TRACY CITY COUNCIL REGULAR CITY COUNCIL MEETING

Tuesday, June 4, 2019, 7:00 P.M.

City Council Chambers, 333 Civic Center Plaza, Tracy *Web Site: www.cityoftracy.org*

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 (209/831-6000) 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. Each citizen will be allowed a maximum of five minutes for input or testimony. At the Mayor'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 Council direction. A motion and roll call vote may enact the entire Consent Calendar. No separate discussion of Consent Calendar items will occur unless members of the City Council, City staff or the public request discussion on a specific item at the beginning of the meeting.

Addressing the Council on Items not on the Agenda – The Brown Act prohibits discussion or action on items not on the posted agenda. Members of the public addressing the Council should state their names and addresses for the record, and for contact information. The City Council's Procedures for the Conduct of Public Meetings provide that "Items from the Audience" following the Consent Calendar will be limited to 15 minutes. "Items from the Audience" listed near the end of the agenda will not have a maximum time limit. Each member of the public will be allowed a maximum of five minutes for public input or testimony. However, a maximum time limit of less than five minutes for public input or testimony may be set for "Items from the Audience" depending upon the number of members of the public wishing to provide public input or testimony. The five minute maximum time limit for each member of the public applies to all "Items from the Audience." Any item not on the agenda, brought up by a member of the public shall automatically be referred to staff. In accordance with Council policy, if staff is not able to resolve the matter satisfactorily, the member of the public may request a Council Member to sponsor the item for discussion at a future meeting. 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.

Presentations to Council - Persons who wish to make presentations which may exceed the time limits are encouraged to submit comments in writing at the earliest possible time to ensure distribution to Council and other interested parties. Requests for letters to be read into the record will be granted only upon approval of the majority of the Council. Power Point (or similar) presentations need to be provided to the City Clerk's office at least 24 hours prior to the meeting. All presentations must comply with the applicable time limits. Prior to the presentation, a hard copy of the Power Point (or similar) presentation will be provided to the City Clerk's office for inclusion in the record of the meeting and copies shall be provided to the Council. Failure to comply will result in the presentation being rejected. Any materials distributed, including those distributed within 72 hours of a regular City Council meeting, to a majority of the Council regarding an item on the agenda shall be made available for public inspection at the City Clerk's office (address above) during regular business hours.

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 at City Hall, 333 Civic Center Plaza, and the Tracy Public Library, 20 East Eaton Avenue, and on the City's website: *www.ci.tracy.ca.us*

CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL
PRESENTATIONS

1. Employee of the Month
2. Certificate of Appointment - Measure V Residents' Oversight Committee
3. Proclamation - Disability Awareness Month
4. Proclamation - LGBT Pride Month

1. CONSENT CALENDAR

1.A. ADOPTION OF MAY 21, 2019, CLOSED SESSION AND REGULAR MEETING MINUTES

1.B. AWARD A PROFESSIONAL SERVICES AGREEMENT TO ALL CITY MANAGEMENT SERVICES, INC. FOR SCHOOL PEDESTRIAN CROSSING GUARD SERVICES FROM JULY 1, 2019 TO JUNE 30, 2022 IN AN AMOUNT NOT TO EXCEED $1,007,478

1.C. ACCEPT THE CONSTRUCTION OF MACARTHUR DRIVE OVERLAY – GRANT LINE ROAD TO I-205 (CIP 73174) COMPLETED BY TOM MAYO CONSTRUCTION, OF STOCKTON, CALIFORNIA, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AUTHORIZE THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AND AUTHORIZE THE FINANCE DEPARTMENT TO CLOSE THE PROJECT

1.D. APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND GIRL SCOUTS HEART OF CENTRAL CALIFORNIA FOR USE OF DR. POWERS PARK FOR TRACY TWILIGHT CAMP

1.E. APPROVE GENERAL SERVICES AGREEMENT WITH DELTA WIRELESS, INC., A CALIFORNIA CORPORATION FOR POLICE COMMUNICATIONS MAINTENANCE FROM JULY 1, 2019 TO JUNE 20, 2022 FOR A TOTAL NOT TO EXCEED AMOUNT OF $304,416 (OR $101,472 ANNUALLY)

1.F. WAIVE SECOND READING AND ADOPT ORDINANCE 1269 AMENDING SECTION 3.08.580, OF CHAPTER 3.08 (TRAFFIC REGULATIONS) OF TITLE 3 (PUBLIC SAFETY) OF THE TRACY MUNICIPAL CODE

1.G. APPROVE THE FINAL SUBDIVISION MAP FOR TRACT 3863, HARVEST IN TRACY, AND AUTHORIZE THE CITY CLERK TO FILE THE FINAL MAP WITH THE SAN JOAQUIN COUNTY RECORDER

1.H. APPROVE A CHANGE ORDER IN THE AMOUNT OF $145,000 TO ADDRESS UNFORESEEN CONDITIONS FOR THE CONSTRUCTION OF ROOF IMPROVEMENTS TO THE POLICE ANNEX BUILDING CIP 71102

1.I. AUTHORIZE AN INCREASE TO THE CONTINGENCY AMOUNT OF $46,000, TO ADDRESS UNFORESEEN CONDITIONS FOR THE CONSTRUCTION OF THE MCDONALD PARK SPLASH PAD RECIRCULATION SYSTEM PROJECT CIP-78162

1.J. APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR KAGEHIRO PHASE 2, TRACT 3882, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE SAN JOAQUIN COUNTY RECORDER

1.K. ACCEPT CONSTRUCTION OF SPORTS FIELDS WITHIN THE PHASE I AREA OF THE LEGACY FIELDS PHASE 1C CIP 78163, COMPLETED BY GOODLAND LANDSCAPE CONSTRUCTION, INC., OF TRACY, CALIFORNIA, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AUTHORIZE THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AUTHORIZE THE FINANCE DEPARTMENT TO CLOSE THE PROJECT, AND AUTHORIZE THE RE-ALLOCATION OF $311,132 OF REMAINING BUDGET FROM LEGACY FIELDS PHASE 1C TO LEGACY FIELDS PHASE 1D CIP 78164

2. ITEMS FROM THE AUDIENCE

3. REGULAR AGENDA

3.A. CONDUCT A PUBLIC HEARING TO CONSIDER APPROVING THE ENGINEER'S REPORT AND ORDERING THE ANNEXATION OF MARIANI BUSINESS PARK (APN 250-260-09) INTO ZONE 10 OF THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2019/2020

3.B. PUBLIC HEARING OF THE CITY COUNCIL TO CONSIDER ADOPTION OF THE CITY OF TRACY PROPOSED FISCAL YEAR 2019-20 ANNUAL OPERATING, DEBT AND CAPITAL BUDGET

3.C. PUBLIC HEARING TO INTRODUCE AN ORDINANCE AMENDING THE TRACY HILLS SPECIFIC PLAN TO ADDRESS MINOR REVISIONS AND CLARIFICATIONS RELATED TO THE IMPLEMENTATION OF PHASE 1A DEVELOPMENT (APPLICATION NUMBER SPA18-0002)

3.D. APPROVE AN EMPLOYMENT AGREEMENT BETWEEN LETICIA RAMIREZ AND THE CITY OF TRACY TO SERVE AS INTERIM CITY ATTORNEY

3.E. APPROVE SPHERE OF INFLUENCE PLANNING HORIZONS FOR THE CITY'S UPDATED MUNICIPAL SERVICES REVIEW TO BE SUBMITTED TO THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION FOR APPROVAL

4. ITEMS FROM THE AUDIENCE

5. STAFF ITEMS

6. COUNCIL ITEMS

6.A. AUTHORIZE THE DISPLAY OF THE LGBT PRIDE FLAG AT CITY HALL ON JUNE 28, 2019 TO COMMEMORATE THE STONEWALL RIOTS AND LGBT PRIDE MONTH

6.B. RECEIVE REPORT FROM CITY COUNCIL ON RECENT CITY COUNCIL TRAVEL OUT OF STATE, INCLUDING TRAVEL TO WASHINGTON, D.C. FOR LOBBYING EFFORTS FOR THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG) ONE VOICE® TRIP AND TRAVEL TO WASHINGTON, D.C. FOR LOBBYING EFFORTS FOR THE CITY OF TRACY

7. ADJOURNMENT

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

May 21, 2019, 5:30 p.m.

Council Chambers, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Rickman called the meeting to order at 5:30 p.m. for the purpose of a closed session to discuss the items outlined below.

2. ROLL CALL – Roll call found Council Members Vargas, Mayor Pro Tem Young, and Mayor Rickman present. Council Member Ransom arrived at 5:30 p.m. (after roll call). Council Member Arriola arrived at 5:38 p.m.

3. ITEMS FROM THE AUDIENCE – None.

4. CLOSED SESSION

   1. Conference with Legal Counsel – Anticipated Litigation (GOV. Code § 54956.9)

      Initiation of litigation pursuant to § 54956.9(d)(4). (Two cases).

   2. Personnel Matter (Gov. Code, § 54957)

      Public Employee Appointment, Employment, Evaluation of Performance, Discipline, or Dismissal

      Position Title: City Attorney

5. RECESS TO CLOSED SESSION **-** Motion was made by Council Member Vargas and seconded by Mayor Pro Tem Young to recess the meeting to closed session at 5:30 p.m. Roll call vote found Council Member Vargas, Mayor Pro Tem Young and Mayor Rickman in favor; passed and so ordered. Council Members Ransom and Arriola absent.

   Council Member Ransom arrived at 5:30 p.m. after motion to recess to Closed Session. Council Member Arriola arrived at 5:38 p.m.

6. RECONVENE TO OPEN SESSION – The meeting reconvened to open session at 7:00 p.m.

7. REPORT OF FINAL ACTION – None.

8. ADJOURNMENT – Motion was made by Council Member Vargas as Vargas, Arriola and Mayor Rickman in favor; passed and so ordered. Time: 7:00 p.m Council Member Ransom and Mayor Pro Tem Young absent.

The agenda was posted at City Hall on May 16, 2019. The above are action minutes.

_____
Mayor

ATTEST:

_____
City Clerk

TRACY CITY COUNCIL REGULAR MEETING MINUTES

May 21, 2019, 7:00 p.m.

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

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

Mayor Rickman led the Pledge of Allegiance.

Pastor Diestler, Tracy Mission City Church offered the invocation.

Roll call found Council Members Arriola, Ransom, Vargas, Mayor Pro Tem Young and Mayor Rickman present.

Mayor Rickman recognized D.A.R.E. graduating students from South and Hirsh Elementary Schools.

Midori Lichtwardt, Interim City Manager presented the award for May 2019 to Kelly Murillo, Finance Department.

Mayor Rickman presented Certificates of Appointment to Transportation Advisory Commissioners Jacob Hunter and Gary Cooper.

Mayor Rickman presented a Certificate of Recognition to outgoing Measure V Residents' Oversight Committee Member Eleassia Davis.

Mayor Rickman presented a proclamation for National Poppy Day to Anne Marie Fuller, President of Tracy American Legion Auxiliary.

Mayor Rickman presented Certificates of Recognition to Saint Bernard's Daughters of the Cross, Sister Marlene Sylas, and Sister Cecilia D'Mello. Sister Ann Venita Britto was unable to attend.

1. CONSENT CALENDAR – Following the removal of Consent items 1.J by staff motion was made by Council Member Vargas and seconded by Council Member Arriola to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.

   1.A ADOPTION OF APRIL 16, 2019, CLOSED SESSION, SPECIAL MEETING AND REGULAR MEETING MINUTES – **Minutes were approved**.

   1.B APPROVE THE FIRST AMENDMENTS TO THE SUBDIVISION IMPROVEMENT AGREEMENTS FOR TRACT 3788 - TRACY HILLS VILLAGE 1A, TRACT 3889 - TRACY HILLS VILLAGE 3A, TRACT 3890 - TRACY HILLS VILLAGE 4A, TRACT 3891 - TRACY HILLS VILLAGE 5A, TRACT 3943 - TRACY HILLS VILLAGE 1B, TRACT 3945 - TRACY HILLS VILLAGE 3B, TRACT 3946 - TRACY HILLS VILLAGE 4B, TRACT 3948 - TRACY HILLS VILLAGE 5B, AND AUTHORIZE THE CITY CLERK TO FILE THE FIRST AMENDMENTS WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

   Resolution 2019-087 approved amendment for Tract 3788, Tracy Villages 1A
   Resolution 2019-088 approved amendment for Tract 3943, Tracy Villages 1B

Resolution 2019-089 approved amendment for Tract 3889, Tracy Villages 3A
Resolution 2019-090 approved amendment for Tract 3945, Tracy Villages 3B
Resolution 2019-091 approved amendment for Tract 3890, Tracy Villages 4A
Resolution 2019-092 approved amendment for Tract 3946, Tracy Villages 4B
Resolution 2019-093 approved amendment for Tract 3891, Tracy Villages 5A
Resolution 2019-094 approved amendment for Tract 3948, Tracy Villages 5B

1.C RATIFY THE SAN JOAQUIN COUNCIL OF GOVERNMENTS ANNUAL FINANCIAL PLAN FOR FISCAL YEAR 2019-2020 – **Resolution 2019-095** ratified the SJCOG Annual Financial Plan for FY 2019-2020.

1.D AUTHORIZE SUBMISSION OF THE ANNUAL CLAIM TO THE STATE OF CALIFORNIA, THROUGH THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG), FOR TRANSPORTATION DEVELOPMENT ACT FUNDS IN THE AMOUNT OF $6,025,677 FOR FISCAL YEAR 2018-2019, AND AUTHORIZE THE FINANCE DIRECTOR TO EXECUTE THE CLAIM – **Resolution 2019-096** approved the submission of the annual claim to the State of California.

1.E FIND IT IS IN THE BEST INTEREST OF THE CITY TO FOREGO A COMPETITIVE PROPOSAL PROCESS AND APPROVE AN AGREEMENT WITH BARYALAI FEROZ AND LAMIA FEROZ TO SELL APPROXIMATELY 19,016 SQUARE FEET OF SURPLUS CITY REAL PROPERTY (A PORTION OF APN 212-040-67) LOCATED BETWEEN THE FEROZ REAL PROPERTY (APNS 212-270-20 AND 212-270-21) AND THE SOUTHERN BOUNDARY FENCE OF DETENTION BASIN 10 – **Resolution 2019-097** approved the agreement.

1.F APPROVE CHANGES TO THE CITY OF TRACY TRAVEL EXPENSE PROCEDURE FOR EMPLOYEES REGARDING PERMITTED EXPENSE RATES AND THE APPROVAL PROCESS FOR TRAVEL EXPENSES – **Resolution 2019-098** approved the changes to the City of Tracy Travel Expense Procedures.

1.G WAIVE SECOND READING AND ADOPT ORDINANCE 1268, AN ORDINANCE OF THE CITY OF TRACY AMENDING THE CORRAL HOLLOW WEST PLANNED UNIT DEVELOPMENT TO PERMIT HIGH DENSITY SINGLE-FAMILY RESIDENTIAL USES AND ESTABLISH DEVELOPMENT STANDARDS ON AN APPROXIMATELY 3.5-ACRE LOT LOCATED AT 2483 W. SCHULTE ROAD, ASSESSOR'S PARCEL NUMBER 240-660-37. THE APPLICANT IS BRIGHT DEVELOPMENT AND OWNER IS POND CREEK, LLC. APPLICATION NUMBER PUD18-0003 – **Ordinance 1268 was adopted**

1.H APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH HF&H CONSULTANTS, LLC TO PERFORM A SOLID WASTE RATE STUDY – **Resolution 2019-099** approved the agreement.

1.I APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RIDE RIGHT, LLC TO EXTEND THE CONTRACT FOR ONE YEAR – **Resolution 2019-100** approved the amendment.

1.J AUTHORIZE THE REMOVAL OF THE NO PARKING ZONE ON THE WEST SIDE OF MARIANI COURT AND AMEND RESOLUTION NO. 2004-387 – **Item was moved to the June 4, 2019 Council meeting.**

1.K APPROVE RESOLUTIONS: (1) INITIATING PROCEEDINGS FOR THE ANNEXATION OF MARIANI BUSINESS PARK (APN 250-260-09) INTO THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT (ZONE 10), (2) DECLARE INTENTION TO ANNEX MARIANI BUSINESS PARK (APN 250-260-09); ACCEPT AND APPROVE THE ENGINEER'S REPORT; CONDUCT A PROPERTY OWNER BALLOT OFFICIAL ASSESSMENT PROCEEDING, AND SET A DATE FOR A PUBLIC HEARING OF JUNE 4, 2019 – **Resolution 2019-101** initiated proceedings for annexation of Mariani Business Park**. Resolution 2019-102** declared intention to annex the Mariani Business Park.

1.L ACCEPT TRAVEL REPORT FROM CITY ATTORNEY REGARDING ATTENDANCE AT LEAGUE OF CALIFORNIA CITIES CITY ATTORNEYS' CONFERENCE – **Report accepted.**

2. ITEMS FROM THE AUDIENCE – Richard Denman expressed his concerns regarding vehicles speeding on Starflower Drive. Mr. Denman requested that City Council look into the issue.

3. REGULAR AGENDA

3.A PUBLIC HEARING TO INTRODUCE AN ORDINANCE AMENDING SECTION 3.08.580 OF THE TRACY MUNICIPAL CODE TO UPDATE SPECIAL SPEED ZONES

Robert Armijo, City Engineer provided the staff report.

Mayor Rickman opened the public hearing.

No one from the public wished to speak.

Mayor Rickman closed the public hearing.

City Council questions and comments followed.

Adrianne Richardson, City Clerk read the title of proposed Ordinance 1269.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to waive the reading of the full text and introduce **Ordinance 1269** amending Section 3.08.580 of Chapter 3.08 (Traffic Regulations) of Title 3 (Public Safety) of the Tracy Municipal Code. Roll call vote found all in favor; passed and so ordered. Council Member Ransom opposed to change on Western Pacific Way segment. (Council Member Ransom referred to Linne Road in error).

Leticia Ramirez, Assistant City Attorney confirmed she would look into alternative methods of enforcement of the speed limit on Western Pacific Way, and provide an email to City Council.

3.B ADOPT THE CITY OF TRACY SHORT RANGE TRANSIT PLAN

Ed Lovell, Management Analyst II provided the staff report and introduced Steve Wilks, from IBI Group. Mr. Lovell responded to questions from members of the public and City Council during the item.

Mr. Wilks provided a powerpoint presentation of the proposed Tracy Short Range Transit Plan and responded to questions from members of the public and City Council during the item.

Jacob Hunter shared his concerns regarding issues with the report and the fixed route component.

Benjamin Hatfield asked what the cost would be per rider on destination circumstances if the program is changed.

Martin Evans expressed his concerns about transportation issues around the hospital.

Alvin Vaughn supported the creative approach.

Tim Silva did not support the proposed Short Range Transit Plan and shared his concerns.

Nancy Castro shared concerns regarding the transportation for the senior population and asked about services for residents out of town.

Richard Denman supported Tim Silva's comments and shared his concerns about safety of children using Uber or Lyft.

Mary Foshey also agreed with previous speakers, and asked about discounts and monthly passes for the City's transit.

City Council questions and discussion followed.

Mayor Rickman called a recess at 9:42 p.m.

Mayor Rickman reconvened the meeting at 9:49 p.m.

City Council questions and comments continued.

Consensus from City Council was to direct staff to return with information regarding the following items: conducting a pilot program to test proposed changes; identifying additional fixed routes covering areas that currently have less access to transit; generating revenue from advertising on the buses, providing public transit options for special events, time schedules, flex routes, relevant routes, budget information, discounts and monthly passes, and timeliness to point A to point B.

3.C APPROVE ONE OF FIVE DESIGN CONCEPTS FOR A NEW PARK ENTRY SIGN TO BE INCLUDED IN THE CITY OF TRACY DESIGN STANDARDS

Richard Joaquin, Parks Planning and Development Manager provided the staff report.

Lisa Roth stated she appreciated consistency and uniformity of signs in Tracy.

Dino Margaros stated on behalf of the Ritter family, Concepts #3 and #5 were preferred, in particular Concept #3.

Steve Nicolaou stated the Ritter name is on the land, so would like to see which option was Mr. Ritter's preference.

Paul Ritter responded the family preference is Concept #3, and added the family is donating money for landscaping around sign.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt Resolution **2019-103** approving Concept #3 of the five design concepts for a new park entry sign to be included in the City of Tracy Design Standards. The address and City of Tracy logo should be included on the sign. Roll call vote found all in favor; passed and so ordered.

3.D APPROVE THE TRANSFER OF FEDERAL USE RESTRICTIONS AND REVERSIONARY RIGHTS ON THE 150-ACRE SCHULTE ROAD PARCEL (APN 209-230-29 AND APN 209-230-29-30), TO 300 ACRES OF UNDEVELOPED LAND AT LEGACY FIELDS (APN 212-150-04) AND PUBLIC USE PLAN FOR THE SITE, AUTHORIZE THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS TO COMPLETE THE TRANSFER, AND AUTHORIZE THE CITY MANAGER TO TRANSFER (PURCHASE) THE LAND TO THE GENERAL FUND FROM THE WASTEWATER FUND

Brian MacDonald, Parks and Recreation Director provided the staff report. Mr. MacDonald noted that the property surrounding Legacy Fields is owned by the Wastewater Fund. Since the City is now putting restrictions on the acreage for park and recreational use only, it is no longer a viable use for wastewater enterprise purposes. Staff recommends exploring an interfund loan from Wastewater Fund to the General Fund to complete the purchase of the land and further recommends that Council determine the terms and structure of that interfund loan during the Measure V discussion on June 18th, 2019.

Lisa Roth stated the Tracy Nature Park Advocates are pleased with the transfer.

Steve Nicolaou, Attorney for Steve Arnaudo & Sons, stated his client currently leases 868 acres from City and requested communication and involvement with the City regarding the transition if the city puts deed restriction on the 302 areas.

Tim Silva expressed support for the Nature Park and a disc golf course.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Vargas and seconded by Council Member Ransom to adopt **Resolution 2019-104** approving the transfer of Federal Use Restrictions and Reversionary Rights on the 150-acre Schulte Road Parcel (APN 209-230-29 and APN 209-230-30), to 300 acres of undeveloped land at Legacy Fields (APN 212-150-04) and public use plan for the site, and authorizing the Mayor to execute any necessary documents to complete the transfer, and authorizing the City Manager to Transfer (purchase) the land from the Waste Water Fund to the General Fund. Roll call vote found all in favor; passed and so ordered.

4. ITEMS FROM THE AUDIENCE – Martin Evans reminisced about his father and City parks and spoke about Sutter Hospital.

Mary Mitracos suggested that the City never sell land it owns.

5. STAFF ITEMS – None

6. COUNCIL ITEMS

6.A APPOINT AN APPLICANT TO THE MEASURE V RESIDENTS' OVERSIGHT COMMITTEE FROM THE COMMITTEE'S ELIGIBILITY LIST

Adrianne Richardson, City Clerk provided the staff report.

No one from the public wished to speak.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Arriola to appoint Hector Jaimes to the Measure V Residents' Oversight Committee to serve a term which will commence on May 22, 2019, and expire on February 29, 2020. Roll call vote found all in favor; passed and so ordered.

Council Member Vargas requested discussion regarding a secondary exit at Legacy Fields for safety purposes. Mayor Pro Tem Young supported the request.

Council Member Arriola requested a proclamation for June as LGBT Gay Pride Month, and also putting a resolution on the next agenda recognizing the 50th anniversary of the Stonewall Rebellion which occurred on June 28, 1969, recognizing the instigating event that launched the LGBT movement, and to raise the pride flag over City Hall in recognition that day. Council Member Vargas supported the request.

Council Member Ransom requested an agenda item to discuss the speed concerns and lack of sidewalk on the County portion of Western Pacific Way. Council Member Vargas supported the request.

Council Member Ransom requested an information consent item containing a list of vacant City owned land, and addresses, in order to educate Council and the public about vacant properties the City owns. City Council supported the request.

Council Member Ransom requested a subcommittee report for the Homelessness Ad Hoc Subcommittee to provide an update and request support to apply for a technical support grant for a consultant to help with the strategic plan. Council Member Arriola supported the request.

Mayor Pro Tem Young followed up on the Emergency Preparedness Plan, and the Code of Conduct being brought back before Council. Mayor Pro Tem Young congratulated the Class of 2019.

Mayor Rickman congratulated the 2019 Graduates, and reminded everyone about the Memorial Day Service at 10:00 am at the cemetery followed by the War Memorial. Mayor Rickman announced the downtown block party on May 31, 2019.

Council Member Ransom wished her daughter a happy 19th birthday.

7. ADJOURNMENT – Time: 11:06 p.m.

ACTION: Motion was made by Mayor Pro Tem Young and seconded by Council Member Vargas 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 16, 2019. The above are action minutes. A recording is available at the office of the City Clerk.

_____
Mayor

ATTEST:

_____
City Clerk

June 4, 2019

AGENDA ITEM 1.B

REQUEST

AWARD A PROFESSIONAL SERVICES AGREEMENT TO ALL CITY MANAGEMENT SERVICES, INC. FOR SCHOOL PEDESTRIAN CROSSING GUARD SERVICES FROM JULY 1, 2019 TO JUNE 30, 2022 IN AN AMOUNT NOT TO EXCEED $1,007,478.

EXECUTIVE SUMMARY

This agreement will provide School Pedestrian Crossing Guard Services to 27 sites within Tracy Unified School District and Jefferson School District.

DISCUSSION

In the 2019-20 fiscal year, $250,548 has been allocated for School Pedestrian Crossing Guard Services in the Police Department Budget for Contracted Services.

The City has contracted with All City Management Services to provide Crossing Guard Services since 1995. The contract with All City Management Services was renewed and amended in 2005, 2008, 2014, and 2018. The Tracy Police Department has negotiated a three year contract with All City Management Services to provide crossing guard services from July 1, 2019 to June 30, 2022.

On April 17, 2019, the Tracy Police Department published a Request for Proposals on the City of Tracy website. In addition, the two agencies providing crossing guard services to the Tracy Area, All City Management Services and American Guard Services, were contacted and notified of the published Request for Proposals.

On May 1, 2019, proposals from the following contractors were received and opened:

- All City Management Services
- American Guard Services

All City Management Services was found to be the most responsive to the City's needs. Their service has consistently met the standards set by the City and their fees have incrementally increased to keep pace with California minimum wage increases.

All City Management Services will provide crossing guard services to 27 sites within the Jefferson Unified School District and Tracy Unified School District, 3.0 hours daily, for 180 school days annually, for a total of 14,580 hours annually. All City Management Services will provide all recruitment, background clearance, hiring, training, equipment, payroll, supervision, and management of the crossing guard program. The program is $308,950 in the first year, $335,632 for second year, and $362,896 for the third year of the contract. The City's obligation for the overall cost is a 50% shared cost with school districts.

FISCAL IMPACT

School Pedestrian Crossing Guard Services is a contracted service funded in each fiscal year budget. The fiscal year budget provides funding for this service. The City contribution, which combined with the 50% shared costs from The Tracy Unified School District and the Jefferson School District, is sufficient to support the proposed contract cost of $308,950 for 2019-20 and proposed increases over the three year contract term, not to exceed $1,007,478.

STRATEGIC PLAN

This agenda item relates to the Council's Strategic Plan in the area of Safety and the Mayor's Five-Point Plan in working with Public Safety to enhance our community safety.

RECOMMENDATION

Staff recommends that the City Council award, by resolution, a professional services agreement to All City Management Services, Inc. for school pedestrian crossing guard services from July 1, 2019 to June 30, 2022 from Contracted Services Account #101-5278.

Prepared by: Beth Lyons, Support Operations Manager

Reviewed by: Alex Neicu, Interim Chief of Police
Karin Schnaider, Finance Director

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENTS

Attachment A: Professional Services Agreement with All City Management Services, Inc.

City of Tracy
PROFESSIONAL SERVICES AGREEMENT
SCHOOL PEDESTRIAN CROSSING GUARD SERVICES

This Professional Services Agreement (Agreement) is entered into between the City of Tracy, a municipal corporation (City), and All City Management Services, Inc., a California corporation, (Consultant).

Recitals

A. On May 1, 2019, the City obtained formal requests for proposals from two prospective Consultants to provide School Pedestrian Crossing Guard Services for the City of Tracy. All City Management Services submitted its proposal to perform the services described by this Agreement.

B. After negotiations between City and Consultant, the parties have reached an agreement for the performance of services in accordance with the terms set forth in this Agreement.

C. On June 4, 2019, the City Council authorized the execution of this Agreement, pursuant to Resolution No. 2019-_____.

Now therefore, the parties mutually agree as follows:

1. Scope of Services. Consultant shall perform the services described in Exhibit "A" attached and incorporated by reference. The services shall be performed by or under the direct supervision of Consultant. Consultant shall not use any subcontractors or sub consultants, without City's prior written consent.

2. Time of Performance. Time is of the essence in the performance of services under this Agreement and the timing requirements set forth shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. Consultant shall begin performance, and shall complete all required services no later than the dates set forth in Exhibit "A." Any services for which times for performance are not specified in this Agreement shall be started and completed by Consultant in a reasonably prompt and timely manner based upon the circumstances and direction communicated to the Consultant. Consultant shall submit all requests for extensions of time to the City in writing no later than ten days after the start of the condition which purportedly caused the delay, and not later than the date on which performance is due. City shall grant or deny such requests at its sole discretion.

3. Compensation.

3.1 General. For services performed by Consultant under this Agreement, City shall pay Consultant on a time and expense basis, at the billing rates set forth in Exhibit "A," attached and incorporated by reference. Consultant's fee for this Agreement is Not to Exceed $1,007,478. Consultant's billing rates shall cover all costs and expenses for Consultant's performance of this Agreement. No work shall be performed by Consultant in excess of the Not to Exceed amount without the City's prior written approval. The term of this Agreement shall be from July 1, 2019 through June 30, 2022.

3.2 Invoices. Consultant shall submit monthly invoices to the City describing the services performed, including times, dates, and names of persons performing the service.

3.3 Payment. Within 30 days after the City's receipt of invoice, City shall make payment to the Consultant based upon the services described on the invoice and approved by the City.

4. Indemnification. Consultant 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 Consultant'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; "Consultant" means the Consultant, 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) and any allegations of these; and "Arising out of" includes "pertaining to" and "relating to".

(The duty of a "design professional" to indemnify and defend the City is limited to claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the design professional, under Civ. Code § 2782.8.)

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.

5.1 General. Consultant shall, throughout the duration of this Agreement, maintain insurance to cover Consultant, its agents, representatives, 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 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.

5.3 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.

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

5.5 Endorsements. Consultant shall obtain endorsements to the automobile and commercial general liability with the following provisions:

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

5.6.2 For any claims related to this Agreement, Consultant's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

5.6 Notice of Cancellation. Consultant 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 prior to the expiration shall be considered a cancellation. Consultant shall immediately obtain a replacement policy.

5.7 Authorized Insurers. All insurance companies providing coverage to Consultant 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. Consultant 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, before the City signs this Agreement.

5.9 Substitute Certificates. No later than 30 days prior to the policy expiration date of any insurance policy required by this Agreement, Consultant shall provide a substitute certificate of insurance.

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

6. Independent Contractor Status; Conflicts of Interest. Consultant is an independent contractor and is solely responsible for the acts of its employees or agents, including any negligent acts or omissions. Consultant is not City's employee and Consultant 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. Consultant is free to work for other entities while under contract with the City. Consultant, and its agents or employees, are not entitled to City benefits.

Consultant (including its employees, agents, and sub consultants) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. If Consultant maintains or acquires such a conflicting interest, the City may terminate any contract (including this Agreement) involving Consultant's conflicting interest.

7. Termination. The City may terminate this Agreement by giving ten days written notice to Consultant. Upon termination, Consultant shall give the City all original documents, including preliminary drafts and supporting documents, prepared by Consultant for this Agreement. The City shall pay Consultant for all services satisfactorily performed in accordance with this Agreement, up to the date notice is given.

8. Ownership of Work. All original documents prepared by Consultant for this Agreement, whether complete or in progress, are the property of the City, and shall be given to the City at the completion of Consultant's services, or upon demand from the City. No such documents shall be revealed or made available by Consultant to any third party without the City's prior written consent.

9. Miscellaneous.

9.1 Notices. All notices, invoices, demands, or other communications which this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or mailed to the other party as follows:

To City:

Police Support Operations Manager
Tracy Police Department
1000 Civic Center Drive
Tracy, CA 95376

To Consultant:

All City Management Services, Inc.
Director of Operations
10440 Pioneer Boulevard, Suite 5
Santa Fe Springs, CA 90670

With a copy to:
City Attorney
333 Civic Center Plaza
Tracy, CA 95376

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.

9.2 Standard of Care. Unless otherwise specified in this Agreement, the standard of care applicable to Consultant's services will be the degree of skill and diligence ordinarily used by reputable professionals performing in the same or similar time and locality, and under the same or similar circumstances.

9.3 Modifications. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.

9.4 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.

9.5 Assignment and Delegation. Consultant may not assign, transfer or delegate this Agreement or any portion of it without the City's written consent. Any attempt to do so will be void. City's consent to one assignment shall not be deemed to be a consent to any subsequent assignment.

9.6 Jurisdiction and Venue. The interpretation, validity, and enforcement of the Agreement shall be governed by and construed under 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.

9.7 Compliance with the Law. Consultant shall comply with all local, state, and federal laws, whether or not those laws are expressly stated in this Agreement.

9.8 Business Entity Status. Contractor is responsible for filing all required documents and/or forms with the California Secretary of State and meeting all requirements of the Franchise Tax Board, to the extent such requirements apply to Contractor. City may void this Agreement if Contractor is a suspended corporation, limited liability company or limited partnership at the time it enters into this Contract. City may take steps to have this Agreement declared voidable.

9.9. Business License. Before the City signs this Agreement, Consultant shall obtain a City of Tracy Business License.

9.10 Entire Agreement; Severability. This Agreement comprises the entire integrated understanding between the parties concerning the services to be performed. 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.

10. 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 the Consultant and the City. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

The parties agree to the full performance of the terms set forth here.

City of Tracy

_____
By: Robert Rickman
Title: Mayor
Date: _____

Consultant
All City Management Services, Inc.

_____
By: Demetra Farwell
Title: Director, Admin Services
Date: 5/7/19

Federal Employer Tax ID No. 95-3971517

Attest:

_____
Adrianne Richardson, City Clerk

Approved as to form:

_____
Thomas T. Watson, City Attorney

Exhibits:

A Scope of Services/Compensation

EXHIBIT A

ALL CITY MANAGEMENT SERVICES

"The Crossing Guard Company"

A Proposal for
City of Tracy
Crossing Guard Services

May 1, 2019

Presented by

10440 Pioneer Boulevard, Suite 5, Santa Fe Springs, CA 90670
OFFICE PHONE: 800.540.9290 FAX: 310.202.8325
EMERGENCY DISPATCH: 877.363.2267
www.thecrossingguardcompany.com

ALL CITY MANAGEMENT SERVICES

April 25, 2019

City of Tracy Police Department
Attn: Beth Lyons, Support Operations Manager
1000 Civic Center Drive, Tracy, CA 95376

Dear Ms. Lyons:

On behalf of All City Management Services, Inc. (**ACMS**), I would like to express our sincere appreciation for the opportunity to have served the City of Tracy Crossing Guard Program for the over 21 years.

We have received the Request for Proposals Crossing Guard Services. I have reviewed the Scope of Services contained therein and agree to the terms and conditions set forth. The terms of our response shall be valid for a period of 90 days.

Our goal is simple; to continue to provide the City of Tracy with a model crossing guard program that relieves the Police Department of the day to day responsibilities of managing a Crossing Guard program. As your service provider, we have assumed complete responsibility for the day to day operations of the Crossing Guard program. This includes recruitment, background clearance, hiring, training, equipment, payroll, supervision and management of the program.

We understand the unique and demanding scheduling requirements of the program. We will maintain local supervision and management to ensure the needs of the Tracy community are met. We provide alternate guards, a paging system and a 24 hour 800 number to ensure adequate response and immediate back-up for any Crossing Guard absent from duty for any reason. We will continue to communicate with each school to ensure proper scheduling.

We have become the nation's largest provider of private crossing guards as a result of our singular focus to this industry as well development of benchmark training. This includes our **"Employee Handbook for School Crossing Guards"** which details our Job Requirements, the initial and ongoing Training we provide, including our Site Evaluations, our Rules of Conduct, Crossing Guard of the Year recognition and the Certification Requirements for all Crossing Guards.

We are certainly excited and hopeful about continuing to provide Crossing Guard services for the City of Tracy. If you have any questions, please feel free to contact me at 800 540-9290.

Harlan Sims, Director of Marketing
harlan@thecrossingguardcompany.com

ALL CITY MANAGEMENT SERVICES

COMPANY PROFILE

All City Management Services, Inc. (ACMS), is a California based Corporation founded in 1985. We are the largest provider of School Crossing Guard services, managing both large and small Crossing Guard Programs. We currently employ over 6,000 School Crossing Guards dedicated to safety, serving cities, towns, communities, schools and school districts nationwide. We employ over 2,750 Crossing Guards in California alone.

Our headquarters is in Santa Fe Springs, CA. We maintain satellite offices in Las Vegas, NV, Dallas TX and Greenacres, FL.

One defining issue that distinguishes **ACMS** is that we are the only company that *exclusively* provides School Crossing Guard Services. It is our commitment to limiting the scope and focus of the company to School Safety that has helped us emerge as ***"The Crossing Guard Company"***. We have successfully privatized the Crossing Guard programs for over 250 agencies. Ultimately our clients become the beneficiaries of our single-minded approach toward this industry.

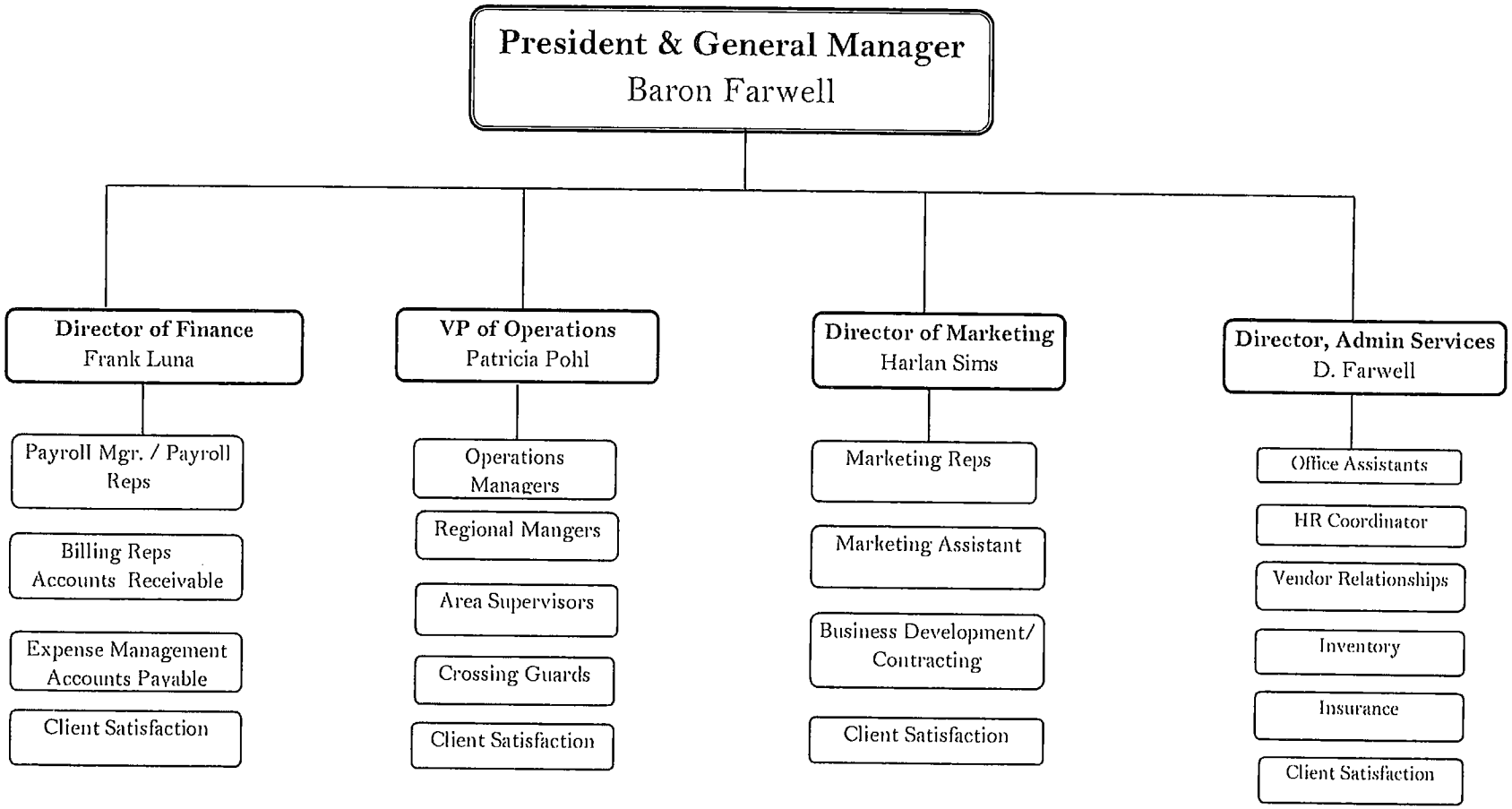
The heart of our business is in assuming responsibility for the task and challenges of conducting a successful Crossing Guard Program. Toward that end, in our typical contractual arrangement we assume responsibility for; recruitment, local hiring, background clearance compliant with Department of Justice standards, initial and ongoing training, payroll and administrative support functions, coordination of assigning qualified substitutes during absences, local supervision, complaint investigation and resolution, communicating with schools and site safety inspections.

One of the benefits we bring to any agency is our expertise in overseeing a seamless transition from public to private management or private service to **ACMS** management of the program. The continuity of the Crossing Guards' employment is a key component of a seamless transition. We value the experiences and understanding of the Crossing Guards currently working in each program we manage. Much of our success with individual programs is a result of the experience and knowledge these Crossing Guards bring to our management.

With over 30 years of experience, **ACMS** leads the Crossing Guard Industry in the development of Crossing Guard standards for training, supervision and safety.

Each program we have taken on has brought a unique set of issues and challenges. The heart of our success has been our ability to articulate these challenges and experiences into our training, policies and procedures to benefit all Crossing Guards in all the cities, towns and communities we service.

ALL CITY MANAGEMENT SERVICES



10440 Pioneer Blvd., Ste. #5, Santa Fe Springs, CA 90670 • 800-540-9290 • FAX 310-202-8325

Statement of Qualifications

All City Management Services, Inc. (ACMS) Serving over 275 cities, counties and school districts, we have successfully privatized both large and small Crossing Guard programs. ACMS currently employs over 6,000 Crossing Guards who are supported by locally assigned Area Supervisors. We have experience managing small programs, mid-size programs and large programs in excess of 100 crossing guards.

While the size of our Company reflects our broad-based knowledge and success in the industry, we understand that each agency, school district and community we serve comes with their own set of specific requirements and challenges. Our understanding of the unique challenges presented by the Tracy program; guard scheduling, geography, school locations and demographics, makes us well qualified to continue to meet the unique demands of this program including summer school requirements.

Our ability to continue service to the Tracy Crossing Guard program is supported by our current success with your program and in similar programs throughout the State of California and elsewhere. Examples of the many mid size Northern and Southern California clients we serve include the cities of Fremont, Pleasanton, Dublin, Livermore, San Leandro, Marin County, Santa Rosa, Lafayette, Piedmont, Fontana School Police, Covina, Santa Ana, the County of Los Angeles and numerous other municipalities. We have significant experience managing many similar size programs to the Tracy Crossing Guard Program.

We are very proud ACMS performance standards and training procedures were integrated into the model for the California Safe Routes to School Crossing Guard Training Guidelines.

Another defining component that distinguishes ACMS as the industry leader is our focus on exclusively providing School Safety Services. This singular area of service enables all of our resources to be devoted to the development and delivery of programs that provide exceptionally high safety standards and client satisfaction.

Approach and Management Plan

ACMS employs a Team Concept of management which results in efficient field operations as well as providing a multifaceted response to potential problems. The Director of Operations and Region Operations Manager work together (with continued input from the **City of Tracy PD**) to establish specific program objectives and expectations. These Senior Managers then work directly with your Area Field Supervisor to implement the management plan.

The Regional Manager along with your local Area Supervisor has responsibility for the direct management of the Crossing Guards and together they will continue to ensure City of Tracy operational expectations are met. Standards and expectations are communicated to Crossing Guards personally by their local supervisor so as to allow the employee a better understanding of the decision-making process. This helps reduce confrontational attitudes by establishing and enhancing the common goal of providing for the safety of school children.

Our project schedule is simply a continuation of the program we have had in place for years with new school year start up to include hiring needs meet, training delivery and scheduling, observation and monitoring, ongoing communication with the schools, guard counseling and reporting to the City.

Crossing Guard performance and compliance with safety standards will continue to be accomplished through regular site visits by the local Area Supervisor and Regional Manager. In addition to verbal training and counseling, these managers are supported by the use Field Training Check Lists, Field Training Cards, Site Performance Evaluations, independent Field Observations and a professionally produced Crossing Guard Safety DVD. Reports of satisfactory completion of all levels of training and ongoing safety reviews will be summarized and available to the Tracy PD representative. ACMS has developed performance standards and training procedures that have been solicited by **California Safe Routes to School** personnel.

Criminal Background checks will be completed on all potential employees as allowed by California state law. Successful completion of the background check, drug and alcohol screening and Social Security verification via E-Verify is required prior to the employee being hired.

ACMS has a strict policy on Drug and Alcohol abuse. This policy is included in our Employee Manual.

Internal minimum passing standards along with City of Tracy established standards would prevent any person from working as a Crossing Guard for the program who has been convicted of any felony, a crime of moral turpitude or a crime against children, including, but not limited to:

- Conduct in violation of California Penal Code or which requires registration under California Penal Code

- Conduct which requires registration under California Health and Safety Code;
- Any offense involving the use of force or violence upon another person;
- Any offense involving theft, fraud, dishonesty or deceit;
- Any offense involving the manufacture, sales, possession or use of a controlled substance
- Conspiracy or attempt to comment any of the aforementioned offenses.

Summary reports of background clearance on employees within the Tracy Crossing Guard program will be regularly available to the City.

ACMS will investigate all public complaints concerning crossing guard services. All incidents shall be reported to the Police Department within two (2) hours. ACMS shall furnish a written report within five (5) work days after the date of the incident.

Communications with individual school sites is facilitated by the Area Supervisor. Personal visits are made regularly (minimum quarterly) to each school site in an effort to develop relationships with staff and establish a collaborative environment for information exchange. Calendars and bell schedules are obtained for each school both at the beginning of the school year and periodically throughout the year. Key school personnel are supplied with appropriate contact information (business cards) and reminded to inform ACMS of any changes. Additionally, schools are provided with large magnets which can be easily displayed making contact information effectively available to all staff. The email address of the Office Manager is also obtained which enables ACMS administrative support staff to regularly contact each school and proactively solicit information regarding potential schedule changes.

The establishment of accurate and responsive shift times is critical to the effectiveness of Crossing Guard services. Sites further from the school would be expected to start earlier in the morning and finish later in the afternoon. These staggered shifts effectively address the time it takes for students to walk from a remote location to the school site (or vice versa in the afternoon) and optimize the protected periods. Additionally, locations are continually monitored for actual pedestrian traffic patterns enabling a better understanding of site needs and any potential deviation from established guidelines.

ALL CITY MANAGEMENT SERVICES

City of Tracy

Director of Operations
John Dotson
310 770 1956

Regional Manager/Project Manager
Alan Stone
415 844 0223

Area Field Supervisor
Lydia Navarro
209 635 1488

Crossing Guards / Alternates

Recruitment and Staffing

ACMS Managers will continue to assess City of Tracy **staffing** needs on an ongoing basis. We would then focus further recruitment efforts in the geographical areas where additional Crossing Guards will be needed.

We have developed a comprehensive plan for **recruitment** of new Crossing Guards. As a part of our Staffing strategy we encourage a very aggressive recruitment program. We utilize soft advertising, local media advertising, targeted flyers, on-site solicitation, school flyers and employee referral bonuses as parts of our overall recruitment strategy. We often work closely with school districts in some of our recruitment drives.

Our ability to effectively staff a Crossing Guard Program remains a fundamental benefit that ACMS brings to most Crossing Guard Programs. Staffing sites is one of the primary responsibilities of the Area Supervisors. They are trained to continuously recruit and train prospective Crossing Guards. New recruits are first processed and submitted to the Department of Justice for background clearance.

Supervisors are also responsible for coordinating the staffing for all sites under their supervision. As part of our staffing strategy Area Supervisors aggressively enforce the following policies and procedures for Crossing Guards.

- Supervisors must maintain an adequate alternate or substitute guard roster. We encourage at least a 5 to 1 ratio of sites versus alternate guards

- We require any guard not reporting for duty to notify the Area Supervisor as early as possible utilizing our 24/7 Guard Hotline or directly notifying their Area Supervisor. Notifications less than 1 hour prior to shift starts are considered unexcused absences.

- Our employee policy is "No call, No show, No Job" Throughout our training we emphasize the importance of insuring the safety of children by our presence. As such, we cannot allow the children's safety to be compromised by failing to call or show for duty.

Supervisor Teams – Tracy continues to benefit from the numerous neighboring programs we operate and manage. Area Supervisors are grouped together by their geographic location. These Teams meet every quarter and team members are encouraged to work together. This cooperative effort allows them to share alternate guards with each other. This has resulted in alternates guards getting more hours as they are "shared" with other Supervisors. Consequently, we are able to retain a more stable group of alternate guards.

Training

Effective initial and ongoing training is essential in a profession dedicated to the safety of children. With over 33 years of experience and a commitment to working cooperatively with other public safety professionals, ACMS is recognized as an industry leader in the development and implementation of School Crossing Guard training and standards of excellence.

The process begins during the first contact with a potential employee when our phone interview process outlines job expectations and our zero tolerance policy for failure to report for a scheduled shift. Throughout the application process prospective employees are reminded about the critical nature of our assignments and the work ethic and integrity required of our employees.

Once hired, the training process starts in the classroom where employees review sections of the ACMS ***"Employee Handbook for School Crossing Guards".*** Additionally the guards are shown the professionally produced training DVD, "Crossing Guard Safety". The process then moves to a field practicum where the trainer demonstrates proper procedures and allows the employee to practice correct techniques. The employee's progress is closely noted on the detailed steps outlined on the the **Field Training Check List** to ensure the employees' field competence. This cross-modality approach not only exposes the employee to the necessary training components but also addresses the needs of the visual, auditory and kinesthetic learner. While the classroom setting is expected to require approximately two- three (2-3) hours and the field training approximately four (4) hours, it's important to note that the low ratio of students to trainer allows for accurate assessments of the employees readiness to move forward.

The new employee is typically assigned to alternate work and closely supervised during their early assignments. They benefit from their trainer completing of a written assessment of their work which better allows them to understand their strengths and weakness and make improvements where necessary (**the Site Performance Evaluation**). Additionally, all new employees are required to carry and regularly refer to the **Field Training Cards.** This pocket-sized card (listing all steps for a safe cross) allows the employee to self-evaluate their performance prior to the time they have all steps of the procedures memorized.

Throughout their employment, Crossing Guards receive refresher training. Employees are subjected to the same Site Performance Evaluation as an ongoing training and assessment tool. These evaluations happen in both side-by-side sessions as well as unannounced observations without the knowledge of the employee.

The standard issue equipment and clothing includes:

- ANSI II compliant high-visibility retro-reflective vest marked with the required insignia of a Crossing Guard
- MUTCD compliant 18" STOP/STOP paddle
- Picture Identification Card with emergency contact information

- Company-issued cap or visor with corporate logo
- Whistle for emergency alert to vehicles and pedestrians
- High-visibility ANSI II compliant rain coat and or jacket

ALL CITY MANAGEMENT SERVICES

Proposed Hourly Rate

As a full service contractor, the hourly rate quoted is a fully loaded rate, meaning all of our costs are included in the proposed hourly billing rate. This would include but be not limited to; recruitment, background clearance, training, equipment, insurance, supervision and management of the City of Tracy, CA Crossing Guard Program.

Proposed Hourly Rate: Twenty-one dollars and Nineteen cents **($21.19)** per hour, per guard. This pricing is based upon 27 Crossing Guards compensated an average of 3.0 hours, per day for 180 school days annually at a wage rate of $13.50 per hour. Local field supervision and substitute guards are also included in the rate, as are all other costs except as noted below. Based upon 14,580 hours annually we project a **Not to Exceed price of $308,950** for school year 2019-20.

Please note due to CA Min Wage schedule; Crossing Guard and Supervisor wages will increase by $1.00 each year.

Bill Rate Year 2020-21: **$23.02**	Not to Exceed: **$335,632**
Bill Rate Year 2021-22: **$24.89**	Not to Exceed: **$362,896**

Invoices for services are mailed every two weeks. Included with each invoice is a Work Summary, which details each site, each day and the hours worked at that site. **Tracy PD** would only be billed for Crossing Guard services rendered on designated "school days" unless otherwise requested by the City.

The hourly rate does not include additional safety equipment, crosswalk delineators, cones or safety devices. If the City should desire any such additional equipment the additional cost would be billed to the City.

ACMS Contact Information

Business Address: 10440 Pioneer Blvd, Suite 5 Santa Fe Springs, CA 90670
Phone numbers: 310.202.8284 or 800.540.9290
Fax number: 310.202.8325
Website address: www.thecrossingguardcompany.com
24 Hour Emergency Dispatch: 877.363.2267

General Manager: Baron Farwell: baron@thecrossingguardcompany.com
Director of Field Operations: : John Dotson: john@thecrossingguardcompany.com
Director of Marketing: Harlan Sims: harlan@thecrossingguardcompany.com

This pricing is valid for a period of 90 days.

Northern California References

City of Alameda, CA
1555 Oak Street
Alameda, CA 94501
510 337 8498
Anthony Munoz, Lieutenant

Antioch School District, CA
510 G Street
Antioch, CA 94509
925 779 7500 Ext. 32000
Tom Forrester, Associate Superintendent

City of Burlingame PD, CA
1111 Trousdale Drive
Burlingame, CA 94010
650 558 7222
Carol T. Augustine, Finance Director

City of Cupertino, CA
10555 Mary Avenue
Cupertino, CA 95014
408 777 3350
Roger S. Lee, Assistant Director Public Works

City of Livermore, CA
1110 South Livermore Avenue
Livermore, CA 94550
925 371 4854
Mike Peretti, Administrator

Pittsburg Unified School District, CA
2000 Railroad Avenue
Pittsburg, CA 94565
925 473 2331
Norma Gonzalez, Administrator

City of Pleasanton PD, CA
4833 Bernal Avenue
Pleasanton, CA 94566
925 931 5100
Joe Leonardo, Traffic Unit Supervisor

County of Alameda, CA
399 Elmhurst Street
Hayward, CA 94544
510 670 5461
Keith Whitaker, Chief Financial Officer

Brentwood Unified School District, CA
255 Guthrie Lane
Brentwood, CA 94513
925 513 6349
Gayle Crockett, Administrator

City of Fremont, CA
2000 Stephenson Blvd.
Fremont, CA 94537
510 790 6873
Mark Dant, Lieutenant

Lafayette School District, CA
3477 School Street
Lafayette, CA 94549
925 927 3501
Rachel Zinn, Superintendent

City of Los Altos PD, CA
One North San Antonio Road
Los Altos, CA 94022
650 947 2770
Scott Seaman, Chief of Police

City of Redwood City PD, CA
1301 Maple Street
Redwood City, CA 94063
650 780 7654
Ashley Osborne, Lieutenant

City of Palo Alto, CA
10555 Mary Avenue
Palo Alto, CA 94301
650 329 2637
Con Maloney, Lieutenant

With over 250 nationwide clients, we would be happy to supply additional references if needed.

In addition to our numerous current clients; ACMS believes the best reference for our service is when a client agency returns to ACMS after trying the service of another contractor that does not specialize in Crossing Guard services.

The following pages are from a staff report from the City of Fremont. The City of Fremont was a client that contracted with the low-price security guard company following a number of years with ACMS.

The staff report highlights the issues they experienced with their service and the City's justification for returning to All City Management Services; "The Crossing Guard Company".

We cannot think of a stronger recommendation than a City that has returned to ACMS after poor service from another contractor.

Additionally, we have recently contracted with the City of Palo Alto and Twin Rivers USD both of which had utilized this same low-price security guard company. If the City of Tracy were to consider this low-cost provider, we would strongly suggest contacting the following individuals to discuss their experience and rationale for contracting for service with ACMS.

City of Palo Alto PD
Lt. Con Maloney
650 329 2637

Twin Rivers USD
Greg Rush, Director Business Services
916 566 1646

Fremont City Council
3300 Capitol Avenue
Fremont, CA 94538
SCHEDULED

Meeting: 07/11/17 07:00 PM
Div/Dept: Police Department
Category: Agreements and Contracts

STAFF REPORT (ID # 3102)

Sponsors:
DOC ID: 3102

SCHOOL CROSSING GUARD SERVICES - Authorize the City Manager, or His Designee, to Execute an Agreement with All City Management Services, Inc. for School Crossing Guard Services in an Amount Not-to-Exceed $771,000 over three years.

Contact Persons:

Name:	Mark Dang	Deirdre Rockefeller-Ramsey
Title:	Police Sergeant	Business Manager
Div/Dept:	Police Department	Police Department
Phone:	510-790-6761	510-790-6991
E-Mail:	mdang@fremont.gov	dramsey@fremont.gov

Executive Summary: The purpose of this report is to recommend that the Council enter into a one year contract with All City Management Services, Inc. for adult crossing guard services, with options for two additional one year extensions.

BACKGROUND: The City of Fremont's Adult Crossing Guard Program was outsourced to All City Management Services ("ACMS") in 2001 in order to reduce the amount of police staff time required to manage and supervise the crossing guard program. From 2001 to June 2014, ACMS provided services for the community by safely crossing school-aged children walking to and from specified elementary schools. Services provided by ACMS included the recruiting and hiring of crossing guards, training, processing payroll, providing crossing guard coverage, daily supervision of the crossing guards, and overall management of the program. The Police Department oversaw ACMS's activities to ensure that the program ran smoothly.

In 2014, the City went out to bid for crossing guard services for the 2014/2015 school year and the award went to the lowest bidder, American Guard Services (AGS). The Service Agreement provided for a one year term, with two optional one year extensions. The City has had several issues with AGS' services during the three years, more particularly in the last school year. Staffing during the first few months of the 2014/2015 school year had periodic unexpected vacancies, which were resolved by the second half of the school year. AGS overbilled the City during the months of August and September 2014. The City discovered the billing error, which was refunded by AGS. AGS' service was adequate during the 2015/2016 school year.

During the 2016/2017 school year, crossing guard positions near Cabrillo Elementary School, Forest Park Elementary School and Leitch Elementary School became vacant. On April 3, 2017, a school aged pedestrian was hit by a vehicle and suffered a severe injury at the vacant crossing near Cabrillo Elementary School. The crossing guard position at this location near Cabrillo Elementary School was restored after the collision. AGS was never able to again staff the locations near Forest Park Elementary School and Leitch Elementary School during the 2016/2017 school year. In addition, the City discovered another billing error in AGS' invoices in the spring of 2017, dating back to the beginning of the 2016/2017 school year. AGS had under-billed the City as a result of a discrepancy between actual hours

worked by guards as reported by the field supervisor and hours reported to the City by AGS office staff.

DISCUSSION/ANALYSIS:

2017 Traffic Survey
In the second quarter of 2017, staff conducted traffic surveys at known school pedestrian crossings in the City of Fremont to provide a one hour peak vehicle, bicycle, and pedestrian movement counts. The survey was completed in June 2017 and the counts were analyzed by staff to determine which intersections needed crossing guards. Pursuant to the criteria of the California 2014 Manual on Uniform Traffic Control Devices (MUTCD), three additional intersections require crossings guards, increasing the total number of crossing guard staffed locations from 19 to 22.

Request for Proposal
In May 2017, a Request for Proposal was issued for adult crossing guard services (RFP#18-005), requesting a consultant to recruit, select, and employ crossing guards, provide program management, and provide field supervision. Three vendors responded with proposals to provide the required services: American Guard Services, All City Management Services, and BRM Investments.

American Guard Services listed three California municipalities where they currently perform crossing guard services. Two of the three references for American Guard Services responded to an inquiry. One municipality reported adequate service with the exception of a history of billing errors. The second municipality reported consistent billing errors, unanticipated vacancies, and substandard crossing guard performance. The administrator for the latter municipality spent the majority of their staff time managing the crossing guard operations due to difficulties with AGS performance issues.

All Cities Management Services listed six California municipalities where they are currently performing crossing guard services. Three references responded to inquiries and reported good service, reliability, and responsive oversight of their programs. Staff contacted four additional municipalities that currently contract with ACMS, all reported satisfaction with ACMS and recommended their services.

BRM Investments listed four references for which BRM provided vehicle towing, impound, storage, emergency service; and one reference for which BRM provided logistical and transport management and services. BRM did not list any references for providing crossing guard services. Staff contacted BRM and confirmed that company has no experience with providing crossing guard services. As a result, staff did not conduct any further research of BRM.

After careful consideration, staff concluded that All City Management Services, Inc. is the preferred vendor. The City has previous history of good service from ACMS, the company has the highest qualifications for crossing guard services, and references provided feedback of satisfactory service. The City has experience poor staffing and billing inaccuracy with AGS in the recent school year. AGS also received poor feedback in billing and crossing guard performance from references. BRM Investments has no experience of providing crossing guard services, and their bid came in at the highest amount.

Hourly rates and first year annual costs were submitted by the potential vendors in response to an initial request for 19 crossing guard posts. Following receipt of the bids, results of a survey of school crossings identified three (3) additional locations that warranted a crossing guard, increasing the total number of post from 19 to 22. Vendors were asked to resubmit first year annual costs with staffing for 22 posts. ACMS responded to the request with a lower hourly rate based on 22 posts. AGS and BRM Investments did not provide revised costs for 22 posts.

Contractor	Hourly Rate	Annual Cost – 19 Posts	Annual Cost – 22 Posts
American Guard Services	$16.39	$168,161	$194,713 (projected)
All City Management Services	$20.85/$20.73	$219,238	$246,273
BRM Investments	$30.20	$332,200	$384,653 (projected)

FISCAL IMPACT: The annual costs for crossing guard services at 22 locations in the City is $246,273 (11,880 hours X $20.73). The total number of hours is based on staffing a guard at 22 locations, on 180 school days, at 3 hours per location per day. The first year cost of the contract was included in the FY 2017/18 Police Department adopted operating budget. However, the FUSD Superintendent is recommending to the School Board that FUSD and the City equally share the budget increase due to the additional cost of the approved vendor and the cost of adding three posts. Funding from FUSD is pending School Board approval. Staff recommends the City accept funding from FUSD if approved by the School Board. The cost of the second and third year optional extensions will be included in the Police Department operating budget.

ENVIRONMENTAL REVIEW: The proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3) in that it is not a project which has the potential for causing a significant effect on the environment.

ATTACHMENTS: None.

RECOMMENDATION: Authorize the City Manager, or his designee, to execute a contract with All City Management Services, Inc. for adult crossing guard services in an amount not to exceed $246,400 for the 2017/2018 school year, $255,900 for the 2018/2019 school year and $268,700 for the 2019/2020 school year and to accept any funding provided by FUSD.

Over thirty years of experience in providing communities with
PROFESSIONAL SCHOOL CROSSING GUARD SERVICES

ALL CITY MANAGEMENT SERVICES

RESOLUTION 2019-

AWARDING A PROFESSIONAL SERVICES AGREEMENT TO ALL CITY MANAGEMENT SERVICES, INC. FOR SCHOOL PEDESTRIAN CROSSING GUARD SERVICES FROM JULY 1, 2019 TO JUNE 30, 2022 IN AN AMOUNT NOT TO EXCEED $1,007,478.

WHEREAS, The City contracts with outside vendors to provide school pedestrian crossing guard services for 27 school crossing sites located within Jefferson Unified School District and Tracy Unified School District, and

WHEREAS, The contract was advertised in a Request for Proposals on April 17, 2019, and

WHEREAS, The Tracy Police Department determined All City Management Services possesses the competence and professional qualifications necessary for the satisfactory performance of the required services, and

WHEREAS, The School Pedestrian Crossing Guard Services is a contracted service funded in each fiscal year budget and the contract is $308,950 for the first year, $335,632 for the second year, $362,896 for the third year;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby awards a professional services agreement to All City Management Services, Inc. for school pedestrian crossing guard services from July 1, 2019 through June 30, 2022, in an amount not to exceed $1,007,478.

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

The foregoing Resolution _____ was passed and adopted by the Tracy City Council on the 4th day of June, 2019, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
Mayor

ATTEST:

_____
City Clerk

June 4, 2019

AGENDA ITEM 1.C

REQUEST

ACCEPT THE CONSTRUCTION OF MACARTHUR DRIVE OVERLAY – GRANT LINE ROAD TO I-205 (CIP 73174) COMPLETED BY TOM MAYO CONSTRUCTION, OF STOCKTON, CALIFORNIA, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AUTHORIZE THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AND AUTHORIZE THE FINANCE DEPARTMENT TO CLOSE THE PROJECT.

EXECUTIVE SUMMARY

The contractor has completed the construction of the MacArthur Drive Overlay – Grant Line Road to I-205, CIP 73174 (Project) in accordance with project plans, specifications, and contract documents. Project costs are within the available budget. Staff recommends Council accept the Project to enable the City to release the contractor's bonds and retention.

DISCUSSION

On July 17, 2018, City Council awarded a construction contract to Tom Mayo Construction, of Stockton, California, for the MacArthur Drive Overlay – Grant Line Road to I-205 (CIP 73174) for $1,037,360.

The Project consisted of approximately ¾ mile of full-width asphalt concrete overlay of MacArthur Drive between Grant Line Road and the I-205 interchange. The project also included localized structural section repair and the addition of a pavement-reinforcing grid to avoid future failures of the roadway section.

The City's Engineering Division staff prepared the project design, improvement plans, specifications, and contract documents.

Two change orders amounting to $3,470 were issued for the Project, which included installation of additional signs to accommodate the new striping and installation of DLC cable for two new bike loops.

The Project construction contract unit prices are based on estimated quantities. Actual payment is based on field-measured quantities installed by the Contractor. According to the City's inspection records, actual field measured quantities were lower than the contract quantities by $28,565.

Project costs are as follows:

A.	Construction Contract Amount	$	1,008,795
B.	Approved Change orders	$	3,470
C.	Design, construction management, inspection, Testing & miscellaneous project management Expenses	$	1,363

Total Project Costs	$	1,013,628
Total Budget Available	$	1,204,000
Budget Remaining	$	190,372

The project has been completed within the available budget, original contract period and in accordance with the plans, specifications, and City of Tracy standards.

STRATEGIC PLAN

This agenda item is a routine operational item and is not related to the Council's Strategic Plans.

FISCAL IMPACT

This Project, CIP 73174, is an approved Capital Improvement Project with funding in the amount of $1,204,000 with $704,000 from SB1 (F248) and $500,000 from Gas Tax (F245). The Project was completed within the available budget for a total cost of $1,013,628. The remaining funds of $190,372 will be released back into fund balance and will be used for future roadway projects.

RECOMMENDATION

That City Council, by resolution, accept the construction of the MacArthur Drive Overlay – Grant Line Road to I-205 Project CIP 73174, completed by Tom Mayo Construction of Stockton, California, authorize the City Clerk to record the Notice of Completion with the San Joaquin County Recorder, authorize the City Engineer to release the bonds and retention payment, and authorize the Finance Department to close the Project.

Prepared by: Paul Verma, 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: Midori Lichtwardt, Interim City Manager

RESOLUTION 2019-_____

ACCEPTING THE CONSTRUCTION OF MACARTHUR DRIVE OVERLAY – GRANT LINE ROAD TO I-205 (CIP 73174), COMPLETED BY TOM MAYO CONSTRUCTION OF STOCKTON, CALIFORNIA, AUTHORIZING THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AUTHORIZING THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AND AUTHORIZING THE FINANCE DEPARTMENT TO CLOSE THE PROJECT

WHEREAS, On July 17, 2018, City Council awarded a construction contract to Tom Mayo Construction, of Stockton, California, for the MacArthur Drive Overlay – Grant Line Road to I-205, CIP 73174 (Project) for $1,037,360, and

WHEREAS, The Project consisted of asphalt concrete overlay of the full width of approximately ¾ mile of MacArthur Drive between Grant Line Road and the I-205 interchange. The Project also included localized structural section repair and the addition of a pavement-reinforcing grid to avoid future failures of the roadway section, and

WHEREAS, Two change orders amounting to $3,470 were issued for the Project, and

WHEREAS, Actual field measured quantities were lower than the estimated contract quantities in the amount of $28,565, and

WHEREAS, The status of budget costs is as follows:

A.	Construction Contract Amount	$	1,008,795
B.	Approved Change orders	$	3,470
C.	Design, construction management, inspection, Testing & miscellaneous project management Expenses	$	1,363
	Total Project Costs	$	1,013,628
	Total Budget Available	$	1,204,000
	Budget Remaining	$	190,372

WHEREAS, The Project has been completed within the available budget, original contract period and in accordance with the plans, specifications, and City of Tracy standards, and

WHEREAS, This Project CIP 73174 is an approved Capital Improvement Project with funding in the amount of $1,204,000 with $704,000 from SB1 (F248) and $500,000 from Gas Tax (F245). The Project was completed within the available budget for a total cost of $1,013,628. The remaining funds of $190,372 will be released back into fund balance and will be used for future roadway projects;

NOW, THEREFORE, BE IT RESOLVED, That City Council of the City of Tracy hereby accepts the construction of the MacArthur Drive Overlay – Grant Line Road to I-205 Project CIP 73174, completed by Tom Mayo Construction, of Stockton, California, authorizes the City Clerk to record the Notice of Completion with the San Joaquin County Recorder, authorizes the City Engineer to release the bonds and retention payment, and further authorizes the Finance Department to close the Project.

* * * * * * * * * * *

The foregoing Resolution 2019-_____ was passed and adopted by the Tracy City Council on the 4th day of June 2019, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 1.D

REQUEST

APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND GIRL SCOUTS HEART OF CENTRAL CALIFORNIA FOR USE OF DR. POWERS PARK FOR TRACY TWILIGHT CAMP

EXECUTIVE SUMMARY

The Tracy Service Unit of the Girl Scouts Heart of Central California Council (GSHCC) has successfully hosted an annual Tracy Twilight Camp at Dr. Powers Park for 25 years. To ensure the camp can be offered at Dr. Powers Park in future years, GSHCC has requested to enter into a Memorandum of Understanding (MOU) with the City of Tracy (City) for use of Dr. Powers Park.

DISCUSSION

GSHCC is one of 112 regional Girl Scout Councils in the United States dedicated to "building girls of courage, confidence, and character, who make the world a better place." As part of GSHCC, the Girl Scout Council's Tracy Service Unit has offered an annual, volunteer-led day camp, Tracy Twilight Camp, at Dr. Powers Park since 1995.

Twilight Camp is open to 200 Girl Scouts and other girls, ages five to 17, in the Tracy community with the purpose of advancing girl leadership, outdoor, and life skills. Twilight Camp operates in a five-day format, during evening hours: Monday (volunteer training only), 6:00 to 8:00 p.m.; Tuesday to Thursday, 4:00 to 8:00 p.m.; and Friday 4:00-9:00 p.m., plus set up and clean up time each day. The camp does not include any overnight camping. Permission to operate the camp in the park after sunset on Friday is granted by the Parks and Recreation Director as part of the facility use permit, per Tracy Municipal Code 4.16.190 (c).

The City has supported the camp park rental in practice for 25 years and staff is requesting to continue these practices in a formal agreement. Specifically:

- The City will post notices for parking lot closure and provide A-frame signs which will be moved into position mid-parking lot, according to the event map, at the park permit start time.
- GSHCC will provide and place orange cones to close the parking lot at Chester Drive.
- GSHCC will provide one dumpster and four portapotties on site to supplement existing City services provided for park rentals.
- GSHCC will pay the permit application fee, refundable security deposit, and the non-profit daily use fee for park rental for one day, per the published Master Fee Schedule.
- GSHCC will adhere to all policies and procedures in the City's Facility Reservation Handbook.

STRATEGIC PLAN

This agenda item supports the City Council Quality of Life Strategic Priority and specifically implements the following goal and objective:

Goal 1: Address City amenities and facility usage with an emphasis on community demand, accessibility, and cost recovery

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. The estimated maximum loss of facility use revenue is equal to four (4) days of daily use rental fees for non-profit organizations using City parks, or $448 under the current Master Fee Schedule.

RECOMMENDATION

That City Council, by resolution, approve the Memorandum of Understanding between the City of Tracy and Girl Scouts Heart of Central California for use of Dr. Powers Park for Tracy Twilight Camp.

Prepared by: Christine Mabry, Management Analyst I

Reviewed by: Thien Nguyen, Recreation Services Supervisor
Brian MacDonald, Parks & Recreation Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENTS

Attachment A – MOU between the City of Tracy and Girl Scouts Heart of Central California for the Use of Dr. Powers Park for the Tracy Twilight Camp

MEMORANDUM OF UNDERSTANDING

BETWEEN THE CITY OF TRACY AND GIRL SCOUTS HEART OF CENTRAL CALIFORNIA FOR THE USE OF DR. POWERS PARK FOR TRACY TWILIGHT CAMP

I. **PARTIES:** This Memorandum of Understanding (Agreement) is made by and between the City of Tracy (City) a municipal corporation, and Girl Scouts Heart of Central California, a 501(c)(3) nonprofit California corporation (GSHCC).

II. **RECITALS:** GSHCC is one of 112 regional Girl Scout councils in the United States dedicated to "building girls of courage, confidence, and character, who make the world a better place."

As part of GSHCC, the Tracy Service Unit #116 has offered an annual, entirely volunteer-led day camp, Tracy Twilight Camp, for 200 Girl Scouts and other girls in the Tracy community at Dr. Powers Park for over 25 years with the purpose of advancing girl leadership, outdoor, and life skills. The City has supported the Camp park rental in practice by approving and executing parking lot closure, reviewing and approving the proposed event layout map, and accepting a reduced rental fee.

To ensure a continuation of the camp location and to formalize fees charged in practice for the Tracy Twilight Camp park rental, GSHCC has requested a Memorandum of Understanding with the City.

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

A. City shall:

1. Provide a facility use permit for use of the Dr. Powers Park picnic area and entire west end for five weekdays in June: Monday-Thursday, 3:00-9:00 p.m., and Friday 3:00-10:00 p.m., pending park availability, in exchange for payment total listed in Section III.B.2. of this Agreement.

2. Facilitate review and approval of the proposed event layout, contingent upon approval by the City's Special Event Review Team, per sample layout event provided in Exhibit B.

3. Post notice of partial closure of the parking lot, per the submitted street closure supplemental application, and provide A-frame signs, or comparable equipment, for execution of closure.

4. Provide clean facilities in good repair.

B. GSHCC shall:

1. Submit an annual facility use and special event application form, signed

policies and procedures acknowledgment form, street closure supplemental application, event layout map, and any other requested documentation for Tracy Twilight Camp not more than 10 months and not less than 30 days in advance. The event layout map shall include any additional amenities to be used at the Camp, such as parking lot closure equipment, portolets, dumpster, additional cooking apparatus (i.e., BBQs) with fuel source and safety enclosure plan.

2. Pay the City one permit application fee, fee for one day at the non-profit daily park rental rate, plus a refundable security deposit, according to fees published in the current Master Fee Schedule approved by City Council.

3. Provide the necessary staff, volunteers, equipment, and promotions to successfully conduct the Tracy Twilight Camp, and have a GSHCC representative on site during all permitted rental times. Said representative shall be responsible to communicate any changes to the application or event layout map to City staff. Said representative will not leave rental facilities unattended and will notify the City in advance when rentals will be vacated early.

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

5. Provide a minimum of one portolet per every 100 attendees, to be placed on site in an approved location for the duration of the camp. GSHCC shall be responsible for cleaning and restocking of portolets as needed. GSHCC shall provide locks for portolets. Portolets may be delivered on Monday and must be picked up by Saturday of the approved camp week reservation.

6. Provide one dumpster to be placed on site in an approved location for the duration of the camp.

7. Adequately clean any City facilities to acceptable condition after permitted use and facilitate any repairs to damages caused by such use.

8. 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 GSHCC'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; "GSHCC" means Girl Scouts Heart of Central California, 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.

9. Throughout the duration of this Agreement, maintain insurance to cover GSHCC, its agents, representatives, and employees in connection with the

performance of services under this Agreement at the minimum levels set forth here.

9.1 **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 $2,000,000 general aggregate and $1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.

9.2 **Notice of Cancellation.** GSHCC 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. GSHCC shall immediately obtain a replacement policy.

9.3 **Authorized Insurers.** All insurance companies providing coverage to GSHCC 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.

9.4 **Insurance Certificate.** GSHCC 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.

9.5 **Additional Insured Endorsement.** GSHCC shall provide an Additional Insured Endorsement page naming the City of Tracy as an additional insured.

9.6 **Substitute Certificates.** No later than 30 days before the policy expiration date of any insurance policy required by this Agreement, GSHCC shall provide a substitute certificate of insurance.

9.7 **GSHCC's Obligation.** Maintenance of insurance by GSHCC as specified in this Agreement shall in no way be interpreted as relieving GSHCC of any responsibility whatsoever (including indemnity obligations under this Agreement), and GSHCC 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. GSHCC and the 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 June 4, 2019, and shall expire on

December 31, 2021. City, at the sole discretion of the City Manager or his or her 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 Chief Executive Officer of GSHCC and the City Manager of the City of Tracy shall act as representatives for their respective organizations.

VIII. **NOTICES**:

City

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

With a copy to:

City Attorney
333 Civic Center Plaza
Tracy, CA 95376

GSHCC

Girl Scouts Heart of Central California
Dr. Linda E. Farley, CEO
6601 Elvas Avenue
Sacramento, CA 95819

IX. **ENTIRE Agreement**: This Agreement constitutes the entire Agreement between the City and GSHCC. Any amendment to this Agreement, including oral modification, must be reduced to a writing and signed by both the City and GSHCC.

X. **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 GSHCC 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

_____
Midori Lichtwardt
Interim City Manager

Date: _____

Girl Scouts Heart of Central California, a 501(c)(3) nonprofit corporation

Marcella Cooper
Marcella D. Cooper
Chief Operating Officer

Date: 5.17.19

Federal Tax ID No.: 94-1582429

ATTEST:

Adrianne Richardson
City Clerk

Date: _____

Rich Ryan
Chief Financial Officer

Date: 5-17-19

APPROVED AS TO FORM:

Thomas Watson
City Attorney

Exhibits:

A – Facility Reservation Handbook
B – Sample Event Layout at Dr. Powers Park

CITY OF TRACY

Facility Reservation Handbook

Effective July 1, 2016

Think Inside the Triangle™

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

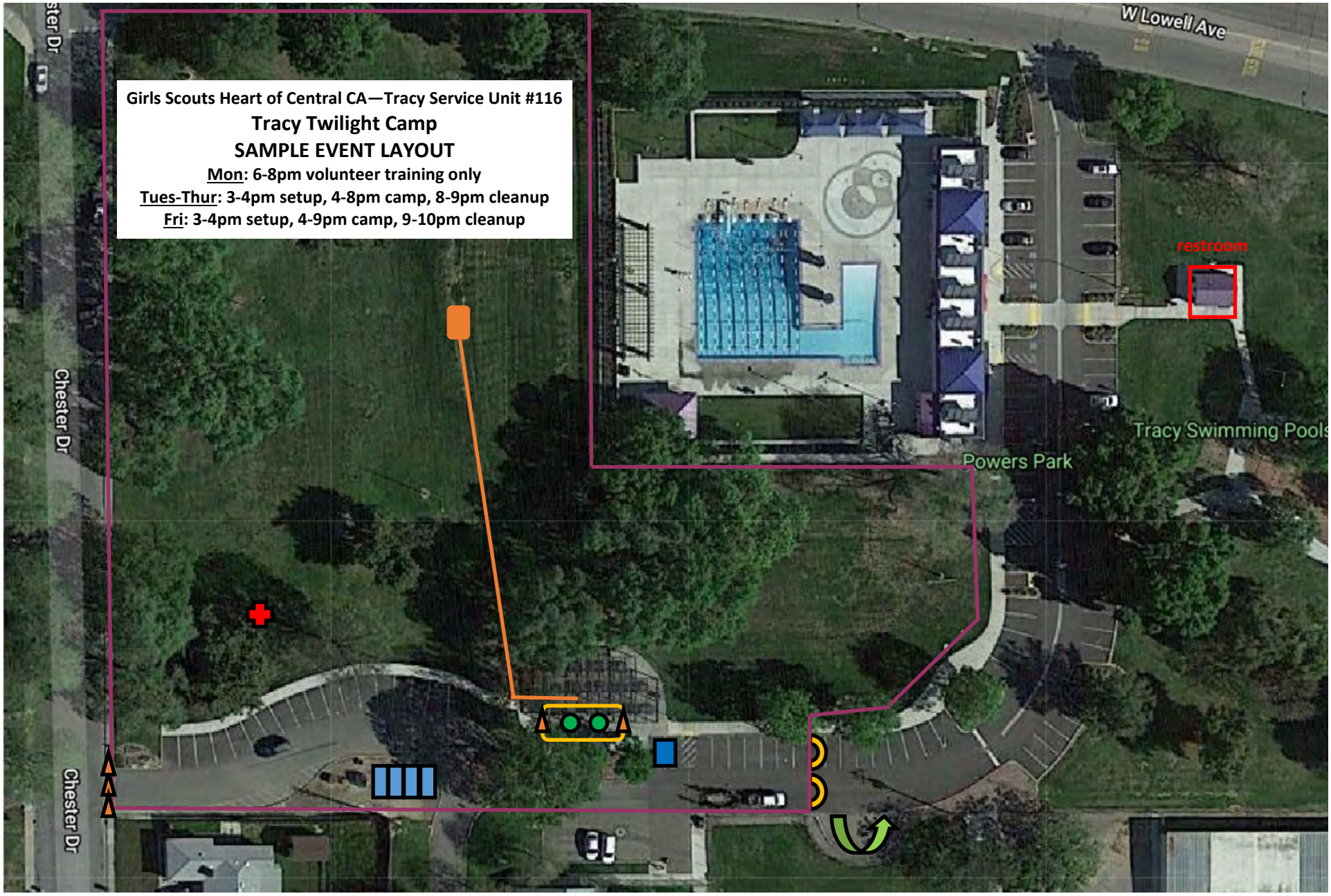
_____

Signature of facility user Today's Date

_____

Name of organization (if applicable)

EXHIBIT B



= Barricade/closure

= Orange cones/closure

= Portapotties

= Dumpster

= Charcoal grill

= Caution tape

= Camp boundaries (maintained by on-site security volunteer staff)

= Extension cord/electric "firelight" (Friday only, 6-9pm)

= First Aid Station (GS level II trained)

RESOLUTION 2019-_____

APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND GIRL SCOUTS HEART OF CENTRAL CALIFORNIA FOR USE OF DR. POWERS PARK FOR TRACY TWILIGHT CAMP

WHEREAS, Since 1995, Girl Scouts Heart of Central California Council's (GSHCC) Tracy Service Unit has offered an annual, volunteer-led day camp, Tracy Twilight Camp, at Dr. Powers Park; and

WHEREAS, Tracy Twilight Camp provides an annual day camp experience for 200 Girl Scouts and other girls in the Tracy community, ages five to 17, with the purpose of advancing girl leadership, outdoor and life skills; and

WHEREAS, The City of Tracy (City) has supported the camp's park rental in practice for 25 years by approving and executing parking lot closures, reviewing and approving the proposed event layout map, and accepting a reduced rental fee; and

WHEREAS, To ensure the camp can be offered at Dr. Powers Park in future years, GSHCC has requested to enter into a Memorandum of Understanding (MOU) with the City for use of Dr. Powers Park;

NOW, THEREFORE, BE IT RESOLVED, That the City Council does hereby approve the Memorandum of Understanding (MOU) between the City of Tracy and Girl Scouts Heart of Central California.

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

The foregoing Resolution 2019-_____ was adopted by Tracy City Council on the 4th day of June 2019, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

_____
MAYOR

ATTEST

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 1.E

REQUEST

APPROVE GENERAL SERVICES AGREEMENT WITH DELTA WIRELESS, INC., A CALIFORNIA CORPORATION FOR POLICE COMMUNICATIONS MAINTENANCE FROM JULY 1, 2019 TO JUNE 20, 2022 FOR A TOTAL NOT TO EXCEED AMOUNT OF $304,416 (OR $101,472 ANNUALLY)

EXECUTIVE SUMMARY

The agreement will provide for maintenance of all police radio equipment for a term of three years.

DISCUSSION

In the FY 2018/19 Budget, $100,000 has been designated for the maintenance of the police department radio communications equipment to include repeaters, base stations, voting receivers, radio remoted, mobiles, portables, digital microwave, mobile data, video, T1 MUX, T1 switch, powers supplies, radio consoles, comparators, routers, IP Mux, radio networks, transmit combiners, receive multi-couplers. In FY 2018/19, $100,000 has been designated for the maintenance of the radio communications equipment to include all portable radios, car radios, communications center equipment, repeaters, transmitters and antennae. Delta Wireless has agreed to enter into a three-year agreement in the amount of $304,416 or $101,472 annually. This figure represents an increase from last fiscal years maintenance agreement in the amount of $10,716 annually. This is a result of the increase number of portable radios needed for additional staff added in 2018.

The City Manager has determined that Delta Wireless, Inc. is the sole source provider for Motorola equipment maintenance for the Tracy area pursuant to Tracy Municipal Code 2.20.140(b)(2).

FISCAL IMPACT

The cost of this agreement is included in the Police Department's operating budget.

RECOMMENDATION

Staff recommends the City Council approve, by resolution, the award of a (3) three-year contract to Delta Wireless, Inc. for radio communications equipment maintenance in the amount of $304,416 or $101,472 annually, from maintenance fund 101-21406-5264.

Prepared by: Beth Lyons-McCarthy, Police Support Operations Manager

Reviewed by: Alex Neicu, Interim Chief of Police
Karin Schnaider, Finance Director

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENTS

Attachment A: General Services Agreement with Delta Wireless Inc.

City of Tracy
GENERAL SERVICES AGREEMENT
DELTA WIRELESS, INC. FOR POLICE COMMUNICATIONS MAINTENANCE

This General Services Agreement (Agreement) is entered into between the City of Tracy, a municipal corporation (City), and Delta Wireless, Inc. a California Corporation (Provider).

Recitals

A. City's current communications maintenance agreement with Provider expires on June 30, 2019.

B. Pursuant to Tracy Municipal Code 2.20.180(b)(2) the formal request for proposals process is not required because Provider has an exclusive operating agreement to supply the required maintenance services in the geographical area of the City of Tracy.

C. After negotiations between City and Provider, the parties have reached a (3) year agreement for the performances of services in accordance with the terms set forth in the agreement.

D. On June 4, 2019, the City Council authorized the execution of the Agreement, pursuant to Resolution No. _____.

Now therefore, the parties agree as follows:

1. **Scope of Services.** Provider shall perform the services described in Exhibit "A" attached and incorporated by reference. The services shall be performed by, or under the direct supervision of, Provider's Authorized Representative: David Naasz. Provider shall not replace its Authorized Representative, nor shall Provider replace any of the personnel listed in Exhibit A, nor shall Provider use any subcontractors, without City's prior written consent.

2. **Time of Performance.** Time is of the essence in the performance of services under this Agreement and the timing requirements set forth shall be strictly adhered to unless otherwise modified in writing. Provider shall begin performance, and shall complete all required services no later than the dates set forth in Exhibit A. Provider shall start and complete any services for which times for performance are not specified in a reasonably prompt and timely manner based upon the circumstances and direction communicated to the Provider. Provider shall submit all requests for extensions of time to the City in writing no later than ten days after the start of the condition which purportedly caused the delay, and not later than the date on which performance is due. City shall grant or deny such requests at its sole discretion.

3. **Compensation.**

3.1 General. For services performed under this Agreement, City shall pay Provider on a time and expense basis, at the billing rates set forth in Exhibit B, attached and incorporated by reference. Provider's fee for this Agreement is Not to Exceed $101,472 annually. Provider's billing rates shall cover all costs and expenses for Provider's performance of this Agreement. No work shall be performed by Provider in excess of the Not to Exceed amount without City's prior written approval.

3.2 Invoices. Provider shall submit monthly invoices to the City describing the services performed, including times, dates, and names of persons performing the service.

3.3 Payment. Within 30 days after the City's receipt of invoice, City shall make payment to the Provider based upon the services described on the invoice and approved by the City.

4. Indemnification. Provider 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 Provider'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; "Provider" means the Provider, 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".

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.

5.1 General. Provider shall, throughout the duration of this Agreement, maintain insurance to cover Provider, its agents, representatives, 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 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.

5.3 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.

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

5.5 General Liability "claims made" coverage shall be maintained to cover damages that may be the result of errors, omissions, or negligent acts of Provider in an amount not less than $1,000,000 per claim.

5.6 Endorsements. Provider shall obtain endorsements to the automobile and commercial general liability with the following provisions:

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

5.6.2 For any claims related to this Agreement, Provider's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Provider's insurance and shall not contribute with it.

5.7 Notice of Cancellation. Provider shall notify City if the policy is canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy is considered a cancellation. Provider shall immediately obtain a replacement policy.

5.8 Authorized Insurers. All insurance companies providing coverage to Provider 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.

5.9 Insurance Certificate. Provider 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, before the City signs this Agreement.

5.10 Substitute Certificates. No later than 30 days before the policy expiration date of any insurance policy required by this Agreement, Provider shall provide a substitute certificate of insurance.

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

6. Independent Contractor Status; Conflicts of Interest. Provider is an independent contractor and is solely responsible for the acts of its employees or agents, including any negligent acts or omissions. Provider is not City's employee and Provider 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. Provider is free to work for other entities while under contract with the City. Provider, and its agents or employees, are not entitled to City benefits.

Provider (including its employees or agents) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. If Provider maintains or acquires such a conflicting interest, City may terminate any contract (including this Agreement) involving Provider's conflicting interest.

7. Termination. The City may terminate this Agreement by giving ten days written notice to Provider. Upon termination, Provider shall give the City all original documents, including preliminary drafts and supporting documents, prepared by Provider for this Agreement. The City shall pay Provider for all services satisfactorily performed in accordance with this Agreement, up to the date notice is given.

8. Ownership of Work. All original documents prepared by Provider for this Agreement, whether complete or in progress, are the property of the City, and shall be given to the City at the completion of Provider's services, or upon demand from the City. No such documents shall be revealed or made available by Provider to any third party without City's prior written consent.

9. Miscellaneous.

9.1 Notices. All notices, demands, or other communications which this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or mailed to the other party as follows:

To City:	To Provider:
Attn: Beth Lyons-McCarthy	David Naasz
1000 Civic Center Drive	Delta Wireless, Inc.
Tracy, CA 95376	1700 W. Fremont
	Stockton, CA 95203

With a copy to:
City Attorney
333 Civic Center Plaza
Tracy, CA 95376

Communications are 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 following the deposit in the United States Mail of registered or certified mail, sent to the above address.

9.2 Standard of Care. Unless otherwise specified in this Agreement, the standard of care applicable to Provider's services will be the degree of skill and diligence ordinarily used by reputable providers performing in the same or similar time and locality, and under the same or similar circumstances.

9.3 Modifications. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.

9.4 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.

9.5 Assignment and Delegation. Provider may not assign, transfer or delegate this Agreement or any portion of it without the City's written consent. Any attempt to do so will be void. City's consent to one assignment shall not be deemed to be consent to any subsequent assignment.

9.6 Jurisdiction and Venue. The interpretation, validity, and enforcement of the Agreement shall be governed by and construed under 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.

9.7 Compliance with the Law. Provider shall comply with all local, state, and federal laws, whether or not those laws are expressly stated in this Agreement.

9.8 Business Entity Status. Provider is responsible for filing all required documents and/or forms with the California Secretary of State and meeting all requirements of the Franchise Tax Board, to the extent such requirements apply to Provider. City may void this Agreement if Provider is a suspended corporation, Limited Liability Company or limited partnership at the time it enters into this Contract. City may take steps to have this Agreement declared voidable.

9.9 Business License. Before the City signs this Agreement, Provider shall obtain a City of Tracy Business License.

9.10 Entire Agreement; Severability. This Agreement comprises the entire integrated understanding between the parties concerning the services to be performed. 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.

10. Signatures. The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into this Agreement on behalf of the respective legal entities of the Provider and the City. This Agreement 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: Robert Rickman
Title: Mayor

Date: _____

Attest:

Adrianne Richardson, City Clerk

Approved as to form:

Tom Watson, City Attorney

DELTA WIRELESS, INC. a California Corporation

By: David Naagz
Title: President

Date: 5/9/19

Federal Employer Tax ID No. 68-0371097

By: Felix Difuntorum
Title: Vice President

Date: 5/9/19

Exhibits:

A Scope of Services (including personnel, time for performance) (Agreement sections 1 and 2)
B Compensation (Agreement section 3)

EXHIBIT A

SCOPE OF WORK

1. PROVIDER shall provide all labor, parts, materials and equipment necessary to install, service and repair the public safety radio communication infrastructure twenty-four hours per day, seven days per week. The term of this agreement shall be from July 1, 2019 to June 30, 2022.

2. Mobile and portable equipment will normally be serviced during normal business hours Monday through Friday, 8:00am-5:00pm excluding holidays. The City reserves the right to require after hours service during disasters, special events, or when City staff otherwise deems it reasonably necessary.

3. PROVIDER must provide means to contact emergency repair technicians 365 days a year, 24 hours a day. (24 –hour telephone number, cellular phone, etc.) Contact information must include an escalation procedure from non-response or failure to respond within a reasonable amount of time.

4. PROVIDER will provide an escalation procedure for any major service effecting outages. After a two-hour period, any unresolved major problems should trigger appropriate technical support and/or additional vendor staffing to expedite repair of an outage.

5. PROVIDER shall send a service repair technician to the dispatch center within one hour of receiving an emergency service call 24 hours a day, 365 days a year.

6. PROVIDER must provide a reasonable response time for standard service call for a repair of a mobile or portable, normally within 48 hours upon receiving a request for service.

7. PROVIDER must provide a four hour on site response time for emergency services calls for mobile equipment within the City. PROVIDER shall make its best effort to respond to emergency service call in a timely manner. An emergency service call will normally be limited to the frontline fire and police vehicles or as deemed necessary by authorized City of Tracy Police Department representatives.

8. An emergency service call shall be limited to problems that severely impact the operation of a radio system or as determined by the City of Tracy Police Department representatives. Minor alarms or problems that do not affect a systems operation will be repaired during normal business hours.

9. PROVIDER shall service inventory as covered in their bid response; repeaters, base stations, voting receivers, radio remoted, mobiles, portables, digital microwave, mobile data, video, T1 MUX, T1 switch, powers supplies, radio consoles, comparators, routers, IP Mux, radio networks, transmit combiners, receive multi-couplers.

10. The CITY reserves the right to add, delete, or change equipment as required and directed by the City's designated representative(s). Additions or deletions may be single items or include complete facilities. For additions or changes, the monthly cost of maintenance shall be determined on a pro rata basis using prices already in effect for existing similar items.

EXHIBIT B

DELTA

WIRELESS, INC

1700 W. Fremont St.
Stockton Ca; 95203
(209) 948-9611 fax (209) 948-0103

Service Agreement Renewal

Customer:	Tracy Police Department			Service Agreement No:	S1205207
Attention:	Beth Lyons-McCarthy			Agreement Date:	4/26/2019
Address:	1000 Civic Center Dr.			Date Maintenance Begins:	7/1/2019
City:	Tracy	State: CA	Zip: 95376	Date Maintenance Ends:	6/30/2020
Phone:	209-831-6594	Fax:		Payment Period:	Monthly
E-Mail:	Cherilynn.Rockwell@tracypd.com			Customer PO#:	
				Negotiated by:	Debra Thompson

Monthly Fees

Quantity	Equipment	Descriptions	Place of Service	Per Unit	Extended
	MCC7500			$4,710.00	$4,710.00
1	XTL2500	Logging		$25.00	$25.00
1	APX7500	Consolette		$60.00	$60.00
1	APX7500	Dual Band - Logging		$25.00	$25.00
4	T5365A	Quantar Base		$40.00	$160.00
8	T5589A	Astro Tac Receivers		$40.00	$320.00
2	T5770A	Astro Tac Comparator		$70.00	$140.00
6	APX7000	Dual Band Portable		$14.00	$84.00
160	APX6000	Portables		$12.00	$1,920.00
61	APX7500	Dual Band Mobile		$16.00	$976.00
3	XTS2500	Portables		$12.00	$36.00
					$0.00
					$0.00
					$0.00

TOTAL: $8,456.00

When this agreement is accepted by Delta Wireless Inc., the equipment on the customer/agreement order referenced above will be serviced by Delta Wireless in accordance with the Terms and Conditions printed on the reverse side. This agreement does not include replacement of antennas or batteries or service of any transmission line, antenna, tower, or tower lighting unless such work is described below.

Special Instructions

The fixed price per unit is guaranteed for three years (2015). Adjustments will be made by inventory quantity only. See terms and conditions of contract.

Customer Name:	Delta Wireless, Inc.
Authorized Signature or PO#:	Authorized Signature:

Tracy PD MCC7500 Inventory 2018 - 2019

Model Number	Serial Number	Item	Description	After Warranty $ 5,440.00 Price
TRACY PD SITE Rack 1				
CLN1856A	147CQX0459	HP Procurve 2620-24	SITE LAN SWITCH 01	$ 40.00
T7577A	147CQX1731	GGM 8000	SITE GATEWAY 01	$ 40.00
T7039A	112CQX1273	GTR 8000	CHANNEL 1 BASE RADIO	$ 150.00
T7039A	112CQX1276	GTR 8000	CHANNEL 2 BASE RADIO	$ 150.00
9100-9	4130	TRAK 9100	FREQUENCY STANDARD	$ 30.00
YA3-04929-01R0	CC75126-1-1 A	TX COMBINER	TX COMBINER	
YA3-04929-01R0	CC75126-1-1 B	TX COMBINER	TX COMBINER	
YA3-04929-01R0	CC75126-1-1 C	TX COMBINER	TX COMBINER	
YA3-04933-01R0	CC75126-2-1A	RX MULTICOUPLER	RX MULTICOUPLER	
T7585A	405CQX0017	GCP 8000	CONVENTIONAL SITE CONTROLLER 01	$ 80.00
M21QSM9PW1AN	518CGB0238	XTL2500	TPD 1 Logging	$ 25.00
M30TSS9PW1AN	656CQT0720	APX7500 Dual Band	TPD 2 Logging	$ 25.00
Tracy PD SITE Rack 2				
T7577A	147CQX1733	GGM 8000	CSUB GATEWAY 01	$ 40.00
T7577A	147CQX1735	GGM 8000	CSUB GATEWAY 02	$ 40.00
CLN1856A	147CQX0456	HP Procurve 2620-24	CSUB SWITCH 01	$ 40.00
CLN1856A	147CQX0457	HP Procurve 2620-24	CSUB SWITCH 02	$ 40.00
T7321A	112CQX0212	GCM 8000	CHANNEL 1 COMPARATOR	$ 80.00
T7321A	112CQX0206	GCM 8000	CHANNEL 2 COMPARATOR	$ 80.00
DDN8325A	Z8E7-047E0-0023	KEYBOARD AND MOUSE	Part of K2 Core	
TT2565C	2UA4420YYY	SERVER	Part of K2 Core	$ 175.00
TRACY PD SITE Rack 3				
T7861A	405CQX0015	HP PROCURVE 2620-24	BACKHAUL LAN SWITCH 01	$ 40.00
T7861A	405CQX0016	HP PROCURVE 2620-24	BACKHAUL LAN SWITCH 02	$ 40.00
T7857A	405CQX0019	HP PROCURVE 2620-24	CORE LAN SWITCH 02	$ 40.00
T7857A	405CQX0020	HP PROCURVE 2620-24	CORE LAN SWITCH 01	$ 40.00
T7577A	405CQX0012	GGM 8000	TRANSPORT GATEWAY 01	$ 40.00
T7577A	405CQX0013	GGM 8000	TRANSPORT GATEWAY 02	$ 40.00
T7585A	405CQX0018	GCP 8000	CONVENTIONAL SITE CONTROLLER 02	$ 80.00
T7577A	147CQX3503	GGM 8000	CONVENTIONAL CHANNEL GATEWAY 02	$ 40.00
T7577A	147CQX2989	GGM 8000	CONVENTIONAL CHANNEL GATEWAY 01	$ 40.00
F4543A	469SQW003N	SDM 3000 SITE MANAGER	AUX I/O PANNEL	$ 80.00
2750020000	1446000868	RAD IP MUX	IP MUX	$ 525.00
TRACY PD SITE DISPATCH				
TT2538C(HP Z420)	2UA4440NQK	DISPATCH OPERATOR POSITION PC	OP01	$ 175.00
AS193I-BK	S39105333NA	ACCUSYNC 19" MONITOR	OP01	
B1933A	443CQX0691	VOICE PROCESSOR MODULE	OP01	$ 80.00
B1913A	443IQU2384	MCC SERIES HEADSET JACK	OP01	
B1913A	443IQW0639	MCC SERIES HEADSET JACK	OP01	
B1912A	443IQW0603	MCC DESKTOP SPEAKER(SELECT)	OP01	
B1912A	443IQW0557	MCC DESKTOP SPEAKER(UNSELECT)	OP01	
TT2538C(HP Z420)	2UA4440NNQ	DISPATCH OPERATOR POSITION PC	OP02	$ 175.00
AS193I-BK	S39105335NA	ACCUSYNC 19" MONITOR	OP02	
B1933A	443CQX0694	VOICE PROCESSOR MODULE	OP02	$ 80.00
B1913A	443IQW0667	MCC SERIES HEADSET JACK	OP02	
B1913A	443IQW0663	MCC SERIES HEADSET JACK	OP02	

B1912A	443IQW0601	MCC DESKTOP SPEAKER(SELECT)	OP02	
B1912A	443IQU2308	MCC DESKTOP SPEAKER(UNSELECT)	OP02	
TT2538C(HP Z420)	2UA4440NPD	DISPATCH OPERATOR POSITION PC	OP03	$ 175.00
AS193I-BK	S44114221NA	ACCUSYNC 19" MONITOR	OP03	
B1933A	443CQX0693	VOICE PROCESSOR MODULE	OP03	$ 80.00
B1913A	443IQW0698	MCC SERIES HEADSET JACK	OP03	
B1913A	443IQW0648	MCC SERIES HEADSET JACK	OP03	
B1912A	443IQW0591	MCC DESKTOP SPEAKER(SELECT)	OP03	
B1912A	443IQW0595	MCC DESKTOP SPEAKER(UNSELECT)	OP03	
TT2538C(HP Z420)	2UA4440NNC	DISPATCH OPERATOR POSITION PC	OP04	$ 175.00
AS193I-BK	S44114236NA	ACCUSYNC 19" MONITOR	OP04	
B1933A	443CQX0689	VOICE PROCESSOR MODULE	OP04	$ 80.00
B1913A	443IQU2385	MCC SERIES HEADSET JACK	OP04	
B1913A	443IQW0655	MCC SERIES HEADSET JACK	OP04	
B1912A	443IQW0578	MCC DESKTOP SPEAKER(SELECT)	OP04	
B1912A	443IQW0519	MCC DESKTOP SPEAKER(UNSELECT)	OP04	
TT2538C(HP Z420)	2UA4440NPR	DISPATCH OPERATOR POSITION PC	OP05	$ 175.00
AS193I-BK	S44114291NA	ACCUSYNC 19" MONITOR	OP05	
B1933A	443CQX0690	VOICE PROCESSOR MODULE	OP05	$ 80.00
B1913A	443IQU2377	MCC SERIES HEADSET JACK	OP05	
B1913A	443IQW0619	MCC SERIES HEADSET JACK	OP05	
B1912A	443IQW0575	MCC DESKTOP SPEAKER(SELECT)	OP05	
B1912A	443IQW0462	MCC DESKTOP SPEAKER(UNSELECT)	OP05	
TT2538C(HP Z420)	2UA4440NMD	DISPATCH OPERATOR POSITION PC	OP06	$ 175.00
AS193I-BK	S44114249NA	ACCUSYNC 19" MONITOR	OP06	
B1933A	443CQX0692	VOICE PROCESSOR MODULE	OP06	$ 80.00
B1913A	443IQW0666	MCC SERIES HEADSET JACK	OP06	
B1913A	443IQW0671	MCC SERIES HEADSET JACK	OP06	
B1912A	443IQW0564	MCC DESKTOP SPEAKER(SELECT)	OP06	
B1912A	443IQWU2314	MCC DESKTOP SPEAKER(UNSELECT)	OP06	
TT2538C(HP Z420)	2UA4440NQK	DISPATCH OPERATOR POSITION PC	SPARE	$ 175.00
		19" MONITOR	SPARE	
B1933A	443CQX0697	VOICE PROCESSOR MODULE FRU	SPARE	$ 80.00
B1913A	443IQW0661	MCC SERIES HEADSET JACK	SPARE	
B1912A	443IQU2267	MCC DESKTOP SPEAKER	SPARE	
TRACY PD SITE GREEN				
T7577A	147CQX1690	GGM 8000	SITE GATEWAY 01	$ 40.00
CLN1856A	147CQX0458	HP PROCURVE 2620-24	SITE LAN SWITCH 01	$ 40.00
T7039A	112CQX1277	GTR 8000	CHANNEL 1 BASE RADIO	$ 150.00
T7039A	112CQX1278	GTR 8000	CHANNEL 2 BASE RADIO	$ 150.00
2750020000	1446000867	RAD IP MUX	IPMUX	$ 525.00
YA3-04933-02RO	CC75126-3-1A	TX COMBINER	TX COMBINER	
YA3-04933-02RO	CC75126-3-1B	TX COMBINER	TX COMBINER	
9100-8	1405	TRAK 9100	FREQUENCY STANDARD	$ 30.00
T5770A	525CGD0047	AstroTac UHF Comparator	TPD	$ 70.00
T5589A	743CGD0005	AstroTac UHF Voting Rxvr	STA 94 CH 1	$ 40.00
T5589A	743CGD0006	AstroTac UHF Voting Rxvr	STA 97 CH 1	$ 40.00
T5589A	743CGD0007	AstroTac UHF Voting Rxvr	SCHOOL MAINT CH 1	$ 40.00

T5589A	743CGD0008	AstroTac UHF Voting Rxvr	STA 96 CH 1	$ 40.00
T5589A	743CJH0003	AstroTac UHF Voting Rxvr	STA 96 CH 2	$ 40.00
T5589A	743CJH0004	AstroTac UHF Voting Rxvr	SCHOOL MAINT CH 2	$ 40.00
T5589A	743CJH0005	AstroTac UHF Voting Rxvr	STA 97 CH 2	$ 40.00
T5589A	743CJH0006	AstroTac UHF Voting Rxvr	STA 94 CH 2	$ 40.00
T5770A	525CJF0121	AstroTac UHF Comparator	TPD	$ 70.00
T5365A	509CGD1668	Quantar Base	TPD CH 1	$ 40.00
T5365A	509CJF1994	Quantar Base	TPD CH 2	$ 40.00
T5365A	509CGZ1616	Quantar Base	TPD CLEMARS	$ 40.00
T5365A	509CGZ1617	Quantar Base - Spare	TPD	$ 40.00
L30SSS9PW1AN	761CPR0532	APX7500 Consolette	Consolette	$ 60.00

Tracy PD Subscriber Inventory 2018 - 2019

Model	Serial	Description	Type	Price	$ 3,016.00
	407CGB0866	XTS2500		$ 12.00	Add 2019-2020
	407CGB0909	XTS2500		$ 12.00	Add 2019-2020
	407CGM1189	XTS2500		$ 12.00	Add 2019-2020
H98QDD9PW5AN	481CQT8242	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8243	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8244	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8245	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8246	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8247	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8248	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8249	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8250	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8251	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8252	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8253	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8254	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8255	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8256	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8257	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8258	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8259	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8260	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8261	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8262	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8263	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8264	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8265	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8266	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8267	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8268	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8269	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8270	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8271	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8272	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8273	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8274	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8275	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8276	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8277	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8278	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8279	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8280	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8281	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8282	APX6000	Portable	$ 12.00	
H98QDD9PW5AN	481CQT8283	APX6000	Portable	$ 12.00	

Tracy PD Subscriber Inventory 2018 - 2019

H98QDD9PW5AN	481CQT8284	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8285	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8286	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8287	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8288	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8289	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8290	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8291	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8292	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8293	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8294	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8295	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8296	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8297	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8298	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8299	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8300	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8301	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8302	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8303	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8304	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8305	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8306	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8307	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8308	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8309	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8310	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8311	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8312	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8313	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8314	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8315	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8316	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8317	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8318	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8319	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8320	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8321	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8322	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8323	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8324	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8325	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8326	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8327	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8328	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8329	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8330	APX6000	Portable	$	12.00

Tracy PD Subscriber Inventory 2018 - 2019

H98QDD9PW5AN	481CQT8331	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8332	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8333	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8334	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8335	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8336	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8337	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8338	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8339	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8340	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8341	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8342	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8343	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8344	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT8345	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9864	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9865	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9866	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9867	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9868	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9869	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9870	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9871	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9872	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9873	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9874	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9875	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9876	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9877	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9878	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9879	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9880	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9881	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9882	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9883	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9884	APX6000	Portable	$	12.00
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H98QDD9PW5AN	481CQT9886	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9887	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9888	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9889	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9890	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9891	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9892	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9893	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9894	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9895	APX6000	Portable	$	12.00

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H98QDD9PW5AN	481CQT9896	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9897	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9898	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9899	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9900	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9901	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9902	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9903	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9904	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9905	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9906	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9907	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9908	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9909	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9910	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9911	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9912	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CQT9913	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CUR2242	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CUR2243	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CUR2244	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CUR2245	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CUR2246	APX6000	Portable	$	12.00
H98QDD9PW5AN	481CUR2247	APX6000	Portable	$	12.00
H97TGD9PW1AN	655CQT4474	APX7000 Dual Band	Portable	$	14.00
H97TGD9PW1AN	655CQT4475	APX7000 Dual Band	Portable	$	14.00
H97TGD9PW1AN	655CQT4476	APX7000 Dual Band	Portable	$	14.00
H97TGD9PW1AN	655CQT4477	APX7000 Dual Band	Portable	$	14.00
H97TGD9PW1AN	655CQT4478	APX7000 Dual Band	Portable	$	14.00
H97TGD9PW1AN	655CQT4479	APX7000 Dual Band	Portable	$	14.00
M30TSS9PW1AN	656CQT0658	APX7500 Dual BandMotorcy	Mobile	$	16.00
M30TSS9PW1AN	656CQT0659	APX7500 Dual BandMotorcy	Mobile	$	16.00
M30TSS9PW1AN	656CQT0660	APX7500 Dual BandMotorcy	Mobile	$	16.00
M30TSS9PW1AN	656CQT0661	APX7500 Dual BandMotorcy	Mobile	$	16.00
M30TSS9PW1AN	656CQT0662	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0663	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0664	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0665	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0666	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0667	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0668	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0669	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0670	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0671	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0672	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0673	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0674	APX7500 Dual Band	Mobile	$	16.00

Tracy PD Subscriber Inventory 2018 - 2019

M30TSS9PW1AN	656CQT0675	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0676	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0677	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0678	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0679	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0689	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0690	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0691	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0692	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0693	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0694	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0695	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0696	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0697	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0698	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0699	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0700	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0701	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0702	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0703	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0704	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0705	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0706	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0707	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0708	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0709	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0710	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0711	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0712	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0713	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0714	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0715	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0716	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0717	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0718	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0719	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0721	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0722	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0723	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0724	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0725	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0726	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0727	APX7500 Dual Band	Mobile	$	16.00
M30TSS9PW1AN	656CQT0728	APX7500 Dual Band	Mobile	$	16.00

Tracy PD Subscriber Inventory 2016 - 2017

Model	Serial	Location	Description	Type
HP800GISFF	MXL5262H62	Tracy PD Command Van	OP2	
HP800GISFF	MXL5262H5Z	Tracy PD Command Van	OP1	

RESOLUTION _____

APPROVING GENERAL SERVICES AGREEMENT WITH DELTA WIRELESS, INC., A CALIFORNIA CORPORATION FOR POLICE COMMUNICATIONS MAINTENANCE FROM JULY 1, 2019 TO JUNE 20, 2022 FOR A TOTAL NOT TO EXCEED AMOUNT OF $304,416 (OR $101,472 ANNUALLY).

WHEREAS, The Police Department's two-year radio communications maintenance agreement will expire on June 30, 2019, and

WHEREAS, The maintenance of the Police Department's radio communications equipment has been budgeted in the FY 2018-19 Budget in account 101-21406-5264, and

WHEREAS, The City Manager has determined that Delta Wireless, Inc. is the sole source provider for Motorola equipment maintenance for the Tracy area, and

WHEREAS, Delta Wireless, Inc. has agreed to enter into a three-year contract, and

WHEREAS, the annual payment of $101,472 reflects an increase of $10,716 annually that will be absorbed within the Department's budget;

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Tracy does hereby approve a three year General Services Agreement with Delta Wireless, Inc. for radio communications maintenance in the amount not to exceed $304,416 or $101,472 annually.

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

The foregoing Resolution _____ is hereby passed and adopted by the Tracy City Council this _____ day of _____, 2019, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

_____
MAYOR

ATTEST:

_____
City Clerk

June 4, 2019

AGENDA ITEM 1.F

REQUEST

WAIVE SECOND READING AND ADOPT ORDINANCE 1269 AMENDING SECTION 3.08.580, OF CHAPTER 3.08 (TRAFFIC REGULATIONS) OF TITLE 3 (PUBLIC SAFETY) OF THE TRACY MUNICIPAL CODE

EXECUTIVE SUMMARY

Ordinance 1269 was introduced at the Council meeting held on May 21, 2019. Ordinance 1269 is before Council for adoption.

DISCUSSION

Ordinance 1269 was introduced at the Council meeting held on May 21, 2019, to amend Section 3.08.580 of Chapter 3.08 (Traffic Regulations) of Title 3 (Public Safety) of the Tracy Municipal Code. The California Vehicle Code (CVC) Section 40803 requires that in order to legally use radar equipment for speed enforcement, an engineering and traffic survey must be completed every five years to establish posted speeds. Staff recently completed engineering and traffic surveys to update speed limits on 39 arterial and collector street segments in accordance with the CVC and California Manual of Uniform Traffic Control Devices. The amendments to Section 3.08.580 of Chapter 3.08 will change and update some previously established Declared Prima Facie Speed Limits (Miles per Hour) and add new Prima Facie Speed Limits, to certain streets.

Ordinance 1269 is before Council for a second reading and adoption.

STRATEGIC PLAN

This agenda item does not relate to the Council's four strategic plans.

FISCAL IMPACT

None.

RECOMMENDATION

That City Council adopt Ordinance 1269.

Prepared by: Adrianne Richardson, City Clerk

Reviewed by: Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENTS:
Attachment A – Ordinance 1269

ATTACHMENT A

ORDINANCE 1269

AMENDING SECTION 3.08.580, OF CHAPTER 3.08
(TRAFFIC REGULATIONS) OF TITLE 3 (PUBLIC SAFETY)
OF THE TRACY MUNICIPAL CODE

WHEREAS, The use of radar equipment is one of the most effective tools for enforcing speed limits and traffic safety on City streets, and

WHEREAS, Subsection (c) of California Vehicle Code section 40803 provides that evidence of conducting a speed zone survey within the last five years to establish the prima facie speed for a local street or road shall constitute a prima facie case that such local street or road is not a speed trap for the purposes of radar enforcement, and

WHEREAS, City staff completed an Engineering & Traffic survey in February 2019, and

WHEREAS, The survey shows prima facie speed limits for certain new street portions as set forth below, and

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

SECTION 1: Amended Section. Section 3.08.580 of Chapter 3.08 of Title 3 of the Tracy Municipal Code is hereby amended to update the previously established Declared Prima Facie Speed Limit (Miles per Hour) for the below described street portions to read as follows:

Name of Street and Portion Affected	**Declared Prima Facie Speed Limit** (Miles per Hour)
- **Crossroads Drive** Eleventh Street to Gaines Lane	25
- **Crossroads Drive** Greystone Drive to Eleventh Street	30
- **Linne Rd** West City Limits to East City Limits	50
- **MacArthur Drive** Valpico Road to Fairoaks Drive	45
- **MacArthur Drive** Fairoaks Drive to South City Limits	40
- **Schulte Road** Mabel Josephine Drive to Barcelona Drive	40
- **Tracy Blvd** Sixth Street to Schulte Road	40
- **Tracy Blvd** Schulte Road to Valpico Road	45

SECTION 2: Amended Section. Section 3.08.580 of Chapter 3.08 of Title 3 of the Tracy Municipal Code is hereby amended to add a Declared Prima Facie Speed Limit (Miles per Hour) for the following described street portions:

Name of Street and Portion Affected	**Declared Prima Facie Speed Limit** (Miles per Hour)
-**Eleventh Street** Beginning of Bridge to East City Limits	45
- **Corral Hollow Rd** Schulte Rd to Eleventh St	45
- **Western Pacific Way** West City Limits to Corral Hollow Rd	50

SECTION 3: Remaining sections. Except as herein added or changed, the remaining sections of the Tracy Municipal Code, including the Declared Prima Facie Speed Limit (Miles per Hour) for the Portions of Streets not set forth above, shall remain in full force.

SECTION 4: Title, chapter, and section headings. Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of any title, chapter, or section hereof.

SECTION 5: Constitutionality. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6: Effective date. This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 7: Publication. 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 1269 was introduced at a regular meeting of the Tracy City Council on the 21st day of May 2019, and finally adopted on the 4th day of June, 2019, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 1.G

REQUEST

APPROVE THE FINAL SUBDIVISION MAP FOR TRACT 3863, HARVEST IN TRACY, AND AUTHORIZE THE CITY CLERK TO FILE THE FINAL MAP WITH THE SAN JOAQUIN COUNTY RECORDER

EXECUTIVE SUMMARY

Approval of the Final Subdivision Map (FSM) will allow its recordation with San Joaquin County. The FSM will not subdivide the land but will allow LTMT Tracy, LLC, a limited liability company (Subdivider) to sell apartment units as condominium units in the future. The apartment complex is located between Hanley Parkway, at the southwest corner of West Grant Line Road and Interstate I-205.

DISCUSSION

LTMT Tracy, LLC is the developer of real property located north of Henley Parkway, at the southwest corner of West Grant Line Road and Interstate I-205 (Assessor's Parcel Nos. 238-600-25, 238-600-26, and 238-600-27).

On May 16, 2017, by Resolution No. 2017-097, the City Council approved Development Review Application D15-0007, General Plan Amendment GPA17-0001, Specific Plan Amendment SPA17-0002, Tentative Map TSM17-0002 and Mitigated Negative Declaration for the Harvest In Tracy Multi-Family Residential Development. The apartment complex's approvals also includes the Subdivider's ability to file a FSM to create condominium units for sale. In summary, Subdivider entitled an apartment complex, but could sell apartment units as condominium units at a future date.

Additional Conditions of Approval of the development included removal and replacement of curb, gutter and pavement, installation of sidewalk, slurry seal and landscaping, and modification of striping along the full frontage of the project on Henley Parkway. These improvements are guaranteed through an off-site improvement agreement (OIA). The OIA was approved by City Council on June 19, 2018. Typically, the approval of FSM are accompanied with a subdivision improvement agreement (SIA). For Tract 3863, the internal streets within the development are privately-owned and privately-maintained.

The FSM of Tract 3863 Harvest In Tracy was reviewed and has been found to be substantial compliance with the approved Tentative Map.

The Engineering Division has reviewed and approved the Improvement Plans. The OIA, FSM, and Improvement Plans are on file with the City Engineer and are available for review upon request.

FISCAL IMPACT

The Subdivider has paid the applicable engineering review fees, which include the cost of processing the FSM.

STRATEGIC PLAN

This agenda item is consistent with the Council approved Economic Development Strategy to ensure physical infrastructure necessary for development.

RECOMMENDATION

That City Council approve, by resolution, the Final Subdivision Map for Tract 3863 Harvest In Tracy, and authorize the City Clerk to file the Agreement with the San Joaquin County Recorder.

Prepared by: Al Gali, Associate Civil Engineer

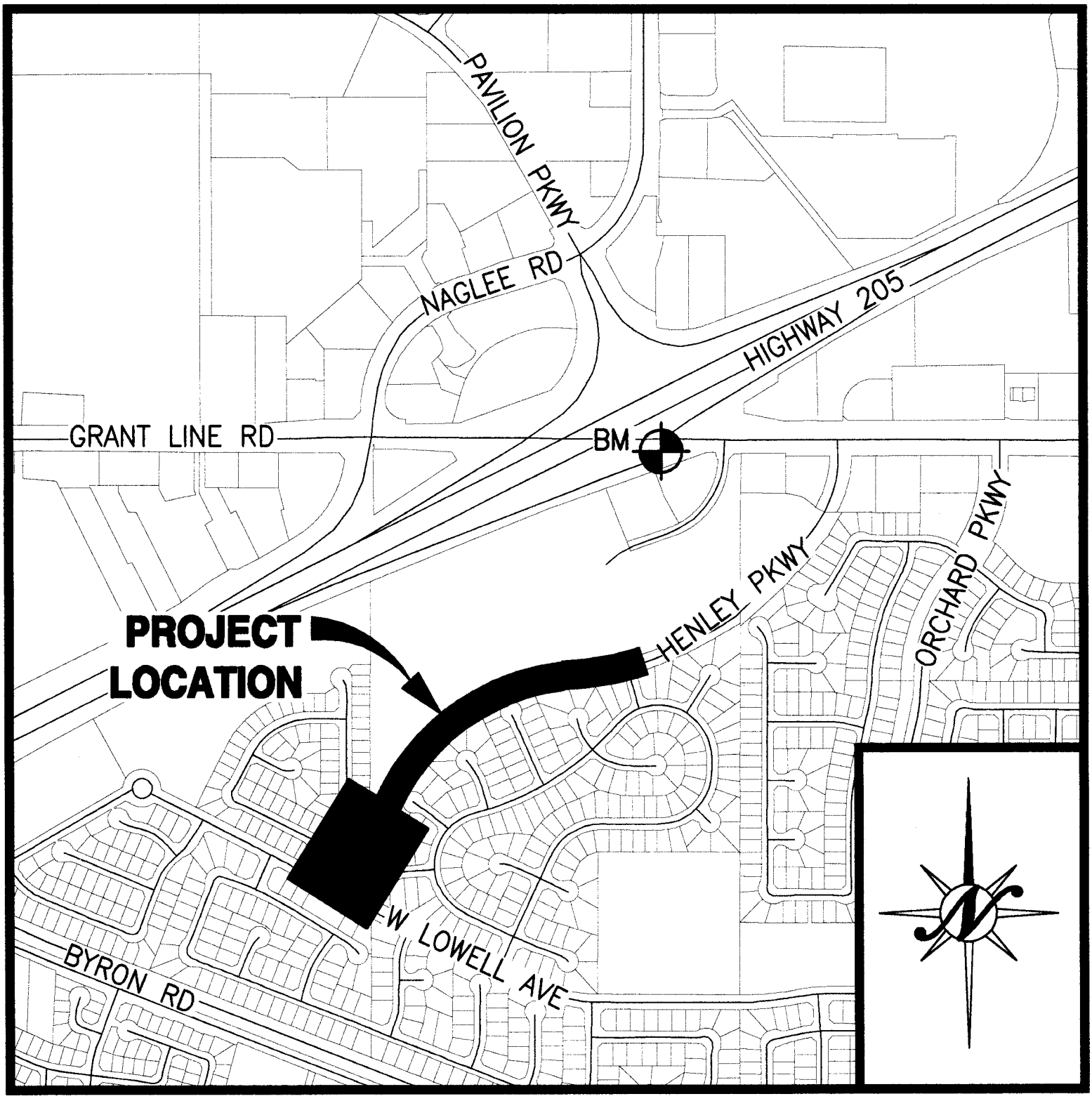
Reviewed by: Robert Armijo, PE, City Engineer / Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENT

Attachment A – Location Map
Attachment B – Final Subdivision Map

ATTACHMENT A



VICINITY MAP

NTS

TRACT NO. 3863

FOR CONDOMINIUM PURPOSES

SUBDIVISIONS OF SAN JOAQUIN COUNTY

HARVEST IN TRACY

BEING RESULTANT PARCEL 2 AS DESCRIBED IN DOCUMENT NUMBER 2017-035589, SAN JOAQUIN COUNTY RECORDS, AND LYING IN A PORTION OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 5 EAST, MOUNT DIABLO MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA DECEMBER, 2018

NORTHSTAR ENGINEERING GROUP, INC.
620 12th Street, Modesto, CA 95354
(209) 524-3525

OWNERS' STATEMENT:

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL PARTIES HAVING RECORD TITLE INTEREST IN THE LANDS SUBDIVIDED AND SHOWN ON THIS FINAL MAP OF "TRACT NO. 3863, SUBDIVISIONS OF SAN JOAQUIN COUNTY, HARVEST IN TRACY", CITY OF TRACY, CALIFORNIA, 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.

OWNER: LTMT TRACY, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: Leon C. Swails

NAME: Leon C. Swails

TITLE: Authorized Agent

DATED THIS 5th DAY OF MARCH, 2019.

BY: _____

NAME: _____

TITLE: _____

DATED THIS _____ DAY OF _____, 20___.

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.

NOTARY'S ACKNOWLEDGEMENT:

STATE OF CALIFORNIA
COUNTY OF San Bernardino } S.S.

ON March 5, 2019, BEFORE ME, Vanessa Aldaz, A NOTARY PUBLIC, PERSONALLY APPEARED Leon Clinton Swails,
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: Vanessa Aldaz

San Bernardino, CA
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

COMMISSION NO.: 2258597 COMMISSION EXPIRATION DATE: 9.18.2022

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.

NOTARY'S ACKNOWLEDGEMENT:

STATE OF CALIFORNIA
COUNTY OF _____ } S.S.

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: _____

_____
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

COMMISSION NO.: _____ COMMISSION EXPIRATION DATE: _____

3/12/19

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. 3863, SUBDIVISIONS OF SAN JOAQUIN COUNTY, HARVEST IN TRACY", CITY OF TRACY, CALIFORNIA.

DATED THIS ___ DAY OF _____, 20___.

_____
ADRIANNE RICHARDSON, CITY CLERK
AND CLERK OF THE CITY COUNCIL

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 LTMT TRACY, LLC ON AUGUST 10, 2018. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE AUGUST, 2019, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

DATED THIS 4th DAY OF March, 2019

Nicole Cannella
NICOLE CANNELLA P.L.S. 9099

PROFESSIONAL LAND SURVEYOR ★ NICOLE CANNELLA ★ No. 9099 ★ STATE OF CALIFORNIA

SURVEYOR FOR THE CITY'S STATEMENT:

I, DAVID W. ENKE, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT NO. 3863, SUBDIVISIONS OF SAN JOAQUIN COUNTY, HARVEST IN TRACY", 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.

DATED THIS _____ DAY OF _____, 20___.

_____
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. 3863, SUBDIVISIONS OF SAN JOAQUIN COUNTY, HARVEST IN TRACY", 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. 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.

DATED THIS _____ DAY OF _____, 20___.

_____
ROBERT ARMIJO, R.C.E. 63173
CITY ENGINEER

RECORDER'S STATEMENT:

FILED THIS _____ DAY OF_____, 20 ____ , AT

_____.M. IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____,

AT THE REQUEST OF NORTHSTAR ENGINEERING GROUP.

FEE: $

_____
STEVE J. BESTOLARIDES
ASSESSOR-RECORDER-COUNTY CLERK

BY: _____
ASSISTANT/DEPUTY RECORDER

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TRACT NO. 3863

FOR CONDOMINIUM PURPOSES
SUBDIVISIONS OF SAN JOAQUIN COUNTY

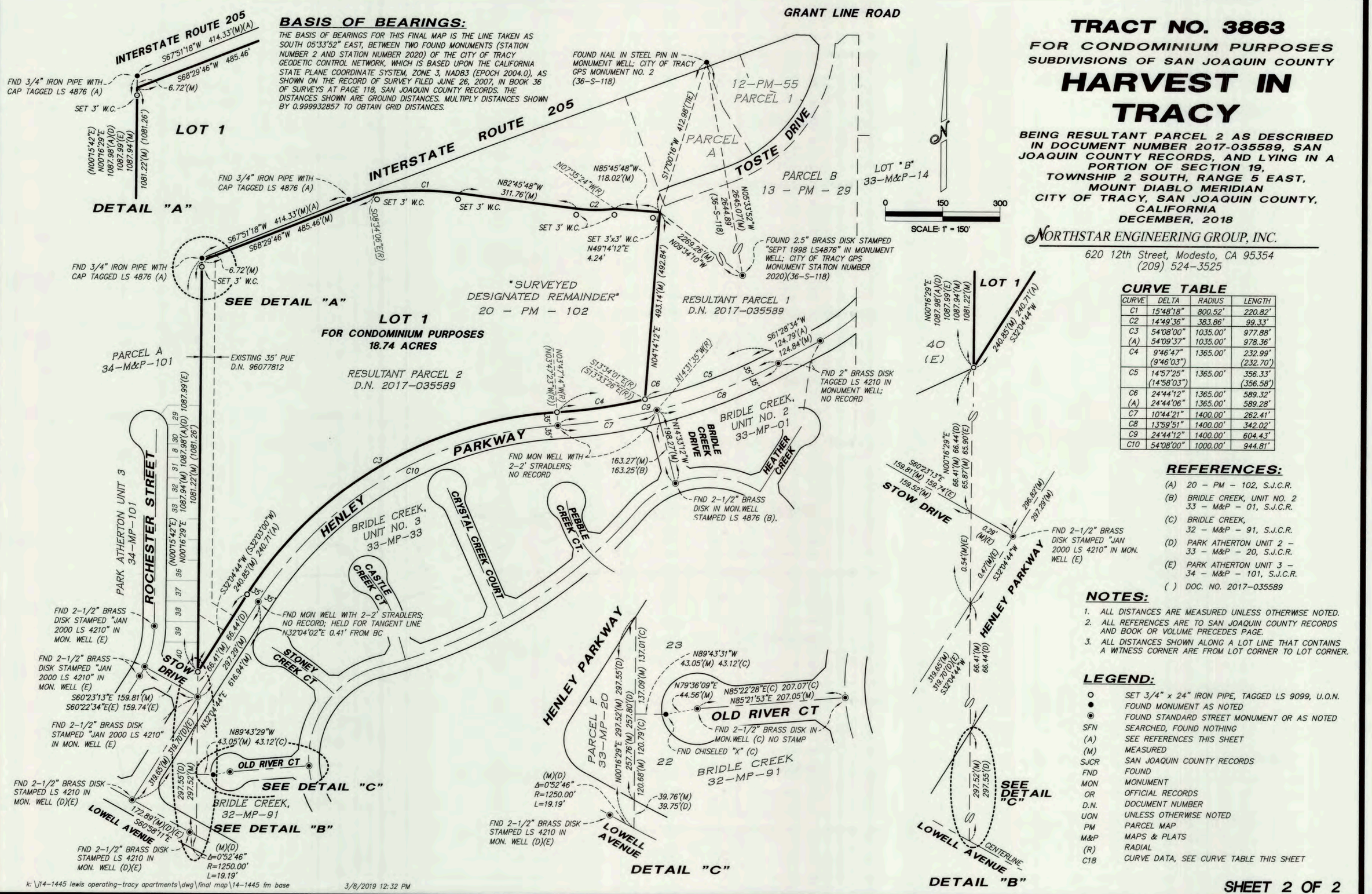
HARVEST IN TRACY

BEING RESULTANT PARCEL 2 AS DESCRIBED IN DOCUMENT NUMBER 2017-035589, SAN JOAQUIN COUNTY RECORDS, AND LYING IN A PORTION OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 5 EAST, MOUNT DIABLO MERIDIAN CITY OF TRACY, SAN JOAQUIN COUNTY, CALIFORNIA
DECEMBER, 2018

NORTHSTAR ENGINEERING GROUP, INC.
620 12th Street, Modesto, CA 95354
(209) 524-3525

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS FINAL MAP IS THE LINE TAKEN AS SOUTH 05°33'52" EAST, BETWEEN TWO FOUND MONUMENTS (STATION NUMBER 2 AND STATION NUMBER 2020) OF THE CITY OF TRACY GEODETIC CONTROL NETWORK, WHICH IS BASED UPON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 3, NAD83 (EPOCH 2004.0), AS SHOWN ON THE RECORD OF SURVEY FILED JUNE 26, 2007, IN BOOK 36 OF SURVEYS AT PAGE 118, SAN JOAQUIN COUNTY RECORDS. THE DISTANCES SHOWN ARE GROUND DISTANCES. MULTIPLY DISTANCES SHOWN BY 0.999932857 TO OBTAIN GRID DISTANCES.



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	15°48'18"	800.52'	220.82'
C2	14°49'36"	383.86'	99.33'
C3	54°08'00"	1035.00'	977.88'
(A)	54°09'37"	1035.00'	978.36'
C4	9°46'47"	1365.00'	232.99'
	(9°46'03")		(232.70')
C5	14°57'25"	1365.00'	356.33'
	(14°58'03")		(356.58')
C6	24°44'12"	1365.00'	589.32'
(A)	24°44'06"	1365.00'	589.28'
C7	10°44'21"	1400.00'	262.41'
C8	13°59'51"	1400.00'	342.02'
C9	24°44'12"	1400.00'	604.43'
C10	54°08'00"	1000.00'	944.81'

REFERENCES:

(A) 20 - PM - 102, S.J.C.R.
(B) BRIDLE CREEK, UNIT NO. 2 33 - M&P - 01, S.J.C.R.
(C) BRIDLE CREEK, 32 - M&P - 91, S.J.C.R.
(D) PARK ATHERTON UNIT 2 - 33 - M&P - 20, S.J.C.R.
(E) PARK ATHERTON UNIT 3 - 34 - M&P - 101, S.J.C.R.
( ) DOC. NO. 2017-035589

NOTES:

1. ALL DISTANCES ARE MEASURED UNLESS OTHERWISE NOTED.
2. ALL REFERENCES ARE TO SAN JOAQUIN COUNTY RECORDS AND BOOK OR VOLUME PRECEDES PAGE.
3. ALL DISTANCES SHOWN ALONG A LOT LINE THAT CONTAINS A WITNESS CORNER ARE FROM LOT CORNER TO LOT CORNER.

LEGEND:

○	SET 3/4" x 24" IRON PIPE, TAGGED LS 9099, U.O.N.
●	FOUND MONUMENT AS NOTED
◉	FOUND STANDARD STREET MONUMENT OR AS NOTED
SFN	SEARCHED, FOUND NOTHING
(A)	SEE REFERENCES THIS SHEET
(M)	MEASURED
SJCR	SAN JOAQUIN COUNTY RECORDS
FND	FOUND
MON	MONUMENT
OR	OFFICIAL RECORDS
D.N.	DOCUMENT NUMBER
UON	UNLESS OTHERWISE NOTED
PM	PARCEL MAP
M&P	MAPS & PLATS
(R)	RADIAL
C18	CURVE DATA, SEE CURVE TABLE THIS SHEET

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RESOLUTION 2019-_____

APPROVING THE FINAL SUBDIVISION MAP FOR TRACT 3863, HARVEST IN TRACY, AND AUTHORIZING THE CITY CLERK TO FILE THE MAP WITH THE SAN JOAQUIN COUNTY RECORDER

WHEREAS, LTMT Tracy, LLC is the developer of real property located north of Henley Parkway, at the southwest corner of West Grant Line Road and Interstate I-205 (Assessor's Parcel Nos. 238-600-25, 238-600-26, and 238-600-27), and

WHEREAS, On May 16, 2017, by Resolution No. 2017-097, the City Council approved Development Review Application D15-0007, General Plan Amendment GPA17-0001, Specific Plan Amendment SPA17-0002, Tentative Map TSM17-0002 and Mitigated Negative Declaration for the Harvest In Tracy Multi-Family Residential Development, and

WHEREAS, The approvals for the apartment complex also include the Subdivider's ability to file a FSM to create condominium units for sale, and

WHEREAS, The approval of the final subdivision map is typically accompanied with a Subdivision Improvement Agreement (SIA). For Tract 3863, the internal streets within the development are privately owned and privately maintained and a SIA is not required, and

WHEREAS, The Final Subdivision Map for Tract 3863 Harvest In Tracy was reviewed and has been found to be in substantial compliance with the approved Tentative Map, and

WHEREAS, The Engineering Division has reviewed and approved the Improvement Plans. The OIA, FSM, and Improvement Plans are on file with the City Engineer and are available for review upon request, and

WHEREAS, The Subdivider has paid the applicable engineering review fees, which include the cost of processing the Final Subdivision Map;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the Final Subdivision Map for Tract 3863, Harvest In Tracy, and authorizes the City Clerk to file the map with the Office of the San Joaquin County Recorder.

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

The foregoing Resolution 2019-_____ was adopted by the City Council on the 4th day of June, 2019 by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 1.H

REQUEST

APPROVE A CHANGE ORDER IN THE AMOUNT OF $145,000 TO ADDRESS UNFORESEEN CONDITIONS FOR THE CONSTRUCTION OF ROOF IMPROVEMENTS TO THE POLICE ANNEX BUILDING CIP 71102.

EXECUTIVE SUMMARY

City staff requests that City Council authorize a change order in the amount $145,000 to address unforeseen conditions discovered during Construction of Roof Improvements to the Police Annex Building, CIP 71102.

DISCUSSION

On November 7, 2018, City Council awarded a construction contract award to Barth Roofing Company of Tracy, California, for construction of the roofing improvements to the Police Annex and Fire Administration Buildings, CIP 71102 – Roofing Improvements to the Police Annex Building Project, and CIP 71105 – Roofing Improvements to the Fire Administration Building Project ("Project").

In preparation for the Project the contractor performed a thickness test on the existing roof membrane. The layering of existing roof membranes thickness exceeded the structural load capability of the roof design. The cost to address removal of excess membrane material and re-roof will cost an additional $145,000.

Tracy Municipal Code 2.20.090(b) authorizes the City Manager to approve change orders up to the amount approved by City Council. The recommended additional change order amount for this project is $145,000 and within the current available budget as shown as follows:

Construction Contract	$ 143,000
Change Orders (Approved Amount)	$ 21,800
Design support, construction management, inspection, testing, & miscellaneous expenses	$ 20,688
Current Project Costs	$ 185,488
Total Project Budget	**$ 364,500**
Budget Remaining	$ 179,012
Additonal Change Order Request	$ 145,000
Budget Balance	**$ 34,012**

STRATEGIC PLAN

This agenda item supports Goal 4, Objective 4 of the Quality of Life Strategy, specifically: to Engage in Efforts to Enhance Community Aesthetics by enhancing the appearance of City Landmarks.

FISCAL IMPACT

The total project budget for the roofing improvements to the Police Annex CIP 71102 is $364,500. There are sufficient funds available within the project for the additional change order amount of $145,000 and no additional appropriations are needed.

RECOMMENDATION

That City Council, by resolution, approve a change order in the amount of $145,000 with Barth Roofing Company for Construction of Roof Improvements to Police Annex, CIP 71102.

Prepared by: Matthew Brown, PE, Associate Civil Engineer
Zabih Zaca, 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: Midori Lichtwardt, Interim City Manager

RESOLUTION 2019-_____

APPROVING A CHANGE ORDER FOR $145,000 TO ADDRESS UNFORESEEN CONDITIONS FOR THE CONSTRUCTION OF ROOF IMPROVEMENTS TO THE POLICE ANNEX BUILDING CIP 71102

WHEREAS, The Construction of Roof Improvement to Police Annex Project, CIP 71102 involves repair and replacement of roofing materials at the Police Annex, and

WHEREAS, The Project is currently under construction and during preliminary coupon sampling of roof composition the existing layers of roofing material exceed the recommended roof load for the structure, and

WHEREAS, The total cost of extra work to replace roofing items exceeds the contract award approved change order amount of $21,800 due to the proposed construction change order, and

WHEREAS, Tracy Municipal Code 2.20.090(b) authorizes City Manager to approve change orders up to the amount approved by City Council. The recommended change order amount for this project is $145,000, and

WHEREAS, The requested change order is within the available project budget as follows:

Construction Contract	$ 143,000
Change Orders (Approved Amount)	$ 21,800
Design support, construction management, inspection, testing, & miscellaneous expenses	$ 20,688
Current Project Costs	$ 185,488
Total Project Budget	**$ 364,500**
Budget Remaining	$ 179,012
Additonal Change Order Request	$ 145,000
Budget Balance	**$ 34,012**

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves a change order in the amount of $145,000 with Barth Roofing Company for Construction of Roof Improvements to Police Annex, CIP 71102.

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

The foregoing Resolution 2019-_____ was adopted by the Tracy City Council on the 4th day of June, 2019 by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 1.I

REQUEST

AUTHORIZE AN INCREASE TO THE CONTINGENCY AMOUNT OF $46,000, TO ADDRESS UNFORESEEN CONDITIONS FOR THE CONSTRUCTION OF THE MCDONALD PARK SPLASH PAD RECIRCULATION SYSTEM PROJECT CIP-78162

EXECUTIVE SUMMARY

City staff requests that City Council authorize additional contingency to address unforeseen conditions discovered during construction of the McDonald Park Splash Pad Recirculation System Project, CIP-78162.

DISCUSSION

On September 4th 2018, City Council awarded a Construction contract award to Cazadoro Construction of San Francisco, California for construction of a recirculating water system for the existing splash pad at McDonald Park.

During construction it was determined by the contractor that the underground recirculating tank specified for the project was not capable of supporting significant weight. The current project scope does not address this issue. Additional improvements are needed to protect the tank from potential failure due to excessive weight and solve aesthetic issues caused by protection for tank. This will be a combination of hardscape and landscape improvements. The cost to construct these additional improvements is approximately $66,000. The remaining construction contingency on the project is approximately $20,000.

Staff recommends additional contingency to address the tank protection issues in an aesthetically pleasing way.

Tracy Municipal Code 2.20.090(b) authorizes the City Manager to approve change orders up to the contingency amount approved by City Council. The recommended additional contingency amount for this project is $46,000.

STRATEGIC PLAN

This agenda item is consistent with the City Council's adopted Quality of Life Strategy and meets the goals of enhancing the City's amenities.

FISCAL IMPACT

CIP project 78162 has available funds of $46,213 and will cover the cost of the requested increase to the contingency amount. There is no additional allocation required, per the table below.

McDonald Park Splash Pad CIP 78162	$
Amended Budget	$521,000
Contract Award	$379,700
Original Contingency	$38,000
Engineering/ Design/ Administration	$57,087
Total	$474,787
Available for Increase to Contingency	$46,213

RECOMMENDATION

That City Council, by resolution, authorize an increase in contingency for construction of the McDonald Park Splash Pad Recirculation System Project, CIP-78162 of $46,000.

Prepared by: Richard Joaquin, Parks Planning & Development Manager

Reviewed by: Brian MacDonald, Parks & Recreation Director
Robert Armijo, PE, City Engineer / Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

RESOLUTION 2019 -_____

AUTHORIZING AN INCREASE TO THE CONTINGENCY AMOUNT OF $46,000 TO ADDRESS UNFORESEEN CONDITIONS FOR THE CONSTRUCTION OF THE MCDONALD PARK SPLASH PAD RECIRCULATION SYSTEM PROJECT CIP-78162

WHEREAS, On September 4th 2018, City Council awarded a Construction contract to Cazadoro Construction of San Francisco, California for construction of a recirculating water system for the existing splash pad at McDonald Park, and

WHEREAS, During construction it was determined by the contractor that the underground recirculating tank specified for the project was not capable of supporting significant weight. The current project scope does not address this issue, and

WHEREAS, This will be a combination of hardscape and landscape improvements. The cost to construct these additional improvements is approximately $66,000. The remaining construction contingency on the project is approximately $20,000, and

WHEREAS, Tracy Municipal Code 2.20.090(b) authorizes City Manager to approve change orders up to the contingency amount approved by City Council. The recommended additional contingency amount for this project is $46,000;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby authorizes an increase in contingency for construction of the McDonald Park Splash Pad Recirculation System Project, CIP-78162 of $46,000.

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

The foregoing Resolution 2019 -_____ was adopted by the Tracy City Council on the 4th day of June, 2019 by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 1.J

REQUEST

APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR KAGEHIRO PHASE 2, TRACT 3882, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE SAN JOAQUIN COUNTY RECORDER

EXECUTIVE SUMMARY

Approval of the Final Subdivision Map (FSM) will facilitate the recordation of the Final Subdivision Map, and the issuance of building permits, to construct residential houses in the Kagehiro subdivision, which is located east of Corral Hollow Road and south of Kagehiro Drive. This subdivision consists of sixty-two (62) lots. Taylor Morrison of California, LLC, a California limited liability corporation (Subdivider), has signed the Subdivision Improvement Agreement (SIA) for the construction of the subdivision's improvements as required.

DISCUSSION

On August 20, 2013, City Council approved the Concept and Preliminary and Final Development Plan, and the Vesting Tentative Subdivision Map, for residential development known as the "Kagehiro Phase 3 Subdivision" ("Kagehiro VTM"), located at the southeast corner of Corral Hollow Road and Kagehiro Drive. Kagehiro Phase 3 Subdivision will be composed of two hundred fifty-two (252) residential lots and is designated in the General Plan as LDR, for low-density residential development.

The Kagehiro VTM was subdivided into two parcels. The western parcel is approximately 23.85 acres and the eastern parcel is approximately 23.25 acres. The entire western parcel evolved into the housing development known as Primrose Phases 1 and 2 with a total of one hundred twenty-eight (128) single-family dwelling units.

The eastern parcel was further subdivided into two parcels (Parcels A and B) and the parcel map was recorded on December 12, 2016. The parcel map is filed in Book 26 of parcel maps, at Page 69 with the San Joaquin County Recorder. CalAtlantic, now Lennar, then filed a FSM to subdivided Parcel A into fifty-one (51) residential lots, which eventually became a part of the earlier Primrose phases.

Subdivider submitted a FSM to the City to create sixty-two (62) residential lots on Parcel B and is further described as Tract 3882 and now referred to as Phase 2.

This agenda item is to approve the filing of the FSM for Tract 3882, 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 street and utilities improvements required to serve the subdivision.

The FSM of Tract 3882 Kagehiro Phase 2 was reviewed and has been found to be in substantial compliance with the approved Vesting Tentative Subdivision Map.

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 all improvements, the City will accept the improvements for maintenance and will accept all offers of dedication of public right-of-way at that time.

FISCAL IMPACT

The Subdivider has paid the applicable engineering review fees, which include the cost of processing the FSM and SIA.

STRATEGIC PLAN

This agenda item is consistent with the Council approved Economic Development Strategy to ensure physical infrastructure necessary for development.

RECOMMENDATION

That City Council, approve the Final Subdivision Map and Subdivision Improvement Agreement for Tract 3882 Kagehiro Phase 2, and authorize the City Clerk to file the Agreement with the San Joaquin County Recorder.

Prepared by: Al Gali, Associate Civil Engineer

Reviewed by: Robert Armijo, PE, City Engineer / Assistant Director of Development Services
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENTS

Attachment A – Legal Description
Attachment B – Final Subdivision Map
Attachment C – Subdivision Improvement Agreement

ATTACHMENT A

Real property in the City of Tracy, County of San Joaquin, State of California, described as follows:

PARCEL B, AS SHOWN ON PARCEL MAP FILED FOR RECORD DECEMBER 12, 2016 IN BOOK 26 OF PARCEL MAPS, PAGE 69, SAN JOAQUIN COUNTY RECORDS.

APN: 242-040-550-000

OWNERS' 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. 3882, SUBDIVISIONS OF SAN JOAQUIN COUNTY, KAGEHIRO PHASE 2, CITY OF TRACY, CALIFORNIA, 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 REAL PROPERTY DESCRIBED BELOW, DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES, ALL PUBLIC UTILITY EASEMENTS (PUE), AND RELINQUISH TO THE CITY OF TRACY ALL ACCESS RIGHTS OF LOTS 64, 65, 93, 94, 101, AND 102 TO AND FROM MITS WAY, LOTS 77 AND 78 TO AND FROM LOMBARD WAY, LOTS 106 AND 123 TO AND FROM BUTTERCUP LANE, LOTS 114 AND 115 TO AND FROM IVY LANE, ALL AS SHOWN ON THIS FINAL MAP.

WE ALSO OFFER FOR DEDICATION TO THE PUBLIC IN FEE FOR PUBLIC USE BUTTERCUP LANE, MITS WAY, FLORA WAY, IVY LANE, SUNFLOWER LANE, AND LOMBARD WAY, ALL AS SHOWN ON THIS FINAL MAP.

DATED THIS _____ DAY OF _____ , 20_____ .

OWNER: TAYLOR MORRISON OF CALIFORNIA, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: _____

PRINT NAME/ TITLE: _____

TRUSTEE: FIRST AMERICAN TITLE INSURANCE COMPANY, A NEBRASKA CORPORATION, AS TRUSTEE UNDER DEED OF TRUST, DATED 21 MAY, 2019 AS INSTRUMENT NO. 2019-052084 OF OFFICIAL RECORDS, SAN JOAQUIN COUNTY, CALIFORNIA

BY: _____ NAME: _____

DATE: _____

NOTARY ACKNOWLEDGEMENT:

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 _____ } S.S.

ON _____ , 20____ , 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

SIGNATURE: _____ NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION NUMBER: _____ MY COMMISSION EXPIRES: _____

NOTARY ACKNOWLEDGEMENT:

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 _____ } S.S.

ON _____ , 20____ , 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.

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WITNESS MY HAND

SIGNATURE: _____ NAME (PRINT): _____

PRINCIPAL COUNTY OF BUSINESS: _____

COMMISSION NUMBER: _____ MY COMMISSION EXPIRES: _____

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TRACT NO. 3882

SUBDIVISIONS OF SAN JOAQUIN COUNTY

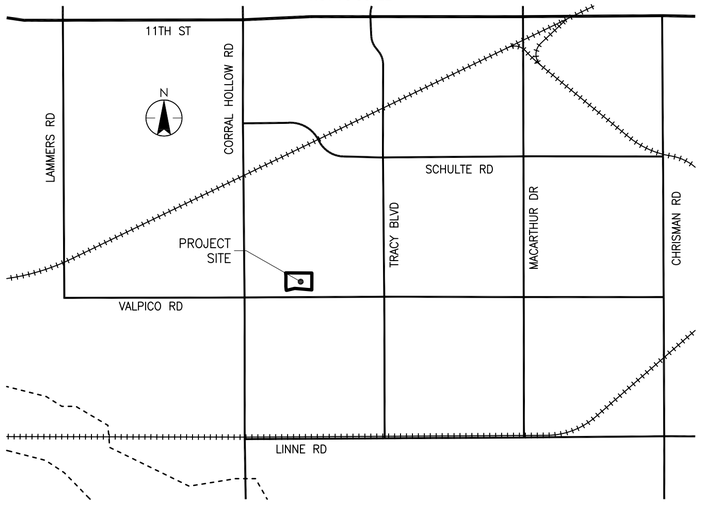
KAGEHIRO PHASE 2

BEING A SUBDIVISION OF PARCEL B OF PARCEL MAP FILED IN BOOK 26 OF PARCEL MAPS, AT PAGE 69, SAN JOAQUIN COUNTY RECORDS, IN A PORTION OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF TRACY,
SAN JOAQUIN COUNTY, CALIFORNIA
MAY 24, 2019

VVH CONSULTING ENGINEERS
430 10th Street
Modesto, CA 95354
Tel: 209.568.4477 Fax: 209.568.4478

VICINITY MAP

NOT TO SCALE



SOILS REPORT:

A SOILS REPORT WAS PREPARED BY ENGEO INCORPORATED. DATED OCTOBER, 2008 CTE JOB NO. 6035.001.000, SIGNED BY JEFF TOOLE, GE AND THE REPORT UPDATE PREPARED BY ENGEO INCORPORATED. DATED OCTOBER 30, 2015 CTE JOB NO. 6035.003.000, SIGNED BY STEVE HARRIS, GE AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.

CERTIFICATE OF DEDICATION:

THE FOLLOWING REAL PROPERTY IS DEDICATED BY CORRAL HOLLOW DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, 3208 WYCLIFFE DRIVE, MODESTO, CA 95355 FOR THE PURPOSE OF PUBLIC STREETS:

BUTTERCUP LANE, MITS WAY, FLORA WAY, IVY LANE, SUNFLOWER LANE, LOMBARD WAY

THE CITY OF TRACY SHALL RECONVEY THE PROPERTY TO THE SUBDIVIDER IF THE CITY OF TRACY MAKES A DETERMINATION PURSUANT TO GOVERNMENT CODE SECTION 66477.5 THAT THE SAME PUBLIC PURPOSES FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES.

NOTE:

APPROVAL OF THIS FINAL MAP IS SUBJECT TO THE APPLICABLE REQUIREMENTS OF THE VESTING TENTATIVE SUBDIVISION MAP FOR KAGEHIRO PHASE 3 SUBDIVISION (APPLICATION NUMBER T SM 12-0001) CONDITIONS OF APPROVAL THAT WAS APPROVED BY THE CITY COUNCIL ON AUGUST 20, 2013, PURSUANT TO RESOLUTION 2013-134.

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 CORRAL HOLLOW DEVELOPMENT, LLC ON JULY 17, 2017. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 2020, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

DATED THIS _____ DAY OF _____ , 20____ .

_____
RYAN VANCE, L.S. 8225

LICENSED LAND SURVEYOR
RYAN VANCE
No. 8225
STATE OF CALIFORNIA

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. 3882, SUBDIVISIONS OF SAN JOAQUIN COUNTY, KAGEHIRO, UNIT NO. 2", 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. I FURTHER STATE THAT THIS FINAL MAP COMPLIES WITH ALL THE PROVISIONS OF 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 _____ , 20____ .

_____
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. 3882, SUBDIVISIONS OF SAN JOAQUIN COUNTY, KAGEHIRO, UNIT NO. 2", CITY OF TRACY, CALIFORNIA, AND ACCEPTED ON BEHALF OF THE PUBLIC FOR PUBLIC USE THE OFFER OF DEDICATION OF ALL PUBLIC UTILITY EASEMENTS, AND ACCEPTED ON BEHALF OF THE CITY THE RELINQUISHMENT TO THE CITY OF TRACY ALL ACCESS RIGHTS OF LOTS 64, 65, 101, 102, 93, AND 94 TO AND FROM MITS WAY, LOTS 114 AND 115 TO AND FROM IVY LANE, LOTS 77 AND 78 TO AND FROM LOMBARD WAY AND LOTS 106 AND 123 TO AND FROM BUTTERCUP LANE, ALL AS SHOWN ON THIS FINAL MAP AND ACCEPTED THE OFFER OF DEDICATION OF ALL STREET RIGHTS-OF-WAY SUBJECT TO SATISFACTORY COMPLETION OF IMPROVEMENTS THEREON OF SAID STREET RIGHTS-OF-WAY 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 _____ , 20____ .

_____
ADRIANNE RICHARDSON, CITY CLERK AND CLERK OF THE CITY COUNCIL

SURVEYOR FOR THE CITY OF TRACY:

I, DAVID W. ENKE, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT NO. 3882, SUBDIVISIONS OF SAN JOAQUIN COUNTY, KAGEHIRO, UNIT NO. 2", 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.

DATED THIS _____ DAY OF _____ , 20____ .

_____
DAVID W. ENKE, L.S. 4071
SURVEYOR FOR THE CITY

RECORDER'S STATEMENT:

FILED THIS _____ DAY OF _____ , 20_____ , AT _____ .M. IN BOOK _____

OF MAPS AND PLATS, AT PAGE _____ , SAN JOAQUIN COUNTY RECORDS, AT THE REQUEST OF VVH CONSULTING ENGINEERS

FEE $ _____

_____
STEVE J. BESTOLARIDES
ASSESSOR-RECORDER-COUNTY CLERK

BY: _____
ASSISTANT/DEPUTY RECORDER

TRACT NO. 3882

SUBDIVISIONS OF SAN JOAQUIN COUNTY

KAGEHIRO PHASE 2

BEING A SUBDIVISION OF PARCEL B OF PARCEL MAP FILED IN BOOK 26 OF PARCEL MAPS, AT PAGE 69, SAN JOAQUIN COUNTY RECORDS, IN A PORTION OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN
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MAY 24, 2019

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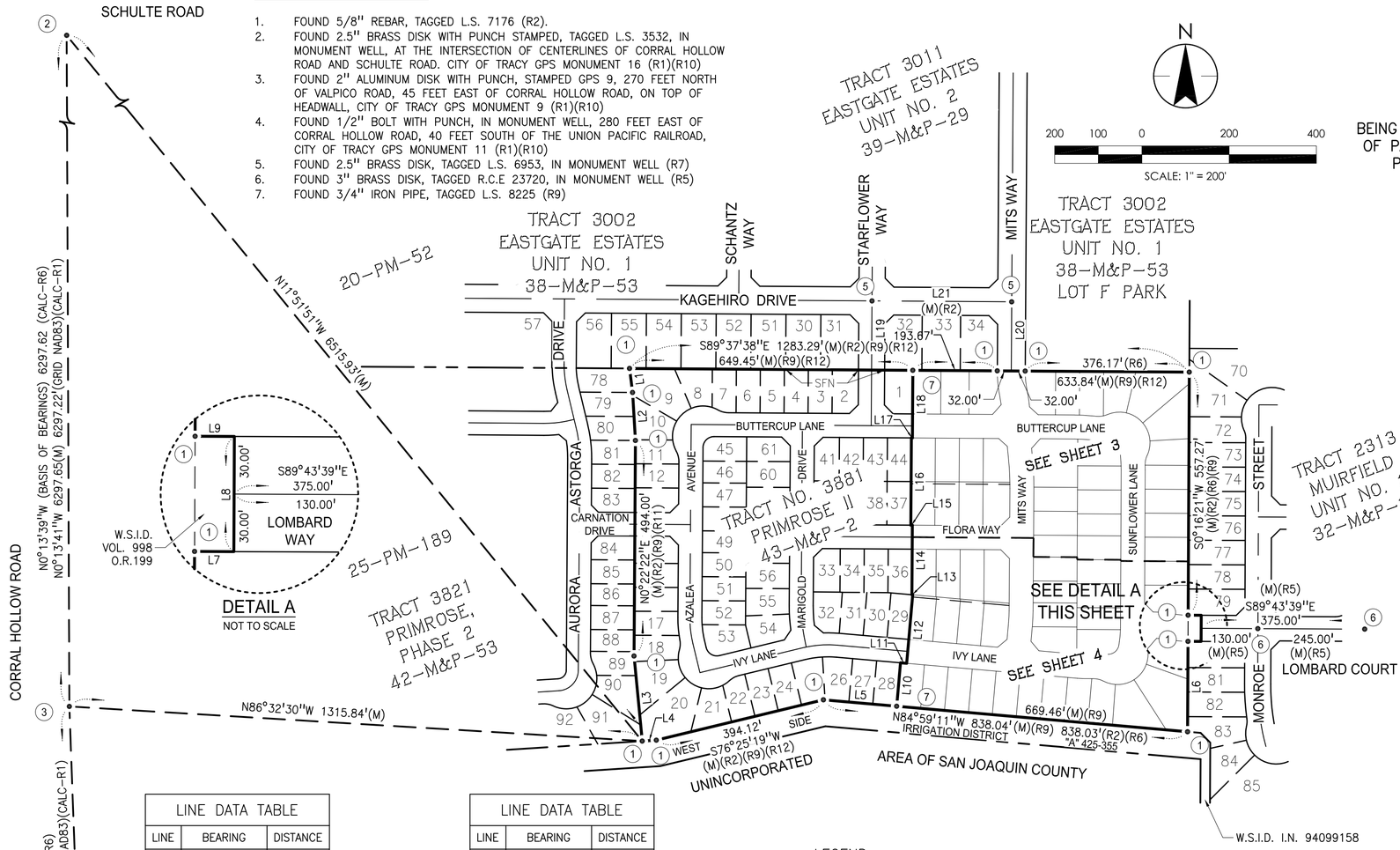

FOUND MONUMENT LIST:

1. FOUND 5/8" REBAR, TAGGED L.S. 7176 (R2).
2. FOUND 2.5" BRASS DISK WITH PUNCH STAMPED, TAGGED L.S. 3532, IN MONUMENT WELL, AT THE INTERSECTION OF CENTERLINES OF CORRAL HOLLOW ROAD AND SCHULTE ROAD. CITY OF TRACY GPS MONUMENT 16 (R1)(R10)
3. FOUND 2" ALUMINUM DISK WITH PUNCH, STAMPED GPS 9, 270 FEET NORTH OF VALPICO ROAD, 45 FEET EAST OF CORRAL HOLLOW ROAD, ON TOP OF HEADWALL, CITY OF TRACY GPS MONUMENT 9 (R1)(R10)
4. FOUND 1/2" BOLT WITH PUNCH, IN MONUMENT WELL, 280 FEET EAST OF CORRAL HOLLOW ROAD, 40 FEET SOUTH OF THE UNION PACIFIC RAILROAD, CITY OF TRACY GPS MONUMENT 11 (R1)(R10)
5. FOUND 2.5" BRASS DISK, TAGGED L.S. 6953, IN MONUMENT WELL (R7)
6. FOUND 3" BRASS DISK, TAGGED R.C.E 23720, IN MONUMENT WELL (R5)
7. FOUND 3/4" IRON PIPE, TAGGED L.S. 8225 (R9)

LINE DATA TABLE			
LINE	BEARING	DISTANCE	
L1	N7°10'58"W	55.48'	(M)(R2)(R9)(R11)(R12)
L2	N3°25'18"W	110.24'	(M)(R2)(R9)(R11)(R12)
L3	N5°30'45"W	195.98'	(M)(R2)(R9)(R11)(R12)
L4	S86°17'19"W	32.34'	(M)(R9)(R12)
L5	N84°59'11"W	168.59'	(M)(R9)(R12)
L6	S0°16'21"W	207.16'	(M)(R2)(R6)(R9)
L7	N89°43'39"W	30.00'	(M)(R2)(R6)(R9)
L8	S0°16'21"W	60.00'	(M)(R2)(R6)(R9)
L9	S89°43'39"E	30.00'	(M)(R2)(R6)(R9)
L10	N5°00'49"E	100.00'	(M)(R9)(R12)
L11	S84°59'11"E	14.21'	(M)(R9)(R12)
L12	N5°00'49"E	157.61'	(M)(R9)(R12)

LINE DATA TABLE			
LINE	BEARING	DISTANCE	
L13	N84°57'11"W	1.80'	(M)(R9)(R12)
L14	N0°22'22"E	159.50'	(M)(R9)(R12)
L15	N89°37'38"W	3.59'	(M)(R9)(R12)
L16	N0°22'22"E	200.00'	(M)(R9)(R12)
L17	S89°37'38"E	2.36'	(M)(R9)(R12)
L18	N0°22'22"E	155.00'	(M)(R9)(R12)
L19	S0°22'22"W	158.42'	(M)(R2)(R9)(R12)
L20	S0°22'22"W	158.42'	(M)(R2)(R9)(R12)
L21	S89°37'38"E	320.25'	(M)(R2)(R9)(R12)

LEGEND:

—●—	FOUND AND ACCEPTED MONUMENT.
—◎—	SET 2-1/2" BRASS DISK, PER CITY OF TRACY STANDARDS, STAMPED L.S. 8225 IN MONUMENT WELL.
—○—	SET 3/4" x 30" LONG IRON PIPE TAGGED L.S. 8225.
⊤	SET 1/2" X 30" LONG IRON PIPE TAGGED L.S. 8225 AT ALL LOT CORNERS.
//////	RESTRICTED ACCESS
S.J.C.R.	SAN JOAQUIN COUNTY RECORDS
RS	RECORD OF SURVEY
PM	PARCEL MAP
M&P	MAPS & PLATS
(M)	MEASURED ON THIS SURVEY
W.S.I.D.	WEST SIDE IRRIGATION DISTRICT
D.N.	DOCUMENT NUMBER
I.P.	IRON PIPE
(T)	TOTAL
(R)	RADIAL
SFN	SEARCHED, FOUND NOTHING
WDE	WALL DRAIN EASEMENT

NOTES:

1. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED UNLESS OTHERWISE NOTED.
2. ALL DISTANCES AND DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.
3. ALL RECORD INFORMATION SHOW IS FROM SAN JOAQUIN COUNTY RECORDS, UNLESS OTHERWISE SHOWN.
4. SEE SHEETS 3 AND 4 FOR FOUND MONUMENTS ON SUBDIVISION BOUNDARY.
5. ALL FRONT CORNERS ARE TO BE REFERENCED WITH A NAIL AND TAG AT THE TOP OF CURB ON LOT LINE PROJECTIONS, ANGLE POINTS ALONG THE FRONT OF LOTS AND RADIALLY AT RETURNS, UNLESS OTHERWISE NOTED. A IRON PIPE SHALL BE SET AT ALL NON-FRONTAGE CORNERS AND ANGLE POINTS.

SUBDIVISION SUMMARY:

62 LOTS	=	8.45 ACRES
STREET RIGHTS-OF-WAY	=	3.31 ACRES
TOTAL	=	11.76 ACRES

BASIS OF BEARINGS:

A BEARING OF N0°13'39"W CALCULATED FOR THE LINE BETWEEN CITY OF TRACY CONTROL MONUMENTS GPS9 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 DEPARTMENT, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY. DISTANCES SHOWN ARE GROUND DISTANCES.

REFERENCES:

(R1) RECORD OF SURVEY, BOOK 36, PAGE 118, S.J.C.R.
(R2) PARCEL MAP, BOOK 25, PAGE 189, S.J.C.R.
(R3) PARCEL MAP, BOOK 20, PAGE 52, S.J.C.R.
(R4) RECORD OF SURVEY, BOOK 6, PAGE 245, S.J.C.R.
(R5) TRACT NO. 2313, MUIRFILED UNIT NO. 2, MAPS AND PLATS, BOOK 32, PAGE 38, S.J.C.R.
(R6) TRACT NO. 3002, EASTGATE ESTATES, UNIT NO. 1, MAPS AND PLATS, BOOK 38, PAGE 53, S.J.C.R.
(R7) TRACT NO. 3011, EASTGATE ESTATES, UNIT NO. 2, MAPS AND PLATS, BOOK 39, PAGE 29, S.J.C.R.
(R8) TRACT NO. 3772, PRIMROSE, PHASE 1, MAPS AND PLATS, BOOK 42, PAGE 19, S.J.C.R.
(R9) PARCEL MAP, BOOK 26, PAGE 69, S.J.C.R.
(R10) TRACY MODIFIED GRID, THE CITY OF TRACY REPORT ON GPS SURVEYPREPARED BY ASSOCIATED CONSULTANTS GROUP, INC., ON FILE WITH THE CITY OF TRACY PUBLIC WORKS DEPARTMENT
(R11) TRACT NO. 3821, PRIMROSE, PHASE 2, MAPS AND PLATS, BOOK 42, PAGE 53, S.J.C.R.
(R12) TRACT NO. 3881, PRIMROSE II, MAPS AND PLATS, BOOK 43, PAGE 2, S.J.C.R.

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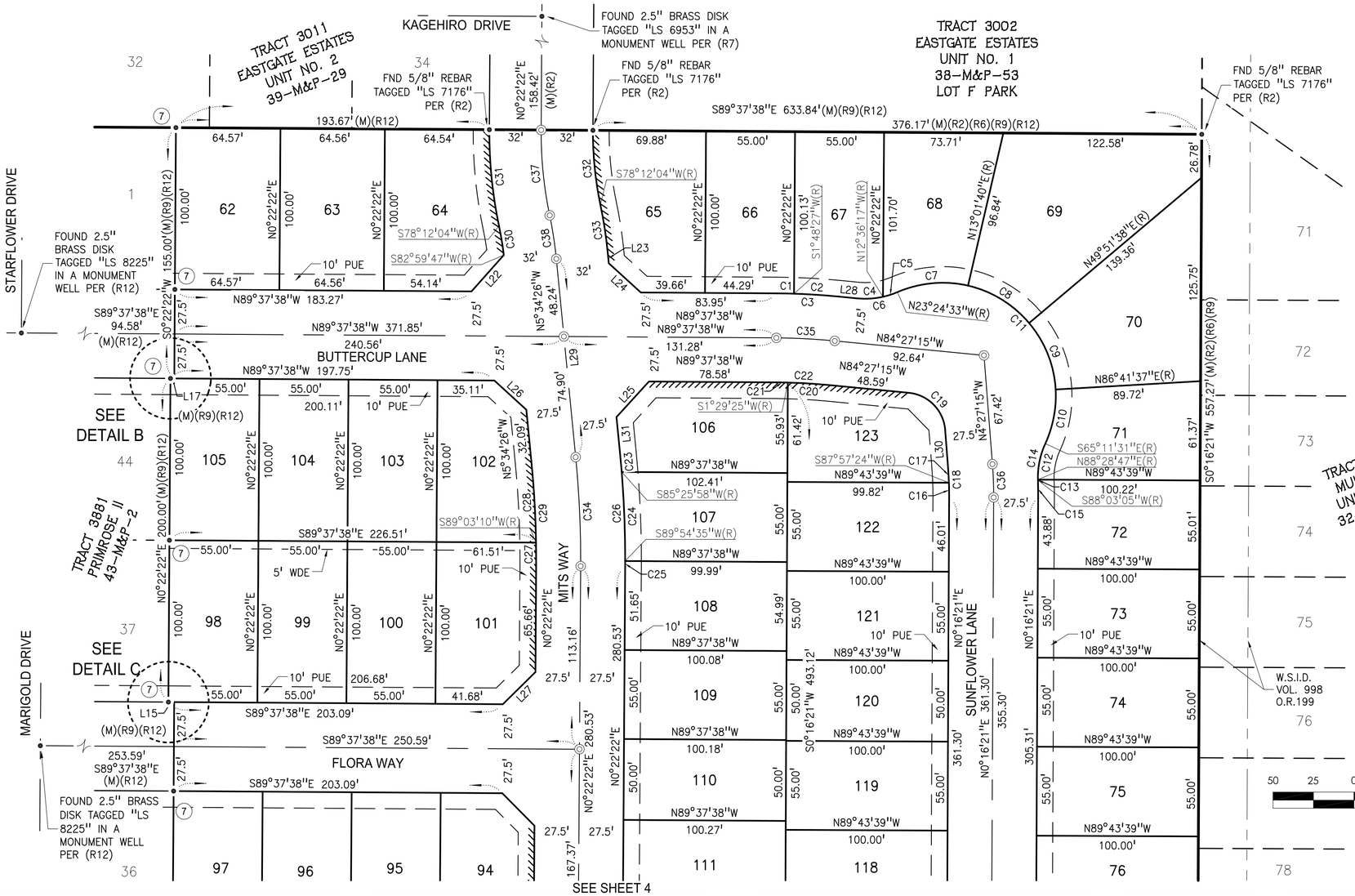
TRACT NO. 3882

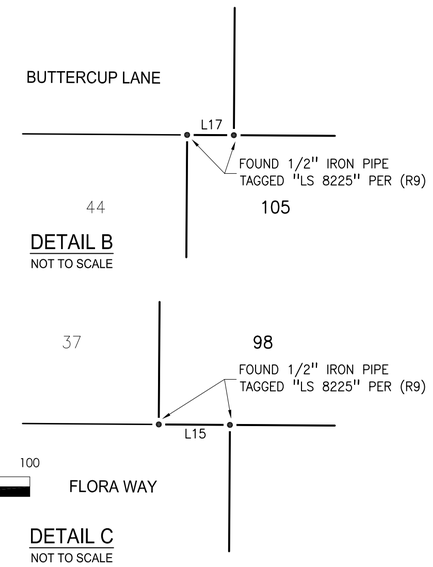
SUBDIVISIONS OF SAN JOAQUIN COUNTY

KAGEHIRO PHASE 2

BEING A SUBDIVISION OF PARCEL B OF PARCEL MAP FILED IN BOOK 26 OF PARCEL MAPS, AT PAGE 69, SAN JOAQUIN COUNTY RECORDS, IN A PORTION OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF TRACY,
SAN JOAQUIN COUNTY, CALIFORNIA
MAY 24, 2019

CONSULTING ENGINEERS
430 10th Street
Modesto, CA 95354
Tel: 209.568.4477 Fax: 209.568.4478





CURVE DATA TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH.BEARING	CHORD
C1	1°26'05"	427.50'	10.71'	N88°54'35"W	10.71'
C2	3°44'18"	427.50'	27.89'	N86°19'24"W	27.89'
C3	5°10'23"	427.50'	38.60'	N87°02'26"W	38.58'
C4	18°09'02"	50.00'	15.84'	S86°28'14"W	15.77'
C5	10°48'16"	50.00'	9.43'	S71°59'35"W	9.41'
C6	28°57'18"	50.00'	25.27'	N81°04'06"E	25.00'
C7	36°26'12"	70.00'	44.51'	S84°48'33"W	43.77'
C8	36°49'59"	70.00'	45.00'	N58°33'21"W	44.23'
C9	36°49'59"	70.00'	45.00'	N21°43'22"W	44.23'
C10	28°06'52"	70.00'	34.35'	N10°45'03"E	34.00'
C11	138°13'02"	70.00'	168.86'	N44°18'02"W	130.80'
C12	26°19'42"	50.00'	22.98'	N11°38'38"E	22.77'
C13	0°25'43"	50.00'	0.37'	N1°44'04"W	0.37'

CURVE DATA TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH.BEARING	CHORD
C14	26°45'25"	50.00'	23.35'	S11°25'47"W	23.14'
C15	2°13'16"	277.50'	10.76'	N0°50'17"W	10.76'
C16	2°18'57"	222.50'	9.00'	S0°53'08"E	8.99'
C17	2°24'39"	222.50'	9.36'	S3°14'56"E	9.36'
C18	4°43'36"	222.50'	18.36'	N2°05'27"W	18.35'
C19	80°00'00"	25.00'	34.91'	S44°27'15"E	32.14'
C20	4°03'20"	372.50'	26.37'	S86°28'55"E	26.36'
C21	1°07'03"	372.50'	7.26'	S89°04'07"E	7.26'
C22	5°10'23"	372.50'	33.63'	N87°02'26"W	33.62'
C23	1°00'24"	677.50'	11.91'	N5°04'14"W	11.90'
C24	4°39'27"	677.50'	55.07'	N2°14'18"W	55.06'
C25	0°16'57"	677.50'	3.34'	N0°13'54"E	3.34'
C26	5°56'48"	677.50'	70.32'	N2°36'02"W	70.28'

CURVE DATA TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH.BEARING	CHORD
C27	1°19'12"	622.50'	14.34'	S0°17'14"E	14.34'
C28	4°37'36"	622.50'	50.27'	S3°15'38"E	50.25'
C29	5°56'48"	622.50'	64.61'	N2°36'02"W	64.58'
C30	4°47'43"	218.00'	18.25'	S9°24'05"E	18.24'
C31	12°10'18"	282.00'	59.91'	S5°42'47"E	59.79'
C32	12°10'18"	218.00'	46.31'	N5°42'47"W	46.22'
C33	6°13'30"	282.00'	30.64'	N8°41'11"W	30.62'
C34	5°56'48"	650.00'	67.46'	N2°36'02"W	67.43'
C35	5°10'23"	400.00'	36.11'	N87°02'26"W	36.10'
C36	4°43'36"	250.00'	20.62'	N2°05'27"W	20.62'
C37	12°10'18"	250.00'	53.11'	S5°42'47"E	53.01'
C38	6°13'30"	250.00'	27.16'	N8°41'11"W	27.15'

LOT AREA TABLE	
LOT	SF
62	6456
63	6456
64	6713
65	6261
66	5500
67	5590
68	6005
69	10537
70	8448
71	5508
72	5502
73	5500
74	5500

LOT AREA TABLE	
LOT	SF
75	5500
98	5500
99	5500
100	5500
101	5967
102	5639
103	5500
104	5500
105	5500
106	5645
107	5545
108	5501
109	5507

LOT AREA TABLE	
LOT	SF
110	5011
119	5500
120	5000
121	5500
122	5499
123	5560

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L15	N89°37'38"W	3.59'
L17	S89°37'38"E	2.36'
L22	S41°41'04"W	30.05'
L23	N5°34'26"W	5.90'
L24	N47°36'02"W	26.78'
L25	N42°23'58"E	29.71'
L26	S47°36'02"E	26.78'
L27	S45°22'22"W	28.28'
L28	N84°27'15"W	11.47'
L29	S5°34'26"E	123.14'
L30	S4°27'15"E	23.36'
L31	N5°34'26"W	22.20'

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TRACT NO. 3882

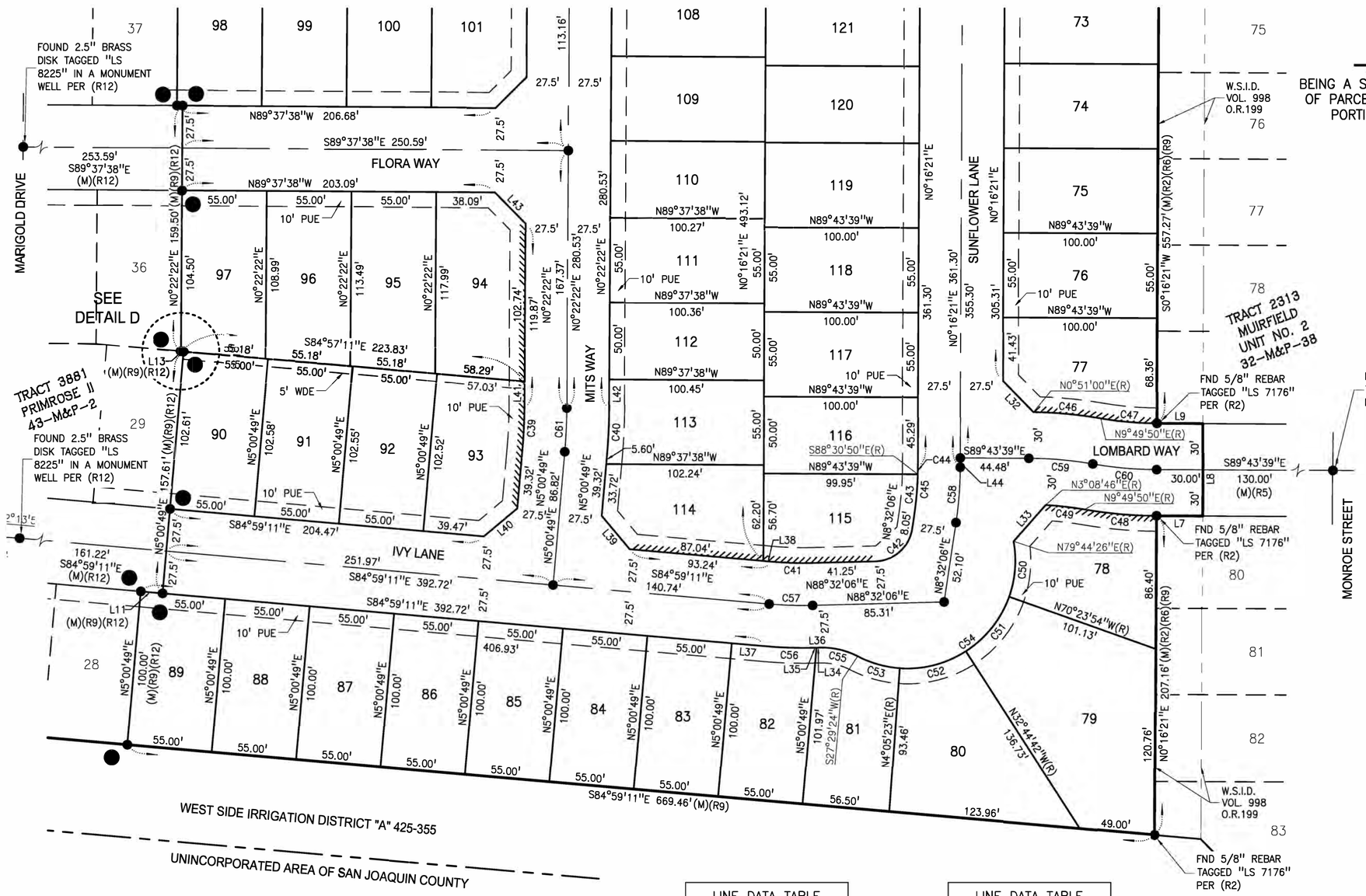
SUBDIVISIONS OF SAN JOAQUIN COUNTY

KAGEHIRO PHASE 2

BEING A SUBDIVISION OF PARCEL B OF PARCEL MAP FILED IN BOOK 26 OF PARCEL MAPS, AT PAGE 69, SAN JOAQUIN COUNTY RECORDS, IN A PORTION OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 5 EAST, MOUNT DIABLO BASE AND MERIDIAN
CITY OF TRACY,
SAN JOAQUIN COUNTY, CALIFORNIA
MAY 24, 2019

CONSULTING ENGINEERS
430 10th Street
Modesto, CA 95354
Tel: 209.568.4477 Fax: 209.568.4478

SEE SHEET 3



CURVE DATA TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH.BEARING	CHORD
C39	4°38'27"	322.50'	26.12'	S2°41'36"W	26.11'
C40	4°38'27"	377.50'	30.58'	N2°41'36"E	30.57'
C41	6°28'43"	222.50'	25.16'	N88°13'33"W	25.15'
C42	80°00'00"	25.00'	34.91'	S48°32'06"W	32.14'
C43	7°02'56"	222.50'	27.38'	S5°00'38"W	27.36'
C44	1°12'49"	222.50'	4.71'	S0°52'45"W	4.71'
C45	8°15'45"	222.50'	32.09'	N4°24'13"E	32.06'
C46	8°58'50"	280.00'	43.89'	N84°39'35"W	43.84'
C47	9°33'29"	220.00'	36.70'	N84°56'54"W	36.66'
C48	9°33'29"	280.00'	46.71'	S84°56'54"E	46.66'
C49	6°41'04"	220.00'	25.67'	S83°30'42"E	25.65'
C50	29°51'40"	70.00'	36.48'	N4°40'16"E	36.07'
C51	37°39'12"	70.00'	46.00'	N38°25'42"E	45.18'
C52	36°50'06"	70.00'	45.01'	N75°40'21"E	44.23'
C53	23°24'00"	70.00'	28.59'	S74°12'37"E	28.39'
C54	127°44'58"	70.00'	156.08'	N53°36'55"E	125.70'
C55	28°57'18"	50.00'	25.27'	S76°59'15"E	25.00'
C56	6°28'43"	277.50'	31.38'	S88°13'33"E	31.36'
C57	6°28'43"	250.00'	28.27'	S88°13'33"E	28.25'
C58	8°15'45"	250.00'	36.05'	N4°24'13"E	36.02'
C59	9°33'29"	250.00'	41.71'	N84°56'54"W	41.66'
C60	9°33'29"	250.00'	41.71'	S84°56'54"E	41.66'
C61	4°38'27"	350.00'	28.35'	N2°41'36"E	28.34'

LOT AREA TABLE	
LOT	SF
76	5500
77	6220
78	6589
79	12144
80	8555
81	5477
82	5522
83	5500

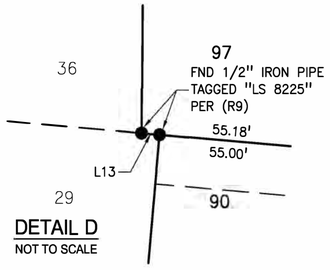
LOT AREA TABLE	
LOT	SF
84	5500
85	5500
86	5500
87	5500
88	5500
89	5500
90	5643
91	5641

LOT AREA TABLE	
LOT	SF
92	5639
93	5857
94	6792
95	6366
96	6118
97	5871
111	5517
112	5020

LOT AREA TABLE	
LOT	SF
113	5548
114	5855
115	5470
116	5000
117	5500
118	5500

LINE DATA TABLE			
LINE	BEARING	DISTANCE	
L7	S89°43'39"E	30.00'	(M)(R2)(R6)(R9)
L8	N0°16'21"E	60.00'	(M)(R2)(R6)(R9)
L9	N89°43'39"W	30.00'	(M)(R2)(R6)(R9)
L11	N84°59'11"W	14.21'	
L13	N84°57'11"W	1.80'	
L32	N44°26'19"W	28.14'	
L33	N41°26'36"E	31.39'	
L34	N88°32'06"E	2.36'	
L35	N88°32'06"E	1.77'	

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L36	N88°32'06"E	4.14'
L37	S84°59'11"E	21.93'
L38	N84°59'11"W	6.20'
L39	N39°59'11"W	28.28'
L40	S50°00'49"W	28.28'
L41	S0°22'22"W	17.13'
L42	N0°22'22"E	18.88'
L43	S44°37'38"E	28.28'
L44	N0°16'21"E	6.00'



DETAIL D
NOT TO SCALE

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Recorded at the request of
and after recording, return to:
Office of the City Clerk
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
Attn: Adrianne Richardson
(No recording fee, under Government Code §27383)

City of Tracy
SUBDIVISION IMPROVEMENT AGREEMENT
TRACT 3882 – KAGEHIRO PHASE 2

This Subdivision Improvement Agreement (Agreement or SIA) is entered into between the City of Tracy, a municipal corporation (City), and Taylor Morrison of California, LLC, a California limited liability company, (Subdivider).

Recitals

A. 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 Tract 3882 Kagehiro Phase 2 (the "Project"). The Final Map, was approved by the City Council on _____, 20__, by Resolution No. _____, and is on file with the City Clerk, and is incorporated here by reference.

B. The Project is geographically located within the boundaries of the Vesting Tentative Map known as Tract 3772 Kagehiro Phase 3 (Vesting Tentative Map) further described in Exhibit "A" attached and incorporated herein by its reference. The Vesting Tentative Map was approved by the City Council on August 20, 2013, by Resolution No. 2013-134, is on file with the City Clerk, and is incorporated here by reference.

C. The Tentative Map approval was subject to certain conditions of approval (Conditions). The Conditions are attached here as Exhibit "B" and incorporated by reference.

D. 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.

E. 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:

1) Eighteen (18) sheets of improvement plans titled "Improvement Plans for Kagehiro Phase 2, Tract 3882", prepared by VVH Consulting Engineers
2) Two (2) sheets of joint trench improvement plans titled "Kagehiro Phase 2 Joint Trench Composite" prepared by O'Dell Engineering.

F. 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 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 365 days 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 $1,281,008 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 $1,281,008 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 $128,100 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 $12,350 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 Consultant'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 any allegations of these; 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 10.2, 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 Subdivider's execution of this Agreement and before the beginning of any Work, the Subdivider shall pay the City Inspection Fees in the amount of 3½ % of the estimated Project costs (as approved by the City Engineer). If the City determines that the City's actual costs of inspecting the Work (including all costs and expenses of inspection, reviewing maps and plans, field checking, testing, and administrative and overhead costs of 15 %) exceeds the amount of inspection fees paid by the Subdivider, the Subdivider shall pay the City the actual costs of inspecting the Work less the inspection fees previously paid. If the City requires an independent inspection, the Subdivider shall pay all such costs and provide a report to the City.

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.

Remainder of page intentionally left blank

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:

To City:
City Engineer
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

To Subdivider:
Taylor Morrison of California, LLC
Division President
4309 Hacienda Dr, Suite 450
Pleasanton, CA 94588

With a copy to:
City Attorney
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

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, and federal 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

_____
Robert Rickman, Mayor

Date: _____

Approved by City Council on _____ by Resolution No. _____.

Attest:

_____
By: Adrianne Richardson, City Clerk

Approved As To Form:

_____
By: Thomas T. Watson, City Attorney

Subdivider
Taylor Morrison of California LLC, a California limited liability company

_____
By: Jennifer Beesmer
Title: V.P.
Date: May 23, 2019

Federal Employer Tax ID No. 26-1573191

Exhibit A: Legal Description
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.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda }

On May 23, 2019 (Date) before me, J. J. Ahlberg (Here Insert Name and Title of the Officer),

personally appeared Jennifer Bersmer (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.

J. J. AHLBERG
Notary Public – California
Alameda County
Commission # 2233667
My Comm. Expires Apr 6, 2022

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: _____ (Signature of Notary Public)

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Subdivision Improvement Agreement - Kagehiro - Tracy CA

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____
☐ Individual
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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Signer's Name: _____

☐ Corporate Officer — Title(s): _____
☐ Individual
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

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Conditions of Approval for Kagehiro Phase 3
252-lot Vesting Tentative Subdivision Map and
Concept/Preliminary/Final Development Plan
Application Numbers TSM12-0001 and PUD13-0001
(Revised following the Planning Commission meeting on July 24, 2013)
(Revisions are shown in italics)

These Conditions of Approval shall apply to the real property described as Kagehiro Phase 3, a 252-lot Vesting Tentative Subdivision Map and Preliminary/Final Development Plan, located on approximately 47.1 acres at the southeast corner of Corral Hollow Road and Kagehiro Drive, Assessor's Parcel Number 242-040-36, Application Numbers TSM 12-0001 and PUD13-0001.

A. The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".

2. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, or the Public Works Director, or the City Engineer to perform the duties set forth herein.

3. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans). The application of the City Regulations to the Project shall be governed by Chapter 4.5 of the Subdivision Map Act (Gov. Code Sections 66498.1-66498.9). However, notwithstanding the vested rights secured by the above referenced sections, pursuant to Government Code sections 66474.2(c) and 66498.4, the Subdivider has expressly requested that the Project be subject to those applicable fees anticipated to be adopted by the City Council to implement the Citywide Master Plans. These fees will relate to: water, recycled water, wastewater, storm drainage, roadways, parks, public facilities and public safety. Therefore, the Project will be subject to such fees at the time they are adopted by the City Council. For the purposes of these Conditions of Approval, these fees are referred to as "development impact fees."

4. "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.

5. "Conditions of Approval" shall mean the conditions of approval applicable to the Kagehiro Phase 3 project, a 252-lot Vesting Tentative Subdivision Map and Preliminary/Final Development Plan, Application Numbers TSM12-0001 and PUD13-0001. The Conditions of Approval shall specifically include all Development Services Department Conditions set forth herein.

6. "Project" means Kagehiro Phase 3, a 252-lot Vesting Tentative Subdivision Map and Preliminary/Final Development Plan, Application Numbers TSM 12-

0001 and PUD13-0001, consisting of approximately 47.1 acres of real property, located at the southeast corner of Corral Hollow Road and Kagehiro Drive, Assessor's Parcel Number 242-040-36.

7. "Property" means the 47.1 acres of real property located at the southeast corner of Corral Hollow Road and Kagehiro Drive, Assessor's Parcel Number 242-040-36.

8. "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. The term "Subdivider" shall include all successors in interest.

B. Planning Division Conditions of Approval

1. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to: the Planning and Zoning Law (Government Code sections 65000, et seq.), the Subdivision Map Act (Government Code sections 66410, et seq.), the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., "CEQA Guidelines").

2. Unless specifically modified by these Conditions of Approval, the Project shall comply with all City Regulations.

3. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all applicable mitigation measures identified in the General Plan Environmental Impact Report, dated February 11, 2011.

4. Pursuant to Government Code Section 66020, including Section 66020 (d)(1), the City HEREBY NOTIFIES the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project, or upon the date that the amounts of the fees or exactions are finalized and imposed on the Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations or other exactions.

5. Prior to the issuance of a building permit, the Developer shall document compliance with all applicable school mitigation requirements consistent with City Council standards and obtain certificate of compliance from Tracy Unified School District for each new residential building permit.

6. Prior to the recordation of each Final Map, the Subdivider shall show public utility easements necessary to accommodate the needs of local utility providers in accordance with City standards, to the satisfaction of the City Engineer.

7. Prior to approval of the first Final Map, the Developer shall obtain approval of all street names from the Development Services Department. At least one street shall be named after a deceased veteran in accordance with City Council Resolution Number 87-041.

8. All Final Maps shall be consistent with the Vesting Tentative Subdivision Map received by the Development Services Department on July 1, 2013, unless modified herein.

9. Except as modified herein, the residential architecture, site plan, and floor plans shall be consistent with the Preliminary/ Final Development Plan, including the architectural packet, received by the Development Services Department on July 2, 2013, to the satisfaction of the Development Services Director.

10. The development standards for the 252 lots shall comply with the Kagehiro Phase 3 Planned Unit Development (PUD) Zoning Regulations received by the Development Services Department on July 17, 2013, to the satisfaction of the Development Services Director.

11. Prior to the issuance of each building permit for a particular group of lots, the Developer shall specify the house type (i.e. floor plan type and elevation type) for each particular lot (i.e. within that group of lots) in a manner that achieves a sufficient mix and variety in the streetscape view, such that there shall be no approvals of the same floor plan type used on three consecutive lots, and no approvals of the same floor plan type and same elevation type used on two consecutive lots. At least 20% of the houses shall have garage doors which are setback a minimum of thirty (30) feet from the front property line. Additionally, the overall mix of houses used in the subdivision should fit within the parameters set forth below:

    a. The Plan 1 floor plan (one story) shall be used on not less than 15% of the lots nor on more than 25% of the Lots. Each of the Plan 2 through 6 floor plans shall be used on not less than 9% of the lots nor on more than 22% of the lots.

    b. Each elevation type for each floor plan shall be used on not less than 10% of the particular floor plan lots nor on more than 30% of the same particular floor plan lots.

12. The Developer shall comply with all project requirements identified in the CEQA Analysis/Environmental Checklist for the Kagehiro Phase 3 Project.

13. The Developer shall comply with all applicable requirements of the San Joaquin Valley Air Pollution Control District (APCD), including District Rule 9510, Regulation VIII, and payment of all applicable fees.

14. The Developer shall comply with all applicable provisions of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, including Incidental Take Minimization Measures applicable at the time of permit, a pre-construction survey prior to ground disturbance, and payment of all applicable fees, to the satisfaction of San Joaquin Council of Governments.

15. Prior to issuance of a grading permit, the Developer shall provide proof of compliance with the Construction General Permit through a Waste Discharge ID number or Notice of Intent submittal; and provide proof of compliance with the City of Tracy Manual of Stormwater Quality Control Standards for New Development and Redevelopment (Manual), which includes the requirements for Site Design, Source and Treatment Control Measures, in a project Stormwater Quality Control Plan (SWQCP), to the satisfaction of the Public Works Director or his/her designee. Prior to issuance of a building permit, the Developer shall provide proof of compliance with CalGreen Building Standards for Residential Properties, to the satisfaction of the Public Works Director or his/her designee. Prior to building permit final inspection, a Storm Water Treatment Device Access and Maintenance Agreement must be approved and notarized between the Developer and the City, to the satisfaction of the Public Works Director or his/her designee.

16. Prior to the issuance of a building permit, the Developer shall prepare a detailed landscape and irrigation plan for all landscape areas (e.g. back yards, front yards, and public right of way) consistent with City standards and shall show compliance with the State's (Department of Water Resources) model Water Efficient Landscape Ordinance and mandatory CalGreen Building Standards for Residential Properties through submittal and approval of the required Landscape Package, which includes project information, a water efficient landscape worksheet, a soil management report and Landscape, Irrigation, Drainage and Grading Plans, to the satisfaction of the Public Works Director or his/her designee.

17. Prior to approval of each Final Map, the Developer shall submit improvement plans that demonstrate compliance with current California Fire Code regulations, including the maximum separation between fire hydrants of 500 feet.

18. Approval of the Concept, Preliminary and Final Development Plan and the Vesting Tentative Subdivision Map shall be effective only upon the effective date of the Ordinance rezoning the subject property to Planned Unit Development.

C. Engineering Division Conditions of Approval

C.1. Vesting Tentative Subdivision Map
Prior to signature of the Vesting Tentative Subdivision Map (Tentative Subdivision Map) by the City Engineer, the Subdivider shall comply with the requirements set forth in this section, to the satisfaction of the City Engineer.

C.1.1. Revise the Tentative Subdivision Map to change the street names "Kagehiro Court" to "Remedios Cantos Drive", and Street "F" to "Aurora Astorga Drive".

C.1.2. Revise the Tentative Subdivision Map to show 1-foot wide reserve street dedications and restricted access to Corral Hollow Road for Lots 238 through 248.

C.1.3. Submit one (1) reproducible copy of the approved tentative subdivision map for the Project within ten (10) days after Subdivider's receipt of notification of approval of the tentative subdivision map. The owner of the Property must sign the Tentative Subdivision Map.

C.1.4. Revise the Tentative Subdivision Map to show the proposed masonry wall along the south side of Kagehiro Drive between Corral Hollow Road and Lotus Way.

C.1.5. Revise the Tentative Subdivision Map to show the street extension of Mia Way from Kagehiro Drive to Street "E" and the realignment of Street "D".

C.2. Final Map
In order to construct improvements to create sewer conveyance and wastewater treatment plant capacity for the Project area, prior to the submittal of the Final Map or on March 1, 2014, whichever occurs first, the Subdivider shall enter into an agreement with the City for the advance payment of the estimated fee amount for sewer conveyance and wastewater treatment in accordance with the Citywide Wastewater Facilities Master Plan, which is estimated to be $2,373,963.48 (or 252 lots multiplied by $9,420.49 per lot).

This advance payment will be reconciled with the actual sewer development fees to be adopted by the City, prior to the issuance of the building permit of the first residential building to be constructed on the Property. The Subdivider will be required to pay additional sewer development impact fees, if the actual sewer development impact fees are higher than the advance payment as described above. If actual sewer development impact fees are lower than the advance payment, the Subdivider will receive refund of the overpaid sewer development impact fees within ten (10) working days from the date of adoption of the sewer development impact fees.

The City will allow the map submittal of the First Final Map or multiple final map(s), and make available sewer conveyance and wastewater treatment plant capacity for the first 151 residential lots within the Tentative Subdivision Map area. Subsequent final map applications beyond 151 lots will be accepted and reviewed for technical accuracy but will not be approved by the City until the Corral Hollow Sewer Conveyance Downstream Improvements (known as "Choke Points") are completed by the City.

In addition to the requirements above, no final map within the Project boundaries 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:

C.2.1. The Subdivider has completed all the requirements set forth in this section, and Condition C.1., above.

C.2.2. The final map prepared in accordance with the Subdivision Ordinance, the City Design Documents, and in substantial conformance with the Tentative Subdivision Map for the Project.

C.2.3. The Subdivider has obtained the approval of all other public agencies with jurisdiction over the required public facilities.

C.2.4. The Final Map shall include dedications or offers of dedication of all right(s)-of-way and/or easement(s) required to serve the Project described by the Final Map, in accordance with City Regulations and these Conditions of Approval.

C.2.5. Improvement Plans for the subdivision improvements and public facilities that are required to serve the Property or lots described by the Final Map in accordance with City Regulations, these Conditions of Approval and Condition C.3., below.

C.2.6. Dedicate a 10 feet wide Public Utility Easement (PUE) along the lot frontages for the installation, use, operation, repair and maintenance of other public utilities such as electric, telephone, cable TV, gas and others.

C.2.7. 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 control points to a minimum of two separate points adjacent to or within the property described by the Final Map.

C.2.8. A detailed construction phasing plan showing the limits and logical sequence of construction of street and utilities improvements. The construction phasing plan shall clearly identify the improvements to be constructed with each construction phase of the Project.

C.2.9. A construction cost estimate of subdivision improvements and all the required public facilities, prepared in accordance with City Regulations. Use and add ten percent (10%) for construction contingencies.

C.2.10. The improvement plans for subdivision improvements as required in Condition C.3., below. All the required improvement agreements are executed, improvement security is submitted and documentation of insurance are provided, as required by these Conditions of Approval and Condition C.11., below. The amounts of improvement security shall be approved by the City and the form of improvement security shall be in accordance with the Tracy Municipal Code.

C.2.11. The Subdivider shall participate in any applicable Benefit Districts, Assessment Districts, or sub-regional reimbursement areas, in accordance with City Regulations.

C.2.12. All public facilities that are required to serve the proposed development within the final map boundaries, including water distribution, sewer conveyance, and water and wastewater treatment capacities have been financially assured by the Subdivider, except as provided on Condition C.2., above. The Subdivider acknowledges that complex planning and financing are involved in providing the public facilities required to serve the Property. Such public facilities are not available now. The City will make reasonable efforts to facilitate the necessary planning, but cannot and does not guarantee that sufficient public facilities, and the resulting capacity, will be available before expiration of the Tentative Map for this Project (under Government Code Section 66452.6 and relevant City Regulations).

C.2.13. The Subdivider shall demonstrate to the satisfaction of the City Engineer, and a finding made by the City Engineer that City's water facilities (capacities at the treatment plant and distribution or transmission lines) are adequate to meet Project's water flow demands, and is consistent with the City's Water Facilities Master Plan. The Subdivider shall pay the costs of analysis by City consultants required to make such finding, if necessary.

C.3. Improvement Plans
The Improvement Plans that are required in this section shall contain the design and construction details of street and utilities improvements on Corral

Hollow Road, and all subdivision improvements that are required to serve the Project. The Improvement Plans shall consist of the Grading and Drainage Plans, Irrigation and Landscaping Plans, Composite and Joint Utility Trench Plans, Street Lighting Plan, Retaining Wall Plans, In-tract and Off-tract Improvement Plans, Signing and Striping Plans, Storm Water Management Plans, and others. The Improvement Plans shall be prepared to satisfy all the design requirements specified on Conditions C.4., C.5., C.6., and C.7., below, the City Regulations and these Conditions of Approval. Improvement Plans to be signed by the City Engineer must be provided on a 4-mil thick 24" x 36" size polyester film (mylar) and prepared under the supervision of, and stamped and signed by a Registered Civil Engineer. Prior to obtaining the City Engineer's signature on the Improvement Plans, all the requirements set forth in this section shall be completed, to the satisfaction of the City Engineer, including but not limited to, the following:

C.3.1. The Subdivider has completed all the requirements set forth in this section, and Conditions C.1., and C.2., above.

C.3.2. The Subdivider has obtained written approval and signature from the Chief Building Official and Fire Safety Officer on the Improvement Plans as required in Condition C.6.2., below.

C.4. Street Improvements

C.4.1. The Subdivider's responsibility towards frontage improvements on Corral Hollow Road shall include the design and construction of street and utilities improvements including but not limited to, concrete curb and gutter, concrete sidewalk, landscaping with automatic irrigation system (Motorola Controller), asphalt concrete pavement, signing and striping, street lights, fire hydrant, and other improvements determined by the City Engineer that are necessary to provide a safe transition from the existing roadway to an improved and wider roadway section which include the application of 2" inches thick asphalt concrete overlay on the entire width of the travel lane for the existing northbound and southbound Corral Hollow Road, and other improvements such as guardrail and barricade and appropriate traffic sign where necessary, asphalt concrete paving, and pavement marking and signing for creating a pavement transition. In order to maintain existing grades of pavement crown and cross slope, the top 2 inches of the existing pavement must be removed by grinding.

The Subdivider is also required to design and construct roadway improvements at the intersection of Corral Hollow Road and Kagehiro Drive. The intersection improvements include but not limited to, modification of the southern end of the existing raised median on Corral Hollow Road north of Kagehiro Drive, to provide for an exclusive left-turn lane on Corral Hollow Road for eastbound Kagehiro

Drive. The exclusive left-turn lane shall not be less than 12 feet wide, and shall have a vehicle storage length of 120 feet (90 feet bay taper length per Caltrans standards).

The final configuration, length, and grade of the modified raised median will be determined during the design of improvements on Corral Hollow Road. Landscaping improvements and automatic irrigation system to be installed within the modified raised median on Corral Hollow Road shall be in accordance with City Regulations. The type, size and spacing of street trees shall be determined during the preparation of Improvement Plans. The area or extent and location where hand-placed and grouted cobblestone will be installed will be determined by the City Engineer during the improvement plan review process.

After the construction of the intersection improvements described above, the traffic movements at Kagehiro Drive / Corral Hollow Road will be restricted to "right-turn in", "right-turn out", and "left-turn in" only.

The Subdivider shall design and construct a masonry wall along the Property's frontage on Corral Hollow Road and on the south side of Kagehiro Drive between Corral Hollow Road and Lotus Way in accordance with City Regulations. The masonry wall on Corral Hollow Road and Kagehiro Drive will be considered a public improvement which will be maintained by the City's Landscape Maintenance District (TLMD).The masonry wall including its column and wall footings shall be constructed within the area that will be dedicated to the City with the first final map. The masonry wall shall be designed and constructed in accordance with City Regulations.

The Subdivider is responsible for acquiring all rights-of-way and/or easements, if necessary, all at the Subdivider's sole cost and expense, which are necessary to complete the improvements described above.

The Subdivider shall obtain permit(s) and /or permission(s) for work that are located on private property(s) including the West Side Irrigation District (WSID), if necessary, and pay all costs associated with obtaining the permit(s) and/ or permission(s).

All the improvements that are described under this section shall be completed by the Subdivider, prior to final inspection of the first residential building to be constructed within the Property, all at the Subdivider's sole cost and expense.

C.4.2. The City's Traffic Section will monitor traffic conditions at various locations within the Eastgate and Muirfield subdivisions by conducting volume counts and speed study (warrant analysis) when necessary as determined by the City Engineer. Prior to the approval of the First Final Map, the City will perform a warrant analysis based on the "Existing Traffic Condition" within these two subdivisions specifically on Kagehiro Drive and Starflower Drive, to determine if additional traffic calming sign(s) such as speed limit sign(s), and stop sign(s) are needed on these locations. If determined by warrant analysis that traffic calming signs are needed, the City will install the appropriate traffic signs after obtaining City Council's approval.

If traffic calming signs are not needed on the "Existing Traffic Condition" as determined by the warrant analysis, the City will continue to monitor traffic conditions on these two subdivisions. It is anticipated that development of the Kagehiro Subdivision will create an increase in traffic volumes on certain streets within these two subdivisions. In order to guarantee the Project's obligation towards installing traffic calming sign(s) as a result of traffic increase generated by the Project, the Subdivider will be required to deliver a cash deposit in the amount of $22,000, prior to the approval of the First Final Map. The cash deposit will include the cost of performing four (4) traffic sign warrant analyses and installing the appropriate traffic sign(s). The City shall complete the warrant analyses, prior to performing final inspection of the 25th, 50th, 100th, and 151th residential buildings to be constructed within the Property. If the actual cost of the warrant analyses and traffic sign(s) is more than the cash deposit, the Subdivider shall pay the cost difference within fifteen working (15) days from the date of written notice from the City Engineer. The unused portion of the cash deposit will be refunded to the Subdivider after the issuance of the 252nd building permit.

C.4.3. Pavement markings and traffic signs shall be constructed in accordance with City Regulations. Pavement design shall be based on State of California "R" value method, using Traffic Indices specified in the Design Standards, to the satisfaction of the City Engineer. The street longitudinal grade on any street shall be more than 0.30%. Street crown shall have a minimum slope of 2%. Valley gutters shall not be used to provide drainage across any through street or through intersections. All traffic control devices, including stop signs, speed limit signs, street name signs, legends and striping shall be installed in accordance with the detailed striping and signing plan prepared by the Subdivider and approved by the City Engineer. The Subdivider shall design and install street lights in accordance with City Regulations and at the locations approved by the City Engineer, and per the detailed street lighting plan approved by the City Engineer.

C.5. Sanitary Sewer Facilities

C.5.1. The Subdivider shall design and install sanitary sewer facilities including the Project's sewer connection in accordance with City Regulations 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.

C.6. Water System Facilities

C6.1. Domestic water service shall be installed in accordance with City Regulations 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. Repair and maintenance of all on-site water lines, laterals, sub-meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Subdivider.

C.6.2. The Improvement Plans shall contain the Tracy's Chief Building Official and Fire Safety Officer's signature indicating their approval on the Project's fire service connection, fire and emergency vehicle access to the Project, and compliance of the City's Building and Safety Division and the Fire Department's fire protection related requirements. Written approval from the City's Chief Building Official and Fire Safety Officer required in this section shall be obtained by the Subdivider, prior to City Engineer's signature on the Improvement Plans.

C.6.3. The Subdivider shall design and install fire hydrants within the Project at the locations approved by the City's Building and Safety Division.

C.6.4. The Subdivider shall coordinate with the Tracy Post Master for location of, and installation (by the Subdivider) of, cluster type mailbox units. Design and construction criteria of the mailbox units shall require approval from the City Engineer. The US Postal Services is responsible for repairing and maintaining all cluster mailboxes located within City's right-of-way.

C.6.5. Prior to recordation of any final map within the Project, the Subdivider shall coordinate with the City and the School District(s) regarding vehicular and pedestrian access to schools from this residential development. The Subdivider shall submit plans to the City showing

pedestrian routes, facilities for bus transportation and bike paths for approval by the City.

C.6.6. The Subdivider shall abandon or remove all existing irrigation structures, channels and pipes as directed by the City after coordination with the irrigation district, if the facilities are no longer required for irrigation purposes. If irrigation facilities including the tile drain are to remain to serve existing adjacent agricultural uses, the Subdivider will design, coordinate and perform required modifications to the facilities to the satisfaction of the affected agency and the City. Written permission from irrigation district or affected owner(s) will be required to be submitted prior to City approval of the final map(s).

C.6.7. The Subdivider shall, to the satisfaction of the affected utility companies and the City Engineer, underground or relocate all utilities within the Property and along the residential lots on-site street frontages. The Subdivider shall submit joint utility trench plans for City's review and approval.

C.6.8. All engineering calculations such as the pavement design, hydrologic and storm drainage calculation, sanitary sewer design, water line design, soil report, technical specifications, and other documents related to the design of the subdivision improvements.

C.6.9. The Subdivider shall design and install landscaping improvements with automatic irrigation system (Motorola or approved equivalent) on Corral Hollow Road and on frontage streets within the Property in accordance with City Regulations. Type, size, and location of residential street trees shall be in accordance with the City Regulations and the City's Park and Parkways Design Manual.

C.6.10. The Subdivider shall construct the street extension of Mia Way from Kagehiro Drive to the Project. The design of street and utilities improvements for the extension of Mia Way from Kagehiro Drive to the Project shall be in accordance with City Regulations. Any modifications to the existing improvements on Mia Way south of Kagehiro Drive that are necessary as determined by the City Engineer in order to make the street extension comply with City Regulations shall be the responsibility of the Subdivider. Water and sewer connections and access (driveway) for Lots 34 and 35 will be from Mia Way when the street extension is constructed. All costs associated with the modifications of and the street extension of Mia Way shall be paid by the Subdivider, with no reimbursement from the City.

C.7. Storm Drainage Facilities

C.7.1. The Subdivider shall design and install storm drainage facilities including the Project's permanent storm drainage connection in accordance with City Regulations and the utility improvement plans approved by the City Engineer.

C.7.2. The Project's on-site storm drainage system and site grading shall be designed such that the Project has a functional overland storm drainage release point. The purpose of the overland storm drainage release point is to provide a low spot or an area where water leaves the Project site and drains directly to an improved public street with a functional storm drain system, in the event the on-site storm drainage system fails to function or it is clogged. The building finish floor is recommended to be at least 0.70 feet higher than the finish grade of the overland storm drainage release point. The Grading and Drainage Plans must indicate the location and elevation of the overland storm drainage release point and specify any improvements that may be necessary to create a functional overland storm drainage release point.

C.8. Grading Permit

No application for grading permit within the Project boundaries will be accepted by the City as complete until the Subdivider provides all documents required by City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including but not limited to, the following:

C.8.1. The Subdivider has completed all the requirements set forth in this section and Conditions C.1., C.2., and C.3, above.

C.8.2. A Grading and Storm Drainage Plan prepared by a Registered Civil Engineer, and accompanied by Soils and Engineering Geology reports shall be submitted to the City with the Improvement Plans. The reports shall provide recommendations regarding adequacy of sites to be developed by the proposed grading and also information relative to the stability of soils. Slope easements, if necessary, shall be recorded per City Regulations. Prior to the issuance of the first building permit within the Property, the Subdivider shall submit a letter, signed and stamped by a Registered Geo-technical Engineer licensed to practice in the State of California, certifying that grading work, including excavation, backfilling, compacting and backfilling work performed by the Subdivider, meets the requirements of the Project's Soils Report and was completed under the supervision of the Project's Geo-technical Engineer.

C.8.3. All grading shall require a Grading Permit. Erosion control measures shall be implemented in accordance with plans approved by the City Engineer for all grading work not completed before the 15th of October of that year. Improvement Plans shall designate all erosion control methods and materials to be employed.

C.8.4. Prior to the issuance of the Grading Permit, the Subdivider shall submit three (3) sets of the Storm Water Pollution Prevention Plans (SWPPP) and a copy of the Notice of Intent (NOI) submitted to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB, including the Wastewater Discharge Identification Number (WDID#). After the completion of the Project, the Subdivider is responsible for filing the Notice of Termination (NOT) required by SWQCB. The Subdivider shall provide the City, a copy of the completed Notice of Termination. Cost of preparing the SWPPP, NOI and NOT including the filing fee of the NOI and NOT shall be paid by the Subdivider. The Subdivider shall provide the City with the WDID#, prior to the issuance of the Grading Permit. The Subdivider shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs), City's Storm Water Regulations, and the City's Storm Water Management Program.

C.8.5. All existing on-site wells shall be abandoned in accordance with the City and San Joaquin County requirements. All costs associated with the abandonment of existing wells including the cost of permits, if required, shall be the responsibility of the Subdivider. The Subdivider shall provide the City documentation or copy of permit issued by the San Joaquin County, approving the removal or destruction of existing well(s), if applicable, prior to the issuance of the Grading Permit.

C.8.6. Retaining or engineered walls shall be designed and constructed where cuts and fills do not match existing/ final grades and if the difference in elevation between two adjacent lots or adjacent property(s) is more than 12 inches. The use of engineered slope and slope easement(s) is subject to approval by the City Engineer, and will not be allowed, if a retaining or engineered wall can mitigate the grading issue.

C.9. Encroachment Permit

No application for encroachment permit within the Project boundaries will be accepted by the City as complete until the Subdivider provides all documents required by City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including but not limited to, the following:

C.9.1. The Subdivider has completed all requirements set forth in this section and Conditions C.1., C.2., and C.3., above.

C.9.2. Improvement Plans for installing traffic calming sign(s), as required in Condition C.4.2., above, if applicable.

C.9.3. Payment of all applicable processing fees, including improvement plan check fees, encroachment and grading permits processing fees, testing, agreement processing fees, and engineering inspection fees, and other fees as required by these Conditions of Approval and City Regulations.

C.10. Building Permit

No building permit within the Project boundaries 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:

C.10.1. The Subdivider has completed all requirements set forth in this section, and Conditions C.1., C.2., C.3, and C.9., above.

C.10.2. Payment of all applicable development impact fees (as defined in Condition A.3.), San Joaquin County Facilities Fees, Regional Transportation Impact Fees, Agricultural Mitigation Fees, School Mitigation Fees, and all fees required by these Conditions of Approval and City Regulations. Development impact fees are adjusted annually based on the Construction Cost Index (CCI) published in the Engineering News Record (ENR). The final development impact fees to be paid by the Subdivider are the development impact fees that will be adopted by the City Council.

In the event that the Project's development impact fees (other than sewer and wastewater fees described in Condition C.2, above) are not adopted at the time of building permit issuance, the Subdivider shall enter into an agreement with the City to pay such fees. The Subdivider will be required to pay the difference, if the actual development impact fees are higher than the advance payment, or the City will refund overpaid development impact fees within ten (10) working days from the date of adoption of the development impact fees. If the Project's development impact fees are adopted by the City Council prior to issuance of any building permits, these adopted fees shall be applied to said building permits, adjusted annually as provided in this section.

C.10.3. A letter signed and stamped by the Project's Geo-Technical Engineer certifying that all grading work that were performed by the Subdivider

within the Project meets the requirements of the Project's Geo-technical/Soils Report and the recommendations of the Project's Geo-Technical Engineer, and that the grading work was performed under the direct supervision of the Project's Geo-technical Engineer, as required in Condition C.8.2., above.

C.10.4. The 61st building permit application within the Project boundaries will not be approved by the City until the Subdivider provides and demonstrates to the satisfaction of the Chief Building Official and Fire Safety Officer that there are two (2) vehicular access points to an improved public street and that the locations where they are constructed are acceptable.

C.10.5. The applicable final map is approved by the City and recorded at the Office of the San Joaquin County Recorder.

C.10.6. The Subdivider shall pay Community and Neighborhood/Mini Park development impact fees that will be adopted by the City Council in lieu of dedicating the park land, and constructing the park improvements.

C.11. Agreements, Improvement Security, and Insurance

C.11.1. Inspection Improvement Agreement - Prior to City approval of a final map, the Subdivider may request to proceed with construction with the public facilities required to serve the real property described by the final map only if the Subdivider satisfies all of the following requirements to the satisfaction of the City Engineer:

a. The Subdivider has submitted all required improvement plans in accordance with the requirements of City Regulations and these Conditions of Approval, and the improvement plans have been approved by the City Engineer.

b. The Subdivider has submitted a complete application for a final map which is served by the required public improvements, and the final map is in the process of being reviewed by the City.

c. The Subdivider has paid all required processing fees including plan check and inspection fees.

d. The Subdivider executes an Inspection Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all required improvements, and the Subdivider agrees to assume the risk that the proposed final map may not be approved by the City.

e. The Subdivider posts all required improvement security and provides required evidence of insurance.

C.11.2. Subdivision Improvement Agreement - Concurrently with the City's processing of a final map, and prior to 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), which includes the Subdivider's responsibility to complete all of the following requirements to the satisfaction of the City Engineer:

a. The Subdivider has submitted all required improvement plans in accordance with the requirements of City Regulations and these Conditions of Approval, and the improvement plans have been approved by the City Engineer.

b. The Subdivider has submitted a complete application for a final map which is served by the required public improvements, and the final map has been approved by the City Engineer.

c. The Subdivider has paid all required processing fees including plan check and inspection fees.

d. The Subdivider executes a Subdivision Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all required improvements.

e. The Subdivider posts all required improvement security and evidence of insurance.

C.11.3. Deferred Improvement Agreement - Prior to the City's approval of the first final map within the Project, the Subdivider shall execute a Deferred Improvement Agreement, in substantial conformance with the City's standard form agreement, 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) which are required by these Conditions of Approval. The Deferred Improvement Agreement shall identify timing requirements for construction of all remaining public facilities, in conformance with the phasing plan submitted by the Subdivider and approved by the City Engineer.

C.11.4. Improvement Security - The Subdivider shall provide improvement security for all public facilities, as required by an Inspection Improvement Agreement or a Subdivision Improvement Agreement.

The form of the improvement security may be a bond, or other form in accordance with City Regulations. The amount of the improvement security shall be in accordance with City Regulations, generally, as follows: Faithful Performance (100% of the approved estimates of the construction costs of public facilities), Labor & Material (100% of the approved estimates of the construction costs of public facilities), and Warranty (10% of the approved estimates of the construction costs of public facilities).

C.11.5. Insurance - For each Inspection Improvement Agreement and Subdivision Improvement Agreement, the Subdivider shall provide the City with evidence of insurance, as follows:

a. General. The Subdivider shall, throughout the duration of the Agreement, maintain insurance to cover Subdivider, its agents, representatives, contractors, subcontractors, and employees in connection with the performance of services under the Agreement at the minimum levels set forth below.

b. Commercial General Liability (with coverage at least as broad as ISO form CG 00 01 01 96) coverage shall be maintained in an amount not less than $3,000,000 general aggregate and $1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.

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

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

e. Endorsements. Subdivider shall obtain endorsements to the automobile and commercial general liability with the following provisions:

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

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.

f. Notice of Cancellation. Subdivider 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.

g. 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.

h. Insurance Certificate. Subdivider shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City.

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

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

C.11.6. Release of Improvement Security – Release of improvement security shall be in accordance with the requirements of the Tracy Municipal Code. The City shall not release any improvement security until after the Subdivider provides as-built plans, to the satisfaction of the City Engineer. Within twenty (20) days after the City's approval of the final map, the City shall provide the Subdivider one (1) set of reproducible duplicates on polyester film of all approved Improvement Plans. Upon completion of the construction by the Subdivider, the City shall temporarily release the originals to the Subdivider so that the Subdivider will be able to document revisions to show the "As Built" configuration of all improvements. The Subdivider shall submit these As-Built Plans (or Record Drawings) to the City Engineer within 30 days after City Council acceptance of the public improvements.

C.12. Final Building Inspection

The City shall not conduct a final building inspection on any building within the Project boundaries until the Subdivider provides documentation which demonstrates, to the satisfaction of the City Engineer, that:

C.12.1. The Subdivider has completed all requirements set forth in this section, and Conditions C.1., C.2., C.3., C.4., C.5., C.6., C.7., C.8., C.9., C.10., and C.11., above.

C.12.2. The Subdivider has completed construction of public facilities or improvements required to serve the Project for which a building certificate of occupancy is requested. Unless specifically provided in these Conditions of Approval or other City Regulations, the Subdivider shall take all actions necessary to construct all public facilities required to serve the Project, and the Subdivider shall bear all costs related to the construction of the public facilities (including all costs of design, construction, construction management, improvement plans check, inspection, land acquisition, program implementation, and contingency).

RESOLUTION 2019-_____

APPROVING THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 3882 KAGEHIRO PHASE 2, 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 Vesting Tentative Subdivision Map for Kagehiro Phase 3 Subdivision ("Kagehiro VTM"), a single-family residential development with a total of 252 single family dwelling lots, was approved by City Council on August 20, 2103, pursuant to Resolution No. 2013-134, and

WHEREAS, Kagehiro VTM was subdivided into two parcels, eastern and western. The western parcel is approximately 23.85 acres, and

WHEREAS, The western parcel is now the housing development known as Primrose Phases 1 and 2 subdivisions with a total of 128 single-family dwelling units, and

WHEREAS, The eastern parcel was subdivided further into two (2) parcels (Parcels A and B) and the parcel map was recorded on December 12, 2016. The parcel map is filed in Book 26 of parcel maps, at Page 69 with San Joaquin County Recorder, and

WHEREAS, A merchant home builder then filed a Final Subdivision Map to subdivide Parcel A into fifty-one (51) residential lots which eventually became a part of the earlier Primrose phases, and

WHEREAS, Another Subdivider submitted a Final Subdivision Map to subdivide Parcel B into sixty-two (62) residential lots and is further described as Tract 3882-Kagehiro Phase 2, and

WHEREAS, The Subdivider has executed the Subdivision Improvement Agreement and posted improvement security which will guarantee the construction of street and utilities improvements required to serve Tract 3882-Kagehiro Phase 2, 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 right-of-way, 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 3882-Kagehiro Phase 2, and authorizes the City Clerk to file the Agreement with the Office of the San Joaquin County Recorder.

The foregoing Resolution was adopted by the City Council on the 4th day of June, 2019, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 1.K

REQUEST

ACCEPT CONSTRUCTION OF SPORTS FIELDS WITHIN THE PHASE I AREA OF THE LEGACY FIELDS PHASE 1C CIP 78163, COMPLETED BY GOODLAND LANDSCAPE CONSTRUCTION, INC., OF TRACY, CALIFORNIA, AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AUTHORIZE THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AUTHORIZE THE FINANCE DEPARTMENT TO CLOSE THE PROJECT, AND AUTHORIZE THE RE-ALLOCATION OF $311,132 OF REMAINING BUDGET FROM LEGACY FIELDS PHASE 1C TO LEGACY FIELDS PHASE 1D CIP 78164

EXECUTIVE SUMMARY

The contractor has completed construction of the Legacy Fields Phase 1C CIP 78163 (Project). The Project included construction of one playable baseball field at the western wagon wheel, outfield and foul line fencing on all five baseball fields of the western wagon wheel, a remote maintenance yard, two combination restroom/concession buildings, one restroom building, the extension of electrical service to the maintenance yard and aforementioned buildings, site amenities and minimum ADA hardscaping to buildings. The contractor has completed the construction of Legacy Fields Phase 1C CIP 78163 in accordance with project plans, specifications, and contract documents. Project costs are within the available budget. Staff recommends Council accept the Project to enable the City Engineer to release the contractor's bonds and retention payment.

DISCUSSION

On March 6, 2018, City Council awarded a construction contract to Goodland Landscape Construction, Inc., of Tracy, California, in the total amount of $5,657,000 for base bid and additive bid alternate A, B, C, and D for the construction of Sports Complex Phase 1C, CIP 78163.

The scope of work included construction of one playable baseball field at the western wagon wheel, outfield and foul line fencing on all five baseball fields of the western wagon wheel, a remote maintenance yard, two combination restroom/concession buildings, one restroom building, the extension of electrical service to the maintenance yard and aforementioned buildings, site amenities and minimum ADA hardscaping to buildings.

The detailed construction activities included clear and grub of existing surface to complete earthwork and grading operations, including the installation of new concrete and asphalt paving, one (1) concession/restroom building at western legacy baseball fields, one (1) concession/restroom buildings at western soccer fields, one (1) restroom building at eastern soccer fields, maintenance yard, electrical, drainage, fencing, edge bands, athletic furnishings, irrigation, natural turf, infield fines, warning track fines, fencing and landscape.

The Project improvement plans and specifications were completed by Verde Design Inc., of Santa Clara, California.

Seven (7) change orders in the amount of $405,605 were issued, which included furnishing and installation of two additional bleachers for new baseball diamond, installation of redwood header board to all five baseball fields, installation of sod along warning track, concrete at entrances to the soccer fields, installation of concrete walkways, prepare and install concrete pads for the food trucks and pay for extra work due to unforeseen conditions.

To avoid delays and claims, some of this additional work was completed on a time and material basis and the remaining work was pre-approved through change orders in accordance with the contract documents.

Project costs are as follows:

A.	Construction Contract Amount	$ 5,657,000
B.	Approved Change orders	$ 405,605
C.	Design, construction management, inspection, Testing & miscellaneous project management Expenses	$ 259,321
	Total Project Costs	$ 6,321,926
	Total Budget Available	$ 6,633,058
	Budget Remaining	$ 311,132

The Project has been completed within the available budget, within the time frame of the original contract plus the time extension given to the contactor for extra work, including rain delays, per plans, specifications, and City of Tracy standards.

STRATEGIC PLAN

This agenda item is consistent with the City Council's adopted Quality of Life Strategy and meets the goal of enhancing the City's amenities.

FISCAL IMPACT

Legacy Fields Phase 1C CIP 78163 has been completed within the Council approved project budget of $6,633,058. The remaining funds in the amount of $311,132 will be transferred to Legacy Fields Phase 1D (CIP 78164) to be used for future phases related to construction of additional parking and paving the existing gravel parking lots of the Legacy Fields Sports Complex.

RECOMMENDATION

That City Council accept, by resolution, the construction of sports fields within the Phase I area of the Legacy Fields Phase 1C CIP 78163, completed by Goodland Landscape Construction, Inc., of Tracy, California, authorize the City Clerk to record the Notice of Completion with the San Joaquin County Recorder, authorize the City Engineer to release the bonds and retention payment, authorize the Finance Department to close the Project, and authorize the reallocation of $311,132 of remaining budget from Legacy Fields Phase 1C to Legacy Fields Phase 1D CIP 78164.

Prepared by: Paul Verma, PE, Senior Civil Engineer

Reviewed by: Robert Armijo, PE, City Engineer / Assistant Director of Development Services
Brian MacDonald, Parks and Recreation Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

RESOLUTION 2019-_____

ACCEPTING THE CONSTRUCTION OF THE SPORTS FIELDS WITHIN THE PHASE I AREA OF THE LEGACY FIELDS PHASE 1C CIP 78163, COMPLETED BY GOODLAND LANDSCAPE CONSTRUCTION, INC., OF TRACY, CALIFORNIA, AUTHORIZING THE CITY CLERK TO FILE THE NOTICE OF COMPLETION, AUTHORIZING THE CITY ENGINEER TO RELEASE THE BONDS AND RETENTION PAYMENT, AUTHORIZING THE FINANCE DEPARTMENT TO CLOSE THE PROJECT, AND AUTHORIZING THE REALLOCATION OF $311,132 OF THE REMAINING BUDGET FROM LEGACY FIELDS PHASE 1C TO LEGACY FIELDS PHASE 1D CIP 78164

WHEREAS, On March 6, 2018, City Council awarded a construction contract to Goodland Landscape Construction, Inc., of Tracy, California, in the total amount of $5,657,000 for base bid and additive bid alternates A, B, C, and D for the construction of Legacy Fields Phase 1C, CIP 78163, and

WHEREAS, The scope of work included construction of one playable baseball field at the western wagon wheel, outfield and foul line fencing on all five baseball fields of the western wagon wheel, a remote maintenance yard, two combination restroom/concession buildings, one restroom building, the extension of electrical service to the maintenance yard and aforementioned buildings, site amenities and minimum ADA hardscaping to buildings, and

WHEREAS, Seven (7) change orders in the amount of $405,605 were issued, and

WHEREAS The status of budget costs is as follows, and

A.	Construction Contract Amount	$ 5,657,000
B.	Approved Change orders	$ 405,605
C.	Design, construction management, inspection, Testing & miscellaneous project management Expenses	$ 259,321
	Total Project Costs	$ 6,321,926
	Total Budget Available	$ 6,633,058
	Budget Remaining	$ 311,132

WHEREAS, The Project has been completed within the available budget, within the time frame of the original contract plus the time extension given to the contactor for extra work, including rain delays, per plans, specifications, and City of Tracy standards, and

WHEREAS, The remaining funds in the amount of $311,132 will be transferred to Legacy Fields Phase 1D CIP 78164 to be used for future phases related to construction of additional parking and paving the existing gravel parking lots of Legacy Fields Sports Complex;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby accepts the construction of the sports fields within the Phase I area of the Legacy Fields Phase 1C CIP 78163, completed by Goodland Landscape Construction, Inc., of Tracy, California, authorizes the City Clerk to record the Notice of Completion with the San Joaquin

County Recorder, authorizes the City Engineer to release the bonds and retention payment, authorizes the Finance Department to close the Project, and authorizes the reallocation of $311,132 of remaining budget from Legacy Fields Phase 1C to Legacy Fields Phase 1D CIP 78164.

* * * * * * * * * * *

The foregoing Resolution 2019-_____ was passed and adopted by the Tracy City Council on the 4th day of June, 2019, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 3.A

REQUEST

CONDUCT A PUBLIC HEARING TO CONSIDER APPROVING THE ENGINEER'S REPORT AND ORDERING THE ANNEXATION OF MARIANI BUSINESS PARK (APN 250-260-09) INTO ZONE 10 OF THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2019/2020

EXECUTIVE SUMMARY

As a condition of approval for the Mariani Business Park (APN 250-260-09), the developer is required to annex into the Consolidated Landscape Maintenance District ("LMD"). The assessments, paid by new property owners, helps off-set the additional costs of providing services related to the maintenance of landscaping in LMD Zone 10.

This public hearing is held to (1) hear and consider public comment on the proposed annexation, (2) approve the final Engineer's Report, (3) determine whether majority protest exists to the levy and collection of the assessments, and (4) if no majority protest has been filed, then the Council will be asked to adopt a resolution ordering the annexation of the Mariani Business Park into Zone 10 of the LMD and the levy and collection of assessments for fiscal year 2019/2020.

DISCUSSION

On May 21, 2019, the Council adopted a resolution initiating proceedings for the annexation of the Mariani Business Park into the LMD and to order the Engineer's Report, and adopted a resolution declaring the Council's intention to annex the territory to the LMD and to levy and collect annual assessments. The resolution of intention also gave notice of and set a date of June 4, 2019 for a public hearing on the question of the annexation and levy and collection of the proposed assessments, and ordered the City Clerk to mail property owner protest ballots to the property owners regarding the proposed levy of assessments and assessment range formula.

The purpose of this agenda item is to allow the City Council to: (1) hear and consider public comments pertaining to the annexation, (2) approve the final Engineer's Report as presented (Attachment A), (3) determine whether majority protest exists to the annexation and levy and collection of assessments, and (4), if no majority protest has been filed, then adopt a resolution to order the annexation of the Mariani Business Park into the LMD and the levy and collection of assessments within the LMD for Fiscal Year 2019/2020.

STRATEGIC PLAN

This item achieves the goal of the Strategic Plan of Governance from Goal 2 to "ensure continued fiscal sustainability through financial and budgetary stewardship."

FISCAL IMPACT

Fund 271, Zone 10 should see an increase of $5,334 and will see an increase every year according to the method of apportionment established by the LMD.

RECOMMENDATION

At the close of the Public Hearing and tabulation of ballot results, that the Council adopt a resolution, approving the final Engineer's Report and ordering the annexation of Mariani Business Park (APN 250-260-09) into Zone 10 of the Tracy Consolidated Landscape Maintenance District and the levy and collection of assessments for fiscal year 2019/2020

Prepared by: Robin Kloepfer, Management Analyst

Reviewed by: Don Scholl, Public Works Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manger

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENTS

Attachment A – FY 19/20 Engineer's Report

Final Engineer's Report

For

City of Tracy
Consolidated Landscape Maintenance District
Annexation of Assessor's Parcel No. 250-260-090
Into Zone 10

Fiscal Year 2019-20

Submitted To:

City of Tracy, California

Prepared By:

Harris & Associates

May 2019

ENGINEER'S REPORT
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Appendices

A Assessment Diagram

B Assessment Roll

ENGINEER'S REPORT

THE CITY OF TRACY
LANDSCAPE MAINTENANCE DISTRICT
ZONE 10 ANNEXATION (MARIANI CT.)

The undersigned acting on behalf of Harris & Associates, respectfully submits the enclosed Engineer's Report as directed by City Council pursuant to the provisions of Section 4 of Article XIIID of the California Constitution, and provisions of the Landscaping and Lighting Act of 1972, Section 22500 et seq. of the California Streets and Highways Code. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

DATED: May 6, 2019

By: K. Dennis Klingelhofer
Assessment Engineer
R.C.E. No. 50255

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll and Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2019.

Adrianne Richardson, City Clerk
City of Tracy
San Joaquin County, California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Tracy, California, on the _____ day of _____, 2019.

Adrianne Richardson, City Clerk
City of Tracy
San Joaquin County, California

By _____

CITY OF TRACY

FISCAL YEAR 2019-20

ENGINEER'S REPORT

PREPARED PURSUANT TO THE PROVISIONS OF THE
LANDSCAPING AND LIGHTING ACT OF 1972
SECTION 22500 THROUGH 22679
OF THE CALIFORNIA STREETS AND HIGHWAYS CODE,
ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION, AND
THE PROPOSITION 218 OMNIBUS IMPLEMENTATION ACT
(GOVERNMENT CODE SECTION 53750 ET SEQ.)

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, Article XIIID of the California Constitution (Proposition 218), and the Proposition 218 Omnibus Implementation Act and in accordance with the Resolution of Initiation, adopted by the City Council of the City of Tracy, State of California, in connection with the proceedings for:

THE CITY OF TRACY
LANDSCAPE MAINTENANCE DISTRICT
ZONE 10 ANNEXATION (MARIANI CT.)

Hereinafter referred to as the "Annexation Area", I, K. Dennis Klingelhofer, P.E., the authorized representative of Harris & Associates, the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of five (5) parts as follows:

PART A
PLANS AND SPECIFICATIONS

Plans and specifications for the improvements are as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Engineer and are incorporated herein by reference. No changes to the Plans and Specifications of the District are proposed with this Annexation.

PART B
ESTIMATE OF COST

An estimate of the costs of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk and incorporated herein by reference.

PART C
METHOD OF APPORTIONMENT

The method of apportionment of assessments provides a proposed assessment of the net amount of the costs and expenses of the improvements to be assessed upon the several lots and parcels of land within the Annexation Area, in proportion to the estimated benefits to be received by such lots and parcels.

PART D
ASSESSMENT DIAGRAM

The Diagram of the Annexation Area Boundaries showing the exterior boundaries of the Annexation Area and the lines and dimensions of each lot or parcel of land within the Zone. The lines and dimensions of each lot or parcel within the Annexation Area are those lines and dimensions shown on the maps of the Assessor of the County of San Joaquin for the fiscal year to which this Report applies. The Assessor's maps and records are incorporated by reference herein and made part of this Report.

PART E
ASSESSMENT ROLL

An assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Annexation Area.

PART A
Plans and Specifications

The proposed improvements for the Annexation include landscape improvements, (the "Landscape Improvements").

The plans and specifications for the Improvements, showing the general nature, location and the extent of the Improvements, are on file with the City and are by reference herein made a part of this report.

The Improvements are generally described below.

LOCATION OF AREA TO BE ANNEXED

The Annexation Area is generally located north of 11th Street, south of Acacia Street, east of Franklin Avenue and west of MacArthur Drive. At the north end of Mariani Court.

Zone 10 is generally located in the MacArthur Drive area, bounded by I-205 to the north and 11th Street to the south.

DESCRIPTION OF IMPROVEMENTS MAINTAINED AND SERVICED

Zone 10 of the District maintains Arterial Street Landscaping improvements along MacArthur Drive, Pescadero Avenue and Grant Line Road. There are no changes or additional improvements being proposed with this Annexation.

PART B
Estimate of Costs

The estimated pro-rate share of the costs for Maintenance Services within the Annexation are for Fiscal Year 2019-20 are shown in the table below. Section 22569(a) of Landscape and Lighting Act of 1972 (the "1972 Act") provides that estimate of costs includes the total cost for improvements to be made for the year, being the total costs of constructing or installing all proposed improvements and of maintaining and servicing all existing and proposed improvements, including all incidental expenses. This may include an operating reserve which shall not exceed the estimated costs of maintenance and servicing to December 10 of the fiscal year, or whenever the City expects to receive its apportionment of special assessments and tax collections from the County, whichever is later.

The following table shows a summary of the estimated annual costs for the Annexation:

DIRECT COSTS	
Long-Term Cyclical Maintenance	$0
Maintenance Contracts	$1,727
Utilities	$706
Supplies	$531
TOTAL DIRECT COSTS	**$2,963**
ADMINISTRATION COSTS	
Field and Supervisory Personnel	$1,883
LMD Administration	$105
Indirect Costs	$380
County Collection Fee	$3
TOTAL ADMINISTRATION COSTS	**$2,370**
TOTAL DIRECT AND ADMIN COSTS	**$5,334**
Total Balance to Levy	**$5,334**
Total Revenue at Maximum Rate	$5,334
Variance above/(below) Maximum Revenue	$0
DISTRICT STATISTICS	
Total Parcels	1
Total Acres	11.9
Total EDUs	59.5
Proposed Levy per EDU	$89.64
Max Levy per EDU	$89.64
Total Proposed Assessment	**$5,333.58**
Total Maximum Assessment	$5,333.58

PART C
Method of Apportionment of Assessment

The Method of Apportionment outlines the formula by which property that receives special benefit from the improvements and services provided will be assessed annually. The Method of Apportionment for the District and Annexation follows. There are no proposed changes to the Method of Apportionment.

Each parcel within the District is deemed to receive special benefit from the landscaping improvements. Each parcel that has a special benefit conferred upon it as a result of the maintenance and operation of the improvements is identified and the proportionate special benefit derived by each identified parcel is determined in relationship to the entirety of the costs of the maintenance, operation, and servicing of the improvements.

Each parcel is assigned a weighting factor known as an Equivalent Dwelling Unit (EDU) to identify the parcel's proportionate special benefit from the improvements. Each parcel's EDU is calculated based on the parcel's land use, development status and/or size as compared to other parcels that are associated with the improvements. All single- family residential properties are assigned an EDU of 1.00, and all other property types are assigned an EDU proportionate to the special benefits they receive as compared to this single-family residential property. The total EDU's in a Zone is divided into the total amount to be assessed (Balance to Levy) to establish the Levy per EDU (Rate). This Rate is then multiplied by the parcel's individual EDU to establish the parcel's levy amount.

Land Use Classifications

Every parcel within the District is assigned a land use classification based on available parcel information obtained from the County Assessor's Office and City records. To assess benefits equitably, it is necessary to relate the different type of parcel improvements to each other. The Equivalent Dwelling Unit method of assessment apportionment uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Dwelling Unit (EDU). Every other land use is converted to EDU's based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

The EDU method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1972 Act, as the benefit to each parcel from the improvements are apportioned as a function of land use type, size and development.

The Annexation Area consists of one property type; Developed, Non-Residential parcels

Developed Non-Residential. This land use is defined as property developed for non-residential use, including, but not limited to, commercial and industrial properties, offices, churches and not-for-profit institutions and private schools. This land use type is assessed at 5.00 EDU per gross acre. Parcels less than 0.20 acres are assigned a minimum of 1.00 EDU.

Assessment Rate Per EDU

The Assessment Rate Per EDU for the Annexation Area is calculated by dividing the Total Balance to Levy for the Annexation Area by the total EDUs in the Annexation.

The following formulas are used to calculate each property's assessment:

Total Balance to Levy ÷ Total EDUs = Levy per EDU

Levy per EDU x Parcel EDU = Parcel Levy Amount

Assessment Range Formula

The annual landscaping assessment shall be calculated for each parcel annually by multiplying each parcel's number of EDU's by the actual assessment rate for the specific fiscal year. The actual annual assessment rate levied in any fiscal year for the Annexation Area may not exceed the maximum annual assessment rate for such fiscal year without receiving property owner approval for the increase. The actual assessment rate shall be as approved by the City Council, not to exceed the maximum annual assessment rate for such fiscal year, after a noticed public hearing has been conducted, as required by law.

In each year, starting in the first year after the annexation (2019-20), the maximum annual assessment shall be increased in an amount equal to the lesser of: (1) three percent (3.0%), or (2) the annual percentage increase of the Local Consumer Price Index ("CPI") for All Urban Consumers, for the San Francisco-Oakland-Hayward Area. This is the same formula applied to all other parcels in the Zone and District.

Each fiscal year, the City shall identify the percentage difference between the CPI for June and the CPI for the previous June (or similar time period). This percentage difference shall then establish the range of increased assessments allowed based on CPI. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

The actual annual assessment rate and actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum annual assessment rate for that fiscal year without property owner approval via a Proposition 218 compliant increase procedure.

PART D
Annexation Diagram

The boundary diagram for the Annexation Area is included herein as Appendix B, and is part of this report.

The lines and dimensions of each lot or parcel within the Annexation Area are those lines and dimensions shown on the maps of the Assessor of the County of San Joaquin for the fiscal year to which this Report applies. The Assessor's maps and records are incorporated by reference herein and made part of this Report.

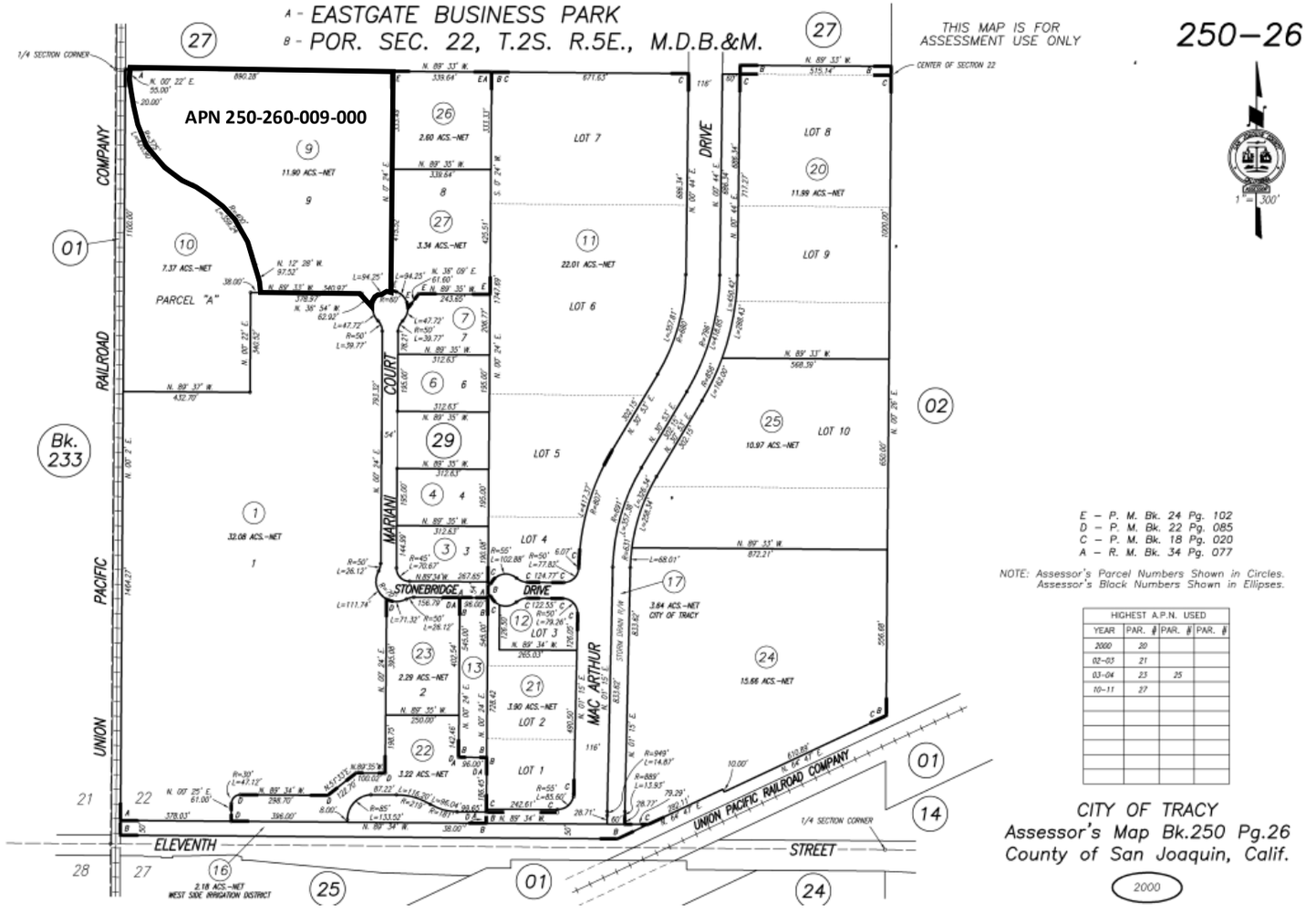
PART E
Assessment Roll

All assessed lots or parcels of real property within the Annexation Area are listed on the Assessment Roll. The Assessment Roll states the net amount to be assessed upon assessable lands within the District for Fiscal Year 2019-20, shows the Fiscal Year 2019-20 assessment upon each lot and parcel, and describes each assessable lot or parcel of land within the Annexation. These lots are more particularly described in the Assessment Roll, which is included in this Report as Appendix A.

The Assessment Roll, Appendix A, shows the current (original) parcel, which will ultimately be subdivided into individual parcel numbers after development. The individual parcels may be assessed based on their development status, parcel type and corresponding EDU.

APPENDIX A

The Annexation Area Diagram is shown on the following page. Also included is a map of the Zone 10 boundaries, including the area proposed to be annexed.



ASSESSMENT DIAGRAM FOR
CITY OF TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT
(ZONE 10 ANNEXATION)

CITY OF TRACY, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

ZONE BOUNDARY ☐

NOTES:
REFERENCE IS HEREBY MADE TO MAPS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF SAN JOAQUIN, FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN, WHICH MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS.

1. FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF TRACY THIS _____ DAY OF _____ _____, 201____.

_____
CITY CLERK

2. RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS ___ DAY OF _____, 201____.

_____
SUPERINTENDENT OF STREETS
CITY OF TRACY

3. AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL OF THE CITY OF TRACY, COUNTY OF SAN JOAQUIN. STATE OF CALIFORNIA, ON THE LOTS, PIECES, AND PARCELS OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM. SAID ASSESSMENT WAS LEVIED ON THE _____ DAY OF _____, 201____. THE ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF THE CITY OF TRACY, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, ON THE ___ DAY OF _____, 201____. REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSEESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

_____
CITY CLERK

4. FILED THIS _____ DAY OF _____ _____, 201____, AT THE HOUR OF _O'CLOCK __M, IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGES _ THROUGH _____, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

_____
COUNTY RECORDER
COUNTY OF SAN JOAQUIN

APPENDIX B
Assessment Roll

City of Tracy
Consolidated Landscape Maintenance District
Zone 10 Annexation (Mariani Ct.)

The Assessment Roll is hereby incorporated and made a part of this Report, as shown below

Reference is made to the San Joaquin County Assessment Roll for a description of the lots or parcels in the Annexation Area.

FY 2019-20 Assessment Roll

ZONE	APN	OWNER	PARCEL TYPE	ACRES	EDU FACTOR	TOTAL EDU'S	2019/20 RATE PER EDU	2019/20 MAXIMUM ASSESSMENT	2019/20 APPLIED ASSESSMENT
10 (Mariani Bus. Park)	250-260-090-000	Scannell Properties #340, LLC	COM	11.90	5.00	59.50	$89.64	$5,333.58	$5,333.58
		TOTALS:		**11.90**		**59.50**		**$5,333.58**	**$5,333.58**

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRACY, CALIFORNIA APPROVING THE ENGINEER'S REPORT AND ORDERING THE ANNEXATION OF MARIANI BUSINESS PARK (APN 250-260-09) INTO ZONE 10 OF THE TRACY CONSOLIDATED LANDSCAPE MAINTENANCE DISTRICT AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2019/2020

WHEREAS, the City Council of the City of Tracy has, by previous Resolutions, initiated proceedings and declared its intention to annex Mariani Business Park (APN 250-260-09) (the "Annexation") into Zone 10 of the Tracy Consolidated Landscape Maintenance District (the "District"), and the levy and collect annual assessments pursuant to the terms of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "1972 Act"), and the provisions of Section 53753 of the California Government Code, and Chapter 1, Article 4 of the Act and the provisions of the California Constitution Article XIIID ("Proposition 218"), and

WHEREAS, at this time all notice and Public Hearing requirements as required by the 1972 Act and Proposition 218 have been met relating to the Annexation and the annual levy and collection of assessments, and

WHEREAS, the City Council has received and reviewed the Engineer's Report (the "Report") regarding the Annexation and is satisfied with the assessments, diagram and all other matters as contained in the Report for final consideration and approval, and

WHEREAS, the City Council has set Tuesday, June 4, 2019, as the time and place for the public hearing on the matter of the proposed Annexation and levy and collection of annual assessments, and

WHEREAS, the assessment ballots were mailed to the property owners within the boundary of the territory proposed to be annexed to the District, and

WHEREAS, the public hearing was held by the City Council at the time and place indicated in the notice of hearing and all ballots received were presented to the City Council, and

WHEREAS, at the time of the close of the public hearing, the ballots were tabulated to determine the existence of a majority protest with all ballots weighted according to the proportional financial obligation of each affected property, and

WHEREAS, the assessments are in compliance with all laws pertaining to the levy of District assessments; said assessments are levied without regard to property valuation and are in compliance with the provisions of Proposition 218;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TRACY AS FOLLOWS:

Section 1. That the foregoing recitals are true and correct.

Section 2. This City Council hereby finds and determines that the procedures for the annexation of territory and levy of assessments therein have been undertaken in accordance with the 1972 Act and Proposition 218.

Section 3. The public hearing has been duly held and, after the tabulation of returned assessment ballots, it has been determined there is no majority protest, as defined in Proposition 218.

Section 4. The City Council hereby approves the Report.

Section 5. The Annexation and diagram(s) for the proceedings, are hereby approved and confirmed.

Based upon the Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding the proposed Annexation:

- The proportionate special benefit derived by each assessed parcel has been determined in relationship to the entirety of the cost of the operations, maintenance and servicing of the improvements.
- The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- Only special benefits have been assessed.

The Annexation into the District, as contained in the Report for Fiscal Year 2019/2020 are hereby confirmed and are levied upon the assessable parcels within the Annexation in the amounts set forth therein.

Section 6. The public interest and convenience requires and this legislative body does hereby order the maintenance work to be performed as said maintenance work is set forth in the Report and as previously declared and set forth in the Resolution of Intention.

Section 7. The above referenced Report shall be filed in the Office of the City Clerk and shall remain open for public inspection.

Section 8. The County Auditor shall enter onto the County Assessment roll, opposite each assessable parcel, the amount assessed thereupon, as shown in the Report.

Section 9. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County Taxes shall apply to the collection and enforcement of the assessments.

Section 10. The assessments as above authorized and levied for these proceedings will provide revenue for District purposes related to the fiscal year commencing July 1, 2019 and ending June 30, 2020.

* *

The foregoing Resolution _____ was passed and adopted by the City Council of the City of Tracy on the 4th day of June, 2019, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 3.B

REQUEST

PUBLIC HEARING OF THE CITY COUNCIL TO CONSIDER ADOPTION OF THE CITY OF TRACY PROPOSED FISCAL YEAR 2019-20 ANNUAL OPERATING, DEBT AND CAPITAL BUDGET

EXECUTIVE SUMMARY

In preparation for the FY 2019-20 annual budget, staff has prepared a proposed budget with the estimated operating, debt and capital revenues and expenditures. The Capital Improvement Project (CIP) budget was presented during a special meeting on April 16, 2019. The FY2019-20 proposed budget totals $228 million from all funding sources. The proposed budget document provides a financial summary of each City fund. Staff is recommending the approval of the proposed annual budget for FY 2019-20 along with the passing of a resolution adopting the Proposed Fiscal Year 2019-20 Annual Operating, Debt and Capital Budget.

DISCUSSION

This budget offers a road map for the City's efforts to successfully deliver vital core services and infrastructure improvements, which can be tied back to the Council's Strategic Priorities.

The City Council's Strategic Priorities:

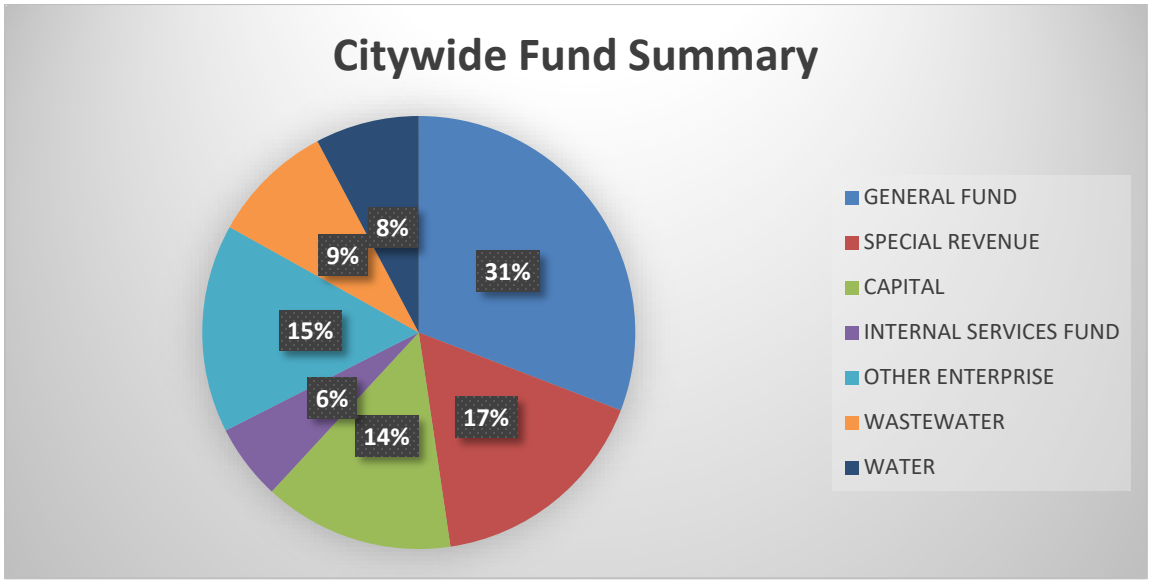
- Economic Development Strategy
    - *To enhance the competiveness of the City while further developing a strong and diverse economic base.*
- Public Safety
    - *To enhance community safety by promoting a responsive public safety system that includes civic engagement and partnerships, community involvement, public education and offering prevention, intervention, and suppression services that meet the needs of Tracy's residents.*
- Quality of Life
    - *To provide an outstanding quality of life by enhancing the City's amenities, business mix and services, and cultivating connections to promote a positive change and progress in our community.*

- Governance
    - *To retain and attract new talent, enhance fiscal sustainability, improve the use of technology, and enhance transparency for the betterment of the Tracy community.*

These four (4) strategic priorities reflect the community's desire to have a fiscally sustainable and efficiently-operated City organization that is committed to maintaining its financial health. Additionally, a number of economic development efforts have been the focus of several years, with job creation being at the forefront. This continues to be a priority for the City, including ensuring a positive working relationship with the business community, so that the City's business attraction efforts result in bringing in targeted industries and retailers. Tracy strives to provide services that promote a safe community to its residents and businesses and remains a high priority to the City Council and City administration.

CITYWIDE SUMMARY

In preparation for the FY 2019-20 annual budget, staff prepared and presented the ten year financial forecast with the estimated revenues and proposed appropriations for the General Fund on February 19, 2019. The consensus following the presented forecast was to proceed with the creation of a status quo proposed budget. The FY 2019-20 expenditure budget totals $228 million including General Fund, Enterprise Funds, Special Revenue Funds, CIP Funds, Repair and Replacement Funds, and Internal Services Funds. The FY 2019-20 citywide revenue budget totals $220 million. The use of entity wide fund reserves of $8 million further enhances the investment in key Capital infrastructure throughout the City. The chart below is a summary of revenues and expenditure categories for each fund type citywide taking into account the direction provided.



SUMMARY OF THE CITYWIDE FINANCIAL PLAN

REVENUES (in thousands)

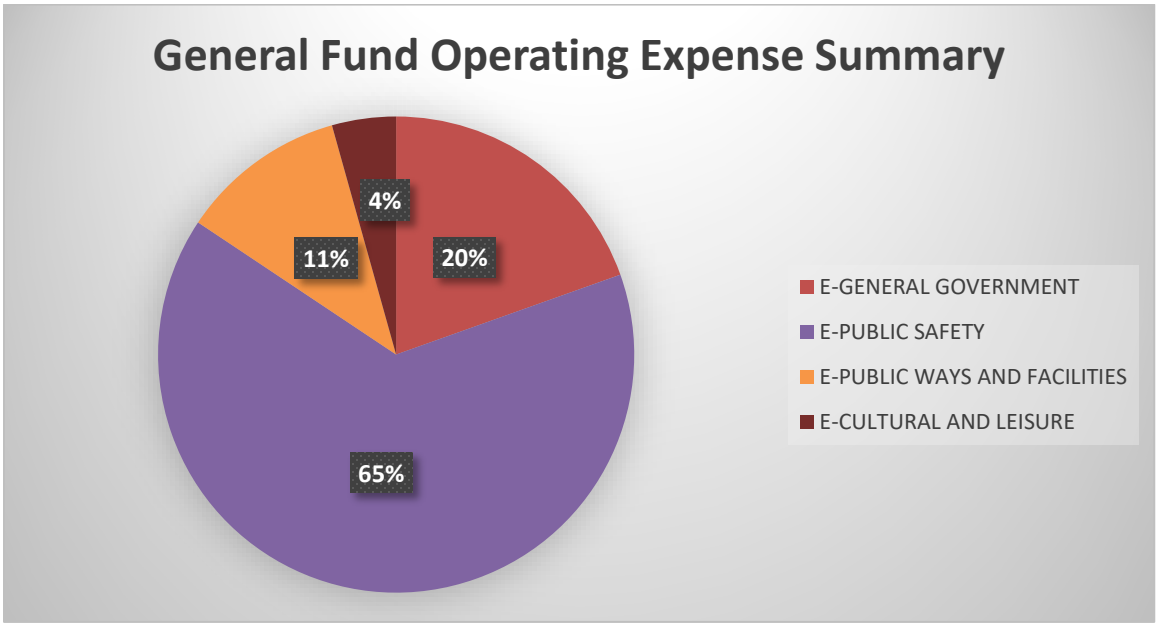
FUND TYPE	FY 17/18 Actuals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
GENERAL FUND	$ 74,805	$ 75,185	$ 79,057	$ 81,447	$ 83,464
DEVELOPMENT SERVICES	8,784	11,825	11,214	11,334	11,437
SOUTH COUNTY FIRE AUTHORITY	10,534	5,022	6,096	6,218	6,342
SPECIAL REVENUE	19,764	19,260	15,284	8,766	8,870
CAPITAL	43,365	34,942	31,711	32,117	32,479
INTERNAL SERVICES FUND	14,141	12,826	13,073	13,324	13,580
AIRPORT	4,037	931	1,731	861	861
TRANSIT	6,582	5,429	7,435	5,778	5,895
SOLID WASTE	21,132	19,955	21,477	19,960	19,961
STORM DRAIN	894	978	993	1,007	1,022
WASTEWATER	17,943	15,696	15,394	12,369	12,379
WATER	24,263	16,810	16,813	16,815	16,817
Grand Total	$ 246,244	$ 218,859	$ 220,278	$ 209,996	$ 213,107

EXPENDITURES (in thousands)

FUND TYPE	FY 17/18 Actuals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
GENERAL FUND	$ 65,883	$ 67,651	$ 70,376	$ 71,783	$ 73,219
DEVELOPMENT SERVICES	11,224	10,882	13,061	13,322	13,589
SOUTH COUNTY FIRE AUTHORITY	8,857	5,022	6,096	6,218	6,342
SPECIAL REVENUE	23,050	14,489	19,160	11,994	12,231
CAPITAL	16,954	16,775	32,430	20,072	20,473
INTERNAL SERVICES FUND	11,267	11,583	12,871	12,486	12,736
AIRPORT	1,140	1,037	1,774	1,025	1,045
TRANSIT	4,614	5,428	7,435	5,778	5,894
SOLID WASTE	20,958	23,167	25,342	25,849	26,366
STORM DRAIN	1,145	895	961	980	1,000
WASTEWATER	13,389	16,677	20,882	13,568	13,839
WATER	14,549	16,861	17,682	16,699	17,093
Grand Total	$ 193,030	$ 190,467	$ 228,070	$ 199,774	$ 203,827
Change in Net Position	**$ 53,214**	**$ 28,392**	**$ (7,792)**	**$ 10,222**	**$ 9,280**

GENERAL FUND SUMMARY

The following provides an overview of estimated revenues and proposed expenditures for the upcoming FY 2019-20 General Fund Annual Budget. The FY 2019-20 General Fund operating budget is approximately $70 million. Public Safety remains the largest portion of the General Fund at nearly $45.5 million and 65% of the total General Fund expenditure budget. The FY 2019-20 General Fund indicates an annual deficit of $3.3 million that will draw down unallocated reserves to zero. Below is the summary of the proposed General Fund operating expenditures by CAFR category.



The table below identifies the General Fund financial plan broken out by CAFR category. The net result of the proposed FY 2019-20 General Fund budget represents expenses greater than revenues with the proposed use of one-time funds to balance the General Fund budget.

Summary of the General Fund Financial Plan

REVENUES (in thousands)

CAFR TYPE	FY 17/18 Acturals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
R-TAXES	$ 55,155	$ 56,997	$ 60,654	$ 62,887	$ 64,795
R-LICENSES AND PERMITS	3,694	3,768	3,843	3,882	3,921
R-FINES AND FORFEITURES	220	466	466	466	466
R-USE OF MONEY AND PROPERTY	673	700	721	735	742
R-CHARGES FOR SERVICES	11,340	11,133	11,216	11,301	11,345
R-INTERGOVERNMENTAL	1,584	1,534	1,565	1,580	1,596
R-SPECIAL ASSESSMENT	421	425	429	434	438
R-CONTRIBUTIONS	143	147	147	147	147
R-OTHER REVENUES	1,574	14	14	14	14
TOTAL REVENUES	$ 74,804	$ 75,184	$ 79,055	$ 81,446	$ 83,464

EXPENDITURES (in thousands)

CAFR TYPE	FY 17/18 Actuals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
E-GENERAL GOVERNMENT	$ 11,662	$ 13,167	$ 13,749	$ 14,024	$ 14,304
E-PUBLIC SAFETY	40,241	42,877	45,564	46,476	47,405
E-PUBLIC WAYS AND FACILITIES	7,222	7,893	7,939	8,098	8,260
E-CULTURAL AND LEISURE	2,683	3,117	3,055	3,116	3,179
E-CAPITAL	661	529	-	-	-
E-DEBT	69	69	69	70	71
TOTAL EXPENDITURES	$ 62,538	$ 67,652	$ 70,376	$ 71,784	$ 73,219

Excess Revenues Over/(Under) Expenditures	$ 12,266	$ 7,532	$ 8,679	$ 9,662	$ 10,245

OTHER FINANCING SOURCES (in thousands)

CAFR TYPE	FY 17/18 Actuals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
R-TRANSFERS IN	$ (1,250)	$ (1,250)	$ -	$ -	$ -
R-TRANSFERS IN (GENFD)	(2,903)	(2,903)	(2,903)	(2,961)	(3,020)
PROCEEDS FROM SALE OF PROPERTY	(1)	-	-	-	-
E-SPECIAL ITEM	3,347	-	-	-	-
E-TRANSFERS OUT	12,618	13,816	12,047	12,047	12,047
E-TRANSFERS OUT (GENFD)	2,903	2,903	2,903	2,961	3,020
TOTAL OTHER FINANCING SOURCES	$ 14,714	$ 12,566	$ 12,047	$ 12,047	$ 12,047

Total Change in Net Position	**$ (2,448)**	**$ (5,034)**	**$ (3,368)**	**$ (2,385)**	**$ (1,802)**

General Fund Reserves

The City Council has an adopted Fund Balance Policy which establishes the procedures for reporting fund balance in the City of Tracy financial statements. Certain commitments and assignments of fund balance will help ensure that there will be adequate financial resources to protect the City against unforeseen circumstances and events such as revenue shortfalls and unanticipated expenditures. The policy also authorizes and directs the Finance Director to prepare financial reports which accurately categorize fund balance as per Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions. This policy took effect for financial reports for fiscal year ending June 30, 2011.

Beginning in FY 2014-2015, the City Council, through budget adoption, approved a minimum fund balance in the General Fund to be equal to 30% of operating revenues; 10% for Economic/Budget Stability Reserves and 20% for Contingency Reserves. These fund balances have been carved out and represented in the table as committed/ restricted.

The projected General Fund budget deficit is proposed to be balanced via the use of salary savings generated from vacancies created throughout the course of the Fiscal Year. These vacancy savings will allow the General Fund budget to have a net result of being balanced with revenue equal to expenses. Staff will continue to monitor both General Fund revenues and expenditures and report to City Council at quarterly budget updates in Fiscal Year 2019-20.

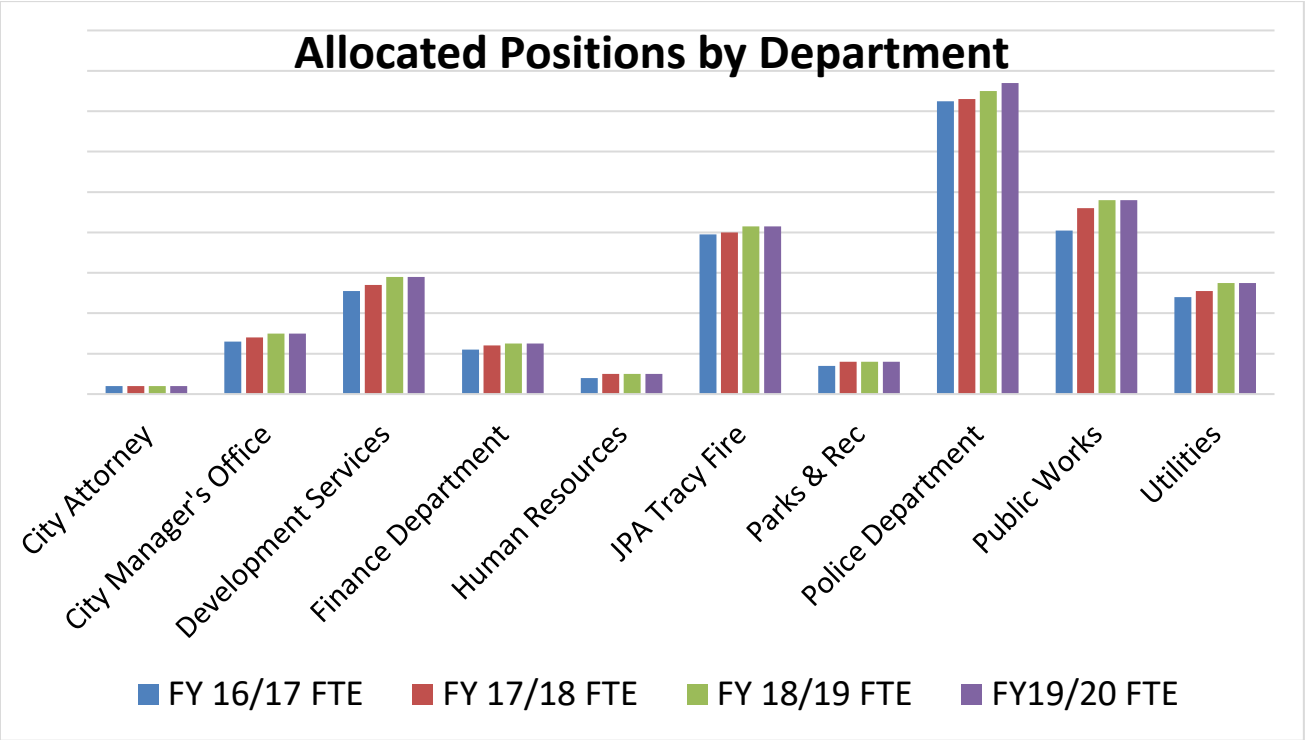
General Fund Estimated Reserves

FY 18/19		FY 19/20	
Revenues	$ 75,184,969	Revenues	$ 79,056,724
Expenditures	(67,650,631)	Expenditures	$ (70,375,746)
Net Transfers In/(Out)	(12,566,079)	Net Transfers In/(Out)	$ (12,047,271)
Net Changes to FY 18/19	$ (5,031,741)	Net Changes to FY 18/19	$ (3,366,293)
Committed/ Restricted	$ 32,091,857	Committed/ Restricted	$ 32,091,857
Reserved for FY 19/20 Budget	$ 1,000,000		
		Vacancy/ Policy Savings	$ (2,175,981)
Uncommitted	$ 190,312	Uncommitted	$ -
Fund Balance FY 18/19	$ 33,282,169	Fund Balance FY 19/20	$ 29,915,876

Position Allocation

Overall, 532 Full Time Equivalent positions are being proposed for FY 2019-20, this represents an 11.1% increase in staffing when compared to FY 2016-17. There have been 54 Full Time Equivalent (FTE) positions added citywide using FY 2016-17 as the

starting point. With every request for staffing, the City evaluates the unmet needs against the fiscal sustainability of funding a new position. Fiscal sustainability is defined as the ability of the City to fund current and future year spending with available resources without threatening the government's ability to remain solvent and to meet its obligations.



To be fiscally sustainable, the City's on-going revenues must fund the on-going costs of its workforce, including potential cost of living negotiations, increased pension and health care costs, and other long-term liabilities associated with employee salaries and benefits. Considerately, we are mindful that the growth in the City's revenues must meet projected costs in the ten-year forecast and beyond. On-going monitoring of the forecast will allow the City to make the appropriate staffing adjustments, as needed.

STRATEGIC PLAN

This item is in accordance with Goal 2 of City Council's Governance Strategy:

- Goal 2: Ensure continued fiscal sustainability through budgetary and financial stewardship.

FISCAL IMPACT

The FY2019-20 proposed budget totals $228 million from all funding sources. The budget document provides a financial summary of each City fund. Departmental goals and objectives are outlined in the Operating Budgets section with the expected funding

required to meet the performance goals. Capital Improvement Projects detail has been provided and include project descriptions and funding sources.

RECOMMENDATION

It is recommended that the Council conduct a public hearing to review and discuss the adoption of the City of Tracy proposed Fiscal Year 2019-20 annual operating, debt and capital budget.

Prepared by: Thomas Hedegard, Budget Officer
Karin Schnaider, Finance Director

Reviewed by: Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

Attachment: Proposed City of Tracy FY 2019-20 Annual Budget - Available at the City Clerk's Office in City Hall and on the City of Tracy Website : https://www.ci.tracy.ca.us/?navid=9924

Annual Budget Presentation

Fiscal Year 2019-20

City of Tracy, CA

Budget Agenda

- Budget Background
- Revenue/ Expenditure Assumptions
- Department's
- Conclusion

Adoption of FY 2019-20 Budget

- The proposed City's FY 2019-20 Operating, Debt and Capital Budget total is $228M of which $70M is in the General Fund net of Interfund Transfers.
  - The financial plan includes a return to pre-recession staffing levels, and includes two of the three 4% compensation increases that were approved to take place through Fiscal Year 2020-21.

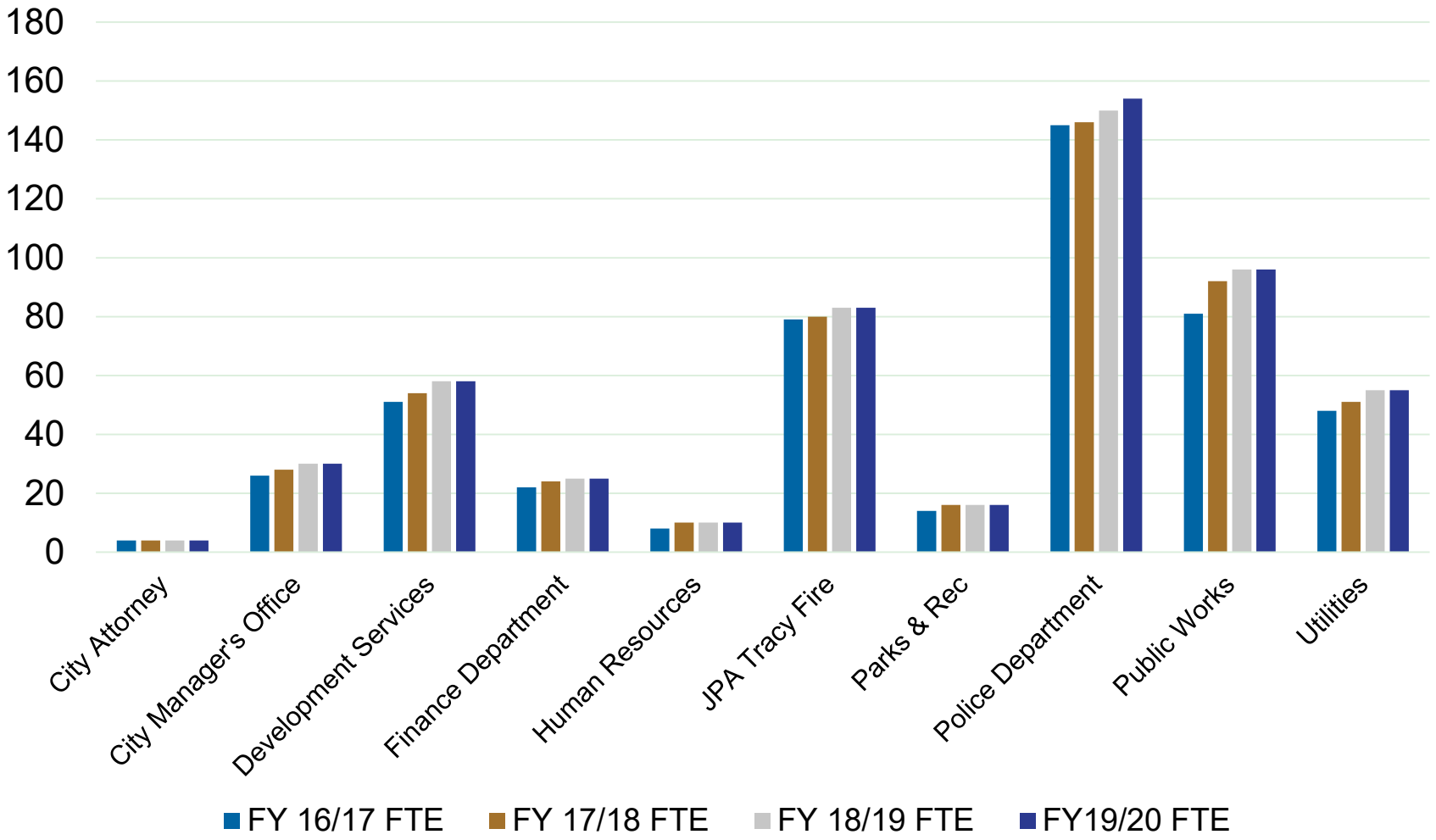
PROPOSED STAFFING:
CITYWIDE FULL TIME EQUIVALENT

TOTAL FULL TIME POSITIONS

Overall, 532 Full Time Equivalent positions are being proposed for FY 2019-20, this represents an 11.1% increase in staffing when compared to FY 2016-17.

- There have been 54 Full Time Equivalent (FTE) positions added citywide using FY 2016-17 as the starting point.
- In the FY 2019-20 budget, only 4 new Police and 1 new Fire department position were added.

Staffing Changes by Department



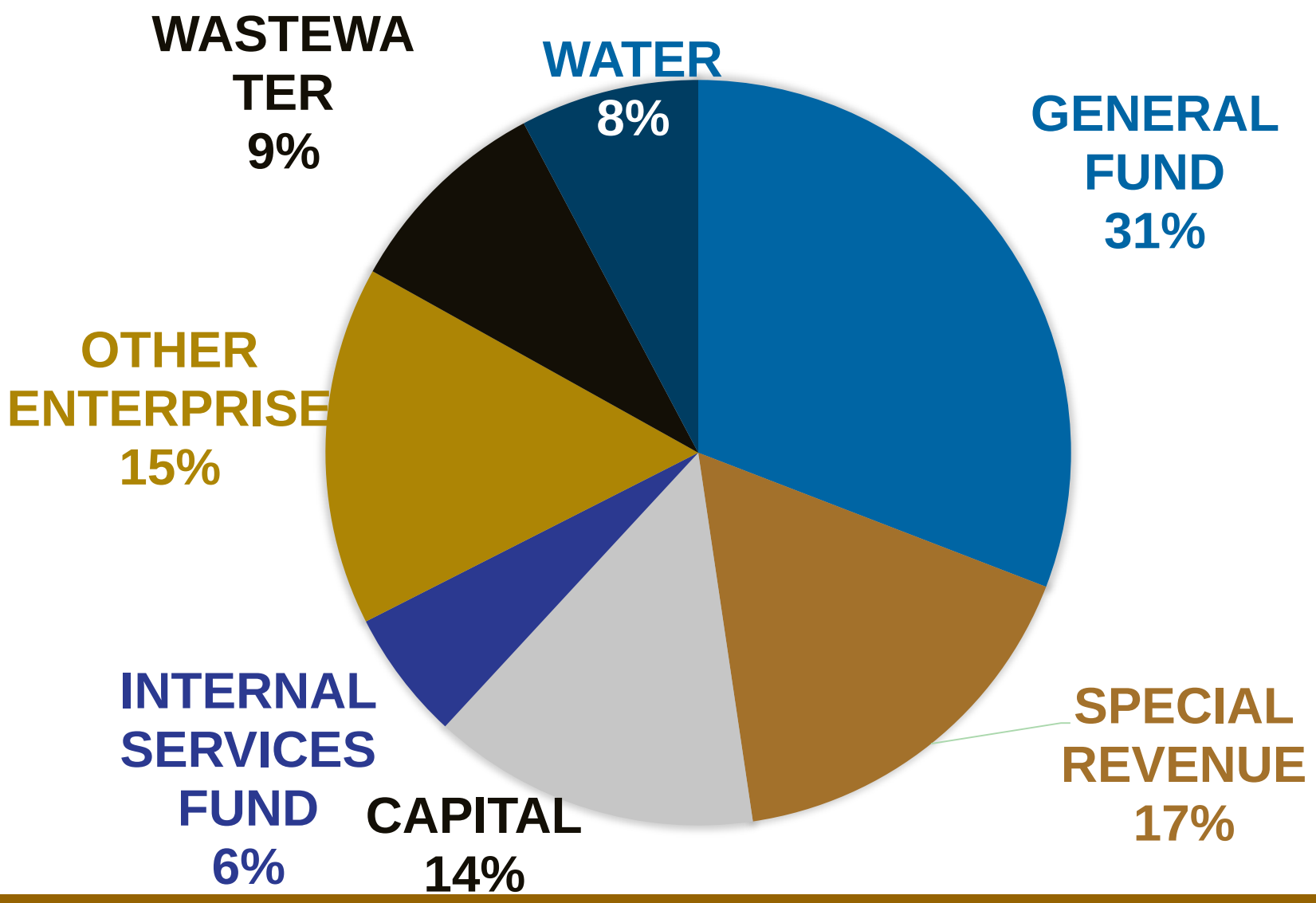
CITYWIDE FINANCIAL PLAN

Citywide Proposed Expenditures

Net of Interfund Transfers (in thousands)

FUND TYPE	FY 19/20 Proposed
GENERAL FUND	$ 70,376
DEVELOPMENT SERVICES	13,061
SOUTH COUNTY FIRE AUTHORITY	6,096
SPECIAL REVENUE	19,160
CAPITAL	32,430
INTERNAL SERVICES FUND	12,871
AIRPORT	1,774
TRANSIT	7,435
SOLID WASTE	25,342
STORM DRAIN	961
WASTEWATER	20,882
WATER	17,682
Grand Total	**$ 228,070**

Citywide Proposed Expenditures



Citywide Financial Plan

Net of Interfund Transfers (in thousands)

SUMMARY OF THE CITYWIDE FINANCIAL PLAN

REVENUES (in thousands)

FUND TYPE	FY 17/18 Actuals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
GENERAL FUND	$ 74,805	$ 75,185	$ 79,057	$ 81,447	$ 83,464
DEVELOPMENT SERVICES	8,784	11,825	11,214	11,334	11,437
SOUTH COUNTY FIRE AUTHORITY	10,534	5,022	6,096	6,218	6,342
SPECIAL REVENUE	19,764	19,260	15,284	8,766	8,870
CAPITAL	43,365	34,942	31,711	32,117	32,479
INTERNAL SERVICES FUND	14,141	12,826	13,073	13,324	13,580
AIRPORT	4,037	931	1,731	861	861
TRANSIT	6,582	5,429	7,435	5,778	5,895
SOLID WASTE	21,132	19,955	21,477	19,960	19,961
STORM DRAIN	894	978	993	1,007	1,022
WASTEWATER	17,943	15,696	15,394	12,369	12,379
WATER	24,263	16,810	16,813	16,815	16,817
Grand Total	$ 246,244	$ 218,859	$ 220,278	$ 209,996	$ 213,107

EXPENDITURES (in thousands)

FUND TYPE	FY 17/18 Actuals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
GENERAL FUND	$ 65,883	$ 67,651	$ 70,376	$ 71,783	$ 73,219
DEVELOPMENT SERVICES	11,224	10,882	13,061	13,322	13,589
SOUTH COUNTY FIRE AUTHORITY	8,857	5,022	6,096	6,218	6,342
SPECIAL REVENUE	23,050	14,489	19,160	11,994	12,231
CAPITAL	16,954	16,775	32,430	20,072	20,473
INTERNAL SERVICES FUND	11,267	11,583	12,871	12,486	12,736
AIRPORT	1,140	1,037	1,774	1,025	1,045
TRANSIT	4,614	5,428	7,435	5,778	5,894
SOLID WASTE	20,958	23,167	25,342	25,849	26,366
STORM DRAIN	1,145	895	961	980	1,000
WASTEWATER	13,389	16,677	20,882	13,568	13,839
WATER	14,549	16,861	17,682	16,699	17,093
Grand Total	$ 193,030	$ 190,467	$ 228,070	$ 199,774	$ 203,827
Change in Net Position	**$ 53,214**	**$ 28,392**	**$ (7,792)**	**$ 10,222**	**$ 9,280**

GENERAL FUND BUDGET

General Fund Financial Plan

SUMMARY OF THE GENERAL FUND FINANCIAL PLAN

REVENUES (in thousands)

CAFR TYPE	FY 17/18 Acturals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
R-TAXES	$ 55,155	$ 56,997	$ 60,654	$ 62,887	$ 64,795
R-LICENSES AND PERMITS	3,694	3,768	3,843	3,882	3,921
R-FINES AND FORFEITURES	220	466	466	466	466
R-USE OF MONEY AND PROPERTY	673	700	721	735	742
R-CHARGES FOR SERVICES	11,340	11,133	11,216	11,301	11,345
R-INTERGOVERNMENTAL	1,584	1,534	1,565	1,580	1,596
R-SPECIAL ASSESSMENT	421	425	429	434	438
R-CONTRIBUTIONS	143	147	147	147	147
R-OTHER REVENUES	1,574	14	14	14	14
TOTAL REVENUES	$ 74,804	$ 75,184	$ 79,055	$ 81,446	$ 83,464

EXPENDITURES (in thousands)

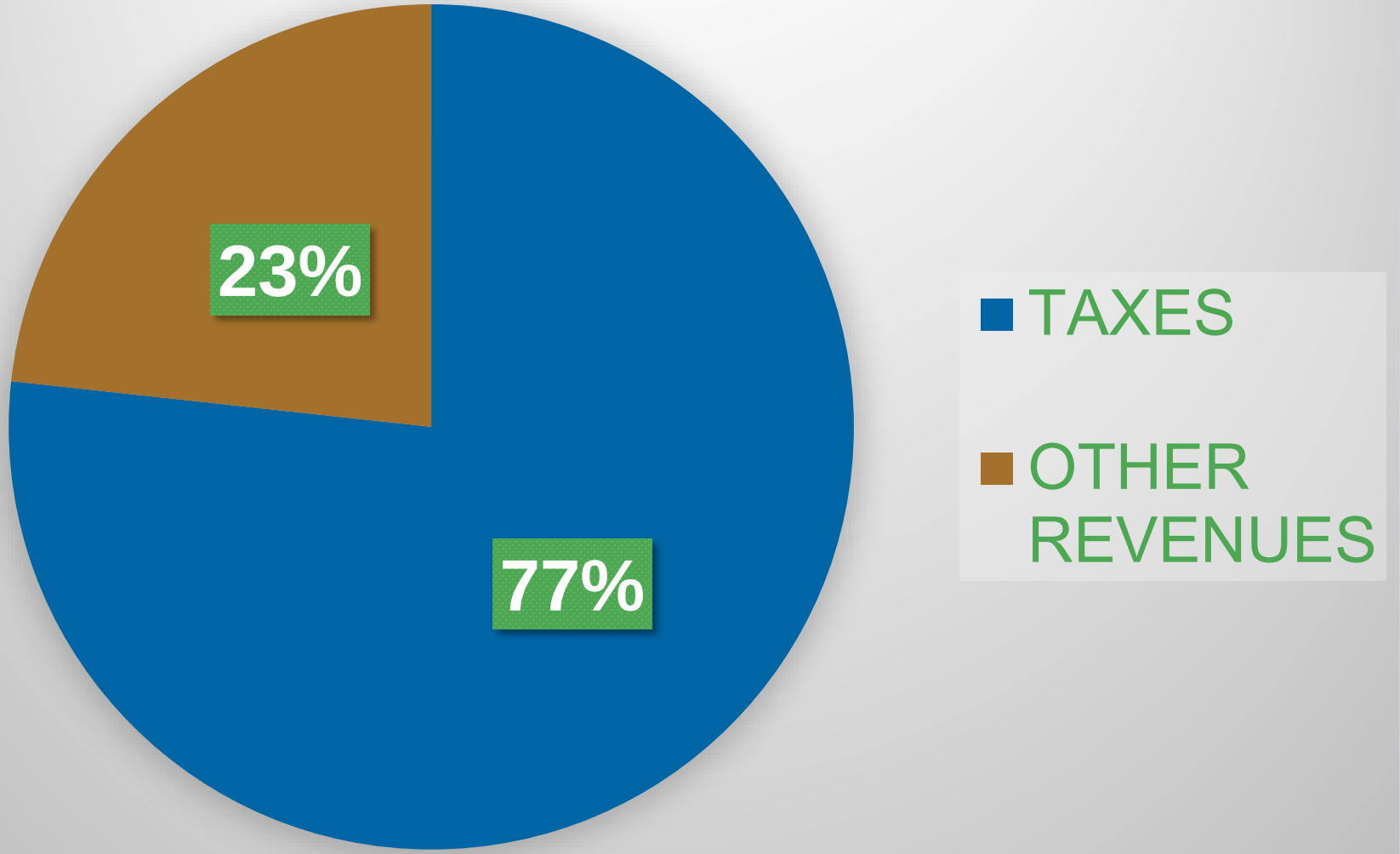
CAFR TYPE	FY 17/18 Actuals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
E-GENERAL GOVERNMENT	$ 11,662	$ 13,167	$ 13,749	$ 14,024	$ 14,304
E-PUBLIC SAFETY	40,241	42,877	45,564	46,476	47,405
E-PUBLIC WAYS AND FACILITIES	7,222	7,893	7,939	8,098	8,260
E-CULTURAL AND LEISURE	2,683	3,117	3,055	3,116	3,179
E-CAPITAL	661	529	-	-	-
E-DEBT	69	69	69	70	71
TOTAL EXPENDITURES	$ 62,538	$ 67,652	$ 70,376	$ 71,784	$ 73,219
Excess Revenues Over/(Under) Expenditures	$ 12,266	$ 7,532	$ 8,679	$ 9,662	$ 10,245

OTHER FINANCING SOURCES (in thousands)

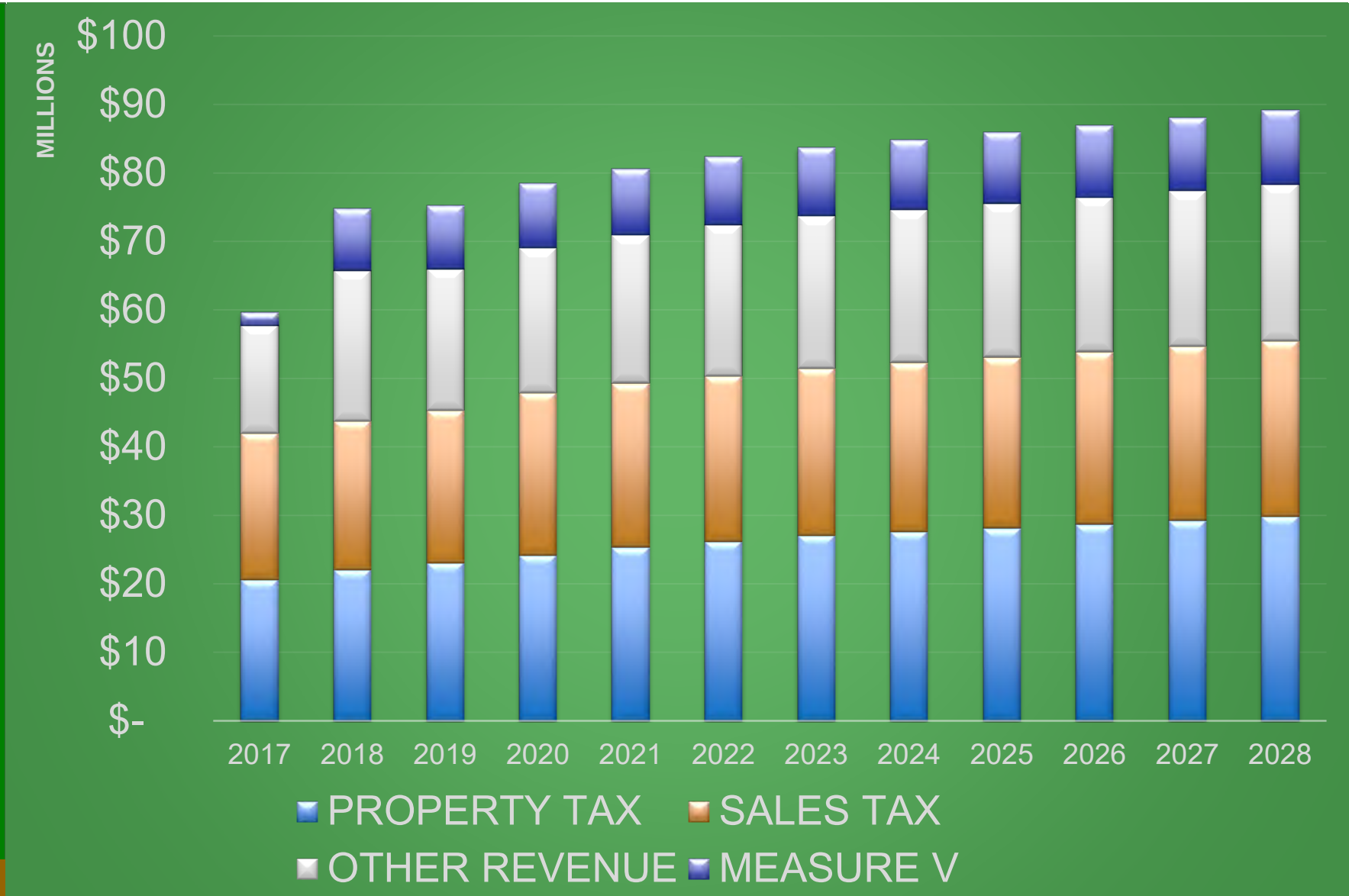
CAFR TYPE	FY 17/18 Actuals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
R-TRANSFERS IN	$ (1,250)	$ (1,250)	$ -	$ -	$ -
R-TRANSFERS IN (GENFD)	(2,903)	(2,903)	(2,903)	(2,961)	(3,020)
PROCEEDS FROM SALE OF PROPERTY	(1)	-	-	-	-
E-SPECIAL ITEM	3,347	-	-	-	-
E-TRANSFERS OUT	12,618	13,816	12,047	12,047	12,047
E-TRANSFERS OUT (GENFD)	2,903	2,903	2,903	2,961	3,020
TOTAL OTHER FINANCING SOURCES	$ 14,714	$ 12,566	$ 12,047	$ 12,047	$ 12,047
Total Change in Net Position	**$ (2,448)**	**$ (5,034)**	**$ (3,368)**	**$ (2,385)**	**$ (1,802)**

General Fund Revenues (in thousands)	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected
R-TAXES	$ 56,997	$ 60,654	$ 62,887
R-LICENSES AND PERMITS	3,768	3,843	3,882
R-FINES AND FORFEITURES	466	466	466
R-USE OF MONEY AND PROPERTY	700	721	735
R-CHARGES FOR SERVICES	11,133	11,216	11,301
R-INTERGOVERNMENTAL	1,534	1,565	1,580
R-SPECIAL ASSESSMENT	425	429	434
R-CONTRIBUTIONS	147	147	147
R-OTHER REVENUES	14	14	14
TOTAL REVENUES	$ 75,184	**$ 79,055**	$ 81,446

FY 19/20 General Fund Proposed Revenues



General Fund
10yr Forecast for Revenue



General Fund Forecasted Revenues

- The City estimates Property Tax will grow 5% annually over the next 3-5 years.

- The City's Sales Tax forecast projects annual growth of 2.3% through FY2022.

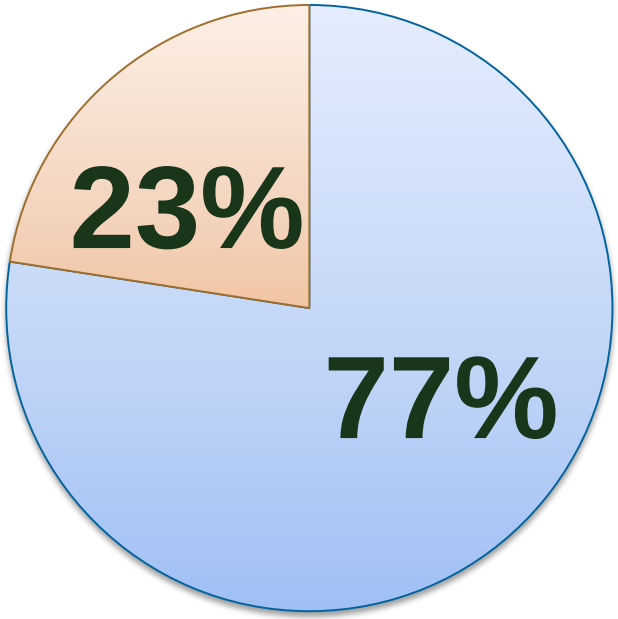
  - However, this is growth is sustained by current residential and commercial growth that may flatten or decline depending on future economic markets.

General Fund Expenditures (in thousands)	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected
E-GENERAL GOVERNMENT	$ 13,167	$ 13,749	$ 14,024
E-PUBLIC SAFETY	42,877	45,564	46,476
E-PUBLIC WAYS AND FACILITIES	7,893	7,939	8,098
E-CULTURAL AND LEISURE	3,117	3,055	3,116
E-CAPITAL	529	-	-
E-DEBT	69	69	70
TOTAL EXPENDITURES	$ 67,652	**$ 70,376**	$ 71,784

General Fund Transfers (In)/Out (in thousands)	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected
R-TRANSFERS IN	$ (1,250)	$ -	$ -
R-TRANSFERS IN (GENFD)	(2,903)	(2,903)	(2,961)
PROCEEDS FROM SALE OF PROPERTY	-	-	-
E-SPECIAL ITEM	-	-	-
E-TRANSFERS OUT	13,816	12,047	12,047
E-TRANSFERS OUT (GENFD)	2,903	2,903	2,961
TOTAL OTHER FINANCING SOURCES	$ 12,566	$ **12,047**	$ 12,047
Total Change in Net Position	**$ (5,034)**	**$ (3,368)**	**$ (2,385)**

Ratio of General Fund Expenditures –FY 2019/20

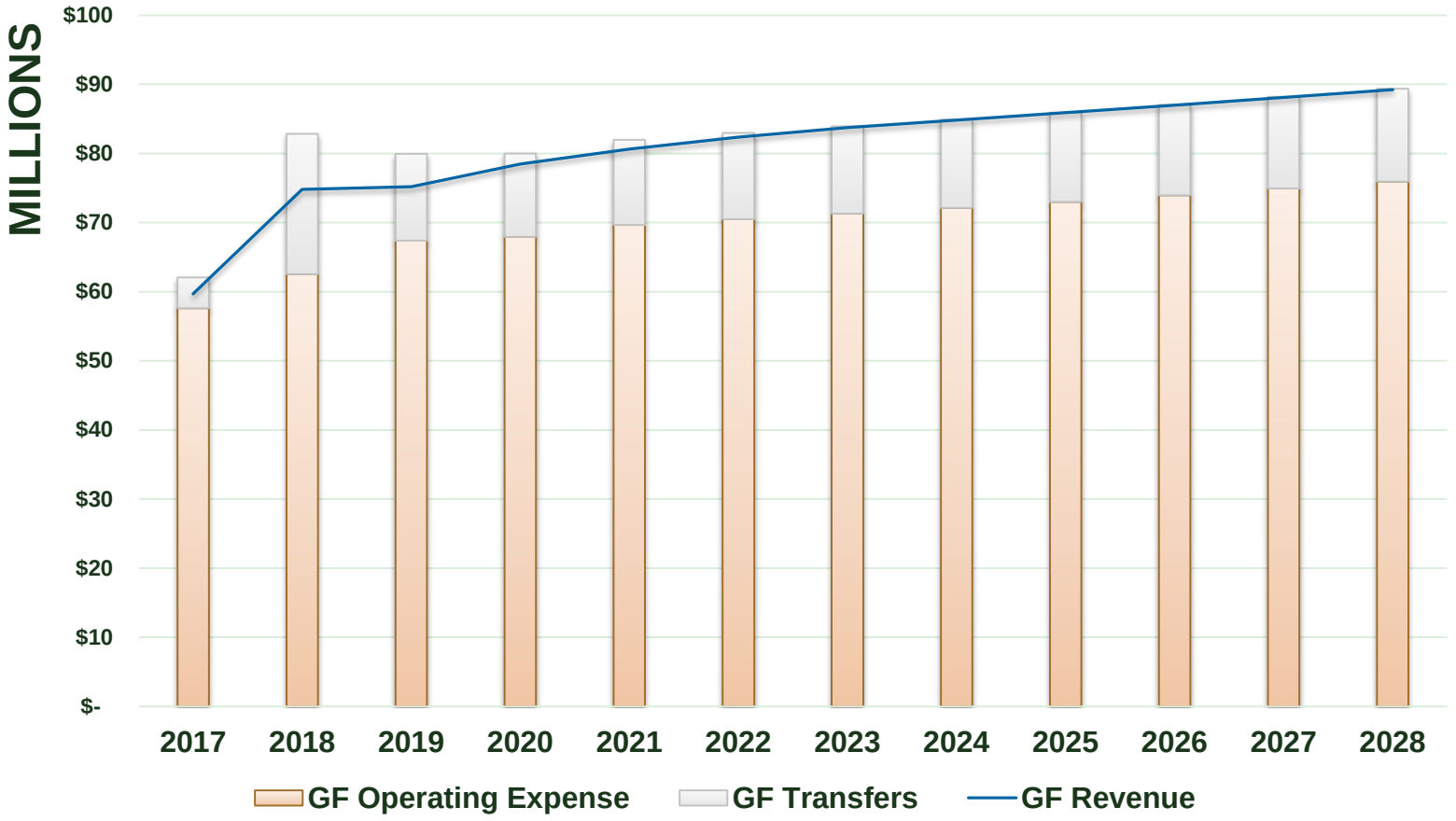
- PERSONNEL
- PURCHASED SERVICES AND SUPPLIES, UTILITIES, DEBT



SUMMARY OF THE GENERAL FUND FINANCIAL PLAN

	FY 17/18 Acturals	FY 18/19 Amended	FY 19/20 Proposed	FY 20/21 Projected	FY 21/22 Projected
REVENUES	$ 74,804	$ 75,184	$ 79,055	$ 81,446	$ 83,464
LESS EXPENDITURES	$ 62,538	$ 67,652	$ 70,376	$ 71,784	$ 73,219
LESS OTHER FINANCING SOURCES	$ 14,714	$ 12,566	$ 12,047	$ 12,047	$ 12,047
Total Change in Net Position	**$ (2,448)**	**$ (5,034)**	**$ (3,368)**	**$ (2,385)**	**$ (1,802)**

General Fund Forecast w/ Measure V



Measure V

Staff will be returning to the City Council on June 18 for a Special Meeting on the use of Measure V.

- For purposes of showing it committed to future amenities, all Measure V funds are reflected in a Transfer Out to the Measure V-Capital Fund and will be reflected there as fund balance until the City Council directs staff to appropriate to a Capital Improvement Project.

General Fund – Fund Balance

FY 17/18		
Committed/ Restricted	$	33,156,049
Reserved for FY 18/19 Budget	$	4,350,000
Uncommitted	$	807,861
Fund Balance FY17/18	$	38,313,910

FY 18/19		
Revenues	$	75,184,969
Expenditures		(67,650,631)
Net Transfers In/(Out)		(12,566,079)
Net Changes to FY 18/19	$	(5,031,741)
Committed/ Restricted	$	32,091,857
Reserved for FY 19/20 Budget	$	1,000,000
Uncommitted	$	190,312
Fund Balance FY 18/19	$	33,282,169

FY 19/20		
Revenues	$	79,056,724
Expenditures	$	(70,375,746)
Net Transfers In/(Out)	$	(12,047,271)
Net Changes to FY 18/19	$	(3,366,293)
Committed/ Restricted	$	32,091,857
Vacancy Savings	$	(2,175,981)
Uncommitted	$	-
Fund Balance FY 19/20	$	29,915,876

Recommendations

Recommendation

- Staff is recommending the approval of the proposed annual budget for FY 2019-20 along with the passing of a resolution adopting the Proposed Fiscal Year 2019-20 Annual Operating, Debt and Capital Budget.

Questions and Direction

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRACY
ADOPTING THE FINANCIAL PLAN FOR FISCAL YEAR 2019-2020

WHEREAS, The City Manager of the City of Tracy is required to prepare a proposed budget for the City Council, and

WHEREAS, The City Manager presented a proposed budget for fiscal year 2019-20 to the City Council on June 4, 2019, for all Municipal Funds, and

WHEREAS, On June 4, 2019 the City Manager proposed the adoption of the Financial Plan along with specific adjustments directed by the City Council and listed in the attached Financial Plan Summaries attached to this resolution and hereby included herein, and

WHEREAS, The City Council has reviewed the employee positions listed in the budget document and has considered authorizing the City Manager to fill those positons not specifically exempted, provided said positions have sufficient appropriations, and

WHEREAS, The City Council has reviewed the level of budgeting control needed by the City Manager to ensure efficiency in managing the operations of the City, including the authorization of budget transfers within a single fund and within given appropriations of said fund, and

WHEREAS, The City's General Fund will have an anticipated 30% reserves, 10% for Economic/Budget Stability Reserves and 20% for Contingency Reserves, during FY 2019-20 as authorized by the City Council's reserve policy;

NOW, THEREFORE, BE IT RESOLVED that the City Council, by resolution, adopt the City of Tracy Financial Plan for Fiscal Year 2019-20.

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

The foregoing Resolution _____ is hereby passed and adopted by the Tracy City Council this 4th day of June 2019, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 3.C

REQUEST

PUBLIC HEARING TO INTRODUCE AN ORDINANCE AMENDING THE TRACY HILLS SPECIFIC PLAN TO ADDRESS MINOR REVISIONS AND CLARIFICATIONS RELATED TO THE IMPLEMENTATION OF PHASE 1A DEVELOPMENT (APPLICATION NUMBER SPA18-0002)

EXECUTIVE SUMMARY

This agenda item involves a Public Hearing to consider introducing an ordinance to amend the Tracy Hills Specific Plan to address minor revisions and clarifications related to the implementation of Phase 1A development.

DISCUSSION

On April 5, 2016, City Council certified an Environmental Impact Report and approved a General Plan Amendment and a comprehensive update to the Tracy Hills Specific Plan. The Tracy Hills Specific Plan consists of approximately 2,732 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580 (Attachment A – Location Map). On April 5, 2016, City Council also approved a Vesting Tentative Subdivision Map for approximately 1,160 single-family residential lots in Phase 1A. The Phase 1A area is currently under construction by Integral Communities, Lennar Homes, Shea Homes, and Meritage Homes.

On October 3, 2018, application number SPA18-0002 was submitted to amend the Tracy Hills Specific Plan to address minor revisions and clarifications related to the implementation of Phase 1A development (Attachment B – Proposed Tracy Hills Specific Plan Amendment).

The proposed amendment involves the following items:

- Minor revisions and clarifications to setbacks
    - Setback from Phillips 66 easement revised from 5 feet to 16.25 feet to be consistent with developer's agreement with Phillips 66.
    - Side swing garages allowed to be setback only 10 feet from the front property line if the garage door does not face a street.
    - AC condenser units allowed to encroach into minimum side yard setback, if at least one side yard maintains the minimum setback.
- Correction to Figure 2-5
    - A portion of the project location boundary needed to be corrected on Figure 2-5 because it had mistakenly included a small portion of land that is not part of the project boundary.
- Figure regarding garage type examples removed because it was not relevant to adjacent text.

- Note added to clarify that the minimum standards for housing variation shall be achieved by reviewing the mix of house designs across an entire tentative subdivision map area.
- Revised description of the intent of architectural character and styles to clarify the room for flexibility.
- A couple notes added regarding compliance with Building Code standards.
- Master plan fence heights revised by 12" or less, depending on the specific fence type.
- Figures and text updated to show park names for Phase 1A, which include Tracy Hills Park, Starcross Park, and Greymont Park.
- Figures updated to remove medians adjacent to angled parking spaces along the perimeter of the parks to allow for more park area.
- Details added regarding banners for the street light poles along Tracy Hills Drive.
- Note added to state that the tree species list will be superseded if the City adopts an Urban Forestry Management Plan with an updated tree list.
- Note added to state that utility boxes and vaults may be located in street parkways. This would only be done in special cases where house setbacks or other lot constraints do not provide the required franchise utility clearances.

In general, amendments to Specific Plans are common as development occurs and implementation details become clearer. In the case of Tracy Hills, a series of additional Specific Plan Amendments will likely be submitted within the coming months as development plans for future phases are proposed.

Planning Commission Discussion

The Planning Commission held a public hearing to consider this matter on April 24, 2019 and recommended that the City Council approve an amendment to the Tracy Hills Specific Plan to address minor revisions and clarifications related to the implementation of Phase 1A development.

Environmental Document

The proposed amendment to the Ellis Specific Plan 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 assessment is required.

STRATEGIC PLAN

This agenda item is not related to the City Council's Strategic Plans.

FISCAL IMPACT

The City's costs for processing this development application were funded by the applicant's payment of the City's established fees.

RECOMMENDATION

Staff and the Planning Commission recommend that the City Council introduce and waive the full reading of an ordinance amending the Tracy Hills Specific Plan to address minor revisions and clarifications related to the implementation of Phase 1A development (Application Number SPA18-0002) as described herein.

Prepared by: Scott Claar, Senior Planner

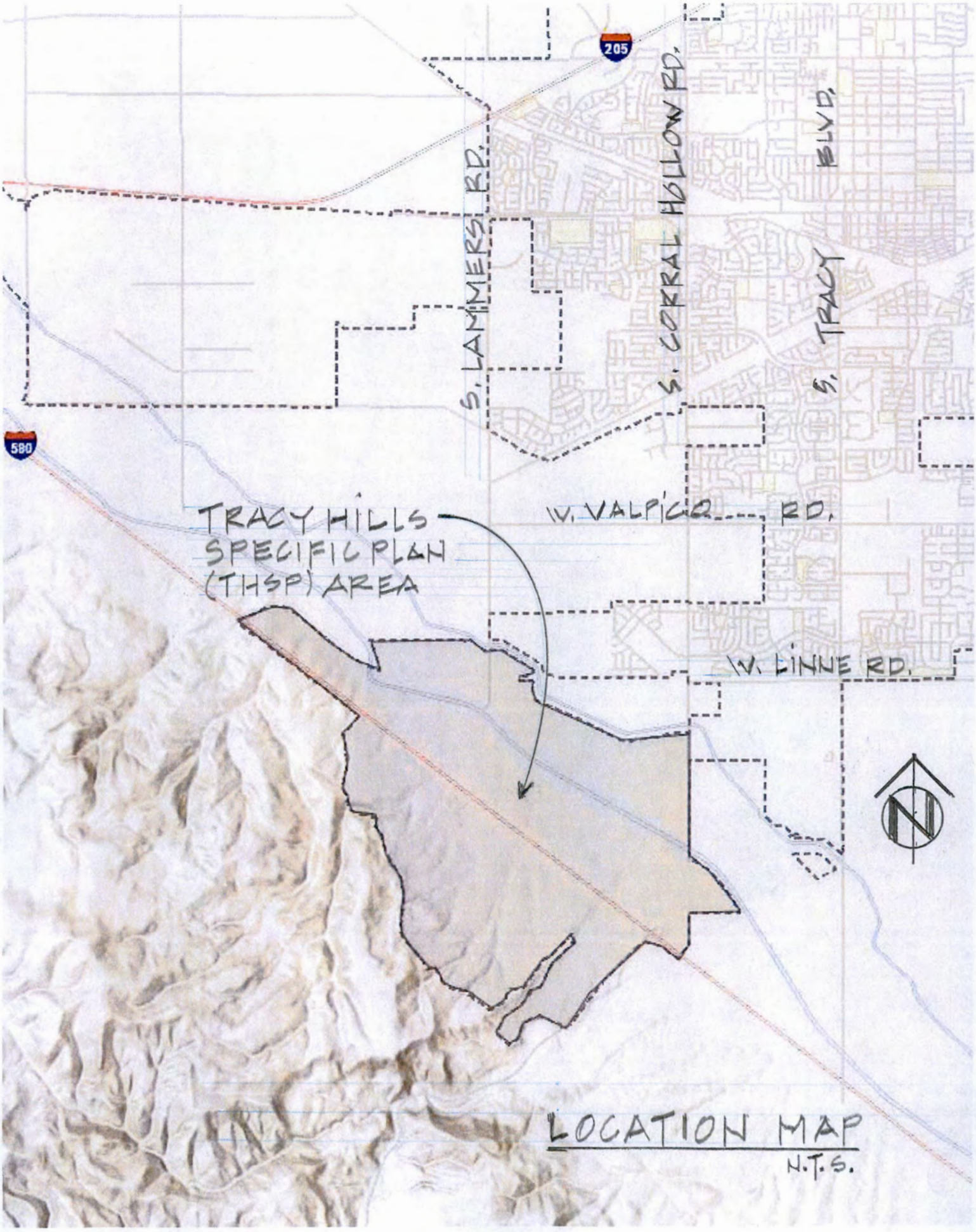
Reviewed by: Bill Dean, Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENTS

Attachment A – Location Map
Attachment B – Proposed Tracy Hills Specific Plan Amendment

Attachment A



LOCATION MAP
N.T.S.

Attachment B

Tracy Hills Specific Plan

Approved April 5, 2016
Tracy City Council Resolution 2016-063
DRAFT Amendment April 16, 2019

2.1.3 Development Standards for RE-TH, LDR-TH, MDR-TH, and HDR-TH

TABLE 2-3
DEVELOPMENT STANDARDS - RESIDENTIAL ZONING DISTRICTS

Development Standard	RE-TH	LDR-TH	MDR-TH	HDR-TH
Allowable Density Range	0.5 to 2.0 DU/AC	2.1 to 5.8 DU/AC	5.9 to 12.0 DU/AC	12.1 to 25.0 DU/AC
Maximum Lot Coverage(8)	45%	45%	45%	45%
Minimum Lot Size	15,000 s.f.	3,900 s.f.	3,500 s.f.	(1)
Minimum Lot Width	45' minimum at street frontage	45' minimum at street frontage	45' minimum at street frontage	(1)
Minimum Front Yard Setback(2)(3)(4)	30 feet	10 feet	10 feet	15 feet
Minimum Front Yard Setback(2)(3)(4) Garage	30 feet	20 feet(10)	20 feet(10)	
Minimum Side Yard Setback(2)(3)(6)(9)	10 feet	5 feet	5 feet	15 feet, street side; 10 feet interior side
Minimum Rear Yard Setback(2)(3)	30 feet	10 feet	10 feet	10 feet
Maximum Building Height(7)	35 feet	35 feet	35 feet	35 feet

(1) To be determined upon approval of the Tentative Subdivision Map: The developer shall demonstrate that every lot has size and dimensions capable of meeting the land use, public utilities, and development standards of this Specific Plan.

(2) Any building / structure shall maintain minimum setbacks from the following pipelines:
(refer to figure 1-4, Existing Conditions, for general location of pipeline easements)

- Phillips 66: minimum 16.25~~5~~ feet from the edge of the pipeline easement
- Shell: minimum 10 feet from the edge of the pipeline easement
- PG&E and Chevron: minimum 15 feet from the edge of northeast side the pipeline easement and minimum 20 feet from the edge of the southwest side of the pipeline easement.

(3) All setbacks measured from property line.

(4) There shall be no parking in the front yard between the house and the public right-of-way, except in the driveway.

(5) For rear yard, minimum setback is 5 feet for detached garage.

(6) For all corner lots, the minimum street side yard setback is 10 feet.

(7) Detached accessory structures that encroach into the rear or side yard setbacks shall have a maximum height of 10 feet.

(8) Maximum Lot Coverate up to 55% shall be permitted for single story elevation.

(9) AC condenser units may encroach into the minimum side yard setback. At least one side yard of the lot shall maintain the minimum setback.

(10) The minimum front yard setback to a side swing garage is 10 feet, if the garage door does not face a street.

2.2 GENERAL HIGHWAY COMMERCIAL ZONING DISTRICT

2.2.1 Purpose

The purpose of the General Highway Commercial (GHC-TH) Zone is to provide a mix of retail and services for local residents and travelers.

2.2.2 Permitted and Conditionally Permitted Uses Within GHC-TH

Table 2-1, Permitted and Conditionally Permitted Uses, indicates uses permitted within the General Highway Commercial zoning district of the Tracy Hills Specific Plan. The table also lists conditional uses that are subject to the granting of a Conditional Use Permit.

2.2.3 Development Standards for GHC-TH

Development Standards shall be in accordance with the Tracy Municipal Code Chapter 10.08, Zoning Regulations, Article 19, General Highway Commercial Zone (GHC), except as modified within this Specific Plan.

TABLE 2-4
DEVELOPMENT STANDARDS – GENERAL HIGHWAY COMMERCIAL ZONING DISTRICT

Development Standard	General Highway Commercial Zoning District
Maximum Lot Coverage	No Requirement
Minimum Lot Size	(1)
Minimum Lot Width	(1)
Minimum Front Yard Setback(2)	No Requirement
Minimum Interior Side Yard Setback (2)(3)	No Requirement
Minimum Street Side Yard Setback(2)	No Requirement
Minimum Rear Yard Setback (2)(3)	No Requirement
Maximum Building Height	45 feet

(1) No subdivision or lot line adjustment shall be approved or lots otherwise created with size or dimensions rendering it incapable of meeting the land use, public utilities, or development standards of this Specific Plan.

(2) Any building / structure shall maintain minimum setbacks from the following pipelines:
(refer to figure 1-4, Existing Conditions, for general location of pipeline easements)

- Phillips 66: minimum 16.25~~5~~ feet from the edge of the pipeline easement
- Shell: minimum 10 feet from the edge of the pipeline easement
- PG&E and Chevron: minimum 15 feet from the edge of northeast side the pipeline easement and minimum 20 feet from the edge of the southwest side of the pipeline easement.

(3) No Requirement, except when adjacent to a residential zoning district, in which case 15 feet shall be required. Such yards shall be increased by 4 feet for every story above the ground floor or 10 feet in height above 25 feet, whichever is less.

TABLE 2-5
DEVELOPMENT STANDARDS – MIXED USE BUSINESS PARK ZONING DISTRICT

Development Standard	Mixed Use Business Park Zoning District
Maximum Lot Coverage	No Requirement
Minimum Lot Size	(1)
Minimum Lot Width	(1)
Minimum Front Yard Setback(2)	No Requirement
Minimum Interior Side Yard Setback (2)(3)	No Requirement
Minimum Street Side Yard Setback(2)	No Requirement
Minimum Rear Yard Setback (2)(3)	No Requirement
Maximum Building Height(4)	45 feet

(1) No subdivision or lot line adjustment shall be approved or lots otherwise created with size or dimensions rendering it incapable of meeting the land use, public utilities, or development standards of this Specific Plan.

(2) Any building / structure shall maintain minimum setbacks from the following pipelines:
(refer to figure 1-4, Existing Conditions, for general location of pipeline easements)

- Phillips 66: minimum 16.25~~5~~ feet from the edge of the pipeline easement
- Shell: minimum 10 feet from the edge of the pipeline easement
- PG&E and Chevron: minimum 15 feet from the edge of northeast side the pipeline easement and minimum 20 feet from the edge of the southwest side of the pipeline easement.

(3) No Requirement, except when adjacent to a residential Zoning District, in which case 15 feet shall be required. Such yards shall be increased by 4 feet for every story above the ground floor or 10 feet in height above 25 feet, whichever is less.

(4) The Community Gateway Icon, which is conceptually described and depicted in Section 3.4.5, Community Monumentation, shall have a maximum height of 50 feet.

2.4 LIGHT INDUSTRIAL ZONING DISTRICT

2.4.1 Purpose

The Light Industrial (M1-TH) zoning district allows for manufacturing and other industrial facilities.

2.4.2 Permitted and Conditionally Permitted Uses Within M1-TH

Table 2-1, Permitted and Conditionally Permitted Uses, indicates uses permitted within the Light Industrial zoning district of the Tracy Hills Specific Plan. The table also lists conditional uses that are subject to the granting of a Conditional Use Permit.

2.4.3 Development Standards for M1-TH

Development Standards shall be in accordance with the Tracy Municipal Code Chapter 10.08, Zoning Regulations, Article 20, Light Industrial Zone (M-1), except as specified herein.

TABLE 2-6
DEVELOPMENT STANDARDS - LIGHT INDUSTRIAL ZONING DISTRICT

Development Standard	Light Industrial Zoning District
Maximum Lot Coverage	No Requirement
Minimum Lot Size	(1)
Minimum Lot Width	(1)
Minimum Front Yard Setback (2)	No Requirement
Minimum Interior Side Yard Setback (2)(3)	No Requirement
Minimum Street Side Yard Setback (2)	No Requirement
Minimum Rear Yard Setback (2)(3)	No Requirement
Maximum Building Height	45 feet

(1) No subdivision or lot line adjustment shall be approved or lots otherwise created with size or dimensions rendering it incapable of meeting the land use, public utilities, or development standards of this Specific Plan.

(2) Any building / structure shall maintain minimum setbacks from the following pipelines:
(refer to figure 1-4, Existing Conditions, for general location of pipeline easements)

- Phillips 66: minimum 16.25~~5~~ feet from the edge of the pipeline easement
- Shell: minimum 10 feet from the edge of the pipeline easement
- PG&E and Chevron: minimum 15 feet from the edge of northeast side the pipeline easement and minimum 20 feet from the edge of the southwest side of the pipeline easement.

(3) No Requirement, except when adjacent to a residential zone, in which case 15 feet shall be required. Such yards shall be increased by 4 feet for every story above the ground floor, or 10 feet in height above 25 feet, whichever is less.

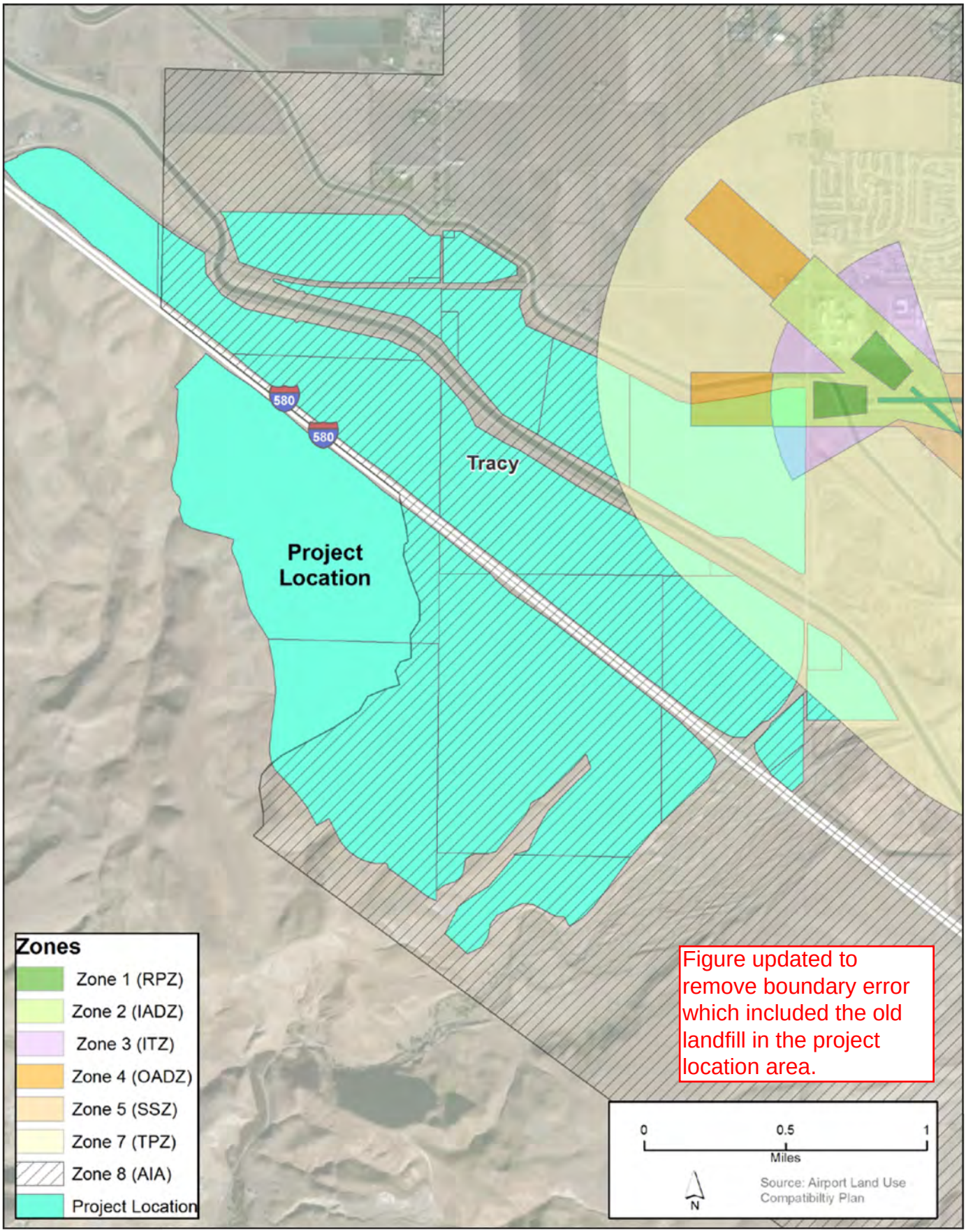


Figure 2-5

Tracy Municipal Airport Land Use Compatibility Zones

Figure Removed

Garages are setback and designed to complement overall design.

Variation in garage locations provides interest in the streetscape.

2. Garages

- Within a neighborhood (defined as up to 200 dwelling units) there shall be a minimum of three garage door designs provided to avoid monotony along the streetscape. Each garage door design shall be used in at least 25% of the neighborhood.
- To minimize building bulk and the focus on vehicular elements, a maximum of two car garage bays shall front to the street.
- Garages shall be designed so they are not the primary focus in the streetscape and will be complementary to the rest of the home.
- Driveways shall have a maximum width of 18’ (measured at property line) so that it will not negatively impact the streetscape and walkability of the neighborhood.

Diversity of floor plans provides interest to the streetscape.

Different elevations along the streetscape make for a more interesting experience.

A successful combination of different building plans and elevations offer each home an individuality that harmonizes with other homes at the neighborhood scale.

3.2.3 Variation

Diversity and variation in building plans and elevations is important in the development and maintenance of an overall neighborhood character and the creation of place. Successfully executed, diversity and variation of buildings offers a neighborhood a distinct yet cohesive built pattern that can extend to the larger community fabric.

The variation requirements below help to promote a visually interesting and balanced streetscape that can expand on and integrate into the larger context.

1. Plans and Elevations

- Refer to building plans and elevation requirements in the Residential Design section of The City of Tracy Design Goals and Standards regarding a minimum mix of floor plans and elevations. The minimum standards for housing variation shall be achieved and calculated by reviewing the mix of house designs across an entire tentative subdivision map area.
- In addition to the variation requirements of The City of Tracy Design Goals and Standards, in general, the following shall apply:
  - » Maximum of three houses of the same style may be located next to each other.
  - » Elevations may be repeated on the same block or facing each other on the other side of the street only if they contain a different materials and color palette.
  - » No two houses of the same elevation and floor plan shall be next to each other.

3.2.4 Architectural Character and Styles

Drawing from its Californian and agrarian roots, Tracy Hill's architecture will reflect architectural vernaculars native to California, and styles that have emerged from European-inspired aesthetics, while respecting the history of the City of Tracy, California and its heritage.

Derived from architectural vernaculars inherent to California, Tracy Hills has distilled specific architectural styles from Arts and Crafts, Colonial, Farmhouse, European-agrarian, Mediterranean, and Spanish aesthetics to express the eclectic beauty of its surrounding influences. Within these overarching vernaculars, any of their inspired styles and interpretations thereof are allowable for the community of Tracy Hills, provided that they maintain the essential characteristics of their parent vernacular and meet the community's standard for high-quality design.

The specified style character palette of Tracy Hills includes Country European, Colonial, Early California, Victorian Revival, Western Farmhouse, Craftsman Bungalow, and Mediterranean Revival, as these styles most embody the surrounding architecture and its locale. Each of these specified styles embodies one of the parent vernaculars, its intrinsic character and essential elements. However, while the styles specified for the character palette provide the typical characteristics and imagery to guide design and to aid overall direction, they are intended to be descriptive, rather than prescriptive, or limiting to the design process. Additionally, modern and contemporary interpretations of the Tracy Hills' character palette and parent vernaculars are encouraged, to allow the community to reflect the tastes of today and offer flexibility to evolve with those of tomorrow.

Altogether, with its diverse and dynamic character palette and parent vernaculars, the architecture of Tracy Hills will provide the community with an aesthetic that truly reflects its land and unique architectural heritage.

Former Tracy High School- Mediterranean Revival

Historic Tracy Homes- Victorian Revival

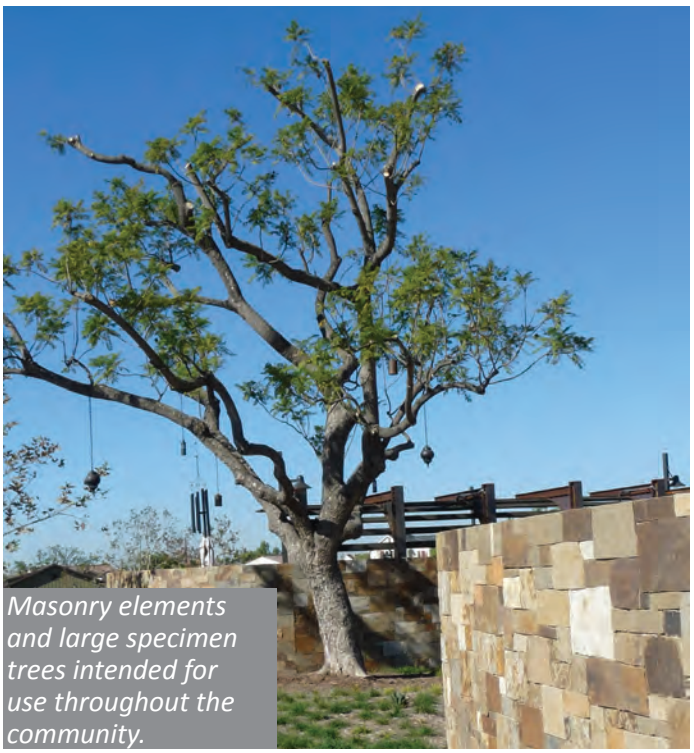
Tracy Historical Museum- Early California

First Presbyterian Church- Early California

Masonry and focal element feature that can be designed within the community at parks and Welcome Home Center.

Several identifying design and landscape elements will be incorporated throughout the community at parks, passive open space areas, neighborhood entries, the Welcome Home Center, and commercial areas, and will generally include:

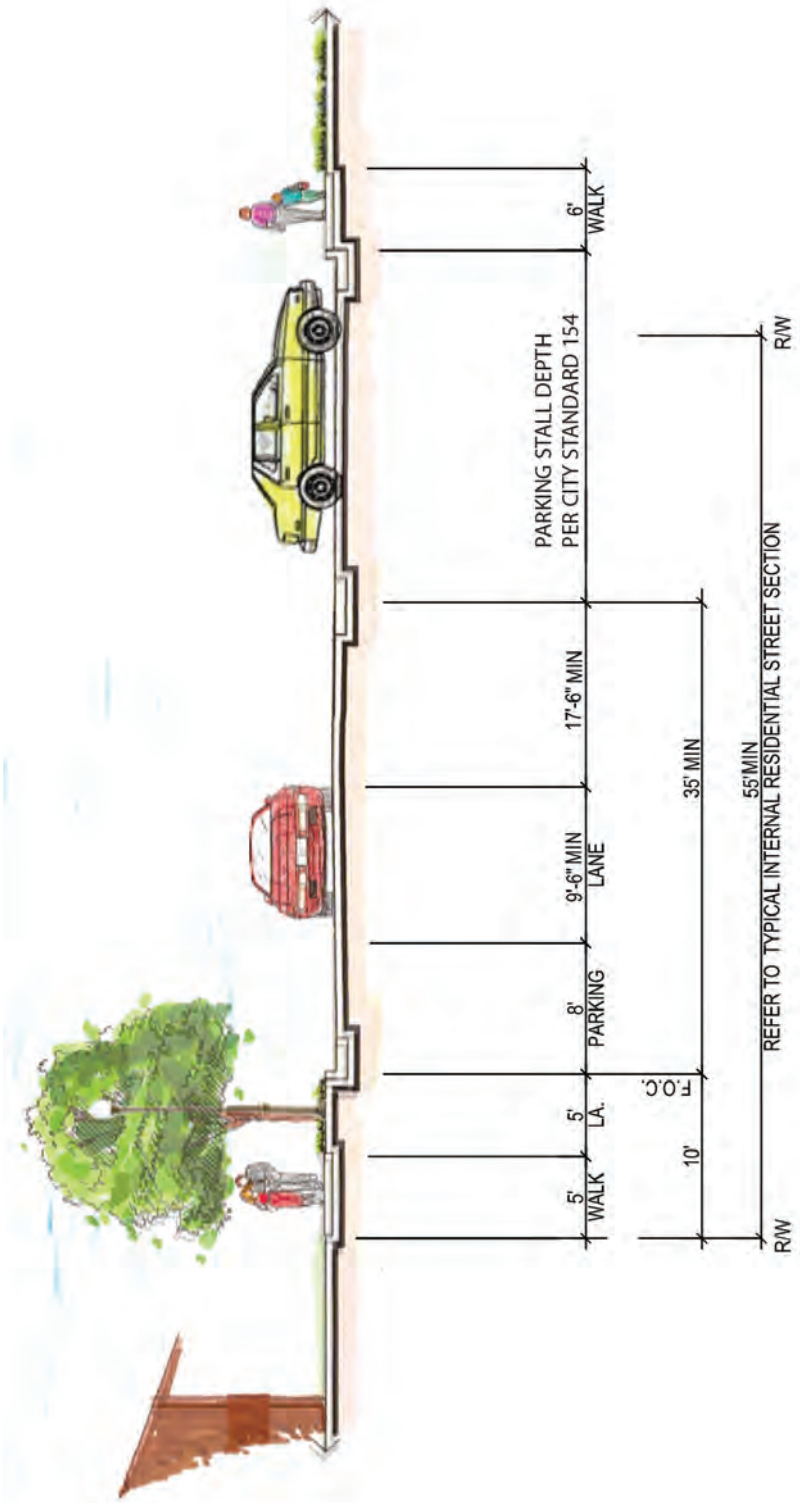
- Timeless stone and corten steel look/ finish for monumentation, wayfinding, and accessory structures.
- Natural landscaped areas blended with manicured landscaping.
- Low water, drought tolerant and native tree and shrub materials, such as California Sycamores and Oaks.
- Natural materials such as stone and wood.
- Varied paving materials, including stone, concrete, wood, decomposed granite, and concrete pavers. (Path of travel shall meet the requirements of California Building Code (CBC) 11B Division 4 for accessible routes)



Masonry elements and large specimen trees intended for use throughout the community.

Park structures depicting the design intent for the community.

Similar focal elements intended for the community parks and public gathering spaces.



RESIDENTIAL STREET ADJACENT TO PARK

SECTION 4b

Figure 3-12

Note added

Parking Stall Note: The measurement of a parking stall will include the full length as measured at the angle of the parking space as per CBC 11B-502.2. Parking spaces and access aisles shall not exceed a slope of 1:48 as per CBC 11B-502.4.

3.4.7 Edge Conditions/Easements

One hundred foot wide conservation easements are recorded within the Specific Plan along most of both sides of I-580 and the south side of the California Aqueduct, totaling approximately 120 acres. These easements were dedicated to San Joaquin Council of Governments in 2012. The purpose of these conservations easements is to provide permanent wildlife habitat. These conservation easements will be owned and maintained by the project's HOA and zoned Tracy Hills Conservation (C-TH). No development within these areas will be allowed except for installation of landscape materials, irrigation, and protective fencing. Signs will be attached to the fencing advising the public to "stay out of the conservation easement areas."

1. Conservation Easement - Interstate 580

Residential development will interface with the I-580 conservation easement and a landscape buffer zone. An 8' high sound wall is planned at portions of the residential development boundary for sound attenuation from the nearby Interstate 580 Freeway. (Refer to Wall and Fence Section 3.4.11, for identification of those specific locations). The sound wall will be screened from the Interstate by groupings of evergreen and deciduous trees. The buffer zone between the sound wall and the conservation easement will include a 10' wide maintenance access road, a drainage swale, and landscape area. A 4'-7" high, easement barrier fence on the property line in between the conservation easement and the Tracy Hills development is proposed. The fence will act as a barrier between the conservation easement and the buffer zone with the intent to keep wildlife out of the community, keep larger domestic animals from entering the conservation easement and will serve as a barrier to people in the interest of public safety and integrity of the easement for wildlife.

2. Conservation Easement - California Aqueduct

The California Aqueduct Conservation Easement will have the existing native landscape "protected-in-place" and no additional landscape or irrigation improvements are proposed.

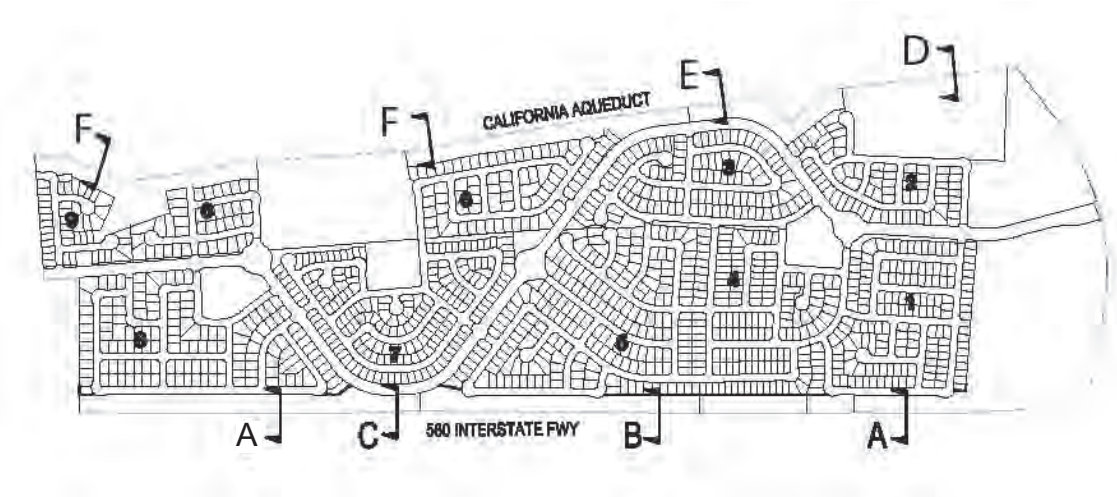


Figure 3-13 Edge Conditions/Easements Key Map

Typical aesthetic flavor of the design and/or maintenance of Conservation Easement area and buffer along the 580 Interstate Fwy corridor with Quercus agrifolia.

4'-7" Easement Fence acts as a barrier to wildlife, domestic animals and pedestrians.

8'-0" Sound barrier/ Sound wall acts as a sound barrier, as well as a physical barrier to wildlife, domestic animals and pedestrians.

Photo represents block wall material finish and texture. Color of wall to be as specified in the wall and fence section 3.4.11 within this document.

Figure updated to reflect park names.

Figure 3-22 Conceptual, Overall Illustrative, Parks and Landscape Plan - Phase 1A

Public Parks shown herein are conceptual in nature. Parks will be designed and improved by the Developer in accordance with the Citywide Parks Master Plan.

- Tracy Hills Park is located by the east entrance planned roundabout from the Multi Use Business Park. The recreation program for this park includes sufficient parking, a soccer field overlay, a large age separated tot lot area, several picnic opportunities, shade structures, a large plaza area with bench seating, a restroom facility and an enclosed trash container area. Expansive open space areas for passive recreation use are planned as well as a trail system connection to the main loop road.

Figure updated to reflect removed medians @ parking. Text updated with park name.

Figure 3-23 Tracy Hills Park

- Starcross Park is centrally located in the project south of the Retention Basin. A Retention Basin is adjacent to Starcross Park, as shown in Figure 3-24, and it will serve as a full functioning retention basin. Access to the retention basin will be restricted to service vehicles only and will be encircled by a maintenance road and screen trees. The recreation program for this park includes sufficient parking, a soccer field, a large age-separated tot lot area, several picnic opportunities, shade structures, areas with bench seating, a restroom facility and an enclosed trash container area. The park also provides a connection to the west and east areas of the project by the Pipeline Easement Trail system.

Figure updated to reflect removed medians @ parking. Text updated with park name.

Figure 3-24 Starcross Park

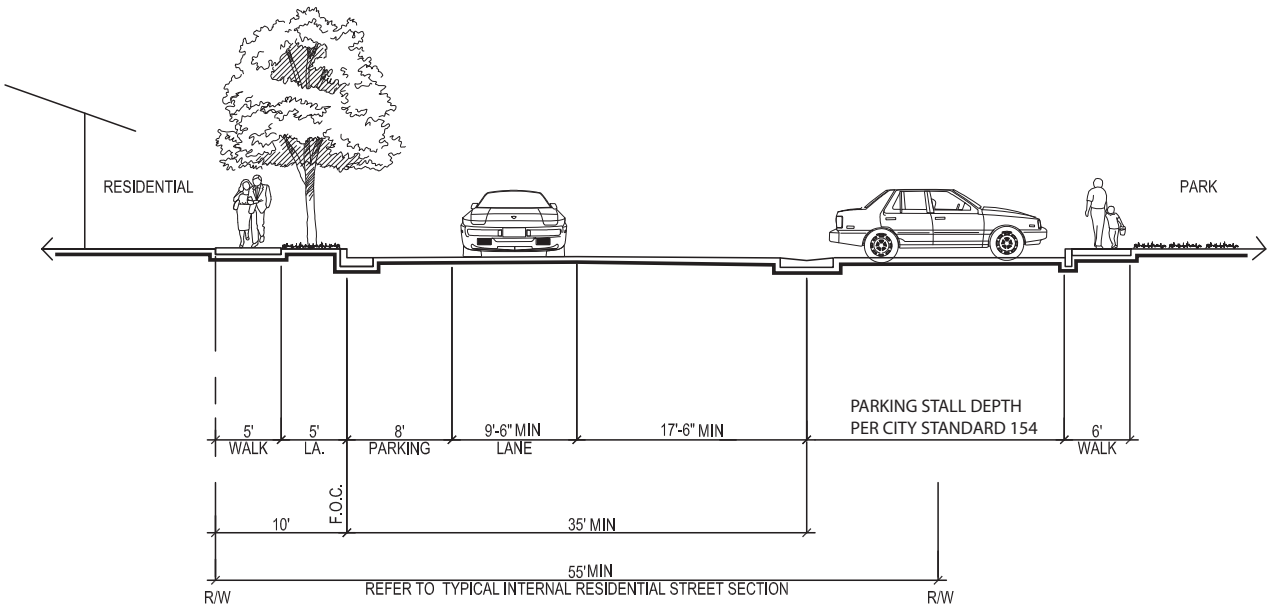
- Greymont Park is located by the planned roundabout west of the project. The recreation program for this park includes sufficient parking, a soccer field, a baseball field overlay, a large age separated tot lot area, several picnic opportunities with barbecues, shade structures, areas with bench seating, a restroom facility, and an enclosed trash container area. There will be a trail system connection to Pipeline trail easement and Spine Road.

Figure updated to reflect removed medians @ parking. Text updated with park name.

Figure 3-25 Greymont Park

Images and graphics represent conceptual programming design for spatial reference only and are subject to change- Public Park Program will be the responsibility of the City.

Typical section of proposed angled parking located at the Public Parks.



Angled Parking (Typ.)

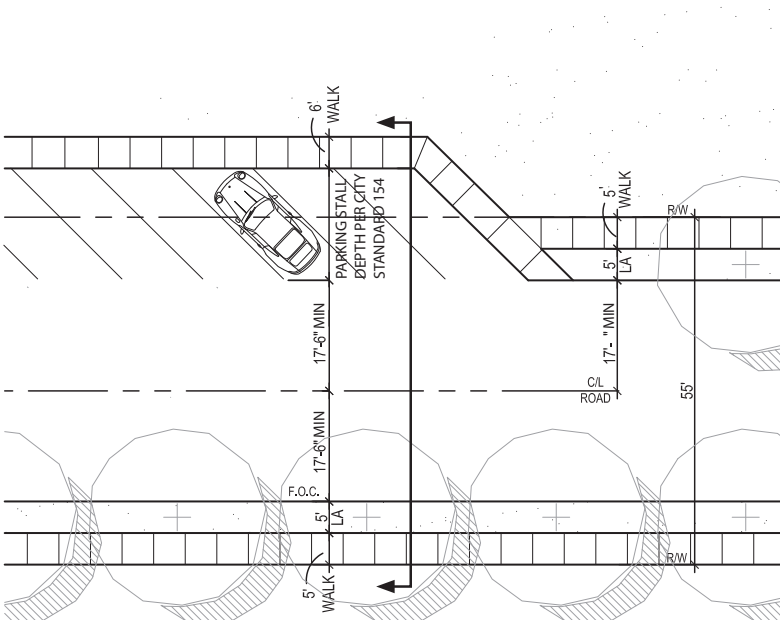


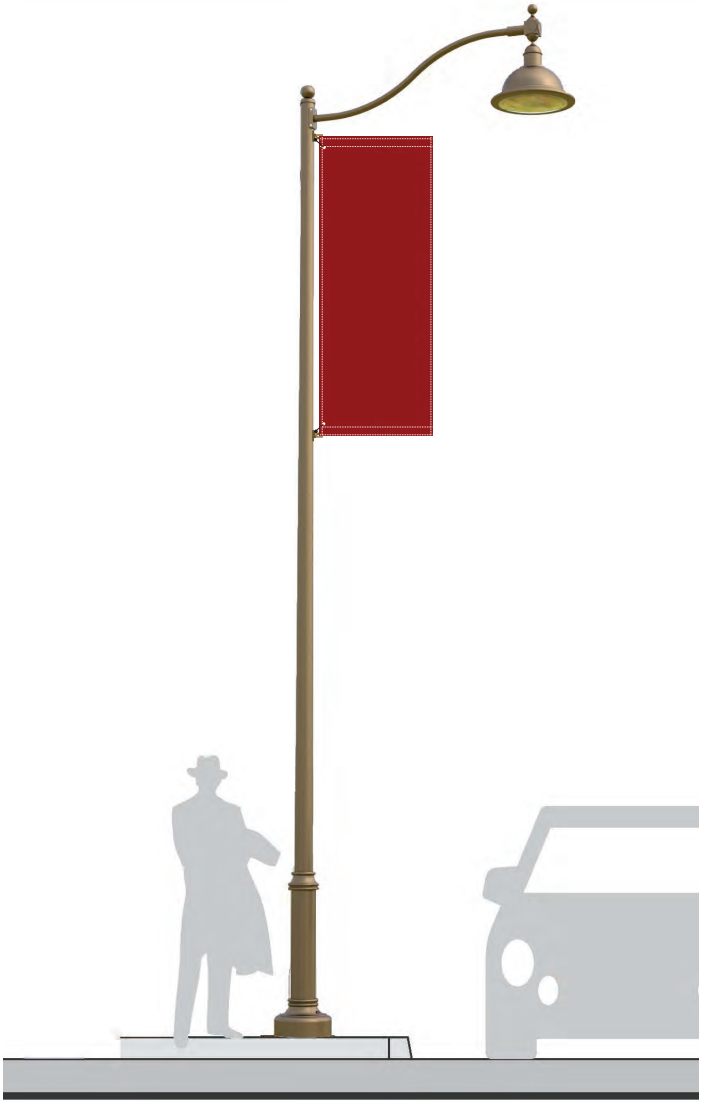
Figure updated to reflect revised park parking configuration & note added

Figure 3-26 Public Park Angled Parking Street Section and Plan View

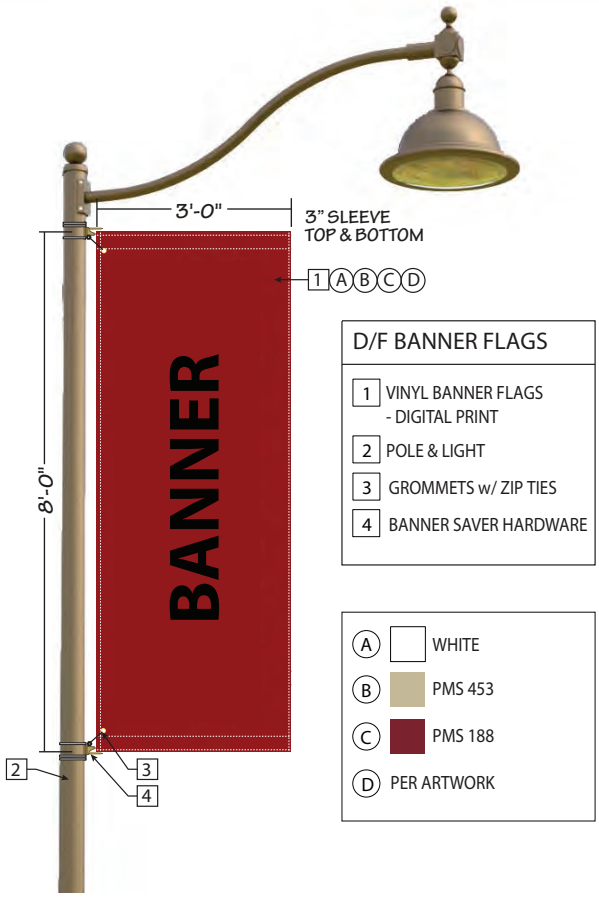
Parking Stall Note: The measurement of a parking stall will include the full length as measured at the angle of the parking space as per CBC 11B-502.2. Parking spaces and access aisles shall not exceed a slope of 1:48 as per CBC 11B-502.4.

Figure updated and figure added to reflect proposed banners on Tracy Hills Drive

- The type and location of building lighting should prevent direct glare onto adjacent property, streets and skyward by the use and application of shields.
- Pedestrian scale fixtures are encouraged over “high mast” poles.
- Consistent lighting fixtures shall be used throughout the Specific Plan Area to enhance community character.
- Light shall be confined on-site through orientation, the use of shading/directional controls, and/or landscape treatment.
- Light standard banners are encouraged to promote community awareness and activities. Banners may be located along Tracy Hills Drive.



Lighting Family shown as conceptual design intent. Available through Associated Lighting Reps., Inc. or equivalent (510) 638-3800



Banner shown as conceptual design intent.

LEGEND

Symbol	Description of Community Theme Walls/Locations
	6′-0″ Min. Proto II Block Decorative Wall- Split face Block w/cap.
	8′-0″ SimTek Fence with 1′ buried - 7′-0″ Overall. OR Split face Block w/ cap.
	6′-0″ Block Wall - Split face Block w/ cap
	8′-0″ Sound Wall- Split face Block w/cap.
	4′-7″ Conservation Easement Fence- No Finish- allow to rust naturally
	3′-3″ Concrete Split Rail Fence

Legend Updated to reflect revised heights

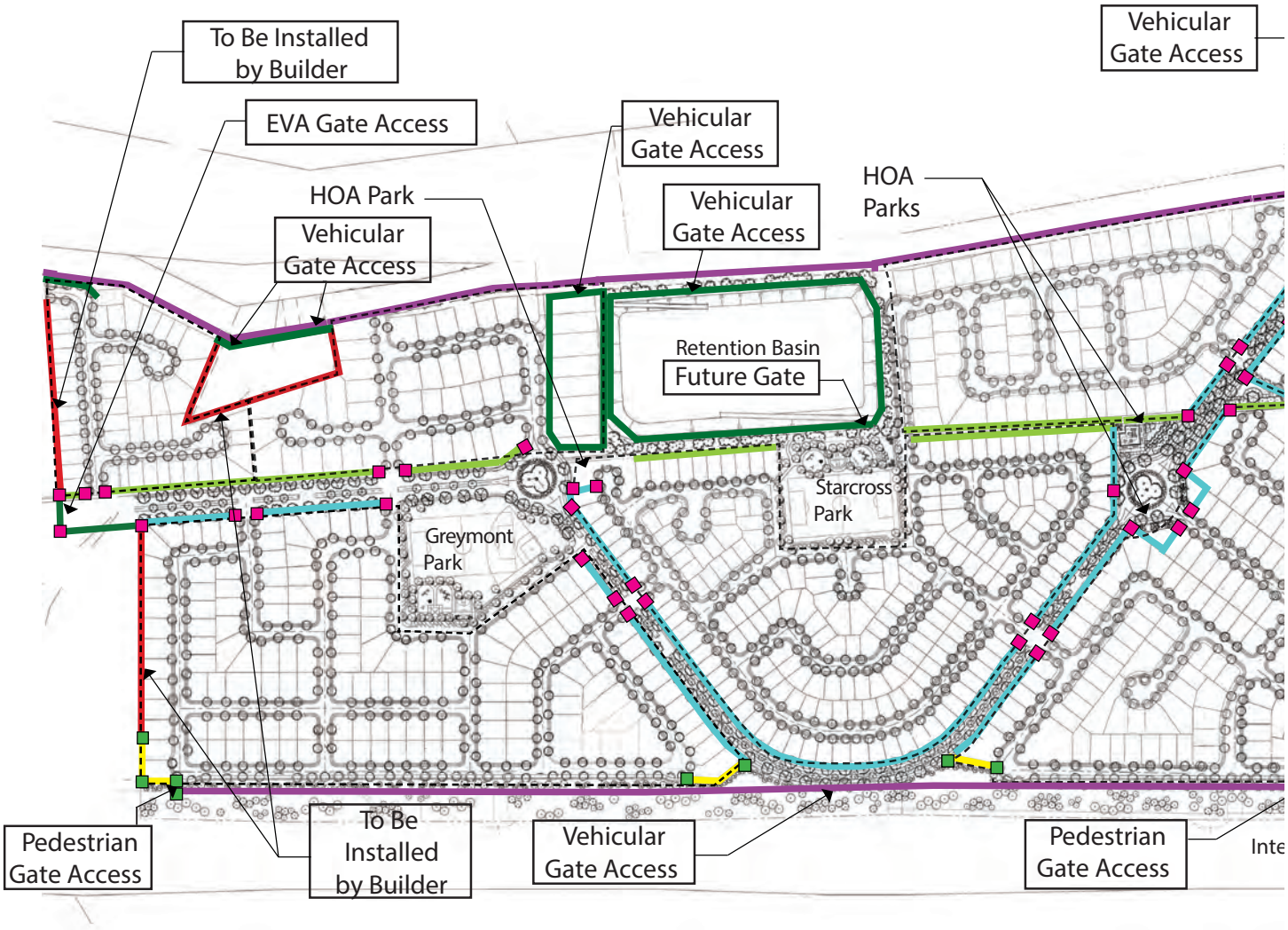


Figure 3-29 Master Wall and Fence Plan - Phase 1A

LEGEND

Symbol	Description of Community Theme Walls/Locations
	4'-0" Black Vinyl-clad Chain Link Fence on mowcurb at Dog Park (Height specification per the City of Tracy)
	Low Block Wall at Entry Monument Signage
	8'-0" Block Wall- Split face Block w/cap. (By others)
	8'-6" Pilaster- Split face Block w/cap.
	6'-6" Min. Pilaster- Split face Block w/cap.
	6'-6" Pilaster- Split face Block w/cap.

Approximate Pilaster location shown

Legend Updated to reflect revised heights

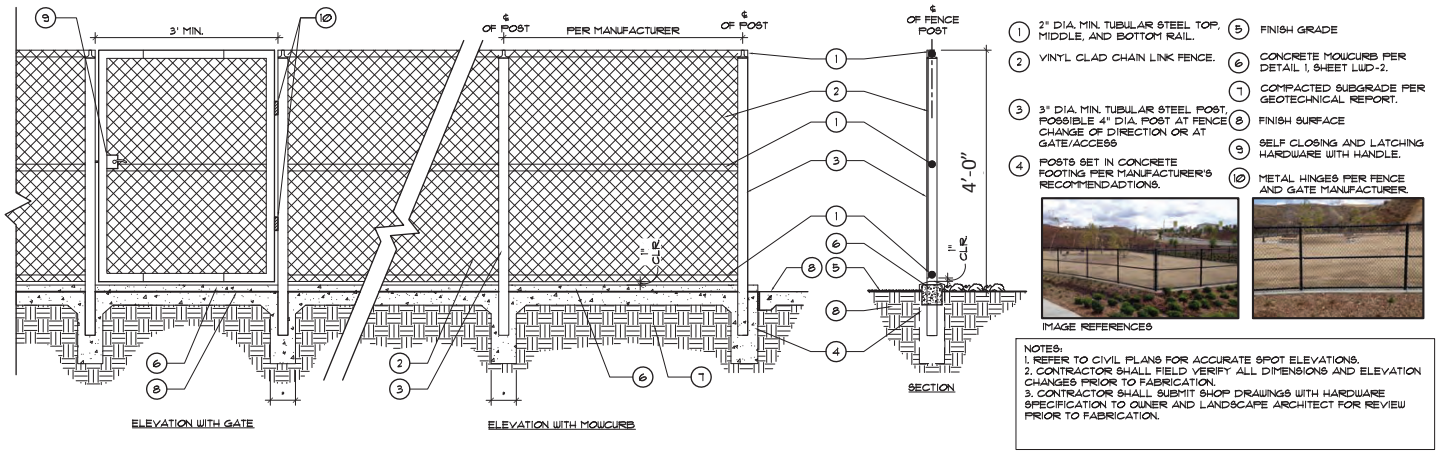


Fig. 3-30 4'-0" Black Vinyl-coated Chain Link Fence

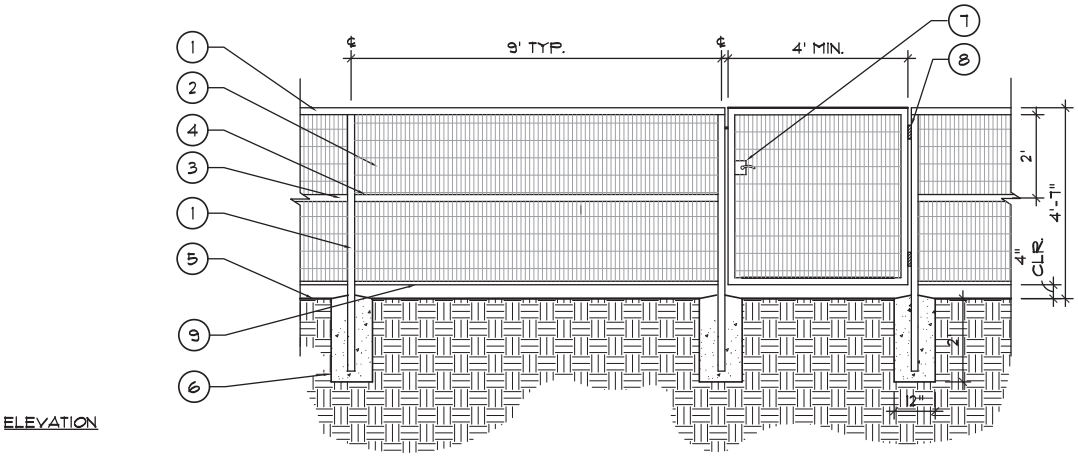


Figure Updated

Fig. 3-31 4'-7" Easement Fence

Gate Note: Gate locations that are publicly accessible shall meet accessibility requirements as per CBC 11B for the hardware and operable parts of the gate.

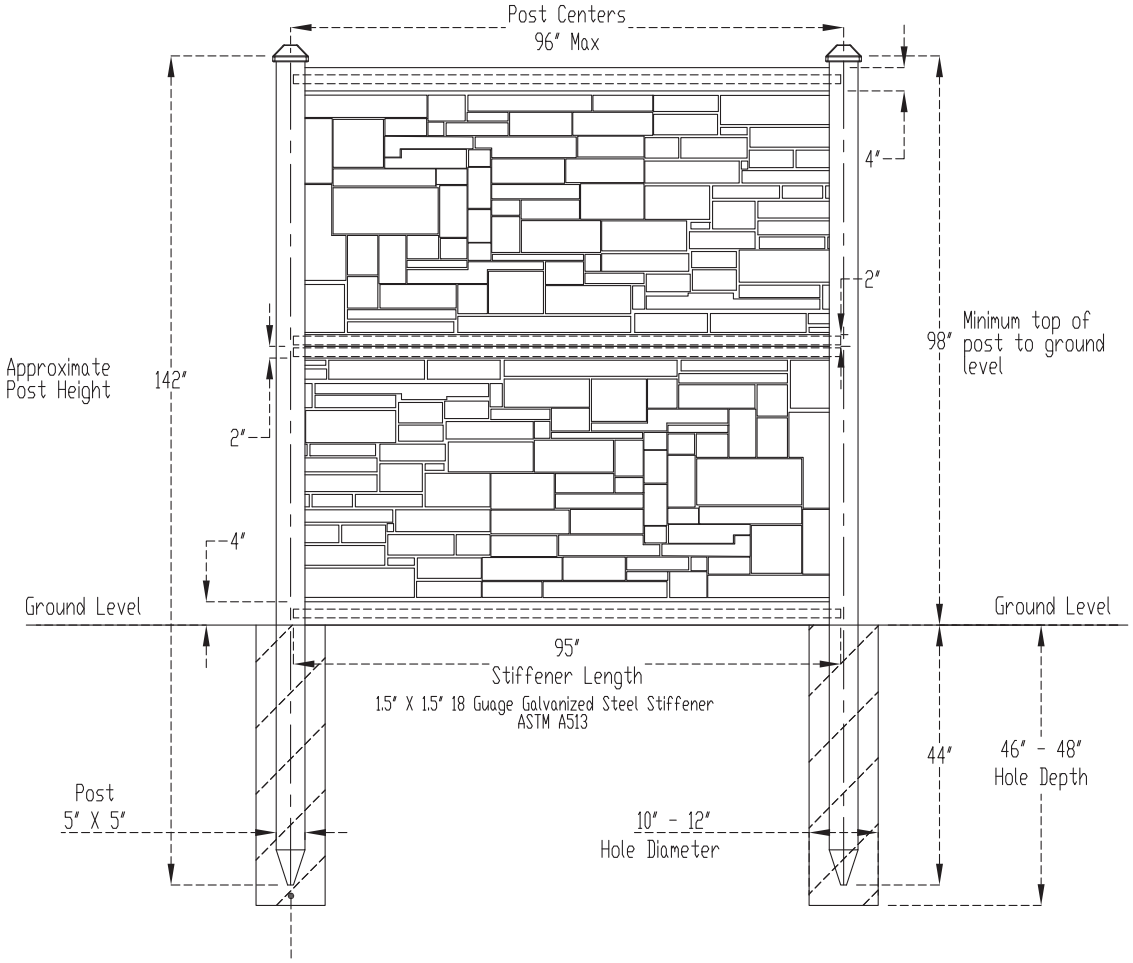


Fig. 3-32 8'-0" Simtek Fence
Color: Eco Brown or equal

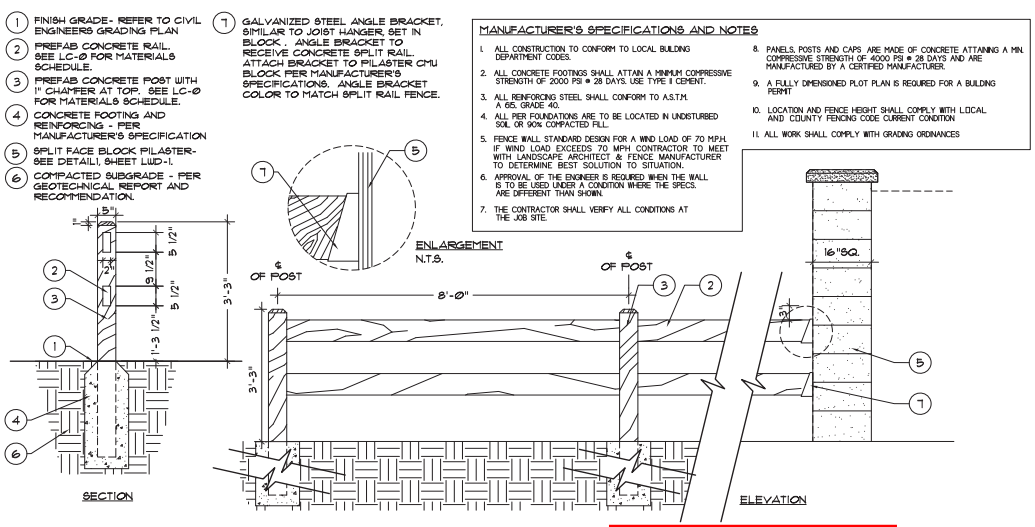


Fig. 3-33 3'-3" Concrete Split Rail Fence

Figure Updated

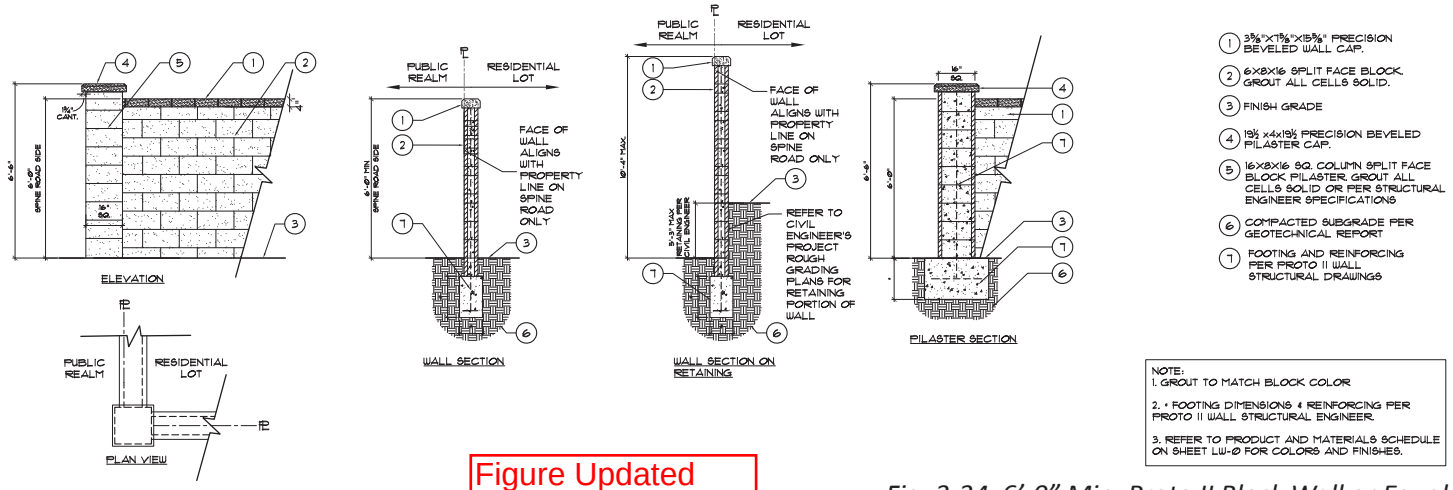


Figure Updated

Fig. 3-34 6'-0" Min. Proto II Block Wall or Equal

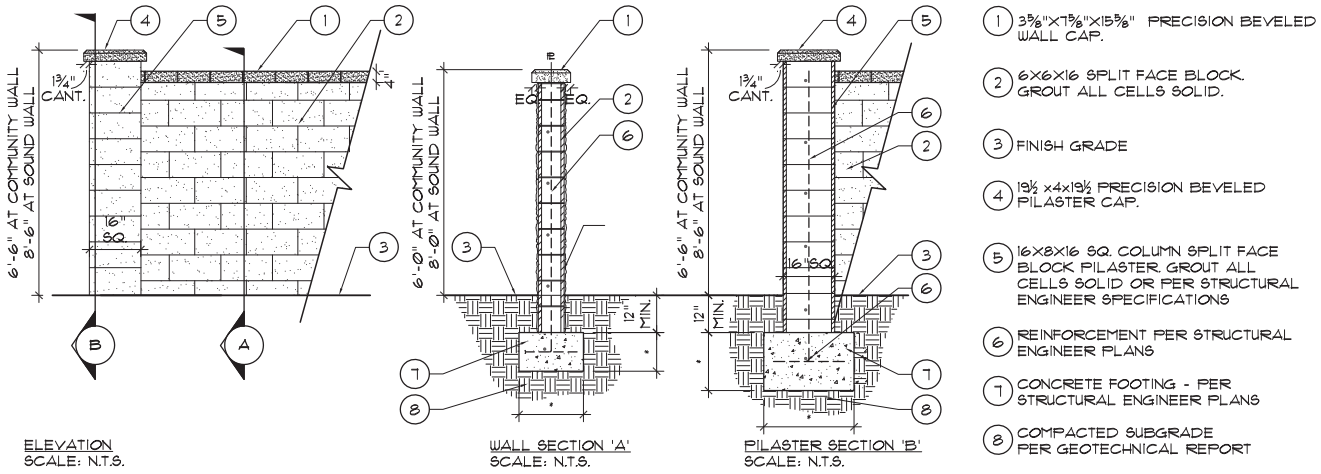


Fig. 3-35 6'-0" Builder Block Wall or 8'-0" Sound Wall

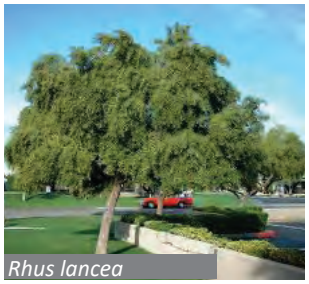
Symbol	Description/Location
	Spine Road (Refer to Construction Document set prepared by FORMA) Parkway Tree (both sides) - *Platanus acerfolia* 'Columbia' at 35' O.C. Backdrop Tree - *Pinus eldarica* (informal massing) Median Tree - *Ulmus parvifolia 'Drake'* at 35' O.C. Roundabout Tree - *Quercus wislizenii* (3 per Roundabout) and *Cedrus deodara* (3 per Roundabout at HOA Park)
	Mixed Use Business Park Refer to Section 3.4.15 for Landscape Plant Matrix, "Mixed Use Business Park" column

Frontyard Trees- Each lot is required to receive (1) 24" box tree in addition to the street trees/ parkway trees shown in the Master Tree Plan. Tree species to be determined by the builders' Landscape Architects in accordance with the enclosed Plant Matrix and will be associated with the various architectural elevations.

Symbol	Description/Location
	Neighborhoods 1, 3, and 8 Parkway Trees
	Primary Tree - *Ulmus parvifolia* 'Drake'- (Drake Chinese Elm) Minimum 24" Box at 30' O.C.
	Secondary Tree - *Quercus rubra* (Red Oak)
	Secondary Tree - *Chionanthus retusus* (Chinese Fringe Tree)
	Neighborhoods 4, 7, and 6 West (W) Parkway Trees
	Primary Tree - *Zelkova* 'Village Green' (Village Green Zelkova) Minimum 24" Box at 30' O.C.
	Secondary Tree - *Ginkgo biloba* 'Autumn Gold' (Autumn Gold Ginkgo-male)
	Secondary Tree - *Acer rubrum* 'Redpointe' (Redpointe Red Maple)
	Neighborhoods 2, 5, and 6 East (E) Parkway Trees
	Primary Tree - *Pistacia chinensis* 'Keith Davey' (Chinese Pistache-male) Minimum 24" Box at 30' O.C.
	Secondary Tree - *Koelreuteria bipinnata* (Chinese Flame Tree)
	Secondary Tree - *Carpinus betulus* (Hornbeam)

Note added

NOTE: If, during the City's review of improvement plans or subsequent tree replacements, there is a conflict between a tree species shown in the Tracy Hills Specific Plan and a later adopted Urban Forestry Management Plan (UFMP), then the tree species shown in the UFMP shall prevail, subject to the review and approval of the City Urban Forestry Supervisor/Arborist or other designee of the Public Works Director.


Rhus lancea

Ulmus parvifolia

Zelkova serrata

Chamaerops humilis

Botanical Name	**Common Name**	Entries	Main Road Streetscape	Residential Streetscape/ Front Yards	Neighborhood Parks	School	Mixed Used Business Park	100' Conservation Easement
*Quercus ilex**	Holly Oak	●	●	●	●	●	●	
*Quercus lobata**	Valley Oak	●	●	●	●	●	●	●
Quercus palustris	Pin Oak		●	●	●	●	●	
Quercus rubra	Red Oak	●	●	●	●	●	●	
*Quercus suber**	Cork Oak	●	●	●	●	●	●	
Quercus virginiana	Southern Live Oak	●	●	●	●	●		
*Quercus wislizenii**	Interior Live Oak	●	●	●	●	●		
*Rhus lancea**	African Sumac	●	●	●	●	●	●	
Sapium sebiferum	Chinese Tallow Tree			●	●	●	●	
Sequoia sempervirens	Coast Redwood	●			●			
Ulmus parvifolia var.	Chinese or Evergreen Elm	●	●	●	●	●	●	
Ulmus sp. 'Frontier'	Frontier Elm	●	●	●	●	●	●	
Ulmus sp. 'Homestead'	Homestead Elm	●	●	●	●	●	●	
Ulmus sp. 'Liberty'	Liberty Elm	●	●	●	●	●	●	
*Ulmus sp.'Prospector'**	Prospector Elm	●	●	●	●	●	●	
Umbellularia californica	California Bay	●	●	●	●	●	●	
Zelkova serrata	Sawleaf Zelkova	●	●	●	●	●	●	
Zelkova serrata 'Green Vase'	Green Vase Zelokova	●	●	●	●	●	●	
Zelkova serrata 'Village Green'	Village Green Zelkova	●	●	●	●	●	●	
PALMS (not allowed on any city or city maintained property)								
*Butia capitata**	Pindo Palm			●	●	●	●	
*Chamaerops humilis**	Mediterranean Fan Palm			●	●	●	●	
Cycas revoluta	Sago Palm			●	●	●	●	
*Phoenix dactylifera**	Edible Date Palm				●	●	●	
Washingtonia filfera	California Fan Palm			●	●	●	●	
Washingtonia robusta	Mexican Fan Palm			●	●	●	●	

NOTE: If, during the City's review of improvement plans or subsequent tree replacements, there is a conflict between a tree species shown in the Tracy Hills Specific Plan and a later adopted Urban Forestry Management Plan (UFMP), then the tree species shown in the UFMP shall prevail, subject to the review and approval of the City Urban Forestry Supervisor/Arborist or other designee of the Public Works Director.

Note added

*Indicates drought-tolerant species
**Indicates that designer must select a low water or drought-tolerant variety only
***Indicates that designer must select a zone-appropriate species

4.7 PUBLIC FACILITIES AND SERVICES

The Tracy Hills Specific Plan will require a full range of public services. The Specific Plan addresses the services to be provided by a variety of public and private entities including infrastructure, educational facilities, and parks and recreation.

4.7.1 Electricity

The Tracy Hills project is in the PG&E service area. PG&E has indicated that the 12 KV lines in Lammers and Corral Hollow Roads will provide sufficient capacity to service approximately half the proposed project. In order to accommodate the entire Tracy Hills project a substation may be built at or near the project site. Refer to Chapter 3, Design Guidelines, for methods of screening utilities equipment, and/or other similar facilities, from adjacent to residential development. Utility boxes and vaults may be located in street parkways where house setbacks, etc., do not provide the required franchise utility clearances.

4.7.2 Natural Gas

PG&E existing gas facilities lie at the northeastern most edge of the Tracy Hills project. These facilities consist of a two-inch gas line and a 26-inch high pressure gas main. A two-inch gas line runs along Lammers Road and terminates near the Delta-Mendota Canal (where Lammers Road ends). A 26-inch high pressure gas main runs in a northwesterly direction roughly paralleling the Delta-Mendota Canal.

In order to serve the Tracy Hills project, gas lines will have to be extended from the existing gas mains just south of the Delta-Mendota Canal, south to the site and across or under the California Aqueduct and Interstate 580.

Utility boxes and vaults may be located in street parkways where house setbacks, etc., do not provide the required franchise utility clearances.

4.7.3 Telephone

AT&T, or other service provider, currently has few customers in the vicinity of the Tracy Hills project. Therefore, the project site will require the extension of a trunkline to the site.

Telephone service lines may be traditional copper conductor lines or advance technology fiber optic cables.

Utility boxes and vaults may be located in street parkways where house setbacks, etc., do not provide the required franchise utility clearances.

4.7.4 Cable Television

The Tracy Hills area may be served by Comcast or other cable television providers. This service will utilize fiber optic cables or other technologies. All residents and companies living or working in Tracy Hills will be able to take advantage of these technologies. Utility boxes and vaults may be located in street parkways where house setbacks, etc., do not provide the required franchise utility clearances.

4.7.5 Solid Waste

Solid waste from the project will be accommodated at the Tracy Materials Recovery Facility (MRF transfer facility). The MRF transfer facility is planned to accommodate a City of Tracy population which includes Tracy Hills in accordance with the County Solid Waste Master Plan. Solid waste will eventually be hauled from the MRF transfer facility to the County Foothill landfill east of Tracy.

The City of Tracy uses a franchise hauler to provide solid waste collection services to its residents. Based upon the current generation factor of 7.52 pounds/person/day (residential, commercial, industrial average), solid waste production will be approximately 54 tons/day.

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE TRACY HILLS SPECIFIC PLAN TO ADDRESS MINOR REVISIONS AND CLARIFICATIONS RELATED TO THE IMPLEMENTATION OF PHASE 1A DEVELOPMENT, APPLICATION NUMBER SPA18-0002

WHEREAS, On April 5, 2016, City Council certified an Environmental Impact Report and approved a General Plan Amendment and a comprehensive update to the Tracy Hills Specific Plan, and

WHEREAS, The Tracy Hills Specific Plan consists of approximately 2,732 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580, and

WHEREAS, On April 5, 2016, City Council also approved a Vesting Tentative Subdivision Map for approximately 1,160 single-family residential lots in Phase 1A, and

WHEREAS, On October 3, 2018, an application was submitted to amend the Tracy Hills Specific Plan to address minor revisions and clarifications related to the implementation of Phase 1A development (Application Number SPA18-0002), and

WHEREAS, The proposed amendment involves minor revisions and clarifications to setbacks, correction of an error in Figure 2-5, clarification of architectural character and styles, notes added regarding compliance with Building Code standards, minor revisions to fence heights, figures and text updated to show park names, updates to parking design at parks, details added regarding banners on street light poles, notes added regarding the tree species list, and notes added regarding utility boxes, and

WHEREAS, The proposed amendment to the Tracy Hills Specific Plan 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 assessment is required, and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on April 24, 2019 and recommended that the City Council approve the proposed amendment to the Tracy Hills Specific Plan, and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on June 4, 2019;

The City Council of the City of Tracy does ordain as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein as findings.

SECTION 2. The City Council hereby approves the amendment to the Tracy Hills Specific Plan to address minor revisions and clarifications related to the implementation of

Phase 1A development, Application Number SPA18-0002, as shown in Exhibit "1" attached.

SECTION 3. This Ordinance shall take effect 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 introduced at a regular meeting of the Tracy City Council on the 4th day of June 2019, and finally adopted on the ____ day of _____, 2019, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Exhibit 1

Tracy Hills Specific Plan

Approved April 5, 2016
Tracy City Council Resolution 2016-063
DRAFT Amendment April 16, 2019

2.1.3 Development Standards for RE-TH, LDR-TH, MDR-TH, and HDR-TH

TABLE 2-3
DEVELOPMENT STANDARDS - RESIDENTIAL ZONING DISTRICTS

Development Standard	RE-TH	LDR-TH	MDR-TH	HDR-TH
Allowable Density Range	0.5 to 2.0 DU/AC	2.1 to 5.8 DU/AC	5.9 to 12.0 DU/AC	12.1 to 25.0 DU/AC
Maximum Lot Coverage(8)	45%	45%	45%	45%
Minimum Lot Size	15,000 s.f.	3,900 s.f.	3,500 s.f.	(1)
Minimum Lot Width	45' minimum at street frontage	45' minimum at street frontage	45' minimum at street frontage	(1)
Minimum Front Yard Setback(2)(3)(4)	30 feet	10 feet	10 feet	15 feet
Minimum Front Yard Setback(2)(3)(4)Garage	30 feet	20 feet(10)	20 feet(10)	
Minimum Side Yard Setback(2)(3)(6)(9)	10 feet	5 feet	5 feet	15 feet, street side; 10 feet interior side
Minimum Rear Yard Setback(2)(3)	30 feet	10 feet	10 feet	10 feet
Maximum Building Height(7)	35 feet	35 feet	35 feet	35 feet

(1) To be determined upon approval of the Tentative Subdivision Map: The developer shall demonstrate that every lot has size and dimensions capable of meeting the land use, public utilities, and development standards of this Specific Plan.

(2) Any building / structure shall maintain minimum setbacks from the following pipelines:
(refer to figure 1-4, Existing Conditions, for general location of pipeline easements)

- Phillips 66: minimum 16.25 feet from the edge of the pipeline easement
- Shell: minimum 10 feet from the edge of the pipeline easement
- PG&E and Chevron: minimum 15 feet from the edge of northeast side the pipeline easement and minimum 20 feet from the edge of the southwest side of the pipeline easement.

(3) All setbacks measured from property line.

(4) There shall be no parking in the front yard between the house and the public right-of-way, except in the driveway.

(5) For rear yard, minimum setback is 5 feet for detached garage.

(6) For all corner lots, the minimum street side yard setback is 10 feet.

(7) Detached accessory structures that encroach into the rear or side yard setbacks shall have a maximum height of 10 feet.

(8) Maximum Lot Coverate up to 55% shall be permitted for single story elevation.

(9) AC condenser units may encroach into the minimum side yard setback. At least one side yard of the lot shall maintain the minimum setback.

(10) The minimum front yard setback to a side swing garage is 10 feet, if the garage door does not face a street.

2.2 GENERAL HIGHWAY COMMERCIAL ZONING DISTRICT

2.2.1 Purpose

The purpose of the General Highway Commercial (GHC-TH) Zone is to provide a mix of retail and services for local residents and travelers.

2.2.2 Permitted and Conditionally Permitted Uses Within GHC-TH

Table 2-1, Permitted and Conditionally Permitted Uses, indicates uses permitted within the General Highway Commercial zoning district of the Tracy Hills Specific Plan. The table also lists conditional uses that are subject to the granting of a Conditional Use Permit.

2.2.3 Development Standards for GHC-TH

Development Standards shall be in accordance with the Tracy Municipal Code Chapter 10.08, Zoning Regulations, Article 19, General Highway Commercial Zone (GHC), except as modified within this Specific Plan.

TABLE 2-4
DEVELOPMENT STANDARDS – GENERAL HIGHWAY COMMERCIAL ZONING DISTRICT

Development Standard	General Highway Commercial Zoning District
Maximum Lot Coverage	No Requirement
Minimum Lot Size	(1)
Minimum Lot Width	(1)
Minimum Front Yard Setback(2)	No Requirement
Minimum Interior Side Yard Setback (2)(3)	No Requirement
Minimum Street Side Yard Setback(2)	No Requirement
Minimum Rear Yard Setback (2)(3)	No Requirement
Maximum Building Height	45 feet

(1) No subdivision or lot line adjustment shall be approved or lots otherwise created with size or dimensions rendering it incapable of meeting the land use, public utilities, or development standards of this Specific Plan.

(2) Any building / structure shall maintain minimum setbacks from the following pipelines:
(refer to figure 1-4, Existing Conditions, for general location of pipeline easements)

- Phillips 66: minimum 16.25 feet from the edge of the pipeline easement
- Shell: minimum 10 feet from the edge of the pipeline easement
- PG&E and Chevron: minimum 15 feet from the edge of northeast side the pipeline easement and minimum 20 feet from the edge of the southwest side of the pipeline easement.

(3) No Requirement, except when adjacent to a residential zoning district, in which case 15 feet shall be required. Such yards shall be increased by 4 feet for every story above the ground floor or 10 feet in height above 25 feet, whichever is less.

TABLE 2-5
DEVELOPMENT STANDARDS – MIXED USE BUSINESS PARK ZONING DISTRICT

Development Standard	Mixed Use Business Park Zoning District
Maximum Lot Coverage	No Requirement
Minimum Lot Size	(1)
Minimum Lot Width	(1)
Minimum Front Yard Setback(2)	No Requirement
Minimum Interior Side Yard Setback (2)(3)	No Requirement
Minimum Street Side Yard Setback(2)	No Requirement
Minimum Rear Yard Setback (2)(3)	No Requirement
Maximum Building Height(4)	45 feet

(1) No subdivision or lot line adjustment shall be approved or lots otherwise created with size or dimensions rendering it incapable of meeting the land use, public utilities, or development standards of this Specific Plan.

(2) Any building / structure shall maintain minimum setbacks from the following pipelines:
(refer to figure 1-4, Existing Conditions, for general location of pipeline easements)

- Phillips 66: minimum 16.25 feet from the edge of the pipeline easement
- Shell: minimum 10 feet from the edge of the pipeline easement
- PG&E and Chevron: minimum 15 feet from the edge of northeast side the pipeline easement and minimum 20 feet from the edge of the southwest side of the pipeline easement.

(3) No Requirement, except when adjacent to a residential Zoning District, in which case 15 feet shall be required. Such yards shall be increased by 4 feet for every story above the ground floor or 10 feet in height above 25 feet, whichever is less.

(4) The Community Gateway Icon, which is conceptually described and depicted in Section 3.4.5, Community Monumentation, shall have a maximum height of 50 feet.

2.4 LIGHT INDUSTRIAL ZONING DISTRICT

2.4.1 Purpose

The Light Industrial (M1-TH) zoning district allows for manufacturing and other industrial facilities.

2.4.2 Permitted and Conditionally Permitted Uses Within M1-TH

Table 2-1, Permitted and Conditionally Permitted Uses, indicates uses permitted within the Light Industrial zoning district of the Tracy Hills Specific Plan. The table also lists conditional uses that are subject to the granting of a Conditional Use Permit.

2.4.3 Development Standards for M1-TH

Development Standards shall be in accordance with the Tracy Municipal Code Chapter 10.08, Zoning Regulations, Article 20, Light Industrial Zone (M-1), except as specified herein.

TABLE 2-6
DEVELOPMENT STANDARDS - LIGHT INDUSTRIAL ZONING DISTRICT

Development Standard	Light Industrial Zoning District
Maximum Lot Coverage	No Requirement
Minimum Lot Size	(1)
Minimum Lot Width	(1)
Minimum Front Yard Setback (2)	No Requirement
Minimum Interior Side Yard Setback (2)(3)	No Requirement
Minimum Street Side Yard Setback (2)	No Requirement
Minimum Rear Yard Setback (2)(3)	No Requirement
Maximum Building Height	45 feet

(1) No subdivision or lot line adjustment shall be approved or lots otherwise created with size or dimensions rendering it incapable of meeting the land use, public utilities, or development standards of this Specific Plan.

(2) Any building / structure shall maintain minimum setbacks from the following pipelines:
(refer to figure 1-4, Existing Conditions, for general location of pipeline easements)

- Phillips 66: minimum 16.25 feet from the edge of the pipeline easement
- Shell: minimum 10 feet from the edge of the pipeline easement
- PG&E and Chevron: minimum 15 feet from the edge of northeast side the pipeline easement and minimum 20 feet from the edge of the southwest side of the pipeline easement.

(3) No Requirement, except when adjacent to a residential zone, in which case 15 feet shall be required. Such yards shall be increased by 4 feet for every story above the ground floor, or 10 feet in height above 25 feet, whichever is less.

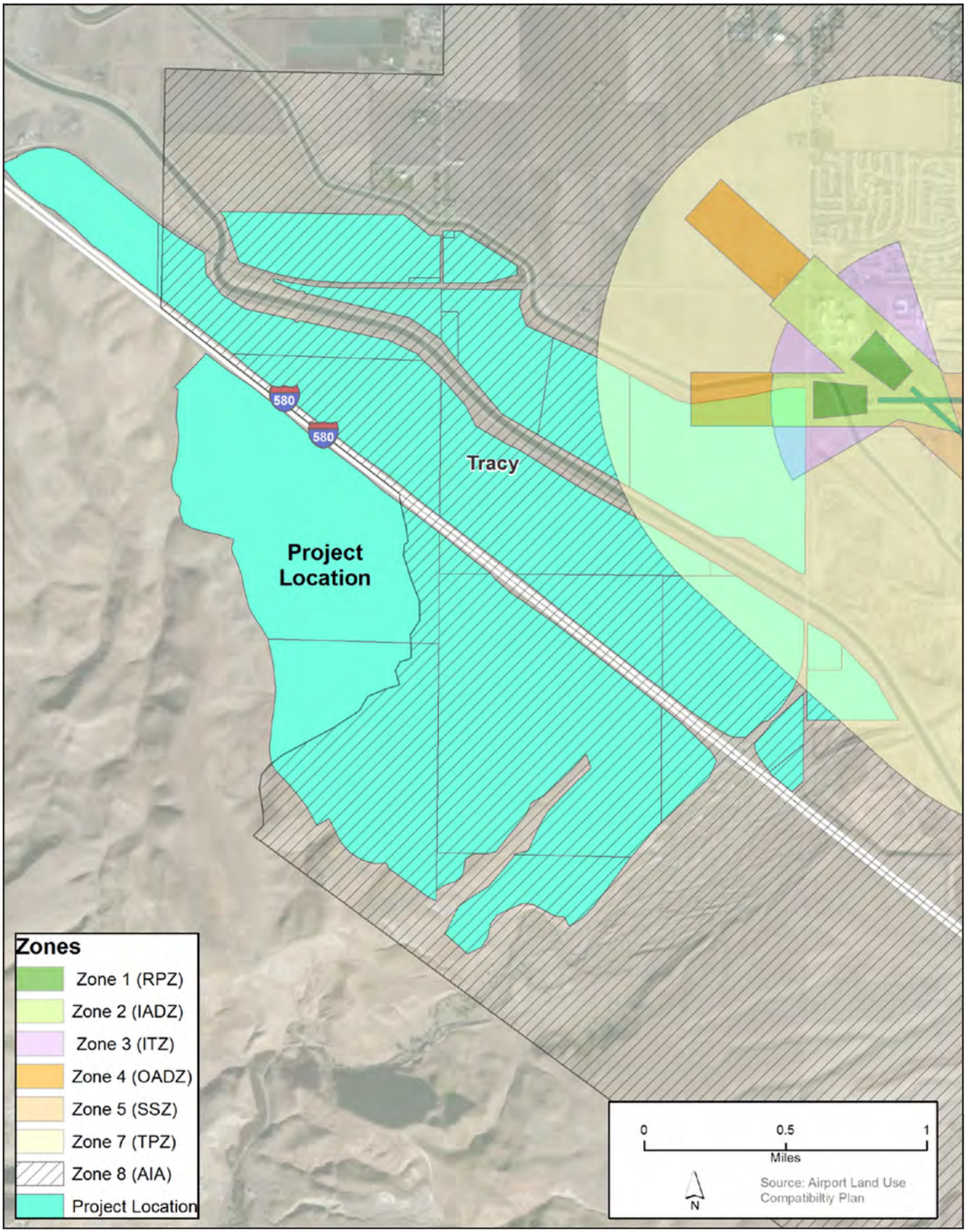


Figure 2-5

Tracy Municipal Airport Land Use Compatibility Zones

Garages are setback and designed to complement overall design.

Variation in garage locations provides interest in the streetscape.

2. Garages

- Within a neighborhood (defined as up to 200 dwelling units) there shall be a minimum of three garage door designs provided to avoid monotony along the streetscape. Each garage door design shall be used in at least 25% of the neighborhood.
- To minimize building bulk and the focus on vehicular elements, a maximum of two car garage bays shall front to the street.
- Garages shall be designed so they are not the primary focus in the streetscape and will be complementary to the rest of the home.
- Driveways shall have a maximum width of 18’ (measured at property line) so that it will not negatively impact the streetscape and walkability of the neighborhood.

Diversity of floor plans provides interest to the streetscape.

Different elevations along the streetscape make for a more interesting experience.

A successful combination of different building plans and elevations offer each home an individuality that harmonizes with other homes at the neighborhood scale.

3.2.3 Variation

Diversity and variation in building plans and elevations is important in the development and maintenance of an overall neighborhood character and the creation of place. Successfully executed, diversity and variation of buildings offers a neighborhood a distinct yet cohesive built pattern that can extend to the larger community fabric.

The variation requirements below help to promote a visually interesting and balanced streetscape that can expand on and integrate into the larger context.

1. Plans and Elevations

- Refer to building plans and elevation requirements in the Residential Design section of The City of Tracy Design Goals and Standards regarding a minimum mix of floor plans and elevations. The minimum standards for housing variation shall be achieved and calculated by reviewing the mix of house designs across an entire tentative subdivision map area.
- In addition to the variation requirements of The City of Tracy Design Goals and Standards, in general, the following shall apply:
  - » Maximum of three houses of the same style may be located next to each other.
  - » Elevations may be repeated on the same block or facing each other on the other side of the street only if they contain a different materials and color palette.
  - » No two houses of the same elevation and floor plan shall be next to each other.

3.2.4 Architectural Character and Styles

Drawing from its Californian and agrarian roots, Tracy Hill's architecture will reflect architectural vernaculars native to California, and styles that have emerged from European-inspired aesthetics, while respecting the history of the City of Tracy, California and its heritage.

Derived from architectural vernaculars inherent to California, Tracy Hills has distilled specific architectural styles from Arts and Crafts, Colonial, Farmhouse, European-agrarian, Mediterranean, and Spanish aesthetics to express the eclectic beauty of its surrounding influences. Within these overarching vernaculars, any of their inspired styles and interpretations thereof are allowable for the community of Tracy Hills, provided that they maintain the essential characteristics of their parent vernacular and meet the community's standard for high-quality design.

The specified style character palette of Tracy Hills includes Country European, Colonial, Early California, Victorian Revival, Western Farmhouse, Craftsman Bungalow, and Mediterranean Revival, as these styles most embody the surrounding architecture and its locale. Each of these specified styles embodies one of the parent vernaculars, its intrinsic character and essential elements. However, while the styles specified for the character palette provide the typical characteristics and imagery to guide design and to aid overall direction, they are intended to be descriptive, rather than prescriptive, or limiting to the design process. Additionally, modern and contemporary interpretations of the Tracy Hills' character palette and parent vernaculars are encouraged, to allow the community to reflect the tastes of today and offer flexibility to evolve with those of tomorrow.

Altogether, with its diverse and dynamic character palette and parent vernaculars, the architecture of Tracy Hills will provide the community with an aesthetic that truly reflects its land and unique architectural heritage.

Former Tracy High School- Mediterranean Revival

Historic Tracy Homes- Victorian Revival

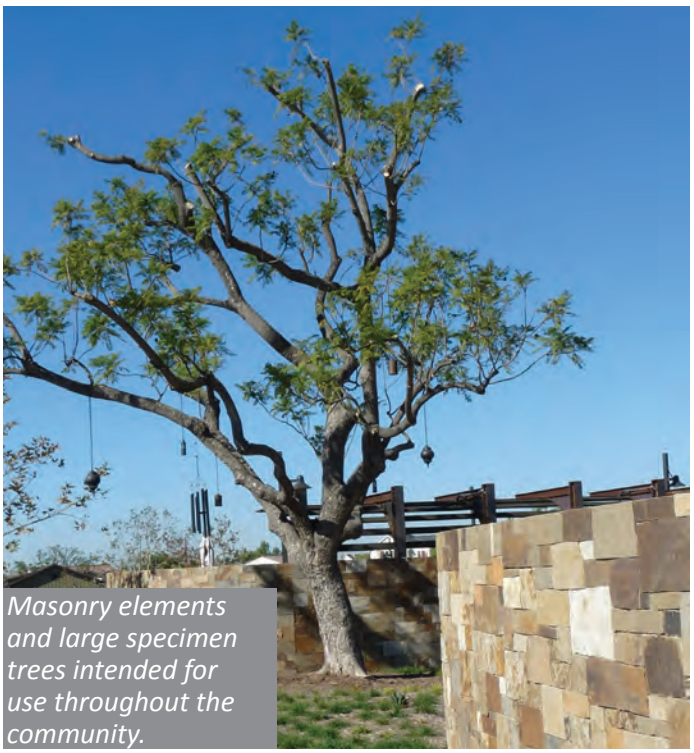
Tracy Historical Museum- Early California

First Presbyterian Church- Early California

Masonry and focal element feature that can be designed within the community at parks and Welcome Home Center.

Several identifying design and landscape elements will be incorporated throughout the community at parks, passive open space areas, neighborhood entries, the Welcome Home Center, and commercial areas, and will generally include:

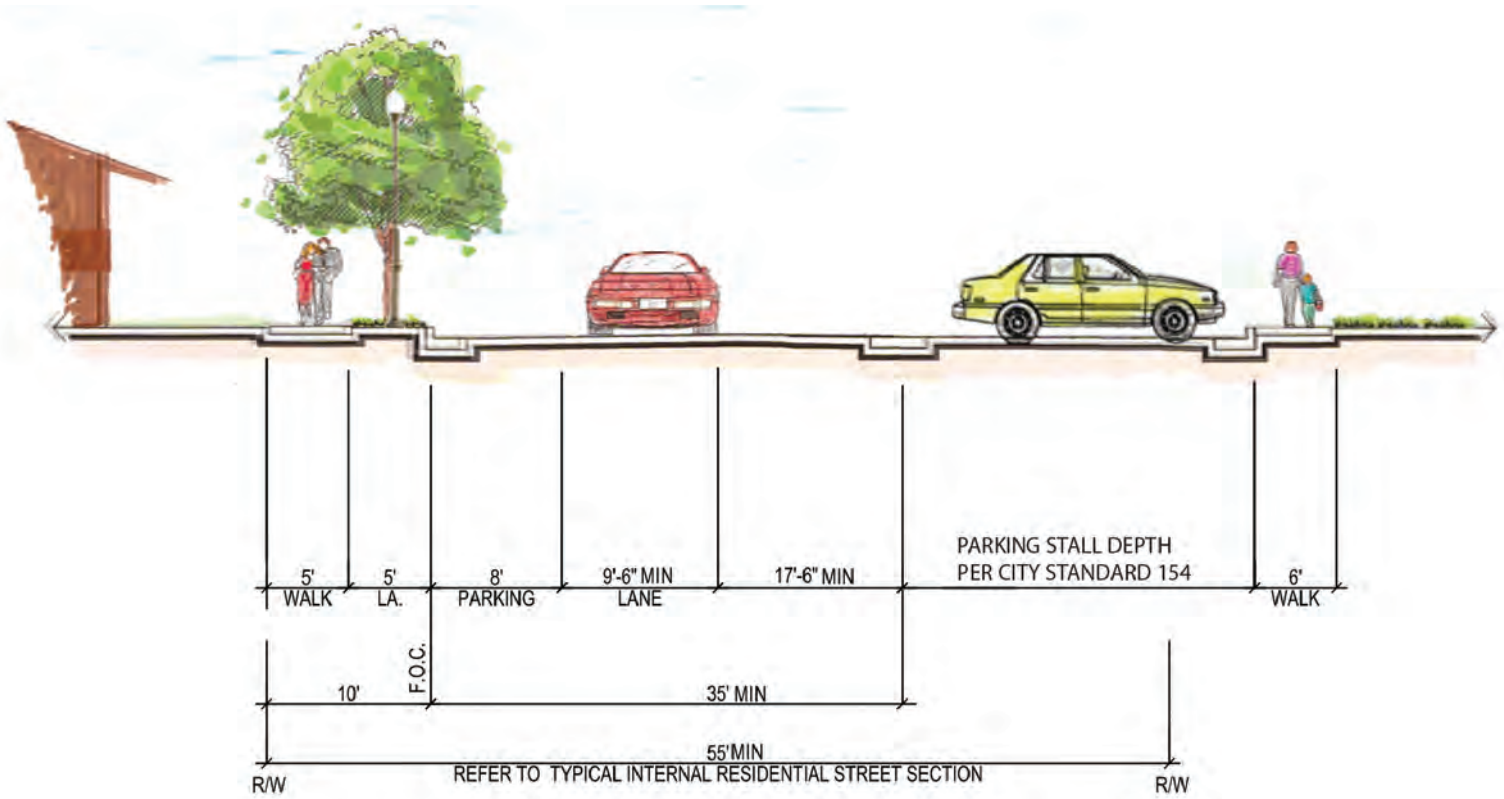
- Timeless stone and corten steel look/ finish for monumentation, wayfinding, and accessory structures.
- Natural landscaped areas blended with manicured landscaping.
- Low water, drought tolerant and native tree and shrub materials, such as California Sycamores and Oaks.
- Natural materials such as stone and wood.
- Varied paving materials, including stone, concrete, wood, decomposed granite, and concrete pavers. (Path of travel shall meet the requirements of California Building Code (CBC) 11B Division 4 for accessible routes)



Masonry elements and large specimen trees intended for use throughout the community.

Park structures depicting the design intent for the community.

Similar focal elements intended for the community parks and public gathering spaces.



RESIDENTIAL STREET ADJACENT TO PARK

SECTION 4b

Figure 3-12

Parking Stall Note: The measurement of a parking stall will include the full length as measured at the angle of the parking space as per CBC 11B-502.2. Parking spaces and access aisles shall not exceed a slope of 1:48 as per CBC 11B-502.4.

3.4.7 Edge Conditions/Easements

One hundred foot wide conservation easements are recorded within the Specific Plan along most of both sides of I-580 and the south side of the California Aqueduct, totaling approximately 120 acres. These easements were dedicated to San Joaquin Council of Governments in 2012. The purpose of these conservations easements is to provide permanent wildlife habitat. These conservation easements will be owned and maintained by the project's HOA and zoned Tracy Hills Conservation (C-TH). No development within these areas will be allowed except for installation of landscape materials, irrigation, and protective fencing. Signs will be attached to the fencing advising the public to "stay out of the conservation easement areas."

1. Conservation Easement - Interstate 580

Residential development will interface with the I-580 conservation easement and a landscape buffer zone. An 8' high sound wall is planned at portions of the residential development boundary for sound attenuation from the nearby Interstate 580 Freeway. (Refer to Wall and Fence Section 3.4.11, for identification of those specific locations). The sound wall will be screened from the Interstate by groupings of evergreen and deciduous trees. The buffer zone between the sound wall and the conservation easement will include a 10' wide maintenance access road, a drainage swale, and landscape area. A 4'-7" high, easement barrier fence on the property line in between the conservation easement and the Tracy Hills development is proposed. The fence will act as a barrier between the conservation easement and the buffer zone with the intent to keep wildlife out of the community, keep larger domestic animals from entering the conservation easement and will serve as a barrier to people in the interest of public safety and integrity of the easement for wildlife.

2. Conservation Easement - California Aqueduct

The California Aqueduct Conservation Easement will have the existing native landscape "protected-in-place" and no additional landscape or irrigation improvements are proposed.

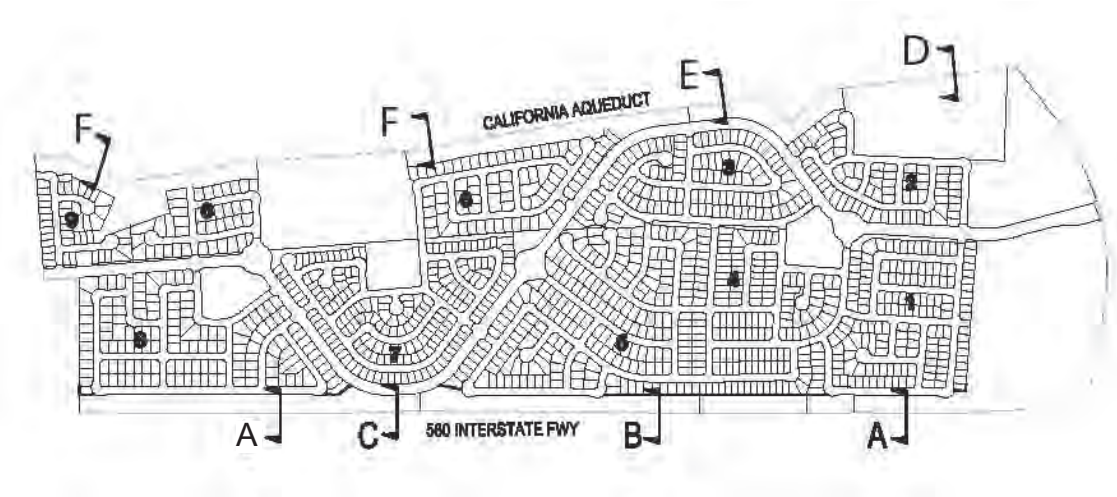


Figure 3-13 Edge Conditions/Easements Key Map

Typical aesthetic flavor of the design and/or maintenance of Conservation Easement area and buffer along the 580 Interstate Fwy corridor with Quercus agrifolia.

4'-7" Easement Fence acts as a barrier to wildlife, domestic animals and pedestrians.

8'-0" Sound barrier/ Sound wall acts as a sound barrier, as well as a physical barrier to wildlife, domestic animals and pedestrians.

Photo represents block wall material finish and texture. Color of wall to be as specified in the wall and fence section 3.4.11 within this document.

Figure 3-22 Conceptual, Overall Illustrative, Parks and Landscape Plan - Phase 1A

Public Parks shown herein are conceptual in nature. Parks will be designed and improved by the Developer in accordance with the Citywide Parks Master Plan.

- Tracy Hills Park is located by the east entrance planned roundabout from the Multi Use Business Park. The recreation program for this park includes sufficient parking, a soccer field overlay, a large age separated tot lot area, several picnic opportunities, shade structures, a large plaza area with bench seating, a restroom facility and an enclosed trash container area. Expansive open space areas for passive recreation use are planned as well as a trail system connection to the main loop road.

Figure 3-23 Tracy Hills Park

- Starcross Park is centrally located in the project south of the Retention Basin. A Retention Basin is adjacent to Starcross Park, as shown in Figure 3-24, and it will serve as a full functioning retention basin. Access to the retention basin will be restricted to service vehicles only and will be encircled by a maintenance road and screen trees. The recreation program for this park includes sufficient parking, a soccer field, a large age-separated tot lot area, several picnic opportunities, shade structures, areas with bench seating, a restroom facility and an enclosed trash container area. The park also provides a connection to the west and east areas of the project by the Pipeline Easement Trail system.

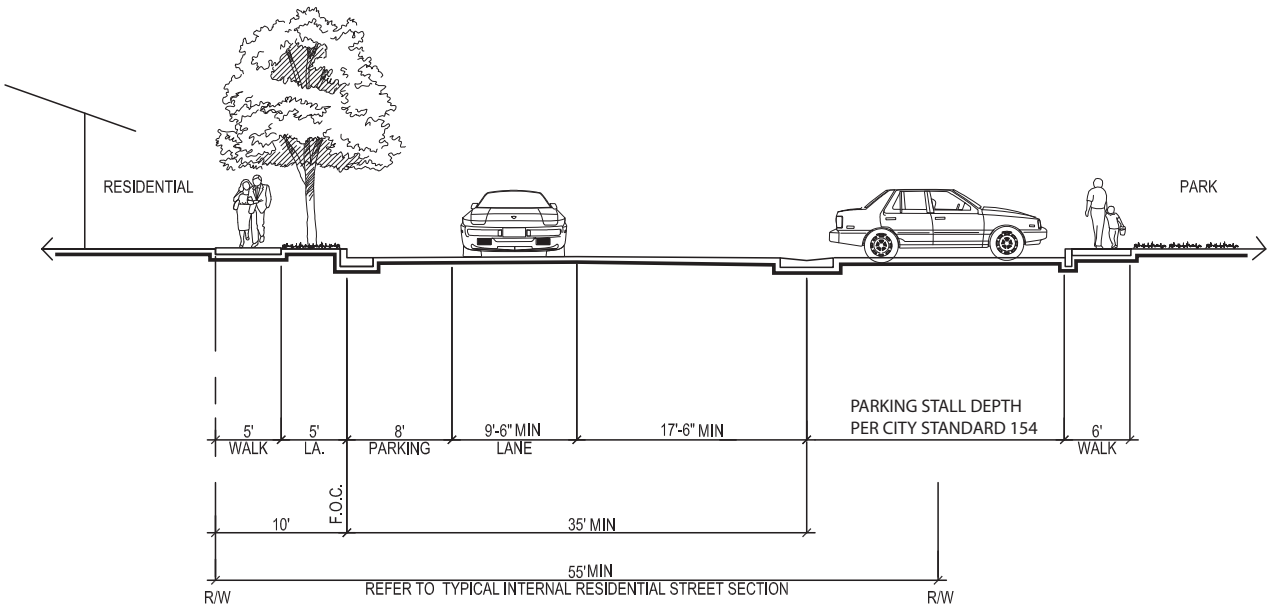
Figure 3-24 Starcross Park

- Greymont Park is located by the planned roundabout west of the project. The recreation program for this park includes sufficient parking, a soccer field, a baseball field overlay, a large age separated tot lot area, several picnic opportunities with barbecues, shade structures, areas with bench seating, a restroom facility, and an enclosed trash container area. There will be a trail system connection to Pipeline trail easement and Spine Road.

Figure 3-25 Greymont Park

Images and graphics represent conceptual programming design for spatial reference only and are subject to change- Public Park Program will be the responsibility of the City.

Typical section of proposed angled parking located at the Public Parks.



Angled Parking (Typ.)

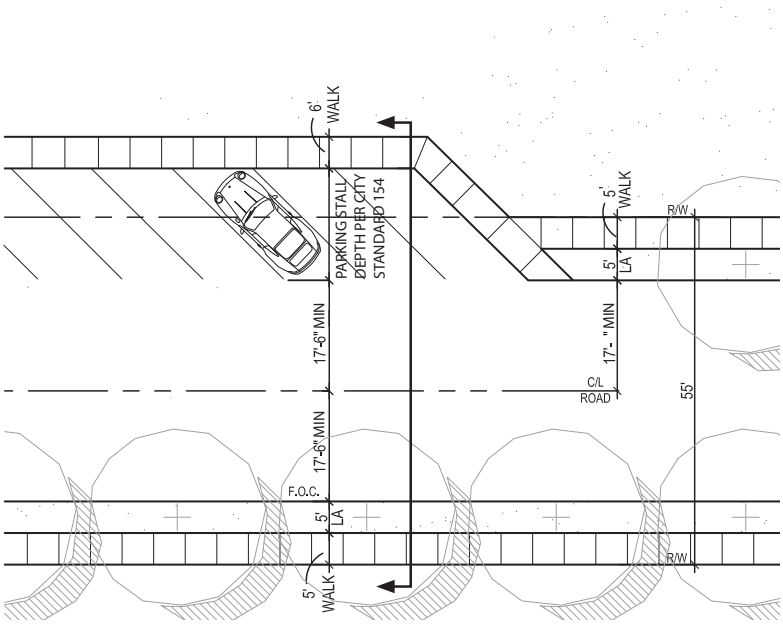
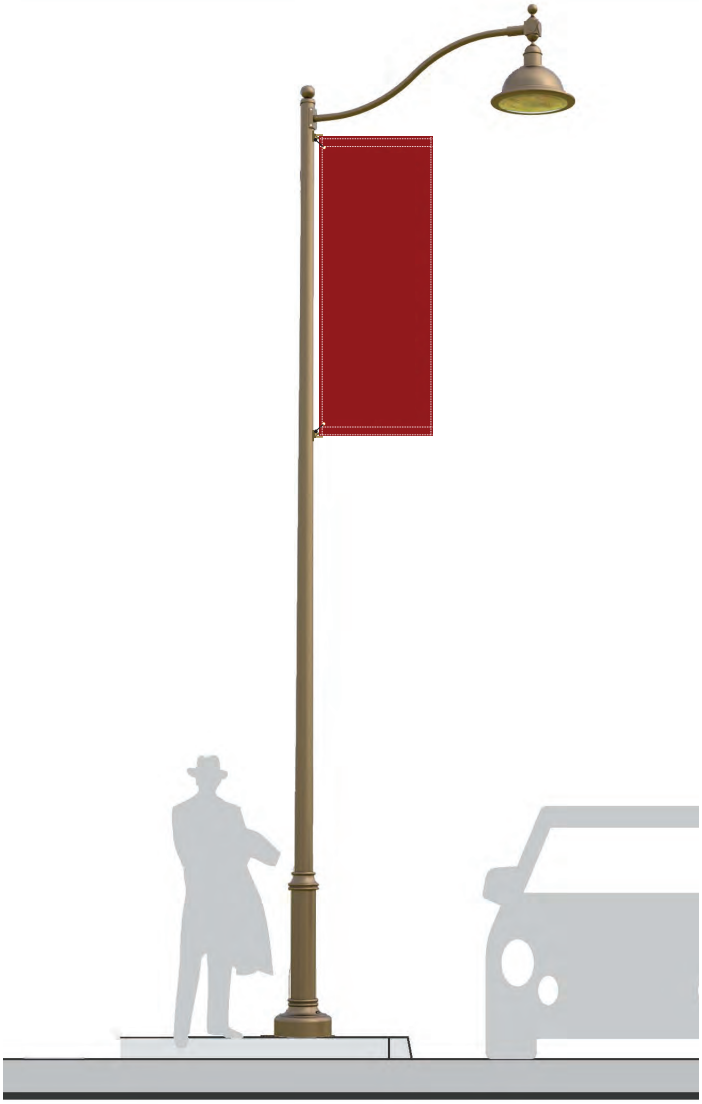


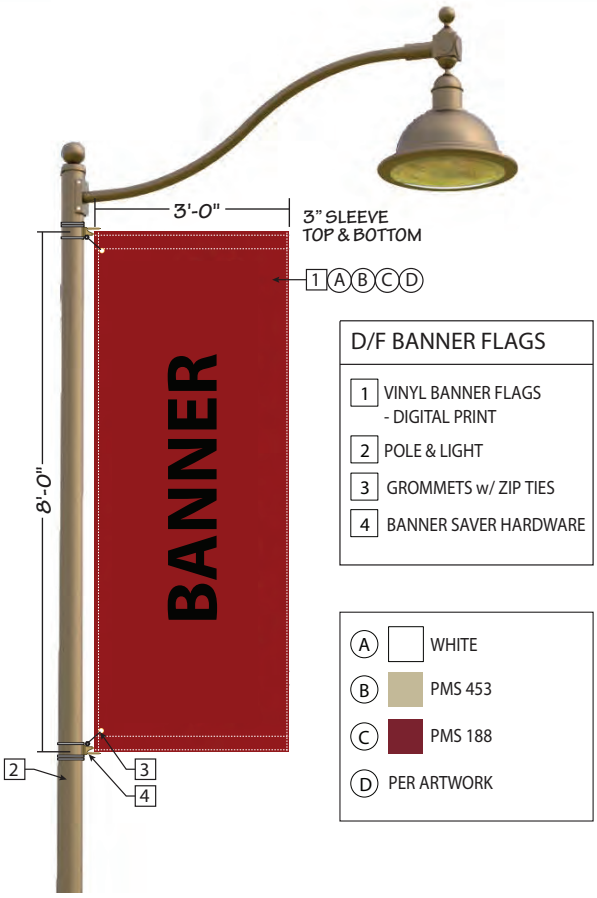
Figure 3-26 Public Park Angled Parking Street Section and Plan View

Parking Stall Note: The measurement of a parking stall will include the full length as measured at the angle of the parking space as per CBC 11B-502.2. Parking spaces and access aisles shall not exceed a slope of 1:48 as per CBC 11B-502.4.

- The type and location of building lighting should prevent direct glare onto adjacent property, streets and skyward by the use and application of shields.
- Pedestrian scale fixtures are encouraged over “high mast” poles.
- Consistent lighting fixtures shall be used throughout the Specific Plan Area to enhance community character.
- Light shall be confined on-site through orientation, the use of shading/directional controls, and/or landscape treatment.
- Light standard banners are encouraged to promote community awareness and activities. Banners may be located along Tracy Hills Drive.



Lighting Family shown as conceptual design intent. Available through Associated Lighting Reps., Inc. or equivalent (510) 638-3800



Banner shown as conceptual design intent.

LEGEND

Symbol	Description of Community Theme Walls/Locations
	6'-0" Min. Proto II Block Decorative Wall- Split face Block w/cap.
	8'-0" SimTek Fence with 1' buried - 7'-0" Overall. OR Split face Block w/ cap.
	6'-0" Block Wall - Split face Block w/ cap
	8'-0" Sound Wall- Split face Block w/cap.
	4'-7" Conservation Easement Fence- No Finish- allow to rust naturally
	3'-3" Concrete Split Rail Fence

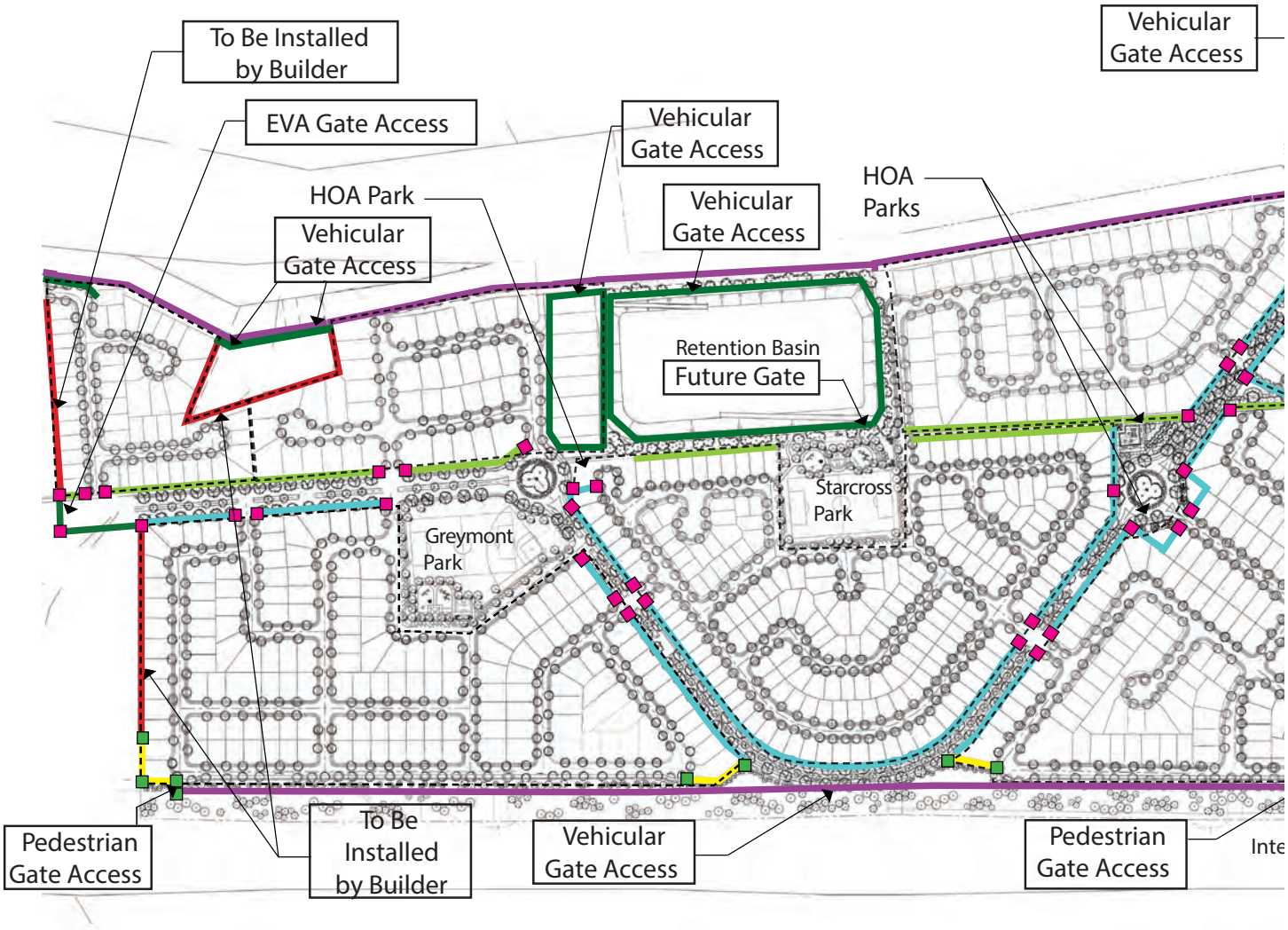


Figure 3-29 Master Wall and Fence Plan - Phase 1A

LEGEND

Symbol	Description of Community Theme Walls/Locations
	4'-0" Black Vinyl-clad Chain Link Fence on mowcurb at Dog Park (Height specification per the City of Tracy)
	Low Block Wall at Entry Monument Signage
	8'-0" Block Wall- Split face Block w/cap. (By others)
	8'-6" Pilaster- Split face Block w/cap.
	6'-6" Min. Pilaster- Split face Block w/cap.
	6'-6" Pilaster- Split face Block w/cap.

Approximate Pilaster location shown

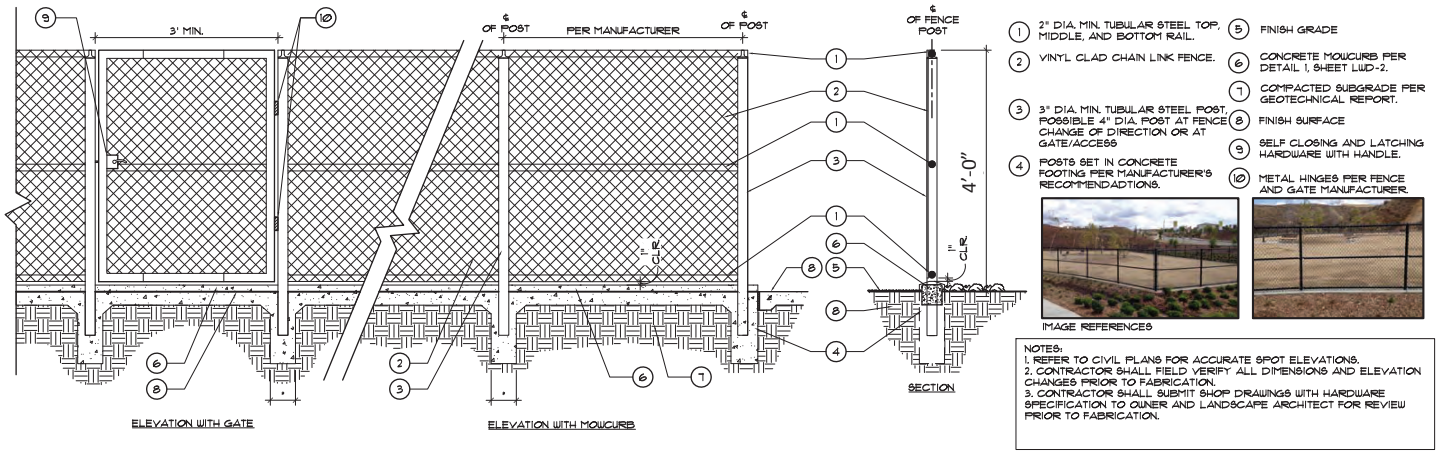


Fig. 3-30 4'-0" Black Vinyl-coated Chain Link Fence

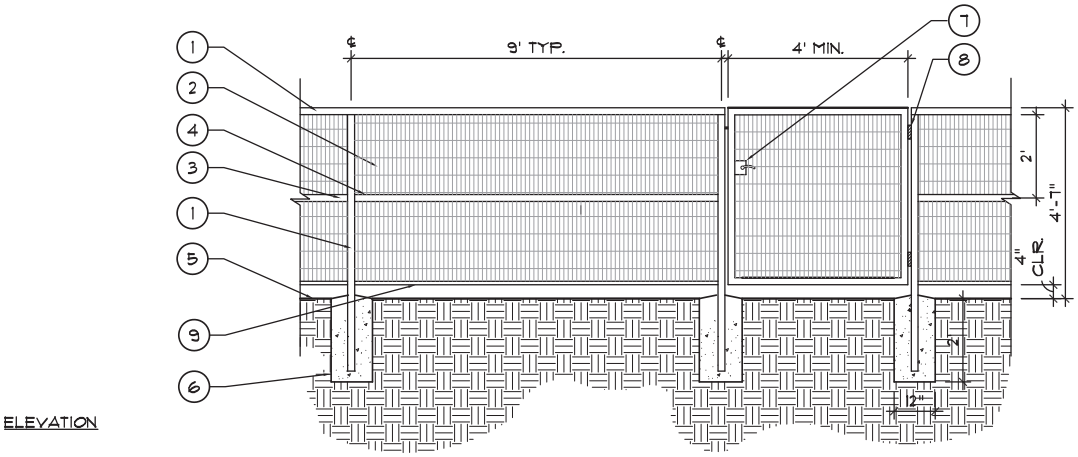


Fig. 3-31 4'-7" Easement Fence

Gate Note: Gate locations that are publicly accessible shall meet accessibility requirements as per CBC 11B for the hardware and operable parts of the gate.

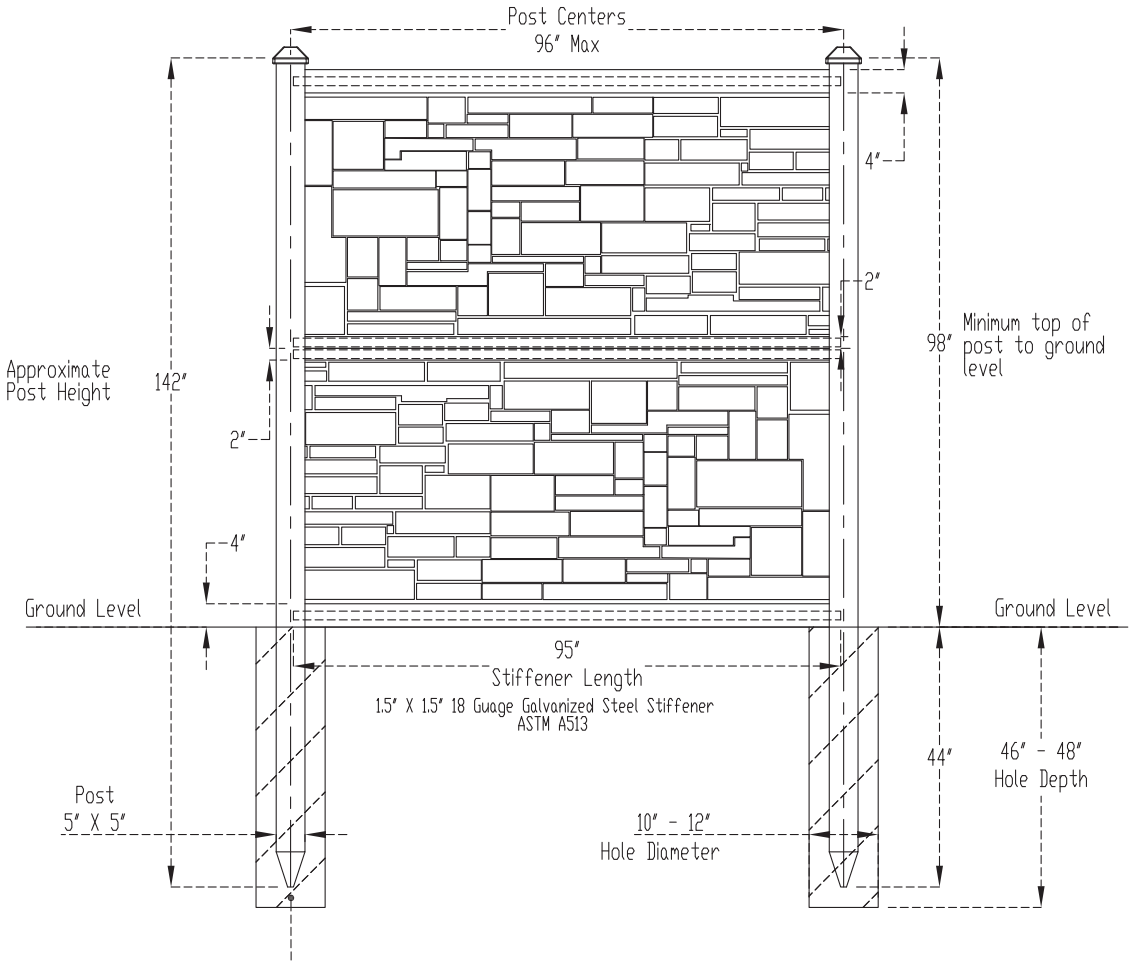


Fig. 3-32 8'-0" Simtek Fence
Color: Eco Brown or equal

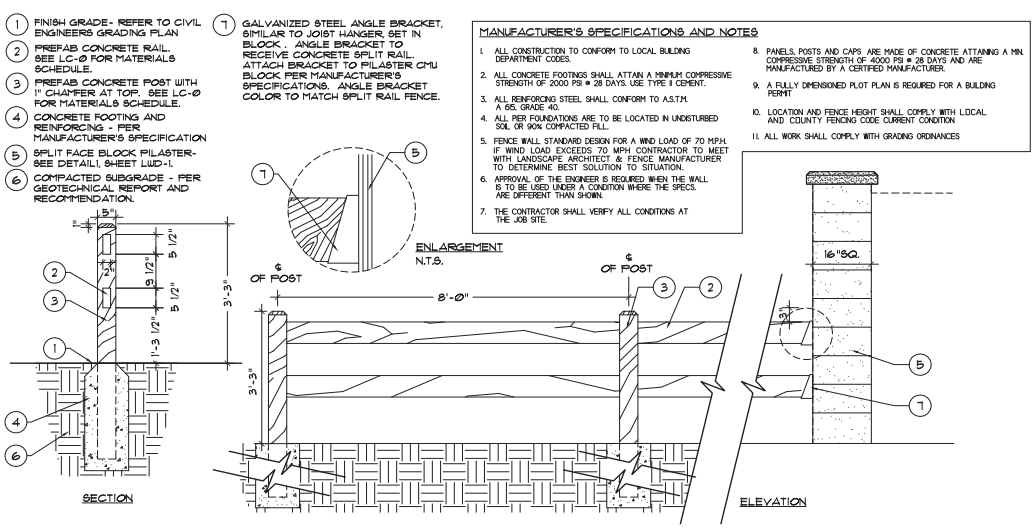


Fig. 3-33 3'-3" Concrete Split Rail Fence

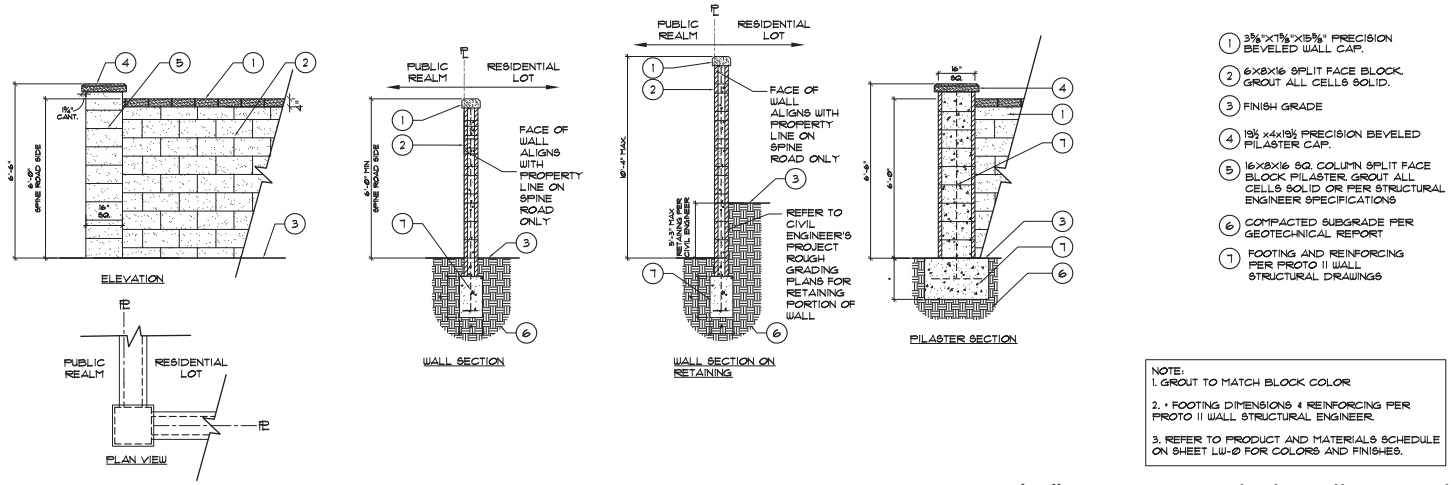


Fig. 3-34 6'-0" Min. Proto II Block Wall or Equal

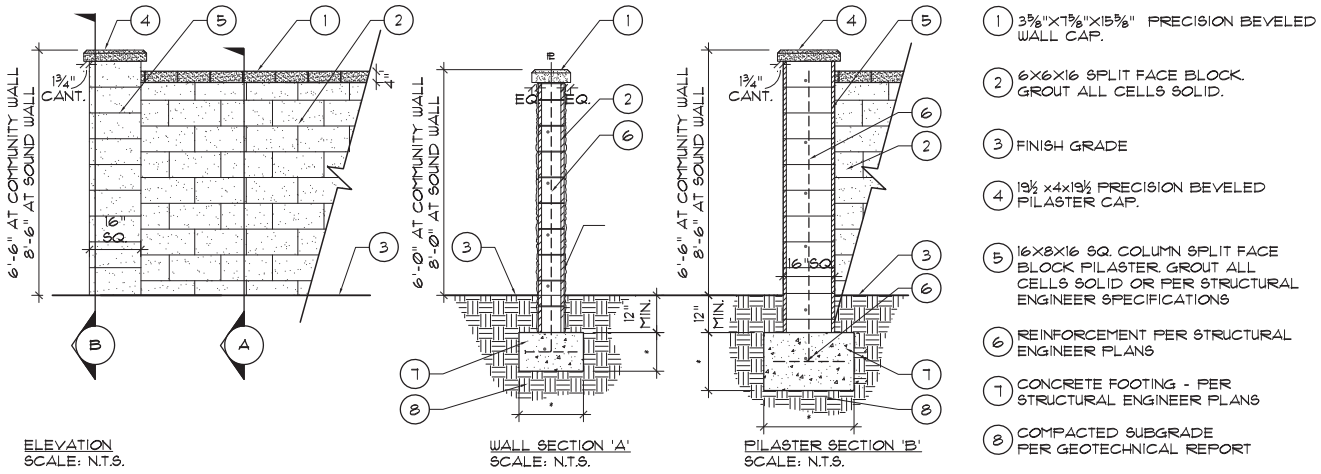


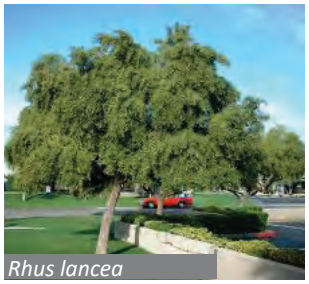
Fig. 3-35 6'-0" Builder Block Wall or 8'-0" Sound Wall

Symbol	Description/Location
	Spine Road (Refer to Construction Document set prepared by FORMA) Parkway Tree (both sides) - *Platanus acerfolia* 'Columbia' at 35' O.C. Backdrop Tree - *Pinus eldarica* (informal massing) Median Tree - *Ulmus parvifolia 'Drake'* at 35' O.C. Roundabout Tree - *Quercus wislizenii* (3 per Roundabout) and *Cedrus deodara* (3 per Roundabout at HOA Park)
	Mixed Use Business Park Refer to Section 3.4.15 for Landscape Plant Matrix, "Mixed Use Business Park" column

Frontyard Trees- Each lot is required to receive (1) 24" box tree in addition to the street trees/ parkway trees shown in the Master Tree Plan. Tree species to be determined by the builders' Landscape Architects in accordance with the enclosed Plant Matrix and will be associated with the various architectural elevations.

Symbol	Description/Location
	Neighborhoods 1, 3, and 8 Parkway Trees
	Primary Tree - *Ulmus parvifolia* 'Drake'- (Drake Chinese Elm) Minimum 24" Box at 30' O.C.
	Secondary Tree - *Quercus rubra* (Red Oak)
	Secondary Tree - *Chionanthus retusus* (Chinese Fringe Tree)
	Neighborhoods 4, 7, and 6 West (W) Parkway Trees
	Primary Tree - *Zelkova* 'Village Green' (Village Green Zelkova) Minimum 24" Box at 30' O.C.
	Secondary Tree - *Ginkgo biloba* 'Autumn Gold' (Autumn Gold Ginkgo-male)
	Secondary Tree - *Acer rubrum* 'Redpointe' (Redpointe Red Maple)
	Neighborhoods 2, 5, and 6 East (E) Parkway Trees
	Primary Tree - *Pistacia chinensis* 'Keith Davey' (Chinese Pistache-male) Minimum 24" Box at 30' O.C.
	Secondary Tree - *Koelreuteria bipinnata* (Chinese Flame Tree)
	Secondary Tree - *Carpinus betulus* (Hornbeam)

NOTE: If, during the City's review of improvement plans or subsequent tree replacements, there is a conflict between a tree species shown in the Tracy Hills Specific Plan and a later adopted Urban Forestry Management Plan (UFMP), then the tree species shown in the UFMP shall prevail, subject to the review and approval of the City Urban Forestry Supervisor/Arborist or other designee of the Public Works Director.


Rhus lancea

Ulmus parvifolia

Zelkova serrata

Chamaerops humilis

Botanical Name	**Common Name**	Entries	Main Road Streetscape	Residential Streetscape/ Front Yards	Neighborhood Parks	School	Mixed Used Business Park	100' Conservation Easement
*Quercus ilex**	Holly Oak	●	●	●	●	●	●	
*Quercus lobata**	Valley Oak	●	●	●	●	●	●	●
Quercus palustris	Pin Oak		●	●	●	●	●	
Quercus rubra	Red Oak	●	●	●	●	●	●	
*Quercus suber**	Cork Oak	●	●	●	●	●	●	
Quercus virginiana	Southern Live Oak	●	●	●	●	●		
*Quercus wislizenii**	Interior Live Oak	●	●	●	●	●		
*Rhus lancea**	African Sumac	●	●	●	●	●	●	
Sapium sebiferum	Chinese Tallow Tree			●	●	●	●	
Sequoia sempervirens	Coast Redwood	●			●			
Ulmus parvifolia var.	Chinese or Evergreen Elm	●	●	●	●	●	●	
Ulmus sp. 'Frontier'	Frontier Elm	●	●	●	●	●	●	
Ulmus sp. 'Homestead'	Homestead Elm	●	●	●	●	●	●	
Ulmus sp. 'Liberty'	Liberty Elm	●	●	●	●	●	●	
*Ulmus sp.'Prospector'**	Prospector Elm	●	●	●	●	●	●	
Umbellularia californica	California Bay	●	●	●	●	●	●	
Zelkova serrata	Sawleaf Zelkova	●	●	●	●	●	●	
Zelkova serrata 'Green Vase'	Green Vase Zelokova	●	●	●	●	●	●	
Zelkova serrata 'Village Green'	Village Green Zelkova	●	●	●	●	●	●	
PALMS (not allowed on any city or city maintained property)								
*Butia capitata**	Pindo Palm			●	●	●	●	
*Chamaerops humilis**	Mediterranean Fan Palm			●	●	●	●	
Cycas revoluta	Sago Palm			●	●	●	●	
*Phoenix dactylifera**	Edible Date Palm				●	●	●	
Washingtonia filfera	California Fan Palm			●	●	●	●	
Washingtonia robusta	Mexican Fan Palm			●	●	●	●	

NOTE: If, during the City's review of improvement plans or subsequent tree replacements, there is a conflict between a tree species shown in the Tracy Hills Specific Plan and a later adopted Urban Forestry Management Plan (UFMP), then the tree species shown in the UFMP shall prevail, subject to the review and approval of the City Urban Forestry Supervisor/Arborist or other designee of the Public Works Director.

*Indicates drought-tolerant species
**Indicates that designer must select a low water or drought-tolerant variety only
***Indicates that designer must select a zone-appropriate species

4.7 PUBLIC FACILITIES AND SERVICES

The Tracy Hills Specific Plan will require a full range of public services. The Specific Plan addresses the services to be provided by a variety of public and private entities including infrastructure, educational facilities, and parks and recreation.

4.7.1 Electricity

The Tracy Hills project is in the PG&E service area. PG&E has indicated that the 12 KV lines in Lammers and Corral Hollow Roads will provide sufficient capacity to service approximately half the proposed project. In order to accommodate the entire Tracy Hills project a substation may be built at or near the project site**.** Refer to Chapter 3**,** Design Guidelines, for methods of screening utilities equipment, and/or other similar facilities, from adjacent to residential development. Utility boxes and vaults may be located in street parkways where house setbacks, etc., do not provide the required franchise utility clearances.

4.7.2 Natural Gas

PG&E existing gas facilities lie at the northeastern most edge of the Tracy Hills project. These facilities consist of a two-inch gas line and a 26-inch high pressure gas main. A two-inch gas line runs along Lammers Road and terminates near the Delta-Mendota Canal (where Lammers Road ends). A 26-inch high pressure gas main runs in a northwesterly direction roughly paralleling the Delta-Mendota Canal.

In order to serve the Tracy Hills project, gas lines will have to be extended from the existing gas mains just south of the Delta-Mendota Canal, south to the site and across or under the California Aqueduct and Interstate 580.

4.7.3 Utility boxes and vaults may be located in street parkways where house setbacks, etc., do not provide the required franchise utility clearances.Telephone

AT&T, or other service provider, currently has few customers in the vicinity of the Tracy Hills project. Therefore, the project site will require the extension of a trunkline to the site.

Telephone service lines may be traditional copper conductor lines or advance technology fiber optic cables.

4.7.4 Utility boxes and vaults may be located in street parkways where house setbacks, etc., do not provide the required franchise utility clearances.Cable Television

The Tracy Hills area may be served by Comcast or other cable television providers. This service will utilize fiber optic cables or other technologies. All residents and companies living or working in Tracy Hills will be able to take advantage of these technologies. Utility boxes and vaults may be located in street parkways where house setbacks, etc., do not provide the required franchise utility clearances.

4.7.5 Solid Waste

Solid waste from the project will be accommodated at the Tracy Materials Recovery Facility (MRF transfer facility). The MRF transfer facility is planned to accommodate a City of Tracy population which includes Tracy Hills in accordance with the County Solid Waste Master Plan. Solid waste will eventually be hauled from the MRF transfer facility to the County Foothill landfill east of Tracy.

The City of Tracy uses a franchise hauler to provide solid waste collection services to its residents. Based upon the current generation factor of 7.52 pounds/person/day (residential, commercial, industrial average), solid waste production will be approximately 54 tons/day.

4.7.6 Schools

June 4, 2019

AGENDA ITEM 3.D

REQUEST

APPROVE AN EMPLOYMENT AGREEMENT BETWEEN LETICIA RAMIREZ AND THE CITY OF TRACY TO SERVE AS INTERIM CITY ATTORNEY

EXECUTIVE SUMMARY

On May 21, 2019, City Council appointed Leticia Ramirez to serve as interim City Attorney effective June 1, 2019. Staff recommends that the City Council approve an at-will employment agreement with Leticia Ramirez to serve as interim City Attorney.

DISCUSSION

The City Council recently appointed Leticia Ramirez to serve as interim City Attorney. Staff recommends that the City Council adopt a resolution approving an employment agreement with Ms. Ramirez. The attached proposed employment agreement provides that:

- Effective June 1, 2019, Ms. Ramirez shall serve as the interim City Attorney until the effective date of the appointment of a City Attorney by City Council. However, either party may terminate the agreement earlier upon giving written notice to the other party.

- Ms. Ramirez shall receive an additional ten percent (10%) over her current salary as Assistant City Attorney during the term of the Agreement (interim salary would be $16,536.41/mo).

- Ms. Ramirez shall continue to receive the same rights and benefits as those conferred to confidential managers in the most currently adopted Confidential Employees Unit Compensation and Benefit Plan during the term of the Agreement.

- The City shall continue to contribute to Ms. Ramirez's retirement in accordance with the appropriate California Public Employees' Retirement System (CalPERS) formula as required to CalPERS during the term of the Agreement.

- At the termination of the Agreement, Ms. Ramirez shall have the right to return to the position of Assistant City Attorney.

STRATEGIC PLAN

This agenda item is a routine operation item and is not related to the City Council's Strategic Plans.

FISCAL IMPACT

The fiscal impact of this action is offset by the savings realized by the vacant permanent City Attorney position.

RECOMMENDATION

That the City Council approve, by resolution, an at-will employment agreement with Leticia Ramirez to serve as Interim City Attorney

Prepared by: JoAnn Weberg, Human Resources Manager

Reviewed by: Thomas Watson, City Attorney
Karin Schnaider, Finance Director

Approved by: Thomas Watson, City Attorney

Attachment: Exhibit A - Proposed Employment Agreement – Leticia Ramirez

EMPLOYMENT AGREEMENT BETWEEN LETICIA RAMIREZ AND THE CITY OF TRACY TO SERVE AS INTERIM CITY ATTORNEY

This Employment Agreement ("Agreement") is made and entered into by and between the City of Tracy, a municipal corporation ("City") and Leticia Ramirez, an individual ("Ramirez"). City and Ramirez are sometimes referred to herein collectively as "Parties."

RECITALS

WHEREAS, Ramirez currently serves as the Assistant City Attorney; and

WHEREAS, City desires to employ Ramirez as its interim City Attorney for the City of Tracy and Ramirez desires to accept employment as interim City Attorney; and

WHEREAS, Parties seek to establish the terms and conditions of employment in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth below, the Parties hereto agree as follows:

1. **Employment.** City agrees to employ Ramirez as interim City Attorney to perform the functions and duties of a City Attorney in accordance with Tracy Municipal Code (TMC), applicable state law, and to perform other legally permissible and proper duties and functions as the City Council shall from time to time assign. Ramirez shall serve at the will and pleasure of City Council, pursuant to the terms and limitations of this Agreement.

2. **Term.** This Agreement shall be effective on June 1, 2019 and terminate upon the effective date of the appointment of a City Attorney by City Council, unless terminated earlier by either City or Ramirez. Either party may terminate this Agreement upon giving written notice to the other party.

3. **Compensation.** During the term of this Agreement, Ramirez shall receive $16,563.41 per month, which is ten percent (10%) over her current base salary for Assistant City Attorney.

4. **Benefits.** Ramirez shall receive the same rights and benefits as those conferred to confidential managers in the most currently adopted Confidential Employees Unit Compensation and Benefits Plan. City shall contribute to Ramirez's retirement in accordance with the appropriate California Public Employees' Retirement System (CalPERS) formula as required by CalPERS.

5. **Return to Assistant City Attorney Position.** Upon termination of this Agreement, Ramirez shall have the right to return to the position as Assistant City Attorney.

6. **Entire Agreement.** This Agreement contains the entire agreement between the parties concerning the subject matter of this agreement. This Agreement shall supersede, and render null and void any and all prior agreements between the parties to this Agreement concerning the subject matter of this Agreement. This Agreement may only be amended by written instrument signed by City and Ramirez and specifically approved by the City Council in open session.

7. **Representation by Counsel.** Ramirez and City acknowledge that they each did, or had the opportunity to, consult with legal counsel of their respective choices with respect to the subject matter of this Agreement prior to signing it.

8. **Applicable Law.** This Agreement is signed and delivered in the State of California and the rights and obligations of the parties under this Agreement shall be construed and enforced in accordance with the laws ofthe State of California.

9. **Waiver.** No waiver by any party of any breach of any term or provision of this Agreement shall be construed to be, nor shall be, a waiver of any preceding, concurrent or succeeding breach of the same or any other term or provision of this Agreement.

10. **Interpretation.** This Agreement is deemed to have been drafted jointly by the parties to this Agreement. Any uncertainty or ambiguity shall not be construed for or against any party based upon attribution of drafting to any party.

11. **Severability.** If any provision of this Agreement is held unconstitutional, invalid or unenforceable, that invalidity shall not affect any other provisions which could be given effect without the invalid provision.

12. **Counterparts.** This Agreement may be executed in several counterparts, and shall be admissible in counterparts. All executed copies are duplicate originals and are equally admissible in evidence.

City of Tracy

_____
Robert Rickman, Mayor

Date: _____

Leticia Ramirez

_____
Leticia Ramirez

Date: 5/30/19

Attest:

Approved as to form:

_____
Thomas Watson, City Attorney

RESOLUTION 2019 - _____

APPROVING AN AT-WILL EMPLOYMENT AGREEMENT BETWEEN LETICIA RAMIREZ AND THE CITY OF TRACY TO SERVE AS INTERIM CITY ATTORNEY

WHEREAS, Leticia Ramirez is currently the City's Assistant City Attorney; and

WHEREAS, The City desires to employ Ms. Ramirez as its interim City Attorney subject to the terms and conditions set forth in the Employment Agreement between Leticia Ramirez and the City of Tracy ("Agreement"), and

WHEREAS, Ms. Ramirez desires to be employed by the City of Tracy as its interim City Attorney subject to the terms and conditions set forth in the Agreement;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the Employment Agreement between the City of Tracy and Leticia Ramirez attached to this agenda item.

* *

The foregoing Resolution 2019 - _____ was adopted by the Tracy City Council on the 4th day of June, 2019 by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 3.E

REQUEST

APPROVE SPHERE OF INFLUENCE PLANNING HORIZONS FOR THE CITY'S UPDATED MUNICIPAL SERVICES REVIEW TO BE SUBMITTED TO THE SAN JOAQUIN LOCAL AGENCY FORMATION COMMISSION FOR APPROVAL

EXECUTIVE SUMMARY

Staff is seeking Council input and approval of revised Sphere of Influence (SOI) Planning Horizons in response to the San Joaquin Local Agency Formation Commission (LAFCo) requirement that City amend its Planning Horizons in the Municipal Services Review (MSR).

DISCUSSION

In 2017, the City contracted with De Novo Planning Group to prepare a Municipal Services Review (MSR) for submission to LAFCo. The City's previous MSR was approved by LAFCo in 2012 and state law requires that MSRs be updated every five years.

An MSR is a LAFCo-adopted document that addresses the ability of an agency to provide municipal services to lands within its SOI. The MSR addresses the adequacy of and planning for services identified for evaluation by LAFCo, including fire protection and emergency services, law enforcement, water treatment and supply, sewer conveyance and treatment, stormwater and drainage, and general governmental services. For each service area, master plans related to the provision of services were reviewed and evaluated for adequacy in addressing existing needs as well as addressing the growth anticipated by the MSR. Financial data, including recent City budgets, annual financial reports, ballot measures that generate revenue, development impact fees, and use fees, were reviewed and evaluated. Significant financial obligations were considered in order to determine the certainty of the City's budget projections and availability of funds to provide services. The certainty of planned revenue sources as well as the impact of financial obligations were considered in order to address whether adequate funds are anticipated to be available for the City's continued implementation of its General Plan and various master plans for utilities and services. The MSR considered opportunities for coordinated provision of services and sharing of facilities and community service needs related to the City's governance structure, accountability for provision of services and decision-making and potential operational efficiencies.

De Novo Planning Group and the City submitted three drafts of the MSR to LAFCo for review. As part of the MSR process, the LAFCo Executive Director indicated that the City must provide a revised MSR and SOI Plan that does the following:

1. Revises the 10-year and 30-year Horizons to reduce the amount of growth accommodated within the SOI to 50% of total growth within the SOI.

2. Removes all lands within the 100-year and 200-year floodplains from the 10-year Horizon.

Additionally, LAFCo requested additional analysis of the City and Tracy Rural County Fire District (Rural Fire District) service plans and finances. However, this issue may have been addressed given LAFCo's recent decision to require all lands annexing into the City detach from the Rural Fire District. That being said, Staff has reached out to LAFCo with a request to concurrently conduct another workshop to continue to discuss the detachment issue.

It should be noted that LAFCo, not the City, approves and adopts the MSR. While the City allocates resources to prepare and develop the MSR and SOI Plan, LAFCo is the decision making body, and directs the type of information included in the documents.

In response to the mandate around the amount of growth allocated in the 10-year Horizon and reduction of land within the 100-year and 200-year floodplain, a revised MSR and SOI Plan was submitted to LAFCo reflecting the required changes (Attachment A). It should be noted that City staff does not agree with these modifications as it is not in the best interest of the City. More specifically, the elimination of certain parcels fronting the I-205 area from the 10-year planning horizon would negatively impact the City's future economic development efforts by creating additional processes for prospective businesses and could encourage development to occur in the county rather than direct development to the City for services. However, to prevent further delay and ensure that the MSR is forwarded to the Commission for timely consideration, the required changes were made.

The LAFCo Executive Director recognizes that the requirements for the SOI Plan are not consistent with the City's vision. The Executive Director further indicated that the City will be provided an opportunity to discuss its preferred plan when the MSR is considered by the Commission on June 13, 2019.

In response to LAFCo's requirement to amend the City's Planning Horizons, staff is seeking input and approval of a proposed SOI Planning Horizons (Attachment B). The revised SOI horizons reflects the imminent development and annexation applications that are pending, provides some accommodation to the LAFCo request to reduce areas within the 100-year and 200-year floodplain, and includes an island (the Rocha site) within the 10-year Horizon in consideration of anticipated LAFCo policy direction regarding islands. Additionally, the revised SOI horizons was included as an appendix in the most recent draft MSR submitted to LAFCo for review.

STRATEGIC PLANS

This agenda item does not relate to any of the City's Strategic Plans.

FISCAL IMPACT

This agenda item does not have any fiscal impact to the City. This is a routine operational agenda item.

RECOMMENDATION

Staff recommends that Council review and approve the attached City-Proposed SOI Plan for submittal to LAFCo for consideration and adopt the attached resolution that supports LAFCo consideration of the SOI Plan.

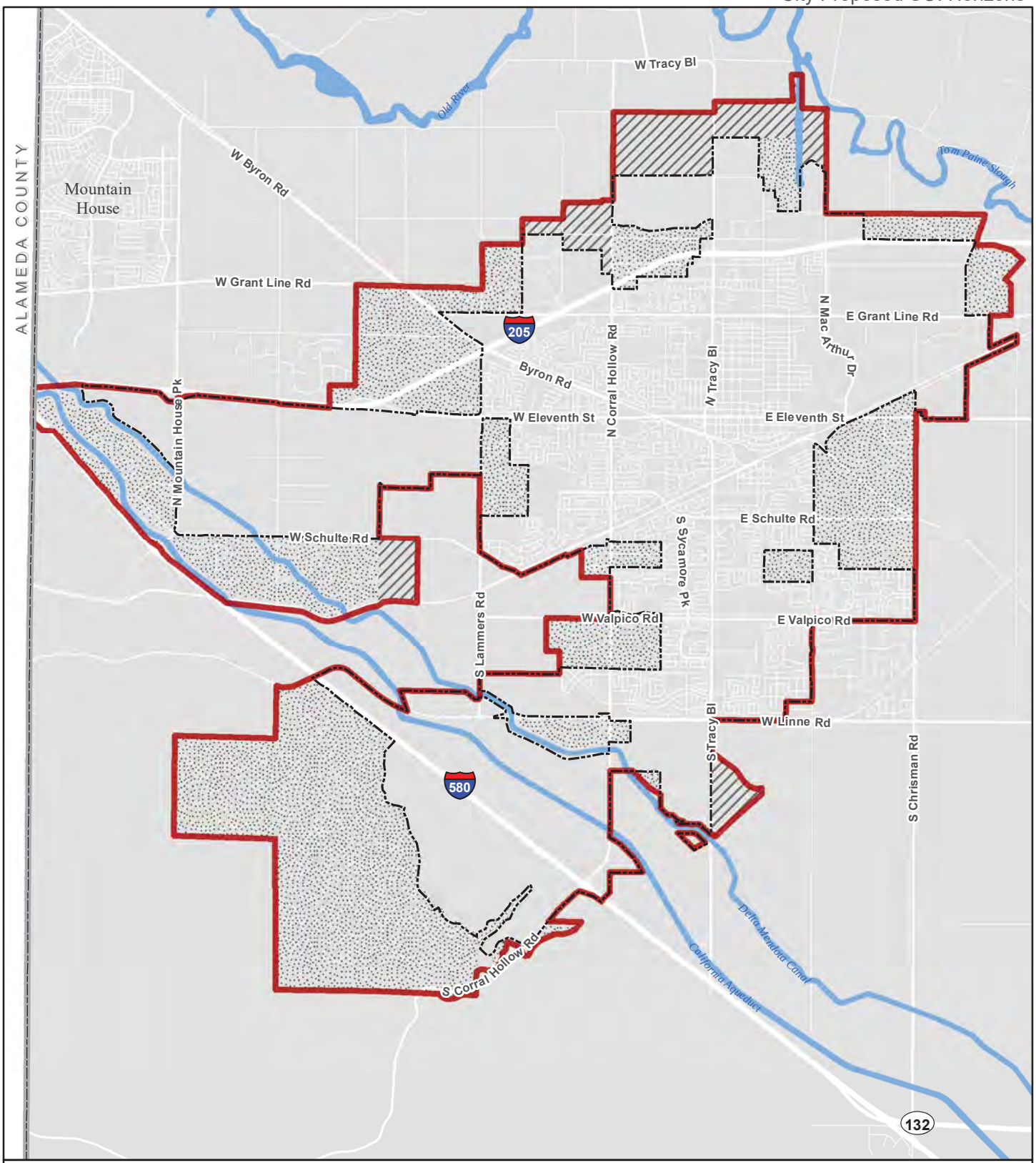
Prepared by: Beth Thompson, De Novo Planning Group
Victoria Lombardo, Senior Planner

Reviewed by: Bill Dean, Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

ATTACHMENTS

Attachment A – City-Requested SOI Plan (Figure 1-1) and Supporting Documentation (Figures 1-2 and Figure 2-2, Tables 1-1, 2-3, 2-5, and 2-6)
Attachment B – LAFCo Executive Director Mandated SOI Plan
Attachment C - Draft Tracy Municipal Services Review



Planning Areas
- City Limits
- Sphere of Influence

Planning Horizon
- 10-Year Planning Horizon
- 30-Year Planning Horizon

N

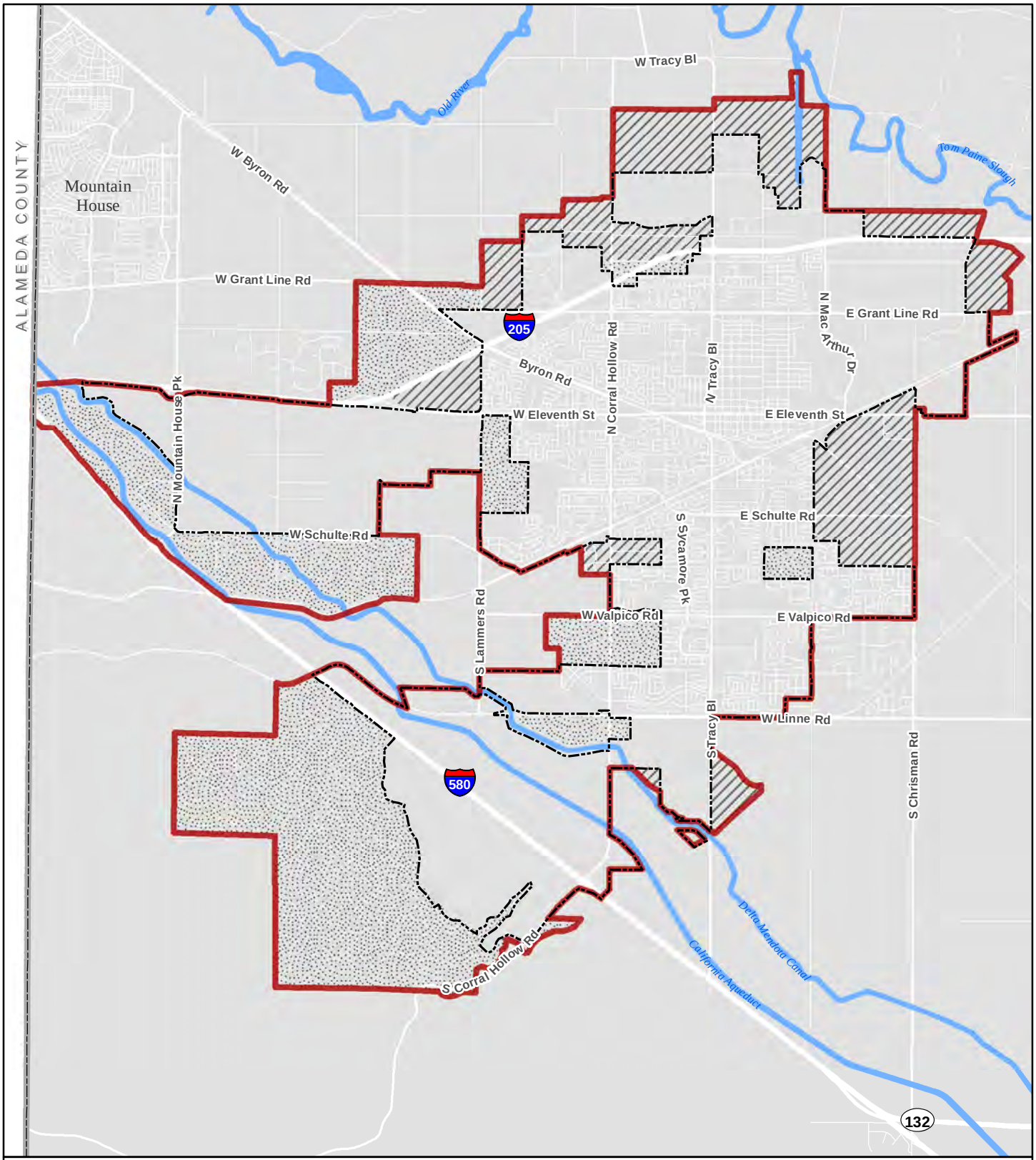
0 ½ 1
Miles

TRACY MUNICIPAL SERVICES REVIEW

Figure 1-1. City-Requested Planning Horizons

Sources: San Joaquin County; City of Tracy. Map date: May 2, 2019.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm



Planning Areas
- City Limits
- Sphere of Influence

Planning Horizon
- 10-Year Planning Horizon
- 30-Year Planning Horizon

N

0 ½ 1
Miles

TRACY MUNICIPAL SERVICES REVIEW

Figure 1-1. Planning Horizons

Sources: San Joaquin County; City of Tracy. Map date: May 2, 2019.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

Attachment C

DRAFT
TRACY MUNICIPAL SERVICES REVIEW

MAY 2019

Prepared for:

San Joaquin Local Agency Formation Commission
509 W. Weber Avenue, Suite 420
Stockton, CA 95203

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762

On behalf of:

City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
(209) 599-2108

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

DRAFT
TRACY MUNICIPAL SERVICES REVIEW

MAY 2019

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El Dorado Hills, CA 95762

On behalf of:

City of Tracy
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Tracy, CA 95376
(209) 599-2108

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APPENDIX A CITY-REQUESTED SOI PLAN (FIGURES AND TABLES)

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EXECUTIVE SUMMARY

This Municipal Services Review (MSR) is being prepared for the San Joaquin Local Agency Formation Commission (LAFCo) by the City of Tracy (City) in compliance with the 2000 Cortese-Knox-Hertzberg Act, which requires that a MSR be prepared prior to or concurrent with an update of a Sphere of Influence (SOI). The MSR evaluates existing and future service conditions and reviews the advantages and disadvantages of various government service structure options in the form of written determinations. A MSR is a tool upon which LAFCo can base its action on a SOI. This MSR will be used by the San Joaquin LAFCo when reviewing annexations and amendments to the City of Tracy's SOI. The City lasted updated its SOI and MSR in 2012. The City is completing this MSR to inform LAFCo as it considers various annexation applications submitted by the City.

The MSR reviews the City's ability to provide services to residents and businesses within its existing boundaries as well as the future residents and businesses within 10-Year and 30-Year Horizons. A SOI is a planning boundary defined by LAFCo within which a city or district is expected to grow over time. The MSR provides the basis for modifying the City's SOI.

The MSR is required by the Cortese-Knox-Hertzberg Act to have six categories, as defined by the San Joaquin LAFCo "Service Review Policies" December 14, 2012. Each of these categories requires a written determination. The six categories are as follows:

- Growth and Population Projections for the Affected Area
- The Location and Characteristics of any Disadvantaged Unincorporated Communities within or Contiguous to the Sphere of Influence
- Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies including Needs or Deficiencies related to Sewers, Municipal and Industrial Water, and Structure Fire Protection in any Disadvantaged, Unincorporated Communities (DUCs) within or contiguous to the Sphere of Influence
- Financial Ability of Agencies to Provide Services
- Status of, and Opportunities for, Shared Facilities
- Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

CONTENTS

This MSR includes the following chapters:

Executive Summary and Determinations. This chapter summarizes the purpose of the MSR, the determination requirements for an MSR, and the contents of the MSR and makes a written determination for each of the required categories.

Chapter 1, Introduction. Chapter 1 defines and describes the SOI, describes the determination factors LAFCo must consider when determining a SOI, and addresses compliance with the California Environmental Quality Act.

Chapter 2, Sphere of Influence Plan. Chapter 2 provides a detailed description of the capacity of the City and SOI to accommodate growth and addresses present and planned land uses in the area, including agricultural open space lands, the present and probable need for public facilities and services in the area, the present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide, the existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency, and the present and probable need for those public facilities and services within any disadvantaged unincorporated communities (DUCs) within the SOI. The SOI Plan does not propose any changes to the City's SOI, but does include modifications to the 10- and 30-Year Horizons.

Chapter 3, Growth and Population Projections. Chapter 3 identifies growth trends and projections for the City and its 10-Year and 30-Year Horizons.

Chapter 4, Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies. Chapter 4 addresses the needs and deficiencies of public services and facilities, particularly in terms of supply, capacity, condition of facilities, and service quality. This chapter addresses the following public services, some of which are provided by the City and some of which are provided through contract or special district: fire protection and emergency medical services, law enforcement, water supply and treatment, wastewater supply and treatment, and storm water drainage and flood protection.

Chapter 5, Financial Ability. Chapter 5 addresses the financial ability of the City to fund public services necessary to serve existing and planned growth; this chapter also addresses the financial resources available to provide fire protection services through SSJCFA.

Chapter 6, Status of and Opportunities for Shared Facilities. Chapter 6 addresses the City's existing arrangements for shared facilities and resources as well as opportunities for reducing overall costs and improve services by sharing facilities and resources.

Chapter 7, Accountability for Community Service Needs. Chapter 7 addresses the benefits and constraints of the City of Tracy's government structure and operations in regards to the provision of public services.

DETERMINATIONS

Written determinations are included for each of the required areas and are provided below. The San Joaquin LAFCo "Service Review Policies" document dated December 14, 2012 prepared by the San Joaquin LAFCo was used as a guide in the preparation of this MSR. The following determinations are based on a comprehensive review of services contained in this MSR. These determinations affirm the City's ability to provide services to existing and future populations within its SOI in accordance with Government Code section 56425:

DETERMINATION 1: GROWTH AND POPULATION PROJECTIONS FOR THE AFFECTED AREA

1-A. Present and Planned Land Uses

The City of Tracy has a large amount of vacant acreage within the City limits, much of which lies within three Specific Plan areas in the early stages of development, Tracy Hills, Cordes Ranch, and Ellis, and another master-planned area, the Gateway Concept Development Plan. These developments are located generally to the west and southwest of the central core of the City. There are also numerous vacant properties within the City that are steadily being developed with new construction. Overall, Tracy is primarily a lower density residential community, with a historic downtown, a commercial core including a mall, restaurants and auto dealers, and a robust industrial market with multiple warehouse/distribution facilities.

Planned land uses in the City are summarized in **Table 1-1** and shown in **Figure 1-3** and include a residential development ranging from very low to high densities, commercial, office, industrial uses, and public uses, as well as agricultural and open space uses.

Agricultural lands continue to make up a portion of the area within the SOI and Planning Area outside of the City limits, including within the 10 and 30-year Horizons. The majority of the parcels within the SOI that are located outside of the current City limits are designated for urban development (see **Figure 1-3**). The inclusion of these agricultural lands within the City's SOI is consistent with Government Code Section 56426.6, as described in Chapter 2.

As described in Chapters 1 and 2, present and planned land uses as specified in the City of Tracy General Plan are appropriate for serving existing and future residents of Tracy. The City of Tracy General Plan includes goals and policies that address growth, development, and conservation of open space. Planned land uses in the City of Tracy General Plan include Residential Very Low, Residential Low, Residential Medium, Residential High, Traditional Residential – Ellis, Active Adult Residential, Commercial, Office, Industrial, Downtown, Village Center, Public Facilities, Park, Open Space, Agriculture, Aggregate, and Urban Reserve. Land designations applicable to the 10- and 30-Year Horizons are shown in **Table 1-1**.

1-B. Social and Economic Communities of Interest

While the City of Tracy does not abut any incorporated communities, the residents of Tracy share social and economic interests with the nearby communities of Lathrop, Manteca, and Mountain House (unincorporated) as well as a variety of local organizations of interest, such as numerous businesses, schools, churches, and other community service programs that serve Tracy's residents. Lands in the SOI are unincorporated, but are historically, socially, and economically related to Tracy. The existing social fabric of the city will not change substantially with the growth anticipated in the SOI, including growth projected for the 10-Year and 30-Year Horizons. As described in the 2011 City of Tracy Municipal Service Review, new growth is expected to be positive, bringing in new families and economic buying power as well as possible revenues that increase the City's budget. Industrial, commercial, and retail growth anticipated in the SOI would bring jobs and economic growth and improve the City's jobs-housing balance. An increase in jobs in the City would benefit the larger

region as many local communities export workers to the Bay Area, as evidenced by approximately 50% of San Joaquin County residents (121,253 jobs) working outside of the County. Maintaining the City's SOI would continue to provide these benefits to the City and region.

Historically, the area surrounding Tracy has been largely agricultural. Much of the area surrounding the City limits and SOI includes Williamson Act lands. In addition, the existing SOI includes 23 parcels within the SOI that are under Williamson Act protection (see **Figure 1-2**). As previously described, the continued inclusion of the six Prime Agricultural parcels in the 30-Year Horizon as well as the the ten Non-Prime parcels within the SOI is anticipated to have no adverse effect on the associated Williamson Act contracts. Of the remaining Non-Prime parcels, there are nine located in the Open Space area in the southwest portion of the SOI that would remain permanent open space, there is one located within the 10-Year Horizon in the northwest portion of the SOI, one located within the 10-Year Horizon in the southern area of the SOI, and three located in the 30-Year Horizon; with the exception of the Open Space lands, these parcels are all planned for development and urbanization by the City's General Plan and their continued inclusion in the City's SOI facilitates planned, orderly, and efficient patterns of land use and public services and the public interest in this change continues to substantially outweigh the public interest in the continuation of the associated Williamson Act contracts. Further, the General Plan includes policies that will be implemented as development occurs on or adjacent to agricultural lands that address and reduce impacts between urban development and agricultural land uses.

1-C. Growth and Population Projections of the Affected Area

The City of Tracy General Plan provides a framework for future growth and development within the City and the SOI. As described in Chapters 2 and 3, the City of Tracy has created a thorough policy structure to manage the SOI, including maps that identify two key geographies: Primary Residential Growth Areas and Secondary Residential Growth Areas. The City of Tracy initially adopted a residential Growth Management Ordinance (GMO) in 1987. The current GMO is provided under City Resolution 2012-1201 and was most recently revised by the City Council on October 20, 2015. Furthermore, the City's Residential Growth Management Program (RGMP) established in Chapter 10.12 of the Municipal Code, set annual limits on the Residential Growth Allotment (RGA), which is the allotment made by the City that must be obtained by a developer before each residential building permit is issued by the City, unless the subdivider obtains an exemption. 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, small custom residential projects, to meet state RHNA goals, and projects utilizing Active Adult Residential Allotments.

The City's population was estimated at 92,553 in 2018. The latest SJCOG population projections for Tracy are 127,933 people by 2040 and 147,782 people by 2050. Under the City's GMO, taking exemptions into account, a population of approximately 141,341 could be accommodated by 2040 and approximately 162,335 persons could be accommodated by 2050 (see **Table 2-2**).

The current SOI, including the 10-Year and 30-Year Horizons, provides for maximum growth of up to approximately 25,956 people and 25,696 jobs (as an upper bound) (**see Table 2-3**) if all vacant and

underutilized parcels were developed; however, it is not expected that actual population and employment growth will reach this amount based on the historical trends, population projections, and an unrealistic expectation of full development of all vacant and underutilized parcels. Additionally, since the City has created limits on the number of new housing units (to approximately 600 units per year for market rating housing), this would limit the actual level of population growth within the 10-Year and 30-Year Horizons. There are many factors that will ultimately influence the actual population (including job availability, housing availability/affordability, etc.). Were the City and SOI to develop at full capacity, the City would have a population of 143,343 persons and 68,628 jobs at buildout.

The 10 and 30-Year Horizons within the existing SOI will adequately provide for the projected population and jobs growth through 2049. This level of population, housing, and jobs growth is consistent with the City's General Plan. The City's ability to provide adequate service to new developments will be ensured prior to approval of new developments, in accordance with existing City policies and fee programs, as described in Chapters 4 and 5.

DETERMINATION 2: THE LOCATION AND CHARACTERISTICS OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN OR CONTIGUOUS TO THE SPHERE OF INFLUENCE

There are no currently identified Disadvantaged Unincorporated Communities within the Tracy SOI, as described in Chapter 2. As there are no Disadvantaged Unincorporated Communities located within the Tracy SOI, no analysis of public facilities and services associated with DUCs is provided within this MSR.

DETERMINATION 3: PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS OR DEFICIENCIES INCLUDING NEEDS OR DEFICIENCIES RELATED TO SEWERS, MUNICIPAL AND INDUSTRIAL WATER, AND STRUCTURE FIRE PROTECTION IN ANY DISADVANTAGED, UNINCORPORATED COMMUNITIES (DUCS) WITHIN OR CONTIGUOUS TO THE SPHERE OF INFLUENCE

3-A. Present Capacity of Public Facilities and Adequacy of Public Services

Existing public facilities and services are adequate for serving the needs of Tracy's population, as described in Chapter 4. In early 2018, the Tracy Rural Fire District and the City of Tracy entered into a joint power agreement to form a new joint powers authority known as the South San Joaquin County Fire Authority (SSJCFA) to provide first response fire protection services to the entire jurisdictional area of the SSJCFA. SSJCFA maintains fire stations located throughout its jurisdictional area; the City and the Tracy Rural Fire District are each responsible for capital improvements to their fire stations and replacement, when needed, of their equipment. Both Tracy's fire and police services maintain adequate staff and facilities. The City's water supply, wastewater, and storm drainage services meet the needs of current population, and are being updated and expanded to meet the needs of future populations as new development occurs. [1] As discussed in Chapter 4, the

[1] Master Plans are available for buildout of the City's water, wastewater, and storm drainage systems.

City regularly studies the need for facilities and services and works to address the existing and planned service needs of the City. The determinations included in Chapter 4 of this MSR show that public facilities and services are adequate to meet the needs of the current population. In addition, public facilities and services are being improved over time, and specific timeframes and policies have been established to meet the projected demand from the City's future growth.

3-B. Present and Probable Need for Public Facilities and Services

The ability of the City of Tracy to provide public facilities and services has been explored in the MSR and the City has been found to provide adequate facilities and services to meet the needs of the existing population. Public services provided by the City include police, water, wastewater, and stormwater drainage. The City also provides public facilities including transportation (i.e. TRACER bus) and recreational facilities. The City and the Tracy Rural Fire District provide fire service via the SSJCFA, effective July 2018. Services provided by other agencies include schools (e.g. the Tracy Joint Unified School District and Jefferson School District). New development within the SOI will lead to population growth and the need for additional service provision. The expanded tax base and fees that result from new development, as well as establishment of Community Facilities Districts where appropriate, will provide funding for these services. Development and connection fees will address the capital costs and user charges will address the infrastructure and operating expenses of new development. General Plan policies are in place to ensure adequate service provision for current and future populations, and require the City to address any gaps in funding that present themselves in the future.

3-B-1. FIRE PROTECTION DETERMINATIONS

As described in Chapter 4, the City has an appropriate process in place to plan and fund fire protection services, including regular review of its service levels and funding sources and annual budgeting of resources, that will ensure adequate fire protection staffing, performance levels, and facilities are maintained to serve the City's existing population as well and future growth within the SOI. The City shall continue to plan for adequate service levels by regularly updating the Citywide Public Safety Master Plan to reflect providing City fire services to areas within the SOI, including consideration of whether such services are anticipated to be provided directly by the City or by a JPA

3-B-2. LAW ENFORCEMENT DETERMINATIONS

As described in Chapter 4, the City has an appropriate process in place to plan and fund police services, including regular review of its service levels and funding sources, that will ensure adequate police staffing, performance levels, and facilities are maintained to serve the City's existing population as well and future growth within the SOI.

3-B-C. WATER SUPPLY AND TREATMENT DETERMINATIONS

As described in Chapter 4, the City has planned for adequate capacity in its water supply, water distribution, and water treatment infrastructure to accommodate new development planned in the City and SOI and to serve existing development and has appropriate funding

tools to ensure that new development funds the necessary infrastructure and associated maintenance and services necessary to address demand for water service.

3-B-4. WASTEWATER COLLECTION AND TREATMENT DETERMINATIONS

As described in Chapter 4, the City has planned for adequate capacity in its wastewater treatment services and wastewater conveyance infrastructure to accommodate new development in the City and SOI and to serve existing development and has appropriate funding tools to ensure that new development funds the necessary infrastructure and associated maintenance and services necessary to address demand for wastewater services.

3-B-5. STORMWATER DRAINAGE DETERMINATIONS

As described in Chapter 4, the City has planned for adequate capacity in its storm drainage facilities to accommodate new development planned in the City and SOI and to serve existing development and has appropriate funding tools to ensure that new development funds the necessary infrastructure and associated maintenance and services necessary to provide storm water control. The City also ensures that new development is protected from 100- and 200-year flood hazards through requiring new development to comply with applicable local, state, and federal regulations, as described above.

As described in Chapter 4, the City has addressed potential hazards associated with flooding, including the 100- and 200-year floodplains, in the General Plan, General Plan EIR, and Municipal Code. The City's General Plan includes requirements that are applied to new development to ensure that developing areas are protected from 100- and 200-year flood hazards through requiring new development to comply with applicable local, state, and federal regulations, as described above. Implementation of the City's existing requirements will ensure that flood hazards are addressed prior to development of any areas within the SOI.

3-C. Present and Probable Need for Public Facilities and Services within DUCs

There are no currently identified Disadvantaged Unincorporated Communities within the Tracy SOI, as described in Chapter 2. As there are no Disadvantaged Unincorporated Communities located within the Tracy SOI, no analysis of public facilities and services associated with DUCs is provided within this MSR.

DETERMINATION 5: FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

The City's expenses are covered through the revenues that it receives from charges for services, operating grants and contributions, capital grants and contributions, property tax, and sales and uses tax. As land is developed within the City and land is annexed into the City of Tracy from the SOI, fees and charges for services apply. Duplication of costs will be avoided by ensuring that any services that will be provided by the City will be removed from County or other agency responsibility. The City manages finances on a continual basis, which is reported on an annual basis through the annual Audited Financial Statement and the City Budget. The City's management and reporting of their

finances are in accordance with the legal requirements for such. An outside audit is performed each year to ensure that the legal requirements are met.

The General Plan includes polices and implementation measures that require new development to pay its fair share to offset capital costs for public facilities and services. Development will pay a fair share of all costs of required public infrastructure and services.

The City's Tracy Infrastructure Master Plans (TIMP) programs funding for capital improvements to address planned growth and maintain adequate service levels. The City's TIMP fees are based on the cost of infrastructure improvements identified in the TIMP. The City reviews its fees and charges for services/usage of City facilities on an annual basis to determine the correct level of adjustment required to pay for adequate services and to reverse any deficits and assure funding for needed infrastructure going forward.

The City has created an additional source of revenue to fund the provision of public services such as police and public works by forming a Citywide Services Community Facilities District ("Services CFD") pursuant to the California Mello-Roos Act. The Services CFD is another tool for securing a revenue source to fund the expansion of services as the City grows and continues to develop.

LAFCO has adopted a policy of requiring the City to providing fire services to annexed lands and to no longer annex lands without detachment from the Rural Fire District. The City and Rural Fire District have planned for the provision of new and relocated fire stations, which are funded mainly through the City's impact fees and developer agreement fees. These fees will continue to be available to fund the new and relocated fire stations as described in Chapter 5.

The City has budgeted for current and future expenses, debts, and revenues. The City's financial statements show that they are fiscally sound. The City will continue to manage and report their financial condition on an annual basis, which will include adjustments to address any projected cost increases or deficiencies as necessary.

DETERMINATION 6: STATUS OF, AND OPPORTUNITIES FOR, SHARED FACILITIES

The City of Tracy has existing and planned arrangements for shared facilities and resources in order to reduce overall costs and ensure adequate levels of service. These arrangements include shared supply and facility resources with SSJCFA, SSJID, United States Bureau of Reclamation, irrigation water providers, wastewater producers, and Stockton-San Joaquin Public Library District. The City also shares personnel between the City's Police Department and federal, state and County law enforcement agencies to provide special operations resources, and has mutual aid agreements between the Tracy Fire Department and the State of California, San Joaquin County agencies, Alameda County, Stanislaus County, and Contra Costa County. The City shares facilities with other entities, including outside agencies and private entities, as described in Chapter 6 and regularly reviews opportunities for shared facilities in order to provide cost and resource efficiencies.

The City of Tracy has multiple planning processes in place to assess whether levels of service provided are adequate to accommodate new growth, including the City of Tracy General Plan, the City's annual budgeting process, master planning processes for water supply and distribution,

wastewater and sewer systems, as well as fire protection and law enforcement services. It is through these processes that the City will continue to monitor and assess whether future opportunities for shared facilities will improve levels of service in a cost-effective manner.

DETERMINATION 7: ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENT STRUCTURE AND OPERATIONAL EFFICIENCIES

Since the City of Tracy is an incorporated city, the City Council makes final decisions concerning fee structures and provisions of service. Actions of the City Council, including opportunities for public involvement and public hearings, are regulated in accordance with the Brown Act (California Government Code Section 54950 et seq.), other applicable statues and regulations, and City procedures. The residents of Tracy are offered a wide range of opportunities to oversee the activities of elected, appointed and paid representatives responsible for the provision of public services to the community through elections, publicized meetings and hearings, as well as through the reports completed in compliance with State and Federal reporting requirements.

The City of Tracy periodically reviews its fee structures and budget for public services and facilities, including fire protection, law enforcement, transportation, water, sewer, and storm drainage. The City of Tracy General Plan also has numerous goals, objectives, policies and actions to ensure that adequate services are provided in a cost-effective manner to accommodate new growth. The City's government structure is adequate and meets the needs of its residents and the City's accountability system is adequate.

The ability to serve the anticipated growth within the SOI is not expected to have a significant effect on governmental structure of the City or its ability to provide services. Mechanisms are in place within City departments to effectively provide for public participation in the planning and development process to address growth within the SOI. The City will continue to work with service providers such as the Rural Fire District, SSJID, Banta-Carbona Irrigation District, West Side Irrigation, CAL Fire, the San Joaquin Sheriff's office, and others, to address government structure options to provide efficient and cost effective public facilities and services.

The City and the Rural Fire District have evaluated the best approach to providing fire protection services through a joint powers authority to provide efficiency of fire services and maximize efficiencies through sharing of fire stations and staffing resources to best serve the combined service area of the City and Rural Fire District.

The City's current management process is adequate and meets the needs of the City. The City has demonstrated the ability to work with other service providers and districts to ensure that adequate services are provided in a cost-effective and well-planned manner. Efforts to ensure effective government structure for the provision of fire and police protection, transportation, water supply, wastewater treatment, and storm drainage facilities which include the completion of comprehensive planning documents demonstrate the City's foresight to plan for future service needs as City boundaries expand due to annexations and its population increases. Assuming the City continues to evaluate existing government structure and seek opportunities for improvement,

no significant barriers are expected in regards to government structure during the 10 and 30-Year Horizons.

1. INTRODUCTION

A. SPHERE OF INFLUENCE

The Sphere of Influence (SOI) is a planning tool and the establishment of a SOI or the inclusion of property within a SOI of an existing governmental entity does not automatically mean that the area is being proposed for annexation and development at this time. LAFCo is responsible for determining that an agency is reasonably capable of providing needed resources and basic infrastructure to serve areas within the current City limits and in the SOI.

The City of Tracy is not proposing to increase or modify the SOI. The 10- and 30-Year growth boundaries are located within the boundary of the City's current SOI.

The City of Tracy adopted its General Plan in February 2011. The General Plan designates land to provide for future growth of residential and non-residential land uses through 2025. Since the General Plan was adopted in 2011, the Housing Element was amended with the current Housing Element that was adopted in March 2016 and the Safety Element was amended to address updated flooding requirements in June 2016. The General Plan Land Use Map has also been amended from time to time, with recent amendments that include revisions to the land use designations at: 2461 and 2441 Holly Drive from Residential High to Commercial, the Home2 Suites Hotel site (northwest corner of Grant Line Road and Corral Hollow Road) from Office to Commercial, the Harvest in Tracy site (southeast corner of West Grant Line Road and Interstate 205) from Commercial to Residential High, and the Tracy Village site at Valpico Road and Corral Hollow Road from Urban Reserve 9 to Active Adult Residential.

The General Plan addresses growth in the City, SOI, and the Planning Area. The General Plan describes the overall Planning Area as consisting of approximately 114 square miles. The SOI, which is within the Planning Area, currently consists of a total of 41.89 square miles. The City limits, which is within both the Planning Area and SOI, contains 25.96 square miles. The area within the SOI located outside of the City limits is 15.93 square miles (41.89 – 25.96 square miles). The General Plan describes the Planning Area and SOI as follows:

Planning Area: State law allows cities to identify a Planning Area. This is an area outside of city boundaries and generally outside the SOI that bears a relation to the City's planning and policy direction. While Tracy does not have any regulatory authority within the Planning Area outside of the SOI, the Planning Area is included in the General Plan as a signal to San Joaquin County and to other nearby local and regional authorities that Tracy recognizes that planning and development within this area has an impact on the future of the City. The community of Mountain House lies just within the City's Planning Area to the northwest. Immediately north and east of the City's Planning Area are the City of Lathrop and the Primary Zone of the Sacramento-San Joaquin Delta.

Sphere of Influence: The SOI is the area outside of the City limits that the City expects to annex and urbanize in the future. It is the expected physical limit of the City based on the most current information. During the General Plan update process and in response to Local Agency Formation Commission (LAFCo) policies established in 2007, revisions to the SOI were made to more accurately

reflect locations where the City may grow in the future and locations where no urban growth is expected.

The 10-Year Horizon spans from 2019 to 2029 and the 30-Year Horizon addresses 2029 to 2049. The SOI 10-Year and 30-Year Horizons are located within the City's SOI.

Table 1-1 presents the acreages of each planned land use, based on General Plan land use designations, within the existing City limits, and within the 10-Year and 30-Year Horizons.

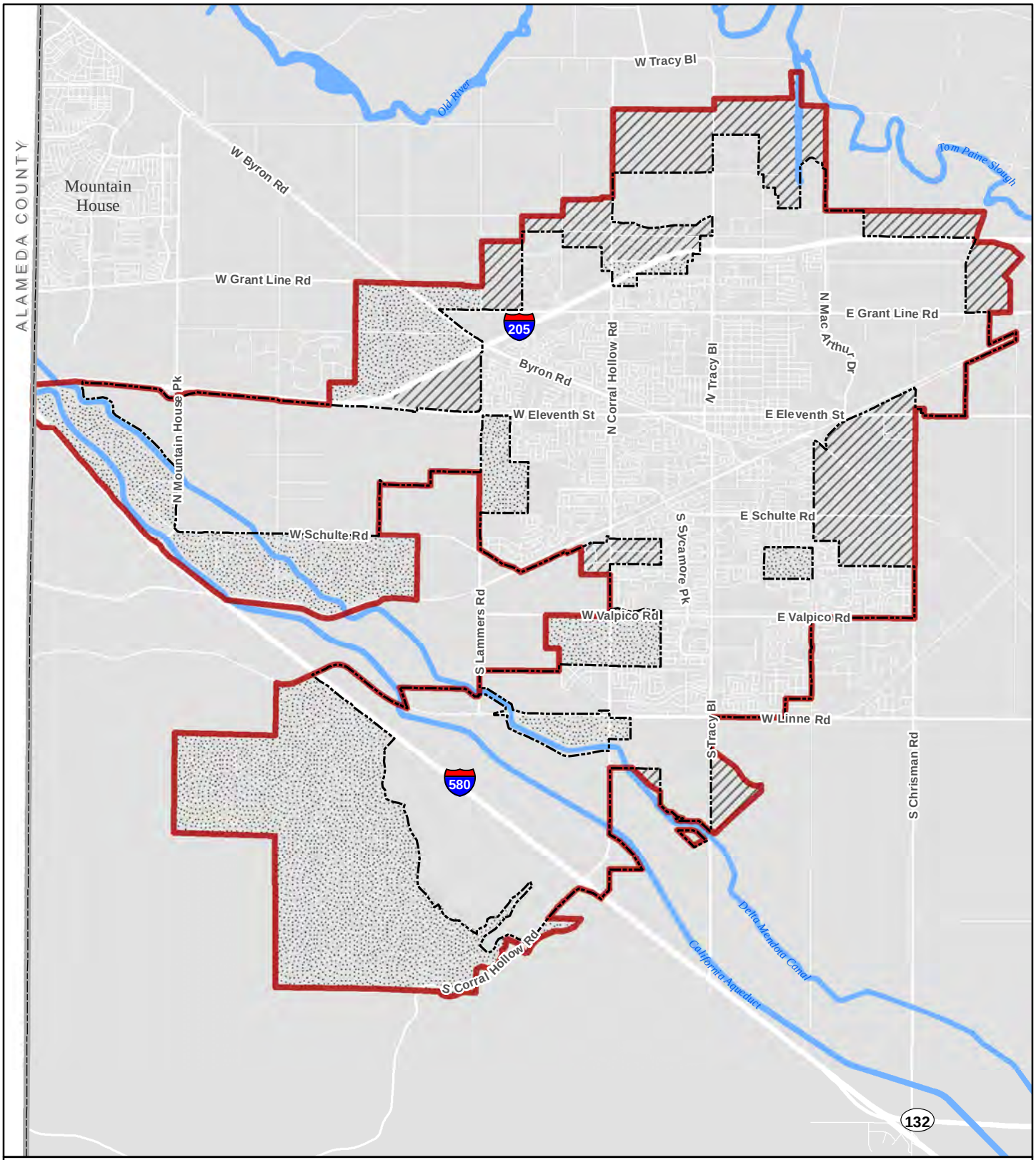
Figure 1-1 illustrates the current City limits and the existing SOI, as well as the proposed 10-Year and 30-Year Horizons. **Figure 1-2** illustrates the Williamson Act lands in the SOI and **Figure 1-3** illustrates the City of Tracy General Plan Land Use Map for entire Planning Area, including the City and SOI. It is noted that areas designated Urban Reserve are required by the General Plan to complete comprehensive planning, including the preparation of a Zoning District, Specific Plan, or Planned Unit Development, and be consistent with the vision for each Urban Reserve area as described in the General Plan. Several Urban Reserves have been identified by the City of Tracy General Plan. Chapter 2 summarizes the potential growth for the City, including potential development anticipated within the 10-Year and 30-Year Horizons. Chapter 2 also provides a discussion of the various Urban Reserve designations and the Primary and Secondary Residential Growth Areas as identified by the City.

The 10-Year Horizon contains approximately 6,273.8 acres of land within assessor's parcels; the 30-Year Horizon contains approximately 3,151.9 acres of land within assessor's parcels, as shown in **Table 1-1** (below). A significant portion of the 10-Year Horizon, 4,113 acres, is planned for Open Space and Agricultural uses and is not planned for development. The proposed uses and development capacity in the 10- and 30-Year Horizons are described in greater detail in Chapter 2.

TABLE 1-1 GENERAL PLAN LAND USE DESIGNATIONS (CITY LIMITS, 10-YEAR, 30-YEAR)

GENERAL PLAN LAND USE DESIGNATION	ACREAGE			
	CITY LIMITS	SOI-10 YEAR	SOI-30 YEAR	GRAND TOTAL
Active Adult Residential	-	132.5	0	132.5
Aggregate	10.82	0	165.4	176.2
Agriculture	-	0	680.6	680.6
Commercial	1,156.64	55.6	410.3	1622.6
Downtown	114.64	0	0	114.6
Industrial	3,850.68	1,084.7	635.3	5570.7
Office	597.60	0	0	597.6
Open Space	81.94	3,430.3	0	3512.2
Park	651.49	198.9	0	850.4
Public Facilities	954.67	65.9	0	1020.6
Residential High	234.67	31.4	0	266.1
Residential Low	4,184.78	297.3	0	4482.1
Residential Medium	1,214.69	4.95	23.6	1243.2
Residential Very Low	92.01	0	0	356.4
Traditional Residential - Ellis	285.85	0	0	285.9
Urban Reserve	110.88	972.1	972.3	2055.3
Village Center	64.87	0	0	64.9
Total	**13,606.21**	**6,273.79**	**3,151.9**	**23031.9**

SOURCES: SAN JOAQUIN GIS DATA, 2018; CITY OF TRACY GENERAL PLAN, 2011.
NOTE: TOTALS IN TABLE MAY NOT ADD UP PRECISELY DUE TO ROUNDING



Planning Areas

- City Limits
- Sphere of Influence

Planning Horizon

- 10-Year Planning Horizon
- 30-Year Planning Horizon

N

0 ½ 1

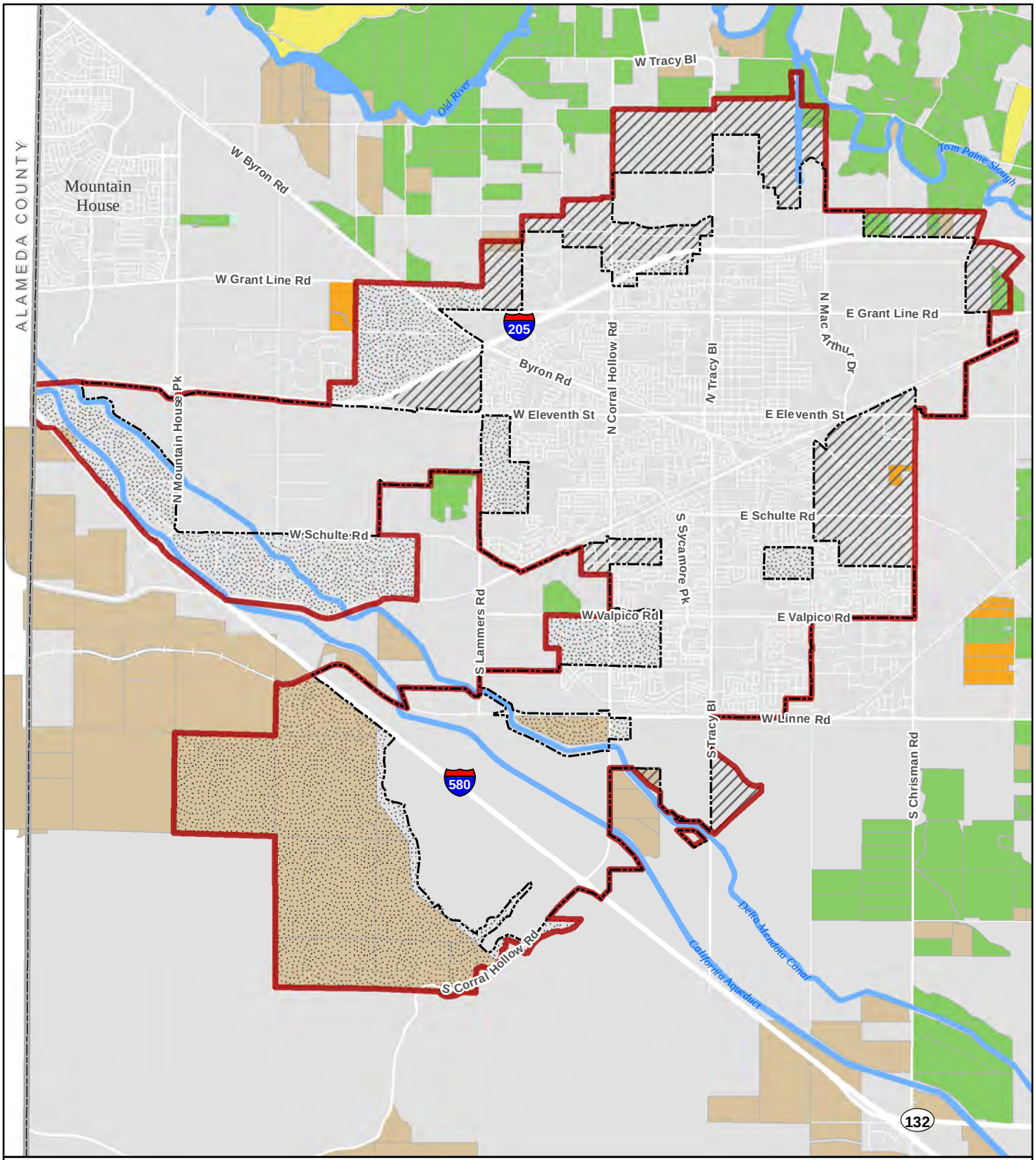
Miles

TRACY MUNICIPAL SERVICES REVIEW

Figure 1-1. Planning Horizons

Sources: San Joaquin County; City of Tracy. Map date: May 2, 2019.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm



Planning Areas

- City Limits
- Sphere of Influence

Planning Horizon

- 10-Year Planning Horizon
- 30-Year Planning Horizon

Williamson Act Lands

- Prime Agricultural Land
- Non-Prime Agricultural Land
- Farmland Security Zone
- Non-Renewal

N

0 ½ 1

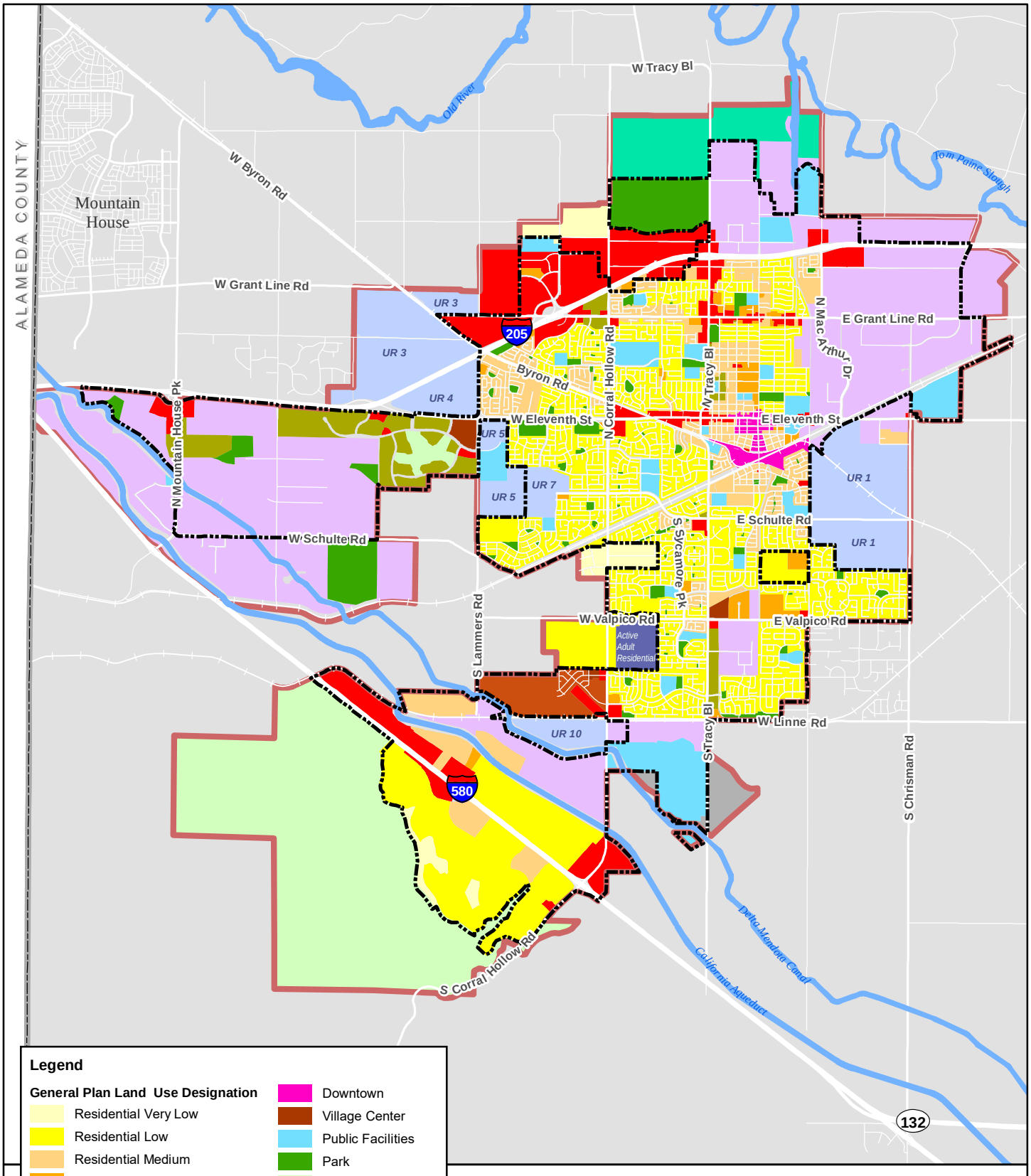
Miles

TRACY MUNICIPAL SERVICES REVIEW

Figure 1-2. Williamson Act Lands

Sources: San Joaquin County; City of Tracy; California Department of Conservation, Williamson Act Statewide 2017. Map date: May 2, 2019.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm



TRACY MUNICIPAL SERVICES REVIEW

Figure 1-3: General Plan Land Use Map

Sources: San Joaquin County; City of Tracy General Plan 2011. Map date: May 7, 2018.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

1. 10-Year Horizon (2018-2028 Horizon)

The 10-Year Horizon consists of areas surrounding the existing City limits, anticipated for development within the relative near-term. **Figure 1-1** shows the boundary for the 10-Year Horizon. The parcels shown were included within this boundary for the following reasons:

- They are generally contiguous with existing urban uses where urban services are already available, which will allow for the well-planned expansion of services, consistent with good growth management practices.
- They allow for a range of housing, retail, and employment opportunities to help provide a balance of housing and jobs within the City. This is important since a large proportion of residents currently have to travel out of the community to find employment and shop, consequently there is a demand for new employment and retail opportunities in Tracy. The additional homes will also help to support the new commercial uses, which along with additional local jobs, will provide new sources of sales tax revenue for the City.
- They are areas that are generally less restricted by active Williamson Act contracts (see **Figure 1-2**) [1] There is some Williamson Act contract land within the 10-Year Growth Boundary which is hard to avoid because of the Williamson Act lands location in proximity to urbanizing areas.

Although **Figure 1-1** shows a large portion of the SOI within the 10-year horizon, not all of the land in the 10-year horizon will be completely built out within 10 years. LAFCo allows cities to show an area as planned for development in a 10-year horizon even if it will only be partially built out in this time. This is because planning for future development and infrastructure provision requires a long-term view[2]. Comprehensive planning is important to the City and the City has included lands beyond its projected needs in the 10-Year Horizon to allow the City to respond to market demand as various areas within the SOI become ready for annexation, since it is difficult to identify which property owners will respond to market demands and be interested in annexation during the 10-Year Horizon. Therefore, lands within the 10-year SOI horizon may only be partially developed within ten years and will be fully developed over a longer time frame. This approach is consistent with LAFCo policies on SOIs and annexations. See Chapter 2 for a detailed discussion of the development capacity of the 10-Year Horizon and the reasoning behind the areas included in the 10-Year Horizon.

2. 30-Year Horizon (2028-2048 Horizon)

The 30-Year Horizon contains additional land located outside of the City limits (in the SOI) and the 10-Year Growth Horizon, as shown in **Figure 1-1**. The City anticipates the potential for urban development within the 30-Year Horizon ending in 2048. The City has included these areas within

[1] A Williamson Act contract can be terminated in 4 ways: 1) the contract fulfills its 10-year obligation after filing a Notice of Non-renewal; 2) landowner filing for termination with the County (subject to findings by the County; a cancellation fee of 12.5% of unrestricted current fair market value shall apply); 3) termination upon annexation to the City. The latter option is allowed if: a) contract was executed prior to Jan 1, 1991; b) contracted area within one mile of City boundaries; c) City filed a protest identifying affected contract and parcel. 4) Succeed to the contract and then cancel by the City with payment of fees.

[2] City of Tracy. January 15, 2008. City Council Agenda Packet, Agenda Item 5, page 3.

its 30-Year Horizon to ensure that the City has control over future proposed development. The goal is to encourage orderly and managed growth.

B. LAFCO AND THE SPHERE OF INFLUENCE

Government Code Section 56076 defines a SOI as a "plan for probable physical boundaries and service area of a local agency, as determined by the commission." It is in an area within which a city or district may expand, over a defined period of time, through the annexation process. In simple terms, a SOI is a planning boundary within which a city is expected to grow over time.

In determining a sphere of influence, the Commission is required to consider and make written determinations with respect to the following factors (Government Code Section 56425):

1. The present and planned land uses in the area, including agricultural and open space lands.

2. The present and probable need for public facilities and services in the area.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Because the study area for the City of Tracy General Plan and EIR included the area within the existing SOI, which includes the City's current 10-Year and 30-Year Horizons, the General Plan EIR is sufficient for MSR environmental documentation. The MSR does not change the location, intensity, or density of development that was considered in the Tracy General Plan and the Tracy General Plan EIR (SCH#2008092006).

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2. SPHERE OF INFLUENCE PLAN

The Sphere of Influence (SOI) Plan for the City of Tracy described in this chapter analyzes the City's ability to serve existing and future residents within the City's SOI. LAFCo is responsible for the sufficiency of the documentation and the Plan's consistency with State law and LAFCo policy. According to Government Code 56425 of the Cortese-Knox-Hertzberg Act, LAFCo must consider and prepare determinations for the following five factors:

- The present and planned land uses in the area, including agricultural open space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.
- The present and probable need for those public facilities and services within any disadvantaged unincorporated communities (DUCs) within the sphere of influence.

LAFCo guidelines for determining SOI requires that "sphere horizons," or planning increments, depict a City's logical boundaries at time periods of between five and ten years, and up to thirty years. SOI areas must be consistent with general plan land use elements, and with the municipal services review (MSR). LAFCo also encourages general plan policies for implementing ordinances and programs that address smart growth principles, infill and redevelopment strategies, mixed use and increased densities, community buffers, and conservation of habitat, open space, and agricultural land. LAFCo has established procedural guidelines for determining SOIs, including a Timeframe guideline which states "Territory that is currently receiving services from a local agency, or territory that is projected to need a local agency's services within a 0-30 year timeframe may be considered for inclusion within an agency sphere. "Sphere horizons" or planning increments should depict the agency's logical boundary at a time period of between 5 and 10 years and at the end of the 30-year time period."

Detailed determinations as to the City's ability to provide adequate services to existing and future residents within the existing SOI are contained in the subsequent chapters of this MSR.

City-Requested SOI Plan: The City has requested that LAFCo consider the SOI Plan attached as **Appendix A** rather than the SOI Plan included in this chapter.

A. SPHERE OF INFLUENCE

The City of Tracy is not proposing to modify the SOI or decrease the capacity of its Planning Horizons. However, in its review of the SOI, LAFCo staff have required that the 10- and 30-Year Horizons be adjusted to accommodate less growth in the 10-Year Horizon and to removed lands within the 100- and 200-year floodplains from the 10-Year Horizon. The 10- and 30-Year Horizons and the SOI are described in Chapter 1 and the capacity for new growth and the anticipated phasing of such growth for both horizons is described in this chapter.

The City designates Primary Residential Growth Areas and Secondary Residential Growth Areas. To manage the SOI, and specifically the 10-Year Horizon, the City created a policy structure (both in the General Plan and in the City's Growth Management Ordinance, or GMO), including maps that identify two key geographies: Primary Residential Growth Areas and Secondary Residential Growth Areas. In accordance with the City's GMO, and as described in further detail later within this chapter, in any given calendar year, Residential Growth Allotments (RGAs) are made available for the Primary and Secondary Residential Growth Areas. The Primary Residential Growth Area, as the Primary Residential Growth Area is comprised mostly of smaller infill parcels. The General Plan and GMO policies and regulations provide for a system of balancing the Primary and Secondary Residential Growth Areas within the City limits and the SOI. The GMO and GMO Guidelines also recognize projects that have vesting rights through vesting tentative subdivision maps and development agreements, with such properties following the regulations as established by their vesting status.

There are also several Urban Reserve areas are located throughout the SOI, as shown in Figure **1-3**. The Urban Reserve designation is the City's principal planning tool for areas within the SOI, and is applied to relatively large, contiguous geographic areas where comprehensive planning must occur prior to urbanization. The Urban Reserve designation is a planning tool of Tracy's General Plan that requires the infrastructure and development planning of large areas to be completed through a comprehensive planning process prior to annexation and development, while full development will occur over a longer timeframe. Most of the SOI acreage is in the 10-Year Horizon, with the expectation that comprehensive planning, annexation, and development of areas within the SOI may begin within the 10-Year Horizon, but will be completed over a longer period of time. This is described in greater detail in Section C, Sphere Capacity, of this chapter.

The Urban Reserve designations can include both residential and non-residential uses. Several Urban Reserve areas have been annexed by the City and/or developed since 2011. The following discussion provides an overview of the various Urban Reserve areas that currently exist within the SOI:

- **Urban Reserve 1**: This area, located on the eastern side of the City of Tracy, is approximately 780 acres. The vision for this area includes primarily residential uses, with a small amount of commercial uses, parks and public schools to support the residential neighborhoods.
- **Urban Reserve 3**: This area is commonly referred to as the Catellus property and consists of approximately 700 acres. It is located to the north of I-205 and to the northwest of the developed portion of Tracy. The vision for this area is for industrial and office uses with the potential for some low-density residential uses.
- **Urban Reserve 4**: Located just west of the current City limits, this 190-acre area is bounded by I-205, Eleventh Street and Lammers Road.
- **Urban Reserve 5**: This area, located south of Eleventh Street and east of Lammers Road, is approximately 170 acres. The vision for this area is for residential uses at a mix of densities and some supporting retail.
- **Urban Reserve 10**: The vision for this 120-acre area, which is a portion of the previously-approved South Schulte Specific Plan area, is for industrial development to capitalize on the area's proximity to I-580 and the Union Pacific Railroad line.

The 2011 General Plan and MSR included ten Urban Reserve areas; however, only five remain, as five have already had Specific Plans, Planned Unit Developments (PUDs), or General Plan Amendments approved to replace those Urban Reserve designations. Two of these have been annexed into the city, with development underway.

B. SPHERE ANALYSIS

The following section describes the City of Tracy's projected development for 10-Year and 30-Year Horizons.

1. Existing and Projected Population

The City of Tracy's growth rate has shown large swings through the decades. **Table 2-1** summarizes the Tracy's growth from 1960 through 2017. The City grew rapidly from 1990 to 2000, in fact, during this period, the growth rate exceeded 69%, with a population change from 33,558 to 56,929 residents. The period from 2000 to 2010 also witnessed a rapid population growth of over 45%. This was followed by lower growth rates in the current decade.

TABLE 2-1: CITY OF TRACY HISTORICAL POPULATION GROWTH

YEAR	POPULATION	GROWTH (FROM PRIOR PERIOD)
1990	33,558	--
2000	56,929	69.6%
2010	82,922	45.7%
2018	92,553	11.6%

NOTE: ESTIMATES FOR 1990, 2000, AND 2010 ARE FROM MARCH 1ST. ESTIMATES FOR 2018 ARE FROM JANUARY 1ST. THE GROWTH RATE FROM 2010 TO 2018 REPRESENTS A PERIOD OF 8-YEARS.

SOURCES: STATE OF CALIFORNIA, DEPARTMENT OF FINANCE: E-5 POPULATION AND HOUSING ESTIMATES FOR CITIES, COUNTIES AND THE STATE — JANUARY 1, 2011- 2018; E-8 HISTORICAL POPULATION AND HOUSING ESTIMATES FOR CITIES, COUNTIES, AND THE STATE, 1990-2000.

The San Joaquin Council of Governments (SJCOG) forecasts that Tracy's population is anticipated grow to 127,933 by 2040, as shown in **Table 2-2**. The SJCOG population projections shown in **Table 2-2** are based on the growth projections developed by the Eberhardt School of Business at University of the Pacific (UOP) in collaboration with SJCOG.[1] These projections were developed on July 7, 2016. However, these projections do not include growth in Tracy associated with annexations as the projections are based on the Census boundary for the City, as described in the methodology provided in the *San Joaquin County Forecast Summary*. As the City annexes land and increases its Census-designated boundary, it would be appropriate to apportion some amount of the growth identified in the "Rest of the County" category identified in the *San Joaquin County Forecast Summary* to the City. Further, the *San Joaquin County Forecast Summary* indicates that projections for Tracy represent reduced growth that takes into account the GMO; however, these projections do not appear to address the GMO provisions that allow additional permits to be issued to meet the City's Regional Housing Needs Allocation and to establish 600 active adult allocations for Tracy Village, as shown in **Table 2-2**. In order to consider the full growth potential within the City and SOI,

[1] University of the Pacific, Eberhardt School of Business. 2016. *San Joaquin County Forecast Summary*.

Table 2-2 identifies the SJCOG projections as well as the growth planned for by the City based on 1) the maximum growth allowed under the City's GMO, including Active Adult Residential Allocations with no annexation of existing units, and 2) the maximum growth allowed under the City's GMO and Active Adult Residential Allocations with annexation of existing units in areas of the SOI that are designated for residential use by the General Plan.

TABLE 2-2 COMPARATIVE POPULATION PROJECTIONS

YEAR	SJCOG FORECASTED POPULATION (CITY LIMITS)	MAXIMUM GROWTH ALLOWED UNDER CITY'S GMO AND ACTIVE ADULT RESIDENTIAL ALLOTMENTS (NO ANNEXATION OF EXISTING UNITS)[2]	MAXIMUM GROWTH ANTICIPATED BASED ON CITY'S GMO, ACTIVE ADULT RESIDENTIAL ALLOTMENTS, AND ANNEXATION OF EXISTING UNITS
2020	95,040	97,865	97,865
2025	102,236	108,885	109,851[1]
2030	109,492	119,382	120,348[1]
2035	118,130	129,878	130,844[1]
2040	127,933	140,375	141,341[1]
2045	137,784	150,872	151,838[1]
2050	147,782	161,369	162,335[1]

SOURCES: UNIVERSITY OF THE PACIFIC – SAN JOAQUIN COUNTY FORECAST SUMMARY, JULY 7, 2016; CITY OF TRACY – 25-YEAR POPULATION PROJECTIONS; CALIFORNIA DEPARTMENT OF FINANCE, E-5 CITY/COUNTY POPULATION AND HOUSING ESTIMATES.
NOTE: SJCOG POPULATION PROJECTIONS DO NOT INCLUDE GROWTH IN TRACY ASSOCIATED WITH ANNEXATIONS.

NOTE: POPULATION PROJECTIONS BASED ON THE 'MAXIMUM GROWTH ALLOWED UNDER THE CITY'S GMO' INCLUDE GROWTH IN TRACY ASSOCIATED WITH ANNEXATIONS, GROWTH ALLOWED UNDER THE GMO, ANTICIPATED EXEMPTIONS TO THE GM0, AND 600 ACTIVE ADULT RESIDENTIAL ALLOTMENTS.

1 INCLUDES POPULATION ASSOCIATED WITH ANNEXATION OF EXISTING DWELLING UNITS IN AREAS DESIGNATED BY THE GENERAL PLAN FOR RESIDENTIAL USE

2. Sphere Capacity

The years 2019-2029 are used for the 10-Year Horizon and 2029-2049 for the 30-Year Horizon in this Municipal Services Review. There are three pending projects proposing annexation to the City. The Alvarez annexation is approximately 10 acres on Larch Road, west of and adjacent to the current City limit line for commercial development. The Tracy Village annexation is approximately 165 acres, located at the southeast corner of Valpico and Corral Hollow Roads, including the property formerly known as Urban Reserve 9 and the surrounding adjacent residential lots. A 590-lot Active Adult Residential subdivision is proposed, while the adjacent lots to be annexed will be designated

[2] Calculated based on the average of 600 dwelling units per year allowed under the City's GMO (*Chapter 10.12 of the Tracy Municipal Code*), plus an additional 5 dwelling units per year for other exemptions and 600 Active Adult Residential Allotments in Year 2025; the California Department of Finance 'persons per household' value of 3.47 for year 2017 (*E-5 City/County Population and Housing Estimates, 1/1/2017*) for all units except Active Adult Residential Allotments which were assumed to have an average 'persons per household' value of 2.0.

Residential Estate zoning. The Avenues annexation is approximately 185 acres, located west of Coral Hollow Road and south of Valpico Road.

Table 2-3 summarizes the dwelling units, population, and employment potential for the City and SOI broken down by City limits, 10-Year, and 30-Year Horizons. Table 2-3 identifies the approximate maximum development potential based on the existing land uses and physical area available, which does not necessarily represent the likely development trajectory as development may occur at a slower pace, based on market demand, growth management by the City, or other factors.

For a detailed discussion of development potential within the city, see the discussion below under "A. Within the City Limits" including **Table 2-4**.

For a detailed discussion of development potential within the 10-Year Horizon, see the discussion below under "B. Within 10-Year Horizon" including **Table 2-5**.

For a detailed discussion of development potential within the 30-Year Horizon, see the discussion below under "C. Within the City Limits" including **Table 2-6**.

For a detailed discussion of the phasing of future growth within the City and Planning Horizons, see **Table 2-7**.

TABLE 2-3 NEW RESIDENTIAL AND EMPLOYMENT GROWTH (CITY AND SOI CAPACITY)

	ACRES	DWELLING UNITS[7]	POPULATION[7]	JOBS[7]
Existing City Limits Capacity				
Existing Development within City Limits[1]	8,134.0	26,964	92,553	22,115
Remaining Capacity within City Limits[2,5]	5,472.2	7,169	24,384	20,817
Subtotal: Existing City Limits Capacity	*13,606.2*	*34,113*	*117,387*	*42,932*
SOI Capacity				
SOI: 10-Year Horizon[3,5]	6,273.8	3,994	13,056	10,765
SOI: 30-Year Horizon[4,5]	3,151.9	3,739	12,900	14,931
Subtotal: SOI Capacity	*9,425.6*	*7,733*	*25,956*	*25,696*
Total	**23,031.8**	**41,846**	**143,343**	**68,628**

1. *EXISTING UNITS AND POPULATION DATA PROVIDED BY THE STATE OF CALIFORNIA, DEPARTMENT OF FINANCE: E-5 POPULATION AND HOUSING ESTIMATES FOR CITIES, COUNTIES AND THE STATE — JANUARY 1, 2011- 2018. ESTIMATES FROM 1/1/2018. EXISTING JOBS PROVIDED BY U.S. CENSUS 'ONTHEMAP' TOOL; JOBS DATA PROVIDED FOR YEAR 2015 (LATEST DATA AVAILABLE).*
2. *SEE TABLE 2-4 FOR A DETAILED DESCRIPTION OF THE REMAINING DEVELOPMENT CAPACITY WITHIN THE CITY, INCLUDING THE CAPACITY OF SPECIFIC PLANS, DEVELOPMENT PROJECTS, AND VACANT LANDS. IT IS NOTED THAT MANY OF THESE AREAS ARE NOT ANTICIPATED TO BUILD OUT WITHIN THE NEXT TEN YEARS. SEE TABLE 2-7 (10- AND 30-YEAR DEVELOPMENT WITH PHASING).*
3. *SEE TABLES 2-5 (PROJECTED NEW GROWTH CAPACITY OF 10 YEAR HORIZON) FOR SUPPORTING DATA*
4. *SEE TABLES 2-6 (PROJECTED NEW GROWTH CAPACITY OF 30 YEAR HORIZON) FOR SUPPORTING DATA*
5. *POPULATION IS ESTIMATED AT 3.45 PERSONS PER DWELLING UNIT, BASED ON THE AVERAGE HOUSEHOLD SIZE FROM 2010 TO 2018 AS REPORT IN THE DEPARTMENT OF FINANCE E-5 REPORT (DOF, 2018) AND AT 2.25 PERSONS PER DWELLING UNIT FOR AGE-RESTRICTED UNITS (DE NOVO PLANNING GROUP, 2019).*
6. *THE DWELLING UNITS, POPULATION, AND JOBS REPRESENT NEW DEVELOPMENT THAT COULD OCCUR AND DO NOT INCLUDE EXISTING USES THAT ARE ANTICIPATED TO CONTINUE IN USE IF ANNEXED.*

A. WITHIN THE CITY LIMITS

Future development within the city will occur within existing approved Specific Plans, approved/pending development projects, and on vacant infill sites located throughout the city, as shown on **Figure 2-1**. **Table 2-4** identifies the remaining capacity of the city, based on the remaining capacity in each Specific Plan, growth associated with development projects outside of the Specific Plan area, and the capacity of the city's vacant and infill sites.

As shown in **Table 2-4**, remaining developable lands within the city have the capacity for 7,169 units, resulting in a population increase of approximately 24,384. A sizeable amount of the future residential growth within the existing City limits reflects development opportunities within specific plans (up to 4,700 units), with additional development potential associated with approved development projects (866 units) and under-utilized or vacant properties (1,603 units).

The residential development anticipated within the city is below the maximum amount identified in the General Plan as a result of development projects developing at less than the maximum capacity allowed under the General Plan. While the projected growth combined with the City's existing population of 92,553 results in a maximum population within the city of 117,927, as shown in **Table 2-3,** it is anticipated that the trend of developing below maximum capacity will continue and buildout of the city will be less than the remaining capacity identified in **Table 2-4**.

Economic growth within the City is expected to accommodate 20,817 jobs, which would result in a total of 42,932 jobs within the City limits (see **Table 2-3**). The majority of new jobs would occur within approved Specific Plans (16,985 jobs), while 338 jobs are anticipated in association with other approved development projects, and 3,494 jobs are anticipated with development of vacant sites, as shown in **Table 2-4**.

In addition to the likelihood for future development to occur below the maximum capacity of a given site, buildout within the City limits is not likely to occur in the near future as there are a number of factors that may delay development, including the small size of many of the remaining 581 acres of vacant, infill parcels that discourages 'master' development of those parcels and not all property owners wish to develop their land. Development occurs when the property owner is interested in developing or selling their land and when market conditions make the development of their property economically profitable; while the City can plan for development, it cannot force property owners to develop their land. Further, some of the Specific Plans and approved/pending development projects may develop over a long-term period of 10 to 30 years, particularly the commercial components that typically occur after the majority of residential development within an area has occurred, and there is also the potential for development within the Specific Plans to occur at levels lower than the maximum capacity, particularly for the non-residential uses where development plans have not yet been submitted. For example, the Tracy Hills Specific Plan anticipates that full development of the Plan area may take 20 years or more to complete and the Cordes Ranch Specific Plan anticipates that buildout will occur over a 20- to 30-year period.

Under the GMO, the approved growth (Specific Plans and development projects) could buildout within an approximately 7- to 10-year time frame. In order for the City to continue to plan for

accommodate projected growth into the future and provide adequate lands to encourage economic development and vitality, the City will need to plan for development within the SOI.

TABLE 2-4: SPECIFIC PLANS, APPROVED PROJECTS, AND VACANT/INFILL LANDS - REMAINING DEVELOPMENT CAPACITY WITHIN CITY LIMITS

TYPE	STATUS	ACRES[1]	DWELLING UNITS	POPULATION[2]	JOBS[3]
SPECIFIC PLANS[4] (remaining development capacity, does not include developed uses)					
Cordes Ranch Specific Plan	Approved, partially constructed. Capacity remains for up to 9,000,000 SF industrial and 1,500,000 SF office/commercial uses.	1,150	0		6,000
Ellis Specific Plan	Approved, partially constructed. Capacity remains for up to 490,000 SF limited use commercial, 140,000 SF Village Center commercial, and 300 to 400 dwellings.	126	300- 400	1,035	385
Tracy Hills Specific Plan	Approved, partially constructed. Capacity remains for up to 2,200,000 SF office/commercial, 3,300,000 SF industrial, and 4,300 dwellings.	2,315	4300	14,835	3,850
Gateway Concept Development Plan	Approved, not yet constructed. Capacity remains for up to 1,000,000 to 5,000,000 SF office/research & development and 500,000 SF commercial uses.	538	0	0	3,250
Industrial Areas Specific Plan	Approved, partially constructed. Capacity remains for	403	0	0	2,000
Northeast Industrial Areas Specific Plan	Approved, partially constructed. Capacity remains for up to 1,000,000 to 2,000,000 SF industrial/office uses.	109	0	0	1,000
I-205 Corridor Specific Plan	Approved, partially constructed. Capacity remains for 500,000 SF commercial uses	89	0	0	500
Subtotal Specific Plans	-	***4,730***	***4,600 - 4,700 Units***	***15,870***	***16,985***
DEVELOPMENT PROJECTS[4,5]					
Berg Road Project	Approved, not yet constructed	10.0	71	244	-
Elissagaray Infill	Approved, not yet constructed	10.0	47	162	-
Trigo Duplexes and Triplexes	Approved, not yet constructed	2.0	18	62	-
Valpico Apartments	Approved, not yet constructed	11.6	252	869	-
Primrose/Kagehiro Phase III	Partially constructed	47.0	252	869	-
Rocking Horse	Approved, not yet constructed	55.0	226	779	-
Toste (Retail) (Grant Line Rd)	Approved, not yet constructed	5.0	-	-	100
TW Tracy Building	Approved, not yet constructed	10	-	-	100
Home 2 Suites (94-room hotel)	Approved, not yet constructed	2.6	-	-	16

TYPE	STATUS	ACRES[1]	DWELLING UNITS	POPULATION[2]	JOBS[3]
Kaiser Permanente Expansion (49,000 sf)	Approved, not yet constructed	10	-	-	122
Subtotal Development Projects	-	***163.1***	***866***	***2,985***	***338***
VACANT PARCELS (summarized by General Plan Land Use Designation)					
Commercial	-	55.9			1,216
Downtown	-	54.6			1,188
Industrial	-	160.4			698
Office	-	13.6			369
Park	-	4.7			0
Public Facilities	-	109.5			23
Residential High	-	31.2	624	2,152	
Residential Low	-	10.6	49	169	
Residential Medium	-	30.2	290	1,000	
Urban Reserve 7	-	110.4	640	2,208	
Subtotal Vacant Parcels		***581.0***	***1,603***	***5,529***	***3,494***
TOTAL (Specific Plans, Development Projects, and Vacant Parcels)		**5,472.2**	**7,169**	**24,834**	**20,817**

1FOR SPECIFIC PLANS, THIS CATEGORY IS LIMITED TO THE UNDEVELOPED PORTION OF THE SPECIFIC PLAN AND INCLUDES LANDS DESIGNATED FOR ROADS, STORMWATER DETENTION BASINS, SCHOOLS, PARKS, OTHER SERVICES AND INFRASTRUCTURE, AND OPEN SPACE.

2POPULATION IS ESTIMATED AT 3.45 PERSONS PER DWELLING UNIT, BASED ON THE AVERAGE HOUSEHOLD SIZE FROM 2010 TO 2018 AS REPORT IN THE DEPARTMENT OF FINANCE E-5 REPORT (DOF, 2018).

3EMPLOYMENT IS BASED ON DEVELOPMENT OCCURRING AT APPROXIMATELY 75% OF MAXIMUM CAPACITY AND ASSUMES EMPLOYMENT AT THE FOLLOWING RATES: 1 EMPLOYEE PER 500 SF (COMMERCIAL AND OFFICE), 1 EMPLOYEE PER 1,000 TO 1,500 SF (INDUSTRIAL); 1 EMPLOYEE PER 6 HOTEL ROOMS

4 "APPROVED" REFERS TO A PROJECT THAT HAS RECEIVED ITS INITIAL PLANNING ENTITLEMENT(S) FOR THE NUMBER OF DWELLING UNITS AND AMOUNT OF NON-RESIDENTIAL DEVELOPMENT, SUCH AS THE APPROVAL OF A SPECIFIC PLAN, TENTATIVE SUBDIVISION MAP, AND/OR SITE DEVELOPMENT PLAN.

5DOES NOT INCLUDE DEVELOPED PROJECTS WITHIN SPECIFIC PLANS AS SUCH PROJECTS ARE INCLUDED IN THE REMAINING CAPACITY CALCULATION FOR THE SPECIFIC PLAN

SOURCE: CITY OF TRACY, 2018

B. WITHIN THE TEN-YEAR HORIZON

Residential Land: Future dwelling unit estimates for the 10-Year Horizon (**Table 2-3**) are based on the City's General Plan land use designations. Population estimates for the 10-Year Horizon (**Table 2-3**) are based on the Population/Dwelling Unit ratio of 3.45, an average of the household size from 2010-2018, as provided by the California Department of Finance, Report E-5 (May 1, 2018).

Table 2-5 below provides a breakdown of the General Plan land uses within the 10-Year Horizon. The Urban Reserve designation includes both residential and non-residential use; Table 2-5 reflects the portion of each urban reserve area that is planned for residential use. As shown in Table 2-5, buildout of the 10-Year SOI would result in 3,994 new residential units (**Table 2-5**) and a population of 11,697 (**Table 2-3**). While this growth would not fully occur during the 10-Year Horizon, the City needs the flexibility to comprehensively plan for development and start the annexation process for areas within the SOI within the 10-year timeframe (see '10-Year Horizon SOI Areas' discussion below).

Non-residential land: There is also a variety of non-residential land uses within the 10-Year Horizon that would provide for various commercial, industrial, and public uses. **Table 2-5** below provides a breakdown of the land uses and acreages. It is anticipated that Open Space and Public Facilities lands within the 10-Year SOI would have no change in use if annexed. Similarly, the Industrial land use designation includes developed uses on approximately 80% of land; the employees identified for this category represent new employment growth and do not include employment estimated for the existing industrial uses.

TABLE 2-5 PROJECTED NEW GROWTH CAPACITY - 10-YEAR HORIZON

GENERAL PLAN LAND USE DESIGNATION	ACREAGE SOI 10-YEAR	DWELLING UNITS[2] SOI 10-YEAR	EMPLOYEES SOI 10-YEAR
Active Adult Residential (Urban Reserve 9)	132.5	600	0
Residential Low	297.3	1,349	0
Residential Medium	4.95	59	0
Residential High	31.4	666	0
Urban Reserves 3, 5, 9, 10 [1]	972.1	1,320	8,481
Commercial	55.6	0	1,048
Industrial	1,084.7	0	1,226
Open Space	3,430.3	No change in use/employment	
Park	198.9	0	10
Public Facilities	65.9	No change in use/employment	
TOTAL	**6,273.8**	**3,994**	**10,765**

SOURCES: SAN JOAQUIN GIS DATA, 2018; CITY OF TRACY GENERAL PLAN, 2011.

1 URBAN RESERVE ACREAGE AND UNITS ARE BASED ON THE LAND USES PLANNED FOR EACH URBAN RESERVE AREA AS DESCRIBED IN THE GENERAL PLAN.

C. WITHIN THE 30-YEAR HORIZON

Residential Land: Future dwelling unit estimates for the 30-Year Horizon (**Table 2-3**) are based on the General Plan land use designations. Population estimates for the 30-Year Horizon (**Table 2-3**) are based on the City's Population/Dwelling Unit average ratio of 3.45 from 2010 to 2018, as provided

by the California Department of Finance, Report E-5 (May 1, 2018). **Table 2-6** below provides a breakdown of the General Plan residential land uses, including projected dwelling unit capacity, within the 30-Year Horizon.

Non-residential land: There is also a variety of non-residential land uses within the 30-Year Horizon that would provide for various commercial, industrial, and other uses, as shown in **Table 2-6** below.

TABLE 2-6 PROJECTED NEW GROWTH CAPACITY - 30-YEAR HORIZON

LAND USE	ACREAGE	DWELLING UNITS[2]	EMPLOYEES
	SOI 30-YEAR	SOI 30-YEAR	SOI 30-YEAR
Residential Very Low	264.4	437	0
Residential Medium	23.6	202	0
Urban Reserves 1 and 4[1]	972.3	3,100	1,440
Aggregate	165.4	0	0
Agriculture	680.6	0	0
Commercial	410.3	0	7,498
Industrial	635.3	0	5,993
TOTAL	**3151.9**	**3,739**	**14,931**

SOURCES: SAN JOAQUIN GIS DATA, 2018; CITY OF TRACY GENERAL PLAN, 2011.

1 URBAN RESERVE ACREAGE AND UNITS ARE BASED ON THE LAND USES PLANNED FOR EACH URBAN RESERVE AREA AS DESCRIBED IN THE GENERAL PLAN.

2 APPROXIMATELY 182 EXISTING RESIDENTIAL UNITS ARE LOCATED IN THE 30-YEAR HORIZON THAT ARE DESIGNATED FOR RESIDENTIAL USES; THESE UNITS ARE NOT INCLUDED IN THE TOTAL AND ANNEXATION OF THESE UNITS WOULD NOT REQUIRE ISSUANCE OF GMO ALLOTMENTS.

C. DEVELOPMENT PROJECTIONS

Tracy remained a regional railroad town and local commerce center for surrounding farms and ranches into the 1970s, when growth in the San Francisco Bay Area started to spill over to Tracy. Planned land uses along the outer edges of the city along Highway 205 and Highway 580 have created development opportunities along this corridor.

Figure 1-1 shows the existing City limits, the 10-Year and 30-Year Horizons, and the SOI. It is unlikely that all land uses within the SOI will be developed by 2049. The San Joaquin Council of Governments (SJCOG) updates the population projections for the cities of San Joaquin County every four years to facilitate their regional transportation planning efforts. SJCOG's latest population projections anticipate 127,933 people by 2040; growth projections based on the City's residential Growth Management Ordinance show that the actual population may be higher as described below.

The City of Tracy adopted a residential Growth Management Ordinance in 1987. In general terms, the goal of the GMO is to achieve a steady and orderly growth rate that allows for the adequate provision of services and community facilities; it includes a balance of housing opportunities. Under the GMO, builders must obtain a RGA in order to secure a residential building permit. One RGA equals the public services and facilities required by one dwelling unit[3]. The GMO limits the number

[3] City of Tracy, 2009, *City of Tracy Residential Growth Management Plan*, page 4.

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. There are exceptions for affordable housing. The current GMO is provided under City Ordinance 1201, effective December 3, 2015. The GMO provides guidelines which contemporize the City's residential growth management program. The GMO Guidelines were most recently revised by the City Council on October 16, 2012, Resolution 2012-214. It is not expected that the City would exceed the GMO or deviate from related growth policies through the 10-Year and 30-Year Horizons. In 2015, a special election was held and City residents voted to pass Measure K, which created an Active Adult Residential Allotment Program that is exempt from the City's GMO and allocated 600 Active Adult Residential Allotments to the property formerly known as Urban Reserve 9.

The currently designated SOI, which includes the 10 and 30-Year Horizons, is expected to provide for population growth of approximately 143,343 people (see also **Table 2-3**); however, it is not expected that actual population growth will approach this maximum amount based on the historical trends and the growth allowed under the GMO and Active Adult Residential Allotments for Tracy. It is anticipated that development accommodated by the 10-Year and 30-Year Horizons would be within the growth planned by SJCOG, which anticipates a population of 147,782 in 2050, and well below the maximum growth that could occur under the City's GMO and Active Adult Residential Allotments, which would allow a maximum population of 162,335 in 2050 when annexation of existing residential units is also taken into account. There are many factors that will ultimately influence the actual population (i.e. job availability, housing availability/affordability, etc.). The land in the SOI, (within the 10- and 30-Year Horizons), would accommodate the majority of the City's anticipated population growth during the 30-Year Horizon.

As shown in **Table 2-7**, development within the City and the 10-Year SOI is not anticipated to fully build out in the next 10 years. Much of the development accommodated within the City's Specific Plan areas is planned to occur over a 20-year (or more) timeframe and would not be fully developed during the next 10 years. Similarly, much of the vacant, infill sites in the City are anticipated to develop slowly due to a variety of factors, including preferences of the property owners to not request development at this time. While the City anticipates annexation of lands in the 10-Year Horizon during the 10-year planning period, many of these lands will begin to be developed but will not be fully built-our within 10 years. Some of these lands may not be annexed until the end of the 10-year planning period and it is possible that while such lands may be annexed, development will not commence until the following 10-Year Horizon. As is shown in Table 2-7, during the next 10 years, approximately 3,927 units are anticipated to be developed within the City's existing limits, yielding a population of approximately 13,542 persons, and commercial, industrial, and other employment-generating development is expected to result in approximately 13,861 employees. During that same period, planned growth in the City's 10-Year Horizon would result in approximately 2,048 dwelling units (approximately population of 6,343 persons) and 5,199 employees.

This would result in total net growth in both the City and annexed areas of 5,975 dwelling units (19,855 persons) and 18,880 employees during the 10-year period. This planned growth is within the maximum growth anticipated by the City.

TABLE 2-7: DEVELOPMENT ANTICIPATED WITHIN YEARS 1 TO 10 AND WITHIN YEARS 11 TO 30.

	YEAR 1 TO YEAR 10			YEAR 11-YEAR 30		
	HOUSING UNITS	POPULATION	JOBS	HOUSING UNITS	POPULATION	JOBS
EXISTING CITY LIMITS						
SPECIFIC PLANS						
Cordes Ranch	-	-	3,000	-	-	3,000
Ellis	350	1,207	385	-	-	-
Tracy Hills	2,150	7,417	1,925	2,150	7,417	1,925
Gateway Concept Dev. Plan	-	-	3,250	-	-	-
Industrial Areas Specific Plan	-	-	2,000	-	-	-
Northeast Industrial Areas	-	-	1,000	-	-	-
I-205 Corridor	-	-	500	-	-	500
Subtotal Specific Plans	***2,500***	***8,624***	***12,060***	***2,150***	***7,417***	***5,425***
DEVELOPMENT PROJECTS (NOT WITHIN SPECIFIC PLANS)						
Berg Road Project	71	244	-	-	-	-
Elissagaray Infill	47	162	-	-	-	-
Trigo Duplexes and Triplexes	18	62	-	-	-	-
Valpico Apartments	252	869	-	-	-	-
Primrose/Kagehiro Phase III	252	869	-	-	-	-
Rocking Horse	226	779	-	-	-	-
Toste (Retail)	-	-	100	-	-	-
TW Tracy	-	-	100	-	-	-
Home 2 Suites	-	-	16	-	-	-
Kaiser Permanente Expansion	-	-	122	-	-	-
Subtotal Approved Projects	***866***	***2,985***	***338***	***-***	***-***	***-***
VACANT PARCELS						
Commercial	-	-	486	-	-	730
Downtown	-	-	416	-	-	713
Industrial	-	-	244	-	-	419
Office	-	-	129	-	-	221
Park	-	-	-	-	-	-
Public Facilities	-	-	8	-	-	14
Residential High	218	752	-	374	1,290	-
Residential Low	17	58	-	29	100	-
Residential Medium	102	351	-	174	600	-
Urban Reserve 7	224	772	-	384	1,324	-
Total Vacant/Infill	***561***	***1,933***	***1,283***	***961***	***3,314***	***2,097***
Total Growth within Existing City Limits	**3,927**	**13,542**	**13,681**	**3,111**	**10,731**	**7,522**
10-YEAR PLANNING HORIZON						
Area 1	0	0	738	0	0	184
Area 2	0	0	0	0	0	0
Area 3	0	0	843	0	0	845

	Year 1 to Year 10			Year 11-Year 30		
	Housing Units	Population	Jobs	Housing Units	Population	Jobs
Area 5	600	1,350	0	98	338	0
Area 6	659	2,273	0	178	614	0
Area 8	635	2,190	58	635	2,190	174
Area 10	0	0	2,995	43	148	2,995
Area 11	0	0	227	7	24	683
Area 12	154	530	507	96	331	507
Area 15	0	0	0	889	3,607	0
Subtotal	**2048**	**6,343**	**5,368**	**1946**	**7,252**	**5,388**
30-Year Planning Horizon						
Area 4	-	-	-	0	0	0
Area 7	-	-	-	165	569	0
Area 9	-	-	-	640	2,208	1,347
Area 11	-	-	-	0	0	4,363
Area 12	-	-	-	272	938	3,135
Area 13	-	-	-	0	0	2,077
Area 14	-	-	-	2,662	9,183	274
Area 16	-	-	-	0	0	3,735
Subtotal	**-**	**-**	**-**	**3,739**	**12,898**	**14,931**
Total Growth in 10 Years: City Limits, 10-Year SOI – Land Annexed and Developed						
City & 10-Year SOI	**5,975**	**19,885**	**18,880**	**-**	**-**	**-**

D. Determinations

This section includes the five determinations required by State law for SOIs. The determinations discuss the City's ability to provide adequate services to existing and future populations within the SOI.

1. Present and Planned Land Uses

The City of Tracy has a large amount of vacant acreage within the City limits, much of which lies within three Specific Plan areas in the early stages of development, including Tracy Hills, Cordes Ranch, and Ellis, and another master-planned area, the Gateway Concept Development Plan. These developments are located generally to the west and southwest of the central core of the City. There are also numerous vacant properties within the City that are steadily being developed with new construction. Overall, Tracy is primarily a lower density residential community, with a historic downtown, a commercial core including a mall, restaurants and auto dealers, and a robust industrial market with multiple warehouse/distribution facilities.

Planned land uses in the City are summarized in **Table 1-1** and shown in **Figure 1-3** and include residential development ranging from very low to high densities, commercial, office, industrial uses, and public uses, as well as agricultural and open space uses.

Agricultural lands continue to make up a portion of the area within the SOI and Planning Area outside of the City limits, including within the 10- and 30-Year Horizons. The majority of the parcels within the SOI that are located outside of the current City limits are designated for urban development (see **Figure 1-3**). There are a total of 23 Williamson Act contract lands within the SOI.

There are six Prime Agricultural land parcels, which are all located within the northeastern portion of the SOI within the 30-Year Horizon. The continued inclusion of these parcels within the SOI is anticipated to have no adverse effect on the associated Williamson Act contracts.

There are also sixteen Non-Prime Agricultural land parcels and one Non-Renewal parcel within the SOI. Ten of these parcels are within the Tracy Hills open space area and one parcel is within the 30-Year Horizon; the continued inclusion of these parcels within the SOI is anticipated to have no adverse effect on the associated Williamson Act contracts. Of the remaining Non-Prime parcels, there is one located within the 10-Year Horizon in the northwest portion of the SOI, four located in the southwest portion of the SOI, and one (Non-Renewal) located along the eastern boundary of the SOI; these parcels are all planned for development and urbanization by the City's General Plan and their continued inclusion in the City's SOI facilitates planned, orderly, and efficient patterns of land use and public services and the public interest in this change continues to substantially outweigh the public interest in the continuation of the associated Williamson Act contracts. Beyond these identified parcels, there are no other Williamson Act Land located within the SOI.

State Government Code Section §56426.6 specifies under what conditions Williamson Act properties can be included within a change to a SOI. LAFCO can approve a change to an SOI with Williamson Act territory if either of the following findings are made:

(A) That the change would facilitate planned, orderly, and efficient patterns of land use or provision of services, and the public interest in the change substantially outweighs the public interest in the current continuation of the contract beyond its current expiration date; or

(B) That the change is not likely to adversely affect the continuation of the contract beyond its current expiration date.

10-YEAR HORIZON SOI PLANNING SUBAREAS

While **Table 2-5** identifies the planned capacity of the 10-Year Horizon, it is anticipated that actual development during the 2019-2029 period would be much less than the full capacity, as shown in **Table 2-7**. The City's General Plan requires comprehensive planning of areas within the SOI, including Urban Reserve areas, as identified by Land Use Element Objective LU-1.2 and implementing policies P1 through P3. This level of comprehensive planning is demonstrated through the City's approach to Urban Reserve 6 (Cordes Ranch), Urban Reserve 9 (Ponderosa), and the Tracy Hills Specific Plan. A significant amount of land designated for open space uses is included in the 10-Year Horizon to allow the City the flexibility to consider annexation of these lands. The 10-Year Horizon Planning Subareas (Planning Subareas 1, 2, 3, 5, 6, 8, 10, and portions of 11 and 12) are shown in **Figure 2-2** and are described in detail below.

It is anticipated that, although the planning process may begin for areas within the SOI, many of the areas will remain underdeveloped and unplanned. As discussed previously, demand for development is based on the interest of property owners and developers and market demand. While the City can influence the location and pace of growth through its General Plan and master planning for services and utilities, the City must provide flexibility to accommodate market demand and property owner interest.

Planning Subarea 1 - Patterson Pass Business Park

This 1,262-acre planning subarea includes the Patterson Pass Business Park as well as other industrial and agricultural uses. In 1991, the City entered into an annexation agreement with a group of property owners for the annexation of 625 acres of land that lie within the area now known as the Patterson Pass Business Park. The agreement provided the properties within the agreement area with City water and sewer services, and states that the annexation of land will commence as soon as possible once the City limits are contiguous with the property. With the 2013 annexation of the Cordes Ranch Specific Plan area, the land is now contiguous to the City limits. The majority of this acreage is already developed, and the City already provides sewer service and, through water to County Service Area 50, water supply for this planning subarea The City has an existing commitment to annex this area and this area is a logical extension of the City's boundaries, as the City is the primary service provider for the majority of development within this planning subarea.

Planning Subarea 2 - Tracy Hills Open Space

All of the approximately 3,534 acres of open space land adjacent to the Tracy Hills Specific Plan planning subarea is collectively held under three different conservation easements. According to the US Fish and Wildlife-approved Preservation Management Plan, development of any of this area is expressly prohibited. The planning subarea has remained in the 10-Year SOI due to the fact that much of this land serves as easements in exchange for mitigating the impacts of development in the Tracy Hills area, and accordingly bears a direct relationship to the City's land conservation efforts. This open space area is part of the vision for Tracy, as expressed in the General Plan, and the City's intent is to provide public benefit to City residents, through encouraging public access to to open space for educational and recreational purposes. Further, this planning subarea borders the Lawrence Livermore National Laboratory and continuing to include these lands within the SOI, and

ultimately the City, demonstrates the City's interest in this area and provides for a clearer discussion when the City expresses concerns regarding Lawrence Livermore National Laboratory activities, such as explosions of outdoor ordnance, that could affect the City.

Planning Subarea 3 - UR 10 Industrial

This approximately 150-acre planning subarea, which includes Urban Reserve 10 and adjacent industrial land, is surrounded by land within the City limits (Ellis and Tracy Hills Specific Plans, both currently under construction). The General Plan anticipates that this planning subarea will likely be developed with industrial uses, but could also be amended to consider mixed use development, should a new commuter rail station be located within or near the adjacent Ellis Specific Plan. With the surrounding infrastructure improvements being completed by other adjacent development, this property has the potential to be in high demand for development in the near future and is a logical extension of the City's boundaries.

Planning Subarea 5 - Tracy Village

The Tracy Village project was approved by the City Council in May of 2018 and the City is in the process of applying for annexation of the area. In 2015, a ballot initiative was approved by Tracy voters that established a separate pool of Residential Growth Allotments (RGAs) for "Active Adult" developments that are separate from the RGAs allocated to all other residential projects, and not subject to the Measure A numeric limitation. The initiative also allocated 600 Active Adult RGAs for this particular project. Pending annexation of the site, development will initiate in 2019. This planning subarea has been planned for growth by the City, including affirmation from the City's voters, and represents a logical extension of the City's boundaries.

Planning Subarea 6 - Avenues

This planning subarea includes the City-approved Avenues project, approved by the City on September 4, 2018, and the City is in the process of applying for annexation of the planning subarea. This residential development is intended to be an extension of the development pattern associated with the Ellis Specific Plan and represents a logical and efficient extension of the City's growth and associated services.

Planning Subarea 8 - Bright/Castro/Pombo and Kimball High School (Urban Reserves 5 and 7)

This grouping of properties includes approximately 282 acres, all intended for various densities of residential development and accompanying public facilities such as parks and schools. One developer controls all of the land, and is comprehensively planning the entirety of the acreage prior to annexation and development, per General Plan requirements. Kimball High School divides the otherwise vacant property, and the City already provides water and sewer services to the school. Geographically, the land is nearly surrounded by existing development in the City limits. With its proximity to a major sports park, existing schools and housing, and the Cordes Ranch and Gateway Specific Plan areas, the annexation and development of this area is important as it will provide vital vehicular and pedestrian connections that are currently lacking between housing and schools and job centers. The extension of Schulte Road would provide connectivity and reduce vehicle miles

traveled. This planning subarea is also an eligible area to receive Residential Growth Allotments pursuant to GMO Guidelines.

Planning Subarea 10 - Urban Reserve 3

This Urban Reserve is another planning subarea that will be comprehensively planned through the Specific Plan process prior to the commencement of any development. The new interchange at I-205 and Lammers Road (discussed above) will facilitate the development of this area, which, per the General Plan, includes a small amount of residential (as a buffer to the existing adjacent residential, commercial, office and industrial land uses.

Planning Subarea 11 - I-205 Expansion

The City's primary commercial center is nearly built out, and the development of this adjacent land for both commercial and high density residential promotes logical and efficient land and infrastructure planning by expanding an existing area. The portion of this planning subarea that is not within the 100- or 200-year floodplain is included in the 10-Year Horizon. The remaining portion of this planning subarea that is within the 100- or 200-year floodplain is anticipated to be moved to the 10-Year Horizon when planning for flooding in this area has been resolved.

Planning Subarea 12 - Larch Clover

There has historically been a high demand from the property owners in the Larch Clover planning subarea for annexation for the provision of water and sewer services for public health and safety. A previous annexation attempt failed to gain support from the registered voters in the area. Upon annexation, the area is planned for commercial development, and would provide supporting retail, restaurant, and hotel space for the adjacent major sports complex, Legacy Fields. The portion of this planning subarea that is not within the 100- or 200-year floodplain is included in the 10-Year Horizon. The remaining portion of this planning subarea that is within the 100- or 200-year floodplain is anticipated to be moved to the 10-Year Horizon when planning for flooding in this area has been resolved.

Planning Subarea 15 – Rocha

This approximately 95-acre area is commonly known as the Rocha property and is still actively farmed with row crops. The General Plan anticipates that the area will be developed with Residential Low and Residential High land uses. While the City has no indication from the property owner that they intend to cease farming operations in the near future, this property represents a logical extension of the City's boundaries and is fully surrounded by the incorporated City.

30-YEAR HORIZON SOI AREAS

As shown in Table 2-6, the 30-Year Horizon includes lands planned for residential, commercial, industrial, aggregate, and agricultural uses. Buildout of the 30-Year Horizon would result in approximately 3,739 dwelling units and 14,931 jobs.

Summary: The City's SOI would provide for logical, orderly development as new development within the 10- and 30-Year Horizons would expand the existing community in a logical, orderly, and efficient manner, and would facilitate the logical, orderly, and efficient provision of services. In its

consideration of future development projects in the 10- and 30-Year Horizons, the City will determine on a case-by-case basis whether a proposed development is timely and appropriate, whether the conversion of agricultural land to urban uses is consistent with the goals and policies of the City of Tracy General Plan, in determining whether it is appropriate to submit an application to LAFCO for annexation. Prior to approval of any annexation application, LAFCO would consider whether the proposed development is consistent with LAFCO policies.

Present and planned land uses as specified in the City of Tracy General Plan are appropriate for serving existing and future residents of Tracy. The City of Tracy General Plan represents the City's vision for its future and includes goals and policies that address growth, development, and conservation of open space. Planned land uses in the City of Tracy General Plan include Residential Very Low, Residential Low, Residential Medium, Residential High, Traditional Residential – Ellis, Commercial, Office, Industrial, Downtown, Village Center, Public Facilities, Park, Open Space, Agriculture, Aggregate, Active Adult Residential, and Urban Reserve. Land designations applicable to the 10 and 30-Year Horizons are summarized in **Table 1-1** and shown in Figure **1-3**.

2. Present and Probable Need for Public Facilities and Services

The ability of the City of Tracy to provide public facilities and services has been explored in the Municipal Services Review and the City has been found to provide adequate facilities and services to meet the needs of the existing population. Public services provided by the City and addressed in this MSR include police, water, wastewater, and stormwater drainage. The City also provides public facilities including transportation (i.e. TRACER bus) and recreational facilities (including parks). The City of Tracy and the Tracy Rural Fire District also provide fire service via the South San Joaquin County Fire Authority (SSJCFA). Services provided by other agencies include schools (e.g. Tracy Joint Unified School District and Jefferson School District). New development within the SOI will lead to population growth and the need for additional service provision. The expanded tax base and fees that result from new development, as well as establishment of Community Facilities Districts where appropriate, will provide funding for these services. Development and connection fees will address the capital costs and user charges will address the infrastructure and operating expenses of new development. General Plan policies are in place to ensure adequate service provision for current and future populations, and require the City to address any gaps in funding that present themselves in the future.

3. Present Capacity of Public Facilities and Adequacy of Public Services

Existing public facilities and services are adequate for serving the needs of Tracy's population. In early 2018, the Tracy Rural Fire District and the City of Tracy entered into a new joint powers to form a new joint powers authority agreement known as the SSJCFA to provide first response fire services to the entire jurisdictional area of the SSJCFA. SSJCFA maintains fire stations throughout its service area; the City and the Tracy Rural Fire District are each responsible for capital improvements to their fire stations and replacement, when needed, of their fire equipment. Both Tracy's fire and police services maintain adequate staff and facilities. As discussed in Chapter 4, the City regularly studies the need for facilities and services and works to address the existing and planned service needs of the City. The City's water supply, wastewater and storm drainage services meet the needs of current

population, and are being updated and expanded to meet the needs of future populations.[4] The determinations included in Chapter 4 of this MSR show that public facilities and services are adequate to meet the needs of the current population. In addition, public facilities and services are being improved over time, and specific timeframes and policies have been established to meet the projected demand from the City's future growth.

4. Social and Economic Communities of Interest

While the City of Tracy does not abut any incorporated communities, the residents of Tracy share social and economic interests with the nearby communities of Lathrop, Manteca, and Mountain House (unincorporated) as well as a variety of local organizations of interest, such as numerous businesses, schools, churches, and other community service programs that serve Tracy's residents. Lands in the SOI are unincorporated, but are historically, socially, and economically related to Tracy. The existing social fabric of the city will not change substantially with the growth anticipated in the SOI, including growth projected for the 10-Year and 30-Year Horizons. As described in the 2011 City of Tracy Municipal Service Review, new growth is expected to be positive, bringing in new families and economic buying power as well as possible revenues that increase the City's budget. Industrial, commercial, and retail growth anticipated in the SOI would bring jobs and economic growth and improve the City's jobs-housing balance. An increase in jobs in the City would benefit the larger region as many local communities export workers to the Bay Area, as evidenced by approximately 50% of San Joaquin County residents (121,253 jobs) working outside of the County. Maintaining the City's SOI would continue to provide these benefits to the City and region.

Historically, the area surrounding Tracy has been largely agricultural. Much of the area surrounding the City limits and SOI includes Williamson Act lands. In addition, the existing SOI includes 23 parcels within the SOI that are under Williamson Act protection (see **Figure 1-2**). As previously described, the continued inclusion of the six Prime Agricultural parcels as well as the the ten Non-Prime parcels within the SOI is anticipated to have no adverse effect on the associated Williamson Act contracts. Of the remaining Non-Prime parcels, these parcels are all planned for development and urbanization by the City's General Plan and their continued inclusion in the City's SOI facilitates planned, orderly, and efficient patterns of land use and public services and the public interest in this change continues to substantially outweigh the public interest in the continuation of the associated Williamson Act contracts. Further, the General Plan includes policies that will be implemented as development occurs on or adjacent to agricultural lands that address and reduce impacts between urban development and agricultural land uses.

5. Present and Probable Need for Public Facilities and Services in DUCs within the SOI

There are no currently identified Disadvantaged Unincorporated Communities within the Tracy SOI[5]. A thorough review was conducted of 2000 Census data and more recent American Community Survey (ACS) data (2012-2016) at the block group level to identify any potential Disadvantaged Unincorporated Communities within the City's SOI. None of the block groups within the SOI had a

[4] Master Plans are available for buildout of the City's water, wastewater and storm drainage systems.
[5] San Joaquin LAFCO, 2012. *Change of Organization Policies and Procedures Including Annexations and Reorganizations*, Exhibit A.

median income of $37,994 (80% of the Census 2000 California median household income of $47,493) or less as of the 2000 Census. None of the block groups within the SOI had a median income of $51,027 or less based on review of the ACS 2012-2016 data. The Disadvantaged Communities Mapping tool maintained by the California Department of Water Resources (https://gis.water.ca.gov/app/dacs/) was also reviewed and did not show any disadvantaged communities within the Tracy's SOI. As there are no Disadvantaged Unincorporated Communities located within the Tracy SOI, no further discussion of this determination is provided within this MSR.

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TRACY MUNICIPAL SERVICES REVIEW

Figure 2-1:

Specific Plans, Approved Projects, and Vacant Lands within the City

Legend

Planning Areas

- City Limits
- Sphere of Influence
- CountyLimit

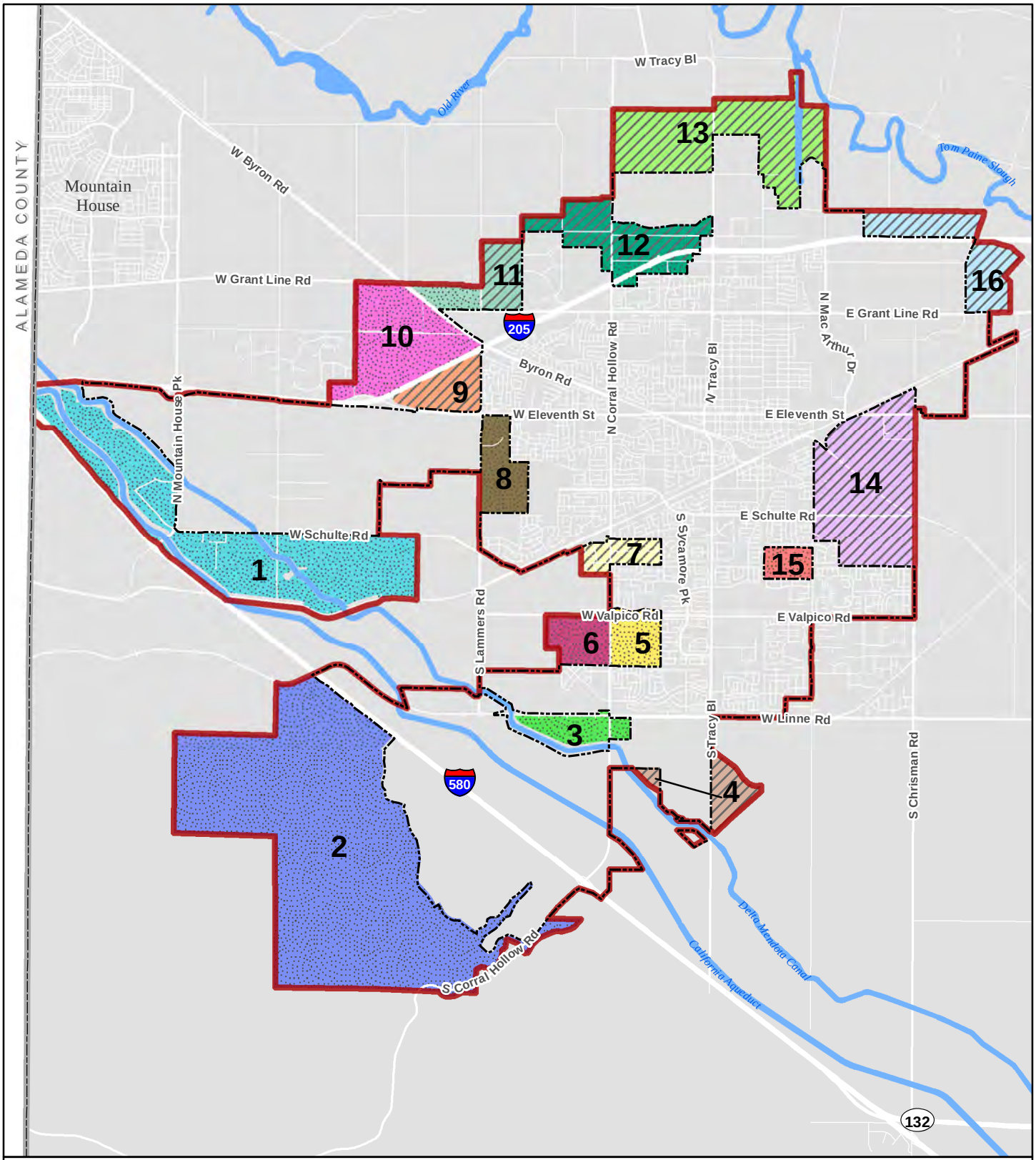
Projects, Specific Plans, and Vacant Lands

- Approved Project
- Specific Plan
- Vacant Lands

0 ½ 1
Miles

Sources: San Joaquin County; City of Tracy; Alameda County; ArcGIS Online World Imagery Map Service. Map date: 9-11-18.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm



Planning Areas

- City Limits
- Sphere of Influence
- **1 - 16:** Planning Subarea (color-coded by area)
- 10-Year Planning Horizon
- 30-Year Planning Horizon

N

0 ½ 1

Miles

TRACY MUNICIPAL SERVICES REVIEW

Figure 2-2. Planning Subareas

Sources: San Joaquin County; City of Tracy. Map date: May 2, 2019.

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

3. GROWTH AND POPULATION PROJECTIONS

This chapter identifies future growth projections for the City of Tracy and its 10-Year and 30-Year Horizons that need to be taken into consideration when planning for the provision of services. A detailed discussion of existing and future municipal services to meet the future demand identified in this chapter is included in Chapter 4 of this MSR.

As discussed in Chapter 4, the City has plans and policies in place to ensure that if demand increases, as allowed by the General Plan, adequate public services will be provided while existing levels of service are maintained. Patterns of service provision as Tracy grows under the General Plan will be determined by existing and anticipated growth patterns.

A. POPULATION AND DEMOGRAPHICS

Tracy is one of the larger cities in San Joaquin County, with a population of 82,922 in 2010 and 92,553 in 2018[1]. Between 1990 and 2000, the City of Tracy's population grew from 33,558 to 56,929, as indicated in **Table 3-1**. This reflects a 69.6% increase, which reflects a 5.4% annual growth. From 2000-2010, the population grew from 56,929 to 82,922, reflecting an annual growth rate of 3.8%. From 2010-2018, the population increased from 89,222 to 92,553, a 11.5% increase, reflecting a 1.48% annual growth rate during this period. Data from the State of California Department of Finance was available for years 1990, 2000, 2010, and 2018.

TABLE 3-1 POPULATION AND HOUSEHOLD TRENDS IN TRACY

	1990	2000	2010	2018
Population	33,558	56,929	82,922	92,553
Housing Units	12,174	18,087	25,963	26,964
Single Family Units	*9,198*	*15,076*	*22,002*	*22,691*
Multi-Family Units	*2,531*	*2,536*	*3,494*	*3,805*
Mobile Homes	*445*	*475*	*467*	*468*
Average Household Size	2.98	3.21	3.40	3.54

NOTE: ESTIMATES FOR 1990, 2000, AND 2010 ARE FROM MARCH 1ST. ESTIMATES FOR 2018 ARE FROM JANUARY 1ST.

SOURCES: STATE OF CALIFORNIA, DEPARTMENT OF FINANCE: E-5 POPULATION AND HOUSING ESTIMATES FOR CITIES, COUNTIES AND THE STATE — JANUARY 1, 2011- 2018; E-8 HISTORICAL POPULATION AND HOUSING ESTIMATES FOR CITIES, COUNTIES, AND THE STATE, 1990-2000.

1. Growth Accommodation

The City of Tracy adopted a residential Growth Management Ordinance (GMO) in 1987. In general terms, the goal of the GMO 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) in order

[1] State of California, Department of Finance: E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011- 2017

to secure a residential building permit. One RGA equals the public services and facilities required by one dwelling unit[2]. 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. There are exceptions for affordable housing, and to accommodate the Regional Housing Needs Allocation (RHNA) in compliance with the General Plan.

The current GMO is provided under City Ordinance 1201, effective December 3, 2015. The GMO provides guidelines which contemporize the City's residential growth management program. The GMO Guidelines were most recently revised by the City Council on October 16, 2012, Resolution 2012-214. Under the GMO, a total of only 18,000 building permits can be issued between the years 2018 and 2048[3]. Additional affordable dwelling units can be built; however, with a lack of funding from previously available sources (such as the redevelopment agency), there has been no demand from developers for affordable RGAs in recent years. In addition, the GMO includes exceptions for other types of projects, such as very small projects on a single lot (such as custom homes, and duplexes and triplexes). Based on past permit history, it is projected than an additional 5 custom units per year would be constructed through the GMO exemption, totaling 150 units between 2018 and 2048. In total, it is projected that the market rate units, affordable units, and other exemptions allowed by the GMO would result in a total of approximately 20,000 units by 2048. The availability of building permits under the GMO will be a primary factor in determining how development occurs within the city and SOI in the future. In 2015, a special election was held and City residents voted to pass Measure K, which created an Active Adult Residential Allotment Program that is exempt from the City's GMO and allocated 600 Active Adult Residential Allotments to the property formerly known as Urban Reserve 9.

Furthermore, the City of Tracy has created a policy structure to manage the SOI, including maps that identify two key geographies: Primary Residential Growth Areas and Secondary Residential Growth Areas. The City's Residential Growth Management Plan (RGMP) is encapsulated in Chapter 10.12 of the City of Tracy Municipal Code. The purpose and intent of the RGMP is to:

- Achieve a steady and orderly rate of annual residential growth in the City, and to encourage diverse housing opportunities for the region in which the City is situated, and to balance these needs with the City's obligation to provide public facilities and services to the City's residents with available fiscal resources;
- Regulate the timing and annual amount of new development projects, so that necessary and sufficient public facilities and services are provided, and so that new development projects will not diminish the City's level of service standards;
- Encourage concentric growth of the City by promoting efficient residential development patterns and orderly expansion of residential areas to maximize the use of existing public services and infrastructure;
- Encourage development which will efficiently utilize existing and planned future, public facilities;

[2] City of Tracy, 2009, *City of Tracy Residential Growth Management Plan*, page 4.
[3] Based on an average of 600 building permits allowed per year during the period from 2018 to 2048, not including exemptions that may apply.

- Encourage a balance of housing types in the City which will accommodate a variety of persons, including affordable housing projects which will accommodate persons of very low, low, and moderate income, and persons on limited or fixed incomes; and
- Implement and augment the City policies related to the regulation of new development as set forth in the general plan, specific plans, City ordinances and resolutions, master plans, finance and implementation plans and design documents.

The General Plan establishes policies for orderly residential growth, which is implemented through the GMO and GMO Guidelines. These regulations allow for residential growth to occur in both infill and greenfield areas, and is prioritized both geographically and through other means (such as development agreements).

2. City Services and Infrastructure Master Plans

The City plans the extension of services and utilities to its population through the periodic preparation and updating of its various public facility master plans, including water, sewage, and drainage. Additionally, the City maintains a Public Facilities Master Plan (adopted 2013), a Public Safety Master Plan (adopted 2013), a Water System Master Plan (adopted 2012), a Wastewater Master Plan (adopted 2017), and a Storm Drainage Master Plan (adopted 2012). The City recently updated its Urban Water Management Plan in 2016. The City's capacity to serve existing development and planned growth is addressed in Chapter 4.

B. POPULATION PROJECTIONS

The San Joaquin Council of Governments (SJCOG) forecasts that Tracy's population is anticipated grow to 127,933 by 2040, as shown in **Table 3-2**. The SJCOG population projections shown in **Table 3-2** are based on the growth projections developed by the Eberhardt School of Business at University of the Pacific (UOP) in collaboration with SJCOG, as described in Chapter 2.[4] These projections were developed on July 7, 2016. These SJCOG growth projections do not appear to fully consider the City's adopted General Plan, approved development projects, and potential development within the City's SOI. In order to consider the full growth potential within the City and SOI, **Table 3-3** also includes growth projections based on 1) the maximum growth allowed under the City's GMO and Active Adult Residential Allocations with no annexation of existing units, and 2) the maximum growth allowed under the City's GMO and Active Adult Residential Allocations with annexation of existing units in areas of the SOI that are designated for residential use by the General Plan.

[4] University of the Pacific, Eberhardt School of Business. 2016. *San Joaquin County Forecast Summary*.

TABLE 3-2 COMPARATIVE POPULATION PROJECTIONS

YEAR	SJCOG FORECASTED POPULATION (CITY LIMITS)	MAXIMUM GROWTH ALLOWED UNDER CITY'S GMO AND ACTIVE ADULT RESIDENTIAL ALLOTMENTS (NO ANNEXATION OF EXISTING UNITS) [5]	MAXIMUM GROWTH ANTICIPATED BASED ON CITY'S GMO, ACTIVE ADULT RESIDENTIAL ALLOTMENTS, AND ANNEXATION OF EXISTING UNITS
2020	95,040	97,865	97,865
2025	102,236	108,885	109,851[1]
2030	109,492	119,382	120,348[1]
2035	118,130	129,878	130,844[1]
2040	127,933	140,375	141,341[1]
2045	137,784	150,872	151,838[1]
2050	147,782	161,369	162,335[1]

SOURCES: UNIVERSITY OF THE PACIFIC – SAN JOAQUIN COUNTY FORECAST SUMMARY, JULY 7, 2016; CITY OF TRACY – 25-YEAR POPULATION PROJECTIONS; CALIFORNIA DEPARTMENT OF FINANCE, E-5 CITY/COUNTY POPULATION AND HOUSING ESTIMATES.
NOTE: SJCOG POPULATION PROJECTIONS DO NOT INCLUDE GROWTH IN TRACY ASSOCIATED WITH ANNEXATIONS.

NOTE: POPULATION PROJECTIONS BASED ON THE 'MAXIMUM GROWTH ALLOWED UNDER THE CITY'S GMO' INCLUDE GROWTH IN TRACY ASSOCIATED WITH ANNEXATIONS, GROWTH ALLOWED UNDER THE GMO, ANTICIPATED EXEMPTIONS TO THE GMI, AND 600 ACTIVE ADULT RESIDENTIAL ALLOTMENTS.

1 INCLUDES POPULATION ASSOCIATED WITH ANNEXATION OF EXISTING DWELLING UNITS IN AREAS DESIGNATED BY THE GENERAL PLAN FOR RESIDENTIAL USE

C. EMPLOYMENT TRENDS AND PROJECTIONS

Table 3-3 below identifies employment data for the City of Tracy from 2000-2015. As indicated, the labor force of Tracy has steadily increased. The largest amount of employment growth occurred during the period from 2000 to 2010, with a 55.1% increase in the City of Tracy labor force. This occurred despite the unemployment rate increase from 5.8% in 2000 to 18.3% in 2010. Projections of total jobs within the City of Tracy are presented below in **Table 3-4**. Note that the jobs reflect the number of jobs, not the number of employed residents. While the City prefers to retain skilled workers inside its labor market, comparing the two tables, it is clear that a large portion of the Tracy labor force commutes to jobs outside of the City. A large proportion of commuters choose to work in the neighboring San Francisco Bay Area region.

TABLE 3-3 TRACY EMPLOYMENT ESTIMATES

YEAR	LABOR FORCE	NO. EMPLOYED	UNEMPLOYMENT RATE
2000	27,121	25,492	5.8%
2010	42,071	34,809	18.3%
2015	47,140	43,643	7.5%

[5] Calculated based on the average of 600 dwelling units per year allowed under the City's GMO (*Chapter 10.12 of the Tracy Municipal Code*), plus an additional 5 dwelling units per year for other exemptions and 600 Active Adult Residential Allotments in Year 2025; the California Department of Finance 'persons per household' value of 3.47 for year 2017 (*E-5 City/County Population and Housing Estimates, 1/1/2017*) for all units except Active Adult Residential Allotments which were assumed to have an average 'persons per household' value of 2.0.

SOURCES: U.S. CENSUS BUREAU AMERICAN COMMUNITY SURVEY 1-YEAR ESTIMATES; PROFILE OF SELECTED ECONOMIC CHARACTERISTICS: 2000 CENSUS 2000 SUMMARY FILE (SF 3).

TABLE 3-4 TRACY JOBS PROJECTIONS (2015-2030)

	2015	2020	2025	2030
SJCOG Jobs	21,702	24,651	25,833	27,100

SOURCE: SJCOG – SAN JOAQUIN COUNTY FORECAST SUMMARY, JULY 7, 2016.

It is noted that the SJCOG projection for jobs in Tracy is well below the City's employment levels and also below the U.S. Census jobs data for the City. In 2015, 43,643 of Tracy's labor force was employed while U.S. Census data indicates that there were 22,115 jobs held in the city at that time. This means that while there were approximately 1.81 employees per housing unit in the city, the city only 0.85 jobs in the city available per housing unit, resulting in the majority of the City's employed residents commuting outside of Tracy for work.

As described in the City's General Plan, the City has planned to improve the jobs to housing balance to provide more employment opportunities for the City's residents. The General Plan would accommodate approximately 66,260 jobs (as shown in **Table 2-3**), which improves the current jobs to housing ratio of approximately 0.83 (2018) to a ratio of 1.55 upon buildout of the City and SOI.

D. DEVELOPMENT PROJECTIONS

This section provides an overview of projected development to accommodate growth in Tracy.

1. Within City Limits

The approximately 13,606.21 acres of land within the City limits currently accommodates a population of approximately 92,553 people and 26,964 housing units (as of January 1st, 2018). The total acreage within the City limits represents 59.0% of the total land within the current City limits and SOI. Within the current City limits, the City's residential growth is anticipated to result in a population of 117,387 persons and a total of 34,113 dwelling units (see **Table 2-3**). Upon full annexation of lands within the SOI, Tracy's total build-out capacity within the total area contained by both the City limits and SOI is approximately 143,343 people and 41,846 dwelling units (see **Table 2-3**).

2. 10-Year Horizon (2018-2028)

The approximately 6,273.8 acres of land within the 10-Year Horizon represents 27.2.0% of the total land within the current City limits and SOI. Tracy's total build-out capacity within the 10-Year Horizon is approximately 13,056 people and 3,994 dwelling units. When combined with the development projected for the existing City limits, the total growth anticipated is approximately 130,443 people and 38,107 dwelling units (this is determined by adding the 'Subtotal: Existing City Limits Capacity' and '10-Year Horizon' rows in **Table 2-3**).

3. 30-Year Horizon (2028-2048)

The approximately 3,151.9 acres of land within the 30-Year Horizon represents 13.7% of the total land within the current City limits and SOI. Tracy's total build-out capacity (within the total area

contained by the City limits and SOI) is approximately 143,343 people and 41,846 dwelling units (see **Table 2-3**).

E. DETERMINATION

The City of Tracy General Plan provides a framework for future growth and development within the City and the SOI. The City of Tracy has created a thorough policy structure to manage the SOI, including maps that identify two key geographies: Primary Residential Growth Areas and Secondary Residential Growth Areas. The City of Tracy initially adopted a residential GMO in 1987. The current GMO is provided under City Resolution 2012-1201 and was most recently revised by the City Council on October 20, 2015. The City's RGMP, established in Chapter 10.12 of the Municipal Code, set annual limits on the Residential Growth Allotment (RGA), which is the allotment made by the City that must be obtained by a developer (by allocation or conveyance) before each residential building permit is issued by the City, unless the subdivider obtains an exemption. 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, small custom residential projects, and to meet state RHNA goals, and Active Adult Residential Allotments.

The City's population was estimated at 92,553 in 2018. Between 1990 and 2000, the City experienced a 5.4% annual growth rate; however, the growth rate decreased to approximately 1.48% from 2010 to 2018. The latest SJCOG population projections for Tracy are 127,933 people by 2040 and 147,782 people by 2050. Under the City's GMO, taking exemptions and annexations of existing units into account, a population of approximately 141,341 could be accommodated by 2040 and approximately 162,335 persons could be accommodated by 2050 (see **Table 2-2**).

The current SOI, including the 10-Year and 30-Year Horizons, provides for maximum population growth of up to approximately 143,343 people (as an upper bound) (**see Table 2-3**) if all vacant and underutilized parcels were developed; however, it is not expected that actual population growth will reach this amount based on the historical trends, population projections, and an unrealistic expectation of full development of all vacant and underutilized parcels. Additionally, since the City has created limits on the number of new housing units (to approximately 600 units per year for market rating housing), this would limit the actual level of population growth within the 10-Year and 30-Year Horizons. There are many factors that will ultimately influence the actual population (including job availability, housing availability/affordability, etc.).

The 10 and 30-Year Horizons within the existing SOI will adequately provide for the projected population and jobs growth through 2049. This level of population, housing, and jobs growth is consistent with the City's General Plan. The City's ability to provide adequate service to new developments will be ensured prior to approval of new developments, in accordance with existing City policies and fee programs, as described in Chapters 4 and 5.

4. PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES, INCLUDING INFRASTRUCTURE NEEDS AND DEFICIENCIES

The purpose of this section is to evaluate infrastructure needs and deficiencies of services provided by the City of Tracy, especially as they relate to current and future users. Infrastructure needs and deficiencies will be evaluated in terms of supply, capacity, condition of facilities, and service quality with correlations to operational, capital improvement, and finance plans.

This section of the MSR will address the provision of the following public services, some of which are directly provided by the City of Tracy and others which are provided through contract or by special district:

- Fire Protection and Emergency Medical Services
- Law Enforcement
- Water Supply and Treatment
- Wastewater Supply and Treatment
- Storm Water Drainage and Flood Protection

In order to approve a change in the SOI and annexation of land into the City of Tracy, LAFCO must determine that the necessary infrastructure and public services exist to support the new uses at comparable service levels. The information put forward in this MSR supports the City of Tracy's requested 10-Year and 30-Year Horizons.

A. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The South San Joaquin County Fire Authority (SSJCFA) currently serves the City of Tracy and provides fire protection and emergency medical services within City limits, as well as those areas within its other member's jurisdiction. The City of Tracy and the Tracy Rural County Fire Protection District (Rural Fire District) formed the SSJCFA by entering into a joint exercise of powers agreement, effective July 1, 2018. The SSJCFA is responsible for fire protection services within the entire City limits area, except for a vacant area covered primarily by grassland, located south of the California Aqueduct, west of Interstate 580 adjacent to the Tracy Hills development which is served by CAL FIRE. The City area served by SSJCFA is shown in **Figure 4-1**. The SSJCFA also provides Advanced Life Support Emergency Medical Services within the City, in coordination with the San Joaquin Emergency Medical Services (EMS) Agency.

LAFCO adopted a policy in April 2019 that requires future annexations to the City of Tracy to detach from the Rural Fire District.

CITY OF TRACY FIRE DEPARTMENT

The City of Tracy Fire Department was established under Ordinance No. 12 by the City of Tracy Board of Trustees on November 3, 1910. This ordinance also established the City's fire district boundaries. Tracy's firefighting force initially consisted of nothing more than "bucket brigades" from volunteers

summoned during a fire. A City-owned building on 7th Street, just west of Central Avenue, was utilized as Tracy's very first firehouse.

TRACY RURAL FIRE PROTECTION DISTRICT

In 1945, the Rural Fire District was established to provide fire protection services to the greater Tracy Region, consisting of areas surrounding the Tracy City limits. This encompassed an area of over 200 square miles, from the Lathrop city limits northeast, down the San Joaquin River to the Stanislaus County line; then to the west up Interstate 580 until the Alameda County line; straight up to the Grant Line canal a few miles north Interstate 205 and then east again along the canal to Lathrop.

SOUTH COUNTY FIRE AUTHORITY

On September 16, 1999, after decades of talks and two previously unsuccessful attempts, the City Fire Department joined with the Rural Fire District to form the now-dissolved South County Fire Authority (SCFA). The SCFA was created to provide fire protection services to the entire jurisdictional area of both the incorporated City limits and surrounding rural community. Employees of the Rural Fire District became employees of the City with the City maintaining day to day administrative control of all operations and personnel.

Leading up to the JPA, the City was experiencing rapid growth and development, creating a need to construct new fire stations to meet response times. At the same time, rural firefighters found themselves having to respond to several emergency calls by driving through the City, frequently passing right in front of City fire stations along the way. It was obvious that a consolidation could significantly lower response times, eliminate the duplication of resources and provide better overall services. It was apparent that having improved staffing levels and a "streamlined" organization would benefit both entities, and more importantly, those residing in the Tracy community and surrounding rural area.

Both Rural Fire District and the City contracted with the SCFA to receive fire protection services. The SCFA in turn contracted with the City to provide employees and administrative services. First response fire service was provided to the entire jurisdictional area from the closest fire station regardless of station ownership.

The SCFA was directed by a four-person Joint Powers Authority (JPA) Board. This board was comprised of two members appointed by the Rural Fire District Board and two members appointed by the Tracy City Council. Meetings of the SCFA were typically held on a quarterly basis or as the Authority directs. The Chief Executive Officer of the SCFA was the City Manager of Tracy while the Controller/Treasurer of the SCFA was the City's Finance Director.

On February 20, 2018, the member agencies of the SCFA moved to dissolve the existing SCFA and establish a new joint powers authority (JPA) known as the South San Joaquin County Fire Authority (SSJCFA). The City and Rural Fire District agreed that dissolving the SCFA and establishing a new joint powers authority would allow the entities to resolve outstanding financial and operational issues, which included a cumbersome cost-sharing plan and concerns of the Rural Fire District regarding allocation of costs and adequate representation as part of the JPA, while allowing them to continue to combine their resources, revenues and personnel to address some operational and financial

efficiencies. The SSJCFA was formed to provide a full range of fire services to the entire jurisdictional area of both the incorporated City limits of Tracy and the surrounding rural community. The SCFA and SSJCFA will run concurrently to allow the existing SCFA to dissolve effective June 30, 2018, and the new SSJCFA to be implemented effective July 1, 2018.

SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY

The SSJCFA was formed in an effort to streamline the governance of the Authority and to clearly allow the community to bring fire-related issues to the Board of Directors. The new Authority has a simplified cost-sharing formula that ensures fairness in how costs to provide service are allocated to member agencies. The cost-sharing formula requires each member agency (the City and the Rural Fire District) to fund: 1) its pro-rata share of daily staffed positions, based on the number of daily staffed positions of each member agency divided by the total number of daily staffed positions within SSJCFA, and 2) all capital improvements to real property owned by each member agency. The SSJCFA is governed by up to two directors from each member agency. Currently, two members of the Tracy City Council and by two members of the Rural Fire District Board comprise the SSJCFA Board. The SSJCFA-appointed Fire Chief functions as the Chief Executive Officer of the Authority and serves at the will of the SSJCFA Board of Directors. This dual role allows for the Fire Chief to report directly to the SSJCFA Board and to not be representative of any single member agency of the Authority. The SSJCFA is represented by independent legal counsel. The SSJCFA has specified powers to enter into contracts, hire and employ personnel, incur debt, receive grants, adopt policies, and carry out all provisions of the Joint Powers Agreement.

The SSJCFA is initially contracting with a member agency, in this case the City of Tracy, to serve as the "Employer of Record" for its personnel and to provide all employee services to the Authority. Current personnel are employees of the City of Tracy. It is stated within the JPA agreement that the member agencies of the SSJCFA desire to have the Authority employ its own personnel to provide fire services. If and when the Board of the SSJCFA decides to employ personnel, any transfer of employees from the City to the JPA which occur pursuant to an agreement in which their respective obligations regarding retirement and benefits would be addressed.

The City and Rural Fire District maintain that combining their respective resources including assets, revenues, and personnel to provide fire protection services to residents in their respective jurisdictions will best serve Tracy and the greater Tracy area.

CAL FIRE

CAL FIRE provides fire protection services to the area generally west of the California Aqueduct and/or Interstate 580, west of the City boundaries. This area is shown in **Figure 4-1** and includes land within the SOI. This area is covered in rural grasses and is within a CAL FIRE State Responsibility Area for Fire Protection.

EMERGENCY MEDICAL SERVICES (EMS)

Medical transport is provided by private ambulance company via contract with the San Joaquin County Emergency Medical Services Agency. American Medical Response (AMR) is the current

exclusive emergency ambulance service provider in San Joaquin County.[1] Escalon Community Ambulance, Manteca District Ambulance, and Ripon Consolidated Fire District are exceptions to the County's exclusive contract with AMR. EMS incidents made up 70.31% of all calls that the Tracy Fire Department was dispatched to in all of the SCFA jurisdiction during FY 2017/18.

In FY 2016/17, the SCFA negotiated a new Advanced Life Support (ALS) agreement with the San Joaquin Emergency Medical Services. Prior to the new agreement, the SCFA was prevented from responding to minor medical emergencies that often escalate into significant medical emergencies. The new agreement allows SCFA to respond to all medical emergencies within the jurisdictional boundaries. This agreement was assigned from the SCFA to the SSJCFA in 2018.

1. Existing Facilities and Services

The SSJCFA provides fire protection, life safety and emergency response services to 160 square miles of the southern part of San Joaquin County. As previously described, the City provides services as a member of the SSJCFA. The City of Tracy and the Rural Fire District resources are combined to provide service to the jurisdictional area, although a five-member elected board still runs the Rural Fire District while the City Council and City Manager control the City.

The SSJCFA currently operates six fire stations (see **Figure 4-2**[2]), a support services building, and an administrative office. Twenty-four hour-a-day staffing is provided with six paramedic engine companies, and one paramedic ladder truck company. Four fire stations are within the incorporated area of the City of Tracy, and two are in the surrounding rural Tracy area. The City Fire Department maintains a repurposed unstaffed fire station that serves as support for operations and apparatus storage. Fire Stations 92 and 96 relocated in 2014 due to findings of a Standards of Cover study conducted in 2017. The repositioning of these facilities will achieve more efficient fire protection coverage to the jurisdictional area of both the City and Rural Fire District. **Table 4-1** shows the name, location and equipment housed at each of these stations. Pursuant to the JPA agreement, SSJCFA maintains all fire stations and each member agency is responsible for structural repairs to its fire stations and for the replacement of its fire equipment. The financial ability of the member agencies to fund existing and planned facilities services is discussed in Chapter 5.

TABLE 4-1 TRACY FIRE STATIONS, EQUIPMENT AND SERVICES SERVING THE CITY OF TRACY

STATION/OWNERSHIP	LOCATION	COMPANY NUMBER/EQUIPMENT	
91/City	1701 West Eleventh Street	Truck 91	2017 Pierce Velocity Tractor Drawn Aerial, 100' All-steel ladder
		Engine 91	2015 Spartan Hi-Tech 1500gpm Type 1 pumper
		WT 90	2005 Pierce Kenworth Water Tender
		USAR 9	2004 Utility Trailer – Type 2, Medium Rescue
92/Rural Fire District	1035 East Grant	Engine 92	2015 Spartan Hi-Tech 1500 gpm Type 1 pumper

[1] Bramell, David. Tracy Fire Department. Personal communication on February 1, 2018.
[2] Only five stations are shown in Figure 4-2. Station 93 is located outside of map area (outside of the city limits, at 1400 West Durham Ferry Road).

prior to July 1, 2018) City after July 1,(2018)	Line Road	OES 349	2008 HME 1250 gpm Type 1 pumper
96/City	1800 West Grant Line Road	Engine 96	2009 Spartan Hi-Tech 1500 gpm Type 1 pumper
		Haz-Mat 9	1999 Pierce 1500 gpm Type 1 pumper
97/City	595 West Central Avenue[1]	Engine 97	2015 Spartan Hi-Tech 1500 gpm Type 1 pumper
Support (Unstaffed)/City	301 West Grant Line Road	R-Engine 95	2003 Pierce 1500 gpm Type 1 pumper
		R-Engine 98	2000 Pierce 1500 gpm Type 1 pumper
93*/Rural Fire District	1400 West Durham Ferry Road (New Jerusalem)	Engine 93	2008 Peirce Contender 1250 gpm Type 1 pumper
		R-Truck 90	2000 Spartan/LTI tractor drawn aerial, 100' ladder
		Grass 90	2000 Ford F-550 100gpm Type 4 pumper
		R-Engine 90	2000 Pierce 1000 gpm Type 1 pumper
94*/Rural Fire District	16502 West Schulte Road (Patterson Pass)[2]	Engine 94	2003 Pierce Saber 1500 gpm Type 1 pumper
		Brush 90	2017 HME/International Type 3 pumper

SOURCE: CITY OF TRACY FIRE DEPARTMENT, 2018.

** - STATIONS WITH AN ASTERISK ARE LOCATED OUTSIDE OF THE CITY LIMITS. EMERGENCIES ARE RESPONDED TO FROM THE CLOSEST FACILITY REGARDLESS OF CITY LIMITS.*

1 RELOCATION OF STATION 97 TO VALPICO ROAD SOUTHEAST OF ITS CURRENT LOCATION IS PLANNED TO BE COMPLETE IN 2021.

2 RELOCATION OF STATION 94 NORTH OF ITS CURRENT LOCATION TO OPTIMIZE SERVICE IS PLANNED TO BE COMPLETE IN 2021.

RESPONSE TO CALLS FOR SERVICE

The SSJCFA maintains a goal for the initial company of firefighters to arrive on scene for City fire and EMS incidents within six minutes, thirty seconds 90% of the time; this goal applies to the City and annexed areas undetached from the Rural Fire District. The 6:30 minute goal includes 30 seconds for the call to be received at the primary Public Safety Answering Point (PSAP), and information obtained, then measured one minute for dispatch processing, one minute for fire station staff turnout, and four minutes for travel time.

In the rural areas served by the Rural Fire District, the response goal is to arrive on scene within 10 minutes 90% of the time. The 10:00 minute goal includes 30 seconds for the call to be received at the primary PSAP and information obtained, then measured one minute for dispatch processing, one minute for fire station staff turnout, and 7:30 minutes for travel time.

During FY 2017/18, the SSJCFA was dispatched to 8,768 incidents resulting in 12,667 unit responses. Of these calls, 6.34% were to fire incidents, 70.31 percent were to EMS incidents, and the remaining calls were to other incident types.

In FY 2017/18, in the City and annexed areas undetached from the Rural Fire District, the SSJCFA met this overall goal 71% of the time for EMS incidents, 68% of the time for structure fire incidents, and 77% of the time of all other incident types (not EMS or structure fire incidents). **Table 4-2** identifies the call processing, turnout time, and travel time, as well as the sum of these three components of response time (total reflex time) for EMS, structure fire, and other incidents within

the City limits [3] The response time objectives shown in **Table 4-2** do not include the PSAP response time (30 seconds) for the City as the PSAP response time is not able to be captured.

In FY 2017/18, in the rural areas, the SSJCFA met this overall goal 77% of the time for EMS incidents, 83% of the time for structure fire incidents, and 77% of the time for all other incident types (not EMS or structure fire incidents). **Table 4-3** identifies the call processing, turnout time, and travel time, as well as the sum of these three components of response time (total reflex time) for EMS, structure fire, and other incidents that are within the Rural Fire District area outside of the City limits. The response time objectives shown in **Table 4-3** do not include the PSAP response time (30 seconds) for the Rural Fire District as the PSAP response time is not able to be captured.

TABLE 4-2 SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY RESPONSE PERFORMANCE (BENCHMARKS) – CITY LIMITS FY 2017/18

	EMS Incidents			Structure Fire Incidents			All Other Incident Types		
	% Objective Met	Objective	90th Percentile	% Objective Met	Objective	90th Percentile	% Objective Met	Objective	90th Percentile
Call Processing	89%	1:00	**1:29**	70%	1:00	**1:10**	59%	1:00	**2:34**
Turnout Time	28%	1:00	**1:58**	15%	1:20	**2:49**	39%	1:20	**2:07**
Travel Time	68%	4:00	**5:34**	79%	4:00	**5:37**	73%	4:00	**6:26**
Total Reflex Time	71%	6:00	**7:33**	68%	6:20	**8:29**	77%	6:20	**9:26**

SOURCE: SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY RESPONSE PERFORMANCE REPORT, FISCAL YEAR 2017/2018

TABLE 4-3 SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY RESPONSE PERFORMANCE (BENCHMARKS) – RURAL FIRE DISTRICT OUTSIDE CITY LIMITS FY 2017/18

	EMS Incidents			Structure Fire Incidents			All Other Incident Types		
	% Objective Met	Objective	90th Percentile	% Objective Met	Objective	90th Percentile	% Objective Met	Objective	90th Percentile
Call Processing	86%	1:00	**1:18:**	50%	1:00	**1:35**	59%	1:00	**2:27**
Turnout Time	19%	1:00	**2:07**	17%	1:20	**3:01**	39%	1:20	**2:34**
Travel Time	79%	7:30	**9:05**	83%	7:30	**7:42**	73%	7:30	**9:59**
Total Reflex Time	77%	9:30	**11:40**	83%	9:50	**10:48**	77%	9:50	**13:06**

SOURCE: SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY RESPONSE PERFORMANCE REPORT, FISCAL YEAR 2017/2018

It is noted that the City and Rural Fire District do not dispatch calls; calls are received and processed by outside agencies (VRECC and Stockton Fire Department). The average call processing time was 1:56 90% of the time for the SCFA in FY 2016/17. This exceeds the 1:30-minute call received to dispatch goals of the City and Rural Fire District. However, at the end of FY 2017/18, the call processing (received to dispatch) time was improved, with an average time of 1:23 for EMS incidents and 2:04 for fire incidents.

During FY 2016/17, turnout time objectives were modified to better reflect NFPA 1710 by adding 20 seconds to turnout times (1:20 total) for all "structure fire" and "all other incident types". This is due to the fact personnel are required to don additional personal protective equipment prior to responding to these incident types. Turnout time objective for EMS responses remains at 1:00.

[3] As provided within the SCFA Annual Report FY 2017/2018

The SSJCFA achieved a 2:26 turnout time 90% of the time for all incident types in FY 2017/18. SSJCFA Turnout times exceed the one minute or one minute twenty second objective, however it is noted that the Citygate Standards of Cover study recommends a two minute turnout time.

The SSJCFA achieved a 7:24 travel time 90% of the time for its entire service area in FY 2017/18. In the City and annexed areas not detached, 90th percentile travel times were 5:34 for EMS, 5:37 for structure fires, and 6:26 for all other incident types. In the Rural Fire District 90th percentile travel times were 9:05 for EMS, 7:42 for structure fires, and 9:59 for all other incident types. The City travel times of 5:52 for all call types exceed the 4:00 goal. The Rural Fire District travel times of 8:55 for all call types also exceed the 7:30 goal.

The Standards of Cover study concluded that the only way to appreciably lower the travel times is to add more fire stations as revenues permit. Stations 94 and 97 are planned for relocation, as discussed below, which will improve travel times. Two additional stations, Stations 95 and 99 will also be added, as discussed below, which will reduce the service areas and associated travel times of existing stations.

NFPA 1710

The NFPA 1710 Standards are applicable to urban areas and where staffing is comprised of career firefighters. These standards only apply to urbanized areas served by the City and the annexed areas within the City not detached from the Rural Fire District; these standards do not apply to the rural areas served by the Rural Fire District. According to these guidelines, a career fire department needs to respond within six minutes, 90 percent of the time with a response time measured from the 911 call to the time of arrival of the first responder.

The standards are divided as follows:

- Dispatch time of one (1) minute or less for at least 90 percent of the alarms.
- Turnout time of one (1) minute or less for EMS calls (80 seconds for fire and special operations response). It is noted that the Standards of Cover study identified that this NFPA standard is rarely met in practice due to the time for the crew to hear the dispatch message and don the mandated personal protective clothing for the specific type of emergency. The Standards of Cover study noted that it is reasonable for agencies to achieve a 2 minute turnout to 90% of emergency incidents.
- Fire response travel time of four (4) minutes or less for the arrival of the first arriving engine company at a fire incident and eight (8) minutes or less travel time for the deployment of an initial full alarm assignment at a fire incident.
- Eight (8) minutes or less travel time for the arrival of an advanced life support (4 minutes or less if provided by the fire department).

ISO RATING

The Insurance Services Office (ISO) Public Protection Classification Program currently rates the City Fire Department as a **Class 2**, and the Rural Fire District as a **Class 03/3Y**. ISO ratings are provided on a scale of 1 to 10, with 1 being the highest possible protection rating and 10 being the lowest. The ISO rating measures individual fire protection agencies against a Fire Suppression Rating

Schedule, which includes such criteria as facilities and support for handling and dispatching fire alarms, first-alarm response and initial attack, and adequacy of local water supply for fire-suppression purposes. The ISO ratings are used to establish fire insurance premiums.

BUDGET

The SSJCFA receives income from property taxes, fees and services, and capital outlays. In FY 2016/17, the SCFA received total funding of $16,044,840. The SCFA total expenditure during this period was also $16,044,840. The SCFA budget (for FY 2017/18) provided for expenditures of $17,399,842. The SSJCFA adopted budget for FY 2018/19 provides for expenditures of $19,169,797.

2. Provisions for Future Growth and Systems Improvement

Fire station locations or "deployment" were recently analyzed in the South County Fire Authority Standards of Cover Study conducted by Citygate Associates, LLC (March 2017) (See Appendix A). This study analyzed fire station locations within the jurisdictional area of the SSJCFA with includes both the City and the Rural Fire District's jurisdictions. The study found that the four urban area fire stations are too few and too far to provide 4-minute travel time coverage to urban annexation areas and recommended that at least two additional and two relocated fire stations be considered. The study found that existing fire stations are appropriately located with the exception of Fire Station 97 at 595 Central Avenue within the City and Fire Station 94 at 16502 W. Schulte Road within the Rural Fire District. The study identified the need for future facilities in the Tracy Hills development (Corral Hollow/I-580 area) and another near the Ellis development (Valpico Road west of Corral Hollow).

The Standards of Cover study recommended that the response time policy be expanded to address specialty response measures and have a second measurement to define multiple-unit response for serious emergencies.

The City and Rural Fire District have reviewed and considered the findings of the Standards of Cover Study and are taking steps to address the recommendations in order to meet response time standards in light of growth and development patterns. The following stations are planned:

Station 94: Station 94 will be relocated north of its current location to optimally serve the Prologis International Park of Commerce and the Patterson Pass Business Park and will continue to be owned by the Rural Fire District. Design and construction is estimated to start in 2019 and be completed in 2021. The existing Station 94 will remain in operation until completion of the relocated station.

Station 95: Station 95 is a new station that will be located in Tracy Hills north of I-580 and will be owned by the Rural Fire District. This station will serve the southern developing area of the City. The design of Station 95 is completed and construction is estimated to begin in 2022 and be completed in 2022.

Station 97: Station 97 will be relocated along Valpico Road, southeast of its current location, and will continue to be owned by the Rural Fire District. The existing Station 97 will remain in operation until completion of the relocated station.

Station 99: Station 99 will be located near Ellis and the proposed Avenues development; this station will be owned by the Rural Fire District and will provide coverage to the middle developing area of the SOI, west of Coral Hollow Road and east of Lammerers Road. While the expected timeline for development of the geographical area served by this station is 10 or more years, the Standards of Cover Study indicated sufficient development has occurred to trigger the need for this station.

The funding for the relocation of Stations 94 and 97 and construction of Stations 95 and 99 is discussed in Chapter 5.

The City, the Rural Fire District, and SSJCFA are in the process of evaluating response times from the relocated stations and will determine appropriate response goals based on the evaluation.

The SSJCFA provides Advanced Life Support paramedic service from every fire station. Emergency medical services in Tracy and the surrounding areas are reported to be good and there are no reported concerns about the level of service provided.

Recognizing the potential need for increases in fire protection and emergency medical services, the City's General Plan includes policies to ensure that adequate related facilities are funded and provided to meet future growth (Objective PF-1.1 and Policies P1 and P2). These policies include the updating of master plans and development impact fees on a regularly basis, and the establishment of a citywide Community Facilities District that facilitates the funding of public facilities and public services in perpetuity by new development by establishing an annual tax. The City's General Plan also policies to promote coordination between land use planning and fire protection (Objective PF-1.2).

In 2013, the City Council adopted the "Citywide Public Safety Master Plan". This plan created the nexus for development impact fees for the City's sphere of influence and anticipated the need for five new fire stations to serve development within the City and Rural Fire District service areas. The City collects development impact fees to fund the City's share of the new fire facilities. Significant areas within the sphere include areas of the Tracy Rural Fire District. The Rural Fire District contains significant acreage that has been annexed by the City but remains within the District's service area. The amount of development that has occurred in these areas such as the International Park of Commerce, has positively impacted Rural Fire District property tax revenues and has provided impact fees that will be used to construct fire stations within the service area of the Rural Fire District. For rural areas not included within the Citywide Public Safety Master Plan, the Rural Fire District maintains the Fire Facilities Impact Fee of $0.15 per square foot per San Joaquin County ordinance.

Funds for future infrastructure will be derived from impact fees as indicated within the Citywide Public Safety Master Plan, collected by the City and passed through to the Rural Fire District accordingly. The operating costs to staff the facilities will be derived from property tax revenue growth in developing areas. Development impact fees are calculated to provide for facilities needed to serve long-term development, which means that the fees are calculated over a large geographical

area and may require 10 to 20 years before the total fees are collected from all developers. The City addresses this lag (difference between the timing of the collection of funds from 100% of development and the appropriate time to construct facilities which are needed in advance of or concurrent with development) through advancing funds through interfund loans. The City has developed a financing plan to relocate Stations 94 and 97 and to construct Stations 95 and 99 and the City Council approved the plan on October 16, 2018.

Station 94, estimated to cost $5 million to design and construct, will be funded primarily by the advancement of public safety fees. Prologis has agreed to advance their payment of public safety fees in the amount of $4.25 million and the Rural Fire District will fund the remaining amount through contributions related to assuming the coverage of the existing station. Apparatus and equipment for this station will be relocated from the existing station to the new station.

Station 97 is estimated to cost $5.5 million to design and construct. The City has collected $4.5 million in public safety fees that will be used for this station. The City will fund the remaining $1 million from its General Fund to address the existing need for this station based on the coverage area within the City. Apparatus and equipment for this station will be relocated from the existing station to the new station.

Station 95 is estimated to cost $6.6 million to design, construct, and equip. Of this amount, $5.5 million will be funded by the advancement of public safety fees by the Tracy Hills development and will cover the cost to design and construct the station. The apparatus and equipment will be purchased through an advance (loan) from the City's equipment fund that will be repaid by future public safety fees collected from development.

Station 99 is estimated to cost $6.6 million to design, construct, and equip. Of this amount, $1.1 million will be funded by the advancement of public safety fees by Ellis and Avenues developments and the remaining fees will be collected from developments within the coverage area over a long horizon period. The City is advancing (loaning) General Fund monies from the Public Benefit and Equipment funds to cover the remaining construction and equipment costs; these loans will be using public safety fees received as the area is developed.

As discussed in Chapter 5, the City and the Rural Fire District have demonstrated financial capacity to provide fire services, including the relocation of fire stations, construction of new fire stations, and funding for operations and maintenance.

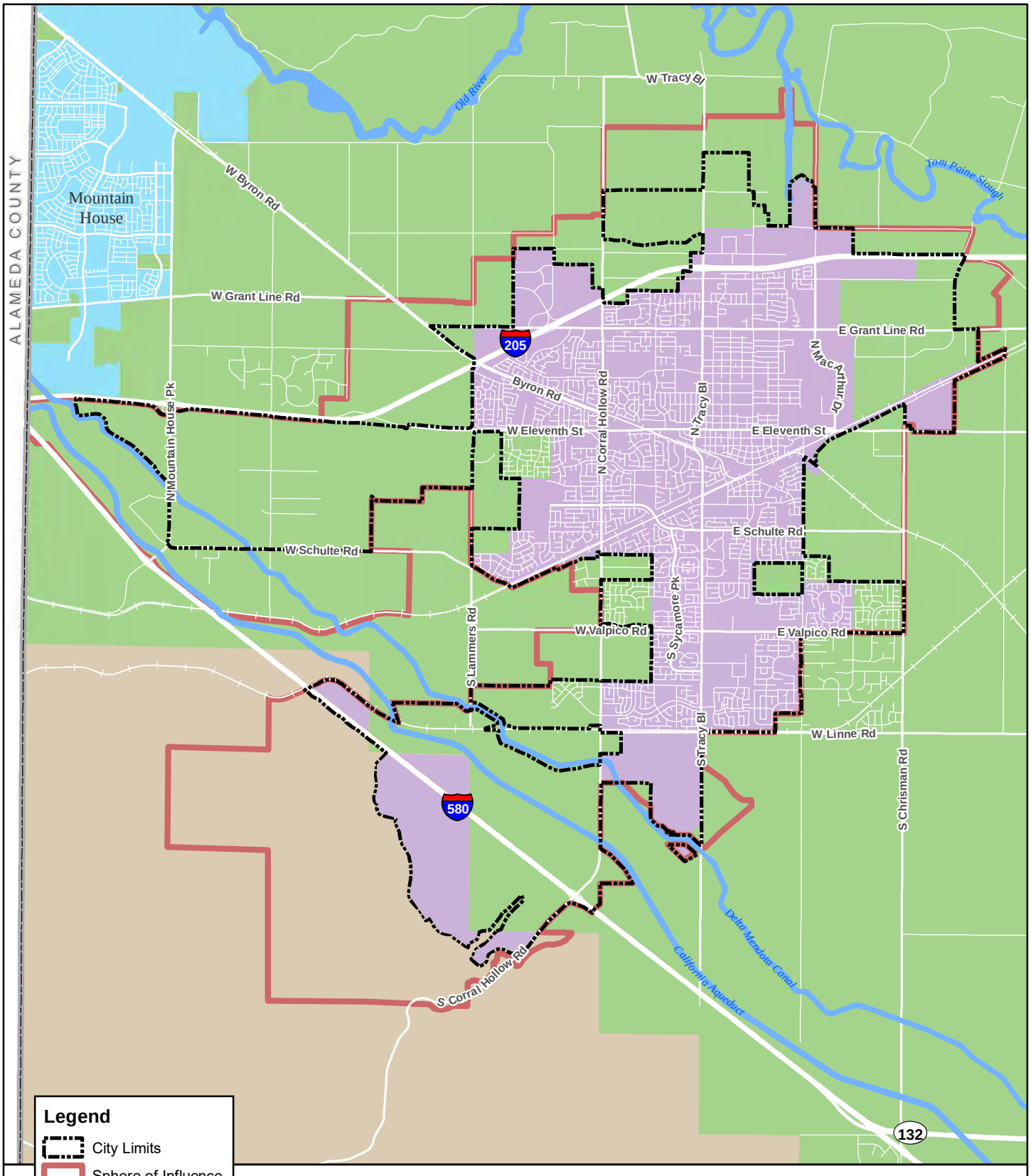
Similar to the provision of police services discussed below, Objective PF-1.1 states that the City would strive to continuously improve the performance and efficiency of fire protection and emergency medical services. In this regard, the City would coordinate land use planning, project development and site design to reduce fire hazards. Fire hazards shall be identified and mitigated during the project review and approval process (Objective PF-1.2, P1), and new developments shall satisfy fire flow and hydrant requirements and other design requirements as established by the City (Objective PF-1.2, P5).

The General Plan also outlines land use policies to take full advantage of the use of existing public services and minimize the need for additional ones. As discussed further below, Objective LU-1.3 would ensure that public facilities are accessible and distributed evenly and efficiently throughout the city, and that residential development is directed in a way to maximize the use of existing public services and infrastructure (Objective LU-1.4). As new facilities are needed, the City and Rural Fire District shall plan fire station locations to maintain or enhance current response levels. (Objective PF-1.2, P3 and P4).

The SSJCFA receives funding from various revenue sources including the City's General Fund and the Rural Fire District. General Fund allocations are derived from property taxes, sales tax revenue and user fees. The Rural Fire District receives its funding through property tax from San Joaquin County as well as a special assessment fee for those structures located in the Rural Fire District. The Rural Fire District derives 82% of its revenue from unsecured and secured property tax. Another 17% is derived from the $0.03 per square foot special assessment. The SSJCFA also bills for cost recovery for those calls for service that occur in the Rural Fire District; however, this revenue source makes up less than 1 percent of the JPA's overall budget.

The SSJCFA Board reviews its budget on an annual basis to ensure that adequate staffing and facilities are maintained to address existing and new development. The City reviews budget needs of all departments, including its financial contribution to fire services on an annual basis and will address the need for additional personnel, equipment, and facility improvements in the future to maintain response times and to address new development. As described in this chapter, the City and Rural Fire District have actively planned to ensure adequate fire services are provided throughout their service areas, including anticipation of increased service demands as areas are developed and annexed by the City. The General Plan provides guidance and direction to the City when it considers approval of development projects and provides a mechanism for requiring development to contribute to adequate services, the Citywide Public Safety Master Plan addresses existing and long-term needs of the City and SOI and ensures that a mechanism is in place to fund services, and the Standards of Cover Study addresses the planning for fire stations and services to ensure adequate response times to existing and developing areas, including areas planned for annexation. As discussed in Chapter 5, SSJCFA, the City, and the Rural Fire District address funding for facilities and services to serve existing and planned development.

Determination: The City has an appropriate process in place to plan and fund fire protection services, including regular review of its service levels and funding sources and annual budgeting of resources, that will ensure adequate fire protection staffing, performance levels, and facilities are maintained to serve the City's existing population as well and future growth within the SOI. The City shall continue to plan for adequate service levels by regularly updating the Citywide Public Safety Master Plan to reflect providing City fire services to areas within the SOI, including consideration of whether such services are anticipated to be provided directly by the City or by a JPA.

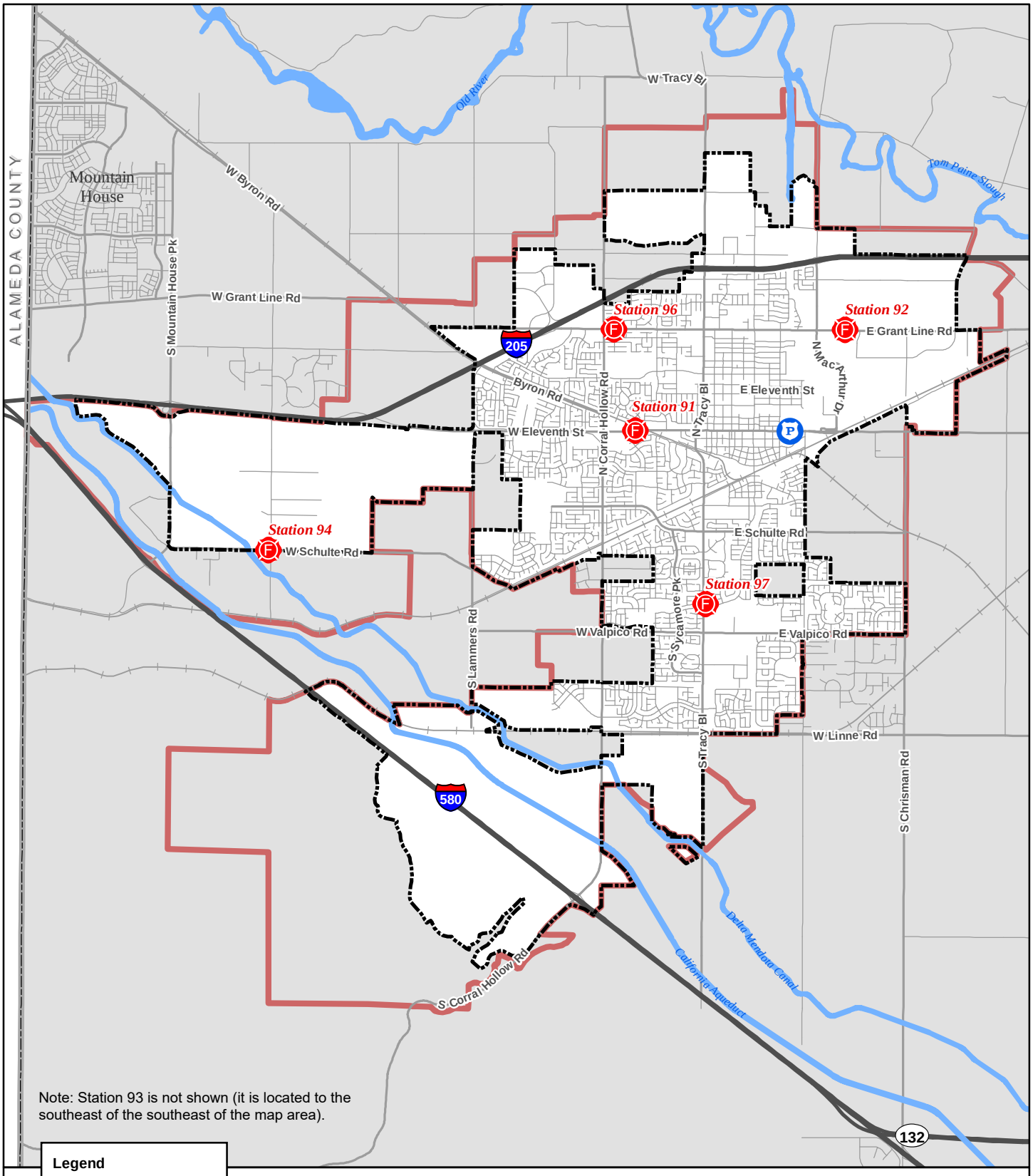


TRACY MUNICIPAL SERVICES REVIEW

Figure 4-1: Fire Districts

Sources: San Joaquin County; City of Tracy. Map date: November 12, 2018.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm



Sources: San Joaquin County; City of Tracy.
Map date: December 27, 2017.

TRACY MUNICIPAL SERVICES REVIEW

Figure 4-2: Tracy Police and Fire Stations

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

B. LAW ENFORCEMENT

Police protection service in the City is provided by the City of Tracy Police Department (Police Department).

1. Existing Facilities and Services

EXISTING FACILITIES

The Police Department operates out of its headquarters located at 1000 Civic Center Drive (see **Figure 4-2).** The headquarters is comprised of the main building and an annex, both in the Civic Center complex. Both buildings are occupied at capacity.

The Police Department has 90 sworn officers budgeted in FY 2017/18, including one chief, two captains, five lieutenants, 11 sergeants, 11 corporals, and 56 patrol officers. The Police Department also has 49 professional staff members, which includes part-time employees. Professional staff members include administrators, communications dispatchers, community services personnel, animal control, a records supervisor, and crime scene technicians.

The Police Department divides calls into three categories, Priority 1, 2, and 3 calls. Priority 1 calls are defined as life threatening situations. Priority 2 calls are not life threatening, but require immediate response. Priority 3 calls cover all other calls received by the police. The average response time for Priority 1 calls within the City is approximately seven to eight minutes. Response times for Priority 2 and 3 calls are 15 and 27 minutes, on average, respectively.

The Police Department defines offences for statistical purposes using the Uniform Crime Reporting Code of California. Crimes are classified as Part 1 or Part 2 offences, depending on the priority of the crime. In 2017, 2944 Part 1 offences, which include homicide, rape, burglary and larceny, were reported. Property crimes, which include larceny, burglary, car break-ins, auto accessory theft and shoplifting, are the most common crimes in Tracy, accounting for 77 percent of offences in 2017. The two most common crimes in Tracy in 2017 were larceny and auto theft. Between 2016 and 2017, Part 1 offenses in Tracy increased by about 12 percent.

Police service within the Planning Area outside of Tracy's City limits is provided by the San Joaquin County Sheriff's Department, which is located in French Camp, about five miles south of Stockton. The County is divided into eight geographical areas or "beats." These beats are staffed around the clock, providing emergency response capability to citizens in the unincorporated area.

The Police Department and San Joaquin County Sheriff's Department provide mutual aid when a situation exceeds the capabilities of either department. Mutual aid is coordinated by the San Joaquin County Sheriff's Office.[4]

[4] Personal communication with City of Tracy Police Captain Alex Neicu. January 8, 2018.

ORGANIZATION

The Police Department is organized into three bureaus: Bureau of Field Operations, the Bureau of Investigations, and Bureau of Support Services. Bureaus are coordinated out of one facility.

The Bureau of Field Operations is the largest of the three bureaus and includes the Field Patrol, Traffic Safety, School Resource Officers, Neighborhood Resource Officers, Special Enforcement Team, Crime Prevention, and Animal Services Unit. The Bureau of Field Operations also has oversight of SWAT, the Crisis Negotiation Team, K-9 program, Explorer Program, D.A.R.E program, and Honor Guard.

The Bureau of Support Services has a variety of specialized units, including Communications 9-1-1, Records, Forensic Services, Crime Analysis, Facilities Management, and Fiscal Management.

The Bureau of Investigations consists of specially trained police officers and civilian employees who are responsible for completing complex and time-consuming investigations, including homicide, robberies, gang related crimes, financial crimes, property crimes, narcotics, vice and human trafficking. These specially trained employees frequently partner with investigators from the Federal Bureau of Investigations, Alcohol Tobacco and Firearms, Federal Drug Enforcement Agency, Department of Homeland Security, and other federal, state and county law enforcement agencies. The division also works closely with the San Joaquin District Attorney's Office to obtain and secure criminal complaints and convictions.

STAFFING

As of 2015, the Police Department had 86 full-time sworn officers. There were also 44 full-time non-sworn officers and 7 additional part-time personnel in 2015. The Police Department has 90 sworn officers budgeted for FY 2017/18.

Staffing levels are assessed by the City on an annual basis, based on a variety of factors including response times for the three priorities listed above. With a population of 90,890 as of 2017, the Police Department's 90 sworn police officers in FY 2017/18 equate to a police officer staffing level of 1.0 officers per 1000 residents.

A review of nearby jurisdictions identified the following police officer staffing levels in 2016: Manteca (0.8), Modesto (1.0), Stockton (1.3), Oakdale (1.0), and Ripon (1.5).

CRIME STATISTICS

The number of violent offenses known to law enforcement in 2016 for the City and a sample of neighboring cities (Manteca, Modesto, Stockton, Ripon, and Oakdale) are provided in **Table 4-4** below. **Table 4-5**, below, provides the number of property crime (i.e. non-violent) offenses known to law enforcement for these cities.

TABLE 4-4 VIOLENT OFFENSES KNOWN TO LAW ENFORCEMENT, BY CITY (YEAR 2016) – CITY OF TRACY AND NEIGHBORING JURISDICTIONS

CITY	MURDER & MANSLAUGHTER	RAPE	ROBBERY	AGGRAVATED ASSAULT	TOTAL VIOLENT CRIME
Tracy	0	17	62	72	**151**
Ripon	0	2	9	1	**12**
Manteca	0	30	91	123	**244**
Modesto	13	103	481	1,507	**2,104**
Stockton	49	128	1,185	3,019	**4,381**
Oakdale	0	10	11	33	**54**

SOURCE: U.S. DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATIONS CRIME IN THE UNITED STATES, 2018

The jurisdictions neighboring Tracy have varying populations. Therefore, the per capita rate of total violent crime offenses known to law enforcement in 2016 (as provided by the statistics in **Table 4-4**, and based on population levels provided by the U.S. Census Bureau) in each of these jurisdictions is provided as follows (for the sake of comparison): Tracy (0.2%), Ripon (0.1%), Manteca (0.3%), Modesto (1.0%), Stockton (1.4%), and Oakdale (0.2%). As shown, the per capita rate of violent crime offenses known to law enforcement in 2016 is lower in the City than each of these neighboring jurisdictions, with the exception of Ripon.

TABLE 4-5 PROPERTY CRIME OFFENSES KNOWN TO LAW ENFORCEMENT, BY CITY (YEAR 2016)

CITY	BURGLARY	LARCENY – THEFT	MOTOR VEHICLE THEFT	ARSON	TOTAL PROPERTY CRIME
Tracy	245	1,348	306	12	**1,899**
Ripon	22	225	20	0	**267**
Manteca	315	2,020	365	13	**2,700**
Modesto	1,421	6,350	1,553	65	**9,324**
Stockton	2,251	7,550	1,833	81	**11,634**
Oakdale	127	482	79	3	**688**

SOURCE: U.S. DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATIONS CRIME IN THE UNITED STATES, 2018

The per capita rate of total property crime offenses known to law enforcement in 2016 (as provided by the statistics in **Table 4-5**, and based on population levels provided by the U.S. Census Bureau) in each of these jurisdictions is provided as follows: Tracy (2.1%), Ripon (1.7%), Manteca (3.5%), Modesto (4.4%), Stockton (3.8%), and Oakdale (3.0%). As shown, the per capita rate of total property crime offenses known to law enforcement in 2016 is lower in the City than each of these neighboring jurisdictions, with the exception of Ripon.

Table 4-6 provides crime statistics in the City from 2017 and through August 2018, as provided by the Police Department. As shown, overall reported crime increased by 14% between 2017 to 2018, although this is partially a result of the increase in population over this period.

TABLE 4-6 TRACY POLICE DEPARTMENT ANNUAL CRIME STATISTICS (YEAR 2014 VS. 2015)

CRIME	YEAR 2018, THROUGH AUGUST	YEAR 2017	% CHANGE
Violent Crime	145	142	2%
Property Crime	1,670	1,454	15%
Total Part I Crimes	1,815	1,596	14%

SOURCE: TRACY POLICE DEPARTMENT, 2018

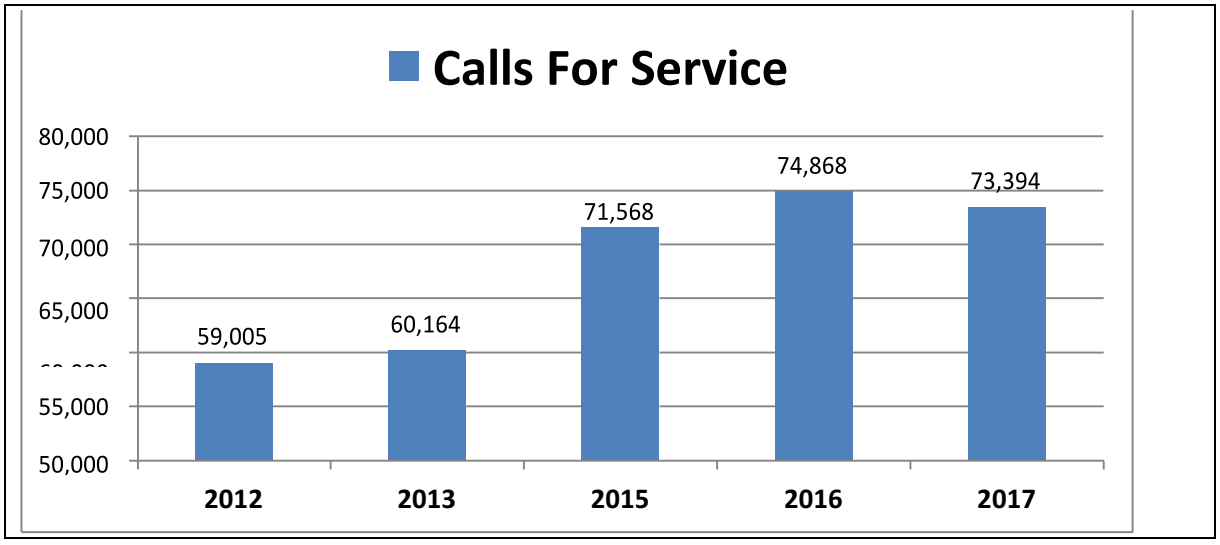
RESPONSE TIMES

The Police Department classifies calls for service as priority 1, priority 2 or priority 3. Priority 1 calls are calls where a threat is posed to life or is a crime of violence. Priority 2 calls are calls for service where there is an urgency or suspicious behavior. Priority 3 calls are calls for service where no emergency or serious problem is involved. The averages for the department's response times for 2015 for the 3 priorities are listed below.

- Priority 1 calls: 6 minutes and 48 seconds
- Priority 2 calls: 15 minutes and 6 seconds
- Priority 3 calls: 29 minutes and 43 seconds

Prior to 2015, the Police Department handled approximately 60,000 calls per year. From 2015 to the present, the Department is averaging over 70,000 calls for police service annually. The current budgeted staffing for police officers is 90, which is under what the Department had prior to the recession. Chart 4-1 illustrates how calls for service have increased 25% in the last 5 years.

CHART 4-1: CITY OF TRACY CALLS FOR SERVICE – POLICE DEPARTMENT, 2012 – 2017*



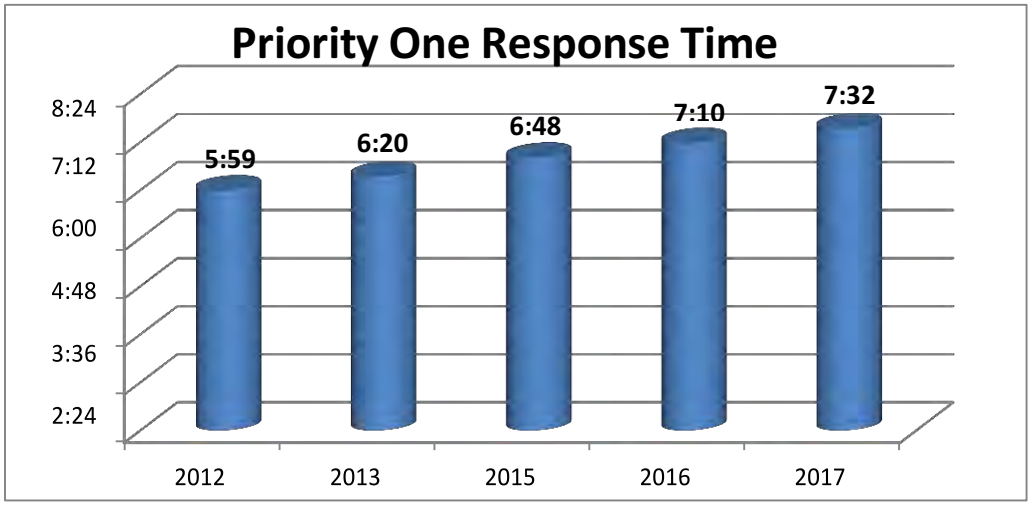
SOURCE: TRACY POLICE DEPARTMENT, 2018

**2014 DATA IS UNAVAILABLE DUE TO CHANGING CAD/RMS VENDORS*

As a direct reflection of the City's increased population, police officer response time to Priority One calls has steadily increased from 5:59 minutes in 2012 to 7:32 minutes in 2017. Priority One calls are

in-progress incidents that threaten human life or property. A less than seven-minute response time to a Priority One call is the Department's goal each year. Chart 4-2 illustrates the steady increase in Priority One call response times.

CHART 4-2: CITY OF TRACY PRIORITY ONE RESPONSE TIME – POLICE DEPARTMENT, 2012 – 2017*



SOURCE: TRACY POLICE DEPARTMENT, 2018

**2014 DATA IS UNAVAILABLE DUE TO CHANGING CAD/RMS VENDORS*

2. San Joaquin County Sheriff's Department and California Highway Patrol

All areas outside of the City boundaries are currently under the jurisdiction of the San Joaquin County Sheriff's Department and the California Highway Patrol (CHP), which handles all traffic-related incidents on the freeway and in the unincorporated County area, which includes issuing traffic citations, and investigating vehicle accidents and auto thefts. As areas outside of the current city limits are annexed to the City over time, the Police Department will expand police services to the newly annexed areas.

3. Provisions for Future Growth and Systems Improvement

The City's General Plan includes goals, objectives, policies and actions to achieve a steady and orderly growth rate that allows for the adequate provision of services and community facilities. To support this goal as it relates to law enforcement, the General Plan outlines policies to ensure the provision of adequate police services needed to provide a safe environment in Tracy (Goal PF-2, Objective PF-2.1). Objective PF-2.1, P1 specifically states that the City would maintain adequate police staffing, performance levels and facilities to serve Tracy's existing population as well as any future growth. The City would also continue to provide mutual aid with the San Joaquin County Sheriff's Department when a situation exceeds the capabilities of either department (Objective PF-2.1, P4).

The General Plan also contains policies that were designed to provide police services in an efficient manner and ensure project designs help to reduce the need for policing. The Land Use Element of the General Plan outlines two objectives to foster the efficient match of public facilities to development. Objective LU-1.3 would ensure that public facilities are accessible and distributed

evenly and efficiently throughout the City, and that residential development is directed in a way to maximize the use of existing public services and infrastructure (Objective LU-1.4). In addition, the City would continually strive for improved performance and efficiency of the Tracy Police Department (Objective PF-2.1, P3), and would review all project proposals for potential law enforcement hazards and encourage the use of physical site planning for crime prevention. Four specific action items are also included under Objective PF-2.3 to maintain and improve law enforcement services to keep up with Tracy's changing population and help reduce crime in general. The combination of these policies would help minimize the demand for police services.

Since some level of staffing increases would be needed over the lifetime of the General Plan, there will be a need for new or expanded police facilities in the City. The General Plan does not specifically identify where potential expansions or new police facilities would occur since it would depend on the ultimate location of new development. However, police sub-stations would be required in conjunction with new development as needed to meet the City's response time standards (Objective PF-2.3, P3). The General Plan includes policies to offset these potential capital costs by requiring new development to pay its fair share of these expenses through an assessed public facilities impact fee (Objective PF-2.1, P2).

As provided in the above text, the current police officer staffing levels at the Police Department (as of FY 2017/2018) are approximately in line with the police officer staffing levels of nearby jurisdictions, including the cities of Manteca, Modesto, Stockton, and Oakdale, and Ripon. In addition, the crime rates within the city are currently lower than most neighboring jurisdictions. The Police Department annually reviews its need for increases in personnel and equipment, based on the Police Department's response times, expected budget, and expected growth and demand for law enforcement services.

In June 2018, the Police Department completed a staffing needs analysis and was approved an increase in both sworn and civilian personnel to match anticipated city growth. The City Council approved the following growth plan phased in over three fiscal years, beginning with the 2018-19 FY.

- Three sworn positions (One Traffic Officer, One SIU Investigator, One Administrative Sergeant) and one non-sworn (Crime Analyst) in July 2018.
- Three sworn positions (Three Patrol Officers) and one non-sworn (ASO Admin Assistant II) in July 2019.
- The final three sworn positions (Two Patrol Officers, One Lieutenant) in July 2020.

New police facilities are funded through the collection of development impact fees, which are reviewed regularly to ensure that the fees adequately address the facility demands of planned development. Tracy currently funds its law enforcement operations almost exclusively through the General Fund; however, a Community Facilities District (CFD) has been formed to ensure adequate funding to provide police operations to serve new residential development.

As new specific plans and development projects within the SOI are considered, the City reviews the specific details of each project to: 1) identify the associated demand for new police facilities and operations, and 2) to identify whether the City's funding, including fees and assessments generated

by the new development through the payment of development impact fees, sales tax revenues, and annual CFD assessments, will be adequate to address the demand for police services. Prior to approving any new development project, the City can ensure that any CFD associated with the project, development agreement provisions for funding police services, and development impact fee schedule is appropriately adjusted to reflect anticipated funding gaps. Therefore, it is determined that the City has the capacity to provide police services to the planned development within the SOI and that City will have adequate revenue to expand police services, sufficient to ensure that such services are maintained for existing development and are made available for new development.

Determination: The City has an appropriate process in place to plan and fund police services, including regular review of its service levels and funding sources, that will ensure adequate police staffing, performance levels, and facilities are maintained to serve the City's existing population as well and future growth within the SOI.

C. WATER SUPPLY, CONSERVATION AND TREATMENT

The City provides potable water supplies to all users within the City's water service area through its own water distribution system. The City's existing water service area is generally coterminous with the City city limits (approximately 22 square miles). The City provides potable water service to all of its residents; the City does not currently supply non-potable water. The City's water supply system is maintained by the City's Public Works Department. In 2015, the City provided water to approximately 24,000 customers.

Sources of the City's water supply include the Stanislaus River, the Delta-Mendota Canal (DMC), and groundwater pumped from wells. In 2016, 70% of the water supply, or 3.62 billion gallons, came from the Stanislaus River. Water from the Delta-Mendota Canal comprised 18% of the total water supply, or 0.935 billion gallons. The City's groundwater supply comprised 12%, or 0.589 billion gallons. Although the City does not currently supply non-potable water, the City is currently pursuing recycled water supplies. **Figure 4-3** illustrates the existing water infrastructure. The *City of Tracy Citywide Water System Master Plan*, the *City of Tracy 2015 Urban Water Management Plan* prepared in 2016, and the *2016 Consumer Confidence Report* were the primary sources of information used in this section.

1. Existing Supply and Demand

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). The City of Tracy 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 (conjunctively referred to as "DMC/CVP" water). The City has acquired additional assignments of DMC/CVP agricultural reliability water through agreements with the local irrigation districts (the City coordinates with several local water agencies)[5]. 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.

A portion of the land area included in the Tracy Hills Specific Plan was annexed into the Byron-Bethany Irrigation District (BBID) in 1999 and is entitled to water service from BBID as part of BBID's pre-1914 appropriative water rights. This water is delivered via the DMC. The City anticipates that up to 4,500 AFY of the BBID pre-1914 water will be available to the City as the Tracy Hills as development is built and this area begins to experience potable water demand. Use of this water, however, is limited to the area of Tracy Hills included in BBID's service area. The agreement between the USBR and BBID that enables the City to receive this water further limits use of BBID pre-1914

[5] The City has entered into agreements with Banta-Carbona Irrigation District (BCID) and West Side Irrigation District (WSID) for assignments of DMC/CVP agricultural reliability water. Additionally, the City is working with Byron-Bethany Irrigation District (BBID) to obtain a portion of their DMC/CVP agricultural reliability water. The City also coordinates with the San Luis & Delta-Mendota Water Authority (SLDMWA), a group of federal water serve contractors that has assumed responsibility for operation and maintenance of certain CVP facilities.

water to the CVP Consolidated Place of Use (CPOU).[6] Based on the projected water demands in this area, the City anticipates that up to 2,430 AFY of BBID pre-1914 water will be available by 2035.

The remaining portion of the City's water supply comes from groundwater extracted from the 539-square mile Tracy Subbasin, part of the larger San Joaquin Valley Groundwater Basin. The City is located in the southern portion of the Tracy Subbasin. The primary groundwater source for the City is the lower water-bearing zones of the Tulare formation. These water-bearing zones occur at depths of 300 to 700 feet below ground surface and are confined by an extensive clay stratum known as Corcoran Clay. The City operates nine groundwater wells with a total extraction capacity of 18,300 gallons per minute (gpm), or 26 million gallons per day (MGD). The City coordinates management of the Tracy Subbasin with several other agencies within the region, including BBID, BCID, WSID, Del Puerto Water District (DPWD), Patterson Water District (PWD), West Stanislaus Irrigation District, and San Joaquin County. These Basin stakeholders collectively developed a Regional Groundwater Management Plan pursuant to the 1992 Groundwater Management Act, AB 3030.

The City's 2015 Urban Water Management Plan (UWMP) describes how future water resources and demands within the City's service area will be managed to provide an adequate and reliable water supply. Trends in water demand for the City of Tracy are provided below. As shown in the following table (**Table 4-7**), Tracy's per capita water use decreased from 223 gallons per capita per day (GPCD) to 146 GPCD from 2000 to 2015, a 34.5% decrease.

TABLE 4-7 CURRENT AND HISTORICAL POTABLE WATER USE AND POPULATION

YEAR	POTABLE WATER DEMAND (ACRE-FEET)	SERVICE AREA POPULATION	PER CAPITA POTABLE WATER USE (GPCD)
2000	14,338	57,298	223
2001	14,629	61,423	213
2002	15,682	66,372	211
2003	16,970	70,444	215
2004	18,370	75,131	218
2005	17,892	78,613	203
2006	18,000	80,535	200
2007	19,176	81,082	211
2008	17,118	81,873	187
2009	16,693	82,426	181
2010	16,603	83,312	178
2011	16,882	83,648	180
2012	18,052	84,833	191
2013	18,587	84,883	195
2014	16,213	85,346	170
2015	14,041	85,707	146

SOURCE: CITY OF TRACY UWMP, 2016.

[6] Long Term Contract Between the United States and the BBID Providing for the Exchange of Non-Project Water for Project Water, dated April 2014.

An analysis of the current and historical data revealed three major trends in Tracy's potable water supply:

- Seasonal fluctuations in demand. The City typically experiences dry summers and wet winters. Correspondingly, the City's water demand has been highest in June, July, and August, and lowest in December, January, and February.
- Annual fluctuations in demand. 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.
- Long-term decrease in per capita demand. The City's per capita water demand has generally decreased over the prior 10-year period, with per capita water use decreasing from 218 GPCD in 2004 to 146 GPCD in 2015. While recent declines may be attributed in part to behavioral changes and regulatory mandates during the recent drought, the longer-term decline is likely representative of increases in water use efficiency.

Current and historical potable water supply is provided in **Table 4-8**, below. As shown, the City has maintained sufficient water supply over recent years. Total potable water demand in 2015 was 14,041 acre-feet (AF). This demand was the lowest over the period 2011 through 2015. For the other years in this timeframe, water demand ranged from 16,213 AF in 2014 to 18,587 AF in 2013.

TABLE 4-8 CURRENT AND HISTORICAL POTABLE WATER SUPPLY

WATER DEMAND SECTOR	ANNUAL PRODUCTION (ACRE-FEET)				
	2011	2012	2013	2014	2015
Surface Water					
Total Surface Water Supply	16,583	17,800	18,072	15,533	13,522
Percentage of Supply	98%	99%	97%	96%	96%
Groundwater Production					
Net Groundwater Production	300	252	515	680	519
Percentage of Supply	2%	2%	5%	4%	6%
Total	**16,882**	**18,052**	**18,587**	**16,213**	**14,041**

SOURCE: CITY OF TRACY UWMP, 2016.

Historically, groundwater had accounted for up to 50% of the City's water supply. Prior to 2001, groundwater extraction in Tracy totaled less than 6,000 AFY. Between 2001 and 2004, to meet increased demands for water, Tracy began extracting additional groundwater, ranging from 6,878 AFY to 7,717 AFY. In 2005, groundwater extraction decreased to approximately 6,000 AFY because: (1) the SCWSP was completed and Tracy began receiving Stanislaus River water, and (2) rainfall was above normal, meaning that Tracy received a high percentage of its DMC/CVP contractual entitlements. From 2006 to 2010 groundwater extraction ranged from 3,672 AFY to 498 AFY, declining as more water was used from SSJID. Over the period from 2011 through 2015, net groundwater production in the City ranged from 252 AFY to 680 AFY (as shown in **Table 4-8**).

2. Water Shortage Contingency Planning

The City maintains a Water Shortage Contingency Plan (WSCP), which has been developed to serve as a flexible framework of planning response measures to mitigate future water supply shortages. The City adopted its first WSCP in 1992 to provide City staff and City water customers with guidelines for reducing water consumption in the event of a drought. The City's WSCP was updated in June 2015 via Ordinance 1196 to incorporate the mandatory prohibitions required by the SWRCB and provide the City with additional tools to meet the SWRCB-mandated 28% conservation standard. The most recent version of the City's WSCP is codified within Chapter 11.28, Article 5 – Drought and Other Water Emergency, and Article 6 – Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals Water Management, of the Tracy Municipal Code. This version of the City's WSCP builds upon and supersedes the City's 2015 WSCP. The ordinance that establishes the current version of the City's WSCP is included in Appendix P of the 2015 UWMP, and was adopted as part of the 2015 UWMP.

The City's 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;
- Water cutbacks will focus on outdoor water use;
- Focus on fewer requirements, including enforceable standards;
- Provide early communication and reserve penalties for significant violations.

Practically, these principles guide the City to ask for a shared contribution from all its customers towards meeting water reduction goals during periods of water shortage. They further direct the City to focus on 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 severe drought. The WSCP emphasizes these activities before it mandates specific water-conserving actions.

Prior to the 2015 SWRCB Resolution, the City Council had already declared Stage 2 of the 2015 WSCP to respond to 2014 SWRCB actions. The City Council enacted Stages 3 and 4 of the 2015 WSCP on June 2, 2015. Stage 4 of the 2015 WSCP called for a 25% water reduction and included prohibitions that targeted water waste and discretionary outdoor uses. This stage of action remained in place to meet the 2015 SRWCB mandated reduction target. 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 have been 26.9% (as provided by the City of Tracy 2015 UWMP).

3. Existing Transmission and Distribution System

The City provides water services to all water users within the City limits, plus approximately 118 residences in the Larch-Clover County Services District (CSD). All connections are metered. In 2015,

the City served 24,500 metered connections. The majority of service connections in the City are associated with single-family residential accounts. The City's water infrastructure is shown in **Figure 4-3**. No recycled water through the City's system has been used in Tracy because a distribution system for recycled water has not yet been constructed.

Because of differences in elevation of up to several hundred feet within its service area, Tracy has established three pressure zones for its treated water distribution system. There are three existing pressure zones (Zones 1, 2, and 3). To support future planned development two additional pressure zones (Zones 4 and 5) have been proposed for future use.

The three existing pressure zones include over 420 miles of water mains that vary in diameter up to 36 inches. The age of the pipes also varies, dating from about 1910 to the present. The three existing pressure zones are interconnected by pressure reducing valves, pressure sustaining valves, and a number of normally-closed interconnection valves. Several booster pump stations regulate the pressure differences between the three zones and, along with pressure control valves, regulate flow between zones.

Zone 1, the most developed of the three existing zones, is supplied with water from a 36-inch transmission main that extends north from John Jones Water Treatment Plant (JJWTP) along Tracy Boulevard (from SSJID via Eleventh Street) and from Zone 2 via five pressure sustaining valves. Zone 2, comprised of residential and light industrial water users, is supplied from the Zone 2 Booster Pump Station located at the JJWTP and from the Linne Road Booster Pump Station located near the intersection of Linne Road and MacArthur Drive. The Safeway and Patterson Pass Business Park developments in Zone 3 are supplied water from the Safeway Booster Pump Station located on Schulte Road east of Patterson Pass Road.

The City has four treated water storage reservoirs, including two clearwells and two storage tanks, with a total available storage capacity of 13.5 MG. Two of these reservoirs, Clearwell #1 and Clearwell #2, are located adjacent to the JJWTP, with storage capacities of approximately 0.66 MG and 4.0 MG, respectively. Since Clearwell #1 is operated as a chlorine contact basin, it is no longer considered to provide available storage capacity. Additional storage is provided by the Northeast Industrial storage tank, with a capacity of 2.4 MG. The fourth storage reservoir is a 7.1 MG capacity storage tank located on Linne Road.

The City's DMC/CVP surface water supplies are treated at the JJWTP, located at the southern end of the City just east of the DMC and California Aqueduct. The JJWTP was constructed in 1979, expanded in 1988, and expanded and upgraded again in 2008. The treatment capacity is 30 MGD, with a potential future capacity of 45 MGD.

Stanislaus River water, provided by the SCWSP, is treated at the Nick C. DeGroot Water Treatment Plant (DGWTP) located adjacent to Woodward Reservoir in Stanislaus County. The DGWTP, which was completed in 2005, has a current capacity of 40 MGD and a final build-out capacity of 60 MGD.

The City currently owns and operates nine groundwater production wells: the Lincoln Well and Production Wells 1, 2, 3, 4, 5 (Lewis Manor), 6 (Park & Ride), 7 (Ball Park), and Production Well 8. The pumping capacity of the City's production wells ranges from 1,400 gpm to 2,500 gpm, which a

combined total capacity of 18,300 gpm.[7] All production wells are screened below the confining Corcoran Clay with sanitary seals that entirely seal the wells from the upper, unconfined aquifer. Groundwater does not need treatment, although chlorine is added to add a barrier of protection for public health.

4. Water Quality

As described within the City's 2016 Consumer Confidence Report, the quality of the City's water supply complied with or exceeded all State and Federal drinking water requirements. The City chlorinates its potable water supply. The City also uses chloramines as a secondary disinfectant when treating source water from the Delta Mendota Canal.

DMC/CVP Surface Water

A sanitary survey for the drinking water sources for Tracy's potable water system was completed in February 2016. Potable water in Tracy was found to be most vulnerable to petroleum pipelines (existing), gas stations (historical and existing), mining (active and historical), agriculture (active and historical), and septic and waste landfill dumps (historical and existing). While significant problems have not been encountered to date, there is also potential for a variety of water quality issues in the Delta that could make the water less suitable for municipal use, including levee failures, toxic spills, and salinity. The City's water treatment facility, the JJWTP, is able to address most potential water quality concerns and provide treatment to a level that meets all potable water standards.

SCWSP Surface Water

Available raw water quality data are summarized and analyzed in the SSJID Survey Update (SSJID Sanitary Survey). Of the parameters monitored and reported in the SSJID Sanitary Survey, almost all of the compounds were detected at concentrations below applicable water quality standards. Results from the SSJID's Sanitary Survey indicate that cattle in the vicinity of the main canal have contributed to elevated levels of total and fecal coliform between the Goodwin Dam and the Woodward Reservoir, and the recreational activity near the reservoir may be causing additional contamination. To prevent access to the canal and watershed, SSJID has repaired the fencing along the canal as recommended in the SJJID Sanitary Survey.

Groundwater

Groundwater quality in the Tracy Subbasin varies spatially and with depth. In general, the northern part of the Tracy Subbasin is characterized by a sodium water type, and the southern part of the Tracy Subbasin is characterized by calcium-sodium type water. The northern part of the Tracy Subbasin is also characterized by a wide range of anionic water types, including bicarbonate; chloride; and mixed bicarbonate-chloride. Major anions in the southern part of the Tracy Subbasin include sulfate-chloride and bicarbonate-chloride.

The City monitors water quality parameters in its nine production wells and in a network of six monitoring well clusters throughout the City. Generally, the water quality in the unconfined aquifer above the Corcoran Clay is poorer than in the confined aquifer. Total dissolved solids (TDS)

[7] City of Tracy 2015 Urban Water Management Plan, 2016.

concentrations in well water sampled in the semi-confined aquifer ranged between 1,000 milligrams per liter (mg/L) and 1,500 mg/L, while the measured TDS in the City's production wells in the confided aquifer are in the range of approximately 500 to 900 mg/L.

Analytes present at elevated concentrations throughout the Tracy Subbasin in both the semi-confined and confined aquifers include chloride, nitrate, sulfate, and boron. Elevated chloride occurs in several areas near the City and along the San Joaquin River. Areas of elevated nitrate occur in the northwestern part of the Tracy Subbasin and in the vicinity of Tracy. Elevated boron occurs over a large portion of the Tracy Subbasin from south of Tracy extending to the northwest side of the Tracy Subbasin. Sulfate concentrations of up to 500 mg/L have been detected in Tracy Subbasin groundwater. In general, the groundwater near Tracy is considered to be very hard.

5. Water Conservation Measures

Urban Water Management Plan

The City's 2015 Urban Water Management Plan (UWMP) identifies a series of water demand management measures (DMM). These measures are listed below.

- DMM 1 – Water Waste Prevention Ordinances
- DMM 2 – Metering
- DMM 3 – Conservation Pricing
- DMM 4 – Public Education Outreach
- DMM 5 – Programs to Assess and Manage Distribution System Real Loss
- DMM 6 – Water Conservation Program Coordination and Staffing Support
- DMM 7 – Other DMMs
    a. Ultra Low Flush Toilet (ULFT) Rebates
    b. High-Efficiency Clothes Washing Machine (HECW) Rebates
    c. Water Use Survey Program
    d. Plumbing Retrofit Material Giveaways

Water Management

Chapter 11.28 of the Municipal Code contains water management requirements, specifically related to future restrictions on water use, should it become necessary. The City has the authority to restrict water usage based on the severity of future drought and other water emergency conditions. Article 5 addresses drought declarations and emergency conditions. Article 6 establishes the City's Water Conservation and Rationing Plan, Water Emergency Plan, and variances and appeals, and Article 8 establishes the Water Efficient Landscaping Ordinance A description of the requirements for each of the five stages of water restrictions are provided.

I. *Water Shortage Contingency Plan*

The City's WSCP, described previously, has been developed to support the broader vision of the City laid out in the General Plan and is implemented by Chapter 11.28, Article 5 – Drought and Other Water Emergency, and Article 6 – Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals Water Management, of the Tracy Municipal Code.

II. *Water Efficient Landscape Ordinance*

Chapter 11.28, Article 8, of the Municipal Code establishes the Water Efficient Landscape Ordinance. The Water Efficient Landscape Ordinance establishes a structure for designing, installing, and maintaining water efficient landscapes in new projects, and establishes provisions for water management practices and water waste prevention for established landscapes. For example, the Ordinance requires that new projects implement water efficient landscape design practices.

Recycled and Non-Potable Water

Chapter 11.30 of Municipal Code establishes requirements for the use and distribution of recycled water, whereby the City reserves the right to require all users who connect to the City water system to use recycled water for approved recycled water uses. This chapter allows the City to establish and develop a recycled water system throughout the City. Although the City does not currently supply non-potable water, the City is attempting to expand recycled water use to offset potable water demands in the future.

6. Future Supply and Demand and Improvements to the System

As previously described, the City does not currently supply non-potable water to its customers, but is pursuing recycled water supplies and has relied upon recycled water use offsetting potable water demands when projecting future potable water needs. Additionally, as previously described, the City has an M&I contract with the USBR for delivery of DMC/CVP water. The City has acquired additional assignments of DMC/CVP agricultural reliability water through agreements with the local irrigation districts (the City coordinates with several local water agencies). The 2015 UWMP conservatively estimates that the City will receive 50% of its agricultural reliability contractual entitlement in future normal water years. During dry years, a CVP M&I contractor is typically eligible for a minimum shortage allocation equal to 75% of adjusted historical use. Per the CVP M&I Water Shortage Allocation Plan, the minimum shortage allocation may be reduced further when the allocation of agricultural reliability water in that year is reduced below 25% of contract entitlement.

Table 4-9 summarizes the City's projected potable water demand by sector in five-year increments between 2020 and 2040 (as provided within the 2015 UWMP), as well as under buildout conditions that consider full development of the SOI. The City anticipated that total potable water demand in 2040 will be 27,537 AFY. The highest growth is expected to occur in the industrial sector, where potable water demand is expected to increase by more than 200%.

TABLE 4-9 PROJECTED POTABLE WATER DEMAND BY SECTOR

WATER DEMAND SECTOR	PROJECTED POTABLE WATER DEMAND (ACRE-FEET)					
	2020	2025	2030	2035	2040	Buildout
Projected Residential Water Demand						
Single Family Residential	11,618	12,126	12,633	13,141	13,649	17,609
Multi-Family Residential	1,277	1,365	1,454	1,542	1,630	2,148
Subtotal Residential	***12,895***	***13,491***	***14,087***	***14,683***	***15,279***	***19,757***
Projected CII Water Demand						
Commercial	1,506	1,749	1,993	2,236	2,479	4,676

Industrial	1,578	2,380	3,181	3,983	4,785	6,825
Institutional/Governmental	674	710	746	781	817	900
Subtotal CII	**3,758**	**4,839**	**5,920**	**7,001**	**8,082**	**12,401**
Projected Other Water Demand						
Irrigation	1,764	1,764	1,764	1,764	1,764	2,006
Subtotal Other	*1,764*	*1,764*	*1,764*	*1,764*	*1,764*	*2,006*
Total Projected Water Consumption	**18,417**	**20,094**	**21,771**	**23,448**	**25,125**	**34,164**
Unaccounted-for-Water	9.6%	9.6%	9.6%	9.6%	9.6%	9.6%
Total Projected Water Demand	**20,185**	**22,023**	**23,861**	**25,699**	**27,537**	**37,444**

SOURCE: CITY OF TRACY UWMP, 2016.

As described previously, the majority of the City's potable water supply is from two surface water supplies: (1) CVP water delivered by way of the DMC, (2) Stanislaus River water provided for by the SCWSP, and (3) BBID water delivered by way of DMC. The reliability of the City's surface water supplies is discussed below.

The City has access to 10,000 AFY of M&I-reliability DMC/CVP water and 10,000 AFY of agriculture reliability DMC/CVP water. The City also has access to 11,120 AFY of Stanislaus River water provided by the SCWSP. Due to the seniority of the water rights underlying the SCWPSP, SSJID's pre-1914 appropriate rights to Stanislaus River water, the City has historically assigned a high reliability to SCWSP water. However, the experiences of the recent drought have caused the City to revise its reliability projections for SCWSP water in dry years. In August 2014, due to concerns about decreasing water levels in the New Melones Reservoir, SSJID curtailed water deliveries to the SCWSP contracting cities by 20% of their monthly allocations. This 20% curtailment translated to an allocation to the City of approximately 85% of its annual contractual entitlement in 2014. In 2015, SSJID allocated water to each SCWSCP contracting city based upon actual water use in 2013. Under this allocation scheme, the City was assigned 85% of its actual 2013 water use.

In normal years, the City anticipates receiving 100% of its SWSCP contractual entitlement. In future dry years, the City is assuming that allocations will be based on the City's contractual entitlement, rather than consumption in a given year. Therefore, the City's allocation of SCWSP water in 2014 serves as the basis for the City's single dry year projections. In single dry years, the City anticipates receiving 85% of its SCWSP contractual entitlement. The City is also conservatively assuming that it will receive 85% of its contractual entitlement to SCWSP water in multiple dry years. Since the actual amount of water that may be used (2,430 AFY) is significantly less than the contractual entitlement (4,500 AFY), these reductions in dry years are not expected to reduce the actual amount of supply available to the City.

The City is able to withdraw up to 9,000 AFY of groundwater from the Tracy Subbasin on an average annual basis. However, due to the high TDS and hardness in the City's groundwater supplies, the City is only planning to withdraw 2,500 AFY in a normal year. This reduces the stress on the Tracy Subbasin and allow for more groundwater storage, thereby increasing the City's ability to rely on groundwater in dry years. Given the City's multiplicity of options for potable water supply, supply is

anticipated to be sufficient in future years, in excess of future demand. **Table 4-10**, below, summarizes the City's existing and projected potable water entitlements for the City of Tracy, as provided within the 2015 UWMP.

TABLE 4-10 EXISTING/FUTURE AVAILABLE POTABLE WATER SUPPLIES ENTITLEMENTS

Potable Water Source	Water Right or Contract	Reliability	Current and Projected Potable Water Supply (AFY)					
			2015	2020	2025	2030	2035	2040
Current Supplies								
DMC/CVP	USBR Tracy Contract	10,000	10,000	10,000	10,000	10,000	10,000	10,000
DMC/CVP	USBR BCID Contract	5,000	5,000	5,000	5,000	5,000	5,000	5,000
DMC/CVP	USBR WSID Contract	5,000	5,000	5,000	5,000	5,000	5,000	5,000
SCWSP	SSJID Contract	Pre-1914	11,120	11,120	11,120	11,120	11,120	11,120
BBID	Tracy Hills Contract	Pre-1914	0	700	1,400	2,100	2,430	2,430
Groundwater	--	--	2,500	2,500	2,500	2,500	2,500	2,500
Anticipated Future Supplies								
DMC/CVP	USBR BBID Contract	USBR BBID Contract	0	2,000	4,000	6,000	8,000	8,800
SCWSP	Conserved Water Amendment Agreement	Pre-1914	0	0	0	0	1,880	1,880
Normal Year Total			**33,620**	**36,320**	**39,320**	**41,720**	**45,930**	**46,730**
Dry Year Supplies[1]								
Semitropic Water Storage Bank		--	3,500	3,500	3,500	3,500	3,500	3,500
Groundwater		--	6,500	6,500	6,500	6,500	6,500	6,500
Aquifer Storage and Recovery		--	1,000	1,000	1,000	1,000	1,000	1,000
Dry Year Total			**11,000**	**11,000**	**11,000**	**11,000**	**11,000**	**11,000**

SOURCE: CITY OF TRACY URBAN WATER MANAGEMENT PLAN

1THE UWMP ALSO ANTICIPATES THAT THE CITY WOULD RECEIVE 4,300 AF OF DMC/CVP WATER, 9,452 AF OF SCWSP WATER, AND 2,430 AF OF BBID WATER DURING MULTIPLE DRY YEARS, RESULTING IN A TOTAL SUPPLY OF 27,182 DURING DRY YEAR CONDITIONS.

It should be noted that supply availability and reliability, actual demands, and the City's actual use of recycled water to offset potable water demands may change in the future. As such, the City may need to acquire additional potable water supplies in the future, as described previously. Expansion will primarily consist of above ground storage capacity to ensure an adequate supply of potable water. The City is also interested in utilizing recycled water in the future for non-potable water needs. Additionally, as also previously described, the City maintains a Water Shortage Contingency Plan (WSCP), which has been developed to serve as a flexible framework during dry years.

New development projects are required to pay development impact fees to fund their fair-share of water system improvements. The City has planned improvements necessary to address existing deficiencies and to serve buildout conditions of the City and SOI in the Water System Master Plan

(see **Figure 4-3a**). Water system improvements to serve buildout conditions include JJWTP surface water treatment and intake capacity expansion by 21 MGD, storage facilities, groundwater wells, booster pump stations, pipeline improvements, interconnections, and backup generators. These improvements are detailed in the Water System Master Plan and are estimated to cost approximately $263 million.

The City is considering potential projects that would further increase the use of recycled water within the City. These projects include irrigation with recycled water at Legacy Fields, Tracy Sports Complex, and Plasencia Fields. Another such project is considering discharging recycled water into the DMC, where it would be conveyed to downstream users, including the City of Tracy. This project is in the conceptual stage and therefore the future recycled water use associated with it has not been quantified.

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 (Municipal Code Chapter 11.30). 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. In December 2013, the City adopted development impact fees to fund recycled water infrastructure improvements.

In August 2015, the City of Tracy was recommended by the California Department of Water Resources (DWR) for funding as part of the Proposition 84-funded Delta, San Joaquin and Sacramento Rivers Water Quality Grant Program. The grant provides the City with $18 million to implement its Recycled Water Master Plan (2012). The total cost of implementing the City's Recycled Water Master Plan is estimated to be greater than $33 million. The remainder of funding would be provided from developers (that is, in general, all new projects are conditioned to build/fund or pay their fair share toward those future recycled water lines). The grant funding from DWR will be used to construct pump stations and pipelines to distribute recycled water to customers on the west side of the City and the GWF Power Facility. As new development occurs along the recycled water pipeline route, the demand for recycled water is anticipated to grow to approximately 2,813 AFY. Per the terms of the grant, the City is required to expend the grant funds by March 31, 2020.

The City of Tracy also provides regular maintenance and replacement of water infrastructure, on an as-needed basis. Water infrastructure is monitored regularly, and the City replaces aging and/or failing infrastructure to ensure continuity of service. The existing *City of Tracy Citywide Water System Master Plan* evaluates the City's existing potable water system and plans for replacement of pipeline, installation of Supervisory Control and Data Acquisition (SCADA) system monitoring at each pressure regulating system, and calibration of the SCADA data tags.

In addition, the City's General Plan includes the following policies and implementation programs related to maintaining an adequate water supply for the City's population:

- Golf courses shall be designed to minimize water, energy and chemical (e.g. pesticides and fertilizer) usage, preserve wildlife habitat, and incorporate native plants and drought-resistant turf (Goal OSC-4, Objective OSC-4.1, Policy P6).

- The City shall encourage landscaping that is water- and energy-efficient (Goal OSC-5, Objective OSC-5.1, Policy P3).
- The City shall promote water conservation by implementing the Best Management Practices contained in the Urban Water Management Plan (Goal PF-6, Objective PF-6.1, Policy P1).
- The City shall continue to acquire additional sources of water supplies to meet the City's future demands (Goal PF-2, Objective PF-6.1, Policy P2).
- To the extent feasible, the City shall use surface water supplies to meet daily water needs and reduce reliance on groundwater supplies (Goal PF-6, Objective PF-6.1, Policy P3).
- The City shall establish water demand reduction standards for new development and redevelopment to reduce per capita and total demand for water (Goal PF-6, Objective PF-6.1, Policy P4).
- The City shall maintain water storage, conveyance and treatment infrastructure in good working condition in order to supply domestic water to all users with adequate quantities, flows and pressures (Goal PF-6, Objective PF-6.2, Policy P1).
- The City shall be responsible for constructing new transmission water lines, as needed to meet future needs. Individual development projects shall be responsible for the construction of all water transmission mains (Goal PF-6, Objective PF-6.1, Policy P3).
- All new water facilities shall be designed to accommodate expected capacity for buildout of areas served by these facilities but may be constructed in phases to reduce initial and overall costs (Goal PF-6, Objective PF-6.3, Policy P5).
- The availability of sufficient, reliable water shall be taken into account when considering the approval of new development (Goal PF-6, Objective PF-6.3, Policy P5).
- Costs for water service expansion shall be distributed among new water users fairly and equitably (Goal PF-6, Objective PF-6.3, Policy 6).
- Groundwater supplies should be reserved for emergency use during water treatment shutdowns, short-term shortages of surface water supplies or during droughts (Goal PF-6, Objective PF-6.4, Policy 1).
- Backup emergency power systems shall be provided at all essential water facilities that rely on electric power (Goal PF-6, Objective PF-6.4, Policy P2).
- Storage reservoir facilities should be located at naturally high topographic locations to capitalize on gravity flow, whenever possible (Goal PF-6, Objective PF-6.4, Policy P3).
- Future water systems and facilities shall be designed to minimize the likelihood of damage from vandalism or terrorist activity (Goal PF-6, Objective PF-6.4, Policy P4).
- The City shall provide recycled water systems, including pipelines, pump stations and storage facilities, to serve primarily City-owned facilities, schools and parks as funding becomes available (Goal PF-6, Objective PF-6.5, Policy P1).
- Recycled water piping systems ("purple pipe") shall be constructed as appropriate in all new development projects to facilitate the distribution and use of recycled water. The specific location and size of the recycled water systems shall be determined during the development review process (Goal PF-6, Objective PF-6.5, Policy P2).
- Recycled water shall be used for all public properties and large private open spaces or common areas to the extent feasible (Goal PF-6, Objective PF-6.5, Policy P3).

- The City shall plan for recycled water infrastructure in the City's Infrastructure Master Plans and, to the extent feasible, recycled water should be utilized for non-potable uses, such as landscape irrigation, dust control, industrial uses, cooling water and irrigation of agricultural lands (Goal PF-6, Objective PF-6.5, Policy P3).

Expected growth in the City over the next 10 and 30 years will generate substantial increases in demand for domestic water. The 2015 UWMP describes that future domestic water supplies will continue to be met from (1) the USBR, (2) the SSJID, (3) the BBID, and groundwater.

The 2015 UWMP describes how the City will meet the present and future potable water demands during normal and dry years. The City also maintains a Water Shortage Contingency Plan, which has been developed to serve as a flexible framework during dry years. The City will be able to supply potable and non-potable water to meet the needs of the buildout of the 10-Year and 30-Year Horizons. The City maintains a Citywide Water System Master Plan, which plans for the necessary improvements to address existing potable and non-potable deficiencies and to serve buildout conditions, which include development of the SOI. The Citywide Water System Master Plan is updated regularly to reflect additions to the City's water system that have been constructed to serve new development and to reflect the remaining facilities necessary under buildout conditions. New development projects are required to pay development impact fees to fund their fair-share of water system improvements. The City Council, City Manager, Public Works Director, and Utilities Director regularly review the City's ability to provide water to support proposed and anticipated growth. Based on such review, the City's development impact fees, which includes fees for water system facilities, is updated regularly to ensure that adequate fees are collected to pay for the requisite water infrastructure. Water users pay for their monthly water service; this funding provides for ongoing maintenance needs to maintain the service. The City's approach to funding water services, including collection of development impact fees from new development as well as on-going monthly water service fees from all of its water users, ensures that the City will have adequate revenue and infrastructure to provide the necessary facilities and water service to support existing development and new development.

Determination: The City has planned for adequate capacity in its water supply, water distribution, and water treatment infrastructure to accommodate new development planned in the City and SOI and to serve existing development and has appropriate funding tools to ensure that new development funds the necessary infrastructure and associated maintenance and services necessary to address demand for water service.

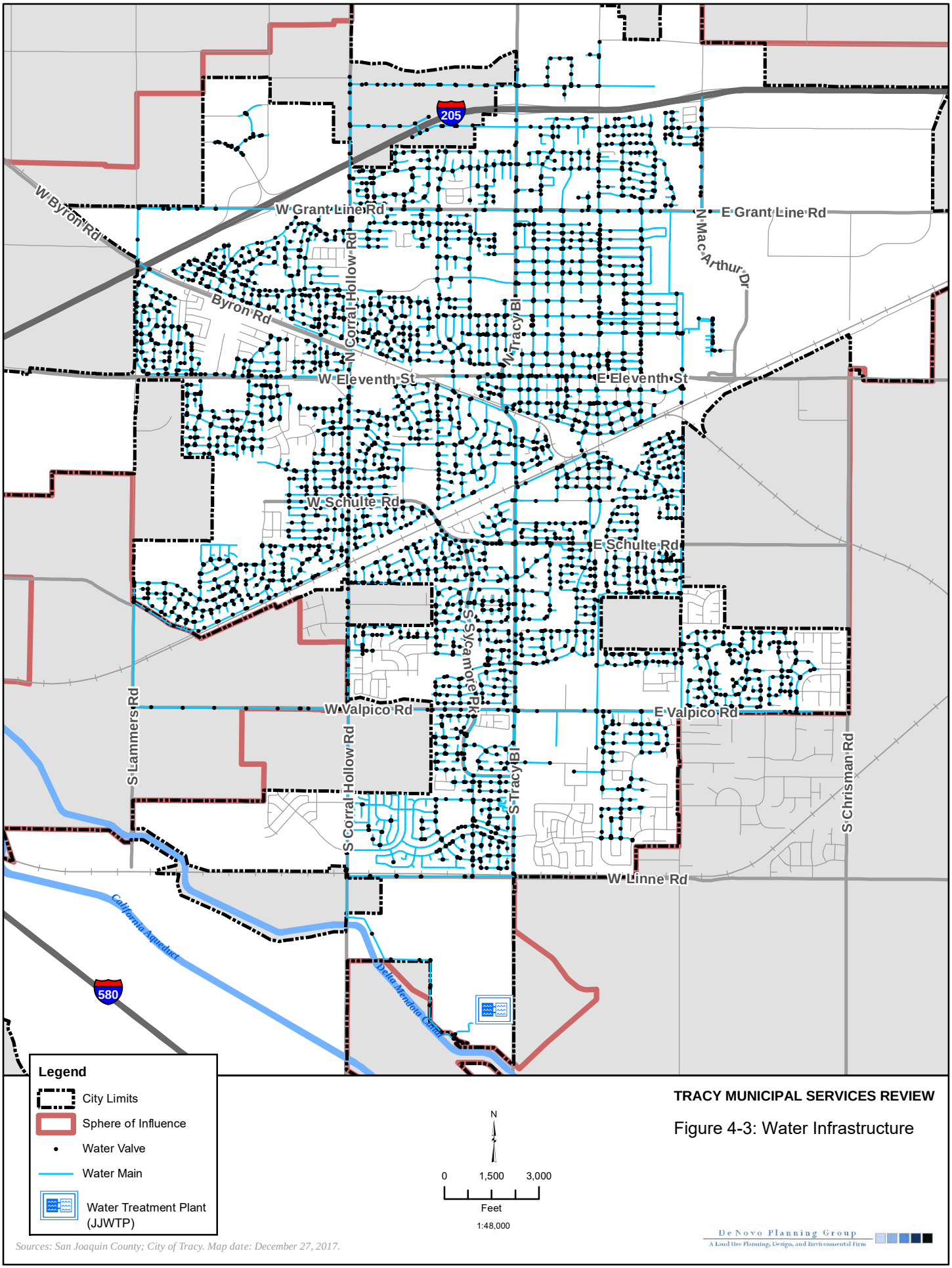


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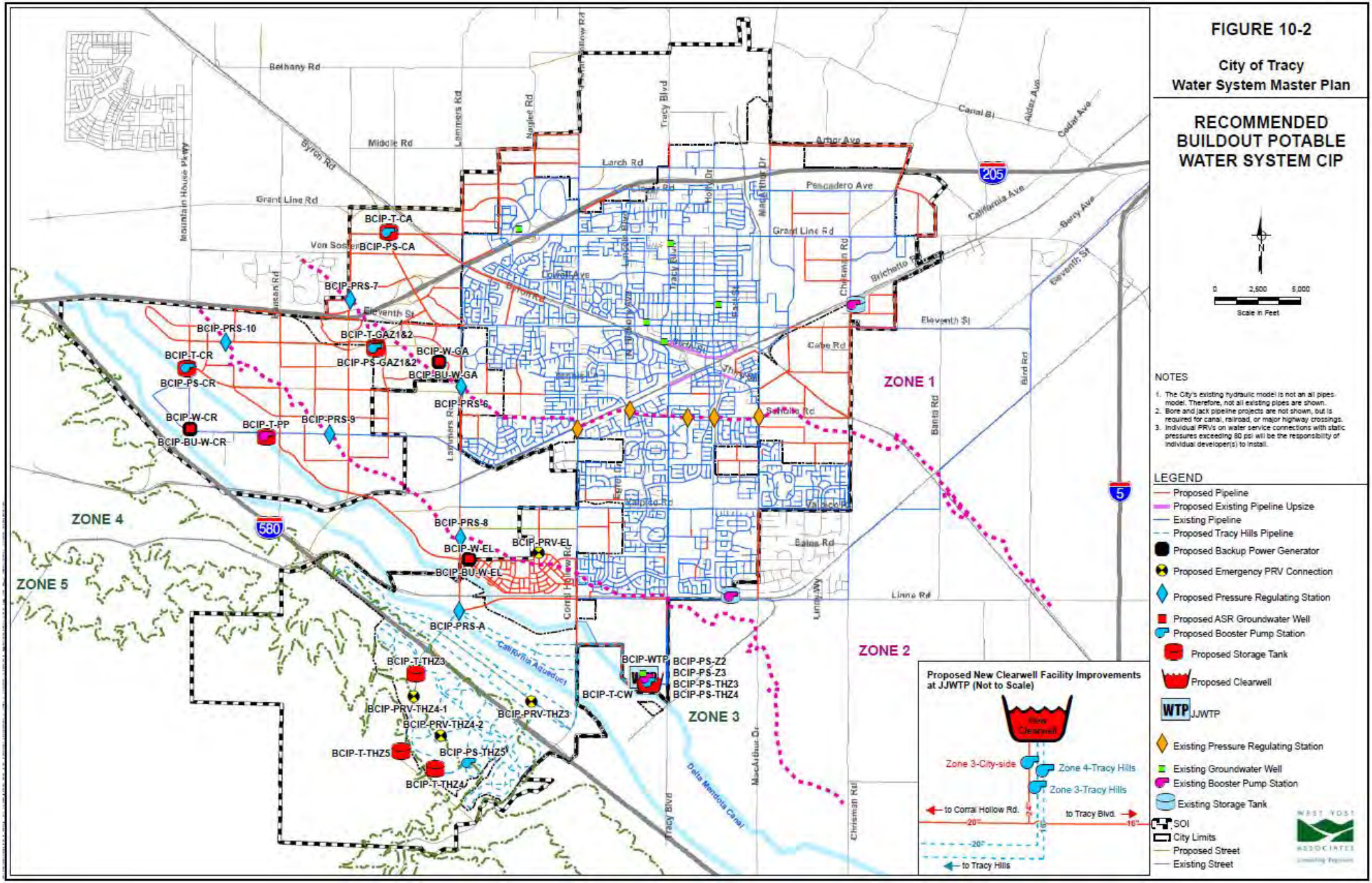
Figure 4-3: Water Infrastructure

Sources: San Joaquin County; City of Tracy. Map date: December 27, 2017.



Source: City of Tracy Citywide Water System Master Plan date: March 15, 2018

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Figure 4-3a: Buildout of Water System

D. WASTEWATER COLLECTION AND TREATMENT

The City provides wastewater collection and treatment for the incorporated area of the City of Tracy. The City's Public Works Department maintains the City's wastewater collection and treatment system. Wastewater is collected from nearly all portions of the City and routed to the City's Wastewater Treatment Plant (WWTP), located at 3900 Holly Drive in Tracy. The *City of Tracy Wastewater Master Plan* was used as the primary source of information in this section.

1. Wastewater Collection and Treatment

The City's wastewater collection system consists of gravity sewer lines, pump stations, force mains and a Wastewater Treatment Plant (WWTP). Wastewater flows toward the northern part of the city where it is treated at the WWTP and then discharged into the Old River in the southern Sacramento-San Joaquin Delta. **Figure 4-4** shows the City's wastewater infrastructure. The wastewater collection system currently operates with sufficient capacity to meet average dry weather and wet weather flows.

The WWTP is located north of Interstate 205 and between MacArthur Drive and Holly Drive. The WWTP was constructed in 1930 and has undergone many major expansions and upgrades. Discharges from the WWTP are currently regulated by Waste Discharge Requirements Order R5-2017-0038, issued by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on December 8, 2017.

Waste solids from the wastewater treatment processes are collected and conveyed to the solids handling facilities so that the biosolids can be conditioned for disposal. The treatment process for solids includes thickening, digestion and dewatering to remove organics and inactive pathogens and reduce the volume of solids to be disposed. Dried biosolids are hauled off-site and used for land application for disposal as alternative daily cover at landfills. This off-site hauling and disposal practice is expected to continue in the future.

2. Wastewater Treatment Plant Permitting and Capacity

The City's National Pollutant Discharge Elimination System (NPDES) permit CA0070154 for the WWTP currently allows for the discharge of 10.8 MGD of average dry weather flow (ADWF) and up to 16 MGD if applicable permit requirements are met. The permit, which is administered by the RWQCB, sets forth the maximum allowable discharge rate, effluent quality requirements, discharge prohibitions, receiving water limitations, pretreatment program requirements, biosolids disposal requirements, and self-monitoring guidelines. The WWTP has a current design ADWF of 10.8 MGD.

The WWTP provides disinfected tertiary level treatment meeting Title 22 requirements. Treatment processes at the WWTP includes primary clarifiers, activated sludge, secondary clarifiers, flocculation, tertiary filtration, and disinfection/dechlorination. The City's major industrial wastewater producer, Leprino Foods, conveys its wastewater through a separate force main to pre-treatment ponds that are operated by Leprino and located on the WWTP property. A significant portion of the biochemical oxygen demand (BOD) is removed in the pre-treatment ponds before the

food process wastewater is conveyed to the WWTP. The main treatment processes at the WWTP are as follows:

- 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 and suspended solids;
- Secondary clarification;
- Flocculation and tertiary filtration;
- Chlorination disinfects treated wastewater, followed by sulfonation for dechlorination;
- Treated plant effluent is discharged to the Old River; and
- Solids are thickened, digested, and then spread in sludge drying beds.

After treatment, wastewater is disinfected, dechlorinated, and discharged into the Old River. Waste solids from the wastewater treatment processes are collected and conditioned for disposal. The treatment process for solids includes thickening, digestion, and dewatering. Dried biosolids are hauled off-site and land applied. This off-site hauling and disposal practice is expected to continue in the future.

The WWTP is undergoing expansion to increase capacity to a 12 MGD facility. This expansion includes grit removal, primary clarification, solids handling, disinfection, and dechlorination. The previous expansion of the WWTP (completed in 2007)]

3. Wastewater Quality

Wastewater quality indicators are used to assess the suitability of wastewater for disposal or re-use. Wastewater quality tests measure physical, chemical, and biological characteristics of wastewater. The Central Valley Water Board provides the applicable wastewater monitoring requirements, to ensure that wastewater generated in the region is safe for disposal and/or re-use.

A Monitoring and Reporting Program (MRP) for the WWTP was provided by the Central Valley Water Board. The MRP describes requirements for monitoring domestic wastewater, industrial wastewater, treated domestic wastewater effluent, treatment/storage/percolation ponds, industrial wastewater land application area, and groundwater, pursuant to Water Code Section 13267. Wastewater influent monitoring requires the following samples, as described in **Table 4-11**.

TABLE 4-11 WASTEWATER INFLUENT MONITORING

PARAMETER	UNITS	TYPE OF SAMPLE	MINIMUM SAMPLING FREQUENCY
Flow	MGD	Meter	Continuous
pH	Standard Units	Meter	Weekly
Biochemical Oxygen Demand (BOD) at 20 degrees C	mg/L	24-hour Composite	Daily
Total Suspended Solids	mg/L	24-hour Composite	Daily
Fixed Dissolved Solids	mg/L	Grab	Weekly
Electrical Conductivity at 25 degrees C	µmhos/cm	Grab	Weekly

SOURCES: CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL VALLEY REGION (2015)

Table 4-12, below, provides the effluent limitations for the City of Tracy Wastewater Treatment Plant.

TABLE 4-12 CITY OF TRACY WASTEWATER TREATMENT PLANT EFFLUENT LIMITATIONS

PARAMETER	UNITS	EFFLUENT LIMITATIONS				
		AVERAGE MONTHLY	AVERAGE WEEKLY	MAXIMUM DAILY	INSTANTANEOUS MINIMUM	INSTANTANEOUS MAXIMUM
Biochemical Oxygen Demand (BOD) (5-day @ 20 Degrees C)	mg/L	10	15	20	--	--
	lbs/day	900	1400	1800		
	lbs/day	1000	1500	2000		
	lbs/day	1100	1700	2300		
	lbs/day	1300	2000	2700		
Total Suspended Solids	mg/L	10	15	20	--	--
	lbs/day	900	1400	1800		
	lbs/day	1000	1500	2000		
	lbs/day	1100	1700	2300		
	lbs/day	1300	2000	2700		
pH	Standard units	--	--	--	6.5	8.5
Ammonia	mg/L	1.3	--	2.1	--	--
	lbs/day	120	--	190		
	lbs/day	130	--	210		
	lbs/day	150	--	240		
	lbs/day	170	--	280		
Bis(2-ethylhexyl) phthalate	µg/L	12	--	49	--	--
Copper (total recoverable)	µg/L	15	--	10.4	--	--
Chlorodibromo-methane	µg/L	8.0	--	18	--	--
Dichloro-bromomethane	µg/L	11	--	23	--	--
Nitrate + Nitrite (as N)	mg/L	10	--	--	--	--

SOURCE: CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, CENTRAL VALLEY REGION (2015)

Furthermore, as described in the current City of Tracy Wastewater Master Plan, the following is a brief discussion of some newly emerging water quality limits:

- **Compounds of Emerging Concern (CEC):** CECs include anthropogenic compounds such as pharmaceuticals, flame retardants, hormones, steroids, and personal care products. These contaminants have been detected at low levels in surface water leading to concerns that CECs may adversely impact aquatic habitat and human health. Regulations to remove CECs from influent wastewater and limit their discharge to the environment are still in the infancy phase as environmental monitoring and overall understanding of the compounds continues. Typical WWTPs are not specifically designed to remove CECs from the waste-stream; treatment and operational processes are likely to be governed by the types of compounds and associated discharge limits if and when regulated.
- **Disinfection Byproducts**: Production of disinfection byproducts (DBP) is also of concern. One of the more common groups of DBPs includes trihalomethanes. These carcinogenic compounds are formed as a result of the chemical reactions between chlorine and the organic compounds in the wastewater. Another significant DBP is N-nitrosodimethylamine (NDMA), which has been the focus of several research efforts as it is a powerful carcinogen. NDMA is a candidate for future regulation because it has been associated with water disinfection treatment.
- **Salinity (electrical conductivity/total dissolved solids [TDS])**: More stringent salinity control is anticipated within the Sacramento-San Joaquin Delta Waterways. Whether salinity is controlled at the source prior to discharging to sewage collection systems, or at the treatment plant itself, state regulations will continue to restrict salinity discharge as measured by electrical conductivity. This issue is a prime focus of the ongoing revisions to the Bay-Delta Plan and also the Central Valley Salinity Alternatives for Long-term Sustainability management program that is being developed valleywide by the state and numerous stakeholders.
- **Methyl mercury Formation**: This will be of concern if the City implements a wetland treatment system for effluent polishing or thermal mitigation. It has been found that wetland systems foster the microbial activity associated with converting inorganic divalent mercury (Hg2+) to the more toxic methyl mercury (MeHg). The rate of methyl mercury production within a wetland habitat depends on several factors, including the quantity of mercury within the influent waters and the surrounding site soil. A thorough study examining the specific site details should be conducted prior to implementing a natural wetland treatment option for the City.
- **Nutrients (nitrogen and phosphorous)**: The need for stricter nutrient management requirements in the Delta will be evaluated in the future, given concern for the role of nutrients in the growth of nuisance algae and aquatic plants and the resulting impacts on the Delta ecosystem and drinking water supplies.

4. Future Wastewater Demand and Systems Improvement

Historical ADWFs, as monitored by the Tracy WWTP, are shown in **Table 4-13**. These flows are presented for the years 2003 through 2009, as provided from the Tracy Wastewater Master Plan.

TABLE 4-13 HISTORICAL AVERAGE DRY WEATHER FLOW

YEAR	ADWF (MGD)
2003	7.24
2004	7.33
2005	7.60
2006	7.51
2007	7.65
2008	7.69
2009	7.60

SOURCE: TRACY WASTEWATER MASTER PLAN (2012)

NOTE: AVERAGE DRY WEATHER INFLUENT FLOWS, EXCLUDING LEPRINO FOODS CONTRIBUTION, FOR THE MONTHS OF JULY, AUGUST, AND SEPTEMBER.

The City of Tracy population in 2017 is 90,890. Since the projected annual average daily wastewater flow is approximately 80 gallons per capita per day (the per capita wastewater generation rate) as provided within the Tracy Wastewater Master Plan, the City of Tracy will therefore need to be prepared to implement a long-term alternative once the population reaches approximately 135,000 (given that the WWTP has a current design ADWF of 10.8 MGD). As shown in Chapter 2 of this MSR, this level of population not expected to occur until 2035-2040 (based on the maximum growth allowed under the City's GMO), which is beyond the 10-Year Horizon but within the 30-Year Horizon. However, the Tracy Wastewater Master Plan has planned for the future expansion of the WWTP. As previously described in Section C, Water Supply, Conservation, and Treatment, of this chapter, the City has planned to use recycled water at Legacy Fields, Tracy Sports Complex, and Plasencia Fields and is considering discharging recycled water into the DMC.

The ADWF capacity of the main WWTP located at Holly Drive would need to be nearly doubled from 10.8 MGD to 21.1 MGD to meet the flow projections contained within the Tracy Wastewater Master Plan. The proposed expansion strategy is to produce Title 22 quality effluent to offset irrigation demand within the Future Service Areas regardless of the ultimate plant capacity. Treated effluent up to 16 MGD ADWF will be discharged to the Old River during the winter months when irrigation demand is minimal (actual maximum flowrates to the Old River will exceed this ADWF value on some occasions due to peaking within the system, but this is allowed under the discharge permit)[8]. Flows that exceed the discharge or outfall piping limitations would be stored in ponds located to the north of the WWTP to attenuate discharge to the Old River. Solids generated from the WWTP would continue to be dewatered in drying beds and land-applied for final disposal. Design criteria for the expansion of Tracy's WWTP are shown in **Table 4-14**.

[8] As previously described, up to 16 MGD of influent is allowed if applicable permit requirements are met.

TABLE 4-14 WASTEWATER TREATMENT PLANT EXPANSION DESIGN CRITERIA

DESCRIPTION	DESIGN CRITERIA
Average Dry Weather Flow	21.1 MGD
Maximum Month Flow	23.3 MGD
PWWF	49.1 MGD
Average BOD Loading	46,445 lbs/day
Design Maximum Month BOD Loading	69,667 lbs/day
Average TSS Loading	48,247 lbs/day
Design Maximum Month TSS Loading	72,371 lbs/day
ADWF Surface Water Discharge Limit	16 MGD
Final Effluent Quality Standard, Liquid	Title 22 Unrestricted Reuse
Solids Disposal Location	Land Application
Solids Treatment Standard	Class A/Class B Biosolids

SOURCE: TRACY WASTEWATER MASTER PLAN (2012)

Several technologies exist to expand the WWTP to 21.1 MGD. The plan provided within the Tracy Wastewater Master Plan to expand the plant to achieve a 16-MGD ADWF capacity includes adding a fourth aeration basin and a fourth secondary clarifier, and assumes an equalized flow to the existing conventional filtration system so that hydraulic filter loading will not exceed 5.0 gpm/ft^2 (the regulatory maximum rate for recycled water use). Available technologies to expand the secondary treatment capacity include, but are not limited to, membrane bioreactor (MBR), moving-bed bioreactor (MBBR), and integrated fixed-film activated sludge. All three are proven technologies for retrofitting an existing system and are applicable to the City of Tracy's needs. However, both MBBR and integrated fixed-film activated sludge would require expanding the filtration system, and MBR would replace the existing filtration system in addition to providing secondary treatment. MBR technology has the added benefit of producing higher quality effluent, which will likely be necessary as discharge permit requirements become more stringent in the future.

The existing headworks facility would be modified for both screening and fat, oil and grease removal. An additional mechanical screen would be required for the future peak flows while maintaining one redundant unit. In addition, fine screens with openings no greater than 2 mm would be required. An alternative location for fine screening could be after primary clarification.

The secondary treatment system would be modified from a conventional activated sludge system to an MBR system in stages. The existing process train would be employed for ADWF up to 16 MGD, and those improvements would be retained for service for as long as they remain reliable. The proposed MBR improvements would be added to the system in subsequent expansion phases or at such time that either more restrictive discharge requirements mandate a change in treatment process or when the useful life of the existing process train has ended. During the period when two treatment trains are present (existing activated sludge and membranes), the effluent from each would be comingled prior to discharge; MBR effluent, which would be of better quality, could preferentially be diverted to either reuse or direct discharge, depending on the more stringent requirements for either use that are then in existence.

The existing digester complex would be expanded to provide additional stabilization volume to maintain current solids disposal practices. The increased solids produced by future flows will require an increase in drying bed area for dewatering stabilized biosolids. To minimize the additional land required for dewatering, the City may evaluate mechanical dewatering to augment the drying beds. This would also provide operational flexibility, as digested solids could be thickened to approximately 16 percent total solids and then applied to the drying beds to achieve an optimum dried product. During the winter months when rain is more prevalent, the mechanical dewatering system could be used with additional polymer to achieve a dewatered product above 20 percent total solids.

As part of phased improvements under a separate project, the City in the process of finalizing design for building a 42-inch effluent outfall and diffuser project from the WWTP to the Old River that replaces the existing 33-inch asbestos cement pipeline and increase the effluent discharge capacity from 9 MGD to 16 mgd. The second phase of the WWTP expansion is currently underway, and will provide additional treatment capacity to serve upcoming developments. The WWTP expansion project has an estimated total budget of $30,000,000.

The City of Tracy also provides regular maintenance and replacement of wastewater infrastructure, on an as-needed basis. Wastewater infrastructure is monitored regularly, and the City replaces aging and/or failing infrastructure to ensure continuity of service. The existing City of Tracy Wastewater Master Plan plans for replacement gravity mains, pipes, and other infrastructure. A planned update to the Wastewater Master Plan in the coming years will provide updated plans for the maintenance and replacement of aging wastewater infrastructure within the city.

The City of Tracy General Plan addresses wastewater treatment through the following policies:

- The City shall maintain wastewater conveyance, treatment and disposal infrastructure in good working condition in order to supply municipal sewer service to the City's residents and businesses (Goal PF-7, Objective PF-7.1, Policy 1).
- The City shall expand the existing wastewater treatment plant to the extent possible or pursue a single new west side facility instead of building new facilities at multiple locations to meet future needs (Goal PF-7, Objective PF-7.1, Policy 2).
- New habitable structures located within the City limits shall connect to the public wastewater collection system (Goal PF-7, Objective PF-7.1, Policy 3).
- Wastewater collection and treatment facilities shall be designed to serve expected buildout of the areas served by these facilities but constructed in phases to reduce initial and overall costs (Goal PF-7, Objective PF-7.3, Policy 1).
- The City shall construct new wastewater trunk lines as needed. Individual development projects shall be responsible for construction of all collection lines other than trunk lines (Goal PF-7, Objective PF-7.3, Policy 2).
- The approval of new development shall be conditioned on the availability of sufficient capacity in the wastewater collection and treatment system to serve the project (Goal PF-7, Objective PF-7.3, Policy 3).

- "Package" treatment plants shall not be allowed in the City (Goal PF-7, Objective PF-7.3, Policy 4).
- New development shall fully fund the cost of new wastewater treatment and disposal facilities (Goal PF-7, Objective PF-7.3, Policy 5).
- Prior to any development approvals within an Urban Reserve, the City shall complete new wastewater master planning and wastewater treatment and disposal studies, particularly for the west side of the city. These studies are to be funded by proponents of new development and must show how adequate wastewater treatment will be provided to the Urban Reserve in question (Goal PF-7, Objective PF-7.3, Policy 6.
- New wastewater treatment plants should be located to allow for distribution of recycled water to application areas by gravity flow where feasible (Goal PF-7, Objective PF-7.4, Policy 1).
- The City shall integrate public facilities and wastewater reclamation sites with agricultural and open space preservation programs where feasible (Goal PF-7, Objective PF-7.4, Policy 2).
- Biosolid disposal shall be managed so as to minimize impacts to the environment and public health (Goal PF-7, Objective PF-7.4, Policy 3).
- The City shall establish wastewater treatment demand reduction standards for new development and redevelopment to reduce per capita and total demand for wastewater treatment (Goal PF-7, Objective PF-7.4, Policy 4).

The Tracy Wastewater Master Plan, which includes the entirety of the area within the SOI, has planned for the future expansion of the WWTP as well as replacement gravity mains, pipes, and other infrastructure to serve buildout of the city and SOI. Expansion of the city limits to include area within the 10-Year and 30-Year Horizons would include the expansion of wastewater collection infrastructure alongside the construction of new road infrastructure. The City actively maintains its existing wastewater infrastructure, and regularly monitors its existing wastewater infrastructure to ensure that aging and/or failing infrastructure is replaced on an as-needed basis. The City also conducts on-going project-level reviews of new development to ensure adequate capacity for development is available prior to each expansion of the WWTP; the City maintains an accounting of the available wastewater capacity at the WWTP, which is updated with every project approval. Should it be necessary, the projected growth needs for wastewater treatment within the 10-Year and 30-Year Horizons would be met with improvements and expansion of the WWTP at its current location. The planned expansion of the WWTP will provide additional treatment capacity to serve upcoming developments. Expansion of the necessary wastewater infrastructure, including potential expansion of the WWTP, is paid through applicable wastewater fees collected from residential and non-residential development and/or grant funding. The City regularly reviews its fee structure and updates fees as necessary to ensure that the development impact fees adequately fund planned facilities, including wastewater, and that monthly wastewater service fees are adequate to fund operation and maintenance of the City's wastewater system. This ensures that the City will have adequate revenue and infrastructure to provide the necessary facilities and wastewater service to support existing development and new development within the city and SOI.

Determination: The City has planned for adequate capacity in its wastewater treatment services and wastewater conveyance infrastructure to accommodate new development in the City and SOI and to serve existing development and has appropriate funding tools to ensure that new development funds the necessary infrastructure and associated maintenance and services necessary to address demand for wastewater services.

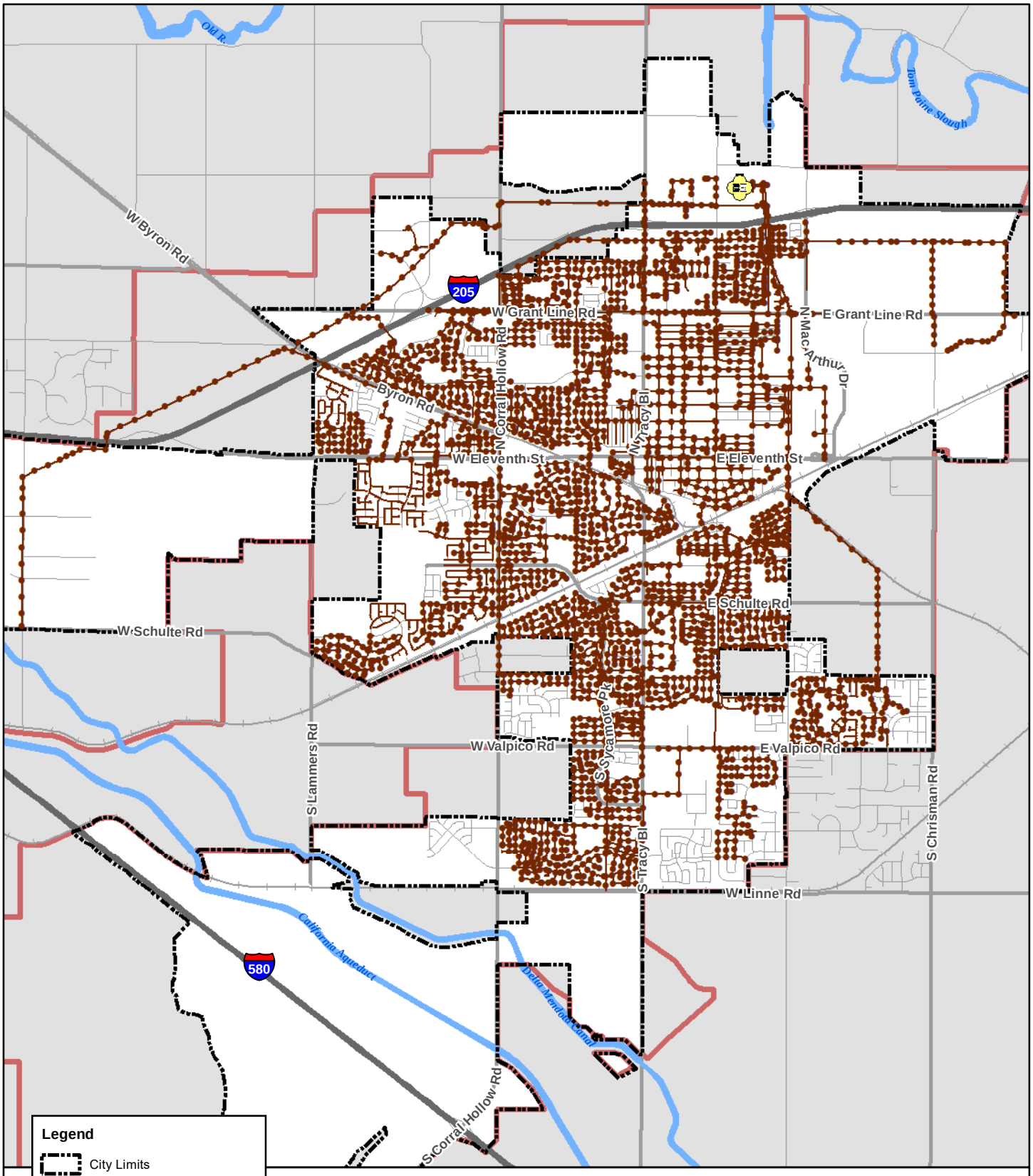

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Figure 4-4: Wastewater Infrastructure

Sources: San Joaquin County; City of Tracy. Map date: December 27, 2017.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm

E. STORMWATER DRAINAGE

Tracy's stormwater drainage system is maintained by the City's Public Works Department. The gravity-based stormwater system consists of trunk lines, pump stations, detention basins, and surface infrastructure such as gutters and alleys. Stormwater is disposed via outfalls into the Old River. The City's storm drainage infrastructure is shown in **Figure 4-5**.

1. Existing Stormwater Drainage System

Tracy operates its own storm drainage system. Stormwater drains through open channels, storm drains, and closed conduits that are owned, operated and maintained by the City and the West Side Irrigation District (WSID). These systems drain into three outfalls, the WSID Main Drain, the Westside Channel Outfall System (that discharges into Old River via a force main), and the Sugar Cut Outfall. The Sugar Cut Outfall system serves two areas, Central Tracy and the eastside industrial area. Both areas have their own outfall systems. These three outfalls discharge storm runoff into Old River, which is a part of the San Joaquin Delta. Pump stations are used to move water over grades; however, the majority of the system is gravity operated. The City utilizes detention basins at many locations to store and meter discharges before they are released into outfall facilities.

Generally, storm drainage is accommodated well for the majority of the City's developed areas, with flooding being limited to a few local problem areas. The completion of several, major storm drainage infrastructure upgrade projects over the past 20 years have accommodated the storm drainage needs for new development and have eliminated the majority of prior problem areas. Presently, the majority of storm drainage generated by existing developed areas within the City's Sphere of Influence discharges to one of four (4) outfalls that eventually discharge to Old River to the north.

Some of the developed areas within the SOI are not presently connected to facilities that drain to any of the above outfalls and are currently draining to temporary retention ponds until future facility connections are funded and constructed.

Undeveloped areas within the SOI predominantly consist of agricultural lands that drain from south to north and from southwest to northeast, also toward Old River. These agricultural areas are typically drained by tailwater ponds, tailwater ditches, and tailwater ponds that drain to tailwater ditches. The larger tailwater ditches are owned and operated by WSID, NBID, and other Irrigation Districts.

The *City of Tracy Citywide Storm Drainage Master Plan* (SDMP) was released in November 2012. The SDMP provides a plan for stormwater infrastructure development alongside new development as it occurs within the city limits and the SOI.

Major Drainage Features

There are a number of major drainage features within the SDMP study area (study area) or that have an impact on the study area (note: the study area is the SOI plus local and offsite sub-basins that impact the City's SOI). These major drainage features are depicted on **Figure 4-5** and are described below:

- California Aqueduct – The California Aqueduct traverses across the southwestern portion of the study area and perpendicular to the direction of drainage flow dictated by topography. Storm runoff is collected on the upstream side of the aqueduct and is delivered to overchutes that cross over the aqueduct and culverts that pass underneath the aqueduct. The California Aqueduct tends to consolidate runoff to fewer locations and often limits the flow rates discharged to lands below the aqueduct.
- Delta Mendota Canal – The Delta Mendota Canal runs generally parallel to and just downslope from the California Aqueduct in the Tracy area. It further reduces the number of locations where storm runoff is concentrated. Storm runoff passes over or under the canal via overchutes and culverts and further limits the rates discharged to lands below the canal. The Delta Mendota Canal also contains a significant number of locations where local drainage flow that is collected on the upstream side of the canal simply enters the canal directly via drain inlets and is not released to downstream lands.
- Union Pacific Railroad – There are several Union Pacific Railroad lines in the study area. The railroad beds are generally elevated and runoff is often collected on the upstream side of railroad beds and is delivered to a limited number of bridge and culvert crossings of the railroad tracks.
- WSID Upper Main Canal – Similar to the California Aqueduct and the Delta Mendota Canal, though considerably smaller in size and capacity, the WSID Upper Main Canal extends along an alignment that is perpendicular to the direction of drainage flow dictated by topography. Local drainage flows are intercepted by the WSID Upper Main Canal and existing tailwater ponds discharge to the canal at several locations in the southwest and south-central portions of the Study Area.
- Offsite Watersheds – The hills to the southwest of the Study Area drain into the Study Area and are intercepted by the aqueducts, canals, and railroads described above. Some flow paths are well defined as they pass through the Study Area and some lose definition as they continue downstream. Corral Hollow Creek is a local drainage path in the vicinity of the Study Area that has been mapped by FEMA, and there is a FEMA mapped floodplain associated with Old River (see below and Section 1.4.5). Corral Hollow Creek extends east, to the south of the Study Area and does not impact the City's Sphere of Influence.
- WSID Tailwater Ditches – WSID retains several tailwater ditches that collect irrigation tailwater and urban runoff from designated portions of the City and convey it to their intake area connecting to Old River at Wicklund Road. The main tailwater ditch is the WSID Main Drain and a secondary ditch, the WSID Sub-Main Drain, is a significant tributary to the WSID Main Drain.
- Naglee Burk Irrigation District (NBID) Tailwater Ditches – NBID retains a network of irrigation tailwater ditches that generally extend northwesterly to the north of the WSID Main Drain. Irrigation tailwater is discharged to Old River via a pumping facility located on the south side of Bethany Road west of Reeve Road.
- City Storm Drainage Facilities – The City has completed several major storm drainage facilities that collect, convey, and store storm runoff. The major components of these facilities include the Westside Channel System, the Eastside Channel System, the City Outfall

Channel (that drains to the Eastside Channel), trunk line storm drains, and a number of detention basins, the largest being DET 10/11 near Tracy Mall.

- Old River – Old River is located to the north of the Study Area and is a part of the San Joaquin River system of interconnected waterways that interact with the Delta area. Old River is contained by levees, and in the event of a levee failure there are northern portions of the Study Area, mostly north of I-205, that would be subjected to flooding according to Flood Insurance Rate Maps published by FEMA (see Section 1.4.5). With regard to water quality, Old River is included on the Section 303(d) list of water quality limited segments requiring TMDLs published by the State Water Resources Control Board. The listed "pollutant/stressor" is low dissolved oxygen and the proposed TMDL completion year is 2019.

2. Flooding

There is a floodplain area (a Special Flood Hazard Area designated by FEMA that is regulated by the Floodplain Regulations of the City's Municipal Code) that extends across the northern portion of the City's SOI. The 100-year floodplain for this area is mapped per FEMA Flood Insurance Rate Map Panel Nos. 590, 595, and 615 for San Joaquin County, California and Incorporated Areas dated October 16, 2009. The flood zone designations for the floodplain are Zone AE (Elevation 13) for areas west of the Sugar Cut (which is about ¼ mile west of the alignment of MacArthur Drive), Zone AE (Elevation 22) east of the Sugar Cut north of I-205, and Zone AE (Elevation 24) east of Paradise Road south of I-205. The elevations referenced with the flood zone designations are elevations of the base flood (or 100-year flood) under NAVD 88 datum. FEMA does not provide data for the 200-year floodplain and, likely due to different data sources, there are discrepancies between the FEMA-mapped 100-year floodplain and the DWR-mapped 200-year floodplain. "Best Available Map" floodplain data for the 200-year floodplain was provided from DWR. The DWR-mapped 200-year floodplain approximately overlaps the location of the FEMA-mapped 100-year floodplain (see **Figure 4-6**). The only areas within the SOI within the 200-year floodplain are the very northern portion of the City limits and the northern portion of the City's SOI and a very small area to the south of the City.

The flood area extending across the northern portion of the City and it's SOI originates from the San Joaquin River system (e.g. the Old River) and available mapping has been based on many assumptions for levee failures and potential discharges from upstream dams made by FEMA and the U.S. Army Corps of Engineers. The minor flood areas extending along some of the edges of the southern SOI are associated with Corral Hollow Creek. Corral Hollow Creek is a local source of drainage and flooding that has little impact on new development within the SOI.

Separately, some areas in the northern portion of the city have the potential to be inundated in the event of a dam failure, such as from the San Luis Reservoir and New Melones Dam. Although portions of San Joaquin County could be subject to flooding due to levee failure, the City of Tracy is not in close proximity to the areas most likely to be affected.

Lands within the 100- and 200-year floodplain that are located west of Sugar Cut, with the exception of a small area west of Lammers Road, are within Reclamation District 1007 (RD 1007). RD 1007 manages 8.3 miles of levee. RD 1007 levees do not meet minimum hazard mitigation plan (HMP)

standards; the Reclamation MSR notes that RD 1007 has prioritized improvements to the levees to facilitate meeting HMP standards. The Reclamation MSR indicates that RD 1007 is trying to meet the HMP standard and is not addressing flood protection.

Lands within the 100- and 200-year floodplains that are located east of MacArthur Drive are located within Reclamation District 2058 (RD 2058). RD 2058 manages 9.0 miles of levee. The Reclamation MSR indicates that RD 2058 levees meet HMP standards and this district is focusing on bringing project levees to required standards and planning for 200-year flood protection, which will provide protection to the areas within the City and SOI that are served by RD 2058.

The City is not anticipating that RD 1007 and RD 2058 will provide levee improvements to remove all of the 100- and 200-year floodplain risk to the northern area of the City and SOI. Rather, the City will work with future developers to identify the appropriate mechanism to address flood control for the proposed project. Depending on the size, location, and characteristics of each project, it may be appropriate to provide a dry levee for large-scale protection, it may be appropriate to address flood risks through project improvements rather than improving a large stretch of levee which only serves a small portion of the City as opposed to a larger unincorporated and mostly non-urban area, or it may be appropriate to for a project, such as a recreation facility, to serve multiple purposes and provide for storm water detention or retention during flood events .

The City has addressed flood hazards associated with development in the 100- and 200-year floodplain through regulations in the City's Municipal Code (Chapter 9.52) and standards established by the General Plan Safety Element, which were both amended in 2016 to comply with State legislation, including ensuring that an Urban Level of Flood Protection is provided for new development. The City is in compliance with Senate Bill (SB) 5 and SB 1278 which required cities and counties within the floodplain areas of the Sacramento- San Joaquin Valley to adopt documentation and policies regarding flood improvement requirements for development applications. All future applications for discretionary approvals relating to a project would be required to comply with the General Plan and applicable sections of the Municipal Code, as well as being subject to compliance with CEQA based upon the individual project characteristics and potential for environmental impacts. Implementation of the City's adopted flood regulations, including the General Plan requirements and Municipal Code requirements, has been determined to reduce potential hazards associated with flooding to a less than significant level.

The majority of lands within the SOI that are within the 100- and/or 200-year floodplain is designated for commercial, industrial, and agricultural uses by the General Plan; lands designated for residential use that are affected by the 100- and 200-year floodplain are limited to a small area designated for very low density residential uses by the General Plan.

Any development of the areas within the 100- and/or 200-year floodplain would be subject to the requirements of FEMA, State law, and local regulations, including General Plan requirements, Municipal Code requirements, and adopted building codes, as described in this section. The majority of residential units that exist outside of the current city limits but within the SOI that are located within a floodplain are anticipated to be replaced with commercial and/or industrial development,

consistent with the General Plan Land Use Map, once annexed into the City.[9] Furthermore, the City does not allow remodels and/or additions to properties with non-conforming land uses. The City manages the 100-year and 200-year floodplains in a manner that achieves compliance with the City's Floodplain Regulations (Chapter 9.52 of the City's Municipal Code) and the General Plan, which addresses both the Federal Flood Standard of Flood Protection and the Urban Level of Flood Protection requirements for new development.

Prior to approval of any development projects or requests for annexation, the City would require the development project to demonstrate compliance with federal and state requirements related to the 100- and 200-year floodplain. This is consistent with the Reclamation MSR which states:

> *"Tracy is in compliance with this particular requirement [General Plan Amendment to address 200-year flood hazards] of SB 5. The City is not in the process of making any further findings regarding SB 5 as there is no proposed development in the 200-year floodplain at present. As future development is considered, the City will make its findings for individual or groups of new development projects based on studies or assessments that will be required to be provided by the project proponents. In that way proposed new developments will meet SB 5 requirements."*

All development will be required to address flooding issues prior to approval of development projects by the City and approval of annexation to the City by LAFCO. The City's Storm Drainage Master Plan, discussed in this section, addresses conveyance and management of stormwater in developed areas.

The City will continue to allow construction within the designated floodplains only when such development meets all of the FEMA regulations and all of the recommendations of the California Department of Water Resources and the Central Valley Flood Protection Board (CVFPB). New construction and substantial improvements to structures within the 100-year floodplain are required to "have the lowest floor (including the basement) elevated at least one foot above the base flood level" or be of flood-proof construction.

The City also has designated evacuation routes for flooding emergencies and will continue to maintain those plans and work with other public agencies such as the CVFPB, the San Joaquin County Office of Emergency Services, and the US Army Corps of Engineers to be prepared for any flood events.

3. Future Stormwater Drainage Demands and System Improvements

The City will continue to require new development in the SOI to develop storm drains to collect and convey runoff to storm facilities such as outfalls and storm basins. New development will also be required to mitigate all flood issues prior to developing. Expansion of the storm drainage infrastructure would be funded primarily through storm drainage fees collected from development, as provided under the City's Municipal Code Chapter 11.32. Municipal Code Chapter 11.32

[9] Lombardo, Victoria. City of Tracy Senior Planner. Personal communication August 2018.

establishes storm drainage fees on each and every developed parcel of land with the City of Tracy. This fee is levied necessary to pay for (1) improving the quality of storm and surface water, (2) the operation, maintenance, and replacement of the existing City storm drainage control facilities, and (3) the operation, maintenance, and replacement of future such facilities.

The State of California requires small communities to implement development standards to protect water quality under the "General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) Order No. 2013-0001-DWQ" (MS4 Permit). These requirements are an extension of similar requirements imposed on larger communities (e.g., the Cities of Stockton, Modesto, and parts of the County of San Joaquin.) The development standards, also known as post-construction storm water requirements, will become part of every regulated community's development process. These standards would apply to all projects, unless the project represents one of a series of exemptions that are provided within the City's *2015 Post-Construction Stormwater Standards Manual.*

The City's Municipal Code contains provisions for stormwater management and discharge control within the City (Municipal Code Chapter 11.34). Furthermore, per the City's Municipal Code Chapter 9.52 (Floodplain Regulations), all new construction and substantial construction pertaining to buildings shall have the lowest floor, including basement, elevated to or above the base flood elevation. The Floodplain Regulations of the City's Municipal Code contain many other provisions and requirements associated with development in a floodplain area mapped by FEMA.

In addition, the City's General Plan includes goals, policies, and programs related to the City's ability to collect and transport stormwater and limit the contamination of the city's water quality, as follows:

- Stormwater infrastructure shall be maintained in good condition (Goal PF-8, Objective PF-8.1, Policy P1).
- Stormwater infrastructure shall minimize local flooding by attaining capacity that conforms with the Storm Drainage Master Plan and City Design Standards (Goal PF-8, Objective PF-8.1, Policy P2).
- New permanent stormwater infrastructure shall be designed to serve dual purposes to the extent possible. This includes the following:
    - Drainage facilities integrated into recreation corridors with bike paths, sidewalks and landscaping.
    - Drainage channels integrated with transportation and environmental corridors.
    - Storm water detention basins shall incorporate active and passive recreation areas where feasible. These areas shall not count towards parks dedication requirements (Goal PF-8, Objective PF-8.1, Policy P3).
- When temporary retention or detention facilities are no longer needed after an outfall system is constructed, the sites shall be backfilled and disconnected from the storm drainage system (Goal PF-8, Objective PF-8.1, Policy P4).
- The City shall ensure a fair and equitable distribution of costs for stormwater system upgrades, expansion and maintenance (Goal PF-8, Objective PF-8.1, Policy P5).

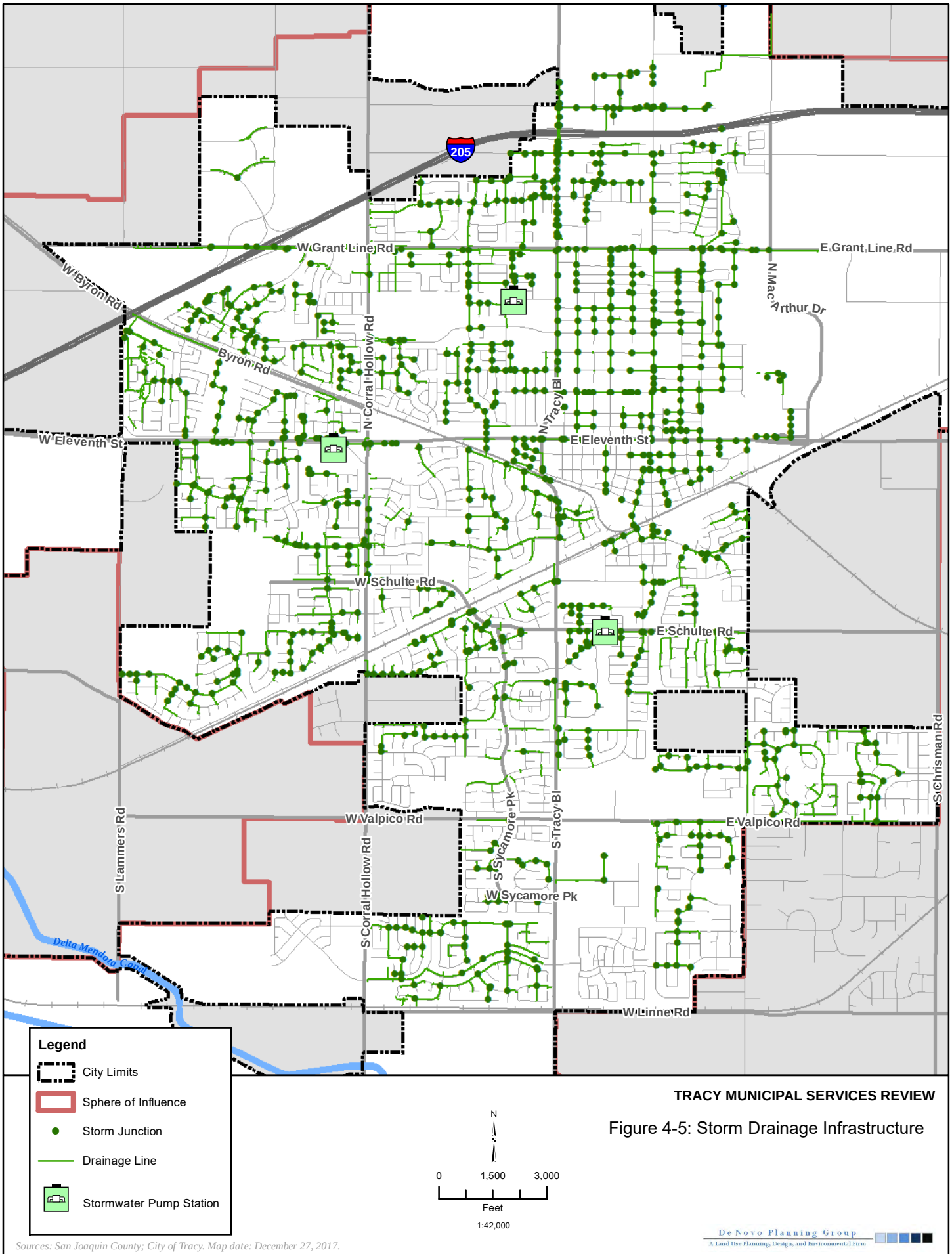
- Design of storm drainage facilities shall be consistent with State and federal requirements, including NPDES requirements (Goal PF-8, Objective PF-8.1, Policy P6).
- Planning for stormwater facilities should consider possible future retrofitting needs associated with changing regulations pertaining to storm water quality, including NPDES requirements (Goal PF-8, Objective PF-8.1, Policy P7).
- To the extent feasible, new development projects shall incorporate methods of reducing storm runoff within the project to reduce the requirements for downstream storm drainage infrastructure and improve stormwater quality (Goal PF-8, Objective PF-8.2, Policy P1).
- New storm drainage facilities shall meet adopted City standards, including the standards and policies contained in the Storm Water Management Plan, the Storm Drainage Master Plan and the Parkways Design Manual (Goal PF-8, Objective PF-8.2, Policy P2).
- New development projects shall only be approved if necessary stormwater infrastructure is planned and is in compliance with environmental regulations (Goal PF-8, Objective PF-8.2, Policy P3).
- If sufficient downstream stormwater infrastructure has not yet been constructed, new development projects shall be required to implement temporary on-site retention facilities in conformance with City standards (Goal PF-8, Objective PF-8.2, Policy P4).

Expansion of the City limits to include areas within the 10-Year and 30-Year Horizons would include the construction of storm drains alongside the construction of new road infrastructure and new storm water basins would be developed as needed in conjunction with residential and non-residential development. To accommodate future development, storm drainage lines and other stormwater infrastructure would be developed throughout the SOI, paid for through storm drainage fees (as provided under Municipal Code Chapter 11.32). The City Council can amend the fee as deemed appropriate for maintenance of storm drainage facilities and infrastructure. Future outfall structures, retaining basins, and other infrastructure would be developed as necessary.

The SDMP provides a detailed review of the City's planned storm drainage infrastructure needs for the SOI, as well as any storm drainage facility upgrades that could be needed. Some of the developed areas within the SOI are not presently connected to storm drainage facilities that drain to any existing outfalls and are currently draining to temporary retention ponds. These facilities would be connected to the City's storm drainage system as development occurs, with the connections either provided by the new development or through funding from the City's storm drainage development impact fees. The City Council, City Manager, and Public Works Director regularly review the City's storm drainage infrastructure and SDMP in comparison to existing, proposed, and anticipated growth to ensure that the City will have adequate revenue and infrastructure adequately control stormwater runoff. The City has adequately prepared for storm drainage facilities that would be required for future development within the SOI, as well as the funding required, which ensures that adequate levels of service for stormwater drainage would be provided to support all existing and future development.

Determination: The City has planned for adequate capacity in its storm drainage facilities to accommodate new development planned in the City and SOI and to serve existing development and

has appropriate funding tools to ensure that new development funds the necessary infrastructure and associated maintenance and services necessary to provide storm water control. The City has addressed potential hazards associated with flooding, including the 100- and 200-year floodplains, in the General Plan, General Plan EIR, and Municipal Code. The City's General Plan includes requirements that are applied to new development to ensure that developing areas are protected from 100- and 200-year flood hazards through requiring new development to comply with applicable local, state, and federal regulations, as described above. Implementation of the City's existing requirements will ensure that flood hazards are addressed prior to development of any areas within the SOI.



TRACY MUNICIPAL SERVICES REVIEW

Figure 4-5: Storm Drainage Infrastructure

Sources: San Joaquin County; City of Tracy. Map date: December 27, 2017.

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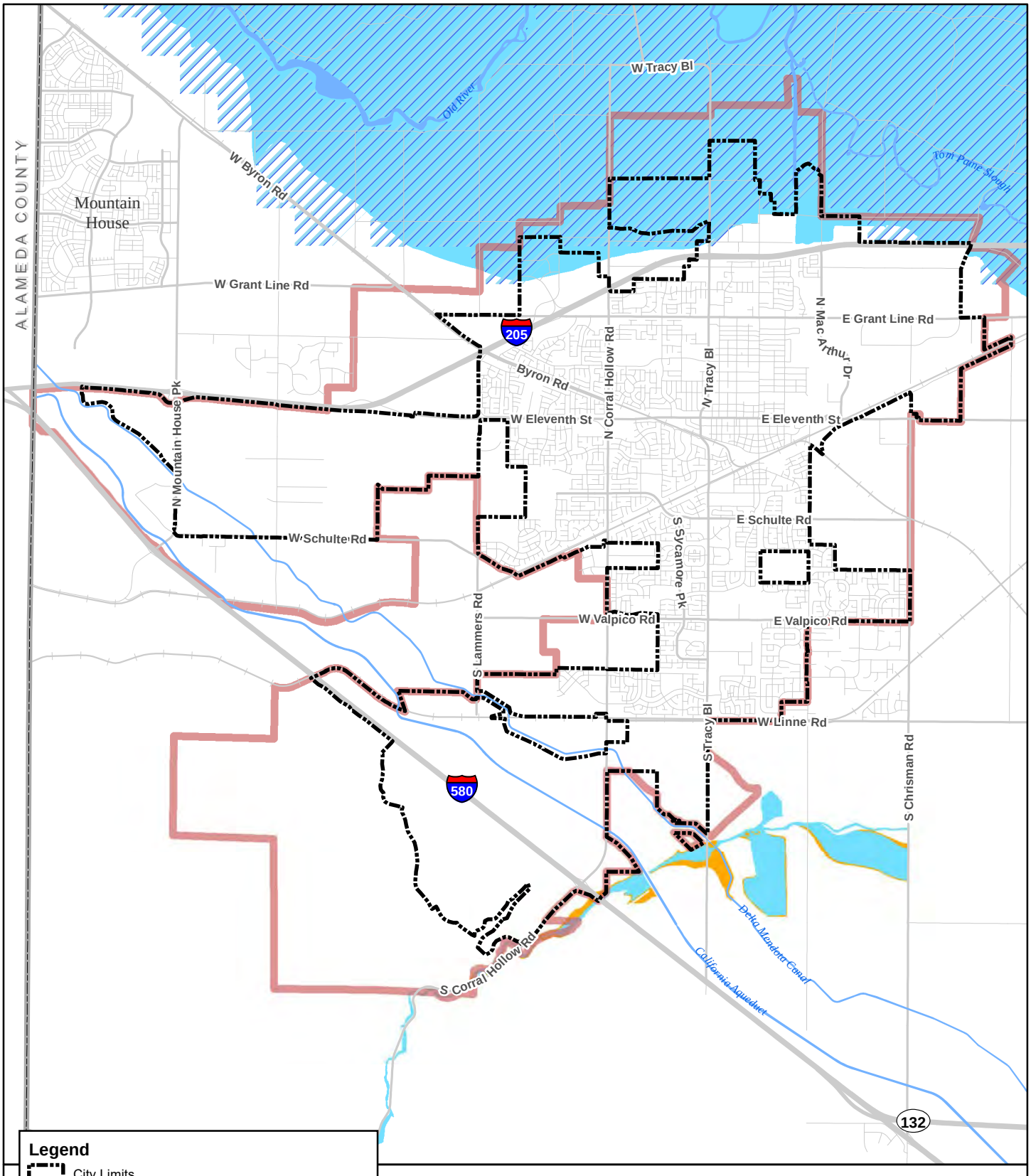

Legend

- City Limits
- Sphere of Influence

FEMA Designation

- 1% Annual Chance Flood Hazard (100-yr Flood)
- 0.2% Annual Chance Flood Hazard (500-yr Flood)

USACE Comprehensive Study

- 200-yr Flood Plain

N

0 ½ 1

Miles

1:86,000

Sources: San Joaquin County; FEMA; DWR. Map date: September 14, 2018.

TRACY MUNICIPAL SERVICES REVIEW

Figure 4-6: 100- and 200-year Floodplain Map

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5. FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

A. INTRODUCTION

Economic Conditions and Outlook

Tracy has evolved from a small agricultural and industrial town in the San Joaquin Valley to become an urbanized city in the San Joaquin Valley which is influenced by the economics of the Bay area. The City's size has increased from approximately 7.0 square miles in 1980 to approximately 29.1 square miles in 2016, and Tracy also experienced an approximate five-fold increase in population during this timeframe. During the 1980s, Tracy experienced a period of major growth influenced by the high cost of housing in the Bay area. Tracy, with more affordable housing than the Bay area region, continues to be an attractive residential location for many Bay area workers.

More recently, on a Statewide level, the national foreclosure and credit crisis that triggered the Great Recession beginning in 2008, combined with the State's budget deficit, had an unprecedented impact on California's economy. The local region was among the hardest hit in the nation during these economically challenging times. The economic recession of 2008 and the subsequent decline in home values had significant effects on property and sales taxes. Recovery has continued steadily. Unemployment rates have continued to decline, consumer spending continues to show increases, and resale home prices are on the rise. Tracy was not spared from the economic difficulties that California faced during the Great Recession.

California's economic recovery has outpaced many parts of the nation as unemployment has dropped and the state's budget outlook has turned positive. While California has experienced some job growth, the 2017 annual unemployment rate of 5.2% remains higher than the national average of 4.8%. San Joaquin County's 2017 annual average unemployment rate of 7.6% is higher than both California and the nation; however, it continues to decline. The City of Tracy 2017 annual average unemployment rate is a little lower than the County at 6.4%.

Property and sales taxes are a significant revenue source for the City. Together, in Fiscal Year (FY) 2015/2016 (FY 2015/16) these taxes represented 72% of the City's total general fund revenues, including Measure E, which fund public safety, recreation and other general governmental services. As of early 2017, housing prices have approached pre-recessionary levels and the outlook is for a slow but continued recovery. Assessed valuations for all property types in Tracy have increased for the second year in a row. However, property tax revenue generally lags behind increases in valuations, so revenue expectations, while improving, remain guarded.

Recent sales tax revenues have exceeded the pre-recession high set in 2007. Sales taxes are significantly more volatile because they are subject to economic fluctuations such as consumer confidence, interest rates, unemployment and other factors that impact household income.

Agriculture also continues to be an important segment of the San Joaquin Valley economies, resulting in higher seasonal unemployment than the national average. That said, Tracy's economy is tied more closely to the Bay area; residents tend to work in the Livermore Valley, East Bay, and San

Jose, where the economy is not significantly influenced by seasonal agriculture production. While the recession negatively impacted the Bay Area, the effects were not nearly as severe (e.g. housing collapse) as those experienced in the San Joaquin Valley.

Longer Term Financial Issues

In response to the economic challenges over the past several years, the City implemented a variety of efficiency and restructuring actions to ensure the City's fiscal stability. These actions will continue to provide additional cost savings in future years. The City also anticipated that new revenue would be necessary to avoid additional reductions that would negatively impact public services. In part for this reason, Tracy voters approved Measure V, a sales tax ballot initiative approved in November 2016, following the sunset of special Measure E tax in March 2016. Like Measure E, Measure V provides a 0.5 cent local sales tax. This tax can be used to fund any municipal governmental purpose, including but not limited to: police, fire protection, emergency services, support services, street repair, park repair, senior and youth services, planning, business retention and attraction, building facilities, and other general services. This tax can be used to help fund fire services within the City, including services provided through the South San Joaquin County Fire Authority (SSJCFA). However, unlike Measure E, Measure V has a sunset period of twenty years, providing the City better capacity to plan for the increased revenue over a longer-term timeframe. The City continues to look for new opportunities to continue its commitment to providing efficient, yet quality services.

The City has a long reputation for excellent fiscal management. It demonstrated the discipline to increase reserves during the boom years instead of using non-sustainable revenues to fund new programs or services. Additionally, the City implemented its long term fiscal strategy years before the economy deteriorated in late FY 2008/09. Measure V affirmed the community's confidence in the fiscal management of the City.

The City does not provide for the payment of health insurance for its retired employees. As such, it does not have a significant liability that many governments have. However, retired employees are allowed to purchase the City's health insurance (including spouse or family coverage) either through direct payment or from the employee's medical insurance bank. The ability of a retired employee to obtain coverage at an active employee rate constitutes a significant economic benefit to the retiree, called an "implicit subsidy" under Government Accounting Standards Board (GASB) Statement #45. The annual required contribution to address this liability is just $446,268 per year, rather than the much higher amounts of many other cities.

Major Initiatives

The City has invested in several major initiatives as of late, which include implementation of a financial systems modernization plan, a governance strategy, and transparency initiatives. In addition, the City has continued to invest in community infrastructure to enhance the quality of life for the citizens of Tracy. Recent continued investments in the community include Joe Wilson Pool, Legacy Fields and 11th Street Bridge Replacement. These initiatives included funding for ongoing maintenance and operations.

On July 1, 2015, the City completed the first phase of a multi-year project to replace the City's financial, budget, human resource and community development software with an integrated Enterprise Resource Planning (ERP) system. The financial and budget pieces are now in operation with additional phases in progress. The City Council also adopted a governance strategy in 2013 designed to retain and attract talent, enhance fiscal stability, improve the use of technology, and enhance transparency for the betterment of the community of Tracy. Lastly, the City has started implementing a transparency initiative designed to provide timely financial information to the residents of Tracy via the City's website in a user-friendly, easy to navigate format.

B. FINANCIAL SUMMARY

Financial Highlights

- For the fiscal year ending June 30, 2016 (FY 2015/16), the latest date that for which audited financial information is available, the City's assets exceeded its liabilities by $1,036,543,000 (net position). This compares favorably to the FY 2014/15 (July 1, 2014 through June 30, 2015) net position of $1,013,235,000.
- The City's total net position at the close of FY 2015/16, was comprised of the following:
    1) Cash and investments ($208,100,000). This is comprised of $203,200,000 in the City treasury and $4,900,000 in restricted cash held by fiscal agents.
    2) Government receivables were comprised of $21,000,000 of current receivables and $32,700,000 of long-term receivables.
    3) Capital assets, net of related debt of ($916,800,000). This includes the City's infrastructure, in addition to all other City assets.
    4) Restricted net position of $145,400,000 represents the portion restricted for capital projects, low-moderate income housing projects, debt services, and other projects as specified by funding source restrictions.
    5) Unrestricted net position of $34,000,000 represents the portion available to maintain the City's obligations to citizens and creditors.
- In the City of Tracy FY 2017/19 (July 1, 2017 through June 30, 2019) budget approved by the City Council:
    - Total revenues ($170,588,000) are projected to exceed total expenses ($163,010,000) by $7,578,000.

Revenues

The FY 2017/18 budget anticipates a total of $170,588,000 in revenues. The primary FY 2017/18 revenue sources are anticipated to be charges for services, operating grants and contributions, capital grants and contributions, property tax, and sales and uses tax.

In recent years, the City's total governmental activity revenues and business activity revenues have remained relatively consistent, with the exception of wastewater revenue in FY 2016/17 (to fund a one-time expansion of the City WWTP). Revenues are primarily from charges for services, operating grants and contributions, capital grants and contributions, property tax, and sales and uses tax. Changes in revenue have included:

Expenses

Expenses for the City totaled $155.3 million and $144.9 million for FY 2015/16 and FY 2014/15, respectively. Governmental activities incurred $87.8 million of expenses while business-type activities incurred $67.5 million. Of the Governmental Activities, the largest expenses were in Public Safety ($37.9 million), Public Works ($23.1 million), and General Government ($13.6 million). General Government expenses increased the most between FY 2014/2015 and FY 2015/16 ($5.7 million). Public Works experienced the second largest increase in expenses in 2015/16 as compared with 2014/15 ($3.2 million). The FY 2017/18 budget anticipates a total of $163,010,00 million in expenses.

C. LONG-TERM DEBT

At June 30, 2016 (the close of FY 2015/16), the City had total long-term debt outstanding, with $22.6 million in debt associated with Governmental Activities and $37.8 million in debt associated with Business-Type Activities. This resulted in a total debt for FY 2015/16 of $60.4 million. This compared with a total debt of $63.3 million for FY 2014/15. The City's outstanding debt as of close of FY 2015/16 is summarized below.

Revenue Bonds

2007 Series A: On October 25, 2007, the City issued $2,690,000 of 2007 Lease Revenue Bonds Series A to finance the acquisition and construction of Fire Station 97 and to pay costs of issuance including an insurance premium to acquire a reserve fund surety bond. The bonds are secured by a lien on the revenues consisting mainly of rental payments made by the City under a property lease for Fire Station 91 dated October 1, 2007.

2007 Series B: On October 25, 2007, the City issued $1,980,000 of 2007 Lease Revenue Bonds Series B to prepay the outstanding 1995 Refunding Certificates of Participation and to pay costs of issuance including an insurance premium to acquire a reserve fund surety bond. The 2007B bonds are secured by a lien on the revenues consisting mainly of rental payments made by the City under a property lease for Fire Station 91 dated October 1, 2007.

2008: On December 16, 2008, the City, under the Tracy Operating Partnership issued $19,765,000 of 2008 Lease Revenue Bonds for the acquisition and construction of projects and prepayment the outstanding principal balance ($9,835,000) of the 1998 Certificates of Participation. The 2008 bonds are secured by revenue pursuant to a site and facility lease for the Police Department Headquarters and the Fire Administration Building.

Other Outstanding Debt

Pacific Gas & Electric On-Bill Loan: On December 28, 2014, the City entered into a loan agreement with Pacific Gas and Electric Company for the provision of energy efficiency/demand response equipment and services. As of June 30, 2016, the outstanding balance of the loan was $131,831.

2004 Wastewater Certificates of Participation: The City issued Wastewater Certificates of Participation in April 2004 to fund the upgrade of the City's wastewater treatment plan. These are

special obligations of the City and are payable solely from and secured by a pledge of net revenues of the Wastewater Utility System.

State of California Department of Public Health Loan: In 2006, the City entered into a loan agreement with the State of California Department of Public Health in the amount of $20,000,000 for assistance in the construction of its new Water Treatment Plant. The proceeds from the loan were drawn down by the City as needed for construction. The City is obligated to make semi-annual payments of principal and interest, with a final maturity date of January 1, 2028.

D. GENERAL PLAN POLICIES

The City of Tracy General Plan includes several goals, objectives, and policies related to the City's financial health and to the financing of infrastructure. These are as follows:

- Urban development must achieve a balanced and orderly pattern of growth in the City, maximizing the use of existing infrastructure and public services, which ensures that infrastructure and public facilities are adequate to serve the needs of growth, including for fire, police, water, wastewater, parks and recreation facilities, educational facilities, and public buildings, and protection from floods and safety hazards (Objectives LU-1.2, LU-1.3, LU-1.4, PF-1.1, PF-2.1, PF-3.3, PF-4.1, PF-4.2, PF-6.3, PF-6.5, PF-7.3, PF-8.1, PF-8.1, OSC-4.2 and OSC-5.1).
- No urbanization in unincorporated County areas is allowed without annexation to the city, a pre-annexation agreement, or a letter of support from the City (Objective LU-8.1).
- Provide adequate roadways to allow for the mobility of Tracy's residents and businesses, interregional access, and a balanced transportation system that includes public transit and high-occupancy vehicles, while maintaining the quality of life in the community (Objectives CIR-1.1, CIR-2.1, and CIR-4.1).

E. FINANCIAL MANAGEMENT

Budgetary Accounting

The City maintains budgetary controls to ensure compliance with the legal provisions embodied in the annual appropriated budget approved by the City Council. Activities of the General Fund, special revenue funds, and capital project funds are included in the annual appropriated budget. Chapter 2.12, Article 1 of the Tracy Municipal Code requires that in June of each fiscal year the City Manager submit a preliminary budget to the City Council for the fiscal year commencing the following July 1. Following public hearings, the final annual budget is adopted by the City Council. After adoption of the final budget, transfers of appropriations within a general fund department, or within other funds, can be made by the City Manager. Budget modifications between funds; increases or decreases to a fund's overall budget; transfers between general fund departments; or transfers that affect capital projects, must be approved by the City Council. As demonstrated in this chapter, the City continues to meet its responsibility for sound financial management.

Cash and Investments

The City invests temporarily idle funds in accordance with the Government Code and the Investment Policy approved by the City Council. The City pools all cash funds not held by fiscal agents in order to maximize investment opportunities and increase flexibility. Investments are conservatively managed with the three primary objectives of safety of principal, liquidity to meet disbursement requirements, and investment yield, pursued in that order.

Total cash and investments as of June 30, 2016 amounted to $240,952,375, encompassing governmental and business type activities, including restricted cash and investments. During FY 2015/16, investments consisted primarily of investments within the California Local Agency Investment Fund (LAIF) (State Investment Pool) and with bond trustees.

Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City participates in the Central San Joaquin Valley Risk Management Authority (Authority), a public entity risk pool currently operating as a common risk management and insurance program for 58 cities, and maintains the Insurance Internal Service Fund to account for and finance its risks of loss. The purpose of Authority is to spread the adverse effect of losses among the members and to purchase excess insurance as a group, thereby reducing its expense. The Authority is governed by a Board of Directors elected by the member agencies; it is not a component unit of the City.

The City provides for the uninsured portion of claims and judgments, including provisions for claims incurred but not reported, in the Insurance Internal Service Fund.

The City's liability for uninsured claims was estimated by management, where the City at the end of FY 2015/16 had reserve deposits which cover claims (including “incurred but not reported” claims), except for $112,494.

Independent Audit

State statutes require an annual audit of the City's accounts by an independent certified public accountant. For FY 2015/16, the City of Tracy selected the accounting firm of Maze and Associates.

F. FINANCIAL STATEMENTS

Comprehensive Annual Financial Report

The City prepares a CAFR each year with their financial statements. The CAFR includes a Government-wide Financial Statement and the Fund Financial Statement. These two sets of financial statements provide two different views of the City's financial activities and financial position. These financial statements are discussed below.

Government-wide Financial Statements

The Government-wide Financial Statements provide a longer-term view of the City's activities as a whole and are presented in a manner similar to a private-sector business. These statements are comprised of:

Statement of Net Position - Presents information on all City assets and deferred outflows of resources and liabilities and deferred inflows of resources, with the difference between them reported as Net Position. Over time, increases or decreases in Net Position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

Statement of Activities - Presents information reflecting any change in the government's net position during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs (regardless of the timing of related cash flows). Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., earned but unused vacation and compensated time leaves).

Both of the Government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (government activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities).

- Governmental activities - All of the City's basic services are considered to be governmental activities, including general government, public safety, public ways and facilities/transportation, public works, and culture and leisure. These services are supported by general city revenues such as taxes, and by specific program revenues such as developer fees.

  The City's governmental activities include not only the City of Tracy (known as the primary government), but also the activities of the Tracy Operating Partnership Joint Powers Authority, South San Joaquin County Fire Authority, and Tracy Public Financing Authority, which are controlled by and dependent on the City. The City is financially accountable for these entities. The financial activities of all three entities have been aggregated and blended with those of the City in the Government-wide financial statements.

  The Tracy Community Development Agency ("Agency") was dissolved on January 31, 2012. The former Agency is now administered under the name of Successor Agency to the Community Development Agency of the City of Tracy. The activities of the Successor Agency can be found in the Fiduciary Fund Section of the Financial Statements.

- Business-type activities - All of the City' s enterprise activities are reported here, including water, wastewater, drainage, solid waste, transit, and airport. Unlike governmental services, these services are supported by charges paid by users based on the amount of the service they use.

Fund Financial Statements

The Fund Financial Statements report the City's operations in more detail than the Government-wide Statements and focus primarily on the short-term activities of the City's General Fund and other major funds. The Governmental Fund Financial Statements measure only current revenues and expenditures and fund balances; they exclude capital assets, long-term debt and other long-term amounts.

A "fund" is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities and objectives. All of the City's funds can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

- Governmental Funds – These funds are used to account for essentially the same functions reported as governmental activities in the Government-wide Financial Statements. Governmental Fund Financial Statements focus on near-term inflows and outflows of spendable resources and are therefore prepared on the modified accrual basis. Capital assets and other long-lived assets, along with long-term liabilities, are not presented in the Governmental Fund Financial Statements.

- Proprietary Funds – The City maintains two different types of proprietary funds; Enterprise Funds and Internal Service Funds. Enterprise Funds are used to report the same functions presented as "business-type activities" in the Government-wide Financial Statements. Internal Service Funds account for the financial activity of the City's central services departments, vehicle and equipment replacement, central garage, building maintenance, and self-insurance. Financial statements for proprietary funds are prepared on the full accrual basis and include all their assets and liabilities, current and long-term.

  Since the City's Internal Service Funds provide goods and services only to the City's governmental activities, their activities are reported only in total at the fund level. Internal Service Funds may not be major funds because their revenues are derived from other City funds. These revenues are eliminated in the City-wide financial statements and any related profits or losses are returned to the activities which created them.

- Fiduciary Funds – These funds are used to account for resources held for the benefit of parties outside the government. Fiduciary Funds are not reflected in the Government-wide Financial Statements because the resources of those funds are not available to support the City's own programs. The accounting used for Fiduciary Funds is similar to that used for Proprietary Funds. The Successor Agency to the Tracy Community Development Agency are reported as a Private Purpose Trust Fund in the Fiduciary Fund section.

G. FINANCIAL ANALYSIS

This section addresses the City's financial health through analysis of the current FY 2017/18 budget and the most recent audited financial statements (FY 2015/16).

FY 2015/16 Audited Financial Statements

Net Position - Net position may serve over time as a useful indicator of a government's financial position. In the case of the City, combined net position (government and business-type activities) totaled approximately $1.036 billion at the close of FY 2015/16. This is an increase of $23 million from FY 2014/2015. The following table reflects the Summary of Net Position for FY 2015/16, with comparative data for FY 2014/15.

TABLE 5-1: NET POSITION (FY 2014/15 AND FY 2015/16)

Summary of Net Position at June 30
(in thousands of dollars)

	Governmental Activities		Business-Type Activities		Total	
	2016	2015	2016	2015	2016	2015
Cash and Investments	$ 163,669	$ 176,382	$ 44,475	$ 37,874	$ 208,144	$ 214,255
Other Assets	59,817	47,926	6,764	9,045	66,581	56,972
Capital Assets	576,465	549,624	340,374	353,658	916,839	902,922
Total Assets	799,591	773,572	391,613	400,577	1,191,564	1,174,159
Deferred Outflows Related to Pensions	7,223	6,405	754	577	7,977	6,982
Current Liabilities	26,174	23,115	6,004	9,214	32,178	32,330
Non-Current Liabilities	77,201	76,871	42,729	44,475	119,930	121,346
Total Liabilities	103,375	99,986	48,733	53,689	152,108	153,675
Deferred Inflows Related to Pensions	9,848	12,815	1,042	1,406	10,890	14,221
Net Investment in Capital Assets	553,913	526,467	302,887	314,492	856,801	840,959
Restricted	145,380	152,380	347	346	145,728	152,726
Unrestricted	(5,343)	(11,671)	39,357	31,221	34,013	19,550
Total Net Position	$ 693,950	$ 667,176	$ 342,592	$ 346,059	$ 1,036,543	$ 1,013,235

SOURCE: CITY OF TRACY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2016.

The City's Government-wide Net Position at the close of FY 2015/16, comprised of the following:

- Cash and investments comprised of $203.2 million in the city treasury and $4.9 million of restricted cash held by fiscal agents. This represents a decrease of $4.5 million in restricted cash and investments, which is primarily attributable to capital projects activity.
- Governmental receivables were comprised of $21.2 million of current receivables and $32.7 million of long-term receivables. Long-term receivables are primarily related to grants and loans provided by the former Community Development Agency.
- Net capital assets of $916.8 million include the City's infrastructure in addition to all other City assets.
- Restricted Net Position, totaling $145.4 million, is restricted for capital projects ($ 104.4 million), low-moderate income housing projects ($16.5 million), debt service ($10.0 million), and $14.5 million may be spent on other projects as specified by funding source restrictions.

- Unrestricted Net Position totals $34.0 million and is designated to be used to finance day to day operations without constraints established by debt covenants or other legal requirements or restrictions. While these assets are technically unrestricted, most of these assets are committed or assigned for a specific use. The negative unrestricted balance of $5.3 million in Governmental Activities and the decrease in the restricted balance of Business-type Activities reflects the prior year implementation of GASB Statement #68 and the related Net Pension Liability.

Governmental and Business-Type Activities - The net cost of each of the City's programs associated with Governmental Activities and Business-Type Activities in FY 2015/16 is shown below in **Table 5-2**. Overall, the cost of the City's activities is greater than the charges and fees for services and various grants and contributions. Please note that this table does not include the City's general revenues which are used to offset the cost of these activities.

TABLE 5-2: GOVERNMENTAL AND BUSINESS-TYPE ACTIVITIES REVENUES AND EXPENSES – FY 2015/16

ACTIVITY	NET
Governmental	
General Government	$(10,530)
Public Safety	$(29,266)
Public Ways and Facilities/Transportation	$17,770
Culture and Leisure	$(1,754)
Interest and Fiscal Charges	$(1,345)
Subtotal	*$(25,125)*
Business-Type	
Water	$(8,858)
Wastewater	$(2,672)
Airport	$1,846
Solid Waste	$4,257
Transit	$(958)
Drainage	$(2,776)
Subtotal	*$(5,937)*
Total	**$(31,062)**[1]

SOURCE: CITY OF TRACY ADOPTED FINANCIAL PLAN FY 2017-2019

[1]The City's general revenues are used to offset the difference between the net expenses and revenues; this is typical as most revenues associated with governmental and business activities do not fully offset the cost of services and other revenues collected by the City, such as taxes, are used to fund City governmental services.

Governmental activities include general government, public safety, public ways and facilities/transportation, culture and leisure, and interest and fiscal charges. Net cost is defined as total program cost less the revenues generated by those specific activities. For most governmental programs, expenses have been greater than the revenue generated to support them. Interest and

fiscal charges also increased the level of expenses in FY 2015/16. Expenses exceeded revenues for Governmental activities by $10.53 million in FY 2015/16.

Business-type activities include all of the City's enterprise activities, including water, wastewater, drainage, solid waste, transit, and airport. These services are supported by charges paid by users based on the amount of the service they use. Expenses exceeded revenues for Business-type activities by $5.94 million in FY 2015/16.

Financial Analysis of the City's Funds

The City uses fund accounting to ensure and demonstrate compliance with finance related legal requirements. The focus of the City's Governmental Funds is to provide information on near-term inflows, outflows, and balances of spending resources. Such information is useful in assessing the City's financing requirements.

At the close of FY 2015/16, the City's governmental funds reported combined fund balances of $152.0 million, which is a decrease of $11.5 million compared with the prior year. This decrease is largely attributable to the $14.1 million net change in fund balance in the General Projects and Tracy Infrastructure Master Plans Fund. Governmental fund revenues were $110.4 million during this fiscal year. The General Fund accounted for 55% of this total. Expenditures were $120.0 million this year. Of this total, $55.7 million was in the General Fund.

General Fund

At the end of FY 2015/16, the General Fund balance was comprised of $5.9 million in non-spendable balances, $0.4 million of assigned balances and $34.4 million in unassigned balances. Fund balances have been classified in accordance with GASB Statement #54. While amounts have been categorized as unassigned, they may be informally earmarked by the City Council for specific purposes. In October 2014, the City Council adopted a new stabilization policy and created three stabilization reserves. The General Fund balance of $40.7 million is comprised of $18.6 million in the General Fund, $10.1 million in the Contingency/Emergency Reserve, $5 million in the Budget Stabilization Reserve and $7 million in the Measure E Mitigation Reserve

Housing Successor Fund

On June 28, 2011 the State of California adopted Abx1 26, amended by AB 1484 on June 27, 2012, which dissolved redevelopment agencies as of January 31, 2012. As of June 30, 2016, the fund balance of the Housing Successor Special Revenue Fund was comprised of $0.9 million in cash and investments and $2.8 million in loans to the Successor Agency.

TEA Grant Fund

The TEA Grant Fund had revenues of $7.9 million and expenses of $10.3 million, all for capital projects. The fund balance was ($2.9) million and decreased over prior year balance of ($0.6) million.

South County Fire Authority Fund[1]

The South County Fire Authority Fund had revenues of $6.5 million and expenses of $5.9 million. The fund balance of $1.8 million was an increase of $0.7 million over the prior year.

Community Development Fees Special Revenue Fund

The Community Development Fees Special Revenue Fund had revenues of $6.8 million and expenses of $9.1 million. The activities in this fund were reported in the General Fund prior to FY 2014/15.

2008 Lease Revenue Bonds Fund

The fund balance of the 2008 Lease Revenue Bond Fund remained essentially unchanged at $0.7 million over the prior year.

General Projects Fund

The General Projects Fund had revenues of $3.3 million and expenses of $14.1 million. The fund balance of $6.7 million was a decrease of $8.4 million over the prior year.

Tracy Infrastructure Master Plan Fund

The Tracy Infrastructure Master Plan Fund had revenues of $0.9 million and expenses of $7.5 million. The fund balance of $14.3 million was a decrease of $5.7 million over the prior year.

Proprietary Funds

The City's Proprietary Funds are comprised of the Water Utility Fund, the Wastewater Utility Fund, Drainage Fund, Solid Waste Fund, Municipal Airport and Municipal Transit Funds. Proprietary Fund net position totaled $342.6 million at the end of FY 2015/16. Proprietary operating revenues were $53.0 million and operating expenses were $66.0 million in FY 2015/16. The information provided below summarizes positions for Proprietary Funds for FY 2015/16.

Water Enterprise Fund: The net position of the Water Fund is $145.5 million, with operating revenues of $13.1 million and operating expenses of $22.7 million. Approximately negative $0.3 million of the fund's net position was unrestricted with a net investment in capital assets of $145.8 million. Activities for the year were comprised of $13.1 million in operating revenues and $22.5 million in operating expenses. The decrease in revenues from FY 2014/15 to FY 2015/16 is a direct result of mandatory conservation efforts to meet current State mandates. The City's charges for services and water fees are generally adequate to fund the annual operating costs of the Water Enterprise Fund and to fund the debt service.

Wastewater Fund: The net position of the Wastewater Fund is $117.5 million, with operating revenues of $13.6 million and operating expenditures of $16.5 million. Operating expenditures decreased by $0.5 million or 3.2% from FY 2014/15. A total of $89.3 million of the fund's net position is invested in capital assets, with $27.9 million unrestricted. The City's charges for services and water

[1] Financial information regarding the South County Fire Authority is a "Blended-Component Unit" for purposes of the City's financial reports, meaning the JPA's finances are reported as the City's, however, the JPA's finances are comprised of the City's and District's financial contributions and expenditures. The City previously managed the SCFA's finances, however, effective July 1, 2018, the new JPA – South San Joaquin County Fire Authority- is managing its own finances.

fees are generally adequate to fund the annual operating costs of the Wastewater Fund and to fund the debt service.

Solid Waste Fund: Operating revenues totaled $25.1 million and operating expenses were $20.9 million, resulting in an unrestricted net position of $14.7 million.

Drainage Fund: The net position of the Drainage Fund is $46.2 million, with operating revenues of $0.6 million and operating expenses of $3.5 million. A total of $46.0 million of the fund's net position is invested in capital assets, with $0.2 million unrestricted.

Airport Fund: Operating revenues for the Airport Fund were $0.4 million and operating expenses were $0.8 million, resulting in a net position of $5.3 million. A total of $8.7 million of the fund's net position is invested in capital assets, with $3.5 million unrestricted.

Transit Fund: The operating revenue for this fund totaled $0.1 million as of June 30, 2016. Operating expenses were $3.2 million, an increase of $0.2 million over the prior year. The result was a loss of $1.0 million before contributions and transfers. A total of $13.0 million of the fund's net position is invested in capital assets, with $0.3 million unrestricted.

Tracy Adopted Financial Plan FY 2017-2019

The FY 2017/18 and FY 2018/19 budgets were published on June 20, 2017 as part of the City of Tracy Financial Plan Fiscal Year 2017/18 & 2018/19 (Financial Plan 2017-19). The Financial Plan FY 2017-19 places significant investment in key areas the City underfunded as it weathered the Great Recession. The City's biggest asset, its employees, contributed back to the organization during the recession by forgoing raises and cost-of-living adjustments. During the past several years, the City eliminated or consolidated many services to align the cost of providing the services to the contracting funding resources resulting from lower property tax revenues. Basic municipal service levels, however, remained constant in public works and public safety; and residents benefitted from a more responsive City. The Financial Plan 2017-19 continues the City's prudent approach to utilizing the City's resources to provide a sustainable pathway toward service delivery, as well as making further investment into the City's infrastructure.

Table 5-3 summarizes the City's budgeted revenue and expenses for FYs 2017/18 and 2018/19. The Financial Plan 2017-19 projects a steady increase in net position (total revenues less total expenses) for the plan period, as well as projected out through FY 2020/21.

TABLE 5-3: CITY OF TRACY FY 2017/18 AND 2018/19 BUDGET SUMMARY (THOUSANDS)

	2017/18			2018/19		
	REVENUES	EXPENSES	NET POSITION	REVENUES	EXPENSES	NET POSITION
General Fund	$68,328	$62,075	$6,253	$69,310	$62,584	$6,726
Development Services	$12,911	$12,909	$2	$12,156	$12,155	$1
Gas Tax	$2,550	$960	$1,590	$3,597	$960	$2,637
South County Fire Authority[2]	$6,562	$6,398	$164	$6,562	$6,399	$163
Assessment Districts	$2,736	$3,882	$(1,146)	$2,736	$3,945	$(1,209)
Special Revenue	$3,790	$2,995	$795	$3,790	$2,997	$793
Internal Services Funds	$10,624	$13,139	$(2,515)	$10,645	$13,151	$(2,506)
Airport	$799	$926	$(127)	$799	$945	$(146)
Transportation	$4,915	$4,803	$112	$4,948	$4,836	$112
Solid Waste	$26,077	$22,423	$3,654	$26,077	$22,423	$3,654
Storm Drain	$825	$771	$54	$825	$771	$54
Wastewater	$15,120	$13,795	$1,325	$15,120	$13,797	$1,323
Water	$15,351	$17,934	$(2,583)	$15,351	$17,938	$(2,587)
TOTAL	**$170,588**	**$163,010**	**$7,578**	**$171,916**	**$162,901**	**$9,015**

SOURCE: CITY OF TRACY ADOPTED FINANCIAL PLAN FY 2017-2019.

FINANCIAL TRENDS

The economy is recovering both in housing prices that bolster property tax and diversification in commercial and retail that grows and strengthens sales tax revenues. The City has built healthy financial reserves, written strong fiscal policies, and passed important revenue measures to support the City services. The City is positioned itself well to manage its fiscal responsibilities. However, the City, like all governments, is faced with unmet needs in an environment where resources are limited. The City has identified the following financial highlights and needs:

Reserves: The City's General Fund Contingency Reserve (10% of operating revenues) was $5.96 million at the close of FY 2015/16 and is projected to increase to $6.26 million in FY 2018/19. The City's General Fund Economic/Budget Stability Reserve was $11.9 million at the close of FY 2015/16 and is projected to increase to $12.5 million in FY 2018/19.

Staffing: The Financial Plan 2017-19 places significant investment in key areas the City underfunded as it weathered the economic recession of 2007-2009, the greatest economic downturn since the Great Depression. As mentioned, the City's employees contributed significantly back to the organization during the recession by forgoing raises and cost-of-living adjustments. During the past

[2] Financial information regarding the South County Fire Authority is a "Blended-Component Unit" for purposes of the City's financial reports, meaning the JPA's finances are reported as the City's, however, the JPA's finances are comprised of the City's and District's financial contributions and expenditures

several years, many services were eliminated or consolidated in an attempt to align the cost of providing the services to contracting funding resources. Over the last two years, Tracy has seen significant economic activity both in diversifying its housing market and in developing relationships with businesses and job growth. These developments have strengthened the City's fiscal health; however, development activity is at a level that has been outpacing available staffing in many departments. The City as structured is well-fit to be lean and responsive as required during a recession; resulting in a dependence on the use of outside resources to assist with workflow, particularly in Development Services.

In order to provide resources and to maintain Citywide service levels, the City has identified staffing priorities to address gaps in services and implement opportunities to enhance services in ways that would minimally impact City funds. In FY 2016/17 32 full time equivalent (FTE) positions were added citywide. In the Financial Plan 2017-19, another 21 (FTE) positions are proposed to be added, of which 4.85 FTE are allocated to the General Fund (fiscal impact approximately $500,000) and the remaining 16.15 FTE are charged to various other funds. Overall, staffing levels proposed for FY 2017/18 and 2018/19 are 9.5% higher than FY 2015/16. With every request for staffing, the City evaluates the unmet needs against the fiscal sustainability of funding a new position. Fiscal sustainability is defined as the ability of the City to fund current and future year spending with available resources without threatening the government's ability to remain solvent and to meet its obligations. To be fiscally sustainable, the City's on-going revenues must fund the on-going costs of its workforce, including potential cost of living negotiations, increased pension and health care costs, and other long-term liabilities associated with employee salaries and benefits.

Pension Obligations: Developing appropriate staffing levels, as well as building strong recruitment and retention plans for existing staff, will continue to be important to the City, to meet the City Council's goals and priorities. The challenges of maintaining competitive salaries and benefits are hampered by unfunded pension obligations and other escalating costs outside the City's control. Throughout 2018 and 2019, City staff will be evaluating many options to balance the limited resources against the rising costs in personnel so as to continue providing adequate staffing levels to all departments.

A particular issue is the rising cost of employee pensions. Over the last few years, CalPERs has been evaluating their investment and actuarial assumptions. As CalPERs assumptions shift to a more conservative approach, an increase is passed on to the employer contributions. The result in growing increases in CalPERs costs for local agencies. The impacts of the CalPERs' discount rate take effect in FY 2018/19. The Citywide increase in pension costs is expected to grow from $9.1 million in FY 2017/18 to $10.4 million in FY 2018/19, a 14.3% increase. The City currently pays all pension obligations on an annual basis based upon the position control roster's funding allocation The City maintains a ten-year actuarial forecast to prepare for future costs of pension obligations. The City has considered these costs in its long-term fiscal planning.

Facility and Infrastructure Financing: One significant and continuing challenge facing the City is the increasing cost of maintaining its infrastructure. This is due to the following three factors: (1) as Tracy ages, so does its public infrastructure; (2) increased growth results in additional infrastructure maintenance, which further stretches City's resources; and (3) maintenance requirements, which

are regulatory in nature, have increased and add significant costs. Addressing this concern becomes even more challenging given competing priorities for City resources.

One area of concern is the current fund balance reserve in the Building Maintenance Internal Service fund, which has a projected reserve level under $200,000 for FY 2016/17. For each major repair that has arisen in the last three years, the City has drawn from General Fund reserves, because the of inadequate Building Maintenance Fund reserve levels. The fund serves all city buildings, including Civic Center and Police buildings, 6 fire stations, the Library and Community buildings including the Grand Theater, Boyd's Service and Maintenance Yard, and numerous parks and facilities throughout the City. Staff estimates a new master plan would cost between $350,000-$450,000 for a comprehensive evaluation of the capital facilities needs throughout the City. The master plan would identify priority areas for capital funds and will allow the City to evaluate the liability risks.

CAPITAL IMPROVEMENT PROGRAM

The Capital Improvement Program (CIP) is the City's comprehensive multi-year plan for the development of the City's capital facilities and improvements. The plan identifies all the capital maintenance, facilities, and improvements needed within the following five years. The projects to accomplish or develop usually involve high costs, take a year or more to complete and result in the creation of a capital asset. CIP projects are grouped into the following nine groups: General Government and Public Safety Facilities, Traffic Safety, Streets and Highways, Wastewater Improvements, Water Improvements, Drainage Improvements, Airport and Transit Improvements, Parks and Recreation Improvements, and Miscellaneous Projects. The project costs identified for the first two years of the CIP are used for the adopted Capital Budget for FYs 2017/18 and 2018/19. A full accounting of the City's most recent CIP can be found in Chapter 5 of the City's Adopted Financial Plan FY 2017-2019.

TRACY INFRASTRUCTURE MASTER PLAN

For newer development, starting in FY 2014/15, capital development fees are collected under the Tracy Infrastructure Master Plan (TIMP), which is the primary source of revenues for capital improvements to serve new development. The City collects fees from new development project that address improvements in the City's infrastructure master plans and include a fee for each of the following:

- Parks
- Storm Drainage
- Traffic
- Wastewater
- Water
- Public Facilities
- Public Safety

The City's planning, building, engineering, and other fees are based on the cost of services. The City's TIMP fees and fees for services are reviewed by the City Council annually and revised as needed.

TRACY RURAL FIRE DISTRICT

As discussed in Chapter 4, the Tracy Rural County Fire Protection District (Rural Fire District) provides services within areas of the City, but will no longer provide services to newly annexed areas pursuant to LAFCo policy. At the end of the 2017 fiscal year, the Rural Fire District had $8.06 million in assets and $9.16 million in liabilities. The Rural Fire District had a net position of negative $1.11 million in 2017, which was a $0.75 million decrease from its 2016 net position of $1.86 million (**Table 5-4**). However, despite the negative net position, the Rural Fire District has operated with a positive cash flow, with revenues exceeding expenses as shown by the changes in net position in **Table 5-5**. The most significant component of the Rural Fire District's negative net position is a $4.37 million debt to the City. With the dissolution of the SCFA and the creation of the SSJFA, the City and the Rural Fire District reviewed the District's obligations to the City. The $4.37 million debt is based on Amendments 4, 5, and 6 to the SCFA JPA agreement which addressed the District's obligations to the City and the Rural Fire District's contribution of costs for Station 92. The Rural Fire District requested the City to review the calculations that resulted in the $4.37 million debt and to consider the City's receipt of the District's contribution to Station 92 maintenance and operations, the City's receipt of Fire Prevention revenues, and past calculations of debt. As part of the SCFA Dissolution Agreement, the City reviewed these factors and reduced the outstanding loan amount to $1.025 million, provided for the transfer of ownership of Station 92 to the City, and determined that the Rural Fire District's obligations to the City would be satisfied as of June 30, 2018. Therefore, the $4.37 million debt has been reduced to $0.

The SCFA Dissolution Agreement also clarified the use of the Public Safety Facilities Fee collected by the City and requires the City to disburse to the Rural Fire District the Public Safety Facilities Fees collected to mitigate the impact of new development on fire facilities within the District's boundaries.

TABLE 5-4: TRACY RURAL FIRE DISTRICT – AUDITED STATEMENT OF NET POSITION: 2016 AND 2017

	2017 GOVERNMENTAL ACTIVITIES	2016 GOVERNMENTAL ACTIVITIES
Assets		
Cash On-hand/In Treasury	$4,482,352	$4,493,518
Interest Receivable	$16,963	$10,257
Land Note	$177,107	$177,107
Capital Assets	$2,761,242	$2,849,827
Deferred Outflows	619,287	$272,039
Subtotal Assets	*$8,056,951*	*$7,802,748*
Liabilities		
Current Liabilities	$901,563	$963,100
Long-term Liabilities		
Note Payable – City of Tracy	$4,372,897	$5,122,537
Capital Lease – Westamerica Bank	$284,861	$327,892
Compensated Absences	$602,924	$702,924
Net Pension Liability	$3,662,717	$3,099,059
Less: Current Portion	($893,861)	($948,085)
Deferred Inflows of Resources	$233,891	$393,527

Subtotal Liabilities	*$9,164,992*	*$9,660,955*
Total Net Position	**($1,108,041)**	**($1,858,207)**

SOURCE: TRACY RURAL COUNTY FIRE PROTECTION DISTRICT FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2017 AND 2016

TABLE 5-5: TRACY RURAL FIRE DISTRICT - STATEMENT OF ACTIVITIES: 2016 AND 2017

	2017 GOVERNMENTAL ACTIVITIES	2016 GOVERNMENTAL ACTIVITIES
Expenditures/Expenses		
Fire Protection – Operations	$6,335,621	$5,302,245
Fire Protection – Depreciation	$164,398	$212,204
Subtotal Expenditures/Expenses	*$6,500,019*	*$5,514,449*
Revenues		
Program Revenues (Charges for Services)	$53,754	$61,355
Property Taxes	$6,348,699	$5,658,525
Investment Earnings	$52,639	$60,424
Rental Income	*$32,400*	*$0*
Miscellaneous Income	$760,823	$970,560
Sale of Assets Income	$1,870	($51,169)
Subtotal All Revenues	*$7,250,185*	*$6,669,695*
Change in Net Position	***$750,166***	***$1,155,246***
Net Position – Beginning of Year	($1,858,207)	$60,773
Prior Period Adjustment	-	($3,074,226)[1]
Net Position – End of Year	**($1,108,041)**	**($1,858,207)**

As discussed under the SSJCFA section below, the Rural Fire District is responsible for: 1) its share of maintenance and operation costs based on its pro-rata share of staffed positions (the number of staffed positions for each of the fire companies operating out of the District's fire stations), and 2) repairs exceeding $5,000 and capital improvements to the fire stations owned by the Rural Fire District.

It is anticipated that the Rural Fire District will continue to operate with a positive income stream, as shown in **Table 5-5**. The Rural Fire District's budgets for the past three years demonstrate that the District planned expenditures, which ranged from $6.1 to $7.0 million per year, as shown in **Table 5-6** are compatible with the District's revenue stream, which ranged from $6.7 million to $7.2 million (**Table 5-5**).

TABLE 5-6: TRACY RURAL FIRE DISTRICT BUDGET – FISCAL YEARS 2019/18 THROUGH 2017/16

BUDGET ITEMS	2019/18	2018/17	2017/16
GENERAL FUND			
Attorney fees	$50,000.00	$40,000.00	$50,000.00
Audited Financial Statements	$5,450.00	$5,450.00	$4,950.00
Auditors AP & Tax Admin Charges	$120,000.00	$96,000	$85,900.00
Auditors Direct Assessment	$12,100.00	$11,758.51	$11,100.00

Directors Fees	$12,000.00	$12,000.00	$15,000.00
Election	$2,500.00	$2,500.00	$33,907.00
Insurance – General Liability	$22,000.00	$20,000.00	$22,000.00
Miscellaneous	$5,000.00	$3,500.00	$3,000.00
Miscellaneous Maintenance	$5,000.00	$0	$0
Business Office Services	$36,162.00	$34,440.00	$32,880.00
Entity Report	$978.04	$952.27	$948.74
Benefit Assessment	$12,000.00	$2,868.75	$5,000.00
State Controllers Report	$750.00	$800.00	$750
Retirement (PERS) Unfunded liability	$413,603.00	$292,130.00	$249,630.00
Retirement (PERS)	$2,360.00	$3,000.00	$1,150.00
Safety Plan (PERS)	$700.00	$0	$0
City of Tracy (Dissolution Agreement)	$233,214.73	$0	$0
City of Tracy – JPA Agreement	$5,367,543.00	$6,300,000.00	$5,400,000.00
RESERVE FUNDS			
Engine 92 – Lease/purchase (Operating Transfer to Fund 49591)	$52,311.90	$52,311.90	$52,311.90
Smoothing Agreement (Operating Transfer to Fund 49581)	$0	$100,000.00	$100,000.00
Governance	$0	$30,000.00	$35,000.00
TOTAL	**$6,353.372.67**	**$7,007,711.46**	**$6,103,527.64**

SOURCE: TRACY RURAL COUNTY FIRE PROTECTION DISTRICT BUDGETS, 2019/18, 2018/17, AND 2017/16

SOUTH SAN JOAQUIN COUNTY FIRE AUTHORITY

The SSJCFA was created in February 2018 to provide for the joint exercise of powers to provide a full range of fire protection services within the Authority's jurisdictional area. The SSJCFA provides a streamlined form of governance that equitably allocates costs to the member agencies. Under the provisions of the Agreement, the City and District jointly share the annual costs of maintenance and operations for Fire Protection Services, Fire Dispatch Services, and Fire Prevention Services. Each member agency is responsible for all such costs within their jurisdictional fire protection boundaries. The annual cost allocation for maintenance and operations is determined by dividing the total number of daily staffed positions within each member agency by the total number of daily staffed positions within the SSJCFA. This formula allows each member agency to pay their pro-rata share of fire protection services without subsidizing other member agencies.

The SCFA preceded the SSJCFA and was in effect from September 1999 through June 2018. For the duration of the SCFA's existence, fire services were funded through property tax and special assessment fees of the District, and general funds revenues of the City. The funds were deposited into a special South County Fire Authority fund to administer and expense services. Over time, the SCFA agreement was amended to reflect changes in cost sharing, special agreements regarding facilities, employee staffing, and employee benefits.

At the time of the formation of the SCFA and the City's employment of former District employees, the City and District agreed that the District would be responsible for the payment of all accrued compensated absences for those twenty-five employees and retirement costs, attributable to their years of service with the District, for those twenty-five employees. This is reflected in the long-term

liabilities in Table 5-4 and addressed in the District's budget which includes the District's payment of unfunded retirement liabilities which are invoiced annually by PERS (**Table 5-6**).

With the formation of the SSJCFA, the City and District entered into an agreement to dissolve the SCFA. The South County Fire Authority Dissolution Agreement between the City of Tracy and the Tracy Rural Fire District (Dissolution Agreement) is effective July 1, 2018. This agreement dissolves the SCFA effective June 30, 2018 and settles outstanding debt balances between the parties as member agencies of the SCFA. Previous debt balances relate to the accumulated leave balances of the District's former personnel and the District's repayment of a loan from the City and the parties' joint cost sharing of maintenance and operations costs during the life of the SCFA. The District's obligations to repay the City in and all amounts owed pursuant to the amendments of the SCFA, including outstanding balances owed to the City will be deemed satisfied June 30, 2018. The Dissolution Agreement further provides that the City will remit the development impact fees to the District that are attributable to mitigating the impact of new development on fire facilities located in District's jurisdictional boundaries; these fees have been developed to address fire stations that are needed to serve the City's residents regardless of whether the station is owned by the District or the City. The District has not adopted a separate fee. Furthermore, the District will own and operate all fire stations located within its jurisdictional boundaries.

Since inception of the SCFA in 1999, the practice of annexation of property into the City without detachment from the District was devised and maintained to secure the financial ability of the SCFA to provide services. LAFCO adopted a policy in April 2019 that requires future annexations to the City of Tracy to detach from the Rural Fire District.

In early 2018, staff conducted a fiscal analysis to evaluate projected fire services revenues, which factor existing and anticipated growth and the difference in revenue when annexation without detachment does or does not occur. That analysis has been updated as shown in **Table 5-7** to anticipate that new annexations in the City will detach from the Rural Fire Protection District beginning in 2019. It is anticipated that the City will continue to collect its Citywide Public Facilities Master Plan Fees, which will be used to fund the development of fire stations needed to serve new development and that the City's will continue to plan to fund its participation in the SSJCFA through General Fund revenues.

Table 5-7: SSJCFA Annual Expenses and Member Agencies Annual Funding (Revenues) and Expenses

SSJCFA ANNUAL EXPENSES							
SSJCFA Expenses	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Fire Suppression	*$17,509,580*	*$18,034,867*	*$18,575,913*	*$19,133,191*	*$19,707,187*	*$20,298,402*	*$20,907,354*
Administration	*$727,133*	*$748,947*	*$771,415*	*$794,558*	*$818,395*	*$842,946*	*$868,234*
Community Risk Reduction (Prevention)	*$1,405,228*	*$1,447,385*	*$1,490,806*	*$1,535,531*	*$1,581,596*	*$1,629,044*	*$1,677,916*
Training	*$408,956*	*$421,225*	*$433,861*	*$446,877*	*$460,284*	*$474,092*	*$488,315*
Replacement Equipment	*$161,900*	*$166,757*	*$171,760*	*$176,913*	*$182,220*	*$187,686*	*$193,317*
Subtotal Expenses	$20,212,797	$20,819,181	$21,443,756	$22,087,069	$22,749,681	$23,432,172	$24,135,137
Community Risk Reduction Offsetting Revenue	*($1,043,000)*	*($1,074,290)*	*($1,106,519)*	*($1,139,714)*	*($1,173,906)*	*($1,209,123)*	*($1,245,397)*
Existing Staffing Net Operating Cost	$19,169,797	$21,893,471	$22,550,275	$23,226,783	$23,923,587	$24,641,294	$25,380,533
New Staffing/Operating Costs to Serve Growth	$0	$0	$0	$1,974,920	$4,068,336	$4,190,386	$4,316,098
Total Estimated JPA Operating Costs	***$19,169,797***	***$21,893,471***	***$22,550,275***	***$25,201,704***	***$27,991,923***	***$28,831,680***	***$29,696,631***
City Responsibility (% Cost Split)	72%	72%	72%	73.0%	74.0%	75.0%	76.0%
City Of Tracy Cost Allocation	$13,802,254	$15,763,299	$16,236,198	$18,397,244	$20,714,023	$21,623,760	$22,569,439
TRFD Responsibility (% Cost Split)	28%	28%	28%	27.0%	26.0%	25.0%	24.0%
TRFD JPA Cost Allocation	$5,367,543	$6,130,172	$6,314,077	$6,804,460	$7,277,900	$7,207,920	$7,127,191

TRACY RURAL FIRE DISTRICT OPERATING REVENUE AND EXPENDITURES							
District Revenues	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Tax Revenue	*$6,951,590*	*$7,160,138*	*$7,374,942*	*$7,596,190*	*$7,824,076*	*$8,058,798*	*$8,300,562*
Investment Earnings	*$0*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*	*$0.00*
Rental Income	*$33,600*	*$34,608*	*$35,646*	*$36,716*	*$37,817*	*$38,952*	*$40,120*
Miscellaneous Income	*$135,391*	*$139,453*	*$143,636*	*$147,945*	*$152,384*	*$156,955*	*$161,664*
Inter-fund Loans	*$0*	*$0*	*$0*	*$0*	*$0*	*$0*	*$0*
Subtotal Existing Revenue	$7,120,581	$7,334,198	$7,554,224	$7,780,851	$8,014,277	$8,254,705	$8,502,346

Additional Revenue Projected from Growth	*$404,191*	*$1,300,915*	*$2,413,766*	*$1,782,059*	*$1,859,214*	*$1,718,621*	*$1,327,852*
Total Projected District Revenue	**$7,524,772**	**$8,635,113**	**$9,967,990**	**$9,562,910**	**$9,873,491**	**$9,973,326**	**$9,830,198**
District Expenses							
JPA Projected Operating Cost Allocation	*$(5,367,543)*	*$(6,130,172)*	*$(6,314,077)*	*$(6,804,460)*	*$(7,277,900)*	*$(7,207,920)*	*$(7,127,191)*
Non-JPA TRFD Suppression Expenses Cost Allocation	*$(166,119)*	*$(171,102)*	*$(176,235)*	*$(181,522)*	*$(186,968)*	*$(192,577)*	*$(198,355)*
Other TRFD Operating Expenses Cost Allocation	*$(986,129)*	*$(750,174)*	*$(772,679)*	*$(795,859)*	*$(819,735)*	*$(844,327)*	*$(869,657)*
Total District Expenses	$(6,519,791)	$(7,051,448)	$(7,262,991)	$(7,781,842)	$(8,284,603)	$(8,244,824)	$(8,195,203)
District Annual Surplus /(Deficit)	*$1,004,981*	*$1,583,665*	*$2,704,999*	*$1,781,069*	*$1,588,888*	*$1,728,502*	*$1,634,995*
District Cumulative Surplus/(Deficit)	**$1,004,981**	**$2,588,646**	**$5,293,645**	**$7,074,713**	**$8,663,601**	**$10,392,103**	**$12,027,098**

CITY OF TRACY REVENUE AND EXPENDITURES

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
City Revenues/Funds							
General Fund Allocation	$14,387,821	$16,366,433	$16,857,426	$19,037,108	$21,373,084	$22,302,593	$23,268,637
City Expenses							
JPA Expenses Cost Allocation	$(13,802,254)	$(15,763,299)	$(16,236,198)	$(15,751,065)	$(15,551,068)	$(16,017,600)	$(16,498,128)
Non-JPA COT Suppression Expenses Cost Allocation	$(585,567)	$(603,134)	$(621,228)	$(639,865)	$(659,061)	$(678,833)	$(699,198)
City Annual Surplus /(Deficit)	***$0.00***	***$0.00***	***$0.00***	***$0.00***	***$0.00***	***$0.00***	***$0.00***

* The City of Tracy's additional operating expenses are incorporated into the city budget which is operating at a surplus with a significant reserve.

EACH MEMBER AGENCY OF THE SOUTH SAN JOAQUIN FIRE AUTHORITY COLLECTS IMPACT FEES FOR DEVELOPMENT THAT OCCURS WITHIN THEIR JURISDICTION. THESE FEES ALONG WITH RESERVE CAPITAL FUNDS ARE ALLOCATED BY THE MEMBER AGENCIES TO FACILITATE CONSTRUCTION OF NEW STATIONS AND ACQUISITION OF APPARATUS.

SOURCE: CITY OF TRACY, 2019; TRACY RURAL FIRE DISTRICT, 2018; SSJCFA, 2018

Table 5-7 provides a financial forecast for the continued provision of fire services through the SSJCFA. **Table 5-7** shows the SSJCFA costs that would be distributed to the City and the Rural Fire District, as well as the projected revenues available to the City and the Rural Fire District to fund their respective shares of SSJCFA costs as well as other costs for each agency. The intent of this forecast is to assure the sustainability of growth in relation to the impact it has on service demands as well as identify an anticipated time frame when additional services that are needed, as a result of growth, are able to be implemented and fiscally maintained.

Table 5-7 shows the total SSJCFA operating budget for FY 2018/19 of $19,169,797 after crediting back the anticipated revenue from the Community Risk Reduction Division. The goal of the Community Risk Reduction Program (previously known as Fire Prevention) is to maintain an 80-90% cost recovery through its fee programs. As this is a transitional year for the program, initial revenues are estimated below that anticipated goal.

The inflation factor used for both existing costs and existing revenue was a modest 3%. The forecast of revenue from new development was calculated in collaboration with City of Tracy Development Services to determine commitments already made as well as known and anticipated future projects and their scopes. That data was then monetized with conservative assumptions to accurately forecast revenues and expenditures in relation to both residential and commercial growth.

Table 5-7 identifies the fiscal impact of adding two additional three-person engine companies to service the planned growth. The in-service dates for those companies is expected to be July 1st, 2021 (E99) and July 1st, 2022 (E95). **Table 5-7** anticipates that the City's share of SSJCFA costs will begin increasing in 2020/21, but that the increase will be gradual (approximately 1% per year) as there is significant development that will also occur in the Rural Fire District boundary. The Rural Fire District's projected revenue from growth is anticipated to begin decreasing in 2021/22 as anticipated future annexations such as the Avenues, Village, and Alvarez would not contribute to Rural Fire District revenues. These are estimates and are likely conservative in terms of increasing costs for the City at a higher rate than may actually occur due to the development potential in non-detached growth areas of the City that are within the Rural Fire District boundary.

Each member agency of the SSJCFA receives impact fees for development that occurs within their jurisdiction. These fees along with reserve capital funds allocated by the member agencies will be utilized to facilitate construction of new stations and acquisition of additional or replacement apparatus. **Table 5-7** is representative of operating budgets and does not include other funds utilized by the SSJFA member agencies. As shown in **Table 5-7**, the City and Rural Fire District are anticipated to be able to fully fund their commitments.

Table 5-8 below identifies the cost to construct and equip the two fire stations planned for relocation and the two new fire stations planned to be constructed. As shown in Table 5-8, the majority of the projected costs of the four stations ($23.6 million) would be funded through the $15.6 million in revenues currently available to fund stations. An additional $8 million is projected to receive from future developer fees. The City has provided a $7 million advance for the construction and equipment and an additional $1 million will be funded through local contributions.

This ensures that the stations are constructed in a timely manner from new growth and the advances will be repaid as developer impact fees are collected from planned growth.

Table 5-8: Funding for Fire Station Construction (New and Relocated Stations)

STATION	COST OF STATIONS			REVENUES CURRENTLY AVAILABLE TO FUND STATIONS			FUTURE DEVELOPER FEES FROM PLANNED GROWTH
	CONSTRUCT	EQUIPMENT	TOTAL	DEVELOPER ADVANCES	OTHER FEES COLLECTED	TOTAL	
Station 94	$5,000,000	-	$5,000,000	$4,250,000	-	$4,250,000	$750,000
Station 95	$5,600,000	$1,000,000	$6,600,000	$5,500,000	-	$5,500,000	$1,100,000
Station 97	$5,500,000	-	$5,500,000	-	$4,500,000	$4,500,000	$1,000,000
Station 99	$5,500,000	$1,000,000	$6,500,000	$1,100,000	$250,000	$1,350,000	$5,150,000
TOTAL	**$21,600,000**	**$2,000,000**	**$23,600,000**	**$10,850,000**	**$4,750,000**	**$15,600,000**	**$8,000,000**
General Fund Advance							$5,000,000
Equipment Advance							$2,000,000
Local Contribution							$1,000,000

SOURCE: CITY OF TRACY STAFF REPORT – AGENDA ITEM 8, OCTOBER 16, 2018

As shown in **Table 5-7**, the City would have the financial ability to provide services in the SOI with implementation of the LAFCO policy requiring detachment. This assumption anticipates that the Rural Fire District revenue, which is negatively impacted with detachment, will continue to grow as development in a number of growth areas within the Rural Fire District boundary, including Tracy Hills, Ellis, Cordes Ranch, and Tracy Gateway, will continue to develop and provide revenues toward the prorated share that the Rural Fire District would be required to contribute to the SSJCFA. Tracy Rural revenue is negatively impacted with detachment; therefore negatively impacting their ability to pay their contribution for fire services. While **Table 5-7** identifies a revenue surplus, this revenue could be used to further enhance fire services and improve response times and this revenue surplus may decrease over the long-term as newly annex areas detach from the Rural Fire District and there is an overall reduction in City and Rural Fire District revenues.

In 2016/17, total costs for the SCFA were $16,044,840. The SCFA's total expenditure during this period was also $16,044,840. The most recently approved SCFA budget (for FY 2017/18) provides for expenditures of $17,399,842. This includes $602,233 for fire administration, $601,518 for fire prevention & education, $50,060 for fire support, $12,240,182 for fire operations, $410,456 for fire training & safety, $240,000 for fire mutual aid, and $235,000 for equipment (with the remainder split between other direct and indirect costs).

Under the new JPA, SSJCFA, the City and Rural Fire District have agreed to a cost-sharing formula in which each agency pays for the operation, including staffing and maintenance, of fire facilities in their respective fire jurisdictions as set forth in the Section 5.4 of the SSJCFA JPA. As shown in this section, both agencies are operated in a fiscally sound manner and each agency will be able to fund its fair-share of SSJCFA costs as well as other costs associated with fire services as shown in **Table 5-7** and the agencies have planned for adequate funding to construct needed fire stations as shown

in **Table 5-8.** The City and District's continued collaboration and membership in the SSJCFA leverages their resources to provide financially sustainable and responsive fire service that is consistent with best practices.

H. DETERMINATION

The City's expenses are covered through the revenues that they receive from charges for services, operating grants and contributions, capital grants and contributions, property tax, and sales and uses tax. As land is developed within the City and land is annexed into the City of Tracy from the SOI, fees and charges for services apply. Duplication of costs will be avoided by ensuring that any services that will be provided by the City will be removed from County or other agency responsibility. The City of Tracy manages their finances on a continual basis, which is reported on an annual basis through the annual Audited Financial Statement and the City Budget. The City's management and reporting of their finances are in accordance with the legal requirements for such. An outside audit is performed each year to ensure that the legal requirements are met.

The General Plan includes polices and implementation measures that require new development to pay its fair share to offset capital costs for public facilities and services. Development will pay a fair share of all costs of required public infrastructure and services.

The City's TIMP programs funding for capital improvements to address planned growth and maintain adequate service levels. The City's TIMP fees are based on the cost of infrastructure improvements identified in the TIMP. The City reviews their fees and charges for services/usage of City facilities on an annual basis to determine the correct level of adjustment required to pay for adequate services and to reverse any deficits and assure funding for needed infrastructure going forward.

The City has created an additional source of revenue to fund the provision of public services such as police and public works by forming a Citywide Services Community Facilities District ("Services CFD") pursuant to the California Mello-Roos Act. The Services CFD is another tool for securing a revenue source to fund the expansion of services as the City grows and continues to develop.

The City's continued practice of providing fires services through a JPA model with the Rural District maximizes efficiencies through the use of shared facilities and resources between two public agencies. The Rural Fire District has the financial capacity to continue to serve areas within its service boundary under this model, including paying its fair-share costs of fire services provided through the SSJCFA.

The City has budgeted for current and future expenses, debts, and revenues. The City's financial statements show that it is fiscally sound. The City will continue to manage and report its financial condition on an annual basis, which will include adjustments to address any projected cost increases or deficiencies as necessary.

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6. STATUS OF AND OPPORTUNITIES FOR SHARED FACILITIES

Currently, the City of Tracy can provide appropriate levels of fire protection, police, water, sewer, and storm water services in a cost-efficient manner to areas within the City limits. In a few limited cases, the City provides services outside of the City limits (for example, the South County Fire Authority also serves a large area of unincorporated San Joaquin County).

The focus of this section is to identify opportunities for reducing overall costs and improve services by sharing facilities and resources. The following outlines existing and potential opportunities for the City of Tracy to share facilities and resources.

A. BACKGROUND

The City has identified opportunities for reducing overall costs through sharing facilities with other agencies and sharing or reducing use of the resources as described below.

1. Fire Protection

The City Fire Department has mutual aid agreements with the State of California, San Joaquin County agencies, Alameda County, Stanislaus County, and Contra Costa County. The City Fire Department has also operationally consolidated with a separate fire district to increase efficiencies. In 1999, after several years of talks, the City Fire Department entered into an agreement with the Rural Fire District to form the South County Fire Authority (SCFA). The Joint Powers Authority was formed to offer better response times, services, and staffing levels and streamline the organization, and the Authority provides fire protection and first-responder emergency medical services to 167 square miles of the southern part of San Joaquin County. Under fire protection the SCFA, either the City Fire Department or the Rural Fire District responds to incidents based on the location of the nearest station, rather than each agency only responding to incidents within their own boundaries.

Through the SSJCFA, the City employs fire services staff and shares costs with the Rural Fire District. Additionally, Station 94 is shared with Cal Fire's Santa Clara Ranger Unit (Station 26).

On February 20, 2018, the member agencies of the SCFA moved to dissolve the existing SCFA and enter into a new Joint Powers Agreement known as the SSJCFA. The SSJCFA was formed to provide a full range of fire services to the entire jurisdictional area of both the corporate city limits of Tracy and the surrounding rural community. The SCFA and SSJCFA will run concurrently to allow the existing SCFA to dissolve effective June 30, 2018, and the new SSJCFA to be implemented effective July 1, 2018. The new SSJCFA has a simplified cost sharing formula that ensures fairness in how costs to provide service are allocated to member agencies.

The City has an agreement with San Joaquin County for the joint use of a County-owned radio communications tower, which the City may use for radio communications, including communications to support the City's fire services.

The City is a member of the Joint County Hazardous Materials Response team, which provides mutual aid throughout San Joaquin County. The City maintains adequate numbers of personnel to meet the minimum requirements to maintain membership on the team per team policy.

2. Police Protection

The Tracy Police Department provides mutual aid to the San Joaquin County Sheriff's office, and vice versa, when a situation exceeds the capabilities of either department. Mutual aid is coordinated through the San Joaquin County Sheriff.

In addition, the Tracy Police Department Bureau of Investigations frequently partners with investigators from the Federal Bureau of Investigations, Alcohol Tobacco and Firearms, Federal Drug Enforcement Agency, Department of Homeland Security, and other federal, state and county law enforcement agencies. The division also works closely with the San Joaquin District Attorney's Office to obtain and secure criminal complaints and convictions.

The City has an agreement with San Joaquin County for the joint use of a County-owned radio communications tower, which the City may use for radio communications, including communications to support the City's police services.

3. Water Supply and Distribution

The City of Tracy has agreements with SSJID, the United States Bureau of Reclamation, and Westside Irrigation District for purchasing water. All of these agreements involve shared facilities for the delivery of water from the providing agency to the City. The City of Tracy has a Municipal and Industrial contract with the USBR for delivery of Central Valley Project water conveyed via the Delta-Mendota Canal. The City has acquired additional assignments of Delta-Mendota Canal/Central Valley Project agricultural reliability water through agreements with the local irrigation districts[1]. The City of Tracy purchases Stanislaus River water from SSJID, as provided by the South County Water Supply Project.

Separately, the City has an agreement for purchasing untreated irrigation water from the Westside Irrigation District to use for the purpose of irrigating park areas in the Tracy Gateway area, located at the western edge of the city.

[1] The City has entered into agreements with Banta-Carbona Irrigation District and West Side Irrigation District for assignments of Delta-Mendota Canal/Central Valley Project agricultural reliability water. Additionally, the City is working with Byron-Bethany Irrigation District to obtain a portion of this water. The City also coordinates with the San Luis & Delta-Mendota Water Authority, a group of federal water serve contractors that has assumed responsibility for operation and maintenance of certain CVP facilities.

4. Wastewater Collection and Treatment

The WWTP currently coordinates its services with Leprino Foods, the City's major industrial wastewater producer. Leprino Foods conveys its wastewater through a separate force main into a pre-treatment pond that is operated by Leprino Foods but is located on WWTP property.

5. Stormwater Drainage

Tracy currently uses stormwater basins as joint use facilities for park area, providing efficient use of City facilities. The City has two parks, Plasencia Fields and the Tracy Sports Complex, that have turf grass fields that provide passive recreational opportunities for the community, in addition to playing a role as a stormwater detention basin.

6. City of Tracy Facilities

The City provides for use of its facilities, including the Council Chambers, Tracy Community Center, Tracy Transit Station, and parks and recreation facilities, by outside agencies and private entities through facility sharing agreements. The City also has an agreement in place for joint use of the City-owned Tracy Branch Library with the Stockton-San Joaquin Public Library District.

B. DETERMINATION

The City of Tracy has existing and planned arrangements for shared facilities and resources in order to reduce overall costs and ensure adequate levels of service. These arrangements include shared supply and facility resources with the Rural Fire District, SSJCFA, SSJID, United States Bureau of Reclamation, and irrigation water providers, shared personnel resources between the City's Police Department and federal, state and County law enforcement agencies to provide special operations resources, and mutual aid agreements between the Tracy Fire Department and the State of California, San Joaquin County agencies, Alameda County, Stanislaus County, and Contra Costa County. The City shares facilities with other entities as previously described and regularly reviews opportunities for shared facilities in order to provide cost and resource efficiencies.

The City of Tracy has multiple planning processes in place to assess whether levels of service provided are adequate to accommodate new growth, including the City of Tracy General Plan, the City's annual budgeting process, master planning processes for water supply and distribution, wastewater and sewer systems, as well as fire protection and law enforcement services. It is through these processes that the City will continue to monitor and assess whether future opportunities for shared facilities will improve levels of service in a cost-effective manner.

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7. ACCOUNTABILITY FOR COMMUNITY SERVICE NEEDS, INCLUDING GOVERNMENT STRUCTURE AND OPERATIONAL EFFICIENCIES

This section considers the benefits and constraints of the City of Tracy's government structure in regards to the provision of public services. LAFCo is required to consider the advantages and disadvantages of any options that might be available to provide the services. In reviewing potential government structure options, consideration may be given to financial feasibility, service delivery quality and cost, regulatory or government frameworks, operational practicality, and public reference.

A. BACKGROUND

Residents ultimately have oversight for the provision of public services in Tracy since the City is run by an elected City Council that answers to the public through the ballot process. City Council members are elected to four-year terms during General Elections. When the City annexes property in the SOI, the City will provide a wide range of public services. In some cases, such as municipal water, sewer, and storm water drainage, annexation will result in availability of services which may not currently available in the SOI. Individual property owners in the SOI, but outside the city limits, have to provide these services themselves, so there will be an increase in available services with annexation; however, there will also be a corresponding increase in service fees as well.

The City's annual budget, General Plan, and fees and rates are all adopted in a transparent public process and revisions or amendments to each of these items are considered at City Council meetings with an opportunity for the public to comment. The City makes agendas and agenda packages available to the public in advance of its meetings and also provides minutes and the final documents on its website.

For fire services, the City and Tracy Rural County Fire Protection District (Rural Fire District have determined that the best manner of ensuring a high level of fire protection and appropriate funding for the services is through the South San Joaquin County Fire Authority (SSJCFA), a joint powers authority formed by the City of Tracy and the Rural Fire District, as described in Chapter 4. As lands are annexed to the City, there are two primary options for providing fire services:

- Annexation with Detachment from the Rural Fire District: Under this option, the lands annexed into the City would be detached from the Rural Fire District and would receive services from the City. The fiscal impacts of providing fire services under this option are addressed in Chapter 5.
- Annexation without Detachment from the Rural Fire District: Under this option, the lands annexed into the City would continue to be within the Rural Fire District boundaries and would continue to receive services from the Rural Fire District.

The City submitted a Fire Governance Implementation Plan to LAFCo in July 2013. The plan was discussed by LAFCo, at length during its July 19 and August 16, 2013 meetings. LAFCo continued consideration until its October 18, 2013 meeting and subsequently to the December 13, 2013, meeting. During its meetings, LAFCo expressed concerns regarding the fiscal impact on the County of the current non- detachment policy when territory is annexed into the City.

To address the concerns expressed by LAFCo, the City retained Management Partners to address the fiscal and governance issues. Management Partners completed the Alternative Fire Governance Structures Report. The Alternative Fire Governance Report addressed three scenarios: annexation without detachment, annexation with detachment, and City annexation into Tracy Rural Fire District.

The Alternative Fire Governance Structures Report was distributed to interested stakeholders in July 2014 for their review and comment. These included the Rural Fire District Board of Directors, the Fire Service Steering Committee, San Joaquin County, San Joaquin LAFCo, and representatives of labor and management within the Fire Department.

On September 2, 2014, the City Council and Rural Fire District Board of Directors discussed the Alternative Fire Governance Structures Report and agreed that it addressed the LAFCo concerns and had consensus to submit it to LAFCo. The City submitted the report to LAFCo for consideration. LAFCo concluded that the City's governance plan did not appear to be complete as it is unclear as to which policy (e.g. annexation without detachment, annexation with detachment, and City annexation into Tracy Rural Fire District) the City is working toward.

The City and Rural Fire District have demonstrated a continued intent for annexations into the City to occur without detachment from the Rural Fire District. This is exhibited by each agencies plans to provide joint services through the SSJCFA and their plans to develop fire stations, including Rural Fire District stations that will serve future development in the City.

In 2017, the City participated in the preparation of a Standards of Cover study by Citygate Associates (to review the adequacy of fire department systems, including current and planned fire station locations, to address development within the boundaries of the City and the Rural Fire District. This study did not make recommendations regarding detachment of areas from the Rural Fire District, but rather evaluated the combined ability of the two departments to offer adequate services. The study recommended relocation and addition of fire stations, as described in Chapter 4, and recommended best practices to improve response times. The study provided appropriate guidance for the City to ensure adequate services to its existing and future residents through continuing to work with the Rural Fire District as joint service providers in the City and SOI.

The primary governance implication of continuing the current method annexing lands into the City without detachment from the Rural Fire District is that property owners would have two governmental entities with separately-elected bodies accountable for the delivery of fire services to the annexed area. These property owners would be able to vote in elections for both the City Council and the Rural Fire District Board. It is anticipated that this will not place an undue hardship on property owners as it is not atypical to have multiple bodies serving an area, such as one or more school districts, reclamation districts, fire districts, etc. While these property owners would pay

benefit assessment fees to the Rural Fire District and City development impact fees would be collected at the time their properties were initially developed, the City's public safety development impact fees have been calculated to consider the needs of the Rural Fire District and a portion of these fees are passed to the Rural Fire District ensuring that the property owner benefits from the fees paid.

Were annexation to the City to occur with detachment from the Rural Fire District, meaning that the City would provide services to the SOI, there would be a simplified governance structure as property owners would be served by a single entity for fire services. In April 2019, LAFCo adopted a policy requiring future annexations to detach from the Rural Fire District. As demonstrated in Chapter 5, the City can fund needed fire stations and provide efficient, effective services.

The City has also analyzed the costs associated with SSJCFA and its respective ability to fund its share of SSJCFA costs as well as other costs associated with each organizations fire services. In entering into the JPA to form SSJCFA, each agency has determined that jointly providing services through the SSJCFA is their preferred and recommended method of providing fire services and that each agency had the financial ability to participate in SSJCFA.

In April 2019, LAFCo considered the fire governance issue and adopted a policy requiring that lands annexing to the City detach from the Rural Fire District.

B. DETERMINATION

Since the City of Tracy is an incorporated city, the City Council makes final decisions concerning fee structures and provisions of service. Actions of the City Council, including opportunities for public involvement and public hearings, are regulated in accordance with the Brown Act (California Government Code Section 54950 et seq.), other applicable statues and regulations, and City procedures. The residents of Tracy are offered a wide range of opportunities to oversee and provide input on the activities of elected, appointed, and paid representatives responsible for the provision of public services to the community through elections, publicized meetings and hearings, as well as through the reports completed in compliance with State and Federal reporting requirements.

As discussed in previous chapters, the City periodically reviews its fee structures for fire protection, law enforcement, transportation, water, sewer, and storm drainage. The City of Tracy General Plan also has numerous goals, objectives, policies and actions to ensure that adequate services are provided in a cost-effective manner to accommodate new growth. The City's government structure is adequate and meets the needs of its residents and the City's accountability system is adequate.

The ability to serve the anticipated growth within the SOI is not expected to have a significant effect on governmental structure of the City or its ability to provide services. Mechanisms are in place within City departments to effectively provide for public participation in the planning and development process to address growth within the SOI. The City will continue to work with service providers such as the Rural Fire District, SSJID, Banta-Carbona Irrigation District, West Side Irrigation, CAL Fire, the San Joaquin Sheriff's office, and others, to address government structure options to provide efficient and cost effective public facilities and services.

The City's current management process is adequate and meets the needs of the City. The City has demonstrated the ability to work with other service providers and districts to ensure that adequate services are provided in a cost-effective and well-planned manner. Efforts to ensure effective government structure for the provision of fire and police protection, transportation, water supply, wastewater treatment, and storm drainage facilities demonstrate the City's foresight to plan for future service needs as City boundaries expand due to annexations and population increases. Assuming the City continues to evaluate existing government structure and seek opportunities for improvement, no significant barriers are expected in regards to government structure during the 10- and 30-Year Horizons.

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GIS DATA

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PHONE AND EMAIL CORRESPONDENCE

Email correspondence with City of Tracy Senior Planner Victoria Lombardo at 10:31am on 2/8/2018, 4:27pm on 4/10/2018, 1:39pm on 4/28/2018, 12:12pm and 1:08pm on 4/30/2018, and 11:13am on 5/2/2018.

Email and phone correspondence with Fire Division Chief David Brammel at 2:00pm on 12/21/2017.

Email correspondence with Scott Claar, Bill Dean, Victoria Lombardo, and Kenneth Lipich, City of Tracy, 9/18.

Phone call with Bill Dean and Victoria Lombardo, City of Tracy, at 3:30pm on 1/31/2018.

Phone calls with Bill Dean, Scott Claar, and Kenny Lipich, City of Tracy, at 3:30pm on 9/6/18 and 9/7/18.

Phone call with James Nelson (Stormwater Consulting), Bill Dean, Victoria Lombardo, and Robert Amrjo (City of Tracy) at 11:00 am on 10/23/18.

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Appendix A

City-Requested SOI Plan:
10-Year and 30-Year Horizons and Supporting Documentation

Appendix A: City Requested-SOI Planning Horizons
Land Use and Growth Calculations

TABLE 1-1 GENERAL PLAN LAND USE DESIGNATIONS (CITY LIMITS, 10-YEAR, 30-YEAR)

GENERAL PLAN LAND USE DESIGNATION	ACREAGE			
	CITY LIMITS	SOI-10 YEAR	SOI-30 YEAR	GRAND TOTAL
Active Adult Residential	-	132.5	-	132.5
Aggregate	10.82	22.4	142.9	176.2
Agriculture	-	-	680.6	680.6
Commercial	1,156.64	405.9	60.1	1,622.6
Downtown	114.64	-	-	114.6
Industrial	3,850.68	1,558.1	162.0	5,570.7
Office	597.60	-	-	597.6
Open Space	81.94	3,430.3	-	3,512.2
Park	651.49	198.9	-	850.4
Public Facilities	954.67	65.9	-	1,020.6
Residential High	234.67	31.4	-	266.1
Residential Low	4,184.78	297.3	-	4,482.1
Residential Medium	1,214.69	28.5	-	1,243.2
Residential Very Low	92.01	127.9	136.5	356.4
Traditional Residential - Ellis	285.85	-	-	285.9
Urban Reserve	110.88	1,944.4	-	2,055.3
Village Center	64.87	-	-	64.9
Total	**13,606.21**	**8,243.7**	**1,182.0**	**23,031.8**

SOURCES: SAN JOAQUIN GIS DATA, 2018; CITY OF TRACY GENERAL PLAN, 2011.
NOTE: TOTALS IN TABLE MAY NOT ADD UP PRECISELY DUE TO ROUNDING

TABLE 2-3 NEW RESIDENTIAL AND EMPLOYMENT GROWTH (CITY AND SOI CAPACITY)

	ACRES	DWELLING UNITS[7]	POPULATION[7]	JOBS[7]
Existing City Limits Capacity				
Existing Development within City Limits[1]	8,134.0	26,964	92,553	22,115
Remaining Capacity within City Limits[2,5]	5,472.2	7,169	24,384	20,817
Subtotal: Existing City Limits Capacity	*13,606.2*	*34,113*	*117,387*	*42,932*
SOI Capacity				
SOI: 10-Year Horizon[3,5]	8,243.7	7,067	23,657	18,106
SOI: 30-Year Horizon[4,5]	1,182.0	272	938	7,339
Subtotal: SOI Capacity	*9,425.6*	*7,339*	*24,595*	*21,961*
Total	**23,031.8**	**42,452**	**141,982**	**63,580**

1. *EXISTING UNITS AND POPULATION DATA PROVIDED BY THE STATE OF CALIFORNIA, DEPARTMENT OF FINANCE: E-5 POPULATION AND HOUSING ESTIMATES FOR CITIES, COUNTIES AND THE STATE — JANUARY 1, 2011- 2018. ESTIMATES FROM 1/1/2018. EXISTING JOBS PROVIDED BY U.S. CENSUS 'ONTHEMAP' TOOL; JOBS DATA PROVIDED FOR YEAR 2015 (LATEST DATA AVAILABLE).*
2. *SEE TABLE 2-4 FOR A DETAILED DESCRIPTION OF THE REMAINING DEVELOPMENT CAPACITY WITHIN THE CITY, INCLUDING THE CAPACITY OF SPECIFIC PLANS, DEVELOPMENT PROJECTS, AND VACANT LANDS. IT IS NOTED THAT MANY OF THESE AREAS ARE NOT ANTICIPATED TO BUILD OUT WITHIN THE NEXT TEN YEARS. SEE TABLE 2-7 (10- AND 30-YEAR DEVELOPMENT WITH PHASING).*
3. *SEE TABLES 2-5 (PROJECTED NEW GROWTH CAPACITY OF 10 YEAR HORIZON) FOR SUPPORTING DATA*
4. *SEE TABLES 2-6 (PROJECTED NEW GROWTH CAPACITY OF 30 YEAR HORIZON) FOR SUPPORTING DATA*
5. *POPULATION IS ESTIMATED AT 3.45 PERSONS PER DWELLING UNIT, BASED ON THE AVERAGE HOUSEHOLD SIZE FROM 2010 TO 2018 AS REPORT IN THE DEPARTMENT OF FINANCE E-5 REPORT (DOF, 2018) AND AT 2.25 PERSONS PER DWELLING UNIT FOR AGE-RESTRICTED UNITS (DE NOVO PLANNING GROUP, 2019).*
6. *THE DWELLING UNITS, POPULATION, AND JOBS REPRESENT NEW DEVELOPMENT THAT COULD OCCUR AND DO NOT INCLUDE EXISTING USES ARE ANTICIPATED TO CONTINUE IN USE IF ANNEXED.*

Appendix A: City Requested-SOI Planning Horizons
Land Use and Growth Calculations

TABLE 2-5 PROJECTED NEW GROWTH CAPACITY OF RESIDENTIAL LAND USE DESIGNATIONS - 10-YEAR

GENERAL PLAN LAND USE DESIGNATION	ACREAGE	DWELLING UNITS[2]	EMPLOYEES
	SOI 10-YEAR	SOI 10-YEAR	SOI 10-YEAR
Active Adult Residential (Urban Reserve 9)	132.5	600	0
Aggregate	22.4	No change in use/employment	
Residential Very Low	127.9	165	0
Residential Low	297.3	1,349	0
Residential Medium	28.5	261	0
Residential High	31.4	666	0
Urban Reserves 3, 5, 9, 10 [1]	1,944.4	4,420	9,921
Commercial	405.9	0	7,691
Industrial	1,558.1	0	4,219
Open Space	3,430.3	No change in use/employment	
Park	198.9	0	10
Public Facilities	65.9	No change in use/employment	
TOTAL	**8,243.5**	**7,461**	**21,841**

SOURCES: SAN JOAQUIN GIS DATA, 2018; CITY OF TRACY GENERAL PLAN, 2011.

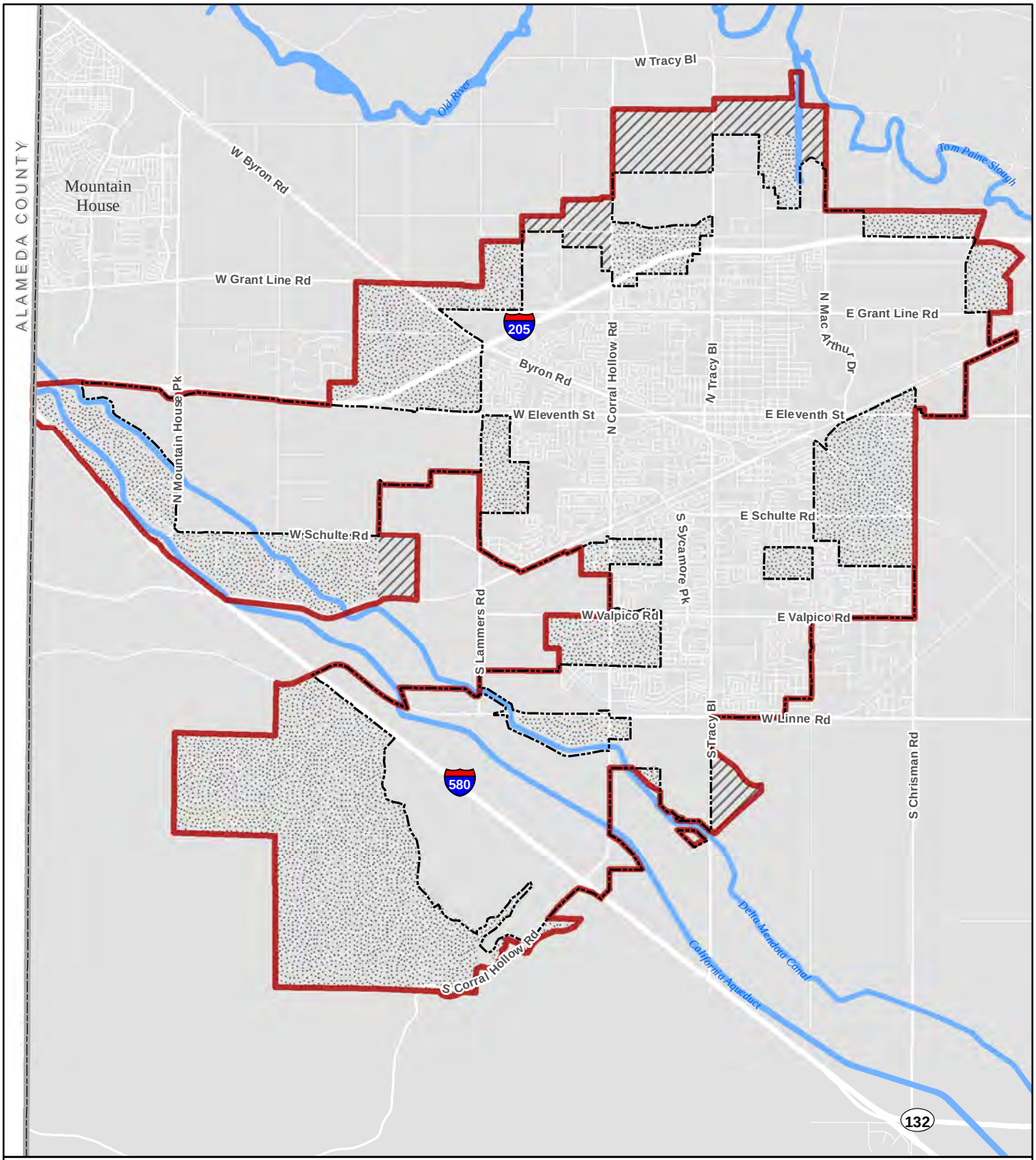
1 URBAN RESERVE ACREAGE AND UNITS ARE BASED ON THE LAND USES PLANNED FOR EACH URBAN RESERVE AREA AS DESCRIBED IN THE GENERAL PLAN.

2 APPROXIMATELY 224 EXISTING RESIDENTIAL UNITS ARE LOCATED IN THE 10-YEAR HORIZON THAT ARE DESIGNATED FOR RESIDENTIAL USES; THESE UNITS ARE NOT INCLUDED IN THE TOTAL AND ANNEXATION OF THESE UNITS WOULD NOT REQUIRE ISSUANCE OF GMO ALLOTMENTS.

TABLE 2-6 PROJECTED NEW GROWTH CAPACITY OF NON-RESIDENTIAL LAND USE DESIGNATIONS - 30-YEAR

LAND USE	ACREAGE	DWELLING UNITS[2]	EMPLOYEES
	SOI 30-YEAR	SOI 30-YEAR	SOI 30-YEAR
Residential Very Low	136.5	272	0
Aggregate	142.9	No change in use/employment	
Agriculture	680.6	No change in use/employment	
Commercial	60.1	0	856
Industrial	162.0	0	2,999
TOTAL	**1182.1**	**272**	**3,855**

SOURCES: SAN JOAQUIN GIS DATA, 2018; CITY OF TRACY GENERAL PLAN, 2011.



Planning Areas

- City Limits
- Sphere of Influence

Planning Horizon

- 10-Year Planning Horizon
- 30-Year Planning Horizon

N

0 ½ 1

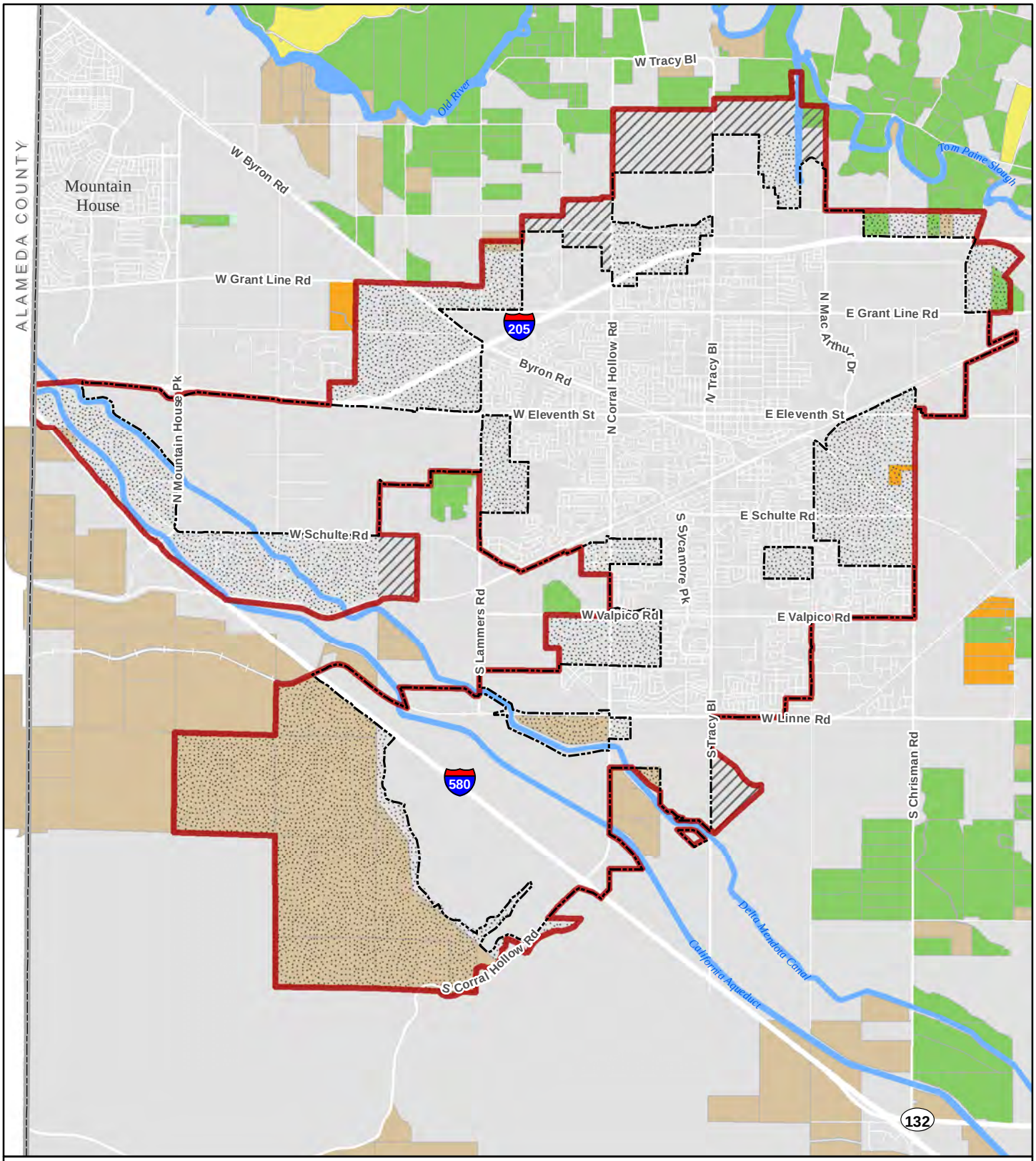
Miles

TRACY MUNICIPAL SERVICES REVIEW

Figure 1-1. City-Requested Planning Horizons

Sources: San Joaquin County; City of Tracy. Map date: May 2, 2019.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm



TRACY MUNICIPAL SERVICES REVIEW

Figure 1-2. Williamson Act Lands

with City-Requested Planning Horizons

Planning Areas
- City Limits
- Sphere of Influence

Planning Horizon
- 10-Year Planning Horizon
- 30-Year Planning Horizon

Williamson Act Lands
- Prime Agricultural Land
- Non-Prime Agricultural Land
- Farmland Security Zone
- Non-Renewal

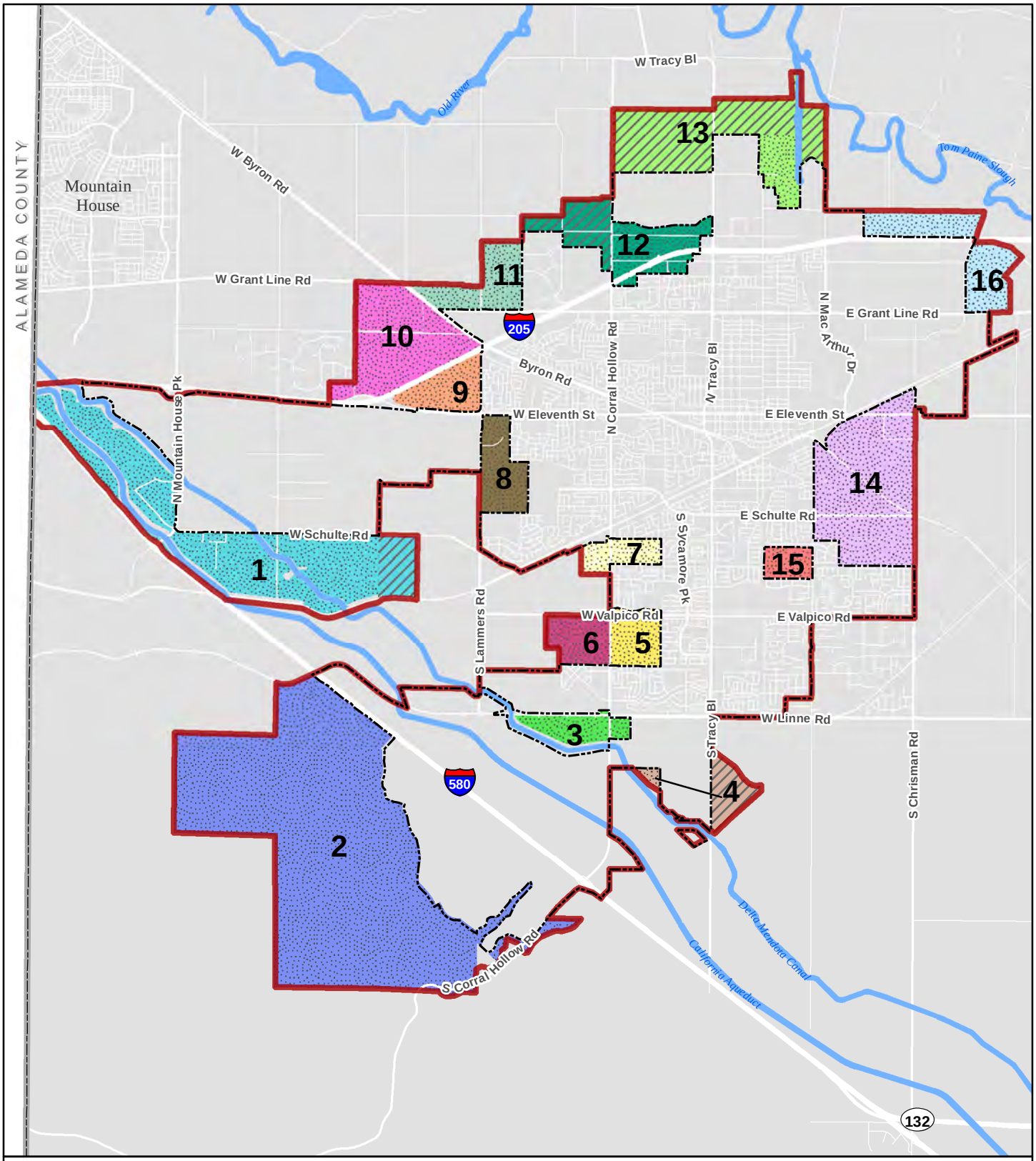
N

0 ½ 1

Miles

Sources: San Joaquin County; City of Tracy; California Department of Conservation, Williamson Act Statewide 2017. Map date: May 2, 2019.

De Novo Planning Group
A Land Use Planning, Design, and Environmental Firm



TRACY MUNICIPAL SERVICES REVIEW

Planning Areas

- City Limits
- Sphere of Influence
- **1 - 16:** Planning Subareas (color-coded by area)
- 10-Year Planning Horizon
- 30-Year Planning Horizon

N

0 ½ 1

Miles

Figure 2-2. Planning Subareas

with City-Requested Planning Horizons

Sources: San Joaquin County; City of Tracy. Map date: May 2, 2019.

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

RESOLUTION 2019-_____

APPROVING REVISED SPHERE OF INFLUENCE PLANNING HORIZONS FOR THE CITY'S UPDATED MUNICIPAL SERVICES REVIEW TO BE SUBMITTED TO THE SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION COMMISSION

WHEREAS, San Joaquin Local Agency Formation Commission (LAFCo) requires an update to the City's Municipal Services Review (MSR) every five years, to ensure that City services can be provided to all areas of potential annexation within the City's Sphere of Influence, and

WHEREAS, LAFCo approved the City's most recent MSR in 2012, and, aside from several areas being annexed to the City since that time, the City's Sphere of Influence has not changed, and

WHEREAS, The City has submitted multiple drafts of the updated Municipal Services Review document for LAFCo review, and

WHEREAS, LAFCo is requiring significant revisions to the City's Sphere Plan, removing a large amount of land from the 10-year horizon and placing it into the 30-year horizon, and

WHEREAS, LAFCo is requiring that the City first update its MSR, to be approved by LAFCo, prior to LAFCo's consideration of the City's two pending annexations (Tracy Village and Alvarez), and

WHEREAS, City Council reviewed the revised Sphere Plan to accompany the MSR on May 21, 2019;

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Tracy hereby directs staff to present the revised Sphere Plan, including new 10-year and 30-year horizons, to LAFCo, as indicated in Exhibit 1.

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

The foregoing Resolution 2019-_____ was adopted by the City Council on the 4th day of June, 2019, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 6.A

REQUEST

AUTHORIZE THE DISPLAY OF THE LGBT PRIDE FLAG AT CITY HALL ON JUNE 28, 2019 TO COMMEMORATE THE STONEWALL RIOTS AND LGBT PRIDE MONTH

EXECUTIVE SUMMARY

Council Member Dan Arriola, seconded by Council Member Veronica Vargas, requested to place an item on the next Council agenda to authorize the display of the Pride Flag at City Hall on June 28, 2019 to commemorate the Stonewall Riots and Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month. This item seeks City Council approval of that action.

DISCUSSION

At the May 21, 2019 City Council meeting, Council Member Dan Arriola requested to place on the Council agenda an item to seek Council authorization to display the LGBT Pride Flag, also known as the Rainbow Flag, at City Hall on June 28, 2019 to commemorate the Stonewall Riots and LGBT Pride Month. The Stonewall Riots or Stonewall Rebellion were a series of violent demonstrations against police repression of LGBT community members in New York. The Stonewall Riots are considered the catalyst for the LGBT civil rights movement in the United States. The month of June is annually celebrated as LGBT Pride Month to coincide with the anniversary of the Stonewall Riots.

Based on staff's anecdotal research, this is the first request the City has received to display a commemorative flag at a City facility. The City Attorney's Office advises that City Council adopt a policy to establish clear guidelines on the display of all flags, including commemorative or ceremonial flags, at City Hall given First Amendment concerns. The policy will establish that the City's flagpoles are not intended to be a forum for free expression by the public. Staff is drafting that policy and will return to Council with that item at the next Council meeting.

If Council approves the display of the LGBT Pride Flag, the flag will be flown on the flagpole currently displaying the City's flag in front of City Hall on June 28, 2019.

FISCAL IMPACT

The estimated cost of purchasing a durable LGBT Pride Flag similar in size to the City flag (8' x 12') is $400. The cost of purchasing and storing the flag will be covered by the City Manager's Office budget.

STRATEGIC PLAN

This agenda item is a routine operational item that does not relate to the Council's Strategic Plans.

RECOMMENDATION

That Council, by resolution, authorize the display of the LGBT Pride Flag on June 28, 2019 at City Hall.

Prepared by: Leticia Ramirez, Assistant City Attorney

Reviewed by: Karin Schnaider, Finance Director

Approved by: Midori Lichtwardt, Interim City Manager

RESOLUTION 2019-_____

AUTHORIZING THE DISPLAY OF THE LGBT PRIDE FLAG ON JUNE 28, 2019 AT CITY HALL TO COMMEMORATE THE 50TH ANNIVERSARY OF THE STONEWALL REBELLION AND LGBT PRIDE MONTH

WHEREAS, The City Council of the City of Tracy wishes to commemorate to the 50th anniversary of the Stonewall Riots or Stonewall Rebellion which inspired the movement for Lesbian, Gay, Bisexual, and Transgender (LGBT) civil rights in the United States, and

WHEREAS, The display of the LGBT Pride Flag, as known as the Rainbow Flag, serves to express the City's official commemoration of this important event in U.S. history and its commitment to celebrating diversity, and

WHEREAS, The City's flagpoles are not intended to be a forum for free expression by the public, and

WHEREAS, The LGBT Pride Flag will be flown on June 28, 2019 at City Hall in lieu of the City's flag.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Tracy hereby authorizes the display of the Pride Flag on the City flagpole located in front of City Hall on June 28, 2019 to commemorate the 50th anniversary of the Stonewall Riots and LGBT Pride month.

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

The foregoing Resolution 2019-_____ was adopted by the City Council on the 4th day of June, 2019, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

June 4, 2019

AGENDA ITEM 6.B

REQUEST

RECEIVE REPORT FROM CITY COUNCIL ON RECENT CITY COUNCIL TRAVEL OUT OF STATE, INCLUDING TRAVEL TO WASHINGTON, D.C. FOR LOBBYING EFFORTS FOR THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG) ONE VOICE® TRIP AND TRAVEL TO WASHINGTON, D.C. FOR LOBBYING EFFORTS FOR THE CITY OF TRACY

EXECUTIVE SUMMARY

The City Council will report on the meetings with federal representatives during recent visits to Washington DC to lobby support for several federal grants that provide potential grant funding for road improvements, public safety, transportation, airports, and recycled water. The City received valuable feedback on federal grant opportunities that may potentially generate over $50 million in funding. In addition, staff learned of federal programs that are available through the state, which the City may apply.

DISCUSSION

From April 30, 2019 to May 2, 2019, four City Council members and two staff members attended several meetings with federal agencies and federal senate and congressional members. The Mayor and Interim City Manager joined Council Members May 5, 2019 thru May 9, 2019 as part of the regional One Voice® trip. During the Washington DC trip, the City Council and staff attended meetings with California Senators and Representatives that focused on major grant opportunities for Tracy road improvements, the Central Valley Gateway Project and an EDA grant for Schulte Road Project; as well as, discussed the Valley Link project. Additionally, the City Council met with federal agencies, including, DOT, FAA, COPS and FEMA focusing on grant opportunities for public safety, airport, transportation and housing.

The City currently has over $36 million in pending federal grant applications and is expected to apply for additional federal grants. During the past five years, the City has been awarded over $90 million in grant funding; most of which has been Federal grants. The City received valuable feedback and support from the meetings that assists the City's grant application efforts. As an additional take away from the Washington DC meetings, the City was informed of grant opportunities that may be available at the state level that may benefit the City of Tracy and should be pursued.

STRATEGIC PLAN

This item is a routine operational item and does not relate to any of the Council's Strategic Plans.

FISCAL IMPACT

The annual appropriation for Council travel and meals is $37,500. The current balance available for FY 18-19 travel and meals is approximately $27,500. The estimated costs for the SJCOG One Voice trip is 13,000. The estimated cost of the Pre-One Voice trip is $14,000. Staff's expenses for attending the trips to support City Council are funded in the City Manager's budget. There are sufficient funds available for the trips.

RECOMMENDATIONS

Receive and file the report from the City Council on their recent out of state travel, including travel to Washington DC for lobbying efforts for the San Joaquin Council of Governments (SJCOG) One-Voice trip and travel to Washington DC for lobbying efforts for the City of Tracy.

Prepared by: Karin Schnaider, Finance Director

Reviewed by: Andrew Malik, Assistant City Manager

Approved by: Midori Lichtwardt, Interim City Manager

Attachments: A - Meeting Summary Prepared by the City of Tracy's Federal Lobbyist, Pat Jordan and Associates
B - Agenda for SJCOG One-Voice meetings

City of Tracy

Key Takeaway Points/Follow-Up

Washington Meetings

April 30-May 2, 2019

Meeting with Representative Josh Harder

- Discussed water recycling project – Rep. Harder introduced legislation that authorizes increased funding for surface and groundwater storage projects, water reclamation and reuse projects on April 24 – Securing Access for the Central Valley and Enhancing Water Resources Act (SAVE Water Resources Act). Follow-up with Rep. Harder regarding whether Tracy will need separate bill introduced or use existing Bureau of Reclamation water recycling programs to fund water projects.

- Discussed Valley Link Project – Harder will send support letter for applying to DOT BUILD Program– work with Brianna Gonzalez in Modesto District office to secure signature

Follow-Up:

1. **Draft letter for Rep. Harder to send to DOT regarding BUILD Grant for Rail Station Project (Pat Jordan)**
2. **Contact Rep. Harder's staff regarding water projects and whether separate bill is needed (Pat Jordan already completed)**

Meeting with Sean Poole, Office of the Secretary, Special Assistant for Governmental Affairs, Office of Governmental Affairs, Department of Transportation

- Discussed Central Valley Gateway Project – need to send congressional support letter and phone call to DOT Secretary for INFRA Grant. Stay in touch with DOT staff to know when phone call should be made.
- DOT is aware that City is applying for INFRA grant a third time, which is recognized by DOT. Also helps that Tracy keeps coming back and meeting with DOT in Washington regarding Central Valley Gateway Project.
- Go after BUILD grant for Central Valley Gateway Project – viewed favorably by DOT that public agency is working on multiple federal grants

- MacArthur Drive – send information about project to Sean Poole. Explained project does not fall neatly under FRA Rail Line Relocation Program since road is part of project.

Follow-Up:

1. **Prepare congressional support letter and send to Rep. Harder's office, requesting that phone call be made. Stay in touch with DOT regarding timing of grant awards. (Pat Jordan)**
2. **Apply for BUILD grant for Central Valley Gateway Project (Tracy)**
3. **Send information to Sean Poole regarding MacArthur Drive Project (Pat Jordan)**

Meeting with Trevor Higgins, Legislative Assistant, Office of Senator Dianne Feinstein

- Discussed Valley Link Project – questions asked regarding cost of project, design completed, and whether it is completely sustainable
- Work with Kaitland Myer in Senator Feinstein's state office to secure signature for Valley Link BUILD support letter

Follow-Up:

1. **Contact Senator Feinstein's state office to secure signature for Valley Link BUILD support letter (Pat Jordan)**

Meeting with Patrick Magnotta, Assistant Manager of Airport Planning and Environmental Division, Federal Aviation Administration

- New Jersualem Airport – difficult to add to National Plan of Integrated Airport Systems (NPIAS), which would allow airport to receive Airport Improvement Program (AIP) funds
- Eligibility for NPIAS based on number of aircraft – minimum of nine based aircraft Airport must be at least 30 minutes to next NPIAS Airport
- FY 2019 Funding Notice has not yet been published - will provide $500 million in supplemental funding for any airport listed on NPIAS. Provides additional opportunity for Tracy to apply for airport funding

Follow-Up: Not aware of follow-up

Meeting with Andrew Perlstein, Legislative Assistant, Office of Rep. Mark DeSaulnier

- Discussed Valley Link Project – asked for support letter but not inclined to send
- Discussion of FAST Act Authorization/Infrastructure bill – Rep. DeSaulnier on Transportation & Infrastructure Committee
  - DeSaulnier wants to include provisions to incentivize value capture and housing near transit.
  - Suggestion made to provide additional federal funding in FAST Act reauthorization to help economically disadvantaged communities, similar to California Transit and Intercity Rail Capital Program (TIRCP) Guidelines – DeSaulnier's staff interested in working with Rep. Harder on this issue.
- Rep. DeSaulnier working with Senate on Moving First Act which builds on DOT Smart Cities Challenge Program to develop smart transportation systems for cities https://www.transportation.gov/smartcity/7-finalists-cities

Follow-Up:

1. **Work with Rep. Harder's office to include provision in FAST Act reauthorization to help economically disadvantaged communities receive additional transit funding (Pat Jordan)**

Meeting with Representative Jerry McNerney

- Discussion about Valley Link - Rep. McNerney asked about relationship to ACE
- Supportive of sending BUILD letter for Valley Link rail stations in Tracy

Follow-Up:

1. **Prepare BUILD letter for Rep. McNerney to co-sign with Rep. Harder (Pat Jordan)**

Meeting with Angela Ewell-Madison, Director, Legislative and Intergovernmental Affairs, Economic Development Administration, Department of Commerce

- Discussion of Schulte Road Project – Tracy will be submitting application through the Public Works Assistance Program
- EDA asked if state is investing in project, which they are doing through the Trade Corridor Enhancement Funds Program
- Tracy will be submitting application within six months to EDA
- Project needs to be shovel ready
- Regional collaboration important

- Resiliency is a good angle
- Look at Investment Priorities when preparing application https://www.eda.gov/about/investment-priorities/
- Send congressional support letter to EDA Regional Director in Seattle, not Washington
- Incorporate Valley Link project into EDA Application
- Disaster Supplemental Notice of Funding Opportunity will be released soon - $600 million available – Tracy was eligible last time. Look at again to see if Tracy is eligible.
- Opportunity Zones established through Tax Cuts and Job Act passed by Congress in December 2017 – designed to spur economic development in distressed communities by providing lucrative tax incentives to investors – downtown area of Tracy is eligible https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions

Follow-Up:

1. **Prepare congressional support letter to send to EDA Regional Director when application is submitted (Pat Jordan)**
2. **Review Disaster Supplemental Funding Notice when released to see if Tracy is eligible again (Pat Jordan)**
3. **Determine whether Tracy should utilize Opportunity Zones designated in downtown area to help with redevelopment (Tracy)**

Meeting with Jon Miller, Legislative Assistant, Office of Representative Swalwell

- Discussed Valley Link project and BUILD Grant application for Tracy rail stations
- Rep. Swalwell will co-sign support letter for BUILD Grant originated by Rep. Josh Harder

Follow-Up:

1. **Send congressional support letter to Rep. Swalwell's staff to co-sign with Rep. Harder (pat Jordan)**

Meeting with Iain Hart, Senior Legislative Assistant, Office of Representative John Garamendi

- Discussed Valley Link Project and $25 million BUILD Grant for Tracy Valley Link rail stations
- Rep. Garamendi will co-sign letter with Rep. Harder supporting BUILD Grant
- Garamendi working on FAST Act reauthorization issues with Caltrans on concurrent CEQA review with NEPA review; state to assume review; declared disasters – extending

time to spend emergency relief funding; expand federal ferry funding set-aside; evacuation routes – no dedicated funding for evacuation routes

Follow-Up:

1. **Send congressional support letter to Rep. Garamendi's staff to co-sign with Rep. Harder (Pat Jordan)**

Meeting with Mark Bathrick, Senior Transportation Program Analyst, Office of Program Management, and Ben Owens, Community Planner, Office of Planning and Environment, Federal Transit Administration

- Discussion of Transit-Oriented Development (TOD) Pilot Program and Competitive Bus & Bus Facilities Program for Bus Maintenance Facility and Valley Link Project
  - FTA asked if Tracy would be applying through Capital Investments Grant (CIG) Program which funds light rail projects.
  - FTA informed Tracy that if $588 million in local funding that is already set-aside for Valley Link is not done within federal CIG Program; none of those funds can be used towards local match which must be at least 50 percent.
  - In order to be competitive through CIG Program, communities must provide more than 50 percent in local funding. A link to the CIG Home Page on FTA's web site can be found here: https://www.transit.dot.gov/CIG
  - Have to fund minimum operable segment
  - Tracy should meet with FTA Regional office about project if applying through federal program
  - A Letter of No Prejudice will allow Tracy to start project

- Competitive Bus & Bus Facilities Project must be shovel ready
- Transit-Oriented Development Pilot Program funding opportunity will become available within a few months
  - Focus on six areas – enhancing mixed-use development, nonmotorized access, pedestrian/bicycle access and connectivity.
  - Project corridor approach is highly encouraged

Follow-Up:

1. **Apply for TOD Pilot Program when funds become available (Tracy - Pat Jordan will notify Tracy when funding opportunity is released)**
2. **Determine whether Valley Link Project will be using federal funds by applying through CIG Program (Tracy)**

Meeting with Deputy Commissioner Shelby Hagenauer, Mat Maucieri, Assistant Deputy Commissioner-Operations, Bob Wolf, Director-Program and Budget, and Jill Dale, Mid-Pacific Regional Liaison, Bureau of Reclamation, Department of Interior

- Discussion focused on Recycled Water Expansion Project, Water Storage Project and Wastewater Treatment Plan Expansion Project

- Recycled Water Expansion Project can be funded through Title XVI Water Reclamation and Reuse Projects
  - Sponsors must have completed a Title XVI Feasibility study that Reclamation has reviewed and found to meet all of requirements
  - Recipient must provide at least 75 percent of total project cost
  - Approximately four-eight awards are expected to be made this year
  - $20 million available for FY 2019 and six projects awarded
  - Funding Announcement released on April 29 https://www.usbr.gov/newsroom/newsrelease/detail.cfm?RecordID=65883
  - Last year there were 46 applicants
  - Debriefing is provided by Reclamation if grant not awarded
  - Funding is part of WaterSMART Program, which focuses on improving water conservation - www.usbr.gov/WaterSMART
  - Prior to enactment of Water Infrastructure Improvements for the Nation Act (WIIN) in December 2016, funding for water recycling project construction could only be provided for congressionally authorized Title XVI projects.
  - WIIN amendments allow new water recycling projects to be eligible to receive Federal funding.
  - Tracy must apply through Title XVI Water Reclamation and Reuse Projects
  - Tracy cannot apply this year since feasibility study must be completed before applying to Reclamation
  - Cannot request authorization through Congress due to WIIN Act authorization

Follow-Up:

1. **Complete feasibility study for Recycled Water Expansion Project in the next year to be eligible to apply for Title XVI Water Reclamation and Reuse Project funding in 2020 (Tracy)**

- Reservoir for Water Storage Project

  - Section 4007 of WIIN Act created new authority for Reclamation to build water storage projects in western United States that could fund Tracy's project if it is a "state-led" project

- From FY2017 to FY2019 Congress appropriated $335 million in available budget authority
- Any appropriated funds are to be made available for qualifying water storage projects approved for construction prior to January 2, 2021
- Funding for water storage project construction under Section 4007 is available for federally owned projects and state-led storage projects (defined as water storage projects constructed by states or political subdivisions that are found to have federal benefit).
- Federal cost share is limited to 25 percent
- Section 4007 authorizes partial, up-front federal funding
- Section 4007 alters role of congressional authorizing and appropriations committees in project development. Provides authority for Reclamation to move forward with construction without direct legislative approval from congressional authorizing committees
- Requires designation of Administration recommendations by name in appropriations act, so final decision on federal funding is made in appropriations process
- Only projects approved prior to 2021 are eligible for federal funding
- Most of projects likely to receive Section 4007 funds were already under study as of 2016
- Contact Anne Barr with Reclamation in Sacramento to determine if Tracy's water storage project is eligible under a "State-Run" project. May just be a local project and not eligible under WIIN Act

Follow-Up:

1. **Contact Anne Barr (916-978-5001) with Reclamation in Sacramento to determine whether Water Storage Project is State-Run project and therefore eligible for Section 4007 under WIIN Act (Tracy)**

- Wastewater Treatment Plant Expansion Project not eligible under Reclamation Programs

Meeting with Howard Stone, Program Specialist, Office of Community Oriented Policing Services (COPS) Office, and Vince Davenport, Supervisory Senior Policy Analyst, Deputy National Blue Alert Coordinator, COPS Office

- Tracy discussed needs to address homelessness strategy
- COPS Office indicated that homelessness is not a priority area but that Tracy should apply under violent crime with the same objectives
- Trump Administration has made violent crime a high priority
- Frame homelessness as violent crime to be more competitive in applying for grants

- COPS Hiring Program on hold for two years but $300 million will become available at some point and will fund twice as many applicants
- $119 million awarded n 2017 while $432 million in grant requests submitted
- COPS Office Grant Programs for FY2019 were announced on March 30 – Applications are due at end of May
    - https://www.hstoday.us/subject-matter-areas/education-and-training/cops-office-grant-announcements-2019-funding-programs-now-open/
- $25 million available for School Violence Prevention Program
    - Know what you want to accomplish i.e., lighting in schools in recreations or for areas that are not well lit
    - Who will fund project afterwards?
    - Who will fund operation and maintenance?
- Community Policing Development Program – provides technical assistance
    - Look at Salt Lake City Housing First Project as best practices https://jobs.utah.gov/housing/scso/documents/approachhomelessness.pdf

- Collaborative Reform Initiative Technical Assistance Center (CRITAC) – not grant application but funds technical assistance to help with trafficking and homelessness. Provides PEER support and technical expertise
  https://www.theiacp.org/projects/collaborative-reform-initiative-technical-assistance-center-cri-tac

Follow-Up:

1. **Apply for COPS Hiring Grants once funding becomes available (Pat Jordan will notify Tracy)**
2. **Determine which COPS grants to apply for by end of May (Tracy)**
3. **Determine whether CRITAC is useful program (Tracy)**

Meeting with Tony Faison, Section Chief, Assistance to Firefighters Grant Programs, Lissette Young, Program Analyst, FEMA

Follow-UP:

1. **Encouraged the City to be more descriptive in the background of the grant request**
2. **Provided examples on how to better tell the City's story**
3. **Provided contact information for City staff to reach out for grant assistance**

Meeting with Isaac Kirby, Legislative Aide, Office of Senator Kamala Harris

- Valley Link Project discussed – Senator Harris will send support letter for BUILD grant
- Central Valley Gateway Project – Senator Harris has sent support letter for INFRA grant in past. Send draft to staff and they will send another support letter
- Harris introducing legislation that would provide grants for electric yellow school bus fleets, specifically for charging infrastructure

Follow-Up:

1. **Send draft letter Central Valley Gateway Project INFRA letter to Senator Harris' staff (Pat Jordan)**

Meeting with John Laswick, Deputy Director, Entitlement Communities Division, Zachary Barnes, Office of Congressional Affairs; Ginny Sardone, Director, Office of Affordable Housing Programs, Henrietta Owusu, Deputy Assistance Secretary for Grant Programs, Office of Affordable Housing, Department of Housing and Urban Development

- HUD Section 108 Loan program can be used to finance projects in Tracy
  - Provides communities with source of financing for economic development, housing rehabilitation, public facilities, and other physical development projects, including improvements to increase their resilience against natural disasters.
  - Communities can borrow up to five times their annual CDBG allocation
  - Useful as tool to encourage private economic activity
  - Can be used for offsite infrastructure
  - Link to HUD 108 Loan Program https://www.hudexchange.info/programs/section-108/

Follow-Up:

1. **Determine whether Section 108 Loan Program is useful tool for Tracy (Pat Jordan/Andrew Malik)**

- CHOICE Neighborhoods Program has planning grants and implementation grants
  - $30 million available for revitalizing distressed HUD public housing
  - Implementation grants are expected to be announced in late spring/early summer
  - Link to CHOICE FY2019 Notice of Funding Availability https://www.hud.gov/program_offices/public_indian_housing/programs/ph/cn/fy19funding

- HUD San Francisco Regional Office is very good and can provide technical assistance Director is Kim Nash - 415.489.6572
- HUD wants to put Tracy's CDBG projects on their website

Follow-Up:

1. **Contact Kim Nash in HUD San Francisco Regional Office to receive technical assistance (Tracy)**

- Zach Barnes will follow-up with Public Housing Office contacts and arrange conference call since staff was unable to attend meeting

- Opportunity Zones
  - Created by the Tax Cuts and Jobs Act passed by Congress in December 2017
  - Designed to spur economic development by providing tax incentives in the form of lucrative capital gains reduction benefits to investors
  - https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions
  - Tracy has a section between Grant Road and 11th Street that is designated as Opportunity Zone - https://www.cdfifund.gov/Pages/Opportunity-Zones.aspx
  - Tracy should consider Opportunity Zones as an investment tool for redevelopment

Follow-Up:

1. **Determine whether Opportunity Zones are effective investment tool for redevelopment in downtown area (Pat Jordan/Tracy)**

Attachment B

"One Voice® 2019"
Washington, D.C.
Sunday, May 5 to Thursday, May 9, 2019
Washington Court Hotel - 525 New Jersey Ave. N.W.
Monday May 6, 2019

8:00-9:00AM	9:00AM	10:15AM	11:00AM	1:00PM – 2:00PM	1:00PM-1:30PM	2:30PM-3:00PM	3:00PM	3:00PM-3:30PM	3:30 -4:00PM
Group Buffet Breakfast **WCH** Room: Montpelier Room Pick up daily schedule	**Briefing from CJ Lake Team** WCH Location: Montpelier Room	**Depart for DOT**	**Meeting with DOT Senior Staff** **Matt Welbes**, Executive Director, FTA **Heather Dean**, Senior Congressional Affairs Officer, FHWA **Dan DeBono,** Chief Infrastructure Funding Officer, DOT **George Riccardo**, Senior Governmental Affairs Officer, Congressional Affairs **Anne Reinke**, Deputy Assistant Secretary, Intergovernmental Affairs **Sean Poole,** Special Assistant for Governmental Affairs Location: 1200 New Jersey Ave. SE (Starbucks Entrance) Lincoln Room *Issues: Regional Priorities, FAST Reauthorization, Infrastructure Package*	**Meeting with Build America Bureau** Location: 1200 New Jersey Ave. SE (Starbucks Entrance) Contact: Sarah Williams (202) 366-2300 *Issues: Valley Link*	**Meeting with Senate EPW Majority, Jake Kennedy** Location: 410 Dirksen Senate Office Building *Issues: California Waiver*	**Meeting with Karla Bloch and Lyle Leitelt** Federal Rail Administration Location: 1200 New Jersey Avenue, SE Contact: Amber Johnson (202) 493-6381, cell (202)495-9857 *Issues: Rail*	Tour of the National Museum of African American History and Culture Location: 1400 Constitution Avenue NW *Make sure you have obtained pass from CJ Lake.	**Meeting with with Brooke Chapman** Small Community Air Service Development Program Department of Transportation Location: Philz Coffee, 1331 4th St. SE Contact: Brooke Chapman (202) 366-0577 *Issues: Stockton Airport*	**Meeting with Andrew Grossman,** Chief Tax Counsel House Ways and Means Committee (Majority) Location: 1102 Longworth Office Building *Issues: Highway Transportation Fund Financing Mechanisms*
ALL	**ALL**		ALL	**Michael Tree** Chuck Winn Dan Nuncio Debby Moorhead Donna DeMartino Eugene Morse Jordan Peterson Kevin Sheridan Mike Ammann Nancy Young Paul Akinjo Rhodesia Ransom Robert Rickman Veronica Vargas Steve Dial Andrew Lund	**Bob Elliott** Benjamin Cantu Anthony Watkins Dan Wright Daniel de Graaf Doug Kuehne Jesus Andrade Kris Balaji Midori Lichtwardt Sylvester Aguilar Andrew Chesley Kate Hallahan	**Debby Moorhead** Bob Elliott Dan Nuncio Daniel Arriola Eugene Morse Jordan Peterson Kevin Sheridan Michael Tree Rhodesia Ransom Veronica Vargas Steve Dial Emily Bacque	Dan Wright Doug Kuehne Juan Villanueva	**Russell Stark** Anthony Barkett Doug Kuehne Chuck Winn Michael Ammann Kelly Bagley Ashleigh Austel	**Kris Balaji** Juan Villanueva Kevin Werner Les Fong Michael Patrick Duffy Nancy Young Richard Aschieris Robert Rickman Stephen Salvatore Diane Nguyen Hunter Hall

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CJ Lake: Office (202) 465-3000

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Monday May 6, 2019

3:30PM **Meeting with HUD Intergovernmental Affairs** Location: 451 7th SW Contact: Zack Barnes (202) 402-4496 *Issues:* *CDBG and HOME programs*		**4:00PM - 4:45PM** **Meeting with <u>Bill Wehrum</u>,** Assistant Administrator Office of Air and Radiation **EPA** Location: William Jefferson Clinton North Building 1200 Pennsylvania Ave, NW Contact: Josh Lewis Direct the taxi to drop you off on 12th Street NW, between Constitution and Pennsylvania Avenues, at the elevator for the Federal Triangle metro stop - this is almost exactly half way between the two avenues on 12th Street NW. Facing the building with the EPA logo and American flags, walk toward the building and take the glass door on your right-hand side with the escalators going down to the metro on your left – that is the North Lobby of the William Jefferson Clinton building. Upon arrival, let the guards know that you were instructed to call 202-564-7404 for a security escort. *Issue:* *California Waiver*	**4:30- 5:00PM** **Meeting with <u>Bobby Andres,</u>** Senior Policy Advisor Senate Finance Committee Location: 219 Dirksen Contact: Bobby Andres (202) 224-4515 *Issues:* *Highway Transportation Fund Financing Mechanisms*		**5:00PM** Daily Debrief WCH Lobby	**5:30PM** **Dinner Hosted by SJRTD/SJRRC** Hill Country Barbecue 410 W. 7th St. (7th and D) Club Level
Gary Singh Benjamin Cantu Dan Nuncio Dan Wright Doug Kuehne Eugene Morse Nicole Gorham Emily Bacque		**Bob Elliott** Daniel de Graaf Midori Lichtwardt Paul Akinjo Sylvester Aguilar Veronica Vargas Andrew Chesley Andrew Lund	**Robert Rickman** Dan Arriola Debby Moorhead Donna DeMartino Jesus Andrade Juan Villanueva Kevin Sheridan Kevin Werner Les Fong Michael Patrick Duffy Michael Tree Diane Nguyen Hunter Hall		**ALL**	**ALL**

<u>Lynn Jacquez</u>: cell (202) 744-2745
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"One Voice® 2019"

Washington, D.C.

Sunday, May 5 to Thursday, May 9, 2019

Washington Court Hotel - 525 New Jersey Ave. N.W.

Tuesday May 7, 2019

7:30-8:45AM	8:45AM	9:30AM	10:00AM-10:10AM	10:00AM	10:00AM-10:30AM	10:30AM-11:00AM	11:30AM-12:00PM	11:30AM-12:00PM	11:30AM-12:00PM	11:30AM-12:00PM	12:30PM	1:00PM
Group Buffet Breakfast- Day Briefing **WCH** Room: Montpelier Room Pick up daily schedule	**Leave for Longworth HOB**	**SPEAKER: Wes Lujan,** AVP - External Relations **Francisco Castillo, Sr.** Director - Public Affairs Union Pacific Railroad Room: B-208 Longworth House Office Building	**Meeting with Wes Lujan & Francisco Castillo** Union Pacific Railroad Location: Outside B-208 Longworth House Office Building *Issues: SJRRC*	**Meeting with Jon Miller,** Legislative Assistant Office of Rep. Eric Swalwell Location: 407 Cannon House Office Building *Issues: Valley Link*	**SPEAKER: Sheryl Thomas** Office of Community-Oriented Policing Services Department of Justice Room: B-208 Longworth House Office Building	**SPEAKER: Jeff Davis,** Senior Fellow The Eno Center for Transportation Room: B-208 Longworth House Office Building	**Meeting with Robin Hunt,** Director Office of Airport Planning and Programming Federal Aviation Administration Location: 800 Independence Ave SW Contact: Jay Small - Call (202) 267-8775 for an escort *Issues: AIP Funding and Airport Update*	**Meeting with Randy Gartin,** Chief Tax Counsel House Ways and Means Committee (Minority) Location: 1540A Longworth House Office Building Contact: Randy Gartin (202) 225-4021 *Issues: HTF Financing Mechanisms*	Meeting with **Craig Thomas** Senate EPW Committee (Majority) Location: 410 Dirksen Senate Office Building Contact: Craig Thomas (202) 224-8204 *Issues: FAST Act Reauthorization and FHWA*	**Meeting with Alison Graab,** Deputy Policy Director Senate Commerce Subcommittee on Transportation and Safety (Majority) Location: 227 Hart Senate Office Building Contact: Alison Graab *Issues: Valley Link*	City of Manteca Meeting with Dauntless Communication Location: 1666 K Street NW, Suite 1110 Contact: Philip Petersen, 520-247-2803	Pentagon Tour for Paul Akinjo *Please see Security Information provided by CJ Lake. Confirmation number: 569002
ALL	**ALL**	**ALL**	Debby Moorhead Jordan Peterson Kevin Sheridan	**Michael Tree** Dan Nuncio Eugene Morse Paul Akinjo Robert Rickman Stephen Salvatore Veronica Vargas Steve Dial Chris Schulte	**ALL**	**ALL**	**Russ Stark** Bob Elliott Chuck Winn Jesus Andrade Michael Ammann Kelly Bagley Emily Bacque	**Doug Kuehne** Dan Arriola Donna DeMartino Kevin Werner Les Fong Nancy Young Andrew Chesley Chris Schulte	**Kris Balaji** Benjamin Cantu Dan Wright Midori Lichtwardt Richard Aschieris Stephen Salvatore Sylvester Aguilar Diane Nguyen Andrew Lund	**Veronica Vargas** Dan Nuncio Debby Moorhead Eugene Morse Jordan Peterson Kevin Sheridan Michael Tree Paul Akinjo Robert Rickman Steve Dial Kate Hallahan	Benjamin Cantu Debby Moorhead Gary Singh	Paul Akinjo

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Tuesday May 7, 2019

1:00PM	1:00PM-1:30PM	1:30PM-2:00PM	2:00PM	2:30PM-3:00PM	2:30PM-3:00PM	3:00PM-3:15PM	3:00PM	4:00PM-4:30PM	PORT Of STOCKTON DINNER
Meeting with Stanley Burgiel, Asst. Director Policy and Program Coordination National Invasive Species Council (NISC) Secretariat Department of Interior *Location: 1849 C St NW* *Contact: Stanley Burgiel, 202-297-5143* **Upon arrival at security, call Stanley and someone will come escort the group. Meeting will be in Room 3528.* *Issues: Nutria Eradication*	**Meeting with Brent Palmer,** Legislative Assistant Office of Senator Dianne Feinstein Location: 331 Hart Senate Office Building Contact: Brent Palmer (202) 224-3841 *Issues: Housing, Homelessness*	**Meeting with Trevor Higgins,** Legislative Assistant Office of Senator Dianne Feinstein Location: 331 Hart Senate Office Building Contact: Trevor Higgins (202) 224-3841 *Issues: Regional Transportation Priorities*	**Meeting with Ike Irby, Policy Advisor Office of Senator Kamala Harris** Location: 112 Hart Senate Office Building Contact: Ike Irby (202) 224-3553 *Issues: Regional Transportation Priorities*	**Meeting with Representative Josh Harder** Location: 131 Cannon House Office Building Contact: Claris Chang (202) 225-4540 *Issues: SJCOG Priorities*	**Meeting with Yasmin Rigney,** Legislative Assistant Office of Senator Kamala Harris Location: 112 Hart Senate Office Building Contact: Spencer Perry (202) 224-3553 *Issues: Housing, Homelessness*	**SPEAKER: Rep. Josh Harder** Location: B-208 Longworth House Office Building	Tour of the National Museum of African American History and Culture Location: 1400 Constitution Avenue NW *Make sure you have obtained pass from CJ Lake. Kelly Bagley is primary contact - must be present for group to get in.	**Meeting with William Crozer,** Deputy Director White House Office of Intergovernmental Affairs Location: EEOB Room 230A Contact: Olivia Imhoff (202) 881-7466 *Issues: Regional Priorities*	
Chuck Winn Andrew Watkins Anthony Barkett Bob Elliott Nicole Gorham Chris Schulte	**Doug Kuehne** Dan Wright Nancy Young Rhodesia Ransom Kelly Bagley Emily Bacque	**Richard Aschieris** Debby Moorhead Juan Villanueva Kevin Sheridan Les Fong Stephen Salvatore Andrew Chesley Emily Bacque	**Donna DeMartino** Dan Nuncio Eugene Morse Jordan Peterson Kris Balaji Michael Tree Nancy Young Paul Akinjo Russ Stark Veronica Vargas Steve Dial Kate Hallahan	**Robert Rickman** Benjamin Cantu Bob Elliott Chuck Winn Debby Moorhead Gary Singh Midori Lichtwardt Rhodesia Ransom Andrew Chesley Emily Bacque	**Doug Kuehne** Dan Wright Jesus Andrade Les Fong Michael Ammann Stephen Salvatore Sylvester Aguilar Kelly Bagley Kate Hallahan	ALL	Nancy Young	**Robert Rickman** Benjamin Cantu Bob Elliott Chuck Winn Dan Arriola Dan Wright Daniel de Graaf Debby Moorhead Doug Kuehne Gary Singh Jesus Andrade Paul Akinjo Rhodesia Ransom Veronica Vargas Andrew Chesley Emily Bacque Andrew Lund	**Invited**

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Wednesday May 8, 2019

7:30-8:30AM	8:15AM	9:30AM	10:00AM	10:30AM-11:00AM	10:30AM	11:00AM	11:00AM	11:00AM	11:30AM	12:00PM
Group Buffet Breakfast/Day Briefing **WCH** Room: Montpelier Room Pick up daily schedule	**Meet on Capitol Steps for SJCOG Photo**	**Capitol Tour Led by Harder staff** Location: 131 Cannon House Office Building	**Meeting with Sarah Monteith,** Legislative Assistant, Office of Representative Josh Harder Location: 131 Cannon House Office Building *Issues: Housing and Homelessness*	**Meeting with Jen Deci,** Professional Staff (Majority) **& Homer Carlisle,** Professional Staff (Minority) Senate Committee on Banking, Housing and Urban Affairs Location: 534 Dirksen Senate Office Building Contact: Jen Deci (202) 224-7391 *Issues: SJRRC, RTD, Valley Link Priorities*	**Meeting with Laura Gillam**, Senior Policy Advisor for Clean Air and Climate (Minority) Senate Environment and Public Works Committee Location: 456 Dirksen Senate Office Building Contact: Laura Gillam *Issues: California Waiver*	Pentagon Tour For Jordan Peterson *Please see Security Information provided by CJ Lake. Confirmation number: 568985	**Meeting with VA**. Location: 810 Vermont Ave. NW Contact: Ted Diaz, 202-714-8301 Ted Diaz will greet and escort group to conference room. *Issues: VA Facility*	**Meeting with Murphie Barrett**, Staff Director (Minority) House T&I Highways and Transit Subcommittee Location: 592 Ford House Office Building 441 Second Street SW Contact: Murphie Barrett (202) 225-9446 *Issues: FAST Reauthorization Infrastructure Package/COG priorities*	**Meeting with Exodie Roe,** Legislative Assistant Office of Representative Jerry McNerney Location: 2265 Rayburn House Office Building Contact: Exodie Roe (202) 225-1947 *Issues: Housing*	**Meeting with Exodie Roe,** Legislative Assistant Office of Representative Jerry McNerney Location: 2265 Rayburn House Office Building Contact: Exodie Roe (202) 225-1947 *Issues: Transportation*
ALL	**ALL**	Benjamin Cantu Dan Nuncio Daniel de Graaf Eugene Morse Juan Villanueva Kevin Werner Midori Lichtwardt Rhodesia Ransom Richard Lichtwardt Veronica Vargas	**Chuck Winn** Andrew Watkins Anthony Barkett Daniel Arriola Doug Kuehne Gary Singh Michael Ammann Nancy Young Paul Akinjo Nicole Gorham Ashleigh Austel	**Donna DeMartino** Debby Moorhead Kevin Sheridan Les Fong Michael Tree Paul Akinjo Robert Rickman Steve Dial Emily Bacque	Dan Wright Jesus Andrade Kris Balaji Andrew Chesley Andrew Lund	Jordan Peterson	**Bob Elliott** Chuck Winn David Wetmore Hunter Hall Ashleigh Austel	**Doug Kuehne** Benjamin Cantu Daniel Arriola Juan Villanueva Midori Lichtwardt Richard Aschieris Russ Stark Stephen Salvatore Diane Nguyen Chris Schulte	**Nancy Young** Andrew Watkins Anthony Barkett Daniel de Graaf Debby Moorhead Kevin Werner Michael Ammann Rhodesia Ransom Nicole Gorham Emily Bacque	**Kevin Sheridan** Dan Nuncio Donna DeMartino Eugene Morse Les Fong Michael Tree Paul Akinjo Russ Stark Steve Dial Emily Bacque

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1230PM **Meeting with <u>Representative Jerry McNerney</u>** Location: 2265 Rayburn House Office Building Contact: Trevor Jones (202) 225-1947 *Issues: SJCOG Priorities*	**12:30PM** Supreme Court Lecture and Tour **Please arrive at least 15 minutes prior to tour time.*	**12:50PM** **Meeting with <u>Representative Jerry McNerney</u>** Location: 2265 Rayburn House Office Building Contact: Trevor Jones (202) 225-1947 *Issues: Stockton Airport*	**1:30PM** **Meeting with <u>Adela Amador</u>,** Legislative Director Office of Representative Josh Harder Location: 131 Cannon House Office Building *Issues: Transportation Priorities*	**1:45PM** **Library of Congress Tour** Location: Thomas Jefferson Building, 10 First Street SE **Please arrive at least 15 minutes prior to tour time.* You will be required to provide this confirmation number upon entrance: 20194155259561	**2:00PM-2:30PM** **Meeting with <u>Barrett Haga, Sr</u>**. Legislative Specialist Economic Development Administration Location: Department of Commerce, 15th Street Entrance (middle entrance - check document Barrett provided) Contact: Have Receptionist call ext. 5625 *Issues: EDA grant opportunities*	**2:00PM** **Meeting with <u>Andrew Perlstein</u>**, Legislative Assistant Location: 503 Cannon House Office Building *Issues: Valley Link/RRC*	**2:00PM** **Pentagon Tour for Kevin Sheridan** **Please see Security Information provided by CJ Lake. Confirmation number: 568986*	**3:00PM** **Speaker: <u>Helena Zyblikewycz</u>,** Staff Director House T&I Highways and Transit Subcommittee Location: Capitol Visitors Center 268	3:30PM **Speaker: <u>Chairman David Price</u>, THUD Appropriations** Location: Capitol Visitors Center 268	3:30PM **Speaker: <u>Representative Jerry McNerney</u>** Location: Capitol Visitors Center 268	**6:00PM** **One Voice®** Reception Location: Washington Court Hotel Senate Room
SJCOG Board Members **Doug Kuehne** Bob Elliott Chuck Winn Dan Wright Jesus Andrade Kris Balaji Richard Aschieris Andrew Chesley Emily Bacque	Juan Villanueva Kevin Werner Daniel de Graaf Robert Rickman Karen Rickman	**Russ Stark** Bob Elliott Chuck Winn Dan Wright Doug Kuehne Jesus Andrade Kris Balaji Mike Ammann Richard Aschieris Andrew Chesley Emily Bacque	Dan Nuncio Daniel Arriola Daniel de Graaf Debby Moorhead Eugene Morse Gary Singh Kevin Werner Michael Tree Midori Lichtwardt Nancy Young Rhodesia Ransom Steve Dial Chris Schulte	Benjamin Cantu Juan Villanueva	**Michael Ammann** Bob Elliott Gary Singh Midori Lichtwardt Rhodesia Ransom Stephen Salvatore Diane Nguyen Andrew Lund	**Michael Tree** Dan Nuncio Daniel Arriola Daniel de Graaf Eugene Morse Paul Akinjo Robert Rickman Emily Bacque	Kevin Sheridan	**ALL**	**ALL**	**ALL**	**ALL**

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8:00AM-9:00AM **Group Buffet Breakfast/** **WCH** Room: Montpelier Room Pick up daily schedule	**8:00AM** **White House Tour (McNerney)**	**8:30AM-9:30AM** **Debrief with COG Staff and CJ Lake Staff** **Location: Washington Court Hotel Montpelier Room**	10:00AM **Pentagon Tour for Daniel Arriola** *Please see Security Information provided by CJ Lake. Confirmation number: 568987	11:00AM **Kennedy Center Tour** **The tour highlights the historic events that led up to the establishment of the national cultural center that is also our nation's living memorial to President John F. Kennedy, and includes an interactive exhibit on his life and presidency. Visitors also learn about the works of art given to the Center, such as Robert Berks's bust of President Kennedy, Willy Weber's Apollo X, and the stunning Israeli Lounge. View the "Artist Gifts to the Kennedy Center and the Artistic Who Created Them". The tour concludes with a breathtaking 360-degree view of the nation's capital from the building's roof terrace.** **Tours last about an hour and 15 minutes**					
ALL	Kevin Sheridan Jordan Peterson Veronica Vargas Kevin Werner Bob Elliott Debbie Elliott Daniel de Graaf Daniel Arriola Robert Rickman Karen Rickman Daniel Wright	**ALL**	Daniel Arriola	Veronica Vargas Anthony Barkett Andrew Watkins Juan Villanueva Ben Cantu Jose Nuño Gary Singh Paul Akinjo				

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