formation aquifer.[18]

The City's groundwater production over the period of 2016 through 2020 is presented in **Table 6-1**. Over this timeframe, the average groundwater production was 857 AFY. The maximum groundwater production occurred in 2020 (1,181 AFY) and the minimum production occurred in 2019 (645 AFY).

Groundwater use is expected to increase in the future. As shown in **Table 6-9**, the City projects to withdraw up to 2,500 AFY in normal years.

Table 6-1 Groundwater Volume Pumped (DWR Table 6-1)

	Supplier does not pump groundwater. The supplier will not complete the table below.					
	All or part of the groundwater described below is desalinated.					
Groundwater Type	Location or Basin Name	2016	2017	2018	2019	2020
Alluvial Basin	Tracy Subbasin of the San Joaquin Valley Groundwater Basin (DWR 5-022.15)	648	995	817	645	1,181
	TOTAL	648	995	817	645	1,181
NOTES: (a) Volumes are in units of AF. (b) Data provided by the City. Groundwater production is the sum of water extracted from the City's production wells and the net injection or extraction from the City's ASR well. 2020 production does not include the ASR well.						

[18] The Tracy Subbasin has two principal aquifers: an Upper unconfined to semi-confined aquifer and a Lower confined aquifer that are separated by the Corcoran Clay.

6.3 Aquifer Storage and Recovery

The City has been implementing an ASR Program to store surplus treated surface water in the confined aquifer beneath Tracy and extract that water to meet peak demands or supplement surface water sources during dry years. The City has one former groundwater extraction well, Well 8, which has been operated as an ASR well since 2013 after the successful demonstration of ASR feasibility.[19] Well 8 is located near the intersection of Tracy Boulevard and 6th Street and penetrates the Lower Tulare Formation.

The recharge water source of the City's ASR Program is treated SCWSP water.[20] The City's SCWSP water supply is of exceptionally high water quality, with a TDS concentration of approximately 64 milligrams per liter (mg/L).[21] Since the TDS concentration of the recharge water source is much lower than that of the Lower Tulare Formation aquifer's native groundwater, operation of the City's ASR Program reduces the localized salinity of the aquifer, resulting in lower TDS content in water supplies extracted from Well 8 than would be expected in the absence of the ASR Program. Additionally, the reduced salinity in groundwater recovered from Well 8 results in lower salt loading at the City's wastewater treatment plant (WWTP), which eventually reduces the salinity of effluent from the WWTP. This helps the City meet its Regional Water Quality Control Board (RWQCB) effluent salinity requirements and provides environmental benefits to the river ecosystems.

Injection of SCWSP water into the ASR well occurs during the winter months (i.e., November through April), when City demands are low. Extraction occurs primarily in the summer months to meet increased demands associated with irrigation needs, and as needed during droughts and water shortage emergencies. It is estimated that between 685 and 915 AFY of potable water could be injected into the aquifer, assuming a 5-month continuous injection rate of 1.5 to 2.0 MGD at Well 8 (Tracy, 2020). The City's strategic plan for ASR operations at Well 8 involves injecting up to 1,000 AFY over six months during the winter and extracting 75% of the injection volume during the following summer. These operations would result in net injection into the Lower Tulare Formation aquifer, which will gradually create a "buffer supply" that the City can utilize in dry years or during water shortage emergencies. In 2020, a net volume of approximately 190 AF was injected and stored at Well 8 for the following year (Table 4-1).

As further discussed in Section 6.10, the ASR Program will be implemented in stages as new ASR wells are constructed. The ASR supply will be available to meet demands in dry years, thereby increasing the reliability of the City's water supply during drought conditions or water shortage emergencies.

6.4 Semitropic Groundwater Storage Bank

The City has acquired the rights to store and recover water in the Semitropic Groundwater Storage Bank (Semitropic) operated by the Semitropic Water Storage District (Semitropic WSD). The Semitropic facilities are located in Kern County alongside the California Aqueduct. The first phase of Semitropic was initiated

[19] Notice of Applicability for General Water Quality Order 2012-0010-DWQ-RB5S-0002, Aquifer Storage and Recovery Program, City of Tracy (Well No. 8), San Joaquin County, dated 13 November 2013.

[20] Per the terms of its agreement with the RWQCB, the City is not permitted to inject treated DMC/CVP at Well 8.

[21] City of Tracy 2019 Water Quality Report, https://www.ci.tracy.ca.us/documents/2019_City_of_Tracy_Water_Quality_Report.pdf.

in the early 1990s and established one million AF of storage for a group of agencies referred to as the Original Banking Partners. In response to increased demand for banking capacity, up to 650,000 AF of additional storage was created for the Stored Water Recovery Unit (SWRU). When an agency purchases storage capacity in Semitropic, the agency is able to recover the volume of water it has banked over a period of three consecutive years (i.e., 3,000 AF equates to a maximum recovery rate of 1,000 AFY for three years).

The City originally entered into a pilot agreement with Semitropic WSD in June 2006 for 1,000 AF of water storage in Semitropic's SWRU. The pilot agreement was intended to establish the procedures for water deposits and withdrawals by the City and was terminated when the permanent agreement was implemented. In 2012, the City entered into a long-term agreement with Semitropic WSD for up to 10,500 AF of storage volume.[22] This storage agreement allows the City to withdraw up to 3,500 AF of water annually for three years. To store water in Semitropic, the City withdraws less than its available allocation of CVP water from the DMC. This water travels through the DMC and the California Aqueduct where it is diverted by Semitropic and used for local groundwater recharge. When the City wishes to withdraw water that it has banked previously, Semitropic arranges for the City to divert CVP water beyond its allocation from the DMC. This source of water is provided through either an exchange of Semitropic WSD's contractual entitlement to State Water Project (SWP) water or through direct "pumpback" of stored groundwater into the California Aqueduct by Semitropic WSD.

Though the City could utilize this supply in any year, it is most valuable during extended drought years when the City's surface water supplies are reduced. As described in Section 7, the City anticipates that banking water at Semitropic will increase the reliability of the City's water supply and help to close the potential future gap between supply and demand during extended drought conditions. The City plans to actively maintain storage in Semitropic as feasible.

As of December 2020, the City had 6,887 AF of water in storage at Semitropic.

6.5 Surface Water

The City does not currently, nor does it plan to in the near future, use self-supplied surface water as part of its water supply portfolio.

6.6 Stormwater

The City does not currently, nor does it currently plan to in the near future, use diverted stormwater as part of its water supply portfolio. It is possible that the City could consider the future use of diverted stormwater if a regional project is identified.

[22] "Agreement Between City of Tracy and Semitropic Water Storage District and Its Improvement Districts for Participation in the Stored Water Recovery Unit of the Semitropic Water Banking and Exchange Program," dated November 2012.

6.7 Wastewater and Recycled Water

☑ ***CWC § 10633***

The plan shall provide, to the extent available, information on recycled water and its potential for use as a water source in the service area of the urban water supplier. The preparation of the plan shall be coordinated with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area.

This section provides information on the amount of generated wastewater, disposal of wastewater, and water recycling. Water recycling involves treating wastewater to an acceptable level such that it can be reused for irrigation, cooling, and other non-potable applications. Recycled water can offset the use of potable supplies and reduce the quantity of discharged wastewater. The regulatory requirements for recycled water are defined in the California Code of Regulations (CCR), Title 22, Article 3. Because recycled water is treated wastewater, its availability is closely linked to the treatment capability of the City's WWTP. The following sections describe Tracy's existing and planned wastewater treatment and water recycling facilities and discuss existing and projected uses of recycled water. A description of Tracy's efforts to promote recycled water use in existing and proposed development is also included. More details on the City's recycled water system can be found in the City's Water System Master Plan (WSMP; Tracy, 2020).

6.7.1 Recycled Water Coordination

The City is the sole agency responsible for water, wastewater, and groundwater management and planning within the City's service area. However, the City's efforts to increase recycled water use have required coordination between the City and stakeholders. To commence recycled water use within existing and new development, the City's Department of Utilities and Development Services have been and will continue coordinating planning efforts with proponents of the various development projects in the City.

6.7.2 Wastewater Collection, Treatment, and Disposal

☑ ***CWC § 10633 (a)***

A description of the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.

☑ ***CWC § 10633 (b)***

A description of the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.

The City's WWTP is located north of Interstate 205, between MacArthur Drive and Holly Drive. The City maintains and operates the wastewater collection system that conveys wastewater to the WWTP. The collection system consists of pipelines and lift stations.

The WWTP provides disinfected tertiary level treatment meeting Title 22 requirements. The City's major industrial wastewater producer, Leprino Foods, conveys its wastewater through a separate force main to

pre-treatment ponds which remove a significant portion of the biochemical oxygen demand (BOD) before the food process wastewater is conveyed to the WWTP. The main treatment processes at the WWTP are described below:

- Aerated holding ponds partially treat the Leprino Foods industrial flows before treatment;
- Pre-treatment removes coarse solids;
- Primary treatment removes most settleable and floatable material;
- Secondary treatment with activated sludge reduces levels of soluble organic material, suspended solids, as well as nitrogenous compounds;
- Secondary clarification;
- Flocculation and tertiary filtration; and
- Chlorination disinfects treated wastewater, followed by sulfonation for dechlorination.

After treatment, wastewater is discharged into the Old River through an existing outfall. The City's National Pollutant Discharge Elimination System (NPDES) permit CA0079154 currently allows for discharge of 10.8 MGD of average dry weather flow and up to 16 MGD if applicable permit requirements are met. Waste solids produced in the primary processing and treatment processes are collected and combined. The treatment process for solids includes thickening, digestion, and dewatering. Dried biosolids are hauled off-site and land applied or sent to a suitable landfill. This off-site hauling and disposal practice is expected to continue in the future.

As shown in **Table 6-2** and **Table 6-3**, in 2020, approximately 11,277 AF of wastewater was collected and treated at the City's WWTP. Approximately 10,740 AF of which was discharged into the Old River.

Table 6-2 Wastewater Collected Within Area in 2020 (DWR Table 6-2)

	There is no wastewater collection system. The supplier will not complete the table below.
	Percentage of 2020 service area covered by wastewater collection system *(optional)*
	Percentage of 2020 service area population covered by wastewater collection system *(optional)*

Wastewater Collection			Recipient of Collected Wastewater			
Name of Wastewater Collection Agency	Wastewater Volume Metered or Estimated?	Volume of Wastewater Collected from UWMP Service Area 2020	Name of Wastewater Treatment Agency Receiving Collected Wastewater	Treatment Plant Name	Is WWTP Located Within UWMP Area?	Is WWTP Operation Contracted to a Third Party? *(optional)*
City of Tracy	Estimated	11,277	City of Tracy	City of Tracy Wastewater Treatment Plant	Yes	No
Total Wastewater Collected from Service Area in 2020:		11,277				

NOTES:
(a) Volumes are in units of AF.

Table 6-3 Wastewater Treatment and Discharge Within Service Area in 2020 (DWR Table 6-3)

	No wastewater is treated or disposed of within the UWMP service area. The supplier will not complete the table below.										
Wastewater Treatment Plant Name	Discharge Location Name or Identifier	Discharge Location Description	Wastewater Discharge ID Number *(optional)*	Method of Disposal	Does This Plant Treat Wastewater Generated Outside the Service Area?	Treatment Level	2020 volumes				
							Wastewater Treated	Discharged Treated Wastewater	Recycled Within Service Area	Recycled Outside of Service Area	Instream Flow Permit Requirement
City of Tracy Wastewater Treatment Plant	Old River	Existing outfall	--	River or creek outfall	No	Tertiary	11,277	10,740	0	0	0
						Total	11,277	10,740	0	0	0
NOTES: (a) Volumes are in units of AF.											

6.7.3 Recycled Water System Description

The City's current recycled water system consists of a pump station at the WWTP and approximately 7.6 miles of recycled water transmission line from the WWTP west to Lammers Road and south to W. Schulte Road (**Figure 6-2**; Tracy, 2020). Currently the only service connection is for the Legacy Fields Sports Complex.

The City is planning to expand the existing recycled water system to serve future development areas, as well as a small number of existing parks and irrigated areas. The City's 2020 WSMP identifies the improvements necessary to support the projected recycled water demands and the Recycled Water Distribution Network and Exchange Program (Tracy, 2020). The recommended improvements include additional booster pump stations, new recycled water pipelines, and storage reservoirs, and are shown on **Figure 6-3**.

Several future service areas already have recycled water distribution pipelines installed by developers, including Cordes Ranch, Ellis Specific Plan Phase 1, and Tracy Hills Phase 1. These pipelines are not yet connected to the recycled water mains, but instead are temporarily connected to the potable water system via backflow prevention devices to meet irrigation demands. Once recycled water system construction is complete and the appropriate permitting is completed, the pipelines will be connected to the recycled water system and the temporary connections to the potable water system will be removed.

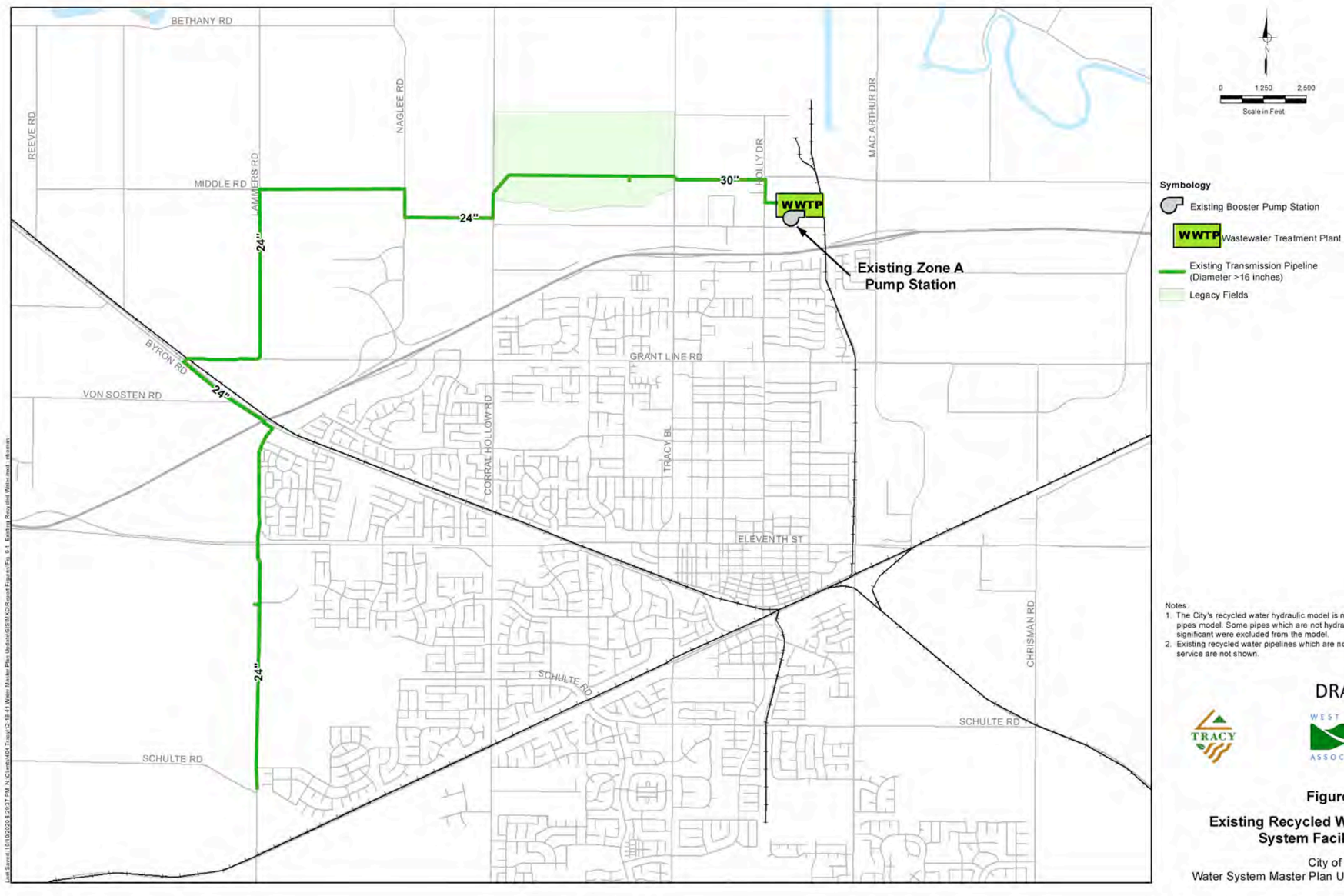


Figure 6-2 Existing Recycled Water System (Adapted from the Draft 2020 WSMP, Figure 9-1)

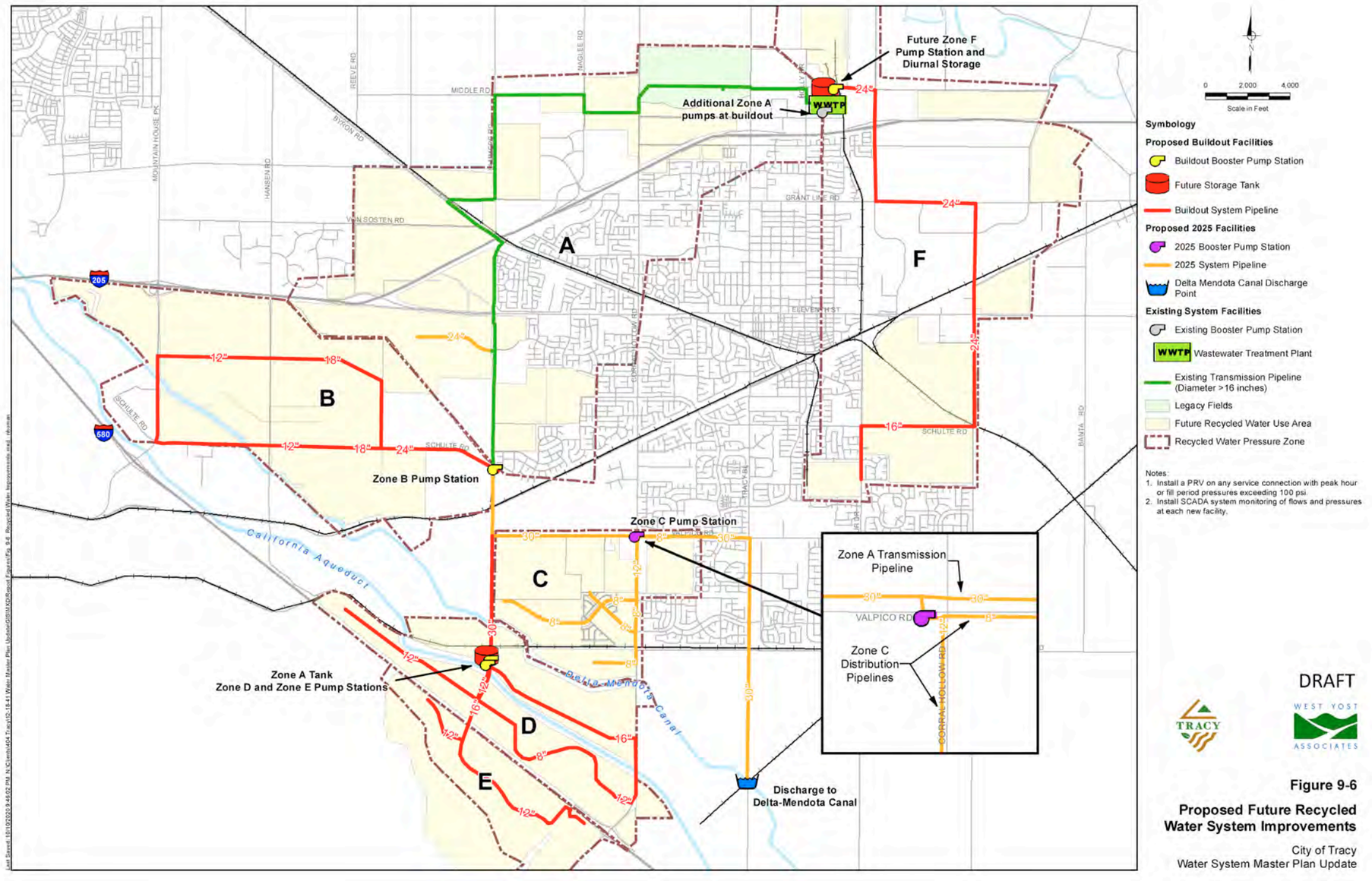


Figure 6-3 Proposed Future Recycled Water System Improvements (Adapted from the Draft 2020 WSMP, Figure 9-6)

6.7.4 Potential, Current and Projected Recycled Water Uses

☑ ***CWC § 10633 (c)***

A description of the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.

☑ ***CWC § 10633 (d)***

A description and quantification of the potential uses of recycled water, including, but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement, wetlands, industrial reuse, groundwater recharge, indirect potable reuse, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.

☑ ***CWC § 10633 (e)***

The projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years and a description of the actual use of recycled water in comparison to uses previously projected pursuant to this subdivision.

6.7.4.1 Current Recycled Water Uses

The City's WWTP has sufficient treatment capacity to produce approximately 9.0 MGD of tertiary-treated recycled water meeting the Title 22 requirements, which can be reused for landscape irrigation and other non-potable uses. As indicated in **Table 6-4**, there is currently no recycled water use within the City's service area, as the site improvements and permitting process are still ongoing.

Table 6-4 Recycled Water Direct Beneficial Uses Within Service Area Service Area (DWR Table 6-4)

	Recycled water is not used and is not planned for use within the service area of the supplier. The supplier will not complete the table below.
Name of Supplier Producing (Treating) the Recycled Water:	City of Tracy
Name of Supplier Operating the Recycled Water Distribution System:	City of Tracy
Supplemental Water Added in 2020 (volume)	--
Source of 2020 Supplemental Water	--

Beneficial Use Type	**Potential** Beneficial Uses of Recycled Water (Describe)	Amount of **Potential** Uses of Recycled Water (Quantity)	General Description of 2020 Uses	Level of Treatment	2020	2025	2030	2035	2040	2045
Landscape irrigation (excludes golf courses)	Irrigation at Legacy Fields Sports Complex, Tracy Sports Complex, Plasencia Fields, etc.	2,448 AF by 2045	--	Tertiary	0	389	803	1,218	1,632	2,448
Commercial use	Cordes Ranch Development	3,654 AF by 2045	--	Tertiary	0	580	1,199	1,817	2,436	3,654
Industrial use	Tracy Power Plant, AltaGas	197 AF by 2045	--	Tertiary	0	31	65	98	132	197
				Total:	0	1,000	2,067	3,133	4,200	6,300
				2020 Internal Reuse	0					

NOTES:
(a) Volumes are in units of AF.
(b) The recycled water projections were obtained from the 2020 WSMP, and the proportion by use type was based on the Title 22 Engineering Report for the Production and Distribution of Recycled Water, Table 5-1.

6.7.4.2 *Comparison of Previously Projected Use and Actual Use*

The 2015 Urban Water Management Plan (UWMP) projected 963 AFY of recycled water use for landscape irrigation (**Table 6-5**). However, no recycled water was actually used in 2020 because permitting was not completed on the previously anticipated schedule. The recycled water system is ready to serve Legacy Fields Sports Complex once the site improvements are complete and all permits are approved.

Table 6-5 2015 UWMP Recycled Water Use Projection Compared to 2020 Actual (DWR Table 6-5)

	Recycled water was not used in 2015 nor projected for use in 2020. The supplier will not complete the table below.	
Beneficial Use Type	2015 Projection for 2020	2020 Actual Use
Landscape irrigation (excludes golf courses)	963	0
Total	963	0
NOTES: (a) Volumes are in units of AF.		

6.7.4.3 *Projected Recycled Water Use*

The City intends to expand the existing recycled water system to serve non-potable water demands in most of the new development areas. Recycled water is planned to be used at: (a) parks, sports fields, and other landscape areas; (b) industrial facilities such as the Tracy Power Plant; (c) fill stations for dust control during construction, street sweeping, and residential emergency landscape irrigation; and (d) the proposed lakes at Tracy Village (Tracy, 2019b). The future recycled water use was estimated in the WSMP (Tracy, 2020) based on the adopted unit water demand factors and the future dwelling units or gross acreage and is described in Section 4.2.2. The recycled water use is estimated to be 1,000 AFY in 2025, increasing to 6,300 AFY in 2045 as new development areas build out. Projected recycled water use by major beneficial use type is shown in **Table 6-4**.

In addition, the City plans to use recycled water in exchange for additional CVP supply through the proposed Recycled Water Distribution Network and Exchange Program, which is further described in Section 6.10.3. The amount of recycled water used for exchange is considered separately and is not included as part of the projected recycled water use in **Table 6-4**.

The City is also considering investigating the potential for direct potable reuse of recycled water in the future. With direct potable reuse, recycled water would be discharged directly into the DMC and then conveyed to downstream users, including the City. However, the project is in the conceptual evaluation stage and therefore the future recycled water use associated with this potential approach is not quantified in **Table 6-4**.

6.7.5 Actions to Encourage and Optimize Future Recycled Water Use

☑ ***CWC § 10633 (f-g)***

(f) A description of actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.

(g) A plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.

As described above, the City has taken numerous steps to encourage the use of recycled water within and around Tracy.

New developments in the City are required to include recycled water distribution systems in accordance with the City's Recycled and Non-Potable Water Ordinance (Tracy Municipal Code [TMC] Chapter 11.30; **Table 6-6**). The requirements of the Recycled and Non-Potable Water Ordinance facilitate the future use of recycled or other non-potable water for irrigation purposes within the new development.

The City does not have current plans to provide financial incentives to encourage the use of recycled water because the City is not currently serving recycled water to its customers. However, financial incentives to encourage the use of recycled water will be evaluated and potentially implemented as part of future City policies when the City does begin to serve recycled water to its customers.

Table 6-6 Methods to Expand Future Recycled Water Use (DWR Table 6-6)

	Supplier does not plan to expand recycled water use in the future. Supplier will not complete the table below but will provide narrative explanation.		
	Provide page location of narrative in UWMP		
Name of Action	Description	Planned Implementation Year	Expected Increase in Recycled Water Use
Recycled and Non-Potable Water Ordinance	New developments are required to include recycled water distribution systems.	Ongoing	NA
		Total	NA
NOTES:			

6.8 Desalinated Water Opportunities

☑ ***CWC § 10631 (g)*** *A plan shall be adopted in accordance with this chapter and shall do all of the following:*

Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.

As mentioned in Section 6.2.5, the City's production wells draw groundwater solely from the confined portion of the Lower Tulare Formation aquifer. Above the confining Corcoran Clay is shallow groundwater that is not currently used for groundwater production. The water quality is considered to be not suitable for direct use due to the poor water quality (Tracy, 2020). While there is potential for brackish groundwater to be treated using membrane treatment technology, the cost of brine disposal and energy usage associated with membrane treatment is currently believed to be prohibitive. Although the opportunity exists to explore this option further in the future, it is currently not included in this UWMP as a future supply source.

6.9 Water Exchanges and Transfers

☑ ***CWC § 10631 (c)*** *A plan shall be adopted in accordance with this chapter and shall do all of the following:*

Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.

A water market exists so that, subject to USBR approval, water agencies can sell to or buy water from other water users that have an excess supply of CVP water or may need additional water to support demand. These annual transfers are subject to USBR approval and are for one year only. The City exercises its options to purchase and sell DMC/CVP surface water on this water market. Historically, the City has sold its surplus USBR water to San Luis Water District (SLWD) and Del Puerto Water District (DPWD) through this annual transfer process. During drought periods, the City also has the ability to purchase water on the spot market as necessary.

6.10 Future Water Projects

☑ ***CWC § 10631*** *A plan shall be adopted in accordance with this chapter and shall do all of the following:*

(b) (3) For any planned sources of water supply, a description of the measures that are being undertaken to acquire and develop those water supplies.

(f) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use, as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in normal and single-dry water years and for a period of drought lasting five consecutive water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

Planned and potential future sources of Tracy's water supplies are discussed in the following sections and summarized in **Table 6-7**.

6.10.1 ASR Program Expansion

As described in Section 6.3, the City currently has one ASR well (Well 8) which allows the City to inject excess SCWSP water supplies into the groundwater basin for later extraction when needed. The current injection and extraction capacity is 700 AFY. The City is planning to expand the ASR program with the installation of additional ASR wells. According to the WSMP, the City's ASR Program will be expanded to provide up to 1,000 AFY of water supplies from the existing and new ASR wells by 2040 (Tracy, 2020). The ASR supply will be used to meet demands during dry years, thereby increasing the reliability of the City's water supply and helping to close the potential gap between supply and demand during drought conditions or water shortage emergencies.

As mentioned in Section 6.3, one constraint with the City's ASR Program is that the permit only allows for SCWSP water to be injected. This means that the City has to shut down the JJWTP and the groundwater wells during the injection period so that only SCWSP supplies are being utilized. A potential alternative to avoid this operational restriction, if the City's ASR permit cannot be modified to allow for other water supplies to be injected, would be to construct a dedicated SCWSP water pipeline to the ASR well(s). Future expansion of the ASR program will need to fully evaluate these operational restrictions and potential alternatives.

6.10.2 Recycled Water System Expansion

As discussed in Section 6.7, the City is planning to expand the recycled water system to serve future development areas. Pursuant to the City's Recycled and Non-Potable Water Ordinance (TMC Chapter 11.30), all new subdivisions are required, to the extent practicable, to install the required infrastructure (such as dual-distribution pipelines) to provide recycled water to meet non-potable water demands at parks, golf courses, sports fields, schools, median island landscapes, and industrial sites. The WSMP estimated that most large development projects on the west side of the City will be connected to the recycled water system by 2025 (Tracy, 2020). Recycled water service will be further extended to Cordes

Ranch, West Side Industrial, and Tracy Hills by 2040. A separate recycled water transmission main will be constructed on the east side of the City afterwards. The City intends to fund the future system expansion by fees collected from the new development projects.

It is estimated that the expanded recycled water system will provide approximately 6,300 AFY of non-potable supply in 2045. A portion of the recycled water delivered as part of this project will offset existing demands, thereby reducing the City's per capita water use.

6.10.3 Recycled Water Distribution Network and Exchange Program

The City is evaluating indirect reuse of its recycled water through an exchange agreement with the USBR, where a portion of the City's recycled water would be discharged into the DMC, and a like amount of water would be diverted from the DMC for treatment at the JJWTP for potable use. This project is considered an essential part of the City's projected future water supply portfolio as it provides multiple benefits:

- Provides for the beneficial use of recycled water;
- Provides an additional potable water supply for the City;
- Improves water supply reliability and reduces the City's dependence on other imported supplies;
- Builds on the existing wastewater and recycled water infrastructure; and
- Reduces salt loading in the Delta as USBR has to release additional water from the New Melones Reservoir to meet Delta salinity standards.

The Recycled Water Distribution Network and Exchange Program would require development of a project description, National Environmental Policy Act (NEPA) / California Environmental Quality Act (CEQA) review, an exchange agreement with the USBR, and design and construction of a new recycled water pipeline to discharge recycled water to the DMC downstream of the City's JJWTP intake. Assuming such a project is implemented, the City expects that it would initially provide an estimated 1,925 AFY of potable water, and future expansion of the program could be implemented as needed to meet future demands up to 7,500 AFY. This supply would be 100% reliable and would not be subject to drought cutbacks.

Table 6-7 Expected Future Water Supply Projects or Programs (DWR Table 6-7)

	No expected future water supply projects or programs that provide a quantifiable increase to the agency's water supply. Supplier will not complete the table below.
	Some or all of the supplier's future water supply projects or programs are not compatible with this table and are described in a narrative format.
	Provide page location of narrative in the UWMP

Name of Future Projects or Programs	Joint Project with other suppliers?		Description (if needed)	Planned Implementation Year	Planned for Use in Year Type	Expected Increase in Water Supply to Supplier
	Y/N	*Supplier Name*				
ASR Program Expansion	No	--	--	2040	Single-Dry and Multi-Dry Year	300
Recycled Water System Expansion	No	--	--	2025	All Year Types	6,300
Recycled Water Distribution Network and Exchange	Yes	USBR	--	2030	All Year Types	Up to 7,500

NOTES:
(a) Volumes are in units of AFY.
(b) It is estimated that the recycled water demand will be approximately 6,300 AFY at buildout. The recycled water supply is reported herein to the extent that it is needed to meet demand.
(c) The Recycled Water Distribution Network and Exchange program will be dependent upon approved development beyond the 2025 horizon.

6.11 Summary of Existing and Planned Sources of Water

☑ ***CWC § 10631 (b)*** *Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a).*

☑ ***CWC § 10631 (b) (2)*** *When multiple sources of water supply are identified, a description of the management of each supply in correlation with the other identified supplies.*

☑ ***CWC § 10631 (b) (4) (D)*** *A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.*

The City's current supply sources include purchased water from the CVP and SCWSP, as well as groundwater from the local Tracy Subbasin. During 2016 and 2020, the City's total supplies ranged from 15,360 AFY to 19,527 AFY. On average, 95% of the supplies were from purchased water. The City's historical and current supplies are presented in **Table 6-8**.

The City manages the multiple supply sources based on contractual agreements, climate, City policy, regulatory requirements, and various other factors. In the future, the City intends to continue utilizing its existing supplies. However, as further discussed in Section 7 below, future supply reliability of imported water is projected to decrease. The City plans to increase its future supply by increasing groundwater production and implementing the supply projects described in Section 6.10.

The City estimates that approximately 33,868 AFY of potable water supply and 6,300 AFY of non-potable water supply will be available in 2045 under normal conditions. **Table 6-9** shows the projected sources and water supply volumes in five-year increments over the next 25 years.

Table 6-8 Water Supplies - Actual (DWR Table 6-8)

Water Supply	Additional Detail on Water Supply	Actual Volume					Water Quality	Total Right or Safe Yield *(optional)*
		2016	2017	2018	2019	2020		
Purchased or Imported Water	CVP	3,341	5,702	6,133	8,277	6,573	Drinking Water	--
Purchased or Imported Water	SCWSP	11,371	11,464	10,471	8,750	11,773	Drinking Water	--
Groundwater (not desalinated)	Tracy Subbasin of the San Joaquin Valley Groundwater Basin (DWR 5-022.15)	648	995	817	645	1,181	Drinking Water	--
Total		15,360	18,161	17,420	17,672	19,527		--

NOTES:
(a) Volumes are in units of AF.
(b) 2016-2019 groundwater production is the sum of water extracted from the City's production wells and the net injection or extraction from the City's ASR well. 2020 production does not include ASR well in accordance with the City's direction.
(c) Water served to Patterson Pass Business Park (PPBP) is purchased by PPBP from the Byron Bethany Irrigation District. The City only provides treatment and delivery services for this water in accordance with a "treat and wheel" agreement. Therefore, the water supply associated with PPBP is not included herein.

Chart 6-8 Current and Historical Water Supply

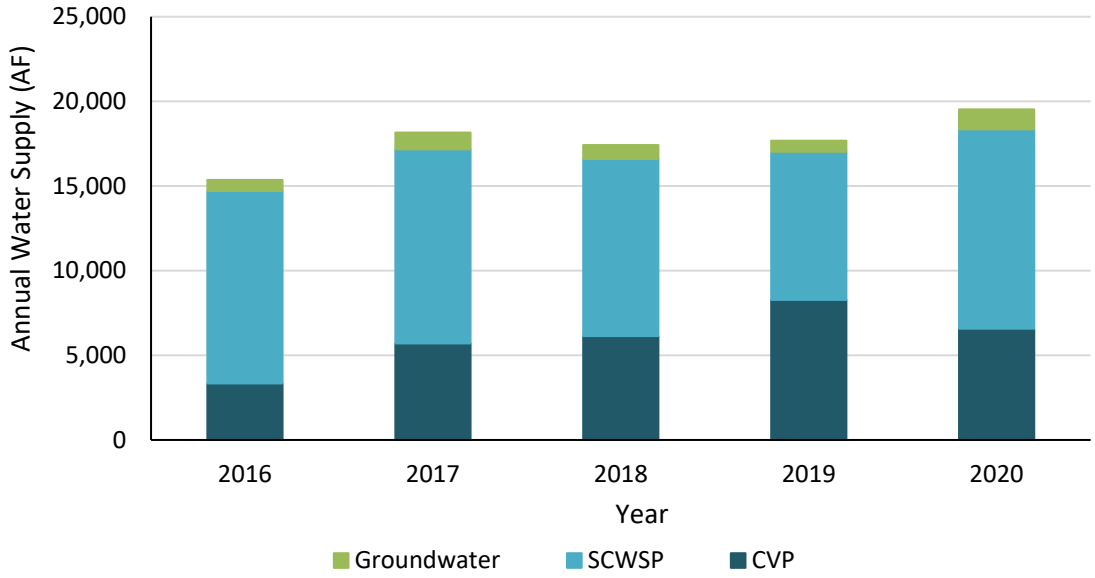
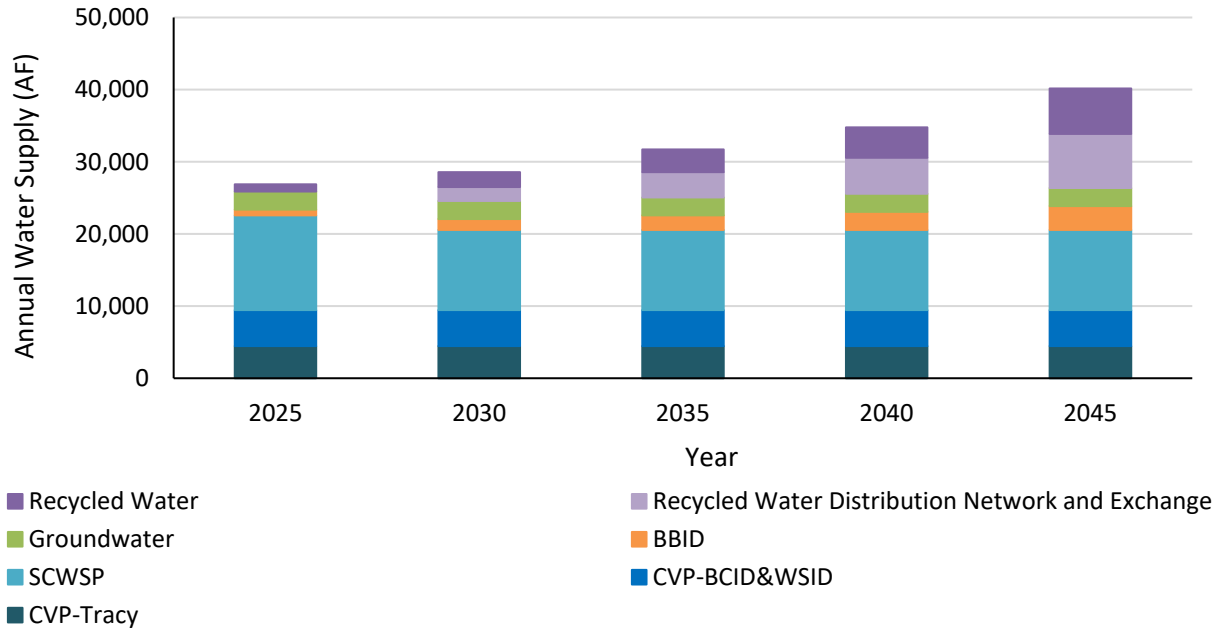


Table 6-9 Water Supplies - Projected (DWR Table 6-9)

Water Supply	Additional Detail on Water Supply	Projected Water Supply									
		2025		2030		2035		2040		2045	
		Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)
Purchased or Imported Water	CVP Surface Water (Tracy USBR Contract)	4,448	--	4,448	--	4,448	--	4,448	--	4,448	--
Purchased or Imported Water	CVP Surface Water (BCID and WSID USBR Assignments)	5,000	--	5,000	--	5,000	--	5,000	--	5,000	--
Purchased or Imported Water	SCWSP (SSJID)	13,135	--	11,120	--	11,120	--	11,120	--	11,120	--
Purchased or Imported Water	BBID Pre-1914 (to meet Tracy Hills demand)	800	--	1,500	--	2,000	--	2,500	--	3,300	--
Groundwater (not desalinated)	Tracy Subbasin of the San Joaquin Valley Groundwater Basin (DWR 5-022.15)	2,500	--	2,500	--	2,500	--	2,500	--	2,500	--
Exchanges	Recycled Water Distribution Network and Exchange (b)	0	--	1,925	--	3,500	--	5,000	--	7,500	--
Recycled Water	Note (c)	1,000	--	2,067	--	3,133	--	4,200	--	6,300	--
	Total	26,883	--	28,560	--	31,701	--	34,768	--	40,168	--

NOTES:
(a) Volumes are in units of AF.
(b) The Recycled Water Distribution Network and Exchange program will be dependent upon approved development beyond the 2025 horizon.
(c) Given that recycled water supply cannot be used to fulfill potable water demand, it is reported herein to the extent that it is needed to meet demand. Excess available supplies are not reported.

Chart 6-9 Projected Water Supply



6.12 Special Conditions

☑ *CWC § 10635(b)*

(4) Considerations of the historical drought hydrology, plausible changes on projected supplies and demands under climate change conditions, anticipated regulatory changes, and other locally applicable criteria.

6.12.1 Climate Change Effects

As discussed in the City's Local Hazard Mitigation Plan (LHMP; City of Tracy, 2019a), drought conditions are likely to become more frequent and persistent over the next century due to climate, and recent drought conditions over the past decade underscore the need to reexamine water supply and distribution management, conservation, and use policy. In the City and the State of California as a whole, groundwater can act as a critical buffer against the impacts of drought and climate change. According to California's Climate Adaptation Strategy, also referred to as "Safeguarding California Plan: 2018 Update", climate change is likely to significantly diminish California's future water supply. As a result, the state must change its water management, as climate change will create greater competition for limited water supplies. These water management concerns will impact the City's water suppliers, including CVP users, the SCWSP agencies, and other neighboring water management agencies.

6.12.2 Regulatory Conditions and Project Development

Emerging regulatory conditions (e.g., issues surrounding the Bay-Delta Plan Amendment) may affect planned future projects and the characterization of future water supply availability and analysis. Potential impacts of Bay-Delta Plan Amendment implementation on the City's supply reliability are described in Section 7.1.1. If the City moves forward with any plans to develop additional new supply projects, emerging regulatory conditions will be considered, and the associated water supply reliability impacts will be assessed in future UWMP updates.

6.12.3 Other Locally Applicable Criteria

Other locally applicable criteria may affect characterization and availability of an identified water supply. For example, changes in regional water transfer rules may alter the availability of a water supply that had historically been readily available. Further, the City's groundwater supply reliability may be revisited as the GSP for the Tracy Subbasin is developed and implemented. Reliability of the City's supply is further discussed in Section 7. If the City moves forward with any plans to develop additional new supply projects, locally applicable criteria will be considered, and the associated water supply reliability impacts will be assessed in future UWMP updates.

6.13 Energy Use

☑ ***CWC § 10631.2***

(a) In addition to the requirements of Section 10631, an urban water management plan shall include any of the following information that the urban water supplier can readily obtain:
(1) An estimate of the amount of energy used to extract or divert water supplies.
(2) An estimate of the amount of energy used to convey water supplies to the water treatment plants or distribution systems.
(3) An estimate of the amount of energy used to treat water supplies.
(4) An estimate of the amount of energy used to distribute water supplies through its distribution systems.
(5) An estimate of the amount of energy used for treated water supplies in comparison to the amount used for nontreated water supplies.
(6) An estimate of the amount of energy used to place water into or withdraw from storage.
(7) Any other energy-related information the urban water supplier deems appropriate.
(b) The department shall include in its guidance for the preparation of urban water management plans a methodology for the voluntary calculation or estimation of the energy intensity of urban water systems. The department may consider studies and calculations conducted by the Public Utilities Commission in developing the methodology.
(c) The Legislature finds and declares that energy use is only one factor in water supply planning and shall not be considered independently of other factors.

In the City's water system, energy is used for groundwater extraction, water and wastewater treatment, and moving water in the distribution system. The energy use is metered and documented in monthly Pacific Gas & Electric (PG&E) bills. During 2020, the City used a total of 2,113,261 kilowatt hours (kWh) of energy for operation of water facilities in the water system. As the total volume of water entering the system was 19,527 AF, the energy intensity was calculated to be 108 kWh/AF (**Table 6-10**). There is currently no power generation associated with the City's water system.

Table 6-10 Recommended Energy Intensity - Total Utility Approach (DWR Table O-1B)

Urban Water Supplier:	*City of Tracy*

Water Delivery Product

Retail Potable Deliveries

Enter Start Date for Reporting Period	1/1/2020	Urban Water Supplier Operational Control		
End Date	12/31/2020			
Is upstream embedded in the values reported?	No	Sum of All Water Management Processes	Non-Consequential Hydropower	
Water Volume Units Used	AF	Total Utility	Hydropower	Net Utility
Volume of Water Entering Process (AF)		*19,527*	*0*	*19,527*
Energy Consumed (kWh)		*2,113,261*	*0*	*2,113,261*
Energy Intensity (kWh/volume)		*108.2*	*0.0*	*108.2*

Quantity of Self-Generated Renewable Energy

0 kWh

Data Quality

Metered Data

Data Quality Narrative:

Volume of water data is from the City's and its suppliers' meters. Energy usage is for water facilities and is from the City's energy bills.

Narrative:

The City uses energy for groundwater extraction, water and wastewater treatment, and moving water in the distribution system.

7 WATER SERVICE RELIABILITY AND DROUGHT RISK ASSESSMENT

☑ ***CWC § 10620 (f)***

An urban water supplier shall describe in the plan water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions.

☑ ***CWC § 10630.5***

Each plan shall include a simple lay description of how much water the agency has on a reliable basis, how much it needs for the foreseeable future, what the agency's strategy is for meeting its water needs, the challenges facing the agency, and any other information necessary to provide a general understanding of the agency's plan.

This section describes the constraints on the City of Tracy's (City's) water supply sources, as well as the management strategies that the City has employed or will employ to address these constraints. This section also provides an estimate of the supply volumes available to the City and the corresponding supply and demand assessments in normal years, single dry years, and multiple dry year periods. Assessment of water supply reliability is complex and dependent upon a number of factors, such as the number of water sources, regulatory and legal constraints, hydrological and environmental conditions, climate change, and expected growth, among others. The City has made its best determination of future water supply reliability based on the available information, as described below.

7.1 Water Service Reliability Assessment

The following sections describe the City's water service reliability assessment, which presents the City's expected water service reliability for a normal year, single dry year, and five consecutive dry years projections in five-year increments between 2025 and 2045.

7.1.1 Service Reliability – Constraints on Water Sources

☑ ***CWC § 10631 (b)(1)***

A detailed discussion of anticipated supply availability under a normal water year, single dry year, and droughts lasting at least five years, as well as more frequent and severe periods of drought, as described in the drought risk assessment. For each source of water supply, consider any information pertinent to the reliability analysis conducted pursuant to Section 10635, including changes in supply due to climate change.

Several potential constraints have been identified on each of the City's water supplies, including the various surface water supplies, groundwater production, Aquifer Storage and Recovery (ASR), Semitropic Groundwater Storage Bank (Semitropic), recycled water, and the Recycled Water Distribution Network and Exchange supply. These constraints are summarized in the following sections.

7.1.1.1 DMC/CVP Water Supply Constraints

The City's Central Valley Project (CVP) water is purchased from the United States Bureau of Reclamation (USBR) and is delivered via the Delta-Mendota Canal (DMC; conjunctively referred to as DMC/CVP water).

As discussed in Section 6.1.1, the City has access to 10,000 acre-feet per year (AFY) of DMC/CVP water with Municipal and Industrial (M&I) reliability and 10,000 AFY of DMC/CVP water with agricultural (Ag) reliability. In addition, up to 4,500 AFY of water with pre-1914 appropriative water rights is available from Byron Bethany Irrigation District (BBID). This supply can only be used, however, for the portion of Tracy Hills development within the BBID's service area.

The City's DMC/CVP water supplies are subject to allocations determined by the USBR for "South-of-Delta" contractors. In February 2017, new guidelines and procedures associated with the updated CVP M&I Water Shortage Policy went into effect. In general, the policy provides for the following:

- When M&I contractor allocations are at 100%, the allocation of M&I water will be based on the Contract Total;
- When M&I contractor allocations are below 100%, the allocation of M&I water will be based on a contractor's historical use of CVP M&I water; and
- An M&I contractor's historical use will be determined by calculating the average quantity of CVP water put to beneficial use within the service area during the last three years of water deliveries that were unconstrained by the availability of CVP water.

Before M&I water allocations are reduced, allocations of irrigation water are reduced. When allocation of irrigation water has been reduced below 75% of Contract Total and further water supply reductions are still necessary, both the M&I and irrigation allocations will be reduced by the same percentage increment. The M&I allocation will be reduced until it reaches 75% of historical use, and the irrigation allocation will be reduced until it reaches 50% of irrigation Contract Total. The M&I allocation will not be further reduced until the irrigation allocation is reduced to below 25% of Contract Total. When allocation of irrigation water is reduced below 25% of Contract Total, the USBR will reassess both the availability of CVP water supply and CVP water demand.

While the City is entitled to receive 10,000 AFY of M&I-reliability water, the average quantity of water put to beneficial use by the City during the last three years of water deliveries that were unconstrained by the availability of DMC/CVP water was only 5,930 AFY. Based on USBR's policy, the City's allocation is based on this historical delivery instead of the full contractual amount.

According to their Policy, the USBR will strive to deliver CVP water to M&I water service contractors at not less than the amount needed to meet public health and safety needs, taking into consideration contractors' CVP allocations and available non-CVP supplies, provided CVP water is available.

7.1.1.2 Stanislaus River Water Supply Constraints

As described in Section 6.1.2, the City currently has an allocation of 13,135 AFY of Stanislaus River water through the South County Water Supply Project (SCWSP).

The SCWSP supply is based on the South San Joaquin Irrigation District's (SSJID's) senior, pre-1914 appropriative water rights to the Stanislaus River, coupled with an agreement with the USBR to store water in the New Melones Reservoir. Due to the seniority of the water rights, the City has historically assigned a high reliability to SCWSP water. However, in December 2018, the State Water Resources Control Board (SWRCB) released amendments to the Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) which included significant

changes and could result in significant surface water cutbacks. For purposes of its UWMP, SSJID is presenting its water reliability analysis assuming that the Bay-Delta Plan Amendment will not be implemented. SSJID has provided the following rationale for this approach:

> *In December 2018, the State Water Resources Control Board (SWRCB) adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) which, if and when implemented, may have an impact on the Stanislaus River. The SWRCB is required by law to regularly review this plan. The adopted Bay-Delta Plan Amendment was developed with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. The Bay-Delta Plan Amendment requires the release of up to 30-50% of the unimpaired flow on the three tributaries from February through June in every year type.*
>
> *If the Bay-Delta Plan Amendment is implemented as adopted, there are significant impacts in some years to the ability of the Bureau of Reclamation to meet its obligations under the 1988 Stipulation and Agreement to provide formula water to both the Oakdale Irrigation District and SSJID in years when inflow into New Melones is below 600,000 AF which typical occur in dry and critically dry years. This could reduce the minimum projected supply amount of 225,000 AF/year as planned for by SSJID in this UWMP. The SWRCB has stated that it intends to implement the Bay-Delta Plan Amendment on the Stanislaus River by the year 2022, assuming all required approvals are obtained by that time; however, implementation of the Bay-Delta Plan Amendment remains uncertain for multiple reasons.*
>
> *Over a dozen lawsuits have been filed in both state and federal courts, including challenges filed by the Oakdale Irrigation District and SSJID, challenging the SWRCB's adoption of the Bay-Delta Plan Amendment are in the early stages and there have been no consequential court rulings as of this date. Secondly, the Bay-Delta Plan Amendment did not include an allocation of responsibility for meeting the flow requirements. Such an allocation of responsibility must consider the senior water rights of both OID and SSJID who have adjudicated pre-1914 rights and other senior appropriative rights. In recognition of the difficult legal process ahead, many stakeholders throughout California including the State and Federal Government have opted to explore the possibility of voluntary agreements to achieve outcomes comparable to those described in the Bay-Delta Amendment balancing the needs of all water users. Both OID and SSJID have participated in voluntary agreement negotiations. Based on these uncertainties, SSJID has opted to make no near-term planning assumptions related to the implementation of the Bay-Delta Plan Amendment for the purposes of this 2020 UWMP. Should conditions change or consequential resolution of the issues aforementioned come to be, SSJID will revise and re-adopt a 2020 UWMP to reflect changes to its impacted water supply.*

As a retail agency, the City relies on SSJID for the reliability projections. Information on supply reliability provided by SSJID is included as **Appendix F**.[23] Consistent with SSJID's approach, this section of the City's

[23] Subsequent to the completion of the public draft of this section of the UWMP, SSJID adjusted its reliability projections for Phase II of the WSCP, indicating in an e-mail dated 30 April 2021 that:

> *It is likely that more water will be available for other local purposes in 2040 (when Phase II production is assumed) based on trends in more efficient water management and urban growth displacing irrigated*

UWMP presents results for the SCWSP water reliability assessment assuming that the Bay-Delta Plan Amendment will not be implemented. However, the City understands that it is helpful to understand the possible supply implications in the event that the Bay-Delta Plan Amendment is implemented as adopted. To fully assess the impacts of the Bay-Delta Plan Amendment and better plan for the potential shortfalls, the City conducted a parallel set of reliability analyses assuming that the Bay-Delta Plan Amendment will be implemented, which is presented in **Appendix G**.

7.1.1.3 Groundwater Supply Constraints

Based on a groundwater study the City completed in 2001 (Bookman-Edmonston, 2001), the City is able to withdraw up to 9,000 AFY from the Tracy Subbasin on an average annual basis. However, groundwater production is constrained by the City's well production and treatment capacity, as the infrastructure is aging. Production is further limited by the water quality issues of the City's groundwater supplies, including high total dissolved solids (TDS) concentrations, hardness, and potential formation of chloramines, as discussed in Section 7.1.1.8. In addition, as the Groundwater Sustainability Plan (GSP) for the Tracy Subbasin is developed and implemented, the City's groundwater supply reliability may be revisited.

7.1.1.4 ASR Supply Constraints

The City's ASR Program is discussed in Section 6.3. The City conservatively projects that up to 1,000 AFY of groundwater will be available for extraction from buffer storage in the Lower Tulare Formation aquifer associated with the ASR Program. The ASR supply is dependent upon well production and treatment capacity and the availability of other supplies that can be injected and stored.

7.1.1.5 Semitropic Supply Constraints

As discussed in Section 6.4, the City has acquired 10,500 acre-feet (AF) of storage capacity in Semitropic, which may be withdrawn at a maximum rate of 3,500 AFY for three consecutive years.

The City's ability to access the Semitropic water in a time of water shortage may be restricted by the operational requirements of the DMC. The City had an experience during the historical drought in 2015 where the City was unable to access CVP water that had been stored in the San Luis Reservoir. Typically, in order to access water stored in the San Luis Reservoir, which is fed by the DMC and is located downstream from the City, the City would divert CVP water from the DMC upstream of the reservoir. However, in 2015, due to flow restrictions in the DMC imposed by the USBR, the City was unable to divert water from the DMC and access its stored water. In July 2015, the City participated in an emergency

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agriculture. For purposes of the UWMP, SSJID assumes that its agricultural demands during single dry-year and multiple dry-year events will be linearly reduced by 0.25% per year from 2020 levels freeing up an additional 10,050 AF to be delivered under Phase II from the WTP in 2040.

The reliability projections in this UWMP conservatively do not account for this late adjustment in SSJID's reliability projections.

project with other CVP contractors in the region to reverse the flow of the DMC and pump water back from the San Luis Reservoir.[24]

Another constraint on the Semitropic water is that it needs to be requested a year in advance, which means that this supply will typically not be available during the first year of drought. Further, there needs to be sufficient availability of surplus supplies such that water can replenish the bank following use of the stored water.

7.1.1.6 Recycled Water Distribution Network and Exchange Program Supply Constraints

The City anticipates that up to an additional 7,500 AFY of CVP water will be available in 2045 through the exchange of the City's recycled water with USBR (see Section 6.10.3), assuming appropriate investments are made by the City. Since the original source of this supply is recycled water, it is assumed to be 100% reliable and available during all hydrologic years.

7.1.1.7 Recycled Water Supply Constraints

As discussed in Section 4.2.2 and 6.7.4, recycled water is estimated to supply 6,300 AFY, or 16% of the City's total demand by 2045, assuming appropriate investments are made by the City in recycled water infrastructure and permitting. Recycled water is assumed to be a 100% reliable and stable water supply source and is estimated to be available during all hydrologic years at a volume that meets the City's projected recycled water demands.

7.1.1.8 Water Quality Impacts

Impaired water quality has the potential to affect water supply reliability. The City has and will continue to meet all state and federal water quality regulations. All drinking water standards are set by the U.S. Environmental Protection Agency (USEPA) under the authorization of the Federal Safe Drinking Water Act of 1974. In California, the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW) can either adopt the USEPA standards or set more stringent standards, which are then codified in Title 22 of the California Code of Regulations. There are two general types of drinking water standards:

- **Primary Maximum Contaminant Levels (MCLs)** are health protective standards and are established using a very conservative risk-based approach for each constituent that takes into potential health effects, detectability and treatability, and costs of treatment. Public water systems may not serve water that exceeds Primary MCLs for any constituent.

[24] The emergency pumpback project was a collaborative effort between the City, Del Puerto Water District (DPWD), West Side Irrigation District (WSID), Patterson Water District (PWD), Banta-Carbona Irrigation District (BCID), and BBID. Over July and August of 2015, the project pumped over 4,000 AF of DMC/CVP water north using three portable pumps installed at checks along the DMC. The pumps were removed and normal flows in the DMC resumed on 2 September 2015.

- **Secondary MCLs** are based on the aesthetic qualities of the water such as taste, odor, color, and certain mineral content, and are considered limits for constituents that may affect consumer acceptance of the water.

The City routinely monitors the water that is treated and served to customers to ensure that water delivered to customers meets these drinking water standards. The results of this testing are reported to the SWRCB, DDW following each test and are summarized annually in Water Quality Reports (also known as "Consumer Confidence Reports"), which are provided to customers by mail and made available on the City's website at https://www.ci.tracy.ca.us/?navId=697.

A summary of groundwater quality in the Tracy Subbasin is included in the draft GSP materials available on the Tracy Subbasin website: https://tracysubbasin.org/. It should be noted that water quality conditions in groundwater represent conditions for source water, prior to treatment by the City and service to customers.

One water quality concern that the City actively manages is TDS. The City's groundwater supply typically meets the primary MCL of 1,000 milligrams per liter (mg/L) but frequently exceeds the secondary MCL of 500 mg/L. In 2019, the City's groundwater supply ranged from 386 to 876 mg/L of TDS, with an average concentration of 752 mg/L.[25] Because the TDS concentrations are significantly higher in the groundwater supply than in the City's other water supply sources, in order to meet the secondary MCL in its overall water supply, the City typically scales back its groundwater production from its estimated sustainable yield of 9,000 AFY, particularly in normal rainfall years. The City continues to rely on groundwater for peaking, and under drought conditions, it typically increases its groundwater productions as needed to meet demands when surface water supplies become more limited.

Given the City's proactive monitoring and management of water quality in its source water supplies, water quality is not expected to impact the reliability of the available supplies within the planning horizon (i.e., through 2045) beyond what has been characterized herein.

7.1.1.9 Climate Change Impacts

Section 4.4 of this Urban Water Management Plan (UWMP or Plan) presents information on how the impacts of climate change are considered in projected demands in the City, and Section 6.12.1 provides a summary of potential climate change impacts on supplies. The GSP water budget development is required to include climate change scenarios and assess estimated climate change impacts for purposes of groundwater sustainability, but is not yet available for the Tracy Subbasin.

[25] City of Tracy 2019 Water Quality Report, https://www.ci.tracy.ca.us/documents/2019_City_of_Tracy_Water_Quality_Report.pdf.

7.1.2 Service Reliability - Year Type Characterization

☑ ***CWC § 10631 (b)***

Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a), providing supporting and related information, including all of the following:

☑ ***CWC § 10631 (b)(1)***

A detailed discussion of anticipated supply availability under a normal water year, single dry year, and droughts lasting at least five years, as well as more frequent and severe periods of drought, as described in the drought risk assessment. For each source of water supply, consider any information pertinent to the reliability analysis conducted pursuant to Section 10635, including changes in supply due to climate change.

☑ ***CWC § 10635 (a)***

Every urban water supplier shall include, as part of its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry water years. This water supply and demand assessment shall compare the total water supply sources available to the water supplier with the long-term total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and a drought lasting five consecutive water years. The water service reliability assessment shall be based upon the information compiled pursuant to Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.

Per the UWMP Guidebook 2020, the water service reliability assessment includes three unique year types:

- A normal hydrologic year represents the water supplies available under normal conditions, this could be an averaged range of years or a single representative year;
- A single dry year represents the lowest available water supply; and
- A five-consecutive-year drought represents the driest five-year period in the historical record.

A summary of the water supplies by each year type, consistent with the UWMP Guidebook 2020 methodology, is provided in the following sections.

Quantification of the available supplies is not compatible with the standard DWR Table 7-1, and therefore the available supplies are summarized in **Table 7-2** through **Table 7-5** in Sections 7.1.2.1 through 7.1.2.3.

Table 7-1 Basis of Water Year Data (Reliability Assessment) (DWR Table 7-1)

Year Type	Base Year	Available Supplies if Year Type Repeats	
		X	Quantification of available supplies is not compatible with this table and is provided elsewhere in the UWMP. Location _Table 7-2 through Table 7-5_

			Quantification of available supplies is provided in this table as either volume only, percent only, or both.	
			Volume Available	% of Average Supply
Average Year				100%
Single-Dry Year				
Consecutive Dry Years 1st Year				
Consecutive Dry Years 2nd Year				
Consecutive Dry Years 3rd Year				
Consecutive Dry Years 4th Year				
Consecutive Dry Years 5th Year				
NOTES:				

7.1.2.1 Normal Year

Normal or wet water years are those that match or exceed median rainfall and runoff levels. The reliability of each of Tracy's existing and future water supplies and their projected availability during normal year is outlined below and summarized in **Table 7-2**:

- The City's contract with the USBR for 10,000 AFY of DMC/CVP water is subject to M&I reliability. Based on the historical record, the City's long-term average allocation of DMC/CVP water pursuant to this contract is anticipated to be at least 85% of the total entitlement. However, for this UWMP, due to recent environmental concerns in the Delta and potential future impacts due to climate change, the normal year supply of DMC/CVP M&I water is assumed to be 75% of the City's historical use. Based on a historical use of 5,930 AFY (i.e., the average quantity of CVP water put to beneficial use by the City during the last three years of water deliveries that were unconstrained by the availability of CVP water), the projected normal year supply is 4,448 AFY.
- The City has received acquired assignments from Banta-Carbona Irrigation District (BCID; 5,000 AFY) and West Side Irrigation District (WSID; 5,000 AFY) for a total entitlement of 10,000 AFY of DMC/CVP water. These supplies are subject to Ag-reliability. The City is conservatively estimating that it will receive 50% of its Ag-reliability contractual entitlement, or 5,000 AFY, in normal years.
- The City has acquired up to 4,500 AFY of pre-1914 appropriative water rights water from BBID. These supplies are restricted in their place of use, and therefore the supply is anticipated to be equal to the projected demand within that place of use (i.e., the Tracy Hills area) ranging from 800 AFY in 2025 to 3,300 AFY in 2045. The City anticipates being able to receive 100% of this supply in normal years.
- The City has a total contractual entitlement of 13,135 AFY of Stanislaus River water provided through the SCWSP, including 10,000 AFY from its original contract with SSJID, 1,120 AFY purchased from Lathrop, and 2,015 AFY purchased on an interim basis from Escalon. It is assumed that the agreement between Tracy and Escalon will terminate after 2025. Based on information

provided by SSJID, the City expects to receive 100% of its SCWSP water supply allocation during a normal water year. As such, the City anticipates being able to receive 13,135 AFY of SCWSP supply in 2025 and 11,120 AFY afterwards, assuming normal year conditions.

- The City is able to withdraw up to 9,000 AFY of groundwater from the Tracy Subbasin. However, due to the aging infrastructure and water quality issues in the City's groundwater supplies, the City is projecting to be able to withdraw up to 2,500 AFY in normal years. This groundwater supply is considered to be 100% reliable.
- The City does not anticipate using its Semitropic water or ASR water in normal years.
- The City anticipates that a Recycled Water Distribution Network and Exchange agreement will be executed with the USBR by 2030 to provide additional CVP supplies to the City in exchange for the City discharging a like amount of tertiary-treated recycled water to the DMC. The City assumes that the Recycled Water Distribution Network and Exchange will be implemented as needed to meet future demand conditions and is currently projected to supply an amount ranging from 1,925 AFY in 2030 to 7,500 AFY in 2045. This water supply is considered to be 100% reliable.
- The City's recycled water supply is expected to be 100% reliable. Based on the projected non-potable demands and assuming that the City makes investments in infrastructure and permitting, the City estimates that they will have access to 1,000 AFY of recycled water supply in 2025, increasing to 6,300 AFY in 2045.

Table 7-2 Projected Water Supply in Normal Years (Responds to DWR Table 7-1)

Water Supply	Allocation / Reliability	Supply Amount				
		2025	2030	2035	2040	2045
Current Potable Supplies						
CVP - USBR Tracy Contract	75% of Historical Use	4,448	4,448	4,448	4,448	4,448
CVP - USBR BCID & WSID Contract	50% of Contract	5,000	5,000	5,000	5,000	5,000
SCWSP - SSJID Contract	100% of Contract	13,135	11,120	11,120	11,120	11,120
BBID	100% of Tracy Hills Demand	800	1,500	2,000	2,500	3,300
Groundwater	100% Reliable	2,500	2,500	2,500	2,500	2,500
Anticipated Future Potable Supplies						
Recycled Water Distribution Network and Exchange	100% Reliable	0	1,925	3,500	5,000	7,500
Total Potable Supply	--	**25,883**	**26,493**	**28,568**	**30,568**	**33,868**
Anticipated Future Non-Potable Supplies						
Recycled Water	100% Reliable	1,000	2,067	3,133	4,200	6,300
Total Non-Potable Supply	--	**1,000**	**2,067**	**3,133**	**4,200**	**6,300**

Total Supply	--	**26,883**	**28,560**	**31,701**	**34,768**	**40,168**

NOTES:
(a) Volumes are in units of AF.
(b) Information provided by the City and SSJID. Recycled water and groundwater volumes assume the City investments in infrastructure and/or permitting.

7.1.2.2 Single Dry Year

During a single dry year, all of the City's existing surface water allotments are subject to some level of reduction. Assumed reductions are greater than what was included in the City's 2015 UWMP due to the actual reductions in CVP deliveries experienced in the recent drought and the new USBR M&I Reliability Policy adopted in 2017. The actual reductions will vary with the severity of the regional water supply shortage and climatic conditions, and the consideration of contract agreements.

The reliability of each of Tracy's existing and future water supplies and their projected availability during a single dry year is outlined below and summarized in **Table 7-3**.

- The City's contract with the USBR for 10,000 AFY of DMC/CVP water is subject to M&I reliability. During a single dry year, the City estimates to receive 25% of the City's historical use. Based on the historical use of 5,930 AFY, the projected supply is 1,483 AFY.
- The City has a total entitlement of 10,000 AFY of DMC/CVP Ag-reliability water. The City anticipates receiving 0% of its DMC/CVP Ag-reliability water in a single dry year.
- The City has acquired up to 4,500 AFY of pre-1914 appropriative water rights water from BBID. This supply is restricted with regard to the place of use (Tracy Hills). The City anticipates being able to receive 85% of its contractual entitlement in a single dry year (3,825 AFY). As the projected demand is 3,300 AFY in 2045 and is lower than the 3,825 AFY of available supply, the reduction in reliability does not result in a reduction to actual amount of water used. Therefore, the supply in a single dry year is anticipated to be equal to the projected demand within the Tracy Hills area, ranging from 800 AFY in 2025 to 3,300 AFY.
- The City has a total contractual entitlement of 13,135 AFY of Stanislaus River water provided through the SCWSP. Based on information provided by SSJID, the City expects to receive 76% of its SCWSP water supply allocation during 2025, 2030, and 2035 and 56% during 2040 and 2045. In addition, it is assumed that the SCWSP water transferred from Escalon will no longer be available after 2025. As such, the City estimates 9,974 AFY of SCWSP supply in 2025, 8,444 AFY in 2030 and 2035, and 6,177 AFY afterwards.
- During a single dry year, the City anticipates increasing its groundwater production on a short-term basis from the normal year production of 2,500 AFY to 4,500 AFY. The groundwater supply is considered to be 100% reliable.
- The City anticipates that 700 AFY of water will be available for use in a single dry year through operation of its ASR well. An additional 300 AFY is estimated to be available by 2040 for a total of 1,000 AFY. This water supply is considered to be 100% reliable assuming that the City is

consistently able to refill the ASR storage during non-drought years to maintain at least 1,000 AF in storage at the beginning of a single dry year.

- The City has acquired 10,500 AFY of storage in Semitropic, which allows the City to withdraw up to 3,500 AFY for three consecutive years. Due to the difficulties experienced by the City in accessing stored water via the DMC on a short timeframe, the City has conservatively assumed that the Semitropic water will not be available in a single dry year.
- The City anticipates that a Recycled Water Distribution Network and Exchange agreement will be executed with the USBR by 2030 to provide additional CVP supplies to the City in exchange for the City discharging a like amount of tertiary-treated recycled water to the DMC. The City assumes that the Recycled Water Distribution Network and Exchange will be implemented as needed to meet future demand conditions and is currently projected to supply an amount ranging from 1,925 AFY in 2030 to 7,500 AFY in 2045. This water supply is considered to be 100% reliable.
- The City's recycled water supply is expected to be 100% reliable. Based on the projected non-potable demands and assuming that the City makes investments in infrastructure and permitting, the City estimates that they will have access to 1,000 AFY of recycled water supply in 2025, increasing to 6,300 AFY in 2045.

Table 7-3 Projected Water Supply in Single Dry Years (Responds to DWR Table 7-1)

Water Supply	Allocation / Reliability	Supply Amount				
		2025	2030	2035	2040	2045
Current Potable Supplies						
CVP - USBR Tracy Contract	25% of Historical Use	1,483	1,483	1,483	1,483	1,483
CVP - USBR BCID & WSID Contract	0% of Contract	0	0	0	0	0
SCWSP - SSJID Contract	56%-76% of Contract	9,974	8,444	8,444	6,177	6,177
BBID	100% of Tracy Hills Demand	800	1,500	2,000	2,500	3,300
Groundwater	100% Reliable	4,500	4,500	4,500	4,500	4,500
Anticipated Future Potable Supplies						
Recycled Water Distribution Network and Exchange	100% Reliable	0	1,925	3,500	5,000	7,500
ASR Dry Year Supply	100% Reliable	700	700	700	1,000	1,000
Total Potable Supply	--	**17,456**	**18,551**	**20,626**	**20,659**	**23,959**
Anticipated Future Non-Potable Supplies						
Recycled Water	100% Reliable	1,000	2,067	3,133	4,200	6,300
Total Non-Potable Supply	--	**1,000**	**2,067**	**3,133**	**4,200**	**6,300**
Total Supply	--	**18,456**	**20,618**	**23,759**	**24,859**	**30,259**

NOTES:
(a) Volumes are in units of AF.
(b) Information provided by the City and SSJID. Recycled water and groundwater volumes assume the City investments in infrastructure and/or permitting. ASR volumes assume surplus supplies are available in wet years to inject and store, as well as additional investment in ASR construction and operation.

7.1.2.3 Five Consecutive Year Drought

If there are multiple dry years, the City's surface water supplies (from both the CVP and SCWSP) may be significantly reduced. Thus, in the event of drought, the City will have to depend more heavily on conservation efforts, groundwater, and the proposed future supply projects.

The reliability of each of Tracy's existing and future water supplies and their projected availability during a five consecutive year drought is outlined below and summarized in **Table 7-4** and **Table 7-5**.

- The City's contract with the USBR for 10,000 AFY of DMC/CVP water is subject to M&I reliability. During multiple dry years, the City estimates that it will receive 40% of the City's historical use. Based on the historical use of 5,930 AFY, the projected supply is 2,372 AFY.

- The City has a total entitlement of 10,000 AFY of DMC/CVP Ag-reliability water. The City anticipates receiving 0% of its DMC/CVP Ag-reliability water in multiple dry years.
- The City has acquired up to 4,500 AFY of pre-1914 appropriative water rights water from BBID. This supply is restricted with regard to the place of use (Tracy Hills). The City anticipates being able to receive 85% of its contractual entitlement in multiple dry years (3,825 AFY). As the projected demand is 3,300 AFY in 2045 and is lower than the 3,825 AFY of available supply, the reduction in reliability does not result in a reduction to actual amount of water used. Therefore, the supply in multiple dry years is anticipated to be equal to the projected demand within the Tracy Hills area, ranging from 800 AFY in 2025 to 3,300 AFY.
- The City has a total contractual entitlement of 13,135 AFY of Stanislaus River water provided through the SCWSP. Based on information provided by SSJID, the City's SCWSP water supply reliability during multiple dry years range from 56% to 100%. In addition, it is assumed that the SCWSP water transferred from Escalon will no longer be available after 2025. The City's projected SCWSP supply is presented in **Table 7-4**.
- During multiple dry years, the City anticipates increasing its groundwater production on a short-term basis from the normal year production of 2,500 AFY to 4,500 AFY. The groundwater supply is considered to be 100% reliable.
- The City anticipates that 700 AF of water will be available for use in multiple dry years through operation of its ASR well. An additional 300 AF is estimated to be available by 2040 for a total of 1,000 AF. It is assumed that the City will be unable to refill the ASR storage during multiple dry years. Therefore, the annual ASR supply available is assumed to be equally one fifth of the total stored volume (i.e., 140 AFY between 2025 and 2035 and 200 AFY between 2040 and 2045). This water supply is considered to be 100% reliable assuming that the City is consistently able to refill the ASR storage in non-drought years to maintain at least 1,000 AF in storage at the beginning of a multiple dry year sequence.
- The City has acquired 10,500 AFY of storage in Semitropic, which allows the City to withdraw up to 3,500 AFY for three consecutive years. Due to the difficulties experienced by the City in accessing stored water via the DMC on a short timeframe, the City has conservatively estimated that the 0% of the City's storage will be available in the first year of a five-consecutive-year drought, and 100% will be available over the following four years. Based on the City's current storage at Semitropic of 6,887 AF, the amount available in the second to fifth year of a five-consecutive-year drought is assumed to be 1,722 AFY (6,887 AF divided by four). A similar reliability estimate is provided for all dry-year sequences under the assumption that the City is consistently able to re-fill the water bank in non-drought years to maintain at least 7,000 AFY in storage at the beginning of a multiple dry year sequence.
- The City anticipates that a Recycled Water Distribution Network and Exchange agreement will be executed with the USBR by 2030 to provide additional CVP supplies to the City in exchange for the City discharging a like amount of tertiary-treated recycled water to the DMC. The City assumes that the Recycled Water Distribution Network and Exchange will be implemented as needed to meet future demand conditions and is currently projected to supply an amount ranging from 1,925 AFY in 2030 to 7,500 AFY in 2045. This water supply is considered to be 100% reliable.

- The City's recycled water supply is expected to be 100% reliable. Based on the projected non-potable demands and assuming that the City makes investments in infrastructure and permitting, the City estimates that they will have access to 1,000 AFY of recycled water supply in 2025, increasing to 6,300 AFY in 2045.

Table 7-4 Projected SCWSP Water Supply in Multiple Dry Years (Responds to DWR Table 7-1)

Year Type		2025	2030	2035	2040	2045
Multiple Dry Years	First year	13,135	11,120	11,120	11,120	11,120
	Second year	13,135	11,120	11,120	11,120	11,120
	Third year	9,974	8,444	8,444	6,177	6,177
	Fourth year	9,974	8,444	8,444	6,177	6,177
	Fifth year	13,135	11,120	11,120	11,120	11,120

NOTES:
(a) Volumes are in units of AF.
(b) Information provided by the SSJID.

Table 7-5 Projected Other Water Supplies in Multiple Dry Years (Responds to DWR Table 7-1)

Water Supply	Allocation / Reliability	Supply Amount				
		2025	2030	2035	2040	2045
Current Potable Supplies						
CVP - USBR Tracy Contract	40% of Historical Use	2,372	2,372	2,372	2,372	2,372
CVP - USBR BCID & WSID Contract	0% of Contract	0	0	0	0	0
BBID	100% of Tracy Hills Demand	800	1,500	2,000	2,500	3,300
Groundwater	100% Reliable	4,500	4,500	4,500	4,500	4,500
Semitropic Dry Year Supply	100% Reliable	1,722	1,722	1,722	1,722	1,722
Anticipated Future Potable Supplies						
Recycled Water Distribution Network and Exchange	100% Reliable	0	1,925	3,500	5,000	7,500
ASR Dry Year Supply	100% Reliable	140	140	140	200	200
Total Potable Supply	--	**9,534**	**12,159**	**14,234**	**16,294**	**19,594**
Anticipated Future Non-Potable Supplies						
Recycled Water	100% Reliable	1,000	2,067	3,133	4,200	6,300
Total Non-Potable Supply	--	**1,000**	**2,067**	**3,133**	**4,200**	**6,300**
Total Supply	--	**10,534**	**14,225**	**17,367**	**20,494**	**25,894**

NOTES:
(a) Volumes are in units of AF.
(b) Information provided by the City.
(c) This table summarizes the City's supplies with the exception of SCWSP which is provided separately in Table 7-4. Recycled water and groundwater volumes assume the City investments in infrastructure and/or permitting. ASR and Semitropic volumes assume surplus supplies are available in wet years to inject and/or store, as well as additional investment in ASR construction and operation. Semitropic supply is assumed to be unavailable in the first year of a multiple dry year. Other supply volumes are assumed to be constant in each year of a multiple dry year.

7.1.3 Service Reliability - Supply and Demand Assessment

☑ ***CWC § 10635 (a)***

Every urban water supplier shall include, as part of its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry water years. This water supply and demand assessment shall compare the total water supply sources available to the water supplier with the long-term total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and a drought lasting five consecutive water years. The water service reliability assessment shall be based upon the information compiled pursuant to Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.

The City's projected water demands are compared to its water supplies in normal years, single dry years, and multiple dry year periods.

7.1.3.1 Water Service Reliability - Normal Year

As shown in **Table 7-6**, the City is expected to have adequate water supplies during normal years to meet its projected demands through 2045.

Table 7-6 Normal Year Supply and Demand Comparison (DWR Table 7-2)

	2025	2030	2035	2040	2045
Supply totals *From DWR Table 6-9*	26,883	28,560	31,701	34,768	40,168
Demand totals *From DWR Table 4-3*	21,509	25,167	28,871	32,603	39,379
Difference	5,374	3,393	2,830	2,165	789
NOTES: (a) Volumes are in units of AF.					

7.1.3.2 Water Service Reliability - Single Dry Year

The reliability of the City's surface water supplies is estimated to be significantly reduced during a single dry year. As a result, total water supplies are projected to be insufficient to meet the projected demands. As shown in **Table 7-7**, the potential shortfall is projected to be 9,120 AFY in 2045, which equals to 23% of the projected demands.

Table 7-7 Single Dry Year Supply and Demand Comparison (DWR Table 7-3)

	2025	2030	2035	2040	2045
Supply totals	18,456	20,618	23,759	24,859	30,259
Demand totals	21,509	25,167	28,871	32,603	39,379
Difference	(3,053)	(4,549)	(5,112)	(7,744)	(9,120)
NOTES: (a) Volumes are in units of AF.					

7.1.3.3 Water Service Reliability – Five Consecutive Dry Years

During multiple dry years, the sufficiency of the City's water supplies to meet the projected demands depends on the drought year. During the first, second, and fifth year of drought in 2025, the City is projected to have sufficient supply. However, during the third and fourth year, the City's total water demand is estimated to exceed total supply by approximately 1,001 AFY. In 2035 to 2045, as demand increases, supply shortfalls are expected in all five years, with the largest shortfall being approximately 7,308 AFY in 2045, or 19% of the projected demands (**Table 7-8**).

Table 7-8 Multiple Dry Years Supply and Demand Comparison (DWR Table 7-4)

		2025	2030	2035	2040	2045
First year	Supply totals	21,947	23,624	26,765	29,892	35,292
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	438	(1,543)	(2,106)	(2,711)	(4,087)
Second year	Supply totals	23,669	25,345	28,487	31,614	37,014
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	2,160	178	(384)	(990)	(2,365)
Third year	Supply totals	20,507	22,669	25,811	26,671	32,071
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	(1,001)	(2,498)	(3,061)	(5,933)	(7,308)
Fourth year	Supply totals	20,507	22,669	25,811	26,671	32,071
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	(1,001)	(2,498)	(3,061)	(5,933)	(7,308)
Fifth year	Supply totals	23,669	25,345	28,487	31,614	37,014
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	2,160	178	(384)	(990)	(2,365)
NOTES: (a) Volumes are in units of AF.						

7.1.4 Uncertainties in Dry Year Water Supply Projections

As shown in the above tables, significant water supply shortfalls are currently projected in future single and multiple dry years. However, there are currently numerous sources of uncertainty in the dry year water supply projections as summarized below:

- Implementation of the Bay-Delta Plan Amendment is under negotiation. The SSJID and others are continuing negotiations with the SWRCB on implementation of the Bay-Delta Plan Amendment for water supply cutbacks, particularly during droughts. This is a dynamic situation and the projected drought cutback allocations may need to be revised before the next (i.e., 2025) UWMP depending on the outcome of ongoing negotiations. A conservative estimate of the potential impacts of the Bay-Delta Plan Amendment on the SCWSP (and therefore the City) is provided in **Appendix G**.
- Benefits of the City's development of additional ASR and recycled water supplies are accounted for in current supply projections. However, implementation of these projects will require significant investment by the City in the near- and long-term. Similarly, investments in wet years supplies will be needed to refill storage in Semitropic and in the ASR wells.
- The City will have to continue to work closely with the USBR and SSJID on their rationing policies to ensure that M&I needs can be met.
- The City's projected water demands are subject to change in the future based upon future housing needs, increased conservation, and development of additional local supplies or policies to limits water demand associated with current and future development.
- Frequency and duration of cutbacks are also uncertain. While the projected shortfalls presented in the UWMP appear severe, the actual frequency and duration of such shortfalls are uncertain. In addition to the supply volumes, the above listed uncertainties would also impact the projected frequency and duration of shortfalls.

7.1.5 Description of Water Management Tools and Options

Although there remains large uncertainty in future supply availability, the City has developed strategies and actions to address the projected supply shortfalls.

As described in Section 6.7, the City has made great strides to develop recycled water supplies. If additional recycled water is made available, the potable water demands will be less than the current projections and therefore the resultant supply shortage will likely to be smaller.

The City has also taken numerous steps to expand its existing supply and to obtain new supply sources, including the ASR Program and Recycled Water Distribution Network and Exchange Program. Other potential supply options, such as direct potable reuse of recycled water, is also being considered.

In addition, the City has been implementing, and plans to continue to implement, the demand management measures described in Section 9. Further, in response to the anticipated future shortfalls, the City has developed a robust Water Shortage Contingency Plan (WSCP) that systematically identifies ways in which the City can reduce water demands. The WSCP is included in Section 8.

The City is currently exploring other policy-based water efficiency tools that supply-constrained agencies across California have implemented. These policy-based tools are often bundled together and referred to as Water Demand Offset (WDO) or Water Neutrality policies. Through these policies, project developers are generally required to offset the new demand anticipated by the development through some combination of demand mitigation options, such as:

- **On-site retrofits.** Project developer with existing property reduces total projected water demand by retrofitting existing property with efficient water fixtures. If projected water demand is reduced below baseline for existing property, no off-site WDOs are required. If not, offsite WDOs are required.
- **Off-site retrofits.** Project developer coordinates and pays for installation of water efficient fixtures at other properties or converts existing irrigation systems to recycled water for other off-site properties, typically those owned by other entities.
- **On-site reuse.** Larger scale developments are required to implement on-site reuse of water, including rainwater, greywater, stormwater, and blackwater. These policies have recently been implemented by the Cities of San Francisco[26] and Menlo Park.[27]
- **Supply augmentation.** Project developer secures its own water supply to serve the development, either through direct provision of water to the development or through an agreement to transfer rights to the water supplier.
- **WDO fees.** Project developer pays fees to implementing entity based on the amount of water offset, and the agency uses the fees to fund water conservation programs. Such conservation programs could include system water loss mitigation projects (e.g., capital improvement, Advanced Metering Infrastructure [AMI] meters, etc.), purchase of water efficient equipment (e.g., NO-DES hydrant flushing machine to recycle water used to flush mains), and recycled water

[26] In September 2012, the City and County of San Francisco implemented Article 12C of the San Francisco Health Code, commonly referred to as the Non-potable Water Ordinance, which established regulations for the collection, treatment, and use of alternate water sources for non-potable applications. The Non-potable Water Ordinance requires any new development projects 250,000 square feet (sq ft) or more to install an onsite non-potable water system that collects and treats greywater, rainwater, and foundation drainage for use in toilet and urinal flushing and irrigation. Development projects 40,000 sq ft or more must prepare water budget calculations to assess the amount of rainwater, greywater, and foundation drainage available to the project, as well as assess the demands associated with toilet and urinal flushing and irrigation.

[27] The City of Menlo Park established guidelines for water use efficiency and recycled water requirements through several zoning ordinances, including: Office (O) Section 16.43.140 Green and sustainable building, Life Sciences (LS) Section 16.44.140 Green and sustainable building, and Residential Mixed-Use (R-MU) Section 16.45.140 Green and sustainable building. These ordinances comply with the California Green Building Standards Code (CALGreen), Cal. Code Regs., Title 24, Part 11 and require all new buildings 250,000 sq ft or more to use alternate sources of water approved by the City for non-potable uses, including rainwater, greywater, stormwater and blackwater. Approved uses for non-potable water include toilet and urinal flushing, cooling applications, process water, dust control and soil compaction, water features or decorative fountains, irrigation, or others approved by the City.

system infrastructure, as well as fixture rebate or retrofit and education-based conservation programs.

Such policies could be designed as a "net neutral" policy wherein the new development is required to offset all new demands associated with the development project. In addition to conserving water, this approach has a key benefit to the City in support of its water supply planning efforts such as Water Supply Assessments (WSAs), because even if the City shows reduced water reliability in its planning horizon (e.g., supply shortfalls identified in drought periods), approval of such developments would not change the overall supply reliability picture for the existing customers. Additionally, including a WDO fee element to such policies could result in an ongoing funding source that could support a variety of conservation and/or water loss mitigation efforts, including those that directly respond to the forthcoming Making Water Conservation a California Way of Life annual water use objectives requirements.

7.2 Drought Risk Assessment

☑ ***CWC § 10635(b)***

Every urban water supplier shall include, as part of its urban water management plan, a drought risk assessment for its water service to its customers as part of information considered in developing the demand management measures and water supply projects and programs to be included in the urban water management plan. The urban water supplier may conduct an interim update or updates to this drought risk assessment within the five-year cycle of its urban water management plan update. The drought risk assessment shall include each of the following:

(1) A description of the data, methodology, and basis for one or more supply shortage conditions that are necessary to conduct a drought risk assessment for a drought period that lasts five consecutive water years, starting from the year following when the assessment is conducted.

(2) A determination of the reliability of each source of supply under a variety of water shortage conditions. This may include a determination that a particular source of water supply is fully reliable under most, if not all, conditions.

(3) A comparison of the total water supply sources available to the water supplier with the total projected water use for the drought period.

(4) Considerations of the historical drought hydrology, plausible changes on projected supplies and demands under climate change conditions, anticipated regulatory changes, and other locally applicable criteria.

7.2.1 DRA Data, Methods, and Basis for Water Shortage Conditions

In addition to the long-term water service reliability assessment presented above, the Drought Risk Assessment (DRA) considers the effects on available water supply sources of an assumed five-year drought commencing the year after the assessment is completed, i.e., from 2021 through 2025. Sections 7.1.1, 7.1.2, and 7.1.3 of this Plan present an evaluation of the sufficiency of the City's supplies to meet projected water demands in dry year conditions. The DRA presented herein is performed using the same methodology and assumptions as discussed above. The DRA is intended to inform the demand management measures and water supply projects and programs to be included in the UWMP (see

Chapters 6 and 9). Suppliers may conduct an interim update or updates to this DRA within the five-year cycle of its UWMP update, i.e., before the 2025 UWMP.

7.2.1.1 Characteristic Five-Year Water Use

As a first step to the DRA, water suppliers are advised to estimate unconstrained water demand for the next five years (2021-2025). Unconstrained water demand is the expected water use in the absence of drought water use restrictions. The demand forecast for the next five years is shown in **Table 7-9** below, as a linear extrapolation between the 2020 demand and the projected 2025 demand.

Table 7-9 Characteristic Five-Year Water Use

2021	2022	2023	2024	2025
19,923	20,320	20,716	21,112	21,509
NOTES: (a) Volumes are in units of AF.				

7.2.2 DRA Individual Water Source Reliability

As previously described, the City relies on a variety of water source supplies including imported surface water supply, groundwater production wells, ASR wells, Semitropic Groundwater Storage Bank, and recycled water. The DRA presented herein is based on the same reliability assumptions of each source of supply as discussed in Section 7.1 for five consecutive years of drought. It is further assumed that the BBID supply will increase linearly between 2020 and 2025 and that the recycled water supply will not be available until 2025.

7.2.3 DRA Total Water Supply and Use Comparison

Table 7-10 provides a comparison of the water supply sources available to the City with the total projected water use for an assumed drought period from 2021 through 2025. The City is expected to have sufficient supply in 2021, 2022, and 2025. However, in 2023 and 2024, the demands are estimated to exceed supplies by 1,313 AFY and 1,657 AFY, respectively.

The City has developed a WSCP (Section 8) to address water shortage conditions resulting from any cause (e.g., droughts, impacted distribution system infrastructure, regulatory-imposed shortage restrictions, etc.). The WSCP identifies a variety of actions that the City will implement to reduce demands and further ensure supply reliability at various levels of water shortage.

In addition, as described in Section 7.1.5, the City may implement WDO or Water Neutrality policies that require project developers to offset the new demand anticipated from the development to address the potential water shortage.

Table 7-10 Five-Year Drought Risk Assessment Tables to Address Water Code 10635(b) (DWR Table 7-5)

2021	Total
Total Water Use	19,923
Total Supplies	20,739
Surplus/Shortfall w/o WSCP Action	816
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	0
Revised Surplus/(shortfall)	816
Resulting % Use Reduction from WSCP action	0%

2022	Total
Total Water Use	20,320
Total Supplies	22,513
Surplus/Shortfall w/o WSCP Action	2,193
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	0
Revised Surplus/(shortfall)	2,193
Resulting % Use Reduction from WSCP action	0%

2023	Total
Total Water Use	20,716
Total Supplies	19,403
Surplus/Shortfall w/o WSCP Action	(1,313)
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	1,313
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	6%

Table 7-10 Five-Year Drought Risk Assessment Tables to Address Water Code 10635(b) (DWR Table 7-5)

2024	Total
Total Water Use	21,112
Total Supplies	19,455
Surplus/Shortfall w/o WSCP Action	(1,657)
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	1,657
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	8%

2025	Total
Total Water Use	21,509
Total Supplies	23,669
Surplus/Shortfall w/o WSCP Action	2,160
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	0
Revised Surplus/(shortfall)	2,160
Resulting % Use Reduction from WSCP action	0%
NOTES: (a) Volumes are in units of AF.	

8 WATER SHORTAGE CONTINGENCY PLAN

☑ ***CWC § 10640***

(a) Every urban water supplier required to prepare a plan pursuant to this part shall prepare its plan pursuant to Article 2 (commencing with Section 10630). The supplier shall likewise periodically review the plan as required by Section 10621, and any amendments or changes required as a result of that review shall be adopted pursuant to this article.

(b) Every urban water supplier required to prepare a water shortage contingency plan shall prepare a water shortage contingency plan pursuant to Section 10632. The supplier shall likewise periodically review the water shortage contingency plan as required by paragraph (10) of subdivision (a) of Section 10632 and any amendments or changes required as a result of that review shall be adopted pursuant to this article.

The City of Tracy's (City's) Water Shortage Contingency Plan (WSCP) is included as **Appendix H**. The WSCP serves as a standalone document to be engaged in the case of a water shortage event, such as a drought or supply interruption, and defines specific policies and actions that will be implemented at various shortage level scenarios. The primary objective of the WSCP is to ensure that the City has in place the necessary resources and management responses needed to protect health and human safety, minimize economic disruption, and preserve environmental and community assets during water supply shortages and interruptions. Consistent with California Water Code (CWC) §10632, the WSCP includes six levels to address shortage conditions ranging from up to 10% to greater than 50% shortage, identifies a suite of demand mitigation measures for the City to implement at each level, and identifies procedures for the City to annually assess whether or not a water shortage is likely to occur in the coming year, among other things.

A summary of the key elements of the WSCP including water shortage levels and demand-reduction actions is shown in Table 8-1, **Table 8-2**, and **Table 8-3**. Additional details are provided in **Appendix H**.

Table 8-1 Water Shortage Contingency Plan Levels (DWR Table 8-1)

Shortage Level	Percent Shortage Range	Shortage Response Actions
1	Up to 10%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City may reduce water use by up to 10% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 8-2** and **Table 8-3**).
2	Up to 20%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by 10% to 20% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 8-2** and **Table 8-3**).
3	Up to 30%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by 20% to 30% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 8-2** and **Table 8-3**).
4	Up to 40%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by 30% to 40% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 8-2** and **Table 8-3**).
5	Up to 50%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by 40% to 50% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 8-2** and **Table 8-3**).
6	>50%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by greater than 50% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 8-2** and **Table 8-3**).

Table 8-2 Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
1	Other	5%	• Prohibitions: o Allowing flagrant water waste or incidental water runoff. o Irrigating using a hose without a shutoff nozzle attached. o Using potable water to operate non-recirculating decorative water features, including splash pads. o Irrigating outdoors during and within 48 hours following a measurable rainfall. "Measurable rainfall" means any amount of precipitation that generates a puddle or runoff. o The serving of drinking water other than upon request, in eating or drinking establishments. o Irrigating ornamental grass or turf on public street medians. o Irrigating outside of newly constructed homes and buildings in a manner that is inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development. o Irrigating any hardscape. • Mandatory requirements: o Any customer must properly maintain all outdoor plumbing and irrigation systems and control all leaks within 72 hours of discovery or notification. o Customers shall practice prudent water conservation measures, including: (i) Planting drought-tolerant landscapes; (ii) Installing and maintaining water-efficient irrigation systems such as drip and bubble irrigation with weather or soil-based controllers; (iii) Installing sprinkler heads with a low flow rate appropriate for the landscape to prevent overwatering and runoff; (iv) Watering only in the late night or early morning hours during non- windy periods. o A hose that dispenses potable water shall be fitted with a shut-off	Yes

Table 8-2 Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
			nozzle or flow restriction device attached to it that causes it to cease dispensing water immediately when not in use. o All swimming pools, hot tubs, and spas installed after May 1, 1993 must have a separation tank and water recovery system installed in the filter backwash system, with a 90% water recovery standard. o Each swimming pool, hot tub and spa installed after July 15, 2015 must have a non-permeable floating cover or equivalent device that provides 90% surface coverage. • All landscape irrigation is restricted to before 9:00 a.m. or after 7:00 p.m. daily. This applies to residential, commercial, industrial, institutional, municipal and other public agencies or entities. • Restaurants and commercial lodging establishments must post notice of drought conditions. • Hotels and motels must offer guests an option to opt out of linen/towel service.	

Table 8-2 Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
2	Other	15%	• Continue with actions and measures from Stage 1. • Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated three days per week as follows: (1) Odd-numbered addresses may irrigate only on Monday, Wednesday, and Saturday before 9:00 a.m. and after 7:00 p.m. (2) Even-numbered addresses may irrigate only on Tuesday, Thursday, and Sunday before 9:00 a.m. and after 7:00 p.m. (3) At any time provided that only drip, microspray or bubbler irrigation is used. • Any customer must repair and control all outdoor water leaks that violate TMC §11.28, as determined by the City, within 48 hours of discovery or notification. • Except as otherwise provided, individual residential car washing is allowed only with the use of a bucket. "Individual residential car washing" means the cleaning with potable water of a motor vehicle that is registered to an individual who lives on the premise. • Automobile and recreational vehicle dealerships are allowed to continue washing vehicles with a hose that is fitted with a shut-off nozzle or flow restriction device attached under the following conditions: (1) Automobiles and recreational vehicles may be washed only on Friday using the method outlined above. (2) An automobile, motorcycle, boat, or motorhome may be washed the day before or the day of delivery to the purchaser using the method outlined above before 9:00 a.m. or after 7:00 p.m. • No customer may add water or refill a swimming pool, spa, or hot tub unless it has a separation tank and water recovery system installed in the filter backwash system, with a 90% water recovery standard and it is a maintenance or health and safety issue.	Yes

Table 8-2 Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
3	Other	25%	• Continue with actions and measures from Stages 1 and 2. • Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated two days per week as follows: (1) Odd-numbered addresses may irrigate only on Wednesday and Saturday before 9:00 a.m. and after 7:00 p.m. (2) Even-numbered addresses may irrigate only on Thursday and Sunday before 9:00 a.m. and after 7:00 p.m.	Yes
4	Other	35%	• Continue with actions and measures from Stages 1 through 3. • Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated one day per week as follows: (1) Odd-numbered addresses may irrigate only on Wednesday before 9:00 a.m. and after 7:00 p.m. (2) Even-numbered addresses may irrigate only on Thursday before 9:00 a.m. and after 7:00 p.m.	Yes
5	Other	45%	• Continue with actions and measures from Stages 1 through 4. • No outdoor potable water uses are allowed. • No recreational water uses are allowed.	Yes
6	Other	55%	• Continue with actions and measures from Stages 1 through 5. • Water use shall not exceed the water budget established for each account type. • City Council may prohibit water uses not required for public health and safety and fire protection.	Yes

NOTES:
(a) The percentages listed in this table are the cumulative savings for each shortage level with implementation of corresponding supply augmentation and other agency actions in Table 8-3. Detailed saving estimates based on end use, response action, and implementation rates are in Appendix H.

Table 8-3 Supply Augmentation and Other Actions (DWR Table 8-3)

Shortage Level	Supply Augmentation Methods and Other Actions by Water Supplier	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference
1	Other	5%	• Expand outreach for existing water conservation programs. • Promote public awareness (e.g., website, social media).
2	Other	15%	• Continue with actions and measures from Stage 1. • Increase public outreach (e.g., water bill inserts, media campaign, hosting public events and workshops). • Offer water use surveys to up to the top 10% of residential, CII, and irrigation accounts. • Increase enforcement efforts. • Decrease frequency and length of line flushing.
3	Other	25%	• Continue with actions and measures from Stages 1 and 2. • Establish a drought hotline. • Conduct an audit of up to 25% of the City's distribution system to identify and repair leaks. • Expand water use surveys to up to the top 20% of residential and CII accounts and up to the top 50% of dedicated irrigation accounts.
4	Other	35%	• Continue with actions and measures from Stages 1 through 3.
5	Other	45%	• Continue with actions and measures from Stages 1 through 4. • City Council may implement a drought rate surcharge, as set forth in TMC §11.28.230. • No new water connections may be approved.
6	Other	55%	• Continue with actions and measures from Stages 1 through 5. • Reduce distribution system pressure. • Establish water budgets for all customer accounts.
NOTES: (a) The percentages listed in this table are the cumulative savings for each shortage level with implementation of corresponding demand reduction actions in Table 8-2. Detailed saving estimates based on end use, response action, and implementation rates are in Appendix H.			

9 DEMAND MANAGEMENT MEASURES

☑ ***CWC § 10631 (e)***

Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) (A) For an urban retail water supplier, as defined in Section 10608.12, a narrative description that addresses the nature and extent of each water demand management measure implemented over the past five years. The narrative shall describe the water demand management measures that the supplier plans to implement to achieve its water use targets pursuant to Section 10608.20.

(B) The narrative pursuant to this paragraph shall include descriptions of the following water demand management measures:

(i) Water waste prevention ordinances.

(ii) Metering.

(iii) Conservation pricing.

(iv) Public education and outreach.

(v) Programs to assess and manage distribution system real loss.

(vi) Water conservation program coordination and staffing support.

(vii) Other demand management measures that have a significant impact on water use as measured in gallons per capita per day, including innovative measures, if implemented.

This section provides an overview of the City of Tracy's (City's) current and planned Demand Management Measures (DMMs), which include specific types and groupings of water conservation measures typically implemented by water suppliers. Implementation of the City's DMMs is a key component of the City's water use reduction plan. Implementation of DMMs over the past ten years has helped the City achieve its 2015 Interim and 2020 Water Use Targets under SB X7-7 (see Chapter 5).

9.1 City Water Conservation

☑ ***CWC § 10631 (e)***

Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) (A) For an urban retail water supplier, as defined in Section 10608.12, a narrative description that addresses the nature and extent of each water demand management measure implemented over the past five years.

The City implements all of the DMMs, as described below and summarized in Table 9-1 and the associated chart.

9.1.1 DMM 1 – Water Waste Prevention Ordinances

Prohibition of water uses to prevent water waste were originally included in the 1992 Water Shortage Contingency Plan (WSCP) and 2015 WSCP as voluntary actions under Stage 1 and mandatory actions under Stage 2. Stage 1 of the 1992 WSCP has been enacted since the 2010 UWMP. The City enacted Stage 2 of the 1992 WSCP in August 2014 in response to the historic drought. Subsequently, the City adopted the 2015 WSCP in June 2015 and Stages 3 and 4 of the 2015 WSCP became effective in that month. The 2015 WSCP was incorporated into the Tracy Municipal Code (TMC) §11.28.160 with some modifications.

The 2020 WSCP establishes the same water waste prohibitions as were included in the TMC as part of the Stage 1 requirements, which include the following:

Prohibitions

- Allowing flagrant water waste or incidental water runoff.
- Irrigating using a hose without a shutoff nozzle attached.
- Using potable water to operate non-recirculating decorative water features, including splash pads.
- Irrigating outdoors during and within 48 hours following a measurable rainfall. "Measurable rainfall" means any amount of precipitation that generates a puddle or runoff.
- The serving of drinking water other than upon request, in eating or drinking establishments.
- Irrigating ornamental grass or turf on public street medians.
- Irrigating outside of newly constructed homes and buildings in a manner that is inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
- Irrigating any hardscape.

Requirements

- All customers must properly maintain all plumbing and irrigation systems and control any leaks within 72 hours of discovery or notification.
- Customers shall practice prudent water conservation measures, including:
    - Planting drought-tolerant landscapes;
    - Installing and maintaining water-efficient irrigation systems such as drip and bubble irrigation with weather or soil-based controllers;
    - Installing sprinkler heads with a low flow rate appropriate for the landscape to prevent overwatering and runoff; and
    - Watering only in the late night or early morning hours during non-windy periods.
- A hose that dispenses potable water shall be fitted with a shut-off nozzle or flow restriction device attached to it that causes it to cease dispensing water immediately when not in use.

- All swimming pools, hot tubs and spas installed after 1 May 1993 must have a separation tank and water recovery system installed in the filter backwash system, with a 90% water recovery standard.
- Each swimming pool, hot tub and spa installed after 15 July 2015 must have a non-permeable floating cover or equivalent device that provides 90% surface coverage.

In subsequent stages of the WSCP, the City is empowered to further reduce or eliminate water waste during periods of water supply shortage or emergency. These measures, described in more detail in the WSCP, include restrictions on landscape irrigation, sidewalk and car washing, and other residential, recreational, and commercial uses of water.

Enforcement of the water waste prohibition is done by the City's Water Resources and Compliance Manager (WRCM). The WRCM enforces water waste violations in the same manner as violations of the WSCP (see Section 8.7), which involves a series of Courtesy Notices informing customers of the identified violations and the need for corrective action within 72 hours. If the first Courtesy Notice does not induce compliance, the WRCM issues a second notice. If those do not result in compliance, the WRCM writes a Notice of Intent to Impose a Penalty letter, delivered by certified mail, that details the efforts to date to gain compliance and the penalties associated with those violations. It also then allows the City to issue an Administrative Civil Liability against the owner for non-compliance if they do not respond.

Tracy enforces its water waste ordinance on a year-round basis. Approximately 353 actions have been taken by the City since 2015 to enforce the water waste ordinance. No citations have had to be issued since 2015.

9.1.2 DMM 2 – Metering

☑ ***CWC § 526 (a)***

Notwithstanding any other provision of law, an urban water supplier that, on or after January 1, 2004, receives water from the federal Central Valley Project under a water service contract or subcontract … shall do both of the following:

(1) On or before January 1, 2013, install water meters on all service connections to residential and nonagricultural commercial buildings constructed prior to January 1, 1992, located within its service area.

(2) On and after March 1, 2013, or according to the terms of the Central Valley Project water contract in operation, charge customers for water based on the actual volume of deliveries, as measured by a water meter.

☑ ***CWC § 527 (a)***

(a) An urban water supplier that is not subject to Section 526 shall do both of the following:

(1) Install water meters on all municipal and industrial service connections located within its service area on or before January 1, 2025.

The City has installed radio-capable water meters at all of its water service connections. All meters within the City's service area are read on a monthly basis. The ability to perform meter readings remotely via radio enhances data acquisition and can potentially alert customers or the City when there is a leak, potentially reducing wasted water. Depending on the availability of budget and staffing support, the City

is planning to implement a program in the future that will allow water meters to be utilized in such a way. The City has installed Advanced Metering Infrastructure (AMI) meters at some accounts, which will provide real-time water usage data to both the customer and the City. Installation of AMI meters has the ability to help the City reduce unaccounted-for water (UAW) in the future through the early identification of leaks. The City is planning to continue installation of AMI meters in the future.

The City has adopted the Department of Water Resources (DWR) Model Water Efficient Landscaping Ordinance (MWELO), which requires certain residential and non-residential projects to install separate irrigation meters if landscaped areas meet specific size thresholds.[28] In August 2012, the City conducted a feasibility study to assess the merits of implementing a program to provide incentives to switch mixed-use Commercial, Industrial, and Institutional (CII) accounts to dedicated landscape meters. The study concluded that it would be too cost-prohibitive to retrofit all current mixed-use CII accounts. However, all new construction is required to be equipped with a separate dedicated landscape meter. As time and money allow, current water use accounts will be retrofitted for dedicated landscape meters, starting with larger Commercial accounts.

9.1.3 DMM 3 – Conservation Pricing

The City's current water rate structure uses a tiered conservation structure for all residential customers. The structure consists of four consumption-based tiers with progressively higher commodity charges at each tier to pay for the increased costs related to peak demands. This structure is also proven to encourage conservation year-round. The City anticipates performing a new Water Rate Study in Fiscal Year 2022/23 in order to address the needs of the Utilities Department going forward. Any rate increases would have to be approved by City Council via the Proposition 218 noticing and public hearing process.

In addition, the City Council maintains the authority to adopt conservation pricing and water use surcharges in times of need (see **Appendix H**).

9.1.4 DMM 4 – Public Education Outreach

The City distributes information about water conservation and efficiencies to the public through bill inserts, brochures, community speakers, paid advertising, school education programs, and community events. The City's public information program is managed by the City's WRCM and includes the following activities:

- Distributing bill inserts that promote conservation;
- Promoting water conservation through television, streaming digital, and radio advertisements;
- Coordinating with homeowner associations and local non-profit organizations to provide additional water conservation and efficiencies material and speakers;

[28] Per California Code of Regulation §492.7(a)(1)(A), landscape water meters must be installed for residential irrigated landscapes of 5,000 square feet or greater and for non-residential irrigated landscapes between 1,000 square feet and 5,000 square feet (at which point CWC §535 applies).

- Maintaining a booth at the City's annual Bean Festival where information is distributed regarding the City's water conservation and efficiencies programs; and
- Using cinema advertisements by running one promotional slide before every movie at the Tracy Cinemark.

The City continues to promote water and other resource conservation at City schools through in-class presentations to fourth, fifth and sixth grade classrooms during Water Week. The City also distributes public outreach materials to schools for distribution, including the 40-page *Official Captain Hydro Water Conservation Workbook* and packages of water conservation flyers. The number of classroom visits and water conservation materials distributed vary each year depending on school participation. The City plans to continue working with the school districts and private schools in its service area to provide instructional assistance, educational materials, and classroom presentations that emphasize local urban, agricultural, and environmental issues related to water use.

The City also maintains a website providing water conservation and efficiencies tips and information regarding the City's water conservation and efficiencies programs discussed in Section 9.1.7, such as ultra low flush toilet rebates and the residential water survey program.[29]

9.1.5 DMM 5 – Programs to Assess and Manage Distribution System Real Loss

Citywide water consumption is tracked through the use of the Inspironix Water Usage Data System (WUDS) software and Tyler MUNIS. The City calculates UAW by comparing total metered water consumption to potable water purchases and groundwater production. The City completes the American Water Works Association (AWWA) Water Loss Worksheet each year. Completion of this worksheet allows the City to estimate real water loss, which consists of water loss attributable to the distribution system and includes physical water loss from the pressurized system and storage tanks up to the point of customer consumption. The City contracts with a third-party vendor each year in order to validate its annual audit and make recommendations on ways to reduce UAW.

The City monitors its distribution for leaks by using acoustic sounders and the Supervisory Control and Data Acquisition (SCADA) software. A system-wide leak detection survey has not been completed since 1999; however, the City performs routine maintenance of its water lines and promptly repairs any ruptured water lines.

9.1.6 DMM 6 – Water Conservation Program Coordination and Staffing Support

The City's water conservation program is administered by the City's WRCM, Mrs. Stephanie Reyna-Hiestand. As Tracy's WRCM, Mrs. Reyna-Hiestand's responsibilities are divided as follows: 45% to water conservation and efficiencies efforts, 45% to storm water management, and 10% to groundwater management. The duties of the WRCM include coordination and oversight of conservation and efficiencies programs and DMM implementation, preparation and submittal of the United States Bureau of Reclamation (USBR) Annual Update, communication and promotion of water conservation and efficiencies issues to senior City management, coordination of agency conservation and efficiencies

[29] http://www.ci.tracy.ca.us/?navId=687

programs with operations and planning staff, and preparation of the annual water conservation and efficiencies budget. Contact information for the City's water conservation and efficiencies program is listed below:

Name: Stephanie Reyna-Hiestand

Phone: 209-831-6333

Email: stephanie.hiestand@cityoftracy.org

The City's water conservation and efficiencies program is funded through the Water Utility and grants. The City estimated that its total water conservation and efficiencies program budget for Fiscal Year 2019-2020 was approximately $36,000, which includes expenses related to advertising, implementing DMMs, providing incentives and rebates, and more.

9.1.7 DMM 7 – Other DMMs

Other DMMs provided by the City, in addition to those discussed above, include the following:

- Ultra Low Flush Toilet (ULFT) Rebates: The City locally administers a ULFT Rebate Program for its residential and commercial customers. The ULFT Rebate Program was initiated in February 2007 and is subject to budget funding each fiscal year. Rebates are "first come, first served" and will continue until all ULFT rebates have been awarded each funded year. As part of this program, the City offers customers up to $125 in rebates for customers replacing a high-volume toilet (i.e., 3.0 gallons per flush [gpf], or more) in a building that was built prior to 1994 with a ULFT that uses less than 1.6 gpf. Covered rebate expenses include the tank, bowl, supply line, wax ring, caulking, seat, bolts, bolt covers, tax, and professional installation. Up to three rebates are allowed per Single Family Residential (SFR) account and up to four rebates per building are allowed per Multi-Family Residential (MFR) and CII customer account. Between 2015 and 2020, the City provided a total of 203 rebates.
- Water Use Survey Program: Water use surveys are offered to SFR and MFR customers in pre-1994 buildings at no cost to the customer. As part of this program, a Water Efficiency Representative from the City conducts a tour of the property to identify leaks and offer water and money saving opportunities. Participants may receive water-saving equipment and information, as recommended by City staff.
- Plumbing Retrofit Material Giveaways: The City offers free plumbing retrofit materials to SFR and MFR customers participating in its Water Use Survey Program. The following materials are available at no cost as part of this giveaway program:
    - Bathroom aerators using 1.0 gallons per minute (gpm);
    - Kitchen aerators using 1.5 gpm; and
    - Low-flow shower heads using 1.5 gpm.

9.2 Implementation over the Past Five Years

Table 9-1 summarizes the DMMs implemented by the City and the extent of implementation (e.g., number of surveys, number of rebates) for each of the programs listed under DMM-7 each year between 2015 and 2020 as data were available. Through implementation of the DMMs, the City has been able to significantly reduce water demands in its service area and help its customers to achieve water and cost savings.

9.3 Implementation to Achieve Water Use Targets

☑ ***CWC § 10631 (e)***

Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) (A) … The narrative shall describe the water demand management measures that the supplier plans to implement to achieve its water use targets pursuant to Section 10608.20.

Beginning in 2023, urban water retailers will be required to report on "annual water use objectives" by November 1 of each year and to achieve these objectives by 1 January 2027 (per CWC § 10609). The annual water use objectives will be calculated based on standards for indoor residential water use, outdoor residential water use, and distribution system water loss. Additionally, it is anticipated that performance-based standards for the CII sectors, separate from the annual water use objectives, will also be developed by DWR and implemented in the future. However, the specific standards that will be used to determine a retailer's annual urban water use objectives are currently under development by DWR, and thus, the annual urban water use objectives for the City cannot be calculated or estimated. Therefore, the City intends to continue implementing the DMMs described above and will evaluate potential adjustments needed to these programs as the annual water use objective standard methodologies are developed in the coming years. New programs may be added as needed. In particular, the City is planning to implement a smart water irrigation controller rebate program and a turf replacement rebate in 2021.

Table 9-1 Summary of DMMs and Implementation over the Past Five Years (2015-2020)

DMM Category	Program or Activity	Target Sector	Nature of Implementation	Extent of Implementation
1	Water Waste Prevention Ordinances	SFR, MFR, CII, And IRR	Mandatory requirements and prohibitions of water uses to prevent water waste were included in the TMC §11.28.160 and the 2020 WSCP Stage 1.	These requirements and prohibitions are enforced at all times.
2	Metering	SFR, MFR, CII, And IRR	All water service connections are metered. Many non-residential and multi-family customers have sub-meters to monitor water use for landscape irrigation separately from indoor uses. As time and money allow, current water use accounts will be retrofitted for dedicated landscape meters. All new construction shall be equipped with a separate dedicated landscape meter.	All accounts are metered and read on a monthly basis.
3	Conservation Pricing	SFR, MFR, CII, And IRR	The current water rate includes a tiered structure. The City also maintains the authority to implement water use surcharges (TMC §11.28.220) and conservation pricing (TMC §11.28.230) in times of need.	Rate structure based on user classes and consumption. Water rate study planned for FY 2022/23.
4	School Education Program: Captain Hydro	SFR, MFR	Copies of the 40-page *Official Captain Hydro Water Conservation Workbook* provided to each school for dissemination to Kindergarten through Sixth Grade classes.	Distributed to teachers on request.
4	Public Outreach Program	SFR, MFR	Information about water conservation and efficiencies in the City distributed to customers through newsletters, bill inserts, flyers, information packages, email messages, and other methods of distribution.	2016: 54,847 contacts Other years' data are not available.

Table 9-1 Summary of DMMs and Implementation over the Past Five Years (2015-2020)

DMM Category	Program or Activity	Target Sector	Nature of Implementation	Extent of Implementation
4	Media Contacts	SFR, MFR, CII, And IRR	Contact made with television channels, radio stations, and newspaper to promote water conservation and efficiencies within the City. The goal of this contact to is to produce a story about water conservation and efficiencies resulting from the outreach.	2016: 12 contacts Other years' data are not available.
4	Other Public Outreach	SRF, MFR, CII, And IRR	The City maintains water conservation and efficiencies program pages on its website and posts outreach materials on its social media accounts: http://www.ci.tracy.ca.us/?navId=687.	Implemented
5	AWWA Water Loss Worksheet	Non-revenue	The City completes the AWWA Water Loss Worksheet each year, which allows the City to estimate "real water loss." Real water loss consists of water loss attributable to the distribution system and includes physical water loss from the pressurized system and storage tanks up to the point of customer consumption.	2016: AWWA Validity Score = 62 2017: AWWA Validity Score = 61 2018: AWWA Validity Score = 61 2019: AWWA Validity Score = 67 2020: AWWA Validity Score (draft report) = 66
6	Conservation Program Coordination and Staff	SFR, MFR, CII And IRR	City employs a WRCM and funds the water conservation program through the Water Utility and grants. The WRCM devotes approximately 45% of her time to water conservation and efficiencies.	Estimated water conservation and efficiencies program budget for Fiscal Year 2019-2020 was approximately $36,000.
7	Ultra Low Flush Toilet Rebate	SFR, MFR, CII	Up to $125 rebate for replacing toilets in pre-1994 buildings using more than 3.0 gpf with qualifying toilets that use less than 1.6 gpf. Up to three rebates are allowed per SFR account and up to four rebates per building are allowed per MFR and CII customer account.	FY 2015-16: 99 rebates, $18,864 spent FY 2016-17: 50 rebates, $9,787 spent FY 2017-18: 23 rebates, $4,481 spent FY 2018-19: 18 rebates, $3,496 spent FY 2019-20: 13 rebates, $2,625 spent

Table 9-1 Summary of DMMs and Implementation over the Past Five Years (2015-2020)

DMM Category	Program or Activity	Target Sector	Nature of Implementation	Extent of Implementation
7	Water Use Survey Program	SFR, MFR, CII	Free water use surveys are offered to SFR and MFR customers in pre-1994 buildings. As part of this program, a Water Efficiency Representative from the City conducts a tour of the property to identify leaks and offer water and money saving opportunities. Participants may receive water-saving equipment and information, as recommended by City staff.	Estimated to be less than 20 surveys over the last five years.
7	Plumbing Retrofit Material Giveaways	SFR, MFR, CII	Water-saving fixtures and other items are available to SFR and MFR customers participating in the Water Use Survey Program at no cost. These giveaways include bathroom aerators, kitchen aerators, a low-flow shower head, and other free items.	Estimated to be less than 10 per year during 2016 to 2019 and none in 2020.

10 PLAN ADOPTION, SUBMITTAL, AND IMPLEMENTATION

This chapter provides information on a public hearing, the adoption process for the Urban Water Management Plan (UWMP) and Water Shortage Contingency Plan (WSCP), the adopted UWMP and WSCP submittal process, plan implementation, and the process for amending the adopted UWMP or WSCP.

10.1 Notification of UWMP Preparation

☑ ***CWC § 10621 (b)***

Every urban water supplier required to prepare a plan pursuant to this part shall, at least 60 days before the public hearing on the plan required by Section 10642, notify any city or county within which the supplier provides water supplies that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. The urban water supplier may consult with, and obtain comments from, any city or county that receives notice pursuant to this subdivision.

In February 2021, the City of Tracy (City) sent a letter to the County of San Joaquin and other local agencies informing them that the City was in the process of updating its UWMP and WSCP and soliciting their input in the update process. A listing of the entities contacted is provided in **Table 2-5**; the notices are included in **Appendix C** for reference. The letter was sent more than 60 days before the public hearing as required by code.

10.2 Notification of Public Hearing

☑ ***CWC § 10642***

Each urban water supplier shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of both the plan and the water shortage contingency plan. Prior to adopting either, the urban water supplier shall make both the plan and the water shortage contingency plan available for public inspection and shall hold a public hearing or hearings thereon. Prior to any of these hearings, notice of the time and place of the hearing shall be published within the jurisdiction of the publicly owned water supplier pursuant to Section 6066 of the Government Code. The urban water supplier shall provide notice of the time and place of a hearing to any city or county within which the supplier provides water supplies. Notices by a local public agency pursuant to this section shall be provided pursuant to Chapter 17.5 (commencing with Section 7290) of Division 7 of Title 1 of the Government Code. A privately owned water supplier shall provide an equivalent notice within its service area. After the hearing or hearings, the plan or water shortage contingency plan shall be adopted as prepared or as modified after the hearing or hearings.

10.2.1 Notice to Cities and Counties

At least two weeks prior to the public hearing, the entities listed in **Table 2-5** were noticed that the UWMP and WSCP public hearing would be occurring on 18 May 2021. The letter informed them of the locations the Public Review Draft 2020 UWMP and the updated WSCP would be available for review and welcoming

their input and comments on the document. The Public Review Draft 2020 UWMP and the WSCP was available for public review on the City's website. Copies of these letters are provided in **Appendix C.**

10.2.2 Notice to the Public

The City issued public notifications soliciting public input during the preparation of 2020 UWMP and the WSCP. On XX XXX 2021 and XX XXX 2021, the City published a notice in XXX informing the public that the 2020 UWMP and the WSCP would be available for public review on the City's website, consistent with requirements of California Government Code 6066. The notice also informed the public that the 2020 UWMP and WSCP public hearing would be held at City Hall on 18 May 2021. A copy of this notice is included in **Appendix D**.

10.3 Public Hearing and Adoption

☑ ***CWC § 10608.26***

(a) In complying with this part, an urban retail water supplier shall conduct at least one public hearing to accomplish all of the following:

(1) Allow community input regarding the urban retail water supplier's implementation plan for complying with this part.

(2) Consider the economic impacts of the urban retail water supplier's implementation plan for complying with this part.

(3) Adopt a method, pursuant to subdivision (b) of Section 10608.20, for determining its urban water use target.

Prior to adopting the Plan, the City held a formal public hearing to present information on the 2020 UWMP and WSCP on 18 May 2021. The meeting was held virtually.

As part of the public hearing, the City provided the audience with information on compliance with the Senate Bill (SB) X7-7, including its baseline daily per capita water use, water use targets, implementation plan, and 2020 compliance.

This UWMP was adopted by Resolution No. XXXX by the City Council during its 18 May 2021 City Council meeting. The WSCP was adopted by Resolution No. XXXX during the same meeting. A copy of the resolutions is included in **Appendix I**.

10.4 Plan Submittal

☑ ***CWC § 10621***

(f) (1) Each urban water supplier shall update and submit its 2020 plan to the department by July 1, 2021.

☑ ***CWC § 10635 (c)***

The urban water supplier shall provide that portion of its urban water management plan prepared pursuant to this article to any city or county within which it provides water supplies no later than 60 days after the submission of its urban water management plan.

☑ ***CWC § 10644***

(a) (1) An urban water supplier shall submit to the department, the California State Library, and any city or county within which the supplier provides water supplies a copy of its plan no later than 30 days after adoption. Copies of amendments or changes to the plans shall be submitted to the department, the California State Library, and any city or county within which the supplier provides water supplies within 30 days after adoption.

(2) The plan, or amendments to the plan, submitted to the department pursuant to paragraph (1) shall be submitted electronically and shall include any standardized forms, tables, or displays specified by the department.

(b) If an urban water supplier revises its water shortage contingency plan, the supplier shall submit to the department a copy of its water shortage contingency plan prepared pursuant to subdivision (a) of Section 10632 no later than 30 days after adoption, in accordance with protocols for submission and using electronic reporting tools developed by the department.

This UWMP and WSCP were submitted to DWR within 30 days of adoption and by the 1 July 2021 deadline. The submittal was done electronically through Water Use Efficiency Data Portal, an online submittal tool. Plan submittal documentation is included in **Appendix J**. The adopted Plan was also sent to the California State Library and to the cities and counties listed in **Table 2-5**.

10.5 Public Availability

☑ ***CWC § 10645***

(a) Not later than 30 days after filing a copy of its plan with the department, the urban water supplier and the department shall make the plan available for public review during normal business hours.

(b) Not later than 30 days after filing a copy of its water shortage contingency plan with the department, the urban water supplier and the department shall make the plan available for public review during normal business hours.

On or about 4 May 2021, printed hard copies of the draft 2020 UWMP and WSCP were made available for review during normal business hours at the City's office. Electronic versions were also made available by visiting the City's website (https://www.cityoftracy.org/).

10.6 Amending an Adopted UWMP or Water Shortage Contingency Plan

☑ ***CWC § 10644 (b)***

If an urban water supplier revises its water shortage contingency plan, the supplier shall submit to the department a copy of its water shortage contingency plan prepared pursuant to subdivision (a) of Section 10632 no later than 30 days after adoption, in accordance with protocols for submission and using electronic reporting tools developed by the department.

If the Plan is amended, each of the steps for notification, public hearing, adoption, and submittal will also be followed for the amended document.

11 REFERENCES

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M.Cubed. 2016. *Projected Statewide and County-Level Effects of Plumbing Codes and Appliance Standards on Indoor GPCD*, Prepared for the California Department of Water Resources.

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Tracy, 2019b. *Title 22 Engineering Report for the Production and Distribution of Recycled Water*, prepared by ch2m, June 2019.

Tracy, 2020. *Citywide Water System Master Plan Update*, prepared by West Yost Associates, November 2020 Draft.

APPENDIX A

COMPLETED UWMP CHECKLIST

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Chapter 1	10615	A plan shall describe and evaluate sources of supply, reasonable and practical efficient uses, reclamation and demand management activities.	Introduction and Overview	Chapter 1
x	x	Chapter 1	10630.5	Each plan shall include a simple description of the supplier's plan including water availability, future requirements, a strategy for meeting needs, and other pertinent information. Additionally, a supplier may also choose to include a simple description at the beginning of each chapter.	Summary	Section 1.6
x	x	Section 2.2	10620(b)	Every person that becomes an urban water supplier shall adopt an urban water management plan within one year after it has become an urban water supplier.	Plan Preparation	Section 2.1 and Table 2-1
x	x	Section 2.6	10620(d)(2)	Coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.	Plan Preparation	Section 2.3.2 and Table 2-5

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 2.6.2	10642	Provide supporting documentation that the water supplier has encouraged active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of the plan and contingency plan.	Plan Preparation	Section 1.3 Section 2.3.3
x		Section 2.6, Section 6.1	10631(h)	Retail suppliers will include documentation that they have provided their wholesale supplier(s) - if any - with water use projections from that source.	System Supplies	Section 2.3.1
	x	Section 2.6	10631(h)	Wholesale suppliers will include documentation that they have provided their urban water suppliers with identification and quantification of the existing and planned sources of water available from the wholesale to the urban supplier during various water year types.	System Supplies	N/A
x	x	Section 3.1	10631(a)	Describe the water supplier service area.	System Description	Chapter 3
x	x	Section 3.3	10631(a)	Describe the climate of the service area of the supplier.	System Description	Section 3.5
x	x	Section 3.4	10631(a)	Provide population projections for 2025, 2030, 2035, 2040 and optionally 2045.	System Description	Section 3.2 and Table 3-1
x	x	Section 3.4.2	10631(a)	Describe other social, economic, and demographic factors affecting the supplier's water management planning.	System Description	Section 3.3 and Table 3-2

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Sections 3.4 and 5.4	10631(a)	Indicate the current population of the service area.	System Description and Baselines and Targets	Sections 3.2 and 5.1, Table 3-1
x	x	Section 3.5	10631(a)	Describe the land uses within the service area.	System Description	Section 3.2
x	x	Section 4.2	10631(d)(1)	Quantify past, current, and projected water use, identifying the uses among water use sectors.	System Water Use	Chapter 4, Tables 4-1 to 4-4
x	x	Section 4.2.4	10631(d)(3)(C)	Retail suppliers shall provide data to show the distribution loss standards were met.	System Water Use	Section 4.1.3, Table 4-3
x	x	Section 4.2.6	10631(d)(4)(A)	In projected water use, include estimates of water savings from adopted codes, plans, and other policies or laws.	System Water Use	Section 4.2.1, Table 4-4
x	x	Section 4.2.6	10631(d)(4)(B)	Provide citations of codes, standards, ordinances, or plans used to make water use projections.	System Water Use	Section 4.2.4, Table 4-7
x	optional	Section 4.3.2.4	10631(d)(3)(A)	Report the distribution system water loss for each of the 5 years preceding the plan update.	System Water Use	Section 4.1.4, Table 4-3
x	optional	Section 4.4	10631.1(a)	Include projected water use needed for lower income housing projected in the service area of the supplier.	System Water Use	Section 4.2.3, Table 4-6
x	x	Section 4.5	10635(b)	Demands under climate change considerations must be included as part of the drought risk assessment.	System Water Use	Section 4.4

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x		Chapter 5	10608.20(e)	Retail suppliers shall provide baseline daily per capita water use, urban water use target, interim urban water use target, and compliance daily per capita water use, along with the bases for determining those estimates, including references to supporting data.	Baselines and Targets	Chapter 5
x		Chapter 5	10608.24(a)	Retail suppliers shall meet their water use target by December 31, 2020.	Baselines and Targets	Section 5.4, Table 5-3
	x	Section 5.1	10608.36	Wholesale suppliers shall include an assessment of present and proposed future measures, programs, and policies to help their retail water suppliers achieve targeted water use reductions.	Baselines and Targets	N/A
x		Section 5.2	10608.24(d)(2)	If the retail supplier adjusts its compliance GPCD using weather normalization, economic adjustment, or extraordinary events, it shall provide the basis for, and data supporting the adjustment.	Baselines and Targets	Section 5.4, Table 5-3
x		Section 5.5	10608.22	Retail suppliers' per capita daily water use reduction shall be no less than 5 percent of base daily per capita water use of the 5-year baseline. This does not apply if the suppliers base GPCD is at or below 100.	Baselines and Targets	Section 5.3

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x		Section 5.5 and Appendix E	10608.4	Retail suppliers shall report on their compliance in meeting their water use targets. The data shall be reported using a standardized form in the SBX7-7 2020 Compliance Form.	Baselines and Targets	Appendix E
x	x	Sections 6.1 and 6.2	10631(b)(1)	Provide a discussion of anticipated supply availability under a normal, single dry year, and a drought lasting five years, as well as more frequent and severe periods of drought.	System Supplies	Section 7.1.2
x	x	Sections 6.1	10631(b)(1)	Provide a discussion of anticipated supply availability under a normal, single dry year, and a drought lasting five years, as well as more frequent and severe periods of drought, *including changes in supply due to climate change.*	System Supplies	Section 6.12.1, Section 7.1.2
x	x	Section 6.1	10631(b)(2)	When multiple sources of water supply are identified, describe the management of each supply in relationship to other identified supplies.	System Supplies	Chapter 6
x	x	Section 6.1.1	10631(b)(3)	Describe measures taken to acquire and develop planned sources of water.	System Supplies	Sections 6.3 to 6.10
x	x	Section 6.2.8	10631(b)	Identify and quantify the existing and planned sources of water available for 2020, 2025, 2030, 2035, 2040 and optionally 2045.	System Supplies	Section 6.11 and Table 6-9

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 6.2	10631(b)	Indicate whether groundwater is an existing or planned source of water available to the supplier.	System Supplies	Section 6.2
x	x	Section 6.2.2	10631(b)(4)(A)	Indicate whether a groundwater sustainability plan or groundwater management plan has been adopted by the water supplier or if there is any other specific authorization for groundwater management. Include a copy of the plan or authorization.	System Supplies	Section 6.2.3
x	x	Section 6.2.2	10631(b)(4)(B)	Describe the groundwater basin.	System Supplies	Section 6.2.1
x	x	Section 6.2.2	10631(b)(4)(B)	Indicate if the basin has been adjudicated and include a copy of the court order or decree and a description of the amount of water the supplier has the legal right to pump.	System Supplies	Section 6.2
x	x	Section 6.2.2.1	10631(b)(4)(B)	For unadjudicated basins, indicate whether or not the department has identified the basin as a high or medium priority. Describe efforts by the supplier to coordinate with sustainability or groundwater agencies to achieve sustainable groundwater conditions.	System Supplies	Section 6.2.4

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 6.2.2.4	10631(b)(4)(C)	Provide a detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years	System Supplies	Section 6.2.5 and Table 6-1
x	x	Section 6.2.2	10631(b)(4)(D)	Provide a detailed description and analysis of the amount and location of groundwater that is projected to be pumped.	System Supplies	Section 6.2
x	x	Section 6.2.7	10631(c)	Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.	System Supplies	Section 6.9
x	x	Section 6.2.5	10633(b)	Describe the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.	System Supplies (Recycled Water)	Section 6.7.2 and Tables 6-2 and 6-3
x	x	Section 6.2.5	10633(c)	Describe the recycled water currently being used in the supplier's service area.	System Supplies (Recycled Water)	Section 6.7.3 and Table 6-4
x	x	Section 6.2.5	10633(d)	Describe and quantify the potential uses of recycled water and provide a determination of the technical and economic feasibility of those uses.	System Supplies (Recycled Water)	Section 6.7.3 and Table 6-4

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 6.2.5	10633(e)	Describe the projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected.	System Supplies (Recycled Water)	Section 6.7.3 and Table 6-4
x	x	Section 6.2.5	10633(f)	Describe the actions which may be taken to encourage the use of recycled water and the projected results of these actions in terms of acre-feet of recycled water used per year.	System Supplies (Recycled Water)	Section 6.7.5
x	x	Section 6.2.5	10633(g)	Provide a plan for optimizing the use of recycled water in the supplier's service area.	System Supplies (Recycled Water)	Section 6.7.5 and Table 6-6
x	x	Section 6.2.6	10631(g)	Describe desalinated water project opportunities for long-term supply.	System Supplies	Section 6.8
x	x	Section 6.2.5	10633(a)	Describe the wastewater collection and treatment systems in the supplier's service area with quantified amount of collection and treatment and the disposal methods.	System Supplies (Recycled Water)	Section 6.5.2 and Table 6-2
x	x	Section 6.2.8, Section 6.3.7	10631(f)	Describe the expected future water supply projects and programs that may be undertaken by the water supplier to address water supply reliability in average, single-dry, and for a period of drought lasting 5 consecutive water years.	System Supplies	Sections 6.10 and 6.11 and Table 6-8

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 6.4 and Appendix O	10631.2(a)	The UWMP must include energy information, as stated in the code, that a supplier can readily obtain.	System Suppliers, Energy Intensity	Section 6.13 and Table 6-10
x	x	Section 7.2	10634	Provide information on the quality of existing sources of water available to the supplier and the manner in which water quality affects water management strategies and supply reliability	Water Supply Reliability Assessment	Chapter 7
x	x	Section 7.2.4	10620(f)	Describe water management tools and options to maximize resources and minimize the need to import water from other regions.	Water Supply Reliability Assessment	Section 7.1.4
x	x	Section 7.3	10635(a)	Service Reliability Assessment: Assess the water supply reliability during normal, dry, and a drought lasting five consecutive water years by comparing the total water supply sources available to the water supplier with the total projected water use over the next 20 years.	Water Supply Reliability Assessment	Section 7.1
x	x	Section 7.3	10635(b)	Provide a drought risk assessment as part of information considered in developing the demand management measures and water supply projects.	Water Supply Reliability Assessment	Section 7.2

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 7.3	10635(b)(1)	Include a description of the data, methodology, and basis for one or more supply shortage conditions that are necessary to conduct a drought risk assessment for a drought period that lasts 5 consecutive years.	Water Supply Reliability Assessment	Section 7.2
x	x	Section 7.3	10635(b)(2)	Include a determination of the reliability of each source of supply under a variety of water shortage conditions.	Water Supply Reliability Assessment	Section 7.1.2 and Tables 7-1 to 7-6
x	x	Section 7.3	10635(b)(3)	Include a comparison of the total water supply sources available to the water supplier with the total projected water use for the drought period.	Water Supply Reliability Assessment	Section 7.1.3 and Tables 7-6 to 7-8
x	x	Section 7.3	10635(b)(4)	Include considerations of the historical drought hydrology, plausible changes on projected supplies and demands under climate change conditions, anticipated regulatory changes, and other locally applicable criteria.	Water Supply Reliability Assessment	Sections 6.12.1, and 7.1.3
x	x	Chapter 8	10632(a)	Provide a water shortage contingency plan (WSCP) with specified elements below.	Water Shortage Contingency Planning	Chapter 8, Appendix H
x	x	Chapter 8	10632(a)(1)	Provide the analysis of water supply reliability (from Chapter 7 of Guidebook) in the WSCP	Water Shortage Contingency Planning	Appendix H – Chapter 2

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 8.10	10632(a)(10)	Describe reevaluation and improvement procedures for monitoring and evaluation the water shortage contingency plan to ensure risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented.	Water Shortage Contingency Planning	Appendix H – Chapters 11 and 12
x	x	Section 8.2	10632(a)(2)(A)	Provide the written decision- making process and other methods that the supplier will use each year to determine its water reliability.	Water Shortage Contingency Planning	Appendix H – Chapter 4
x	x	Section 8.2	10632(a)(2)(B)	Provide data and methodology to evaluate the supplier's water reliability for the current year and one dry year pursuant to factors in the code.	Water Shortage Contingency Planning	Appendix H – Chapter 4
x	x	Section 8.3	10632(a)(3)(A)	Define six standard water shortage levels of 10, 20, 30, 40, 50 percent shortage and greater than 50 percent shortage. These levels shall be based on supply conditions, including percent reductions in supply, changes in groundwater levels, changes in surface elevation, or other conditions. The shortage levels shall also apply to a catastrophic interruption of supply.	Water Shortage Contingency Planning	Appendix H– Chapter 5
x	x	Section 8.3	10632(a)(3)(B)	Suppliers with an existing water shortage contingency plan that uses different water shortage levels must cross reference their categories with the six standard categories.	Water Shortage Contingency Planning	Appendix H – Chapter 5

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 8.4	10632(a)(4)(A)	Suppliers with water shortage contingency plans that align with the defined shortage levels must specify locally appropriate supply augmentation actions.	Water Shortage Contingency Planning	Appendix H – Chapter 6 and Table 6-2
x	x	Section 8.4	10632(a)(4)(B)	Specify locally appropriate demand reduction actions to adequately respond to shortages.	Water Shortage Contingency Planning	Appendix H – Chapter 6 and Table 6-1
x	x	Section 8.4	10632(a)(4)(C)	Specify locally appropriate operational changes.	Water Shortage Contingency Planning	Appendix H – C Section 6.3
x	x	Section 8.4	10632(a)(4)(D)	Specify additional mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions are appropriate to local conditions.	Water Shortage Contingency Planning	Appendix H – Section 6.4
x	x	Section 8.4	10632(a)(4)(E)	Estimate the extent to which the gap between supplies and demand will be reduced by implementation of the action.	Water Shortage Contingency Planning	Appendix H – Section 6.7
x	x	Section 8.4.6	10632.5	The plan shall include a seismic risk assessment and mitigation plan.	Water Shortage Contingency Plan	Appendix H – Chapter 6.6
x	x	Section 8.5	10632(a)(5)(A)	Suppliers must describe that they will inform customers, the public and others regarding any current or predicted water shortages.	Water Shortage Contingency Planning	Appendix H – Chapter 7

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 8.5 and 8.6	10632(a)(5)(B) 10632(a)(5)(C)	Suppliers must describe that they will inform customers, the public and others regarding any shortage response actions triggered or anticipated to be triggered and other relevant communications.	Water Shortage Contingency Planning	Appendix H – Chapter 7
x		Section 8.6	10632(a)(6)	Retail supplier must describe how it will ensure compliance with and enforce provisions of the WSCP.	Water Shortage Contingency Planning	Appendix H – Chapter 8
x	x	Section 8.7	10632(a)(7)(A)	Describe the legal authority that empowers the supplier to enforce shortage response actions.	Water Shortage Contingency Planning	Appendix H – Chapter 9
x	x	Section 8.7	10632(a)(7)(B)	Provide a statement that the supplier will declare a water shortage emergency Water Code Chapter 3.	Water Shortage Contingency Planning	Appendix H – Chapter 5
x	x	Section 8.7	10632(a)(7)(C)	Provide a statement that the supplier will coordinate with any city or county within which it provides water for the possible proclamation of a local emergency.	Water Shortage Contingency Planning	Appendix H – Sections 6.5 and 9
x	x	Section 8.8	10632(a)(8)(A)	Describe the potential revenue reductions and expense increases associated with activated shortage response actions.	Water Shortage Contingency Planning	Appendix H – Chapter 10
x	x	Section 8.8	10632(a)(8)(B)	Provide a description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions.	Water Shortage Contingency Planning	Appendix H – Chapter 10

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x		Section 8.8	10632(a)(8)(C)	Retail suppliers must describe the cost of compliance with Water Code Chapter 3.3: Excessive Residential Water Use During Drought	Water Shortage Contingency Planning	Appendix H – Chapter 10
x		Section 8.9	10632(a)(9)	Retail suppliers must describe the monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance.	Water Shortage Contingency Planning	Appendix H – Chapter 11
x		Section 8.11	10632(b)	Analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas.	Water Shortage Contingency Planning	Appendix H – Section 6.1.2
x	x	Sections 8.12 and 10.4	10635(c)	Provide supporting documentation that Water Shortage Contingency Plan has been, or will be, provided to any city or county within which it provides water, no later than 30 days after the submission of the plan to DWR.	Plan Adoption, Submittal, and Implementation	Appendix H – Chapter 13
x	x	Section 8.14	10632(c)	Make available the Water Shortage Contingency Plan to customers and any city or county where it provides water within 30 after adopted the plan.	Water Shortage Contingency Planning	Appendix H – Chapter 13

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
	x	Sections 9.1 and 9.3	10631(e)(2)	Wholesale suppliers shall describe specific demand management measures listed in code, their distribution system asset management program, and supplier assistance program.	Demand Management Measures	N/A
x		Sections 9.2 and 9.3	10631(e)(1)	Retail suppliers shall provide a description of the nature and extent of each demand management measure implemented over the past five years. The description will address specific measures listed in code.	Demand Management Measures	Chapter 9
x		Chapter 10	10608.26(a)	Retail suppliers shall conduct a public hearing to discuss adoption, implementation, and economic impact of water use targets (recommended to discuss compliance).	Plan Adoption, Submittal, and Implementation	Section 10.3
x	x	Section 10.2.1	10621(b)	Notify, at least 60 days prior to the public hearing, any city or county within which the supplier provides water that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. Reported in Table 10-1.	Plan Adoption, Submittal, and Implementation	Section 10.1
x	x	Section 10.4	10621(f)	Each urban water supplier shall update and submit its 2020 plan to the department by July 1, 2021.	Plan Adoption, Submittal, and Implementation	Section 10.4

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Sections 10.2.2, 10.3, and 10.5	10642	Provide supporting documentation that the urban water supplier made the plan and contingency plan available for public inspection, published notice of the public hearing, and held a public hearing about the plan and contingency plan.	Plan Adoption, Submittal, and Implementation	Section 10.5
x	x	Section 10.2.2	10642	The water supplier is to provide the time and place of the hearing to any city or county within which the supplier provides water.	Plan Adoption, Submittal, and Implementation	Section 10.2.1
x	x	Section 10.3.2	10642	Provide supporting documentation that the plan and contingency plan has been adopted as prepared or modified.	Plan Adoption, Submittal, and Implementation	Section 10.3
x	x	Section 10.4	10644(a)	Provide supporting documentation that the urban water supplier has submitted this UWMP to the California State Library.	Plan Adoption, Submittal, and Implementation	Section 10.4
x	x	Section 10.4	10644(a)(1)	Provide supporting documentation that the urban water supplier has submitted this UWMP to any city or county within which the supplier provides water no later than 30 days after adoption.	Plan Adoption, Submittal, and Implementation	Section 10.4
x	x	Sections 10.4.1 and 10.4.2	10644(a)(2)	The plan, or amendments to the plan, submitted to the department shall be submitted electronically.	Plan Adoption, Submittal, and Implementation	Section 10.6

Retail	Wholesale	2020 Guidebook Location	Water Code Section	Summary as Applies to UWMP	Subject	2020 UWMP Location
x	x	Section 10.5	10645(a)	Provide supporting documentation that, not later than 30 days after filing a copy of its plan with the department, the supplier has or will make the plan available for public review during normal business hours.	Plan Adoption, Submittal, and Implementation	Section 10.5
x	x	Section 10.5	10645(b)	Provide supporting documentation that, not later than 30 days after filing a copy of its water shortage contingency plan with the department, the supplier has or will make the plan available for public review during normal business hours.	Plan Adoption, Submittal, and Implementation	Section 10.5
x	x	Section 10.6	10621(c)	If supplier is regulated by the Public Utilities Commission, include its plan and contingency plan as part of its general rate case filings.	Plan Adoption, Submittal, and Implementation	N/A
x	x	Section 10.7.2	10644(b)	If revised, submit a copy of the water shortage contingency plan to DWR within 30 days of adoption.	Plan Adoption, Submittal, and Implementation	Section 10.4

APPENDIX B

REDUCED DELTA RELIANCE

1. BACKGROUND

As stated in Appendix C of the Urban Water Management Plan Guidebook 2020 (UWMP Guidebook 2020; DWR, 2021)[1],

> *"An urban water supplier (Supplier) that anticipates participating in or receiving water supply benefits from a proposed project (covered action) such as a multi-year water transfer, conveyance facility, or new diversion that involves transferring water through, exporting water from, or using water in the Sacramento-San Joaquin Delta (Delta) should provide information in their 2015 and 2020 Urban Water Management Plans (UWMP's) that can then be used in the covered action process to demonstrate consistency with Delta Plan Policy WR P1, Reduce Reliance on the Delta Through Improved Regional Water Self-Reliance (California Code Reg., Tit. 23, § 5003)."*

As the City of Tracy (City) has determined that it is subject to this requirement, this Appendix is intended to provide the needed information to demonstrate consistence with Delta Plan Policy WR P1.

Delta Plan Policy WR P1 subsection (a) states:

> *(a) Water shall not be exported from, transferred through, or used in the Delta if all of the following apply:*
>
> *(1) One or more water suppliers that would receive water as a result of the export, transfer, or use have failed to* ***adequately contribute to reduced reliance on the Delta and improved regional self-reliance*** *consistent with all of the requirements listed in paragraph (1) of subsection (c);*
>
> *(2) That failure has significantly caused the need for the export, transfer, or use; and*
>
> *(3) The export, transfer, or use would have a significant adverse environmental impact in the Delta.*

WR P1 subsection (c)(1) defines "adequately contributing to reduced reliance on the Delta" as follows:

> *(c)(1) Water suppliers that have done the following are contributing to reduced reliance on the Delta:*
>
> *(A) Completed a current Urban or Agricultural Water Management Plan (Plan) which has been reviewed by the California Department of Water Resources for compliance with the applicable requirements of Water Code Division 6, Parts 2.55, 2.6, and 2.8;*
>
> *(B) Identified, evaluated, and commenced implementation, consistent with the implementation schedule set forth in the Plan, of all programs and projects included in the Plan that are locally cost effective and technically feasible which reduce reliance on the Delta; and*
>
> *(C) Included in the Plan, commencing in 2015, the expected outcome for measurable reduction in Delta reliance and improvement in regional self-reliance. The expected outcome*

[1] The UWMP Guidebook 2020 is available at: https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Urban-Water-Management-Plans

for measurable reduction in Delta reliance and improvement in regional self-reliance shall be reported in the Plan as the reduction in the amount of water used, or in the percentage of water used, from the Delta watershed. For the purposes of reporting, water efficiency is considered a new source of water supply, consistent with Water Code section 1011(a).

The analysis and documentation provided in this Appendix include all of the elements described in WR P1(c)(1) and has been prepared in accordance with Appendix C of the UWMP Guidebook 2020.

2. EXPECTED OUTCOMES OF MEASURABLE REDUCTION IN DELTA RELIANCE

The expected outcomes for the City's Delta reliance and regional self-reliance were developed based on the approach and guidance described in Appendix C of the UWMP Guidebook 2020 and are summarized in Table B-1 through Table B-4 below. This evaluation involves the following steps:

- Setting a baseline and evaluating normal-year water demands;
- Estimating service area population and water use; and
- Evaluating and projecting water supply sources to meet estimated normal year demands, including supplies from the Delta, local groundwater supplies, and non-potable supplies.

In order to calculate the expected outcomes for measurable reduction in Delta reliance and improved regional self-reliance, future water demands need to be compared to a baseline. As the Delta Reform Act was enacted in 2009 and became effective in 2010, the City used 2010 as the baseline year.

Other inputs to the evaluation include service area water demands and population for 2010, 2015, and 2020, which were obtained from the 2015 and 2020 UWMPs.

Table B-1 calculates the estimated water use efficiency savings since the baseline year of 2010. The calculation uses the change in gallons per capita per day and population to estimate water use efficiency in the years 2015 through 2045 compared to the baseline year of 2020. The water use efficiency savings are added back into the demands to calculate the City's total demands without water use efficiency accounted for, as shown in Table B-2.

Together Tables B-1 and B-2 demonstrate that the City has made significant improvements in water efficiency and that demands would be even higher than currently projected without the water efficiency improvements.

Table B-1 Calculation of Water Use Efficiency

Service Area Water Use Efficiency Demands (Acre-Feet)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Service Area Water Demands with Water Use Efficiency Accounted For (a)	16,603	14,041	19,527	21,509	25,167	28,871	32,603	39,379
Non-Potable Water Demands (a)	-	-	-	1,000	2,067	3,133	4,200	6,300
Potable Service Area Demands with Water Use Efficiency Accounted For (b)	16,603	14,041	19,527	20,509	23,100	25,738	28,403	33,079

Total Service Area Population	Baseline (2010)	2015	2020	2,025	2030	2035	2040	2045
Service Area Population (c)	83,312	85,707	96,345	109,900	120,367	130,833	141,300	166,700

Water Use Efficiency Since Baseline (Acre-Feet)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Per Capita Water Use (GPCD)	178	146	181	167	171	176	179	177
Change in Per Capita Water Use from Baseline (GPCD)		(32)	3	(11)	(7)	(2)	2	(1)
Estimated Water Use Efficiency Since Baseline (d)		3,039	-	1,393	887	336	-	142

NOTES:
(a) Water demands are from Table 4-2 and Table 4-8 of the 2020 UWMP.
(b) Equal to total demands with water use efficiency accounted for minus non-potable water demands.
(c) Population is from Table 3-1 and Table 4-2 of the 2020 UWMP.
(d) Estimated water use efficiency is equal to the change in per capita water use multiplied by the service area population, converted to acre-feet per year by dividing by a factor of 892.7 gpd/AFY. In years where the per capita water use was higher than the baseline, the estimated water use efficiency savings are assumed to be zero.

Table B-2 Calculation of Service Area Water Demands Without Water Use Efficiency

Total Service Area Water Demands (Acre-Feet)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Service Area Water Demands with Water Use Efficiency Accounted For	16,603	14,041	19,527	21,509	25,167	28,871	32,603	39,379
Reported Water Use Efficiency or Estimated Water Use Efficiency Since Baseline (a)		3,039	-	1,393	887	336	-	142
Service Area Water Demands without Water Use Efficiency Accounted For (b)	16,603	17,080	19,527	22,902	26,054	29,207	32,603	39,521

NOTES:
(a) Estimated water use efficiency is from Table B-1.
(b) Calculated as the sum of demands with water use efficiency accounted for and the estimated water use efficiency.

The City has also made significant investments in diversifying its water supply portfolio and increasing self-reliance. Water supplies that contribute to regional self-reliance are quantified in **Error! Reference source not found.** and are grouped into the following categories:

- Water Recycling: The City has completed the initial phase of its recycled water system and is planning to expand the system to serve future development areas throughout the City. Recycled water is anticipated to supply 6,300 acre-feet per year (AFY), or approximately 16% of the total demand by 2045.
- Local and Regional Water Supply and Storage Projects: The City is projecting an increased use of groundwater to approximately 2,500 AFY starting in 2025.
- Other Programs and Projects that Contribute to Regional Self-Reliance: The City anticipates that a Recycled Water Exchange agreement will be executed with the United States Bureau of Reclamation (USBR) by 2030 to provide additional Central Valley Project (CVP) supplies to the City in exchange for the City discharging a like amount of tertiary-treated recycled water to the Delta-Mendota Canal (DMC). The Recycled Water Exchange will be implemented as needed to meet future demand conditions and is currently projected to supply an amount ranging from 1,925 AFY in 2030 to 7,500 AFY in 2045.

Further discussion of these water supplies is provided within Chapter 6 of the UWMP. As shown in Table B-3 below, the percentage of water supplies that contribute to regional self-reliance has been higher than the baseline (2010) and is projected to increase in the future through 2045.

In addition to the aforementioned sources, the City has two water supplies that are considered to rely on the Delta Watershed for purposes of this evaluation. These supplies are reported in Table B-4 under the following categories:

- CVP Contract Supplies: The City receives CVP water through the DMC under several contracts with the USBR and neighboring agencies. The projected CVP supplies range from 10,248 AFY in 2025 to 12,748 AFY in 2045.
- Delta/Delta Tributary Diversions: The City's supply from the South County Water Supply Project (SCWSP) is diverted from the Stanislaus River. The City anticipates being able to receive up to 13,135 AFY of SCWSP water in 2025 and 11,120 AFY in 2030 to 2045. The projected supply shown in Table B-4 is reported to the extent needed to meet the projected demands.

As presented in Table B-4, the percentage of water supplies from the Delta Watershed decreased from the 97% in the baseline year (2010) to the current 94% (2020), and is projected to decrease significantly to 58% by 2045.

The results are visualized in Chart C-1 and C-2. Chart C-1 presents the historical and projected water supply from both Delta and non-Delta sources along with the demand. Chart C-2 plots the percent of supply from the Delta Watershed, which shows a declining trend. In accordance with California Code of Regulations Title 23, Section 5003 (c)(1), the decrease in the percentage of water supplies from the Delta demonstrates the City's reduced reliance on the Delta Watershed and shows that the City's water supplies are consistent with Delta Plan Policy WR P1.

Table B-3 Calculation of Supplies Contributing to Regional Self-Reliance

Water Supplies Contributing to Regional Self-Reliance (Acre-Feet) (a)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Water Use Efficiency	-	3,039	-	1,393	887	336	-	142
Water Recycling	-	-	-	1,000	2,067	3,133	4,200	6,300
Stormwater Capture and Use	-	-	-	-	-	-	-	-
Advanced Water Technologies	-	-	-	-	-	-	-	-
Conjunctive Use Projects	-	-	-	-	-	-	-	-
Local and Regional Water Supply and Storage Projects	498	519	1,181	2,500	2,500	2,500	2,500	2,500
Other Programs and Projects that Contribute to Regional Self-Reliance	-	-	-	-	1,925	3,500	5,000	7,500
Water Supplies Contributing to Regional Self-Reliance	498	3,558	1,181	4,893	7,379	9,469	11,700	16,442

Service Area Water Demands without Water Use Efficiency (Acre-Feet)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Service Area Water Demands without Water Use Efficiency Accounted For (b)	16,603	17,080	19,527	22,902	26,054	29,207	32,603	39,521

Change in Regional Self Reliance (Acre-Feet)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Water Supplies Contributing to Regional Self-Reliance	498	3,558	1,181	4,893	7,379	9,469	11,700	16,442
Change in Water Supplies Contributing to Regional Self-Reliance (c)		3,060	683	4,395	6,881	8,971	11,202	15,944

Percent Change in Regional Self Reliance (As Percent of Demand w/out WUE)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Percent of Water Supplies Contributing to Regional Self-Reliance (d)	3.0%	20.8%	6.0%	21.4%	28.3%	32.4%	35.9%	41.6%
Change in Percent of Water Supplies Contributing to Regional Self-Reliance (e)		17.8%	3.0%	18.4%	25.3%	29.4%	32.9%	38.6%

NOTES:
(a) Water use efficiency is from Table B-1. Other supplies are from Table 11 of the 2010 UWMP, Table 5-1 of the 2015 UWMP, and Table 6-8 and Table 6-9 of the 2020 UWMP.
(b) Values are from Table B-2.
(c) Calculated as the difference between the amount shown for the year and the amount shown for the 2010 baseline year.

(d) Calculated as the water supplies contributing to regional self-reliance divided by the water demands without water use efficiency accounted for.

Table B-4 Calculation of Reliance on Water Supplies from the Delta Watershed

Water Supplies from the Delta Watershed (Acre-Feet) (a)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
CVP/SWP Contract Supplies	5,303	3,778	6,573	10,248	10,948	11,448	11,948	12,748
Delta/Delta Tributary Diversions	10,850	9,744	11,773	7,761	7,727	8,290	8,955	10,331
Transfers and Exchanges	-	-	-	-	-	-	-	-
Other Water Supplies from the Delta Watershed	-	-	-	-	-	-	-	-
Total Water Supplies from the Delta Watershed	16,153	13,522	18,346	18,009	18,675	19,738	20,903	23,079

Service Area Water Demands without Water Use Efficiency (Acre-Feet)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Service Area Water Demands without Water Use Efficiency Accounted For (b)	16,603	17,080	19,527	22,902	26,054	29,207	32,603	39,521

Change in Supplies from the Delta Watershed (Acre-Feet)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Water Supplies from the Delta Watershed	16,153	13,522	18,346	18,009	18,675	19,738	20,903	23,079
Change in Water Supplies from the Delta Watershed (c)		(2,631)	2,193	1,856	2,522	3,585	4,750	6,926

Percent Change in Supplies from the Delta Watershed (As a Percent of Demand w/out WUE)	Baseline (2010)	2015	2020	2025	2030	2035	2040	2045
Percent of Water Supplies from the Delta Watershed (d)	97.3%	79.2%	94.0%	78.6%	71.7%	67.6%	64.1%	58.4%
Change in Percent of Water Supplies from the Delta Watershed (c)		-18.1%	-3.3%	-18.7%	-25.6%	-29.7%	-33.2%	-38.9%

NOTES:
(a) Supply data are from Table 11 of the 2010 UWMP, SB X7-7 Table 4-A of the 2015 UWMP, and Table 6-8 and Table 6-9 of the 2020 UWMP.
(b) Values are from Table B-2.
(c) Calculated as the difference between the amount shown for the year and the amount shown for the 2010 baseline year.
(d) Calculated as the water supplies from the Delta Watershed divided by the water demands without water use efficiency accounted for.

Chart B-1 Historical and Projected Water Supply and Demand

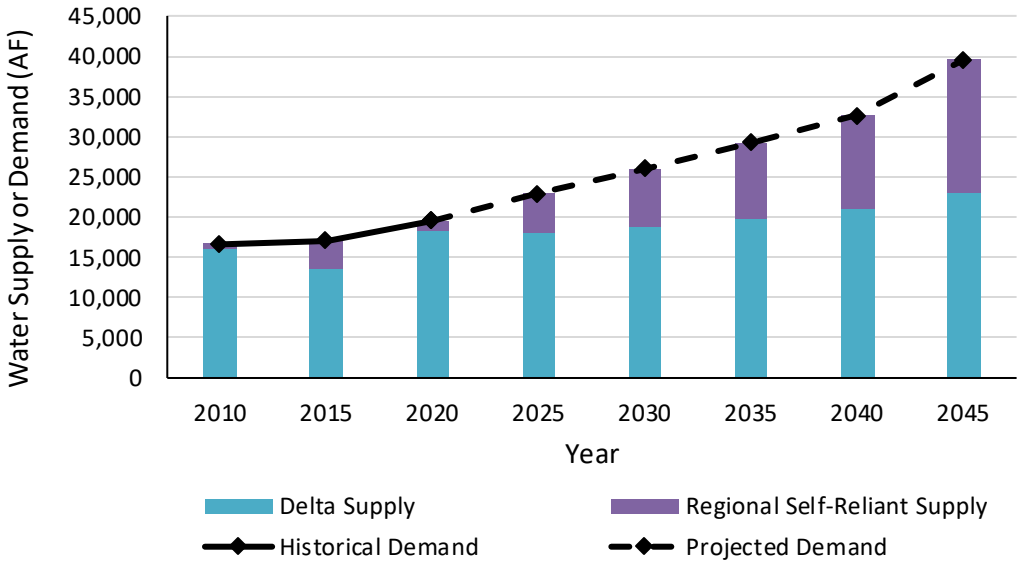
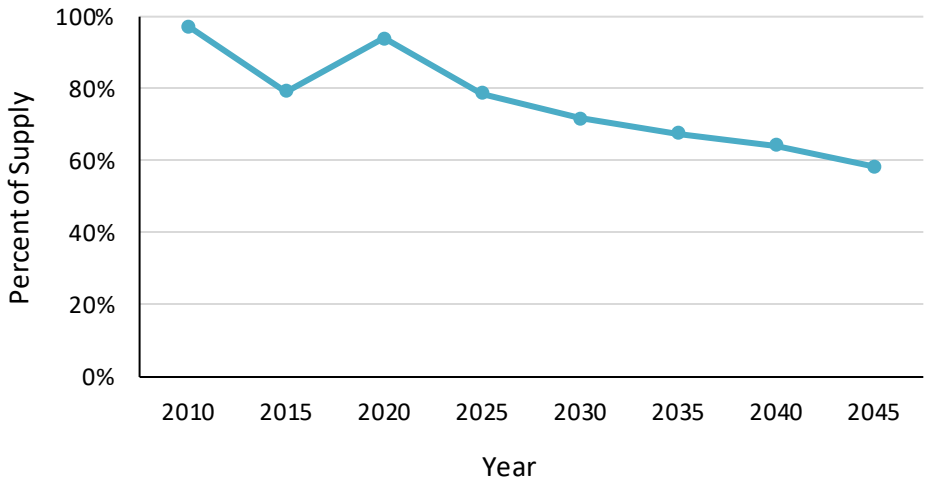


Chart B-2 Percent of Supply from Delta Sources



APPENDIX C

UWMP AGENCY NOTIFICATION LETTERS

February 4, 2021

Matt Zidar
SJC Public Works
1810 East Hazelton Ave.
Stockton, CA 95205

Via e-mail: mzidar@sjgov.org

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

A draft of the 2020 UWMP and WSCP will be made available for public review and a public hearing will tentatively be scheduled in June 2021. In the meantime, if you would like more information regarding the City's 2015 UWMP and WSCP and the schedule for updating these documents, or if you would like to participate in the preparation of the 2020 UWMP and WSCP, please contact Stephanie Reyna-Hiestand at:

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Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

February 4, 2021

David Weisenberger
Banta-Carbona Irrigation District
3514 W. Lehman Road
Tracy, CA 95304

Via e-mail: bcid@inreach.com

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

TRACY

February 4, 2021

Nat Bacchetti
Pescadero Reclamation District
3650 W. Canal Blvd.
Tracy, CA 95304

Via e-mail: rd2058@yahoo.com

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

February 4, 2021

Nick Janes
BBID
7995 Bruns Road
Byron, CA 94514-1625

Via e-mail: n.janes@bbid.org

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

TRACY

February 4, 2021

Rick Gilmore
BBID
7995 Bruns Road
Byron, CA 94514-1625

Via e-mail: admin@bbid.org

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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City of Tracy
3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

TRACY

February 4, 2021

Mike Wackman
SJCDWQC
3294 Ad Art Road
Stockton, CA 95215

Via e-mail: michael@wackmanconsulting.com

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

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City of Tracy
3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

TRACY

February 4, 2021

Diana Trejo
City of Escalon
2060 McHenry Avenue
Escalon, CA 95230

Via e-mail: dtrejo@cityofescalon.org

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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City of Tracy
3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

TRACY

February 4, 2021

Federico Barajas
SLWMWA
PO Box 2157
Los Banos, CA 93635

Via e-mail: federico.barajas@sldmwa.org

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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City of Tracy
3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

February 4, 2021

J. Scott Petersen
SLDMWA
PO Box 2157
Los Banos, CA 95635

Via e-mail: scott.petersen@sldmwa.org

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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City of Tracy
3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

February 4, 2021

Peter Rietkerk
SSJID
PO Box 747
Ripon, CA 95366-0747PRIETKERK@SSJID.COM

Via e-mail: prietkerk@ssjid.com

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

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City of Tracy
3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

February 4, 2021

George Montross
City of Manteca
1001 West Center Street
Manteca, CA 95337

Via e-mail: gmontross@ci.manteca.ca.us

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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City of Tracy
3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

TRACY

February 4, 2021

Michael King
City of Lathrop
390 Town Centre Drive
Lathrop, CA 95330

Via e-mail: mking@ci.lathrop.ca.us

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

The Urban Water Management Planning Act (California Water Code §10608–10656) requires the City of Tracy (City) to update its Urban Water Management Plan (UWMP) and associated Water Shortage Contingency Plan (WSCP) every 5 years. The City is currently reviewing its existing UWMP and associated WSCP, which were updated in 2016, and considering revisions to the documents. The updated UWMP and WSCP are due by July 1, 2021. We invite your agency's input in this revision process.

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3900 Holly Drive
Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

TRACY

February 4, 2021

Gregory Gibson
City of Lathrop
390 Town Centre Drive
Lathrop, CA 95330

Via e-mail: ggibson@ci.lathrop.ca.u

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

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Tracy, California 95304
(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

TRACY

February 4, 2021

Koosun Kim
City of Manteca
1001 West Center Street
Manteca, CA 95337

Via e-mail: Kkim@ci.manteca.ca.us

Re: **Notice of Preparation of Urban Water Management Plan and Water Shortage Contingency Plan - 2020 Update**

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(209) 831-6333
Stephanie.Hiestand@cityoftracy.org

Sincerely,

Kuldeep Sharma
Director of Utilities

APPENDIX D

UWMP PUBLIC NOTIFICATION NOTICES

Pending Appendix

APPENDIX E

SBX7-7 COMPLIANCE TABLES

SB X7-7 2020 Compliance Form

The SB X7-7 2020 Compliance Form is for the calculation of 2020 compliance only. All retail suppliers must complete the SB X7-7 Compliance Form. Baseline and target calculations are done in the SB X 7-7 Verification Form.

The SB X7-7 Verification Form is for the calculation of baselines and targets and is a separate workbook from the SB X7-7 2020 Compliance Form. Most Suppliers will have completed the SB X7-7 Verification Form with their 2015 UWMP and do not need to complete this form again in 2020. See Chapter 5 Section 5.3 of the UWMP Guidebook for more information regarding which Suppliers must, or may, complete the SB X7-7 Verification Form for their 2020 UWMP. 2020 compliance calculations are done in the SB X7-7 2020 Compliance Form.

WUE Data Portal Entry Exceptions

The data from the tables below will not be entered into WUE Data Portal tables. These tables will be submitted as separate uploads, in Excel, to WUE Data Portal.

Process Water Deduction

SB X7-7 tables 4-C, 4-C.1, 4-C.2, 4-C.3, 4-C.4 and 4-D

A supplier that will use the process water deduction will complete the appropriate tables in Excel, submit them as a separate upload to the WUE Data Portal, and include them in its UWMP.

SB X7-7 Table 0: Units of Measure Used in 2020 UWMP* *(select one from the drop down list)*
Acre Feet
**The unit of measure must be consistent throughout the UWMP, as reported in Submittal Table 2-3.*
NOTES:

SB X7-7 Table 2: Method for 2020 Population Estimate	
Method Used to Determine 2020 Population (may check more than one)	
☑	**1. Department of Finance** (DOF) or **American Community Survey** (ACS)
☐	**2. Persons-per-Connection Method**
☐	**3. DWR Population Tool**
☐	**4. Other** DWR recommends pre-review
NOTES:	

SB X7-7 Table 3: 2020 Service Area Population	
2020 Compliance Year Population	
2020	96,345
NOTES:	

SB X7-7 Table 4: 2020 Gross Water Use							
Compliance Year 2020	**2020 Volume Into Distribution System** *This column will remain blank until SB X7-7 Table 4-A is completed.*	**2020 Deductions**					**2020 Gross Water Use**
		Exported Water *	**Change in Dist. System Storage*** (+/-)	**Indirect Recycled Water** *This column will remain blank until SB X7-7 Table 4-B is completed.*	**Water Delivered for Agricultural Use***	**Process Water** *This column will remain blank until SB X7-7 Table 4-D is completed.*	
	19,527	-	-	-	-	-	**19,527**

*** Units of measure (AF, MG , or CCF)** must remain consistent throughout the UWMP, as reported in SB X7-7 Table 0 and Submittal Table 2-3.

NOTES:

SB X7-7 Table 4-A: 2020 Volume Entering the Distribution System(s), Meter Error Adjustment

Complete one table for each source.

Name of Source	DMC/CVP

This water source is *(check one)* **:**

☐	The supplier's own water source
☑	A purchased or imported source

Compliance Year 2020	Volume Entering Distribution System [1]	Meter Error Adjustment [2] *Optional (+/-)*	Corrected Volume Entering Distribution System
	6,573	-	6,573

[1] ***Units of measure (AF, MG , or CCF)*** *must remain consistent throughout the UWMP, as reported in SB X7-7 Table 0 and Submittal Table 2-3.* [2] ***Meter Error Adjustment*** *- See guidance in Methodology 1, Step 3 of Methodologies Document*

NOTES

SB X7-7 Table 4-A: 2020 Volume Entering the Distribution System(s) Meter Error Adjustment

Complete one table for each source.

Name of Source	Groundwater

This water source is *(check one)* **:**

☑	The supplier's own water source
☐	A purchased or imported source

Compliance Year 2020	Volume Entering Distribution System [1]	Meter Error Adjustment [2] *Optional (+/-)*	Corrected Volume Entering Distribution System
	1,181		1,181

[1] ***Units of measure (AF, MG , or CCF)*** *must remain consistent throughout the UWMP, as reported in SB X7-7 Table 0 and Submittal Table 2-3.* [2] ***Meter Error Adjustment*** *- See guidance in Methodology 1, Step 3 of Methodologies Document*

NOTES:

SB X7-7 Table 4-A: 2020 Volume Entering the Distribution System(s), Meter Error Adjustment

Complete one table for each source.

Name of Source	SCWSP

This water source is *(check one)* **:**

☐	The supplier's own water source
☑	A purchased or imported source

Compliance Year 2020	Volume Entering Distribution System [1]	Meter Error Adjustment [2] *Optional (+/-)*	Corrected Volume Entering Distribution System
	11,773		11,773

[1] ***Units of measure (AF, MG , or CCF)*** *must remain consistent throughout the UWMP, as reported in SB X7-7 Table 0 and Submittal Table 2-3.*

[2] ***Meter Error Adjustment*** *- See guidance in Methodology 1, Step 3 of Methodologies Document*

NOTES:

SB X7-7 Table 4-B: 2020 Indirect Recycled Water Use Deduction *(For use only by agencies that are deducting indirect recycled water)*									
2020 Compliance Year	**2020 Surface Reservoir Augmentation**					**2020 Groundwater Recharge**			**Total Deductible Volume of Indirect Recycled Water Entering the Distribution System**
	Volume Discharged from Reservoir for Distribution System Delivery[1]	Percent Recycled Water	Recycled Water Delivered to Treatment Plant	Transmission/ Treatment Loss[1]	Recycled Volume Entering Distribution System from Surface Reservoir Augmentation	Recycled Water Pumped by Utility[1,2]	Transmission/ Treatment Losses[1]	Recycled Volume Entering Distribution System from Groundwater Recharge	
			-		-			-	-

[1] ***Units of measure (AF, MG , or CCF)*** *must remain consistent throughout the UWMP, as reported in SB X7-7 Table 0 and Submittal Table 2-3.*

[2] *Suppliers will provide supplemental sheets to document the calculation for their input into "Recycled Water Pumped by Utility". The volume reported in this cell must be less than total groundwater pumped - See Methodology 1, Step 8, section 2.c.*

Data from this table will not be entered into WUEdata.
Instead, the entire table will be uploaded to WUEdata as a separate upload in Excel format.

SB X7-7 Table 4-C: 2020 Process Water Deduction Eligibility **(For use only by agencies that are deducting process water) Choose Only One**	
☐	**Criteria 1**- Industrial water use is equal to or greater than 12% of gross water use. Complete SB X7-7 Table 4-C.1
☐	**Criteria 2** - Industrial water use is equal to or greater than 15 GPCD. Complete SB X7-7 Table 4-C.2
☐	**Criteria 3** - Non-industrial use is equal to or less than 120 GPCD. Complete SB X7-7 Table 4-C.3
☐	**Criteria 4** - Disadvantaged Community. Complete SB x7-7 Table 4-C.4
NOTES:	

Data from this table will not be entered into WUEdata.
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SB X7-7 Table 4-C.1: 2020 Process Water Deduction Eligibility *(For use only by agencies that are deducting process water using Criteria 1)*

Criteria 1
Industrial water use is equal to or greater than 12% of gross water use

2020 Compliance Year	2020 Gross Water Use Without Process Water Deduction	2020 Industrial Water Use	Percent Industrial Water	**Eligible for Exclusion Y/N**
	19,527		0%	NO

NOTES:

Data from this table will not be entered into WUEdata.
Instead, the entire table will be uploaded to WUEdata as a separate upload in Excel format.

SB X7-7 Table 4-C.2: 2020 Process Water Deduction Eligibility *(For use only by agencies that are deducting process water using Criteria 2)*

Criteria 2
Industrial water use is equal to or greater than 15 GPCD

2020 Compliance Year	2020 Industrial Water Use	2020 Population	2020 Industrial GPCD	**Eligible for Exclusion Y/N**
		96,345	-	NO

NOTES:

Data from this table will not be entered into WUEdata.
Instead, the entire table will be uploaded to WUEdata as a separate upload in Excel format.

SB X7-7 Table 4-C.3: 2020 Process Water Deduction Eligibility *(For use only by agencies that are deducting process water using Criteria 3)*

Criteria 3
Non-industrial use is equal to or less than 120 GPCD

2020 Compliance Year	2020 Gross Water Use Without Process Water Deduction *Fm SB X7-7 Table 4*	2020 Industrial Water Use	2020 Non-industrial Water Use	2020 Population *Fm SB X7-7 Table 3*	Non-Industrial GPCD	**Eligible for Exclusion Y/N**
	19,527		19,527	96,345	181	NO

NOTES:

Data from this table will not be entered into WUEdata.
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SB X7-7 Table 4-C.4: 2020 Process Water Deduction Eligibility ***(For** use only by agencies that are deducting process water using Criteria 4)*

Criteria 4

Disadvantaged Community. A "Disadvantaged Community" (DAC) is a community with a median household income less than 80 percent of the statewide average.

SELECT ONE

"Disadvantaged Community" status was determined using one of the methods listed below:

1. IRWM DAC Mapping tool https://gis.water.ca.gov/app/dacs/

☐	If using the IRWM DAC Mapping Tool, include a screen shot from the tool showing that the service area is considered a DAC.

2. 2020 Median Income

	California Median Household Income*		Service Area Median Household Income	Percentage of Statewide Average	**Eligible for Exclusion? Y/N**
☐	**2020**	**$75,235**		0%	YES

*California median household income 2015 -2019 as reported in US Census Bureau QuickFacts.

NOTES

Data from these tables will not be entered into WUEdata. Instead, the entire tables will be uploaded to WUEdata as a separate upload in Excel format.

This table(s) is only for Suppliers that deduct process water from their 2020 gross water use.

SB X7-7 Table 4-D: 2020 Process Water Deduction - Volume *Complete*

a separate table for each industrial customer with a process water exclusion

Name of Industrial Customer	*Enter Name of Industrial Customer 1*				
Compliance Year 2020	Industrial Customer's Total Water Use *	Total Volume Provided by Supplier*	% of Water Provided by Supplier	Customer's Total Process Water Use*	Volume of Process Water Eligible for Exclusion for this Customer
					-

*** Units of measure (AF, MG , or CCF)** must remain consistent throughout the UWMP, as reported in SB X7-7 Table 0 and Submittal Table 2-3.

NOTES:

SB X7-7 Table 5: 2020 Gallons Per Capita Per Day (GPCD)		
2020 Gross Water *Fm SB X7-7 Table 4*	**2020 Population** *Fm SB X7-7 Table 3*	**2020 GPCD**
19,527	96,345	**181**
NOTES:		

SB X7-7 Table 9: 2020 Compliance							
Actual 2020 GPCD[1]	Optional Adjustments to 2020 GPCD Enter "0" if Adjustment Not Used Extraordinary Events[1]	Weather Normalization[1]	Economic Adjustment[1]	TOTAL Adjustments[1]	Adjusted 2020 GPCD [1] *(Adjusted if applicable)*	2020 Confirmed Target GPCD [1, 2]	**Did Supplier Achieve Targeted Reduction for 2020?**
181	-	-	-	-	181	181	**YES**

[1] *All values are reported in GPCD*

[2] ***2020 Confirmed Target GPCD*** *is taken from the Supplier's SB X7-7 Verification Form Table SB X7-7, 7-F.*

NOTES:

APPENDIX F

SUPPLY RELIABILITY INFORMATION PROVIDED BY SSJID

SOUTH SAN JOAQUIN
IRRIGATION DISTRICT

October 26, 2016

City of Escalon
Interim City Manager, Tammy Alcantor
talcantor@cityofescalon.org

City of Lathrop
City Manager, Stephen Salvatore
city.manager@ci.lathrop.ca.us

City of Manteca
City Manager, Elena Reyes
ereyes@ci.manteca.ca.us

City of Ripon
City Administrator, Kevin Werner
kwerner@cityofripon.org

City of Tracy
City Manager, Troy Brown
cm@ci.tracy.ca.us

Dear Public Officials:

On September 15, 2016, the State Water Resources Control Board released a revised Phase 1 Substitute Environmental Document (SED) analyzing proposed changes to the current Bay-Delta Water Quality Control Plan. The document proposes to release approximately 40-percent of what would naturally flow in watersheds tributary to the San Joaquin River like the Stanislaus River, during the February – June period. This means that surface water users on those watersheds would be restricted from using and storing water until 40-percent of unimpaired flows are rededicated for water quality and instream fishery purposes.

For the Stanislaus River, surface water cutbacks would be drastic. SSJID estimates the SED will result in average annual reductions of between 10 and 25-percent, with drought period reductions critically reducing surface water supplies by up to 64-percent. This would result in crippling water supply shortages for its agricultural customers and permanent mandatory conservation for the Cities of Manteca, Lathrop, Tracy, and Escalon who have partnered with SSJID on the Nick C. DeGroot Water Treatment Plant to meet current and future water supply needs. The SED also calls on additional groundwater pumping to make up the surface water deficit created by the plan, without adequately analyzing the local "critical" subbasin or new laws requiring sustainable use of our local groundwater resources. The implementation of the SED is expected to result in annual losses of thousands of jobs and billions of dollars to the regional economy.

At the SSJID Board of Director's meeting on Tuesday, October 11, 2016, the Board adopted a Resolution #16-13-W (attached) opposing the State Water Resources Control Board 2016 revised draft Substitute Environmental Document. The District is reaching out to the Cities of Escalon, Lathrop, Manteca, Ripon, and Tracy to urge your support in its efforts to oppose the SED by having your city councils adopt a similar resolution. We also invite you to voice your support at a State Board Hearing to be held at 9:00 am on Friday, December 16, at the Stockton Memorial Civic Auditorium, located at 525 N. Center Street, in Stockton, and provide comments on the SED to the State Board, due by January 17, 2016. We stand ready to assist in coordinating comments with you as we continue to study and understand the impacts associated with the SED to the local area.

Thank you for your consideration. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Peter M. Rietkerk
General Manager

P.O. Box 747, Ripon, CA 95366-0747 (Mailing)
11011 E. Highway 120, Manteca, CA 95336-9750
(209) 249-4600

From: Brandon Nakagawa
To: Dave Umezaki
Subject: RE: SSJID Reliability Discussion
Date: Tuesday, April 20, 2021 2:56:49 PM

In December 2018, the State Water Resources Control Board (SWRCB) adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) which, if and when implemented, may have an impact on the Stanislaus River. The SWRCB is required by law to regularly review this plan. The adopted Bay-Delta Plan Amendment was developed with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. The Bay-Delta Plan Amendment requires the release of up to 30-50% of the unimpaired flow on the three tributaries from February through June in every year type.

If the Bay-Delta Plan Amendment is implemented as adopted, there are significant impacts in some years to the ability of the Bureau of Reclamation to meet its obligations under the 1988 Stipulation and Agreement to provide formula water to the both Oakdale Irrigation District and SSJID in years when inflow into New Melones is below 600,000 AF which typical occur in dry and critically dry years. This could reduce the minimum projected supply amount of 225,000 AF/year as planned for by SSJID in this UWMP. The SWRCB has stated that it intends to implement the Bay-Delta Plan Amendment on the Stanislaus River by the year 2022, assuming all required approvals are obtained by that time; however, implementation of the Bay-Delta Plan Amendment remains uncertain for multiple reasons.

Over a dozen lawsuits have been filed in both state and federal courts, including challenges filed by the Oakdale Irrigation District and SSJID, challenging the SWRCB's adoption of the Bay-Delta Plan Amendment are in the early stages and there have been no consequential court rulings as of this date. Secondly, the Bay-Delta Plan Amendment did not include an allocation of responsibility for meeting the flow requirements. Such an allocation of responsibility must consider the senior water rights of both OID and SSJID who have adjudicated pre-1914 rights and other senior appropriative rights. In recognition of the difficult legal process ahead, many stakeholders throughout California including the State and Federal Government have opted to explore the possibility of voluntary agreements to achieve outcomes comparable to those described in the Bay-Delta Amendment balancing the needs of all water users. Both OID and SSJID have participated in voluntary agreement negotiations. Based on these uncertainties, SSJID has opted to make no near-term planning assumptions related to the implementation of the Bay-Delta Plan Amendment for the purposes of this 2020 UWMP. Should conditions change or consequential resolution of the issues aforementioned come to be, SSJID will revise and re-adopt a 2020 UWMP to reflect changes to its impacted water supply.

Brandon W. Nakagawa P.E.
Water Resources Coordinator
South San Joaquin Irrigation District
Direct: 209.249.4613
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Fax: 209.249.4691

From: Dave Umezaki <dumezaki@ekiconsult.com>
Sent: Tuesday, April 20, 2021 12:15 PM
To: Brandon Nakagawa <bnakagawa@ssjid.com>
Subject: RE: SSJID Reliability Discussion

We would like some sort of narrative or paragraph explaining the rationale for not assuming implementation of the Bay Delta Plan.

--Dave

C. David Umezaki, P.E.
Senior Project Engineer
EKI Environment & Water, Inc.
2001 Junipero Serra Boulevard, Suite 300
Daly City, California 94014
T: (650) 292-9100 | D: (650) 292-9079
dumezaki@ekiconsult.com | www.ekiconsult.com

From: Brandon Nakagawa <bnakagawa@ssjid.com>
Sent: Tuesday, April 20, 2021 12:10 PM
To: Dave Umezaki <dumezaki@ekiconsult.com>
Subject: RE: SSJID Reliability Discussion

To keep things simple, I made a few notes in the tables. If you need more I can provide something.

Brandon W. Nakagawa P.E.
Water Resources Coordinator
South San Joaquin Irrigation District
Direct: 209.249.4613
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From: Dave Umezaki <dumezaki@ekiconsult.com>
Sent: Tuesday, April 20, 2021 12:06 PM
To: Brandon Nakagawa <bnakagawa@ssjid.com>
Subject: RE: SSJID Reliability Discussion

Thanks Brandon – we'll take a look. Will you also be able to send me the narrative today?

--Dave

C. David Umezaki, P.E.
Senior Project Engineer
EKI Environment & Water, Inc.
2001 Junipero Serra Boulevard, Suite 300
Daly City, California 94014
T: (650) 292-9100 | D: (650) 292-9079
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From: Brandon Nakagawa <bnakagawa@ssjid.com>
Sent: Tuesday, April 20, 2021 11:56 AM
To: Dave Umezaki <dumezaki@ekiconsult.com>
Subject: RE: SSJID Reliability Discussion

Dave,

I have filled out the tables to the best of my abilities. I'm sure that you will have questions. Please feel free to contact me.

Brandon

Brandon W. Nakagawa P.E.
Water Resources Coordinator
South San Joaquin Irrigation District
Direct: 209.249.4613
Cell: 209.305.8442
Fax: 209.249.4691

DRAFT Submittal Table 6-9 Wholesale: Water Supplies — Projected

Water Supply	Additional Detail on Water Supply	Projected Water Supply *Report To the Extent Practicable*									
		2025		**2030**		**2035**		**2040**		**2045** *(opt)*	
Drop down list *May use each category multiple times. These are the only water supply categories that will be recognized by the WUEdata online submittal tool*		Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*
Add additional rows as needed											
Surface Water	Pre-1914 Rights	225,000	300,000	225,000	300,000	225,000	300,000	225,000	300,000	225,000	300,000
Total		0	0	0	0	0	0	0	0	0	0

NOTES: The Bureau of Reclamation recognizes the sum of SSJID's pre-1914 water rights as an amount provided for referred to as "formula water" as mutualy agreed in the 1988 Agreement and Stipulation

DRAFT OPTIONAL Table 6-9 Wholesale: Water Supplies — Projected *Potable*

Water Supply	Additional Detail on Water Supply	Projected Water Supply									
		2025		**2030**		**2035**		**2040**		**2045** *(opt)*	
Drop down list *May use each category multiple times. These are the only water supply categories that will be recognized by the WUEdata online submittal tool*		Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*
Add additional rows as needed											
Surface Water	Pre-1914 Rights	31,522	300,000	31,522	300,000	31,522	300,000	43,090	300,000	43,090	300,000
Total		0	0	0	0	0	0	0	0	0	0

NOTES: SSJID has agreed to supply up to 31,522 AF/yr to its municipal customers under Phase I of the SCSWSP Project and up to 43,090 Af/yr under Phase II. This UWMP assumes a Phase II production date of 2040.

DRAFT OPTIONAL Table 6-9 Wholesale: Water Supplies — Projected *Non-Potable*

Water Supply		Projected Water Supply				
		2025	**2030**	**2035**	**2040**	**2045** *(opt)*

Drop down list *May use each category multiple times. These are the only water supply categories that will be recognized by the WUEdata online submittal tool*	Additional Detail on Water Supply	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*	Reasonably Available Volume	Total Right or Safe Yield *(optional)*
Add additional rows as needed											
	Total	0	0	0	0	0	0	0	0	0	0

NOTES:

DRAFT Submittal Table 7-1 Wholesale: Basis of Water Year Data (Reliability Assessment)			
Year Type	**Base Year** *If not using a calendar year, type in the last year of the fiscal, water year, or range of years, for example, water year 1999-2000, use 2000*	**Available Supplies if Year Type Repeats**	
		☐ Quantification of available supplies is not compatible with this table and is provided elsewhere in the UWMP. Location _____	
		☐ Quantification of available supplies is provided in this table as either volume only, percent only, or both.	
		Volume Available	**% of Average Supply**
Average Year	2020	300,000	100%
Single-Dry Year	1977	225,000	75%
Multiple-Dry Years 1st Year	2012	300,000	100%
Multiple-Dry Years 2nd Year	2013	287,000	95.6%
Multiple-Dry Years 3rd Year	2014	225,000	75%
Multiple-Dry Years 4th Year	2015	225,000	75%
Multiple-Dry Years 5th Year	2016	300,000	100%

Supplier may use multiple versions of Table 7-1 if different water sources have different base years and the supplier chooses to report the base years for each water source separately. If a supplier uses multiple versions of Table 7-1, in the "Note" section of each table, state that multiple versions of Table 7-1 are being used and identify the particular water source that is being reported in each table. Suppliers may create an additional worksheet for the additional tables.

NOTES:

DRAFT Submittal Table 7-2 Wholesale: Normal Year Supply and Demand Comparison					
	2025	2030	2035	2040	2045 *(Opt)*
Supply totals *(autofill from Table 6-9)*					
Demand totals *(autofill fm Table 4-3)*					
Difference	0	0	0	0	0
NOTES:					

DRAFT OPTIONAL Table 7-2 Wholesale: Normal Year Supply and Demand Comparison - Potable					
	2025	2030	2035	2040	2045 *(Opt)*
Supply totals *(autofill from Table 6-9)*	0	0	0	0	0
Demand totals *(autofill from Table 4-3)*	0	0	0	0	0
Difference	0	0	0	0	0
NOTES:					

DRAFT OPTIONAL Table 7-2 Wholesale: Normal Year Supply and Demand Comparison - Non-Potable					
	2025	2030	2035	2040	2045 *(Opt)*
Supply totals *(autofill from Table 6-9)*	0	0	0	0	0
Demand totals *(autofill fm Table 4-3)*	0	0	0	0	0
Difference	0	0	0	0	0
NOTES:					

DRAFT Submittal Table 7-3 Wholesale: Single Dry Year Supply and Demand Comparison					
	2025	2030	2035	2040	2045 (Opt)
Supply totals	23,935	23,935	23,935	23,935	23,935
Demand totals					
Difference	0	0	0	0	0
NOTES: Annual supply is reduced to 23,935 AF/yr based on actual 2020 calendar year WTP deliveries when supplies are projected to be 225,000 AF or less for the water year. SSJID will endeavor to deliver more water if conditions allow at the request of their municipal customers.					

OPTIONAL Table 7-3 Wholesale: Single Dry Year Supply and Demand Comparison - Potable					
	2025	2030	2035	2040	2045 (Opt)
Supply totals					
Demand totals					
Difference	0	0	0	0	0
NOTES:					

OPTIONAL Table 7-3 Wholesale: Single Dry Year Supply and Demand Comparison - Non-Potable					
	2025	2030	2035	2040	2045 (Opt)
Supply totals					
Demand totals					
Difference	0	0	0	0	0
NOTES:					

DRAFT Submittal Table 7-4 Wholesale: Multiple Dry Years Supply and Demand Comparison						
		2025	2030	2035	2040	2045 (Opt)
First year	Supply totals	31,522	31,522	31,522	43,090	43,090
	Demand totals					
	Difference	0	0	0	0	0
Second year	Supply totals	31,522	31,522	31,522	43,090	43,090
	Demand totals					
	Difference	0	0	0	0	0
Third year	Supply totals	23,935	23,935	23,935	23,935	23,935
	Demand totals					
	Difference	0	0	0	0	0
Fourth year *(optional)*	Supply totals	23,935	23,935	23,935	23,995	23,995
	Demand totals					
	Difference	0	0	0	0	0
Fifth year *(optional)*	Supply totals	31,522	31,522	31,522	43,090	43,090
	Demand totals					
	Difference	0	0	0	0	0
Sixth year *(optional)*	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
NOTES:						

OPTIONAL Table 7-4 Wholesale: Multiple Dry Years Supply and Demand Comparison - Potable						
		2025	2030	2035	2040	2045 (Opt)
	Supply totals					

First year	Demand totals					
	Difference	0	0	0	0	0
Second year	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Third year	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Fourth year *(optional)*	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Fifth year *(optional)*	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Sixth year *(optional)*	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
NOTES:						

OPTIONAL Table 7-4 Wholesale: Multiple Dry Years Supply and Demand Comparison - Non-Potable

		2025	2030	2035	2040	2045 (Opt)
First year	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Second year	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Third year	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Fourth year *(optional)*	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Fifth year *(optional)*	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
Sixth year *(optional)*	Supply totals					
	Demand totals					
	Difference	0	0	0	0	0
NOTES:						

Note: Totals can be entered directly or from the Optional Planning Tool avai

DRAFT Submittal Table 7-5: Five-Year Drought Risk Assessment
Tables to address Water Code Section 10635(b)

2021	Total
Gross Water Use	
Total Supplies	
Surplus/Shortfall w/o WSCP Action	0
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	
Resulting % Use Reduction from WSCP action	#DIV/0!

2022	Total
Gross Water Use [Use Worksheet]	
Total Supplies [Supply Worksheet]	
Surplus/Shortfall w/o WSCP Action	0
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	
Resulting % Use Reduction from WSCP action	#REF!

2023	Total
Gross Water Use [Use Worksheet]	
Total Supplies [Supply Worksheet]	
Surplus/Shortfall w/o WSCP Action	0
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	
Resulting % Use Reduction from WSCP action	#DIV/0!

2024	Total
Gross Water Use [Use Worksheet]	
Total Supplies [Supply Worksheet]	
Surplus/Shortfall w/o WSCP Action	0
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	

Resulting % Use Reduction from WSCP action	#DIV/0!

2025	Total
Gross Water Use [Use Worksheet]	
Total Supplies [Supply Worksheet]	
Surplus/Shortfall w/o WSCP Action	0
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	
WSCP - use reduction savings benefit	
Revised Surplus/(shortfall)	
Resulting % Use Reduction from WSCP action	#DIV/0!

APPENDIX G

WATER SERVICE RELIABILITY AND DROUGHT RISK ASSESSMENT ASSUMING IMPLEMENTATION OF BAY-DELTA PLAN AMENDMENT

Water Service Reliability and Drought Risk Assessment
Assuming Implementation of Bay-Delta Plan Amendment

As described in Chapter 7 of the Urban Water Management Plan (UWMP), the City of Tracy (City) relies on its wholesale agency the South San Joaquin Irrigation District (SSJID) for the reliability projections related to the South County Water Supply Project (SCWSP). Information on supply reliability provided by SSJID is included as Appendix F of the UWMP. Chapter 7 of the UWMP presents results for the SCWSP water reliability assessment assuming that the Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) will not be implemented, which is consistent with SSJID's approach. SSJID has provided the following rationale for this approach:

> *In December 2018, the State Water Resources Control Board (SWRCB) adopted amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) which, if and when implemented, may have an impact on the Stanislaus River. The SWRCB is required by law to regularly review this plan. The adopted Bay-Delta Plan Amendment was developed with the stated goal of increasing salmonid populations in three San Joaquin River tributaries (the Stanislaus, Merced, and Tuolumne Rivers) and the Bay-Delta. The Bay-Delta Plan Amendment requires the release of up to 30-50% of the unimpaired flow on the three tributaries from February through June in every year type.*
>
> *If the Bay-Delta Plan Amendment is implemented as adopted, there are significant impacts in some years to the ability of the Bureau of Reclamation to meet its obligations under the 1988 Stipulation and Agreement to provide formula water to both the Oakdale Irrigation District and SSJID in years when inflow into New Melones is below 600,000 AF which typical occur in dry and critically dry years. This could reduce the minimum projected supply amount of 225,000 AF/year as planned for by SSJID in this UWMP. The SWRCB has stated that it intends to implement the Bay-Delta Plan Amendment on the Stanislaus River by the year 2022, assuming all required approvals are obtained by that time; however, implementation of the Bay-Delta Plan Amendment remains uncertain for multiple reasons.*
>
> *Over a dozen lawsuits have been filed in both state and federal courts, including challenges filed by the Oakdale Irrigation District and SSJID, challenging the SWRCB's adoption of the Bay-Delta Plan Amendment are in the early stages and there have been no consequential court rulings as of this date. Secondly, the Bay-Delta Plan Amendment did not include an allocation of responsibility for meeting the flow requirements. Such an allocation of responsibility must consider the senior water rights of both OID and SSJID who have adjudicated pre-1914 rights and other senior appropriative rights. In recognition of the difficult legal process ahead, many stakeholders throughout California including the State and Federal Government have opted to explore the possibility of voluntary agreements to achieve outcomes comparable to those described in the Bay-Delta Amendment balancing the needs of all water users. Both OID and SSJID have participated in voluntary agreement negotiations. Based on these uncertainties, SSJID has opted to make no near-term planning assumptions related to the implementation of the Bay-Delta Plan Amendment for the purposes of this 2020 UWMP. Should conditions change or consequential resolution of the issues aforementioned come to be, SSJID will revise and re-adopt a 2020 UWMP to reflect changes to its impacted water supply.*

However, the City understands that it is helpful to understand the possible supply implications in the event that the Bay-Delta Plan Amendment is implemented as adopted. To fully assess the impacts of the Bay-Delta Plan Amendment and better plan for the potential shortfalls, the City conducted a parallel set of reliability analyses assuming that the Bay-Delta Plan Amendment will be implemented, which is presented below.

Table 1 below mirrors Table 7-2 in the UWMP and presents the City's projected water supply in normal years based on the assumption that the reliability of the SCWSP in normal years will be 75% of the contractual amount. The City's current contractual amount of SCWSP water is 13,135 acre-feet per year (AFY) in total.[1] The City anticipates that its temporary contract with Escalon to purchase Escalon's allocation of 2,015 AFY will terminate after 2025. By that time, the City's allocation will be reduced to 11,120 AFY. As such, the City anticipates being able to receive 9,851 AFY of SCWSP supply in 2025 and 8,340 AFY afterwards, assuming normal year conditions.

[1] Water Supply Development and Operating Agreement, August 2020.

Escalon Amendment to Tracy-SSJID Water Supply Development Agreement, March 2006.

Table 1 Projected Water Supply in Normal Years
Assuming Implementation of Bay-Delta Plan Amendment

Water Supply	Allocation / Reliability	Supply Amount				
		2025	2030	2035	2040	2045
Current Potable Supplies						
CVP - USBR Tracy Contract	75% of Historical Use	4,448	4,448	4,448	4,448	4,448
CVP - USBR BCID & WSID Contract	50% of Contract	5,000	5,000	5,000	5,000	5,000
SCWSP - SSJID Contract	75% of Contract	9,851	8,340	8,340	8,340	8,340
BBID	100% of Tracy Hills Demand	800	1,500	2,000	2,500	3,300
Groundwater	100% Reliable	2,500	2,500	2,500	2,500	2,500
Anticipated Future Potable Supplies						
Recycled Water Distribution Network and Exchange	100% Reliable	0	1,925	3,500	5,000	7,500
Total Potable Supply	--	**22,599**	**23,713**	**25,788**	**27,788**	**31,088**
Anticipated Future Non-Potable Supplies						
Recycled Water	100% Reliable	1,000	2,067	3,133	4,200	6,300
Total Non-Potable Supply	--	**1,000**	**2,067**	**3,133**	**4,200**	**6,300**
Total Supply	--	**23,599**	**25,779**	**28,921**	**31,988**	**37,388**

NOTES:
(a) Volumes are in units of AF.
(b) Information provided by the City. Recycled water and groundwater volumes assume the City investments in infrastructure and/or permitting.

Table 2 below mirrors Table 7-3 in the UWMP and presents the City's projected water supply in single dry years. Based on the assumption that in single dry years the reliability of the SCWSP will be reduced to 36% of the contract amount, the City anticipates being able to receive 4,729 AFY of SCWSP supply in 2025 and 4,003 AFY afterwards.

Table 2 Projected Water Supply in Single Dry Years Assuming Implementation of Bay-Delta Plan Amendment

Water Supply	Allocation / Reliability	Supply Amount				
		2025	2030	2035	2040	2045
Current Potable Supplies						
CVP - USBR Tracy Contract	25% of Historical Use	1,483	1,483	1,483	1,483	1,483
CVP - USBR BCID & WSID Contract	0% of Contract	0	0	0	0	0
SCWSP - SSJID Contract	36% of Contract	4,729	4,003	4,003	4,003	4,003
BBID	100% of Tracy Hills Demand	800	1,500	2,000	2,500	3,300
Groundwater	100% Reliable	4,500	4,500	4,500	4,500	4,500
Anticipated Future Potable Supplies						
Recycled Water Distribution Network and Exchange	100% Reliable	0	1,925	3,500	5,000	7,500
ASR Dry Year Supply	100% Reliable	700	700	700	1,000	1,000
Total Potable Supply	--	**12,211**	**14,111**	**16,186**	**18,486**	**21,786**
Anticipated Future Non-Potable Supplies						
Recycled Water	100% Reliable	1,000	2,067	3,133	4,200	6,300
Total Non-Potable Supply	--	**1,000**	**2,067**	**3,133**	**4,200**	**6,300**
Total Supply	--	**13,211**	**16,177**	**19,319**	**22,686**	**28,086**

NOTES:
(a) Volumes are in units of AF.
(b) Information provided by the City. Recycled water and groundwater volumes assume the City investments in infrastructure and/or permitting. ASR volumes assume surplus supplies are available in wet years to inject and store, as well as additional investment in ASR construction and operation.

Similarly, Table 3 below mirrors Tables 7-4 and 7-5 in the UWMP and presents the City's projected water supply in multiple dry years. Based on the assumption that in multiple dry years the reliability of the SCWSP will be reduced to 36% of the contract amount, the City anticipates being able to receive 4,729 AFY of SCWSP supply in 2025 and 4,003 AFY afterwards.

Table 3 Projected Water Supplies in Multiple Dry Years Assuming Implementation of Bay-Delta Plan Amendment

Water Supply	Allocation / Reliability	Supply Amount				
		2025	2030	2035	2040	2045
Current Potable Supplies						
CVP - USBR Tracy Contract	40% of Historical Use	2,372	2,372	2,372	2,372	2,372
CVP - USBR BCID & WSID Contract	0% of Contract	0	0	0	0	0
SCWSP - SSJID Contract	36% of Contract	4,729	4,003	4,003	4,003	4,003
BBID	100% of Tracy Hills Demand	800	1,500	2,000	2,500	3,300
Groundwater	100% Reliable	4,500	4,500	4,500	4,500	4,500
Semitropic Dry Year Supply	100% Reliable	1,722	1,722	1,722	1,722	1,722
Anticipated Future Potable Supplies						
Recycled Water Distribution Network and Exchange	100% Reliable	0	1,925	3,500	5,000	7,500
ASR Dry Year Supply	100% Reliable	140	140	140	200	200
Total Potable Supply	--	**14,262**	**16,162**	**18,237**	**20,297**	**23,597**
Anticipated Future Non-Potable Supplies						
Recycled Water	100% Reliable	1,000	2,067	3,133	4,200	6,300
Total Non-Potable Supply	--	**1,000**	**2,067**	**3,133**	**4,200**	**6,300**
Total Supply	--	**15,262**	**18,228**	**21,370**	**24,497**	**29,897**

NOTES:
(a) Volumes are in units of AF.
(b) Information provided by the City. Recycled water and groundwater volumes assume the City investments in infrastructure and/or permitting. ASR and Semitropic volumes assume surplus supplies are available in wet years to inject and/or store, as well as additional investment in ASR construction and operation. Semitropic supply is assumed to be unavailable in the first year of a multiple dry year. Other supply volumes are assumed to be constant in each year of a multiple dry year.

The City's projected water demands are compared to its water supplies in normal years, single dry years, and multiple dry year periods in Table 4, Table 5 and Table 6, which mirror Tables 7-6 through 7-8 in the UWMP. As can be seen below, supplies are projected to be insufficient to meet the projected demands after 2040 in normal years, with a potential shortfall of 1,991 AFY in 2045, equal to 5% of the projected demand. In single dry years, supply shortfalls are projected in all years from 2025 to 2045, with maximum shortfalls of 39% of the projected demand (in 2025), or 11,293 AFY total (in 2045). In multiple dry years, supply shortfalls are also projected in all years from 2025 to 2045, which are up to 37% of the projected demand (in 2025), or up to 11,204 AFY total (in 2045).

Table 4 Normal Year Supply and Demand Comparison
Assuming Implementation of Bay-Delta Plan Amendment

	2025	2030	2035	2040	2045
Supply totals *From DWR Table 6-9*	24,103	25,780	28,921	31,988	37,388
Demand totals *From DWR Table 4-3*	21,509	25,167	28,871	32,603	39,379
Difference	2,594	613	50	(615)	(1,991)
NOTES: (a) Volumes are in units of AF.					

Table 5 Single Dry Year Supply and Demand Comparison
Assuming Implementation of Bay-Delta Plan Amendment

	2025	2030	2035	2040	2045
Supply totals	13,211	16,177	19,319	22,686	28,086
Demand totals	21,509	25,167	28,871	32,603	39,379
Difference	(8,298)	(8,990)	(9,552)	(9,918)	(11,293)
NOTES: (a) Volumes are in units of AF.					

Table 6 Multiple Dry Years Supply and Demand Comparison
Assuming Implementation of Bay-Delta Plan Amendment

		2025	2030	2035	2040	2045
First year	Supply totals	13,541	16,507	19,648	22,775	28,175
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	(7,968)	(8,660)	(9,223)	(9,828)	(11,204)
Second year	Supply totals	15,262	18,228	21,370	24,497	29,897
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	(6,246)	(6,939)	(7,501)	(8,107)	(9,482)
Third year	Supply totals	15,262	18,228	21,370	24,497	29,897
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	(6,246)	(6,939)	(7,501)	(8,107)	(9,482)
Fourth year	Supply totals	15,262	18,228	21,370	24,497	29,897
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	(6,246)	(6,939)	(7,501)	(8,107)	(9,482)
Fifth year	Supply totals	15,262	18,228	21,370	24,497	29,897
	Demand totals	21,509	25,167	28,871	32,603	39,379
	Difference	(6,246)	(6,939)	(7,501)	(8,107)	(9,482)

NOTES:
(a) Volumes are in units of AF.

Table 7 below mirrors Table 7-10 in the UWMP and presents a Drought Risk Assessment (DRA) which considers the effects on available water supply sources of an assumed five-year drought commencing the year after the assessment is completed, i.e., from 2021 through 2025. Supply shortfalls are projected in all five years with the largest shortfall being approximately 7,591 AFY in 2021, or 38% of the projected demand.

Table 7 Five-Year Drought Risk Assessment Tables to Address Water Code 10635(b) Assuming Implementation of Bay-Delta Plan Amendment

2021	Total
Total Water Use	19,923
Total Supplies	12,333
Surplus/Shortfall w/o WSCP Action	(7,591)
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	7,591
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	38%

2022	Total
Total Water Use	20,320
Total Supplies	14,106
Surplus/Shortfall w/o WSCP Action	(6,213)
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	6,213
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	31%

2023	Total
Total Water Use	20,716
Total Supplies	14,158
Surplus/Shortfall w/o WSCP Action	(6,558)
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	6,558
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	32%

Table 7 Five-Year Drought Risk Assessment Tables to Address Water Code 10635(b)
Assuming Implementation of Bay-Delta Plan Amendment

2024	Total
Total Water Use	21,112
Total Supplies	14,210
Surplus/Shortfall w/o WSCP Action	(6,902)
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	6,902
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	33%

2025	Total
Total Water Use	21,509
Total Supplies	15,262
Surplus/Shortfall w/o WSCP Action	(6,246)
Planned WSCP Actions (use reduction and supply augmentation)	
WSCP - supply augmentation benefit	0
WSCP - use reduction savings benefit	6,246
Revised Surplus/(shortfall)	0
Resulting % Use Reduction from WSCP action	29%
NOTES: (a) Volumes are in units of AF.	

As presented in the tables, supply shortfalls are significantly increased under the assumption that the Bay-Delta Plan Amendment will be implemented. However, there are currently numerous sources of uncertainty in the supply projections as summarized below:

- Implementation of the Bay-Delta Plan Amendment is under negotiation. The SSJID and others are continuing negotiations with the State Water Resources Control Board (SWRCB) on implementation of the Bay-Delta Plan Amendment for water supply cutbacks, particularly during droughts. This is a dynamic situation and the projected drought cutback allocations may need to be revised before the next (i.e., 2025) UWMP depending on the outcome of ongoing negotiations.
- Benefits of the City's development of additional Aquifer Storage and Recovery (ASR) and recycled water supplies are accounted for in current supply projections. However, implementation of these projects will require significant investment by the City in the near- and long-term. Similarly, investments in wet years supplies will be needed to refill storage in the Semitropic Groundwater Storage Bank and in the ASR wells.

- The City will have to continue to work closely with the United States Bureau of Reclamation (USBR) and SSJID on their rationing policies to ensure that Municipal and Industrial (M&I) needs can be met.
- The City's projected water demands are subject to change in the future based upon future housing needs, increased conservation, and development of additional local supplies or policies to limits water demand associated with current and future development.
- Frequency and duration of cutbacks are also uncertain. While the projected shortfalls presented here appear severe, the actual frequency and duration of such shortfalls are uncertain. In addition to the supply volumes, the above listed uncertainties would also impact the projected frequency and duration of shortfalls.

As mentioned above, the City is conducting this analysis as part of the planning efforts. Despite that there remains large uncertainty in future supply availability, the City has developed and will continue to develop various strategies and actions to address the projected supply shortfalls. In addition, as conditions evolve and as new information becomes available, the City may conduct an interim update or updates to the UWMP within the five-year cycle, i.e., before the 2025 UWMP.

APPENDIX H

WATER SHORTAGE CONTINGENCY PLAN



Water Shortage Contingency Plan
2020 Update

City of Tracy

June 2021

DRAFT - May 2021

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Attachment 3. Water Shortage Contingency Plan Resolutions

1 INTRODUCTION

☑ ***CWC § 10640***

(a) Every urban water supplier required to prepare a plan pursuant to this part shall prepare its plan pursuant to Article 2 (commencing with Section 10630). The supplier shall likewise periodically review the plan as required by Section 10621, and any amendments or changes required as a result of that review shall be adopted pursuant to this article.

(b) Every urban water supplier required to prepare a water shortage contingency plan shall prepare a water shortage contingency plan pursuant to Section 10632. The supplier shall likewise periodically review the water shortage contingency plan as required by paragraph (10) of subdivision (a) of Section 10632 and any amendments or changes required as a result of that review shall be adopted pursuant to this article.

This section presents the City of Tracy's (City's) Water Shortage Contingency Plan (WSCP), which has been developed to serve as a flexible framework of planned response measures to mitigate future water supply shortages. The City's WSCP was last updated in June 2015 via Ordinance 1196 and was included in the 2015 Urban Water Management Plan (UWMP). This WSCP builds upon and supersedes the 2015 WSCP.

The WSCP includes the stages of response to a water shortage caused by drought or by supply interruptions caused by infrastructure failure, regulatory mandate, or catastrophic human-caused or natural events. The primary objective of the WSCP is to ensure that the City has in place the necessary resources and management responses needed to protect health and human safety, minimize economic disruption, and preserve environmental and community assets during water supply shortages and interruptions. The WSCP also includes procedures to conduct an annual assessment of water supply and demand in order to determine whether water shortage conditions are likely to exist in the forthcoming year, and to proactively begin the process of implementing WSCP stages of action, as appropriate.

This WSCP has been prepared in accordance with California Water Code (CWC) § 10640 and CWC § 10632 of the UWMP Act. Text from the UWMP Act has been included in grey text boxes with italicized font at beginning of relevant sections of this WSCP. The information presented in the respective WSCP sections and the associated text and tables are collectively intended to fulfill the requirements of that sub-section of the UWMP Act.

The City's 2020 WSCP will be incorporated into the Water Management Chapter of the Tracy Municipal Code (TMC) as codified in Chapter 11.28, Article 5 - Drought and Other Water Emergency, and Article 6 – Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals.

The WSCP has been developed to support the broader vision of the City laid out in the General Plan. Among other things, the General Plan emphasizes the importance of "hometown feel", community livability, quality of life, and increased economic development. To that end, the City's WSCP reflects the following set of guiding principles:

- Prioritize the reduction of non-essential water uses. This WSCP concentrates on the reduction of non-essential water uses and gives the highest priority to preserving water uses that are essential to the health, safety, welfare, and economic vitality of the City's customers.

- Water cutbacks will focus on outdoor water use. Outdoor water use is an important, but relatively discretionary end use in comparison to indoor water uses related to drinking, cooking, and sanitary activities. Outdoor water use supplied with recycled water, however, may not need to be cut back as ample supplies of recycled water are likely to be available even during a drought.
- Focus on fewer, enforceable requirements. This WSCP targets end uses that can offer significant savings with a high degree of enforceability, such as dedicated irrigation accounts.
- Communicate early, penalize later. Early stages focus on creating public awareness and signaling the need for conservation, whereas later stages impose stricter requirements and increase penalties and enforcement.

Practically, these principles guide the City to ask for a shared contribution from all of its customers towards meeting water reduction goals during periods of water shortage. They further direct the City to focus its water conservation efforts on reducing discretionary water uses such as outdoor irrigation, while attempting to minimize economic and other impacts to its residential and commercial customers. The City learned during the recent drought that public outreach and awareness are capable of generating significant savings in response to a severe drought. Therefore, this WSCP emphasizes these activities before it mandates specific water-conserving actions.

2 WATER SUPPLY RELIABILITY ANALYSIS

☑ ***CWC § 10632 (a) (1)*** *The analysis of water supply reliability conducted pursuant to Section 10635.*

This section provides a summary of the City's water supply reliability analysis, recognizing that the WSCP is intended to be a standalone document that can be adopted and amended independently.

The City relies and plans to rely on a wide range of water supply sources, including various surface water supplies, groundwater production, Aquifer Storage and Recovery (ASR), Semitropic Groundwater Storage Bank (Semitropic), recycled water and the Recycled Water Distribution Network and Exchange program for its supply. Surface water supplies include Central Valley Project (CVP) water purchased from the United States Bureau of Reclamation (USBR) and Stanislaus River water provided by the South San Joaquin Irrigation District (SSJID) through the South County Water Supply Project (SCWSP).

The reliability analysis was performed based on, among other things, SSJID's water reliability analysis, which assumes that the State Water Resources Control Board's (SWRCB's) released amendments to the Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan Amendment) will not be implemented. If the Bay-Delta Plan Amendment is implemented, significant surface water cutbacks would likely be experienced, as presented in Appendix G to the UWMP.

Based on the service reliability analysis, the City's is expected to have adequate water supplies during normal years to meet projected demands through 2045. However, the City is projecting up to 9,120 acre-feet per year (AFY) of supply shortfall in single dry years by 2045, or up to 24% of the projected demand. In multiple dry years, the projected shortfalls by 2045 are up to 7,308 AFY or 19% of the projected demand.

A Drought Risk Assessment (DRA) was also conducted during the water supply reliability assessment, which evaluates the effects on available water supply sources of an assumed five-year drought commencing the year after the assessment is completed (i.e., from 2021 through 2025). Based on the DRA, the City is expected to have sufficient water supply in 2021, 2022, and 2025. However, in 2023 and 2024, the demands are estimated to exceed supplies by 1,313 AFY and 1,657 AFY, respectively. This WSCP addresses such water shortage conditions and identifies a variety of actions that the City will implement to reduce demands and further ensure supply reliability at various levels of water shortage.

3 PRIOR DROUGHT ACTIONS

The City has historically developed different strategies for reducing water demand during water shortages. The City's actions in response to the recent severe drought that occurred in California between 2014 and 2017 are discussed below.

On 1 April 2015, Governor Brown issued the fourth in a series of Executive Orders regarding actions necessary to address California's severe drought conditions. Executive Order B-29-15 directed the SWRCB to impose the first-ever mandatory restrictions on urban water suppliers to achieve a statewide 25% reduction in potable urban water usage through February 2016.[1] The Executive Order also required Commercial, Industrial, and Institutional (CII) users to implement water efficiency measures, prohibited irrigation with potable water of ornamental turf in public street medians, and prohibited irrigation with potable water outside newly constructed homes and buildings that was not delivered by drip or microspray systems, along with numerous other directives.

On 5 May 2015, the SWRCB adopted Resolution 2015-0032, which mandated minimum actions by water suppliers and their customers to conserve water supplies into 2016 and assigned a mandatory water conservation savings goal to each water supplier based on their residential gallons per capita per day (R-GPCD) water use. The mandatory conservation standards established by the SWRCB and included in CWC §865(c) ranged from 8% for suppliers with an R-GPCD below 65 R-GPCD, up to 36% for suppliers with an R-GPCD of greater than 215 GPCD. As with the emergency drought regulations adopted by the SWRCB in 2014, the new water conservation regulation was primarily intended to reduce outdoor urban water use. On 2 February 2016, the SWRCB voted to extend the reduction targets through October 2016 with some modifications.[2]

Based on its R-GPCD, the City was required to reduce water use by 28% in 2015 relative to its 2013 water use.[3] The City Council enacted Stages 3 and 4 of the 2015 WSCP on 2 June 2015. The City achieved high savings (up to a 34% reduction in total demand) during the summer and fall months, likely corresponding to large cut-backs in irrigation water uses. Total cumulative water savings through February 2016 were 26.9%.

On 7 April 2017, Governor Brown issued Executive Order B-40-17, which lifted the drought emergency in most of California while maintaining prohibitions on wasteful practices and water reporting requirements. The City has incorporated these permanent prohibitions into Stage 1 of its WSCP update.

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[1] Executive Order B-29-15 is located online at https://www.ca.gov/archive/gov39/wp-content/uploads/2017/09/4.1.15_Executive_Order.pdf, accessed 4 February 2021.

[2] Adopted text of the extended Emergency Regulations located online at http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/docs/emergency_reg/final_reg_enacted.pdf, accessed 4 February 2021.

[3] The City has qualified for a climate adjustment to its mandatory conservation standard, which has been reduced by 3%, from 28% to 25%, effective 1 March 2016.

4 ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT PROCEDURES

☑ ***CWC § 10632 (a) (2)***

The procedures used in conducting an annual water supply and demand assessment that include, at a minimum, both of the following:

(A) The written decision making process that an urban water supplier will use each year to determine its water supply reliability.

(B) The key data inputs and assessment methodology used to evaluate the urban water supplier's water supply reliability for the current year and one dry year, including all of the following:

(i) Current year unconstrained demand, considering weather, growth, and other influencing factors, such as policies to manage current supplies to meet demand objectives in future years, as applicable.

(ii) Current year available supply, considering hydrological and regulatory conditions in the current year and one dry year. The annual supply and demand assessment may consider more than one dry year solely at the discretion of the urban water supplier.

(iii) Existing infrastructure capabilities and plausible constraints.

(iv) A defined set of locally applicable evaluation criteria that are consistently relied upon for each annual water supply and demand assessment.

(v) A description and quantification of each source of water supply.

☑ ***CWC § 10632.1***

An urban water supplier shall conduct an annual water supply and demand assessment pursuant to subdivision (a) of Section 10632 and, on or before July 1 of each year, submit an annual water shortage assessment report to the department with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan. An urban water supplier that relies on imported water from the State Water Project or the Bureau of Reclamation shall submit its annual water supply and demand assessment within 14 days of receiving its final allocations, or by July 1 of each year, whichever is later.

☑ ***CWC § 10632.2***

An urban water supplier shall follow, where feasible and appropriate, the prescribed procedures and implement determined shortage response actions in its water shortage contingency plan, as identified in subdivision (a) of Section 10632, or reasonable alternative actions, provided that descriptions of the alternative actions are submitted with the annual water shortage assessment report pursuant to Section 10632.1. Nothing in this section prohibits an urban water supplier from taking actions not specified in its water shortage contingency plan, if needed, without having to formally amend its urban water management plan or water shortage contingency plan.

On an annual basis, the City will conduct an Annual Supply-Demand Assessment (Annual Assessment) to identify whether there is likely to be a water shortage condition in the following year. For purposes of this assessment, a water shortage condition is defined as an anticipated shortfall of greater than 10%, corresponding to Water Shortage Level (or Stage) 2. Each element of the Annual Assessment is described below, along with the key data inputs and methodologies for determining these elements.

4.1 Evaluation Criteria

The City will conduct its Annual Assessment in consideration of existing hydrological and regulatory conditions such as any state-mandated drought or water use restrictions. Further, as imported sources constitute a significant portion of the City's supply, the City will rely primarily on USBR and SSJID for the supply reliability portion of its Annual Assessment. The City's supply and demand evaluation criteria will be calculated using the key data inputs to the Annual Assessment, including:

- Imported water allocation;
- Emergency allocation;
- Effectiveness of active conservation;
- ASR storage;
- Banked water (Semitropic) availability;
- Demand; and
- Infrastructure constraints.

4.2 Water Supply

On the basis of the evaluation criteria described below and available supporting information, the City will quantify the projected available supply for the forthcoming year. This quantification will likely be a range, and subject to revision as new data become available and as conditions evolve.

4.2.1 Imported Sources

- CVP Available Supply: The USBR makes an annual determination of allocations which is then provided to the City in early March. In 2018, the USBR revised its M&I Water Shortage Allocation Policy to determine allocations based on historical average use as a baseline, not contracted allotment.
- SCWSP Available Supply: SSJID makes an annual determination of allocation which is provided to the City in late April or early May.

4.2.2 Local Sources

- Groundwater Available Supply: The City assesses the prior year's production and any production constraints. Evaluations include consideration of: (1) any new Groundwater Sustainability Agency (GSA) policies (e.g., pumping allocations) or sustainability criteria that could trigger a change in groundwater volume available for pumping, (2) any well operational or water quality issues, and (3) any new limitations on well permitting that could limit the ability to deepen existing supply wells or drill new supply wells.
- ASR Storage: The City assesses available supply by comparing the prior year's demand against actual injection.

- Recycled Water (Non-Potable Supply): Recycled water is currently not available. However, once the permitting process is completed, the City will assess the previous year's production and any production constraints to evaluate the availability of recycled water. The evaluations will include any new recycled water policies and criteria that could trigger a change in volume available.

4.3 Unconstrained Customer Demand

Unconstrained customer demands (i.e., the expected water use in the absence of shortage-caused reductions in water use) will be evaluated and estimated for the forthcoming year based on:

- A comparison of monthly customer demands relative to prior years (e.g., last three years);
- Evaluation of current and anticipated weather conditions;
- New demands anticipated during the coming year (e.g., new accounts coming online); and
- Any other potentially pertinent factors identified by the City (e.g., pandemic-related stay-at-home orders).

4.4 Planned Water Use for Current Year Considering Dry Subsequent Year

The City will compare the estimated unconstrained demands to the anticipated supplies for the current year, assuming that the following year will be dry (i.e., a supply shortfall greater than 10%), and using the evaluation criteria identified above.

4.5 Infrastructure Considerations

The City will evaluate how infrastructure capabilities and constraints may affect its ability to deliver supplies to meet expected customer water demands in the coming year. The constraints and capabilities are expected to include, among other things:

- Anticipated capital projects and upgrades;
- Anticipated maintenance and repairs; and
- Emergency maintenance and repairs.

4.6 Team Members and Decision Makers

Team members and decision makers include the following City staff:

- Water Operations Superintendent;
- Water Resources and Compliance Manager (WRCM);
- Director of Utilities;
- City Manager; and
- City Council.

4.7 Decision-Making Process

The decision-making process and timeline are anticipated to be as follows:

- March:
  - USBR conveys the CVP allocation (i.e., available percentage of annual historical average supply) to the City.
- Late April to Early May:
  - SSJID conveys the available percentage of contracted allocation that the City shall receive.
  - City determines local supply available.
  - City determines total supply available.
  - City determines expected demand.
  - City compares supply and demand to determine the water supply conditions for the current year and one dry year.
  - If shortage greater than 10% is determined to exist, the City shall implement response actions in the WSCP through City Council declaration.

    Per Section 11.28.140 of the TMC, the City Council may declare a drought and direct the City Manager to implement all provisions of Article 6 of this chapter when one or more of the following conditions exist:

    a) The average static groundwater basin level reaches thirty (30) feet below sea level as determined by the Water Production Supervisor by means of monthly groundwater soundings at the water production wells, or if the estimated groundwater demand for the year exceeds 6,000 acre feet, the estimated safe yield for groundwater extraction;

    b) A cutback of available surface water supplies obtained from the Central Valley Project or South San Joaquin Irrigation District occurs;

    c) A drought is declared by the Governor of California covering the water sources used by the City, and subsequent reductions of water supplied to the City will occur or are likely to occur;

    d) Any unusual situation or circumstance which affects the quantity or quality of the water supply.

    Per Section 11.28.210 of the TMC, the City Council may declare a water emergency and direct the City Manager to implement appropriate water conservation and/or rationing requirements consistent with this chapter when one or more of the following conditions exist:

a) *A decrease in the ability to draw groundwater due to well contamination, well failure or other equipment or system failure, and no alternative source of water is available;*

b) *Contamination of the water system;*

c) *Natural disasters affecting water deliveries;*

d) *During times of floods which would affect water quality;*

e) *Sabotage or threats of sabotage against the water system;*

f) *Any unusual situation or circumstance which affects the quantity or quality of the water supply.*

- June:
  - City prepares the Annual Assessment report.
- July 1 or within 14 days of receiving final allocation from the USBR, whichever is later:
  - City submits the Annual Assessment to the California Department of Water Resources (DWR).

As stated in the regulations, the City shall follow, where feasible and appropriate, the prescribed procedures and implement determined shortage response actions in this WSCP, as identified in the CWC subdivision (a) of §10632, or reasonable alternative actions, provided that descriptions of the alternative actions are submitted with the Annual Assessment Report pursuant to CWC §10632.1. Should the City choose to include reasonable alternative actions, it will describe identified reasonable alternative actions (shortage response actions in addition to what has been identified in Section 6 of this WSCP) to reduce the gap between water supply and demand.

5 WATER SHORTAGE LEVELS

☑ ***CWC § 10632 (a) (3)***

(A) Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage. Urban water suppliers shall define these shortage levels based on the suppliers' water supply conditions, including percentage reductions in water supply, changes in groundwater levels, changes in surface elevation or level of subsidence, or other changes in hydrological or other local conditions indicative of the water supply available for use. Shortage levels shall also apply to catastrophic interruption of water supplies, including, but not limited to, a regional power outage, an earthquake, and other potential emergency events.

(B) An urban water supplier with an existing water shortage contingency plan that uses different water shortage levels may comply with the requirement in subparagraph (A) by developing and including a cross-reference relating its existing categories to the six standard water shortage levels.

Consistent with the requirements of CWC § 10632(a)(3), this WSCP is based on the six water shortage levels (also referred to as "stages") shown in **Table 5-1**. These stages are intended to address shortages caused by any condition, including the catastrophic interruption of water supplies. Besides the mandatory prohibitions, each stage of the WSCP is implemented by a formal declaration by the City Council recognizing the need for a reduction in water use and enacting a specific stage of action due to a water supply shortage of emergency. All of the stages allow for adequate water to protect public health and safety and satisfy the fire protection needs of the City. **Table 5-1** summarizes the water supply reduction and supply conditions associated with each stage of action.

Table 5-1 Water Shortage Contingency Plan Levels (DWR Table 8-1)

Shortage Level	Percent Shortage Range	Shortage Response Actions
1	Up to 10%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City may reduce water use by up to 10% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 6-1** and **Table 6-2**).
2	Up to 20%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by 10% to 20% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 6-1** and **Table 6-2**).
3	Up to 30%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by 20% to 30% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 6-1** and **Table 6-2**).
4	Up to 40%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by 30% to 40% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 6-1** and **Table 6-2**).
5	Up to 50%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by 40% to 50% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 6-1** and **Table 6-2**).
6	>50%	• Declaration by the City Council upon the determination that one or more of the trigger mechanisms exist per TMC Section 11.28.140 and Section 11.28.210 and that the City must reduce water use by greater than 50% due to water supply shortages or emergency. • Includes implementation of mandatory restrictions on end uses as well as agency actions (see **Table 6-1** and **Table 6-2**).

6 SHORTAGE RESPONSE ACTIONS

☑ ***CWC § 10632 (a) (4)***

Shortage response actions that align with the defined shortage levels and include, at a minimum, all of the following:

(A) Locally appropriate supply augmentation actions.

(B) Locally appropriate demand reduction actions to adequately respond to shortages.

(C) Locally appropriate operational changes.

(D) Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions.

(E) For each action, an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.

☑ ***CWC § 10632 (b)***

For purposes of developing the water shortage contingency plan pursuant to subdivision (a), an urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.

This section describes the response actions the City will take to deal with the shortages associated with each of the six stages enumerated in Section 5.

6.1 Demand Reduction

As shown in **Table 6-1**, the WSCP lists the demand reduction methods that the City will implement during each stage of action to reduce the City's own water consumption and encourage reduction in water use by its customers. The monthly and cumulative annual water savings impacts associated with each restriction, prohibition and consumption reduction method were quantitatively estimated using the Drought Response Tool (DRT)[4] for each stage of action, see Attachment 1.

A main focus of the City's planned demand reduction measures is to increase public outreach and keep customers informed of the water shortage emergency and actions they can take to reduce consumption. The public outreach efforts that the City will implement to respond to a water shortage are described in Section 7.

6.1.1 Prohibitions on End Uses

Restrictions and prohibitions associated with each stage in the City's WSCP are presented in **Table 6-1**. As discussed above, these responses focus on the reduction of non-essential water uses such as ornamental

[4] The DRT is an Excel spreadsheet model developed by EKI Environment & Water, Inc. that calculates monthly savings by implementing drought response actions.

landscape irrigation, and preserve water uses that are estimated to the health, safety, welfare, and economic vitality of the City's customers.

In addition, several mandatory prohibitions are enforced at all times as part of Stage 1 to eliminate water waste, which include each of the prohibitions on end uses that are anticipated to be mandated by the SWRCB in response to Executive Order B-37-16. Prohibitions in subsequent stages go beyond the SWRCB requirements and become increasingly restrictive.

6.1.2 Defining Water Features

☑ ***CWC § 10632 (b)***

For purposes of developing the water shortage contingency plan pursuant to subdivision (a), an urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.

As required by CWC § 10632, the City distinguishes between "decorative water features" such as ponds, lakes, and fountains that are artificially supplied with water and "recreational water features" such as swimming pools and spas. Prohibitions on water use for decorative water features are listed separately from those for recreational water features (see **Table 6-1**).

6.2 Supply Augmentation

As described in Chapter 6 of the UWMP, the City has made significant efforts to develop new supplies. If water shortages occur, the City intends to explore additional transfers and purchases from other sources. The amount of supply available cannot be quantified at this time and therefore is not included in **Table 6-2**.

Table 6-2 lists other actions that the City will take, including promoting public awareness, offering water use surveys, implementing drought surcharge, etc.

Table 6-1 Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
1	Other	5%	• Prohibitions: o Allowing flagrant water waste or incidental water runoff. o Irrigating using a hose without a shutoff nozzle attached. o Using potable water to operate non-recirculating decorative water features, including splash pads. o Irrigating outdoors during and within 48 hours following a measurable rainfall. "Measurable rainfall" means any amount of precipitation that generates a puddle or runoff. o The serving of drinking water other than upon request, in eating or drinking establishments. o Irrigating ornamental grass or turf on public street medians. o Irrigating outside of newly constructed homes and buildings in a manner that is inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development. o Irrigating any hardscape. • Mandatory requirements: o Any customer must properly maintain all outdoor plumbing and irrigation systems and control all leaks within 72 hours of discovery or notification. o Customers shall practice prudent water conservation measures, including: (i) Planting drought-tolerant landscapes; (ii) Installing and maintaining water-efficient irrigation systems such as drip and bubble irrigation with weather or soil-based controllers; (iii) Installing sprinkler heads with a low flow rate appropriate for the landscape to prevent overwatering and runoff; (iv) Watering only in the late night or early morning hours during non- windy periods. o A hose that dispenses potable water shall be fitted with a shut-off	Yes

Table 6-1 Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
			nozzle or flow restriction device attached to it that causes it to cease dispensing water immediately when not in use. o All swimming pools, hot tubs, and spas installed after May 1, 1993 must have a separation tank and water recovery system installed in the filter backwash system, with a 90% water recovery standard. o Each swimming pool, hot tub and spa installed after July 15, 2015 must have a non-permeable floating cover or equivalent device that provides 90% surface coverage. • All landscape irrigation is restricted to before 9:00 a.m. or after 7:00 p.m. daily. This applies to residential, commercial, industrial, institutional, municipal and other public agencies or entities. • Restaurants and commercial lodging establishments must post notice of drought conditions. • Hotels and motels must offer guests an option to opt out of linen/towel service.	

Table 6-1 Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
2	Other	15%	• Continue with actions and measures from Stage 1. • Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated three days per week as follows: (1) Odd-numbered addresses may irrigate only on Monday, Wednesday and Saturday before 9:00 a.m. and after 7:00 p.m. (2) Even-numbered addresses may irrigate only on Tuesday, Thursday and Sunday before 9:00 a.m. and after 7:00 p.m. (3) At any time provided that only drip, microspray or bubbler irrigation is used. • Any customer must repair and control all outdoor water leaks that violate TMC §11.28, as determined by the City, within 48 hours of discovery or notification. • Except as otherwise provided, individual residential car washing is allowed only with the use of a bucket. "Individual residential car washing" means the cleaning with potable water of a motor vehicle that is registered to an individual who lives on the premise. • Automobile and recreational vehicle dealerships are allowed to continue washing vehicles with a hose that is fitted with a shut-off nozzle or flow restriction device attached under the following conditions: (1) Automobiles and recreational vehicles may be washed only on Friday using the method outlined above. (2) An automobile, motorcycle, boat or motorhome may be washed the day before or the day of delivery to the purchaser using the method outlined above before 9:00 a.m. or after 7:00 p.m. • No customer may add water or refill a swimming pool, spa or hot tub unless it has a separation tank and water recovery system installed in the filter backwash system, with a 90% water recovery standard and it is a maintenance or health and safety issue.	Yes

Table 6-1 Demand Reduction Actions (DWR Table 8-2)

Shortage Level	Demand Reduction Actions	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
3	Other	25%	• Continue with actions and measures from Stages 1 and 2. • Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated two days per week as follows: (1) Odd-numbered addresses may irrigate only on Wednesday and Saturday before 9:00 a.m. and after 7:00 p.m. (2) Even-numbered addresses may irrigate only on Thursday and Sunday before 9:00 a.m. and after 7:00 p.m.	Yes
4	Other	35%	• Continue with actions and measures from Stages 1 through 3. • Landscapes, including residential, commercial, industrial, institutional, municipal and other public agencies or entities, may be irrigated one day per week as follows: (1) Odd-numbered addresses may irrigate only on Wednesday before 9:00 a.m. and after 7:00 p.m. (2) Even-numbered addresses may irrigate only on Thursday before 9:00 a.m. and after 7:00 p.m.	Yes
5	Other	45%	• Continue with actions and measures from Stages 1 through 4. • No outdoor potable water uses are allowed. • No recreational water uses are allowed.	Yes
6	Other	55%	• Continue with actions and measures from Stages 1 through 5. • Water use shall not exceed the water budget established for each account type. • City Council may prohibit water uses not required for public health and safety and fire protection.	Yes

NOTES:
(a) The percentages listed in this table are the cumulative savings for each shortage level with implementation of corresponding supply augmentation and other agency actions in Table 6-2. Detailed saving estimates based on end use, response action, and implementation rates are in Attachment 1.

Table 6-2 Supply Augmentation and Other Actions (DWR Table 8-3)

Shortage Level	Supply Augmentation Methods and Other Actions by Water Supplier	How much is this going to reduce the shortage gap? (a)	Additional Explanation or Reference
1	Other	5%	• Expand outreach for existing water conservation programs. • Promote public awareness (e.g., website, social media).
2	Other	15%	• Continue with actions and measures from Stage 1. • Increase public outreach (e.g., water bill inserts, media campaign, hosting public events and workshops). • Offer water use surveys to up to the top 10% of residential, CII, and irrigation accounts. • Increase enforcement efforts. • Decrease frequency and length of line flushing.
3	Other	25%	• Continue with actions and measures from Stages 1 and 2. • Establish a drought hotline. • Conduct an audit of up to 25% of the City's distribution system to identify and repair leaks. • Expand water use surveys to up to the top 20% of residential and CII accounts and up to the top 50% of dedicated irrigation accounts.
4	Other	35%	• Continue with actions and measures from Stages 1 through 3.
5	Other	45%	• Continue with actions and measures from Stages 1 through 4. • City Council may implement a drought rate surcharge, as set forth in TMC §11.28.230. • No new water connections may be approved.
6	Other	55%	• Continue with actions and measures from Stages 1 through 5. • Reduce distribution system pressure. • Establish water budgets for all customer accounts.
NOTES: (a) The percentages listed in this table are the cumulative savings for each shortage level with implementation of corresponding demand reduction actions in Table 6-1. Detailed saving estimates based on end use, response action, and implementation rates are in Attachment 1.			

6.3 Operational Changes

The water shortage response actions included in **Table 6-1** and **Table 6-2** include the operational changes that the City will implement during each stage of action, including measures to: (1) reduce system losses through reductions in line flushing and system pressure, (2) increase enforcement and patrols, (3) develop water budgets, and in certain conditions, (4) implement a moratorium on new services.

6.4 Mandatory Restrictions

The water shortage response actions included in **Table 6-1** include a variety of mandatory customer water use restrictions that will be necessary to achieve the targeted demand reductions for the different shortage stages. The types of restrictions and the manner and degree of enforcement for these restrictions vary by stage, and are discussed in Section 8.

6.5 Emergency Response Plan

In response to the requirements of the Public Health, Security and Bioterrorism Preparedness and Response Act of 2002 (Bioterrorism Act), which amended the Safe Drinking Water Act to include Section 1433, the City prepared a Water System Emergency Response Plan (WSERP). The City's WSERP provides a framework for emergency response by the City's Utilities Department by describing the department's emergency management organization, roles, and responsibilities and emergency policies and procedures. Excerpts from the City's WSERP can be found in Attachment 2. In accordance with the aforementioned goals, the WSERP:

- Describes the Department of Utilities' emergency management organization;
- Identifies of the types of emergencies that the Department of Utilities may need to respond to for its water system;
- Outlines the roles and responsibilities the Department of Utilities and its staff during emergency response and recover; and
- Compiles and organizes water system emergency response protocols and procedures.

Prior to the 2003 WSERP, the City had developed numerous emergency planning and procedures documents which provide information on emergency roles and responsibilities and specific emergency procedures for the City's water supply and distribution facilities. Tracy's 2003 WSERP is not intended to replace these documents, but is designed to work in conjunction with existing plans. Additional water supply emergency plans adopted by the City include:

- City of Tracy Emergency Plan;
- Emergency Response Handbook;
- City of Tracy General Standby Procedures;
- Process Safety Management Program;
- Emergency Action Plan;

- Department of Health Services Water Quality Emergency Notification Plan;
- Water Treatment Plant Operations Manual;
- Water Treatment Plant Operations Plan;
- Risk Management Plan; and
- Hazardous Materials Business Plan.

A more complete description of these plans can be found in the WSERP.

6.5.1 Types of Emergencies

Several types of emergencies can occur which could impact the City's water system and its operations. The City's WSERP is designed to assist the City in quick response to water system emergencies that may include the following natural or man-made causes:

- Earthquake;
- Fires;
- Contamination or loss of water supply;
- Hazardous materials spills or leaks;
- Severe storms or floods;
- Landslides;
- Pipelines, reservoir, tank and/or building failure;
- Civil unrest, vandalism, or terrorist action or threat;
- National security emergency;
- Widespread power outage;
- Airplane crash;
- Traffic/highway accidents; and
- Intrusion through Supervisory Control and Data Acquisition system.

It is important to note that there are a number of events, such as large earthquakes or fires, which occur infrequently, but have a very high impact potential. There are also events, such as severe storms and floods, which have less of an impact potential, but occur more frequently. Although the planning basis for Tracy's WSERP is for a major emergency, the principles outlined in the WSERP can be applied to any type or magnitude of event.

6.5.2 Emergency Categories and Response Levels

Four response categories have been defined in the WSERP to provide a common method of describing the type of event, area affected, and the extent of coordination or assistance needed. These categories

include the following: (0) Readiness/Routine Response, (1) Local Emergency, (2) Local Disaster, and (3) Major Disaster (see Table 6, Attachment 2).

Depending on the severity of a given emergency, the situation may warrant response from different levels of government consistent with the Standardized Emergency Management System. Tracy's WSERP identifies these levels as State, Regional, Operational Area (San Joaquin County), Local (City of Tracy), or Field (Utilities Staff). The extent of each levels' responsibilities is described in Figure 1 of Attachment 2 and their involvement in each of the four emergency response categories are outlined in Table 6 of Attachment 2.

6.5.3 Plan Activation, Response, and Deactivation

Table 9 in Attachment 2 gives the response categories, triggers, and potential response actions to be implemented to the extent required by the nature and scope of the emergency. The activation process includes plan triggers, staff responsibilities, mutual aid or assistance availability, and damage assessment. Responses are coordinated in accordance with the severity and extent of the emergency.

Table 10 of Attachment 2 identifies deactivation triggers and potential actions to be implemented once the emergency situation has been corrected and water quality is established. The deactivation process is in the reverse order of the activation process, starting with the highest category attained in the activation process.

6.6 Seismic Risk and Mitigation Plan

☑ ***CWC § 10632.5***

(a) In addition to the requirements of paragraph (3) of subdivision (a) of Section 10632, beginning January 1, 2020, the plan shall include a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities.

(b) An urban water supplier shall update the seismic risk assessment and mitigation plan when updating its urban water management plan as required by Section 10621.

(c) An urban water supplier may comply with this section by submitting, pursuant to Section 10644, a copy of the most recent adopted local hazard mitigation plan or multihazard mitigation plan under the federal Disaster Mitigation Act of 2000 (Public Law 106-390) if the local hazard mitigation plan or multihazard mitigation plan addresses seismic risk.

The City has prepared a Local Hazard Mitigation Plan (LHMP), which discusses in detail the potential risk associated with earthquake hazard and includes a mitigation action plan. The LHMP can be found at the City's website at: https://www.ci.tracy.ca.us/?navid=9460. As described in the LHMP, the City is located in an area of moderate seismic activity. There are a number of faults within and around the City that have the potential to produce earthquakes that could impact the City. However, the overall significance of the earthquake hazard is considered medium due to the occasional probability of occurrence.

6.7 Shortage Response Action Effectiveness

In order to evaluate and ensure that effective actions will be implemented with the proper level of intensity, the City employed the DRT model. The DRT model calculates monthly savings anticipated by implementing each stage as detailed below.

6.7.1 Baseline Water Use Profile

Using the DRT, the City developed a baseline water use profile that reflected recent usage patterns within the City's service area by major water use sector during 2017 to 2019 (see **Table 6-3**). Key findings from these analyses are presented below.

Residential Per Capita Demand

The City's baseline residential per capita demand was approximately 100 R-GPCD.

Estimated Proportion of Outdoor Water Use

As shown on **Table 6-3** and the associated charts, outdoor water use, which can generally be considered as a "discretionary or non-essential water use", was estimated to be approximately 42% of the City's total consumption during this baseline time period (2017 to 2019). Dedicated irrigation meters for potable water accounted for 13% of the total potable irrigation demand.

The DRT estimates indoor water use to be equivalent to the lowest monthly water use for each sector, accounting for the number of days in each month. Outdoor water use for each sector was estimated to be the difference between the total water use and the estimated indoor water use. If City customers tend to irrigate more heavily during winter months, this method would conservatively result in an underestimation of the proportion of outdoor water use.

The proportion of outdoor water use within the residential and CII sectors is estimated to be 40% and 35%, respectively. This indicates that there is potential to achieve significant water savings across these sectors, simply by focusing on outdoor uses. If the proportion of outdoor water use is being underestimated by the DRT method, then even more substantial savings may be achieved through targeting outdoor water use. As further shown in the **Table 6-3** and associated charts, the seasonal variation in baseline water use reflects increased irrigation demands during the summer and fall months. Therefore, the greatest potential for reductions in non-essential water use are expected during these months.

Table 6-3 Baseline Water Use Profile

Sector	End-Use	Baseline (2017-2019) Water Use													Annual % of Total by Sector
		January	February	March	April	May	June	July	August	September	October	November	December	Annual	
Residential	Indoor	537	485	537	519	537	519	537	537	519	537	519	537	6,317	60%
	Outdoor	0	88	11	134	252	537	602	789	559	626	354	195	4,148	40%
	Subtotal Residential	*537*	*573*	*548*	*653*	*789*	*1,056*	*1,139*	*1,325*	*1,079*	*1,162*	*873*	*732*	*10,466*	-
CII	Indoor	170	154	170	165	170	165	170	170	165	170	165	170	2,006	65%
	Outdoor	0	34	3	35	99	123	129	175	157	157	70	107	1,089	35%
	Subtotal CII	*170*	*188*	*173*	*200*	*270*	*288*	*299*	*345*	*322*	*327*	*235*	*277*	*3,095*	-
Dedicated Irrigation	Outdoor	40	25	40	155	228	238	316	350	312	297	149	60	2,210	100%
Non-Revenue	Non-Revenue	246	127	267	248	406	354	388	78	113	-117	-9	-120	1,981	100%
Total	Indoor	707	639	707	684	707	684	707	707	684	707	684	707	8,323	47%
	Outdoor	40	147	54	324	580	898	1,047	1,314	1,028	1,079	573	362	7,447	42%
	Non-Revenue	246	127	267	248	406	354	388	78	113	-117	-9	-120	1,981	11%
	Total	**993**	**913**	**1,028**	**1,256**	**1,693**	**1,936**	**2,142**	**2,098**	**1,825**	**1,669**	**1,249**	**948**	**17,751**	-

NOTES:
(a) Baseline water use is calculated as the average of 2017 to 2019 water use. Volumes are in units of AF.
(b) Indoor water use was estimated to be the lowest monthly water use for each sector, accounting for the number of days in each month. Outdoor water use for each sector was estimated to be the difference between the total water use and the estimated indoor water use.

Chart 6-3A Baseline Year Annual Water Use by Sector and End Use

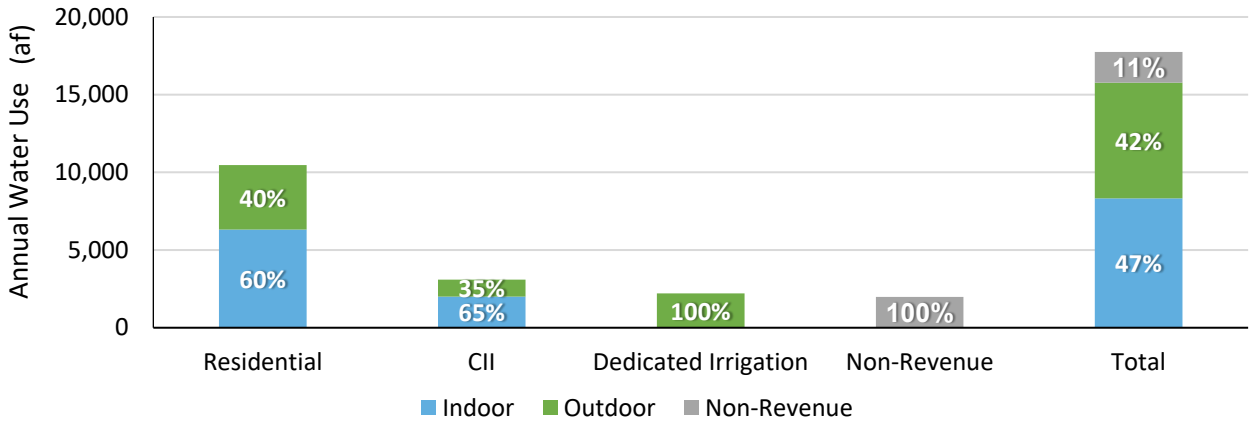
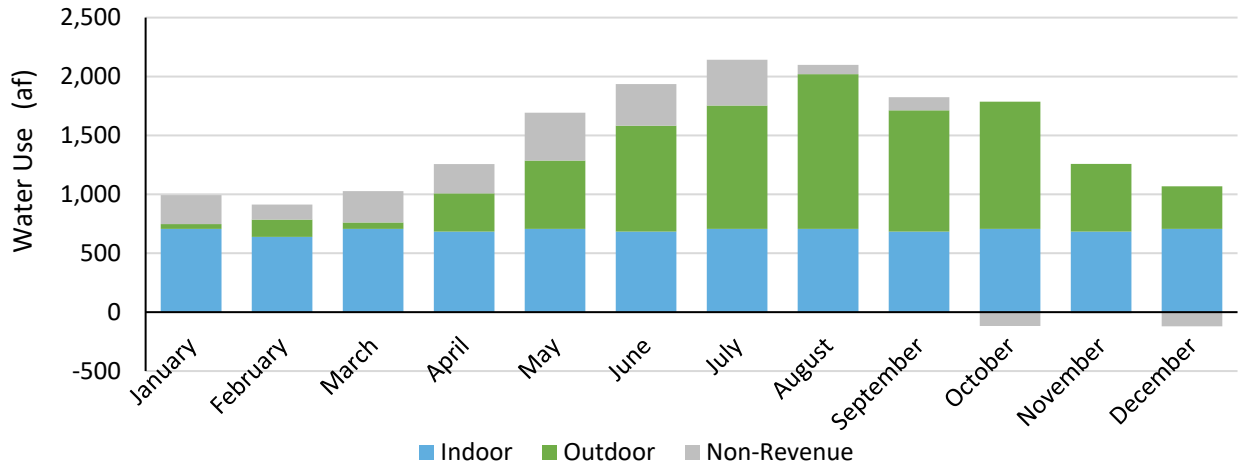


Chart 6-3B Baseline Year Monthly Indoor vs. Outdoor Water Use



6.7.2 Shortage Response Action Effectiveness

The DRT model provides a quantitative framework that allows the City to systematically estimate the monthly and cumulative annual demand reductions expected to result from particular combinations of drought response actions and associated implementation rates. Data inputs to the DRT model include total production, class-specific water use, population, and assumptions regarding the split between indoor and outdoor water use for each customer class.

For each drought response action, the user specifies:

- The customer class(es) and end use(s) that are affected;
- The percent savings for that end use for each account that implements the action. These are based on evaluations reported in the literature, or where such studies are not available, on best estimates based on the City's experience; and
- The percentage of accounts assumed to implement the action, which is presumed to be the result of the intensity level of the City's program implementation, including but not limited to, marketing and enforcement activities.

An additional critical DRT user input is a set of constraints on demand reductions to ensure that usage levels do not endanger health and safety or result in unacceptable economic impacts. The DRT model will not permit estimated usage reductions to violate these constraints, regardless of the demand reduction actions selected. The constraints are:

- A minimum residential indoor per capita daily usage of 25 gallons;
- A maximum residential outdoor usage reduction of 100%;
- A maximum CII indoor usage reduction of 30%; and
- A maximum CII outdoor usage reduction of 100%.

Based on the foregoing data, the DRT model calculates the resulting monthly savings. The City adjusted the combination of actions and implementation levels to achieve the targeted savings levels at each of the six stages of action.

For each of the stages, the modeling targeted the mid-range of the required demand reduction range, ergo:

- 5% for Stage 1;
- 15% for Stage 2;
- 25% for Stage 3;
- 35% for Stage 4;
- 45% for Stage 5; and
- 55% for Stage 6.

The City's shortage response actions are summarized in **Table 6-1** and **Table 6-2**. Key DRT inputs and outputs for each of the stages of action are reproduced in Attachment 1, including water shortage

reduction actions, savings assumptions, and implementation rates that are required for the City to achieve the required annual demand reductions for each of the six stages of action. At each stage, there are two types of demand-reduction actions identified:

- Restrictions on customer water usage; and
- Consumption reduction actions by the City to encourage decreased water usage.

Many actions are implemented across a number of stages, some at increasing implementation levels. Therefore, the actions in **Table 6-1** and **Table 6-2** are listed as a row under the first stage at which they are implemented. The percentage savings represent total savings achieved by implementing the actions listed under that stage.

7 COMMUNICATION PROTOCOLS

☑ *CWC § 10632 (a) (5)*

Communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding, at a minimum, all of the following:

(A) Any current or predicted shortages as determined by the annual water supply and demand assessment described pursuant to Section 10632.1.

(B) Any shortage response actions triggered or anticipated to be triggered by the annual water supply and demand assessment described pursuant to Section 10632.1.

(C) Any other relevant communications.

7.1 Communication Objectives

The City's main objective is to be transparent and provide the necessary information in the most efficient manner to achieve the following:

- Encourage all water consumers to implement both voluntary and mandatory actions that increase conservation for the current level of the WSCP enacted;
- Ensure that all sectors are aware of the current situation or emergency that is creating the need to conserve through increased outreach and education;
- Reduce mixed messages that create confusion, maintain integrity through our own actions, and ensure all messages are appropriate for the level of action being requested;
- Provide accolades for accomplishments by all sectors for reductions that are being realized through water conservation, efficiencies, and other actions taken;
- Engage not only the general public but the City's business and civic leaders, elected officials, and employees in the actions that may be taken in order to assist with the current emergency or situation as well as future water reliability savings;
- Keep the City informed and prepared for either increasing or decreasing WSCP action levels based on hydrologic and ongoing conditions;
- Request feedback from stakeholders and the general public frequently and incorporate where possible; and
- Reduce the action level of the WSCP to the lowest level and show demonstrated results of the community's actions and impacts to the City's quality of life and our economy.

7.2 Communication Protocols

The City's communication protocols include a multi-media platform that will be utilized to convey important messages regarding water shortages and both voluntary and mandatory actions. Public outreach plays a vital role in increasing the awareness of the need to reduce water use across all

water sectors. A strong communication plan will educate City ratepayers as well as community leaders and the community as a whole on the City's current water supply situation. It will also inform the actions necessary to achieve the City's conservation goals and how they will be implemented. It is important to communicate these messages to ratepayers as early as possible:

- Specific actions the City is requesting to conserve water;
- How much the City needs to save and the duration;
- What is creating the shortage; and
- How the City is implementing actions to correct the problem or situation.

7.2.1 Communications for a Predicted or Ongoing Shortage

Each stage of the WSCP is implemented with a formal declaration by the City Council. Procedures for water shortage declaration and determination are detailed in Section 4. Even before formal declaration of a water shortage, a public information program will be activated to provide customers with as much advance notice as possible.

For a predicted or ongoing shortage that requires an up or down movement in the City's WSCP Shortage Level, the City Council will declare the existence of a shortage condition. The City will post these declarations on its website and other multi-media outlets. This will also require a City resolution announcing the actions and prohibitions at each stage level with the declaration and City Council approval.

The general public will be notified of the predicted or ongoing shortage level and the implementation actions necessary for them to follow. The implementation of the shortage action level will take effect once approval by City Council has been obtained and will be noticed in the appropriate locations such as newspaper, City Hall, and the Utilities Department, as well as other multi-media outlets.

7.2.2 Routine Communication Protocols

To ensure enacted water shortage levels actions are effectively communicated, the City will increase its public education and outreach efforts across all sectors. The outreach materials and methods will be updated frequently during the anticipated or ongoing shortage to reflect the current water use reductions or prohibitions. This communication may include the following:

- Convey key status changes to all sectors for all water shortage levels;
- Provide frequent updates to City Manager and the City media on conditions and implementation actions by City for all water shortage levels;
- Increase coordination with other departments and agencies on all water shortage levels;
- Conduct briefings with City Manager and other key civic and business leaders at all water shortage levels;
- Promote available water assistance programs and resources to vulnerable members of the community and outreach materials for impacted sectors in all water shortage levels;

- Suspend promotion of landscape and outdoor incentive programs during Stages 5 and 6; and
- Suspend promotion of all water use efficiency programs and concentrate on imminent needs during water Stages 5 and 6.

The City has a full array of platforms to implement its communication protocols and strategies. At any time, the City may update its website, social media platforms, and email contact list to reflect changing conditions and to convey important messages. The City may also decide to hold in-person workshops, news conferences, or other events to inform changes in conditions. The City is prepared and determined to provide effective and efficient communication during times of shortages.

7.2.3 Communications for Catastrophic Events

In the event of a catastrophic supply event that interrupts water service, the City Council will immediately deploy the appropriate level of the WSCP that is best suited for the situation. All messaging will reflect the emergency conditions and the need for public health and safety implementation. The City will coordinate with emergency response services, incident command and public health providers in order to provide updates as they become available.

7.3 Coordination

Coordination between the City and with other public agencies can begin prior to formal declaration of a water shortage and can be accomplished through regular meetings, e-mail group updates, and presentations. In a regional water shortage scenario, the City would use public outreach resources and materials provided by USBR and/or SSJID. In addition to these materials, the City may develop its own materials to communicate with customers, such as a dedicated customer service hotline, and expand its normal public outreach to support its water conservation efforts (see Chapter 9 of the UWMP).

In order for the City to ensure that it is effectively communicating its message without confusion and keeping its integrity, the City plans to work closely with its water suppliers, other departments within the City and our community at all levels. During drought and/or other times when supply is limited, this coordination may need to increase in order to ensure outreach is being conducted efficiently and as needed to adapt to the changing environment. The City always looks for ways to leverage other resources with its own in order to provide the highest level of service.

8 COMPLIANCE AND ENFORCEMENT

☑ ***CWC § 10632 (a) (6)*** *For an urban retail water supplier, customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions as determined pursuant to Section 10632.2.*

The City is authorized under Chapter 11.28, Article 6 of the TMC to enforce the requirements of the WSCP. Relevant sections of the TMC are excerpted below.

> ***11.28.050 - Authority.***
>
> *The following officers and employees are authorized to enforce this chapter, including issuing an order to cease and desist and/or a notice of intention to impose a penalty: City Manager, Director of Development Services, Director of Public Works, Director of Utilities, Water Resources Coordinator, Water Resources Analyst, Environmental Control Officer, Environmental Compliance Technician, Water Patrol, Sworn Peace Officers, Firefighters, and Code Enforcement Officers.*
>
> *(Prior code § 11-7.301)*
>
> *(Ord. No. 1196, § 1 (Exh. A), 6-16-2015; Ord. No. 1227, § 1(Exh. A), 10-18-2016)*

Enforcement of the City's water use restrictions and prohibitions is focused on soliciting cooperation from water customers who are unaware of the restrictions or have failed to comply with the provisions of the WSCP. The City first issues a Notice of Violation informing customers regarding the specific violation and corrective action within 72 hours. If the first notice does not work, the City issues a second Notice of Violation. If the two cease and desists notices do not result in compliance, the WRCM sends a Notice of Intent to Impose a Penalty letter, by certified mail, to the owner which identifies the dates, times, violations noted and penalty amounts. It also contains information on the appeals process. Relevant sections of the TMC are excerpted below.

> ***11.28.060 - Enforcement and Implementation.***
>
> *The City Manager or his/her designee is charged with primary responsibility for the implementation and enforcement of this chapter. If there is a conflict between two stages (at Section 11.28.160 through 11.28.210), the more restrictive stage shall apply. The Director shall prepare the forms, warnings, and similar documents as he or she deems necessary or appropriate to implement this chapter.*
>
> *(Prior code § 11-7.302)*
>
> *(Ord. No. 1196, § 1 (Exh. A), 6-16-2015; Ord. No. 1227, § 1(Exh. A), 10-18-2016)*
>
> ***11.28.070 - Order, notice, penalty and appeal.***
>
> *(a) Cease and desist order. Upon a determination by the Director that a person has consumed or used water in violation of a mandatory provision of this chapter, the Director may issue an order to cease and desist from the violation, and further order that the person comply with this chapter, or otherwise take appropriate remedial or preventive action. The Director shall serve the order:*
>
> *(1) Personally; or*
>
> *(2) By leaving or posting a copy at the person's residence or place of business; or*

(3) By mail.

(b) Notice of intent to impose a penalty. If, after the issuance of a cease and desist order, the person continues to consume or use, or again consumes or uses, water in violation of this chapter, the Director may issue a notice of intention to impose a penalty. The notice shall:

(1) Identify the date and time of the violation,

(2) State the amount of penalty to be imposed, and

(3) Advise the person of the appeal rights. The notice of intention shall be served in the same manner as the cease and desist order.

(c) Penalty. After the notice of intent to impose a penalty is served, a penalty shall be assessed in the amount of: One Hundred and no/100ths ($100.00) Dollars for the first violation, Two Hundred and no/100ths ($200.00) Dollars for the second violation, and Five Hundred and no/100ths ($500.00) Dollars for the third and each subsequent violation. The penalty is subject to collection in the same manner as utility service charges.

(d) Appeal. A person may appeal the imposition of the penalty assessed to the utility account. The person must request an appeal within fifteen (15) calendar days from the date of service of the notice of intention to impose a penalty. The request for an appeal hearing must be addressed to the City Manager and received by the City within the fifteen-day period. Failure to timely appeal constitutes a waiver of the right to appeal (and the penalty will be assessed).

(e) Appeal hearing. If timely requested, the appeal hearing shall be held before the City Manager, or his or her designee, who shall make a factual finding on the existence of a violation(s). The hearing shall be held within thirty (30) days from the date the City receives the appeal, unless continued by mutual consent. The hearing officer shall give notice by first class mail of the date and time of the appeal hearing, at least ten days before the hearing. The appellant may present witnesses and documentary evidence, and may be represented by anyone of his or her choosing. The decision of the hearing officer is final.

9 LEGAL AUTHORITIES

☑ ***CWC § 10632 (a) (7)***

(A) A description of the legal authorities that empower the urban water supplier to implement and enforce its shortage response actions specified in paragraph (4) that may include, but are not limited to, statutory authorities, ordinances, resolutions, and contract provisions.

(B) A statement that an urban water supplier shall declare a water shortage emergency in accordance with Chapter 3 (commencing with Section 350) of Division 1.

(C) A statement that an urban water supplier shall coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.

☑ ***CWC § 10632.3***

It is the intent of the Legislature that, upon proclamation by the Governor of a state of emergency under the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code) based on drought conditions, the board defer to implementation of locally adopted water shortage contingency plans to the extent practicable.

Under California law, including CWC Chapters 3.3 and 3.5 of Division 1, Parts 2.55 and 2.6 of Division 6, Division 13, and Article X, Section 2 of the California Constitution, the City Council is authorized to implement the water shortage actions outlined in this WSCP. In all water shortage cases, shortage response actions to be implemented will be at the discretion of the City Council and will be based on an assessment of the supply shortage, customer response, and need for demand reductions.

It is noted that upon proclamation by the Governor of a state of emergency under the California Emergency Services Act (Chapter 7 [commencing with Section 8550] of Division 1 of Title 2 of the Government Code) based on drought conditions, the state will defer to implementation of locally adopted water shortage contingency plans to the extent practicable. The City will coordinate with San Joaquin County within which it provided water supply services as well as other regional and local water suppliers for possible proclamation of a local emergency, as necessary. The City shall declare a water shortage emergency in accordance with Water Code Chapter 3 (commencing with Section 350) of Division 1 general provision regarding water shortage emergencies.

As discussed above, the City has authority under Chapter 11.28, Article 6 of the TMC to require water rationing and conservation and to enforce penalties. An adopted water shortage contingency resolution is included as Attachment 3.

10 FINANCIAL CONSEQUENCES OF WSCP

☑ ***CWC § 10632 (a) (8)***

A description of the financial consequences of, and responses for, drought conditions, including, but not limited to, all of the following:

(A) A description of potential revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).

(B) A description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).

(C) A description of the cost of compliance with Chapter 3.3 (commencing with Section 365) of Division 1.

Since the City bills its customers per unit volume of water consumed, the City will experience a reduction in revenue to the City's Water Enterprise Fund upon implementation of the WSCP. To compensate for the expected revenue reduction caused by water conservation, the City reserves the authority to implement temporary water rate increases, as adopted by resolution of the City Council (TMC §11.28.220). Additionally, the City Council may adopt a resolution to establish a water rate structure, including excess water use surcharges, that provides incentives to conserve water (TMC §11.28.230). Individual customers may seek a waiver of to excess water use surcharges through the variance process set forth in TMC §11.28.240.

The City's current water rate structure uses a tiered conservation structure for all residential customers. The structure is four consumption-based tiers with progressively higher commodity charges at each tier to pay for the increased costs related to peak demands. This structure is also proven to encourage conservation year-round. The City anticipates performing a new Water Rate Study in Fiscal Year 2022/23 in order to address the needs of the Utilities Department going forward. Any rate increases would have to be approved by City Council via the Proposition 218 noticing and public hearing process.

The City also anticipates the potential necessity to tap into reserves in order to operate, manage and maintain its water system as the current rate structure is not adequately preparing for the impacts of significant shortages.

Further, the City may defer capital improvements. This is a necessary action in order to meet contractual requirements of bond holders as it relates to outstanding debt, as the City must maintain a minimum debt service coverage ratio. This action is critical to obtaining future funding for capital projects required for improving water system reliability and to mitigate future drought and emergency situations. Any reallocation of capital project funding to meet short-term emergency needs would be restricted by bond covenants that require bond proceeds to be used exclusively for capital projects.

Table 10-1 summarizes the City's measures to mitigate the impacts of prolonged water shortages or emergencies on revenues and expenditures.

Table 10-1 Summary of Measures to Mitigate Revenue and Expenditure Impacts

Name of Measure	Summary of Effects
Council approved rate increase	• Provides additional revenues when water sales decline or expenditures increase • Replenishes reserve funds used to offset effects of shortages
Use of Operating Reserve	• Provides for unanticipated needs when normal water supply is disrupted by a catastrophic event
Use of Rate Stabilization Reserve	• Provides a source of funds to mitigate future rate increases by maintaining legal covenanted rates
Reductions in expenditures through possible deferrals	• Reduces current operational expenditures to compensate for reduction in water sales revenue • Delays operations and maintenance and capital improvements

11 MONITORING AND REPORTING

☑ ***CWC § 10632 (a) (9)*** *For an urban retail water supplier, monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.*

All of the City's current service connections are metered and meters are read on a monthly basis. Actual water savings achieved by implementing the WSCP will be determined by comparing water consumption records while WSCP is in place with an appropriate baseline consumption.

Pursuant to California Code of Regulations (CCR) Title 23 §991, the City reports monthly water use and production to the SWRCB[5]. Effective October 1, 2020, during a governor declared drought emergency or when an urban water supplier invokes a water shortage level to respond to a drought greater than 10%, each supplier is required to submit an expanded report that contains the supplier's actions and statistics in achieving planning reductions.

[5] Water supplier monthly reports can be accessed at https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/conservation_reporting.html

12 WSCP REFINEMENT PROCEDURES

☑ ***CWC § 10632 (a) (10)*** *Reevaluation and improvement procedures for systematically monitoring and evaluating the functionality of the water shortage contingency plan in order to ensure shortage risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented as needed.*

The WSCP is implemented as an adaptive management plan. The City will evaluate the need to revise its WSCP every year after performing its Annual Assessment. The evaluation will consider the effectiveness of WSCP actions and any anticipated water supply shortages assessed by the Annual Assessment. If the WSCP is revised, the City Council will adopt a new resolution adopting the revised WSCP, and if necessary, declare a water shortage level to implement.

13 PLAN ADOPTION, SUBMITTAL, AND AVAILABILITY

☑ ***CWC § 10632 (c)*** *The urban water supplier shall make available the water shortage contingency plan prepared pursuant to this article to its customers and any city or county within which it provides water supplies no later than 30 days after adoption of the water shortage contingency plan.*

The City informed the public and the appropriate agencies of: (1) its intent to prepare a WSCP, (2) where the WSCP was available for public review, and (3) when the public hearing regarding the WSCP would be held. All notifications were completed in compliance with the stipulations of Section 6066 of the Government Code.

A copy of the adopted 2020 WSCP including any amendments will be provided to the DWR, the California State Library, San Joaquin County, and SSJID within 30 days of the adoption (Attachment 3). An electronic copy of the adopted 2020 WSCP will be submitted to the DWR using the DWR online submittal tool.

A copy of the adopted 2020 WSCP will be available for public review in Tracy City Hall during normal business hours and on the City website within 30 days after filing the plan with DWR.

ATTACHMENT 1

DROUGHT RESPONSE TOOL QUANTITATIVE ASSESSMENT

Drought Response Tool

Home | Input Baseline Year Water Use | Baseline Year Water Use Profile | Drought Response Actions | Estimated Water Savings | Drought Response Tracking

1 - Home

City of Tracy

Enter Agency Information	
Agency Name	City of Tracy
Total Population Served	93,009
Baseline Year(s)	2017-2019
Percentage of Residential Indoor Use During Minimum Month (%)	100%
Percentage of CII Indoor Use During Minimum Month (%)	100%
Comments	

Navigation	
USER'S GUIDE	Download and read the guide before using this Tool
1 - HOME	Enter agency information
2 - INPUT BASELINE YEAR WATER USE	Enter Baseline Year production and use
3 - BASELINE YEAR WATER USE PROFILE	Review and confirm entered information
4 - DROUGHT RESPONSE ACTIONS	Select Drought Response Actions and input estimated water savings and implementation rates.
5 - ESTIMATED WATER SAVINGS	Review estimated water production and compare estimated savings to conservation target.
6 - DROUGHT RESPONSE TRACKING	Track production and water savings against the conservation target.

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Drought Response Tool

Home | Input Baseline Year Water Use | Baseline Year Water Use Profile | Drought Response Actions | Estimated Water Savings | Drought Response Tracking

1 - Home

City of Tracy

For questions about this tool or for additional information, contact:

Anona Dutton, P.G., C.Hg.
adutton@ekiconsult.com
(650) 292-9100

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2 - Input Baseline Year (2017-2019) Water Use

City of Tracy

Input Baseline Year (2017-2019) Production and Water Use

Units: (af)

Select the units to input monthly production and use data. Enter the total monthly potable water production for the Baseline Year. Next, enter monthly water use data by sector for the Baseline Year. If you bill on a bi-monthly basis, divide your billing data between the months that the billing cycle includes. If your single-family and multi-family accounts are tracked separately, enter the combined water use for both sectors in the Residential Water Use column. If your commercial, industrial, and institutional (CII) accounts are tracked separately, enter the combined water use for each sector in the CII Water Use column. Your non-revenue water use is calculated by subtracting your monthly residential, CII, and dedicated irrigation water uses from your monthly production. Your monthly residential gallons per capita per day (R-GPCD) is calculated by dividing your monthly residential water use by your population entered in Worksheet 1 - Home.

Date	Total Production (af)	Residential Water Use (af)	CII Water Use (af)	Dedicated Irrigation Water Use (af)	Non-Revenue Water Use (af)	Total R-GPCD	Comments
January	993	537	170	40	246	61	
February	913	573	188	25	127	72	
March	1,028	548	173	40	267	62	
April	1,256	653	200	155	248	76	
May	1,693	789	270	228	406	89	
June	1,936	1,056	288	238	354	123	
July	2,142	1,139	299	316	388	129	
August	2,098	1,325	345	350	78	150	
September	1,825	1,079	322	312	113	126	
October	1,669	1,162	327	297	-117	131	
November	1,249	873	235	149	-9	102	
December	948	732	277	60	-120	83	

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3 - Baseline Year (2017-2019) Water Use Profile

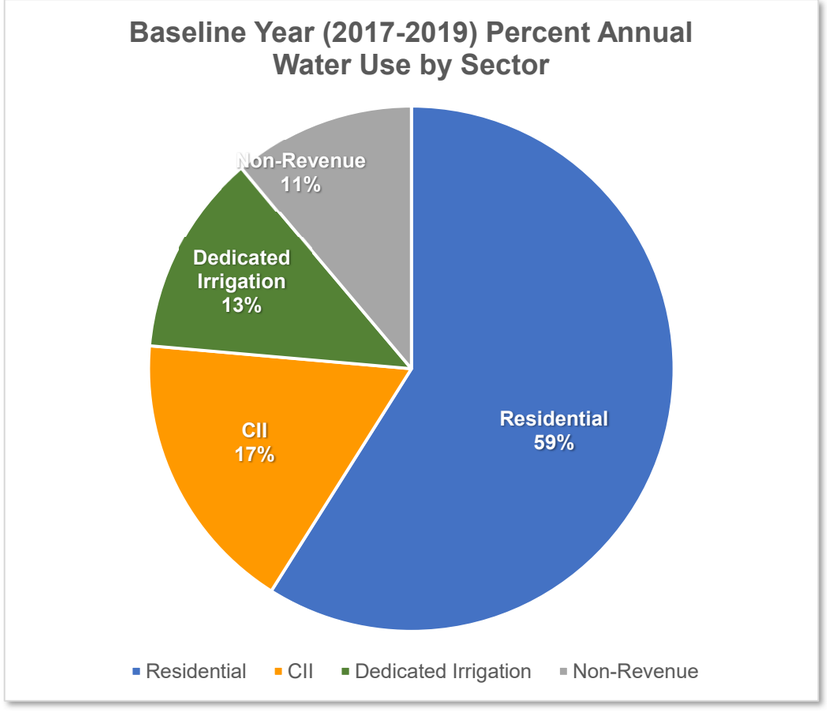
City of Tracy

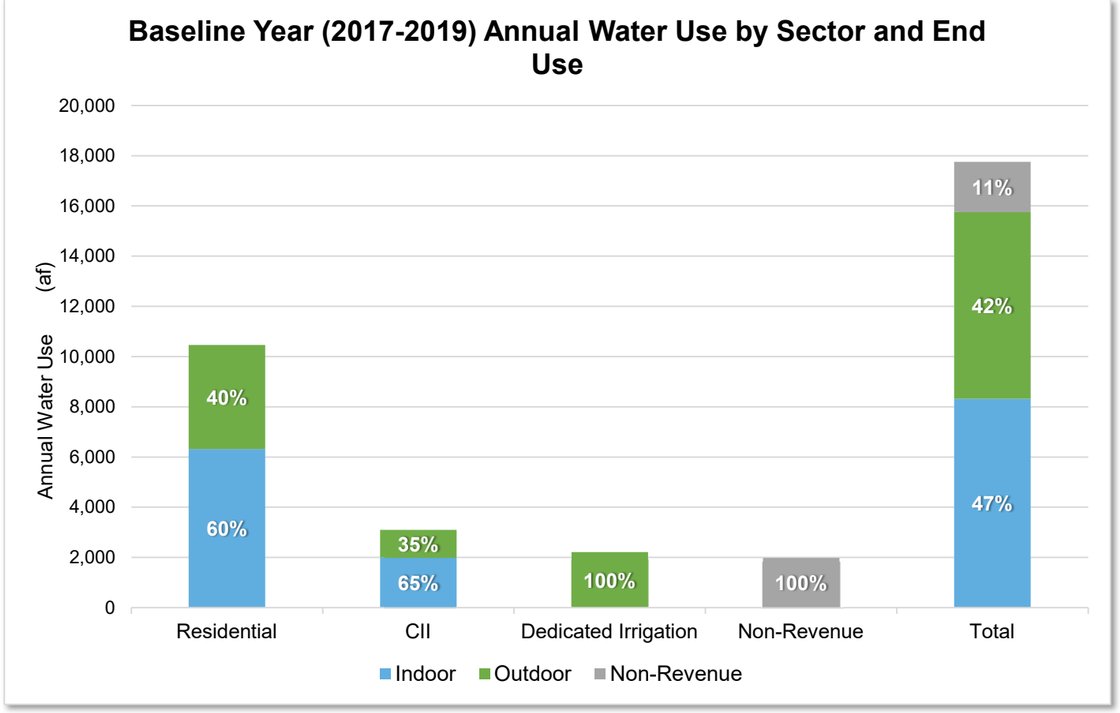
Baseline Year (2017-2019) Annual Water Use Summary

Units: (af)

A summary of your Baseline Year water use by sector and major end use category is shown below. Select the units in which your production and use data are displayed.

Water Use	Total Production (af)	Water Use (af)				Comments
		Residential	CII	Dedicated Irrigation	Non-Revenue	
Total	17,751	10,466	3,095	2,210	1,981	
Total Indoor	8,323	6,317	2,006	--	--	
Total Outdoor	7,447	4,148	1,089	2,210	--	
Total Non-Revenue	1,981	--	--	--	1,981	
Total Indoor %	47%	60%	65%	0%	--	
Total Outdoor %	42%	40%	35%	100%	--	
Total Non-Revenue %	11%	--	--	--	100%	

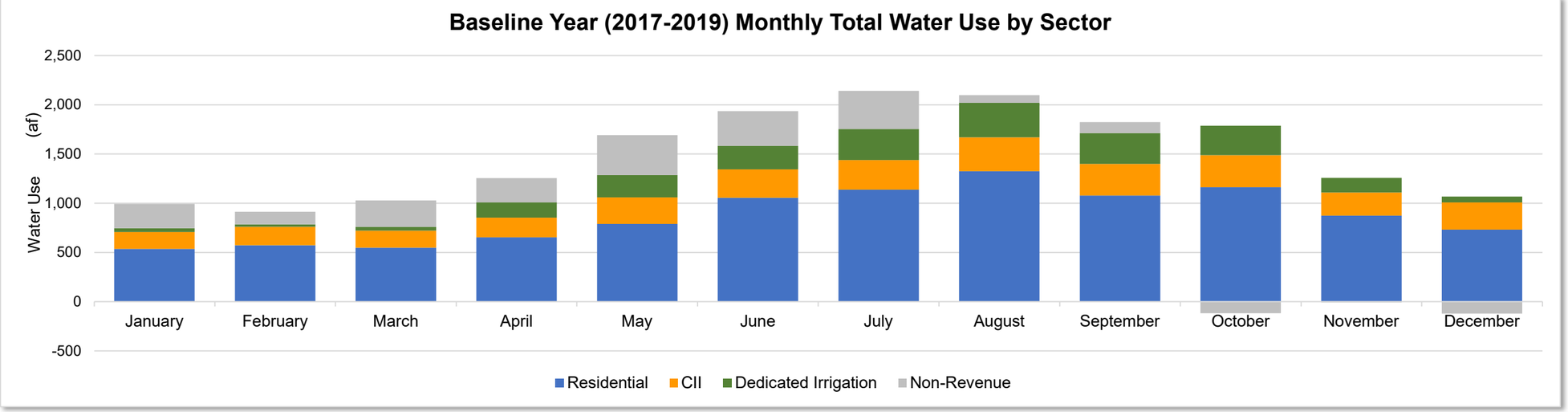


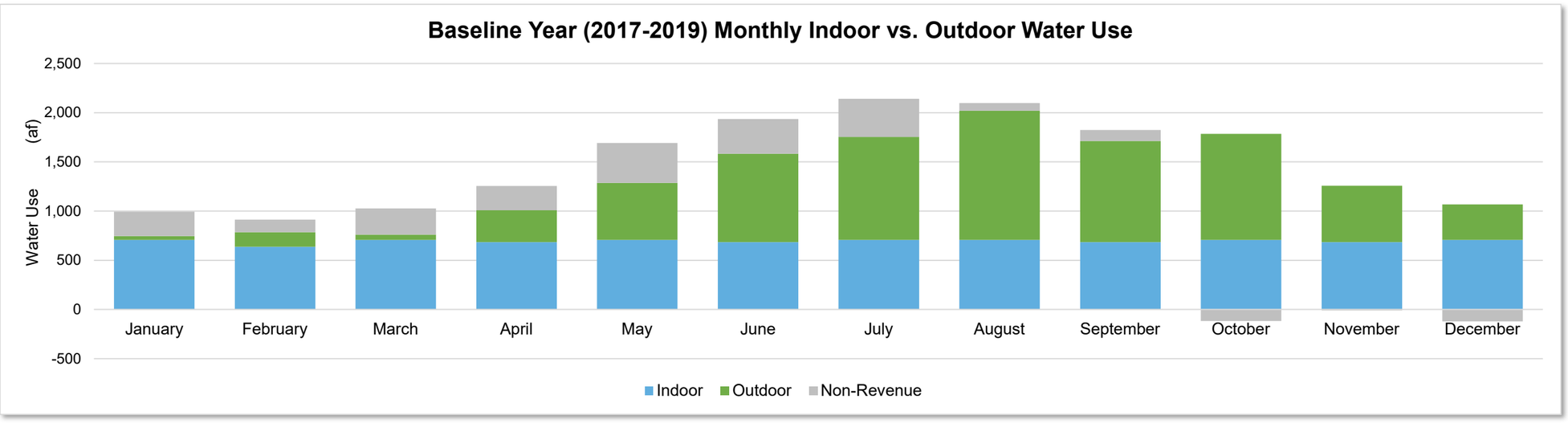


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3 - Baseline Year (2017-2019) Water Use Profile

City of Tracy





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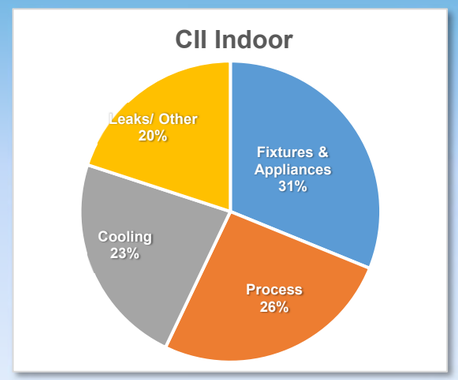
4 - Drought Response Actions - Stage 1

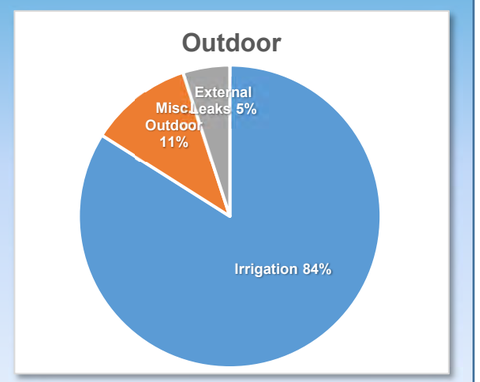
City of Tracy

Maximum Savings Potential		
Use the default values or enter your own criteria for the maximum savings potential. Estimated water savings within each sector will not exceed the maximum savings criteria.		
Minimum Residential Indoor GPCD	25	R-GPCD
Maximum Residential Outdoor Savings	100%	of Baseline Residential Outdoor Water Use
Maximum CII Indoor Savings	30%	of Baseline CII Indoor Water Use
Maximum CII Outdoor Savings	100%	of Baseline CII Outdoor Water Use
Maximum Dedicated Irrigation Account Savings	100%	of Baseline Dedicated Irrigation Water Use
Maximum Non-Revenue Water Savings	50%	of Baseline Non-Revenue Water Use
Resulting Total Maximum Annual Savings Potential	**72%**	of Total Baseline Production

Assumed Proportion of Water Use by End Uses and Sector







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4 - Drought Response Actions - Stage 1

City of Tracy

Drought Response Actions

Select the Drought Response Actions you would like to include in your estimated savings calculations. For each selected action, use the default end use savings estimates and implementation rates or input your own values. The "End Use Savings" estimates the percent water use reduction that could occur at a particular end use as a result of a specific action. The "Implementation Rate" refers to the estimated percentage of accounts that will implement a specific action. The water savings potential at each end use is capped based on the assumed distribution of end use water demands shown in the pie charts above. A dash (--) indicates that professional judgement was used to establish the default value, or that savings are expected to be accounted for as part of a Public Information Program; additional basis for the default values are included in the User Manual.

Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Possible Mandatory Prohibitions**	All Outdoor	☑	14%	**40%**	--	--
Prohibit Irrigation with Potable Water Outside of Newly Constructed Homes and Buildings that is not Delivered by Drip or Microspray Systems	Irrigation	☑			--	--
Require Shut-Off Nozzles on Hoses for Vehicle Washing	Misc. Outdoor	☑	17%	50%	See Appendix D of the DRP	--
Prohibit Use of Potable Water to Wash Sidewalks and Driveways	Misc. Outdoor	☑	17%	50%		--
Prohibit the Use of Potable Water for Street Washing	Misc. Outdoor	☑	17%	50%		--
Prohibit Irrigation with Potable Water in a Manner that causes Runoff	Irrigation	☑	3%	50%	DeOreo et al., 2011	--
Prohibit Irrigation with Potable Water within 48 Hours following Measurable Rainfall	Irrigation	☑			--	--
Prohibit Irrigation of Ornamental Turf with Potable Water on Street Medians	Irrigation	☑			--	--
Prohibit Potable Water Use for Decorative Water Features that do not Recirculate Water	Misc. Outdoor	☑	50%	50%	EBMUD, 2008	--
Provide Linen Service Opt Out Options	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--
Prohibit Serving Drinking Water other than upon Request in Eating or Drinking Establishments	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--

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4 - Drought Response Actions - Stage 1

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► Agency Drought Actions / Restrictions						
► Agency Actions						
Media Campaign, Newspaper Articles, Website	All	☑	0.5%	**40%**	EBMUD, 2011	--
Promote Water Conservation / Rebate Programs	All	☑		50%	--	--
Water Efficiency Workshops, Public Events	All	☐	0.5%	25%	EBMUD, 2011	--
Water Bill Inserts	All	☐	0.5%	100%	EBMUD, 2011	--
Promote / Expand Use of Recycled Water	Irrigation	☐	100%		--	--
Home or Mobile Water Use Reports	All	☐	5%	10%	WaterSmart Software, 2015	--
Decrease Frequency and Length of Line Flushing	Non Revenue Water	☐	25%	50%	See Appendix D of the DRP	Reduced flushing by 50%.
Audit and Reduce System Water Loss	Non Revenue Water	☐	45%	50%	DWR, 2015	Target 50% of leakage.
Implement Drought Rate Structure / Water Budgets	All	☐	5%	100%	CUWCC, 2015	--
Establish Retrofit on Resale Ordinance	All Residential Indoor	☐	21%	6%	SFPUC, 2004	First Tuesday, 2015
Require Net Zero Demand Increase on New Connections	All	☐			--	--
Moratorium on New Connections	All	☐			--	--
Move to Monthly Metering / Billing	All	☐	5%	10%	See Appendix D of the DRP	--
Increase Water Waste Patrols / Enforcement	All	☐			--	--
Establish Drought Hotline	All	☐			--	--
Reduce Distribution System Pressures	Non Revenue Water	☐	4.5%	100%	CUWCC, 2010; DWR, 2015	--
► Dedicated Irrigation						
Conduct Irrigation Account Surveys	Irrigation	☐	30%	10%	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☑	**12%**	**40%**	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, 10 Minutes/Day, Between 9PM and 6AM	Irrigation	☐	79%	50%		
Prohibit use of Potable Water for Irrigation	Irrigation	☐	100%	50%		
Require Repair of all Leaks within 72 hours	External Leaks	☑	100%	5%	--	--
Customer Water Budgets						
Establish Water Budget - 25% Reduction	Irrigation	☐	25%	50%	--	--
Establish Water Budget - 50% Reduction	Irrigation	☐	50%	50%	--	--
Establish Water Budget - 75% Reduction	Irrigation	☐	75%	50%	--	--

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4 - Drought Response Actions - Stage 1

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Residential**						
Conduct Water Use Surveys Targeting High Water Users	All Residential Uses	☐	10%	10%	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☑	**10%**	**40%**	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, 10 Minutes/Day, Between 9PM and 6AM	Irrigation	☐	79%	50%		
Prohibit use of Potable Water for Irrigation	Irrigation	☐	100%	50%		
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Repair of all Leaks within 72 hours	Leaks	☑	100%	5%	--	--
Require Pool Covers	Misc. Outdoor	☑	28%	25%	Maddaus & Mayer, 2001	--
Prohibit Filling of Pools	Misc. Outdoor	☐	55%	25%	DeOreo et al., 2011	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All Residential Uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All Residential Uses	☐	20%	50%	--	--
► **CII**						
Conduct CII Surveys Targeting High Water Users	All CII uses	☐	10%	10%	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☑	**5%**	**40%**	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, 10 Minutes/Day, Between 9PM and 6AM	Irrigation	☐	79%	50%		
Prohibit Use of Potable Water for Construction and Dust Control	Misc. Outdoor	☐		100%	--	--
Prohibit Single-Pass Cooling Systems	Cooling	☐	80%	1%	Vickers, 2001	--
Require Repair of all Leaks within 72 hours	Leaks	☑	100%	5%	--	--
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Water-Efficient Pre-Rinse Spray Valves	Fixtures & Appliances	☐	0.8%	50%	EPA, 2015; Pacific Institute, 2003	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All CII uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All CII uses	☐	20%	50%	--	--
Establish Water Budget - 30% Reduction	All CII uses	☐	30%	50%	--	--

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4 - Drought Response Actions - Stage 1

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
▶ **Residential Customer Actions to Encourage**						
Install Bathroom Faucet Aerators	Faucets and Dishwashers	☐			--	--
Install a Water-Efficient Showerhead	Showers/Baths	☐			--	--
Turn Off Water when Brushing Teeth, Shaving, Washing Dishes, or Cooking	Faucets and Dishwashers	☐			--	--
Fill the Bathtub Halfway	Showers/Baths	☐			--	--
Wash Only Full Loads of Clothes	Clothes Washers	☐			--	--
Install a High-Efficiency Toilet	Toilets	☐			--	--
Take Shorter Showers	Showers/Baths	☐			--	--
Run Dishwasher Only When Full	Faucets and Dishwashers	☐			--	--
Reduce Outdoor Irrigation	Irrigation	☐			--	--
Install Drip-Irrigation	Irrigation	☐			--	--
Use Mulch	Irrigation	☐			--	--
Plant Drought Resistant Trees and Plants	Irrigation	☐			--	--
Use a Broom to Clean Outdoor Areas	Misc. Outdoor	☐			--	--
Flush Less Frequently	Toilets	☐			--	--
Re-Use Shower or Bath Water for Irrigation	Irrigation	☐			--	--
Wash Car at Facility that Recycles the Water	Misc. Outdoor	☐			--	--

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5 - Estimated Water Savings - Stage 1

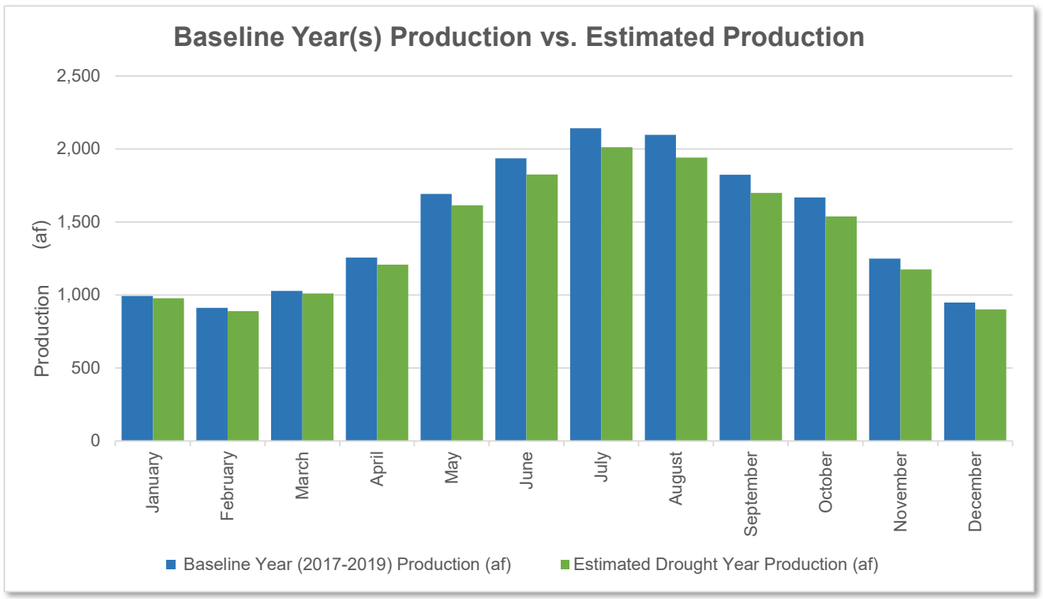
City of Tracy

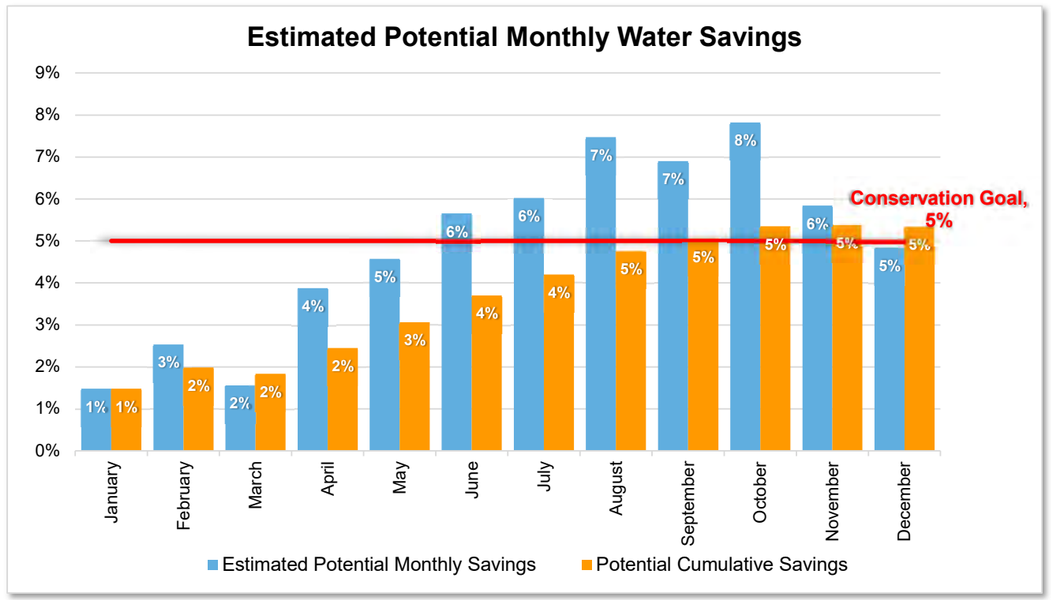
Estimated Monthly Water Use and Savings Summary

Units: (af)

This provides a summary of the estimated production relative to Baseline Year production and potential water savings, assuming implementation of selected actions at the water savings and implementation rates indicated in the Drought Response Actions worksheet. Select the units that your production data are displayed in.

Month	Baseline Year (2017-2019) Production (af)	Estimated Drought Year Production (af)	Estimated Potential Monthly Savings	Potential Cumulative Savings	Conservation Goal	Comments
January	993	978	1%	1%	5%	
February	913	890	3%	2%	5%	
March	1,028	1,012	2%	2%	5%	
April	1,256	1,208	4%	2%	5%	
May	1,693	1,615	5%	3%	5%	
June	1,936	1,827	6%	4%	5%	
July	2,142	2,013	6%	4%	5%	
August	2,098	1,942	7%	5%	5%	
September	1,825	1,699	7%	5%	5%	
October	1,669	1,538	8%	5%	5%	
November	1,249	1,176	6%	5%	5%	
December	948	902	5%	5%	5%	





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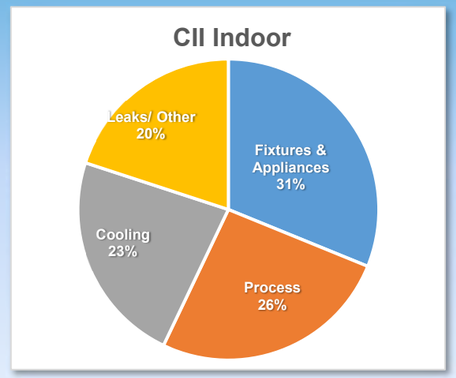
4 - Drought Response Actions - Stage 2

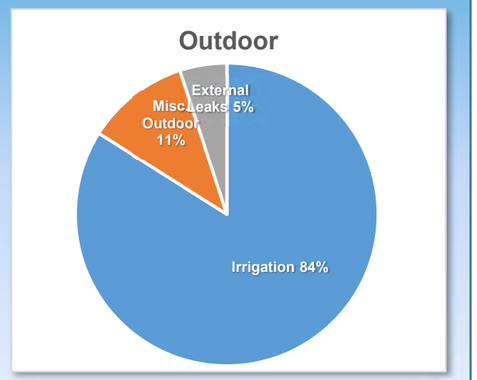
City of Tracy

Maximum Savings Potential		
Use the default values or enter your own criteria for the maximum savings potential. Estimated water savings within each sector will not exceed the maximum savings criteria.		
Minimum Residential Indoor GPCD	25	R-GPCD
Maximum Residential Outdoor Savings	100%	of Baseline Residential Outdoor Water Use
Maximum CII Indoor Savings	30%	of Baseline CII Indoor Water Use
Maximum CII Outdoor Savings	100%	of Baseline CII Outdoor Water Use
Maximum Dedicated Irrigation Account Savings	100%	of Baseline Dedicated Irrigation Water Use
Maximum Non-Revenue Water Savings	50%	of Baseline Non-Revenue Water Use
Resulting Total Maximum Annual Savings Potential	**72%**	of Total Baseline Production

Assumed Proportion of Water Use by End Uses and Sector







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4 - Drought Response Actions - Stage 2

City of Tracy

Drought Response Actions

Select the Drought Response Actions you would like to include in your estimated savings calculations. For each selected action, use the default end use savings estimates and implementation rates or input your own values. The "End Use Savings" estimates the percent water use reduction that could occur at a particular end use as a result of a specific action. The "Implementation Rate" refers to the estimated percentage of accounts that will implement a specific action. The water savings potential at each end use is capped based on the assumed distribution of end use water demands shown in the pie charts above. A dash (--) indicates that professional judgement was used to establish the default value, or that savings are expected to be accounted for as part of a Public Information Program; additional basis for the default values are included in the User Manual.

Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Possible Mandatory Prohibitions**	All Outdoor	☑	14%	**60%**	--	--
Prohibit Irrigation with Potable Water Outside of Newly Constructed Homes and Buildings that is not Delivered by Drip or Microspray Systems	Irrigation	☐			--	--
Require Shut-Off Nozzles on Hoses for Vehicle Washing	Misc. Outdoor	☑	17%	50%	See Appendix D of the DRP	--
Prohibit Use of Potable Water to Wash Sidewalks and Driveways	Misc. Outdoor	☑	17%	50%		--
Prohibit the Use of Potable Water for Street Washing	Misc. Outdoor	☑	17%	50%		--
Prohibit Irrigation with Potable Water in a Manner that causes Runoff	Irrigation	☑	3%	50%	DeOreo et al., 2011	--
Prohibit Irrigation with Potable Water within 48 Hours following Measurable Rainfall	Irrigation	☑			--	--
Prohibit Irrigation of Ornamental Turf with Potable Water on Street Medians	Irrigation	☑			--	--
Prohibit Potable Water Use for Decorative Water Features that do not Recirculate Water	Misc. Outdoor	☑	50%	50%	EBMUD, 2008	--
Provide Linen Service Opt Out Options	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--
Prohibit Serving Drinking Water other than upon Request in Eating or Drinking Establishments	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--

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4 - Drought Response Actions - Stage 2

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Agency Actions**						
Media Campaign, Newspaper Articles, Website	All	☑	0.5%	**60%**	EBMUD, 2011	--
Promote Water Conservation / Rebate Programs	All	☑		50%	--	--
Water Efficiency Workshops, Public Events	All	☑	0.5%	25%	EBMUD, 2011	--
Water Bill Inserts	All	☑	0.5%	100%	EBMUD, 2011	--
Promote / Expand Use of Recycled Water	Irrigation	☐	100%		--	--
Home or Mobile Water Use Reports	All	☐	5%	10%	WaterSmart Software, 2015	--
Decrease Frequency and Length of Line Flushing	Non Revenue Water	☑	25%	50%	See Appendix D of the DRP	Reduced flushing by 50%.
Audit and Reduce System Water Loss	Non Revenue Water	☐	45%	50%	DWR, 2015	Target 50% of leakage.
Implement Drought Rate Structure / Water Budgets	All	☐	5%	100%	CUWCC, 2015	--
Establish Retrofit on Resale Ordinance	All Residential Indoor	☐	21%	6%	SFPUC, 2004	First Tuesday, 2015
Require Net Zero Demand Increase on New Connections	All	☐			--	--
Moratorium on New Connections	All	☐			--	--
Move to Monthly Metering / Billing	All	☐	5%	10%	See Appendix D of the DRP	--
Increase Water Waste Patrols / Enforcement	All	☑			--	--
Establish Drought Hotline	All	☐			--	--
Reduce Distribution System Pressures	Non Revenue Water	☐	4.5%	100%	CUWCC, 2010; DWR, 2015	--
► **Dedicated Irrigation**						
Conduct Irrigation Account Surveys	Irrigation	☑	30%	10%	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	12%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 3 Days/Week, Between 7PM and 9AM	Irrigation	☑	**36%**	**60%**		
Prohibit use of Potable Water for Irrigation	Irrigation	☐	100%	50%		
Require Repair of all Leaks within 48 hours	External Leaks	☑	100%	**8%**	--	--
Customer Water Budgets						
Establish Water Budget - 25% Reduction	Irrigation	☐	25%	50%	--	--
Establish Water Budget - 50% Reduction	Irrigation	☐	50%	50%	--	--
Establish Water Budget - 75% Reduction	Irrigation	☐	75%	50%	--	--

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4 - Drought Response Actions - Stage 2

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
▶ **Agency Drought Actions / Restrictions**						
▶ **Residential**						
Conduct Water Use Surveys Targeting High Water Users	All Residential Uses	☑	10%	10%	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	10%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 3 Days/Week, Between 7PM and 9AM	Irrigation	☑	**30%**	50%		
Prohibit use of Potable Water for Irrigation	Irrigation	☐	100%	50%		
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Require Pool Covers	Misc. Outdoor	☑	28%	25%	Maddaus & Mayer, 2001	--
Prohibit Filling of Pools	Misc. Outdoor	☑	55%	25%	DeOreo et al., 2011	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All Residential Uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All Residential Uses	☐	20%	50%	--	--
▶ **CII**						
Conduct CII Surveys Targeting High Water Users	All CII uses	☑	10%	10%	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	5%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 3 Days/Week, Between 7PM and 9AM	Irrigation	☑	**16%**	50%		
Prohibit Use of Potable Water for Construction and Dust Control	Misc. Outdoor	☐		100%	--	--
Prohibit Single-Pass Cooling Systems	Cooling	☐	80%	1%	Vickers, 2001	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Water-Efficient Pre-Rinse Spray Valves	Fixtures & Appliances	☐	0.8%	50%	EPA, 2015; Pacific Institute, 2003	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All CII uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All CII uses	☐	20%	50%	--	--
Establish Water Budget - 30% Reduction	All CII uses	☐	30%	50%	--	--

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4 - Drought Response Actions - Stage 2

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
▶ **Residential Customer Actions to Encourage**						
Install Bathroom Faucet Aerators	Faucets and Dishwashers	☐			--	--
Install a Water-Efficient Showerhead	Showers/Baths	☐			--	--
Turn Off Water when Brushing Teeth, Shaving, Washing Dishes, or Cooking	Faucets and Dishwashers	☐			--	--
Fill the Bathtub Halfway	Showers/Baths	☐			--	--
Wash Only Full Loads of Clothes	Clothes Washers	☐			--	--
Install a High-Efficiency Toilet	Toilets	☐			--	--
Take Shorter Showers	Showers/Baths	☐			--	--
Run Dishwasher Only When Full	Faucets and Dishwashers	☐			--	--
Reduce Outdoor Irrigation	Irrigation	☐			--	--
Install Drip-Irrigation	Irrigation	☐			--	--
Use Mulch	Irrigation	☐			--	--
Plant Drought Resistant Trees and Plants	Irrigation	☐			--	--
Use a Broom to Clean Outdoor Areas	Misc. Outdoor	☐			--	--
Flush Less Frequently	Toilets	☐			--	--
Re-Use Shower or Bath Water for Irrigation	Irrigation	☐			--	--
Wash Car at Facility that Recycles the Water	Misc. Outdoor	☐			--	--

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5 - Estimated Water Savings - Stage 2

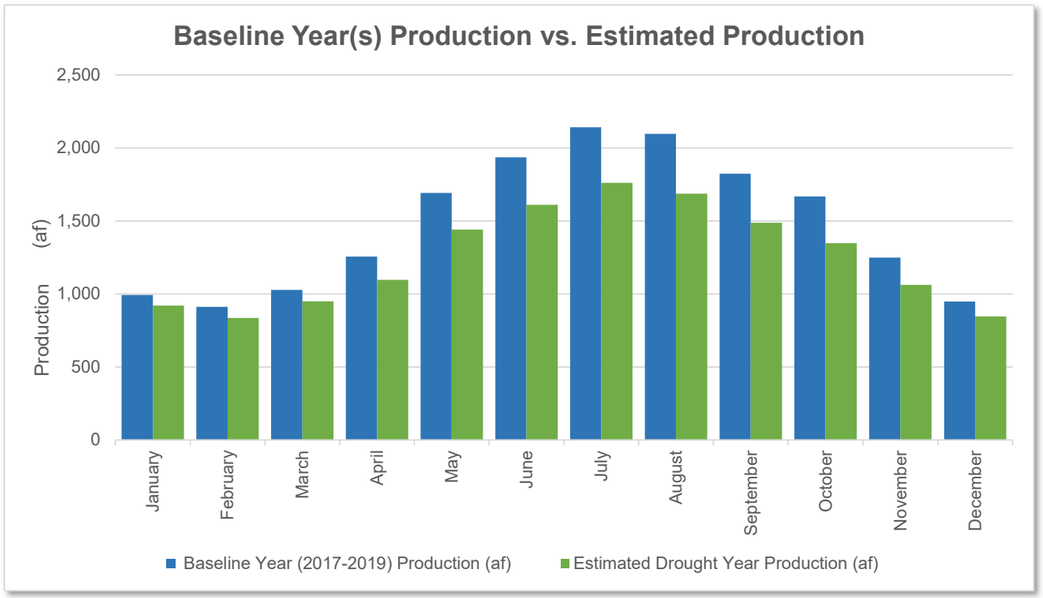
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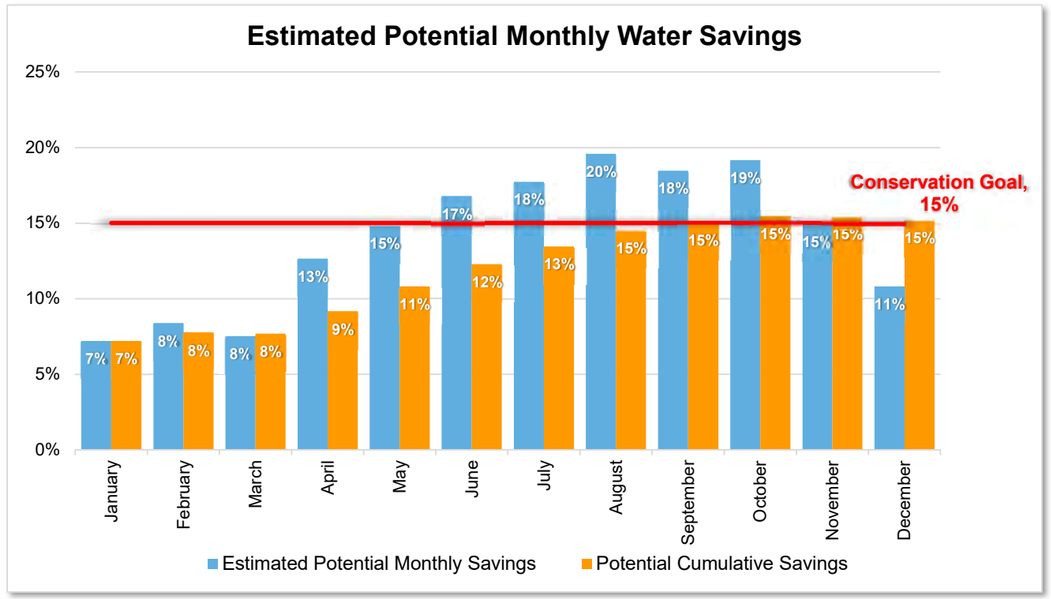
Estimated Monthly Water Use and Savings Summary

Units: (af)

This provides a summary of the estimated production relative to Baseline Year production and potential water savings, assuming implementation of selected actions at the water savings and implementation rates indicated in the Drought Response Actions worksheet. Select the units that your production data are displayed in.

Month	Baseline Year (2017-2019) Production (af)	Estimated Drought Year Production (af)	Estimated Potential Monthly Savings	Potential Cumulative Savings	Conservation Goal	Comments
January	993	922	7%	7%	15%	
February	913	836	8%	8%	15%	
March	1,028	950	8%	8%	15%	
April	1,256	1,097	13%	9%	15%	
May	1,693	1,442	15%	11%	15%	
June	1,936	1,611	17%	12%	15%	
July	2,142	1,762	18%	13%	15%	
August	2,098	1,687	20%	15%	15%	
September	1,825	1,488	18%	15%	15%	
October	1,669	1,349	19%	15%	15%	
November	1,249	1,062	15%	15%	15%	
December	948	846	11%	15%	15%	





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Drought Response Tool

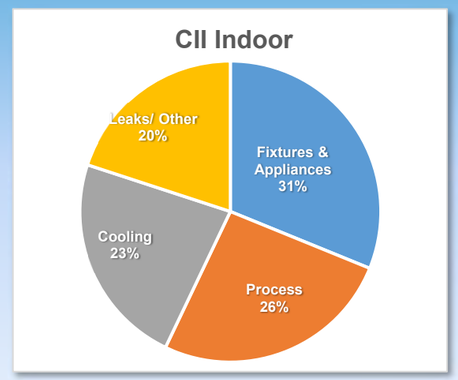
4 - Drought Response Actions - Stage 3

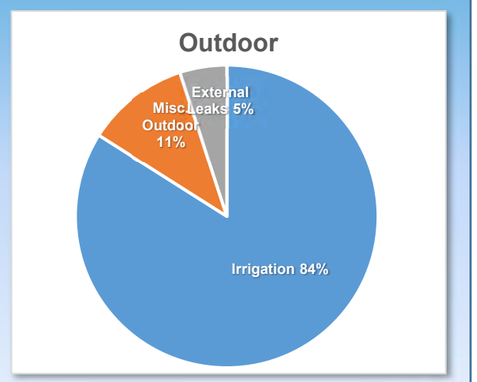
City of Tracy

Maximum Savings Potential		
Use the default values or enter your own criteria for the maximum savings potential. Estimated water savings within each sector will not exceed the maximum savings criteria.		
Minimum Residential Indoor GPCD	25	R-GPCD
Maximum Residential Outdoor Savings	100%	of Baseline Residential Outdoor Water Use
Maximum CII Indoor Savings	30%	of Baseline CII Indoor Water Use
Maximum CII Outdoor Savings	100%	of Baseline CII Outdoor Water Use
Maximum Dedicated Irrigation Account Savings	100%	of Baseline Dedicated Irrigation Water Use
Maximum Non-Revenue Water Savings	50%	of Baseline Non-Revenue Water Use
Resulting Total Maximum Annual Savings Potential	**72%**	of Total Baseline Production

Assumed Proportion of Water Use by End Uses and Sector







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4 - Drought Response Actions - Stage 3

City of Tracy

Drought Response Actions

Select the Drought Response Actions you would like to include in your estimated savings calculations. For each selected action, use the default end use savings estimates and implementation rates or input your own values. The "End Use Savings" estimates the percent water use reduction that could occur at a particular end use as a result of a specific action. The "Implementation Rate" refers to the estimated percentage of accounts that will implement a specific action. The water savings potential at each end use is capped based on the assumed distribution of end use water demands shown in the pie charts above. A dash (--) indicates that professional judgement was used to establish the default value, or that savings are expected to be accounted for as part of a Public Information Program; additional basis for the default values are included in the User Manual.

Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Possible Mandatory Prohibitions**	All Outdoor	☑	14%	**70%**	--	--
Prohibit Irrigation with Potable Water Outside of Newly Constructed Homes and Buildings that is not Delivered by Drip or Microspray Systems	Irrigation	☑			--	--
Require Shut-Off Nozzles on Hoses for Vehicle Washing	Misc. Outdoor	☑	17%	50%	See Appendix D of the DRP	--
Prohibit Use of Potable Water to Wash Sidewalks and Driveways	Misc. Outdoor	☑	17%	50%		--
Prohibit the Use of Potable Water for Street Washing	Misc. Outdoor	☑	17%	50%		--
Prohibit Irrigation with Potable Water in a Manner that causes Runoff	Irrigation	☑	3%	50%	DeOreo et al., 2011	--
Prohibit Irrigation with Potable Water within 48 Hours following Measurable Rainfall	Irrigation	☑			--	--
Prohibit Irrigation of Ornamental Turf with Potable Water on Street Medians	Irrigation	☑			--	--
Prohibit Potable Water Use for Decorative Water Features that do not Recirculate Water	Misc. Outdoor	☑	50%	50%	EBMUD, 2008	--
Provide Linen Service Opt Out Options	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--
Prohibit Serving Drinking Water other than upon Request in Eating or Drinking Establishments	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--

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4 - Drought Response Actions - Stage 3

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Agency Actions**						
Media Campaign, Newspaper Articles, Website	All	☑	0.5%	**70%**	EBMUD, 2011	--
Promote Water Conservation / Rebate Programs	All	☑		50%	--	--
Water Efficiency Workshops, Public Events	All	☑	0.5%	25%	EBMUD, 2011	--
Water Bill Inserts	All	☑	0.5%	100%	EBMUD, 2011	--
Promote / Expand Use of Recycled Water	Irrigation	☐	100%		--	--
Home or Mobile Water Use Reports	All	☐	5%	10%	WaterSmart Software, 2015	--
Decrease Frequency and Length of Line Flushing	Non Revenue Water	☑	25%	50%	See Appendix D of the DRP	Reduced flushing by 50%.
Audit and Reduce System Water Loss	Non Revenue Water	☑	45%	**25%**	DWR, 2015	Target 25% of leakage.
Implement Drought Rate Structure / Water Budgets	All	☐	5%	100%	CUWCC, 2015	--
Establish Retrofit on Resale Ordinance	All Residential Indoor	☐	21%	6%	SFPUC, 2004	First Tuesday, 2015
Require Net Zero Demand Increase on New Connections	All	☐			--	--
Moratorium on New Connections	All	☐			--	--
Move to Monthly Metering / Billing	All	☐	5%	10%	See Appendix D of the DRP	--
Increase Water Waste Patrols / Enforcement	All	☑			--	--
Establish Drought Hotline	All	☑			--	--
Reduce Distribution System Pressures	Non Revenue Water	☐	4.5%	100%	CUWCC, 2010; DWR, 2015	--
► **Dedicated Irrigation**						
Conduct Irrigation Account Surveys	Irrigation	☑	30%	**50%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	12%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 2 Days/Week, Between 7PM and 9AM	Irrigation	☑	**57%**	**60%**		
Prohibit use of Potable Water for Irrigation	Irrigation	☐	100%	50%		
Require Repair of all Leaks within 48 hours	External Leaks	☑	100%	**8%**	--	--
Customer Water Budgets						
Establish Water Budget - 25% Reduction	Irrigation	☐	25%	50%	--	--
Establish Water Budget - 50% Reduction	Irrigation	☐	50%	50%	--	--
Establish Water Budget - 75% Reduction	Irrigation	☐	75%	50%	--	--

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4 - Drought Response Actions - Stage 3

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
▶ **Agency Drought Actions / Restrictions**						
▶ **Residential**						
Conduct Water Use Surveys Targeting High Water Users	All Residential Uses	☑	10%	**20%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	10%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 2 Days/Week, Between 7PM and 9AM	Irrigation	☑	**53%**	**60%**		
Prohibit use of Potable Water for Irrigation	Irrigation	☐	100%	50%		
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Require Pool Covers	Misc. Outdoor	☑	28%	25%	Maddaus & Mayer, 2001	--
Prohibit Filling of Pools	Misc. Outdoor	☑	55%	25%	DeOreo et al., 2011	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All Residential Uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All Residential Uses	☐	20%	50%	--	--
▶ **CII**						
Conduct CII Surveys Targeting High Water Users	All CII uses	☑	10%	**20%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	5%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 2 Days/Week, Between 7PM and 9AM	Irrigation	☑	**44%**	**60%**		
Prohibit Use of Potable Water for Construction and Dust Control	Misc. Outdoor	☐		100%	--	--
Prohibit Single-Pass Cooling Systems	Cooling	☐	80%	1%	Vickers, 2001	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Water-Efficient Pre-Rinse Spray Valves	Fixtures & Appliances	☐	0.8%	50%	EPA, 2015; Pacific Institute, 2003	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All CII uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All CII uses	☐	20%	50%	--	--
Establish Water Budget - 30% Reduction	All CII uses	☐	30%	50%	--	--

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4 - Drought Response Actions - Stage 3

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
▶ **Residential Customer Actions to Encourage**						
Install Bathroom Faucet Aerators	Faucets and Dishwashers	☐			--	--
Install a Water-Efficient Showerhead	Showers/Baths	☐			--	--
Turn Off Water when Brushing Teeth, Shaving, Washing Dishes, or Cooking	Faucets and Dishwashers	☐			--	--
Fill the Bathtub Halfway	Showers/Baths	☐			--	--
Wash Only Full Loads of Clothes	Clothes Washers	☐			--	--
Install a High-Efficiency Toilet	Toilets	☐			--	--
Take Shorter Showers	Showers/Baths	☐			--	--
Run Dishwasher Only When Full	Faucets and Dishwashers	☐			--	--
Reduce Outdoor Irrigation	Irrigation	☐			--	--
Install Drip-Irrigation	Irrigation	☐			--	--
Use Mulch	Irrigation	☐			--	--
Plant Drought Resistant Trees and Plants	Irrigation	☐			--	--
Use a Broom to Clean Outdoor Areas	Misc. Outdoor	☐			--	--
Flush Less Frequently	Toilets	☐			--	--
Re-Use Shower or Bath Water for Irrigation	Irrigation	☐			--	--
Wash Car at Facility that Recycles the Water	Misc. Outdoor	☐			--	--

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5 - Estimated Water Savings - Stage 3

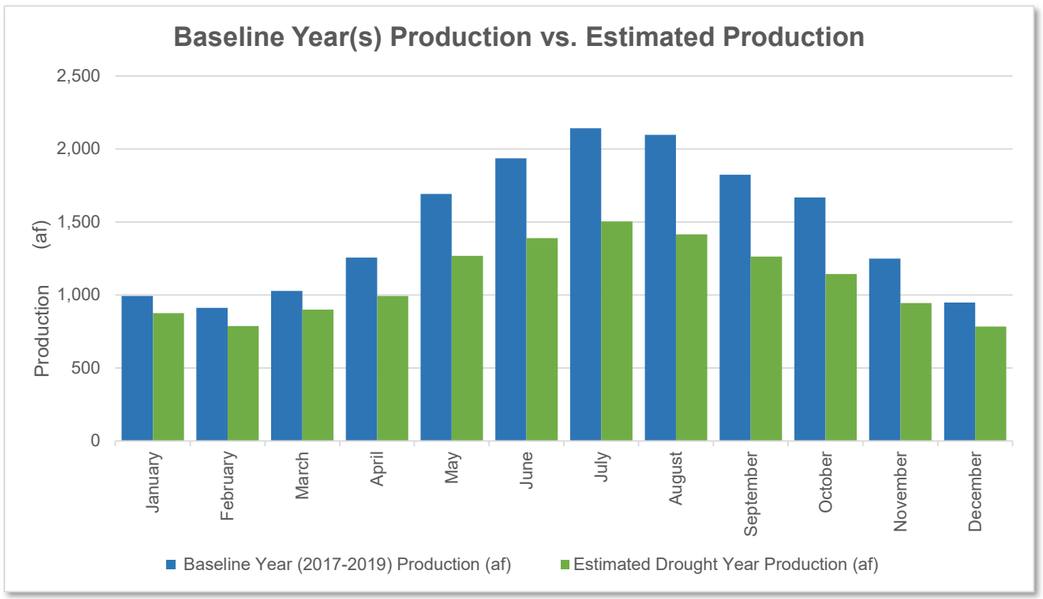
City of Tracy

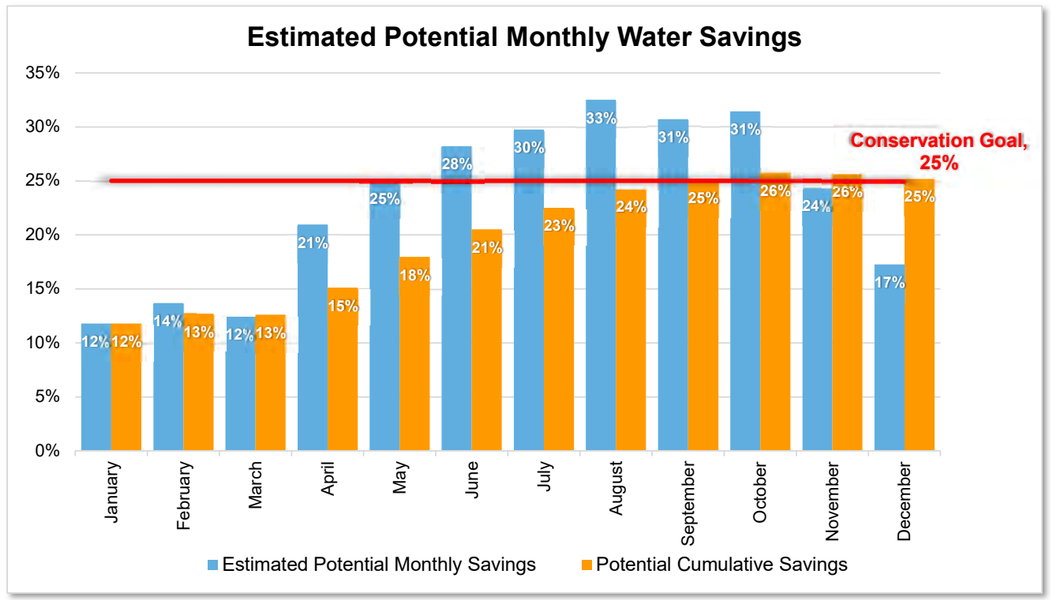
Estimated Monthly Water Use and Savings Summary

Units: (af)

This provides a summary of the estimated production relative to Baseline Year production and potential water savings, assuming implementation of selected actions at the water savings and implementation rates indicated in the Drought Response Actions worksheet. Select the units that your production data are displayed in.

Month	Baseline Year (2017-2019) Production (af)	Estimated Drought Year Production (af)	Estimated Potential Monthly Savings	Potential Cumulative Savings	Conservation Goal	Comments
January	993	876	12%	12%	25%	
February	913	788	14%	13%	25%	
March	1,028	900	12%	13%	25%	
April	1,256	993	21%	15%	25%	
May	1,693	1,269	25%	18%	25%	
June	1,936	1,390	28%	21%	25%	
July	2,142	1,504	30%	23%	25%	
August	2,098	1,416	33%	24%	25%	
September	1,825	1,264	31%	25%	25%	
October	1,669	1,144	31%	26%	25%	
November	1,249	945	24%	26%	25%	
December	948	784	17%	25%	25%	





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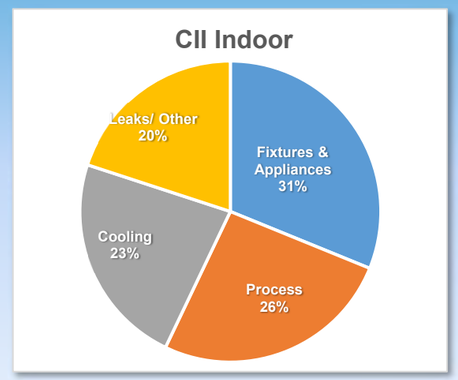
4 - Drought Response Actions - Stage 4

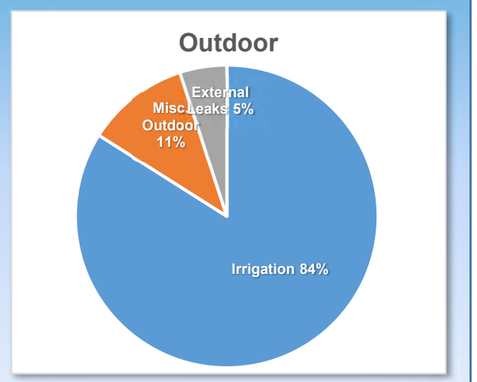
City of Tracy

Maximum Savings Potential		
Use the default values or enter your own criteria for the maximum savings potential. Estimated water savings within each sector will not exceed the maximum savings criteria.		
Minimum Residential Indoor GPCD	25	R-GPCD
Maximum Residential Outdoor Savings	100%	of Baseline Residential Outdoor Water Use
Maximum CII Indoor Savings	30%	of Baseline CII Indoor Water Use
Maximum CII Outdoor Savings	100%	of Baseline CII Outdoor Water Use
Maximum Dedicated Irrigation Account Savings	100%	of Baseline Dedicated Irrigation Water Use
Maximum Non-Revenue Water Savings	50%	of Baseline Non-Revenue Water Use
Resulting Total Maximum Annual Savings Potential	**72%**	of Total Baseline Production

Assumed Proportion of Water Use by End Uses and Sector







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4 - Drought Response Actions - Stage 4

City of Tracy

Drought Response Actions

Select the Drought Response Actions you would like to include in your estimated savings calculations. For each selected action, use the default end use savings estimates and implementation rates or input your own values. The "End Use Savings" estimates the percent water use reduction that could occur at a particular end use as a result of a specific action. The "Implementation Rate" refers to the estimated percentage of accounts that will implement a specific action. The water savings potential at each end use is capped based on the assumed distribution of end use water demands shown in the pie charts above. A dash (--) indicates that professional judgement was used to establish the default value, or that savings are expected to be accounted for as part of a Public Information Program; additional basis for the default values are included in the User Manual.

Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Possible Mandatory Prohibitions**	All Outdoor	☑	14%	**75%**	--	--
Prohibit Irrigation with Potable Water Outside of Newly Constructed Homes and Buildings that is not Delivered by Drip or Microspray Systems	Irrigation	☑			--	--
Require Shut-Off Nozzles on Hoses for Vehicle Washing	Misc. Outdoor	☑	17%	50%	See Appendix D of the DRP	--
Prohibit Use of Potable Water to Wash Sidewalks and Driveways	Misc. Outdoor	☑	17%	50%		--
Prohibit the Use of Potable Water for Street Washing	Misc. Outdoor	☑	17%	50%		--
Prohibit Irrigation with Potable Water in a Manner that causes Runoff	Irrigation	☑	3%	50%	DeOreo et al., 2011	--
Prohibit Irrigation with Potable Water within 48 Hours following Measurable Rainfall	Irrigation	☑			--	--
Prohibit Irrigation of Ornamental Turf with Potable Water on Street Medians	Irrigation	☑			--	--
Prohibit Potable Water Use for Decorative Water Features that do not Recirculate Water	Misc. Outdoor	☑	50%	50%	EBMUD, 2008	--
Provide Linen Service Opt Out Options	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--
Prohibit Serving Drinking Water other than upon Request in Eating or Drinking Establishments	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--

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4 - Drought Response Actions - Stage 4

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Agency Actions**						
Media Campaign, Newspaper Articles, Website	All	☑	0.5%	**70%**	EBMUD, 2011	--
Promote Water Conservation / Rebate Programs	All	☑		50%	--	--
Water Efficiency Workshops, Public Events	All	☑	0.5%	25%	EBMUD, 2011	--
Water Bill Inserts	All	☑	0.5%	100%	EBMUD, 2011	--
Promote / Expand Use of Recycled Water	Irrigation	☐	100%		--	--
Home or Mobile Water Use Reports	All	☐	5%	10%	WaterSmart Software, 2015	--
Decrease Frequency and Length of Line Flushing	Non Revenue Water	☑	25%	50%	See Appendix D of the DRP	Reduced flushing by 50%.
Audit and Reduce System Water Loss	Non Revenue Water	☑	45%	**25%**	DWR, 2015	Target 25% of leakage.
Implement Drought Rate Structure / Water Budgets	All	☐	5%	100%	CUWCC, 2015	--
Establish Retrofit on Resale Ordinance	All Residential Indoor	☐	21%	6%	SFPUC, 2004	First Tuesday, 2015
Require Net Zero Demand Increase on New Connections	All	☐			--	--
Moratorium on New Connections	All	☐			--	--
Move to Monthly Metering / Billing	All	☐	5%	10%	See Appendix D of the DRP	--
Increase Water Waste Patrols / Enforcement	All	☑			--	--
Establish Drought Hotline	All	☑			--	--
Reduce Distribution System Pressures	Non Revenue Water	☐	4.5%	100%	CUWCC, 2010; DWR, 2015	--
► **Dedicated Irrigation**						
Conduct Irrigation Account Surveys	Irrigation	☑	30%	**50%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	12%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, Between 7PM and 9AM	Irrigation	☑	**79%**	**75%**		
Prohibit use of Potable Water for Irrigation	Irrigation	☐	100%	50%		
Require Repair of all Leaks within 48 hours	External Leaks	☑	100%	**8%**	--	--
Customer Water Budgets						
Establish Water Budget - 25% Reduction	Irrigation	☐	25%	50%	--	--
Establish Water Budget - 50% Reduction	Irrigation	☐	50%	50%	--	--
Establish Water Budget - 75% Reduction	Irrigation	☐	75%	50%	--	--

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4 - Drought Response Actions - Stage 4

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Residential**						
Conduct Water Use Surveys Targeting High Water Users	All Residential Uses	☑	10%	**20%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	10%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, Between 7PM and 9AM	Irrigation	☑	**77%**	**75%**		
Prohibit use of Potable Water for Irrigation	Irrigation	☐	100%	50%		
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Require Pool Covers	Misc. Outdoor	☑	28%	25%	Maddaus & Mayer, 2001	--
Prohibit Filling of Pools	Misc. Outdoor	☑	55%	25%	DeOreo et al., 2011	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All Residential Uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All Residential Uses	☐	20%	50%	--	--
► **CII**						
Conduct CII Surveys Targeting High Water Users	All CII uses	☑	10%	**20%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	5%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, Between 7PM and 9AM	Irrigation	☑	**72%**	**75%**		
Prohibit Use of Potable Water for Construction and Dust Control	Misc. Outdoor	☐		100%	--	--
Prohibit Single-Pass Cooling Systems	Cooling	☐	80%	1%	Vickers, 2001	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Water-Efficient Pre-Rinse Spray Valves	Fixtures & Appliances	☐	0.8%	50%	EPA, 2015; Pacific Institute, 2003	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All CII uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All CII uses	☐	20%	50%	--	--
Establish Water Budget - 30% Reduction	All CII uses	☐	30%	50%	--	--

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4 - Drought Response Actions - Stage 4

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
▶ **Residential Customer Actions to Encourage**						
Install Bathroom Faucet Aerators	Faucets and Dishwashers	☐			--	--
Install a Water-Efficient Showerhead	Showers/Baths	☐			--	--
Turn Off Water when Brushing Teeth, Shaving, Washing Dishes, or Cooking	Faucets and Dishwashers	☐			--	--
Fill the Bathtub Halfway	Showers/Baths	☐			--	--
Wash Only Full Loads of Clothes	Clothes Washers	☐			--	--
Install a High-Efficiency Toilet	Toilets	☐			--	--
Take Shorter Showers	Showers/Baths	☐			--	--
Run Dishwasher Only When Full	Faucets and Dishwashers	☐			--	--
Reduce Outdoor Irrigation	Irrigation	☐			--	--
Install Drip-Irrigation	Irrigation	☐			--	--
Use Mulch	Irrigation	☐			--	--
Plant Drought Resistant Trees and Plants	Irrigation	☐			--	--
Use a Broom to Clean Outdoor Areas	Misc. Outdoor	☐			--	--
Flush Less Frequently	Toilets	☐			--	--
Re-Use Shower or Bath Water for Irrigation	Irrigation	☐			--	--
Wash Car at Facility that Recycles the Water	Misc. Outdoor	☐			--	--

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5 - Estimated Water Savings - Stage 4

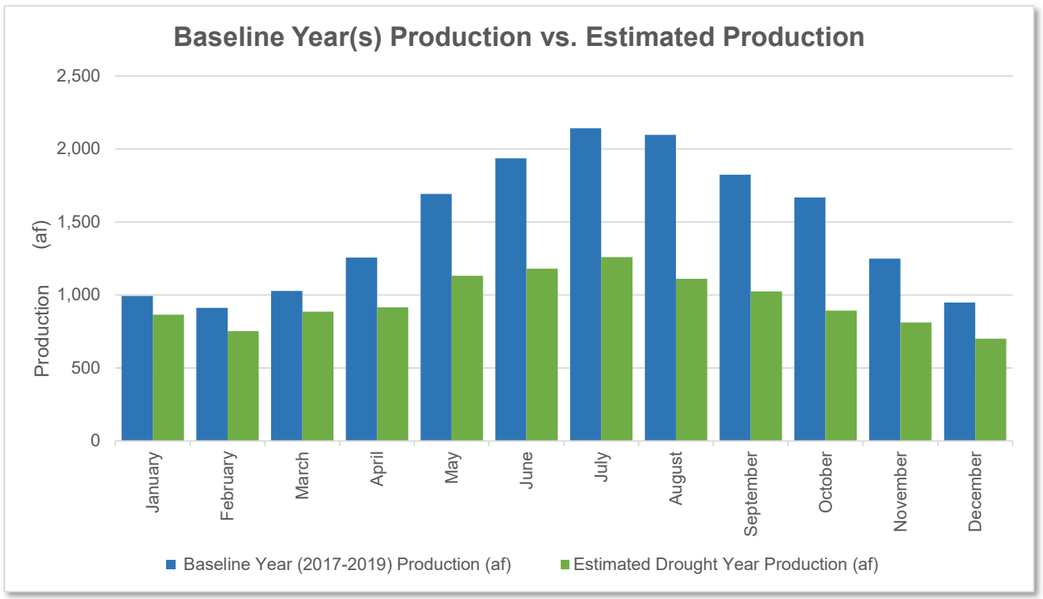
City of Tracy

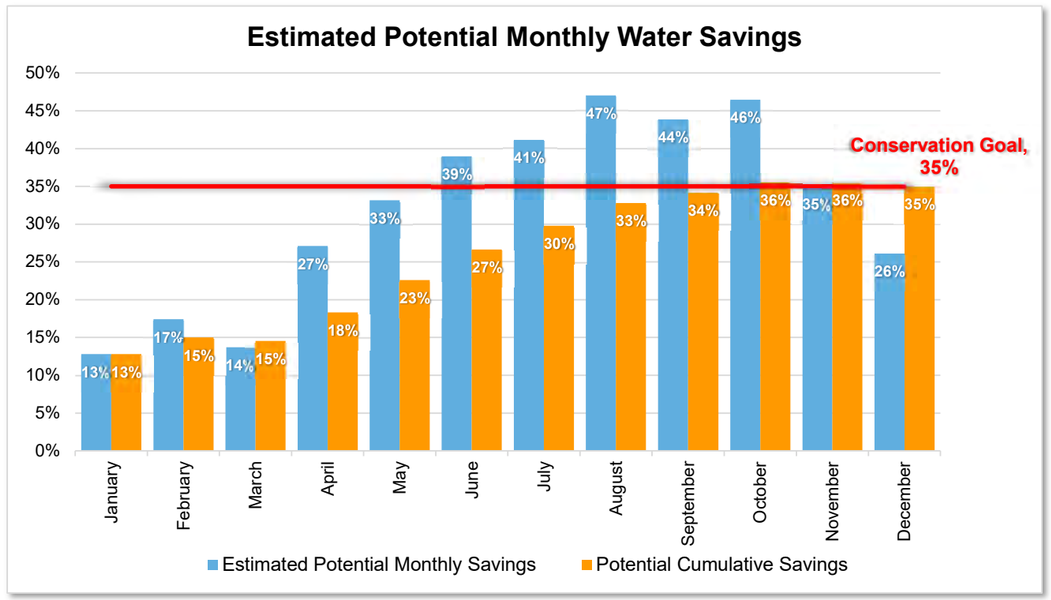
Estimated Monthly Water Use and Savings Summary

Units: (af)

This provides a summary of the estimated production relative to Baseline Year production and potential water savings, assuming implementation of selected actions at the water savings and implementation rates indicated in the Drought Response Actions worksheet. Select the units that your production data are displayed in.

Month	Baseline Year (2017-2019) Production (af)	Estimated Drought Year Production (af)	Estimated Potential Monthly Savings	Potential Cumulative Savings	Conservation Goal	Comments
January	993	866	13%	13%	35%	
February	913	754	17%	15%	35%	
March	1,028	887	14%	15%	35%	
April	1,256	916	27%	18%	35%	
May	1,693	1,131	33%	23%	35%	
June	1,936	1,181	39%	27%	35%	
July	2,142	1,260	41%	30%	35%	
August	2,098	1,111	47%	33%	35%	
September	1,825	1,024	44%	34%	35%	
October	1,669	893	46%	36%	35%	
November	1,249	812	35%	36%	35%	
December	948	701	26%	35%	35%	





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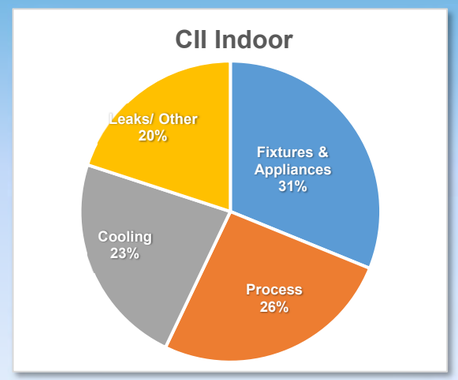
4 - Drought Response Actions - Stage 5

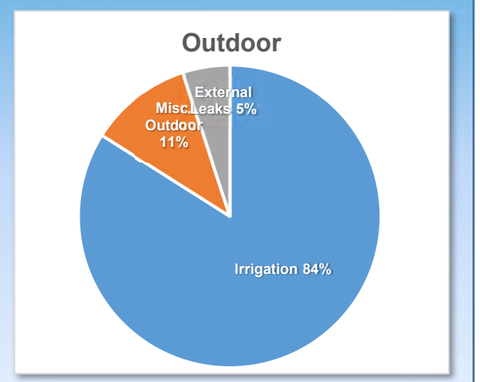
City of Tracy

Maximum Savings Potential		
Use the default values or enter your own criteria for the maximum savings potential. Estimated water savings within each sector will not exceed the maximum savings criteria.		
Minimum Residential Indoor GPCD	25	R-GPCD
Maximum Residential Outdoor Savings	100%	of Baseline Residential Outdoor Water Use
Maximum CII Indoor Savings	30%	of Baseline CII Indoor Water Use
Maximum CII Outdoor Savings	100%	of Baseline CII Outdoor Water Use
Maximum Dedicated Irrigation Account Savings	100%	of Baseline Dedicated Irrigation Water Use
Maximum Non-Revenue Water Savings	50%	of Baseline Non-Revenue Water Use
Resulting Total Maximum Annual Savings Potential	**72%**	of Total Baseline Production

Assumed Proportion of Water Use by End Uses and Sector







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4 - Drought Response Actions - Stage 5

City of Tracy

Drought Response Actions

Select the Drought Response Actions you would like to include in your estimated savings calculations. For each selected action, use the default end use savings estimates and implementation rates or input your own values. The "End Use Savings" estimates the percent water use reduction that could occur at a particular end use as a result of a specific action. The "Implementation Rate" refers to the estimated percentage of accounts that will implement a specific action. The water savings potential at each end use is capped based on the assumed distribution of end use water demands shown in the pie charts above. A dash (--) indicates that professional judgement was used to establish the default value, or that savings are expected to be accounted for as part of a Public Information Program; additional basis for the default values are included in the User Manual.

Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Possible Mandatory Prohibitions**	All Outdoor	☑	14%	**85%**	--	--
Prohibit Irrigation with Potable Water Outside of Newly Constructed Homes and Buildings that is not Delivered by Drip or Microspray Systems	Irrigation	☑			--	--
Require Shut-Off Nozzles on Hoses for Vehicle Washing	Misc. Outdoor	☑	17%	50%	See Appendix D of the DRP	--
Prohibit Use of Potable Water to Wash Sidewalks and Driveways	Misc. Outdoor	☑	17%	50%		--
Prohibit the Use of Potable Water for Street Washing	Misc. Outdoor	☑	17%	50%		--
Prohibit Irrigation with Potable Water in a Manner that causes Runoff	Irrigation	☑	3%	50%	DeOreo et al., 2011	--
Prohibit Irrigation with Potable Water within 48 Hours following Measurable Rainfall	Irrigation	☑			--	--
Prohibit Irrigation of Ornamental Turf with Potable Water on Street Medians	Irrigation	☑			--	--
Prohibit Potable Water Use for Decorative Water Features that do not Recirculate Water	Misc. Outdoor	☑	50%	50%	EBMUD, 2008	--
Provide Linen Service Opt Out Options	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--
Prohibit Serving Drinking Water other than upon Request in Eating or Drinking Establishments	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--

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4 - Drought Response Actions - Stage 5

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Agency Actions**						
Media Campaign, Newspaper Articles, Website	All	☑	0.5%	**75%**	EBMUD, 2011	--
Promote Water Conservation / Rebate Programs	All	☑		50%	--	--
Water Efficiency Workshops, Public Events	All	☑	0.5%	25%	EBMUD, 2011	--
Water Bill Inserts	All	☑	0.5%	100%	EBMUD, 2011	--
Promote / Expand Use of Recycled Water	Irrigation	☐	100%		--	--
Home or Mobile Water Use Reports	All	☐	5%	10%	WaterSmart Software, 2015	--
Decrease Frequency and Length of Line Flushing	Non Revenue Water	☑	25%	50%	See Appendix D of the DRP	Reduced flushing by 50%.
Audit and Reduce System Water Loss	Non Revenue Water	☑	45%	**25%**	DWR, 2015	Target 25% of leakage.
Implement Drought Rate Structure / Water Budgets	All	☑	5%	100%	CUWCC, 2015	--
Establish Retrofit on Resale Ordinance	All Residential Indoor	☐	21%	6%	SFPUC, 2004	First Tuesday, 2015
Require Net Zero Demand Increase on New Connections	All	☐			--	--
Moratorium on New Connections	All	☑			--	--
Move to Monthly Metering / Billing	All	☐	5%	10%	See Appendix D of the DRP	--
Increase Water Waste Patrols / Enforcement	All	☑			--	--
Establish Drought Hotline	All	☑			--	--
Reduce Distribution System Pressures	Non Revenue Water	☐	4.5%	100%	CUWCC, 2010; DWR, 2015	--
► **Dedicated Irrigation**						
Conduct Irrigation Account Surveys	Irrigation	☑	30%	**50%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	12%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, Between 7PM and 9AM	Irrigation	☐	79%	75%		
Prohibit use of Potable Water for Irrigation	Irrigation	☑	100%	**85%**		
Require Repair of all Leaks within 48 hours	External Leaks	☑	100%	**8%**	--	--
Customer Water Budgets						
Establish Water Budget - 25% Reduction	Irrigation	☐	25%	50%	--	--
Establish Water Budget - 50% Reduction	Irrigation	☐	50%	50%	--	--
Establish Water Budget - 75% Reduction	Irrigation	☐	75%	50%	--	--

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4 - Drought Response Actions - Stage 5

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Residential**						
Conduct Water Use Surveys Targeting High Water Users	All Residential Uses	☑	10%	**20%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	10%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, Between 7PM and 9AM	Irrigation	☐	77%	75%		
Prohibit use of Potable Water for Irrigation	Irrigation	☑	100%	**80%**		
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Require Pool Covers	Misc. Outdoor	☑	28%	25%	Maddaus & Mayer, 2001	--
Prohibit Filling of Pools	Misc. Outdoor	☑	55%	25%	DeOreo et al., 2011	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All Residential Uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All Residential Uses	☐	20%	50%	--	--
► **CII**						
Conduct CII Surveys Targeting High Water Users	All CII uses	☑	10%	**20%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	5%	40%	Historical savings in 2013 to 2015	--
Prohibit use of Potable Water for Irrigation	Irrigation	☑	**100%**	**80%**		
Prohibit Use of Potable Water for Construction and Dust Control	Misc. Outdoor	☐		100%	--	--
Prohibit Single-Pass Cooling Systems	Cooling	☐	80%	1%	Vickers, 2001	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Water-Efficient Pre-Rinse Spray Valves	Fixtures & Appliances	☐	0.8%	50%	EPA, 2015; Pacific Institute, 2003	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All CII uses	☐	10%	50%	--	--
Establish Water Budget - 20% Reduction	All CII uses	☐	20%	50%	--	--
Establish Water Budget - 30% Reduction	All CII uses	☐	30%	50%	--	--

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4 - Drought Response Actions - Stage 5

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
▶ **Residential Customer Actions to Encourage**						
Install Bathroom Faucet Aerators	Faucets and Dishwashers	☐			--	--
Install a Water-Efficient Showerhead	Showers/Baths	☐			--	--
Turn Off Water when Brushing Teeth, Shaving, Washing Dishes, or Cooking	Faucets and Dishwashers	☐			--	--
Fill the Bathtub Halfway	Showers/Baths	☐			--	--
Wash Only Full Loads of Clothes	Clothes Washers	☐			--	--
Install a High-Efficiency Toilet	Toilets	☐			--	--
Take Shorter Showers	Showers/Baths	☐			--	--
Run Dishwasher Only When Full	Faucets and Dishwashers	☐			--	--
Reduce Outdoor Irrigation	Irrigation	☐			--	--
Install Drip-Irrigation	Irrigation	☐			--	--
Use Mulch	Irrigation	☐			--	--
Plant Drought Resistant Trees and Plants	Irrigation	☐			--	--
Use a Broom to Clean Outdoor Areas	Misc. Outdoor	☐			--	--
Flush Less Frequently	Toilets	☐			--	--
Re-Use Shower or Bath Water for Irrigation	Irrigation	☐			--	--
Wash Car at Facility that Recycles the Water	Misc. Outdoor	☐			--	--

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5 - Estimated Water Savings - Stage 5

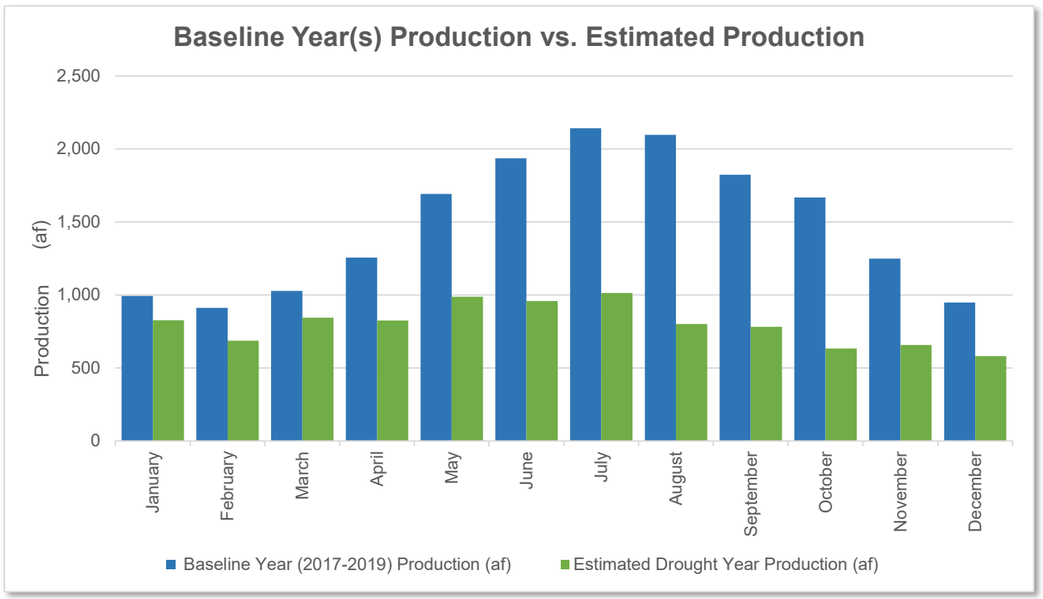
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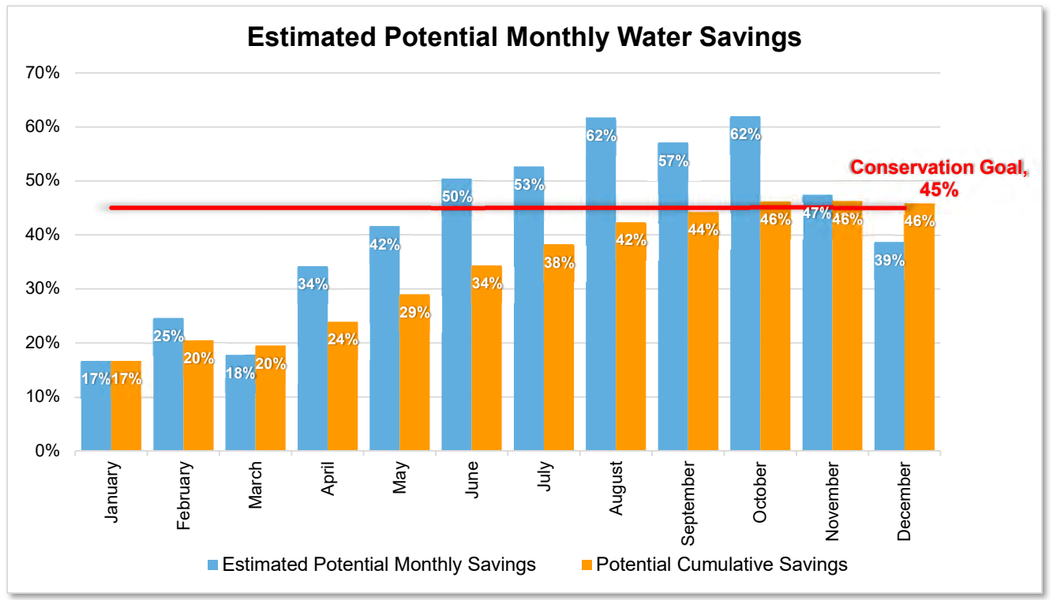
Estimated Monthly Water Use and Savings Summary

Units: (af)

This provides a summary of the estimated production relative to Baseline Year production and potential water savings, assuming implementation of selected actions at the water savings and implementation rates indicated in the Drought Response Actions worksheet. Select the units that your production data are displayed in.

Month	Baseline Year (2017-2019) Production (af)	Estimated Drought Year Production (af)	Estimated Potential Monthly Savings	Potential Cumulative Savings	Conservation Goal	Comments
January	993	828	17%	17%	45%	
February	913	688	25%	20%	45%	
March	1,028	845	18%	20%	45%	
April	1,256	827	34%	24%	45%	
May	1,693	988	42%	29%	45%	
June	1,936	959	50%	34%	45%	
July	2,142	1,014	53%	38%	45%	
August	2,098	802	62%	42%	45%	
September	1,825	782	57%	44%	45%	
October	1,669	634	62%	46%	45%	
November	1,249	658	47%	46%	45%	
December	948	581	39%	46%	45%	





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Drought Response Tool

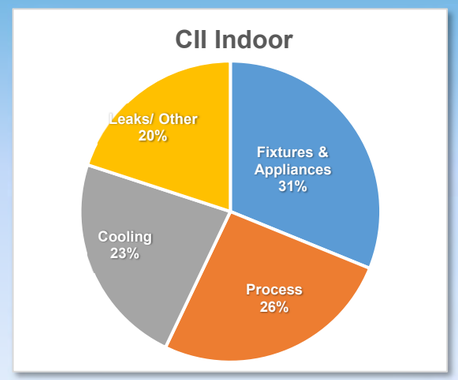
4 - Drought Response Actions - Stage 6

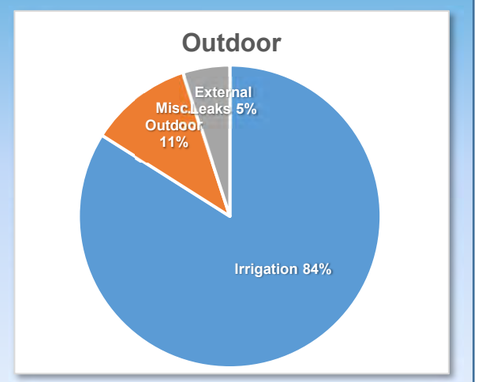
City of Tracy

Maximum Savings Potential		
Use the default values or enter your own criteria for the maximum savings potential. Estimated water savings within each sector will not exceed the maximum savings criteria.		
Minimum Residential Indoor GPCD	25	R-GPCD
Maximum Residential Outdoor Savings	100%	of Baseline Residential Outdoor Water Use
Maximum CII Indoor Savings	30%	of Baseline CII Indoor Water Use
Maximum CII Outdoor Savings	100%	of Baseline CII Outdoor Water Use
Maximum Dedicated Irrigation Account Savings	100%	of Baseline Dedicated Irrigation Water Use
Maximum Non-Revenue Water Savings	50%	of Baseline Non-Revenue Water Use
Resulting Total Maximum Annual Savings Potential	**72%**	of Total Baseline Production

Assumed Proportion of Water Use by End Uses and Sector







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4 - Drought Response Actions - Stage 6

City of Tracy

Drought Response Actions

Select the Drought Response Actions you would like to include in your estimated savings calculations. For each selected action, use the default end use savings estimates and implementation rates or input your own values. The "End Use Savings" estimates the percent water use reduction that could occur at a particular end use as a result of a specific action. The "Implementation Rate" refers to the estimated percentage of accounts that will implement a specific action. The water savings potential at each end use is capped based on the assumed distribution of end use water demands shown in the pie charts above. A dash (--) indicates that professional judgement was used to establish the default value, or that savings are expected to be accounted for as part of a Public Information Program; additional basis for the default values are included in the User Manual.

Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Possible Mandatory Prohibitions**	All Outdoor	☑	14%	**90%**	--	--
Prohibit Irrigation with Potable Water Outside of Newly Constructed Homes and Buildings that is not Delivered by Drip or Microspray Systems	Irrigation	☑			--	--
Require Shut-Off Nozzles on Hoses for Vehicle Washing	Misc. Outdoor	☑	17%	50%	See Appendix D of the DRP	--
Prohibit Use of Potable Water to Wash Sidewalks and Driveways	Misc. Outdoor	☑	17%	50%		--
Prohibit the Use of Potable Water for Street Washing	Misc. Outdoor	☑	17%	50%		--
Prohibit Irrigation with Potable Water in a Manner that causes Runoff	Irrigation	☑	3%	50%	DeOreo et al., 2011	--
Prohibit Irrigation with Potable Water within 48 Hours following Measurable Rainfall	Irrigation	☑			--	--
Prohibit Irrigation of Ornamental Turf with Potable Water on Street Medians	Irrigation	☑			--	--
Prohibit Potable Water Use for Decorative Water Features that do not Recirculate Water	Misc. Outdoor	☑	50%	50%	EBMUD, 2008	--
Provide Linen Service Opt Out Options	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--
Prohibit Serving Drinking Water other than upon Request in Eating or Drinking Establishments	Fixtures & Appliances	☑	0.5%	50%	EBMUD, 2011	--

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4 - Drought Response Actions - Stage 6

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Agency Actions**						
Media Campaign, Newspaper Articles, Website	All	☑	0.5%	**80%**	EBMUD, 2011	--
Promote Water Conservation / Rebate Programs	All	☑		50%	--	--
Water Efficiency Workshops, Public Events	All	☑	0.5%	25%	EBMUD, 2011	--
Water Bill Inserts	All	☑	0.5%	100%	EBMUD, 2011	--
Promote / Expand Use of Recycled Water	Irrigation	☐	100%		--	--
Home or Mobile Water Use Reports	All	☐	5%	10%	WaterSmart Software, 2015	--
Decrease Frequency and Length of Line Flushing	Non Revenue Water	☑	25%	50%	See Appendix D of the DRP	Reduced flushing by 50%.
Audit and Reduce System Water Loss	Non Revenue Water	☑	45%	**25%**	DWR, 2015	Target 25% of leakage.
Implement Drought Rate Structure / Water Budgets	All	☑	5%	100%	CUWCC, 2015	--
Establish Retrofit on Resale Ordinance	All Residential Indoor	☐	21%	6%	SFPUC, 2004	First Tuesday, 2015
Require Net Zero Demand Increase on New Connections	All	☐			--	--
Moratorium on New Connections	All	☑			--	--
Move to Monthly Metering / Billing	All	☐	5%	10%	See Appendix D of the DRP	--
Increase Water Waste Patrols / Enforcement	All	☑			--	--
Establish Drought Hotline	All	☑			--	--
Reduce Distribution System Pressures	Non Revenue Water	☑	4.5%	100%	CUWCC, 2010; DWR, 2015	--
► **Dedicated Irrigation**						
Conduct Irrigation Account Surveys	Irrigation	☑	30%	**50%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	12%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, Between 7PM and 9AM	Irrigation	☐	79%	75%		
Prohibit use of Potable Water for Irrigation	Irrigation	☑	100%	**100%**		
Require Repair of all Leaks within 48 hours	External Leaks	☑	100%	**8%**	--	--
Customer Water Budgets						
Establish Water Budget - 25% Reduction	Irrigation	☐	25%	50%	--	--
Establish Water Budget - 50% Reduction	Irrigation	☐	50%	50%	--	--
Establish Water Budget - 75% Reduction	Irrigation	☐	75%	50%	--	--

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4 - Drought Response Actions - Stage 6

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
► **Agency Drought Actions / Restrictions**						
► **Residential**						
Conduct Water Use Surveys Targeting High Water Users	All Residential Uses	☑	10%	**20%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	10%	40%	Historical savings in 2013 to 2015	--
Limit Irrigation to 1 Day/Week, Between 7PM and 9AM	Irrigation	☐	77%	75%		
Prohibit use of Potable Water for Irrigation	Irrigation	☑	100%	**90%**		
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Require Pool Covers	Misc. Outdoor	☑	28%	25%	Maddaus & Mayer, 2001	--
Prohibit Filling of Pools	Misc. Outdoor	☑	55%	25%	DeOreo et al., 2011	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All Residential Uses	☐	10%	80%	--	--
Establish Water Budget - 20% Reduction	All Residential Uses	☑	20%	**80%**	--	--
► **CII**						
Conduct CII Surveys Targeting High Water Users	All CII uses	☑	10%	**20%**	EBMUD, 2011	--
Limit Irrigation Days, Time and Duration (Select One)						
Limit Irrigation to Between 7PM and 9AM	Irrigation	☐	5%	40%	Historical savings in 2013 to 2015	--
Prohibit use of Potable Water for Irrigation	Irrigation	☑	**100%**	**90%**		
Prohibit Use of Potable Water for Construction and Dust Control	Misc. Outdoor	☐		100%	--	--
Prohibit Single-Pass Cooling Systems	Cooling	☐	80%	1%	Vickers, 2001	--
Require Repair of all Leaks within 48 hours	Leaks	☑	100%	**8%**	--	--
Prohibit Vehicle Washing Except with Recycled Water	Misc. Outdoor	☐	50%	50%	EBMUD, 2008	--
Require Water-Efficient Pre-Rinse Spray Valves	Fixtures & Appliances	☐	0.8%	50%	EPA, 2015; Pacific Institute, 2003	--
Customer Water Budgets						
Establish Water Budget - 10% Reduction	All CII uses	☐	10%	80%	--	--
Establish Water Budget - 25% Reduction	All CII uses	☐	25%	80%	--	--
Establish Water Budget - 30% Reduction	All CII uses	☑	30%	**80%**	--	--

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4 - Drought Response Actions - Stage 6

City of Tracy

Drought Response Actions						
Action Description	End Use(s)	Implement Program	End Use Savings (%)	Implementation Rate	Source of Default Savings Estimate	Source of Default Implementation Rate
▶ **Residential Customer Actions to Encourage**						
Install Bathroom Faucet Aerators	Faucets and Dishwashers	☐			--	--
Install a Water-Efficient Showerhead	Showers/Baths	☐			--	--
Turn Off Water when Brushing Teeth, Shaving, Washing Dishes, or Cooking	Faucets and Dishwashers	☐			--	--
Fill the Bathtub Halfway	Showers/Baths	☐			--	--
Wash Only Full Loads of Clothes	Clothes Washers	☐			--	--
Install a High-Efficiency Toilet	Toilets	☐			--	--
Take Shorter Showers	Showers/Baths	☐			--	--
Run Dishwasher Only When Full	Faucets and Dishwashers	☐			--	--
Reduce Outdoor Irrigation	Irrigation	☐			--	--
Install Drip-Irrigation	Irrigation	☐			--	--
Use Mulch	Irrigation	☐			--	--
Plant Drought Resistant Trees and Plants	Irrigation	☐			--	--
Use a Broom to Clean Outdoor Areas	Misc. Outdoor	☐			--	--
Flush Less Frequently	Toilets	☐			--	--
Re-Use Shower or Bath Water for Irrigation	Irrigation	☐			--	--
Wash Car at Facility that Recycles the Water	Misc. Outdoor	☐			--	--

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5 - Estimated Water Savings - Stage 6

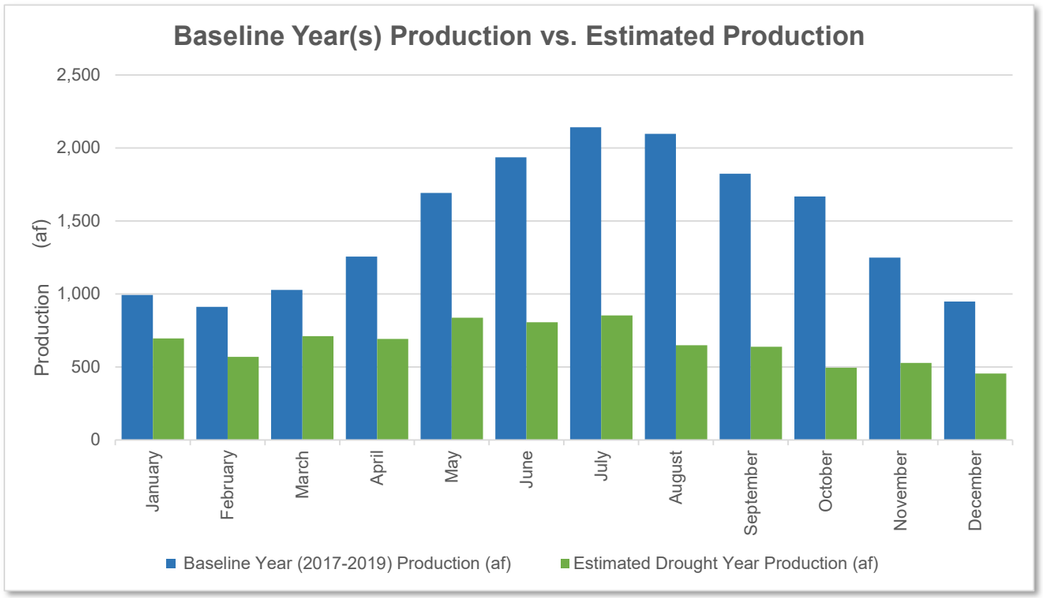
City of Tracy

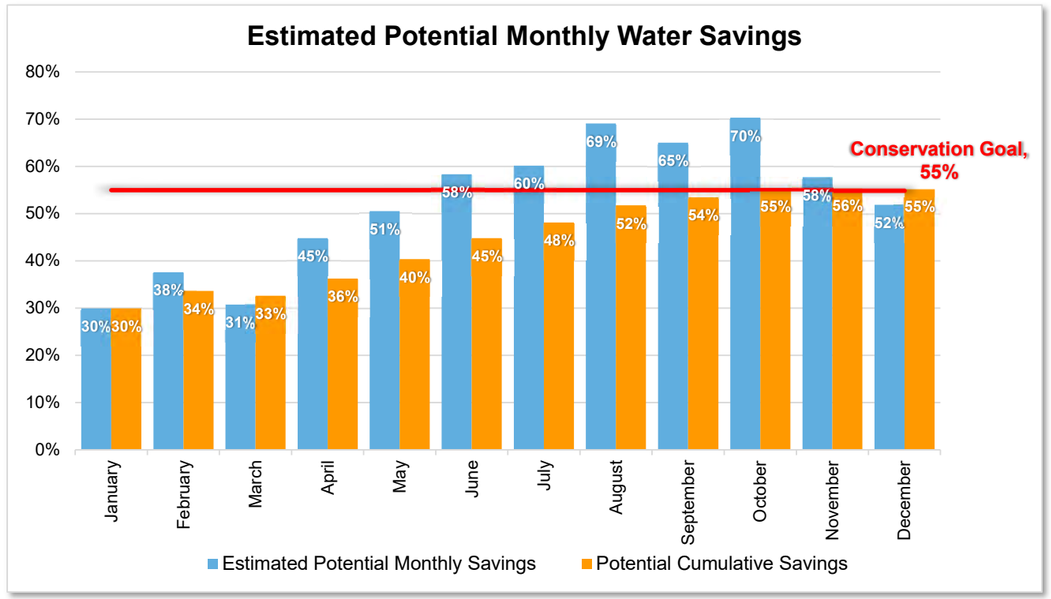
Estimated Monthly Water Use and Savings Summary

Units: (af)

This provides a summary of the estimated production relative to Baseline Year production and potential water savings, assuming implementation of selected actions at the water savings and implementation rates indicated in the Drought Response Actions worksheet. Select the units that your production data are displayed in.

Month	Baseline Year (2017-2019) Production (af)	Estimated Drought Year Production (af)	Estimated Potential Monthly Savings	Potential Cumulative Savings	Conservation Goal	Comments
January	993	696	30%	30%	55%	
February	913	569	38%	34%	55%	
March	1,028	712	31%	33%	55%	
April	1,256	693	45%	36%	55%	
May	1,693	838	51%	40%	55%	
June	1,936	807	58%	45%	55%	
July	2,142	853	60%	48%	55%	
August	2,098	649	69%	52%	55%	
September	1,825	638	65%	54%	55%	
October	1,669	495	70%	55%	55%	
November	1,249	528	58%	56%	55%	
December	948	456	52%	55%	55%	





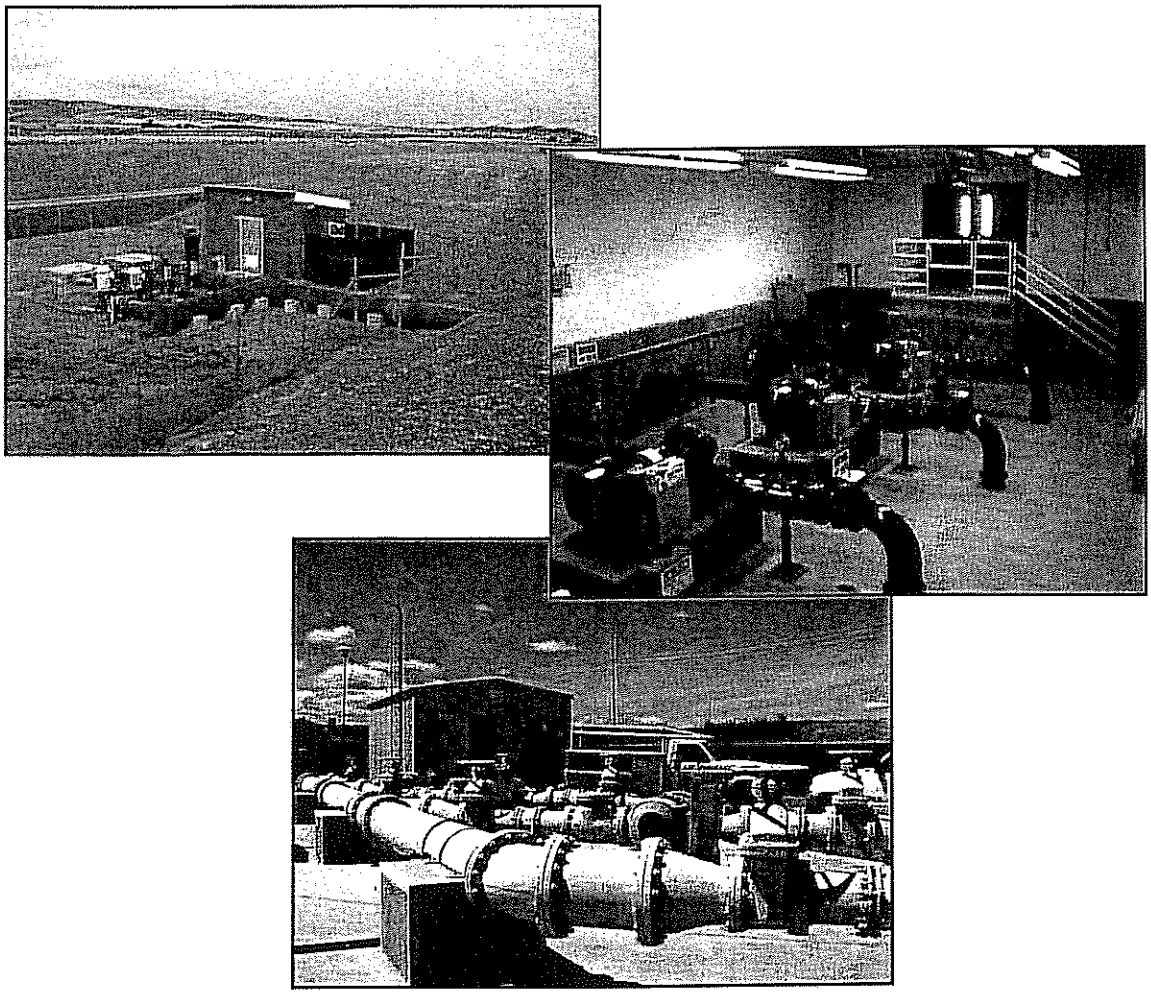
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ATTACHMENT 2

WATER SYSTEM EMERGENCY RESPONSE PLAN (EXCERPTED)

City of Tracy

Water System Emergency Response Plan



Prepared by
West Yost & Associates

June 2004

Compliance with SEMS

The City's Emergency Plan and Emergency Management Organization is consistent with the Standardized Emergency Management System (SEMS). This Water System ERP is also consistent with SEMS. All local government agencies must use SEMS in multi-jurisdictional or multi-agency emergency responses to be eligible for state reimbursement of response-related costs.

SEMS defines a standard organization with accompanying roles and responsibilities to be used by public agencies in the field and in the Emergency Operations Center (EOC) whenever as emergency requires response from multiple agencies. SEMS utilizes the Incident Command System (ICS), which was originally developed by the fire service for managing emergency response to wildland fires.

The five organizational levels of SEMS are defined in Figure 1. Figure 2 shows the California OES regions. The City is located in OES Inland Region IV.

State	→	Statewide resource coordination integrated with federal agencies (e.g. California Office of Emergency Services)	→	California Office of Emergency Services (OES)
Regional	→	Manages and coordinates information and resources among operational areas (e.g. OES Inland Region IV)	→	State OES Inland Region IV
Operational Area	→	Manages and coordinates all local governments within the geographic boundary of a county (e.g. San Joaquin County)	→	San Joaquin County Office of Emergency Services
Local	→	County, city or special district (e.g. City of Tracy)	→	City of Tracy
Field	→	On-scene responders	→	Public Works Department operational and field staff

Figure 1. SEMS Organizational Levels

Emergency Categories

Four response categories have been defined for the Public Works Department to provide a common method of describing the type of event, area affected and extent of coordination or assistance needed. These response categories are described in Table 6.

Table 6. Public Works Department Emergency Response Categories

Emergency Response Category	Types of Emergencies	Examples of Possible Emergencies	Agencies Involved
Category 0: Readiness/ Routine Response	On-going response to daily emergency situations	▪ Minor pipe breaks/leaks ▪ Water supply/quality alerts from DMC ▪ Equipment malfunction at City facility	▪ Public Works staff
Category 1: Local Emergency	Situation confined to one location within the City service area and not adversely affecting local services, populations or traffic. Public Works staff may require assistance from another local agency.	▪ Single pipeline break ▪ Single pump station out of service ▪ Localized hazardous materials spills ▪ Localized power outage ▪ Water supply alert from the Bureau requiring the City to shut off supply from DMC for a short amount of time	▪ City Manager, Public Works Director and staff ▪ County hazardous materials response team ▪ PG&E
Category 2: Local Disaster	Situation affecting multiple local services, populations and geographic areas. Coordination is necessary between several local agencies.	▪ Major transmission pipeline break or failure of a storage reservoir ▪ Landslide ▪ Localized fire ▪ Localized flooding ▪ Large hazardous material spill ▪ Widespread power outage ▪ Water supply alert from the Bureau requiring the City to shut off supply from DMC for an extended amount of time	▪ City Manager, Public Works Director and staff ▪ Local fire department ▪ Local police ▪ Highway patrol ▪ County OES ▪ PG&E
Category 3: Major Disaster	Regional disaster involving widespread damage to structures and disruption of services	▪ Major earthquake with widespread damage to water system ▪ Multiple pipeline breaks ▪ Long-term loss of water supply from DMC	▪ City Manager, Public Works Director and staff ▪ Local, County and State agencies

PLAN ACTIVATION

Definition

This plan will be activated to the extent required by the nature and scope of the emergency. This activation process, including plan triggers, staff responsibilities, mutual aid or assistance availability and damage assessment, is covered in this section.

Triggers/Criteria

As described earlier (Table 6), four emergency categories have been defined for the City's Public Works Department. Responses must be coordinated in accordance with these categories. A summary of response categories, potential triggers and potential response actions are listed in Table 9. During an emergency, changing conditions (including water demand, storage and supply) must be closely monitored in order to assess the impact of the emergency on water system operations and customers and the need for additional response actions.

Table 9. Response Categories, Triggers and Potential Response Actions

Emergency Response Category	Potential Response Triggers	Potential Response Actions
Category 0: Readiness/ Routine Response	▪ Minor pipe breaks/leaks ▪ Equipment malfunction at a water facility ▪ Water supply/quality alerts from DMC	▪ Assess outage duration and determine if additional supplies or reduced demand is necessary. ▪ Assess and repair problem ▪ If possible, fill and maintain storage reservoirs at full in case water supply issue is escalated ▪ Coordinate with SLDMWA to stay informed on water supply status ▪ Remain alert and ready for potential escalation of water supply problem
Category 1: Local Emergency	▪ Single pipeline break/pipeline split ▪ Single pump station out of service ▪ Localized hazardous materials spills ▪ Localized or short-term power outage ▪ Water supply/quality alert from SLDMWA requiring City to shut off supply from DMC for a short amount of time ▪ Potential impact to private property	▪ Assess outage duration and determine if additional supplies or reduced demand is necessary. ▪ Assess and repair problem ▪ Notify impacted homeowners as necessary ▪ Closely monitor water demands and storage levels ▪ Relocate/utilize emergency generators as needed ▪ Contact County hazardous materials response team as needed ▪ Contact PG&E as needed ▪ Coordinate with SLDMWA to stay informed on water supply status from DMC

Emergency Response Category	Potential Response Triggers	Potential Response Actions
Category 2: Local Disaster	▪ Major transmission pipeline break or failure of a storage reservoir ▪ Landslide ▪ Localized fire ▪ Localized flooding ▪ Large hazardous material spill ▪ Widespread or long-term power outage ▪ Water supply/quality alert from SLDMWA requiring City to shut off supply from DMC for an extended amount of time	▪ Assess outage duration and determine if additional supplies or reduced demand is necessary. ▪ Assess damage and develop and implement a prioritized plan for repairs ▪ Closely monitor storage levels in reservoirs still operational ▪ Relocate/utilize emergency generators as needed ▪ Notify customers of supply outage/interruption, as necessary ▪ Coordinate with local fire and law enforcement, as necessary ▪ Coordinate with County OES ▪ Coordinate with SLDMWA to stay informed on water supply status from DMC
Category 3: Major Disaster	▪ Major earthquake with widespread damage to water system ▪ Multiple pipeline breaks ▪ Major fire ▪ Long-term loss of water supply from DMC	▪ Activate EOC ▪ Assess outage duration and determine if additional supplies or reduced demand is necessary. ▪ Notify customers of supply outage ▪ Stop delivery of potable water to customers (or issue Boil Water Order or Unsafe Water Alert), as necessary ▪ Notify County OES ▪ Notify DHS ▪ Assess damage to City water facilities and establish priorities for repairs ▪ Coordinate with SLDMWA to stay informed on water supply/quality status from DMC ▪ Closely monitor storage levels in any reservoirs still operational ▪ Track all emergency expenditures for possible reimbursement

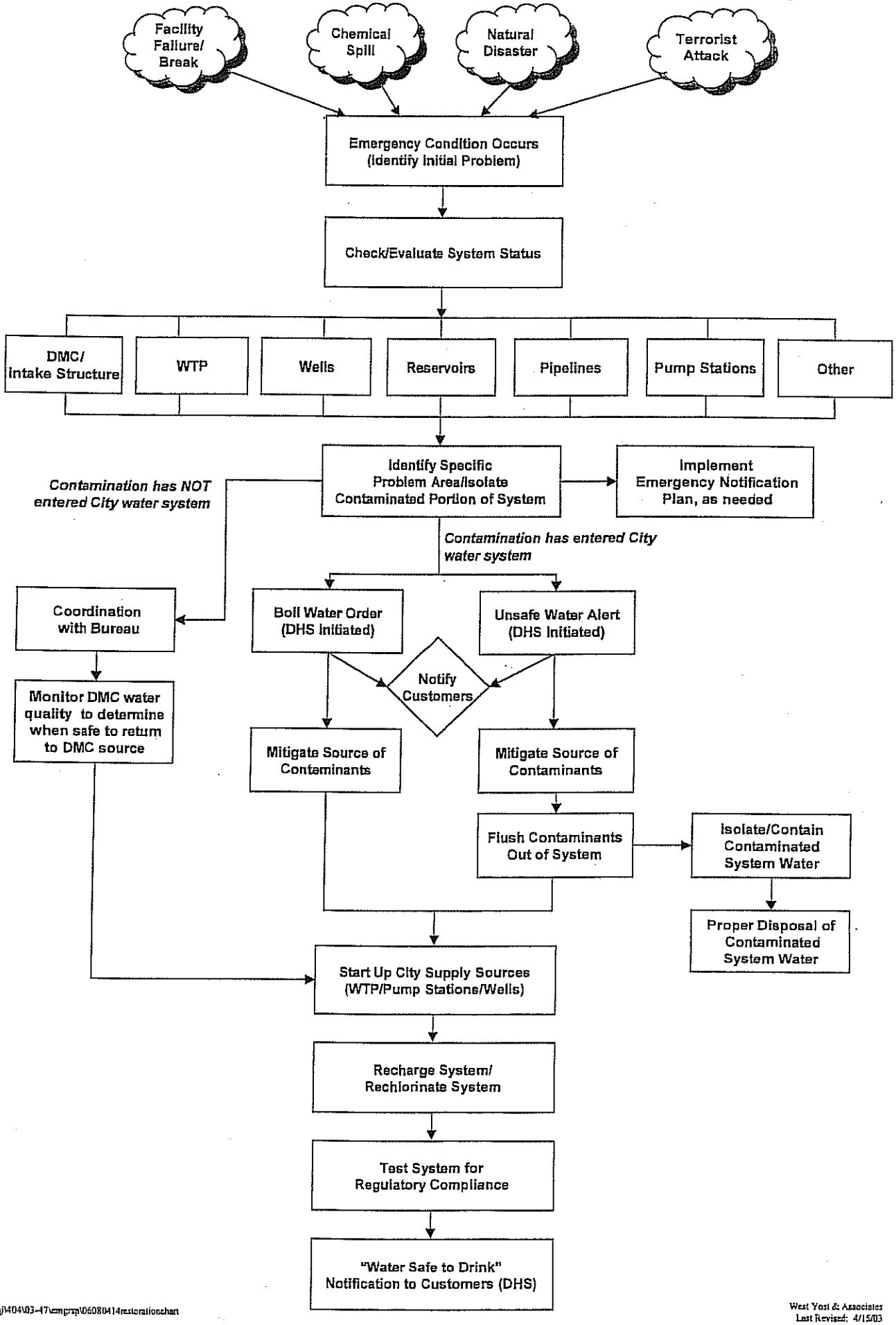
Staff Recall

City Public Works staff resources are limited and most Public Works employees work normal business hours, Monday through Friday. Only the John Jones Water Treatment Plant and the Wastewater Treatment Plant have personnel on-site 24 hours per day, seven days a week. During normal business hours, Public Works staff maintains communications via cell phones, pagers and vehicle radios. If an incident occurs in the field or at one of City's water system facilities during normal business hours, the first person at the emergency scene automatically becomes the Incident Commander until other Public Works personnel or appropriate authorities replace him/her. During off-hours, field personnel are on-call and are reachable via pager or cell phone in the case of an emergency.

Table 10. Deactivation Triggers and Potential Deactivation Actions

Emergency Response Category	Potential Deactivation Triggers	Potential Deactivation Actions
Category 3: Major Disaster	▪ DMC supply has been partially restored ▪ Major pipeline breaks have been repaired ▪ Primary wells, pump stations and reservoir are operational	▪ Deactivate EOC ▪ Notify customers ▪ Notify County OES ▪ Notify DHS ▪ Start disinfection of transmission mains and purge system of all non-potable water ▪ Start to operate water system in a normal operating mode
Category 2: Local Disaster	▪ Demands can now be met utilizing normal flows from DMC ▪ Suppressed local fire or hazardous materials release ▪ Pipelines/storage tanks have been repaired ▪ Power has been restored ▪ SLDMWA advises that DMC supply has been restored	▪ Stop use of emergency generators ▪ Notify customers/agencies that operations are returning to normal
Category 1: Local Emergency	▪ Repair work has been completed by Public Works personnel ▪ SLDMWA advises that DMC is operating normally	▪ Perform testing to ensure that systems are operating normally ▪ Inform all involved that operations are back to normal
Category 0: Readiness/ Routine Response	▪ Repair work or testing has been completed by Public Works personnel ▪ SLDMWA advises that water supply alert is over	▪ Advise all that operations are back to normal

City of Tracy
Plan for Restoration of Water Service After an Emergency



ATTACHMENT 3

WATER SHORTAGE CONTINGENCY PLAN RESOLUTIONS

Pending Appendix

APPENDIX I

RESOLUTION XXX ON UWMP AND WSCP 2020 UPDATE

Pending Appendix

APPENDIX J

PLAN SUBMITTAL DOCUMENTATION

Pending Appendix



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(650) 292-9100 | Fax (650) 552-9012 | Ekiconsult.com

RESOLUTION 2021-_____

APPROVING THE 2020 URBAN WATER MANAGEMENT PLAN INCLUDING THE WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, California Water Code sections 10610 -10657, the Urban Water Management Planning Act (ACT) requires urban water suppliers, such as the City of Tracy, once every five years to prepare an updated management plan of its current and future water resources in order to assure a continued adequate and reliable water supply to its customers, and

WHEREAS, The City's 2015 Urban Water Management Plan was approved and submitted to the State in 2016, and

WHEREAS, The City of Tracy in conjunction with its consultant, EKI Environmental, have been working together to compile and analyze pertinent data in order to update to the 2015 Urban Water Management Plan (UWMP) and its Water Shortage Contingency Plan (WSCP) as required by the State Department of Water Resources (DWR), and

WHEREAS, The 2020 UWMP addresses all requirements of the State DWR including the Reduced Delta Reliance approach, and

WHEREAS, The update to the WSCP will require an amendment to the Tracy Municipal Code 11.28 Water Management under Article 6. Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals, scheduled for approval by City Council at a later date, and

WHEREAS, This item has fiscal impacts to revenues and expenditures in both the Water Enterprise fund and Tracy Infrastructure Master Plan (TIMP) fees, and

WHEREAS, The City's Water System Master Plan, presently being updated will provide more information including the cost estimates, TIMP fees and implementation plan for additional water sources and infrastructure improvements;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the 2020 Urban Water Management Plan including the Water Shortage Contingency Plan.

* * * * * * * * * * * * * *

The foregoing Resolution 2021-___ was adopted by Tracy City Council on the 1st day of June, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 1, 2021

AGENDA ITEM 3.B

REQUEST

PUBLIC HEARING TO INTRODUCE AN ORDINANCE AMENDING TRACY MUNICIPAL CODE SECTION 10.08.2930 REGARDING THE MINIMUM LOT FRONTAGE REQUIREMENT IN THE HIGHWAY SERVICE ZONE

EXECUTIVE SUMMARY

This agenda item involves introduction of an ordinance to amend Tracy Municipal Code Section 10.08.2930 regarding the minimum lot frontage requirement in the Highway Service Zone. The proposed amendment would allow lots to be created in the Highway Service Zone with no lot frontage requirement, if such lots access the public right-of-way through a common driveway shared with an adjacent lot or by means of an access easement that passes through one or more adjacent lots. The proposed amendment would be consistent with other commercial zones in the City. There is no fiscal impact associated with this proposed ordinance.

DISCUSSION

The Highway Service (HS) Zone is one of the City's commercial zoning districts. The HS Zone is located near the I-205 interchanges with Tracy Boulevard, MacArthur Drive, and Grant Line Road (Attachment A – HS Zone Locations). The HS Zone permits freeway-oriented uses, such as hotels, gas stations, and restaurants.

The HS Zone includes requirements regarding lot area and lot frontage. Tracy Municipal Code Section 10.08.2930 states the following:

> "**10.08.2930 Lot area (HS)**
> All lots in the HS Zone located within 1,000 feet of the center point of a freeway interchange shall have a minimum area of 22,500 square feet and shall have a minimum width of 150 feet frontage."

The lot area and lot frontage requirements must be satisfied in order to create a new lot or modify the boundaries of an existing lot.

The applicant is proposing an amendment to the minimum lot frontage requirement in the HS Zone, in order to allow for a potential future subdivision. The applicant is the owner of an approximately 2.2-acre parcel (approximately 96,000 square feet) located north of I-205 at 3775 N. Tracy Blvd. The applicant's property includes an existing Chevron gas station on the front portion of the parcel and approximately 1.4 acres (approximately 63,000 square feet) of vacant, undeveloped land on the back portion of the parcel. The vacant portion of the parcel is located behind the Chevron gas station and a neighboring Shell gas station. The vacant portion of the parcel is bisected by a private driveway/access easement that provides access from the public right-of-way to the Holiday Inn Express. The applicant would like to potentially subdivide this parcel into three lots, consisting of one lot for the Chevron gas station and separate lots for the

vacant land on both sides of the private driveway/access easement (Attachment B – Example of Potential Subdivision).

Analysis

In this example of potential subdivision, two of the lots would not have frontage on a public right-of-way, which is not allowed by the HS Zone. These two lots would need to use the private driveway/access easement to access the public right-of-way. However, this is the same way that this portion of the property would access the public right-of-way even if the parcel is not subdivided. The only difference is the potential location of property lines. If the lot frontage requirement is amended, the undeveloped portion of the parcel could potentially be subdivided and sold as separate lots, which would help make the site more readily available for development. The subdivision would require approval of a Tentative Parcel Map by the City Engineer.

Most commercial zoning districts in Tracy do not have a lot frontage requirement, including the Community Shopping Center (CS) Zone, Neighborhood Shopping (NS) Zone, and the Central Business District (CBD) Zone. Similar to this proposed amendment to the HS Zone, the General Highway Commercial (GHC) Zone was amended by the City Council in 2017 to not have a lot frontage requirement for lots with combined parking areas and common driveways. The I-205 Corridor Specific Plan, Tracy Hills Specific Plan, and the Cordes Ranch Specific Plan also do not have lot frontage requirements in commercial zones. Many of these commercial zones include lots with no frontage on a public right-of-way.

The minimum lot frontage requirement in the HS Zone was based on ideas from the past. Commercial development, in years past, did not normally subdivide shopping centers into multiple lots. Older shopping centers in Tracy, such as La Plaza Market (former Food-4-Less) and World Gym (former grocery store), for example, have only two lots with typical sizes of 3.5 to over eight acres. By contrast, commercial shopping centers developed more recently contain a separate lot for each tenant or building within each development, resulting in smaller lot sizes and narrow frontage, if any, on the public right-of-way. For example, Tracy Marketplace contains 24 lots, the West Valley Mall consists of 23 lots, and the Save Mart Center along Tracy Boulevard is comprised of six lots. Property lines passing through shopping centers are indistinguishable by customers visiting the centers. The separate lots associated with modern shopping centers are largely a function of ownership interests and financing needs. It is less common to have a single owner of a shopping center with independent financing today than it was in the past.

Another recent example is West Parkway Village, which involves a commercial zone in close proximity to a freeway interchange. On January 22, 2020, the Planning Commission approved a Tentative Subdivision Map for West Parkway Village, which is an area zoned General Commercial by the Cordes Ranch Specific Plan and located at the southeast corner of the I-205 interchange with International Parkway. The General Commercial Zone in the Cordes Ranch Specific Plan does not have a requirement for lot frontage. The Tentative Subdivision Map for West Parkway Village was approved with 14 parcels, many of which do not have frontage on a public right-of-way. The parcels

will have access to the public right-of-way through common driveways and access easements (Attachment C – Example of West Parkway Village).

The circulation and utilities function well within multiple-lot shopping centers because cross easements are recorded on the lots allowing pedestrian and vehicle circulation, customer and delivery access, and site maintenance or signs to occur across property lines. The City ensures adequate driveway spacing and other right-of-way improvements, in general, through roadway design standards and not through zoning, as may have been more prevalent in decades past.

Commercial properties that are not part of a shopping center may also utilize access easements to access the public right-of-way. For example, the Holiday Inn Express property happens to have lot frontage on Larch Road, but the primary access for the hotel is from Tracy Boulevard through an access easement across the applicant's property. This is a private driveway that is shared by users on multiple lots, including Chevron, Shell, and Holiday Inn Express.

The proposed amendment would allow lots to be created in the HS Zone with no lot frontage requirement, if such lots access the public right-of-way through a common driveway shared with an adjacent lot or by means of an access easement that passes through one or more adjacent lots (Attachment D – Proposed Amendment in Red-Line Version). There would be no change to the minimum lot area requirement of 22,500 square feet. The complete draft ordinance is included as Attachment E.

Planning Commission Discussion

The Planning Commission held a public hearing to consider this matter on April 14, 2021 and recommended that the City Council introduce and adopt an ordinance amending Tracy Municipal Code Section 10.08.2930 regarding the minimum lot frontage requirement in the Highway Service Zone.

Environmental Document

The proposed amendment to the Tracy Municipal Code is not a project within the meaning of the California Environmental Quality Act because it does not have the potential for causing a significant effect on the environment (CEQA Guidelines, 14 California Code of Regulations, §15061(b)). Therefore, no further environmental review is necessary.

STRATEGIC PLAN

This agenda item supports the City of Tracy's Economic Development Strategic Priority, which is to enhance the competitiveness of the City while further developing a strong and diverse economic base.

FISCAL IMPACT

There is no fiscal impact associated with this proposed ordinance. The costs of this development application were included in the Development Services operation budget.

RECOMMENDATION

Staff and Planning Commission recommend that the City Council introduce and waive the full reading of an ordinance amending Tracy Municipal Code Section 10.08.2930 regarding the minimum lot frontage requirement in the Highway Service Zone, Application Number ZA20-0002, as shown in Attachment E.

Prepared by: Scott Claar, Senior Planner

Reviewed by: Bill Dean, Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENT

Attachment A – HS Zone Locations
Attachment B – Example of Potential Subdivision
Attachment C – Example of West Parkway Village
Attachment D – Proposed Amendment in Red-Line Version
Attachment E – Ordinance recommended by Staff and Planning Commission to amend Tracy Municipal Code Section 10.08.2930 regarding the minimum lot frontage requirement in the Highway Service Zone, Application Number ZA20-0002

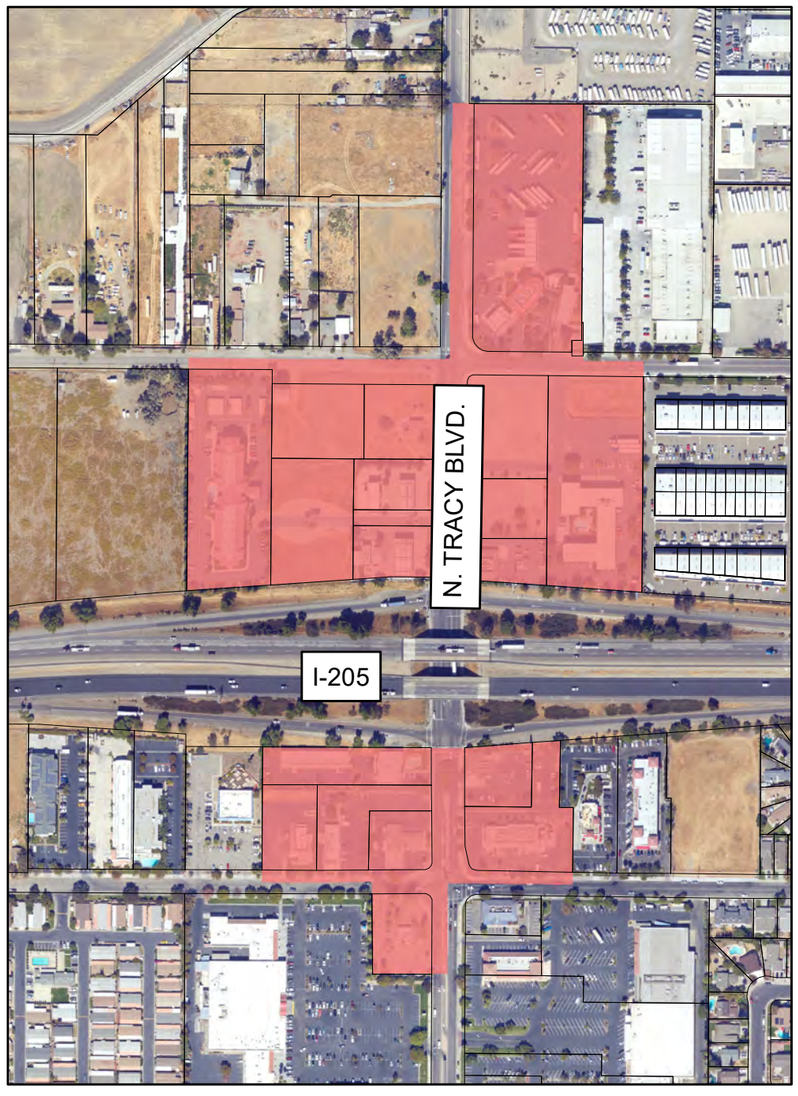
ATTACHMENT A

HIGHWAY SERVICE (HS) ZONE LOCATIONS

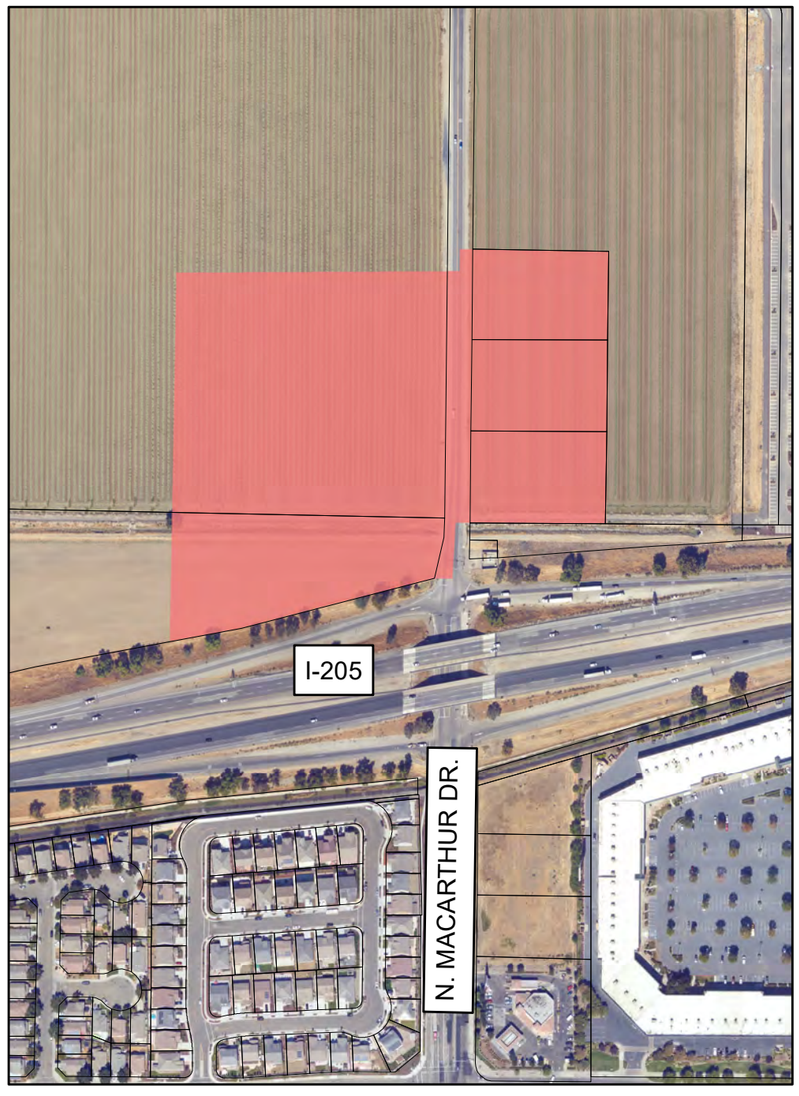
I-205/GRANT LINE RD. INTERCHANGE



I-205/N. TRACY BLVD. INTERCHANGE



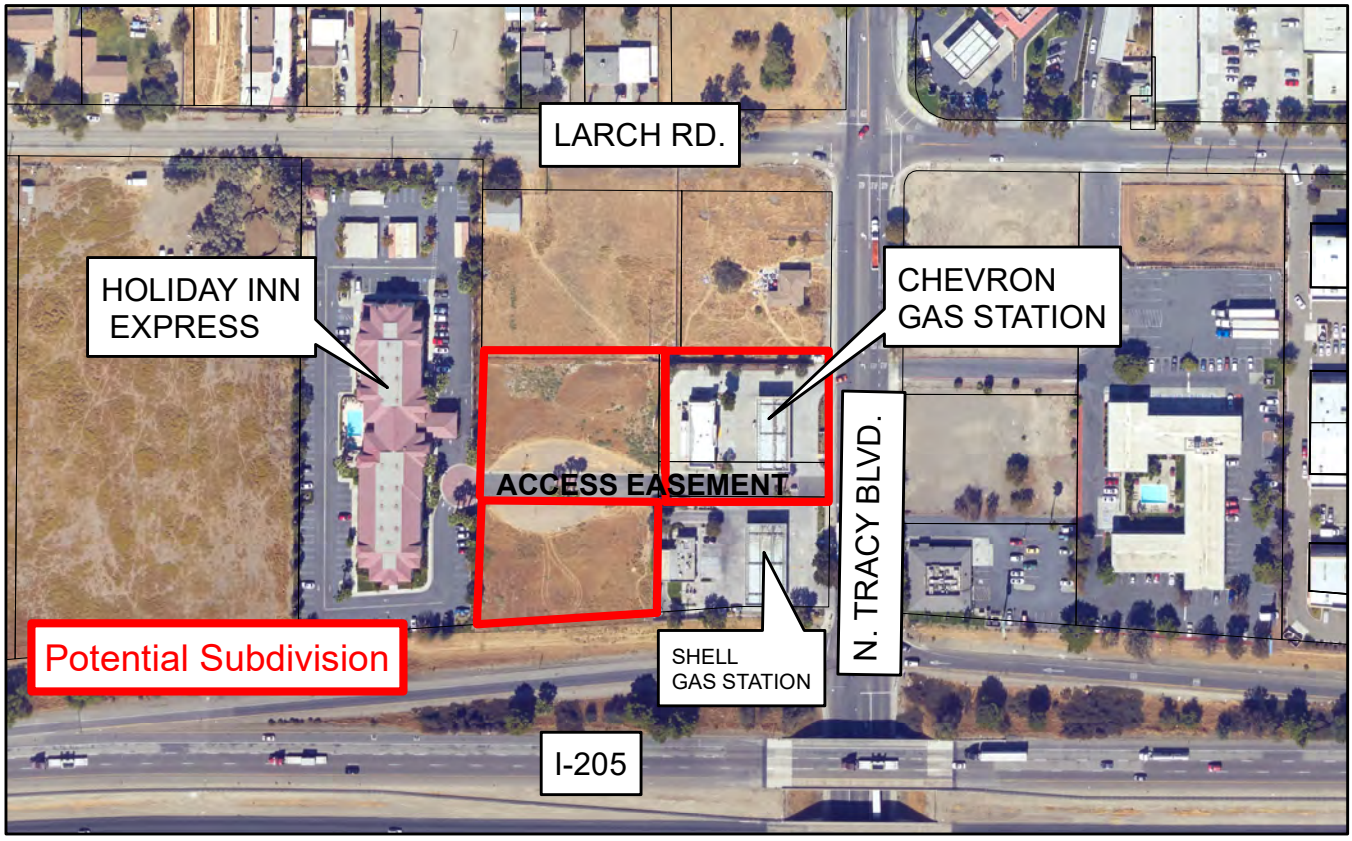
I-205/N. MACARTHUR DR. INTERCHANGE



ATTACHMENT B

EXAMPLE OF POTENTIAL SUBDIVISION

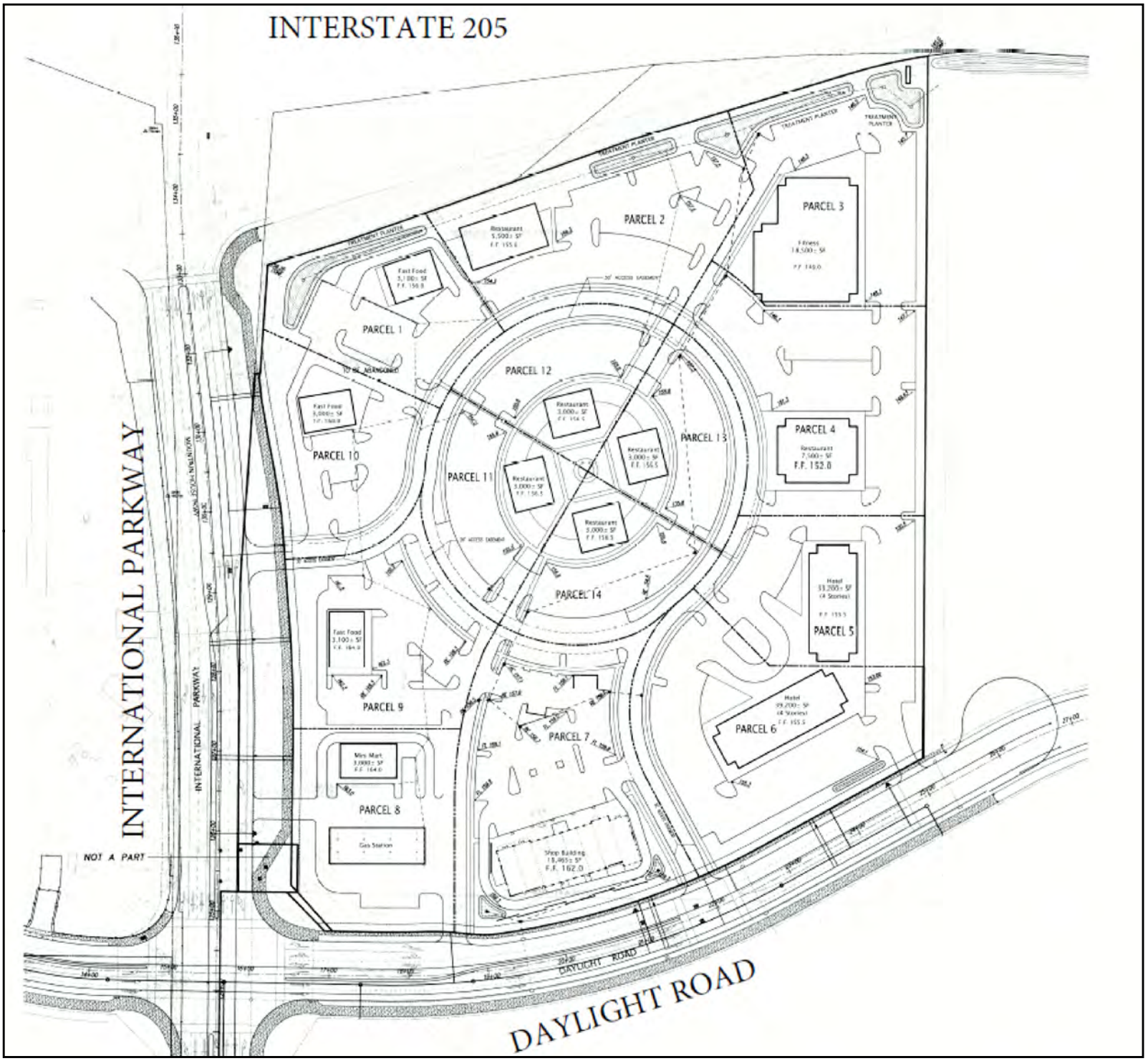




ATTACHMENT C

EXAMPLE OF WEST PARKWAY VILLAGE

I-205/INTERNATIONAL PARKWAY INTERCHANGE



Proposed Amendment in Red-Line Version

Tracy Municipal Code Section 10.08.2930 regarding the minimum lot frontage requirement in the Highway Service (HS) Zone would be amended as follows:

10.08.2930 Lot Area (HS).

All lots in the HS Zone located within 1,000 feet of the center point of a freeway interchange shall have a minimum area of 22,500 square feet. Additionally, all lots shall have a minimum width of 150 feet of frontage along a public right-of-way, except lots that access the public right-of-way through a common ingress and egress that is shared with an adjacent lot or by means of an access easement that passes through one or more adjacent lots.

Attachment E

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY AMENDING SECTION 10.08.2930 OF THE TRACY MUNICIPAL CODE REGARDING THE MINIMUM LOT FRONTAGE REQUIREMENT IN THE HIGHWAY SERVICE ZONE

WHEREAS, The Highway Service (HS) Zone is located near the I-205 interchanges with Tracy Blvd., MacArthur Dr., and Grant Line Road; and

WHEREAS, The HS Zone permits freeway-oriented commercial uses, such as hotels, gas stations, and restaurants; and

WHEREAS, Tracy Municipal Code Section 10.08.2930 requires that all lots in the HS Zone located within 1,000 feet of the center point of a freeway interchange shall have a minimum area of 22,500 square feet and shall have a minimum width of 150 feet frontage; and

WHEREAS, An application was submitted to amend the minimum lot frontage requirement in the HS Zone; and

WHEREAS, The proposed amendment would allow lots to be created in the HS Zone with no lot frontage requirement, if such lots access the public right-of-way through a common driveway shared with an adjacent lot or by means of an access easement that passes through one or more adjacent lots; and

WHEREAS, Most commercial zoning districts in Tracy do not have a lot frontage requirement, including the Community Shopping Center (CS) Zone, Neighborhood Shopping (NS) Zone, and the Central Business District (CBD) Zone; and

WHEREAS, The General Highway Commercial (GHC) Zone was amended by the City Council in 2017 to not have a minimum lot frontage requirement for lots with combined parking areas and common driveways; and

WHEREAS, The I-205 Corridor Specific Plan, Tracy Hills Specific Plan, and the Cordes Ranch Specific Plan also do not have lot frontage requirements in commercial zones; and

WHEREAS, Existing commercial development patterns throughout Tracy demonstrate that public right-of-way frontage requirements are not necessary for lots that access the public right-of-way through a common driveway shared with an adjacent lot or by means of an access easement that passes through one or more adjacent lots; and

WHEREAS, The City can effectively regulate the proximity of driveways and other public right-of-way improvements through roadway design standards without requiring street frontage; and

WHEREAS, The proposed amendment to the Tracy Municipal Code is not a project within the meaning of the California Environmental Quality Act because it does not have the potential for causing a significant effect on the environment (CEQA Guidelines, 14 California Code of Regulations, §15061(b)); and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on April 14, 2021 and recommended that City Council introduce and adopt the ordinance; and

WHEREAS, The City Council held a duly noticed public hearing to consider the ordinance on June 1, 2021.

The Tracy City Council does ordain as follows:

SECTION 1. Section 10.08.2930, Lot Area (HS), of Title 10 (Planning and Zoning) of the Tracy Municipal Code is amended to read as follows:

"**10.08.2930 Lot Area (HS).**

All lots in the HS Zone located within 1,000 feet of the center point of a freeway interchange shall have a minimum area of 22,500 square feet. Additionally, all lots shall have a minimum width of 150 feet of frontage along a public right-of-way, except lots that access the public right-of-way through a common ingress and egress that is shared with an adjacent lot or by means of an access easement that passes through one or more adjacent lots."

SECTION 2. This Ordinance takes effect 30 days after its final passage and adoption.

SECTION 3. This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the Ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the Ordinance. (Gov't. Code §36933.)

* *

The foregoing Ordinance _____ was introduced at a regular meeting of the Tracy City Council on the 1st day of June, 2021, and finally adopted on the ___ day of _____, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST: _____
MAYOR

_____
CITY CLERK

June 1, 2021

AGENDA ITEM 3.C

REQUEST

DISCUSS AND PROVIDE DIRECTION ON 2021 NATIONAL COMMUNITY SURVEY™

EXECUTIVE SUMMARY

In 2014 and 2016, the City of Tracy partnered with The National Citizen Survey™ (now The National Community Survey™ or The NCS™) to measure satisfaction levels of City services among residents across multiple service areas and to compare survey results against other cities who have participated in the survey. The NCS™ was developed to provide a statistically valid survey of resident opinions about community and services provided by government agencies. Survey results are used to build community awareness on local issues and satisfaction levels of City services and programs, support annual budget planning and strategic priority setting, and benchmark findings against similar jurisdictions and previous survey results.

The City Council has affirmed their desire to conduct The NCS™ as part of their Fiscal Year 2021-2023 Governance Strategic Priority and staff intends to implement the survey this summer. This staff report provides background on the The NCS™ methodology, survey timeline, and cost; and requests Council feedback on custom attributes related to survey questions and benchmark comparisons.

DISCUSSION

Over the years, the City of Tracy has used various means to practice open government, encourage public participation, elicit community input, provide information, and assess public perception on City services. Some of these methods include resident surveys, holding public workshops or town hall meetings, establishing resident advisory boards, and engaging the public through the City's digital communication channels. In 2014 and 2016, the City partnered with The National Citizen Survey (now The National Community Survey™ or The NCS™) to issue a comprehensive survey to measure satisfaction levels of City services among residents across multiple service areas. The NCS™ is an enterprise of Polco, and was developed in partnership with the International City/County Management Association (ICMA) in 2001. The survey is statistically valid and is considered a standard in municipal government, with most cities conducting The NCS™ every two to four years.

Given that five years has passed since the City of Tracy last issued a community survey, staff is recommending that the Council enlist the services of Polco to administer the National Community Survey™ this summer. The NCS™ survey data will allow the City to benchmark its findings across multiple years and against other jurisdictions of similar size and demographic composition. The data can be used in annual budget planning,

strategic priority setting, and for general community awareness of local issues and satisfaction levels of City services and programs.

The NCS™ captures residents' opinions within the three pillars of a community (Community Characteristics, Governance and Participation), and across eight central facets of community (Safety, Mobility, Natural Environment, Built Environment, Economy, Recreation and Wellness, Education and Enrichment, and Community Engagement). The City also has the opportunity to add three custom questions to the survey to gain a better understanding of issues specific to Tracy. The City may add a half page of custom questions (roughly 3 questions depending on question length) that are specific to the community. Examples of custom question categories include homelessness; COVID-19 recovery; diversity, equity, and inclusion; amenities and infrastructure; and affordable housing. Polco will provide consultation to help finalize the exact question wording of the custom questions in order to capture meaningful information. Attachment A provides an example of the standard survey.

Survey Methodology

The NCS™ will be administered by mail; residents have the option to complete the survey online if they prefer. A postcard is sent to a representative sample of residents announcing that a survey will follow. The first survey comes a week later and is followed by a second survey two weeks later. A web address is also provided to allow for online completion.

Survey invitations will be sent to 1,500 residents, of which 300-400 typically respond, translating to a margin of error of about +/- 5. The invitations will contain an introduction outlining the importance of the survey and instructions for completing it. Participating households are selected at random and the household member who responds is selected without bias. Results are statistically weighted to reflect the proper demographic composition of Tracy. The surveying methodology includes:

- Providing a pre-addressed, postage-paid return envelope for survey recipients, which typically generates greater response than a phone outreach method.
- Surveying households at random within the community to ensure that the responses received are representative of the larger community.
- Over-sampling multi-family housing units to improve response from hard-to-reach, low-income, or younger apartment dwellers.
- Selecting the respondent within the household using an unbiased sampling procedure; in this case the "birthday method." The cover letter instructions requesting that the respondent in the household be the adult (18 years old or older) who most recently had a birthday, irrespective of year of birth.
- Contacting potential respondents three times to encourage response from people who may have different opinions or habits than those who would respond with only a single prompt.

- Inviting response in a compelling manner (using appropriate City of Tracy letterhead/logos and a signature of a visible leader) to appeal to recipients' sense of civic responsibility.
- Offering the survey in Spanish both in hardcopy and online format.
- Weighing the results to reflect the demographics of the population.
- The general public will also have the opportunity to take the survey online, however; results will be tabulated separately from the representative sample survey. The City will share the survey link on the City website and social media channels.

Once the survey closes and results are compiled and analyzed, the City will receive a summary of the results and present them before the City Council with the aid of a senior Polco staff member. Survey results will also be posted to the City website for public viewing. Polco recommends that the data gathered from the survey and benchmark comparisons be used in conjunction with other sources of data to help the City respond to the desires and needs of the community.

Timeline

Following Council discussion and direction, Polco will begin The NCS™ Survey process. This includes:

- Finalizing the survey with the custom questions directed by Council.
- Acquiring geographic information system (GIS) boundary files from the City.
- Generating a sample of representative households in Tracy.
- Setting up the online survey.
- Mailing the survey invitations.
- Opening the survey.

The survey will remain open for roughly 7 weeks, after which it will be closed, tabulated, and analyzed. A report of the survey findings will then be provided to staff and made available on the Polco website. Staff will return to Council in early fall to present the survey results. The survey implementation timeline is provided in Attachment B.

Council Direction Requested

1. What custom question topics is the Council interested in adding to the survey?

    - In 2016, the City included three custom questions on The NCS™. The topics included the availability of City rental facilities, funding priorities for new community amenities, and public service priorities.
    - The Council may consider the following question topics that have been identified as priorities: homelessness; diversity, equity, and inclusion; COVID-19 recovery; community amenities; infrastructure; housing; and funding priorities. Sample custom survey questions are provided in Attachment C.

2. Are there specific cities or metropolitan areas in California that the Council wishes to benchmark its survey findings against?

    - In 2016, the City of Tracy chose to have comparisons made to the entire database of users, and a subset of similar jurisdictions from the West Coast Region (noted in Attachment D). The Council may choose to keep the same benchmark comparisons to evaluate trends over current and previous years.

FISCAL IMPACT

The Polco Performance Plan is an annual subscription that includes one benchmark survey (The NCS™) and access to an online dashboard report that includes data on survey engagement, participant demographics and community area represented, custom benchmark comparisons, and a library of surveys that can be used by the City to further community engagement. The total cost of the Polco Performance Plan annual subscription is $23,950, which is within the purchasing authority of the City Manager. Funding was allocated in FY 2020-21 from the General Fund to support the cost of the annual subscription. The City does not intend to automatically renew its annual subscription with Polco, but will revisit Council's desire to implement The NCS™ every two to four years in coordination with the Council's strategic goal setting efforts.

STRATEGIC PLAN

This agenda item supports the City Council's FY 2021-2023 Governance Strategic Priority, and specifically implements the following goal:

Goal 1: Enhance community engagement through technology.

Objective 2: Conduct National Community Survey™ (The NCS™) to better assess community priorities.

RECOMMENDATION

That the City Council discuss and provide direction on the 2021 National Community Survey (The NCS).

Prepared by: Vanessa Carrera, Assistant to the City Manager

Reviewed by: Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

A - Copy of The NCS™ sample survey
B - The NCS™ Timeline
C - Sample custom survey questions
D - Cities included in Tracy's 2016 NCS West Coast Comparisons

The XYZ of ABC 2021 Community Survey

ATTACHMENT A

Please complete this survey if you are the adult (age 18 or older) in the household who most recently had a birthday (the year of birth does not matter). Your responses are anonymous and will be reported in group form only.

1. Please rate each of the following aspects of quality of life in ABC.

	Excellent	Good	Fair	Poor	Don't know
ABC as a place to live	1	2	3	4	5
Your neighborhood as a place to live	1	2	3	4	5
ABC as a place to raise children	1	2	3	4	5
ABC as a place to work	1	2	3	4	5
ABC as a place to visit	1	2	3	4	5
ABC as a place to retire	1	2	3	4	5
The overall quality of life in ABC	1	2	3	4	5
Sense of community	1	2	3	4	5

2. Please rate each of the following characteristics as they relate to ABC as a whole.

	Excellent	Good	Fair	Poor	Don't know
Overall economic health of ABC	1	2	3	4	5
Overall quality of the transportation system (auto, bicycle, foot, bus) in ABC	1	2	3	4	5
Overall design or layout of ABC's residential and commercial areas (e.g., homes, buildings, streets, parks, etc.)	1	2	3	4	5
Overall quality of the utility infrastructure in ABC (water, sewer, storm water, electric, gas)	1	2	3	4	5
Overall feeling of safety in ABC	1	2	3	4	5
Overall quality of natural environment in ABC	1	2	3	4	5
Overall quality of parks and recreation opportunities	1	2	3	4	5
Overall health and wellness opportunities in ABC	1	2	3	4	5
Overall opportunities for education, culture, and the arts	1	2	3	4	5
Residents' connection and engagement with their community	1	2	3	4	5

3. Please indicate how likely or unlikely you are to do each of the following.

	Very likely	Somewhat likely	Somewhat unlikely	Very unlikely	Don't know
Recommend living in ABC to someone who asks	1	2	3	4	5
Remain in ABC for the next five years	1	2	3	4	5

4. Please rate how safe or unsafe you feel:

	Very safe	Somewhat safe	Neither safe nor unsafe	Somewhat unsafe	Very unsafe	Don't know
In your neighborhood during the day	1	2	3	4	5	6
In ABC's downtown/commercial area during the day	1	2	3	4	5	6
From property crime	1	2	3	4	5	6
From violent crime	1	2	3	4	5	6
From fire, flood, or other natural disaster	1	2	3	4	5	6

5. Please rate the job you feel the ABC community does at each of the following.

	Excellent	Good	Fair	Poor	Don't know
Making all residents feel welcome	1	2	3	4	5
Attracting people from diverse backgrounds	1	2	3	4	5
Valuing/respecting residents from diverse backgrounds	1	2	3	4	5
Taking care of vulnerable residents (elderly, disabled, homeless, etc.)	1	2	3	4	5

6. Please rate each of the following in the ABC community.

	Excellent	Good	Fair	Poor	Don't know
Overall quality of business and service establishments in ABC	1	2	3	4	5
Variety of business and service establishments in ABC	1	2	3	4	5
Vibrancy of downtown/commercial area	1	2	3	4	5
Employment opportunities	1	2	3	4	5
Shopping opportunities	1	2	3	4	5
Cost of living in ABC	1	2	3	4	5
Overall image or reputation of ABC	1	2	3	4	5

The National Community Survey™ • © 2001-2021 National Research Center, Inc.

7. Please also rate each of the following in the ABC community.

	Excellent	Good	Fair	Poor	Don't know
Traffic flow on major streets	1	2	3	4	5
Ease of public parking	1	2	3	4	5
Ease of travel by car in ABC	1	2	3	4	5
Ease of travel by public transportation in ABC	1	2	3	4	5
Ease of travel by bicycle in ABC	1	2	3	4	5
Ease of walking in ABC	1	2	3	4	5
Well-planned residential growth	1	2	3	4	5
Well-planned commercial growth	1	2	3	4	5
Well-designed neighborhoods	1	2	3	4	5
Preservation of the historical or cultural character of the community	1	2	3	4	5
Public places where people want to spend time	1	2	3	4	5
Variety of housing options	1	2	3	4	5
Availability of affordable quality housing	1	2	3	4	5
Overall quality of new development in ABC	1	2	3	4	5
Overall appearance of ABC	1	2	3	4	5
Cleanliness of ABC	1	2	3	4	5
Water resources (beaches, lakes, ponds, riverways, etc.)	1	2	3	4	5
Air quality	1	2	3	4	5
Availability of paths and walking trails	1	2	3	4	5
Fitness opportunities (including exercise classes and paths or trails, etc.)	1	2	3	4	5
Recreational opportunities	1	2	3	4	5
Availability of affordable quality food	1	2	3	4	5
Availability of affordable quality health care	1	2	3	4	5
Availability of preventive health services	1	2	3	4	5
Availability of affordable quality mental health care	1	2	3	4	5
Opportunities to attend cultural/arts/music activities	1	2	3	4	5
Community support for the arts	1	2	3	4	5
Availability of affordable quality childcare/preschool	1	2	3	4	5
K-12 education	1	2	3	4	5
Adult educational opportunities	1	2	3	4	5
Sense of civic/community pride	1	2	3	4	5
Neighborliness of residents in ABC	1	2	3	4	5
Opportunities to participate in social events and activities	1	2	3	4	5
Opportunities to attend special events and festivals	1	2	3	4	5
Opportunities to volunteer	1	2	3	4	5
Opportunities to participate in community matters	1	2	3	4	5
Openness and acceptance of the community toward people of diverse backgrounds	1	2	3	4	5

8. Please indicate whether or not you have done each of the following in the last 12 months.

	No	Yes
Contacted the XYZ of ABC (in-person, phone, email, or web) for help or information	1	2
Contacted ABC elected officials (in-person, phone, email, or web) to express your opinion	1	2
Attended a local public meeting (of local elected officials like City Council or County Commissioners, advisory boards, town halls, HOA, neighborhood watch, etc.)	1	2
Watched (online or on television) a local public meeting	1	2
Volunteered your time to some group/activity in ABC	1	2
Campaigned or advocated for a local issue, cause, or candidate	1	2
Voted in your most recent local election	1	2
Used bus, rail, subway, or other public transportation instead of driving	1	2
Carpooled with other adults or children instead of driving alone	1	2
Walked or biked instead of driving	1	2

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9. Please rate the quality of each of the following services in ABC.

	Excellent	Good	Fair	Poor	Don't know
Public information services	1	2	3	4	5
Economic development	1	2	3	4	5
Traffic enforcement	1	2	3	4	5
Traffic signal timing	1	2	3	4	5
Street repair	1	2	3	4	5
Street cleaning	1	2	3	4	5
Street lighting	1	2	3	4	5
Snow removal	1	2	3	4	5
Sidewalk maintenance	1	2	3	4	5
Bus or transit services	1	2	3	4	5
Land use, planning, and zoning	1	2	3	4	5
Code enforcement (weeds, abandoned buildings, etc.)	1	2	3	4	5
Affordable high-speed internet access	1	2	3	4	5
Garbage collection	1	2	3	4	5
Drinking water	1	2	3	4	5
Sewer services	1	2	3	4	5
Storm water management (storm drainage, dams, levees, etc.)	1	2	3	4	5
Power (electric and/or gas) utility	1	2	3	4	5
Utility billing	1	2	3	4	5
Police/Sheriff services	1	2	3	4	5
Crime prevention	1	2	3	4	5
Animal control	1	2	3	4	5
Ambulance or emergency medical services	1	2	3	4	5
Fire services	1	2	3	4	5
Fire prevention and education	1	2	3	4	5
Emergency preparedness (services that prepare the community for natural disasters or other emergency situations)	1	2	3	4	5
Preservation of natural areas (open space, farmlands, and greenbelts)	1	2	3	4	5
ABC open space	1	2	3	4	5
Recycling	1	2	3	4	5
Yard waste pick-up	1	2	3	4	5
XYZ parks	1	2	3	4	5
Recreation programs or classes	1	2	3	4	5
Recreation centers or facilities	1	2	3	4	5
Health services	1	2	3	4	5
Public library services	1	2	3	4	5
Overall customer service by ABC employees (police, receptionists, planners, etc.)	1	2	3	4	5

10. Please rate the following categories of ABC government performance.

	Excellent	Good	Fair	Poor	Don't know
The value of services for the taxes paid to ABC	1	2	3	4	5
The overall direction that ABC is taking	1	2	3	4	5
The job ABC government does at welcoming resident involvement	1	2	3	4	5
Overall confidence in ABC government	1	2	3	4	5
Generally acting in the best interest of the community	1	2	3	4	5
Being honest	1	2	3	4	5
Being open and transparent to the public	1	2	3	4	5
Informing residents about issues facing the community	1	2	3	4	5
Treating all residents fairly	1	2	3	4	5
Treating residents with respect	1	2	3	4	5

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11. Overall, how would you rate the quality of the services provided by each of the following?

	Excellent	Good	Fair	Poor	Don't know
The XYZ of ABC	1	2	3	4	5
The Federal Government	1	2	3	4	5

12. Please rate how important, if at all, you think it is for the ABC community to focus on each of the following in the coming two years.

	Essential	Very important	Somewhat important	Not at all important
Overall economic health of ABC	1	2	3	4
Overall quality of the transportation system (auto, bicycle, foot, bus) in ABC	1	2	3	4
Overall design or layout of ABC's residential and commercial areas (e.g., homes, buildings, streets, parks, etc.)	1	2	3	4
Overall quality of the utility infrastructure in ABC (water, sewer, storm water, electric, gas)	1	2	3	4
Overall feeling of safety in ABC	1	2	3	4
Overall quality of natural environment in ABC	1	2	3	4
Overall quality of parks and recreation opportunities	1	2	3	4
Overall health and wellness opportunities in ABC	1	2	3	4
Overall opportunities for education, culture, and the arts	1	2	3	4
Residents' connection and engagement with their community	1	2	3	4

xx. Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1 Custom Question #1

❍ Scale point 1 ❍ Scale point 2 ❍ Scale point 3 ❍ Scale point 4 ❍ Scale point5

xx. Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2 Custom Question #2

❍ Scale point 1 ❍ Scale point 2 ❍ Scale point 3 ❍ Scale point 4 ❍ Scale point5

xx. Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3 Custom Question #3

❍ Scale point 1 ❍ Scale point 2 ❍ Scale point 3 ❍ Scale point 4 ❍ Scale point5

xx. OPTIONAL [See Worksheets for details and price of this option] Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question Open-Ended Question

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Our last questions are about you and your household.
Again, all of your responses to this survey are completely anonymous and will be reported in group form only.

D1. In general, how many times do you:

	Several times a day	Once a day	A few times a week	Every few weeks	Less often or never	Don't know
Access the internet from your home using a computer, laptop, or tablet computer	1	2	3	4	5	6
Access the internet from your cell phone	1	2	3	4	5	6
Visit social media sites such as Facebook, Twitter, Nextdoor, etc.	1	2	3	4	5	6
Use or check email	1	2	3	4	5	6
Share your opinions online	1	2	3	4	5	6
Shop online	1	2	3	4	5	6

D2. Please rate your overall health.

❍ Excellent ❍ Very good ❍ Good ❍ Fair ❍ Poor

D3. What impact, if any, do you think the economy will have on your family income in the next 6 months? Do you think the impact will be:

❍ Very positive ❍ Somewhat positive ❍ Neutral ❍ Somewhat negative ❍ Very negative

D4. How many years have you lived in ABC?

❍ Less than 2 years
❍ 2-5 years
❍ 6-10 years
❍ 11-20 years
❍ More than 20 years

D5. Which best describes the building you live in?

❍ One family house detached from any other houses
❍ Building with two or more homes (duplex, townhome, apartment, or condominium)
❍ Mobile home
❍ Other

D6. Do you rent or own your home?

❍ Rent
❍ Own

D7. About how much is your monthly housing cost for the place you live (including rent, mortgage payment, property tax, property insurance, and homeowners' association (HOA) fees)?

❍ Less than $500
❍ $500 to $999
❍ $1,000 to $1,499
❍ $1,500 to $1,999
❍ $2,000 to $2,499
❍ $2,500 to $2,999
❍ $3,000 to $3,499
❍ $3,500 or more

D8. Do any children 17 or under live in your household?

❍ No ❍ Yes

D9. Are you or any other members of your household aged 65 or older?

❍ No ❍ Yes

D10. How much do you anticipate your household's total income before taxes will be for the current year? (Please include in your total income money from all sources for all persons living in your household.)

❍ Less than $25,000
❍ $25,000 to $49,999
❍ $50,000 to $74,999
❍ $75,000 to $99,999
❍ $100,000 to $149,999
❍ $150,000 or more

D11. Are you Spanish, Hispanic or Latino?

❍ No, not Spanish, Hispanic, or Latino
❍ Yes, I consider myself to be Spanish, Hispanic, or Latino

D12. What is your race? (Mark one or more races to indicate what race you consider yourself to be.)

❑ American Indian or Alaskan Native
❑ Asian, Asian Indian, or Pacific Islander
❑ Black or African American
❑ White
❑ Other

D13. In which category is your age?

❍ 18-24 years
❍ 25-34 years
❍ 35-44 years
❍ 45-54 years
❍ 55-64 years
❍ 65-74 years
❍ 75 years or older

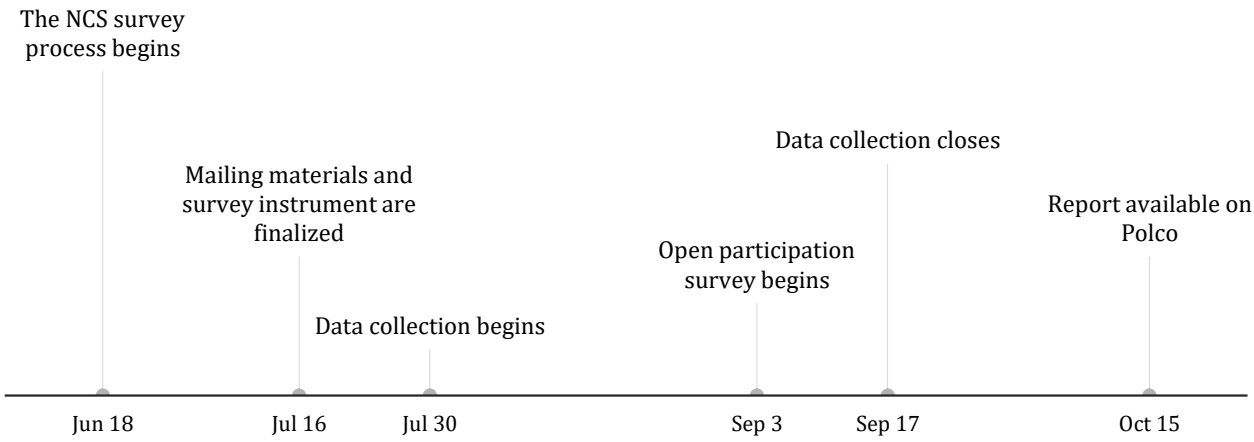
D14. What is your gender?

❍ Female
❍ Male
❍ Identify in another way

Thank you! Please return the completed survey in the postage-paid envelope to:
National Research Center, Inc., PO Box 549, Belle Mead, NJ 08502

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Timeline for The National Community Survey™



Item	Date
Preparing for the Survey	
Program Manager sends The NCS instrument for review	Jun 18
Send Program Manager drafts of **optional** custom questions to add to the survey	Jun 25
Mailing materials and survey instrument are finalized	Jul 16
Program Manager generates sample of households in your community	Jul 16
Polco prints materials, prepare mailings and sets up the survey online	Jul 16 to Jul 30
Conducting the Survey	
Data collection is open for The NCS - track response on Polco!	Jul 30 to Sep 17
Group A postcards sent	Jul 30
Wave 1 survey invitations sent for Group A and Group B	Aug 6
Wave 2 survey invitations sent for Group A and Group B	Aug 13
Open participation survey begins (Program Manager will provide link)	Sep 3
Data collection closes for the random sample survey and open participation survey	Sep 17
Send Program Manager final count of returned postcards	Sep 17
Survey analysis and report writing	Sep 17 to Oct 15
Program Manager provides link to report on Polco	Oct 15
After the Survey	
After your community has completed The NCS, stay engaged with your community members by posting additional surveys and polls on Polco!	

ATTACHMENT C

Sample Custom Questions for 2021 City of Tracy – National Community Survey

COVID-19 Recovery

How would you rate your local government's response to COVID-19 in the following categories?

	Excellent	Good	Fair	Poor	Don't know
Generally acting in the best interest of the community	○	○	○	○	○
Being open and transparent to the public	○	○	○	○	○
Informing residents about issues facing the community	○	○	○	○	○
Overall confidence in our local government	○	○	○	○	○

Regardless of current restrictions in your area, would you feel comfortable or uncomfortable doing the following at this time?

	Very comfortable	Moderately comfortable	Neither comfortable nor uncomfortable	Moderately uncomfortable	Very uncomfortable
Going to a grocery store	○	○	○	○	○
Going to a retail store	○	○	○	○	○
Shopping outdoors at a pedestrian mall or on streets where merchants have outdoor/sidewalk tables and booths	○	○	○	○	○
Eating out in a restaurant indoors	○	○	○	○	○
Eating out in a restaurant on a patio or outdoors	○	○	○	○	○
Eating at an open area with food trucks	○	○	○	○	○
Using take-out/delivery service from restaurants	○	○	○	○	○
Going to parks and trails	○	○	○	○	○

ATTACHMENT C

Homelessness

Please indicate how important, if at all, each of the following are for your local community to implement to help address homelessness.

	Essential	Very important	Somewhat important	Not at all important	Don't know
Providing emergency shelter	○	○	○	○	○
Creating affordable, permanent housing	○	○	○	○	○
Enforcing "no camping" ordinances	○	○	○	○	○
Providing access to health care, behavioral health, and substance abuse treatment	○	○	○	○	○
Continuing to help fund organizations that provide services to people experiencing homelessness in our community	○	○	○	○	○

How much of a problem, if at all, do you think homelessness is in your local community?

- Not a problem
- Minor problem
- Moderate problem
- Major problem
- Don't know

ATTACHMENT C

Diversity, Equity and Inclusion (DEI)

How much of a priority, if at all, should it be for your LOCAL GOVERNMENT to focus on the following?

	Not a priority	Low priority	Moderate priority	High priority	Don't know
Creating a diverse, inclusive, and fair community	○	○	○	○	○
Addressing social, economic, and racial equity differences in jobs and housing	○	○	○	○	○
Addressing social, economic, and racial equity differences in health and education	○	○	○	○	○
Addressing social, economic, and racial equity differences in the criminal justice system	○	○	○	○	○
Hiring more diverse staff	○	○	○	○	○
Recruiting diverse people into positions of local government leadership	○	○	○	○	○

Please rate your community on each of the following:

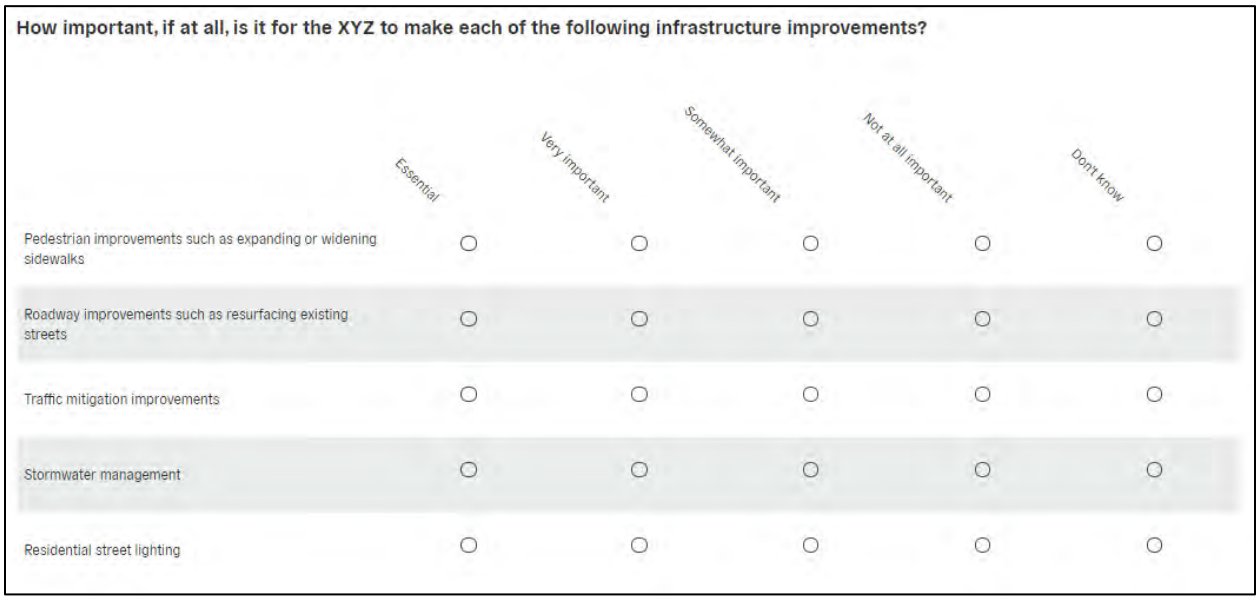
	Poor	Fair	Good	Excellent	Don't know
Making all residents feel welcome	○	○	○	○	○
Helping new residents feel connected and integrated	○	○	○	○	○
Attracting people from diverse backgrounds	○	○	○	○	○
Valuing residents from diverse backgrounds	○	○	○	○	○
Demonstrating respect for residents of different cultures and belief systems	○	○	○	○	○
Treating all residents fairly	○	○	○	○	○
Providing a safe and secure environment for residents of all backgrounds	○	○	○	○	○
Respecting individual cultural beliefs and values	○	○	○	○	○
Providing equal employment opportunities to residents of all backgrounds	○	○	○	○	○
Providing equal access to housing for residents of all backgrounds	○	○	○	○	○
Making all residents feel welcome in business establishments	○	○	○	○	○

Community Amenities (sample question taken from Tracy's 2016 NCS)

Please indicate how important, if at all, each of the following projects will be for the City to fund:

	Essential	Very Important	Somewhat Important	Not at all Important	Don't Know
Renovate the Senior Center	o	o	o	o	o
Renovate the Community Center	o	o	o	o	o
Build a family aquatics center	o	o	o	o	o
Construct a field sports complex (baseball, softball, football, soccer, etc.)	o	o	o	o	o
Build a competition swimming pool	o	o	o	o	o

Infrastructure



Housing

How important, if at all, is it that your local community (city/town) work to increase each of the following types of housing?

	Essential	Very important	Somewhat important	Not at all important	Don't know
Higher end homes	○	○	○	○	○
Middle income housing options	○	○	○	○	○
Low income housing options	○	○	○	○	○
Housing for people experiencing homelessness	○	○	○	○	○
Age restricted apartments (55 and older)	○	○	○	○	○
Age targeted housing (maintenance free, first floor master bedroom)	○	○	○	○	○
Senior assisted living	○	○	○	○	○
Student housing	○	○	○	○	○
Rental units	○	○	○	○	○

Government Spending

The XYZ is anticipating multi-million dollar budget shortfalls in the coming xxmonths/years. Which of the following best describes how the XYZ should manage the projected $xxmillion deficit for YYYY?

- The XYZ should decrease current tax levels and reduce/eliminate service delivery and infrastructure spending
- The XYZ should maintain current tax levels and reduce service delivery and infrastructure spending
- The XYZ should use a combination of tax increases and reduced service delivery and infrastructure spending
- The XYZ should increase taxes $xx million in order to maintain current service delivery
- The XYZ should increase taxes $xx million in order to increase current service delivery and infrastructure spending

ATTACHMENT D

Communities included in Tracy's West Coast comparisons – 2016

The communities included in Tracy's West Coast comparisons are listed on the following pages along with their population according to the 2010 Census.

Airway Heights city, WA	6,114
Albany city, OR	50,158
Aliso Viejo city, CA	47,823
American Canyon city, CA	19,454
Apple Valley town, CA	69,135
Ashland city, OR	20,078
Auburn city, WA	70,180
Azusa city, CA	46,361
Bainbridge Island city, WA	23,025
Bellevue city, WA	122,363
Bellingham city, WA	80,885
Bend city, OR	76,639
Burien city, WA	33,313
Cannon Beach city, OR	1,690
Carlsbad city, CA	105,328
Citrus Heights city, CA	83,301
Clackamas County, OR	375,992
Clovis city, CA	95,631
Concord city, CA	122,067
Coronado city, CA	18,912
Corvallis city, OR	54,462
Dallas city, OR	14,583
Del Mar city, CA	4,161
Dublin city, CA	46,036
Edmonds city, WA	39,709
El Cerrito city, CA	23,549
El Dorado County, CA	181,058
Elk Grove city, CA	153,015
Encinitas city, CA	59,518
Forest Grove city, OR	21,083
Fremont city, CA	214,089
Glendora city, CA	50,073
Grants Pass city, OR	34,533
Grass Valley city, CA	12,860
Hayward city, CA	144,186
Hoquiam city, WA	8,726
Issaquah city, WA	30,434
Keizer city, OR	36,478
Kenmore city, WA	20,460
Kent city, WA	92,411
King City city, CA	12,874
King County, WA	1,931,249
Kirkland city, WA	48,787
La Mesa city, CA	57,065
Laguna Beach city, CA	22,723
Laguna Hills city, CA	30,344
Laguna Niguel city, CA	62,979
Lake Oswego city, OR	36,619
Lake Stevens city, WA	28,069
Lakewood city, WA	58,163
Lane County, OR	351,715
Livermore city, CA	80,968
Los Altos Hills town, CA	7,922
Lynnwood city, WA	35,836
Manhattan Beach city, CA	35,135
Martinez city, CA	35,824
Marysville city, WA	60,020
McMinnville city, OR	32,187
Menlo Park city, CA	32,026
Mercer Island city, WA	22,699
Mission Viejo city, CA	93,305
Modesto city, CA	201,165
Monterey city, CA	27,810
Moraga town, CA	16,016
Morro Bay city, CA	10,234
Mountlake Terrace city, WA	19,909
Newberg city, OR	22,068
Novato city, CA	51,904
Oakland city, CA	390,724
Oakley city, CA	35,432
Olympia city, WA	46,478
Palo Alto city, CA	64,403

ATTACHMENT D

Pasadena city, CA	137,122
Pasco city, WA	59,781
Portland city, OR	583,776
Redmond city, OR	26,215
Redmond city, WA	54,144
Richmond city, CA	103,701
Riverside city, CA	303,871
Rohnert Park city, CA	40,971
Sammamish city, WA	45,780
San Anselmo town, CA	12,336
San Carlos city, CA	28,406
San Diego city, CA	1,307,402
San Francisco city, CA	805,235
San Jose city, CA	945,942
San Marcos city, CA	83,781
San Rafael city, CA	57,713
Santa Clarita city, CA	176,320
Santa Monica city, CA	89,736
Seaside city, CA	33,025
South Lake Tahoe city, CA	21,403
Spokane Valley city, WA	89,755
Suisun City city, CA	28,111
Sunnyvale city, CA	140,081
Tacoma city, WA	198,397
Temecula city, CA	100,097
Thousand Oaks city, CA	126,683
Tigard city, OR	48,035
Tracy city, CA	82,922
Tualatin city, OR	26,054
Umatilla city, OR	6,906
Vancouver city, WA	161,791
Ventura CCD, CA	111,889
Walnut Creek city, CA	64,173
Washougal city, WA	14,095
Wilsonville city, OR	19,509
Woodland city, CA	55,468
Yakima city, WA	91,067
Yountville city, CA	2,933

June 1, 2021

AGENDA ITEM 3.D

REQUEST

INTRODUCE AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 7.16 "PARKS AND COMMUNITY SERVICES COMMISSION" OF TITLE 7 "PUBLIC WORKS" OF THE TRACY MUNICIPAL CODE TO CHANGE THE MAKEUP OF THE PARKS AND COMMUNITY SERVICES COMMISSION FROM SEVEN TO FIVE MEMBERS; ADOPT A RESOLUTION AMENDING THE PARKS AND COMMUNITY SERVICES COMMISSION, TRANSPORTATION ADVISORY COMMISSION, AND TRACY ARTS COMMISSION BYLAWS TO CHANGE THE MAKEUP OF THE COMMISSIONS FROM SEVEN TO FIVE MEMBERS, AND ADDING THE REQUIREMENT FOR THE PLANNING COMMISSION, TRACY ARTS COMMISSION, AND YOUTH ADVISORY COMMISSION TO REPORT TO THE CITY COUNCIL ANNUALLY

EXECUTIVE SUMMARY

On August 4, 2020, then-Council Member Young, seconded by then-Council Member Ransom, requested that staff evaluate the role, make up, validity, and necessity of each of the City's boards and commissions. Subsequently, on October 6, 2020, then-Council Member Young, seconded by then-Council Member Vargas, requested that staff present a report to the Council on each City board and commission's function, relevance, and presentation of annual reports.

On April 6, 2021, City staff provided a report to Council that summarized the scope, makeup, and actions performed by our City boards and commissions. As part of the report, staff requested Council direction on: 1) downsizing the Parks and Community Services, Transportation Advisory, and Tracy Arts Commissions from seven to five-member bodies to reflect the makeup of the City Council; 2) requiring annual reports from all City commissions; and 3) maintaining flexibility on Commission meeting rules of procedure. The Council directed staff to downsize the aforementioned commission from seven to five members, require all City commissions to present annual reports to the Council, and maintain existing meeting procedures for City commissions. Staff is requesting that the Council introduce an ordinance to amend Chapter 7.16 of the Tracy Municipal Code to reduce the size of the Parks and Community Services Commission from seven to five members; adopt a resolution to amend the Parks and Community Services Commission, Transportation Advisory Commission, and Tracy Arts Commission bylaws to reduce the size of the commissions from seven to five members; and require by resolution for the Planning Commission, Tracy Arts commission, and Youth Advisory Commission to report to the City Council annually.

DISCUSSION

During the April 6, 2021 City Council meeting, the Council discussed and directed staff to: 1) downsize the Parks and Community Services, Transportation Advisory, and Tracy Arts Commissions from seven to five-member bodies to reflect the makeup of the City Council; 2) require annual reports from all City commissions; and 3) permit flexibility

regarding the meeting rules of procedure City commissions employ. This staff report is to formally adopt the recommended changes by ordinance and resolution.

Parks and Community Services – Tracy Municipal Code (TMC) Chapter 7.16

The CURRENT Parks and Community Services Commission TMC language regarding membership is as follows:

7.16.010 - Created.

The Parks and Community Services Commission of the City is hereby established and shall consist of seven (7) members. Six (6) members shall be appointed by the Council, each term to commence the first day of January. The members shall be residents of Tracy, but not City officials or employees of the City. One member shall be appointed, by the Tracy Unified School District, said term to commence the first day of January. All members shall serve at the pleasure of the appointing body and may be terminated at any time by motion of the appointing body.

Staff recommends that the Council introduce an Ordinance amending Chapter 7.16 "Parks and Community Services Commission" of the Tracy Municipal Code to reduce the size of the commission from seven to five members, as noted in Attachment A.

Parks and Community Services Commission Bylaws

The CURRENT Parks and Community Services Commission bylaw language regarding membership and quorum is as follows:

C. MEMBERSHIP GUIDELINES

1. **Membership.** The Parks and Community Services Commission shall consist of seven members of which one member shall be appointed by the Tracy Unified School District.

D. QUORUM

A quorum of the Parks and Community Services Commission shall consist of a majority of the members (including any vacancies). A quorum must be present in order for the Parks and Community Services Commission to hold a meeting.

Staff recommends that Council amend subsection 1 of section C., "MEMBERSHIP GUIDELINES", of the bylaws to read, in its entirety, as follows:

1. **Membership.** The Parks and Community Services Commission shall consist of five (5) members of which one member shall be appointed by the Tracy Unified School District.

Staff further recommends that Council amend section D., "QUORUM", of the bylaws to read, in its entirety, as follows:

D. QUORUM

A quorum of the Parks and Community Services Commission shall consist of a majority of the members (three members), including any vacancies. A quorum must be present in order for the Parks and Community Services Commission to hold a meeting.

Transportation Advisory Commission Bylaws

The CURRENT Transportation Advisory Commission bylaw language regarding membership and quorum is as follows:

C. MEMBERSHIP GUIDELINES

1. **Membership.** The Transportation Advisory Commission shall consist of seven (7) members. Preferably, the composition of a Transportation Advisory Commission will include seven (7) residents with desirable background and expertise in specified areas of public transportation, such as the airport, buses, rail or bikes as outlined below:

    a. Two commissioners with knowledge of or interest in general aviation, or who possess an active pilot's license or with work experience in operations of a public airport.
    b. Two commissioners with knowledge of or interest in public transportation services, or who are users of public transportation services such as bus and/or rail.
    c. Two commissioners with knowledge of or interest in bikeways, or are active in the bicycling community.
    d. One commissioner who is a community member at large.

D. QUORUM

A quorum of the Transportation Advisory Commission shall consist of a majority of the members (four members). A quorum must be present in order for the Transportation Advisory Commission to hold a meeting.

Staff recommends that Council amend subsection 1 of section C., "MEMBERSHIP GUIDELINES", of the bylaws to read, in its entirety, as follows:

1. **Membership.** The Transportation Advisory Commission shall consist of five (5) members. Preferably, the composition of a Transportation Advisory Commission will include five (5) residents with desirable background and expertise in specified areas of public transportation, such as the airport, buses, rail or bikes as outlined below:

    a. One commissioner with knowledge of or interest in general aviation, or who possess an active pilot's license or with work experience in operations of a public airport.
    b. Two commissioners with knowledge of or interest in public transportation services, or who are users of public transportation services such as bus and/or rail.
    c. One commissioner with knowledge of or interest in bikeways, or are active in the bicycling community.

d. One commissioner who is a community member at large.

Staff further recommends that Council amend section D., "QUORUM", of the bylaws to read, in its entirety, as follows:

A quorum of the Transportation Advisory Commission shall consist of a majority of the members (three members). A quorum must be present in order for the Transportation Advisory Commission to hold a meeting.

Tracy Arts Commission Bylaws

The CURRENT Tracy Arts Commission bylaw language regarding membership and quorum is as follows:

C. MEMBERSHIP GUIDELINES

1. **Membership.** The Tracy Arts Commission shall consist of seven members who reside within the city limits of Tracy, but not City officials or employees of the City. Preferably, the composition of the Tracy Arts Commission will include seven residents with desirable background and expertise in the arts or related field(s).

    a. Three members: arts patron, architectural/ engineering, historical preservation, and/or interior/graphic design.
    b. One Member: Arts Administration/ arts organization.
    c. One Member: Arts Education/ Education administration.
    d. One Member: Visual Arts or Gallery/museum curator.
    e. One Member: Performing Arts/ Producer/presenting/agent.

D. QUORUM

A quorum of the Tracy Arts Commission shall consist of a majority of the members (four members). A quorum must be present in order for the Tracy Arts Commission to hold a meeting.

Staff recommends that Council amend subsection 1 of section C., "MEMBERSHIP GUIDELINES", of the bylaws to read, in its entirety, as follows:

1. **Membership**. The Tracy Arts Commission shall consist of five (5) members who reside within the city limits of Tracy, but not City officials or employees of the City. Preferably, the composition of the Tracy Arts Commission will include five (5) residents with desirable background and expertise in the arts or related field(s).

    a. One member: Architecture / History / Museum Studies / Preservation.
    b. One Member: Arts Administration / Events / Fundraising / Marketing.
    c. One Member: Art Education / Community Service / Youth & Seniors.
    d. One Member: Visual Arts (2D/3D/Design/Photography/Public Art).
    e. One Member: Performing Arts (Dance/Drama/Literary/Music).

Staff recommends that Council amend section D., "QUORUM", of the bylaws to read, in its entirety, as follows:

A quorum of the Tracy Arts Commission shall consist of a majority of the members (three members). A quorum must be present in order for the Tracy Arts Commission to hold a meeting.

Staff further recommends that Council add new language to section A. "PURPOSE" of the bylaws to read as follows:

"Provide an annual report to the City Council on the Commission's efforts during the previous year."

Planning Commission Bylaws

Staff recommends that Council add new language to section A. "PURPOSE" of the bylaws to read as follows:

"Provide an annual report to the City Council on the Commission's efforts during the previous year."

Youth Advisory Commission Bylaws

Staff recommends that Council add new language to section A. "PURPOSE" of the bylaws to read as follows:

"Provide an annual report to the Parks & Community Services Commission and City Council on the Commission's efforts during the previous year."

FISCAL IMPACT

There is no fiscal impact associated with the discussion of this item. The cost savings associated with reducing the size of the Parks and Community Services, Transportation Advisory, and Tracy Arts Commission is roughly $3,600 annually.

STRATEGIC PLAN

This agenda item supports the City Council's 2021-2023 Governance Strategic Priority, and specifically implements the following goal:

Goal 1: Model good governance, teamwork, and transparency.

RECOMMENDATION

Staff recommends that Council introduce and waive the full reading of the proposed ordinance amending Chapter 7.16 "Parks and Community Services Commission" of the Tracy Municipal Code to reduce the size of the Parks and Community Services Commission from seven to five members; adopt a resolution to amend the Parks and Community Services Commission, Transportation Advisory Commission, and Tracy Arts Commission bylaws to reduce the size of the commissions from seven to five members; and require by resolution for the Planning Commission, Tracy Arts commission, and Youth Advisory Commission to report to the City Council annually.

Prepared by: Vanessa Carrera, Assistant to the City Manager

Reviewed by: William Wilson, Cultural Arts Supervisor
Bill Dean, Assistant Director of Development Services
Ed Lovell, Transportation Manager
Jolene Jauregui-Correll, Recreation Manager
Brian MacDonald, Parks & Recreation Director
Adrianne Richardson, City Clerk

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – Redlined copy of proposed amendments to Chapter 7.16 “Parks and Community Services Commission” of the Tracy Municipal Code

Attachment B – Ordinance amending Chapter 7.16 “Parks and Community Services Commission” of the Tracy Municipal Code

Chapter 7.16 - PARKS AND COMMUNITY SERVICES COMMISSION

Sections:

7.16.010 - Created.

7.16.020 - Meetings.

7.16.030 - Powers and duties.

7.16.010 - Created.

The Parks and Community Services Commission of the City is hereby established and shall consist of ~~seven~~ five (~~7~~ 5) members. ~~Six~~ Four (~~6~~ 4) members shall be appointed by the Council, each term to commence the first day of January. The members shall be residents of Tracy, but not City officials or employees of the City. One member shall be appointed, by the Tracy Unified School District, said term to commence the first day of January. All members shall serve at the pleasure of the appointing body and may be terminated at any time by motion of the appointing body.

If a vacancy occurs otherwise than by the expiration of a term, it shall be filled by an appointment to the unexpired portion of such term.

(Ord. 1060 § 1, 2004: prior code § 7-4.01, as amended by § 1, Ord. 948 C.S., eff. Feb. 6, 1997)

7.16.020 - Meetings.

(a) The Parks and Community Services Commission shall select its officers from among its membership for one-year terms. The annual election of officers shall take place at the last regular meeting in June of each year. The terms of officers shall commence as of July 1st following the election and shall continue through June 30th of the following year.

(b) The Commission shall hold one regular meeting on the first Thursday of each month at 7:00 p.m. The Commission may call for special meetings.

(c) All members of the Commission shall receive such compensation as established by resolution of the City Council.

(d) Commission members may attend conferences, meetings and hearings on park and community services legislation and matters affecting the delivery of community services to the community, as appropriated.

(Ord. 1060 § 2, 2004: Ord. 1032 § 1, 2001: prior code § 7-4.02, as amended by § 2, Ord. 948 C.S., eff. Feb. 6, 1997)

7.16.030 - Powers and duties.

The purpose of the Parks and Community Services Commission is to advise the City Council on the planning and development of park and recreation facilities and delivery of recreation and community service programs. The Parks and Community Services Commission shall have the general powers and duties to:

(a) Establish rules and regulations governing the conduct of recreation programs, protection of property and activities of persons in all parks;

(b) Establish rates, charges and deposits for the use of any and all recreation facilities;

(c) Hold public hearings on recreation programming and facility usage and conduct investigations and surveys for the purpose of obtaining facts and data concerning recreation programs;

(d) Review grants, facility development and designs and recreation programs;

(e) Advise the Council on the subject of recreation and facility master planning and development;

(f) Make recommendations to the Council regarding the right to exclude persons; to regulate traffic, including pedestrian, equestrian, and vehicular; and to regulate the operations and use of bicycles; the keeping or use of animals; the conducting of assemblies, contests, games, and sports; and the regulation of activities, such as the merchandising, advertising, gambling, solicitation, and imbibing of alcohol, from or in any and all recreation facilities;

(g) Hear appeals of decisions made by the Parks and Community Services Department Director under Tracy Municipal Code sections 4.40.150 (Special Event Permits) and 4.16.160 (Regulations Pertaining to the Use of Park and Recreation Areas and Facilities); and

(h) Forward appeals of any actions of the Commission to the Council.

(Ord. 1060 § 3, 2004: prior code § 7-4.03, as amended by § 3, Ord. 948 C.S., eff. Feb. 6, 1997)

ATTACHMENT B

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY AMENDING CHAPTER 7.16 "PARKS AND COMMUNITY SERVICES COMMISSION" OF THE TRACY MUNICIPAL CODE TO CHANGE THE MAKEUP OF THE PARKS AND COMMUNITY SERVICES COMMISSION FROM SEVEN TO FIVE MEMBERS

WHEREAS, On April 6, 2021, the Tracy City Council discussed and directed staff to amend the Parks and Community Services, Transportation Advisory, and Tracy Arts Commission bylaws to reduce the membership size from seven to five members to reflect the makeup of the Council; and

WHEREAS, In order to reduce the membership size of the Parks and Community Services Commission, the Council would need to amend by ordinance Chapter 7.16 "Parks and Community Services Commission" of the Tracy Municipal Code which references the commission's composition; and

WHEREAS, Subsequently, the Council shall amend the Parks and Community Services Commission bylaws via resolution to reflect the membership changes outlined in the ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TRACY DOES ORDAIN AS FOLLOWS:

SECTION 1: The City Council hereby amends Section 7.16.010 of Chapter 7.16 "Parks and Community Services Commission" of the Tracy Municipal Code to read as follows:

"7.16.010 - Created.

The Parks and Community Services Commission of the City is hereby established and shall consist of five (5) members. Four (4) members shall be appointed by the Council, each term to commence the first day of January. The members shall be residents of Tracy, but not City officials or employees of the City. One member shall be appointed, by the Tracy Unified School District, said term to commence the first day of January. All members shall serve at the pleasure of the appointing body and may be terminated at any time by motion of the appointing body.

If a vacancy occurs otherwise than by the expiration of a term, it shall be filled by an appointment to the unexpired portion of such term."

SECTION 2: If any provision or the application of this Ordinance is for any reason held to be unconstitutional, invalid, or otherwise unenforceable, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted each subsection or provision of this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

SECTION 3: This ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 4: This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* * * * * * * * * * *

The foregoing Ordinance was passed and adopted by the Tracy City Council on the 1st day of June, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____

MAYOR

ATTEST:

_____

CITY CLERK

RESOLUTION 2021-_____

AMENDING THE PARKS AND COMMUNITY SERVICES, TRANSPORATION ADVISORY, AND TRACY ARTS COMMISSION BYLAWS TO CHANGE THE MAKEUP OF THE COMMISSIONS FROM SEVEN TO FIVE MEMBERS AND ADDING THE REQUIREMENT FOR THE PLANNING COMMISSION, TRACY ARTS COMMISSION, AND YOUTH ADVISORY COMMISSION TO REPORT TO THE CITY COUNCIL ANNUALLY

WHEREAS, On April 6, 2021, the Tracy City Council discussed and directed staff to amend the Parks and Community Services, Transportation Advisory, and Tracy Arts Commission bylaws to reduce the membership size from seven to five to reflect the makeup of the Council, and

WHEREAS, The Council has also requested that each commission present an annual report to the Council, and

WHEREAS, To reduce the membership size of the aforementioned commissions, and add the requirement for an annual report from the Planning and Arts Commissions, the City Council would need to amend their bylaws;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tracy hereby:

1. Approves amending the Parks and Community Services Commission bylaws as follows:

   Subsection 1 of section C, entitled MEMBERSHIP GUIDELINES, of the bylaws is amended to read, in its entirety, as follows:

   1. Membership. The Parks and Community Services Commission shall consist of five (5) members of which one member shall be appointed by the Tracy Unified School District.

   Section D., entitled QUORUM, is hereby amended to read, in its entirety, as follows:

   A quorum of the Parks and Community Services Commission shall consist of a majority of the members (three members), including any vacancies. A quorum must be present in order for the Parks and Community Services Commission to hold a meeting.

2. Approves amending the Transportation Advisory Commission bylaws as follows:

   Subsection 1 of section C, entitled MEMBERSHIP GUIDELINES, of the bylaws is amended to read, in its entirety, as follows:

   1. **Membership.** The Transportation Advisory Commission shall consist of five (5) members. Preferably, the composition of a Transportation Advisory Commission will include five (5) residents with desirable background and expertise in specified

areas of public transportation, such as the airport, buses, rail or bikes as outlined below:

a. One commissioner with knowledge of or interest in general aviation, or who possess an active pilot's license or with work experience in operations of a public airport.
b. Two commissioners with knowledge of or interest in public transportation services, or who are users of public transportation services such as bus and/or rail.
c. One commissioner with knowledge of or interest in bikeways, or are active in the bicycling community.
d. One commissioner who is a community member at large.

Section D., entitled QUORUM, is hereby amended to read, in its entirety, as follows:

A quorum of the Transportation Advisory Commission shall consist of a majority of the members (three members). A quorum must be present in order for the Transportation Advisory Commission to hold a meeting.

3. Approves amending the Tracy Arts Commission bylaws as follows:

Subsection 1 of section C, entitled MEMBERSHIP GUIDELINES, of the bylaws is amended to read, in its entirety, as follows:

1. **Membership.** The Tracy Arts Commission shall consist of five (5) members who reside within the city limits of Tracy, but not City officials or employees of the City. Preferably, the composition of the Tracy Arts Commission will include five (5) residents with desirable background and expertise in the arts or related field(s).

    a. One member: Architecture / History / Museum Studies / Preservation.
    b. One Member: Arts Administration / Events / Fundraising / Marketing.
    c. One Member: Art Education / Community Service / Youth & Seniors.
    d. One Member: Visual Arts (2D/3D/Design/Photography/Public Art).
    e. One Member: Performing Arts (Dance/Drama/Literary/Music).

Section D., entitled QUORUM, is hereby amended to read, in its entirety, as follows:

A quorum of the Tracy Arts Commission shall consist of a majority of the members (three members). A quorum must be present in order for the Tracy Arts Commission to hold a meeting.

The following language is hereby added to section A., entitled PURPOSE of the bylaws to read as follows:

"Provide an annual report to the City Council on the Commission's efforts during the previous year."

4. Approves amending the Planning Commission bylaws as follows:

   The following language is hereby added to section A., entitled PURPOSE of the bylaws to read as follows:

   "Provide an annual report to the City Council on the Commission's efforts during the previous year."

5. Approves amending the Youth Advisory Commission bylaws as follows:

   The following language is hereby added to section A., entitled PURPOSE of the bylaws to read as follows:

   "Provide an annual report to the Parks & Community Services Commission and City Council on the Commission's efforts during the previous year."

* * * * * * * * * * *

The foregoing Resolution 2021-_____ was passed and adopted by the Tracy City Council on the 1st day of June, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____

MAYOR

ATTEST:

_____

CITY CLERK