

**Tuesday, May 17, 2011, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

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**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. Individuals addressing the Council should state their names and addresses for the record, and for contact information. "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. The five minute maximum time limit for each speaker applies to all "Items from the Audience." Any item not on the agenda, brought up by 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 citizens address the Council, speakers should be as specific as possible about their concerns. If several speakers 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 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, the Tracy Public Library, 20 East Eaton Avenue, and on the City's website [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENTATION – Drowning Prevention – Fire Department  
Proclamation – National Public Works Week  
D.A.R.E Graduates

1. CONSENT CALENDAR

A. Minutes Approval

B. Authorize a Professional Services Agreement with Drake Haglan & Associates of Sacramento, CA, for a Not to Exceed Amount of \$398,102 to Provide Professional Engineering Services for the Preparation of Environmental Documents, Plans, Specifications and Cost Estimates for the Intersection Improvements at Eleventh Street and MacArthur Drive (Western) Project - CIP 72069, and Authorize the Mayor to Execute the Agreement

C. Approval of Permit for the Consumption of Alcoholic Beverages on City Streets for the TCCA "Downtown Spring Wine Stroll" Event on June 3, 2011

2. ITEMS FROM THE AUDIENCE

3. CONTINUED PUBLIC HEARING TO AWARD A FACILITY FINANCING CONTRACT (DESIGN-BUILD) TO RENEWABLE INTEGRATOR, INC., OF TRACY, CALIFORNIA FOR THE CIVIC CENTER SOLAR PANEL INSTALLATION PROJECT – CIP 71068

4. PUBLIC HEARING FOR THE APPROVAL OF THE URBAN WATER MANAGEMENT PLAN UPDATE

5. APPROVAL OF WAYFINDING SIGN SYSTEM PHASING PLAN AND AUTHORIZE STAFF TO PREPARE BID DOCUMENTS FOR PHASE 1

6. ACCEPT REPORT ON THE CITY MANAGER'S WORKFORCE READINESS INITIATIVE

7. INTRODUCE ORDINANCE AMENDING TRACY MUNICIPAL CODE REGARDING FEES, AND ADOPT RESOLUTION APPROVING MASTER FEE SCHEDULE

8. SECOND READING AND ADOPTION OF ORDINANCE 1158 AN ORDINANCE OF THE CITY OF TRACY ADDING CHAPTER 3.04, ENTITLED "FIREWORKS", TO THE TRACY MUNICIPAL CODE

9. ADOPTION OF A RESOLUTION PROVIDING A LOTTERY PROCESS FOR THE SELECTION OF NON-PROFIT ORGANIZATIONS TO OBTAIN A SAFE AND SANE FIREWORKS SALES PERMIT FOR JULY 4, 2011

10. ITEMS FROM THE AUDIENCE

11. COUNCIL ITEMS

12. ADJOURNMENT

## TRACY CITY COUNCIL

## REGULAR MEETING MINUTES

**March 1, 2011, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

Mayor Ives called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

The invocation was given by Pastor Tim Heinrich, Crossroads Baptist Church.

Roll call found Council Members Abercrombie, Elliott, Rickman, Mayor Pro Tem Maciel and Mayor Ives present.

Leon Churchill, Jr., City Manager, presented the Employee of the Month award for March 2011, to Bob Gravelle, Public Works Superintendent.

Mayor Ives and Council Member Abercrombie presented Certificates of Recognition to D.A.R.E. graduates.

Mayor Ives presented Certificates of Appointment to Arch Bakerink, George Riddle, Robert Tanner, and Larry Hite appointees to the Measure E Residents' Oversight Committee.

1. CONSENT CALENDAR - Following the removal of items 1-G by a member of the audience, and item 1-I by Council Member Abercrombie, it was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt the consent calendar. Roll call vote found all in favor; passed and so ordered.
  - A. Minutes Approval – Closed session minutes of February 15, 2011, were approved.
  - B. Award a Construction Contract to M.C.I. Engineering of Stockton, California, for Construction of Storm Drain Improvements at Various Locations, 2010 Project – CIP 76057, and Authorize the Mayor to Execute the Construction Contract – Resolution 2011-036 awarded the contract in the amount of \$17,280.
  - C. Award a Construction Contract to Rodgers Construction & Engineering, of Stockton, for the Chrisman Road Widening (Eleventh Street to Brichetto Road) Project - CIP 73110, and Authorize the Mayor to Execute the Contract – Resolution 2011-037 awarded the contract in the amount of \$ 215,994.
  - D. Authorize Removal of Existing “U” Turn Restrictions at Intersections on Valpico Road at Tracy Boulevard and MacArthur Drive – Resolution 2011-038 authorized removal of the “U” turn restrictions.
  - E. Approval of an Offsite Improvement Agreement (OIA) with AMB Property, L. P., for Construction of Public Improvements at the Intersection of Grant Line Road and Chabot Court and at the Entrance to the Best Buy Distribution Facility on

Grant Line Road, and Authorization for the Mayor to Execute the OIA – Resolution 2011-039 approved the agreement.

- F. Approve Resolution Authorizing a Leave of Absence for Tracy Transportation Advisory Commissioner Christina Frankel - Resolution 2011-040 authorized the leave of absence.
- H. Authorization to Amend the City's Conflict of Interest Code – Resolution 2011-041 authorized amending the code.
- J. Approving Consent of an Assignment and Assumption Agreement for the Existing Reimbursement Agreement of the Tracy Lammers Road Project with the New Developer, and Authorizing the Mayor to Execute the Consent – Resolution 2011-042 approved the agreement.
- G. Oppose the Governor's Proposal to Eliminate Redevelopment Agencies in California - Steven Qualls, Regional Public Affairs Manager, on behalf of the League of California Cities, addressed Council in support of the "Stop the State's Redevelopment Proposal." Mr. Qualls provided Council with information regarding the proposal.

Mayor Ives invited members of the public to address Council on the item. There was no one wishing to address Council on the item.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2011-042 opposing the Governor's proposal to eliminate redevelopment agencies in California. Voice vote found all in favor; passed and so ordered.

- I. Appropriation of Funds for a Variety of FY 10-11 Budget Items - Council Member Abercrombie asked for clarification regarding the \$10,000 for the San Joaquin Partnership. Leon Churchill, Jr., City Manager, stated the value of the partnership to the City of Tracy has increased to include business visits and trade missions.

Mayor Ives indicated the Partnership is conducting a search to replace Mr. Locke and have received applications from a number of good candidates. Mayor Ives further indicated the City is participating with the Partnership at an enhanced level.

Council Member Elliott asked if, with the departure of Mr. Locke, the Partnership has become more Stockton centric or are Tracy's interests being represented. Mayor Ives indicated the City is now positioning itself to get a seat on the executive board. That will allow the City to get a first look at things coming down the pike.

Council Member Abercrombie asked for clarification of the \$75,000 being allocated to the Police Department. Mr. Churchill stated this is an appropriation to address gang activity for the remainder of the fiscal year and represents overtime costs. Captain Espinoza stated the plan is to have the funds available to provide flexibility if activity spikes.

Mayor Ives invited members of the audience to address Council on the item.

Robert Tanner, 1371 Rusher Street, addressed Council regarding the audit fees and asked what the estimated value of the find was and which distribution center provided the additional sales tax. Mr. Johnston, Finance and Administrative Services Director, stated the actual sales tax data and the particular company involved is confidential information that could not be disclosed. Mr. Johnston added that this particular item represented a sizeable six figure sum for one year.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2011-044 approving the appropriation of funds for a variety of FY 10-11 budget items. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE - Chris Long, 1024 Central Ave., on behalf of Surland Companies, addressed Council regarding the recent court action against the Ellis project and swim center project. Mr. Long stated Surland is committed to the project.

Paul Miles, 1397 Mansfield Street, addressed Council regarding a Police misconduct complaint he had previously filed. Mr. Miles requested a formal investigation of Mr. Churchill. Mr. Miles also requested that his documents be made a part of the minutes of the meeting.

Sandy Taylor, 8721 Julie Lind Circle, addressed Council regarding the Ellis Swim Center. Ms. Taylor thanked staff and the Council for all their hard work on the project. Ms. Taylor encouraged Council to continue to work to bring the swim center to fruition.

Al Nero, Fire Chief, addressed Council regarding Daylight Savings Time, which begins on March 13, 2011. Fire Chief Nero reminded residents to change the batteries in their smoke and carbon monoxide alarms and to test their alarms. Fire Chief Nero further stated the Fire Department is available to install and test smoke alarms in residents' homes. Residents can schedule an appointment by contacting Fire Administration.

Michel Bazinet, 1005 Mabel Josephine, addressed Council regarding the suit filed by TRAQC against the City. Mr. Bazinet indicated the judge's decision was tentative and not final. Mr. Bazinet stated it was important to proceed with the project until a final ruling is provided.

Marsha McCray, 560 W. Schulte Road, addressed Council voicing her disappointment in the tentative decision of the judge against the Ellis project. Ms. McCray stated she did not understand how TRAQC could oppose a quality project for the City.

Dave Helm, 1001 Central Avenue, addressed Council regarding gangs and gang activity. Mr. Helm suggested the six beats should include six officers if needed. Mr. Helm stated Council needed to make the necessary funds available.

3. APPROVAL OF MEMORANDUM OF UNDERSTANDINGS WITH TRACY LITTLE LEAGUE; TRACY BABE RUTH; TRACY YOUTH SOCCER LEAGUE; AND TRACY FUTBOL CLUB FOR CONSTRUCTION AND MAINTENANCE OF SPORTS FIELDS AND RELATED AMENITIES WITHIN THE HOLLY SUGAR SPORTS COMPLEX AND; APPROVAL OF AMENDMENT 1 TO THE PROFESSIONAL SERVICES AGREEMENT

WITH NOLTE ASSOCIATES, INC. FOR ADDITIONAL DESIGN AND CONSTRUCTION RELATED SERVICES FOR THE HOLLY SUGAR YOUTH SPORTS COMPLEX, CIP 78115, AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE AMENDMENT Rod Buchanan, Parks & Community Services Director, presented the staff report. On November 18, 2009, Council approved a conceptual design for the Holly Sugar Youth Sports Complex (Complex) and directed staff to prepare a Request for Proposals to obtain the services of a qualified consultant to design the first phase of the Complex, which encompasses approximately 60 acres. On July 20, 2010, the Council approved a Professional Services Agreement with Nolte Associates to complete design and construction documents for the Complex for a not to exceed amount of \$1,716,741. The scope of work involved master conceptual plan design of the whole 150+/- acre site to size the infrastructure, complete the improvement plans and specifications for Phase 1 infrastructure and sports fields.

Since the award of this agreement, Nolte Associates conducted meetings with staff, the Parks and Community Services Commission and local youth sports organizations to receive input on the Design Development Package for the Complex. The two factors that were primarily considered in the final Design Development Package were available funding and the 2006 Playing Field Needs Assessment. Consideration of these factors resulted in the availability of eight soccer fields and 12 baseball fields. The design adjustment was endorsed by the Parks and Community Services Commission at its February 3, 2011 meeting.

Over the last two years, staff conducted meetings with representatives of the local youth sports leagues to finalize MOUs for access to specific areas within the project site for development and ongoing maintenance of playing fields as designated in the conceptual design. A total of 12 leagues participated in developing the draft MOU deal points, and eight leagues submitted Statements of Interest and Ability to be considered in Phase 1 development. Because not all leagues can be accommodated in Phase 1, staff met with all eight leagues who have agreed with the Phase 1 plan. The four leagues that will be included in Phase 1 include Tracy Little League, Tracy Babe Ruth, Tracy Youth Soccer League and Tracy Futbol Club.

The remaining four leagues will have first right of refusal on their identified fields in the conceptual design in future phases and include Tracy Express Softball, Asociacion de Clubs Unidos Soccer League, Soccer Xtar Liga and Afghan Soccer Club. Separate MOUs will be presented for Council approval in April/May 2011 for these leagues.

Four additional leagues involved in the MOU development process have indicated they will wait for future phasing. They are Tracy Raiders, Tracy Cougars, Tracy Buccaneers and Alternativo Futbol.

Minor adjustments were made to the final conceptual design and the first phase of the Complex. Adjustments to the conceptual design were necessary to accommodate user group needs, space limitations and budget considerations. These factors included:

- Reduced space due to the inclusion of wind buffers as requested by user groups.
- Reduced space due to necessary storm water detention area.
- Additional parking area needed to accommodate facility users.
- Insuring adequate restroom/concession facilities and storage space for each league to operate.

The proposed first phase would encompass approximately 70.2 acres of the project site and would include a total of 12 baseball fields, eight soccer fields and four parking lots to accommodate facility users. The proposed phase adds approximately 10 acres which expands the scope of Nolte Associates' services requiring an amendment to their agreement. Nolte Associates has submitted a proposal to provide additional services for a not to exceed amount of \$83,000 which will be paid from the project budget.

A current available budget of \$10,778,324 exists for this CIP. In previous years, funds have been expended for environmental review and other related costs. The additional cost for the agreement amendment with Nolte Associates will be paid from the project budget. There is a construction shortfall of \$482,801 which staff believes can be made up in this favorable bid environment and in project contingencies. Adequate funding is available to pay the construction cost including Amendment 1 to the agreement with Nolte Associates. Due to the favorable construction bidding environment, the City may realize substantial savings in construction costs and the final project costs may be within the budgeted amount. Additionally, some shortfall may be absorbed in project contingencies or in slight changes in project scope and the City's rights to exercise the option of alternate bid items.

Staff recommended that City Council:

1. Approve a memorandum of understanding with Tracy Little League relating to the lease of property within the complex and construction of sports fields and related amenities; and
2. Approve a memorandum of understanding with Tracy Babe Ruth relating to the lease of property within the complex and construction of sports fields and related amenities; and
3. Approve a memorandum of understanding with Tracy Youth Soccer League relating to the lease of property within the complex and construction of sports fields and related amenities; and
4. Approve a memorandum of understanding with Tracy Futbol Club relating to the lease of property within the complex and construction of sports fields and related amenities; and
5. Accept the status of Holly Sugar Sports complex and approve Amendment 1 to the Professional Services Agreement with Nolte Associates, Inc. for additional design and construction related services for the Holly Sugar Sports Complex, CIP 78115, in the amount of \$83,000.

Derek McKee of Verde Design provided a presentation outlining the project.

Kuldeep Sharma, City Engineer, provided an infrastructure update.

Norm Soares, addressed Council indicating the amount of parking should be reviewed to ensure it was adequate.

Mayor Pro Tem Maciel thanked the sports leagues for their past and future efforts.

Council Member Rickman stated the design looked excellent and added he was excited that the kids will have a great place to play sports.

Mayor Ives indicated this has been a long time coming. Mayor Ives thanked staff for all their efforts.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2011-045 approving an MOU between the City of Tracy and Tracy Little League, Inc. relating to the lease of property and construction and maintenance of youth sports fields at the Holly Sugar Sports Complex. Voice vote found all in favor; passed and so ordered.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2011-046 approving an MOU between the City of Tracy and Tracy Babe Ruth, Inc. relating to the lease of property and construction and maintenance of youth sports fields at the Holly Sugar Sports Complex. Voice vote found all in favor; passed and so ordered.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2011-047 approving an MOU between the City of Tracy and Tracy Youth Soccer League, Inc. relating to the lease of property and construction and maintenance of youth sports fields at the Holly Sugar Sports Complex. Voice vote found all in favor; passed and so ordered.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2011-048 approving an MOU between the City of Tracy and Tracy Futbol Club, Inc. relating to the lease of property and construction and maintenance of youth sports fields at the Holly Sugar Sports Complex. Voice vote found all in favor; passed and so ordered.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2011-049 approving Amendment No. 1 to the Professional Services Agreement with Nolte Associates for additional design and construction related services for the Holly Sugar Sports Complex in the amount of \$83,000 and authorizing the Mayor to execute the amendment. Voice vote found all in favor; passed and so ordered.

4. SEEK CITY COUNCIL DIRECTION OF THE DRUG ABUSE RESISTANCE EDUCATION (DARE) PROGRAM PROFESSIONAL SERVICES AGREEMENT WITH THE TRACY UNIFIED SCHOOL DISTRICT (TUSD) AND WHETHER AND HOW TO PHASE OUT OF CITY FUNDING THE DARE PROGRAM - Council Member Abercrombie recused himself from consideration of the item because of his involvement with the DARE program.

Captain John Espinoza presented the staff report. Captain Espinoza stated that at the July 2010 Council meeting there was much discussion about the DARE Program and the Council clearly said there was a value to the community in supporting the DARE Program. Captain Espinoza added that due to the worsening economic conditions, the City had to deal with some of the realities as well, and had to reduce the economic contribution from \$60,000 a year to \$45,000.

At the July 20, 2010 meeting the Council asked that six items be brought back to Council for discussion before a new Professional Services Agreement was signed with TUSD. The items to be evaluated include:

- 1) Because the City provides funding, Council wanted a voice on the DARE board
- 2) The desire to have accounting reported on calendar versus fiscal year
- 3) The desire to have greater accountability for expenditures
- 4) The feasibility of reducing storage fees through use of school facilities
- 5) How Tracy police officers can become more involved in the DARE program
- 6) Evaluate a phase out schedule to eliminate the reliance on City funding

In preparing this report, staff spoke with members of the DARE board of directors, the Kiwanis Club board of directors, the TUSD DARE liaison, Mr. Paul Hall, and Police Department command staff to explore the feasibility of implementing each item.

**1) Because the City provides funding, Council wanted a voice on the DARE board**

The DARE Board is comprised of volunteers representing a cross section of the community with backgrounds in education, law enforcement, business, and community service. According to the DARE board, members are not appointed to any fixed terms and can serve on the board as long as they have the energy and are willing to commit the time to promote DARE. The board states they work collaboratively and vote on who will serve as their board officers and what policy direction the program will take. New members are selected when there is a vacancy and all candidates must show a commitment to furthering the objectives of the DARE program and educating Tracy's youth before they are selected. Board members are required to put in the time needed to actively solicit fundraising to support the program, to prepare for and attend DARE graduations, and to attend regular and ad hoc meetings based on the needs of the DARE program.

The DARE board stated it had no objection to a City representative serving on the board of directors, but the designated City representative would be subject to the same screening standards and fulfill the same commitments as any other candidate seeking to serve on the board. That is, the candidate will be interviewed and voted on by the existing board members for membership and be required to fully participate in promoting the DARE program through active fundraising, regular and ad hoc meeting participation, and preparation and attendance at DARE events. Because DARE board membership is a voluntary service, the DARE board would not pay for any City employee labor costs and the City would be responsible for the time or the City employee must be willing to donate their personal time and energy in furtherance of the DARE objectives. The board stated that because they put in so much time and energy to support the program, it would be unfair to other board members if the City wanted to assign a member to the board of directors, have a voice, and vote on program direction without being involved.

Recommendation: Staff recommended the City's role in the DARE program oversight remain as is with the Command Officer overseeing the Police Department budget serving as the staff liaison to the DARE board of directors and to TUSD. Adding a Council Member designee to the DARE Board of Directors may have Brown Act implications and subject the non-profit board to the same noticing and agenda requirements as the City has for its Boards and Commissions, and would not be recommended. The City Manager retains the right to assign a staff liaison to

represent the City to any contracting agency if such involvement is in the best interests of the City.

**2) The desire to have accounting reported on calendar versus fiscal year**

The DARE board currently reports financials on a fiscal year basis and no adjustment can be made in its financial statement reporting schedules. The DARE board falls under the dual umbrella of Kiwanis International for its insurance and 501(c)4 status, and of Good Samaritan for its 501(c)3 status, and is obliged to report their financial statements from July 1 through June 30. The DARE board is compelled to comply with Kiwanis International and Good Samaritan's rules and by-laws otherwise it will lose its insurance and non-profit status. However, the DARE board stated if the City was willing to indemnify the Board and help it obtain its own tax-exempt status, then the DARE board could change to calendar year reporting.

Recommendation: Staff recommended leaving accounting reporting as is.

**3) The desire to have greater accountability for expenditures**

The parameters for which invoices are paid are clearly delineated in the Professional Services Agreement (PSA) between the City and TUSD. The review and approval process currently in use to audit the expenditure of City funds to ensure compliance with the intended purpose from Council has a triple review and confirmation process on all submitted expenses, backed with itemized receipts, before any payment is made by the City. The triple check on expenses is as follows:

- 1) All DARE receipts are reviewed by the DARE board treasurer for compliance with the guidelines set forth under the City of Tracy and Tracy Unified School District. These receipts are then shared with the Kiwanis Club Board of Directors as part of its financial report and it approves the submission to the TUSD. Tracy Kiwanis is the subcontractor to the TUSD and it is the fiscal agent for the DARE board.
- 2) All DARE receipts are reviewed by TUSD's DARE Liaison, Paul Hall, Director of Student Services, for compliance with the PSA. Mr. Hall then forwards the receipts to TUSD Finance Department staff for another review and preparation of the invoicing which is forwarded to the Police Department.
- 3) All DARE receipts are reviewed by the Tracy Police Department's staff member responsible for billing and invoices to ensure compliance for appropriateness. After all these reviews, all invoices and receipts are forwarded to the Command Officer who oversees the Police Department budget for final approval and sign off for payment. The invoices are forward to the City's Finance Department for payment to TUSD.

Recommendation: Triple review of the expenditures is already in place to ensure the public's funds are appropriately used. Over the years, the scrutiny on expenditures has created a better contract and items that were once allowed were removed. Staff believes the auditing system currently in place is sufficient and recommended leaving as is. It is recommended, however, that Council receive a semi-annual update on performance and budget in January/February and July/August.

#### **4) The feasibility of reducing storage fees through use of school facilities**

The DARE board stated it was open to any storage alternatives, provided the space was securable to protect all items from theft/loss and the elements, and the space was accessible by their volunteer group, usually after hours or on weekends. The concept of finding alternative storage at TUSD and saving the monthly expenditure for storage fees was explored and determined to be impractical. TUSD staff stated they had a two prong problem in accommodating this request;

- a) No isolated and securable location that could house the purchased DARE items is available such that TUSD can guarantee security from potential loss or damage.
- b) Due to liability issues, even if TUSD could locate a secure area on TUSD property, it could not give a key and/or access to any non-TUSD person to enter TUSD property without an escort and retrieve DARE items whenever they wanted. Because access is required at nights or on weekends, the DARE program would have to be charged overtime for a TUSD employee to escort them around the facility.

Recommendation: Staff has determined that neither TUSD option is practical and paying money to access DARE supplies would result in a different type of program expense, much less the inconvenience associated with the practice.

#### **5) How Tracy police officers can become more involved in the DARE program**

The Tracy Police Department used to solely teach the DARE program with its own sworn officers. However, when it became too costly to continue using TPD's sworn officers the decision was made to outsource its teaching. Today, TUSD subcontracts with the Kiwanis Club to find a qualified DARE instructor to teach the program and the DARE board serves under the Kiwanis Club umbrella. From a cost-benefit analysis, outsourcing the program has been a good fiscal decision. The decision has allowed a service delivery model to be implemented at a lesser per student cost than using police officers and it has allowed the Police Department to allocate the former DARE officer position to other law enforcement needs for the community.

More recently the Police Department has visibly supported the DARE program by having sworn police officer staff, including Command Officers, participate in DARE graduations. Another idea is to have "on duty" uniformed patrol staff participate in the DARE program by visiting DARE classrooms during certain sessions, particularly the ones dealing with topics like "consequences," "role models," and "gangs." The operational concern would be that these same uniformed patrol officers would be subject to patrol duty responses. The Police Department's emphasis is to keep uniformed patrol officers available and focused on addressing street and gang related events. Thus, the certainty with which the officers could be in the classroom was questionable. Given the negative impact on the students and teachers if the officer did not show up as expected, how it would undermine TPD's credibility, and the emphasis is on high visibility uniformed patrol as a deterrent to gang activity on the street, the use of uniformed patrol officers for this outreach effort would not be the best option.

However, in order to have Tracy Police Department personnel involvement in the program, staff recommends "uniformed" police presence include command staff,

and officers, sergeants or lieutenants in order to provide more flexibility based on availability of staff so the burden is lifted from a sole reliance on uniformed patrol. For example, gang officers could attend certain sessions to speak about the dangers of gang membership. Gang officers already make community presentations and their work schedules can be more readily adjusted to fulfill commitments as they are not the primary responders to immediate calls for service. Likewise, personnel not assigned to primary patrol functions, like detectives and sergeants could occasionally be put into uniforms for school presentations. Even command officers can adjust their schedules and participate in the community presentations. Patrol personnel can be used when possible and as calls for service permit. The combined organizational effort should allow for sufficient Tracy Police Department presence in support of the DARE program without additional expense.

Recommendation: Staff recommended Council accept the Police Department's new strategy for incorporating more Tracy Police Department personnel into the DARE classrooms as a supplement to the lessons already taught.. While the logistics of who will attend and when have yet to be worked out, those outcomes will be included in a planned semi-annual performance report to Council. Police staff will also continue to attend DARE graduations.

#### **6) Evaluate a "phase out" schedule to eliminate the reliance on City funding**

Through the PSA with the TUSD, the City's current funding allocation ensures the DARE program is taught to all public school fifth grade classes within the City limits and two Jefferson School District schools. The estimate is over 2000 students per year. At the July 20, 2010 Council meeting, members of the Council discussed a desire to phase out City funding of program and encourage the DARE board to increase its donation gathering efforts to continue the program. Council agreed that the DARE program in Tracy was valued by the community.

The DARE Board of Directors was asked to offer its input on the rate at which they could sustain a phase out strategy to eliminate the need for continued City financial support. Given the poor economy, like all other non-profits, the DARE board is spending significant amounts of time and resources soliciting donations and the capacity of donors to give money has diminished. The DARE board could not offer any definitive time frame and stated that whatever time they are given by the City, they will simply have to adjust to keep some semblance of the DARE program going.

The DARE board asked the following three points be suggested to the Council in determining any phase out timeline.

- a) Consider increasing the City contribution for the DARE program to the original amount of \$60,000 and to allow for the use of City funds for salary or compensation to instructors.
- b) Retain the \$45,000 per year contribution going forward without a phase out. DARE board members stated that, like many non-profits, board members are having to put more hours into fundraising because fewer people have disposable income. Any loss of funds would make their fundraising efforts that much more difficult.

c) If the City wanted a phased out approach, the DARE board stated it would do all it could to raise funds to continue and support the DARE program in the City. The DARE board also recognized that if it fell short of its objectives, it would then have to make the difficult choice of which schools would have DARE programs eliminated because of financial shortfalls.

Recommendation: Staff recommended sustaining the current funding level of \$45,000. Staff also recommended a semi-annual performance report be sent to Council on the DARE program's accomplishments.

The Council has already approved the reduced City contribution of \$45,000 for FY 2010-11 and these funds will be used to pay for supplies and expenses, less any salaries. Staff recommends that Council maintain the current financial contribution level of \$45,000 per year for the upcoming FY 2011-12 as little time is left to sufficiently ramp up any donation efforts to overcome funding reductions.

If Council would like to implement a phase out schedule, staff recommends the topic be discussed as part of the City's FY 2012-13 budget preparation discussions. This would allow the DARE board to be better positioned to evaluate the likelihood of obtaining more donation dollars to become wholly self-sufficient or to evaluate what reductions in service delivery to the number of classrooms reductions would create.

There is no immediate impact to the City's FY 2010-11 Budget as \$45,000 has already been approved for the continued City contribution toward the DARE program. The funds would be added to the Police Department's Operating Budget for reimbursement to the Tracy Unified School District.

Staff recommended that the Council discuss the six recommendations and provide direction to staff. All direction will be incorporated into a new, revised, Professional Services Agreement (PSA) with the Tracy Unified School District to provide DARE program services. The revised PSA will be presented at a future meeting for Council approval.

Mayor Pro Tem Maciel thanked Captain Espinoza and the DARE program for their efforts. Mayor Pro Tem Maciel indicated he was satisfied with the mechanisms that have been put in to place to provide an accounting of all funds.

Council Member Elliott stated he was glad to see a plan to increase participation by the City's Police Department. Council Member Elliott stated it was important that City Council see that this program continues. Council Member Elliott asked if the program was working well with the current funding level. Captain Espinoza stated the DARE program does a good job with what they have, but added more money would benefit the kids.

Council Member Rickman asked if they were pursuing any grants. Captain Espinoza stated yes, and stated that the DARE Program has have received cop grant funds in the past. Council Member Rickman stated it was an important program for the children, as well as the support received in the community by the children who provide community service. Council Member Rickman indicated knowledge was power and the DARE program provided students with the necessary knowledge to stay away from drugs.

Mayor Ives invited members of the public to address Council on the item.

Larry Hite, 1373 Evergreen Way, addressed Council regarding grants that the DARE board has applied for. Mr. Hite stated he believed there was a crime problem in our City which was a sign of tough economic times. Mr. Hite encouraged Council to attend a DARE graduation and speak with the children and parents to find out how the program has affected their lives.

Nicholas, a fifth grader, addressed Council regarding the benefits of the DARE program and provided three examples of why the program is so important. Nicholas encouraged Council to keep the program in the schools.

Erica Sanchez touted Officer "Abs" encouragement of "stand up straight, stick your chest out and your chin up". Ms. Sanchez asked Council to keep the DARE program in schools.

Raymond Moses addressed Council regarding the important aspects of the DARE program.

Randy Luiz, 11407 W. Valpico Road, addressed Council regarding his experience in the DARE program. Mr. Luiz stated the DARE program helped him and stated he was currently enrolled in criminal justice and hopes to be the next DARE officer in Tracy.

Mayor Pro Tem Maciel reiterated that Council had never considered eliminating the DARE program; that the goal was to look for other funding sources. Mayor Pro Tem Maciel stated he supported the DARE program and added the City needed to continue to be a part of the program.

Mayor Ives stated attends as many DARE graduations as possible and stated the program is too effective to let go.

Council responded to the recommendations as follows:

1. No
2. A semi-annual report was acceptable
3. Regarding expenditures, all questions were answered
4. Storage fees were not within Council's purview
5. Additional police officer involvement at all levels
6. Remain at the \$45,000 funding level (option B)

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Elliott to support option B with a \$45,000 funding level and no phase out. Voice vote found all in favor; passed and so ordered.

Mayor Ives called for a recess at 8:59 p.m. The meeting was reconvened at 9:06 p.m.

5. PUBLIC MEETING TO CONSIDER A RESPONSE TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING COMMENTS ON THE DRAFT HOUSING ELEMENT - Alan Bell, Senior Planner, presented the staff report.

Mr. Bell stated that at the December 21, 2010 City Council meeting, public input was solicited regarding the State Department of Housing and Community Development's (HCD's) comments on the City's Draft Housing Element. The focus of the discussion was on HCD's comments regarding the City's Growth Management Ordinance (GMO) and the 2000 voter initiative, Measure A. State HCD believes the limit on the number of new residential building permits does not allow the City to meet its RHNA (Regional Housing Needs Allocation), and asserts the Housing Element "must include programs to address and mitigate and/or remove constraints of the GMO." The City's RHNA is 4,888 units from 2007 through 2014 – 1,341 more than could be accommodated by the limits of the GMO.

Representatives from Tracy Region Alliance for a Quality Community (TRAQC) and the Building Industry Association of the Delta (BIA) spoke at the meeting.

TRAQC, essentially, is asking the City to accommodate the RHNA by obtaining credit for building permits issued during the past two RHNA cycles, dating back to 1993, during a time when the City issued more building permits than the RHNA.

State housing law does not authorize this approach. The RHNA planning cycle is adopted by legislation and the RHNA allocation is specific to that planning cycle. Furthermore, the RHNA is a planning goal, not a production goal. HCD has maintained that the RHNA is a minimum that each jurisdiction must meet through land use planning and zoning, but it is not a maximum.

In HCD's interpretation of the law, there is no "over production" in housing units. If housing production exceeds the RHNA, production is responding to market demands at the time (during that specific Housing Element planning period). Therefore, if a jurisdiction produces building permits (in excess of the RHNA) in one planning period, it does not earn a credit for the next planning period. By the same token, because the RHNA is not a production goal, if the jurisdiction under produces building permits (compared to the RHNA), it does not get penalized by being required to produce more in a later cycle.

The City is obligated under State law to "address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities."

Specifically, the City must demonstrate, to the satisfaction of the State, that it has mitigated its constraints to housing development. According to HCD comment letters for the 2003 Housing Element and 2009 Housing Element, limiting supply is a constraint to housing development. It is precisely due to this reasoning that the City's 2003 Housing Element did not receive certification from HCD.

Once a jurisdiction fulfills its planning obligations for the RHNA - providing adequate sites with appropriate densities and development standards, and mitigating identified constraints to housing development – then regardless of actual production, the RHNA is wiped clean at the end of the planning period, with a new RHNA starting for the next period. The majority of jurisdictions in California do not meet their RHNA in terms of production. However, according to HCD, no jurisdiction can receive certification if it does not adequately accommodate the RHNA through planning.

The BIA, by contrast, is endorsing an approach described as “Option B” in the December 21, 2010 City Council staff report. Basically, Option B would rely on an interpretation and implementation of Measure A that would allow issuance of building permits up to the City’s RHNA. This option is described in more detail below.

As discussed during the December 21, 2010 City Council meeting, HCD certification would decrease the frequency required to update the Housing Element in the future (from once every four years to once every eight years) and increase competitiveness or access to certain State grants or loans. Consultant costs to update the Housing Element are estimated at \$75,000 or more plus staff time for each update.

Two examples of programs affected by Housing Element certification from HCD are a residential project in Long Beach and a State infrastructure loan program. In 2009, the City of Long Beach and a residential developer received \$26 million to help develop a mixed use project in downtown Long Beach consisting of approximately 500 units, including 150 affordable senior housing units. The grant is a Transit Oriented Development grant authorized under California’s Proposition 1C. The project would not have qualified for funding if Long Beach’s Housing Element had not been certified by HCD.

Another example of infrastructure financing affected by Housing Element certification is a loan program offered through the California Infrastructure and Economic Development Bank (I-Bank). An I-Bank loan is a low-interest loan program and one potential source of funding the City could pursue for the upcoming Wastewater Treatment Plant Outfall Project.

### Options

During the December 21, 2010 City Council meeting, City staff identified three options as possible responses to HCD’s concerns with Measure A, summarized as follows:

A. Submit an Initiative Measure to the Voters

Under the California Elections Code, no ordinance that is adopted by the voters, such as Measure A, may be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance. (Elections Code, section 9217.)

It should be kept in mind that the State Housing Element law provides in relevant part that the City is only required to “[a]ddress and, where appropriate and *legally possible*, remove governmental constraints to the maintenance, improvement, and development of housing for all income levels and housing for persons of disabilities.” (Italics added.) (Government Code, section 65583(c)(3).) Therefore, because the City Council cannot legally amend or repeal Measure A on its own, it is not an option that should be included in the Housing Element. Nevertheless, the City Council could adopt a program in the Housing Element directing the City Council to propose an initiative measure to the voters to repeal or amend Measure A to ensure that the City can meet the RHNA.

B. Amend the GMO

Measure A provides in relevant part that:

Nothing in this Initiative Ordinance shall be construed to preclude, prohibit or limit the City from complying with any requirements under state housing law. To the extent that any provision of this Initiative Ordinance can be read to conflict with state housing law, it shall be read to allow for compliance with state housing law, while honoring the intent and purpose of the Initiative Ordinance.

Interpreting and implementing this provision of Measure A, the City Council could adopt a program in the Housing Element directing the City Council to adopt an amendment to the GMO which would allow issuance of building permits up to the City's RHNA in each income category based on HCD criteria.

Should the demand for building permits exceed Measure A limits in a calendar year, the City would issue building permits until the City's RHNA obligation in each income category has been met.

Any building permits issued in excess of Measure A's 600 units-per-year average or 750 in a calendar year would be exempt from the GMO, up to the RHNA. The building permit exemptions to accommodate the RHNA would be available to any project that otherwise qualifies to obtain building permits (complies with all City standards, has approved tentative and final maps, has paid all fees for public services, etc.).

The City of Tracy's RHNA for the 2007 through June 2014 cycle is 4,888, for the four income categories combined: Very Low, Low, Moderate, and Above Moderate. To date, the City has issued 372 building permits during this RHNA cycle, leaving a balance of 4,516. The number of additional units needed to meet the RHNA, by income category, is as follows: Very Low, 907; Low, 582; Moderate, 669; and Above Moderate, 2,357.

C. Suggest No Changes to the GMO at This Time

The City Council could direct staff to respond to HCD that, at this time, the City chooses not to suggest any changes to the GMO (including Measure A) or the GMO Guidelines in the Housing Element.

Whichever option is chosen by the Council, staff will communicate with and submit implementation details for review by HCD. Any changes requested by HCD would be brought to Council for consideration and final review.

HCD Review

In accordance with State housing law, all cities are required to submit a draft Housing Element to HCD for review and comment. State HCD is required to determine whether the Draft Housing Element substantially complies with State housing law. State housing law requires each city's Housing Element, generally, to (1) identify and analyze housing needs for all income levels, (2) contain goals and programs to preserve and develop housing, (3) identify adequate sites for housing, and (4) analyze governmental and nongovernmental constraints upon the maintenance and development of housing.

If HCD determines that Tracy's Draft Housing Element substantially complies with State housing law, the Council may adopt the Housing Element. If HCD determines the Draft Housing Element does not substantially comply with State housing law, the Council may

modify the Draft Housing Element and resubmit to HCD for review, or the Council may adopt the Housing Element without changes. If the Council adopts the Housing Element without changes requested by HCD, the Council shall include findings which explain the reasons the City believes the Housing Element complies with State housing law. Each time HCD reviews a draft Housing Element, housing law provides 60 days for their review. State HCD has 90 days to review and provide comments on the Housing Element eventually adopted by the Council.

The Draft Housing Element preparation is within the scope of work approved by the Council for VTA on April 21, 2009 (Resolution 2009-068). No additional expenditure of funds is required. To date, VTA has been paid \$39,076.60 of the \$75,000 Professional Services Agreement maximum. The source of funding for this CIP was the General Fund.

Staff recommended that the City Council direct staff to amend the Draft Housing Element to respond to HCD comments and include Option B as a program in the Housing Element as described above.

Council Member Elliott asked for clarification regarding a memorandum received regarding grants. Mr. Malik indicated the City has not applied for those grants; they were provided as examples of grant funding.

Mayor Ives invited members of the public to address Council on the item.

John Beckman, on behalf of the Building Industry Association, applauded staff in pointing out the merits of the arguments included in the BIA letter and the fallacies of TRAQC in their letter. Mr. Beckman stated he agreed with staff's recommendation of Option B.

Mark Connolly, 121 E. Eleventh Street, on behalf of TRAQC, addressed Council regarding the alternatives provided. Mr. Connolly stated Alternative B as proposed is not legal for Council to consider, indicating Council could not set aside any portion of a voter approved initiative. Mr. Connolly added if Council attempted Alternative B, it would be challenged. Mr. Connolly stated Council's only legal option was Option C.

Mayor Ives asked Dan Sodergren, City Attorney, to advise Council's on its authority. Mr. Sodergren indicated Measure A does have a provision that states it cannot preclude the City from complying with any requirements under State Housing Law. Therefore, we do not believe such an amendment would violate Measure A.

Mayor Ives asked if there was any case law provided. Mr. Sodergren referred to a confidential memo that was provided to City Council. Mr. Sodergren indicated the City of Pleasanton was different from the City of Tracy.

Mayor Ives asked if this was the only way to certify the Housing Element. Mr. Sodergren stated as staff outlined in the report, it is a requirement of Housing Law that the City remove any constraints that would not permit the City to reach its RHNA numbers.

Council Member Elliott stated the City was facing economic difficulties and that in order for the City to take advantage of every economic opportunity, it appears the City does need to have a certified housing element. Council Member Elliott added the question is

whether it is in the best interests of the City to have a certified housing element. Council Member Elliott stated he believed the City should have a certified housing element and stated Council should adopt staff's recommendation.

Mayor Pro Tem Maciel stated he was in favor of Option 2, and further stated it was clear there was a benefit to the City of having a certified housing element.

Council Member Rickman asked how the City would comply with State law. Mr. Sodergren stated the amendment the City would suggest is that if the demand for building permits exceeded what was allowed under Measure A, the City would issue building permits up to its RHNA obligations for each income category as required by State law. Mr. Sodergren stated it created an exception if there is demand above Measure A for RHNA numbers for each income level.

Council Member Rickman asked if this amendment passes, would the City do the minimum to meet the RHNA numbers. Mr. Sodergren stated yes.

Council Member Rickman indicated the will of the voters needs to be heard on one hand, and on the other the City has State law. Council Member Rickman indicated there has to be compromise to keep the intent of Measure A alive. Council Member Rickman indicated Option B seemed to be the best alternative.

Mr. Connolly stated the provision staff is referring to might allow the court to interpret Measure A to make it comply with State law. Mr. Connolly stated this was not a matter of interpretation. Mr. Connolly further stated the State is now going to dictate how the City is going to grow if this is the path we are going to follow. Mr. Connolly stated Council's first line of defense was to go back to the voters and indicated TRAQC doesn't agree with the analysis that the City does not comply with State law.

John Beckman responded to a comment made by Mr. Connolly regarding the City relegating to the State the authority to determine what the housing limits are in the City of Tracy. Mr. Beckman indicated the State has already dictated what the City must plan for and allow to be built through its RHNA numbers. Mr. Beckman further indicated it was clear through HCD that Cities will be held accountable.

Council Member Abercrombie asked for clarification regarding the State relegating authority to other agencies. Mr. Sodergren stated a challenge of the Housing Element or Measure A can be brought by any one and challenges have been brought throughout the State for various reasons.

Mayor Ives indicated Council has determined that the best path for the City is to have the Housing Element certified. Mayor Ives referred to the Ordinance that addressed Measure A. Mayor Ives stated he was in favor of Option B.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to direct staff to amend the Draft Housing Element to respond to HCD comments and include Option B as a program in the Housing Element. Voice vote found all in favor; passed and so ordered.

6. APPROVE THE INCREASE IN BAIL SCHEDULE FOR TRACY MUNICIPAL CODE PARKING AND EQUIPMENT VIOLATIONS TO REFLECT CHANGES IN STATE OF CALIFORNIA FEES AND INTRODUCTION OF AN ORDINANCE TO REMOVE THE TRAFFIC FINE SCHEDULE FROM THE TRACY MUNICIPAL CODE AND ALLOW IT TO BE SET BY COUNCIL RESOLUTION - Captain Espinoza presented the staff report. Captain Espinoza stated that the State Legislature has increased "surcharges" on a variety of programs. To that end, the State Legislature has passed AB 1617 which imposed an additional State surcharge of \$3.00 on parking violations for the State Trial Court Trust Fund. The State of California is collecting the \$3.00 surcharge on every parking citation paid so local jurisdictions are left with the decision to either pass along the surcharge increase to the persons receiving the parking citation or for the local jurisdiction to absorb the surcharges. To remain revenue neutral, this additional \$3.00 surcharge should be added to the bail schedule.

As fee increases due to state legislative action may continue, it would be more efficient to reflect any bail schedule changes through a resolution rather than amending the Tracy Municipal Code (TMC). There are no costs to implementing the increases to the bail schedule. The increase would be revenue neutral.

Staff recommended the Council approve, by resolution, the \$3.00 increase in the bail schedule for Tracy Municipal Code parking violations. Staff further recommended that the Council introduce an ordinance to remove the bail schedule from the TMC and maintain and update the bail schedule through resolution as needed.

Council Member Rickman asked if the State had added the fee. Captain Espinoza stated yes.

Mayor Ives indicated he believed more items like this will be pushed down to the city level.

The Clerk read the title of proposed Ordinance 1156.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to waive the reading of the text. Voice vote found all in favor; passed and so ordered.

It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to introduce Ordinance 1156. Voice vote found all in favor; passed and so ordered.

It was moved by Council Member Abercrombie and seconded by Council Member Elliott to adopt Resolution 2011-050 approving an increase in the bail schedule for the Tracy Municipal Code parking and equipment violations to reflect changes in State of California fees. Voice vote found all in favor; passed and so ordered.

7. ITEMS FROM THE AUDIENCE – None.
8. COUNCIL ITEMS - Council Member Abercrombie asked if an update was available on the AMR contract.

Al Nero, Fire Chief, stated the Board of Supervisors approved the contract extension. Chief Nero stated American Medical Response (AMR) would no longer restock the City

with various supplies. The agreement between the City and the County included that when the City started the Advanced Life Support (ALS), the City would bear all costs relative to provision of ALS services. Another issue is the Interfacility Transport, which is when the City is called to render aid while that person is in route to another medical facility. The City is part of the Joint Radio Users Group, which oversees dispatch services. That group agreed with the interpretation that the City would no longer provide that service through its Fire Department. Fire Chief Nero stated there is a community expectation that the Tracy Fire Department respond and provide ALS services. Fire Chief Nero added he intends to meet with Mr. Dan Birch, EMS Director, to discuss that issue. Another issue is Mountain House response times. Mountain House was considered rural because of the population density and the amount of responses. That response time was 17 minutes and 29 seconds. The contract and designation were changed from rural to suburban moderate and the response time reduced to 15 minutes and 29 seconds. Another change to the contract was the addition of a \$931 Basic Life Support (BLS) fee. The BLS fee is in lieu of the transport fee of over \$1,700 for all transport whether ALS or BLS. The new contract includes that when a person is transported and ALS care is not needed, they will not be charged the \$1700 ALS fee, but will only be charged the \$931 BLS fee.

Council Member Abercrombie asked if the Basic Life Support fee would have the same incremental increase similar to the ALS fee, or would it remain at \$931 throughout the contract. Fire Chief Nero responded he was unsure, but suspected it will be raised incrementally similar to other fees.

Council Member Rickman asked if the Fire Department would continue to not be radioed to the medial facilities for either a Code 2 or 3. Fire Chief Nero responded this will be discussed with Mr. Birch, EMS Director in the future.

Mayor Ives suggested a written update be provided to Council.

9. ADJOURNMENT - It was moved by Council Member Abercrombie and seconded by Mayor Pro Tem Maciel to adjourn. Voice vote found all in favor; passed and so ordered. Time 9:54 p.m.

The above agenda was posted at the Tracy City Hall on February 24, 2011. The above are summary minutes. A recording is available at the office of the City Clerk.

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Mayor

ATTEST:

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City Clerk

AGENDA ITEM 1.B

REQUEST

**AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH DRAKE HAGLAN & ASSOCIATES OF SACRAMENTO, CA, FOR A NOT TO EXCEED AMOUNT OF \$398,102 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE PREPARATION OF ENVIRONMENTAL DOCUMENTS, PLANS, SPECIFICATIONS AND COST ESTIMATES FOR THE INTERSECTION IMPROVEMENTS AT ELEVENTH STREET AND MACARTHUR DRIVE (WESTERN) PROJECT - CIP 72069, AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT**

EXECUTIVE SUMMARY

The Intersection Improvements at Eleventh Street and MacArthur Drive (western) Project is an approved Capital Improvement Project. The project involves improvements to provide dedicated left turn and right turn lanes at the intersection of Eleventh Street and MacArthur Drive. The improvements will include modification of the existing traffic signal and railroad gate arm mechanisms to accommodate the widened intersection. The project is partly funded from a Federal Grant of \$1 million and the remaining funding provided from the Gas Tax Fund. This agenda item requests approval of a Professional Services Agreement with Drake Haglan & Associates to provide services for preparing environmental documents, plans, specifications, cost estimates and assistance in the preparation of legal plats for right-of-way acquisition.

DISCUSSION

The scope of work for CIP 72069 includes widening of the existing Eleventh Street and MacArthur Drive intersection west of the Union Pacific Railroad (UPRR) north south spur line along MacArthur Drive to construct exclusive left turn and right turn lanes on Eleventh Street and MacArthur Drive. The project will also provide modification to the traffic signal and railroad gate arm mechanism at this intersection.

The intersection is currently controlled with a traffic signal and UPRR mast arms/gates on Eleventh Street. The project needs approval of improvements from the Public Utility Commission (PUC)/UPRR and requires extensive coordination with both UPRR and the UPC. The initial coordination with UPRR indicates that a majority of the proposed improvements can be accommodated at this intersection. The extent of improvements will depend upon the outcome of the approval process and will require acquisition of additional rights-of-ways at the southwest corner of the intersection. A median island will be needed to install four mast arms on Eleventh Street. Before design of the improvements can begin, an environmental document needs to be completed by the consultant to comply with the grant requirements.

The total cost of the project is estimated at \$2.85 million. The project is partly funded from a federal grant for Congestion Management and Air Quality Improvement Fund for \$1 million. The remaining funds are budgeted from gas tax funds.

Due to the existing work load in the Engineering Division of DES and specialized nature of the work, services of a qualified consultant are needed to complete the project plans, specifications, and cost estimates in a timely manner.

On September 30, 2010, the City issued a Request for Proposals (RFP) to qualified consultants to provide professional engineering services related to the preparation of environmental documentation, plans, specifications, cost estimates, and support for right of way acquisition for this intersection improvement project. The RFP was also posted on the City's website.

On November 1, 2010 nine proposals were received as follows:

1. BKF Engineers, Pleasanton, CA
2. Drake Haglan & Associates, Sacramento, CA
3. Harris & Associates, Concord, CA
4. Hatch Matt & MacDonald, Sacramento, CA
5. Nolte Associates, San Jose, CA
6. Quincy Engineering, Sacramento, Ca
7. Schack and Company, Tracy, CA
8. Sigfried Engineering, Stockton
9. Yamabe & Horn Engineering Inc, Fresno, Ca

Staff evaluated the proposals and found Drake Haglan & Associates of Sacramento, California, to be the most qualified consultant to complete this work. Drake Haglan and Associates have proposed highly experienced staff in railroad coordination and design of this project. Drake Haglan and Associates have also successfully completed similar projects for various public agencies in the past.

Staff negotiated with Drake Haglan and Associates to provide engineering design services for this project on a time and material basis, for an amount not to exceed \$398,102. Staff recommends that City Council approve this Professional Services Agreement.

#### FISCAL IMPACT

There will be no fiscal impact to the General Fund. There are sufficient funds budgeted in the Intersection Improvements Eleventh Street and MacArthur Drive (western) Project - CIP 72069, to pay for this work.

## STRATEGIC PLAN

This agenda item supports the traffic mobility and connectivity strategic plan and specifically implements the following goals and objectives.

Goal 3: Improve Traffic Congestion Management

Objective 3c1 Identify options and funding to reduce traffic congestion during school peak times.

## RECOMMENDATION

That City Council, by resolution, authorize a Professional Services Agreement with Drake Haglan & Associates of Sacramento, California, for a not to exceed amount of \$398,102 to provide professional engineering services for the preparation of environmental documents, plans, specifications and cost estimates for the intersection improvements at eleventh street and MacArthur drive (western) - CIP 72069, and authorize the Mayor to execute the Agreement.

Prepared by: Ripon Bhatia, Senior Civil Engineer

Reviewed by: Kuldeep Sharma, City Engineer

Approved by: Andrew Malik, Development and Engineering Services Director  
Leon Churchill, Jr., City Manager

Attachment: Professional Services Agreement

**CITY OF TRACY  
PROFESSIONAL SERVICES AGREEMENT  
FOR DESIGN PROFESSIONALS  
INTERSECTION IMPROVEMENTS AT ELEVENTH STREET & MAC ARTHUR DRIVE  
(WESTERN)  
CIP 72069, Federal Project CML 5192 (033)**

THIS PROFESSIONAL SERVICES AGREEMENT (hereinafter "Agreement") is made and entered into by and between the CITY OF TRACY, a municipal corporation (hereinafter "CITY"), and **Drake Haglan & Associates** (hereinafter "CONSULTANT").

**RECITALS**

- A. CONSULTANT is a registered professional engineer.
- B. CONSULTANT services are needed to prepare documents for environmental clearance, plans, specifications, and cost estimates for intersection improvements at the intersection of Eleventh street and Mac Arthur Drive (western) CIP 72069 (herein after "Project").
- C. On September 30, 2010 the City issued a Request For Proposals for design services of Project. At the request of CITY, on November 1, 2010, CONSULTANT submitted its proposal to perform the services described by this Agreement. 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. On May 17, 2011, the City Council authorized the execution of this Agreement, pursuant to Resolution No. 2011-\_\_\_\_\_.

**NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:**

- 1. **SCOPE OF SERVICES.** Consultant shall perform the services described in Exhibit "A" attached hereto and incorporated herein by reference. The services shall be performed by, or under the direct supervision of, CONSULTANT's Authorized Representative: **Dennis Haglan**. CONSULTANT shall not replace its Authorized Representative, nor shall CONSULTANT replace any of the personnel listed in Exhibit "A," nor shall CONSULTANT use any subcontractors or subconsultants, without the prior written consent of the CITY.
- 2. **TIME OF PERFORMANCE.** Time is of the essence in the performance of services under this Agreement and the timing requirements set forth herein shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. CONSULTANT shall commence 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 commenced and

**CITY OF TRACY -- PROFESSIONAL SERVICES AGREEMENT**  
**INTERSECTION IMPROVEMENTS AT ELEVENTH STREET AND MAC ARTHUR**  
**DRIVE (WESTERN) CIP 72069**

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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 (10) 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. **INDEPENDENT CONTRACTOR STATUS.** CONSULTANT is an independent contractor and is solely responsible for all acts of its employees, agents, or subconsultants, 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 whatsoever, unless the CITY provides prior written authorization to CONSULTANT. Contractors and CONSULTANTS are free to work for other entities while under contract with the CITY. Contractors and CONSULTANTS are not entitled to CITY benefits.
4. **CONFLICTS OF INTEREST.** CONSULTANT (including its employees, agents, and subconsultants) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. In the event that CONSULTANT maintains or acquires such a conflicting interest, any contract (including this Agreement) involving CONSULTANT's conflicting interest may be terminated by the CITY.
5. **COMPENSATION.**
  - 5.1. For services performed by CONSULTANT in accordance with this Agreement, CITY shall pay CONSULTANT on a time and expense basis, at the billing rates set forth in Exhibit "B," attached hereto and incorporated herein by reference. CONSULTANT's fee for this Agreement is Not To Exceed **THREE HUNDRED NINETY EIGHT THOUSAND ONE HUNDRED AND TWO DOLLARS (398,102)**. CONSULTANT's billing rates shall cover all costs and expenses of every kind and nature for CONSULTANT's performance of this Agreement. No work shall be performed by CONSULTANT in excess of the Not To Exceed amount without the prior written approval of the CITY.
  - 5.2. CONSULTANT shall submit monthly invoices to the CITY describing the services performed, including times, dates, and names of persons performing the service.
  - 5.3. Within thirty (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.
6. **TERMINATION.** The CITY may terminate this Agreement by giving ten (10) days written notice to CONSULTANT. Upon termination, CONSULTANT shall give the CITY all original documents, including preliminary drafts and supporting documents,

**CITY OF TRACY -- PROFESSIONAL SERVICES AGREEMENT**  
**INTERSECTION IMPROVEMENTS AT ELEVENTH STREET AND MAC ARTHUR**  
**DRIVE (WESTERN) CIP 72069**

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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.

7. **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 prior written consent of the City.
8. **ATTORNEY'S FEES.** In the event any legal action is commenced to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.
9. **INDEMNIFICATION.** CONSULTANT shall indemnify, defend, and hold harmless the CITY (including its elected officials, officers, agents, volunteers, and employees) from and against any and all claims, demands, damages, liabilities, costs, and expenses (including court costs and attorney's fees) arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of CONSULTANT in the performance of services under this Agreement.
10. **BUSINESS LICENSE.** Prior to the commencement of any work under this Agreement, CONSULTANT shall obtain a City of Tracy Business License.
11. **INSURANCE.**
  - 11.1. **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 herein.
  - 11.2. **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.
  - 11.3. **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.
  - 11.4. **Workers' Compensation** coverage shall be maintained as required by the State of California.
  - 11.5. **Professional Liability** "claims made" coverage shall be maintained to cover damages that may be the result of errors, omissions, or negligent acts of CONSULTANT in an amount not less than \$1,000,000 per claim.

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

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

**11.6.2** 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.

**11.7. Notice of Cancellation.** CONSULTANT 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.

**11.8. 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.

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

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

**11.11. 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.

**12. ASSIGNMENT AND DELEGATION.** This Agreement and any portion thereof shall not be assigned or transferred, nor shall any of the CONSULTANT's duties be delegated, without the written consent of the CITY. Any attempt to assign or delegate this Agreement without the written consent of the CITY shall be void and of no force and effect. A consent by the CITY to one assignment shall not be deemed to be a consent to any subsequent assignment.

**13. NOTICES.**

**13.1** 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 respective party as follows:

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To CITY:

Zabih Zaca  
Senior Civil Engineer  
City of Tracy  
333 Civic center Plaza  
Tracy, CA 95376

To CONSULTANT:

Dennis Haglan  
Drake Haglan & Associates, Inc  
11060 White Rock Road  
Suite 200  
Rancho Cordova, CA 95670

- 13.2 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 following the deposit in the United States Mail of registered or certified mail, sent to the address designated above.
14. **MODIFICATIONS.** This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.
15. **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.
16. **SEVERABILITY.** In the event any 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 full force and effect.
17. **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.
18. **ENTIRE AGREEMENT.** This Agreement comprises the entire integrated understanding between the parties concerning the services to be performed for this project. This Agreement supersedes all prior negotiations, representations, or agreements.
19. **COMPLIANCE WITH THE LAW.** CONSULTANT shall comply with all local, state, and federal laws, whether or not said laws are expressly stated in this Agreement.
20. **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.

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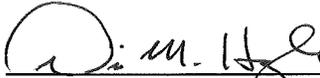
21. **SIGNATURES.** The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the CONSULTANT and the CITY. This Agreement shall inure to the benefit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

IN WITNESS WHEREOF the parties do hereby agree to the full performance of the terms set forth herein.

CITY OF TRACY

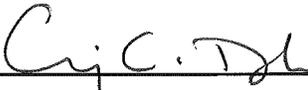
CONSULTANT  
Drake Haglan & Associates

\_\_\_\_\_  
By: Brent H. Ives  
Title: MAYOR  
Date: \_\_\_\_\_

  
\_\_\_\_\_  
By: Dennis Haglan  
Title: President  
Date: 5/4/11  
Fed. Employer ID No. 26-0747074

Attest:

\_\_\_\_\_  
By: Sandra Edwards  
Title: CITY CLERK  
Date: \_\_\_\_\_

  
\_\_\_\_\_  
By: Craig C. Drake  
Title: Chief Financial Officer  
Date: 5/4/11

Approved As To Form:

\_\_\_\_\_  
By: Daniel G. Sodergren  
Title: CITY ATTORNEY  
Date: \_\_\_\_\_

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**EXHIBIT A  
SCOPE OF SERVICES**

The CITY's primary objective is to provide improvements at the intersection of Eleventh Street and Mac Arthur Drive (Western) to provide an additional westbound left turn lane, eastbound left turn lane and to accommodate a separate northbound left turn and a right turn lane. The project is partly funded by Congestion Management and Air Quality Act funds and thus requires compliance to federal and state standards.

The project scope of services shall include, but is not limited to the following:

- I. CITY'S AUTHORIZED REPRESENTATIVES. CONSULTANT shall be required to coordinate with various City Engineering Division staff. CONSULTANT shall take all direction from CITY through the CITY's Authorized Representative, the Project Manager, with the City Engineer as an alternate, unless otherwise designated by the City Manager.
- II. OVERVIEW OF SCOPE OF SERVICES. As specified in this Agreement, CONSULTANT shall prepare environmental documents, plans, specifications, and cost estimates and provide design support during construction. In addition the CONSULTANT shall prepare legal documents for right of way acquisition. The components of the design for the PROJECT includes the following:
  - A. Civil improvements to provide westbound left turn lane, eastbound right turn lane, and separate northbound left and right turn lanes at the intersection.
  - B. Traffic Signal modifications required to accommodate the widening of the intersections to accommodate additional turn lanes.
  - C. Coordination with Union Pacific Railroad for required improvements to the Railroad mechanism, crossing, signal communications etc.
  - D. Environmental Clearance required for the project.
  - E. Right of way documents if required to accommodate improvements.
  - F. Utility Improvements required for accommodating Civil Improvements.
  - G. Coordination with utility companies.
  - H. Signing and striping.
  - I. Prepare a cost estimate and progress schedule for the project.

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**Task 1: KICK OFF MEETING & PROJECT MANAGEMENT**

The CONSULTANT shall provide professional and technical management services during the scoping, environmental review and design of the project.

**Task 1.1.1** An initial meeting between the CITY and CONSULTANT shall be held to discuss specifics of design philosophy, design criteria, standard plans, specifications schedule and timetable to be used.

**Task 1.1.2** Perform field review and Gather Data. Team members will attend a field review to review the project site.

**Task 1.1.3** Implement the quality control procedure for design activities, perform in-house quality control reviews for each task and submit project documents to the City.

**Task 1.1.4** Prepare final project schedule. The baseline schedule shall be prepared in Microsoft Project. Regular updates shall be sent to the City with the monthly invoice.

**Task 1.1.5** Establish Project Development Team (PDT), stakeholder list. The PDT and stakeholders list shall be developed and forwarded to the City.

**Task 1.1.6** Conduct kick off meeting. CONSULTANT shall hold and conduct a kickoff meeting. The primary decisions and action items will be documented and distributed in the meeting minutes prepared by DHA.

**Task 1.1.7** Utility Coordination - Utility A Plans  
CONSULTANT shall prepare Utility A Letters and accompanying exhibits to be distributed by the City. During the GAD phase, as required in Chapter 13 of the Caltrans, Right of Way Manual, CONSULTANT shall send a Utility Verification Request to Owner (Utility "A Letters and Plans"), requesting maps and verification of existing facilities from the potentially affected agencies. Information received shall be checked against the base map with changes made to reflect the utility agency provided information.

A Utility Agency Coordination Log shall be developed that documents time and date of correspondence, deliverables, receivables and to whom and when each correspondence, deliverables, and receivables was made. Utility "A Letters and

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Plans" shall be sent to the utility companies along with the anticipated schedule, location map, and anticipated alignment.

**Task 1.1.8** Coordination with California Public Utilities Commission, Union Pacific Rail Road and other agencies.

Consultant shall conduct coordination with the Union Pacific Railroad (UPRR) and the California Public Utility Commission (PUC) necessary to gain requirements and approval of both entities to construct the proposed bridge.

This task will be split into two phases: Phase 1 will fall under Task 1 and will include the preliminary submittals and UPRR/PUC approvals. Phase 2 includes 100% Submittal, Final Submittal, UPRR Utility Crossing Application, and the Permit approvals. Specifically, tasks shall include, but are not necessarily limited to, the following:

- Prepare a project initiation letter to UPRR for transmittal from the City to UPRR. This letter will commit the CITY to paying for UPRR reviews and will allow UPRR to begin working on the project.
- Schedule and conduct a diagnostics field meeting with UPRR and the CPUC to define improvement and process requirements from each agency. Prepare agendas and meeting notes;
- Prepare the preliminary design applications, exhibits, design requirements and exceptions for submittal to UPRR or the PUC needed to obtain preliminary approvals. This will include preparing and obtaining approval of the 30%. The final UPRR and CPUC approvals are included in Phase 2 of this scope.
- Coordinate, attend, and prepare notes and agendas, for other meetings with the UPRR or the PUC as necessary to ensure project clearance and approval. Consultant shall at expect upto six coordination meetings between UPRR and/or the CPUC.

**Task 1.1.9** Stakeholders/public outreach

It is anticipated that the public outreach will occur with the 11<sup>th</sup> street bridge project.

**Task 1.1.10** Regular team meetings (once per month)

Monthly meetings will be held in person or by conference call. DHA will prepare the agenda, meeting minutes, and will summarize action items.

**Task 1.1.11** Regular resource loading and monitoring

The project will be adequately resources and monitored to ensure a timely completion.

**Task 1.1.12** Sub-Consultants coordination

Coordinate with sub-consultants and involved agencies to assure timely flow of information for each task activity.

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**Task 1.1.13** CONSULTANT shall prepare the agenda, submittal logs; action logs updated project schedule and meeting minutes.

**Task 1.1.14** reimbursable costs are included in the not to exceed costs for each task.

**Deliverables:**

- Final Schedule (hard copy and 11 x 17 pdf)
- PDT and Stakeholders List (8.5 x 11 pdf)
- Kick-off Meeting Agenda and Meeting Notes (Word file and 8.5 x 11 pdf)
- Utility 'A' Plans (plans – 11 x 17 pdf and letter – 8.5 x 11 pdf)
- Utility Coordination Log (11 x 17 pdf)
- Invoices (8.5 x 11 hard copy)
- Progress Reports (8.5 x 11 hard copy)

**NOT TO EXCEED COST FOR THIS TASK:\$23,856**

**Task 2: PRELIMINARY ENGINEERING**

CONSULTANT shall review proposed project and perform field review of the project site, develop base plan and perform coordination with utility companies.

**TASK 2.1      *Perform Preliminary Studies and Reports***

**Task 2.1.1      Surveys/Basemap**

CONSULTANT shall complete field investigations and review all available documentation, conduct preliminary investigations and verify right of way and utility locations or adjustments. This task will also include compiling and reviewing exiting data pertinent to the project and performing investigations necessary to verify the project criteria and scope. The topographic survey shall include but not limited to the following items.

- A. Obtain, review and confirm available topographic and boundary information.
- B. Prepare surveying control and master coordinate system coordination.
- C. Review preliminary title profiles and coordinate with City for support documentation (as required for project right-of-way acquisitions by City of Tracy).
- D. Perform field data collection surveys to obtain topography(at50-f60t cross section intervals and as needed), the location of utilities and other structures visible from the surface, invert elevations of utilities where applicable, and existing paving, electric poles, sidewalks, curb and gutter, fire hydrants, trees and landscaping improvements along the project edges.
- E. Prepare topographic plans and base mapping in AutoCad format.

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- F. Coordinate with property owners, businesses, City staff and utility agencies during the topographic surveying.
- G. Coordinate with utility agencies to acquire current as-built drawings as required for completion of the topographic survey.
- H. Potholing Verification: Perform potholing survey data collection where needed to positively identify and determine depths of existing identified utilities so as to avoid conflicts with proposed improvements.

**Task 2.1.2 Environmental**

CONSULTANT shall prepare environmental documents in accordance with procedures and guidelines of Caltrans and FHWA. Consultant shall prepare all documents for NEPA and a CEQA for this project's environmental compliance. The Environmental shall include Categorical Exemption for both NEPA and CEQA and all necessary documents to receive environmental clearance.

CONSULTANT shall integrate the environmental process closely with the project design to ensure each environmental issue is addressed quickly, solving potential concerns as or before they occur. The intent is to prepare a joint Federal/State document, for the timely review of Caltrans and FHWA.

CONSULTANT shall coordinate the preparation of all necessary and required studies to be included for environmental clearance, including, but not limited to, the following:

- Preliminary Environmental Study (PES)
- Natural Environment Study Minimal Impact
- Memo for Cultural Resources Assessment including record search and Area of Potential Effect (APE) map
- Air Quality Report for Operational Emissions Analysis
- Memo for Noise Analysis of Construction Impacts
- Initial Site Assessment

CONSULTANT shall provide revisions for each of the memorandums above, including review and approval by the City and Caltrans.

Consultant shall provide technical study to evaluate one build alternative as well as the No-Project Alternative.

**Task 2.1.3 Identify permit needs**

During this phase, CONSULTANT shall identify the permits required of the City to acquire in preparation for construction.

**Task 2.1.4 Hydrology/Hydraulic**

CONSULTANT shall modify existing drainage systems required to accommodate the improvements and design. This includes but not limited to relocation of drainage

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inlets, possible modification to inlets etc. No new systems are expected and a hydrologic/hydraulic analyses/report is not necessary.

**Task 2.1.6 Geotechnical**

Based on our understanding the project will require widening of the structural section to accommodate the intersection improvements for the 11th Street and McArthur Drive. CONSULTANT SHALL provide a structural section recommendation based on information obtained from the bridge replacement project and City Standards.

**Task 2.1.7 Initial Site Assessment (ISA)**

CONSULTANT shall prepare Phase I Initial Site Assessment study report for the project.

The ISA study shall be prepared in accordance with ASTM standards to identify potential hazardous waste sites and evaluate environmental factors that may have impacted the soil groundwater quality within the project limits. The study shall include data collection and documents research including historical land use based on study of aerial photographs and other relevant documents. The data research will be ordered from Environmental Data Research Inc. (EDR Inc.) for the proposed project.

**Deliverable:**

- Preliminary Environmental Studies (PES) Form
- Categorical Exclusion Categorical Exemption (CE/CE)
- Natural Environment Study Minimal Impact (NESMI)
- Historical Property Survey Report (HPSR)
- Memo for Noise Study Report
- Memo for Air Quality Analysis
- Miscellaneous Memorandums (Parking, Community)(To justify not needing an IS)
- Topographic survey as a wet stamped hardcopy plot (2, 22 x 34 hard copies)
- AutoCAD drawing file with database
- Phase I ISA Report (8.5x11 hard copies)

***Task 2.2 Preliminary Design***

The purpose of this task is to prepare the necessary preliminary design documents and determine a reliable construction cost estimate, Anticipated tasks include the following:

**Task 2.2.1 Prepare Conceptual Plans:**

CONSULTANT shall prepare conceptual plan lines, identify impacts and estimate construction costs for selected alternative. This alternative shall accommodate STAA truck movements and consider right-of-way, business impacts, impacts to UPRR facilities, curb, gutter, sidewalk, curb-ramps, driveway approaches, street lighting, modification of traffic signals, modification of UPRR signals and crossing

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gates, possible relocation of a fire hydrant, modification to drainage inlets, signage and striping, etc.

The alignment shall be developed to establish comparative impacts and "Engineer's opinion of Probable costs". The alternatives will be identified on the aerial photography to a scale sufficient for the analyses and for presentation exhibits to City staff.

The alternative alignments shall include the following for initial comparison:

- Preliminary Typical Cross Sections
- Preliminary Layouts
- Preliminary Right of Way Impacts
- Preliminary Utility Impacts
- Preliminary Stage Construction and Traffic Handling

**Task 2.2.2** Right-of-way Appraisal Maps

CONSULTANT shall identify the necessary right of way for acquisition and for use in developing appraisal maps.

**Task 2.2.3** Agency/PDT/Stakeholder reviews

Following the preliminary design, CONSULTANT shall produce and submit a Preliminary Design (30% Submittal) package to the City/PDT/Stakeholder for their review and comment.

**Task 2.2.4** Agency approval

Following the review of the 30% Submittal, and based on comments provided under Task 2.2.3, the City shall provide approval of the 30% submittal prior to CONSULTANT proceeding to Final Engineering.

**Deliverables:**

- Conceptual Plans (22 x 34 pdf)
- Right of way limits/areas in ACAD format
- Right of way appraisal maps (22 x 34 pdf)

**Task 2.3 Prepare project initiation documents (PSR/PREquivalents)(PSR/PRe)**

Upon approval of the Conceptual submittal by City Staff, DHA will prepare a PSR/PRe. The report will summarize all design report analyses, the alternatives evaluation, and findings on the feasibility and an "Engineer's Opinion of Probable Cost" for the preferred alternative. The report will address the following elements of the proposed project:

**Task 2.3.1** Utility Coordination - Utility B Plans

Schack and Company will prepare the Utility B Letters for the City who will distribute to the appropriate agencies. During this preliminary design phase, as required in Chapter 13 of the Caltrans, Right of Way Manual, the City will send a Letter to Owner Requesting Positive Location (Utility "B Letters and Plans"), which identifies claim of liability and cost for positive location of utilities from the potentially affected

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agencies. Coordination for any relocation and will be provided at this time. Conflicts between existing utilities and the proposed improvements will be identified. These conflicts will be mitigated to the extent possible through design. Utilities with conflicts that cannot be mitigated will be marked for relocation. Utility 'B' Letters will be issued at this time.

**Task 2.3.2 Identify Long lead items**

DHA will determine any long lead items that may affect the projects schedule and or cost and plan for such instances. Long lead items could include the following:

- ◆ Utility relocations
- ◆ RR coordination
- ◆ Other agency coordination
- ◆ Right of way needs
- ◆ Environmental impacts
- ◆ Hazardous materials
- ◆ Special materials/equipment for construction – traffic/RR signals, controllers, cabinets, poles, vaults, etc

**Task 2.3.4 Right-of-Way appraisals**

The City will utilize the Appraisal Maps prepared under Task 2.2.2 to evaluate each parcel impact. DHA will support the City by answering questions and or modifying these maps as necessary based on comments by the City.

**Task 2.3.5 Agency/PDT/ Stakeholder reviews**

Following the assembly of the PSR/PRe document, DHA will produce and submit the PSR/PRe to the City/PDT/Stakeholder for their review and comment.

**Task 2.3.6 Agency Approval of the PSR/PRe**

Following the review of the PSR/PRe, and based on comments provided under Task 2.2.5, the City will provide approval of the PSR/PRe prior to DHA proceeding to Final Engineering.

**Deliverable:**

- Draft PSR/PRe (8.5 x 11 hard copy + 11x17 exhibits)
- Utility B Plans (11x17 hard copy)

***NOT TO EXCEED COST FOR THIS TASK:\$146,196***

**PHASE 3 FINAL ENGINEERING**

The objective of this task is to perform the detailed design of the project, obtain design approval, and prepare construction drawings, special provisions, and construction cost estimate required for the construction documents. The construction documents include all work necessary to bid, construct, and put into operation the proposed facilities. Documents shall include all on-site

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environmental mitigation requirements and shall clearly indicate project phasing. The plans, specifications and estimate shall be prepared in accordance with CITY of Tracy policies, procedures, manuals, and standards.

**Task 3.1 Finalize studies and reports**

The CONSULTANT team will finalize any studies which comments were made during the review of the PSR/PRe in Task 2.3.5.

**Deliverable:**

- Final PSR/PRe (8.5 x 11 hard copy + 11x17 exhibits)

**Task 3.2 Right-of-Way Acquisition**

**Task 3.2.1 Acquisition Maps and Legal Descriptions**

CONSULTANT shall prepare the legal descriptions and acquisition maps based on selected alternate.

- A. Prepare a Right of Way Map showing all right-of-way acquisitions along with existing right-of-way, including existing structures, driveways, poles and other pertinent structures.
- B. Preparation of plats and legal descriptions (up to ten (10) parcels) for all right-of-way to be acquired. (City will contract with others for property appraisals and right-of-way acquisitions.) City to provide title reports.
- C. Plats (maps) to show easements, required temporary construction easements and ownership lines of record and will identify parcel areas and amount of right-of-way acquisition required

**Deliverable:**

- Acquisition Map (22 x 34 pdf)

**Task 3.3 Obtain Permits**

**Task 3.3.1 Regulatory**

There are no regulatory permits anticipated for this project.

**Task 3.3.2 Local**

The City will acquire the necessary permits based on the final studies and reports from Task 3.1. Consultant shall provide support to City staff for acquiring all necessary permits required for bidding of the project.

**Task 3.4 60% Submittal**

**Task 3.4.1 Plans**

CONSULTANT shall address comments from 30% review and advance the alternative to a 60% design level. This submittal shall include the following:

- Title Sheet

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- Typical Sections
- Layouts
- Construction Details
- Utility Plans
- Traffic Handling/Stage Construction
- Signing and Striping Plans
- Signal/Lighting Plans
- Pavement Delineation
- Landscaping

**Task 3.4.2 Specifications Items List**

CONSULTANT shall provide a list of Contract Bid Items that will be the basis for preparing an engineer's probable cost to construct estimate and the contract specifications based on the 30% plans.

**Task 3.4.3 Construction Cost Estimate**

CONSULTANT shall prepare preliminary quantities to develop the engineer's probable cost to construct estimate based on the 60% plans.

**Task 3.4.4 Meet with City to Present 60% Design**

CONSULTANT shall meet with the City to present the draft design, and discuss any final remaining issues and plans to resolve such issues.

**Deliverables:**

- 60% Plans (11 x 17 pdf)
- Draft Specifications (8.5 x 11 pdf)
- Construction Cost Estimate (8.5 x 11 pdf)

**Task 3.5 90% Submittal**

**Task 3.5.1 Plans**

Following review of the 60% submittal by the City, CONSULTANT will address City 60% comments and advance the design to the 90% level. This will include the following:

- Title Sheet
- Typical Sections
- Layouts
- Construction Details
- Utility Plans
- Construction Area Signs
- Traffic Handling/Stage Construction
- Erosion Control
- Active Traffic Control (by UPRR)
- Signing and Striping Plans
- Signal/Lighting Plans
- Pavement Delineation
- Landscaping/Irrigation Plans

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**Task 3.5.2 Draft Specifications**

CONSULTANT shall update the list of Contract Bid Items and expand on each for their technical specifications. We are assuming that the Caltrans Standards Special Provisions will be the basis for specifications, and that the City will prepare the "front end" (boiler plate) documents and will assemble the complete specs package.

**Task 3.5.3 Construction Cost Estimate**

CONSULTANT shall update the quantities to develop the engineer's probable cost to construct estimate based on the 90% plans.

**Task 3.5.4 Meet with City to Present 90% Design**

CONSULTANT shall meet with the City to present the design to date, and discuss any issues and plans to resolve such issues.

**Task 3.6 Utility Coordination - Utility C Plans**

During the 90% design, as required in Chapter 13 of the Caltrans, Right of Way Manual, the Consultant will send a Notice to Owner and/or Utility Agreement (Utility "C Letters and Plans") of which covers the positive location, relocation, removal, and abandonment of facilities and who is responsible for costs of relocation from the affected agencies. Incorporation of any relocation design plans, specifications, and estimate will be performed at this time. Coordination for any relocation and will be finalized at this time. Utility 'C' Letters will be issued at this time.

**Utility Potholing**

There may be minor utility impacts during the design of the project. CONSULTANT shall perform necessary potholing to locate existing utilities. CONSULTANT shall provide up to 15 pothole locations and 25 electronic detections to confirm underground utilities. Backfill with class II aggregate and repair asphalt with hot asphalt mix paving is also assumed. This activity will involve the following:

- Mark out boundaries, notify USA and coordinate with utilities
- Implement Traffic Control-standard lane closures
- Vacuum excavate 15 pothole locations to confirm underground utilities per furnished drawings
- Electronic detection at 25 locations
- Backfill with class II aggregate
- Repair asphalt/concrete with hot asphalt mix paving in a (1'x1' hole only)
- Provide vertical and horizontal location of utilities referenced to existing infrastructure

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**Deliverables:**

- 90% Plans (11 x 17 pdf)
- Draft Specifications (8.5 x 11 pdf)
- Construction Cost Estimate (8.5 x 11 pdf)
- Utility 'C' Plans (plans – 11 x 17 pdf and letter – 8.5 x 11 pdf)
- Updated Utilities Coordination Log (11 x 17 pdf)

**Task 3.7 100% Submittal**

**Task 3.7.1 Draft Final Plans**

Following review of the 90% submittal by the City, CONSULTANT will address City 90% comments and advance the design to the 100% level. This will include the following:

- Title Sheet
- Typical Sections
- Horizontal Control
- Layouts
- Construction Details
- Utility Plans
- Construction Area Signs
- Traffic Handling/Stage Construction
- Erosion Control
- Active Traffic Control (by UPRR)
- Signing and Striping Plans
- Signal/Lighting Plans
- Pavement Delineation
- Landscaping/Irrigation Plans

**Task 3.7.2 Draft Final Specifications**

CONSULTANT will revise the draft specs and respond to 90% comments for 100% submittal to the City.

**Task 3.7.3 Construction Cost Estimate**

CONSULTANT will revise the quantities to develop the engineer's probable cost to construct estimate based on the 100% plans.

**Task 3.7.4 Meet with City to Present 100% Design**

CONSULTANT will meet with the City to present the design to date, and discuss any issues and plans to resolve such issues.

**Deliverables:**

- 100% Plans (11 x 17 pdf)
- Draft Final Specifications (8.5 x 11 pdf)
- Construction Cost Estimate (8.5 x 11 pdf)

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**Task 3.8 Final Construction Documentation**

**Task 3.8.1 Final Plans**

Following review of the 100% submittal by the City, CONSULTANT will address City 100% comments and advance the design to the final level. This will include the following:

- Title Sheet
- Typical Sections
- Horizontal Control
- Layouts
- Construction Details
- Utility Plans
- Construction Area Signs
- Traffic Handling/Stage Construction
- Erosion Control
- Active Traffic Control (by UPRR)
- Signing and Striping Plans
- Signal/Lighting Plans (by Y&C)
- Pavement Delineation
- Landscaping/Irrigation Plans (by Orsee)

**Task 3.8.2 Final Specifications**

CONSULTANT will revise the draft final specs and respond to 100% comments for final submittal to the City.

**Task 3.8.3 Construction Cost Estimate**

CONSULTANT will update the quantities to develop the engineer's probable cost to construct estimate based on the 100% plans.

**Deliverables:**

- Final Plans (11 x 17 pdf)
- Final Specifications (8.5 x 11 pdf)
- Final Construction Cost Estimate (8.5 x 11 pdf)

**NOT TO EXCEED COST FOR THIS TASK:\$176,860**

**PHASE 4 CONSTRUCTION SUPPORT**

Upon City approval of the construction documents for advertising, CONSULTANT shall provide construction support services during construction to the City. Construction support during construction shall include:

**Task 4.1 Pre-Bid Meeting**

The Project Manager and selected design team members shall attend the pre-bid meeting to answer questions regarding the PS&E.

**Task 4.2 Respond to Bidder Inquiries**

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In order to insure that all bidders are working with the same information, responses to inquiries from bidders shall be handled with a written statement of the question and a response or clarification. CONSULTANT shall provide written or electronic responses to inquiry to the City for distribution to the firms and individuals on the plan holders list.

***Task 4.3 – Construction Support***

Provide support to the City as needed during construction activities. This support may include, but is not limited to, responses to RFIs within five (5) calendar days, attending construction meetings, redesign based on changed field conditions, submittal reviews, contract change order (CCO) reviews, and field observations.

***Task 4.4 – Prepare As-built Drawings***

Using markups provided by the Resident Engineer, prepare "As-built" drawings reflecting changes made to the design during the construction of the project. These drawings will be created on mylar from photographed copies of the original signed plan set and provided to the City for their records.

***NOT TO EXCEED COST FOR THIS TASK:\$20,683***

**OPTIONAL TASKS (IF REQUIERD)**

***Task 5.1 – Traffic Study***

The project's purpose and need is to accommodate traffic movement geometric deficiencies as approved by the Congestion Management and Air Quality grant. However, in anticipation of future traffic demands and the future implementation of the MacArthur Drive extension project a separate northbound left and right turn lane may be accommodated within the project. Also additional requirements from the UPRR are expected during negotiations. If during the design project a study is required to justify the additional turn lane on the Mac Arthur Drive, the Consultant shall conduct a traffic study and provide recommendations for lane configuration required to accommodate future traffic along Mac Arthur Drive at this intersection. to determine if an additional lane will be required. Such a study would determine likely future traffic impacts and intersection needs.

***NOT TO EXCEED COST FOR THIS TASK:\$7,809***

***Task 5.2 – Additional Design Services***

In the event, UPRR requires additional gate arm mechanism for the northbound traffic on Mac Arthur Drive, a separate northbound left and through/right lane will require modification to the selected alternative. In this case, if City likes to proceed

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with additional lane, an optional traffic study will be conducted as state in task 5.1 to justify the need of additional lane. If the City proceeds with this additional lane, Consultant shall provide engineering services for the design of required improvements to provide a separate northbound left and through/right lane in addition to the gate arm mechanism requirement from UPRR. Consultant shall coordinate with UPRR and incorporate all design improvements in the preparation of plans, specifications and prepare cost estimates to include additional improvements.

***NOT TO EXCEED COST FOR THIS TASK:\$14,326***

***Task 5.3 – Conformed Set***

At the request of the City a conformed set may be requested to be prepared for construction, in the event there are significant changes to the plans during the bidding period. Consultant shall provide all construction documents with incorporated changes to the plans and specifications prior to award of the project.

***NOT TO EXCEED COST FOR THIS TASK:\$8,372***

**III. COMPLETION OF THE SCOPE OF SERVICES.** CONSULTANT shall complete the design within the following timeline & budget :

CONSULTANT shall complete all design in the period of Fifty Two (52) weeks.

CONSULTANT not to exceed cost to complete all design is \$398,102

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**EXHIBIT "B"**

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**CONSULTANTS'  
LIST OF PERSONNEL**

<b><u>CONSULTANT</u></b>	<b><u>EXHIBIT PAGE</u></b>
<b>DRAKE HAGLAN &amp; ASSOCIATES</b>	<b>B-1</b>
<b>SCHACK &amp; COMPANY</b>	<b>B-2</b>
<b>DOKKEN ENGINEERING</b>	<b>B-3</b>
<b>Y &amp; C</b>	<b>B-4</b>
<b>PARIKH CONSULTANTS</b>	<b>B-5</b>
<b>RBF</b>	<b>B-6</b>

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**EXHIBIT B-1**

**DRAKE HAGLAN & ASSOCIATES  
LIST OF PERSONNEL**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>
Craig Drake	Principal Engineer
Dennis Haglan	Principal Engineer
Kevin Ross	Principal Engineer
Howard Michael	Principal Engineer
Matt Lampa	Transportation Engineer, Range A
Jeff Elmensdrop	Senior Bridge Engineer, Range A
Dave Melis	Senior Transportation Engineer C
Stacey Alliguie	Bridge Engineer, Range B
Nicholas Jarrell	Highway Designer, Range A
Theresa Bautista	Admin., Range B
Karen Drebert	Administrative Specialist

**EXHIBIT B-2**

**SCHACK & COMPANY**  
**LIST OF PERSONNEL**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>
Dan Schack	Registered Civil Engineer Principal Engineer
Richard Paulson	Project Manager II
Scott Schendel	Associate Engineer I
Michael Defillo	Engineering Technician Design I
Dylan Wooten	Associate Engineer III
Jean Cornwell	Clerical

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**EXHIBIT B-3**

**DOKKER ENGINEERING  
LIST OF PERSONNEL**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>
Elizabeth Diamond	Director of Engineering
John Bishop	Structures Project Engineer
Juann Ramos	Senior Engineer/Roadway
Martin Maechler	Senior Engineer/Structures
Namat Hosseinion	Senior Environmental Planner
Michelle Campbell	Senior Environmental Planner
	Cultural Resource Specialist
Joe Ostdiek	Senior Engineer/Traffic
Tim Chamberlin	Environmental Planner

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**EXHIBIT B-4**

**Y & C  
LIST OF PERSONNEL**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>
D. Yau	Engineer XII
K. Chan	Engineer X
H. Zoplfaghari	Engineer VIII

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**EXHIBIT B-5**

**PARIKH CONSULTING  
LIST OF PERSONNEL**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>
Gary Parikh	Project Manager
David Wang	Senior Project Engineer
Frank Wang	Project Engineer
Amit Bhardwaj	Staff Engineer I
Laxmikant Duddu	Staff Engineer I
Oksan Gouthier	Staff Engineer I
Virgil Santos	Field Engineer/Geologist
L. S. Bhangoo	Field Engineer
Lam Tran	CADD/Staff Engineer II
Kathy-Krol Ramirez	Contracts Manager
Prav Dayah	Senior Laboratory Technician
Willard Balisi	Laboratory Technician I
Michell Lodwick	Administrative Support

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**EXHIBIT B-6**

**RBF  
LIST OF PERSONNEL**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>
Frederick Venter	Project Manager Traffic Engineering
Arshad Syed	Traffic Engineer

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**EXHIBIT C**

**INDEX**

**CONSULTANTS'  
SCHEDULE OF CHARGES**

<b><u>CONSULTANT</u></b>	<b><u>EXHIBIT PAGE</u></b>
<b>DRAKE HAGLAN &amp; ASSOCIATES</b>	<b>C-1</b>
<b>SCHACK &amp; COMPANY</b>	<b>C-2</b>
<b>DOKKEN ENGINEERING</b>	<b>C-3</b>
<b>Y &amp; C</b>	<b>C-4</b>
<b>PARIKH CONSULTANTS</b>	<b>C-5</b>
<b>RBF</b>	<b>C-6</b>

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**EXHIBIT C-1**

**DRAKE HAGLAN & ASSOCIATES  
FEE SCHEDULE**

<b><u>NAME</u></b>	<b><u>CLASSIFICATION</u></b>	<b><u>BILLING RATE**</u></b>
Craig Drake	Principal Engineer	\$197
Dennis Haglan	Principal Engineer	\$197
Kevin Ross	Principal Engineer	\$197
Howard Michael	Principal Engineer	\$197
Matt Lampa	Transportation Engineer, Range A	\$116
Jeff Elmensdrop	Senior Bridge Engineer, Range A	\$140
Dave Melis	Senior Transportation Engineer C	\$170
Stacey Alliguie	Bridge Engineer, Range B	\$130
Nicholas Jarrell	Highway Designer, Range A	\$ 88
Theresa Bautista	Admin., Range B	\$ 82
Karen Drebert	Administrative Specialist	\$ 98

\*\*Standard rates have been reduced by approximately 3%

\*\*These Billing rates are for specific personnel referenced in Exhibit B

Vehicle Mileage ----- Current IRS standard Rates

Hourly charges include provisions for normal office overhead costs such as office rental, utilities, insurance, clerical services, equipment, normal supplies, and in-house reproduction services.

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**EXHIBIT C-2**

**SCHACK & COMPANY**  
**FEE SCHEDULE**

Entitlement Processing/Representation/Municipal Negotiations:

Principal Engineer	\$270/hr
Associate	\$270/hr

Registered Civil Engineer/Principal Engineer	\$190/hr
Associate Engineer/Project Manager I	\$125/hr
Associate Engineer/Project Manager II	\$ 85/hr
Associate Engineer/Project Manager III	\$ 65/hr
Engineering Technician/Designer I	\$ 75/hr
Building Design/Architectural Technician I	\$ 65/hr
Engineering/Architectural Technician II	\$ 55/hr
Construction Project Manager/Estimator	\$ 80/hr
Clerical	\$ 45/hr
Specialized Computer System Services	\$ 75/hr
Field Work (includes mileage and supplies within the Tracy Area)	
2-Man Survey Crew	\$190/hr
Court Appearances/Depositions (2 hour minimum)	\$245/hr
Blueprints – 18"x26"	\$2.50/ea
24"x36"	\$3.00/ea
30"x42"	\$4.00/ea
Photo Copies – 8.5"x11"	\$ .30/ea
8.5"x14"	\$ .45/ea
11"x17"	\$1.00/ea

Electronic Files: Charged at staff time to copy, e-mail, etc.  
(CDs charged at \$3.00/each)

Travel Time: Charged for distances greater than 50-mile radius at  
one-half hourly rate

**NOTE:**

Reimbursable project expenses paid by this office on behalf of client: outside consultant fees, agency fees, inspection fees, etc., will be billed to client at cost plus twenty percent (20%)

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**EXHIBIT C-3**

**DOKKEN ENGINEERING**  
**FEE SCHEDULE**

**RATE SCHEDULE**

Effective Beginning 1/1/11

Professional and supporting staff services will be billed at the following hourly rates:

Principal	\$270
Project Manager	\$220
Senior Engineer	\$195
Associate Engineer	\$155
Environmental Planner	\$145
CAD/Detailer	\$140
Assistant Engineer	\$140
Engineering Technician	\$ 85
Administrative/Clerical	\$130

Ordinary supplies and equipment are included in the above hourly rates. The following is considered an item of special charge and its cost will be added at the following rate:

Outside Reproduction	Actual Cost
----------------------	-------------

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**EXHIBIT C-4**

**Y & C CONSULTANTS  
FEE SCHEDULE**

Y & C Transportation Consultants, Inc.

**2010/2011 Billing Rates**

Engineer XII	\$218/hr
Engineer XI	\$200/hr
Engineer X	\$187/hr
Engineer IX	\$170/hr
Engineer VIII	\$143/hr
Engineer VII	\$124/hr
Engineer VI	\$113/hr
Engineer V	\$104/hr
Engineer IV	\$ 94/hr
Engineer III	\$ 85/hr
Engineer II	\$ 77/hr
Engineer I	\$ 67/hr
Technician III	\$ 85/hr
Technician II	\$ 61/hr
Technician I	\$ 37/hr
Clerk III	\$ 85/hr
Clerk II	\$ 50/hr
Clerk I	\$ 37/hr

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**EXHIBIT C-5**

**PARIKH CONSULTING  
FEE SCHEDULE**

<b><u>STAFF CATEGORY</u></b>	<b><u>RATE</u></b>
Project Manager	\$224.96
Senior Geologist	\$180.43
Senior Project Soils Engineer	\$157.52
Project Engineer	\$113.42
Staff Engineer	\$ 84.15
Field Engineer	\$102.74
Laboratory Technician	\$113.85
Engineering Draftsperson	\$ 84.15
Contract Manager	\$139.06

Construction Phase: All time spent over 8 hours per day and Saturdays for field personnel will be charged 1.5 times the hourly rate. Sunday work will be charged at twice the hourly rate. All charges are portal to portal and mileage will be charged at 50 cents per mile. Field time, including travel time, will be charged in a 2-hour increment. Any chargeable time that falls in between these increments will be charged at the rate of next 2-hour increment. Field and technician rates, wherever applicable, are dictated by the Prevailing wages which are established by the State Department of Industrial Relations.

**Outside Services**

Drilling rental of special equipment and other outside charges will be invoiced at cost plus 10%. Direct contracting/billing and payment will not incur these costs. Outside Services beyond those included in the proposal, will not be performed without prior authorization from the Client.

Miscellaneous outside reimbursable expenses encountered during the performance of our work, such as printing and other incidentals, will be billed at cost plus 10%

The hourly rates indicated above shall remain in effect for the first year of the agreement . Annual Escalation will apply to these rates. These escalations are on an average fo 3-5% per year (CPI + 1%)

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**EXHIBIT C-6**

**RBF CONSULTING  
FEE SCHEDULE**

<u>BILLING CLASSIFICATION</u>	<u>BILLING RATES</u>
Project Manager	\$198
Traffic Engineer	\$114
Vehicle Mileage -----	Current IRS Standard Rate

RESOLUTION 2011-\_\_\_\_\_

APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH DRAKE HAGLAN & ASSOCIATES OF SACRAMENTO, CA, FOR A NOT TO EXCEED AMOUNT OF \$398,102 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE PREPARATION OF ENVIRONMENTAL DOCUMENTS, PLANS, SPECIFICATIONS AND COST ESTIMATES FOR THE INTERSECTION IMPROVEMENTS AT ELEVENTH STREET AND MACARTHUR DRIVE (WESTERN) PROJECT - CIP 72069, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, The Intersection Improvements at Eleventh Street and MacArthur Drive (western) Project is an approved Capital Improvement Project, and

WHEREAS, The project involves improvements to provide dedicated left turn and right turn lanes at the intersection of Eleventh Street and MacArthur Drive, and

WHEREAS, Due to the existing work load in the Engineering Division of DES and specialized nature of the work, services of a qualified consultant are needed to complete the project plans, specifications, and cost estimates in a timely manner

WHEREAS, On September 30, 2010, the City issued a Request for Proposals (RFP) to qualified consultants to provide professional engineering services related to the preparation of environmental documentation, plans, specifications, cost estimates, and support for right of way acquisition for this intersection improvement Project, and

WHEREAS, On November 1, 2010 nine proposals were received, and

WHEREAS, Staff evaluated the proposals and found Drake Haglan & Associates of Sacramento, California, to be the most qualified consultant to complete this work, and

WHEREAS, Staff negotiated with Drake Haglan and Associates to provide engineering design services for this project on a time and material basis, for an amount not to exceed \$398,102, and

WHEREAS, There will be no fiscal impact to the General Fund. There are sufficient funds budgeted in the Intersection Improvements Eleventh Street and MacArthur Drive (western) Project - CIP 72069, to pay for this work;

NOW, THEREFORE, BE IT RESOLVED That City Council approves a Professional Services Agreement with Drake Haglan & Associates of Sacramento, California, for a not to exceed amount of \$398,102 to provide professional engineering services for the preparation of environmental documents, plans, specifications and cost estimates for the intersection improvements at eleventh street and MacArthur drive (western) - CIP 72069, and authorizes the Mayor to execute the Agreement.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was adopted by the Tracy City Council on the 17<sup>th</sup> day of May 2011 by the following vote:

AYES:            COUNCIL MEMBERS:

NOES:           COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 1.C

REQUEST

**APPROVAL OF PERMIT FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY STREETS FOR THE TCCA “DOWNTOWN SPRING WINE STROLL” EVENT ON JUNE 3, 2011**

EXECUTIVE SUMMARY

Tracy Municipal Code states Council may, by resolution, issue a permit allowing the consumption of alcohol on public streets and the like at an organized event of community-wide interest. The Parks and Community Services Department is coordinating a request for an alcohol permit in conjunction with a community event and is seeking Council approval.

DISCUSSION

Tracy Municipal Code Section 4.12.190(d) states, “The Council, by resolution, may issue a permit allowing the consumption of alcohol on public streets and the like at an organized event of community-wide interest. The consumption of intoxicating beverages shall be restricted to the perimeters of the community event as described in the permit.” Additionally, Tracy Municipal Code Chapter 4.40 governs Special Event permits occurring on or within the public right-of-way.

For many years, the City of Tracy has successfully coordinated special community events that have community-wide interest with various community and non-profit organizations, including the Chamber of Commerce and the Downtown Tracy Business Improvement Association (DTBIA). Some of these events have received City approval for the consumption of alcoholic beverages within the boundary of the events. All of these functions were conducted within the Downtown Tracy Business District.

At the present time, the Parks and Community Services Department is coordinating a request for an alcohol permit in conjunction with the community event known as the “Downtown Spring Wine Stroll,” being conducted by the Tracy City Center Association, to allow alcoholic beverages to be served as a component of the event.

TCCA is requesting a permit to serve alcoholic beverages at its event on June 3, 2011, from 6:30 p.m. to 9:30 p.m., along Central Avenue between 6<sup>th</sup> and 11<sup>th</sup> Streets, and along 10<sup>th</sup> Street between A Street and Central Avenue, and along 6<sup>th</sup> Street between Central and D Street.

STRATEGIC PLAN

This agenda item supports the Communication and Marketing strategic plan and specifically implements the following goal and objectives:

**Goal 2:** Provide the community of Tracy with basic and extended services that offer opportunities for individuals, families and businesses to prosper as they live, work and play in Tracy

**Objective 2e:** Promote the high "quality of life" attributes and recreation opportunities of the City

FISCAL IMPACT

There is no impact on the General Fund.

RECOMMENDATION

It is recommended that City Council, by resolution, authorize and approve the permits described above for consumption of alcoholic beverages within the above-described designated areas for the TCCA's "Downtown Spring Wine Stroll" on June 3, 2011.

Prepared by: Mark Honberger, Recreation Services Supervisor

Reviewed by: Rod Buchanan, Director of Parks and Community Services

Approved by: R. Leon Churchill, Jr., City Manager

RESOLUTION \_\_\_\_\_

APPROVING A PERMIT FOR THE CONSUMPTION OF ALCOHOLIC BEVERAGES  
ON CITY STREETS FOR SPECIAL EVENTS IN THE CITY OF TRACY ON JUNE 3, 2011  
(TCCA "DOWNTOWN SPRING WINE STROLL")

WHEREAS, The Tracy City Center Association (TCCA) has requested a permit to conduct a special event in the City of Tracy on June 3, 2011, that requires the authorization of the City Council to permit the consumption of alcoholic beverages in public places; and

WHEREAS, This event will have community-wide interest and will enhance the property of the downtown Tracy business area; and

WHEREAS, Subject to City Council approval, the Tracy Municipal Code allows such activities and permits under Section 4.12.190(d) and Chapter 4.40.

NOW, THEREFORE, BE IT RESOLVED, That the City Council does hereby authorize the issuance of a permit to the TCCA for the possession and consumption of alcoholic beverages within the boundary of the above-described special events, as further described in the staff report accompanying this resolution, to be conducted in the Downtown Area of Tracy on June 3, 2011, between the hours of 6:30 p.m. and 9:30 p.m.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was adopted by the Tracy City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote:

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

\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

AGENDA ITEM 3

REQUEST

**CONTINUED PUBLIC HEARING TO AWARD A FACILITY FINANCING CONTRACT (DESIGN-BUILD) TO RENEWABLE INTEGRATOR, INC., OF TRACY, CALIFORNIA FOR THE CIVIC CENTER SOLAR PANEL INSTALLATION PROJECT – CIP 71068**

EXECUTIVE SUMMARY

The City of Tracy was awarded an Energy Efficient & Conservation Block Grant (EECBG) from the Department of Energy for \$571,600 to install solar panels on Civic Center buildings per Award No. DE-SC0001645. This project will allow the City to conserve usage of conventional energy. Solar Energy being a specialized area, the services of a qualified and experienced proposer is needed to design and construct this project as well as someone who can also meet all the requirements of the grant. The State of California Government Code allows local agencies to contract with such qualified individuals or firms to complete the work under the Facility Financing Contract. Award of the recommended Facility Financing Contract to Renewable Integrator Inc. will facilitate construction of this project in a timely manner.

DISCUSSION

This agenda item is a continuation of the public hearing held by City Council on May 3, 2011, related to the award of a Facility Financing Contract for installation of solar panels on Civic Center buildings. Consideration of the item was continued because the deadline of the RFP was extended by ten days in order to receive qualified and competitive proposals.

The City of Tracy has received an EECBG grant in the amount of \$571,600 from the Department of Energy for installation of solar panels on Civic Center buildings. Out of this funding, a total of \$514,440 is allocated for design and construction and the remaining \$57,160 is for the City's project management expenses. In order to take advantage of the fast changing technology in the field of solar panels and to expedite completion of design and installation, services of an experienced and qualified design and construction firm is required.

In an effort to facilitate public agencies complete energy efficient projects in a timely manner, the State of California Government Code Section 4217-13 allows public agencies to enter into Facility Financing Contracts with qualified individuals or firms to develop energy conservation plans and to complete design and construction. This process is available if repayment of funds used for design, construction, and operation of an energy conservation facility are projected to be available from such facility that otherwise would have been used for the purchase of electricity or energy required by the public agency in the absence of an energy conservation facility.

Prior to the award of such a contract, the public agency must make the certain findings consistent with Section 4217.12 and 4217.13 of the Government Code at a regularly scheduled public hearing with the public notice given at least two weeks in advance.

A Request for Proposals (RFP) for installation of solar panels on Civic Center buildings was mailed to perspective proposers and was made available on the City's website on April 5, 2011. The proposer is required to be an experienced design consultant and licensed contractor or a licensed contractor with an in-house design consultant to complete this work. The request for proposal includes the selection criteria with appropriate weight given to the total kw electricity generated within the budgeted amount and the life cost cycle analysis of the solar panels.

The selected proposer would enter into a Facility Financing Contract and will provide similar insurance and securities which are normally required by the City from other design consultants and construction contractors.

A total of three proposals were received on May 5, 2011, as follows:

- o Integrated Engineering of Santa Clara, CA
- o Sun Light & Power of Berkeley, CA
- o Renewable Integrated of Tracy, CA

After review of the proposals and based on the established criteria, Renewable Integrator Inc., of Tracy was found to be the most qualified proposer who met the requirements of the RFP to design and install solar panels on the Civic Center buildings. The proposer has not taken any exceptions to the requirements of the proposal and has provided the required securities. Renewable Integrator Inc. has satisfactorily completed installation of solar panels for Tracy Interfaith Ministries and other projects. Staff has verified that Renewable Integrator Inc., holds the proper licensing necessary for this type of construction. Staff also negotiated with the proposer to include installation of additional solar panels on the Civic Center buildings within the budgeted amount of \$514,440.

The negotiated proposal includes design and installation of solar panels on the following buildings which are most cost effective and energy efficient among all the buildings in the Civic Center area:

- o Flat roof areas of new City Hall and Council Chambers
- o Western and southern roof areas of the Police Department building

The proposer has also provided an alternate proposal to provide solar panels on the flat roof of the old City Hall building and the Parks & Community Services buildings instead of the sloped roof of the Police building. However, this alternate proposal is not recommended by staff since the remaining life of the existing roofs on those buildings is less than the life of the solar panels (20 year roof life vs. 30 year solar panel life).

Staff is recommending City Council open the public hearing continued from its May 3 meeting, receive any testimony, make the following findings in the best interest of the City, and award the Facility Financing contract for the solar panel installation project to Renewable Integrator, Inc:

1. Funds for the repayment of the cost of design, construction, and operation of the Civic Center energy conservation facility, as required by the contract, are projected to be available from funding that otherwise would have been used

for purchase of electrical energy required by the City in absence of this energy conservation facility within 19.5 years (see Attachment 1) and these findings required under Sections 4217.12 and 4217.13 are made on projections for electrical rates from PG&E which is public utility that provides electrical energy to the public agency (City of Tracy).

2. That the proposal from Renewable Integrator Inc., provides repayment of funds consistent with the requirement of the State of California Code Section 4217.3, and award of the Facility Financing Contract to Renewable Integrator Inc. for the Civic Center Solar Panel Installation Project – CIP 71068.

### STRATEGIC PLAN

This agenda item is consistent with the City's environmental sustainability strategy and meets the goals for consumption reduction and provides a sustainability action plan.

### FISCAL IMPACT

The Civic Center Solar Panel Installation Project is funded from Federal EECBG grant and there is no impact to the General Fund. The break down of the EECBG grant fund is as follows:

- Funding for Design & Construction (design-build) \$514,400
- City Project Management \$ 57,160

### RECOMMENDATION

Staff recommends that City Council open the public hearing, make the appropriate findings as listed in the discussion portion of this agenda item, and award the Facility Financing Contract to Renewable Integrator Inc., of Tracy, California, in the amount of \$514,440, for the Civic Center Solar Panel Installation Project – CIP 71068.

Prepared by: Kul Sharma, City Engineer

Reviewed by: Andrew Malik, Development & Engineering Services Director

Approved by: Leon Churchill, Jr., City Manager

Life Cycle Cost Analysis for Tracy City PV Solar Project on City Hall and Police Station									
Year	Start Date	Description	Duration	Unit Cost	Total Cost	Average Rate	Avg. KWH Per Year	Solar Savings Per Year	Solar Savings Total to Date Less Costs
1	6/25/2011	Procure 80.6WK PV Solar System	1	\$ -	\$ -	0.16013	115,490		
1	7/25/2011	Clean PV Solar Panels	24	\$ 20.00	\$ 480.00	0.16013	115,490	\$ 18,493.41	
2	5/25/2012	Clean PV Solar Panels	24	\$ 20.40	\$ 489.60	0.1681365	115,490	\$ 19,418.08	
3	5/25/2013	Clean PV Solar Panels	24	\$ 20.60	\$ 494.50	0.176543325	115,490	\$ 20,388.99	
4	5/25/2014	Clean PV Solar Panels	24	\$ 20.81	\$ 499.44	0.185370491	115,490	\$ 21,408.44	
5	5/25/2015	Clean PV Solar Panels	24	\$ 21.02	\$ 504.44	0.194639016	115,490	\$ 22,478.86	
6	7/25/2016	Clean PV Solar Panels	24	\$ 21.23	\$ 509.48	0.204370967	115,490	\$ 23,602.80	
7	5/25/2017	Clean PV Solar Panels	24	\$ 21.44	\$ 514.57	0.214589515	115,490	\$ 24,782.94	
8	5/25/2018	Clean PV Solar Panels	24	\$ 21.66	\$ 519.72	0.225318991	115,490	\$ 26,022.09	
9	5/25/2019	Clean PV Solar Panels	24	\$ 21.87	\$ 524.92	0.23658494	115,490	\$ 27,323.19	
10	5/25/2020	Clean PV Solar Panels	24	\$ 22.09	\$ 530.17	0.249597112	114,335	\$ 28,537.71	
11	7/25/2011	Clean PV Solar Panels	24	\$ 22.31	\$ 535.47	0.262076968	114,335	\$ 29,964.60	
12	5/25/2012	Clean PV Solar Panels	24	\$ 22.53	\$ 540.82	0.275180816	114,335	\$ 31,462.83	
13	5/25/2013	Clean PV Solar Panels	24	\$ 22.76	\$ 546.23	0.288939857	114,335	\$ 33,035.97	
14	5/25/2014	Clean PV Solar Panels	24	\$ 22.99	\$ 551.69	0.30338685	113,192	\$ 34,340.89	
15	5/25/2015	Clean PV Solar Panels	24	\$ 23.22	\$ 557.21	0.318556192	113,192	\$ 36,057.93	
16	7/25/2016	Clean PV Solar Panels	24	\$ 23.45	\$ 562.78	0.334484002	113,192	\$ 37,860.83	
17	5/25/2017	Clean PV Solar Panels	24	\$ 23.68	\$ 568.41	0.351208202	113,192	\$ 39,753.87	
18	5/25/2018	Clean PV Solar Panels	24	\$ 23.92	\$ 574.09	0.368768612	112,060	\$ 41,324.15	
19	5/25/2019	Clean PV Solar Panels	24	\$ 24.16	\$ 579.84	0.387207042	112,060	\$ 43,390.36	
20	5/25/2020	Clean PV Solar Panels	24	\$ 24.40	\$ 585.63	0.40850343	112,060	\$ 45,776.83	
21	7/25/2021	Clean PV Solar Panels	24	\$ 24.65	\$ 591.49	0.428928601	112,060	\$ 48,065.67	\$ 642,229.93
22	5/25/2022	Clean PV Solar Panels	24	\$ 24.89	\$ 597.41	0.450375031	110,939	\$ 49,964.26	
23	5/25/2023	Clean PV Solar Panels	24	\$ 25.14	\$ 603.38	0.472893783	110,939	\$ 52,462.47	
24	5/25/2024	Clean PV Solar Panels	24	\$ 25.39	\$ 609.41	0.496538472	110,939	\$ 55,085.60	
25	5/25/2025	Clean PV Solar Panels	24	\$ 25.65	\$ 615.51	0.521365396	110,939	\$ 57,839.88	\$ 855,156.43
26	7/25/2026	Clean PV Solar Panels	24	\$ 25.90	\$ 621.66	0.547433665	109,830	\$ 60,124.55	\$ 914,659.32
27	5/25/2027	Clean PV Solar Panels	24	\$ 26.16	\$ 627.88	0.574805349	109,830	\$ 63,130.78	
28	5/25/2028	Clean PV Solar Panels	24	\$ 26.42	\$ 634.16	0.603545616	109,830	\$ 66,287.32	
29	5/25/2029	Clean PV Solar Panels	24	\$ 26.69	\$ 640.50	0.633722897	109,830	\$ 69,601.68	
30	5/25/2030	Clean PV Solar Panels	24	\$ 26.95	\$ 646.90	0.668577656	108,732	\$ 72,695.48	\$ 1,183,825.15
<b>Totals</b>					<b>\$ 16,857.31</b>			<b>\$ 1,200,682.46</b>	
<b>Cost of Maintenance</b>									
					\$ 16,857.31				

Pacific Gas and Electric Company  
Bundled Commercial/General Service Electric Rates at a Glance

Rates Effective:  
March 1, 2011, to Present

Rate Schedule	Customer Charge	Season	Time-of-Use Period	Demand Charge (per kW)	Time-of-Use Period	Total Energy Charge (per kWh)	PDP <sup>1</sup> Charges	PDP <sup>2</sup> Credits			"Average" Total Rate <sup>3</sup> (per kWh)	
								DEMAND (per kWh)	ENERGY (per kWh)	ENERGY (per kWh)		
A-1	Single Phase Service per meter/day -\$0.29569; Polyphase Service per meter/day -\$0.44353	Summer				\$0.19712						
		Winter				\$0.14747						
A-1 TOU	Single Phase Service per meter/day -\$0.29569; Polyphase Service per meter/day -\$0.44353	Summer	On peak			\$0.22231						
			Part Peak			\$0.19644						
		Off Peak			\$0.18101	\$0.60						
		Winter			\$0.15284							
A-6 TOU	Single phase service per meter/day -\$0.29569; Polyphase service per meter/day -\$0.44353. Plus Meter charge = \$0.20107 per day for A6 or A6X; = \$0.05914 per day for A6W <sup>5</sup>	Summer	On peak			\$0.44703						
			Part Peak			\$0.20182						
		Off Peak			\$0.12183	\$1.20						
		Winter			\$0.16794							
A-10 (Table A)	\$3.94251 per meter per day	Summer										
		Winter										
A-10 TOU (Table B)	\$3.94251 per meter per day	Summer	Peak			\$0.13666						
			Part-Peak			\$0.10643						
		Off-Peak			\$0.15633							
		Winter			\$0.11110							
E-19 TOU	Meter charge: -\$4.11992/day for E19 V or X; = \$3.97789/day for E19W <sup>4</sup> ; -\$13.55236/day for E19S mandatory; -\$19.71253/day for E19P mandatory; -\$39.42956/day for E19T mandatory	Summer	Max. Peak			\$0.13666						
			Part Peak			\$0.10643						
		Winter	Maximum			\$0.15633						
			Part Peak			\$0.11110						

<sup>1</sup>Peak Day Pricing (PDP) (Consecutive Day and Four-Hour Event Option). All Usage During PDP Event. See specific tariff for further details.

<sup>2</sup>Peak Day Pricing (PDP) (Consecutive Day and Four-Hour Event Option). See specific tariff for further details.

<sup>3</sup>Average rates based on estimated forecast. Average rates provided only for general reference, and individual customer's average rate will depend on its applicable kW, kWh, and TOU data.

<sup>4</sup>Effective May 1, 2006, the voluntary TOU one time reprogramming charge of \$87 if there is a TOU meter already present, and one time \$443 meter installation charge if there is no TOU meter, were eliminated.

<sup>5</sup>The lower daily TOU meter charge continues to apply to customers who were on Rate W as of May 1, 2006. Rate X applies to all other customers.

This table provided for comparative purposes only. See current tariffs for full information regarding rates, application, eligibility, average rate limiter and additional options.

RESOLUTION 2011-\_\_\_\_\_

AWARDING A FACILITY FINANCING CONTRACT (DESIGN-BUILD) TO RENEWABLE INTEGRATOR, INC., OF TRACY, CALIFORNIA FOR THE CIVIC CENTER SOLAR PANEL INSTALLATION PROJECT – CIP 71068

WHEREAS, The City of Tracy was awarded an Energy Efficient & Conservation Block Grant (EECBG) from the Department of Energy for \$571,600 to install solar panels on Civic Center buildings per Award No. DE-SC0001645, and

WHEREAS, To facilitate public agencies completing energy efficient projects in a timely manner, the State of California Government Code Section 4217-13 allows public agencies to enter into Facility Financing Contracts with qualified individuals or firms to develop energy conservation plans and to complete design and construction, and

WHEREAS, A Request for Proposals (RFP) for installation of solar panels on Civic Center buildings was mailed to perspective proposers and was made available on the City's website on April 5, 2011, and

WHEREAS, After review of the proposals and based on the established criteria, Renewable Integrator Inc., of Tracy was found to be the most qualified proposer who met the requirements of the RFP to design and install solar panels on the Civic Center buildings, and

WHEREAS, City Council finds:

1. Funds for the repayment of the cost of design, construction, and operation of the Civic Center energy conservation facility, as required by the contract, are projected to be available from funding that otherwise would have been used for purchase of electrical energy required by the City in absence of this energy conservation facility within 15 years and these findings required under Sections 4217.12 and 4217.13 are made on projections for electrical rates from PG&E which is public utility that provides electrical energy to the public agency (City of Tracy), and
2. That the proposal from Renewable Integrator Inc., provides repayment of funds consistent with the requirement of the State of California Code Section 4217.3, and

WHEREAS, The Civic Center Solar Panel Installation Project is funded from a Federal EECBG grant and there is no impact to the General Fund;

NOW, THEREFORE, BE IT RESOLVED That City Council awards the Facility Financing Contract to Renewable Integrator Inc., of Tracy, California, in the amount of \$514,440, for the Civic Center Solar Panel Installation Project – CIP 71068.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was adopted by the Tracy City Council on the 17<sup>th</sup> day of May 2011 by the following vote:

AYES:            COUNCIL MEMBERS:

NOES:            COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 4

REQUEST

**PUBLIC HEARING FOR THE APPROVAL OF THE URBAN WATER MANAGEMENT PLAN UPDATE**

EXECUTIVE SUMMARY

The Urban Water Management Planning Act requires urban water suppliers, such as the City of Tracy, to prepare a management plan of its current and future water resources so as to continue to provide its customers with an adequate and reliable water supply.

DISCUSSION

A draft Urban Water Management Plan has been prepared. The subject material of the plan includes: past, present, and projected water use; reliability of the water supply; wastewater treatment and water recycling; water efficiency and drought contingency. The plan has been coordinated with the water conservation plan, water shortage contingency plan, groundwater management policy, recycled water ordinance, as well as the draft water master plan.

The notice for the preparation of the plan was published in the Tri Valley Herald on January 25, 2011. The notice for the public hearing was published in the Tri Valley Herald on February 28 and March 7, 2011. The draft document was posted on the City website on April 18, 2011. Draft hardcopies were made available at the Tracy Public Library and the Public Works Department as of April 15, 2011. After adoption by the City, the plan will be submitted to the State. The plan is required to be updated every five years.

The plan includes water demand estimates. In 2007, the City used 19,176 acre-feet of water. Since that time the water demand has trended lower, due to conservation efforts and vacant homes. The 2010 water demand was 16,603 acre-feet. The projected future water demand by 2035 is estimated to be up to 33,600 acre-feet/year.

The City has current water entitlements of up to a maximum of 31,833 acre-feet/year. These are subject to reduction in dry years and the projected available supply in multiple dry years is 23,600 acre-feet/year. To increase reliability in dry years, the plan includes acquisition of stored water supplies through an aquifer storage and recovery program, and water banked with the Semitropic Water Storage District in Kern County. Native groundwater usage will be reduced in future years in order to improve the aesthetic quality of the water delivered to the customer and to meet future wastewater regulatory requirements. The groundwater will be available in the event of an emergency.

Legislation approved in 2009 requires the State to reduce urban per capita water use by 20 percent by 2020. The City's 10-year base daily water use for 1995 -2004 is 227 gallons per capita per day. The 2020 conservation target is 20% less or 182 gallons per capita per day. It is anticipated that the future use of recycled water will assist in attaining this conservation goal.

The City has a diverse and reliable portfolio of water resources that should ensure an adequate and high quality water supply to City customers.

#### STRATEGIC PLAN

This agenda items supports the Environmental Sustainability Strategic plan by providing Tracy residents with an adequate and reliable water supply and implementing water conservation measures.

#### FISCAL IMPACT

There is no fiscal impact associated with the adoption of the Urban Water Management Plan. Erler & Kalinowski, Inc. prepared the Urban Water Management Plan. The fee for preparing the plan was \$40,000, which was charged to the Water Enterprise Fund.

#### RECOMMENDATION

That the City Council, by resolution, adopt the Urban Water Management Plan.

Attachment: Urban Water Management Plan, Public Review Draft

Prepared by Vanessa Carrera, Management Analyst I

Reviewed by Kevin Tobeck, Director of Public Works



**Erler &  
Kalinowski,  
Inc.**



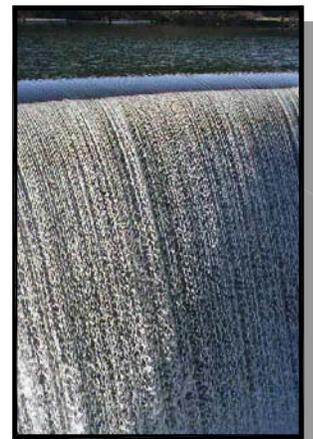
# City of Tracy

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*Urban Water Management Plan*

***PUBLIC REVIEW DRAFT***

April 2011



**Consulting engineers and scientists**

**CITY OF TRACY  
URBAN WATER MANAGEMENT PLAN  
PUBLIC REVIEW DRAFT**

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**LIST OF ABBREVIATIONS AND ACRONYMS**

AB3030	Assembly Bill 3030, Groundwater Management Act
AB 303	Assembly Bill 303, Local Groundwater Assistance
AB 1420	Assembly Bill 1420, Water Demand Management Measures
ac-ft	acre-feet
Act	Urban Water Management Planning Act
ADWF	Average Dry Weather Flow
ASR	Aquifer Storage and Recovery
BBID	Byron-Bethany Irrigation District
BCID	Banta-Carbona Irrigation District
BMO	Basin Management Objectives
BMP	Best Management Practice
BOD	Biochemical Oxygen Demand
CDPH	California Department of Public Health
CEQA	California Environmental Quality Act
CII	Commercial, Industrial, and Institutional
CUWCC	California Urban Water Conservation Council
CVP	Central Valley Project
CVRWQCB	Central Valley Regional Water Quality Control Board
DAF	Dissolved air flotation
DEIR	Draft Environmental Impact Report
DGWTP	Nick C. DeGroot Water Treatment Plant
DMC	Delta-Mendota Canal
DMM	Demand Management Measures
DPWD	Del Puerto Water District
DWR	State of California Department of Water Resources
EC	specific conductance, measured by electrical conductivity
EIR	Environmental Impact Report
EKI	Erler & Kalinowski, Inc.
ft bgs	feet below ground surface
ft msl	feet above Mean Sea Level
FY	Fiscal year
GEI	GEI Consultants, Inc., Bookman-Edmonston Division
GMO	Growth Management Ordinance
GMP	Groundwater Management Plan
GPM	Gallons per minute
GPS	Global Positioning System
ISP	Industrial Specific Plan
JJWTP	John Jones Water Treatment Plant
LAFCO	Local Agency Formation Commission
M&I	municipal and industrial
MCL	maximum contaminant level

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**LIST OF ABBREVIATIONS AND ACRONYMS (Continued)**

MG	million gallons
mg/L	milligrams per liter
MGD	million gallons per day
NPDES	National Pollutant Discharge Elimination System
PG&E	Pacific Gas & Electric
PROSIM	Project Simulation Model
PUD	Planned Unit Developments
PVWD	Plain View Water District
PWD	Patterson Water District
RGA	Residential Growth Allotment
RMF	Residential multifamily
RRA	Reclamation Reform Act of 1982
RSF	Residential single family
SB	Senate Bill
SB 7	Senate Bill 7
SCWSP	South County Water Supply Project
SEMS	Standardized Emergency Management System
SJCFCID	San Joaquin County Flood Control and Irrigation District
SLDMWA	San Luis & Delta-Mendota Water Authority
SOI	Sphere of Influence
SSJID	South San Joaquin Irrigation District
SWP	State Water Project
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
TOC	Total Organic Carbon
THM	trihalomethanes
TMC	City of Tracy Municipal Code
Tracy	City of Tracy
UAW	Unaccounted-for water
ULFT	Ultra-Low-Flush Toilets
USBR	United States Bureau of Reclamation
UWMP Act	Urban Water Management Planning Act
UWMP	Urban Water Management Plan
WCC	Water Conservation Coordinator
WCRP	Water Conservation and Rationing Plan
WEP	Water Exchange Program
West SID	West Stanislaus Irrigation District
WSCP	Water Shortage Contingency Plan
WSERP	Water System Emergency Response Plan
WSID	West Side Irrigation District
WUDS	Water Usage Data System
WWTP	Wastewater Treatment Plant

## 1. INTRODUCTION

In 1983, California enacted the Urban Water Management Planning Act (“UWMP Act”) (Water Code Sections 10610 - 10656). The UWMP Act states that every urban water supplier that provides water to 3,000 or more customers, or that provides over 3,000 acre-feet of water annually, should ensure water service reliability to meet the needs of its customers during normal, dry, and multiple-dry years. Normally, the UWMP Act requires urban water suppliers to update their Urban Water Management Plan (“UWMP”) for submittal to the Department of Water Resources (“DWR”) in years ending in five and zero. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 plans to 1 July 2011. In accordance with the UWMP Act, Eler & Kalinowski, Inc (“EKI”) has, on behalf of the City of Tracy (“City” or “Tracy”), prepared this 2011 update to the Tracy Urban Water Management Plan.

Tracy’s 2011 UWMP describes how the City intends to manage its existing and future water resources and demands to continue to provide its customers with an adequate and reliable water supply. This updated UWMP reflects changes to the City’s water supply portfolio and water uses, as well as the following significant revisions that have been made to the UWMP Act since 2005. The most recent version of the UWMP Act is included for reference as Appendix A.

- Pursuant to AB 1420, Laird, 2007: Eligibility for water management grants and loans from DWR, the State Water Resources Control Board, and the California Bay-Delta Authority, will be conditioned on the implementation of all locally cost-effective Demand Management Measures (“DMMs”) described in the UWMP Act. The UWMP Act contains 14 DMMs, including, among other things, residential water surveys, plumbing retrofits, landscape conservation, and commercial conservation programs. DWR has published guidelines to assist water agencies in meeting the requirements of AB 1420. As part of these guidelines, DWR requires the implementation of DMMs at the coverage level determined for Best Management Practices (“BMPs”) by the California Urban Water Conservation Council (“CUWCC”) in the "MOU Regarding Urban Water Conservation in California," dated December 10, 2008, and as amended.
- Pursuant to SB 1087, Florez, 2005: Water demand projections reported in a UWMP must identify the projected water demand for lower income single-family and multi-family residential households. The intent of this legislation is to assist water suppliers in complying with Government Code 65589.7, which grants priority for the provision of service to housing units that are affordable for lower income households.
- Pursuant to SB 7, Steinberg, 2009: SB 7 requires the state to reduce urban per capita water demand by 20 percent no later than 31 December 2020, and by at least 10 percent no later than 31 December 2015. The legislation recognizes that it may be possible to achieve the per capita water demand reductions while maintaining or even increasing overall water demand, depending on changes in climate and population within each supplier’s service area.

SB 7 identifies the UWMP as the primary mechanism for reporting water demand estimates and water demand targets required by SB 7. UWMPs must also include the following:

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- A water efficiency component that includes programs for implementing best management practices, climate-appropriate landscaping, and accelerated water metering;
- A local water resources component that considers water quality and alternative local supply sources;
- A water efficiency planning component that estimates the conservation savings to be achieved through the development of local supplies, residential water efficiency, and commercial, industrial, and institutional water efficiency; and
- Interim milestones for assessing progress toward meeting these conservation targets.

Tracy has prepared this UWMP in accordance with the format suggested in the DWR’s *Guidebook to Assist Water Suppliers in the Preparation of a 2010 Urban Water Management Plan*, dated March 2011. In each of the following sections, this document repeats the relevant paragraph of the UWMP Act, followed by information pertinent to existing and projected conditions for the City of Tracy. Supporting documentation is provided in Appendices A through P. Other sources for the information contained herein are provided in the References section of this document.

### **1.1 AGENCY COORDINATION**

*10620 (d) (2) Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.*

Tracy derives most of its water supply from multiple surface water sources through contracts with the federal government, and surrounding irrigation and water districts. The remainder of Tracy’s water supply comes from groundwater extracted from the local Tracy Groundwater Basin, management of which is coordinated by multiple overlying and appropriative groundwater users.

Tracy coordinates water supply and management efforts with the following agencies, grouped according to common water supply source:

- *Delta-Mendota Canal /Central Valley Project (“DMC/CVP”) Water*
  - U.S. Bureau of Reclamation (“USBR”) - San Luis & Delta-Mendota Water Authority (“SLDMWA”)
  - Banta-Carbona Irrigation District (“BCID”)
  - West Side Irrigation District (“WSID”)
  - Byron-Bethany Irrigation District (“BBID”)
- *South County Water Supply Project (“SCWSP”)*
  - South San Joaquin Irrigation District (“SSJID”)
  - City of Manteca
  - City of Lathrop
  - City of Escalon
- *Tracy Basin Assembly Bill 3030 (“AB 3030”) Regional Groundwater Management Plan*
  - Plain View Water District (“PVWD”), which is now part of BBID;
  - BCID

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- Del Puerto Water District (“DPWD”)
  - Patterson Water District (“PWD”)
  - WSID
  - West Stanislaus Irrigation District (“West SID”)
  - San Luis & Delta-Mendota Water Authority
  - San Joaquin County Flood Control and Irrigation District (“SJCFCID”)
- *Semitropic Water Bank*

Tracy entered into a 40-year Municipal and Industrial (“M&I”) contract with the USBR (Contract No. 14-06-200-7858A, or the “Tracy Contract”) in 1974 for an annual entitlement of 10,000 acre-feet (“ac-ft”) of surface water from the Central Valley Project (“CVP”) via the Delta-Mendota Canal (“DMC”) (conjunctively referred to as the “DMC/CVP”) (Kennedy/Jenks, 1994). Tracy has the right of renewal for the Tracy Contract. Tracy is working to renew the Tracy Contract with the USBR prior to the Tracy Contract’s 2014 expiration date. If the renewed Tracy Contract is not completed before 2014 the City has a right for an interim contract.

On 27 February 2004, Tracy, the USBR, and the Banta-Carbona Irrigation District entered into an agreement for an assignment of 5,000 ac-ft of Agricultural reliability (“Ag-reliability”) water from the BCID to Tracy (Contract No. 14-06-200-4305A or “BCID Contract”).<sup>1</sup> Also on 27 February 2004, Tracy, the USBR, and the West Side Irrigation District entered into an agreement for an assignment of 2,500 acre-feet of Ag-reliability water from the WSID to Tracy (Contract No. 7-07-20-W0045-B “WSID Contract”).<sup>2</sup> Tracy also has the option to exercise the right to a future assignment of an additional 2,500 acre-feet of Ag-reliability water now under WSID’s existing contract with USBR. These WSID and BBID CVP contracts with USBR have a 40-year term and will expire in 2044. As part of the Tracy Contract negotiations, the USBR is considering combining its three separate contracts with Tracy into a single contract, with a likely term of 40 years.

Tracy is involved in a collaborative effort with the Cities of Manteca, Escalon, and Lathrop and with the SSJID for the operation of the SCWSP. As part of the SCWSP, Tracy has been allocated 10,000 ac-ft per year of Stanislaus River water and 15 million gallons per day (“MGD”) of treatment capacity in the Nick C. DeGroot Water Treatment Plant (“DGWTP”). Tracy began receiving deliveries of Stanislaus River water in August 2005. Tracy’s coordination efforts with the entities involved in the SCWSP include coordinating schedules of water deliveries.

Tracy also coordinates with several other agencies in the DMC/CVP Service Area (i.e., Byron-Bethany Irrigation District, Banta-Carbona Irrigation District, Del Puerto Water District, Patterson Water District, West Side Irrigation District, West Stanislaus Irrigation District, San Luis & Delta-Mendota Water Authority, and the San Joaquin County Flood Control and Irrigation District) in the management of the Tracy Groundwater Basin (“Basin”). These Basin stakeholders collectively developed a Regional Ground Water Management Plan (“Regional GMP”) for the

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<sup>1</sup>[http://www.usbr.gov/mp/cvpia/3404c/lt\\_contracts/2004-05\\_foc/2004foc\\_banta\\_carbona\\_id\\_09-24-04.pdf](http://www.usbr.gov/mp/cvpia/3404c/lt_contracts/2004-05_foc/2004foc_banta_carbona_id_09-24-04.pdf)

<sup>2</sup>[http://www.usbr.gov/mp/cvpia/3404c/env\\_docs/final\\_ea\\_fonsi/dmc/dmc\\_ea\\_chap03-01\\_feb2005.pdf](http://www.usbr.gov/mp/cvpia/3404c/env_docs/final_ea_fonsi/dmc/dmc_ea_chap03-01_feb2005.pdf)

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Basin pursuant to the 1992 Groundwater Management Act, AB 3030.<sup>3</sup> The stated objective of the GMP is to manage the Basin such that sustained use of groundwater can be optimized without adverse impacts to water quality and yield. Tracy adopted the Regional GMP via Ordinance No. 511 on 21 May 1996. Tracy is participating in the updating of this plan.

Tracy coordinates with the San Joaquin Local Agency Formation Commission (“LAFCO”) regarding the water service area boundary.

A summary of the UWMP coordination process between Tracy and relevant agencies is provided in Table 1 and the notification process is described in Section 1.2.1.

## **1.2 NOTIFICATION OF UWMP PREPARATION**

Tracy began preparation of this updated UWMP in November 2010 and has encouraged stakeholder interaction throughout the process. A description of the notifications that Tracy has sent to the agencies and the public that the City coordinates with is provided below.

### **1.2.1 Agency Notification**

On 6 January 2011, the City sent a letter to agencies identified below to inform them that the City was in the process of updating its UWMP and was soliciting their input.

- City of Lathrop
- City of Manteca
- Mountain House Community Services District
- Banta-Carbona Irrigation District
- Byron-Bethany Irrigation District
- Westside Irrigation District
- San Joaquin County of Public Works
- Pescadero Reclamation District
- South Delta Water Agency
- San Luis and Delta Water Authority
- South San Joaquin Irrigation District

On 22 February 2011, the City sent a letter to each of the above mentioned agencies informing them where the document would be available for review and welcoming their input and comments on the document. The draft 2011 UWMP was available for public review at the Tracy Public Library, the Tracy Public Works Department, and the City Clerk's Office. The letter also informed the agencies that the SB 7 and UWMP public hearing would be occurring at City Hall on 17 May 2011. The letter was sent more than 60 days before the public hearing as required by code.

A sample copy of a notification letter is included in Appendix B.

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<sup>3</sup> Provisions to AB 3030 have been added since its original passage in 1992. For example, the Machado Amendment (SB 1938) added specific requirements regarding what must be included in a GMP for an entity to be eligible for state funds administered by the Department of Water Resources for the construction of groundwater projects or groundwater quality projects.

### **1.2.2 Public Notification**

Tracy notified the public and solicited the public's input throughout the 2011 UWMP preparation process. Two notifications were published including an invitation to participate in the UWMP planning and a notification of the public hearing. A sample version of each of the public notifications described below is provided in Appendix B.

During the preparation of its UWMP, on 25 January 2011, the City published a notice in the Tri Valley Herald informing the public that the City was in the process of updating its UWMP and soliciting their input during the update process.

Consistent with Government Code 6066,<sup>4</sup> on 28 February 2011 and 7 March 2011, Tracy published a notice in the Tri Valley Herald informing the public that the 2011 UWMP would be available for public review at the Tracy Public Library, the Tracy Public Works Department, and the City Clerk's Office. The notice also informed the public that the SB 7 and 2011 UWMP public hearing would be held at Tracy City Hall on 17 May 2011.

### **1.3 WATER MANAGEMENT TOOLS**

*10620 (f) An urban water supplier shall describe in the plan water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions.*

As described above and in Section 4, Tracy conjunctively uses its surface water and groundwater resources to meet its water demands and to increase the redundancy and reliability of its water supply. Tracy has been proactive in securing surface water rights, while relying on groundwater for peaking during the summer and for supplemental drought supplies. Tracy is pursuing increased management of its groundwater supplies through development of a pilot Aquifer Storage and Recovery ("ASR") program.

Additionally, Tracy is purchasing water storage space in the Semitropic Water Bank; this increases the City's water supply reliability during drought conditions. Tracy is also developing agreements with the Byron-Bethany Irrigation District for acquisition of (1) the right to delivery of 3,000 ac-ft per year of water to which BBID is entitled based upon its pre-1914 appropriative water rights, and (2) the option to acquire BBID CVP contract rights to up to approximately 11,000 Ag-reliability DMC/CVP water. Tracy is also planning on acquiring an additional 3,000 ac-ft from SSJID as part of the SCWSP.

Tracy is managing its water resources with the goal of mitigating the need to import water through water conservation efforts and planned use of recycled water to offset potable water demand for irrigation purposes within the City. Additional information related to these water management efforts is provided in Sections 4 and 6.

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<sup>4</sup> Government Code Section 6066. Publication of notice pursuant to this section shall be once a week for two successive weeks. Two publications in a newspaper published once a week or oftener, with at least five days intervening between the respective publication dates not counting such publication dates, are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the fourteenth day, including therein the first day.

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**1.4 ADOPTION AND IMPLEMENTATION OF UWMP**

*10642. Each urban water supplier shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of the plan. Prior to adopting a plan, the urban water supplier shall make the plan available for public inspection and shall hold a public hearing thereon. Prior to the hearing, notice of the time and place of hearing shall be published within the jurisdiction of the publicly owned water supplier pursuant to Section 6066 of the Government Code.. The urban water supplier shall provide notice of the time and place of hearing to any city or county within which the supplier provides water supplies. A privately owned water supplier shall provide an equivalent notice within its service area. After the hearing, the plan shall be adopted as prepared or as modified after the hearing.*

As described in Section 1.2, the City informed the public and the appropriate agencies of (1) its intent to prepare this updated 2011 UWMP, (2) when and where the UWMP was available for public review, and (3) when the public hearing regarding SB 7 and the UWMP would be held. All notifications were completed in compliance with Section 6066 of the Government Code.

**This updated 2011 UWMP was adopted by Resolution No. XX by the City Council during its 17 May 2011 City Council meeting.** A copy of the resolution is included in Appendix C.

A copy of the adopted 2011 UWMP including any amendments will be provided to DWR, the California State Library, San Joaquin County, USBR, SSJID within 30 days of the adoption. A copy of the adopted 2011 UWMP will be available for public review during normal business hours within 30 days after filing the plan with DWR.

The plan will be implemented as described in the following sections.

## 2. SERVICE AREA INFORMATION

10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:  
(a) Describe the service area of the supplier; including current and projected population, climate, and other demographic factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year increments to 20 years or as far as data is available.

Tracy is located in San Joaquin County, 68 miles south of Sacramento and 60 miles east of San Francisco (Figure 1). The City lies east of the Coastal Range that separates California's Central Valley from the San Francisco Bay Area. Interstate 205 runs through the northern-most part of the City and connects I-580 to I-5, a major north-south interstate corridor east of Tracy.

Included below is information provided in Tracy's 2009 General Plan related to the City's development, population, and demographic projections. In addition, this section describes local climate and geography.

### 2.1 CITY LIMITS AND SPHERE OF INFLUENCE INFORMATION

The existing incorporated area of the City encompasses approximately 22 square miles (General Plan, 2009). The Sphere of Influence ("SOI") is the area outside of the City limits that Tracy expects to annex and urbanize in the future, including the expected physical limit of the City based on the most current available information (Figure 2) (General Plan, 2009). During the Tracy General Plan update process, revisions to the SOI were made to more accurately reflect locations where Tracy may grow in the future and locations where no urban growth is expected.<sup>5</sup> The revised SOI is approximately 41 square miles, or 19 square miles larger than the City limits.

### 2.2 SPECIFIC PLANS AND LARGE PLANNED UNIT DEVELOPMENTS

Tracy's proximity to the San Francisco Bay Area and Silicon Valley has made it an attractive place for home buyers who want to live in a place with "small town" atmosphere and affordable housing, while maintaining access to the fast-growing Bay Area economy. Numerous Specific Plans and large-scale Planned Unit Developments ("PUDs") have been adopted within the Tracy City limits and SOI to accommodate growth demands. Descriptions of each plan or development and its geographic area and adopted uses are outlined below. The location of each plan area is shown in Figure 3.

- *Residential Areas Specific Plan*. Created in 1987, the Plan guides the development of 1,480 acres within the City limits. The land is grouped into three planning areas or neighborhoods, two on the southern side of the City and one in the northwest. These areas are largely built-out.
- *Plan C*. Formed in 1998, Plan C represents an infrastructure financing area comprised of approximately 1,417 acres located in the west, south and southeast portions of the City. Plan C is comprised of several separate PUDs that are designed to guide the development of

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<sup>5</sup> The revised 2009 SOI is approximately eight square miles smaller than the previous SOI.

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single-family homes with accompanying parks and schools. Plan C is largely built-out; however, there are several vacant parcels zoned for multifamily housing and commercial development.

- *I-205 Corridor Specific Plan*. The I-205 Corridor Specific Plan includes approximately 714 acres of land on the northwest and northeast sides of Tracy, adjacent to I-205. The Specific Plan includes development of shopping centers, auto plazas, and light industrial uses. The Plan also includes approximately 200 acres of residential development, including 216 high-density units and 733 medium and low-density units.
- *Northeast Industrial PUD*. Anticipated land uses on the 870-acre PUD in the northeast corner of the City include a mixture of manufacturing, warehousing, and distribution uses including rail-dependent industries and “flex-tech” light industrial.
- *Industrial Areas Specific Plan (“ISP”)*. The ISP covers approximately 685 acres of land, mostly in the northeast quadrant of the South Tracy Boulevard-Linne Road intersection and the northeast quadrant of the MacArthur Drive-Eleventh Street intersection. This ISP area is designated for general, light industrial, office, and “flex-tech” uses. The Edgewood Corporate Center and South Tracy Business Park, which cater to small- to medium-sized companies, have already been developed in the ISP area.
- *South Schulte Specific Plan*. Approved in 1998, the South Schulte Specific Plan covers 1,844 acres located outside of the City limit on the southwest side of the City, northwest of the Airport. Approximately 1,090 acres of the South Schulte Specific Plan area is designated for residential uses and will accommodate a maximum of 5,700 dwelling units. An area of approximately 423 acres is zoned for industrial and commercial uses, 173 acres is designated for schools, parks and public facilities, and the remaining 157 acres is allocated for roads. Tracy is evaluating revisions to the South Schulte Specific Plan.
- *Gateway PUD*. The 538-acre Tracy Gateway project is located at the western edge of the incorporated City boundary, south of I-205 at the Eleventh Street off-ramp. The proposed development consists of 5.8 million square feet of office, commercial, and retail uses that support the Tracy community and an anticipated 20,000-person business population. The proposed project also includes a multi-story hotel and a golf course.
- *Tracy Hills Specific Plan*. The Tracy Hills Specific Plan area, located on the southwest side of the City, includes 6,175 acres. Of the 2,700 acres within the City limits, proposed land uses include approximately 1,300 acres at a mixture of densities with a maximum of 5,499 residential units. Approximately 600 acres with up to six million square feet of space are planned for commercial, office and industrial uses. Roughly half of the remaining 800 acres of the Specific Plan area within the City limits is designated to accommodate neighborhood parks, schools, recreational uses and other open space, while the other half is devoted to roads and canals. The remainder of the Specific Plan area (approximately 3,550 acres), located outside the City limits and within the SOI, is planned to remain permanent open space for habitat conservation and managed grazing.
- *Cordes Ranch*. Cordes Ranch has been added to the SOI, is referred to as Urban Reserve 6 and is 1,730 acres in size. The majority of the property is designated for industrial uses. The vision for the area is that the industrial uses would occupy the interior portions of the property, while the properties abutting Mountain House Parkway and I-205 would consist of

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higher identity businesses with an emphasis on commercial, low-rise office and office/flex uses.

### **2.3 POPULATION OF TRACY'S SERVICE AREA**

Population growth has been rapid in Tracy, with the City growing by 143% between 1988 and 2008. The State Department of Finance population estimate for Tracy as of January 1, 2010 was 82,107 (California, 2010). Tracy also serves water to the 377 residents in the Larch Clover County Services District outside of City Limits. The Larch Clover County Services District population is calculated by multiplying 3.279 people per household for Tracy from the Department of Finance for Tracy (California, 2008) by 115 residences<sup>6</sup>. The population served by Tracy is calculated by adding the population within the City Limits from the California Department of Finance (California, 2007; California, 2010) and the population within the Larch Clover County Services District as calculated above.

Tracy's future population growth, at least in the near-term, is not anticipated to be as rapid as it has been historically. Tracy adopted a residential Growth Management Ordinance ("GMO") in 1987, which was amended in 2000 by the voter-initiated Measure A. The objective of the GMO and Measure A is to achieve a steady and orderly growth rate that allows for the adequate provision of services and community facilities, and includes a balance of housing opportunities. Under the GMO, builders must obtain a Residential Growth Allotment ("RGA") to secure a residential building permit. The GMO limits the number of RGAs and building permits to an average of 600 housing units per year for market rate housing, with a maximum of 750 units in any single year, although there are exceptions for affordable housing (General Plan, 2009).

The projected population for 2010 through 2025 will be based on the General Plan (General Plan, 2009) and for 2025 through 2035 from the Draft Water System Master Plan (WYA, 2011). The population projections in this document are conservative for the following reason. The assumed increase in population may be higher than what will be observed because of the Measure A restriction. Table 2 lists Tracy's projected population in five-year increments to the year 2035. Tracy is projected to have a total future population of approximately 109,000 people by the year 2025 (General Plan, 2009). The population increase from 2010 through 2025 is assumed to be a linear projection based on the 2025 population listed in the 2009 General Plan. A 2040 population of 134,477 is listed in the draft Water System Master Plan (WYA, 2011). A linear growth rate is assumed from 2025 through 2040.

### **2.4 DEMOGRAPHICS**

Except as noted, the following demographic information was taken from the Tracy website:<sup>7</sup>

- Median age of residents is 31.3 years;
- Median annual household income is \$74,773; and
- 72% of housing units are owner-occupied and 28% are renter-occupied.

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<sup>6</sup> Number of residences is provided by the City Finance Department.

<sup>7</sup> <http://www.ci.tracy.ca.us/about/demographics/> accessed 10 November 2010.

## **2.5 GEOGRAPHY**

Tracy, which lies along the western border of the San Joaquin Valley, has annexed a portion of the neighboring foothills (see Figure 1). Ground surface elevations in Tracy range from 600 feet above mean sea level (“ft msl”) in the foothills along the southwestern boundary of the Tracy SOI to 9 ft msl at the northern boundary (Kennedy/Jenks, 1994). Tracy lies adjacent to the State Water Project’s California Aqueduct, the DMC/CVP, and the Old River. The Old River flows east to west just north of Tracy.

## **2.6 CLIMATE**

Spring, summer, and fall are generally hot in Tracy, with temperatures often climbing to over 100° Fahrenheit (“F”) on summer days. Tracy’s winters are usually mild, although the dense “Tule fog” can last for weeks. Mean winter temperatures range from 40 °F to 50 °F. Most precipitation occurs during winter. The average annual precipitation during the years 1949 to 2010 is recorded by the Western Regional Climate Center as 9.86 inches.<sup>8</sup>

## **2.7 WATER UTILITY SERVICE AREA AND INFRASTRUCTURE**

Tracy serves water within a 44 square-mile area that includes the City limits and portions of the SOI. The extent of the water system service area and infrastructure are shown Figure 4. A small volume of BBID water that is managed through Tracy’s treatment and distribution system on behalf of Patterson Pass Business Park is not considered to be part of Tracy’s system and therefore is not included in the UWMP (see also Section 4.1.1.1). Details of the potable water supply system are provided below.

### **2.7.1 Service Connections**

Tracy provides water service to all water users within the City Limits, plus approximately 377 residents of the Larch-Clover County Services District. All connections are metered. As of 1 December 2010, Tracy served 23,449 metered service connections. The distribution of the connections by customer sector are listed in Table 3. The majority of the connections are single-family residential.

### **2.7.2 Pressure Zones**

Due to the several hundred foot difference in elevation throughout its service area, Tracy has established three pressure zones for its treated water distribution system. Figure 4 shows the area encompassed by the three existing pressure zones (Zones 1, 2, and 3), as well as the water distribution infrastructure and groundwater well locations. To support the development proposed in the foothills, two additional pressure zones (Zones 4 and 5) have been proposed for future use.

The three existing pressure zones include over 260 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 (WYA, 2011). Several booster pump

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<sup>8</sup> Western Regional Climate Center, Tracy Carbona station from 1949 to 2010.

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stations regulate the pressure differences between the three existing zones and, along with the pressure control valves, regulate flow between zones (WYA, 2011).

Zone 1, the most developed of the three existing zones, is supplied water from a 36-inch transmission main that extends north from the John Jones Water Treatment Plant (“JJWTP”) along Tracy Boulevard, 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 elevations and pressures within each of the three existing and two future pressure zones are summarized in Table 4.

### **2.7.3 Storage facilities**

Tracy has four storage reservoirs (WYA, 2011). Two of these reservoirs are located adjacent to the JJWTP, with a total storage capacity of approximately 4.66 MG. Additional storage is provided by the Northeast Industrial reservoir, with a capacity of 2.4 MG. The fourth storage reservoir is the 7.1 MG capacity reservoir located on Linne Road that was completed in May 2005.

### **2.7.4 Water Treatment Facilities**

As described in Section 4, Tracy’s surface water supplies are treated at the JJWTP and by SSJID at the Nick C. DeGroot Water Treatment Plant (“DGWTP”). Groundwater is either treated at the wellhead or at the JJWTP.

### **2.7.5 SCWSP**

SCWSP is a partnership between the cities of Tracy, Manteca, Lathrop, and Escalon and the SSJID which has developed a surface water treatment plant and pipeline system delivering water from the Stanislaus River to each participating agency.

### 3. WATER DEMAND

10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:  
10631 (e) (1) Quantify, to the extent records are available, past and current water use, over the same five-year increments described in subdivision (a), and projected water use, identifying the uses among water use sectors including, but not necessarily limited to, all of the following uses:

- (A) Single-family residential.
- (B) Multifamily.
- (C) Commercial.
- (D) Industrial.
- (E) Institutional and governmental.
- (F) Landscape.
- (G) Sales to other agencies.
- (H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.
- (I) Agricultural.

(2) The water use projections shall be in the same five-year increments described in subdivision (a).

Water demand is dependent on climate, population, industry, and the types of development present in a community. Sections 3.1 and 3.2 describe Tracy's historical and projected water uses for residential, commercial, industrial, institutional, and landscape irrigation purposes within the City. This discussion does not include uses for the water demand sectors G through I described above. A discussion of these water demand sectors is provided in Section 3.3.

#### 3.1 CURRENT AND HISTORIC WATER DEMAND

Tracy's current and historic total water uses include the water consumed by metered accounts in the City ("metered water consumption") and the water that is lost or unaccounted for within the system ("unaccounted-for water" or "UAW"). There are no non-potable water uses within the City.

The City's Water Resource Coordinator maintains records of Tracy's historic water demand. Three major trends in Tracy's water demand have been observed:

- *Seasonal fluctuations in demand:* Tracy typically experiences dry summers and wet winters. Tracy's water demand has correspondingly been highest June, July, and August, and lowest in December, January, and February. This seasonal trend in water demand for the years 1990 through 2010 is shown in Table 5.
- *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.
- *Recent decrease in demand:* From 2008 through 2010 Tracy has experienced a decrease in demand. The decrease in demand may be due to the poor economy or variations in weather. The 2007 uses are expected to be more representative of current uses as the economy improves (WYA, 2011).

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The following sections provide additional detail regarding Tracy’s water uses for the five-year period 2005 through 2010.

### 3.1.1 Water Demand Sectors

To more fully understand patterns of water demand within Tracy, the metered accounts were divided into the water demand sectors described below. Trends in water demand within each customer sector were tracked using data from the City’s Inspironix Water Usage Data System (“WUDS”).

- The *Residential Single Family* (“*RSF*”) and *Residential Multi-Family* (“*RMF*”) sectors include all residences including low income residences within the City’s SOI.
- The *Commercial* sector includes food-related businesses, such as bakeries and restaurants, and non-food related businesses such as laundromats and car washes.
- The *Industrial* sector includes hotels, mortuaries, dry cleaners, and larger businesses such as Leprino Foods.
- The *Institutional* sector primarily includes government-related services, such as the police and fire departments and City Hall, as well as religious and educational buildings.
- The *Irrigation* sector includes all dedicated irrigation meters at City parks and schoolyards.

A discussion of the other water demand sectors is provided in Section 3.3.

### 3.1.2 Water Demand Patterns

The residential sectors (*RSF* and *RMF*) account for most of the City’s potable water demand (Table 6). The *RSF* sector accounted for an average of 60% of the City’s total water demand from 2005 through 2010 and the *RMF* sector accounted for 6% of the City’s total water demand over the same period. Accounts with dedicated irrigation meters, the *Irrigation* sector, accounted for nearly 10% of the City’s water demand, while the *Commercial* and *Industrial* sectors accounted for 8% and 5% respectively. *Institutional* users accounted for 4% of the total water demand within the City. The remaining demand is a result of UAW (described below). According to the WUDS water consumption data for the period 2005 through 2010, the relative percentage of the total water demand represented by each sector has not changed significantly.

Although the relative proportion of water consumed by each water demand sector has remained nearly constant during this period (2005 through 2010), Tracy’s annual water demand decreased by 8% (i.e., from 17,892 ac-ft in 2005 to 16,603 ac-ft in 2010, Table 6). This decrease in water may be from the poor economy or variations in weather. Although restrictions have been adopted to control Tracy’s residential growth and encourage infill development (i.e., Measure A), the City still anticipates significant future growth, both in population and in the commercial, industrial, and institutional (“*CII*”) sector with a corresponding increase in the quantity of water needed to serve these additional uses. Future water demand projections for the years 2015 to 2035 are described below, in Section 3.2.

### 3.1.3 Unaccounted-for Water

Tracy’s total water demand is equivalent to the metered water consumption plus water that is lost, or unaccounted for, within the system. The UAW includes water used for fire hydrant flushing

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and testing, for water main flushing, and for construction water. This volume of UAW is estimated by comparing metered water demand (i.e., consumption) against total water purchases and groundwater production. Historical UAW is listed in Table 6. UAW for 2005 and 2008 were negative, and are likely the result of inaccurate meter readings. UAW for 2006 and 2009 also appear to be erroneous because of a low values. Excluding these years, the UAW has averaged 7.1 percent from 2000 through 2009 (WYA, 2011). For the purposes of the UWMP, UAW is assumed to be 7.5 percent as used in other City water planning studies.

### **3.2 PROJECTED WATER DEMAND**

As discussed in Section 2, it is estimated that Tracy's population will reach approximately 109,000 people by 2025. Numerous developments have been proposed within the City's SOI to accommodate this growth and will require water to service the additional residential and CII developments. Prior to receiving the City's approval, to the extent required by SB 610 and SB 221 (referred to as the Kuehl-Costa amendments), each of these proposed developments is mandated to estimate its future water uses and to identify water supplies that may be used to meet its uses.<sup>9</sup> This water supply assessment process is intended to ensure that adequate water supplies exist to support proposed developments, and that these water supplies are sufficiently reliable.

The passage of Measure A slowed the pace of development within Tracy. The water demand estimated at full build-out, is as described in the Draft Water System Master Plan, based on the assumed water demand for each proposed development and specific plan and is conservative (i.e., the demand may be overstated.). Additional future water uses for recycled water are discussed in Section 4 of this UWMP.

#### **3.2.1 Projected Water Demand at Build-out**

Listed in Table 7 are the future development projects and future planning areas in and around the City and the anticipated water demand associated with each development at full build-out (WYA, 2011). Future water demands for these developments are based on estimated demand factors (i.e., ac-ft of water per acre of development) for residential and commercial developments and the total acreage included by each proposed development and specific plan. Total potable water demand for these proposed developments and specific plans is estimated to be approximately 15,800 ac-ft at full build-out not including unaccounted for water.

Potable water demand projections from 2015 through 2035 are listed in Table 8. Existing water demand for 2010 is also shown in the table. The Draft Water System Master Plan projections are based on 2007 water demands. The 2007 water demands were used, because they may be more representative of actual existing demands than the currently observed lower demands. A linear distribution of demand was assumed from 2007 through build-out in 2040 based on the values shown in Appendix D2 of the Draft Water System Master Plan for 2007 and 2040. Demand for each water demand sector was calculated in the following manner.

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<sup>9</sup> The Kuehl-Costa amendments mandate, among other things, that development projects with water demand greater than, or equivalent to 500-dwelling-units and residential subdivisions of more than 500-dwelling-units to identify existing water supply entitlements, water rights or water service contracts relevant to the water supply.

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- Residential Single Family. Includes water demand from the Master Plan categories of Residential - Very Low, Residential - Low, and Residential - Medium for both existing and build-out. Per the Draft Water System Master Plan, water demand factors for the residential sector are less than historic water demand factors because water will be used more efficiently in the future. For example, new growth will demand water saving fixtures.
- Residential Multi family. Includes water demand from the Draft Water System Master Plan categories of Residential – High and Residential - Very High for both existing and build-out.
- Future Low Income - Single Family and Multi family. Per Health and Safety Code 50079.5, water demand for the categories of extremely low income and lower income was calculated. The water demand was based on the projected needed number of extremely low income and lower income units for 2009-2014, from the 2009 Housing Element (City of Tracy, 2010). The number of units were multiplied by an assumed 310 gpd per dwelling unit. The water demand per dwelling unit is from the Draft Water System Master Plan based on the conservative assumption the future housing units will be medium density. Demand was split between single and multifamily based on historic City water usage data for these two categories. The same amount of low income demand was assumed to be added during each additional five year period.
- Commercial. Includes water demand from the Draft Water System Master Plan categories of Commercial and Office for both existing and build-out.
- Industrial. Includes water demand from the Draft Water System Master Plan category of Industrial for both existing and build-out.
- Institutional. Includes water demand from the Draft Water System Master Plan category of Public Facilities for both existing and build-out.
- Irrigation. Includes water demand from the Draft Water System Master Plan category of Irrigation for build-out.
- Other. Currently the City has a category for miscellaneous uncategorized water accounts. These accounts are assumed to be incorporated into the other water demand sectors by 2015.

### **3.3 WATER DEMAND SECTORS NOT INCLUDED IN THE DEMAND PROJECTIONS**

This section addresses historical and projected water demands for the water demand sectors described in Section 10631(e)(1) (G) through (I) and listed below:

- Sales to other agencies.
- Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.
- Agricultural.

Water demands for these sectors were not included in Tracy’s water demand calculations for the reasons described below:

### **3.3.1 Sales to Other Agencies**

Tracy does sell excess CVP supplies on an “as available basis” to other agencies, such as Westlands Water District, however, these sales are not appropriate to include in a water demand estimate for Tracy because (1) the sales only occur when Tracy has surplus water supplies and (2) Tracy has no obligation to sell the water.

### **3.3.2 Saline water intrusion barriers, groundwater recharge, and conjunctive use**

Tracy does not use water for saline barriers. Currently, Tracy only recharges groundwater as part of a pilot ASR program. Though the City anticipates that its future groundwater management activities will include in lieu groundwater recharge and the potential development of an ASR program (see Section 4.2.3.3), the exact quantity of water demanded by such actions is unknown at this time, nor are such actions expected to increase Tracy’s water demand. Tracy will continue to conjunctively manage its water resources (i.e., by using groundwater for peaking purposes during the summer months) (see Section 4.2.5), but again, such conjunctive management activities are not expected to increase Tracy’s water demand.

### **3.3.3 Agricultural**

Tracy does not sell water to agricultural customers and does not expect to in the future.

## **3.4 COORDINATING WATER DEMAND PROJECTIONS**

Tracy notifies the USBR each year of the deliveries that it expects to receive from the USBR during the following year. Tracy also notifies the SSJID each year of the deliveries that it expects to receive over the next three years.

## **3.5 BASELINE WATER USE AND WATER CONSERVATION TARGETS**

The Water Conservation Act directs DWR to develop technical methodologies and criteria to ensure the consistent implementation of the Water Conservation Act and to provide guidance to urban retail water suppliers in developing baseline and compliance water use. The Water Conservation Act of 2009 was incorporated into Division 6 of the California Water Code, commencing with Section 10608 of Part 2.55. The methodologies for developing baseline and compliance water use were established in *Methodologies for Calculating Baseline and Compliance Urban Per Capita Water*, California Department of Water Resources Division of Statewide Integrated Water Management Water Use and Efficiency Branch, dated Use October 1, 2010 (DWR, 2010)

The Water Conservation Act specifically calls for developing seven methodologies and a set of criteria for adjusting daily per capita water use at the time compliance is required (the 2015 and 2020 compliance years) under Section 10608.20(h):

- 1. The department, through a public process and in consultation with the California Urban Water Conservation Council, shall develop technical methodologies and criteria for the consistent implementation of this part, including, but not limited to, both of the following:*

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- A. *Methodologies for calculating base daily per capita water use, baseline commercial, industrial, and institutional water use, compliance daily per capita water use, gross water use, service area population, indoor residential water use, and landscaped area water use.*
- B. *Criteria for adjustments pursuant to subdivisions (d) and (e) of Section 10608.24.*

Sections 10608.20 and 10608.28 of the Water Code allow water suppliers the choice of complying individually or regionally by mutual agreement with other water suppliers or regional agencies. DWR has also developed a methodology for regional compliance. The following calculation methodologies have been developed and are described in DWR, 2010:

- Methodology 1: Gross Water Use
- Methodology 2: Service Area Population
- Methodology 3: Base Daily Per Capita Water Use
- Methodology 4: Compliance Daily Per Capita Water Use
- Methodology 5: Indoor Residential Use
- Methodology 6: Landscaped Area Water Use
- Methodology 7: Baseline Commercial, Industrial, and Institutional Water Use
- Methodology 8: Criteria for Adjustments to Compliance Daily Per Capita Water Use
- Methodology 9: Regional Compliance

### **3.5.1 Baseline Water Use**

Water suppliers must define a 10- or 15-year base (or baseline) period for water use that will be used to develop their target levels of per capita water use. Water suppliers must also calculate water use for a 5-year baseline period, and use that value to determine a minimum required reduction in water use by 2020. The 15-year baseline period applies to a water supplier that meets at least 10 percent of its 2008 measured retail water demand through recycled water. The City baseline water use uses per capita water usage data from 1 January 1995 through 31 December 2004, because the City is planning to but has not yet used recycled water. These data are listed in Table 9. The source of the population estimates are described in Section 2.3. The gross water use is from the Draft Water System Master Plan (WYA, 2011). The baseline water use for this period is 227 gallons per capita per day (“gpcd”).

### **3.5.2 Water Use Targets**

An urban retail water supplier must set a 2020 water use target and a 2015 interim target using one of four methods.

- Method 1: Eighty percent of the water supplier’s baseline per capita water use
- Method 2: Per capita daily water use estimated using the sum of performance standards applied to indoor residential use; landscaped area water use; and commercial, industrial, and institutional uses
- Method 3: Ninety-five percent of the applicable state hydrologic region target as stated in the State’s April 30, 2009, draft 20x2020 Water Conservation Plan
- Provisional Method 4: Total savings subtracted from baseline water use. Savings include metering savings, residential savings, commercial, industrial, and institutional savings, and landscape and water loss savings.

The target may need to be adjusted further to achieve a minimum reduction in water use regardless of the target method (this is explained in Methodology 3). The Water Code directs that water suppliers must compare their actual water use in 2020 with their calculated targets to assess

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compliance. In addition, water suppliers will report interim compliance in 2015 as compared to an interim target (generally halfway between the baseline water use and the 2020 target level). The years 2015 and 2020 are referred to in the methodologies as compliance years. All baseline, target, and compliance-year water use estimates must be calculated and reported in gpcd. Water suppliers have some flexibility in setting and revising water use targets.

The City's water use targets were calculated by Method 1 as shown in Table 10. The 2020 target is calculated as 80 percent of the baseline water use, or 182 gpcd. The 2015 target is calculated as 90 percent of the baseline water use, or 204 gpcd.

The maximum allowable target is calculated as 95 percent of the City's five year baseline. The City's five year baseline from 2003 through 2007 is 210 gpcd. Therefore, the maximum 2020 target is 200 gpcd. The 2020 target of 182 gpcd is less than the maximum target of 200 gpcd.

### **3.6 IMPLEMENTATION PLAN**

Achieving the 2020 water use target will be based on multiple methods including conservation and recycled water use. Tracy will monitor progress towards the water targets annually. Adjustments to the plan will be made as necessary to keep the City on track for meeting the 2020 target. The implementation plan was reviewed with the public at the 17 May 2011 public hearing.

The methods to decrease per capita water use are discussed below.

#### **3.6.1 Conservation**

Tracy plans to increase conservation as discussed in Section 6. Although the City has implemented 13 of the 14 applicable best management practices, the City plans to expand the scope of best management practices. For example, the City plans on completing more single-family and multifamily residential audits each year.

#### **3.6.2 Recycled Water Use**

Tracy plans to implement the recycled water program as discussed in Section 4.9. The wastewater treatment plant has been upgraded to produce Title 22 Tertiary Water. The next steps include constructing a recycled water distribution system, developing a recycled water fee structure, and determining recycled water users.

## **4. WATER SUPPLY SOURCES**

*10631 (b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a). . .*

The City obtains water from both surface water and groundwater sources. The amount of water that Tracy uses from each of its water supply sources to make up its total water use varies from year to year based on contractual agreements, annual precipitation, and City policy about how to expand, utilize, and manage its water resources. As detailed in Table 11, the amount of water that Tracy uses from each of its water supply sources is listed. As detailed in Table 12, Tracy's maximum annual water supply amounts to over 31,500 ac-ft per year from its USBR contractual entitlements to DMC/CVP water, its groundwater sources, and its allocation of Stanislaus River water via the SCWSP. Future agreements between Tracy and BBID may increase Tracy's total water supply entitlements to approximately 49,500 ac-ft annually. Tracy is working with SSJID and the SCWSP to increase Tracy's allocation by 3,000 ac-ft per year. Potential ASR and out-of-basin water banking opportunities may increase Tracy's future water supply an additional 6,500 ac-ft annually, to be used during drought and emergency situations. Additional water is also potentially available to Tracy through purchase on the open market, either on a one-year basis or through multi-year contracts.

### **4.1 CURRENT WATER SUPPLY SOURCES – SURFACE WATER**

The City's two wholesale surface water suppliers are the USBR (providing CVP water via the DMC) and the SSJID (providing Stanislaus River water). As stipulated by its contract terms, and as part of regular operations, the USBR notifies Tracy each year of the deliveries that it can expect to receive from the USBR. This notification process occurs regardless of whether it is a normal or dry year. Tracy notifies the USBR each year of the deliveries that it expects to receive from the USBR during the following year.

Similarly, the SSJID notifies Tracy of the deliveries that it can expect to receive from the SCWSP on an annual basis. Tracy notifies the SSJID each year of the deliveries that it expects to receive over the next three years. Information related to the contractual entitlement, reliability, and treatment processes for these surface water sources is provided below.

#### **4.1.1 Central Valley Project Water via the Delta-Mendota Canal**

Tracy's contractual entitlements to each portion of its supply of DMC/CVP water are discussed below and summarized in Table 12. As discussed more fully in Section 5, the reliability of each of these supplies is anticipated to vary.

##### 4.1.1.1 DMC/CVP Contractual Information

Tracy entered into a 40-year M&I contract with the USBR in 1974 for an annual entitlement of 10,000 ac-ft of surface water from the CVP via the Delta-Mendota Canal. This contract is set to expire in 2014, and Tracy and USBR are currently negotiating its renewal. Tracy expects a renewed contract to be completed in the near future. In the CVP system, an M&I contractor is

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eligible for a minimum shortage allocation equal to 75% of adjusted historical use.<sup>10</sup> This minimum shortage allocation may be reduced when allocation of Ag-reliability water is reduced below 25% of contract entitlement (see the CVP M&I Water Shortage Allocation Plan, Appendix D). Tracy's average deliveries of water in the last six years have been 81% of its M&I contract entitlement (WYA, 2011).

As of 2004, Tracy entered into two contract assignments with the USBR for 10,000 ac-ft/yr of agricultural ("Ag") reliable water from the BCID and WSID contracts. This water will also be delivered from the CVP via the DMC. Because this component of Tracy's USBR supply carries Ag-reliability its allocation is much more dependent on yearly hydrologic conditions than Tracy's M&I-reliable allocation. Average deliveries of Ag-reliable water during the last six years have been 55% of the contractual entitlement (WYA, 2011). During extreme dry years however, allocations of DMC water with Ag-reliability has historically been reduced to as low as 10% of its contractual entitlement (WYA, 2011) and potentially could be reduced to 0%.

Tracy also treats and serves DMC/CVP water purchased by others. In 2009, an estimated 360 ac-ft of water from the PVWD's (now BBID's) USBR allocation was treated at the JJWTP and delivered to the Patterson Pass Business Park through Tracy's water distribution system. A comparable quantity of BBID water is anticipated to be treated and delivered annually to the Patterson Pass Business Park in the future. Neither the water supply nor the demand for Patterson Pass Business Park is included in the City supply and demand in this UWMP because the water supply is BBID's, not the City's, and the City provides water treatment, delivery and billing services on a contractual basis. The City does not manage either the supply or the demand.

#### 4.1.1.2 DMC/CVP Treatment Process

Tracy's DMC/CVP water is treated at the John Jones Water Treatment Plant, located at the southern end of the City just east of the DMC and the California Aqueduct. The JJWTP was constructed in 1979, expanded in 1988, and expanded and upgraded again in 2008. The treatment capacity is 30 MGD.<sup>11</sup> The increased capacity will allow the plant to process all of Tracy's surface water supplies, excluding the SCWSP water, which is treated at the DGWTP.

A schematic of the JJWTP facility and treatment process is provided in Appendix E. The treatment process at the JJWTP includes chemical oxidation, temperature equilibration, coagulation, flocculation, filtration, granulated activated carbon adsorption and ultraviolet light disinfection. In this process, chemicals are added for treatment, including sodium permanganate (pre-oxidation), aluminum sulfate (coagulation), a cationic polymer (flocculation promoter), polyphosphates (corrosion suppressants), and powdered activated carbon and potassium permanganate (removal of taste and odor-causing compounds) (Kennedy/Jenks, 1994). Tracy uses chloramines to reduce production of trihalomethanes ("THMs"), a byproduct of free chlorine disinfection that can be detrimental to health if consumed over long periods (City of Tracy, 2000).

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<sup>10</sup> Allocation of M&I water will be based on a contractor's historical use of CVP M&I water, adjusted for growth, extraordinary water conservation measures, and non-CVP water. See Appendix D for further explanation.

<sup>11</sup> The plant is designed for an ultimate capacity of 45 MGD. The piping, UV equipment, and other common components are hydraulically designed for the future expanded plant capacity.

#### **4.1.2 Stanislaus River Water**

Information related to the contractual entitlements and treatment process of the Stanislaus River water that Tracy receives from the SCWSP is provided below and in Table 12.

##### 4.1.2.1 SCWSP Contractual Information

SSJID has senior pre-1914 appropriative water rights to the Stanislaus River, coupled with an agreement with the USBR to store water in the New Melones reservoir. As part of the SCWSP, Tracy has been allocated up to 10,000 acre-feet per year of water based upon SSJID's senior water rights. This SCWSP water is expected to have high reliability, with Tracy anticipating being able to receive at least 95% of its allocation, even during dry years.

##### 4.1.2.2 SCWSP Treatment Process

The Stanislaus River water is treated at the DGWTP located near Woodward Reservoir in San Joaquin County. The DGWTP incorporates high-rate dissolved air flotation ("DAF") and submerged membrane filtration.<sup>12</sup> The DGWTP currently has a capacity of 36 MGD with a final build-out capacity of 60 MGD. The water treatment process for the DGWTP is shown on Figure 5.

SSJID can deliver either free available chlorine or add ammonia at their Tracy booster pumping station, which is converted to chloramines. Currently when the City's JJWTP is off line for annual maintenance, the SSJID treated water is delivered as free available chlorine since the high quality Sierra water does not contain high total organic carbon ("TOC"), which forms disinfection by-products. During the operation of the City's JJWTP, which uses the Delta Mendota source, the City & SSJID add ammonia to form chloraminated water to abate or reduce disinfection by-products.

#### **4.2 CURRENT WATER SOURCES – GROUNDWATER**

The remaining portion of the Tracy water supply is extracted from the 539 square mile Tracy Groundwater Sub-Basin (WYA, 2011). The primary groundwater source for Tracy is the lower water-bearing zones of the Tulare Formation, which is part of a regional aquifer system in the San Joaquin subregion of the Central Valley groundwater basin. These water-bearing zones occur at depths of 300 to 700 feet below ground surface ("ft bgs") and are confined by an extensive clay stratum known as the Corcoran Clay (Kennedy/Jenks, 1994). Tracy operates nine groundwater wells, with a total extraction capacity of 15 MGD. The locations of these wells are shown on Figure 4. The four wells located near the JJWTP (Production Wells 1, 2, 3, and 4) pump directly into the JJWTP's clearwells, where the groundwater is blended with treated surface water. The outlying groundwater wells pump water directly into the distribution system after chloramination.

Pursuant to the UWMP Act, the following Section 4.2 provides information regarding the Basin, the groundwater management plans that have been prepared within the Basin, groundwater

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<sup>12</sup> Black & Veatch Corporation, August 18, 2005.

management efforts by Tracy and others, and Tracy's historic and projected future uses of groundwater.

#### **4.2.1 Groundwater Basin Description**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:*

*10631 (b) . . . . If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan:*

*(2) A description of any groundwater basin or basins from which the urban water supplier pumps groundwater. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to eliminate the long-term overdraft condition.*

The following section describes the Tracy Groundwater Sub-Basin, including its water-bearing formations, water levels, and water quality. Except where noted, the description of the Sub-Basin is based largely on information provided in *California DWR Bulletin 118*, last updated in February 2003 (DWR, 2003).

##### 4.2.1.1 Tracy Groundwater Sub-Basin Description

The Sub-Basin consists of unconsolidated to semi-consolidated sedimentary deposits that are bounded by the Diablo Range on the west, the Mokelumne and San Joaquin Rivers on the north, the San Joaquin River to the east, and the San Joaquin-Stanislaus County line on the south. Adjacent to the Tracy Groundwater Sub-Basin are the Eastern San Joaquin Sub-Basin to the east, the Delta-Mendota Sub-Basin to the south, and the Sacramento Valley Groundwater Basin to the north (Figure 6). The three Sub-Basins, not including the Sacramento Valley Groundwater Basin, are part of the San Joaquin Valley Groundwater Basin. The San Joaquin River and one of its major westside tributaries, Corral Hollow Creek, provide drainage from the Tracy Groundwater Sub-Basin. The San Joaquin River flows northward into the Sacramento and San Joaquin Delta and discharges into San Francisco Bay.

##### 4.2.1.2 Tracy Groundwater Sub-Basin Geology

The Tracy Sub-Basin is comprised of continental deposits of Late Tertiary to Quaternary age. These deposits include the Tulare Formation, Older Alluvium, Flood Basin Deposits, and Younger Alluvium. The cumulative thickness of these deposits increases from a few hundred feet near the Coast Range foothills on the west to about 3,000 feet along the eastern margin of the Sub-Basin. Each of these formations is described below.

- *The Tulare Formation* is exposed in the Coast Range foothills along the western margin of the Sub-Basin and dips eastward toward the axis of the San Joaquin Valley. The Tulare Formation is approximately 1,400 ft thick and consists of semi-consolidated, poorly sorted, discontinuous deposits of clay, silt, and gravel. The Corcoran Clay occurs near the top of the Tulare Formation and confines the underlying fresh water deposits. The eastern limit of the Corcoran Clay is near the eastern boundary of the Sub-Basin. The Tulare

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Formation is moderately permeable, with most of the larger agricultural, municipal, and industrial wells completed below the Corcoran Clay and capable of producing up to about 3,000 gallons per minute (“GPM”). Smaller, domestic wells are typically completed above the Corcoran Clay, where the groundwater is often of poor quality. Specific yield values for the Tulare Formation in the San Joaquin Valley and Delta area range from 7 to 10 percent.

- *The Older Alluvium* is approximately 150 feet thick and consists of loosely to moderately compacted sand, silt, and gravel deposited in alluvial fans during the Pliocene and Pleistocene eras. The Older Alluvium is widely exposed between the Coast Range foothills and the Delta and is moderately to locally highly permeable.
- *The Flood Basin Deposits* occur in the Delta portion of the Sub-Basin and are the distal equivalents of the Tulare Formation and Older and Younger alluvial units. The Flood Basin Deposits consist primarily of silts and clays with occasional interbeds of gravel along the present waterways. Because of their fine-grained nature, the Flood Basin Deposits have low permeability and generally yield low quantities of water to wells. Occasional zones of fresh water are found in the Flood Basin Deposits, but they generally contain poor quality groundwater. The maximum thickness of the Flood Basin Deposits is about 1,400 feet.
- *The Younger Alluvium* includes those deposits that are accumulating, including sediments deposited in the channels of active streams, as well as overbank deposits and terraces of these active streams. The Younger Alluvium, consisting of unconsolidated silt, fine- to medium- grained sand, and gravel, is present to depths of less than 100 ft bgs along the channel of Corral Hollow Creek. Sand and gravel zones in the Younger Alluvium are highly permeable and, where saturated, yield significant quantities of water to wells.

#### 4.2.1.3 Tracy Sub-Basin Groundwater Level Trends

The potentiometric surface in the semi-confined aquifer above the Corcoran Clay is located approximately 90 to 150 ft msl (Stoddard, 1996). Review of hydrographs from wells throughout the Sub-Basin indicates that, except for seasonal variation resulting from recharge and pumping, water levels in most of these wells have remained stable over at least the last 10 years.

#### 4.2.1.4 Tracy Sub-Basin Groundwater Storage

There are no published groundwater storage values for the entire Sub-Basin (DWR, 2004). However, Hotchkiss and Balding (1971) estimated the groundwater storage capacity for the Tracy-Patterson Storage Unit at 4,040,000 ac-ft. The Tracy-Patterson Storage Unit includes the southern portion of the currently-defined Tracy Groundwater Sub-Basin, from approximately one mile north of Tracy to the San Joaquin-Stanislaus County line. Since the Sub-Basin comprises roughly one-third of the Tracy-Patterson Storage Unit, it can be inferred that the approximate storage capacity of the southern portion of the Basin is on the order of 1,300,000 ac-ft.

In an eight-year study conducted by Stoddard & Associates (1996), the average change in Sub-Basin storage was negative 13,000 ac-ft per year. Stoddard & Associates (1996) notes that rainfall during the study period was well under average. In Stoddard’s view, the Sub-Basin is in a hydrologically-balanced condition and is not overdrafted.

#### 4.2.1.5 Tracy Sub-Basin Groundwater Quality

Groundwater quality in the Sub-Basin varies spatially and with depth. In general, the northern part of the Sub-Basin is characterized by a sodium water type, and the southern part of the Sub-Basin is characterized by calcium-sodium type water (Sorenson, 1981). The northern part of the Sub-Basin 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 Sub-Basin include sulfate-chloride and bicarbonate-chloride.

There is also a difference between the water quality in the water-bearing zones above the Corcoran Clay (termed the “semi-confined aquifer” in the following discussion) and below the Corcoran Clay (the “confined aquifer”) (see Table 12 of Appendix F). Generally, the water quality of the confined aquifer is better than that of the semi-confined aquifer (Stoddard, 1996). Total dissolved solids (“TDS”) 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 confined aquifer was less than 1,000 mg/L (Stoddard, 1996). In the vicinity of Tracy, the TDS of the confined aquifer is between 600 mg/L and 700 mg/L (Stoddard, 1996).

Analytes present at elevated concentrations throughout the Sub-Basin in both the semi-confined and confined aquifers include chloride, nitrate, sulfate, and boron. Elevated chloride occurs in several areas near Tracy and along the San Joaquin River. Areas of elevated nitrate occur in the northwestern part of the Sub-Basin and in the vicinity of Tracy. Elevated boron occurs over a large portion of the Sub-Basin from south of Tracy extending to the northwest side of the Sub-Basin. Sulfate concentrations of up to 500 mg/L have been detected in Sub-Basin groundwater. The groundwater near Tracy is considered to be very hard (Stoddard, 1996).

#### **4.2.2 Basin Groundwater Management Plan**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:*

*(b) . . . If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan:*

*(1) A copy of any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management.*

The 1992 Groundwater Management Act, AB 3030, established provisions by which local water agencies could develop and implement groundwater management plans (“GMPs”). GMPs are generally designed to prevent local and regional aquifer overdrafting, which reduces available groundwater resources and which, under certain conditions, can lead to degradation of water quality and to land subsidence.

Tracy has been, and continues to be, involved in both regional and local groundwater management efforts. Tracy participated in the development of a Groundwater Management Plan for the entire Tracy Groundwater Sub-Basin in 1996, called the Regional GMP, and is involved in the updating of this document. A description of the objectives and content of the Regional GMP is provided below in Section 4.2.2.1, with excerpts included as Appendix F. In addition, information regarding the San Joaquin County Groundwater Export Ordinance is provided.

##### 4.2.2.1 Tracy Sub-Basin Regional Groundwater Management Plan

The Regional GMP, developed in 1996 in response to concerns regarding the declining quality of Sub-Basin groundwater, encompasses the area shown on Figure 2 of Appendix F. Other participants in the development and implementation of the Regional GMP include the agencies that overly and, in some cases, extract water from the Tracy Groundwater Sub-Basin within the DMC/CVP’s northern service area. These agencies include the Plain View Water District (now part of the Byron-Bethany Irrigation District), Banta-Carbona Irrigation District, Del Puerto Water District, West Stanislaus Irrigation District, Patterson Water District, West Side Irrigation District, and the San Joaquin County Flood Control and Irrigation District. The location of these districts is shown on Figure 7.

Based on a hydraulic inventory of the Sub-Basin, the Regional GMP is designed to monitor groundwater impacts to the Sub-Basin and to promote the sustained use of groundwater resources. The Regional GMP discusses:

- Control of saline water intrusion
- Identification and management of wellhead protection areas
- Migration of contaminants in groundwater
- Administration of a well abandonment and well destruction program
- Mitigation of groundwater overdraft
- Replenishment of extracted groundwater
- Monitoring of groundwater levels and storage

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- Facilitation of conjunctive use
- Well construction
- Construction and operation of groundwater management facilities
- Relationships with State and Federal regulating agencies
- Review of land use plans to assess risk of groundwater contamination.

The Regional GMP is being updated to present new data related to water levels and water quality and to bring the document into compliance with SB 1938, which was passed in 2002.<sup>13</sup> SB 1938 establishes criteria for topics to be included in a GMP, including (1) establishment of basin management objectives (“BMOs”), (2) involvement of other local agencies in a cooperative planning effort, and (3) adoption of monitoring protocols that promote efficient and effective groundwater management.

#### 4.2.2.2 San Joaquin County Groundwater Export Ordinance

Occasional drought conditions and ongoing restrictions on Delta export pumping have reduced the imported CVP surface water supply available to entities located south of the Delta that rely on DMC/CVP water (Stoddard, 1996). Arrangements for water transfers between entities that receive DMC/CVP water evolved to allocate the reduced DMC/CVP supply to match demand, including pumping of groundwater into the DMC for conveyance and use in other areas. This additional groundwater extraction, for the purpose of selling it to other DMC/CVP users, raised concerns amongst Sub-Basin groundwater users regarding groundwater overdraft and quality degradation. In response to these concerns, San Joaquin County enacted a Groundwater Export Ordinance in June 2000 that now requires an entity to secure a permit from San Joaquin County prior to exporting groundwater out of the County, such as by pumping extracted groundwater into the DMC for conveyance to other areas (WYA, 2011).

#### **4.2.3 Tracy Groundwater Management**

On a local level, in 2001 Tracy adopted a *Groundwater Management Policy*, and prepared a *Groundwater Management Policy Mitigated Negative Declaration*. In 2007, Tracy developed a Tracy Regional Groundwater Management Plan (“Tracy GMP”) that is included in Appendix G. The *Groundwater Management Policy*, the *Groundwater Management Policy Mitigated Negative Declaration*, and the Tracy GMP are described below. Tracy’s efforts to develop an ASR project are also discussed.

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<sup>13</sup> In September 2002, SB 1938 was signed into law. The act amends existing law related to groundwater management by local agencies. The law requires any public agency seeking State funds administered through DWR for the construction of groundwater projects or groundwater quality projects to prepare and implement a groundwater management plan with certain specified components. Prior to SB 1938, there were no required plan components. The requirements apply to agencies that have already adopted groundwater management plans as well as agencies that do not overlie groundwater basins identified in Bulletin 118 and its updates. The requirements do not apply to funds administered through the Local Groundwater Management Assistance Act or to funds authorized or appropriated prior to September 1, 2002.

#### 4.2.3.1 Tracy Groundwater Management Policy and Mitigated Negative Declaration

In 2001, Tracy anticipated that, to make up a projected shortfall between supply and demand, groundwater extraction would have to increase from approximately 6,000 ac-ft per year to a maximum of 9,000 ac-ft per year over the three-year period 2001 through 2004.<sup>14</sup> Prior to 2001, it had been estimated that 6,700 ac-ft per year was Tracy's sustainable groundwater extraction rate (Kennedy/Jenks, 1990). However, a groundwater study by Navigant Consulting, completed in 2001, revised the estimated average annual operational groundwater yield to 9,000 ac-ft per year. This operational yield, though larger than the earlier estimate, is still well under the City's estimated 22,000 to 28,000 ac-ft per year share of the Sub-Basin's sustainable yield (PMC, 2001).

Pursuant to the findings of the Navigant (2001) study, the Tracy City Council adopted a Groundwater Management Policy in 2001 that established Tracy's maximum annual groundwater extraction rate at 9,000 ac-ft per year. To comply with the California Environmental Quality Act ("CEQA") and to evaluate the potential negative effects of increased groundwater extraction on water quality, water levels, and subsidence, the City also prepared a *Groundwater Management Policy Mitigated Negative Declaration* (Appendix H). The *Groundwater Management Policy Mitigated Negative Declaration* specifies, among other things, the frequency and type of monitoring and reporting the City must conduct to evaluate the sustainability of the increased groundwater extraction rate.

Consistent with the *Groundwater Management Policy Mitigated Negative Declaration*, Tracy has maintained groundwater production rates well below the estimated sustainable yield of 9,000 ac-ft per year. In addition, Tracy has hired a consultant (GEI Consultants, Inc., Bookman-Edmonston Division or "GEI") to monitor the impacts of the increased groundwater extraction (at rates up to approximately 8,000 ac-ft per year) on groundwater levels, groundwater quality, and land subsidence. The findings of GEI's most recent *Summary of Groundwater Conditions* (GEI, 2009) are summarized below and in Appendix I.

*Background:* In Tracy, groundwater is extracted primarily from the Tulare Formation, which is divided by the Corcoran Clay into an upper, semi-confined zone and a lower, confined aquifer. Pursuant to the *Groundwater Management Policy Mitigated Negative Declaration*, the lower aquifer was further subdivided into four zones (Zone A through Zone D). The upper aquifer, approximately 200 feet thick beneath Tracy, consists of lenticular deposits of sand, gravel, and clay (Padre, 2002). The lower aquifer is approximately 500 feet thick beneath Tracy and consists of individual beds of sand and gravel that are not always laterally extensive and that can be highly variable (Zones A through D; Padre, 2002). An upward vertical gradient exists between the lower and upper aquifers.

*Monitoring Network and Monitoring Frequency:* To conduct hydrogeologic monitoring and assessment of the portion of the Sub-Basin underlying Tracy, the City installed several monitoring wells that are screened through Zones A through D as follows:

- Four nested monitoring wells (PW-5A through PW-5D) were installed adjacent to Production Well 5;

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<sup>14</sup> According to the Navigant (2001) study, 9,000 ac-ft per year is the sustainable yield of the aquifer beneath Tracy.

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- Six sets of three nested wells were installed around Tracy (MW-1 through MW-6) in late 2003 through early 2004; and
- Two monitoring wells were installed adjacent to Production Well 8.

These monitoring well locations are shown on Figure 4. The construction details are provided in Appendix I. Water level measurements from the production and monitoring wells are collected and recorded to the nearest 0.01 foot. Water level trends are compared with the San Joaquin Valley Water Year Index published by DWR to isolate local groundwater extraction impacts from regional trends in groundwater elevation. Water quality samples are collected annually.<sup>15</sup> Benchmarks have been established at each monitoring and production well using global positioning system (“GPS”) technology that allows for accuracy within two centimeters. An annual benchmark survey was last conducted in 2008.

Summary of Findings: Since 2001, GEI on behalf of Tracy prepared reports monitoring impacts from increased groundwater extraction. Recent findings by GEI (2009) are summarized below and in Appendix I:

- *Groundwater Contours.* In Zone A (the aquifer located directly below the Corcoran Clay), groundwater generally flows from recharge areas in the northeast and south towards Production Wells 1 through 4. In Zone B (the intermediate aquifer), groundwater flows from the east toward the pumping tough in the vicinity of Production Wells 1 through 4. In Zone C (the deep aquifer), groundwater flows from east to west beneath the City. Pumping depressions are located in the vicinity of the active production wells, which are typically screened through all three of these productive zones.
- *Groundwater Storage.* Groundwater levels have generally been stable to slightly increasing beneath Tracy.
- *Groundwater Quality.* Key water quality parameters have remained consistent over the monitoring period. In the production wells, concentrations of TDS and sulfate exceeded their respective secondary maximum contaminant levels (“MCLs”) of 500 mg/L and 250 mg/L.<sup>16</sup> Several monitoring wells also have TDS, chloride, sulfate, iron, and manganese above secondary MCLs.
- *Land Subsidence.* Little, if any, subsidence occurred between benchmark elevations surveyed in 2007 and those surveyed in April 2008. All stations showed a slight increase in elevation, suggesting that, if subsidence is occurring, it is regional and not associated with pumping at any City extraction well.

#### 4.2.3.2 Tracy Groundwater Management Plan

In addition to participating in the development of the Regional GMP, Tracy prepared a Groundwater Management Plan in 2007 for the portion of the Tracy Groundwater Sub-Basin that underlies the City of Tracy (GEI, 2007). The Tracy GMP development and implementation facilitated a coordinated, regional approach to groundwater management in the Tracy Sub-Basin.

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<sup>15</sup> Groundwater is sampled for major cations and anions, plus nitrate, boron, selected metals, and alpha activity.

<sup>16</sup> <http://www.epa.gov/safewater/consumer/2ndstandards.html>

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The Tracy GMP's objectives are to (1) comply with protocols established by SB 1938, (2) develop a conjunctive use program to optimize Tracy's use of its surface and groundwater supplies, and (3) develop effective and implementable BMOs that reflect current and projected future Sub-Basin conditions and groundwater use and that will protect groundwater resources. Topics include:

- Current and future regional land and water use settings;
- Water supply setting, including information related to available water supplies, groundwater use trends, known groundwater impairments, and future water supply options;
- Hydrogeologic setting, including soil and near-surface geologic conditions, aquifer systems, water level and water quality data, and land subsidence information;
- Basin Management Objectives, including BMOs regarding groundwater protection, groundwater use/recharge, and definition of groundwater management areas;
- The Groundwater Monitoring Plan; and
- The Tracy GMP Implementation Plan.

4.2.3.3 Aquifer Storage and Recovery

The City's ASR program would allow Tracy to optimize conjunctive use of its water supplies through injection of treated (potable) drinking water into selected aquifer zones within the Sub-Basin for storage when surplus supplies are available, and recovery of that potable water from the aquifer to optimize water quality, meet seasonal peak demands, during droughts, or when emergency or disaster scenarios preclude the use of imported water supplies (Padre, 2004). Tracy has obtained approval from the Central Valley Regional Water Quality Control Board ("CVRWQCB") for a pilot ASR project, which is underway.

**4.2.4 Historic Groundwater Use**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:*

*10631. (b) . . . . If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan:*

*(3) A detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.*

Tracy operates nine groundwater extraction wells, including the Lincoln Well, Production Wells 1, 2, 3, 4, 5 (Lewis Manor), 6 (Park & Ride), 7 (Ball Park), and Production Well 8.<sup>17</sup> Well 8 was equipped in October 2010 as an injection and extraction well. The City is using Well 8 as an injection and extraction well as part of the City's pilot ASR program. The locations of the production wells are shown on Figure 4.

Historically, groundwater has accounted for approximately 40 to 50% of the City's water supply. Prior to 2001, groundwater extraction in Tracy totaled less than 6,000 ac-ft per year. Between 2001 and 2004, to meet increased demands for water, Tracy began extracting additional groundwater, ranging from 6,878 ac-ft and 7,717 ac-ft each year. In 2005, groundwater extraction

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<sup>17</sup> The Tidewater well was replaced with Well 8 (WYA, 2011).

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decreased to approximately 6,000 ac-ft 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 through 2010 groundwater extraction ranged from 3,672 to 498 ac-ft each year, because more water was used from SSJID. As described in Section 4.2.5, Tracy's use of groundwater is expected to remain similar in the future.

#### 4.2.5 Projected Future Groundwater Use

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:*

*10631. (b) . . . If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan:*

*(4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.*

An assessment of the aquifer beneath Tracy indicates an average annual operational yield of 9,000 ac-ft per year (Navigant, 2001). Because the hard, high-TDS groundwater is of low quality compared with Tracy's surface water sources, Tracy is planning to scale back its groundwater extraction. Tracy will continue to rely on groundwater for peaking and drought and emergency supplies, among other things. As can be seen in Table 12, groundwater extraction will continue to occur at selected production wells, but Tracy anticipates that total extraction during a normal year may decrease to less than 2,500 ac-ft per year by 2015. By reducing groundwater extraction on an average annual basis, the City will (1) increase the overall quality of its drinking water, thus increasing customer satisfaction and reducing system maintenance and repair caused by the lower-quality groundwater; and (2) recharge the underlying aquifer, effectively increasing the availability of groundwater during a drought or emergency condition (i.e., Tracy will effectively be "banking" its groundwater). These potential uses of groundwater during droughts are consistent with Tracy's *Groundwater Management Policy* (PMC, 2001). In the event that Tracy is unable to secure additional high quality surface water supplies in the future, groundwater remains a viable water supply up to 9,000 ac-ft per year.

If Tracy decreases future groundwater extraction during normal and wet years, the current patterns of water levels, groundwater flow directions, and groundwater quality would be expected to change correspondingly. Further, if Tracy moves ahead with its proposed ASR program, changes in groundwater flow patterns associated with the introduction of treated surface water into aquifer zones may occur. In this way, a focused groundwater recharge area would be created. Groundwater quality would be expected to improve as a result of the introduction of higher quality surface water into the aquifer.<sup>18</sup>

#### 4.3 CURRENT WATER SOURCES – NON-POTABLE WATER

Non-potable water sources are described in the following sections and are summarized in Table 13

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<sup>18</sup> From Padre (2004): The injection source water is characterized as low salinity water, sodium bicarbonate/sulfate dominated, with low alkalinity and hardness... The superior quality of the injected water will be both easily tracked and beneficial to overall basin water quality.

#### **4.3.1 Diversion of Non-Potable Water from Sugar Cut**

Since at least 1912, the City's Holly Sugar property has been irrigated using untreated surface water diverted from Sugar Cut. The site is designated as agricultural use, but is proposed to be converted to the Holly Sugar Sports Park. The use of untreated surface water from Sugar Cut for nonpotable water uses for the proposed park would be for the interim only, until recycled water supplies become available (WYA, 2011).

Water from Sugar Cut is not considered to be part of the City's water supply, because the water does not enter into the City's distribution system and the City does not buy or sell the water, or provide the water service. The tenant farmer pumps the water from the Sugar Cut and uses it on land adjacent to the Sugar Cut.

#### **4.3.2 Interim Raw Water Supply from West Side Irrigation District**

A portion of the water demand for the Gateway ponds and the Gateway roadway landscaping irrigation may be met with nonpotable raw water (WYA, 2011). Untreated raw water supplies purchased from the WSID may be used to meet irrigation demands at these sites until recycled water becomes available at the site.

#### **4.4 CURRENT OR PROJECTED SUPPLY INCLUDES WHOLESALE WATER**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:  
10631 (k) Urban water suppliers that rely upon a wholesale agency for a source of water, shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available. The wholesale agency shall provide information to the urban water supplier for inclusion in the urban water supplier's plan that identifies and quantifies, to the extent practicable, the existing and planned sources of water as required by subdivision (b), available from the wholesale agency to the urban water supplier over the same five-year increments, and during various water -year types in accordance with subdivision (c), An urban water supplier may rely upon water supply information provided by the wholesale agency in fulfilling the plan informational requirements of subdivisions (b) and (c).*

Tracy purchases most of its water from two wholesale water suppliers, the USBR and the SSJID. Tracy's contractual entitlements to the USBR's CVP water via the DMC are described above in Section 4.1.1 and in Table 12. Information related to the reliability of the DMC/CVP water is provided in Section 5 and in the USBR M&I Water Shortage Policy, which is included as Appendix D.

The terms of the City's contract with SSJID allow Tracy the right to purchase as much as 10,000 ac-ft of water annually from the SSJID. As discussed above and in Section 5, the water from SSJID is effectively 100% reliable, although for planning purposes, a 95% reliability has been assumed.

#### **4.5 POTENTIAL WATER SUPPLY PROJECTS AND PROGRAMS**

*10631 (h) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected*

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*future projects and programs, other than the demand management programs identified pursuant to paragraph (1) of subdivision (f), that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in average, single-dry, and multiple-dry water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.*

Planned and potential future sources of Tracy's water are outlined in Table 12.

#### **4.5.1 Future Surface Water Supplies**

As described below, Tracy is pursuing several other water supplies.

##### 4.5.1.1 Byron Bethany Irrigation District DMC/CVP Water

Up to 11,000 ac-ft/yr of surface water from the BBID would be delivered to the JJWTP.

The Plain View Water District, a USBR contractor, merged with BBID. The City of Tracy is negotiating an agreement with BBID to assign a portion of the USBR water to the City as agricultural water is no longer needed. Agreements between Tracy, BBID and the USBR as well as environmental compliance, would need to occur before such a transaction could take place.

##### 4.5.1.2 Byron Bethany Irrigation District Pre-1914 Water

Because part of the Tracy Hills Specific Plan area was annexed into the Byron-Bethany Irrigation District, Tracy anticipates purchasing up to 3,000 ac-ft of Pre-1914 water right water on an annual basis from BBID to serve future developments in BBID service area. Future work to secure this water source includes finalized agreements between Tracy and BBID, completion of environmental documentation, completion of a Water Supply Assessment, and execution of an exchange agreement with the USBR. BBID and USBR are preparing the exchange agreement and anticipate that this water supply source will be available by 2015.

##### 4.5.1.3 SCWSP Pre-1914 Water

Tracy is pursuing an additional 3,000 ac-ft/yr of treated potable water from the SCWSP. The additional water is anticipated to be available by 2015.

#### **4.5.2 Aquifer Storage and Recovery**

As described above in Section 4.2.3.3, an ASR pilot program is being conducted. The goal of the ASR program is to store surplus treated surface water in the confined aquifer beneath Tracy and extract that water to meet peak demands or supplement surface water sources during dry years. It is estimated that as much as 685 ac-ft to 915 ac-ft per year of potable water could be injected into the aquifer, assuming a 5-month continuous injection rate of 1.5 to 2.0 MGD at Production Well 8 (WYA, 2011).

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As can be seen in Table 12, Tracy anticipates that, under an ASR program, approximately 3,000 ac-ft of high-quality groundwater would be available, including in drought years, thereby increasing the reliability of Tracy's water supply and closing the potential future gap between supply and demand during drought or emergency conditions.

#### **4.5.3 In Lieu Recharge**

In the future, Tracy intends to increase the use of its surface water resources in lieu of increased groundwater pumping. In lieu recharge allows groundwater levels to rise because groundwater that would have otherwise been extracted now remains in the basin, thus increasing the quantity of groundwater in storage. This water is then available for subsequent use during drought years, or under other circumstances when surface water sources are insufficient for Tracy's needs, unavailable or otherwise utilized.

#### **4.5.4 Out-of-Basin Water Banking**

Tracy is pursuing banking water in one of the Kern County water banks. Water storage capacity is available in the Semitropic Water Bank ("Semitropic"). To store water in Semitropic, Tracy would not withdraw its CVP water from the DMC, such that this water would move through the DMC and California Aqueduct systems for delivery to Semitropic. During a drought, Semitropic would pump the stored water into the California Aqueduct and a like amount of water would be available to Tracy to pump from the DMC. Tracy may purchase up to 10,500 ac-ft of storage volume (WYA, 2011). If this storage were secured, it would provide Tracy with up to 3,500 ac-ft of water annually for three years. Though the City could utilize this supply in any year, it would be most valuable during drought years when the City's surface water supplies are reduced. If Tracy uses water from the Semitropic water bank in any given year, it would work to manage its supplies during subsequent years such that it could "refill" its water bank for future use.

A permanent water banking agreement with Semitropic will require confirmation that the USBR had no objection, compliance with the National Environmental Policy Act ("NEPA"), and compliance with the California Environmental Quality Act ("CEQA"). The permanent agreement is expected to be completed in the near future. City Council has approved the agreement, but the City is waiting for approval from the USBR.

As described in Section 5, Tracy anticipates that, by banking water at Semitropic, Tracy will increase the reliability of Tracy's water supply and help close the potential future gap between supply and demand during drought or other emergency conditions.

#### **4.5.5 Water Exchange Program**

In October 2001, the City implemented a Water Exchange Program ("WEP") that involves the phased conversion of several City parks and other irrigated areas to recycled/non-potable water for irrigation. The conversion of these sites to recycled/non-potable water will free potable water being used for irrigation, allowing its use elsewhere. The City is prepared to make these potable water supplies available for new developments, under the condition that the proponents of such developments provide an equivalent amount of recycled water for irrigation purposes within the City. Tracy is working with the Gateway Development Project to develop the City's first WEP.

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However, the Gateway Development Project may obtain water from sources other than recycled water.

The potential amount of recycled water use, and thus the amount of potable water supplies made available through this program, will depend on the number and extent of irrigation sites converted. Preliminary estimates indicate that over 780 ac-ft per year of potable water supplies may eventually become available through this program (WYA, 2002). The WEP is expected to develop in phases, initially utilizing untreated water supplies, such as those available from WSID, in the interim period before Title 22 recycled water becomes available in the City. Additional discussion regarding the WEP is provided in Section 4.9.

#### **4.5.6 Recycled Water**

As described in more detail in Section 4.9, pursuant to the Recycled and Non-Potable Water Ordinance adopted by the City Council in 2002 (Ordinance No. 1035, TMC 11.30, see Appendix J), all new subdivisions are required, to the extent practicable, to install the required infrastructure (such as dual-distribution pipelines) to provide recycled water to meet non-potable water demands at parks, golf courses, athletic fields, schools, median island landscapes, and industrial sites.

#### **4.6 DEVELOPMENT OF DESALINATED WATER**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:*

*10631 (i) Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.*

Underlying the City is shallow groundwater that is not suitable for direct use (WYA, 2011). However, the shallow groundwater may be treated using membrane treatment technology. The concern with membrane treatment is the cost of brine disposal and energy. At this time, Tracy is not contemplating development of a desalinated water program.

#### **4.7 TRANSFER AND EXCHANGE OPPORTUNITIES**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:*

*10631 (d) Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.*

Tracy exercises its options to purchase and sell DMC/CVP surface water on the water market.<sup>19</sup> Traditionally, Tracy has sold its surplus USBR project water to Westlands Water District in Fresno County through this annual transfer process. During drought periods, Tracy has the ability to purchase water on the spot market as necessary.

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<sup>19</sup> A water market exists so that, subject to USBR approval, agencies can sell to or buy water from other water users that have an excess supply of water or may need additional water to support demand. These annual transfers are subject to USBR approval and are for one year only.

#### **4.8 INDIRECT POTABLE REUSE**

Indirect potable reuse is not a viable option for the City currently, because the treated wastewater is not high enough quality. The City will not pursue indirect potable reuse at this time.

#### **4.9 RECYCLED WATER PLAN**

Water recycling can offset the use of potable supplies and reduce the quantity of discharged wastewater. Recycling water involves treating wastewater to an acceptable level such that it can be reused for irrigation, cooling, and other non-potable applications. A Draft Recycled Water System Master Plan was prepared in 2010 and is included in Appendix K.

The regulatory requirements for recycled water are defined in the California Code of Regulations, Title 22, Article 3. The extent of treatment needed varies for different permitted uses as listed in Table 14. Because recycled water is treated wastewater, its availability is closely linked to the treatment capability of the City's Wastewater Treatment Plant ("WWTP").

The following sections describe Tracy's existing and planned wastewater treatment and water recycling facilities and discuss existing and projected uses of recycled water. A description of Tracy's efforts to commence recycled water use in existing and proposed developments is included in this section.

##### **4.9.1 Coordination**

*10633. The plan shall provide, to the extent available, information on recycled water and its potential for use as a water source in the service area of the urban water supplier. The preparation of the plan shall be coordinated with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area, and shall include all of the following:*

The City is the sole agency responsible for water, wastewater, groundwater, and planning within Tracy's service area. However, Tracy's efforts to increase use of recycled water has required coordination between the City and stakeholders. To commence recycled water use within new and existing developments, Tracy's Department of Public Works is coordinating planning efforts with proponents of the proposed Tracy Gateway and Tracy Hills developments.

##### **4.9.2 Wastewater System Description**

*10633 (a) A description of the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.*

Tracy has an existing WWTP and proposes to construct an additional water reclamation facility in the future as described in the following sections.

###### **4.9.2.1 Existing Wastewater Collection System**

Tracy maintains and operates the wastewater collection system that conveys wastewater to the existing wastewater treatment plant. The collection system includes pipelines and lift stations.

#### 4.9.2.2 Existing Wastewater Treatment Plant

Tracy's WWTP is located north of Interstate 205, between MacArthur Drive and Holly Drive. Tracy completed a WWTP upgrade in 2008. The plant discharges effluent through two outfalls at Old River. The National Pollutant Discharge Elimination System ("NPDES") permit CA0079154 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 Central Valley Regional Water Quality Control Board, 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 provides disinfected tertiary level treatment meeting Title 22 requirements. Equipment at the WWTP includes primary clarifiers, activated sludge, secondary clarifiers, flocculation, and tertiary filtration. 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 WWTP property. A significant portion of the biochemical oxygen demand ("BOD") is removed in this pre-treatment pond before the food process wastewater is conveyed to the WWTP. The main treatment processes at the WWTP are described below and are shown schematically on Figure 8:

- 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 and dechlorinated and discharged into 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.

#### 4.9.2.3 Future Water Recycling Facilities

A future Water Recycling Facility ("WRF") is proposed. The Tracy Hills Water Recycling Facility is proposed to treat water to a Title 22 Disinfected Tertiary Standard and would be located near the airport (WYA, 2011). The facility would be constructed as part of the Tracy Hills development and provide additional recycled water treatment capacity for the future development.

### **4.9.3 Wastewater Quantity, Quality and Current Uses**

*10633 (b) A description of the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.*

*(c) A description of the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.*

The WWTP currently has a treatment capacity of 10.8 MGD. The average daily flow rate of wastewater collected and treated at the WWTP between 2005 and 2010 was 8.93 MGD. The City's wastewater discharge has decreased over the past several years, from a daily average of 9.6 MGD in 2005 to 8.8 MGD in 2010, because of the decrease in potable water use. The flow is expected to grow as future developments come online. At build-out in 2040, the wastewater projection is 22 MGD per the Draft Wastewater System Master Plan (CH2M Hill, 2010). As listed in Table 15, wastewater flow is expected to increase linearly from 2010 through 2035. The recycled water from the WWTP is currently discharged to Old River.

### **4.9.4 Potential and Projected Recycled Water Demand**

*10633 (d) A description and quantification of the potential uses of recycled water, including, but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement, wetlands, industrial reuse, groundwater recharge, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.*

*10633 (e) The projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected pursuant to this subdivision.*

The City is pursuing use of recycled water in and around Tracy. Measures include (1) a City ordinance mandating that all new developments include non-potable pipelines for irrigation, (2) a program to exchange portions of the City's potable water supply, used in City parks and dedicated irrigation areas, for non-potable water from proposed developments such as the Tracy Gateway Project (3) preparing a Draft Recycled Water System Master Plan, and (4) pursuing recycled water opportunities for other projects. These programs are described in more detail below.

#### 4.9.4.1 Potential Recycled Water Demand

Potential recycled water use are described below.

##### Water Exchange Program

As described in Section 4.5.5, Tracy has developed a Water Exchange Program in an effort to allocate its available potable water resources to the highest and best uses. The WEP facilitates the exchange of potable water supplies that are being used to meet irrigation demands within the built-out portion of Tracy for recycled water or for non-potable water that is treated at wastewater treatment plants located in new residential and CII developments. The potable water that was being formerly used for irrigation purposes within Tracy will then be allocated to the new developments.

Several schools, parks, and other areas within the City have been identified as potential candidates for conversion to recycled water. To provide the selected areas with recycled water, the City's existing recycled water infrastructure must be expanded to connect the selected areas with

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WWTPs associated with these new developments. Expansion of the recycled water infrastructure will involve the installation of recycled water distribution mains in several of the City's arterial streets, including Tracy Boulevard, Lammers Road, Corral Hollow Road, MacArthur Drive, and Eleventh Street. Recycled water pump stations and storage reservoirs will also be required. The expansion of the City's recycled water infrastructure will be completed in phases as additional developers participate in the WEP.

The 538-acre Gateway Project is the first development to engage in the WEP with the City. The Gateway Project may build an on-site wastewater treatment plant to supply 29 potential sites within Tracy with 780 ac-ft per year of recycled water (WYA, 2002). Irrigation demands at these sites will be converted to recycled water in phases. During Phase 1 of the Gateway Project, untreated raw water supplies purchased from the WSID may be used to meet irrigation demands at these sites until completion of wastewater recycling facilities.

*Recycled Water Distribution System Requirement for New Developments*

New developments in Tracy are required to include recycled water distribution systems in accordance with the City's Recycled and Non-Potable Water Ordinance (TMC Chapter 11.30; see Appendix J). The requirements of the Recycled and Non-Potable Water Ordinance facilitate the future use of recycled or other non-potable water for irrigation purposes within the new development. The Tracy Gateway Project, for example, anticipates a recycled/non-potable water demand of 760 ac-ft per year for a golf course, landscaping, and roadway medians within the Gateway Project development itself. This irrigation demand is projected to be met with recycled water or with untreated water from WSID's Upper Main Canal.

The plans for the Tracy Hills development also provide for a wastewater recycling plant that will provide approximately 3,000 ac-ft per year of tertiary-treated recycled water to offset potable water demands for irrigation within this development (Nolte, 2000b).

*Recycled Water System Master Plan*

A build-out recycled water system evaluation is being prepared as part of the Draft Citywide Water System Master Plan (WYA, 2011). As part of the draft plan, preliminary recycled water demand estimates have been developed based on the overall projected land use from each proposed development project. The projected recycled water demand projections are listed in Table 16.

*Other Potential Projects*

The City Council has reviewed the request to supply recycled water to the Mulqueeney Ranch Pumped Storage Project and the power generation facility on Roberts Island in San Joaquin County (City of Tracy, 2009). The Mulqueeney Ranch Pumped Storage Project proposes to construct a new electric power plant in the foothills near Patterson Pass. The power plant would require the use recycled water provided by the City. The project would include pumping water stored in a lower reservoir to an upper reservoir during periods of low energy use. Power would be generated by flowing water from the upper reservoir through a turbine to the lower reservoir<sup>20</sup>. The Roberts Island project proposes to construct an electrical plant on Roberts Island. The power

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<sup>20</sup> From personal communication with Steve Bayley on 18 November 2010.

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plant would also like to use recycled water provided by the City. The preliminary recycled water demands for these projects are listed in Table 16.

The City is considering the implementation of the Tracy Green Energy Project<sup>21</sup>. The project would use renewable energy fuel sources to fuel boilers that produce steam to generate electricity. Recycled water would be used for the boilers. The heat energy would then be used to thermally desalinate the boiler brine. The steam condensate is essentially distilled water and would be blended back into the effluent to reduce the salinity of the effluent.

#### 4.9.4.2 Projected Recycled Water Demand

Recycled water demand projections in five-year increments between 2010 and 2035 are listed in Table 17. The timing of the projects described in the draft Water System Master Plan and future development are unknown. Therefore, for the recycled water demands listed in the draft Water System Master Plan, a linear growth of recycled water demands was assumed between 2010 that had no recycled water demand and 2040 with the build-out of the recycled water systems. Potential timing of the Mulqueeney Pumped Storage Project, the Roberts Island project, and the Tracy Green Energy Project is unknown at this time.

The exchange of potable and non-potable water between City parks and Tracy's Gateway Project is expected to begin by 2015. Although construction of recycled water infrastructure would begin during Phase I of the Gateway Project construction, park irrigation demands would be satisfied by the potable water system until the construction of the water system infrastructure is completed. In the future, approximately 780 ac-ft per year of irrigation demand is anticipated to be met with recycled water.

Recycled water demands within the Tracy Hills development are expected to begin after 2015. Since Tracy Hills is a primarily residential development, its growth will be impacted by the residential growth restrictions pursuant to Measure A. Once completed, the Tracy Hills project is expected to use 3,000 ac-ft per year of recycled/non-potable water.

#### 4.9.4.3 Current Recycled Water Demand Compared to Previous Projections

The 2005 UWMP projected recycled water demand starting in 2010 at 7,443 ac-ft/yr. The implementation of the recycled water program has been delayed because development has not occurred as expected due to the poor economy. Furthermore, the Tesla Power Project that was projected to need recycled water by 2010 is not going to be constructed. Since the 2005 UWMP, the City has constructed tertiary treatment facilities to produce recycled water. As the economy improves and development begins, the City expects to start distributing recycled water to the new developments and within the City.

#### 4.9.4.4 Actions to Encourage Recycled Water Use

*10633 (f) A description of actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.*

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<sup>21</sup> From personal communication with Steve Bayley on 7 March 2011.

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As described above, the City has taken numerous steps to encourage the use of recycled water within and around Tracy. In accordance with the City's 2002 Recycled and Non-Potable Water Ordinance (see Appendix J), new developments are required to install pipelines and dual distribution systems to supply recycled or non-potable water to landscaped areas for irrigation and to facilities for industrial cooling or processing. The City's Water Exchange Program is designed to convert existing City parks and other large irrigated areas to non-potable water as opportunities arise.

Tracy does not have plans to provide financial incentives to encourage the use of recycled water because the City is not currently serving recycled water to its customers. However, financial incentives to encourage the use of recycled water will be addressed as part of a future policy decision if and when the City decides to serve recycled water to its customers.

4.9.4.5 Plan to Optimize Recycled Water Use

*10633 (g) A plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.*

Tracy wishes to increase its future use of recycled/non-potable water. The City's coordination with proposed developments and the City's Recycled and Non-Potable Water Ordinance encourage the use of recycled water. The City has been closely involved with future development, and remains committed to working toward significant water recycling in the future.

## 5. RELIABILITY OF SUPPLY

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:  
10631 (c) Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for each of the following:*

- (1) An average water year.*
- (2) A single-dry water year.*
- (3) Multiple-dry water years.*

*For any water source that may not be available at a consistent level of use, given specific legal, environmental, water quality, or climatic factors, describe plans to supplement or replace that source with alternative sources or water demand management measures, to the extent practicable.*

The reliability of each DMC/CVP water supply was originally estimated based on the USBR PROSIM model, and more recently the CALSIM II model, potential restrictions to Delta pumping, and impacts from climate change. The model projects annual delivery quantities from the CVP taking into consideration historical hydrologic conditions, environmental restrictions and regulatory constraints, and Delta improvements over a 71-year period (1922-1993)<sup>22</sup> For the purposes of the UWMP, and to be consistent with the Draft Citywide Water System Master Plan, these reliability estimates have been adjusted to provide a slightly more conservative estimate of the available supplies during normal hydrologic conditions, to account for additional potential Delta pumping restrictions and/or climate change impacts. While these more conservative water supply estimates are being used at this time, the supply estimates will be reviewed at least every five years during the UWMP update process, and will be subject to change, (either up or down), depending on the actual conditions that have occurred between UWMP updates, and those that are occurring at the time of the revised supply estimate (WYA, 2011). Based on these assumptions, during an average hydrologic year, Tracy can expect to receive approximately 75% of its M&I-reliability water supply and 50% of its Ag-reliability water from the USBR's allotment of CVP water via the DMC (plus the small volume of BBID water that is managed through Tracy's treatment and distribution system on behalf of Patterson Pass Business Park).

During droughts, cutbacks on Tracy's DMC/CVP supply are projected to occur. When CVP/DMC supplies are thus reduced, Tracy can increase its use of SCWSP water and local groundwater. The availability of groundwater is considered to be less dependent on climatic factors and is available. In addition, the City plans to further increase the reliability of its water supply during drought years through the purchase of capacity in the Semitropic water bank and potential future implementation of an ASR program (see Section 4.5).

During a single-dry year, or when the DMC/CVP flows must be reduced due to environmental impacts, Tracy's Bureau surface water allotments are subject to reduction. The actual reductions will vary with the severity of the regional water supply shortage (Tracy holds both M&I- and Ag-reliability contracts to DMC/CVP water). The contractual conditions for M&I- and Ag-reliability DMC/CVP water and the potential for reductions are outlined in Appendix D. For the purposes of this 2011 UWMP, it was assumed that Tracy would receive approximately 95% of its SCWSP water supply, 90% of its pre-1914 water rights water, 65% of its M&I-reliability water supply, and

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<sup>22</sup>Draft Water System Master Plan, Chapter 5, (WYA, 2011).

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15% of its Ag-reliability water from the USBR's allotment of DMC/CVP water during a single dry year.<sup>23</sup>

If there are successive dry years, Tracy's surface water allotments, especially from the DMC/CVP, may be significantly reduced. Thus, in the event of drought, Tracy will have to depend more heavily on conservation efforts, groundwater, SCWSP supplies, and Semitropic supplies.

As an example, in 1991, due to prolonged drought, the USBR reduced Tracy's DMC/CVP surface water allotment by 50%, such that Tracy's 1991 allocation was reduced to 5,000 ac-ft. As a result, Tracy implemented a water conservation program consistent with its Water Shortage Contingency Plan included as Appendix L, and relied on its groundwater supply to satisfy a larger portion of the water demand. Tracy now has a broader portfolio of water supplies. For the purposes of this UWMP, it was assumed that Tracy would receive approximately 95% of its SCWSP water supply, 90% of its pre-1914 water rights water, 40% of its M&I-reliability water supply, and 10% of its Ag-reliability water from the USBR's allotment of DMC/CVP water during a multiple-dry year period.<sup>24</sup>

The reliability of each of Tracy's existing and future water supplies and their projected availability during normal, single-dry, and multiple-dry years is described below and summarized in Tables 18 through 20.

## 5.1 NORMAL YEAR

Normal or wet water years are those water years that match or exceed median rainfall and runoff levels. The reliability of each of Tracy's existing and future water supplies and their projected availability during normal and wet years is outlined below and in Table 18.

- The Tracy Contract for an annual entitlement of 10,000 ac-ft of USBR water from the DMC/CVP is subject to M&I Reliability. Based on the historic record, Tracy's long-term average allocation of DMC/CVP water pursuant to this contract is anticipated to be at least 85% of the total entitlement. However, for this UWMP, due to recent environmental concerns in the Delta and potential future impacts due to climate change, the percentage has been reduced to 75 percent. Therefore, for projection purposes in this UWMP, it has been assumed that Tracy will receive 75% of its entitlement during normal water years, or 7,500 ac-ft per year.
- Tracy has been assigned contracts (BCID and WSID) for an annual entitlement of up to 7,500 ac-ft per year of USBR water from the DMC/CVP. Tracy also holds an option to purchase an additional 2,500 acre-feet per year of DMC/CVP contract entitlement from WSID. These contracts are subject to Ag-reliability. Tracy is conservatively estimating that it will receive 50% of its Ag-reliability contractual entitlement in future normal water years, or a total of 3,750 ac-ft (0.50 x 7,500) per year prior to 2014 and 5,000 ac-ft (0.50 x 10,000 ac-ft) per year after 2014.

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<sup>23</sup> The reliability assumptions set forth in this plan are for planning purposes, and do not alter Tracy's contractual or other legal rights.

<sup>24</sup> Based on average deliveries of CVP water during historic drought periods (1929-1934 and 1987-1992) (WYA, 2002). These supply reliability estimates will be reevaluated in the next UWMP update and could be adjusted, based on any issues that occur between now and the next update publication

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- During a normal water year, Tracy expects to receive 100% of its SCWSP water supply allocation, or 10,000 ac-ft per year.
- Pursuant to the Groundwater Management Policy, Tracy can extract up to 9,000 ac-ft per year of local groundwater (Navigant, 2001). Because of the high TDS and hardness of Tracy's groundwater, the City hopes to reduce its dependency on groundwater in the future. As additional higher quality water supplies come on line, Tracy estimates that it may be possible to reduce the quantity of groundwater used during a typical normal or wet year. This reduction however, is highly dependent on future water supplies and demands and should be viewed as a goal, and not a firm projection. In the event that additional supplies are needed, Tracy may utilize up 9,000 ac-ft of groundwater per year.
- By 2015, up to 3,000 ac-ft per year of pre-1914 appropriative water rights water is expected to be available for purchase from BBID. After 2015, Tracy anticipates being able to receive 100% of this supply during normal and wet years.
- By 2030, up to approximately 11,000 ac-ft per year of Ag-reliability water from BBID DMC/CVP contract is expected to be available to Tracy.<sup>25</sup> Therefore, in future normal water years, as much as 5,500 ac-ft per year (0.50 x 11,000 ac-ft) will be available.
- By 2015, Tracy expects to receive 100% of its additional SCWSP water supply allocation, or 3,000 ac-ft per year.

## 5.2 SINGLE-DRY YEAR

A single-dry year is generally considered to be the lowest annual runoff for a watershed recorded since the 1903-04 water year. The reliability of each of Tracy's existing and future water supplies and their projected availability during a single-dry year are outlined below and in Table 19.

- The Tracy Contract for an annual entitlement of 10,000 ac-ft of USBR water from the DMC/CVP is subject to M&I Reliability. Based on the historic record, Tracy's annual allocation will be 75% of its entitlement, however, to be slightly more conservative to account for possible additional environmental concerns through the Delta and potential future climate change impacts, the allocation is assumed to be 65 percent, or 6,500 ac-ft for consistency with the City's Draft Water System Master Plan.
- Tracy holds the assignment contracts (BCID and WSID) for an annual entitlement of up to 7,500 ac-ft per year prior to 2014 and 10,000 ac-ft per year after 2014. These contracts pertain to USBR water from the DMC/CVP and are subject to Ag-reliability. To be slightly more conservative as explained previously, 15 percent of the allocation is assumed, or 1,125 ac-ft per year prior to 2014 and 1,500 ac-ft per year after 2014.
- During a single-dry year, it is assumed that Tracy will receive 95% of its SCWSP water supply allocation, or 9,500 ac-ft per year.
- Pursuant to the Groundwater Management Policy, Tracy can extract up to 9,000 ac-ft per year of local groundwater resources (Navigant, 2001). However, as described above, Tracy may reduce its future groundwater use to 2,500 ac-ft per year by 2015. In the event

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<sup>25</sup> As described in Section 4.5.1.2, the exact quantity of BBID CVP water entitlement is the subject of a future agreement, it may be acquired in increments, if at all, and the exact quantity has not yet been determined.

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that groundwater is needed to supplement surface water supplies during a single-dry year however, the City does intend to call on these supplies up to the maximum sustainable yield of 9,000 ac-ft per year.

- By 2015, up to 3,000 ac-ft per year of pre-1914 appropriative water rights water is expected to be available from BBID. In single-dry water years after 2014, it is assumed that 2,700 ac-ft per year of BBID Pre-1914 water right water, or 90% of the contractual allocation, will be available.
- By 2030, up to 11,000 ac-ft per year of Ag-reliability water from the BBID DMC/CVP contract is expected to be available to Tracy. In future single-dry water years, it is assumed that as much as 1,650 ac-ft per year, or 15% of the contractual entitlement, of BBID water will be available.
- By 2015, it is assumed that Tracy will receive 95% of its additional SCWSP water supply allocation, or 2,850 ac-ft per year.
- By 2015, 3,000 ac-ft per year of banked water is assumed to be available through Tracy's ASR program and by 2015, approximately 3,500 ac-ft per year of banked water through the Semitropic water bank.<sup>26</sup>

### 5.3 MULTIPLE-DRY YEAR PERIOD

A multiple-dry year period is generally considered to be the lowest average runoff recorded for a consecutive multiple year period (three years or more) for a watershed since 1903. For example, 1928-1934 and 1987-1992 were the two multi-year periods of lowest average runoff during the 20th Century in the Central Valley Basin. The reliability of each of Tracy's existing and future water supplies and their projected availability during a multiple-dry year period are outlined below and in Table 20.

- The Tracy Contract for an annual entitlement of 10,000 ac-ft per year of USBR water from the DMC/CVP is subject to M&I Reliability. Based on the historic record, Tracy's annual allocation will be 50% of its entitlement, however, for purposes of this UWMP update to be consistent with the City's Draft Water System Master Plan and be slightly more conservative, 40 percent of the supply allocation is assumed, or 4,000 ac-ft per year.
- Tracy holds the BCID and WSID Contracts for an annual entitlement of up to 7,500 ac-ft per year prior to 2014 and 10,000 ac-ft per year after 2014. These contracts, which cover USBR water from the DMC/CVP, are subject to Ag-reliability. Based on the historic record and to be slightly more conservative a planning value of 10 percent of the allocation is assumed, equivalent to 750 ac-ft per year prior to 2014 and 1,000 ac-ft per year after 2014.
- During a multiple-dry year period, Tracy expects to receive 95% of its SCWSP water supply allocation, or 9,500 ac-ft per year.
- Pursuant to the Groundwater Management Policy, Tracy can extract up to 9,000 ac-ft per year of local groundwater resources (Navigant, 2001). However, as described above,

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<sup>26</sup> Tracy's ASR program proposes to inject treated drinking water during years of excess deliveries. This water would then be pumped out of the aquifer as needed in future years. Water banked with Semitropic however, would be pulled directly out of the DMC and replenished back to the DMC by Semitropic, per the Agreement.

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Tracy may reduce its future groundwater use to 2,500 ac-ft per year by 2015. In the event that groundwater is needed to supplement surface water supplies during a multiple-dry year period however, the City does intend to call on these supplies up to the maximum sustainable yield of 9,000 ac-ft per year.

- By 2015, up to 3,000 ac-ft per year of pre-1914 appropriative water rights water is expected to be available for purchase from BBID. In multiple-dry water years after 2014, it is assumed that 2,700 ac-ft per year of BBID Pre-1914 water right water, or 90% of the contractual allocation, will be available.
- By 2030, up to 11,000 ac-ft per year of Ag-reliability water from BBID DMC/CVP contract is expected to be available to Tracy. In future multiple-dry water years, it is assumed that as much as 1,100 ac-ft per year of BBID DMC/CVP water, or 10% of the contractual entitlement, will be available.<sup>27</sup>
- It is assumed that Tracy will receive 95% of its future SCWSP water supply allocation, or 2,850 ac-ft per year.
- By 2015, up to 3,000 ac-ft per year of banked water is assumed to be available through Tracy's ASR program and approximately 3,500 ac-ft per year for three consecutive years of banked water (10,500 ac-ft over a three-year period) is anticipated to be available through Semitropic.

#### **5.4 WATER QUALITY IMPACTS ON RELIABILITY**

*10634. The plan shall include information, to the extent practicable, relating to the quality of existing sources of water available to the supplier over the same five-year increments as described in subdivision (a) of Section 10631, and the manner in which water quality affects water management strategies and supply reliability.*

The potable water that Tracy delivers to its customers complies with all state and federal drinking water requirements. Appendix M contains the Tracy 2009 Water Quality Report that summarizes water quality for both the DMC/CVP and SSJID water (City of Tracy, 2009). There are occasional aesthetic concerns with Tracy's water supply because the groundwater is heavily mineralized and the DMC/CVP water periodically has taste and odor problems resulting from algae blooms in the Delta. The high-quality SSJID water introduced in 2005 has improved the aesthetic quality for Tracy's water customers. If Tracy is able to develop its ASR program as proposed, the aesthetic quality of the extracted groundwater may also improve in the future.

Water quality is expected to be similar for 2010, 2015, 2020, 2025, 2030 and 2035. Specific information related to the quality of each of Tracy's surface water and groundwater sources is provided below.

##### **5.4.1 DMC/CVP Water Quality**

A sanitary survey for the drinking water sources for Tracy's potable water system was completed in Fall 2010 (EKI, 2010). The sources that were found to be most vulnerable to airport maintenance and fueling areas, gas stations (historic and existing), mining (active and historic),

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<sup>27</sup> West Yost Associates, Draft Water System Master Plan, Chapter 5, April 2011 (WYA, 2011).

and septic and waste landfill dumps (historic and existing).<sup>28</sup> 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. Potential issues include levee failures, toxic spills, and salinity.

As discussed in Section 4.5.1.1, an intertie between the DMC and the State Water Project (“SWP”) California Aqueduct is being constructed. A previous City study, as discussed in the 2005 UWMP, has shown that both the DMC and the SWP have highly variable and similar water quality; therefore, no major change in water quality is expected. Further, as described above, the high quality SCWSP water enhances water quality in Tracy, and provides a redundant supply of water in the event that the quality of another one of the surface water sources, such as the DMC, is degraded.

### **5.4.2 Stanislaus River Water Quality**

Available raw water quality data are summarized and analyzed in the SSJID 2005 Survey Update. A summary of raw water quality data collected from January 1998 through July 2004 is presented in Appendix N (Table 8.1) (Black & Veatch, 2005).

In general, the water quality of SSJID surface water is better than that of the DMC. Turbidity within the SSJID water supply averaged at 4.9 NTU, while the levels in the DMC water supply in the summer of 2010 were at 12 NTU. Of the parameters monitored and reported in the SSJID 2005 Survey Update, almost all of the compounds were detected at concentrations below applicable water quality standards.

Results from the SSJID’s 2005 Sanitary Survey indicate that cattle in the vicinity of the main canal are likely contributing to elevated levels of total and fecal coliform between the Goodwin Dam and the Woodward Reservoir, and that recreational activity near the reservoir may be causing additional contamination. To prevent access to the canal and watershed, SSJID fixed the fencing along the canal since the 2005 SSJID Sanitary Survey. SSJID is currently updating the Sanitary Survey.

### **5.4.3 Groundwater Quality**

Generally, the City’s groundwater has high levels of TDS and sulfate and very high hardness. Therefore, the City is managing its water sources conjunctively to preferentially use its higher quality, surface sources and minimize its dependence on local groundwater, which has lower quality compared with available surface sources. Additional information related to groundwater quality is presented as part of the bi-annual groundwater monitoring that the City conducts as part of the Mitigation Monitoring Program pursuant to the City’s *Groundwater Management Policy Mitigated Negative Declaration*.

Groundwater quality data collected to date is summarized in Appendix I and in the following sections. Unless otherwise noted, the information presented below is from GEI (2009).

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<sup>28</sup> [http://www.ci.tracy.ca.us/departments/public\\_works/water\\_quality/](http://www.ci.tracy.ca.us/departments/public_works/water_quality/)

#### 5.4.3.1 Production Wells

According to GEI (2009), none of the water quality parameters from the production wells exceed California Primary Drinking Water Standards (also called MCLs). TDS, specific conductance (measured by the water's electrical current, or "EC"), and sulfate have consistently been measured at levels above the California Secondary Recommended MCLs. Other constituents, such as nitrate, arsenic, chromium, boron, and chloride, are present in Tracy's groundwater at levels that are elevated but in compliance with MCLs.

#### 5.4.3.2 Monitoring Wells

Similarly to the data collected from production wells, none of the water quality parameters from Tracy's monitoring wells exceeded California Primary MCLs. Several monitoring wells have concentrations of TDS, EC, chloride, sulfate, iron, and manganese that exceeded California Secondary Recommended MCLs. Generally, groundwater quality appears to be better in the Zone A aquifer (the shallow aquifer located directly beneath the Corcoran Clay) than in the deeper zones, with the exception of arsenic. The poorest quality water is present at monitoring well MW-5C, screened in the deep aquifer, where the TDS exceeds 1,000 mg/L. Patterns of groundwater extraction by Tracy do not appear to be negatively impacting groundwater quality (GEI, 2009).

### **5.5 WATER SHORTAGE CONTINGENCY PLAN**

*10632. The plan shall provide an urban water shortage contingency analysis that includes each of the following elements that are within the authority of the urban water supplier: (a) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions which are applicable to each stage.*

Tracy established its Water Shortage Contingency Plan ("WSCP") in 1992, following a period of severe drought, to provide City staff and City water customers with guidelines for reducing water consumption in the event of another drought (Appendix L). Tracy's WSCP includes an analysis of existing and projected water demands and supplies, a water conservation and rationing plan with mandatory prohibitions and penalties, and an analysis of projected revenues and expenditures.

The WSCP was incorporated into the Water Management Chapter of the TMC as codified in Chapter 11.28, Article 5 - Drought and Other Water Emergency, and Article 6 - Water Conservation and Rationing Plan, Water Emergency Plan, Variances and Appeals ("WCRP"). The WCRP sections of the TMC since been amended to incorporate changes in rate schedules, penalties, among others. Because the WCRP sections of the TMC incorporate the amendments to the WSCP, for the purposes of this UWMP, all water conservation and water emergency/drought mandates reference the WCRP sections of the TMC rather than the WSCP.

Tracy's WCRP includes provisions for five Stages of Action (referred to as "Phases" in the TMC and as "Stages" in this UWMP). The following sections describe the measures to be taken in each of the five Stages, the prohibitions, penalties, and consumption reduction methods for each stage, and enforcement mechanisms for ensuring that the desired cutbacks are achieved.

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Implementation of the WCRP can be triggered by four different scenarios: (1) decline of groundwater basin level to 30 feet below sea level; (2) cutback of CVP water supplies; (3) drought declaration by the Governor of California; and (4) any unusual situation that affects the quantity or quality of the City's water supply. In the event that any of the aforementioned triggers occur, the City Council is granted the authority to declare a drought and direct the City Manager to implement the WCRP. Transitions between the conservation phases outlined in the WCRP are implemented by resolution of the City Council.

### **5.5.1 Stages of Action**

*10632. The plan shall provide an urban water shortage contingency analysis that includes each of the following elements that are within the authority of the urban water supplier: (a) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions which are applicable to each stage.*

The five Stages of Action ("Stages") outlined in the City's WCRP (TMC 11.28. Article 6) are intended to promote the proper management and distribution of water supplies during a drought or emergency situation. Each of the five Stages describes specific actions to be taken by individual water customer sectors to achieve the water conservation requirement of that particular Stage. All of the Stages allow for adequate water to protect public health and safety and satisfy the fire protection needs of the City.

Each of the five Stages corresponds to a specific City-wide potable water demand reduction goal. These potable water demand reduction goals are based on the City's potential supply cutbacks during times of drought, with up to a 50% supply reduction as mandated by the UWMP Act. The five Stages and their associated cutbacks are described in Table 21.

The first Stage, Stage I, represents a potable water demand reduction goal of less than 10%. Stage I reflects a scenario where the City may maintain sufficient supplies to meet normal year potable water demands, but calls for voluntary reductions in water use to help alleviate potential impacts of more severe supply reductions in subsequent years. Stage I prohibits flagrant water waste, mandates swimming pool covers and proper maintenance of plumbing and irrigation systems, and encourages the use prudent water conservation measures for landscapes. These actions are listed in Table 21.

The actions outlined in Stage II are to be implemented when the City requires a 10% reduction in potable water demand during dry year periods. Stage II calls for landscape irrigation and outdoor water use conservation measures, including the development of a landscape irrigation schedule for single-family residences, and restrictions on non-essential water uses such as sidewalk washing and car washing, and the addition of water above operational requirements for pools and hot tubs (Table 21).

Stage III water conservation and rationing measures are geared toward a 15% reduction in City-wide potable water demand. The steps to achieve a Stage III reduction include all of the steps outlined in Stage II, as well as the additional mandates described in Table 21. A 15% reduction in potable water demand should be achievable through increased restrictions on landscape irrigation

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and non-essential water uses, as well as increased emphasis on implementation of a public information campaign.

The fourth WCRP Stage, Stage IV, includes the actions outlined above in Stages I through III combined with additional restrictions necessary to achieve a 25% reduction in potable water demand within the City. These restrictions target non-essential water uses by commercial facilities and industries. Measures would include car washing practices for auto dealerships and additional public information notices in commercial businesses.

Stage V identifies mechanisms by which the City can reduce total potable water demand by more than 25% (with up to a 50% cutback for the purposes of this UWMP). To achieve a reduction in potable water demand exceeding 25%, the City would prohibit all water use except as required for public health and safety (50 gallons per capita per day). Reductions in Stage V would include a 100% cutback in recreation and irrigation water use.

Street cleaning with potable water was not specifically referenced in the WCRP. However, Tracy uses a dry street sweeping technique that does not use water.<sup>29</sup> In the next update of the WCRP, street cleaning with potable water will be prohibited.

### **5.5.2 Estimate of Minimum Supply for Next Three Years**

*10632 (b) An estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency's water supply.*

Tracy's estimate of the minimum water supply available during the next three years is conservatively assumed to be equal to the quantity of water that Tracy can expect to receive during a multiple-dry year period. It is estimated that the City's minimum supply for the next three years (2011 to 2014) will be 23,250 ac-ft per year, which is more water than the City's 2010 total potable water demand of 16,600 ac-ft per year.

### **5.5.3 Catastrophic Supply Interruption Plan**

*10632(c) Actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster.*

In response to the requirements of the Public Health, Security and Bioterrorism Preparedness and Response Act of 2002 ("Bioterrorism Act"), Section 1433 amendment to the Safe Drinking water Act, Tracy has prepared a Water System Emergency Response Plan ("WSERP") (WYA, 2004). The City's WSERP provides a framework for emergency response by the City's Public Works Department ("Department") by describing the Department's emergency management organization, roles, and responsibilities and emergency policies and procedures. Excerpts from Tracy's WSERP can be found in Appendix O. In accordance with the aforementioned goals, the WSERP:

- Describes the Departments' emergency management organization;

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<sup>29</sup> From personal communication with Steve Bayley on 7 March 2011.

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- Identifies of the types of emergencies that the Department may need to respond to for its water system;
- Outlines the roles and responsibilities the Department and its staff during emergency response and recover; and
- Compiles and organizes water system emergency response protocols and procedures.

Prior to the 2003 WSERP, the City had developed numerous emergency planning and procedures documents which provide information on emergency roles and responsibilities and specific emergency procedures for the City's water supply and distribution facilities. Tracy's 2003 WSERP is not intended to replace these documents, but is designed to work in conjunction with existing plans. Additional water supply emergency plans adopted by the City include:

- *City of Tracy Emergency Plan;*
- *Emergency Response Handbook;*
- *City of Tracy General Standby Procedures;*
- *Process Safety Management Program;*
- *Emergency Action Plan;*
- *Department of Health Services Water Quality Emergency Notification Plan;*
- *Water Treatment Plant Operations Manual;*
- *Water Treatment Plant Operations Plan;*
- *Risk Management Plan;* and
- *Hazardous Materials Business Plan.*

A more complete description of these plans can be found in the WSERP.

#### 5.5.3.1 Types of Emergencies

Several types of emergencies can occur which could impact the City's water system and its operations. Tracy's WSERP is designed to assist the City in quick response to water system emergencies that may include the following natural or man-made causes:

- Earthquake
- Fires
- Contamination or loss of water supply
- Hazardous materials spills or leaks
- Severe storms or floods
- Landslides
- Pipelines, reservoir, tank and/or building failure
- Civil unrest, vandalism, or terrorist action or threat
- National security emergency
- Widespread power outage
- Airplane crash
- Traffic/highway accidents
- Intrusion through Supervisory Control and Data Acquisition system

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It is important to note that there are a number of events, such as large earthquakes or fires, which occur infrequently, but have a very high impact potential. There are also events, such as severe storms and floods, which have less of an impact potential, but occur more frequently. Although the planning basis for Tracy's WSERP is for a major emergency, the principles outline in the WSERP can be applied to any type or magnitude of event.

5.5.3.2 Emergency Categories and Response Levels

Four response categories have been defined in the WSERP to provide a common method of describing the type of event, area affected, and the extent of coordination or assistance needed. These categories include (0) Readiness/Routine Response, (1) Local Emergency, (2) Local Disaster, and (3) Major Disaster (see Table 6, Appendix O).

Depending on the severity of a given emergency, the situation may warrant response from different levels of government consistent with the Standardized Emergency Management System ("SEMS"). Tracy's WSERP identifies these levels as State, Regional, Operational Area (San Joaquin County), Local (City of Tracy), or Field (Public Works Staff). The extent of each levels' responsibilities is described in Figure 1 of Appendix O and their involvement in each of the four emergency response categories are outlined in Table 6 of Appendix O.

5.5.3.3 Plan Activation, Response, and Deactivation

Table 9 in Appendix O gives the response categories, triggers and potential response actions to be implemented to the extent required by the nature and scope of the emergency. The activation process includes plan triggers, staff responsibilities, mutual aid or assistance availability and damage assessment. Responses are coordinated in accordance with the severity and extent of the emergency.

Table 10 of Appendix O identifies deactivation triggers and potential actions to be implemented once the emergency situation has been corrected and water quality is established. The deactivation process is in the reverse order of the activation process, starting with the highest category attained in the activation process.

**5.5.4 Consumption Reduction Methods, Prohibitions, and Penalties**

*10632 (d) Additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning. (e) Consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply. (f) Penalties or charges for excessive use, where applicable.*

5.5.4.1 Consumption Reduction Methods and Prohibitions

Consumption reduction methods and prohibitions for the five Stages of Action described in Tracy's Water Conservation and Rationing Plan are described above and in Table 21. During Stage V, the most restrictive Stage, the City intends to reduce water use by prohibiting the following actions:

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- No recreational water use allowed
- No irrigation water use allowed
- All water uses not required for public health and safety and fire protection are prohibited
- Notices of drought conditions posted in all facilities with restrooms
- No potable water used for street cleaning

Prohibitions against specific water use practices for Stages I through IV are outlined in Table 21 and in the WCRP (see Appendix L). Specific restrictions for each Stage of Action are outlined in the WCRP, including those restrictions applying to irrigation using potable water, car washing, filling swimming pools, and building new developments during droughts. Practices such as using potable water for construction purposes are also prohibited when the City is required to cutback water use significantly.

#### 5.5.4.2 Penalties

In accordance with TMC 11.28.070, a customer who violates any of the provisions of Stage I through Stage V of Tracy's WCRP, or fails to comply with an order or permit made thereunder, is guilty of an infraction. Under Section 1.04.030 of the TMC, an infraction is punishable by:

- (1) A fine not exceeding \$100 for a first violation.
- (2) A fine not exceeding \$200 for a second violation within a twelve month period.
- (3) A fine not exceeding \$500 for each additional violation of within a twelve month period.
- (4) If a person is found to have violated the same Code provision at least twice within a twelve month period, the offense, which would otherwise be an infraction, is considered a misdemeanor.<sup>30</sup>

Additional actions that are penalized in TMC Section 11.28.070 include the unauthorized drawing of water from a fire hydrant, the drawing from a fire hydrant for construction purposes after receiving notice that reclaimed water is available and required, or the construction of a bypass around a water meter. Such actions are subject to a \$500 fine.

Four violations within the same six month period will result in the installation of a meter service flow restrictor at the customer's expense. The flow restrictor is to remain in place for the remainder of the drought or water emergency. Failure to pay assessed fines will result in termination of water service until payment in full of all fines and usual reconnection charges are collected from the customer.

### **5.5.5 Analysis of Revenue Impacts of Reduced Sales During Shortages**

*10632 (g) An analysis of the impacts of each of the actions and conditions described in subdivisions (a) to (f), inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.*

Since Tracy bills its customers per unit volume of water consumed, the City would experience a reduction in revenue upon implementation of the Water Conservation and Rationing Plan. As

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<sup>30</sup> A misdemeanor is punishable by a fine not exceeding \$1,000, or imprisonment not exceeding six months, or both. (Ord. 996 § 1 (part), 1999)

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described in Section 6.1.11, to compensate for the expected revenue reduction cause by water conservation, the City Council reserves the authority to adopt a temporary rate increase and institute an excess water surcharge (TMC 11.28.220 and 11.28.230).

### **5.5.6 Draft Ordinance and Use Monitoring Procedure**

*10632 (h) A draft water shortage contingency resolution or ordinance.*

*10632 (i) A mechanism for determining actual reductions in water use pursuant to the urban water shortage contingency analysis.*

A copy of the City’s Water Shortage Contingency Plan, its Water Conservation and Rationing Plan, and the associated Articles 5 and 6 of Tracy’s Municipal Code (“TMC”) Chapter 11.28 (see Appendix L). To determine the actual reduction in water use during water shortage periods, the City plans to increase the frequency at which it conducts meter readings to ensure that customers are conserving water. By frequently monitoring water use at its residential and CII accounts, the City will ensure compliance with water shortage rationing and be able to impose penalties on those who are not complying with the Water Conservation and Rationing Plan or the Stage of Action being enforced. Non-compliance with the required water conservation will result in the penalties described in Section 6.1.13, potentially including fines, flow restriction devices, and termination of service.

## **5.6 WATER SUPPLY VS. DEMAND**

*10635 (a) Every urban water supplier shall include, as part of its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple-dry water years. This water supply and demand assessment shall compare the total water supply sources available to the water supplier with the total projected water use over the next 20 years, in five-year increments, for a normal water year, a single-dry water year, and multiple-dry water years. The water service reliability assessment shall be based upon the information compiled pursuant to Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.*

As discussed previously, Tracy’s water demand projections and the volume and reliability of its water supplies are expected to vary as a function of time and hydrologic conditions. The following sections compare Tracy’s projected potable water supplies and demands for years with normal and less than normal precipitation over a period of 20 years. Based on Tracy’s water supply projections described in Section 4 and the potable water demand projections explained in Section 3, the City is projected to have sufficient potable water supplies to meet all of its projected demands through the year 2035 during years of normal precipitation (see Table 22) This projection is based on the assumptions described in Section 4. These assumptions include Tracy’s ability to secure and utilize its options to purchase the additional WSID and BBID DMC/CVP and Pre-1914 appropriative water, additional water from SSJID, and some reduction of groundwater extraction to as little as 2,500 ac-ft per year by 2015.

### **5.6.1 Projected Single-Dry-Year Supply and Demand Comparison**

As listed in Table 23, comparison of Tracy’s single-dry year water supply projections to its water demand projections indicates that the City will likely have sufficient water supplies to meet

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projected potable water demands through 2020 using the City's existing and expected available supplies listed in Section 4 and shown in Table 12. It is important to note that this analysis assumes that Tracy has acquired the additional WSID and BBID DMC/CVP and Pre-1914 water rights described in Section 4, additional SSJID water, and has reduced its groundwater use.

**5.6.2 Projected Multiple-Dry-Year Supply and Demand Comparison**

As listed in Table 24, comparison of Tracy's multiple-dry year water supply projections with projected water demands indicates that the City will likely have sufficient water supplies to meet projected potable water demands through 2025 using the City's existing and expected available supplies listed in Section 4 and shown in Table 12, but will encounter supply shortfalls of up to 14% by 2035. It is important to note that this analysis assumes that Tracy has acquired the additional WSID and BBID DMC/CVP and Pre-1914 water rights described in Section 4, and additional SSJID water and has reduced its groundwater use. The City may be able to achieve such cutbacks in demand through implementation of its Water Shortage Contingency Plan, but such cutbacks would likely have significant impacts on the City's economy, among other negative impacts.

It is anticipated that Tracy could make up this shortfall in supply if it were able to purchase water on the spot market or if Tracy could draw upon additional water supplies it had banked for drought supply purposes.

Tracy is working to develop two water banking programs. First, additional drought water supply could come from potable water that is stored in the aquifer beneath Tracy as a result of implementation of an ASR program. Under the second program, Tracy would purchase space in the Semitropic Water Bank to store water for use during times of drought (see Table 12). If Tracy is able to implement these two water banking programs, the City should have sufficient water supplies to meet demand during a multiple-dry year period. Another option the City retains is to use groundwater to make up any shortfall.

## 6. DEMAND MANAGEMENT MEASURES

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:*

*10631 (f) Provide a description of the supplier's water demand management measures. This description shall include all of the following:*

*(1) A description of each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following:*

- A) Water Surveys for Single-Family and Multi-Family Residential Customers*
- B) Residential Plumbing Retrofit*
- C) System Water Audits, Leak Detection, and Repair*
- D) Metering*
- E) Large Landscape Conservation Program and Incentives*
- F) High-Efficiency Appliance Promotion Programs*
- G) Public Information Programs*
- H) School Education Programs*
- I) Conservation Programs for Commercial, Industrial, Institutional Customers*
- J) Wholesale Agency Assistance Programs*
- K) Non-Promotional Water Pricing Programs*
- L) Water Conservation Coordinator*
- M) Waste Water Prohibition*
- N) Residential Ultra Low Flush Toilet Replacement*

In accordance with the Reclamation Reform Act of 1982 (“RRA”), the City prepared a draft Water Management Plan to the USBR in 2009. The RRA states that all parties that contract with the USBR for M&I water supplies greater than 2,000 ac-ft per year, or Agricultural water supplies that cover over 2,000 irrigable acres, are required to prepare and submit Water Conservation Plans to the USBR every five years. As described in Section 4, the City holds multiple contracts with the USBR in excess of these quantities.

Tracy’s Water Conservation Plan includes, among other items, a copy of the City’s water-related ordinances and City Code sections, an inventory of the City’s water resources and quality, and a description of the City’s water conservation efforts. These conservation efforts include implementation of the California Urban Water Conservation Council’s (“CUWCC”) 14 Best Management Practices (“BMPs”).

As described in Tracy’s Water Conservation Plan, Tracy is committed to water conservation and efficient use of water. The City has implemented the majority of the 14 CUWCC BMPs, which are equivalent to the “Demand Management Measures”, or “DMMs”, defined in the UWMP Act. For the purposes of this 2011 UWMP, we refer to the UWMP Act Demand Management Measures as DMMs. The DMMs are described below and in Table 25.

### 6.1 DEMAND MANAGEMENT MEASURES

Tracy’s 2005 UWMP was reviewed during the preparation of the 2011 UWMP. The following sections summarize actions taken by the City’s Water Conservation Coordinator to encourage water conservation pursuant to each of the 14 DMMs since the 2005 UWMP. DMM actions are

described by fiscal year (“FY”); for example, “FY 2010-11” refers to the period July 1, 2010 through June 30, 2011.

### **6.1.1 DMM 1 - Residential Water Surveys**

The City’s residential survey program focuses on personal visits from the City’s Water Conservation Coordinator (“WCC”) to identify leaks and offer water- saving ideas. Tracy offers its residential survey program free-of-charge to its single-family and multi-family water customers. Customers who participate in the residential survey program may receive free water-saving information and equipment, including low-flow showerheads and faucet aerators. During a residential survey, the WCC also evaluates the customer’s landscape and irrigation systems and furnishes suggestions for conservation.

The City’s WUDS software program can identify the top 20% of the single-family or multi-family users and target them for conservation evaluations. The software program also allows the City to include information on customer bills regarding general and customer-specific water use trends. Advertisement for Tracy’s residential surveys is also done through utility bill inserts and community events such as the Bean Festival, which attracts over 88,000 visitors over two days each September.

The amount of money spent on residential water surveys for each fiscal year is listed in Table 25. Fourteen surveys have been completed since 2005. The City will continue to perform residential surveys for its customers. The water savings from the implementation of this DMM are not quantified.

### **6.1.2 DMM 2 - Residential Retrofits**

The City distributes water conservation kits to customers upon request. Kits contain low-flow showerheads, faucet aerators, dye tablets for toilet tank leak detection, and water bags for toilet tank displacement. Since FY 2005-06, four retrofit kits have been distributed. The amount of money spent on residential retrofit efforts is listed in Table 25.

The number of pre-1992 single-family accounts and multifamily accounts is not available. Therefore, the City is unable to estimate the saturation rate of faucet aerators and showerheads retrofits. The City will continue to distribute retrofit kits as requested. The water savings from the implementation of this DMM are not quantified.

### **6.1.3 DMM 3 - System Water Audits and Leak Detection**

Citywide water consumption is tracked through the use of the WUDS software. Consumption is compared to potable water purchases and groundwater production to determine the unaccounted for water. The City’s goal is to maintain less than 10 percent of unaccounted for water within the total potable water supply. Tracy’s UAW is consistently below 10%; therefore, Tracy has not conducted a system-wide leak detection survey since 1999. Tracy also conducts routine maintenance of its water lines and promptly repairs any ruptured water lines. The water savings from implementation of this DMM are not quantified.

#### **6.1.4 DMM 4 – Metering**

As of December 2010, Tracy meters all 23,449 customers with radio-capable meters. The ability to perform meter readings remotely via radio will enhance data acquisition. Such radio-capable meters can alert customers or the City when there is a leak, potentially reducing wasted water.

The City charges its customers a base service rate depending on meter size. Meter service charges range from \$11.70 per month for a 5/8-inch or 3/4-inch diameter meter, to \$2,070.40 for a 10-inch meter. Table 26 gives the full range of service charges based on meter size.

Water is billed using Tracy’s tiered rate structure. The City bills customers based on the volume of water consumed, in units of one hundred cubic feet (748 gallons). For more information on Tracy’s rate schedule, see DMM 11, Section 6.1.11. The water savings from implementation of this DMM are not quantified.

#### **6.1.5 DMM 5 - Landscape**

As of 1 January 2010, the State Model Water Efficient Landscape Ordinance is being enforced by the City as required by State law. However, the City is also working to develop its own ordinance for water efficient landscaping in accordance with the requirements established by the State. It anticipated the City's ordinance will be adopted in the near future. Compliance with the ordinance is overseen by the City Planning Department.

The City began conducting landscape audits in 2008-09 on an as requested basis. The City also offers landscape audits based on high water users identified in the billing system. Approximately 3 audits were completed in both 2008-09 and 2009-10.

#### **6.1.6 DMM 6 - High-Efficiency Clothes Washing Machine**

The City offers a high-efficiency clothes washing machine (“HECW”) rebate program to single-family and multi-family residents. The City extends a \$50 rebate for Energy Star-rated, HECWs.<sup>31</sup> This voucher program may be used jointly with PG&E's rebate programs. This rebate is valid for new HECWs listed in the Qualifying Product list published by the Consortium for Energy Efficiency.<sup>32</sup>

Tracy offers the HECW rebate program on a first come, first served basis, budgeting up to \$10,000 in rebates per fiscal year. From fiscal year 2005-06 through 2009-10 all available washing machine rebates were exhausted, as listed in Table 25. The City intends to continue this program in the future. The water savings from implementation of this DMM are not quantified.

#### **6.1.7 DMM 7 - Public Information**

Tracy distributes information about water conservation to the public through bill inserts, brochures, community speakers, paid advertising, school education programs, and community

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<sup>31</sup> High-efficiency clothes washing machine use one-third less water and one-fourth less energy to clean clothes compared with conventional machines. Instead of agitating clothes back and forth, high-efficiency washers gently lift, toss, and tumble clothing during the spin and rinse cycles and extract more water during the spin cycle.

<sup>32</sup> Qualifying high-efficiency clothes washing machines are listed at [www.ceel.org](http://www.ceel.org).

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events. Tracy also maintains a website providing water conservation tips, rebate applications for high-efficiency clothes washers, and information regarding the residential water survey program.<sup>33</sup>

This public information program is managed by the City's WCC and includes the following activities.

- Distributing bill inserts that promote conservation.
- Promoting water conservation through television and radio advertisements.
- Coordinating with homeowner associations and local non-profit organizations to provide additional water conservation material and speakers.
- Maintaining a booth at Tracy's annual Bean Festival where information is distributed regarding the City's water conservation programs
- Using cinema advertisements by running one promotional slide before every movie at the Tracy Cinemark.

Tracy is actively implementing a public information program to educate its customers about water conservation. However, the water savings from implementation of this DMM are not quantified.

#### **6.1.8 DMM 8 - School Education**

Tracy continues to promote water and other resource conservation at City schools. Approximately 5 classroom visits are made each fiscal year at fourth, fifth and sixth grade classes. Tracy also distributes packages of water conservation flyers to the schools for distribution. Approximately \$500 of water conservation materials were distributed during each of the last two fiscal years.

Tracy plans to continue working with the school districts and private schools in its service area to provide instructional assistance, educational materials, and classroom presentations that emphasize local urban, agricultural, and environmental issues related to water use. The water savings from implementation of this DMM are not quantified.

#### **6.1.9 DMM 9 - Commercial, Industrial, and Institutional (CII) Accounts**

Tracy has implemented the following programs to encourage conservation for commercial, industrial, and institutional accounts.

- Tracy offers a \$125 ULFT rebate for its CII customers that are located in pre-1992 buildings. This program was reinstated in August 2007. The rebates are advertised on the City's website<sup>34</sup>.
- Tracy is in the process of identifying all CII accounts with dedicated irrigation meters and assigning ETo-based water use budgets to those accounts that exceed 100% of the reference evapotranspiration per square foot of landscape area on a bimonthly basis. Tracy will provide notices in each billing cycle to accounts with water use budgets identifying the relationship between the total water use budget and the actual water consumption at that account.

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<sup>33</sup> [http://www.ci.tracy.ca.us/departments/public\\_works/water\\_resources/](http://www.ci.tracy.ca.us/departments/public_works/water_resources/)

<sup>34</sup> [http://www.ci.tracy.ca.us/departments/public\\_works/water\\_resources/](http://www.ci.tracy.ca.us/departments/public_works/water_resources/)

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- Tracy developed a program to target landscaped CII accounts to offer them one or more of the following conservation measures:
  - Landscape water use analysis/surveys;
  - Voluntary water use budgets;
  - Installation of dedicated landscape meters;
  - Training (multi-lingual where appropriate) in landscape maintenance, irrigation system maintenance, and irrigation system design;
  - Financial incentives to improve irrigation system efficiency such as loans, rebates, and grants for the purchase and/or installation of water efficient irrigation systems; and/or
  - Follow-up water use analyses/surveys consisting of a letter, phone call, or site visit where appropriate.

Water savings from implementation of this DMM are not quantified.

**6.1.10 DMM 10 - Wholesaler Incentives**

This DMM does not apply to Tracy because Tracy is not a wholesale water agency.

**6.1.11 DMM 11 - Water Pricing to Encourage Conservation**

In addition to the water meter monthly service charge described in DMM 4 (Section 6.1.4), the City also employs a tiered rate structure based on the quantity of water consumed by each customer. Four tiers are defined by the number of units of water use, with one unit equal to 100 cubic feet (748 gallons). Table 26 shows the unit rates for the City's four pricing blocks, and the cost per unit for the Winter and Summer rating structure.

To compensate for revenue losses and the resultant fiscal impacts during the low-flow winter months and during periods of water conservation, the City varies its water rates seasonally (see Table 26). Additionally, the City Council maintains the authority to adopt conservation pricing and water use surcharges in times of need (TMC 11.28.220 and 11.28.230).

Tracy's current sewer rate structure is included in Appendix P. Water savings from implementation of this DMM are not quantified.

### **6.1.12 DMM 12 – Water Conservation Coordinator**

The duties of the WCC are fulfilled by Stephanie Reyna-Hiestand. As Tracy’s Water Conservation Coordinator, Mrs. Reyna-Hiestand’s responsibilities are divided as 45% to water conservation efforts, 35% to storm water management, and 20% to groundwater management. The duties of the WCC include coordination and oversight of conservation programs and DMM implementation, preparation and submittal of the USBR Annual Update, communication and promotion of water conservation issues to senior City management, coordination of agency conservation programs with operations and planning staff, and preparation of the annual water conservation budget.

### **6.1.13 DMM 13 - Waste Prohibitions**

Tracy established a water waste prohibition as part of its Water Conservation and Rationing Plan (TMC Chapter 11.28) (Appendix L). The water waste prohibition includes restrictions on landscape irrigation at certain times (see Section 6.1.5), prohibition of “flagrant water waste or excessive runoff”, proper maintenance of plumbing and irrigation systems, prudent conservation measures, and swimming pool and hot tub covers to limit evaporation. Flagrant water waste or excessive water runoff is defined as any water that flows directly from a tap connected to the City water system that leaves the property of origin in a continuous flow of any dimension for 150 feet from the property, or for more than five minutes in duration. Prudent water conservation measures include actions such as hand-held “trigger” nozzle handle sprayers, the use of drought-tolerant landscaping, and watering during non-windy times to prevent excess water loss.

Tracy’s Water Conservation and Rationing Plan also dictates measures that the City can implement to reduce or eliminate water waste during periods of extreme dryness. These measures, described in more detail in Section 5 of this UWMP, include restrictions on landscape irrigation, sidewalk and car washing, and other residential, recreational, and commercial uses of water.

Enforcement of the water waste prohibition is done by the Water Conservation Coordinator. The WCC issues Courtesy Notices informing customers regarding violations of the Water Management Ordinance. Usually the first Courtesy Notice induces compliance. If the first notice does not work, Tracy issues two more. If those do not result in compliance, the WCC writes a letter, delivered by certified mail, warning that if the customer does not comply, a citation will be issued by the City.

Tracy enforces its water waste ordinance on a year-round basis. However, the water savings from implementation of this DMM are not quantified. Approximately 200 actions have been taken by the City since 2005 to enforce the water waste ordinance. No citations have had to be issued.

### **6.1.14 DMM 14 - Ultra Low Flow Toilets**

This DMM was implemented by the City in 2001 and the program was reinstated in August 2007. The City budgets \$10,000 per year towards ultra-low-flush toilets (“ULFTs”) rebates. The City offers rebates of \$125 per ULFT to residential and commercial, institutional, and industrial (“CII”) customers that are in homes or buildings that were built prior to 1992. The rebates are advertised

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on the City's website<sup>35</sup>. The number of rebates issued since the program was reinstated in 2007 are listed in Table 25. Water savings from implementation of this DMM are not quantified.

## **6.2 SCHEDULE OF IMPLEMENTATION**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:  
10631 (f)(2) A schedule of implementation for all water demand management measures proposed or described in the plan.*

As described above, all of the aforementioned DMMs are being implemented by the City. In the future, the City is planning to meet the coverage levels required by the CUWCC Memorandum of Understanding. The implementation schedule for complying with the coverage levels is listed in Table 27.

## **6.3 EFFECTIVENESS OF IMPLEMENTATION**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:  
10631 (f)(3) A description of the methods, if any, that the supplier will use to evaluate the effectiveness of water demand management measures implemented or described under the plan.*

Tracy meters customer water use and has software that enables the City to track each customer's water consumption. By comparing specific customer accounts before and after the implementation of a particular DMM, such as residential surveys, retrofits, clothes washer replacements, CII audits, and ULFTs, the City endeavors to evaluate the effectiveness of that particular DMM. Compensating for climatic, land use, or other changes at an individual account may make such determination of DMM-specific water savings imperfect.

## **6.4 CONSERVATION SAVINGS**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:  
10631 (f)(4) An estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of the savings on the supplier's ability to further reduce demand.*

A possible method for quantifying the water saved by DMMs includes development of a database that would allow the City to track those accounts that have retrofitted their plumbing fixtures as part of a DMM, such as water-efficient clothes washers and other low-flow equipment, and comparing water use at those accounts pre- and post-retrofit.

Currently, there is no estimate of conservation savings.

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<sup>35</sup> [http://www.ci.tracy.ca.us/departments/public\\_works/water\\_resources/](http://www.ci.tracy.ca.us/departments/public_works/water_resources/)

## **6.5 EVALUATION OF DEMAND MANAGEMENT MEASURES NOT IMPLEMENTED**

*10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:*

*10631 (g) An evaluation of each water demand management measure listed in paragraph (1) of subdivision (f) that is not currently being implemented or scheduled for implementation. In the course of the evaluation, first consideration shall be given to water demand management measures, or combination of measures, that offer lower incremental costs than expanded or additional water supplies. This evaluation shall do all of the following:*

- (1) Take into account economic and noneconomic factors, including environmental, social, health, customer impact, and technological factors.*
- (2) Include a cost-benefit analysis, identifying total benefits and total costs.*
- (3) Include a description of funding available to implement any planned water supply project that would provide water at a higher unit cost.*
- (4) Include a description of the water supplier's legal authority to implement the measure and efforts to work with other relevant agencies to ensure the implementation of the measure and to share the cost of implementation.*

Tracy has implemented 13 of the 14 DMMs described by the CUWCC and the UWMP Act. The remaining DMM, the Wholesaler Incentives (DMM 11), does not apply to Tracy because Tracy is not a water wholesaler.

## **7. CLIMATE CHANGE**

Tracy is addressing the potential for climate change to affect the water supply and water use. Climate change may cause the following effects.

- Water supply - A reduced snowpack may shift spring runoff to earlier in the year.
- Water Demand - Hotter temperatures may prolong the irrigation season and increase the need for cooling water at power plants.
- Disaster - Droughts and floods may become more extreme.

Tracy is addressing these effects as described below.

- Water supply - As discussed in Section 5, Tracy has reduced the predicted available water supply due to potential climate change.
- Water Demand - Tracy is implementing the demand management measures as discussed in Section 6 to encourage conservation and reduce water demand.
- Disaster - Tracy has diversified the City's water sources.

## 8. COMPLETED UWMP CHECKLIST

Provided below is the DWR checklist that details where each UWMP requirement is located in this document. **To be filled in later.**

No.	UWMP requirement	Calif. Water Code reference	Additional clarification	UWMP location
<b>PLAN PREPARATION</b>				
4	Coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.	10620(d)(2)		
6	Notify, at least 60 days prior to the public hearing on the plan required by Section 10642, any city or county within which the supplier provides water that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. Any city or county receiving the notice may be consulted and provide comments.	10621(b)		
7	Provide supporting documentation that the UWMP or any amendments to, or changes in, have been adopted as described in Section 10640 et seq.	10621(c)		
54	Provide supporting documentation that the urban water management plan has been or will be provided to any city or county within which it provides water, no later than 60 days after the submission of this urban water management plan.	10635(b)		
55	Provide supporting documentation that the water supplier has encouraged active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of the plan.	10642		
56	Provide supporting documentation that the urban water supplier made the plan available for public inspection and held a public hearing about the plan. For public agencies, the hearing notice is to be provided pursuant to Section 6066 of the Government Code. The water supplier is to provide the time and place of the hearing to any city or county within which the supplier provides water. Privately-owned water suppliers shall provide an equivalent notice within its service area.	10642		
57	Provide supporting documentation that the plan has been adopted as prepared or modified.	10642		
58	Provide supporting documentation as to how the water supplier plans to implement its plan.	10643		
59	Provide supporting documentation that, in addition to submittal to DWR, the urban water supplier has submitted this UWMP to the California State Library and any city or county within which the supplier provides water supplies a copy of its plan no later than 30 days after adoption. This also includes amendments or changes.	10644(a)		

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No.	UWMP requirement	Calif. Water Code reference	Additional clarification	UWMP location
60	Provide supporting documentation that, not later than 30 days after filing a copy of its plan with the department, the urban water supplier has or will make the plan available for public review during normal business hours	10645		
<b>SYSTEM DESCRIPTION</b>				
8	Describe the water supplier service area.	10631(a)		
9	Describe the climate and other demographic factors of the service area of the supplier	10631(a)		
10	Indicate the current population of the service area	10631(a)	Provide the most recent population data possible. Use the method described in “Baseline Daily Per Capita Water Use.” See Section M.	
11	Provide population projections for 2015, 2020, 2025, and 2030, based on data from State, regional, or local service area population projections.	10631(a)	2035 and 2040 can also be provided to support consistency with Water Supply Assessments and Written Verification of Water Supply documents.	
12	Describe other demographic factors affecting the supplier’s water management planning.	10631(a)		
<b>SYSTEM DEMANDS</b>				
1	Provide baseline daily per capita water use, urban water use target, interim urban water use target, and compliance daily per capita water use, along with the bases for determining those estimates, including references to supporting data.	10608.20(e)		
2	<i>Wholesalers:</i> Include an assessment of present and proposed future measures, programs, and policies to help achieve the water use reductions. <i>Retailers:</i> Conduct at least one public hearing that includes general discussion of the urban retail water supplier’s implementation plan for complying with the Water Conservation Bill of 2009.	10608.36 10608.26(a)	Retailers and wholesalers have slightly different requirements	
3	Report progress in meeting urban water use targets using the standardized form.	10608.40		

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No.	UWMP requirement	Calif. Water Code reference	Additional clarification	UWMP location
25	Quantify past, current, and projected water use, identifying the uses among water use sectors, for the following: (A) single-family residential, (B) multifamily, (C) commercial, (D) industrial, (E) institutional and governmental, (F) landscape, (G) sales to other agencies, (H) saline water intrusion barriers, groundwater recharge, conjunctive use, and (I) agriculture.	10631(e)(1)	Consider ‘past’ to be 2005, present to be 2010, and projected to be 2015, 2020, 2025, and 2030. Provide numbers for each category for each of these years.	
33	Provide documentation that either the retail agency provided the wholesale agency with water use projections for at least 20 years, if the UWMP agency is a retail agency, OR, if a wholesale agency, it provided its urban retail customers with future planned and existing water source available to it from the wholesale agency during the required water-year types	10631(k)	Average year, single dry year, multiple dry years for 2015, 2020, 2025, and 2030.	
34	Include projected water use for single-family and multifamily residential housing needed for lower income households, as identified in the housing element of any city, county, or city and county in the service area of the supplier.	10631.1(a)		

**SYSTEM SUPPLIES**

13	Identify and quantify the existing and planned sources of water available for 2015, 2020, 2025, and 2030.	10631(b)	The ‘existing’ water sources should be for the same year as the “current population” in line 10. 2035 and 2040 can also be provided.	
14	Indicate whether groundwater is an existing or planned source of water available to the supplier. If yes, then complete 15 through 21 of the UWMP Checklist. If no, then indicate “not applicable” in lines 15 through 21 under the UWMP location column.	10631(b)	Source classifications are: surface water, groundwater, recycled water, storm water, desalinated sea water, desalinated brackish groundwater, and other.	

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No.	UWMP requirement	Calif. Water Code reference	Additional clarification	UWMP location
15	Indicate whether a groundwater management plan been adopted by the water supplier or if there is any other specific authorization for groundwater management. Include a copy of the plan or authorization.	10631(b)(1)		
16	Describe the groundwater basin.	10631(b)(2)		
17	Indicate whether the groundwater basin is adjudicated? Include a copy of the court order or decree.	10631(b)(2)		
18	Describe the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. If the basin is not adjudicated, indicate “not applicable” in the UWMP location column.	10631(b)(2)		
19	For groundwater basins that are not adjudicated, provide information as to whether DWR has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to eliminate the long-term overdraft condition. If the basin is adjudicated, indicate “not applicable” in the UWMP location column.	10631(b)(2)		
20	Provide a detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years	10631(b)(3)		
21	Provide a detailed description and analysis of the amount and location of groundwater that is projected to be pumped.	10631(b)(4)	Provide projections for 2015, 2020, 2025, and 2030.	
24	Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.	10631(d)		
30	Include a detailed description of all water supply projects and programs that may be undertaken by the water supplier to address water supply reliability in average, single-dry, and multiple-dry years, excluding demand management programs addressed in (f)(1). Include specific projects, describe water supply impacts, and provide a timeline for each project.	10631(h)		
31	Describe desalinated water project opportunities for long-term supply, including, but not limited to, ocean water, brackish water, and groundwater.	10631(i)		
44	Provide information on recycled water and its potential for use as a water source in the service area of the urban water supplier. Coordinate with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area.	10633		
45	Describe the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.	10633(a)		

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No.	UWMP requirement	Calif. Water Code reference	Additional clarification	UWMP location
46	Describe the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.	10633(b)		
47	Describe the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.	10633(c)		
48	Describe and quantify the potential uses of recycled water, including, but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement, wetlands, industrial reuse, groundwater recharge, indirect potable reuse, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.	10633(d)		
49	The projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected.	10633(e)		
50	Describe the actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.	10633(f)		
51	Provide a plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.	10633(g)		
<b>WATER SHORTAGE RELIABILITY AND WATER SHORTAGE CONTINGENCY PLANNING <sup>b</sup></b>				
5	Describe water management tools and options to maximize resources and minimize the need to import water from other regions.	10620(f)		
22	Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage and provide data for (A) an average water year, (B) a single dry water year, and (C) multiple dry water years.	10631(c)(1)		
23	For any water source that may not be available at a consistent level of use - given specific legal, environmental, water quality, or climatic factors - describe plans to supplement or replace that source with alternative sources or water demand management measures, to the extent practicable.	10631(c)(2)		
35	Provide an urban water shortage contingency analysis that specifies stages of action, including up to a 50-percent water supply reduction, and an outline of specific water supply conditions at each stage	10632(a)		
36	Provide an estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency's water supply.	10632(b)		

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No.	UWMP requirement	Calif. Water Code reference	Additional clarification	UWMP location
37	Identify actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster.	10632(c)		
38	Identify additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning.	10632(d)		
39	Specify consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply.	10632(e)		
40	Indicated penalties or charges for excessive use, where applicable.	10632(f)		
41	Provide an analysis of the impacts of each of the actions and conditions described in subdivisions (a) to (f), inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.	10632(g)		
42	Provide a draft water shortage contingency resolution or ordinance.	10632(h)		
43	Indicate a mechanism for determining actual reductions in water use pursuant to the urban water shortage contingency analysis.	10632(i)		
52	Provide information, to the extent practicable, relating to the quality of existing sources of water available to the supplier over the same five-year increments, and the manner in which water quality affects water management strategies and supply reliability	10634	For years 2010, 2015, 2020, 2025, and 2030	
53	Assess the water supply reliability during normal, dry, and multiple dry water years by comparing the total water supply sources available to the water supplier with the total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and multiple dry water years. Base the assessment on the information compiled under Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.	10635(a)		
<b>DEMAND MANAGEMENT MEASURES</b>				

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No.	UWMP requirement	Calif. Water Code reference	Additional clarification	UWMP location
26	Describe how each water demand management measures is being implemented or scheduled for implementation. Use the list provided.	10631(f)(1)	Discuss each DMM, even if it is not currently or planned for implementation. Provide any appropriate schedules.	
27	Describe the methods the supplier uses to evaluate the effectiveness of DMMs implemented or described in the UWMP.	10631(f)(3)		
28	Provide an estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of the savings on the ability to further reduce demand.	10631(f)(4)		
29	Evaluate each water demand management measure that is not currently being implemented or scheduled for implementation. The evaluation should include economic and non-economic factors, cost-benefit analysis, available funding, and the water suppliers' legal authority to implement the work.	10631(g)	See 10631(g) for additional wording.	
32	Include the annual reports submitted to meet the Section 6.2 requirements, if a member of the CUWCC and signer of the December 10, 2008 MOU.	10631(j)	Signers of the MOU that submit the annual reports are deemed compliant with Items 28 and 29.	

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**Table 1**  
**Coordination with Appropriate Agencies and the Public (a)**  
 City of Tracy, California

<b>Action</b>	<b>DMC/CVP Agencies</b>	<b>SCWSP Agencies</b>	<b>GW Basin Management Agencies</b>	<b>General Public</b>
Sent notice of intention to prepare UWMP (b)	1/6/2011	1/6/2011	1/6/2011	1/25/2011
Participated in UWMP development				
Notice of Public Hearing (c)	2/22/2011	2/22/2011	2/22/2011	2/28/11 & 3/7/2011
Received copy of draft UWMP				
Commented on the draft UWMP				
Attended public meetings				5/17/2011

**Abbreviations:**

CVP = Central Valley Project

DMC = Delta Mendota Canal

GW = Groundwater

UWMP = Urban Water Management Plan

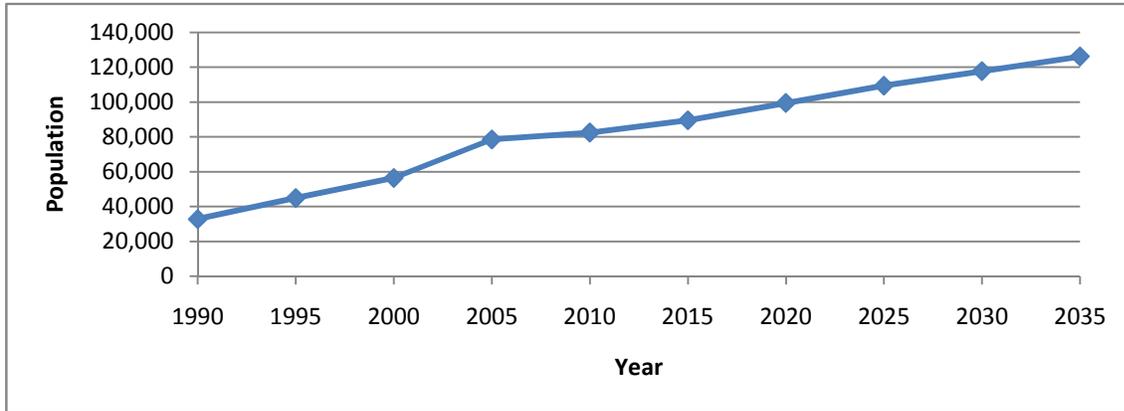
SCWSP = South County Water Supply Project

**Notes:**

- (a) The agencies referred to as the DMC/CVP Agencies, the SCWSP Agencies, and the GW Basin Management Agencies are listed in the text and in Appendix B.
- (b) Notice of intent to prepare the 2011 UWMP was sent to agencies on 6 January 2011. Public notice was published in the Tri Valley Herald on 25 January 2011.
- (c) Notice of public review was sent to agencies on 22 February 2011. Public notice was published in the Tri Valley Herald on 28 February 2011 and on 7 March 2011.

**Table 2**  
**Historic and Projected Service Area Population**  
 City of Tracy, California

	Historic (a)					Projected (b)				
Year	1990	1995	2000	2005	2010	2015	2020	2025	2030	2035
Population	32,827	44,923	56,447	78,546	82,484	89,503	99,440	109,377	117,744	126,110



**Notes:**

- (a) Historic population is from References 1 and 2 for the City of Tracy with the addition of 377 residents served in the Larch Clover County Services District. The Larch Clover County Services District population was calculated by multiplying 3.279 people per household for Tracy from Reference 3 by 115 residences from Reference 4.
- (b) Population for 2025 is from Reference 5 with the addition of the people from the Larch Clover area as described in Note (a). Population from the existing 2010 population to the General Plan projected 2025 population is assumed to grow linearly. The 2040 population is assumed from Reference 6. A linear population growth rate from 2025 General Plan projected population to the 2040 Master Plan projected population is assumed.

**References:**

- (1) State of California, Department of Finance, E-4 Historical Population Estimates for City, County and the State, 1991-2000, with 1990 and 2000 Census Counts. Sacramento, California, August 2007.
- (2) State of California, Department of Finance, E-4 Population Estimates for Cities, Counties and the State, 2001-2010, with 2000 Benchmark. Sacramento, California, May 2010.
- (3) State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2008, with 2000 Benchmark. Sacramento, California, May 2008.
- (4) Personal communication with the Tracy Finance Department on 2011-02-14.
- (5) City of Tracy General Plan, 22 April 2009 page 2-9 footnote.
- (6) Draft Citywide Water System Master Plan, (WYA, 2011).

**Table 3**  
**Number of Accounts by Customer Sector in 2010**  
 City of Tracy, California

Customer Sector		Metered Accounts (a)	
		# of Accounts	% of Total
<b>Residential</b>	Residential Single Family	21,752	93%
	Residential Multi Family	522	2%
	<i>Subtotal Residential</i>	<i>22,274</i>	<i>95%</i>
<b>CII</b>	Commercial	752	3%
	Industrial	3	0.01%
	Institutional (b)	--	--
	<i>Subtotal CII</i>	<i>755</i>	<i>3%</i>
<b>Other</b>	Other	--	--
	Irrigation (c)	420	2%
	<i>Subtotal Other</i>	<i>420</i>	<i>2%</i>
<b>Total</b>		<b>23,449</b>	<b>100%</b>

**Abbreviations:**

CII = Commercial, Industrial, and Institutional Customers

**Notes:**

- (a) Number of accounts were provided by the City's Finance Department as of 1 December 2010.
- (b) Number of institutional accounts are not currently tracked by the City.
- (c) Number of irrigation accounts was estimated by the City.

**Table 4**  
**Pressure Zone Elevations and Static Pressures (a)**  
 City of Tracy, California

<b>Pressure Zones</b>	<b>Service Elevation Range (ft)</b>	<b>Static Pressure Range (psi)</b>
Zone 1	0-75	40-75
Zone 2	75-150	40-85
Zone 3	Undeveloped (b)	Undeveloped (b)
Zone 4	Future	Future
Zone 5	Future	Future

**Abbreviations:**

ft = Feet

psi = Pounds per square inch

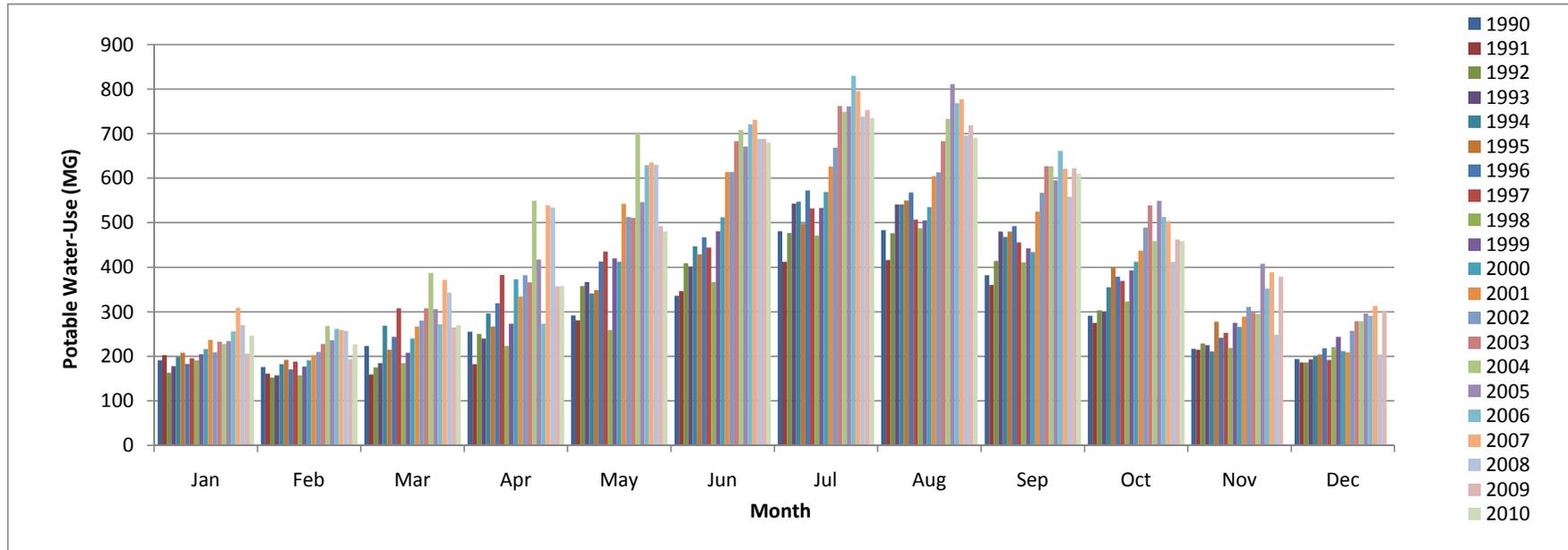
**Notes:**

- (a) Adapted from Draft Citywide Water Master Plan, (WYA, 2011). Zones shown on Figure 4.
- (b) Patterson Pass Business Park (i.e., Safeway and Costco) is located in Zone 3, but is currently served through the Patterson Pass booster pump station supplied by Zone 2.

**Table 5**  
**Current and Historic Monthly Potable Water Demand**  
City of Tracy, California

Month	Potable Water Demand (MG) (a)																				
	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
January	191	203	163	178	198	208	183	196	191	205	216	237	209	233	228	234	256	309	270	206	246
February	176	161	152	157	182	192	171	188	157	177	191	203	210	228	268	236	262	259	257	194	227
March	223	159	175	185	269	215	244	308	185	208	240	267	280	308	387	306	272	372	343	265	270
April	255	182	250	240	296	267	319	383	223	273	373	334	382	366	549	417	273	539	534	357	358
May	292	281	358	367	341	349	413	435	259	420	412	542	513	511	703	546	629	635	630	492	481
June	336	346	409	401	447	429	467	444	367	481	512	614	614	683	708	671	721	731	688	688	680
July	481	412	477	543	547	498	572	532	471	533	569	626	668	762	749	761	830	795	738	753	735
August	483	416	476	541	541	550	568	507	488	505	535	604	613	683	733	811	768	777	696	719	690
September	382	360	414	480	468	480	492	456	411	442	434	525	567	627	627	595	661	621	558	622	610
October	291	275	303	300	355	399	379	369	323	393	412	437	489	539	459	549	513	504	412	462	459
November	217	215	229	225	211	278	242	253	219	275	266	289	311	298	295	408	352	389	248	379	320
December	194	186	186	193	201	204	218	192	221	244	212	209	257	279	279	296	291	313	204	302	266
<b>Total (MG)</b>	3,521	3,196	3,592	3,810	4,056	4,069	4,268	4,263	3,515	4,156	4,372	4,887	5,113	5,517	5,985	5,830	5,828	6,244	5,578	5,439	5,342
<b>Total (ac-ft)</b>	10,806	9,808	11,023	11,692	12,447	12,487	13,098	13,083	10,787	12,754	13,417	14,998	15,691	16,931	18,369	17,892	17,885	19,162	17,118	16,692	16,394

**Table 5**  
**Current and Historic Monthly Potable Water Demand**  
 City of Tracy, California



**Abbreviations:**

ac-ft = acre-feet

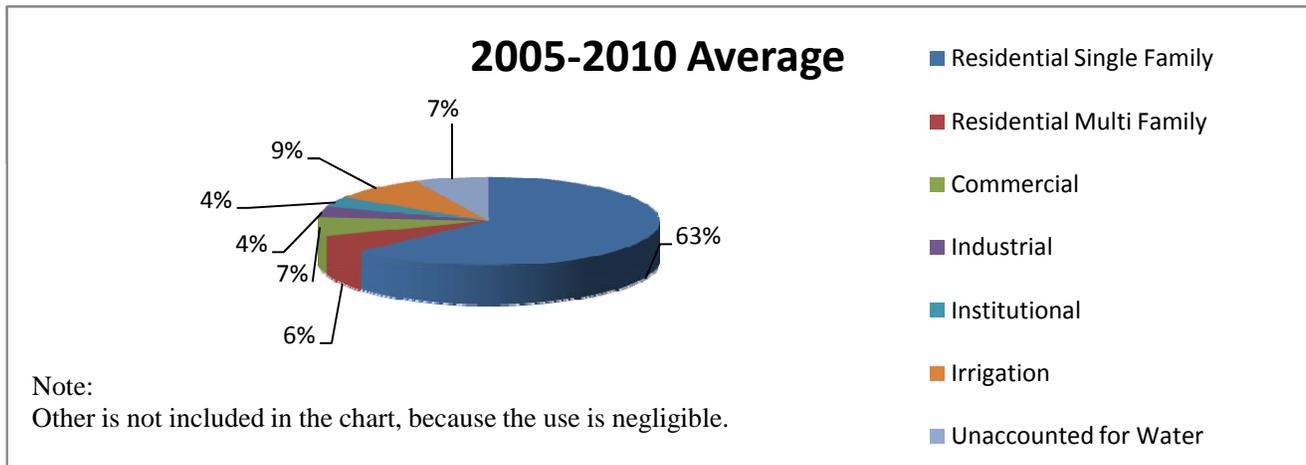
MG = Millions of gallons

**Notes:**

(a) Water demand data were provided by Tracy's Finance Department on 18 January 2011 and do not include unaccounted for water. A discussion of unaccounted for water is included in Section 3.1.3.

**Table 6**  
**Current and Historical Potable Water Demand by Water Demand Sector**  
 City of Tracy, California

Water Demand Sector	Potable Water Demand (ac-ft/yr) (a) (b)						
	2005	2006	2007	2008	2009	2010 (c)	Average
Residential Single Family	13,525	12,475	12,581	12,765	10,359	9,468	11,862
Residential Multi Family	1,338	1,234	1,244	1,262	1,025	936	1,173
<i>Subtotal Residential</i>	<i>14,863</i>	<i>13,709</i>	<i>13,825</i>	<i>14,027</i>	<i>11,384</i>	<i>10,404</i>	<i>13,040</i>
Commercial	1,181	1,247	1,102	1,339	1,291	1,346	1,251
Industrial	737	826	775	770	772	625	751
Institutional	558	594	587	662	633	1,143	696
<i>Subtotal CII</i>	<i>2,476</i>	<i>2,667</i>	<i>2,464</i>	<i>2,771</i>	<i>2,696</i>	<i>3,114</i>	<i>2,698</i>
Other (d)	24	27	25	28	14	3	20
Irrigation	1,258	1,540	1,321	1,805	2,130	2,117	1,695
<i>Subtotal Other</i>	<i>1,282</i>	<i>1,567</i>	<i>1,346</i>	<i>1,833</i>	<i>2,144</i>	<i>2,120</i>	<i>1,715</i>
<b>Total Water Consumption</b>	<b>18,620</b>	<b>17,940</b>	<b>17,640</b>	<b>18,630</b>	<b>16,220</b>	<b>15,640</b>	<b>17,450</b>
Unaccounted for Water (e)	-4.1%	0.3%	8.0%	-8.8%	2.8%	5.8%	--
<b>Total Water Demand (f)</b>	<b>17,892</b>	<b>18,000</b>	<b>19,176</b>	<b>17,118</b>	<b>16,693</b>	<b>16,603</b>	<b>18,759</b>



**Abbreviations:**

ac-ft/yr = Acre-feet per year

CII = Commercial, Industrial, and Institutional

**Table 6**  
**Current and Historical Potable Water Demand by Water Demand Sector**  
City of Tracy, California

**Notes:**

- (a) Estimates of water demand by customer sector for 2005-2009 are from Table 4-4 in Reference 1 and for 2010 are from Reference 2. Estimates of multi family water demand are based on 9 % of residential demand. No water is used for agriculture, saline water intrusion barriers, groundwater recharge, conjunctive use, or sold to other agencies.
- (b) Subtotals may not add exactly due to rounding.
- (c) Water demand estimates for November through December 2010 are projected using historic water demand patterns.
- (d) Other includes unclassified water demand.
- (e) Unaccounted for water is the quantity of water purchased and produced by the City, less the known quantity of water used by metered accounts. Reported as a percent of the total water demand. Assumed unaccounted for water is 7% in future as discussed in the text.
- (f) Total water demand is the quantity of purchased surface water supplies plus the quantity of water produced by the City's groundwater wells. Total water demand is from Table 4-2 in Reference 1 for 2006-2009. Data from 2010 were provided by City on 18 January 2011.

**References:**

- (1) Draft Citywide Water System Master Plan, (WYA, 2011).
- (2) 05-10 User Class Monthly (v. 3.50) and 05-10 Residential Monthly (v. 3.50) provided by the City 9 December 2010.

**Table 7**  
**Projected Potable Water Demand Itemized by Future Development**  
 City of Tracy, California

<b>Future Development Projects</b>	<b>Projected Potable Water Demand at Buildout (ac-ft/yr) (a)</b>
<b><u>Development Projects with Approved Water Supply</u></b>	
Residential Areas Specific Plan	45
Industrial Areas Specific Plan	574
I-205 Corridor Specific Plan	271
Plan "C"	74
Northeast Industrial	702
South MacArthur	59
Downtown Specific Plan	185
Infill	806
Ellis Specific Plan	1,076
Gateway - Phase 1	--
Holly Sugar Sports Park	47
<b>Subtotal</b>	<b>3,839</b>
<b><u>Future Planning Areas</u></b>	
Westside Residential (URs 5, 7, 8, 9)	1,169
UR 1	1,237
South Linne (UR 11)	153
Tracy Hills	2,985
Gateway PUD (excluding Phase 1)	--
Cordes Ranch (UR 6)	2,233
Bright (UR 4)	411
Catellus (UR 3)	839
Filios (UR 2)	70
I-205 Expansion	292
Westside Industrial	618
Eastside Industrial	469
Larch Clover County Services District	847
Chrisman Road	150
Rocha	248
Berg/Byron	164
Kagehiro	120
<b>Subtotal</b>	<b>12,005</b>
<b>Total</b>	<b>15,844</b>

**Abbreviations:**

ac-ft/yr = Acre feet per year

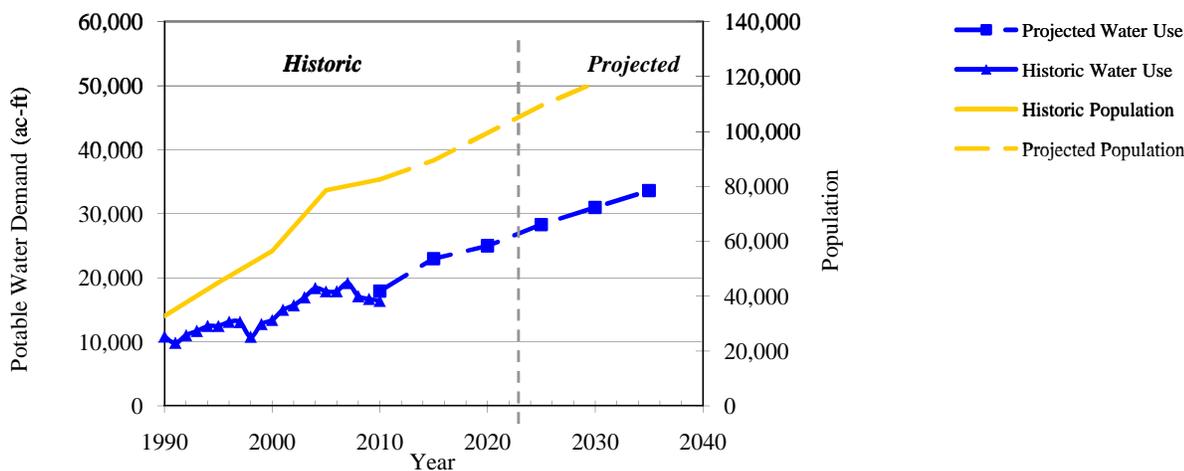
UR = Urban Reserve

**Notes:**

- (a) Projected potable water demand from Table D-2 in Draft Citywide Water System Master Plan, (WYA, 2011).
- (b) Projected potable water demand does include unaccounted for water per the Master Plan.

**Table 8**  
**Projected Potable Water Demand by Water Demand Sector**  
 City of Tracy, California

Water Demand Sector	Potable Water Demand (ac-ft/yr)					
	2010 (a)	2015 (b)	2020 (b)	2025 (b)	2030 (b)	2035 (b)
Residential Single Family	9,468	13,600	13,500	14,800	15,400	16,000
Residential Multi Family	936	1,450	1,580	1,710	1,840	1,970
Future Low Income - Single Family (c)	--	347	693	1,040	1,390	1,730
Future Low Income - Multi Family (c)	--	34	69	103	137	170
<i>Subtotal Residential</i>	10,404	15,400	15,900	17,600	18,700	19,870
Commercial	1,346	1,790	2,220	2,650	3,070	3,500
Industrial	625	2,120	2,960	3,800	4,640	5,470
Institutional	1,143	696	756	816	876	936
<i>Subtotal CII</i>	3,114	4,610	5,930	7,260	8,590	9,900
Other (d)	24	0	0	0	0	0
Irrigation	1,258	1,320	1,320	1,320	1,320	1,320
<i>Subtotal Other</i>	1,282	1,320	1,320	1,320	1,320	1,320
<b>Total Water Consumption</b>	18,620	21,300	23,100	26,200	28,600	31,090
Unaccounted for Water (e)	--	7.5%	7.5%	7.5%	7.5%	7.5%
<b>Total Water Demand (f)</b>	<b>17,900</b>	<b>23,000</b>	<b>25,000</b>	<b>28,300</b>	<b>31,000</b>	<b>33,600</b>



**Table 8**  
**Projected Potable Water Demand by Water Demand Sector**  
City of Tracy, California

**Abbreviations:**

ac-ft/yr = Acre-feet per year

CII = Commercial, Industrial, and Institutional

gpd = gallons per day

**Notes:**

- (a) 2010 water demand is observed data from Table 6.
- (b) Projected potable water demand calculated by assuming a linear increase in water demand from 2007 through 2040. Water demand for 2007 and 2040 are from Reference 1 Appendix D2.
- (c) Future low income water demand was calculated based on the number of units for extremely low and very low income categories from Reference 2, Table 33, multiplied by an assumed 310 gpd per dwelling unit (assumed medium density from Reference 1). Water demand was split between single and multifamily categories based on historic City water usage data for these two categories. The same amount of low income water demand was assumed to be added each additional five year period.
- (d) Water historically accounted for in the "Other" category will be accounted for by the City in the other sector categories in the future.
- (e) The percentage of unaccounted for water is based on Reference 1.
- (f) Total water demand is the projected quantity of purchased surface water supplies plus the quantity of water produced by the City's groundwater wells.

**Reference:**

- (1) Draft Citywide Water System Master Plan, (WYA, 2011).
- (2) Draft City of Tracy 2009-2014 Housing Element, June 2010.

**Table 9**  
**Daily Per Capita Water Use**  
 City of Tracy, California

Year	Service Area		Gallons Per Capita Day, gpcd (c)
	Gross Water Use, MGD (a)	Population, people (b)	
1995	11.34	44,923	252
1996	11.95	46,326	258
1997	11.90	47,805	249
1998	9.89	49,339	200
1999	11.71	52,336	224
2000	12.80	56,447	227
2001	13.06	61,492	212
2002	14.00	66,407	211
2003	15.15	70,424	215
2004	16.40	75,044	218
2005	15.98	78,546	203
2006	16.07	80,452	200
2007	17.12	80,824	212

10-Year Base Daily Water Use, 1995-2004 = 227 gpcd

5-Year Base Daily Water Use, 2003-2007 = 210 gpcd

**Abbreviations:**

MGD = Millions of gallons per day  
 gpcd = gallons per capita per day

**Notes:**

- (a) From Table 4-2 in Draft Citywide Water System Master Plan, (WYA, 2011).
- (b) Population is from References 1 and 2 for the City of Tracy with the addition of 377 residents served in the Larch Clover County Services District. The Larch Clover County Services District population is calculated by multiplying 3.279 people per household for Tracy from Reference 3 by 115 residences from Reference 4.
- (c) Gallons Per Capita Day equals gross water use divided by service area population.

**References:**

- (1) State of California, Department of Finance, E-4 Historical Population Estimates for City, County and the State, 1991-2000, with 1990 and 2000 Census Counts. Sacramento, California, August 2007.
- (2) State of California, Department of Finance, E-4 Population Estimates for Cities, Counties and the State, 2001-2010, with 2000 Benchmark. Sacramento, California, May 2010.
- (3) State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2008, with 2000 Benchmark. Sacramento, California, May 2008.
- (4) Personal communication with the Tracy Finance Department on 14 February 2011.

**Table 10**  
**Daily Per Capita Water Use Target Calculated**  
**by Method 1**  
City of Tracy, California

Water Use Baseline and Targets	Water Use gpcd
10-Year Base Daily Water Use, 1995-2004 (a)	227
2020 Target (20% less than 10-Year average) (b)	182
2015 Target (c)	204

**Abbreviations:**

gpcd = Gallons per capita per day

**Notes:**

- (a) Refer to Table 9 for historical water use. Tracy has not historically used recycled water, therefore, per SB 7, a ten year baseline should be used.
- (b) Using Method 1, 2020 Target is calculated as 20 percent less than the 10 year average base daily water use.
- (c) 2015 Target is calculated as the midpoint between the 10 year average and the 2020 Target.

**Table 11**  
**Current and Historical Potable Water Supply**  
 City of Tracy, California

Year	Surface Water				Groundwater		Total Production ac-ft/yr
	USBR ac-ft/yr	SCWSP ac-ft/yr	Total Surface Water ac-ft/yr	Percentage of Supply	Groundwater ac-ft/yr	Percentage of Supply	
2005 (a,b)	8,920	3,146	12,066	67%	5,826	33%	17,892
2006 (a)	6,048	8,918	14,966	83%	3,034	17%	18,000
2007 (a)	6,374	9,130	15,504	81%	3,672	19%	19,176
2008 (a)	6,503	8,017	14,520	85%	2,598	15%	17,118
2009 (a)	4,965	10,401	15,366	92%	1,327	8%	16,693
2010 (c)	5,303	10,850	16,153	97%	498	3%	16,651

**Abbreviations:**

ac-ft/yr = Acre-feet per year

SCWSP = South County Water Supply Project

USBR = United States Bureau of Reclamation

**Notes:**

(a) From Table 4-2 of Draft Citywide Water System Master Plan, (WYA, 2011).

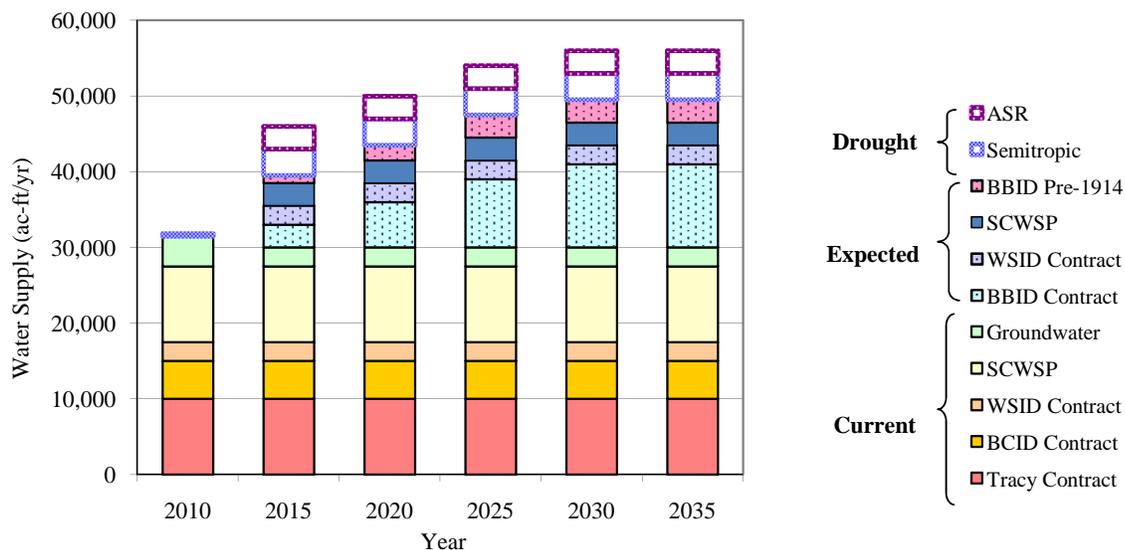
(b) Surface water deliveries from SCWSP started in 2005.

(c) Current and historical water supply from 2010 PRODUCTION TOTALS.xls received from the City on 18 January 2011.

The provided file was modified by removing the 420 ac-ft/yr that is transferred to another agency (to serve the Patterson Business Park) from the USBR supply.

**Table 12**  
**Current and Projected Contractual Potable Water Supply Entitlements**  
 City of Tracy, California

Potable Water Source (a)		Water Right/Contract	Quantity of Water Right/Contractual Entitlement (ac-ft/yr) (b)					
			2010	2015	2020	2025	2030	2035
Current	DMC/CVP	USBR Tracy Contract-M&I Reliability	10,000	10,000	10,000	10,000	10,000	10,000
	DMC/CVP	USBR BCID Contract-Ag Reliability	5,000	5,000	5,000	5,000	5,000	5,000
	DMC/CVP	USBR WSID Contract-Ag Reliability	2,500	2,500	2,500	2,500	2,500	2,500
	SCWSP	Pre-1914 Rights	10,000	10,000	10,000	10,000	10,000	10,000
	Groundwater (c)	Over/Approp. Rights	4,000	2,500	2,500	2,500	2,500	2,500
Expected	DMC/CVP	USBR BBID Contract-Ag Reliability	0	3,000	6,000	9,000	11,000	11,000
	DMC/CVP	USBR WSID Contract-Ag Reliability	0	2,500	2,500	2,500	2,500	2,500
	Clifton Court Forebay	BBID Pre-1914 Rights	0	1,000	2,000	3,000	3,000	3,000
	SCWSP	Pre-1914 Rights	0	3,000	3,000	3,000	3,000	3,000
	<b>Total Projected Available Potable Water Supply</b>			<b>31,500</b>	<b>39,500</b>	<b>43,500</b>	<b>47,500</b>	<b>49,500</b>
Semitropic (d)		Water Banking	333	3,500	3,500	3,500	3,500	3,500
ASR		Water Banking	0	3,000	3,000	3,000	3,000	3,000
<b>Total Projected Drought Supply (e)</b>			<b>333</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>
<b>Total Projected Potable Water Supply</b>			<b>31,833</b>	<b>46,000</b>	<b>50,000</b>	<b>54,000</b>	<b>56,000</b>	<b>56,000</b>



**Table 12**  
**Current and Projected Contractual Potable Water Supply Entitlements**  
 City of Tracy, California

**Abbreviations:**

ac-ft/yr = Acre-feet per year  
 ASR = Aquifer storage and recovery  
 BCID = Banta-Carbona Irrigation District  
 BBID = Byron-Bethany Irrigation District  
 DMC/CVP = Central Valley Project water transported via the Delta Mendota Canal  
 Over/Approp. = Overlying and appropriative water rights  
 Pre-1914 = Water rights established prior to 1914 (the most senior water rights)  
 SCWSP = South County Water Supply Project  
 USBR = United States Bureau of Reclamation  
 WSID = West Side Irrigation District

**Notes:**

- (a) Current water supply sources are contracts or water rights currently held by the City. Expected water supply sources are contracts that the City anticipates will be in place by the indicated year. For a complete description of each water source and contract, see Section 4 of text.
- (b) Information regarding the expected quantity of water received in future years was provided by the Deputy Director of Public Works, Steve Bayley, and current USBR and SCWSP contracts.
- (c) Though the City can sustainably extract up to 9,000 ac-ft/yr of groundwater, Tracy is planning to scale back its groundwater extraction in future years to increase the overall quality of its water supply. Tracy will continue to rely on groundwater for peaking and drought and emergency supplies, among other things, up to 9,000 ac-ft per year, on an as needed basis.
- (d) If the City were to secure 10,500 ac-ft of storage in the Semitropic water bank, Tracy would be provided with up to 3,500 ac-ft of water annually. If Tracy were to use water from the Semitropic water bank in any given year, it would work to manage its supplies during subsequent years such that it could "refill" its water bank for future use (see Section 4.4.4 of text).
- (e) The City is currently working to secure the indicated "Drought" water supplies. These supplies would be used to supplement less reliable sources during emergency situations or in times of drought.

**Table 13**  
**Non-Potable Water Supply**  
 City of Tracy, California

<b>Non-Potable Water Source (a)</b>	<b>Supply ac-ft/yr</b>
<u>Existing</u>	
Diversions of Non-Potable Water from Sugar Cut (b)	Up to 1,800
<u>Future</u>	
Recycled Water (c)	TBD
Interim raw water supply from West Side Irrigation District (d)	TBD
Shallow Non-Potable Groundwater (e)	Not recommended

**Abbreviations:**

ac-ft/yr = Acre feet per year

TBD = To Be Determined

**Notes:**

- (a) From Table 5-1 of Draft Citywide Water System Master Plan, (WYA, 2011), except as noted.
- (b) This existing water supply will be used to irrigate the proposed Holly Sugar Sports Park in the interim period until recycled water is available. This water does not enter the City's distribution system and therefore is not counted as part of the gross water use.
- (c) The available quantity of recycled water will be determined in the Citywide Wastewater Master Plan.
- (d) From Draft Citywide Water System Master Plan Table 9-2, (WYA, 2011). Demands for the Gateway ponds and roadways may be met with non-potable raw water.
- (e) Shallow non-potable groundwater is not recommended for use due to poor water quality. See Section 4.6 for further discussion.

**Table 14**  
**Recycled Water Uses Allowed In California, California Code Of Regulations, Title 22, Articles 3 and 5.1**  
 City of Tracy, California

	Treatment Level				Other
	Disinfected Tertiary Recycled Water	Disinfected Secondary-2.2 Recycled Water	Disinfected Secondary-23 Recycled Water	Undisinfected Secondary Recycled Water	
<b>IRRIGATION</b>					
<ul style="list-style-type: none"> <li>● Food crops where recycled water contacts the edible portion of the crop, including all root crops</li> <li>● Parks and playgrounds</li> <li>● School yards</li> <li>● Residential landscaping</li> <li>● Unrestricted access golf courses</li> <li>● Any other irrigation uses not prohibited by other provisions of the California Code of Regulations</li> </ul>	Allowed	Not allowed	Not allowed	Not allowed	Coagulation unnecessary provided filter effluent turbidity $\leq$ 2 NTU, turbidity of influent is continuously measured, influent turbidity $>$ 5 NTU for $\leq$ 15 min and never $>$ 10 NTU, and that there is capability to automatically activate chemical addition or divert the wastewater if the filter influent turbidity $>$ 5 NTU for $>$ 15 min.
<ul style="list-style-type: none"> <li>● Food crops where edible portion is produced above ground and not contacted by recycled water</li> </ul>	Allowed	Allowed	Not allowed	Not allowed	
<ul style="list-style-type: none"> <li>● Cemeteries</li> <li>● Freeway landscaping</li> <li>● Restricted access golf courses</li> <li>● Ornamental nursery stock and sod farms where access by general public is not restricted</li> <li>● Pasture for animals producing milk for human consumption</li> <li>● Nonedible vegetation with access control to prevent use as a park, playground, or school yard</li> </ul>	Allowed	Allowed	Allowed	Not allowed	
<ul style="list-style-type: none"> <li>● Orchards with no contact between edible portion and recycled water</li> <li>● Vineyards with no contact between edible portion and recycled water</li> </ul>	Allowed	Allowed	Allowed	Allowed	

**Table 14**  
**Recycled Water Uses Allowed In California, California Code Of Regulations, Title 22, Articles 3 and 5.1**  
 City of Tracy, California

	Treatment Level				Other
	Disinfected Tertiary Recycled Water	Disinfected Secondary-2.2 Recycled Water	Disinfected Secondary-23 Recycled Water	Undisinfected Secondary Recycled Water	
<b>IRRIGATION</b>					
<ul style="list-style-type: none"> <li>• Non food-bearing trees, including Christmas tree farms not irrigated less than 14 days before harvest or allowing access to the public</li> <li>• Fodder and fiber crops and pasture for animals not producing milk for human consumption</li> <li>• Seed crops not eaten by humans</li> <li>• Food crops that undergo commercial pathogen-destroying processing before consumption by humans</li> <li>• Ornamental nursery stock and sod farms not irrigated less than 14 days before harvest, retail sale, or allowing access by the general public</li> </ul>	Allowed	Allowed	Allowed	Allowed	
<b>IMPOUNDMENT</b>					
<ul style="list-style-type: none"> <li>• Non-restricted recreational impoundments</li> </ul>	Allowed assuming conventional treatment, or as noted in "Other" column (a) (b)	Not allowed	Not allowed	Not allowed	Disinfected tertiary recycled water without conventional treatment is allowed assuming the following monitoring is performed: Sample and analyze monthly at point following disinfection and prior to entry to use impoundment for Giardia, enteric viruses, and Cryptosporidium during first 12 months of operation and use, then quarterly thereafter, discontinuing after 2 years with department approval.
<ul style="list-style-type: none"> <li>• Restricted recreational impoundments and publicly accessible fish hatcheries</li> </ul>	Allowed	Allowed	Not allowed	Not allowed	
<ul style="list-style-type: none"> <li>• Landscape impoundments without decorative fountains</li> </ul>	Allowed	Allowed	Allowed	Not allowed	

**Table 14**  
**Recycled Water Uses Allowed In California, California Code Of Regulations, Title 22, Articles 3 and 5.1**  
 City of Tracy, California

	Treatment Level				Other
	Disinfected Tertiary Recycled Water	Disinfected Secondary-2.2 Recycled Water	Disinfected Secondary-23 Recycled Water	Undisinfected Secondary Recycled Water	
<b>COOLING AND AIR CONDITIONING</b>					
<ul style="list-style-type: none"> <li>Industrial or commercial cooling or air conditioning involving cooling tower, evaporative condenser, spraying, or any mechanism that that creates a mist</li> </ul>	Allowed (c)	Not allowed	Not allowed	Not allowed	
<ul style="list-style-type: none"> <li>Industrial or commercial cooling or air conditioning not involving a cooling tower, evaporative condenser, spraying, or other mechanism that creates a mist</li> </ul>	Allowed	Allowed	Allowed	Not allowed	
<b>OTHER USES</b>					
<ul style="list-style-type: none"> <li>Groundwater recharge</li> </ul>	Allowed under special case-by-case permits by RWQCBs (d)				
<ul style="list-style-type: none"> <li>Flushing toilets and urinals (e)</li> <li>Priming drain traps</li> <li>Industrial process water that may contact workers</li> <li>Structural firefighting</li> <li>Decorative fountains</li> <li>Commercial laundries</li> <li>Consolidation of backfill around potable water pipelines</li> <li>Artificial snow making for commercial outdoor use</li> <li>Commercial car washes, including hand washes if public is excluded from the washing process.</li> </ul>	Allowed	Not allowed	Not allowed	Not allowed	Coagulation unnecessary provided filter effluent turbidity < 2 NTU, turbidity of influent is continuously measured, influent turbidity > 5 NTU for < 15 min and never > 10 NTU, and that there is capability to automatically activate chemical addition or divert the wastewater if the filter influent turbidity > 5 NTU for > 15 min.

**Table 14**  
**Recycled Water Uses Allowed In California, California Code Of Regulations, Title 22, Articles 3 and 5.1**  
 City of Tracy, California

	Treatment Level				Other
	Disinfected Tertiary Recycled Water	Disinfected Secondary-2.2 Recycled Water	Disinfected Secondary-23 Recycled Water	Undisinfected Secondary Recycled Water	
<b>OTHER USES (continued)</b>					
<ul style="list-style-type: none"> <li>● Industrial boiler feed</li> <li>● Nonstructural fire fighting</li> <li>● Backfill consolidation around non-potable piping</li> <li>● Soil compaction</li> <li>● Mixing concrete</li> <li>● Dust control on roads and streets</li> <li>● Cleaning roads, sidewalks and outdoor work areas</li> <li>● Industrial process water that will not come into contact with workers</li> </ul>	Allowed	Allowed	Allowed	Not allowed	
<ul style="list-style-type: none"> <li>● Flushing sanitary sewers</li> </ul>	Allowed	Allowed	Allowed	Allowed	

**Abbreviations:**

NTU = Nephelometric turbidity units

RWQCB = Regional Water Quality Control Board

**Notes:**

- (a) "Conventional treatment" is defined as any treatment that utilizes a sedimentation unit process between the coagulation and filtration processes and produces disinfected tertiary recycled water effluent.
- (b) Tertiary standards to be met at the point between the disinfection process and the point of entry to the use impoundment.
- (c) Drift eliminators and/or biocides are required if public or employees can be exposed to mist.
- (d) Refer to Groundwater Recharge Guidelines, California Department of Health Services.
- (e) Title 22, Article 5 currently prohibits recycled water for internal use in free-standing single-family residences or in any facility producing or processing food products or beverages.

**Table 15**  
**Historical and Projected Wastewater Flows**  
 City of Tracy, California

		Average Daily Flow	
		Year	MGD
<b>Historic (a)</b>		2005	9.60
		2006	9.72
		2007	8.53
		2008	8.65
		2009	8.26
		2010 (b)	8.80
<b>Projected (c)</b>		2015	11.1
		2020	13.3
		2025	15.6
		2030	17.8
		2035	20.1

**Abbreviations:**

MGD = Millions of gallons per day

**Notes:**

- (a) Current and historical wastewater flow data were provided by the City Department of Public Works on 1 December 2010.
- (b) Data are only available through 29 November 2010, therefore data for 2010 do not represent the entire annual flow.
- (c) Wastewater flow projection for 2040 was provided by Steve Decou, CH2M Hill, 2 March 2011. Linear growth was assumed between 2010 and 2040.

**Table 16**  
**Projected Build-out Recycled Water Demand**  
 City of Tracy, California

Water Users	Projected Annual Recycled Water Demand (ac-ft/yr)
Gateway Ponds (a)	228
City Parks (a)	722
Gateway Roadways (a)	61
Tracy Gateway Phase 1 (a)	84
Holly Sugar Sports Park (a)	485
Westside Residential (URs 5, 7, 8, 9) (a)	313
UR 1 (a)	396
South Linne (UR 11) (a)	72
Tracy Hills (a)	1,758
Tracy Gateway (excluding Phase 1) (a)	449
Cordes Ranch (UR 6) (a)	1,034
Bright (UR 4) (a)	111
Catellus (UR 3) (a)	388
Filios (UR 2) (a)	26
I-205 Expansion (a)	103
Westside Industrial (a)	291
Eastside Industrial (a)	221
Larch Clover (a)	299
Chrisman Road (a)	68
Rocha (a)	46
Berg/Byron (a)	56
Kagehiro (a)	20
Mulqueeney Ranch Pumped Storage Project (b)	500
Roberts Island Project (b)	500
Tracy Green Energy Project (c)	To be determined
Subtotal	8,231
Unaccounted for Water at 7.5%	617
<b>Projected Total</b>	<b>8,848</b>

**Abbreviations:**

ac-ft/yr = Acre feet per year

UR = Urban Reserve

**Notes:**

(a) Table adapted from Table 9-2 in Draft Citywide Water System Master Plan (WYA, 2011) except as otherwise noted.

(b) Demand from City of Tracy 17 February 2009 City Council agenda item 1.D

(c) Demand from email from Steve Bayley on 7 March 2011.

**Table 17**  
**Projected Timing of Recycled Water Demand (a)**  
 City of Tracy, California

Source of Recycled Water Demand	Projected Recycled Water Demand (ac-ft/yr)				
	2015	2020	2025	2030	2035
Draft Water System Master Plan Projects (a)	1,200	2,410	3,620	4,830	6,040
Mulqueeney Ranch Pumped Storage Project (b)			To be determined		
Roberts Island Project (b)			To be determined		
Tracy Green Energy Project (c)			To be determined		
<b>Total</b>	1,200	2,410	3,620	4,830	6,040

**Abbreviations:**

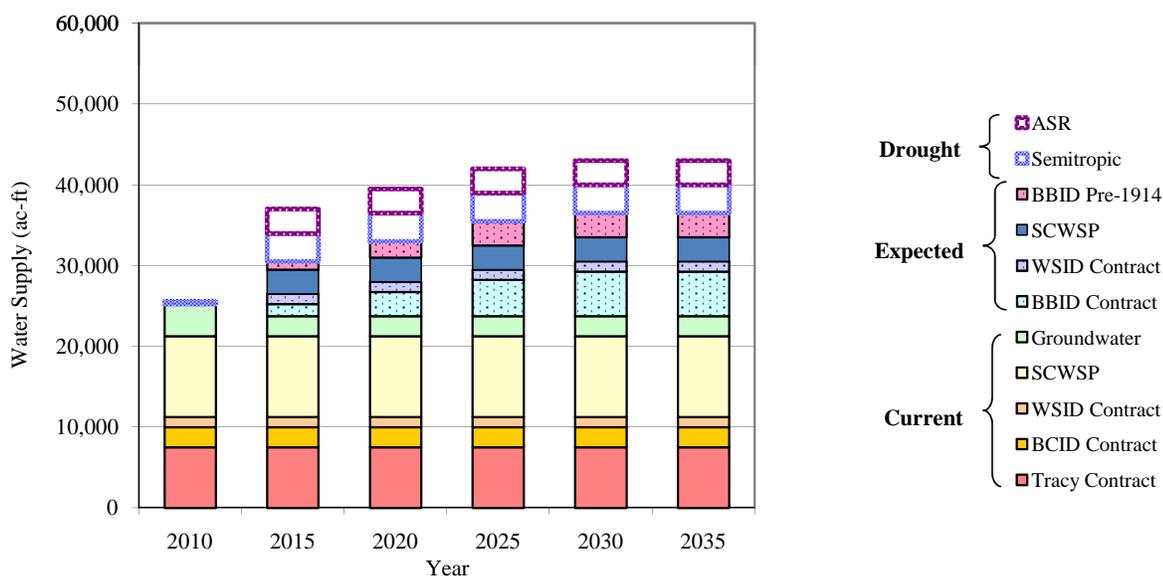
ac-ft/yr = Acre feet per year

**Notes:**

- (a) It is assumed that the recycled water system will expand 3.33% per year, based on starting in 2010 with zero water demand and increasing to the 2040 buildout water uses listed in the Draft Water System Master Plan, (WYA, 2011).
- (b) Phasing of recycled water project unknown.
- (c) Information from email from Steve Bayley on 7 March 2011.

**Table 18**  
**Current and Projected Water Supply Allocations - Normal Year**  
 City of Tracy, California

Water Source (a)	Water Right/Contract	Reliability Factor (b)	Estimated Supply Allocation (ac-ft/yr) (c) (d)						
			2010	2015	2020	2025	2030	2035	
<b>No Water Banking</b>	Current Supplies								
	DMC/CVP	USBR Tracy Contract-M&I Reliability	75%	7,500	7,500	7,500	7,500	7,500	7,500
	DMC/CVP	USBR BCID Contract-Ag Reliability	50%	2,500	2,500	2,500	2,500	2,500	2,500
	DMC/CVP	USBR WSID Contract-Ag Reliability	50%	1,250	1,250	1,250	1,250	1,250	1,250
	SCWSP	Pre-1914 Rights	100%	10,000	10,000	10,000	10,000	10,000	10,000
	Groundwater (e)	Over/Approp. Rights	100%	4,000	2,500	2,500	2,500	2,500	2,500
	Expected Supplies								
	DMC/CVP	USBR BBID Contract-Ag Reliability	50%	0	1,500	3,000	4,500	5,500	5,500
	DMC/CVP	USBR WSID Contract-Ag Reliability	50%	0	1,250	1,250	1,250	1,250	1,250
	Clifton Court Forebay	BBID Pre-1914 Rights	100%	0	1,000	2,000	3,000	3,000	3,000
	SCWSP	Pre-1914 Rights	100%	0	3,000	3,000	3,000	3,000	3,000
	<b>Total Projected Available Supply</b>			<b>25,250</b>	<b>30,500</b>	<b>33,000</b>	<b>35,500</b>	<b>36,500</b>	<b>36,500</b>
	<b>% Cutback from Normal Year</b>			<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>
	<b>Water Banking</b>	Semitropic (f)	Water Banking	100%	333	3,500	3,500	3,500	3,500
ASR		Water Banking	100%	0	3,000	3,000	3,000	3,000	3,000
<b>Total Projected Drought Supply (g)</b>			<b>333</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	
<b>Total Projected Supply</b>			<b>25,583</b>	<b>37,000</b>	<b>39,500</b>	<b>42,000</b>	<b>43,000</b>	<b>43,000</b>	
<b>% Cutback from Normal Year</b>			<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	



**Table 18**  
**Current and Projected Water Supply Allocations - Normal Year**  
 City of Tracy, California

**Abbreviations:**

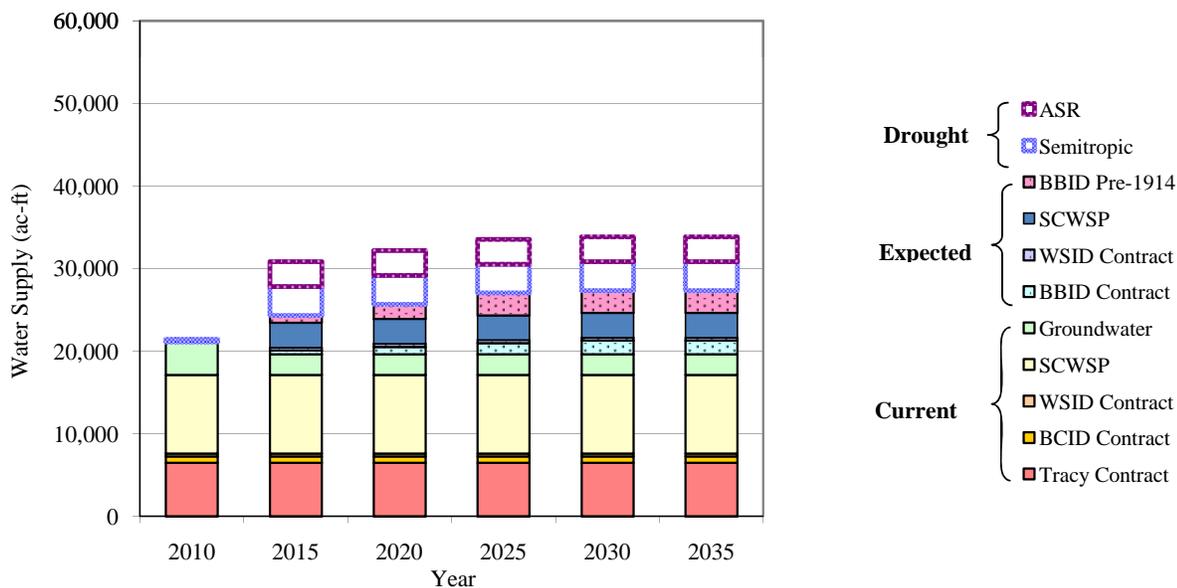
ac-ft/yr = Acre-feet per year  
 Ag = Agricultural  
 ASR = Aquifer storage and recovery  
 BCID = Banta-Carbona Irrigation District  
 BBID = Byron-Bethany Irrigation District  
 DMC/CVP = Central Valley Project water transported via the Delta Mendota Canal  
 M&I = Municipal and Industrial  
 Over/Approp. = Overlying and appropriative water rights  
 Pre-1914 = Water rights established prior to 1914 (the most senior water rights)  
 SCWSP = South County Water Supply Project  
 USBR = United States Bureau of Reclamation  
 WSID = West Side Irrigation District

**Notes:**

- (a) Current water supply sources are contracts or water rights currently held by the City. Expected water supply sources are contracts that the City anticipates will be in place by the indicated year. For a complete description of each water source and contract, see Sections 4 and 5 of text.
- (b) Reliability factors have been applied to the water quantities shown in Table 12. These factors are based on the average supply allocations for municipal and industrial ("M&I") and agricultural ("Ag") reliability contracts south of the Delta during normal and wet year periods as discussed in Section 5.
- (c) Information regarding the expected quantity of water received in future years was provided by the Deputy Director of Public Works, Steve Bayley, and current USBR and SCWSP contracts.
- (d) Subtotals may not add exactly due to rounding.
- (e) Though the City can sustainably extract up to 9,000 ac-ft/yr of groundwater as discussed in Section 4, Tracy is planning to scale back its groundwater extraction in future years to increase the overall quality of its water supply. Tracy will continue to rely on groundwater for peaking and drought and emergency supplies, among other things, up to 9,000 ac-ft per year, on an as needed basis.
- (f) If the City were to secure 10,500 ac-ft of storage in the Semitropic water bank, Tracy would be provided with up to 3,500 ac-ft of water annually. If Tracy were to use water from the Semitropic water bank in any given year, it would work to manage its supplies during subsequent years such that it could "refill" its water bank for future use (see Section 4.4.4 of text).
- (g) The City is currently working to secure the indicated "Drought" water supplies. These supplies would be used to supplement less reliable sources during emergency situations or in times of drought.

**Table 19**  
**Current and Projected Water Supply Allocations - Single-Dry Year**  
 City of Tracy, California

Water Source (a)	Water Right/Contract	Reliability Factor (b)	Estimated Supply Allocation (ac-ft/yr) (c) (d)						
			2010	2015	2020	2025	2030	2035	
<b>No Water Banking</b>	Current Supplies								
	DMC/CVP	USBR Tracy Contract-M&I Reliability	65%	6,500	6,500	6,500	6,500	6,500	6,500
	DMC/CVP	USBR BCID Contract-Ag Reliability	15%	750	750	750	750	750	750
	DMC/CVP	USBR WSID Contract-Ag Reliability	15%	375	375	375	375	375	375
	SCWSP	Pre-1914 Rights	95%	9,500	9,500	9,500	9,500	9,500	9,500
	Groundwater (e)	Over/Approp. Rights	100%	4,000	2,500	2,500	2,500	2,500	2,500
	Expected Supplies								
	DMC/CVP	USBR BBID Contract-Ag Reliability	15%	0	450	900	1,350	1,650	1,650
	DMC/CVP	USBR WSID Contract-Ag Reliability	15%	0	375	375	375	375	375
	Clifton Court Forebay	BBID Pre-1914 Rights	90%	0	900	1,800	2,700	2,700	2,700
	SCWSP	Pre-1914 Rights	95%	0	3,000	3,000	3,000	3,000	3,000
	<b>Total Projected Available Supply</b>			<b>21,125</b>	<b>24,350</b>	<b>25,700</b>	<b>27,050</b>	<b>27,350</b>	<b>27,350</b>
	<b>% Cutback from Normal Year</b>			<b>16%</b>	<b>20%</b>	<b>22%</b>	<b>24%</b>	<b>25%</b>	<b>25%</b>
	<b>Water Banking</b>	Semitropic (f)	Water Banking	100%	333	3,500	3,500	3,500	3,500
ASR		Water Banking	100%	0	3,000	3,000	3,000	3,000	3,000
<b>Total Projected Drought Supply (g)</b>			<b>333</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	
<b>Total Projected Supply</b>			<b>21,458</b>	<b>30,850</b>	<b>32,200</b>	<b>33,550</b>	<b>33,850</b>	<b>33,850</b>	
<b>% Cutback from Normal Year</b>			<b>16%</b>	<b>17%</b>	<b>18%</b>	<b>20%</b>	<b>21%</b>	<b>21%</b>	



**Table 19**  
**Current and Projected Water Supply Allocations - Single-Dry Year**  
 City of Tracy, California

**Abbreviations:**

ac-ft/yr = Acre-feet per year

Ag = Agricultural

ASR = Aquifer storage and recovery

BCID = Banta-Carbona Irrigation District

BBID = Byron-Bethany Irrigation District

DMC/CVP = Central Valley Project water transported via the Delta Mendota Canal

M&I = Municipal and Industrial

Over/Approp. = Overlying and appropriative water rights

Pre-1914 = Water rights established prior to 1914 (the most senior water rights)

SCWSP = South County Water Supply Project

USBR = United States Bureau of Reclamation

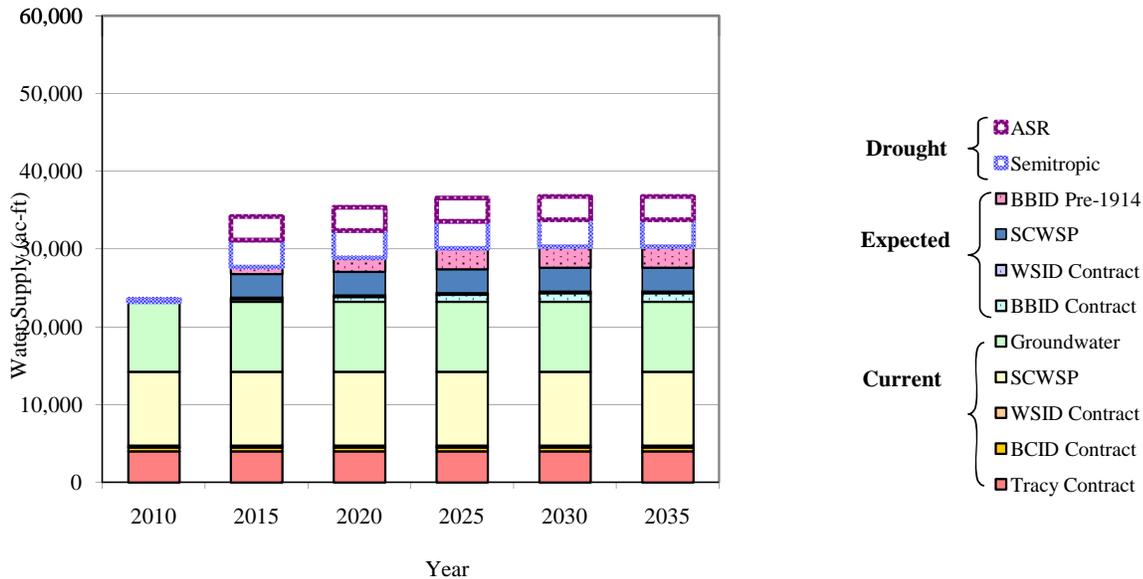
WSID = West Side Irrigation District

**Notes:**

- (a) Current water supply sources are contracts or water rights currently held by the City. Expected water supply sources are contracts that the City anticipates will be in place by the indicated year. For a complete description of each water source and contract, see Sections 4 and 5 of text.
- (b) Reliability factors have been applied to the water quantities shown in Table 12. These factors are based on the average supply allocations for municipal and industrial ("M&I") and agricultural ("Ag") reliability contracts south of the Delta during normal and wet year periods as discussed in Section 5.
- (c) Information regarding the expected quantity of water received in future years was provided by the Deputy Director of Public Works, Steve Bayley, and current USBR and SCWSP contracts.
- (d) Subtotals may not add exactly due to rounding.
- (e) Though the City can sustainably extract up to 9,000 ac-ft/yr of groundwater as discussed in Section 4, Tracy is planning to scale back its groundwater extraction in future years to increase the overall quality of its water supply. Tracy will continue to rely on groundwater for peaking and drought and emergency supplies, among other things, up to 9,000 ac-ft per year, on an as needed basis.
- (f) If the City were to secure 10,500 ac-ft of storage in the Semitropic water bank, Tracy would be provided with up to 3,500 ac-ft of water annually. If Tracy were to use water from the Semitropic water bank in any given year, it would work to manage its supplies during subsequent years such that it could "refill" its water bank for future use (see Section 4.4.4 of text).
- (g) The City is currently working to secure the indicated "Drought" water supplies. These supplies would be used to supplement less reliable sources during emergency situations or in times of drought.

**Table 20**  
**Current and Projected Water Supply Allocations - Multiple-Dry Years 1, 2, and 3**  
 City of Tracy, California

Water Source (a)	Water Right/Contract	Reliability Factor (b)	Estimated Supply Allocation for Multiple Dry Years 1, 2, and 3 (ac-ft/yr) (c) (d)						
			2010	2015	2020	2025	2030	2035	
<b>No Water Banking</b>	Current Supplies								
	DMC/CVP	USBR Tracy Contract-M&I Reliability	40%	4,000	4,000	4,000	4,000	4,000	4,000
	DMC/CVP	USBR BCID Contract-Ag Reliability	10%	500	500	500	500	500	500
	DMC/CVP	USBR WSID Contract-Ag Reliability	10%	250	250	250	250	250	250
	SCWSP	Pre-1914 Rights	95%	9,500	9,500	9,500	9,500	9,500	9,500
	Groundwater (e)	Over/Approp. Rights	100%	9,000	9,000	9,000	9,000	9,000	9,000
	Expected Supplies								
	DMC/CVP	USBR BBID Contract-Ag Reliability	10%	0	300	600	900	1,100	1,100
	DMC/CVP	USBR WSID Contract-Ag Reliability	10%	0	250	250	250	250	250
	Clifton Court Forebay	BBID Pre-1914 Rights	90%	0	900	1,800	2,700	2,700	2,700
	SCWSP	Pre-1914 Rights	95%	0	3,000	3,000	3,000	3,000	3,000
	<b>Total Projected Available Supply for Multiple Dry Year 1, 2, and 3</b>			<b>23,250</b>	<b>27,700</b>	<b>28,900</b>	<b>30,100</b>	<b>30,300</b>	<b>30,300</b>
	<b>% Cutback from Normal Year for Multiple Dry Year 1, 2, and 3</b>			<b>8%</b>	<b>9%</b>	<b>12%</b>	<b>15%</b>	<b>17%</b>	<b>17%</b>
	<b>Water Banking</b>	Semitropic (f)	Water Banking	100%	333	3,500	3,500	3,500	3,500
ASR		Water Banking	100%	0	3,000	3,000	3,000	3,000	3,000
<b>Total Projected Drought Supply (g)</b>			<b>333</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	<b>6,500</b>	
<b>Total Projected Supply for Multiple Dry Year 1, 2, and 3</b>			<b>23,583</b>	<b>34,200</b>	<b>35,400</b>	<b>36,600</b>	<b>36,800</b>	<b>36,800</b>	
<b>% Cutback from Normal Year for Multiple Dry Year 1, 2, and 3</b>			<b>8%</b>	<b>8%</b>	<b>10%</b>	<b>13%</b>	<b>14%</b>	<b>14%</b>	



**Table 20**  
**Current and Projected Water Supply Allocations - Multiple-Dry Years 1, 2, and 3**  
 City of Tracy, California

**Abbreviations:**

ac-ft/yr = Acre-feet per year  
 Ag = Agricultural  
 ASR = Aquifer storage and recovery  
 BCID = Banta-Carbona Irrigation District  
 BBID = Byron-Bethany Irrigation District  
 DMC/CVP = Central Valley Project water transported via the Delta Mendota Canal  
 M&I = Municipal and Industrial  
 Over/Approp. = Overlying and appropriative water rights  
 Pre-1914 = Water rights established prior to 1914 (the most senior water rights)  
 SCWSP = South County Water Supply Project  
 USBR = United States Bureau of Reclamation  
 WSID = West Side Irrigation District

**Notes:**

- (a) Current water supply sources are contracts or water rights currently held by the City. Expected water supply sources are contracts that the City anticipates will be in place by the indicated year. For a complete description of each water source and contract, see Sections 4 and 5 of text.
- (b) Reliability factors have been applied to the water quantities shown in Table 12. These factors are based on the average supply allocations for municipal and industrial ("M&I") and agricultural ("Ag") reliability contracts south of the Delta during normal and wet year periods as discussed in Section 5.
- (c) Information regarding the expected quantity of water received in future years was provided by the Deputy Director of Public Works, Steve Bayley, and current USBR and SCWSP contracts.
- (d) Subtotals may not add exactly due to rounding.
- (e) Though the City can sustainably extract up to 9,000 ac-ft/yr of groundwater as discussed in Section 4, Tracy is planning to scale back its groundwater extraction in future years to increase the overall quality of its water supply. Tracy will continue to rely on groundwater for peaking and drought and emergency supplies, among other things, up to 9,000 ac-ft per year, on an as needed basis.
- (f) If the City were to secure 10,500 ac-ft of storage in the Semitropic water bank, Tracy would be provided with up to 3,500 ac-ft of water annually. If Tracy were to use water from the Semitropic water bank in any given year, it would work to manage its supplies during subsequent years such that it could "refill" its water bank for future use (see Section 4.4.4 of text).
- (g) The City is currently working to secure the indicated "Drought" water supplies. These supplies would be used to supplement less reliable sources during emergency situations or in times of drought.

**Table 21**  
**Water Conservation and Rationing Plan - Stages of Action (a)**  
City of Tracy, California

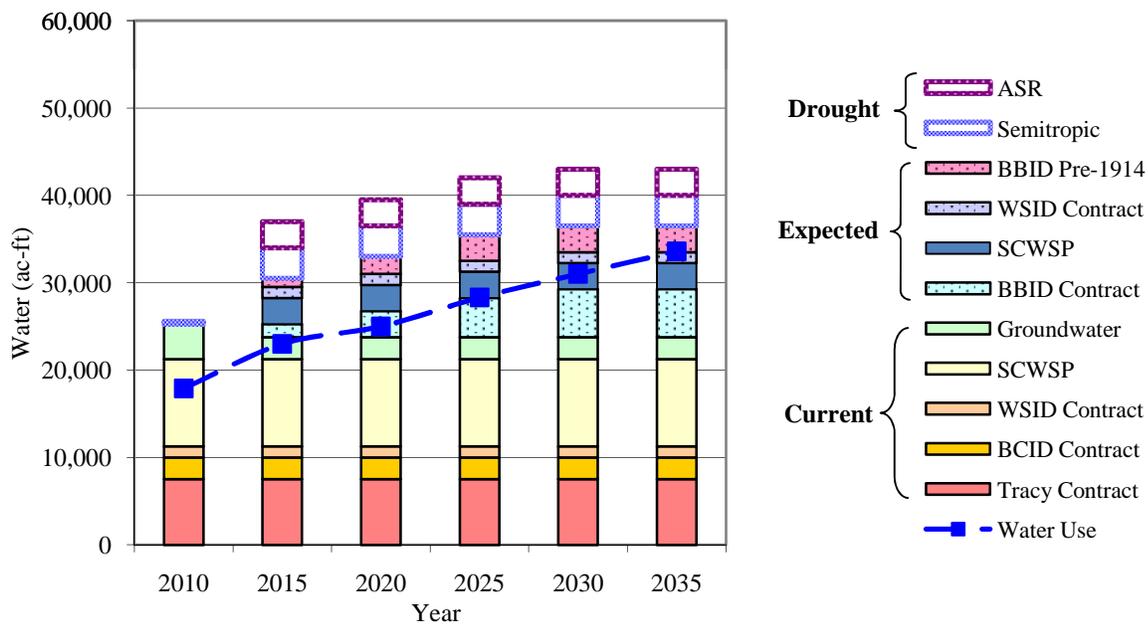
Stage	% Reduction (b)	Reduction Method (c) (d)
Stage I	< 10%	Voluntary <ul style="list-style-type: none"> <li>• Flagrant water waste or excessive runoff Prohibited</li> <li>• Maintenance of plumbing and irrigation systems Mandated</li> <li>• Prudent water conservation measures: <ul style="list-style-type: none"> <li>Hand-held trigger handle sprayers Encouraged</li> <li>Drought tolerant landscape Encouraged</li> <li>Watering during windy periods Discouraged</li> </ul> </li> <li>• Pool covers Mandated</li> </ul>
Stage II	10%	Mandatory: Landscape irrigation and outdoor water use <ul style="list-style-type: none"> <li>• Landscape irrigation prohibited unless: <ul style="list-style-type: none"> <li>7pm-9am May to September or 4pm-10am October to April Accepted</li> <li>Person is present outdoors and in view of irrigated area Accepted</li> <li>A drip or bubbler system is used Accepted</li> </ul> </li> <li>• Non-commercial sidewalk washing Prohibited</li> <li>• Commercial sidewalk washing Discouraged</li> <li>• Addition of water above health and operational requirements Prohibited</li> <li>for pools and hot tubs</li> <li>• Car washing (except with trigger spray) Prohibited</li> </ul>
Stage III	15%	Mandatory <ul style="list-style-type: none"> <li>• Landscape irrigation prohibited unless: <ul style="list-style-type: none"> <li>May-September: <ul style="list-style-type: none"> <li>Odd addresses Mon, Wed, Sat 7pm-9am, Accepted</li> <li>Even addresses Tue, Thur, Sun 7pm-9am Accepted</li> </ul> </li> <li>October-April: <ul style="list-style-type: none"> <li>Odd addresses Mon, Wed, Sat 4pm-10am Accepted</li> <li>Even addresses Tue, Thur, Sun 4pm-10am Accepted</li> </ul> </li> </ul> </li> <li>• Landscape irrigation during high wind Prohibited</li> <li>• Commercial sidewalk washing, except on Friday Prohibited</li> <li>• Restaurants may serve water only upon request Mandated</li> <li>• Manager/Owners of commercial lodgings must post notice of drought conditions in every guest room Mandated</li> </ul>
Stage IV	25%	Mandatory: Reduction based on base year usage <ul style="list-style-type: none"> <li>• Car washing (except with bucket) Prohibited</li> <li>• Auto dealerships may wash vehicles with trigger nozzle only on Friday or on the day before or day of delivery Mandated</li> <li>• Car washing with recycled water facility not restricted Accepted</li> <li>• Manager/Owner of every facility with restroom must post notice declaring drought condition Mandated</li> </ul>
Stage V	>25%	Mandatory: Emergency reductions (e) <ul style="list-style-type: none"> <li>• Water use other than required for public health and safety and fire protection Prohibited</li> <li>• Landscape irrigation Prohibited</li> <li>• Recreational water use Prohibited</li> </ul>

**Notes:**

- (a) Stages of action and reduction methods are summarized from Tracy's Water Conservation and Rationing Plan ("WCRP"), Municipal Code Section 11.28.170-290, based on the City's Water Shortage Contingency Plan (Kennedy/Jenks, 1994).
- (b) Percent reduction refers to City-wide potable water demand reduction goals.
- (c) Excess water surcharge/rate structure may be adopted during times of drought or water emergency by resolution of the City Council.
- (d) Although prohibition of street cleaning with potable water is not specifically included in the WCRP, it is not standard practice by the City.
- (e) Emergency supply reductions may be caused by the inability to draw groundwater, contamination, natural disaster, floods, sabotage, or any other unusual circumstance that affects the quality or reliability of the City's water supply.

**Table 22**  
**Current and Projected Potable Water Supply vs. Demand**  
**Normal Year**  
 City of Tracy, California

Water Supply and Demand		Estimated Potable Water Supply and Demand (ac-ft/yr) (a)					
		2010	2015	2020	2025	2030	2035
No Water Banking	Projected Available Supply (b)	25,300	30,500	33,000	35,500	36,500	36,500
	Total Potable Water Demand (c)	17,900	23,000	25,000	28,300	31,000	33,600
	<i>Difference</i>	<b>7,350</b>	<b>7,500</b>	<b>8,000</b>	<b>7,200</b>	<b>5,500</b>	<b>2,900</b>
	<i>Percent Cutback</i>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>
Water Banking	Projected Available Supply	25,300	30,500	33,000	35,500	36,500	36,500
	Projected Drought Supply (d)	333	6,500	6,500	6,500	6,500	6,500
	<i>Subtotal Potable Water Supply</i>	25,600	37,000	39,500	42,000	43,000	43,000
	Total Potable Water Demand (c)	17,900	23,000	25,000	28,300	31,000	33,600
	<i>Difference</i>	<b>7,680</b>	<b>14,000</b>	<b>14,500</b>	<b>13,700</b>	<b>12,000</b>	<b>9,400</b>
	<i>Percent Cutback</i>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>



**Table 22**  
**Current and Projected Potable Water Supply vs. Demand**  
**Normal Year**  
City of Tracy, California

**Abbreviations:**

ac-ft/yr = Acre-feet per year

ASR = Aquifer storage and recovery

BCID = Banta-Carbona Irrigation District

BBID = Byron-Bethany Irrigation District

DMC/CVP = Central Valley Project water transported via the Delta Mendota Canal

Over/Approp. = Overlying and appropriate water rights

Pre-1914 = Water rights established prior to 1914 (the most senior water rights)

SCWSP = South County Water Supply Project

USBR = United States Bureau of Reclamation

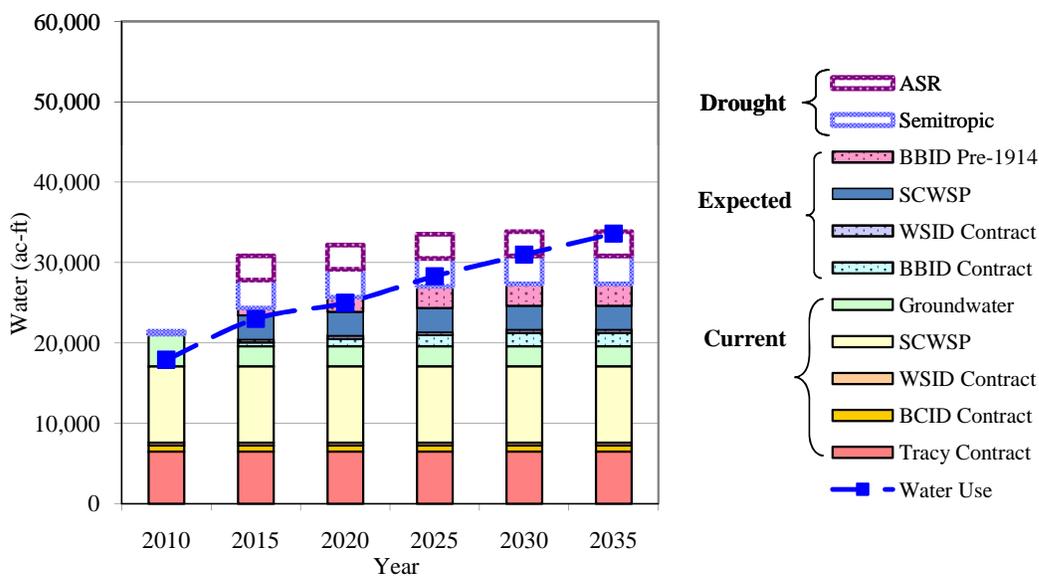
WSID = West Side Irrigation District

**Notes:**

- (a) Subtotals may not add exactly due to rounding.
- (b) Projected available supplies include both current and expected supplies described in Table 12.
- (c) Total potable water demand is described in Tables 6 and 8.
- (d) The City is currently working to secure the indicated "Drought" water supplies. These supplies would be used to supplement less reliable sources during emergency situations or in times of drought.

**Table 23**  
**Current and Projected Potable Water Supply vs. Demand**  
**Single-Dry Year**  
 City of Tracy, California

Water Supply and Demand		Estimated Potable Water Supply and Demand (ac-ft/yr) (a)					
		2010	2015	2020	2025	2030	2035
No Water Banking	Projected Available Supply (b)	21,100	24,400	25,700	27,100	27,400	27,400
	Total Potable Water Demand (c)	17,900	23,000	25,000	28,300	31,000	33,600
	<b>Difference</b>	<b>3,230</b>	<b>1,350</b>	<b>700</b>	<b>-1,300</b>	<b>-3,700</b>	<b>-6,300</b>
	<b>Percent Cutback</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>-4%</b>	<b>-13%</b>	<b>-23%</b>
Water Banking	Projected Available Supply	21,100	24,400	25,700	27,100	27,400	27,400
	Projected Drought Supply (d)	333	6,500	6,500	6,500	6,500	6,500
	<i>Subtotal Potable Water Supply</i>	21,500	30,900	32,200	33,600	33,900	33,900
	Total Potable Water Demand (c)	17,900	23,000	25,000	28,300	31,000	33,600
	<b>Difference</b>	<b>3,560</b>	<b>7,850</b>	<b>7,200</b>	<b>5,250</b>	<b>2,850</b>	<b>250</b>
	<b>Percent Cutback</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	



**Table 23**  
**Current and Projected Potable Water Supply vs. Demand**  
**Single-Dry Year**  
City of Tracy, California

**Abbreviations:**

ac-ft/yr = Acre-feet per year

ASR = Aquifer storage and recovery

BCID = Banta-Carbona Irrigation District

BBID = Byron-Bethany Irrigation District

DMC/CVP = Central Valley Project water transported via the Delta Mendota Canal

Over/Approp. = Overlying and appropriative water rights

Pre-1914 = Water rights established prior to 1914 (the most senior water rights)

SCWSP = South County Water Supply Project

USBR = United States Bureau of Reclamation

WSID = West Side Irrigation District

**Notes:**

- (a) Subtotals may not add exactly due to rounding.
- (b) Projected available supplies include both current and expected supplies described in Table 12.
- (c) Total potable water demand is described in Tables 6 and 8.
- (d) The City is currently working to secure the indicated "Drought" water supplies. These supplies would be used to supplement less reliable sources during emergency situations or in times of drought.

**Table 24**  
**Current and Projected Potable Water Supply vs. Demand**  
**Multiple-Dry Year**  
 City of Tracy, California

Multiple Dry			Estimated Potable Water Supply and Demand (ac-ft/yr) (a)					
			2010	2015	2020	2025	2030	2035
Year	Water Supply and Demand							
Without Water Banking	Year 1	Projected Available Supply (b)	23,300	27,700	28,900	30,100	30,300	30,300
		Total Potable Water Demand (c)	17,900	23,000	25,000	28,300	31,000	33,600
		<b>Difference</b>	<b>5,350</b>	<b>4,700</b>	<b>3,900</b>	<b>1,800</b>	<b>-700</b>	<b>-3,300</b>
		<b>Percent Cutback</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>-2%</b>	<b>-11%</b>
	Year 2	Projected Available Supply (b)	23,300	27,700	28,900	30,100	30,300	30,300
		Total Potable Water Demand (c)	18,920	23,400	25,660	28,840	31,520	34,136
		<b>Difference</b>	<b>4,330</b>	<b>4,300</b>	<b>3,240</b>	<b>1,260</b>	<b>-1,200</b>	<b>-3,800</b>
		<b>Percent Cutback</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>-4%</b>	<b>-13%</b>
	Year 3	Projected Available Supply (b)	23,300	27,700	28,900	30,100	30,300	30,300
	Total Potable Water Demand (c)	20,960	23,800	26,320	29,380	32,040	34,672	
	<b>Difference</b>	<b>2,290</b>	<b>3,900</b>	<b>2,580</b>	<b>720</b>	<b>-1,700</b>	<b>-4,400</b>	
	<b>Percent Cutback</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>-6%</b>	<b>-14%</b>	
With Water Banking	Year 1	Projected Available Supply	23,300	27,700	28,900	30,100	30,300	30,300
		Projected Drought Supply (d)	333	6,500	6,500	6,500	6,500	6,500
		<i>Subtotal Potable Water Supply</i>	23,600	34,200	35,400	36,600	36,800	36,800
		Total Potable Water Demand (c)	17,900	23,000	25,000	28,300	31,000	33,600
		<b>Difference</b>	<b>5,680</b>	<b>11,200</b>	<b>10,400</b>	<b>8,300</b>	<b>5,800</b>	<b>3,200</b>
		<b>Percent Cutback</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>
	Year 2	Projected Available Supply	23,300	27,700	28,900	30,100	30,300	30,300
		Projected Drought Supply (d)	333	6,500	6,500	6,500	6,500	6,500
		<i>Subtotal Potable Water Supply</i>	23,600	34,200	35,400	36,600	36,800	36,800
		Total Potable Water Demand (c)	18,920	23,400	25,660	28,840	31,520	34,136
		<b>Difference</b>	<b>4,660</b>	<b>10,800</b>	<b>9,740</b>	<b>7,760</b>	<b>5,280</b>	<b>2,660</b>
		<b>Percent Cutback</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>
	Year 3	Projected Available Supply	23,300	27,700	28,900	30,100	30,300	30,300
		Projected Drought Supply (d)	333	6,500	6,500	6,500	6,500	6,500
		<i>Subtotal Potable Water Supply</i>	23,600	34,200	35,400	36,600	36,800	36,800
	Total Potable Water Demand (c)	20,960	23,800	26,320	29,380	32,040	34,672	
	<b>Difference</b>	<b>2,620</b>	<b>10,400</b>	<b>9,080</b>	<b>7,220</b>	<b>4,760</b>	<b>2,130</b>	
	<b>Percent Cutback</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	

**Abbreviations:**

- ac-ft/yr = Acre-feet per year
- ASR = Aquifer storage and recovery
- BCID = Banta-Carbona Irrigation District
- BBID = Byron-Bethany Irrigation District
- DMC/CVP = Central Valley Project water transported via the Delta Mendota Canal
- Over/Approp. = Overlying and appropriative water rights
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- WSID = West Side Irrigation District

**Table 24**  
**Current and Projected Potable Water Supply vs. Demand**  
**Multiple-Dry Year**  
City of Tracy, California

**Notes:**

- (a) Subtotals may not add exactly due to rounding.
- (b) Projected available supplies include both current and expected supplies described in Table 12.
- (c) Total potable water demand is described in Tables 8. Year 2 and Year 3 water demand is assumed to grow linearly.
- (d) The City is currently working to secure the indicated "Drought" water supplies. These supplies would be used to supplement less reliable sources during emergency situations or in times of drought.

**Table 25**  
**Water Conservation Activities**  
 City of Tracy, California

Water Conservation Action	Water Conservation Actions and Expenditures (a) (b)				
	2005-06	2006-07	2007-08	2008-09	2009-10
<i>Residential Water Audits (BMP 1)</i> Cost	--	--	--	\$12,321	\$12,937
<i>Retrofit Kits (BMP 2)</i> Retrofit Kit Costs	--	--	\$160	\$80	\$80
<i>Washing Machine Rebates (BMP 6)</i> Allocated Budget	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Number of Rebates Given	200	200	200	201	200
Cost of Rebates Given	\$10,000	\$10,000	\$10,000	\$10,050	\$10,000
<i>Public Information (BMP 7)</i> Public Information Cost	--	--	\$500	\$2,200	\$2,500
<i>School Education (BMP 8)</i> Education Program Cost	--	--	--	\$500	\$500
<i>Conservation Coordinator (BMP 12)</i> Cost	--	--	\$36,244	\$38,056	\$39,959
<i>ULFT Replacement (BMP 14)</i> Allocated Budget	--	--	\$10,000	\$10,000	\$10,000
Number of Rebates Given	--	--	18	63	41
Cost of Rebates Given	--	--	\$3,508	\$8,875	\$7,472

**Abbreviations:**

-- = Data not available or not applicable  
 BMP = Best Management Practice  
 FY = Fiscal Year  
 ULFT = Ultra low flow toilet

**Notes:**

- (a) Values are reported for fiscal years ("FY") 2005-06 through 2009-10.  
 (b) Water conservation actions and expenditures are based on data from Water Resources Coordinator, Stephanie Reyna-Hiestand provided by email and personal communication.

**Table 26**  
**Monthly Service Charges and Seasonal Water Rates**  
 City of Tracy, California

Meter Size	Monthly Charge (a)
5/8" and 3/4"	\$11.70
1"	\$20.40
1.5"	\$46.65
2"	\$82.75
3"	\$186.25
4"	\$331.25
6"	\$745.25
8"	\$1,325.05
10"	\$2,070.40

Block Number	Winter Block Units (b)	Summer Block Units (c)	Block Rates (d)
Block 1	0-12 units	0-18 units	\$1.00
Block 2	13-19 units	19-29 units	\$1.45
Block 3	20-191 units	30-287 units	\$1.65
Block 4	over 191 units	over 288 units	\$1.80

**Abbreviations:**

" = inches

**Notes:**

- (a) Water service charges are from the City of Tracy Website accessed 3 January 2011.
- (b) Winter block units are effective November through April.
- (c) Summer block units are effective May through October.
- (d) Prices are per 100 cubic feet of water.

**Table 27**  
**Implementation of Demand Management Measures**  
 City of Tracy, California

No.	DMM	Implementation Date (a)	Completion Date (a)	Percent Complete as of March 2011 (a)	Budget Amount (a)	Budget Source (a)
1	Water survey programs for single-family residential and multifamily residential customers	1/1/2011	12/31/2011	50%	\$0	Included in BMP 12
2	Residential plumbing retrofit	1/1/2011	12/31/2011	50%	\$10,000	City's water revenue fund
3	System water audits, leak detection, and repair	1/1/2011	12/31/2011	50%	\$10,000	City's water revenue fund
4	Metering with commodity rates for all new connections and retrofit of existing connections	1/1/2011	12/31/2011	100%	\$0	--
5	Large landscape conservation programs and incentives (b)	1/1/2011	12/31/2011	75%	\$100,000	Grant
6	High-efficiency washing machine rebate programs	1/1/2011	12/31/2011	50%	\$10,000	City's water revenue fund
7	Public information programs (b)	1/1/2011	12/31/2011	90%	\$25,000	Grant/City's water revenue fund
8	School education programs	1/1/2011	12/31/2011	90%	\$5,000	City's water revenue fund
9	Conservation programs for commercial, industrial, and institutional accounts (b)	1/1/2011	12/31/2011	25%	\$500,000	Grant
10	Wholesale agency programs		Not applicable			
11	Conservation pricing	1/1/2011	12/31/2011	100%	\$0	Included in BMP 12
12	Water conservation coordinator	1/1/2011	12/31/2011	100%	\$122,580	City's water revenue fund
13	Water waste prohibition	1/1/2011	12/31/2011	90%	\$0	Included in BMP 12
14	Residential ultra-low-flush toilet replacement programs	1/1/2011	12/31/2011	50%	\$10,000	City's water revenue fund

**Abbreviations:**

DMM = Demand Management Measures

CUWCC = California Urban Water Conservation Council

No. = Number

**Notes:**

(a) All information provided by City on 3 March 2011.

(b) Completion of BMP at CUWCC coverage level is contingent on receiving recycled water grant.



**Legend**

— Freeways and Highways

**Erler & Kalinowski, Inc.**

Regional Location



0 20 40



(Approximate Scale in Miles)

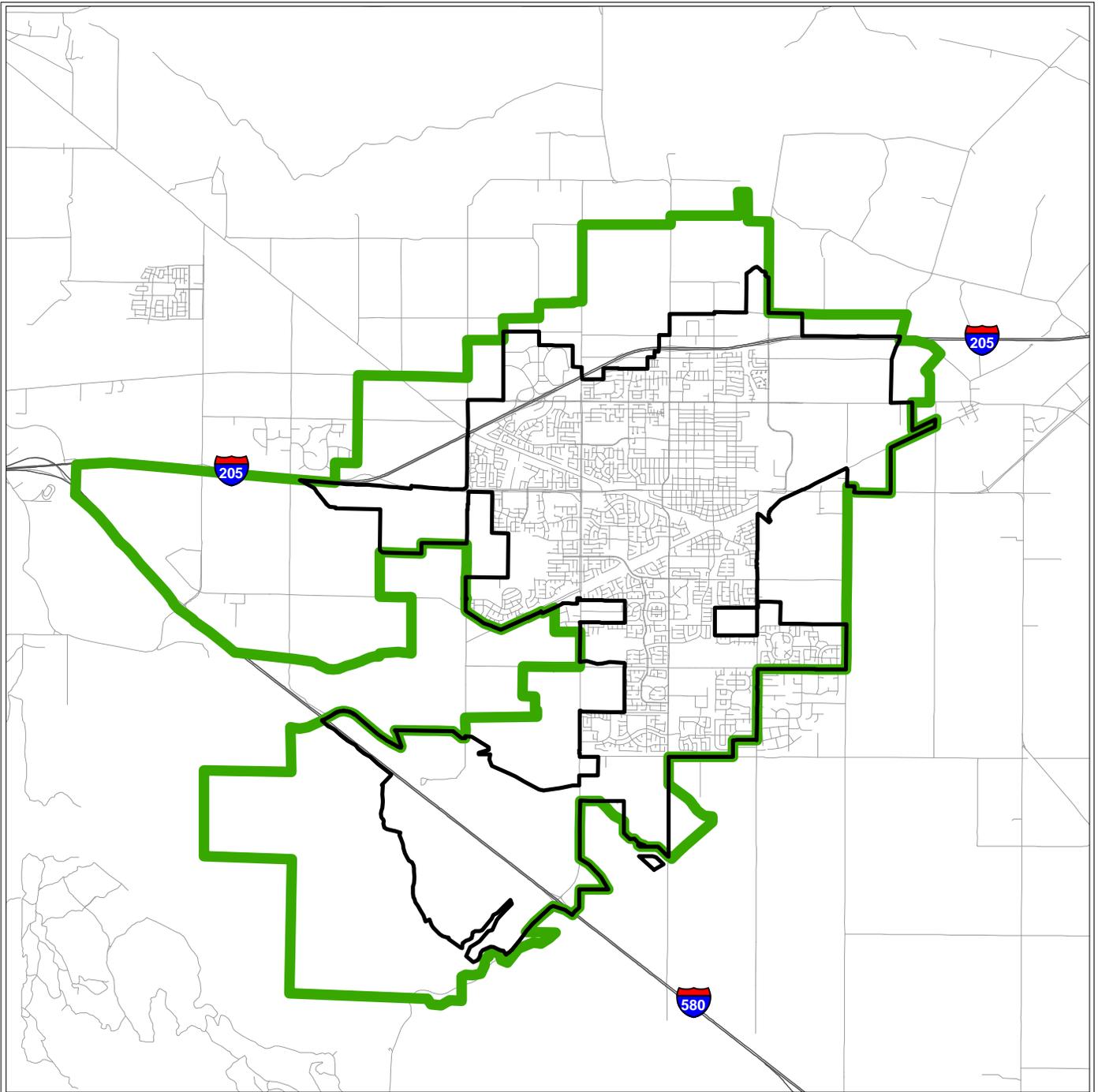
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Privileged & Confidential

City of Tracy  
Tracy, CA  
April 2011

EKI B00043.00

**Figure 1**



**Legend**

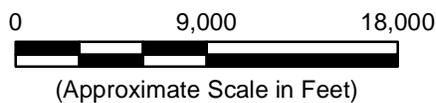
-  City Limit
-  Sphere of Influence
-  Streets and Highways

**Notes**

1. All locations are approximate.
2. Sphere of influence based on April 2009 Draft General Plan Ammendment.

**Sources**

From City Staff, November 2010.



**Erler &  
Kalinowski, Inc.**

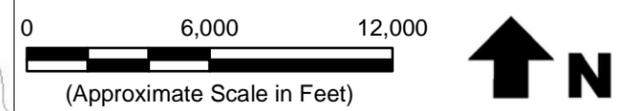
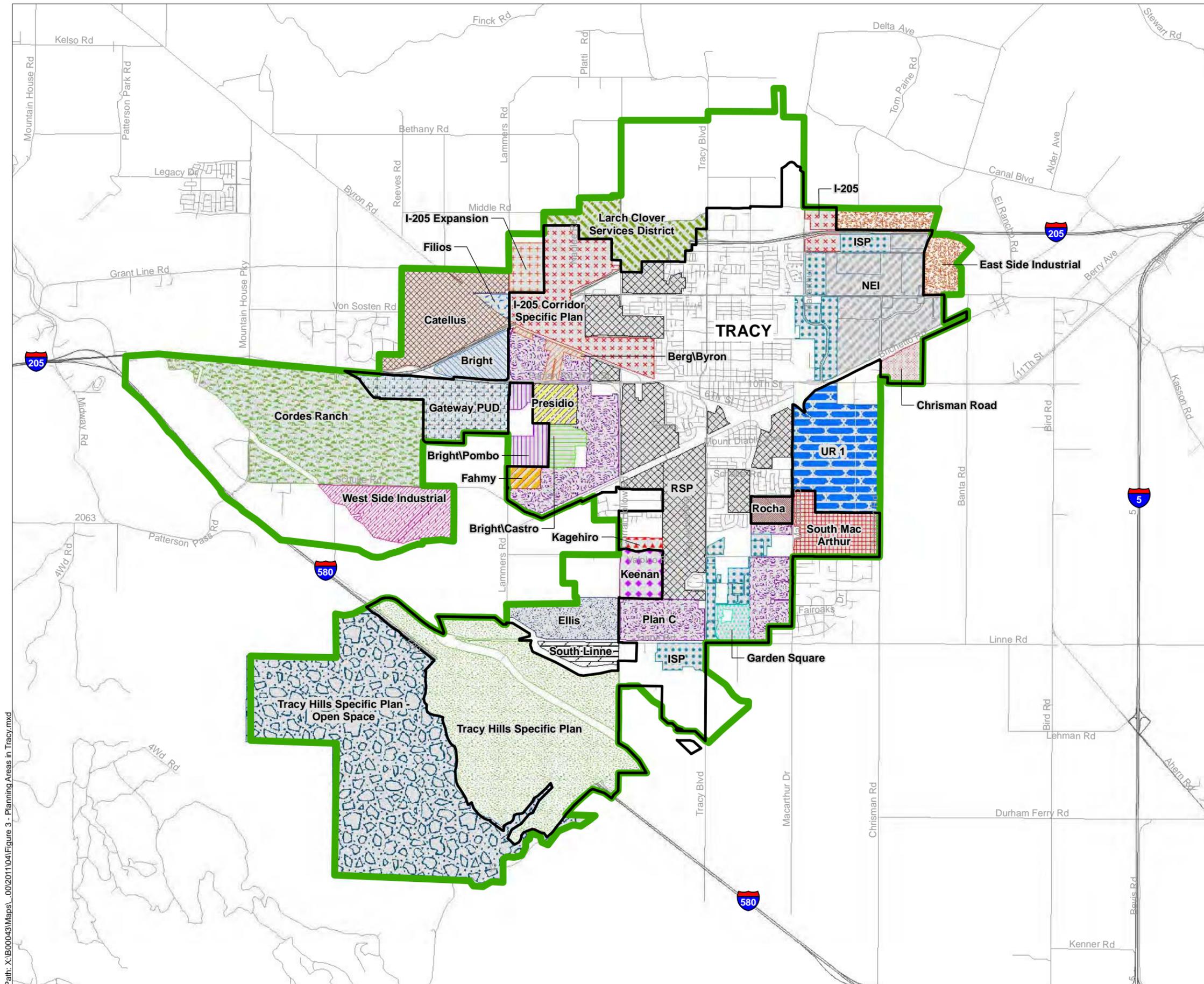
Tracy City Limits and  
Sphere of Influence

City of Tracy  
Tracy, CA  
April 2011

**DRAFT**  
Privileged & Confidential

EKI B00043.00  
Figure 2

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- Legend**
- Streets and Highways
  - Sphere of Influence
  - City Limit
- Planning Areas**
- Berg/Byron
  - Bright
  - Bright/Castro
  - Bright/Pombo
  - Catellus
  - Chrisman Road
  - Cordes Ranch
  - East Side Industrial
  - Ellis
  - Fahmy
  - Filios
  - Garden Square
  - Gateway PUD
  - I-205 Corridor Specific Plan
  - I-205 Expansion
  - Industrial Areas Specific Plan ("ISP")
  - Kagehiro
  - Keenan
  - Larch Clover
  - Northeast Industrial PUD ("NEI")
  - Plan C
  - Presidio
  - Residential Area Specific Plan ("RSP")
  - Rocha
  - South Linne
  - South Mac Arthur
  - Tracy Hills Specific Plan
  - Tracy Hills Specific Plan - Open Space
  - UR 1
  - West Side Industrial

**Notes**  
1. All Locations are approximate.

**Sources**  
From City Staff, November 2010.

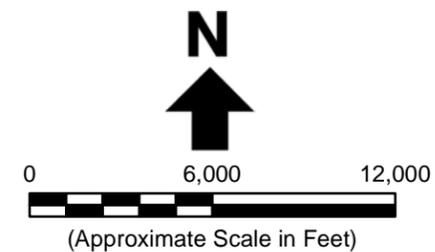
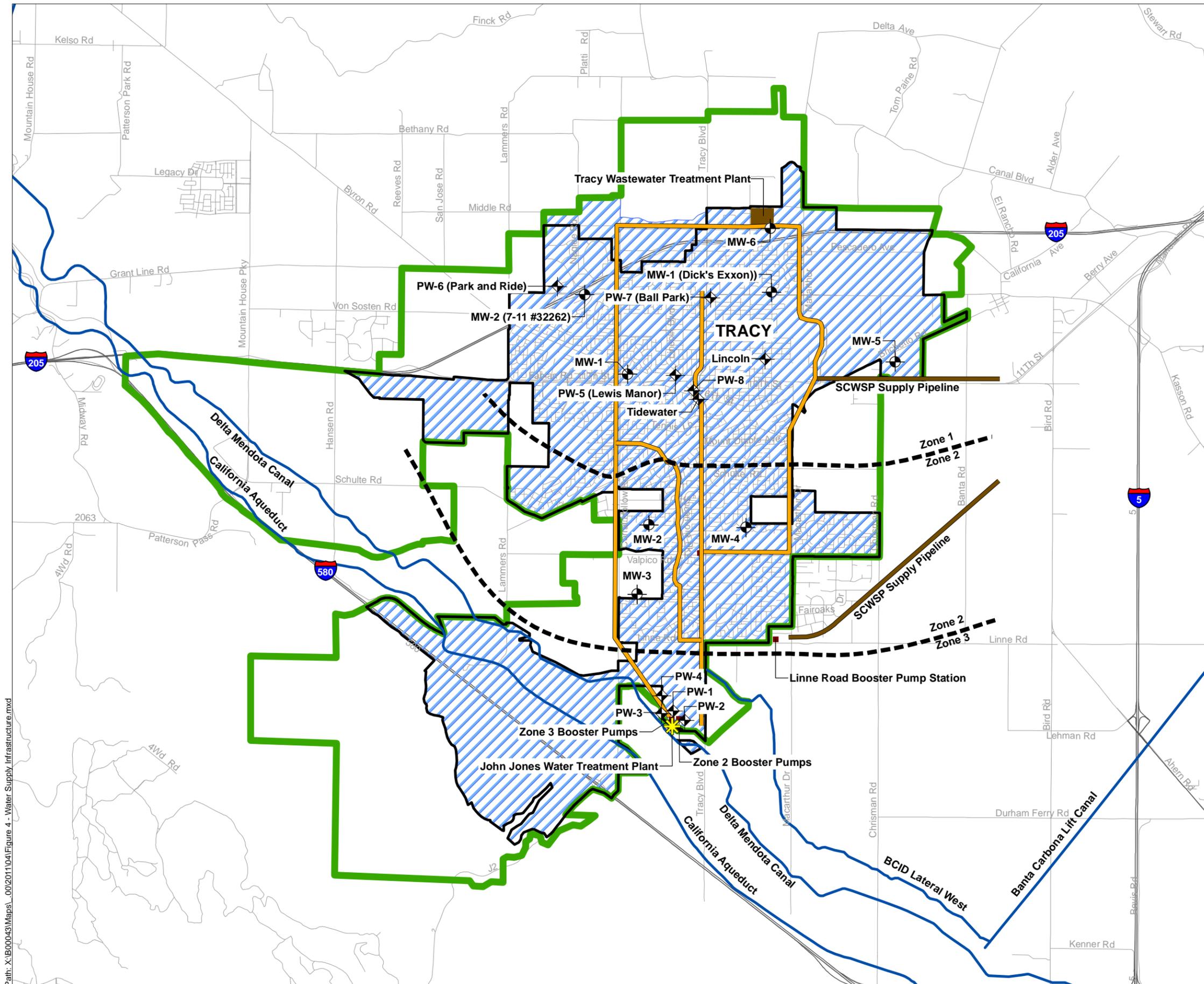
**Erler & Kalinowski, Inc.**

Planning Areas in Tracy

**DRAFT**  
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City of Tracy  
Tracy, CA  
April 2011  
EKI B00043.00  
Figure 3

Path: X:\B00043\Maps\00201104\Figure 3 - Planning Areas in Tracy.mxd



- Legend**
- Extraction Well
  - Monitoring Well
  - Booster Pump Station
  - John Jones Water Treatment Plant
  - City Limit
  - Sphere of Influence
  - Wastewater Treatment Plant
  - Water Service Area Boundary
  - Existing Distribution Mains
  - SCWSP Supply Pipeline/Transmission Main
  - Pressure Zone Line
  - Streets and Highways
  - Canal

- Abbreviations**
- MW = Monitoring Well
  - PW = Extraction (Pumping) Well
  - SCWSP = South County Water Supply Project

- Notes**
1. All Locations are approximate.
  2. Figure adapted from figure provided by GEI Consultants.
  3. Service area boundary is the same from the baseline period through current.

**Erler & Kalinowski, Inc.**

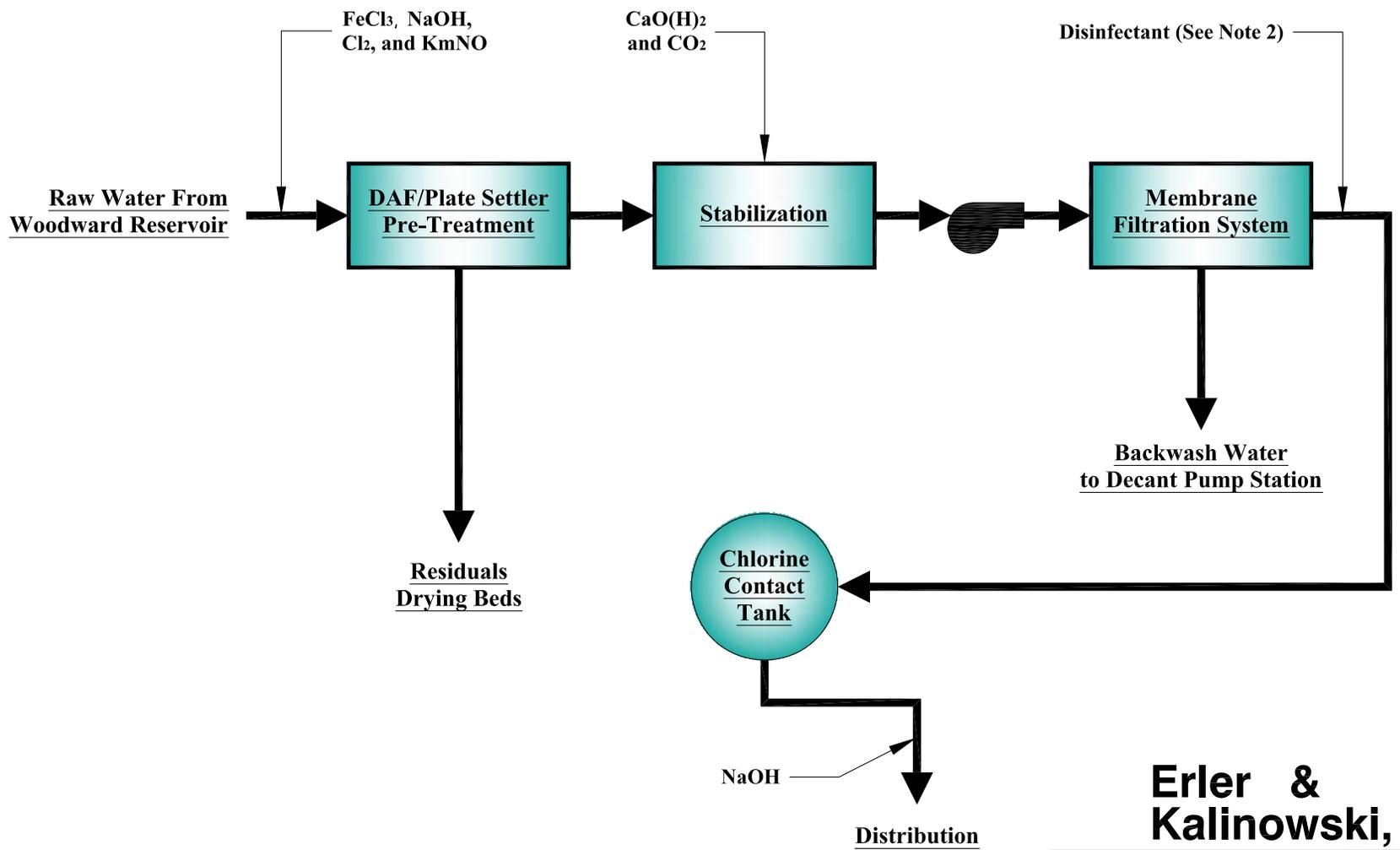
Water Supply Infrastructure

**DRAFT**  
Privileged & Confidential

City of Tracy  
Tracy, CA  
April 2011  
EKI B00043.00  
**Figure 4**

Path: X:\B00043\Maps\00201104\Figure 4 - Water Supply Infrastructure.mxd

20110407.14570047.G:\B00043.00\04-2011\Figure 5 - Process-schematic.dwg Model



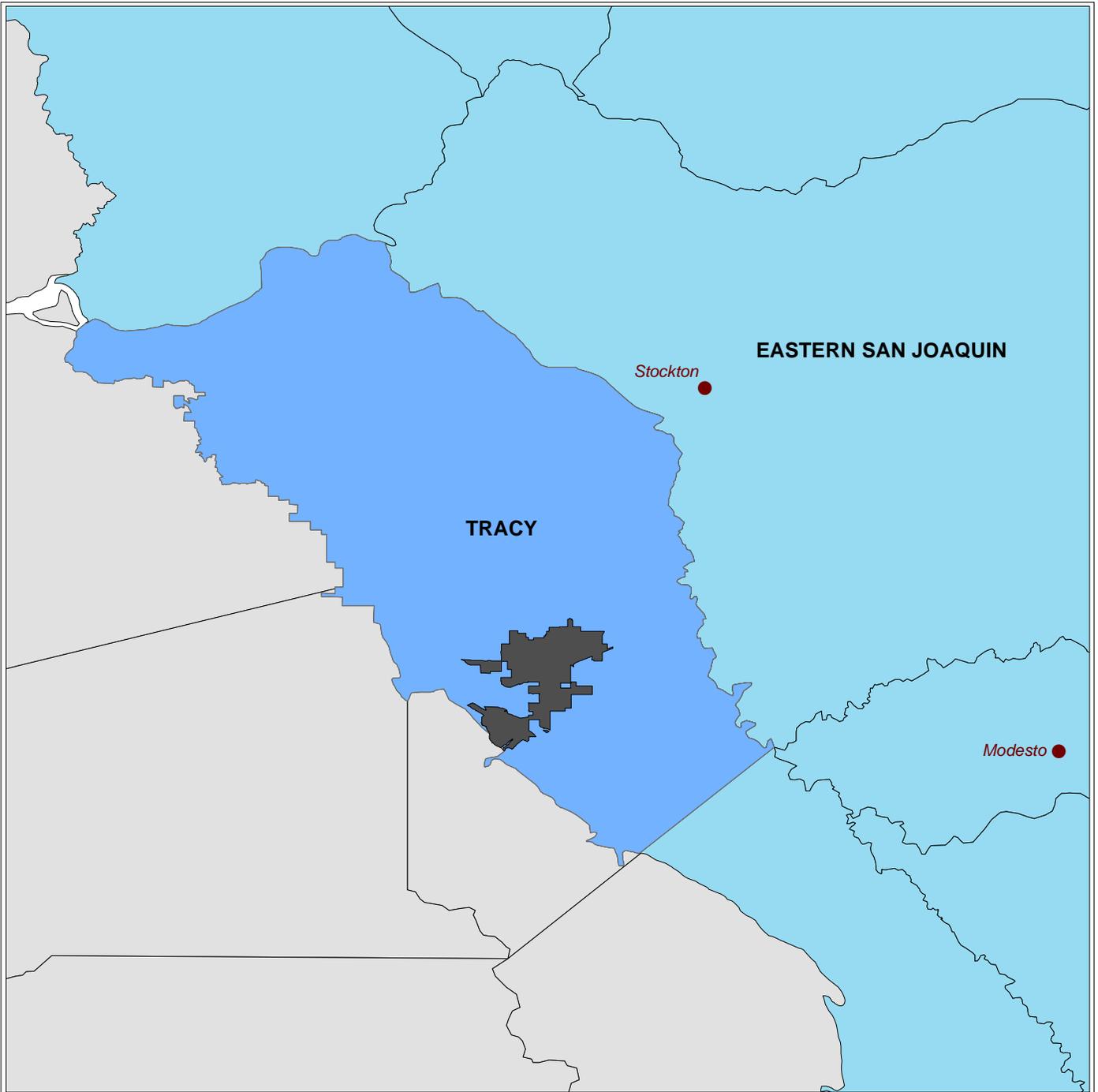
**Notes:**

- 1. Figure adapted from Black & Veatch, 2002.
- 2. Chlorine or chloramines are added depending on operating parameters.

**Erler & Kalinowski, Inc.**  
Process Schematic of  
Nick C. DeGroot Water Treatment Plant

**DRAFT**  
Privileged & Confidential

City of Tracy  
Tracy, CA  
April 2011  
EKI B00043.00  
Figure 5



Path: X:\B00043\Maps\...002011\04\Figure 6 - Tracy Sub-Basin.mxd

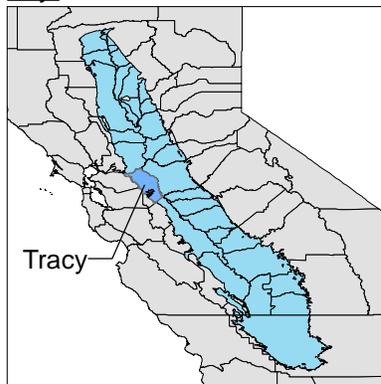
**Legend**

- Tracy Sub-Basin
- San Joaquin/Sacramento Groundwater Basin
- City of Tracy



(Approximate Scale in Miles)

**Key:**



**Erler & Kalinowski, Inc.**

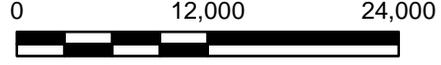
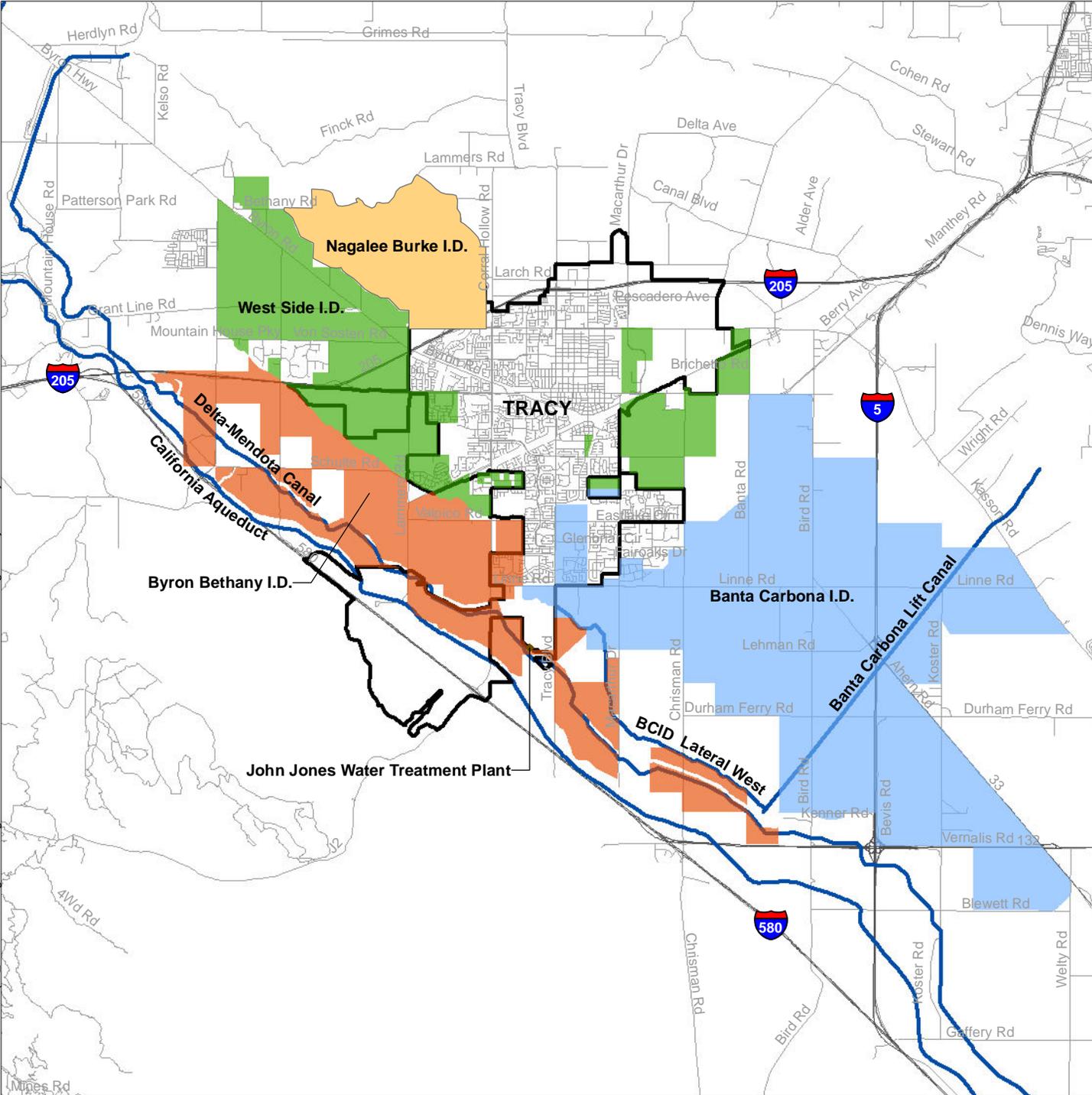
Tracy Sub-Basin

City of Tracy  
Tracy, CA  
April 2011

**DRAFT**  
Privileged & Confidential

EKI B00043.00  
**Figure 6**

Path: X:\B00043\Maps\...00\2011\04\Figure 7 - Irrigation Districts and Water Districts Surrounding the City of Tracy.mxd



(Approximate Scale in Feet)

**Legend**

-  City Limit
-  Streets and Highways
-  Canal

**Notes**

1. All locations are approximate.
2. Irrigation district boundary source: California Department of Water Resources.

**Erler &  
Kalinowski, Inc.**

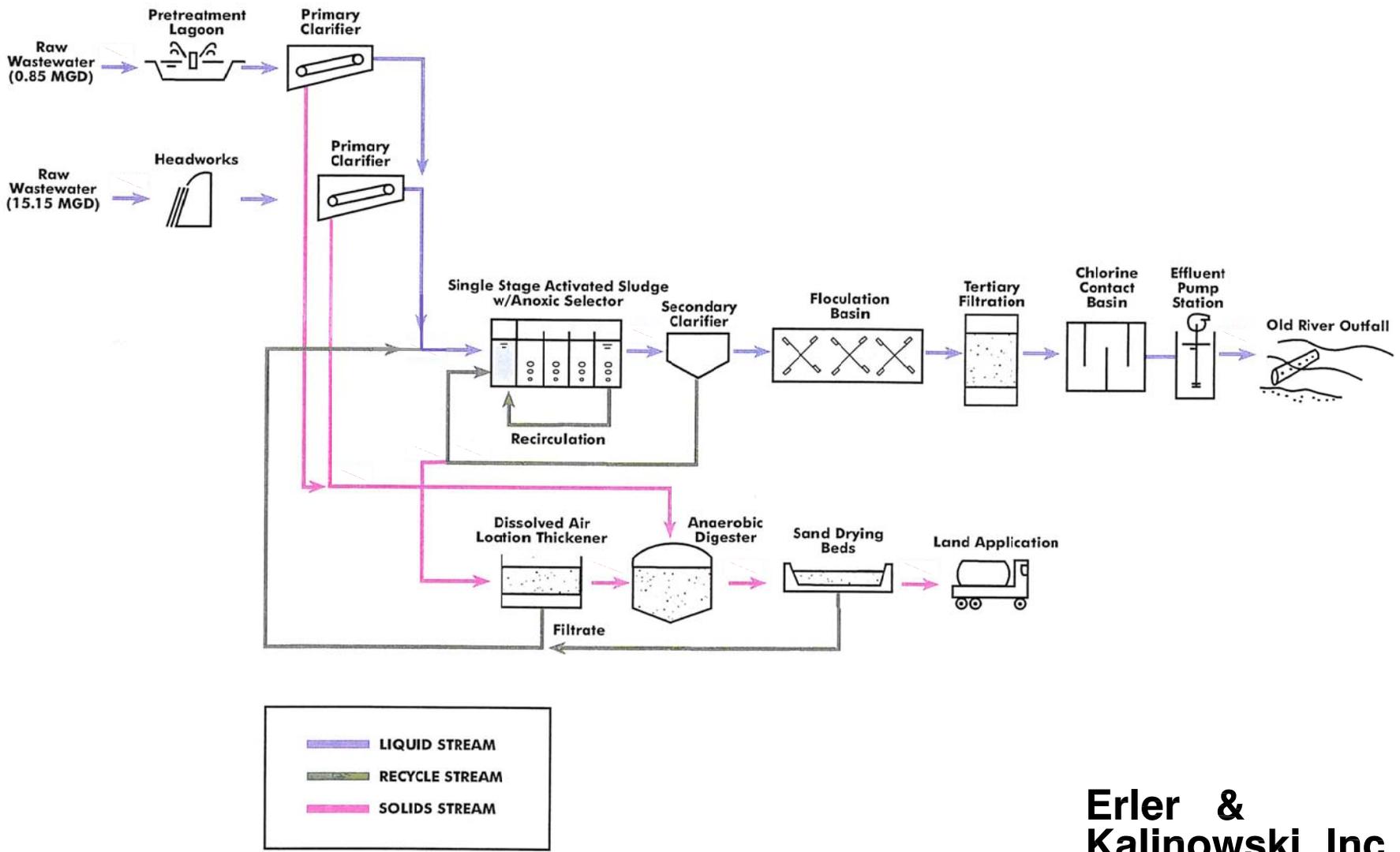
Irrigation Districts and Water Districts Surrounding the City of Tracy

City of Tracy  
Tracy, CA  
April 2011

**DRAFT** EK1 B00043.00  
Privileged & Confidential Figure 7

20110407.14586651 G:\B00043.00\04-2011\Figure 8 - Expanded WWTP.dwg Layout1

LIQUID PROCESSES  
INDUSTRIAL  
DOMESTIC  
COMBINED  
SOLID HANDLING



**Erler & Kalinowski, Inc.**  
 Wastewater Treatment Plant  
 Flow Diagram

**Notes:**

1. Source: Figure 5-17.fh10, City of Tracy Facilities by CH2MHILL January 2003.

**DRAFT**  
 Privileged & Confidential

City of Tracy  
 Tracy, CA  
 April 2011  
 EKI B00043.00  
 Figure 8

RESOLUTION \_\_\_\_\_

APPROVING THE URBAN WATER MANAGEMENT PLAN UPDATE

WHEREAS, Legislation approved in 2009 requires the State to reduce urban per capita water use by 20 percent by 2020, and

WHEREAS, The City's 10-year Base Daily Water use, 1995 -2004 is 227 gallons per capita per day; the 2020 conservation target is 20% less or 182 gallons per capita per day, and

WHEREAS, It is anticipated that the future use of recycled water will assist in attaining this conservation goal, and

WHEREAS, The City has a diverse and reliable portfolio of water supplies that should ensure adequate, high quality water to City customers;

NOW, THEREFORE BE IT RESOLVED That the City Council adopts the Urban Water Management Plan.

\* \* \* \* \*

The foregoing Resolution \_\_\_\_\_ was passed and adopted by the Tracy City Council on the 17th day of May, 2011, by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

AGENDA ITEM 5

REQUEST

**APPROVAL OF WAYFINDING SIGN SYSTEM PHASING PLAN AND AUTHORIZE STAFF TO PREPARE BID DOCUMENTS FOR PHASE 1**

EXECUTIVE SUMMARY

Frazier Associates (the "Consultant") is roughly 90% complete with the construction intent documents for the wayfinding sign system (the "System") and has been able to solicit preliminary estimates for the cost of the System. The cost of the System in its entirety exceeds the amount of money appropriated under the associated CIP project; therefore, staff is recommending approval of a phasing plan and requests direction to proceed with phase 1.

DISCUSSION

The City Council appropriated \$75,000 for design of a wayfinding sign system (the "System") in the Fiscal Year 09-10 Adopted Budget. On January 19, 2010 a professional services agreement with the Consultant was approved by the City Council. The goal of the project is to provide both vehicular and pedestrian (where appropriate) signage that will direct the public to regional serving public and private facilities including regional serving retail centers. An appropriation of \$360,000 has been approved as a CIP project for the fabrication and installation of the System.

On June 1, 2010 the City Council selected a design option for the System and directed staff to determine cost estimates associated with the fabrication and installation of the System. In order to determine the cost estimate, the number of signs by type and location were determined by the Consultant with input from staff. The preliminary estimated cost for the entire System is an approximate range of \$821,453 - \$1,076,923. The CIP budget for this project is only \$360,000; therefore, staff is recommending a phasing plan with the cost of phase 1 not to exceed the currently budgeted CIP amount.

The following table represents sign categories that are part of the System along with estimated cost ranges:

<b>SIGN CATEGORY</b>	<b>DESCRIPTION</b>	<b>PRICE RANGE</b>
Trailblazer Signs	See Exhibit A	\$215,000 - \$316,000
Cal Trans Signs	See Exhibit A	\$ 16,000 - \$ 24,000*
Primary Gateway Signs	See Exhibit A	\$180,480 - \$233,392 (1)
Secondary Gateway Signs	See Exhibit A	\$ 8,694 - \$ 9,340 (1)
Water Tower Signs	See Exhibit B	\$30,000-70,000 (2)
Downtown Kiosks	See Exhibit A	\$184,299 (6)
Downtown Banners	See Exhibit A	\$ 6,500 (20-25)
	<b>TOTAL</b>	<b>\$821,453 - \$1,076,923</b>

\* Doesn't include over the freeway sign

In terms of number of signs and signs that facilitate the main goal of the project, directing the public to regional public and private facilities, the Trailblazer Signs are the most important component of the System. The high range for this component of the System is less than the CIP amount budgeted for this project.

City staff is working with Cal Trans staff to determine, which (if any), of the Cal Trans Signs will be replaced at Cal Trans' expense. The estimated price range for the Cal Trans Signs are estimates provided by Cal Trans if the City were to pay in the entirety for all of the Cal Trans Signs. The Cal Trans Signs are important particularly for those not familiar with Tracy. Traffic counts for I-205 show 110,000 annual daily trips. Many of these commuters are from areas other than Tracy. Freeway signage that helps commuters access, and encourage spending external dollars within, Tracy is an important component to attaining project objectives.

The System proposes two Primary Gateway Signs located off I-205 that will be visible as commuters are driving on the Freeway (Signs G1 and G2 as shown on the attached Exhibit C). These signs serve much of the function as the Cal Trans Signs, helping commuters understand the limits of Tracy which may encourage external investment. However, unlike the Cal Trans Signs, these signs can be personalized to elicit an emotional connection and positively influence the perception of Tracy. The Primary Gateway Signs will communicate that all exits located between the two signs on I-205 are located within the City of Tracy; thereby welcoming commuters into Tracy. The cost estimate provided for the Primary Gateway Signs includes the design and construction for both signs, but does not include land acquisition costs or costs associated with bringing utilities to the sites. Also because the unique art piece has not yet been selected there may be some additional costs associated with this component of the project. Art mediums discussed for the art piece have been limited to a sculpture or stained glass and incorporating a literal interpretation of the City's logo.

The System also proposes two Secondary Gateway Signs; one located on 11<sup>th</sup> Street just at the City's eastern limit to the east of Chrisman Road (Sign G3 as shown on the attached Exhibit C). This sign has been incorporated as part of the Mac Arthur Drive overpass bridge project and is oriented toward commuters entering Tracy that are traveling southbound on I-205 and exit 11<sup>th</sup> Street. The other Secondary Gateway Sign is located near the intersection of Corral Hollow Road and Linne Road and is oriented toward commuters that are entering Tracy off I-580 at the Corral Hollow Road exit (Sign G4 as shown on the attached Exhibit C). The cost estimate provided for this component of the System is based on fabrication and installation of Sign G4 only, as Sign G3 has been incorporated as part of the Mac Arthur Drive overpass project and funded separately.

Painting the two water towers are additional signage opportunities that can be incorporated into the System. Water towers have become iconic landmarks in many communities; some are ornamental with special decorations, such as the one in Gaffney, South Carolina, which resembles a peach. Others display noteworthy town accomplishments, such as winning a sports championship or being the "home of" someone or something famous. Water towers often have their city or town names painted on them. This simple gesture can help travelers know exactly where they are located and can help elicit an emotional connection with the town.

The System also proposes Downtown Kiosks and Banners. Downtown revitalization and investment has been a priority for this community for many years. Providing a means to help visitors navigate their way to downtown was a key catalyst for moving the design of the System forward. An effective way to help downtown stand out as a unique shopping and dining environment is to add kiosks to the downtown. It is envisioned that once fully implemented, the System will contain 6, three-sided kiosks. One side will be dedicated as a directory, one side to historic photos of downtown, and the third side will be dedicated to the Tracy City Center Association (the "TCCA") to program and market their events. Each kiosk will contain 3 independent touch-screens and computers for easy updating.

Banners will also provide a special detail to downtown and provide a branding opportunity for the TCCA. Staff will work with the TCCA to ensure that all banner opportunities are coordinated. Finally, the use of banners at the intersection of 11<sup>th</sup> Street and Central Avenue can be strategically placed to act as a sort of gateway into downtown. The combined elements of kiosks and banners will help to define downtown as a retail district.

Without the Trailblazer signs the System lacks a skeleton and is not functional; therefore, staff is recommending that Phase I include the Trailblazer signs. The estimate for this component of the System is \$215,000 - \$316,000, below the \$360,000 available under the existing CIP budget. If the Trailblazer signs come in at the low end then \$145,000 is available for additional signage, if the Trailblazer signs come in at the high end then \$44,000 is available for additional signage.

Staff prioritizes the remaining System components in the following order:

1. Cal Trans Signs
2. Secondary Gateway Sign
3. Water Tower Signs
4. Downtown Kiosks
5. Downtown Banners
6. Primary Gateway Signs

The rationale for ranking the Cal Trans Signs as the next highest priority is because in some ways they serve the same purpose as the Primary Gateway Signs and are significantly less expensive. Staff is still working with Cal Trans to see if they will pay for any of the proposed Cal Trans Signs. The Secondary Gateway Sign is next in order of priority because it is a relatively inexpensive sign and it will provide a welcome sign for visitors exiting I-580. Also as a result of the other Secondary Gateway Sign being incorporated into the Mac Arthur Drive overpass bridge project, only one other Secondary Gateway sign is needed to complete this component of the System. The Water Tower Signs were selected as the next highest priority due to their high visibility relative to their cost. They will also serve as iconic landmark signs. This item can also be partitioned to incorporate only one Water Tower Sign initially, with the second Water Tower Sign completed at some point in the future. The Downtown Kiosks and Downtown Banners may be eligible for Community Development Block Grant (CDBG) funds and therefore have been made a lesser priority. Finally, the Primary Gateway Signs have been listed as the last priority because they are very expensive and have additional land acquisition and utility costs that will complicate the effort.

If Council is in agreement with the recommended listing of priorities, one approach is to move forward with the Trailblazer Signs by preparing bid documents and then soliciting bids. The balance of the CIP budget would then be used in order of priority until there is not enough money to complete the next component. If there is not enough money to complete the next component but there is enough money to complete the component that is next on the list, then staff would pursue that item so that as many of the components can be implemented within the existing \$360,000 budgeted (collectively, "Option 1"). Any items that do not get implemented will have to compete for CIP funding during future years.

Another option available to Council is to augment the existing \$360,000 budget with Residential Specific Plan (RSP) funds to complete the System (or desired components of the System) ("Option 2").

A final alternative available to Council is to not move forward with the fabrication and installation of any components of the System and the project will have to compete for CIP funding in future years ("Option 3").

#### STRATEGIC PLAN:

This agenda item supports three of the strategic plans; Economic Development, Communications & Marketing, and Transportation and Mobility. This agenda item specifically implements the following goals and objectives:

#### **ECONOMIC DEVELOPMENT**

**Goal 1:** Increase the employment opportunities and sales tax base in Tracy.

**Objective 1d:** Evaluate the sign ordinance and identify opportunities and constraints related to retail development.

#### **COMMUNICATIONS AND MARKETING**

**Goal 2:** Provide the community of Tracy with basic and extended services that offer opportunities for individuals, families and businesses to prosper as they live, work and play in Tracy.

**Objective 2a:** Continue to build brand awareness.

**Objective 2c:** Promote the business viability for existing and new business.

**Objective 2e:** Promote the high "quality of life" attributes and recreation opportunities of the City.

#### **TRANSPORTATION AND MOBILITY**

**Goal 4:** Ensure transportation infrastructure is available and meets the needs of the community.

**Objective 4c:** Engage community relative to transportation / mobility needs. Coordinate with other outreach/civic engagement efforts (Marketing and Public Safety Teams).

FISCAL IMPACT

The cost of Phase 1 is less than the \$360,000 previously approved CIP project and the funds were previously appropriated in the Fiscal Year 10-11 Adopted Budget for this purpose.

RECOMMENDATION

It is recommended that the City Council proceed with Option 1; approve the Way Finding Sign System Phasing Plan and authorize staff to prepare bid documents for Phase 1 and incorporate as many components of the System as possible within the \$360,000 approved CIP budget based on priority and availability of funds to complete each component.

Reviewed by: Ursula Luna-Reynosa, Economic Development Director

Approved by: Leon Churchill, Jr., City Manager

Attachments: Resolution  
Exhibit A – Tracy Way Finding Sign System Components  
Exhibit B – Water Tower Concept  
Exhibit C - Tracy Way Finding Sign System Location Map

RESOLUTION \_\_\_\_\_

APPROVAL OF WAYFINDING SIGN SYSTEM PHASING PLAN AND AUTHORIZE STAFF TO PREPARE BID DOCUMENTS FOR PHASE 1

WHEREAS, the City of Tracy, appropriated \$435,000 toward a CIP project for a wayfinding sign system (the "System") in the Fiscal Year 09-10 Adopted Budget, and

WHEREAS, on January 19, 2010 a professional services agreement with Frazier Associates (the "Consultant") was approved by the City Council in an amount not to exceed \$75,000 for design of the System, and

WHEREAS, the Consultant is 90% complete with the construction intent documents and has provided preliminary cost estimates associated with the fabrication and installation of the System, and

WHEREAS, the preliminary estimated cost for the entire System is an approximate range of \$821,453 - \$1,076,923, as listed below:

<b>SIGN CATEGORY</b>	<b>PRICE RANGE</b>
Trailblazer Signs	\$215,000 - \$316,000
Cal Trans Signs	\$ 16,000 - \$ 24,000*
Primary Gateway Signs	\$180,480 - \$233,392 (1)
Secondary Gateway Signs	\$ 8,694 - \$ 9,340 (1)
Water Tower Signs	\$30,000-70,000 (2)
Downtown Kiosks	\$184,299 (6)
Downtown Banners	\$ 6,500 (20-25)
<b>TOTAL</b>	<b>\$821,453 - \$1,076,923</b>

\* Doesn't include over the freeway sign, and

WHEREAS, the components of the System are prioritized in the following order:

1. Trailblazer Signs
2. Cal Trans Signs
3. Water Tower Signs
4. Downtown Kiosks
5. Downtown Banners
6. Primary Gateway Signs, and

WHEREAS, the remaining CIP budget is only \$360,000.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tracy does hereby authorize staff to prepare bid documents for the Trailblazer Signs and incorporate as many components of the System as possible within the remaining \$360,000 approved CIP budget based on priority and availability of funds to complete each component.

\* \* \* \* \*

Resolution \_\_\_\_\_

Page 2

The foregoing Resolution \_\_\_\_\_ was adopted by the Tracy City Council on the 17<sup>th</sup> day of May 2011 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

---

MAYOR

ATTEST:

---

CITY CLERK



G  
1 PRIMARY GATEWAY SIGN  
MONUMENT STRUCTURE

G  
2 SECONDARY GATEWAY SIGN  
MONUMENT STRUCTURE

B  
1 BANNER PROTO-TYPE  
ELEVENTH STREET

B  
2 BANNER PROTO-TYPE  
DOWNTOWN



K  
1 DOWNTOWN KIOSK

T  
1 TRAILBLAZER A  
POST AND PANEL SIGN

T  
2 TRAILBLAZER B  
POST AND PANEL SIGN

PD  
1 PARKING DIRECTIONAL  
TRAILBLAZER "A" SIGN

PD  
2 PARKING DIRECTIONAL  
TRAILBLAZER "B" SIGN

PD  
3 PARKING DIRECTIONAL  
STAND-ALONE SIGN



FRAZIER ASSOCIATES

ARCHITECTURE • COMMUNITY DESIGN • WAYFINDING  
213 NORTH AUGUSTA STREET, STAUNTON, VA 24401  
PHONE 540.886.6230 FAX 540.886.8629  
www.frazierassociates.com

TRACY WAYFINDING SIGN SYSTEM

TRACY, CALIFORNIA

REVISIONS

DATE	DESCRIPTION
------	-------------

**PROGRESS PRINT**

NOT FOR CONSTRUCTION

DATE: DECEMBER 2010

PROJECT NUMBER: 2009.0084 SCALE: AS SHOWN

PROJECT MANAGER: S. HANGER CHECKED BY:

DRAWN BY: S. HANGER DATE: 10/29/10

DRAWING TITLE:  
GENERAL WAYFINDING  
SIGN SYSTEM

WS1.1



Original sign message before road construction began.



Existing sign message.

#1  
Caltrans



Preferred sign message to replace the current over-head sign located before exit 458B on Interstate 5 West.

The original sign at this location was removed during road construction. It directed motorist to Tracy via Interstate 205; but after road construction was complete, the sign was replaced with the current sign that directs motorists to San Francisco via I-205.

ISSUE: Motorist are directed to Tracy via I-5 South which gives motorist one exit to enter Tracy (Eleventh Street), and this exit brings them through the industrial/commercial corridor into Tracy.

RECOMMENDATION: Update or replace the current sign to include Tracy. The City of Tracy prefers motorists to be directed to enter Tracy via exits off I-205.

#4  
Caltrans



Preferred sign message to replace the above sign located on I-580 North.

Currently the sign at this location directs motorists to use the Chrisman Road exit into Tracy via I-580 North.

ISSUE: It requires motorist to drive long distances through a rural area and then enter Tracy through an industrial corridor.

RECOMMENDATION: Replace the existing sign with a new sign informing motorists the next 3 exits are for Tracy.

#2  
Caltrans



Preferred sign message I-205 West.

#3  
Caltrans

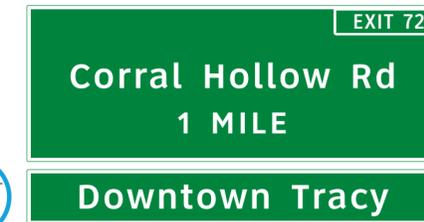


Preferred sign message I-205 East.



Existing sign message on I-205.

#5  
Caltrans



Preferred additions to above signs message I-580 North.



Existing sign messages on I-580 North.



NOTE:

SEE WS5.2, SIGN LOCATION MAP: FOR INTERSTATES 5, 205, AND 580 SIGN RECOMMENDATION LOCATIONS.



FRAZIER ASSOCIATES

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TRACY WAYFINDING SIGN SYSTEM

TRACY, CALIFORNIA

REVISIONS

DATE	DESCRIPTION
------	-------------

**PROGRESS PRINT**

NOT FOR CONSTRUCTION

DATE: DECEMBER 2010

PROJECT NUMBER: 2009.0084	SCALE: AS SHOWN
------------------------------	--------------------

PROJECT MANAGER: S. HANGER	CHECKED BY:
-------------------------------	-------------

DRAWN BY: S. HANGER	DATE: 10/29/10
------------------------	-------------------

DRAWING TITLE:  
INTERSTATE SIGN RECOMMENDATIONS

WS1.2

# EXHIBIT B



# EXHIBIT C



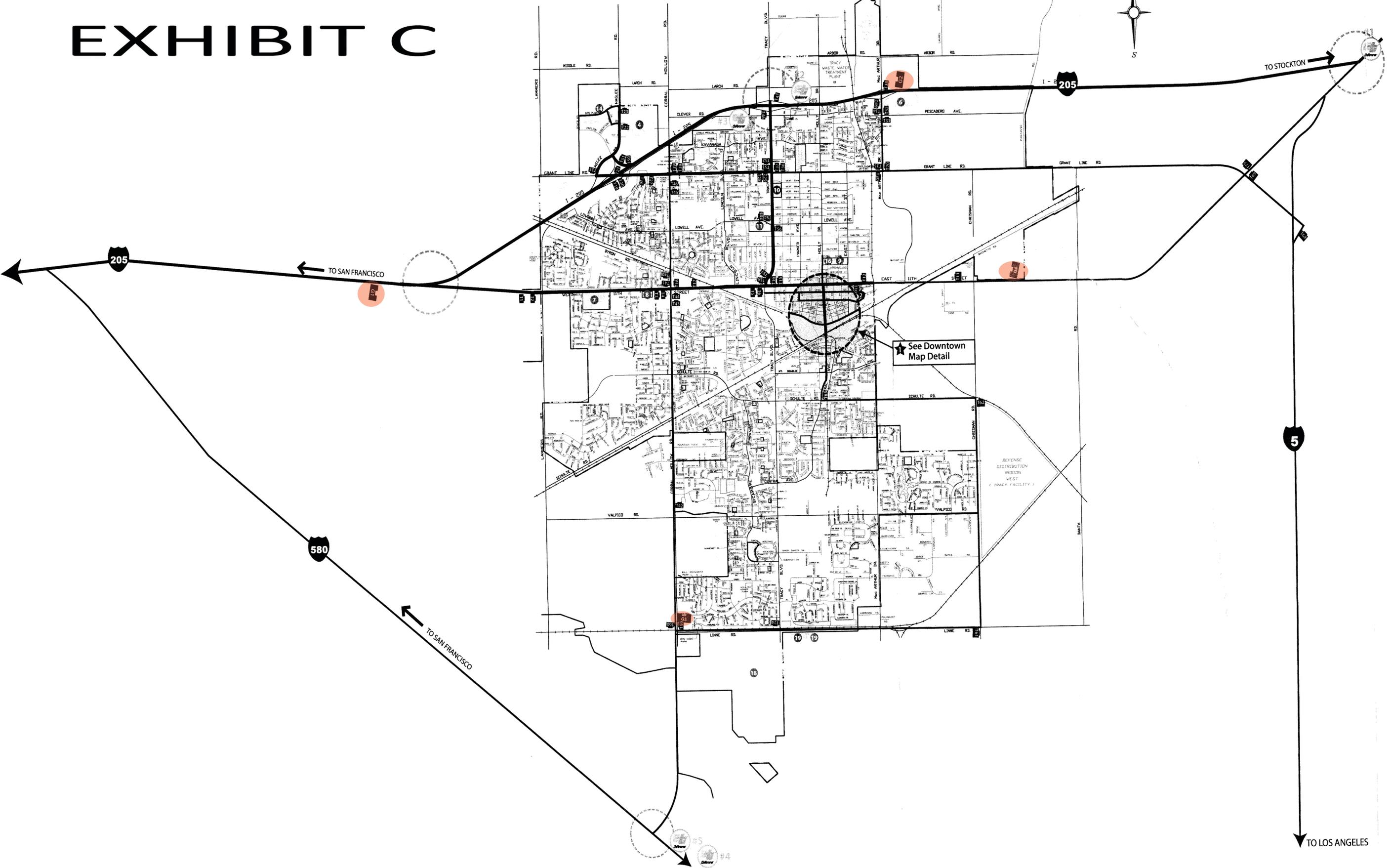
## TRACY CALIFORNIA

### LEGEND:

- KEY DECISION NODE
- PRIMARY GATEWAY SIGN
- SECONDARY GATEWAY SIGN
- HISTORIC DOWNTOWN GATEWAY SIGN
- RECOMMENDED INTERSTATE SIGNS
- LARGE TRAILBLAZER SIGNS
- LARGE TRAILBLAZER SIGNS LOCATED OUTSIDE CITY LIMITS
- SMALL TRAILBLAZER SIGNS
- PRIMARY ROUTES
- SECONDARY ROUTES
- CITY OF TRACY
- DOWNTOWN

### DESTINATIONS:

- PRIMARY DESTINATIONS:
  1. DOWNTOWN
  2. CIVIC CENTER
  3. GRAND THEATRE
- PROXIMITY DESTINATIONS:
  4. WEST VALLEY MALL
  5. TRANSIT STATION
  6. TRACY OUTLETS
  7. SPORTS COMPLEX
  8. PLASENCIA FIELDS
  9. LINCOLN PARK
  10. TRACY BALL PARK
  11. DR POWERS PARK
  12. HISTORICAL MUSEUM
  13. CHAMBER OF COMMERCE
  14. DMV
  15. POST OFFICE
  16. LIBRARY
  17. AUTO MALL
  18. AIRPORT
  19. WINERIES
- FUTURE DESTINATIONS:
  20. HIGHER ED. CONSORTIUMS
  21. AQUATIC PARK
  22. HOLLY SUGAR



TO LOS ANGELES

TO LOS ANGELES

TO SAN FRANCISCO

TO SAN FRANCISCO

TO STOCKTON

See Downtown Map Detail

AGENDA ITEM 6

REQUEST

**ACCEPT REPORT ON THE CITY MANAGER'S WORKFORCE READINESS INITIATIVE**

EXECUTIVE SUMMARY

The Workforce Readiness Initiative prepares the organization for the "brain drain" potential resulting from future retirements, while developing a pool of talent within the organization to be better prepared for future organizational skill-set needs. This initiative is internally focused with the intent that it will have improved external impacts in maintaining quality service delivery.

The Workforce Readiness Initiative supports the Council's strategic focus on organizational efficiency by anticipating future retirements, moving beyond position replacement to developing the next generation of leaders within the organization and helping create a culture of learning and talent development, which are key to enhancing the organizational capacity in the face of declining resources.

This staff report provides a presentation on three elements of the Workforce Readiness Initiative in order to provide Council with an understanding of the intent, the findings, and the plan to address future retirements and talent gaps within the organization. The staff report focuses on presenting the: (1) results of the Tracy's workforce analysis; (2) results of the retirement survey; (3) results of an assessment tool "Developing Our Organization's Talent", and (4) the goals and plan for the City's Leadership Development Team.

DISCUSSION

Over the last several years, City staff has addressed the City's structural budget deficit by utilizing five workforce reduction principals which consisted of (1) reducing complexity and consolidating similar services where possible, (2) de-layering of management and supervision levels, (3) increasing span of control for all levels in the organization, (4) automating routine and back office functions where viable, and (5) contracting out where feasible. This effort resulted in spending cuts of over \$5 million dollars, eliminating 16% of the workforce. The \$5 million dollar reduction in expenditures included employee concessions equal to \$3 million dollars, one-half million of which came from top management. In addition to these expenditure reductions, revenue increase efforts resulted in the successful passage of Measure E, the one-half cent sales tax approved by voters in November, 2010, resulting in an estimated increase in revenue of \$4.6 million per year.

On February 15, 2011, during the budget workshop, the five-year budget and fiscal projection highlighted two key factors that contribute to increased expenses for the current level of service. These factors include the (1) increase in PERS Employer rate over the next 3 years from 24% to 27.2% in public safety and 11.6% to 13.8% for all other employees, and (2) provisions in current labor contracts, which include an increase in health insurance costs, step increases, and educational and training incentives.

Six strategies on how to address the ongoing budget challenges were also presented during February's budget workshop. The variety of options that contribute to the ultimate solution to long-term and sustainable fiscal health will include some, all, or a combination of (1) new labor contracts; (2) contracting out services; (3) continuation of the City's organizational restructure; (4) reprioritization of existing expenditures; (5) elimination or reduction in non-essential services, and (6) an improved economy that could demonstrate a modest growth in revenues over the next five years.

The Council also modified two of the thirteen budget principles to address the City's structural budget deficit, giving consideration to the recent contributing factors outlined above that impact the City's five-year plan to address the structural budget deficit. One budget principal modification extended the requirement to present a "balanced budget" by the end FY 12/13 to FY 14/15, allowing for a smoother transition without significant interruption of desired services. In conjunction with this change the existing 15% reserve level was increased to 25%. Finally, an additional budget principle was added which requires staff to bring, with any future funding appropriation or augmentation request, a corresponding budget reduction in another area for a cost neutral proposition.

The strategies and actions outlined above taken over the last several years puts the City in a position to simultaneously now focus on the future of the existing workforce. The City Manager's Workforce Readiness Initiative purposefully positions the City to prepare for anticipated retirements and address any potential talent gap within the organization. In order to ensure services continue to be offered without disruption or decline in quality now and in the future, it is critical to prepare for the potential loss of institutional knowledge and transfer it to the next generation of professionals within the City organization.

To this end, the Workforce Readiness Initiative supports the Council's strategic focus on organizational efficiency by anticipating future retirements, moving beyond position replacement to developing the next generation of leaders within the organization and helping create a culture of learning and talent development, which are key to enhancing the organizational capacity in the face of declining resources.

The staff report focuses on key elements of the Workforce Readiness Initiative and presents the (1) results of the Tracy's workforce analysis, (2) results of the retirement survey, (3) results of an assessment tool "Developing Our Organization's Talent", and (4) the goals and plan for the City's Leadership Development Team.

#### TRACY'S WORKFORCE ANALYSIS:

An analysis of Tracy's workforce revealed that the current employees' average age is 46, with a total average of 11 years of service. Each department was examined and a comparison of retirement eligibility by department in 2011 and in 2016 revealed that three departments are particularly vulnerable. For example, when assessing the potential for retirement of all employees within the Development and Engineering Services (DES) Department, 48% of the total DES employees are age and service eligible in 2011. That figure jumps to 60% in 2016. In the Public Works department, 46% of the employees are retirement eligible in 2016 vs. only 27% in 2011. This information is important to know because both of these departments have pivotal or high-leverage positions that may be difficult to fill, like utility managers, operators or

engineering professionals. Knowing this potential vulnerability can help the City better prepare for any future talent gap in these areas.

#### RETIREMENT SURVEY:

After the workforce analysis was completed, a retirement survey for the organization was administered by Data Cycles. Three primary objectives were identified when administering the retirement survey: (1) estimate the impact of retirement wave changes within the organization, (2) assess interest in early retirement options, and (3) seek advice from employees to help the City optimize business continuity through the retirement wave. This information will help the City organization fine tune any organizational structure changes going forward.

There was good participation by employees with 70% of the workforce responding to the retirement survey. Key findings are as follows: When assessing the overall engagement of the existing employees, over 80% stated they would recommend their department as an employer to a friend who was currently seeking employment. The survey also revealed that one in four employees plan to retire in the next 5 years. When asked whether they would be interested in an early retirement option, 60 employees said yes or maybe, which is 78% of the total respondents who are eligible to retire within the next two years. An additional question was asked regarding which potential window of time they would be interested in and, almost half, 45% of employees stated that August-October of 2012, 25% stated October-December of 2011, and 16% stated March-May of 2012.

The survey also assessed the potential disruption of these retirements by department and Finance, Development and Engineering Services, and Public Works will be the most impacted. A subsequent question was asked to assess whether employees felt there were any employees in their division prepared to advance and whether their managers thought they were well prepared. Sixty one percent of employees thought they were well prepared or totally prepared to advance. When asked whether they thought their managers thought they were well prepared, 49% thought their managers felt they were well prepared or totally prepared.

Several risk factors were identified in the survey that should be considered. These included the length of time it would take to transition job duties, with 29% of employees stating it would take 9 to 12 months. When asked how well the critical tasks of the job were documented, 58% thought they were very well or mostly documented, and 32% stated they were somewhat documented and 10% stating they were poorly or not at all documented.

When asked what barriers they saw to career development within the organization, 37% stated they were too busy and did not have enough time, 23% stated the event schedule was inconvenient, 21% stated their supervisor did not authorize participation, and 18% stated other reasons. Finally, when asked how Tracy as an organization could help employees advance within the organization, seven key themes emerged:

- Focus on succession planning;
- Offer job rotation and cross-training opportunities;
- Training courses and seminars (i.e. manager skills and leadership training; providing funding and time to participate);

- Publicize training and advancement opportunities;
- Give high priority to internal promotions;
- Reimburse more of tuition expenses, and
- Mentor and coach for success

In summary, there are approximately 60 employees throughout the organization interested and eligible to retire over the next couple of years, half of which are interested in doing so by the end of 2011. City management will now need to assess whether those positions are “pivotal” or “high-leveraged” positions, which can be eliminated and/or whether there will be a significant “talent” challenge for those that may require replacements. The three vulnerable departments are Finance, Development and Engineering and Public Works. Although only 10% responded stating critical tasks were poorly or not at all documented, special attention will be placed on ensuring critical tasks are well documented in the appropriate divisions in order to capture the institutional knowledge prior to retirements. The fact that 80% of the employees who responded would recommend the City as an employer of choice is a good sign that the employees are committed to and satisfied with this organization. The various recommendations offered by employees via this survey regarding how the City can intentionally assist with talent development opportunities will be considered and evaluated by the Leadership Development Team.

#### ASSESSMENT TOOL “DEVELOPING OUR ORGANIZATION’S TALENT”:

An internal development assessment tool was administered to the Department Heads and Mid-Managers to obtain base line data on their assessment of the “**Organizational**” efforts in preparing the next generation of leaders in and across all departments. The first ten questions were designed to hear their assessment of how the City, as an organization is doing in developing the talent within the organization. The assessment tool also asked Department Heads and Mid-Managers to rate “**themselves**” as talent developers. The last five questions asked them to “**self-assess**” and rate how they are doing as a talent developer in developing talent within the organization. Thirty nine percent of Department Heads and Mid-Managers responded to this survey.

Overall, the results show that respondents rated the organizations efforts in developing and retaining talent on the low end, ranging from “poor performers” to doing “okay”. When respondents rated themselves as talent developers, the majority of respondents thought they were doing “okay”.

The preliminary data results will be compared a year from now when the assessment tool is administered post-implementation of the various talent development programs, providing City administration the opportunity to re-assess its efforts and employee perception.

#### LEADERSHIP DEVELOPMENT TEAM:

In preparation for the potential retirement wave of professional staff leaving the organization, the City Manager formed the Leadership Development Team to implement and evaluate leadership development programs on an ongoing basis. The Leadership Development Team includes a diverse group of Department Head, mid-manager, early and mid-career employees, labor representatives, and administrative support staff representatives. This twenty five member team aims to:

- Assist the Tracy organization in accelerating the growth and development of leaders in order to fill critical positions as they become vacant and where a need exists to fill;
- Create leaders at all levels of the organization;
- Help promote a culture of talent development in the organization;
- Ensure a continued level of quality service to the community despite the “retirement wave” of seasoned professional staff;
- Capture and transfer institutional knowledge before it leaves the organization, and
- Enhance the organization’s ability to attract talent.

This Leadership Development Team has top management support from the City Manager and Department Directors. With the assistance of Dr. Frank Benest, International City Manager’s Association (ICMA) lead for Preparing the Next Generation, this team is convened by the City Manager and Assistant City Manager, who will in turn; ensure coordination with the Executive Team. This team will meet on a regular basis and, via a work group structure, will develop an action plan to execute a number of program ideas, including a structured leadership and/or multi-track learning academy, institutionalizing annual development plans for employees, creating opportunities for special assignments, and talent exchange programs within divisions, departments and/or other local government agencies where possible, among others.

The initial five work groups will focus on: (1) **Branding and Key Messages** to develop the key messages about the Workforce Readiness Initiative to be delivered to employees as well as overall brand for the initiative; (2) **Outreach to Departments and Employees** to inform the employees about the Workforce Readiness Initiative and get their feedback; (3) the **Intranet Content** to inform employees about resources, training opportunities, articles, the Leadership Development Team (LDT) action plan, results of workforce analysis, special assignment opportunities; (4) **Collaboration Opportunities with other local governments** to research training/talent exchange opportunities with adjacent jurisdictions and assess potential for regional training opportunities, and (5) the **Employee Value Proposition** to determine what makes Tracy the “Employer of Choice” and how to enhance the employee value proposition for the City of Tracy.

In conclusion, the Workforce Readiness Initiative purposefully and strategically prepares the organization for the potential retirement wave that will occur in the next couple of years. This initiative strategically identifies key talent within the organization while developing key talent-development opportunities. The goal is to ensure that quality service delivery remains at the forefront as budget reduction efforts continue. In order to do that, a focus on establishing an organizational culture of learning and talent development is necessary, particularly as the City has down-sized and reduced it’s workforce by 16% over the last couple of years.

It is important to note that employees’ abilities will be pushed and stretched as they perform new tasks and receive special assignments, potentially resulting in missteps. The executive team and mid-managers understands that allowing for mistakes as we put employees in a position to grow and learn is a key element of the process and their commitment to coach and mentor is expected.

STRATEGIC PLAN:

This agenda item supports the organizational effectiveness strategic plan and specifically implements the following goal and objectives:

**Goal 2:** Strengthen Customer Value through ensuring quality and excellent customer service;

**Goal 3:** Ensure systems are in place to meet the City's service delivery strategies;

**Objective C:** Evaluate organizational structure and operational efficiencies;

**Goal 4:** Ensure a Quality Workforce;

**Objective A:** Ensure a communication strategy that ensures employee engagement and two-way communication;

**Objective C:** Broaden skill sets.

FISCAL IMPACT:

This initiative is an extremely important part of the City's expenditure reduction plan, as it is expected that not all positions that become open through early retirement options will need to be replaced. It is estimated that an average of \$100,000 savings per position could be realized (this cost includes salary and benefits). The total savings related to the early retirement options will be refined over the next couple of months as pivotal positions are evaluated.

Additionally, a \$15,000 appropriation request for talent development activities and programs will be included prior to the June 1<sup>st</sup> budget adoption.

RECOMMENDATION:

That Council accept the report on the Workforce Readiness Initiative.

Prepared by: Maria A. Hurtado, Assistant City Manager

Approved by: Leon Churchill, Jr., City Manager

AGENDA ITEM 7

REQUEST

**INTRODUCE ORDINANCE AMENDING TRACY MUNICIPAL CODE REGARDING FEES, AND ADOPT RESOLUTION APPROVING MASTER FEE SCHEDULE**

EXECUTIVE SUMMARY

City staff has prepared a consolidated, City-wide Master Fee Schedule for Council approval, accompanied by a clean-up ordinance revising certain fee-related provisions in the Municipal Code.

DISCUSSION

Many cities consolidate their fees for City services into an integrated fee schedule. The City of Tracy staff has now done this. The proposed Master Fee Schedule includes all of the service-related fees of the City in one place. The City-wide Master Fee Schedule replaces the multiple City Council resolutions adopted over many years, from different departments and on different topics. The benefits of this consolidated approach are many: the record of fees, reports and resolutions will exist in one place and can more readily be found; it provides better public information; and it will allow consistent updating of fees in the future.

The Council is asked to take two related actions. First, introduce the ordinance amending and repealing various sections of the Municipal Code. And second, adopt a resolution approving the Master Fee Schedule. Each of these items is discussed in more detail below.

Ordinance. Introduce the ordinance amending and repealing various sections of the Tracy Municipal Code as a Comprehensive Clean-up Ordinance Relating to the Establishment of a Master Fee Schedule. The proposed ordinance does three things:

- Primarily, it amends several Code sections where a specific fee dollar amount was set forth in the Code itself. In these cases, the amendment removes the specific dollar amount and states the fee will be "in the amount set by resolution of the City Council." (Proposed Ordinance SECTIONS 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14.) This makes it simpler to update fees by resolution in the future, because it does not require amending the Code (by ordinance) every time a fee amount changes.
- Repeals current Chapter 4.36, Regulations Pertaining to Amusement Machine Businesses, on the recommendation of the Police Department, since these regulations are out of date and no longer used. (Proposed Ordinance, SECTION 5.)

- Adds a new section 5.08.185, Owner surrender of live animals, to provide legal authority for the charges that are imposed for this type of surrender. (Proposed Ordinance, SECTION 13.)

Resolution. Adopt the Resolution approving the Master Fee Schedule. The Resolution will take effect immediately. However, (1) the DES fees will not take effect until July 1, 2011 (because a 60-day delay is required by state statute); and (2) the new fireworks-related fees will not take effect until the new Fireworks ordinance takes effect.

Except for minor modifications shown on this Master Fee Schedule, the fees are unchanged from those currently in effect in the City as a result of prior City Council resolutions.

The intention is for the Master Fee Schedule to be updated annually, in March or April of each year. Then, the Departments may propose, and the Council may consider, fee increases which bring the fees closer in line with the actual costs of providing a particular service. This could be done based on a cost-of-living adjustment calculated since the fee was last set (using CPI or other inflationary index). As it is now, most of the fees have not been updated for many years and do not reflect the actual costs, resulting in less-than-full-cost-recovery to the City. If the Council is interested in bringing the fees more in line with current costs, the next annual update of the Master Fee Schedule would be a good time to do this.

In preparing this Schedule, the City Attorney's Office has worked with a representative of each department to bring together all of the fees affecting that department. Once the first Master Fee Schedule is approved, the Finance Department "fee coordinator" will be responsible for annually updating the fees at the same time each year.

The proposed fee schedule includes fees charged for City services, but it does not include the following types of fees and charges:

- development impact fees adopted under the Mitigation Fee Act;
- mitigation fees (i.e. habitat mitigation, agricultural mitigation fees);
- business license fees (taxes);
- enterprise fund charges (water, sewer, stormwater, airport, transit);
- fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid waste, yard waste and recycling under TMC Chapter 5.20);
- landscape maintenance districts;
- fines (imposed as penalties);
- leases of City property; and
- rates established by separate agreements (i.e. Tracy Unified School District).

## FISCAL IMPACT

In the long term, the consolidated Master Fee Schedule should facilitate regular updating of fees.

## STRATEGIC PLAN

This agenda item supports the Organizational Effectiveness strategic plan and specifically implements the following goals:

Goal 1: Assure fiscal health

Goal 3: Ensure systems are in place to meet the City's service delivery strategies.

## RECOMMENDATION

That Council (1) introduce the ordinance amending the Municipal Code, and (2) adopt the resolution approving the Master Fee Schedule.

### Attachments:

- An Ordinance of the City of Tracy Amending and Repealing Various Sections of the Tracy Municipal Code as a Comprehensive Clean-Up Ordinance Relating to the Establishment of a City Master Fee Schedule: Sections 3.16.030, 3.16.040, 3.20.060, 3.20.070, Chapter 4.36 (repealed), 4.20.040, 4.20.060, 4.20.110, 4.20.160, 4.20.180, 4.24.060, 5.08.130(n), 5.08.185 (new), 5.08.240.
- Resolution Approving the Master Fee Schedule, with attached Master Fee Schedule.

Prepared by: Zane Johnson, Finance Director  
Judith A. Robbins, Special Counsel  
Reviewed by: Daniel G. Sodergren, City Attorney  
Approved by: R. Leon Churchill, Jr., City Manager

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TRACY AMENDING AND REPEALING VARIOUS SECTIONS OF THE TRACY MUNICIPAL CODE AS A COMPREHENSIVE CLEAN-UP ORDINANCE RELATING TO THE ESTABLISHMENT OF A CITY MASTER FEE SCHEDULE: SECTIONS 3.16.030, 3.16.040, 3.20.060, 3.20.070, Chapter 4.36 (repealed), 4.20.040, 4.20.060, 4.20.110, 4.20.160, 4.20,180, 4.24.060, 5.08.130(n), 5.08.185 (new), 5.08.240

WHEREAS, the City Council intends to adopt for the first time a City-wide Master Fee Schedule; and

WHEREAS, in preparing this Master Fee Schedule, the staff became aware of miscellaneous Municipal Code provisions that were out-of-date, required amending based on current practices, or contained fixed fees that would be better established by resolution; and

WHEREAS, the City Council considered this ordinance at a regular meeting of the City Council held on May 17, 2011.

The Tracy City Council hereby ordains as follows:

SECTION 1. Section 3.16.030, Permit fees -- Application requirements [for taxicabs], of the Tracy Municipal Code is amended to read as follows:

**"3.16.030 - Permit fees—Application requirements.**

Any person desiring to obtain the permit required by Section 3.16.020 of this chapter shall pay a fee to the City Clerk in the amount set by resolution of the City Council, and shall make an application for such permit to the Council, which application shall set forth:

- (a) The name and address of the applicant, and if the applicant shall be a corporation, the names of its principal officers, or if the applicant shall be a partnership, association, or fictitious company, the names of the partners or persons comprising the association or company, with the address of each;
- (b) A statement as to whether the permit is desired for an automobile for hire or for a taxicab;
- (c) A description of every motor vehicle which the applicant proposes to use, giving:
  - (1) The trade name;
  - (2) The motor and serial number;
  - (3) The State license number;
  - (4) The seating capacity; and
  - (5) The body style;
- (d) The street number and exact location of the place where the applicant proposes to stand each such vehicle;
- (e) The proposed schedule of rates or fares to be charged for carrying passengers in such vehicle;
- (f) The distinctive color scheme, name, monogram, or insignia which shall be used on such vehicle; and
- (g) If any proposed stand is in a public street, such application shall be accompanied by a written consent thereto of all the occupants of the ground floor of any buildings in front of which such vehicle is to be located, and for twenty-five (25') feet each way therefrom, or if there is no such occupant, by the written consent thereto of the owner or lessee of such building or lot."

SECTION 2. Section 3.16.040, Renewal application fees and requirements [for taxicabs], of the Tracy Municipal Code, is amended to read as follows:

**"3.16.040 - Renewal application fees and requirements.**

Any person desiring to renew a permit required by this chapter shall pay a fee to the City Clerk in the amount established by resolution of the City Council, and shall make an application for the renewal permit to the City Manager. The application shall set forth all of the information required by Section 3.16.030 of this chapter.

At the time such renewal application is filed, or within five (5) days thereafter, the City Manager may examine the application and all persons interested in the matter set forth in such application and shall determine whether or not the public interest, convenience, and necessity require the issuance of the renewal permit applied for. The City Manager shall direct the renewal permit to be issued in accordance with such renewal application, subject to the filing and approval of an undertaking as set forth in Section 3.16.060 of this chapter.

The reasons set forth in Section 3.16.050 of this chapter shall be sufficient for the City Manager to deny such renewal permit."

SECTION 3: Section 3.20.060, License fees [Bicycles] of the Tracy Municipal Code, is amended to read as follows:

**"3.20.060 - License fees.**

License fees are hereby established for the purposes of issuing bicycle licenses and registration certificates, the transfer of registration certificates, the replacement of bicycle licenses and/or registration certificates, and the renewal stickers as required by the Vehicle Code of the State for the registration and licensing of bicycles. Revenues collected pursuant to this section from license fees shall be retained by the City and shall be used for the support of such bicycle licensing provisions as set forth in this section, for the enforcement of bicycle violations, and for bicycle education and safety. In addition, fees collected may be used to improve bicycle safety programs and establish bicycle facilities, including bicycle paths and lanes, within the City.

The fees required to be paid under this article shall be in the amounts established by resolution of the City Council, for the following items, as follows:

- (a) For each new bicycle license and registration certificate.
- (b) For each transfer of a registration certificate.
- (c) For each replacement of a bicycle license or registration certificate..
- (d) For each bicycle license renewal. Any fraction thereof shall be considered a full year."

SECTION 4: Section 3.20.070, Renewal of registration – Fees [Bicycles], of the Tracy Municipal Code is amended to read as follows:

**"3.20.070 - Renewal of registrations—Fees.**

A renewal sticker shall be in the amount established by resolution of the City Council and shall be renewed every three years under Section 3.20.060 of this article."

SECTION 5: Chapter 4.36 entitled Regulations Pertaining to Amusement Machine Businesses, of the Tracy Municipal Code, consisting of Sections 4.36.010 through 4.36.170, is repealed in its entirety.

SECTION 6: Section 4.20.040, Massage establishments—Permits—Renewal—Fees, of the Tracy Municipal Code, is amended to read as follows:

**"4.20.040 - Massage establishments—Permits—Renewal—Fees.**

On or before the 45th day prior to the expiration date of a currently valid massage establishment permit, the permittee shall apply for the renewal of such permit. The Police Chief shall grant the renewal provided all facts set forth on the original application are substantially the same and provided the application is accompanied by a fee in the amount established by resolution of the City Council, no part of which shall be refundable. The fee shall not be in lieu of, and shall be in addition to, any business license tax required to be paid pursuant to chapter 6.04 of title 6 of this Code. If all the facts set forth on the original application are not substantially the same, the applicant for renewal shall comply with all the requirements set forth in this chapter for an initial application for a license."

SECTION 7: Section 4.20.060, Massage establishments—Permits—Applications -- Fees -- Investigations, of the Tracy Municipal Code, is amended to read as follows:

**"4.20.060 - Massage establishments—Permits—Applications—Fees—Investigations.**

Each application for a massage establishment permit shall be accompanied by an investigation fee in an amount established by resolution of the City Council, no part of which shall be refundable. The fee shall not be in lieu of, and shall be in addition to, any business license tax required to be paid pursuant to the provisions of chapter 6.04 of title 6 of this Code. Upon the receipt of the application, the Police Chief shall refer the application to the Building Department, Fire Department, and Planning Department, each of which, within a period of 30 days from the date of the application, shall review records, make an inspection of the premises proposed to be used as a massage establishment, and make a written recommendation to the Police Chief concerning compliance with this chapter and other applicable law."

SECTION 8: Section 4.20.040, Massage establishments—Permits—Transferability—Fees, of the Tracy Municipal Code, is amended to read as follows:

**"4.20.110 - Massage establishments—Permits—Transferability—Fees.**

No massage establishment permit shall be sold, transferred, or assigned by the permittee or by operation of law, to any other person except with the written

approval of the Police Chief. An application for such a transfer shall be in writing and shall be accompanied by a filing and investigation fee of in an amount established by resolution of the City Council, no part of which shall be refundable. The application for the transfer shall contain the same information as required by the provisions of this chapter for an initial application for such a permit. In the event of denial, a notification and the reasons for denial shall be set forth in writing and shall be sent to the applicant by means of registered or certified mail or hand delivery. Any such sale, transfer, or assignment, or attempted sale, transfer or assignment shall constitute an immediate revocation of the permit and the permit shall thereafter be null and void."

SECTION 9: Section 4.20.160, Massage technicians and practitioners—Permits—Renewal—Fees., of the Tracy Municipal Code, is amended to read as follows:

**"4.20.160 - Massage technicians and practitioners—Permits—Renewal—Fees.**

If, on or before the 45th day prior to the expiration date of a currently valid massage technician or massage practitioner permit, the permittee applies for the renewal of such permit, the Police Chief shall grant such renewal provided all facts set forth on the original application are substantially the same, including a certified statement from a medical doctor stating that the applicant, within 30days immediately prior to filing his or her application for renewal, has been examined and found to be free from any contagious or communicable disease which is likely to be communicated during the administration of a massage, and provided such application is accompanied by a fee in an amount established by resolution of the City Council, no part of which shall be refundable. The fee shall not be in lieu of, and shall be in addition to, any business license tax required to be paid pursuant to chapter 6.04 of title 6 of this Code. If all the facts set forth on the original application are not substantially the same, the applicant for renewal shall comply with all the requirements set forth in this chapter for an initial application for a permit."

SECTION 10: Section 4.20.160, Massage technicians and practitioners—Permits—Applications—Fees—Investigations, of the Tracy Municipal Code, is amended to read as follows:

**"4.20.180 - Massage technicians and practitioners—Permits—Applications—Fees—Investigations.**

Each application for a massage technician permit or massage practitioner permit shall be accompanied by an investigation fee in an amount established by resolution of the City Council, no part of which shall be refundable. The fee shall not be in lieu of, and shall be in addition to, any business license tax required to be paid pursuant to chapter 6.04 of title 6 of this Code. Upon the receipt of the application, the Police Chief shall, within a period of t30 days from the date of the application, make an investigation concerning compliance with this chapter and the law."

SECTION 11. Section 4.24.060, Licenses – Terms – Fees [Bingo], of the Tracy Municipal Code is amended to read as follows:

**“4.24.060, Licenses – Terms – Fees.**

The term of a bingo license shall be six months, and the license may be renewed every six months upon an application therefor.

The fee for a bingo license shall be in an amount established by resolution of the City Council, of which one-half, shall be refunded if the application is denied. The fee for each renewal thereafter shall be in the amount established by resolution of the City Council. The appropriate fee shall accompany the submission of each application, shall be nonrefundable, and shall be used to defray the costs of the issuance of the license.”

SECTION 12: Subsection (n) of Section 5.08.130, License tags for dogs, of the Tracy Municipal Code, is amended to read as follows:

**"5.08.130 - License tags for dogs.**

....

(n) Prohibition against assigning unaltered dogs or cats. Deposits for costs of spaying or neutering.

(1) The small animal shelter shall not assign any dog or cat which has not been spayed or neutered, unless a deposit for spaying or neutering has been tendered to the shelter. The deposit shall be in the amount determined by resolution of the Council to be comparable to the lowest fee charged by veterinarians in the locale. The deposit shall be held in trust and accounted for in a manner consistent with City policies. The deposit may be paid directly to a veterinarian for altering the assigned animal or returned to the person receiving the assigned animal upon the presentation of a certificate of alteration from a veterinarian to the Finance Department.

(2) Any dog or cat six (6) months of age or younger at the time of assignment shall be spayed or neutered within six (6) months, or the deposit shall be deemed unclaimed. Any dog or cat over six (6) months of age at the time of assignment shall be spayed or neutered within sixty (60) days, or the deposit shall be deemed unclaimed. Any deposit not claimed shall be used only for the following purposes:

- (i) A public education program to prevent the overpopulation of cats and dogs;
- (ii) A program to spay or neuter cats and dogs;
- (iii) A follow-up program to assure that animals assigned by the shelter are spayed or neutered; or
- (iv) Any additional costs incurred pursuant to this section.

...."

SECTION 13. A new Section 5.08.185, Owner surrender of live animals, of the Tracy Municipal Code, is added to read as follows:

**"5.08.185, Owner surrender of live animals.**

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

SECTION 14. Section 5.08.240, Impounding, of the Tracy Municipal Code, is amended to read as follows:

**"5.08.240 - Impounding.**

The Chief of Police and all police officers and other persons employed to perform any of such duties are hereby authorized and empowered to take up and impound any animals or poultry running at large in violation of the provisions of this Article, and to keep such animals or poultry confined at the public pound or at such other place as the Chief of Police may provide, for not less than three days unless such animals or poultry be redeemed by the payment in the amount established by resolution of the City Council. Notices containing a description of the animals or poultry impounded shall be posted on the bulletin board near the entrance to the City Hall for at least three days. The Chief of Police may, in his discretion, publish notices of the impounding of such animals or poultry in an attempt to locate the owner, in which event, the cost of so doing shall be added to the costs of the care of such animals or poultry.

At the expiration of the three days, if the animals or poultry are not redeemed, the Chief of Police shall be deemed to have acquired jurisdiction over the animals or poultry and is hereby authorized to destroy, or to sell, or to otherwise dispose of them , and any proceeds derived therefrom shall accrue to the City, to be deposited in its general fund."

SECTION 15. This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 16. This Ordinance shall be published once in the Tracy Press, a newspaper of general circulation, within 15 days from and after its final passage and adoption.

\* \* \* \* \*

The foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Tracy City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, and finally adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Ordinance \_\_\_\_\_  
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ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE CITY OF TRACY  
APPROVING THE MASTER FEE SCHEDULE

WHEREAS, over many years, City departments have proposed and the City Council has adopted various fees relating to the work of the departments; and

WHEREAS, a consolidated, City-wide Master Fee Schedule will provide for a record of fees in one place, better public information, and consistent updating of the fees; and

WHEREAS, the proposed Master Fee Schedule reflects fees charged for City services. It does not include the following types of fees and charges:

- development impact fees adopted under the Mitigation Fee Act;
- mitigation fees (i.e. habitat mitigation, agricultural mitigation fees);
- business license fees (taxes);
- enterprise fund charges (water, sewer, stormwater, airport, transit);
- fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid waste, yard waste and recycling under TMC Chapter 5.20);
- landscape maintenance districts;
- fines (imposed as penalties);
- leases of City property; and
- rates established by separate agreements (i.e. Tracy Unified School District); and

WHEREAS, the proposed, attached Master Fee Schedule has been prepared and reviewed by all City departments; and

WHEREAS, except for minor modifications, the fees reflected in the Master Fee Schedule are unchanged from those currently in effect as a result of prior City Council resolutions; and

WHEREAS, the fees set forth in the Master Fee Schedule represent no more than the estimated reasonable cost, or actual cost, of the services or facilities provided. They do not exceed the City's cost and, in many cases, are far below the City's cost. The adoption of this Master Fee Schedule is permitted under California Constitution Art.XIIIC, including the exceptions under Art. XIIIC, Section 1(e); and

WHEREAS, although there are no new fees or increases affecting new development, nevertheless, the City has given notice of the proposed Master Fee Schedule as required by Government Code section 66016: notice of the time and place of the meeting, including a general explanation of the matter to be considered, was mailed to any interested party who filed a written request with the City for mailed notice of the meeting on new or increased fees or service charges; and

WHEREAS, notice has also been given by publication, pursuant to Government Code Sections 66018 and 6062a; and

WHEREAS, the adoption of this Master Fee Schedule is not subject to the California Environmental Quality Act because it is not a project which has the potential for causing a significant effect on the environment. (CEQA Guidelines, 14 Cal. Code of Regs. §15061(b)(3).); and

WHEREAS, on May 17, 2011, the City Council held a public meeting where all interested parties were able to provide testimony.

NOW, THEREFORE, the Tracy City Council does resolve, declare, determine and order as follows:

1. The Master Fee Schedule, attached to this Resolution as Exhibit A, is approved.
2. This Resolution takes effect immediately. However:
  - the Development and Engineering Services fees take effect on July 1, 2011 which is at least 60 days after its adoption (as required under Government Code section 66017); and
  - the Fire Department fees regarding Fireworks sales permit fee and public display of fireworks take effect upon the effective date of the new Fireworks ordinance.
3. This Resolution supersedes the following earlier fee resolutions:
  - a. Res. 93-130, Establishing Hydrant Water Fees and Hydrant Water Meter Deposits.
  - b. Res. 95-018, Adoption of Revised Water Rates.
  - c. Res. 99-094, Revision to and Establishment of Certain Fees for Police, Fire and Administrative Services.
  - d. Res. 2000-131, Amending the Existing Engineering Services Fees to Recoup Actual Costs Incurred by the City.
  - e. Res. 2002-176, Amending Resolution No. 99-094 Relating to Certain Fees for Police, Fire and Administrative Services to Establish a New Address Mapping Fee for Multi-family Residential.
  - f. Res. 2003-265, Repealing Resolution No. 98-373 and Adopting Updated Fees for Planning and Engineering Services as Identified in the Cost of Services Study Prepared by the Finance Department and Revising the Water Meter Radio Read MXV Installation Fee.
  - g. Res. 2003-267, Re-adopting Building, Electrical, Mechanical, Plumbing, Elevator and Grading Permit Fees, Plan Review Fees, and Inspection Fees.
  - h. Res. 2005-141, Increasing the Current Vehicle Release Fee Charged by the Tracy Police Department.
  - i. Res. 2005-161, Establishing Fees to Recover the City's Cost of Digitizing and Archiving the DES Department's Records that Require Long-term Retention.

- j. Res. 2007-258, Rescinding Resolution 2007-233 and Establishing Updated Council Procedures and Policies.
- k. Res. 2008-063, Adoption of Revised Water Rates.
- l. Res. 2008-234, Amending Resolution 2003-059 by Adding a New Fee for Storage of Firearms.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was passed and adopted by the Tracy City Council on the \_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Attachment: Exhibit A - Master Fee Schedule



# CITY OF TRACY

## MASTER FEE SCHEDULE

Adopted by City Council Resolution No. \_\_\_\_\_  
May 17, 2011

Effective May 18, 2011, except  
Development and Engineering Services effective on July 1, 2011

Legend:

* Not subject to CPI adjustment	CBC – California Building Code	
TMC – Tracy Municipal Code	CFC – California Fire Code	H&S – CA Health and Safety Code
GC – CA Government Code	CFR – Code of Federal Regulations	PC – Penal Code
PRC – CA Public Resources Code	DOJ – CA Department of Justice	VC – Vehicle Code

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Macintosh HD:Users:judithrobbins:Library:Mail Downloads:Master Fee Schedule 5-11-11.doc

Legend:

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**Introduction**

The City of Tracy Master Fee Schedule is a compilation of most of the fees charged by the City for services. It is organized primarily by Department. It does not include the following types of fees:

- development impact fees adopted under the Mitigation Fee Act;
- mitigation fees (i.e. habitat mitigation, agricultural mitigation fees);
- business license fees (taxes);
- enterprise fund charges (water, sewer, stormwater, airport, transit);
- fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid waste, yard waste and recycling under TMC Chapter 5.20);
- landscape maintenance districts;
- fines (imposed as penalties);
- leases of City property; and
- rates established by separate agreements (i.e. Tracy Unified School District).

The Master Fee Schedule will generally be updated annually, and most fees increased by a cost-of-living adjustment (CPI) rounded to the nearest dollar. The fees which are updated by some other method are indicated with an asterisk (\*).

Public services may be classified as community-supported public services, such as police and fire services. These are generally provided to the community as a whole and are supported by general tax dollars from the City’s general fund. Personal choice services are optional, such as taking a class, and are requested by the customer. Developing property (requiring a building permit or land use entitlement) is done at the request of and for the benefit of the owner. Fees are usually charged for these types of services, though some may be subsidized with general tax dollars when they have some social, safety, or welfare benefit.

The City Staff Committee which worked to put together this Master Fee Schedule includes the following representatives from each Department:

- |                       |                       |
|-----------------------|-----------------------|
| City Manager’s Office | Maria Hurtado         |
| City Clerk’s Office   | Carole Fleishman      |
| Dev. and Eng. Svcs.   | Bill Dean             |
| Finance               | Linda Moniz           |
| Fire                  | Kevin Jorgensen       |
| Human Resources       | Judy Carlos           |
| Parks and Comm. Svcs. | Mark Honberger        |
| Police                | Captain Juan Espinoza |
| Public Works          | Vanessa Carrera       |

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## CITY-WIDE FEES CITY CLERK AND CITY MANAGER DEPARTMENTS

Legend:

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## CITY-WIDE FEES CITY CLERK AND CITY MANAGER DEPARTMENTS

DEPARTMENT CONTACT:     MARIA HURTADO, ASSISTANT CITY MANAGER  
  CAROLE FLEISCHMANN, ASSISTANT CITY CLERK

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC §3.36.010
<b>Annual subscriptions (City Council, Planning Commission)</b>		GC §6253
Agendas	\$35/month \$2/disc/agenda	Res. 2007-258
Minutes	\$.15/page	GC §6253
<b>Appeals</b>		
to City Council	<b>\$150</b>	TMC 1.12.020(B)(2)
to City Manager	<b>\$150</b>	TMC 1.12.010(D)(2)
by impartial hearing officer	may be shared equally by parties	TMC 1.12.030
<b>Document certification</b>	\$15/document <sup>b</sup>	Res. 2003-059
<b>Photocopies</b>		
paper copy *	\$.10/page \$.15/page for agenda items	GC §6253 Res.2007-258
oversized copy	actual cost	
maps *	actual cost	GC §6253
<b>Duplicating recording</b> of public meeting: video or audio DVD of Council meeting	actual cost \$2.00	Res. 2007-258
<b>Notary fee *</b>	\$10.00	GC §8211
<b>Palmistry license fee</b> (through Police Dept.)		
new	\$550	TMC 4.12.190
renewal	\$350	TMC 4.12.109

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- Updated Council Policies and Procedures, City Council Resolution No. 2007-258.
- Resolution No. 2003-059 and accompanying staff report
- <sup>b</sup> 1998 Cost of Service Study, and 2003 Cost of Services Update, prepared by Finance Department. (City Council Resolution No. 2003-059.)

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**CITY-WIDE FEES  
CITY CLERK AND CITY MANAGER DEPARTMENTS  
CULTURAL ARTS/GRAND THEATRE**

DEPARTMENT CONTACT: MARIA HURTADO, ASSISTANT CITY MANAGER  
JEFFREY HASKETT, THEATER MANAGER

SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
			TMC §3.36.010
<b>DEPOSITS</b>			
Grand Theatre (refundable)	\$500.		
Studio Theatre	\$250.		
Movement Theatre	\$100.		
Art Studio	\$100.		
Art Studio 2	\$100.		
Children's Art Studio	\$100.		
Music Rooms 1-1 (large)	\$100.		
<del>Music Room 2 (medium)</del>	<del>\$75.</del>		
<b>ETK THEATRE</b>			
Grand Theatre base rental is 8 hours and includes: 1 staff technician and 1 front-of-house supervisor. Prime time is Friday through Sunday. Percentage payment is based on gross receipts. Fee is either minimum of percentage, whichever is greater.			
	<b>Non-profit</b>	<b>Commercial</b>	
Prime Time Rental: Performance			
First 8 hours	\$574. or 10%	\$1,722. or 15%	
Each additional hour	\$100.	\$300.	
Prime Time Rental: Rehearsal			
First 8 hours	\$574.	\$1,722.	
Each additional hour	\$100.	\$300.	
Non-Prime Time Rental: Performance			
First 8 hours			
Each additional hour	\$287. \$100.	\$750. \$300.	
Non-Prime Time Rental: Rehearsal			
First 8 hours	\$143.	\$375.	
Each additional hour	\$100.	\$300.	
Prime Time Resident Company Rental: Performance or Rehearsal	\$460/8 hours	n/a	
Non-Prime Time Resident Company Rental: Performance	\$230/8 hours	n/a	
Non-Prime Time Resident Company Rental: Rehearsal	\$115/8 hours	n/a	
<b>STUDIO THEATRE</b>			

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	<b>Non-profit</b>	<b>Commercial</b>	
Prime Time Rental: Performance First 5 hours Each additional hour	\$110. or 10% \$60.	\$330. or 15% \$180.	
Prime Time Rental: Rehearsal First 5 hours Each additional hour	\$110. \$60.	\$330. \$180.	
Non-Prime Time Rental: Performance First 5 hours Each additional hour	\$80. \$60.	\$330. or 15% \$180.	
Non-Prime Time Rental: Rehearsal First 5 hours Each additional hour	\$80 \$60.	\$330. \$180.	
Meeting	\$225/2 hours		
Each additional hour	\$40.	\$115.	
Prime Time Resident Company Rental: Performance or Rehearsal	\$88/5 hours	n/a	
Non-Prime Time Resident Company Rental: Performance	\$64/5 hours	n/a	
Non-Prime Time Resident Company Rental: Rehearsal	\$64/5 hours	n/a	
Note: Prime time is Friday through Sunday. Percentage payment is based on gross receipts. Fee is either minimum of percentage, whichever is greater.			
<b>DANCE STUDIO, ART STUDIO I AND II, AND CHILDREN'S ART STUDIO</b> class/Meeting or Studio Theatre First 2 hours Each additional hour	\$75. \$40.	\$225. \$115.	
<b>ART PARTIES</b> First 2 hours Each additional hours	\$50. \$35.	\$150. \$75.	
Materials Fee (activity dependent)	\$5 - \$25/person		
<b>LARGE MUSIC ROOM-includes any room set up and tear down</b> class/Meeting First 2 hours Each additional hour	\$25. \$35.	\$100. \$125.	
<b>MUSIC ROOM – includes any room set up and tear down</b> class (medium) or First 2 hours Practice & Each additional hr.	\$25. \$35.	\$100. \$125.	
<b>GRAND GALLERIES</b> Each additional hour	\$75/2 hours \$50.	\$225/2 hours \$150.	

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<b>LOBBY AREAS</b> Upstairs Downstairs	\$250/4 hours \$200/4 hours	\$500/4 hours \$400/4 hours	
<b>OLD TOWN HALL &amp; JAIL</b> weekday (Mon 8am – Fri 6 pm) weekend (Fri 6 pm – Mon 8 am)	\$40/2 hours \$50/2 hours	\$60/2 hours \$100/2 hours	
<b>2<sup>ND</sup> FLOOR ARTS OFFICE</b> weekday (Mon 8am – Fri 6 pm) weekend (Fri 6 pm – Mon 8 am)	\$30/2 hours \$40/2 hours	not avail.	
<b>(LOGGIA)</b>			
May only be rented as part of another rental			
Reception (hourly rate)	\$50.	\$150.	
<b>BOX OFFICE SERVICES</b> per performance	\$100.	\$300.	
per ticket charge to patron	\$3.		
General Admission per ticket to Patron	\$1.		
Marquee Listing	\$50/day	\$100/day	
<b>MISCELLANEOUS RENTALS</b>			
Grand piano	\$900/use		
Baby grand piano	\$500/use		
Piano tuning at renter's exp.	\$150. each		
Installation/removal of floor for orchestra pit	\$250/use		
Wireless microphones	\$25/day		
Microphone stands	\$0/use		
Follow spot	\$350/use		
Video projector	\$100/day		
Laptop computer	\$50/use		
Screen	\$30/use	\$90/use	
LCD Projector per day/event	\$0/use		
Marquee sign listing	<del>\$50</del> 100/use		
<b>LABOR FEES</b>			
Technical theatre supervisor	\$56/hour		
Theatre technicians	\$40/hour		
General Stagehands	\$20/hour		
Follow spot operator	\$15/hour		
Merchandise sales person	\$15/hour		
Gallery supervisor	\$40/hour		
Gallery docents	\$15/hour		
Arts Education Instructor	\$25/hour		

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Recreation Leader	\$15/hour	
<b>ADDITIONAL FEES</b>		
Janitorial fees	\$150/day	
Season discount/Reward Card	\$20/year	
<u>Large format printing (posters, signs)</u>	<u>\$2/square foot</u>	

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- Resolution No. 2010-106 and accompanying staff report

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## DEVELOPMENT AND ENGINEERING SERVICES DEPARTMENT

*Note: The DES Department fees in this Schedule do not include:*

- *development impact fees adopted under the Mitigation Fee Act;*
- *mitigation fees (i.e. habitat mitigation, agricultural mitigation fees);*
- *fees adopted by separate agreement with a developer.*

Legend:

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# DEVELOPMENT AND ENGINEERING SERVICES DEPARTMENT

## BUILDING SAFETY AND FIRE PREVENTION DIVISION

DEPARTMENT CONTACT: WILLIAM DEAN, ASSISTANT DIRECTOR OF DEVELOPMENT AND ENGINEERING SERVICES; KEVIN JORGENSEN, CHIEF BUILDING OFFICIAL AND ACTING FIRE MARSHAL

Whenever called for, employee hourly rates are based on the particular employee position, salary, benefits and overhead.

### BUILDING SAFETY

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>Building Permit Fee</b> (Based upon project value, as determined by building valuation data table , with regional modifiers, as most recently published in the “Building Safety Journal”)	Amount established by 1997 Uniform Administrative Code, Tables 3-A through 3-D and § 304.	GC §66014, H&S §17951 Uniform Adm. Code Section 304 and Table 3A-D. TMC 9.02.030, 9.08.080, CFR Title 24
<b>Electrical Permit</b>		
<b>Mechanical Permit</b>		
<b>Plumbing Permit</b>		
<b>Investigation fee</b> (when work begun without permit)	Equal to amount of permit fee, in addition to permit.	1997 UAC §304.5.2
<b>Title 24 Energy Inspection</b>		GC §66014, CFR Title 24
<b>Strong Motion Instrumentation Tax (SMI)</b> (CA State fee forwarded quarterly.)		PRC §2705
Residential, for first \$7,215 in value, plus for each additional \$1,000 or portion thereof.	\$.50/\$7,215, plus \$.07/\$1000	
Commercial, for first \$7,215 in value, plus for each additional \$1,000 or portion thereof.	\$1.00/\$7,215. plus \$.15 /\$1000	
<b>Elevator permit</b> Elevator, escalator or moving walk  Commercial dumbwaiter	\$89 plus \$1.65 for each \$1000 or fraction over \$40,000  \$25 plus \$1.65 for each \$1000 over \$10,000.	
<b>Electrical meter re-set</b> (City safety inspection before PG&E turns on utilities)	\$54	GC §66014

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<b>Building moving or oversized load</b> Initial inspection fee	\$100	TMC 9.32.040
<b>Micro-imaging fees</b> (+ 2% for contractor pick-up and delivery): <ul style="list-style-type: none"> <li>▪ 11" x 17" and smaller, black &amp; white or gray scale document with 2" field index</li> <li>▪ anything larger than 11" x 17", black &amp; white or gray scale document with a two field index</li> <li>▪ 11" x 17" and smaller, color document with a two-field index</li> <li>▪ 18" x 24" color document with a two-field index</li> <li>▪ 24" x 36" color document with a two field index</li> </ul>	\$.07 each, + 2% \$.75 each, + 2% \$.13 each, + 2% \$.45 each, + 2% \$1.30 each, + 2%	Res. 2006-161
<b>Sign permit</b>	Based on valuation for building and electrical permits	TMC 9.28.050

## FIRE PREVENTION

Note: The Chief Building Official and Acting Fire Marshal has the authority to not charge wholly duplicative fees, for example for a construction fire permit and operational fire permit in the same year.

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC 3.36.010 CFC 113
<b>Annual Operational Fire Inspection and Permit</b> <b>Permit fee</b> <b>Inspection:</b> <u>Type A:</u> amusement buildings; Christmas tree lots; exhibits and trade shows; open burning; pyroxylin plastics; rooftop heliports; <u>haunted houses &amp; corn mazes; pumpkin patches</u> <u>Type B:</u> open candles, flames and torches. <u>Type C:</u> covered mall buildings; fire hydrants and valves; liquid or gas-fueled vehicles or equipment in assembly buildings; private fire hydrants. <u>Type D:</u> aviation facilities; cellulose nitrate film; cutting and welding; hot work operations; magnesium; temporary	\$95/permit, plus:  A <del>\$30</del> hourly rate for City personnel  B \$40 C \$55  D \$80	CFC 105.6

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<p>membrane structures, tents and canopies.  <u>Type E:</u> aerosol products; carnivals and fairs; combustible fibers; compressed gasses; dry cleaning plants; fruit and crop ripening; industrial ovens; miscellaneous combustible storage; wood products; floor finishing.  <u>Type F:</u> above/below ground fuel storage tank installation, per tank; combustible dust-producing operations; cryogenic fluids; flammable and combustible liquids; LP-gas; organic coatings; places of assembly; repair garages and motor fuel-dispensing facilities; spraying or dipping; storage of scrap tires and tire byproducts; tire-rebuilding plants; fumigation and thermal insecticidal fogging.  <u>Type G:</u> above/below ground fuel tank removal, per tank; lumber yards and woodworking plants; refrigeration equipment; production facilities; <u>live audiences</u>.  <u>Type H:</u> explosives; hazardous materials; hazardous production material facilities; pyrotechnic/special effects displays; waste handling facilities.  <u>Type I:</u> high-piled storage.</p>	<p>E \$110</p> <p>F \$165</p> <p>G \$245</p> <p>H \$330</p> <p>I \$490</p>	
<p><b>Construction Fire Permit, including plan check, review and inspection</b></p> <p><u>Fire sprinkler plan check</u></p> <p>0 - \$5000 \$80  \$5001 - \$20,000 \$240  \$20,001 + \$330</p> <p><u>Fire sprinkler inspection</u></p> <p>0 - \$5000 \$245  \$5001 – 20,000 \$455  \$20,000 + \$825</p> <p><u>Alarm plan check</u></p> <p>0 - \$10,000 \$330  \$20,000 + \$495</p> <p><u>Alarm inspection</u></p> <p>0 - \$20,000 \$165  \$20,000 + \$495</p> <p><u>Hood and duct</u></p> <p>Plan check \$40/application  Inspection \$125/application</p>		CFC 105.7

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<b>State Mandated Occupancy Inspection</b> <b>State Mandated Occupancy Inspection</b> Pre-inspection request: 25 or less 26 or more Day care, 14 or fewer Day care, more than 14, or Convalescent home	\$50 \$100 \$125 \$282	Title 19, CCR
<b>Hydrant System Flow Testing</b> Testing Witnessing	\$317/test \$110/test	

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

Building:

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- Resolution No. 2003-267
- 1997 Uniform Administrative Code adopted by TMC §9.02.030

Fire Safety:

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- 2008 MGT of America, Inc. Fire Department cost of services study. (Note: based on this study, many fees are now set at 50% of actual cost.)
- 2003 Cost of Services Study Update, prepared by Finance Dept. (City Council Resolution No. 2003-059. See also Feb. 18, 2003 staff report.)
- 1998 Cost of Service Study, prepared by MSI.

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# DEVELOPMENT AND ENGINEERING SERVICES DEPARTMENT CODE ENFORCEMENT DIVISION

DEPARTMENT CONTACT: WILLIAM DEAN, ASSISTANT DIRECTOR OF DEVELOPMENT AND ENGINEERING SERVICES; ANA CONTRERAS, CODE ENFORCEMENT OFFICER

The Code Enforcement Division has no fees as such. However, there are various fines and costs of abatement established in the Tracy Municipal Code under the following chapters:

Administrative Citations and Penalties: TMC Chapter 1.28

Public Nuisance Abatement: TMC Chapter 1.32

Abandoned Shopping Carts: TMC Chapter 6.24

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# DEVELOPMENT AND ENGINEERING SERVICES DEPARTMENT ENGINEERING DIVISION

DEPARTMENT CONTACT: WILLIAM DEAN, ASSISTANT DIRECTOR OF DEVELOPMENT AND ENGINEERING SERVICES; KUL SHARMA, CITY ENGINEER

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>AGREEMENT PROCESSING FEE</b> Inspection improvement agreement Subdivision improvement agreement Deferred improvement agreement Off-site improvement agreement Park improvement and reimbursement agreement	\$6,254/agreement	
<b>GRADING</b> <b>Grading plan check</b> (base amount) 0-10,000 cubic yards (CY) 10,001-100,000 CY  100,001-200,000 CY  200,000+ CY Additional  <b>Grading permit and inspection</b> 5 or fewer lots (residential or commercial) subdivisions (5 or more lots) Additional plan review required by multiple changes, additions, revisions after initial review completed	\$2,450. Base amount Base amount + \$134/10,000 CY Base amount + \$114/10,000 CY Base amount + \$89/10,000 CY  \$1,385 \$3,500 Hourly personnel costs \$100/hour	TMC 12.12.070
<b>SUBDIVISIONS</b> Tentative subdivision map  Vesting tentative subdivision map Final Parcel Map Review Final Subdivision Map Review Map amendment review Certificate of correction Certificate of compliance – lot line adj.	(See Planning)  (See Planning) \$2,269. \$1840. \$1,130. \$3,450. \$2,700.	TMC 12.12.070, 12.16.060 TMC 12.28.050  TMC 12.12.070  TMC 12.28.050 TMC 12.04.080
<b>PUBLIC IMPROVEMENTS</b> Inspection improvement agreement (SIA, DIA, OIA, PIRA, any amendment.) Plan check (% of improvement constr. cost) Inspection (% of improvement constr. cost)	\$6,254.  5.78% 3.5%	

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
As-builts, review after construction	\$30	
Micro-imaging fees (+ 2% for contractor pick-up and delivery): <ul style="list-style-type: none"> <li>▪ 11" x 17" and smaller, black &amp; white or gray scale document with 2" field index</li> <li>▪ anything larger than 11" x 17", black &amp; white or gray scale document with a two field index</li> <li>▪ 11" x 17" and smaller, color document with a two-field index</li> <li>▪ 18" x 24" color document with a two-field index</li> <li>▪ 24" x 36" color document with a two field index</li> </ul>	\$.07 each, + 2% \$.75 each, + 2% \$.13 each, + 2% \$.45 each, + 2% \$1.30 each, + 2%	Res. 2006-161
<b>SEGREGATION OF ASSESSMENT</b> within any assessment districts	\$40.00/lot	
<b>RECORD OF SURVEY</b>	\$296.	
<b>STREET/EASEMENT ABANDONMENT</b>	\$1,440.	
<b>ENCROACHMENT PERMIT</b> Sidewalks, plus whichever is less  Driveways, Curbs, plus whichever is less  Trees, Utility Boxes/per hour (1 hour minimum)  Miscellaneous Encroachment Permit, plus hourly rate for inspection and engineering review	\$350 \$55 plus \$15/sq. ft. or \$50/hr \$55 plus \$15/sq/ft or \$50/hr \$55 plus \$50/hour.  \$110/permit plus \$85/hr	TMC 7.04.020
<b>OVERSIZE LOAD PERMIT</b> Single Permit Annual or Blanket Permit (fix route)	\$16. \$90.	
<b>Building moving or oversized load</b> Permit fee Other	\$572 Hourly rate for City personnel	TMC §9.32.040
<b>REPRODUCTION, MAP &amp; DOCUMENT SALES:</b>		

Legend:

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Standard Plans, Standard Specs, Design Standards Parks Manual Storm Drainage Master Plans Subdivision Maps Reproduction Fees	\$15. \$75. \$20. \$5. \$1.50/sheet	
<b>CONSTRUCTION WATER METERS</b> <u>Deposit for use of City-owned meter</u> <u>Service reinstatement fee</u> <u>Winter rates per Ccf (100 cubic feet or 748 gal)</u> (Nov – April) 0 – 12 Ccf; 13 – 19 Ccf; 20-191 Ccf; 192+ Ccf <u>Summer rates per Ccf (May – Oct)</u> 0-18 Ccf; 19-29 Ccf 30-287 Ccf; 288+ Ccf <u>Monthly service charge</u> (meter code and size) LL (LIRA) – 1” WL (LIRA) – varies W1 - 5/8” or ¾” W2 – 1” W3 – 1 ½” W4 – 2” W5 – 3” W6 – 4” W7 – 6” W8 – 8” W9 – 10”	<u>\$750</u> <u>\$50</u>  \$1; \$1.45; \$1.65; \$1.80  \$1; \$1.45; \$1.65; \$1.80 \$10/day + 15% adm.fee plus: \$8.70 \$0 \$11.70 \$20.40 \$46.65 \$82.75 \$186.25 \$331.25 \$745.25 \$1,325.05 \$2,070.40	Res. 2008-063 and 93-130
<b>NEW ADDRESS MAPPING FEES</b> single-family for multi-family projects, plus dwelling unit cost in buildings with 5 or more units	\$64/lot \$64/lot, plus \$32/dwelling unit	Res. 99-094 Res. 2002-176

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- Resolution No. 2008-063 (regarding water rates for construction water meters)
- Resolution No. 2003-265 and 2003 Cost of Services Study Update, prepared by Finance Dept.
- Resolution no. 2002-176, re mapping fee for multi-family residential

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## ■ DEVELOPMENT AND ENGINEERING SERVICES DEPARTMENT PLANNING DIVISION

DEPARTMENT CONTACT: WILLIAM DEAN, ASSISTANT DIRECTOR OF DEVELOPMENT AND ENGINEERING SERVICES

The Planning Division fees represent application processing fees only, and do not reflect capital improvement in-lieu fees, school fees, or any other city or other agency fees or deposits that may be applicable to the proposed project. Regarding building permit fees, plan check fees and inspection fees, see Building Division. Regarding encroachment permit fees, see Engineering Division.

### Symbol Key

- Plus Actual Costs Incurred: including fees for consultant services, environmental documentation filing fees, other agency fees, etc.
- Environmental Assessment Fee not applicable.

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>PLANNING DIVISION APPLICATION PROCESSING FEES</b>		Generally, TMC§10.08.4150 and 12.12.070.
<b>Adult business use permit</b>	<b>Cost recovery agr.</b>	TMC 10.28.808
<b>Annexation</b>	\$10,500.	TMC§10.08.4150
<b>Appeal to City Council ●</b>	\$276.	TMC§10.08.4150
<b>Appeal to Planning Commission ●</b>	\$276.	TMC§10.08.4150
<b>Conditional Use Permit*</b>		TMC §08.4270(h)
class A	\$9,595.	
class B	\$5300.	
class C	\$3,375.	
<b>Conditional Use Permit (Non-Profit Organizations)</b>		TMC§10.08.4270(h)
class A	\$960.	
class B	\$530.	
class C	\$340.	
<b>Development Review**</b>		TMC§10.08.4150
class A	\$3,800.	
class B	\$2,700.	
<b>ENVIRONMENTAL</b> Environmental Assessment (charged for all projects not requiring a Negative Declaration or EIR, except as noted by ●)	\$100.	CEQA Guidelines §15045 (14 CCR 15045)

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Environmental Initial Study/Negative Declaration Environment Impact Report	\$1420.00 <input type="checkbox"/> Cost Recovery Agreement	
<b>General Plan Amendment</b>	Cost Recovery Agreement	TMC§10.08.4150
<b>Lot Line Adjustment</b>	\$408.	TMC 12.04.080 and 12.12.070
<b>Micro-imaging fees</b> (+ 2% for contractor pick-up and delivery): <ul style="list-style-type: none"> <li>▪ 11" x 17" and smaller, black &amp; white or gray scale document with 2" field index</li> <li>▪ anything larger than 11" x 17", black &amp; white or gray scale document with a two field index</li> <li>▪ 11" x 17" and smaller, color document with a two-field index</li> <li>▪ 18" x 24" color document with a two-field index</li> <li>▪ 24" x 36" color document with a two field index</li> </ul>	\$.07 each, + 2% \$.75 each, + 2% \$.13 each, + 2% \$.45 each, + 2% \$1.30 each, + 2%	Res. 2006-161
<b>Noise Ordinance Variation</b>	\$4,000. <input type="checkbox"/>	TMC 4.12.780(B)(4)
<b>Planned Unit Development Amendment</b>	\$7,850. \$4,500.	TMC§10.08.4150
<b>Planning Commission Determination</b>	\$1,005.	TMC §10.08.4150
<b>Residential Growth Allotment ●</b>	\$1669.	TMC §10.12.070(c); GMO Guidelines §2 G.
<b>Sign Permit ●</b> Master Sign Program Individual Sign Complying w/MSP All other signs	\$1,012. \$75. \$456.	TMC§10.08.4150
<b>Specific Plan</b> Specific Plan Amendment	Reimbursement Agreement \$5,100.	TMC §10.20.040(c)(1) and 10.20.080
<b>Temporary Use Permit ●</b>	\$72.	TMC §10.08.4240 and 10.08.4150
<b>Tentative Map</b> Parcel map 5 – 100 lots 100 & over lots	\$7,300 \$10,000. \$15,600.	TMC§12.12.070
<b>Time Extension ●</b>	\$420.	TMC§12.12.070 for subd.

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Variance	\$672.	TMC§ 10.08.3630 and 10.08.4150
Zoning		TMC§10.08.4150
Zone Change	\$2,550.	
Zone Text Amendment	\$2,500.	
Zoning Research Letter ●	\$80.	

\* **Conditional Use Permit:** classification by type of project

	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>
Class A:	5+ lots	+5,000 sq. ft. or 5 lots	+20,000 sq. ft. or 5 lots
Class B:	3 – 4 lots	2,000-5,000 sq. ft. or 3 - 4 lots	+5,000-20,000 sq. ft. or 3 – 4 lots
Class C:	1 – 2 lots	-2,000 sq. ft. or 1 – 2 lots	-5,000 sq. ft. or 1 – 2 lots

\*\* **Development Review Permit:** classification by type of project

	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>
Class A:	4+ units	+3,000 sq. ft.	+10,000 sq. ft.
Class B:	3 – 4 lots	2,000-5,000 sq. ft. or 3 - 4 lots	-10,000 sq. ft.

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- Resolution No. 2003-265, and 2003 Cost of Services Study Update, prepared by Finance Dept.
- City Council Resolution No. 98-373 and 1998 Cost of Services Study and Cost Allocation Plan, prepared by Management Services Institute.

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## FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

Legend:

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# FINANCE AND ADMINISTRATIVE SERVICES DEPARTMENT

DEPARTMENT CONTACT: LINDA MONIZ, ACCOUNTING TECHNICIAN

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>Fire sprinkler charges</b> (water access/availability) 2" line 4" line 6" line 8" line 10" line 12" line	\$5 \$10 \$20 \$30 \$40 \$50	Res. 95-018
<b>Returned Check Processing</b> (NSF - Not Sufficient Funds) Fees	\$15/item	Res. 2003-059
<b>Water Delinquent Turn Off/on</b>	\$35 reconnect	Res. 2003-059

**Note: Business Licenses:**

Business license fee amounts are established by ordinance, at TMC Chapter 6.04.  
 Transfer, assignment or duplication fee of \$5 established by TMC 6.04.130.  
 Penalty of 10% of business tax for delinquent taxes, not to exceed 50%, established by TMC 6.04.170.

**Note: Transient Occupancy Tax**

Established by ordinance as 10% of rent, at TMC 8.48.230

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- 2003 Cost of Services Study Update, prepared by Finance Department. (See City Council Resolution No. 2003-059.) Relates to water delinquencies, business licenses and returned checks.
- 1998 Cost of Service Study

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## **FIRE DEPARTMENT**

Legend:

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# FIRE DEPARTMENT

DEPARTMENT CONTACT: CHIEF AL NERO

Note: The South County Fire authority has adopted separate fees for areas under its jurisdiction.

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC 3.36.010 CFC
<b>Illegal Burn Response</b>	\$110/hour/engine, with ½ hour min.	
<b>Hazardous materials clean-up</b>	Actual costs for all responding personnel	
<b>Special event Fire Protection Stand-by</b>	Actual costs for all responding personnel	
<b>Fire Incident Report Copy</b>	\$8/report	
<b>Weed Abatement</b>	Contract cost + 25% overhead charge	
<b><u>Fireworks sales permit fee (including \$150 initial stand inspection, \$25 safety seminar, and \$50 lottery processing)</u></b>	<u>\$225</u>	<u>TMC 3.04.040(a)</u>
<b><u>Public display of fireworks, in addition to inspection fee and permit fee specified under Fire Prevention, Annual Operational Fire Inspection and Permit, Inspection Type H.</u></b>	<u>Actual costs for fire apparatus, equipment and personnel</u>	<u>TMC 3.04.020</u>

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- 2003 Cost of Services Study Update, prepared by Finance Dept. (City Council Resolution No. 2003-059. See also Feb. 18, 2003 staff report.)
- 1998 Cost of Service Study, prepared by MSI.

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## HUMAN RESOURCES DEPARTMENT

Legend:

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# HUMAN RESOURCES DEPARTMENT

DEPARTMENT CONTACT: JUDY CARLOS, EXECUTIVE ASSISTANT

There are no Human Resources Department Fees.

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## PARKS AND COMMUNITY SERVICES DEPARTMENT

Note: The City of Tracy Master Fee Schedule does not include certain types of fees (see page 2), including enterprise fund charges, including airport and transit.

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# PARKS AND COMMUNITY SERVICES DEPARTMENT RECREATION

DEPARTMENT CONTACT: MARK HONBERGER, RECREATION SERVICES SUPERVISOR

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>ADMINISTRATION FEES/CHARGES/SERVICES</b>		
Advertising fee for Activity Guide (new), per issue of activity guide:		
Full page, back cover	<u>\$1,000</u>	
Full page, inside back cover	<u>\$ 500</u>	
½ page, inside	<u>\$ 350</u>	
¼ page, inside	<u>\$ 200</u>	
Insurance processing fee Fee for public purchase of event Insurance	\$35/transaction	
Program transaction fee Applied to withdrawal, refund, credit or transfer	\$5/transaction	
Facility rental application processing fee Applied to all rental request and special event permit requests	\$35/transaction	
Early registration discount To be used based on staff's assessment of need, and based on participant levels	\$10/registration	
Online registration discount To be used based on staff's assessment of need, and based on participant levels	\$10/registration	
Sibling registration discount To be used based on staff's assessment of need, and based on participant levels	\$10/registration	
Range of fee increase for contract classes To be used based on staff's assessment of need, and negotiations with Contract Instructors	20%/registration	
<u>Special discounts</u> <u>up to 15% at Director's discretion</u>	<u>up to 15%</u>	
<u>New program ideas</u> <u>Classes and recreation programs developed during the year, considering market rates.</u>	<u>Staff discretion</u>	
<b>SPECIAL INTEREST (CONTRACTOR) CLASSES</b>		
<u>Action gymnastics (new)</u>	<u>\$70/ 8-week session</u>	
Baby sitter training	\$77/ 2-day session	
<del>Cake Decoration for Kids</del>	<del>\$46/6-week session</del>	
Cardio kick boxing	\$66/ 4-week session	
Cheer prep	\$49/ 4-week session	
Cheer-preschool	\$49/ 4-week session	
Cassic gym-Preschoolers	\$45/ 4-week session	

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Classic gym-Youth	\$54/ 4-week session	
CPR/FA	\$57/ 1-day session	
Dog obedience -Advanced	\$98/ 7-week session	
Dog obedience -Basic	\$108/ 7-week session	
<u>Future sportz stars (new)</u>	<u>\$0/ 4-week session</u>	
Golf clinics	\$21/ session	
Golf lessons- Adult	\$50/ 4-week session	
Golf lessons- Juniors	\$45/ 4-week session	
<u>Healthy fit boot camp (new)</u>	<u>\$199/ 6-week session</u>	
Just 4 kicks-Preschool	\$82/ 8-week session	
Just 4 kicks- Youth	\$82/ 8-week session	
Kids in the kitchen	\$46/ 4-week session	
KidSAFE	\$66/ 6-week session	
<u>Let's get cookin' (new)</u>	<u>\$60/ 1-day workshop</u>	
Play and learn	\$49/ 4-week session	
<u>Prenatal yoga workshop (new)</u>	<u>\$50/ 4-week session</u>	
Preschool AM	\$180/calendar month	
Preschool AM sibling discount	\$162/calendar month	
Preschool PM	\$309/calendar month	
Preschool PM sibling discount	\$278/calendar month	
Safety club	\$33/ 4-week session	
<u>Skyhawk Mini Hawks Camps (half day)</u>	<u>\$138/week</u>	
<u>Skyhawk Multi Camps (half day)</u>	<u>\$138/week</u>	
<u>Skyhawks Flag Football</u>	<u>\$111/4-week</u>	
<u>Tai Chi (new)</u>	<u>\$70/ 11-week session</u>	
Tennis- Adult	\$33/ 4-week session	
Tennis-Tiny Tots	\$29/ 4-week class	
Tennis-Youth	\$66/ 4-week session	
<u>Tiny tots hooked on books (new)</u>	<u>\$49/ 4-week session</u>	
Tracy online learning	\$88/ 4-week session	
Yoga-Adults	\$44/ 4-week session	
Yoga-Seniors	\$30/ calendar month	
<u>Yoga bootcamp (new)</u>	<u>\$45/ 4-week session</u>	
<b>YOUTH &amp; TEENS</b>		
BBQ and game day	\$3/person	
<u>Teen events (new)</u>	<u>\$5 – 20/ person</u>	
<i>*Fee ranges based on direct costs</i>		
Teen swim events	\$5/person	
Girls retreat	\$10/week	
Teen chill out night (movie & popcorn)	\$3/person	
Extreme sports day (competition registration)	\$10	
Ski/Snowboard trip	\$90/ lift ticket only	
	\$125/ rental & lift ticket	

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	\$125/ rentals, lift & lesson	
	\$55/ transportation only	
	\$5/ helmet rental	
Fashion show (New)	\$0/ per person	
S.A.F.E. (Teen after school program) *Fee ranges based on direct costs	\$50 - <del>\$100</del> / year	
	\$0/ drop-in for members	
	\$5/ scrapbooking class	
	\$5/ cooking class	
<b>MCYSN</b>		
Mobile recreation (Roll'n Rec)	\$0/ person	
<b>YOUTH DEVELOPMENT</b>		
ROC (Recreation on campus after school)* *Fee ranges based on direct costs	\$180- <del>200</del> <u>240</u> / regular-per month	
ROC (Recreation on campus after school)* *Fee ranges based on direct costs	\$15- <del>20</del> <u>24</u> / day	
ROC (Recreation on campus after school)* * Fee ranges based on direct costs	\$105- <del>120</del> <u>144</u> hourly/month	
<del>ROC (Recreation on Campus Before School)* *Fee ranges based on direct costs</del>	<del>\$95-110 regular/month</del>	
<del>ROC (Recreation on Campus Before School)* *Fee ranges based on direct costs</del>	<del>\$15-20/ day</del>	
<b>CAMPS</b>		
All camps	\$50 - \$200/week	
<b>SENIORS</b>		
<b>Senior Health &amp; Wellness</b>		
Wii jubilee fitness	\$0/class	
Virtues	\$0/class	
Power walk	\$0/class	
Cardio and core	\$1/class	
Cardio and stretch	\$1/class	
Tone your body	\$1/class	
Abs, backs and gluts	\$1/class	
Cardio drill	\$1/class	
25 visit - Senior fitness pass	\$20/card	
Tai Chi	\$30/ 8 week session	
<b>Senior Arts &amp; Music</b>		

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Senior idol	\$0/class	
Wood carving	\$0/class	
Arts & craft class	\$0/class	
Arts & craft project	\$5/project	
Painting	\$0/class	
Scrapbooking	\$0/class	
Sewing	\$0/class	
Beading	\$7/month	
Card making	\$2/class	
Tap dancing	\$2/class	
Line dancing	\$2/class	
Country jams	\$2/class	
<b>Senior Recreation</b>		
Tea social	\$0/class	
Bingo	\$0/class	
Social recreation programs	\$0/class	
Table games	\$0/class	
<b>Senior Special Events</b>		
Booth for special events	\$25-50/event	
St. Patty's Day & Octoberfest lunch	\$5/person	
Dances	\$5/person	
Fashion show	\$0/person	
<u>Special events (new)</u>	<u>\$5-20/ event</u>	
SNAP Friday night dance	\$5/person	
20 Visit drop-in activities card	\$20/card	
<b>Senior Trips</b>		
Golden agers bus trips	\$30/person	
<b>Senior Social Services</b>		
Lunch program	\$0/month	
AARP programs	\$0/month	
Other services	\$0/month	
<b>ATHLETICS</b>		
<b>Adult Sports</b>		
Adult slow pitch leagues League fees pending format, number of games and services	\$280-560/team	
Adult/Youth fast pitch leagues League fees pending format, number of games and services	\$450-600/team	
Adult/Youth softball tournament	\$250-500/team	

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Tournaments vary based on type of tournament and awards provided		
<b>Youth Sports</b>		
Youth basketball league (Youth Hoops)		
Minimum	\$75/player	
Maximum	\$90/player	
Jr. Giants youth baseball	\$0/player	
<b>AQUATICS</b>		
<b>General Recreation Swim</b>		
Individual entrance fee	\$2/person	
10-Visit pass	<del>\$15</del> 20/pass	
<b>Swim Lessons</b>		
Parent/Tot	\$55-60	
Learn to swim* *Fees vary based on number of instruction days	\$55-60/person	
<b>Water Aerobics</b>		
Drop-in	\$4/person	
10-Visit pass	\$30/pass	
<b>Lap Swimming</b>		
Individual entrance fee	\$3/person	
10-Visit pass	\$20/pass	
<b>Other classes/Programs</b>		
Junior lifeguard	\$100/student	
Swim camp	\$80-88/student	
Diving	\$55-60/person	
Basic water polo	\$55-60/person	
Lifeguard training	<del>\$200</del> 220/person	
Private swim lesson (one ½ hour session)	<del>\$20</del> 15/person	

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- City of Tracy Parks and Community Services Department, General Fund, Cost of Services Study Findings, June, 2008, prepared by MGT of America, Inc.

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# PARKS AND COMMUNITY RESOURCES DEPARTMENT

## RENTAL OF FACILITIES AND PARK AREAS

DEPARTMENT CONTACT: MARK HONBERGER, RECREATION SERVICES SUPERVISOR

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>COMMUNITY CENTER RENTALS</b>		
<b>Main Hall (5,300 sq ft) ~ week day only (4 hour minimum)</b>		
Non-profit classification	<del>\$3234</del> /hour	
Private classification	<del>\$5658</del> /hour	
Commercial classification	<del>\$8082</del> /hour	
<b>Conference Room A or B (250 sq ft) ~ week day only (2 hour minimum)</b>		
Non-profit classification	<del>\$57</del> /hour	
Private classification	<del>\$911</del> /hour	
Commercial classification	<del>\$1315</del> /hour	
<b>Entire Facility (6,200 sq ft) (4 hour min.)</b>		
	<b>Week day</b>	<b>Week end</b>
Non-profit classification	<del>\$3738</del> /hour	<del>\$5658</del> /hour
Private classification	<del>\$6567</del> /hour	<del>\$9799</del> /hour
Commercial classification	<del>\$9395</del> /hour	<del>\$139141</del> /hour
<b>Deposits</b>		
An additional \$400 Deposit is required for all activities where alcohol is sold		
Main hall	\$400/rental	
Conference room A or B	\$200/rental	
Entire facility	\$400/rental	
<b>TRACY SPORTS COMPLEX MEETING ROOM RENTAL</b>		
<b>TSC Meeting Room (700 sq ft) ~ week day &amp; week end (2 hour minimum)</b>		
Non-profit classification	\$14/hour	
Private classification	\$25/hour	
Commercial classification	\$35/hour	
<b>Deposits*</b>		
*An additional \$200 Deposit is required for all activities where alcohol is sold		
Meeting room	\$200/rental	
<b>TRACY TRANSIT STATION</b>		
<b>Room 103 or 104 (590 sq ft) (2 hour minimum)</b>		
	<b>Week day</b>	<b>Week end</b>
Non-Profit classification	\$18/hour	\$27/hour
Private classification	\$32/hour	\$47/hour
Commercial classification	\$45/hour	\$68/hour

Legend:

* Not subject to CPI adjustment	CBC – California Building Code	
TMC – Tracy Municipal Code	CFC – California Fire Code	H&S – CA Health and Safety Code
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<b>Rooms 103-104 combined (1,180 sf) (2 hr min)</b>	<b>Week day</b>	<b>Week end</b>	
Non-Profit classification	\$36/hour	\$54/hour	
Private classification	\$63/hour	\$95/hour	
Commercial classification	\$90/hour	\$135/hour	
<b>Room 105 (913 sq ft) (2 hour min.)</b>	<b>Week day</b>	<b>Week end</b>	
Non-Profit classification	\$28/hour	\$42/hour	
Private classification	\$49/hour	\$74/hour	
Commercial classification	\$70/hour	\$105/hour	
<b>Lobby OR Patio (1,762 sq ft) (2 hr min.)</b>	<b>Week day</b>	<b>Week end</b>	
Non-Profit classification	\$18/hour	\$27/hour	
Private classification	\$32/hour	\$47/hour	
Commercial classification	\$45/hour	\$68/hour	
<b>Entire facility (4,445 sq.ft.) (4 hour min.)</b>	<b>Week day</b>	<b>Week end</b>	
Non-profit classification	\$82/hour	\$123/hour	
Private classification	\$144/hour	\$216/hour	
Commercial classification	\$205/hour	\$308/hour	
<b>Deposits</b>			
An additional \$400 Deposit is required for all activities where alcohol is sold			
All Rooms	\$200/rental		
<b>TRACY CIVIC CENTER RENTAL</b>			
<b>Council Chambers (3,500 sq ft) (4 hour min.)</b>	<b>Week day</b>	<b>Week end</b>	
Non-Profit classification	\$20/hour	\$35/hour	
Private classification	<del>\$95</del> /hour	<del>\$98</del> /hour	
Commercial classification	<del>\$80</del> /hour	<del>\$120</del> /hour	
<b>Conference Room #109 (500 sq ft) (2 hr min.)</b>	<b>Week day</b>	<b>Week end</b>	
Non-profit classification	\$15/hour	<del>\$23</del> /hr	
Private classification	\$26/hour	<del>\$39</del> /hr	
Commercial classification	\$38/hour	<del>\$56</del> /hr	
<b>Conference Room #203 (825 sf) (2 hour min.)</b>	<b>Week day</b>	<b>Week end</b>	
Non-profit classification	\$25/hour	<del>\$38</del>	
Private classification	\$44/hour	<del>\$66</del>	
Commercial classification	\$63/hour	<del>\$94</del>	
<b>Lobby and Both Conf Rooms (4 hour min.)</b>	<b>Week day</b>	<b>Week end</b>	
Non-profit classification	\$40/hour	\$60/hour	
Private classification	\$70/hour	\$105/hour	
Commercial classification	\$100/hour	\$150/hour	
<b>Special Events in Civic Center Park (May through October)</b>			
Full service event coordination	\$1,500		
<b>Deposit*</b>			
*An additional \$400 Deposit is required for all activities where alcohol is sold			
Rental Deposit	\$400/rental		
<b>PARK AND PICNIC AREA RENTAL</b>			

Legend:

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<b>Park/Picnic ~ 1 to 50 people (4 hour minimum)</b>		
Non-profit classification	\$13/hour	
Private classification	\$23/hour	
Commercial classification	\$33/hour	
<b>Park/Picnic ~ 51 to 100 people (4 hour minimum)</b>		
Non-profit classification	\$19/hour	
Private classification	\$33/hour	
Commercial classification	\$48/hour	
<b>Park/Picnic ~ 101 + people (4 hour minimum)</b>		
Non-profit classification	\$25/hour	
Private classification	\$44/hour	
Commercial classification	\$63/hour	
<b>Inflatable structures administrative fee</b> All classifications (new) (applied to all approved “jumpy” requests to accompany a park rental)	<del>\$35</del> 45/day/structure	
<b>Non-Profit Org ~ \$100 Max</b>		
Non-profit classification	\$100/rental	
<b>Deposits</b>		
Less than 50, traditionally activity	\$0/rental	
50-100; or less than 5 non-traditional	\$100/rental	
101-200 attendees	\$200/rental	
201-300 attendees	\$300/rental	
301 and above attendees	\$500/rental	
<b><u>PARKING LOT RENTAL</u></b>		
<u>Locations and availability at City discretion.</u> <u>10 hour maximum.</u> <u>Base fee</u> <u>Use fee:</u> <u>Non-profit classification</u> <u>Private classification</u> <u>Commercial classification</u>	<u>\$100, plus:</u>  <u>\$2/parking space</u> <u>\$3.50/parking space</u> <u>\$5/parking space</u>	
<b>MOBILE STAGE RENTAL</b>		
	<b>Non-profit</b>	<b>Private</b>
“A” Set Up (36’ X 14’)	\$320/rental	\$795/rental
“B” Set Up (36’ x 18’)	\$500/rental	\$2170/rental
“C” Set Up (36’ x 22’)	\$570/rental	\$2805/rental
<b>Deposits</b>		
All stage rentals	\$400/rental	
<b>TENNIS COURTS RENTAL</b>		

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<b>Rental</b>	<b>Per hour/court</b>		
	<b>Private</b>	<b>League</b>	<b>Tournament</b>
Non-profit youth classification	\$0	\$5	\$5
Non-profit adult classification	\$0	\$5	\$10
Private classification	\$5	\$7	\$15
Commercial classification	\$10	\$10	\$15
<b>Lights Fee</b>	<b>Per hour/court</b>		
	<b>Private</b>	<b>League</b>	<b>Tournament</b>
Non-profit youth classification	\$0	\$5	\$7
Non-profit adult classification	\$0	\$5	\$10
Private classification	\$5	\$10	\$12
Commercial classification	\$0	\$10	\$12
<b>Deposits</b>			
Tennis court rental deposit	\$50/Day/crt		
<b>WEST HIGH SWIMMING POOL RENTALS</b>			
<b>Any size groups, when organization provides own lifeguards</b>			
Non-profit classification (half pool)	\$57.75/hour		
Non-profit classification (full pool)	\$185/hour		
Non-profit – Max rate (half pool)	\$289/day		
Non-profit – Max rate (full pool)	\$925/day		
<b>Up to 50 People, Includes 2 lifeguards</b>			
Non-profit classification (half pool)	\$105/hour		
Private classification (half pool)	\$115/hour		
Commercial classification (Half pool)	\$230/hour		
Non-profit classification (full pool)	\$205/hour		
Private classification (full pool)	\$225/hour		
Commercial classification (full pool)	\$245/hour		
<b>Up to 75 People, Includes 3 lifeguards</b>			
Non-profit classification (half pool)	\$120/hour		
Private classification (half pool)	\$130/hour		
Commercial classification (half pool)	\$140/hour		
Non-profit classification (full pool)	\$235/hour		
Private classification (full pool)	\$255/hour		
Commercial classification (full pool)	\$275/hour		
<b>Up to 100 People, Includes 4 lifeguards</b>			
Non-profit classification (half pool)	\$135/hour		
Private classification (half pool)	\$145/hour		
Commercial classification (half pool)	\$155/hour		
Non-profit classification (full pool)	\$265/hour		
Private classification (full pool)	\$285/hour		
Commercial classification (full pool)	\$305/hour		
<b>100 to 150 People, Includes 5 lifeguards</b>			

Legend:

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Non-profit classification (half pool)	\$150/hour	
Private classification (half pool)	\$160/hour	
Commercial classification (half pool)	\$170/hour	
Non-profit classification (full pool)	\$295/hour	
Private classification (full pool)	\$315/hour	
Commercial classification (full pool)	\$335/hour	
<b>Over 150 People, Includes 6 lifeguards</b>		
Non-profit classification (half pool)	\$155/hour	
Private classification (half pool)	\$175/hour	
Commercial classification (half pool)	\$185/hour	
Non-profit classification (full pool)	\$310/hour	
Private classification (full pool)	\$345/hour	
Commercial classification (full pool)	\$365/hour	
<b>Deposits</b>		
All classifications, All Group Sizes	\$100/rental	
<b>Additional WHS Pool Rental Fees</b>		
Restrooms (for non-pool events)	\$40/hour	
Restrooms (for non-pool events)	\$200/day	
Extra lifeguard (as deemed necessary by staff, based on event)	\$15/hr/lifeguard	
<b>JOE WILSON COMMUNITY POOL RENTALS</b>		
<b>Any size groups, when organization provides own lifeguards</b>		
Non-profit classification	\$50/hour	
<b>Up to 50 People, Includes 2 lifeguards</b>		
Non-profit classification	\$70/hour	
Private classification	\$80/hour	
Commercial classification	\$90/hour	
<b>Up to 75 People, Includes 3 lifeguards</b>		
Non-profit classification	\$85/hour	
Private classification	\$95/hour	
Commercial classification	\$105/hour	
<b>Up to 100 People Max, Includes 4 lifeguards</b>		
Non-profit classification	\$100/hour	
Private classification	\$110/hour	
Commercial classification	\$120/hour	
<b>Deposits</b>		
All classifications, All group sizes	\$100/rental	
<b>LOLLY HANSEN SENIOR CENTER RENTAL</b>		
<b>Multi-Purpose Room (2,225 sq ft) ~ week Day &amp; week End (4 hour minimum)</b>		

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Non-profit classification	\$13/hour	
Private classification	\$23/hour	
Commercial classification	\$0/hour	
<b>Arts and Crafts Room (675 sq ft) ~ week Day &amp; week End (4 hour minimum)</b>		
Non-profit classification	\$5/hour	
Private classification	\$9/hour	
Commercial classification	\$0/hour	
<b>Entire Facility (4, 350 sq ft) ~ week Day &amp; week End (4 hour minimum)</b>		
Non-profit classification	\$26/hour	
Private classification	\$46/hour	
Commercial classification	\$0/hour	
MOU – hours provided to non-profits/Gov	\$0/hour	
<b>Deposits</b> An additional \$400 Deposit is required for all activities where alcohol is sold		
Multi-purpose room	\$200/rental	
Arts and crafts room	\$200/rental	
Entire facility	\$200/rental	
<b>SPORT FACILITIES (TBP, TSC, Plascencia Fields, Tiago, Galli, &amp; Bland Ball Fields)</b>		
<b>Hourly Fee ~ League/Individual</b>		
Non-profit youth classification	\$5/hour/fld	
Non-profit adult classification	\$10/hour/fld	
Private classification	\$18/hour/fld	
Commercial classification	\$25/hour/fld	
<b>Lights Fee ~ League/Individual</b>		
Non-profit youth classification	\$7/hour/fld	
Non-profit adult classification	\$10/hour/fld	
Private classification	\$12/hour/fld	
Commercial classification	\$18/hour/fld	
<b>Daily Fee ~ Tournaments</b>		
Non-profit youth classification	\$60/hour/fld	
Non-profit adult classification	\$100/hour/fld	
Private classification	\$120/hour/fld	
Commercial classification	\$120/hour/fld	
<b>Lights Fee ~ Tournaments</b>		
Non-profit youth classification	\$10/hour/fld	
Non-profit adult classification	\$10/hour/fld	
Private classification	\$10/hour/fld	
Commercial classification	\$10/hour/fld	
<b>Staff for Sports Complex Use</b>		

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Non-profit youth classification	\$25/hour/complex	
Non-profit adult classification	\$25/hour/complex	
Private classification	\$25/hour/complex	
Commercial classification	\$25/hour/complex	
<b>Softball Field Preparations</b>		
A Prep – Light watering	\$5/preparation	
B Prep – Lights watering, minor dragging	\$12.50/preparation	
C Prep – Full field preparation	\$25/preparation	
Use of temporary outfield fencing	\$100/per field	

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- City of Tracy Parks and Community Services Department, General Fund, Cost of Services Study Findings, June, 2008, prepared by MGT of America, Inc.

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# POLICE DEPARTMENT

Legend:

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# POLICE DEPARTMENT

DEPARTMENT CONTACT: CAPTAIN JOHN ESPINOZA

SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
<b>Alarm permit; false alarms</b>			
alarm user permit	\$20		TMC 3.40.060
false alarm costs			
4 <sup>th</sup> response	\$30		TMC 3.40.150
5 <sup>th</sup> response	\$55		
6 <sup>th</sup> response	\$70		
7 <sup>th</sup> response	\$80		
(plus penalties)			TMC Ch. 1.28
<b>Animal services</b>	<u>2011</u>	<u>2012</u>	TMC 3.36.010
Animal adoption, plus veterinary services	\$5	\$5	TMC 5.08.130(L)
Animal bite	\$30		
Board and care (daily):			
for impounded dogs	\$12.00	\$15.00	
for impounded cats	\$4.00	\$12.00	
Cat carrier	\$5		TMC 5.08.130
neuter	\$50		
spay	\$90		
Collar identification	\$2.23		
Dog neuter	\$100		TMC 5.08.130
spay	\$150		
Impound: 1	\$20		TMC 5.08.130, 5.08.240
2	\$30		
3+	\$40		
Impound, additional state fee for unaltered, at large animals: 1st; 2nd; 3rd	\$35; \$50; \$100		
License fee: unaltered dogs	\$30/year	\$50/year	TMC 5.08.130
Altered dogs	\$8/year	\$10/year	
Replacement for lost	\$5	\$5	
Late	\$15	\$20	
Low cost spay/neuter voucher	\$20		
Multiple pet permit application	\$25		TMC 5.08.420
Owner surrender: live animal	\$30	\$45	TMC 5.08.170,
deceased animal (not at shelter)	\$20	\$20	5.08.180, 5.08.240
Rabies vaccination voucher	\$16		TMC 5.08.130
Vaccination	\$5		TMC 5.08.130
Veterinary costs	actual costs		
<b>Bicycles</b>			
license and registration	\$6/3 years		TMC 3.20.060
renewal	\$3/3 years		TMC 3.20.070

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<b>Bingo</b> license renewal	\$50 \$10	TMC 4.24.050
<b>Card rooms:</b> License and renewal Dealer/work permit	\$25 \$60 plus DOJ fee \$32	TMC 4.04.030 TMC 4.04.050 TMC 4.04.070
<b>Citation sign-off, for agencies outside the City</b>	\$15	TMC 3.36.010 GC 26746.1
<b>Clearance letter</b> (for immigration or other clearance letter, plus fingerprint fees)	\$15	TMC 3.36.010
<b>Concealed weapons</b> Permit  Renewal	\$150 DOJ processing fee + \$3 permit  DOJ fee \$52 + \$3 permit	PC 12054
<b>Crime report copy</b>  Traffic collision report (for other than victim)	\$.15/page \$.15/page bulletin entries \$10/report + .15/page after 25 <sup>th</sup> page	TMC 3.36.010  VC 20012
<b>DOJ, FBI and fingerprint</b> DOJ fee DOJ and FBI fee Fingerprint (City's rolling fee) Fingerprint (DOJ, depending on nature of request, i.e. concealed weapon, daycare provider, school or parks volunteer, etc.)	\$32 \$51 \$10/request \$100-\$144	PC 11105 PC 11105 TMC 3.36.010 PC12052, 12054
<b>DUI</b> Accident response and investigation  Arrest and report	Actual personnel cost, up to \$12,000  Actual personnel cost, up to \$1,000	GC 53150 - 53159; CVC 20012
<b>Firearms sales permit</b>	\$30 + DOJ fee \$32	PC 12071(a)(F)(7)
<b>Massage establishment</b> new renewal transfer of permit change of location	\$75 + DOJ fee \$32 \$25 \$75 \$25	TMC 4.20.060 TMC 4.20.040 TMC 4.20.110 TMC 4.20.130
<b>Massage permit</b> new renewal (plus fingerprint fees) registration by state certificate holder	\$25 + DOJ fee \$32 \$25 + DOJ fee \$32  0*	TMC 4.20.180 TMC 4.20.160 DOJ, PC 11105 TMC 4.20.155
<b>Palmistry license fee</b> new renewal	\$550 \$350	TMC 4.12.190 TMC 4.12.109
<b>Police photo reproduction</b>	\$.29/photo	TMC 3.36.010

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Plus traffic photo processing fee to insurance company.	\$42 + \$.29/photo	VC 20012
<b>Police special services</b> (for school and other semi-public special events)	Actual personnel costs	GC 6257
<b>Repo release</b>	\$15/vehicle	VC 9255 (3)
<b>Solicitor permit</b>	\$15	TMC 4.12.210 and 3.36.010
<b>Taxi driver permit renewal background investigation (City fingerprint fee)</b>	\$110 + DOJ fee \$32 \$80 \$10	TMC 3.16.030 TMC 3.16.040 TMC 3.16.150 PC 11104 DOJ
<b>Tow truck driver /attendant permit renewal</b>	\$60 + DOJ fee \$32 \$30	TMC 3.44.140
<b>Vehicle release</b>	\$108/vehicle	VC 22850.5(a)
<b>VIN verification</b>	\$20/request	TMC 3.36.010
<b>Storage of firearms</b> (per domestic violence protective order)	\$51/firearm, plus \$1.90/day	TMC 3.52.050 PC 12021.3(j)

**LATEST FEE STUDY OR STAFF REPORT EXPLANATION:**

- City Council Resolution No. 2011-\_\_\_ and accompanying staff report.
- City Council Res. 2009-178, regarding animal services, and accompanying staff report.
- City Council Res. 2008-234, regarding storage of firearms
- City Council Res. 2006-209 regarding alarm permits
- 2003 Cost of Services Study Update, prepared by Finance Department. (See City Council Resolution No. 2003-059 re storage of firearms.)
- 1998 Cost of Service Study

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## PUBLIC WORKS DEPARTMENT

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# PUBLIC WORKS DEPARTMENT

## ADMINISTRATION MAINTENANCE AND OPERATIONS UTILITIES

DEPARTMENT CONTACT: KEVIN TOBECK, DIRECTOR OF PUBLIC WORKS

*NOTE: This Master Fee Schedule does not include the following types of fees, among others. (See page 3.)*

- *enterprise fund charges (water, sewer, stormwater, airport);*
- *fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid waste, yard waste and recycling under TMC Chapter 5.20);*
- *finest (imposed as penalties);*
- *rates established by separate agreements.*

There are no Public Works Department fees covered by the Master Fee Schedule.

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AGENDA ITEM 8

REQUEST

**SECOND READING AND ADOPTION OF ORDINANCE 1158 AN ORDINANCE OF THE CITY OF TRACY ADDING CHAPTER 3.04, ENTITLED "FIREWORKS", TO THE TRACY MUNICIPAL CODE**

EXECUTIVE SUMMARY

Ordinance 1158 was introduced at the Council meeting held on May 3, 2011. Ordinance 1158 is before Council for a second reading and adoption

DISCUSSION

Ordinance 1158 was introduced at the Council meeting held on May 3, 2011, to add Chapter 3.04 to the Tracy Municipal Code to allow the sale, possession, and discharge of "Safe and Sane" fireworks. Ordinance 1158 is before Council for adoption with the inclusion of the amendments requested by Council at the May 3, 2011, meeting.

Ordinance 1158 is before Council for a second reading and adoption

STRATEGIC PLAN

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

FISCAL IMPACT

None.

RECOMMENDATION

That Council adopts Ordinance 1158 following its second reading.

Attachment

Prepared by: Adrienne Richardson, Deputy City Clerk  
Reviewed by: Carole Fleischmann, Assistant City Clerk

Approved by: Leon Churchill, Jr., City Manager

ORDINANCE 1158

AN ORDINANCE OF THE CITY OF TRACY ADDING CHAPTER 3.04, ENTITLED  
“FIREWORKS”, TO THE TRACY MUNICIPAL CODE

Whereas, the City Council wishes to add Chapter 3.04 to the Tracy Municipal Code to allow for the sale, use and discharge of “Safe and Sane” Fireworks in the City of Tracy:

NOW, THEREFORE, The City Council of the City of Tracy hereby ordains as follows:

SECTION 1: Chapter 3.04 of Title 3 (Public Safety) of the Tracy Municipal Code is hereby added to read as follows:

“TITLE 3 - PUBLIC SAFETY

Chapter 3.04 - FIREWORKS

Sections:

3.04.010	Definitions
3.04.015	Public Displays-Effective Date
3.04.020	Public Displays-Permits Required
3.04.030	Sale-Discharge Time Limit-Dangerous Fireworks
3.04.040	Permit to Sell and Store Safe and Sane Fireworks
3.04.050	Maximum Number of Safe and Sane Fireworks Permits Issued
3.04.060	Applications for Safe and Sane Fireworks Sales Permit Lottery
3.04.070	Documents and Fees Required for Fireworks Sales Permit Issuance
3.04.080	Operation of Safe and Sane Fireworks Stand Only by Permittee
3.04.090	Safe and Sane Fireworks Sales Stand Requirements
3.04.100	Locations for Discharge
3.04.110	Sales and Use by Minors
3.04.120	State Law
3.04.130	Violation
3.04.140	Enforcement

3.04.010 – Definitions

“Fireworks” means any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effect which are useful as pyrotechnic devices or for entertainment.

The term “fireworks” includes, but is not limited to devices designated by the manufacturer as fireworks, Heath and Safety Code both as “dangerous fireworks” and as “safe and sane fireworks” and shall include firecrackers, torpedoes, skyrockets, roman candles, bombs, sparklers, chasers, snakes or other fireworks containing any explosives or flammable substance. This definition does not include ammunition used for target shooting or hunting, nor does it include what is ordinarily known as cap pistol caps, party popper or snap caps.

“Safe and Sane Fireworks” also known as “State Approved Fireworks” means any fireworks which do not come within the definition of “dangerous fireworks” or “exempt fireworks” as defined by section 12505 of the Health & Safety Code of the State of California and the

sections of Title 19, Code of Regulations, Subchapter 6 pertaining to "Safe and Sane Fireworks" which are hereby incorporated by reference.

"Dangerous fireworks" means any fireworks classified as such as defined by Sections 12505 and 12561 of the Health & Safety Code of the State of California and the sections of Title 19, Code of Regulations, Subchapter 6 pertaining to dangerous fireworks which are hereby incorporated by reference;

"Public Display of Fireworks" means an entertainment feature where the public or private group is admitted or permitted to view the display or discharge of dangerous fireworks.

"Fireworks Sales Stand" means any building, counter, or other structure of a temporary nature used in the sale, offering for sale, or display for sale of "Safe and Sane Fireworks"

#### 3.04.015 – Public Displays-Effective Date

The provisions of this chapter pertaining to public displays shall be effective as of July 5, 2011.

#### 3.04.020 – Public Displays-Permits Required

(a) Notwithstanding the prohibitions on Dangerous and Safe and Sane Fireworks set forth in this chapter, this section shall not prohibit public fireworks displays which may be allowed upon issuance of a permit therefore under the provisions of the Health and Safety Code of the State of California. This chapter also does not prohibit the use of railroad or other transportation agencies for signal purposes or illumination of torpedoes, flares or fuses; nor the sale of use of blank cartridges for theatrical or ceremonial purposes, athletic events, or military ceremonials or demonstrations.

(b) Fireworks Display Permits are required to conduct a fireworks display as required by local and state regulations. Permit application shall be made not less than 60 days prior to the scheduled date of the display. The permit application shall include a diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of buildings, highways and other lines of communication; the lines behind which the audiences will be restrained; and the location of nearby overhead obstructions. At the time of permit application, the Fire Chief or his/her designee shall be consulted regarding reasonable conditions or requirements for standby personnel and fire apparatus. Fireworks Display Permits shall only be granted to licensed pyrotechnic operators.

(c) Fireworks Display Permits may be secured by application to the Fire Chief with the concurrence of the Police Chief. The Fire Chief and Police Chief may deny issuance of such permits provided such denial is reasonably based on public health and safety concerns, including but not limited to an application for another event to be held on the same date as that requested has been previously filed or approved, and the other event is so close in time and location to the event proposed as to cause undue traffic congestion or to place the City in a position of being unable to meet the needs for Fire, Police or Public Works services for both events. Any decision regarding such permits may be appealed to the City Manager as set forth in Section 1.12.010 of this code.

(d) Fireworks Displays may also require a special events permit pursuant to Chapter 4.40 of this code.

(e) The Fireworks Display Permit fee, requisite deposits, time of payment shall be set by resolution of the City Council.

#### 3.04.030 – Sale-Discharge-Time Limit-Dangerous Fireworks

Subject to the permitting provisions of this chapter, the provisions of the State Fireworks Law, sections 12500 through 12726 of the Health and Safety Code of the State of California and any regulations promulgated there under and notwithstanding the portions of section 9.06.080 of this code that address fireworks, safe and sane fireworks, as defined in Section 12529 and 12562 of the Health and Safety Code of the State of California, may be sold and discharged within the city limits of the City of Tracy during the period from noon and ending at 10:00 p.m. on the twenty-eighth day of June through the third day of July and from noon to midnight on the fourth of July, each year. It is unlawful and shall be a misdemeanor to possess, sell or discharge fireworks classified as “dangerous fireworks” by Section 12505 of the Health and Safety Code of the State of California within the City of Tracy.

(a) Safe and Sane fireworks may only be sold between the hours of 12:00 p.m. and 8:00 p.m. on June 28, between 8:00 a.m. and 8:00 p.m. from June 29 through July 3, and 8:00 a.m. and 9:00 p.m. on July 4.

#### 3.04.040 – Permit to Sell and Store Safe and Sane Fireworks

(a) The City Council shall establish, by resolution, the process by which the City will issue annual permits to sell Safe and Sane Fireworks and the conditions that applicants must satisfy to receive the permits.

(b) It is unlawful for any person to engage in the sale or distribution of fireworks within the City of Tracy without first having secured a permit to do so from the fire department.

(c) It is unlawful to store fireworks within the City of Tracy without first having secured a permit to do so from the fire department.

(d) The annual permit fee for the sale of Safe and Sane Fireworks shall be set by resolution of the City Council and payable prior to permit issuance.

(e) A temporary use permit is required per 10.08.4240

(f) Permit applications shall be made prior to the end of May of each year.

#### 3.04.050 – Maximum Number of Safe and Sane Fireworks Permits Issued

(a) The maximum number of permits to sell Safe and Sane Fireworks which the City may issue during any one calendar year shall not exceed one permit for each ten thousand resident population or portion thereof. No more than one Safe and Sane Fireworks stand can be operated under each permit.

(b) Prior to June 8, 2011, City Council shall provide the process, by City Council resolution, for selection of non-profit organizations that will be eligible to apply for permits to sell and store Safe and Sane Fireworks. After July 5, 2011, City Council shall provide, by City Council resolution, a process for a lottery to determine which non-profit organizations will be eligible to apply for an annual permit to sell and store Safe and Sane Fireworks.

### 3.04.060 – Applications for Safe and Sane Fireworks Sales Permit Lottery

After July 5, 2011, applications for the lottery to be eligible to apply for a permit to store or sell Safe and Sane Fireworks may be filed during normal business hours from November 1<sup>st</sup> of each year up to and including the first Friday of December of the same year, at which time the filing period for that year will close. All applications shall be submitted in writing to the Fire Chief or his designee, on forms provided by the City and meet the following conditions:

(a) The applicant is a local nonprofit organization which shall mean any nonprofit association, club, or corporation organized for veteran, patriotic, welfare, religious, civic betterment, youth or charitable purposes as defined by Section 501 (c) of the Internal Revenue Code of the United States. Each organization shall provide the City with a copy of their “Letter of Incorporation” as proof of their nonprofit status and establish status as a 501(c)(3) tax-exempt organization as recognized by the Secretary of State.

1. Public school organizations shall provide current written verification from an affiliation from the school each year.

2. Each organization may file an application for one sales permit for which there is only one tax ID number.

(b) The organization must possess a nonprofit identification number. However, a given identification number may not be used by more than one organization. Should the Fire Chief or designee determine that more than one organization has submitted the same nonprofit identification number; the Fire Chief’s office shall notify the organizations in writing and give each of them the opportunity to correct the situation to ensure compliance with this section. If such compliance is not achieved, none of the affected nonprofits organizations shall be eligible to receive a permit.

(c) A local nonprofit organization must have its principal and permanent meeting place in the City of Tracy. The organization must have obtained nonprofit status and have been organized and established in the City for a minimum of one continuous year preceding the filing of the application for permit. The organization must also have a bona fide membership of at least twenty members who reside in the City, which will be verified each year. Applications shall be signed by two bona fide officers of the eligible organization, wherein the officer, on behalf of the organization and its agents, agrees to abide by state laws, administrative regulations, and all stipulation of this code and the permit if permission to operate a Safe and Sane Fireworks stand is granted to the organization.

(d) Should the Fire Chief or designee determine that a lottery awardee does not satisfy these requirements or otherwise comply with requirements of this chapter; the lottery awardee’s application shall be denied.

3.04.070 – Documents and Fees Required for Fireworks Sales Permit Issuance

(a) In addition to all other requirements contained in this chapter, each lottery awardee shall comply with each of the following requirements:

(1) Apply for a permit to store or sell Safe and Sane Fireworks on a form approved by the Fire Chief with the required permit fee as established by City Council resolution paid prior to permit issuance.

(2) State of California Fire Marshal's firework retail license:

(3) Provide proof of a temporary sellers permit from the State Board of Equalization;

(4) Sign a form provided by the City whereby the lottery awardee agrees to indemnify and hold harmless the City, its officers, employees, volunteers and agents from any and all claims, damages, demands, liability, costs, losses, and expenses, including without limitation court costs and reasonable attorneys' fees, arising out of or in connection with the permittee's sale of fireworks, except such loss or damage which was solely caused by the active negligence, sole negligence, or willful misconduct of the City, its officers, employees, or agents.

(5) Furnish to the City proof of coverage by a policy of public liability and property damage insurance. The policy shall provide limits of bodily injury and property damage liability of not less than five million dollars combined single limit for each occurrence annually as payment for damages to persons or property which may result from or be caused by the public sale or storage of fireworks, or any negligence on the part of the permittee or his or her agents, servants, employees or subcontractors relating thereto.

(6) Obtain a Temporary Use Permit from the City of Tracy and provide any other information as may be required by the Fire Chief.

(7) Booth location with the exact placement of fireworks.

(8) Plot plan of storage.

(b) The Fire chief, or designee, may revoke, immediately and without notice or hearing, the Safe and Sane Fireworks sales permit of any organization when any of the provisions of this code, Health and Safety Code, Uniform Fire Code or the California Code of Regulations are violated. The Fire Chief shall inform the permittee that permittee may seek review of the Fire Chief's decision, by the City Manager, on the next business day. At the earliest opportunity on the next business day after revocation, the Fire Chief shall provide the City Manager with written notice that a permit for retail sales of Safe and Sane Fireworks has been revoked, including the name of the permittee and a brief statement of the grounds for revocation. If requested by the permittee, the City Manager, or designee, shall meet with the permittee and the Fire Chief, or designee, that day to review the Fire Chief's decision. The decision of the City Manager shall be final.

(c) Revocation of any permit will be effective for that calendar year.

(d) Permits for retail sales of Safe and Sane Fireworks issued pursuant to the provisions of this section are not transferable to any other person or organization and is issued for the purpose of operating a single Safe and Sane Fireworks sales booth at the approved location. The permit may be used only by the organization to which it is issued.

(e) Each applicant that has been granted a permit shall have no less than two members of its sales staff attend an operator safety seminar approved and supervised by the Tracy Fire Department.

#### 3.04.080 – Operation of Safe and Sane Fireworks Stand Only by Permittee

(a) It is unlawful for the permittee organization to allow any person or entity other than the permittee organization to operate the Safe and Sane Fireworks stand for which the permit is issued, whether by agreement, assignment or otherwise. Violations will result in the immediate loss of the organization's permit.

(b) It is unlawful for any nonprofit organization to pay any consideration to any person for selling or otherwise participating in the sale of Safe and Sane Fireworks at such fireworks stand, except the hiring of a night watchman or security officer.

(c) Each sales stand must have a minimum of one adult 21 years of age or older in attendance and in charge thereof while fireworks are stored therein.

(d) No person may sleep in or remain in the stand after close of business.

(e) All unsold fireworks must be removed from the stand during non-sale hours and stored in a centrally located locked metal container or other secure and fire safe structure during non-sale periods. Each fireworks distributor shall provide a single storage location and container for storage of its stand's fireworks. The container shall be approved by the Fire Chief and located in an M1 or M2 zoned location approved by the Development and Engineering Services Director and the Fire Chief.

(f) Each sales stand must have on duty at all times during the sales period, at least one salesperson who attended the City of Tracy Fire Department operator safety seminar, required pursuant to Section 3.04.070.

(g) Permittees shall require all persons who appear to be under the age of 30 years to provide proof of age and shall make no sales of fireworks to persons younger than 18 years of age.

#### 3.04.090 – Requirements of Safe and Sane Fireworks Sales Stand

All retail sales of Safe and Sane Fireworks shall be made from within a temporary fireworks sales stand only, and sales from any other building or structure is hereby prohibited. Safe and sane fireworks sales stands are subject to the following requirements:

(a) No fireworks sales stand shall be put in place by the permittee any earlier than 8:00 a.m. on June 24 of each year.

- (b) No fireworks sales stand shall be located within 25 feet of any building or structure, within five feet of any curb line, or within 100 feet of any gasoline pump.
- (c) A minimum of 100 feet shall be maintained from any building used as a school, day care, hospitals, place of detention, public garage or place of assembly that can accommodate 300 or more occupants and the fireworks booth.
- (d) A minimum of twenty feet of separation shall be provided between the fireworks booths and the parked vehicles of the public.
- (e) No fireworks sales stand shall interfere with required site access, circulation, fire lanes or fire hydrants.
- (f) No weeds or other combustible materials are permitted within 25 feet of any fireworks sales stand.
- (g) No generators shall be allowed within 25 feet of any fireworks sales stand.
- (h) Smoking and the consumption of alcoholic beverages shall not be allowed within 50 feet of any fireworks sales stand and "No Smoking" signs shall be displayed on and in the fireworks sales stand.
- (i) Each fireworks sales stand shall be provided with two, two-and-one half gallon pressurized water type fire extinguishers, or two 2A10BC dry chemical/powder type fire extinguishers, in good working order, and easily accessible for use.
- (j) The permit to sell fireworks shall be displayed in a prominent place within the fireworks sales stand and shall at all times be visible to members of the public.
- (k) Fireworks sales stands shall be either 24 or 32 feet long by eight feet wide. Stands 24 feet in length shall have two exits and a maximum occupancy of six people. Stands 32 feet in length shall have three exits and a maximum occupancy of eight people.
- (l) All fireworks sales stands shall be built and maintained in accordance with the safety requirements of the City prior to opening for business.
- (m) All unsold fireworks and accompanying litter shall be cleared from the location by 5:00 p.m. on July 5, and the fireworks sales stand shall be removed from the temporary location by 12:00 p.m. on July 9 of each year. If the permittee does not remove the stand and/or clean the sales site as required, the City may do so, or cause the same to be done, and the reasonable cost thereof shall be charged against the permittee.

#### 3.04.100 – Locations for Discharge

- (a) It shall be unlawful and a misdemeanor to discharge any fireworks including Safe and Sane Fireworks on public, semi-public or private open areas such as parking lots, vacant properties, or open commercial or industrial areas except in those areas approved by the Fire Chief as provided in section 3.04.020 of this ordinance.

(b) It is unlawful for any person to ignite, explode, project, or otherwise fire or use, any fireworks, or to permit the ignition, explosion or projection thereof, upon or over or onto the property of another without his or her consent.

(c) It is unlawful for any person to discharge any fireworks within one hundred feet of a fireworks booth.

(d) When discharging Safe and Sane Fireworks, a water source must be within 100 feet of discharge location.

#### 3.04.110 – Sales and Use by Minors

(a) It is unlawful for any person under the age of eighteen to sell, or handle for sale, any classification of fireworks.

(b) It is unlawful for any person under the age of eighteen to purchase or be allowed to purchase any classification of fireworks.

(c) It is unlawful for any person having the care, custody or control of a minor under the age of eighteen to permit such minor to discharge, explode, fire, or set off any fireworks, as defined herein, unless such minor does so under the direct supervision of a parent or guardian, or such other person having care, custody or control of such minor.

#### 3.04.120 – State Law

The provisions of this chapter are in addition to applicable state and federal law, including, but not limited to, the State Fireworks Law (California Health and Safety Code Section 12500 through 12726), the State Fireworks Regulations (Title 19, California Code Regulations, Chapter 6), and any and all other state or federal laws or regulations pertaining to the sale or use of fireworks.

#### 3.04.130– Violation

Any violation of any of the provisions of this chapter is a misdemeanor, and may be enforced by any of the methods provided in Chapter 1.04 of this Code.

#### 3.04.140 – Enforcement

Sworn Peace Officers and other City staff with training in the Powers of Arrest and designated by the Police Chief or Fire Chief are authorized to enforce this Chapter pursuant to section 3.04.130 above.”

SECTION 2: 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 3: 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 4: This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 5: A summary of this ordinance shall be published and a certified copy of the full text posted in the office of the City Clerk at least five days before the City Council meeting at which the proposed ordinance is to be adopted. Within 15 days after adoption, the City Clerk shall publish a summary, and shall post in her office a certified copy, of the ordinance with the names of those Council Members voting for and against the ordinance. (Government Code section 36933(c)(1).)

\* \* \* \* \*

The foregoing Ordinance 1158 was introduced at a regular meeting of the Tracy City Council on the 3<sup>rd</sup> day of May 2011, and finally adopted on the \_\_\_\_ day of \_\_\_\_, 2011, by the following vote:

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

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

AGENDA ITEM 9

REQUEST

**ADOPTION OF A RESOLUTION PROVIDING A LOTTERY PROCESS FOR THE SELECTION OF NON-PROFIT ORGANIZATIONS TO OBTAIN A SAFE AND SANE FIREWORKS SALES PERMIT FOR JULY 4, 2011**

EXECUTIVE SUMMARY

At the City Council meeting of May 3, 2011, Council introduced Ordinance 1158 entitled "Fireworks" which includes provisions for Council, by resolution, providing a lottery process for selection of non-profit organizations that will be eligible to apply for a permit to sell and store Safe and Sane Fireworks. This item is on for Council to determine that process.

DISCUSSION

On May 3, 2011, Council introduced Ordinance 1158 entitled "Fireworks" which, when effective, will legalize, and codify requirements for the, sale, use and discharge of Safe and Sane Fireworks within the City of Tracy. The ordinance includes provisions for Council, by resolution, determining a lottery process for selection of non-profits that will be eligible to apply for a permit to sell and store Safe and Sane Fireworks. Section 3.04.050 "Maximum Number of Safe and Sane Fireworks Permits Issued" of the introduced ordinance, provides that prior to June 8, 2011, City Council shall provide the process, by City Council resolution, for selection of non-profit organizations that will be eligible to apply for permits to sell and store Safe and Sane Fireworks. After July 5, 2011, City Council shall again provide, by City Council resolution, a process for a lottery to determine which non-profit organizations will be eligible to apply for an annual permit to sell and store Safe and Sane Fireworks. Given the time constraints of the "Fireworks" ordinance in relation to July 4, 2011, the attached resolution provides an expedited process for selecting non-profit organizations this year.

Under Ordinance 1158, the number of Safe and Sane Fireworks Sales Permits issued to non-profit organizations will be determined by the resident population of the City of Tracy. The "Fireworks" ordinance specifies one Safe and Sane Fireworks Sales Permit per 10,000 residents or fraction thereof. With the City's current population in excess of 80,000 residents, nine such permits will be issued to non-profit organizations in Tracy. Due to the number of non-profits exceeding the number of permits available, it is necessary to provide an equitable, objective process by which eligible non-profits may receive the Safe and Sane Fireworks Sales Permit.

The expedited lottery process includes an aggressive timeline for both City staff and the applicants. The process includes application submission and screening, lottery processing and drawing, permitting process, safety seminar and permit issuance. If Council adopts the proposed resolution, a two year limit will be put in place for each non-profit organization if they are drawn in subsequent years, after which the organization will have to sit out a year before submitting another Safe and Sane Fireworks application. The fees associated with the "Fireworks" ordinance are included in the

City's Master Fee Schedule which is up for the consideration of Council at this meeting and listed as follows:

Safe and Sane Fireworks Sales Permit Fee	\$225.00	Includes \$150 initial stand inspection, \$25 safety seminar, \$50 lottery processing
Public Display of Fireworks	Actual costs for fire apparatus/equipment/personnel*	*The actual costs will be in addition to the fees of \$330 inspection fee and \$95 permit fee is already specified in Master Fee Schedule under "Fire Prevention – Annual Operational Fire Inspection and Permit – Inspection Type H"

STRATEGIC PLAN

This agenda item is operational and does not relate to the Council's strategic plans.

FISCAL IMPACT

Administrative costs for application processing, lottery administration, safety seminars and sales booth inspections will be recovered through the Safe and Sane Fireworks Sales Permit fee as indicated in the City's Master Fee Schedule. It is anticipated that the City will receive approximately \$2,205 in Safe and Sane Fireworks Sales permit revenue and \$650 in temporary use permit revenue for a total of \$2,855.

RECOMMENDATION

Staff recommends that Council adopt a lottery process for the selection of non-profit organizations to obtain a Safe and Sane Fireworks Sales Permit for July 4, 2011.

Prepared by: David A. Bramell, Fire Division Chief

Reviewed by: Alford Nero, Fire Chief

Approved by: Leon Churchill, Jr., City Manager

RESOLUTION \_\_\_\_\_

ADOPTING A LOTTERY PROCESS FOR THE SELECTION OF NON-PROFITS TO OBTAIN A SAFE AND SANE FIREWORKS SALES PERMIT FOR JULY 4, 2011

WHEREAS, The City introduced Ordinance 1158 of the Tracy Municipal Code Chapter 3.04 entitled "Fireworks" at the May 3, 2011 City Council meeting; and

WHEREAS, The fireworks ordinance will limit the number of non-profit organizations eligible to receive a Safe and Sane Fireworks Sales Permit to one per 10,000 population or fraction thereof which is nine permits; and

WHEREAS, The number of non-profit organizations exceed the available number of Safe and Sane Fireworks Sales Permits available; and

WHEREAS, Council desires a process which provides equal opportunity for non-profit organizations to receive a Safe and Sane Fireworks Sales permit; and

WHEREAS, To provide for the sale of Safe and Sane Fireworks in time for July 4, 2011 an expedited process is necessary; and

WHEREAS, After July 5, 2011, Council will, by resolution, determine a lottery process for future years in accordance with section 3.04.050 of the Tracy Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby adopts the following lottery process for the selection of non-profits for Safe and Sane Fireworks Sales permits prior to July 4, 2011.

	Action	Process
1.	Submit Application:  May 18, 2011 through May 25, 2011, by 5:00 p.m.	Applications must include: a. Hold Harmless Agreement b. Proof of Compliance with Section 3.040.060 of the Tracy Municipal Code entitled Fireworks
2.	Application Screening and Assign Lottery Numbers:  May 26, 2011 through May 31, 2011	a. After May 31, 2011, all applicants are notified whether or not their application has qualified. b. Qualifying applicants are assigned a specific lottery number and numbers representing applicants are placed into a secured container.
3.	Conduct Lottery Drawing:  June 1, 2011, 5:00 p.m.	a. Qualifying applicants to attend meeting at a City facility to draw eligible non-profits. b. City Clerk, or designee, will draw nine numbers and three alternate numbers.

4.	Selected Awardees Finish Permitting Process  June 2-13, 2011, 5:00 p.m.	The nine awardees whose number was selected must show proof of: <ul style="list-style-type: none"> <li>a. Temporary Sales Permit from the State Board of Equalization</li> <li>b. Proof of possession of a California Fire Marshal Fireworks Retail License</li> <li>c. City of Tracy Temporary Use Permit</li> <li>d. Plot Plan for storage of Fireworks</li> <li>e. Proof of Permission to locate and operate from the property owner</li> <li>f. Pay Fireworks Sales Permit Fee</li> <li>g. Proof of Insurance</li> </ul> If one or more of the nine awardees fails to complete the permitting process, one or more of the three alternates will be contacted on this date.
5.	Operator Safety Seminar:  June 15, 2011, 6:00 p.m.	<ul style="list-style-type: none"> <li>a. Provided by Tracy Fire Department at Fire Administration, 835 Central Ave</li> </ul>
6.	Safe and Sane Fireworks Sales Permit issued:  June 15, 2011 for selected awardees  June 22, 2011 for selected alternates (if any)	

A two year limit for each non-profit organization shall apply if they are drawn in subsequent years, after which they will have to sit out a year before submitting another Safe and Sane Fireworks application.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was adopted by the Tracy City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the following vote:

Resolution \_\_\_\_\_  
Page 3

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

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Mayor

ATTEST:

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City Clerk