TRACY CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, April 15, 2014, 7:00 p.m.

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

Americans With Disabilities Act - The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in Council meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6000) 24 hours prior to the meeting.

Addressing the Council on Items on the Agenda - The Brown Act provides that every regular Council meeting shall provide an opportunity for the public to address the Council on any item within its jurisdiction before or during the Council's consideration of the item, provided no action shall be taken on any item not on the agenda. Each citizen will be allowed a maximum of five minutes for input or testimony. At the Mayor's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Consent Calendar - All items listed on the Consent Calendar are considered routine and/or consistent with previous Council direction. A motion and roll call vote may enact the entire Consent Calendar. No separate discussion of Consent Calendar items will occur unless members of the City Council, City staff or the public request discussion on a specific item at the beginning of the meeting.

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

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

CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL
PRESENTATIONS – Certificates of Appointment – Planning Commissioners
- Certificates of Recognition – Outgoing Planning Commissioners

1. CONSENT CALENDAR

A. Approval of Minutes

B. Acceptance of the Senior Center and Transit Station Miscellaneous Improvements CIPs 78136 A and 77544 A, Completed by Bockmon & Woody Electric, Incorporated of Stockton, California, and Authorization for the City Clerk to File a Notice of Completion

C. Acceptance of the Transit Station Security Cameras CIP 77545, Completed by Bockmon & Woody Electric of Stockton, California, and Authorization for the City Clerk to File the Notice of Completion

D. Acceptance of the Traffic Related Capital Improvement Projects - CIPs 72072, 72080, and 72083, Completed by Tennyson Electric of Livermore, California, and Authorize the City Clerk to File the Notice of Completion

E. Adoption of the Mitigated Negative Declaration as Required per California Environmental Quality Act (CEQA) for the MacArthur Drive Widening Between Schulte Road and Valpico Road - CIP 73126, and Federal Project No. STPL-5192(033)

F. Authorize the Purchase of Three Large Turf Mowers from Turf Star, Inc. of Rancho Cordova, California

G. Authorize Amendment of the City's Classification and Compensation Plans and Position Control Roster by Approving the Establishment of a New Classification Specification and Salary Range for Accounting Coordinator

H. Approval of a Master Professional Services Agreement (MPSA) with SNG & Associates, Inc., to Provide Staff Support and Plan/Map Review Services in the Engineering Division of the Development Services Department for Various Projects, and Authorization for the Mayor to Execute the Agreement

I. Approve a Minor Amendment to the Tracy Honda Final Development Plan for the Addition of a Car Wash Building at 3450 Auto Plaza Way - Applicant is Bryson Burns Construction and Property Owner is KBH Investments, LP Application Number D14-0002

J. Adopt a Resolution Approving an Amendment to the Employment Agreement Between Gary Hampton and the City of Tracy Relating to Service as Interim Assistant City Manager

K. Authorization to Enter into an Interim Advanced Life Support Agreement with San Joaquin County and the South County Fire Authority and Authorization for the Interim City Manager to Sign the Agreement

2. ITEMS FROM THE AUDIENCE

3. CONDUCT A PUBLIC HEARING TO ADOPT A RESOLUTION APPROVING THE UPDATED MASTER FEE SCHEDULE

4. ACCEPT STATUS OF ANIMAL SHELTER PROJECT CIP 71064, AND CONSIDER THE OPTIONS TO EITHER AWARD THE CONSTRUCTION CONTRACT TO THE LOWEST BIDDER OR REJECT ALL BIDS AND AUTHORIZE STAFF TO RESCOPE AND REBID THE PROJECT

5. CITY COUNCIL DIRECTION RELATED TO REQUESTED CHANGES TO WATER SUPPLY FOR THE TRACY GATEWAY PROJECT LOCATED AT THE SOUTHWEST CORNER OF LAMMERS ROAD AND ELEVENTH STREET

6. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH WEST YOST & ASSOCIATES, INC., TO PROVIDE WATER DISTRIBUTION SERVICES ANALYSIS FOR THE TRACY GATEWAY BUSINESS PARK, AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE AGREEMENT

7. ITEMS FROM THE AUDIENCE

8. STAFF ITEMS

A. Receive and Accept the Interim City Manager Update

9. COUNCIL ITEMS

A. Discuss and, if Necessary, Provide Direction on Responding to Comments Made By Members of the Public

B. Appoint Two Applicants to the Transportation Advisory Commission

C. Appoint an Applicant to the Measure E Residents' Oversight Committee From the Committee's Eligibility List

10. ADJOURNMENT

TRACY CITY COUNCIL	REGULAR MEETING MINUTES
January 21, 2014, 7:00 p.m.	
City Council Chambers, 333 Civic Center Plaza	*Web Site:* *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 provided by Pastor Kevin James, New Creation Bible Fellowship

Roll call found Council Members Manne, Rickman, Young, Mayor Pro Tem Maciel and Mayor Ives present.

Mayor Ives and Police Chief Hampton swore in Mark Duxbury - Police Captain, Chad Bankston and Ryan Miller – Police Officers.

Mayor Ives presented Certificates of Appointment to new Tracy Arts Commissioners Nila Dhugga, and reappointed Commissioners Marlene Jones and Taranjit Sandhu.

Council Member Young and Council Member Manne presented Council Member Rickman with a West High Basketball Jersey.

Christina Frankel provided a presentation regarding CalRecycle.

Rhodesia Ransom, on behalf of Sow A Seed Foundation, provided a presentation regarding mentoring.

1. CONSENT CALENDAR - Following the removal of item 1-C by Council Member Young, it was moved by Mayor Pro Tem Maciel and seconded by Council Member Young to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.

   A. Approval of Minutes – Regular meeting minutes and special meeting minutes of December 3, 2013, were approved.

   B. Adoption of a Resolution of the City of Tracy, California Consenting to Inclusion of Properties within the City's Jurisdiction in the California Hero Program to Finance Renewable Energy Distributed Generation Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure, and Approving an Amendment to a Certain Related Joint Powers Agreement – Resolution 2014-012 consented to the inclusion of properties within the City's jurisdiction in the California Hero program.

   D. Authorization to Purchase Four Trucks Plus Equipment from Tracy Ford in the Amount of $139,336.80 - Resolution 2014-013 authorized the purchase. Council Member Manne abstained.

C. Authorize the City Engineer to Negotiate with the San Joaquin County Public Works Department to Enter Into an Agreement to Construct and Maintain Portions of Corral Hollow Road between Parkside Drive and Linne Road – Kuldeep Sharma, City Engineer, provided the staff report. San Joaquin County voters approved the Measure K sales tax initiative in 1989, and approved its renewal in 2010. Sales tax generated from this measure funds various transportation projects in the County. Widening Corral Hollow Road from Parkside Drive to Linne Road is a Measure K approved project eligible for such funding.

San Joaquin Council of Government (COG) is planning to secure bond financing to fund certain Measure K approved projects for various jurisdictions within the county. In the COG technical advisory committee, City staff has proposed inclusion of the Corral Hollow Road widening project for this round of funding. After reviewing various requests from other agencies for projects competing for this limited funding, Corral Hollow Road widening has been recommended by the COG staff to its board for one of the projects approved for this funding.

Since portions of Corral Hollow Road are located within the County jurisdiction, a construction and maintenance agreement needs to be entered into between the City and the County. The agreement will allow the City to purchase additional right of ways, design and construction of the street improvements. After completion of construction, the cost of maintenance will be shared between the City and the County.

Approval of this agenda item will have no impact on the General Fund. Most of the construction cost for widening Corral Hollow Road will be paid from Measure K funds and a portion of funding will come from the development impact fees collected from various developments. The maintenance and operational costs of the street and signals will be paid from gas tax funds.

Staff recommended that Council authorize the City Engineer to negotiate with the San Joaquin County Public Works Department to enter into an agreement to construct and maintain portions of Corral Hollow Road between Parkside Drive and Linne Road.

Council Member Young asked about the time frame between negotiation and construction. Mr. Sharma stated funding is expected in May or June 2014, with negotiations to follow within the next couple of months.

Council Member Young stated she wanted to highlight the item because many residents have voiced concerns with this stretch of road.

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

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Resolution 2014-014 authorizing the City Engineer to negotiate with the San Joaquin County Public Works Department to enter

into an Agreement to construct and maintain portions of Corral Hollow Road between Parkside Drive and Linne Road. Voice vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE – Abbie Hickman, founder of Pins for Pets, provided information on Pins for Pets, an event that raises funds for the Tracy Animal Shelter. Ms. Hickman indicated a fundraising event will be held on Saturday, February 15, 2014, from noon to 6:00 p.m., at Tracy Bowl with the goal of raising $10,000. Ms. Hickman stated Chili's Restaurant is donating 15% of their proceeds for those who present a flyer and purchase food Monday, February 10, through Wednesday, February 12, 2014; these proceeds will also go to the Animal Shelter. Ms. Hickman indicated she would like to hang a banner in City Hall announcing the events and asked for a sponsor to cover the cost of advertising in the Tracy Press. Ms. Hickman asked Council to support her in her efforts.

Lisa DiPasquale and neighbors of the Mt. Oso area addressed Council regarding the condition of their neighborhood. Ms. DiPasquale provided pictures of the area depicting garbage, weeds, unkempt properties, and the lack of sidewalks, curbs and gutters. Ms. DiPasquale stated children are forced to walk or peddle bicycles in the street on their way to school, requesting that Council create a Capital Improvement Project and apply for grants to alleviate the conditions that exist in this neighborhood. Ms. DiPasquale requested that these issues be placed on a future agenda to discuss the City's progress in remedying the situation.

Ray Morelos addressed Council regarding Mt. Diablo and Mt. Oso Roads and the lack of curbs, gutters, lights, storm drains or sewer line on these roads. Mr. Morelos asked Council to not ignore the older neighborhoods in town and to not use Code Enforcement as a tool to remedy the situation.

Paul Miles stated his concerns regarding privacy rights have stalled, asking when he could expect to receive information regarding the surreptitious recording of individuals. Mr. Miles responded to remarks Mayor Pro Tem Maciel made regarding individuals having "agendas".

Mayor Ives stated Police Chief Hampton provided Council with a report regarding surreptitious recording. Mr. Miles asked if that report could be made available. Mayor Ives stated the report could be made available.

Dave Helm addressed Council regarding the City of Tracy's credit card policy which he had been provided a copy. Mr. Helm noted evidence of personal use of a credit card occurring in September 2013, indicating it appeared there was a change in policy but not a change in behavior. Mr. Helm provided the Clerk with a copy of the Policy and Procedure for Use of City Issued Credit Cards dated January 1, 2013.

3. CONDUCT A PUBLIC HEARING AND ADOPTION OF AN ORDINANCE ADOPTING, BY REFERENCE, THE 2013 CALIFORNIA BUILDING AND RELATED CODES, SPECIFYING WHICH APPENDICES APPLY TO THE CITY OF TRACY, RE-ADOPTING CERTAIN EXISTING SECTIONS OF TITLE 9 OF THE TRACY MUNICIPAL CODE, ADOPTING STANDARDS RELATED TO EXTERIOR PALLET STORAGE, RADIO AMPLIFICATION SYSTEMS, AUTOMATIC SPRINKLER

SYSTEMS AND OTHER EMERGENCY RESPONDER REQUIREMENTS – Kevin Jorgensen, Building Official, provided the staff report. New versions of the various California codes related to building design and construction are adopted by the State of California every three years.

Ordinance 1192 was introduced at the Council meeting held on January 7, 2014, to consider the 2013 California Codes that will replace the 2010 versions as set forth in Title 24 of the California Code of Regulations. Proposed Ordinance 1192 will adopt, by reference, the 2013 California Building (including appendices C,F H, and K), Electrical, Mechanical, Plumbing (including appendices A, B, C, D, E, F, G, H, I and K), Residential (including appendix H), Fire (including appendices B, BB, C, CC, D, F, H and K), Existing Building, Historical Building (including appendix A), Energy (including appendix 1-A), and Green Building Standards, Code.

The ordinance makes local amendments to the California Fire Code. The ordinance will require: an operational permit for Christmas tree lots, haunted houses and corn mazes; a re-inspection fee for failing to be ready for a fire inspection; new requirements for outside pallet storage, fencing, water supply ; false alarm charges; emergency access through gates and into buildings; containment boxes where hazardous materials are stored and/or used; fire control rooms for all new buildings protected with an automatic fire extinguishing system; Automatic sprinkler systems for all new buildings greater than 6,000 square feet three or more stories in height, when a building is remodeled within a three-year period and the cost of improvements requiring permits exceeds an adjusted valuation threshold of $100,000 based on the ENR US20 Cities Average Construction Cost Index and area cost factors, when a building changes to a higher occupancy hazard and the building is greater than 6,000 square feet and when an existing building's size is increased by 50% or more within a three-year period and the total building area exceeds the minimum code limits for that occupancy group, with some minor exceptions; and radio coverage for certain applications in existing buildings where the occupancy has changed to a more hazardous use, where the addition of metal racking systems, equipment or interior walls utilizing metal, masonry or concrete materials interfere with emergency responder radio coverage within a building and when a building is increased in size by 50% or more within a three-year period and the total square footage of the building exceeds 6,000 square feet with some exceptions.

The California Residential Code will require automatic sprinkler systems for all newly installed manufactured homes.

Addressing buildings will be modified to include rear access points to multiple tenant buildings, to require the use of Arabic numbers or alphabetical letters and that the addressing be maintained, and, when required by the fire code official, address numbers will be required to be provided in additional approved locations to facilitate emergency response.

Staff recommended that Council adopt Ordinance 1192 following its second reading.

Council Member Rickman asked if any regulations or ordinances that go beyond State law were included in this amendment. Mr. Jorgensen stated Chapter 903 in the Fire Code has been added that modifies requirements regarding existing buildings. For

example, buildings that are 6,000 square feet or larger will be required to have automatic fire sprinklers installed. Council Member Rickman asked if there were any buildings over 6,000 square feet that will be grandfathered in. Mr. Jorgensen stated there were provisions that address existing buildings.

Council Member Rickman stated he was concerned regarding existing buildings over 6,000 square feet and the cost of automatic sprinklers for those buildings. Council Member Rickman asked if the ordinance would hinder individuals who want to retrofit their building. Mr. Jorgensen stated he did not think so; the valuation has changed to account for the increase in construction costs.

Council Member Rickman asked what the State mandate was for commercial buildings for fire sprinkler systems. Mr. Jorgensen provided an explanation including valuations and thresholds.

Council Member Rickman asked if the State had a cost threshold. Mr. Jorgenson stated no.

Council Member Rickman stated he was concerned that non-profits would not be able to afford required improvements. Mr. Jorgensen referred to the 1946 Uniform Building Code which affects the building Council Member Rickman referred to.

Council Member Rickman stated there has been some discrepancy regarding the year the building was erected. Council Member Rickman asked if the threshold, prior to today, was $100,000 and was now going to $250,000. Mr. Jorgensen stated that was correct, and that the threshold will increase every year.

Council Member Rickman asked if other cities have this requirement. Mr. Jorgensen stated no. Council Member Rickman asked if Mr. Jorgensen was concerned that this action would prevent individuals from upgrading their properties. Mr. Jorgensen explained the process that staff went through including meeting with a number of local business owners, contractors, and residential developers, who reviewed the ordinance. Mr. Jorgensen added that no issues were raised by anyone from these meetings.

Mayor Ives opened the public hearing.

Robert Tanner asked what the threshold was for disability access. Mr. Jorgenson stated $143,000.

George Riddle stated the residential sprinkler for manufactured homes sounds like it is retroactive. Mr. Riddle asked what Title 25 was and if anybody read it in association with retrofitting manufactured homes.

Mayor Ives asked staff to clarify the language. Mr. Jorgensen stated the change only applied to newly manufactured homes placed in the City of Tracy. Mr. Jorgensen added Title 25 relates to manufactured homes which are homes that are pre-manufactured under a state process, state inspected, set on a foundation and utilities are connected thereto.

Mr. Riddle asked if there were going to be retrofit requirements on solar cells. Mr. Jorgensen stated the codes are ever increasing, and that a lot of new code requirements that the State is mandating all jurisdictions adopt and enforce. Mr. Jorgensen added that jurisdictions can modify State mandated codes and referred to a local ordinance that addresses non-ferrous piping because of the corrosive soil which is a local condition.

Mayor Ives asked when the State codes change, is there retroactivity involved. Mr. Jorgensen stated no. However, lawmakers do enact legislation that involves retroactivity, citing smoke detectors and carbon monoxide detectors.

Mayor Ives closed the public hearing.

Council Member Rickman asked if the City was going beyond State requirements, referring to green codes or energy codes. Mr. Jorgensen stated no. Mr. Jorgensen added that there are other instances where local ordinances go beyond what was required locally that are in the ordinance before Council.

Council Member Rickman stated he did not want the City to over regulate and hinder new businesses and non-profits.

A discussion ensued between Council Member Rickman and Mr. Jorgensen regarding the Portuguese Hall, the year the building was erected, retrofits, steps to gain compliance, and protection for the community.

Mayor Ives asked if staff discussed a phased in approach with members of the Portuguese Hall. Mr. Jorgensen stated yes.

Fire Chief Al Nero added that one of the reasons California has such an admirable fire death rate is because California has some of the most stringent safety codes. Fire Chief Nero added that one of the main reasons for deaths because of fire is attributed to lax fire codes, lack of sprinklers, lack of appropriate exits and over-crowding.

Mayor Pro Tem Maciel asked if there were questions about whether the Portuguese Hall was built under the 1940 or 1946 Building Code. Mr. Jorgensen stated he did not believe there was a question; he was told the building opened in August 1949.

Mayor Pro Tem Maciel asked how this item now became an issue. Mr. Jorgensen stated an annual inspection is completed at the premises because of the assembly use. Mr. Jorgensen added that this is not a new issue, that staff has been working on this project for many years.

Council Member Rickman asked Mr. Jorgensen to research the date that the building was built and advise Council via e-mail. Council Member Rickman stated he needed to ensure that non-profits are given time to come into compliance and not shut down.

Mayor Ives stated he would rather close the doors than be unsafe. Mayor Ives stated he did not believe that was the approach staff was taking.

Council Member Manne asked if approving the ordinance affects or escalates anything referred to with the Portuguese Hall. Mr. Jorgensen stated no.

Council Member Young asked if it will become voluntary for the Portuguese Hall to install sprinklers. Mr. Jorgensen stated if the building was built under the 1940 Uniform Building Code, then technically it should be built under that code. However, if the building was built under the 1946 Uniform Building Code which requires sprinklers for a building of its size, then the City would do everything it can to meet the intent of the code.

Council Member Young asked for information regarding how long a person is given to come into compliance. Mr. Jorgensen provided various scenarios. Mr. Jorgensen added that staff always works with residents to come into compliance.

The Clerk read the title of proposed Ordinance 1192.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to waive reading of the text. Voice vote found all in favor; passed and so ordered.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Ordinance 1192. Roll call vote found all in favor; passed and so ordered.

4. ACCEPT INFORMATION REGARDING SURLAND COMMUNITIES, LLC APPLICATION WITHDRAWAL – Bill Dean, Assistant Development Services Director, provided the staff report. As mentioned at the City Council meeting on October 15, 2013, Surland Communities LLC (Surland) submitted an application to amend the Ellis Specific Plan and the City's General Plan in July, 2013. Surland recently submitted a letter requesting revisions to their application and is no longer seeking land use changes to the Ellis Specific Plan that would require consideration of an overrule. A revised application would be processed in accordance with normal application processing requirements including SJCOG review similar to any land use application in the airport influence area.

There is no impact to the General Fund. Work on the Ellis project is recovered through the Cost Recovery Agreement between the City and Surland.

Staff recommended that Council accept the information related to the Surland application.

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

Dave Anderson, President of the Tracy Airport Association, asked for clarification regarding Council directing staff to pursue an overrule.

Steve Nicolaou thanked Mr. Dean for his professionalism in dealing with him and asked for clarification regarding the agenda description regarding withdrawal of the application. Mr. Dean stated the request is an amendment to their application. Mr. Dean added that Ellis submitted an application to amend their Specific Plan removing everything related to land use changes that would require an overrule.

Mr. Nicolaou asked if any work on the overrule was now moot. Mr. Dean stated yes. Mr. Nicolaou asked if the process includes the item returning to the San Joaquin Council of Government. Mr. Dean stated yes.

Council accepted the information related to the Surland Communities, LLC., application.

5. INTRODUCTION OF AN ORDINANCE ADDING A NEW CHAPTER 3.12, PREFERENTIAL PARKING, TO THE CITY OF TRACY MUNICIPAL CODE – Kuldeep Sharma, City Engineer, provided the staff report. Residents from the neighborhoods surrounding Tracy High School have been raising concerns for the past several years regarding students parking on residential streets fronting their properties. Due to the close proximity of the school grounds and school campus, students from Tracy High School routinely park their vehicles in these streets during school hours and during school events such as football games. At times most of the street parking is occupied by students parking, thereby leaving very few or no parking spaces for residents. The majority of the houses on both sides of the street have garages except a few who have converted garages into residential uses. Such residents rely on street parking only. In addition to parking concerns, residents have indicated there are other issues such as noise, loitering and littering.

Development Services and the Tracy Police Department have worked with Tracy High School to educate the students, and the School Resource Officer has patrolled the area to improve traffic conditions. In 2008, City Council approved establishment of a three foot red zone on both sides of all driveways on Berverdor Avenue and Twelfth Street. In spite of these measures, residents continue to feel inconvenienced as parking challenges still exist during schools hours.

Staff conducted several neighborhood meetings with residents of these streets to develop alternatives or solutions to resolve their concerns. Since all other options have been exhausted, the residents have requested establishment of permit parking on these two streets that would restrict parking to residents only.

The School District has been kept aware of the City's efforts to resolve this issue with the residents. The school was consulted at the time of street improvements establishing red zones on both sides of the driveways. A letter from School Superintendent Dr. James Franco was received on October 29, 2013 objecting to the proposed permit parking on these streets indicating that the school believes the situation has not changed substantially since the school was constructed in 1917. He further stated that offsite parking has been available to school students since that time; long before the neighborhood was developed and, therefore, should continue to be available. The school has also resolved to work with the City toward a mutually acceptable solution to the issue.

Staff believes that the condition can be improved if additional parking is provided on the school site. The school can acquire certain properties located east of the school and convert the properties to parking spaces. However, the school does not have any short term plans towards acquisition of such properties. After exhausting this and other options, staff believes that resident/property owner concerns can best be addressed by establishing permit parking.

Staff reviewed permit parking programs adopted by other cities and developed an ordinance aimed at establishing permit parking in the affected neighborhood area. Staff developed a process similar to other cities after coordinating with the residents.

For a request to be considered for preferential/permit parking, property owners would need to submit a petition to the City Engineer, which is signed by 60% of the property owners in the proposed area. The application request should include language describing general requirements and constraints of the permit parking. Following the receipt of the completed application, engineering staff would follow the steps listed below for the request to be approved.

1. Staff holds an informational meeting for the residents/property owners explaining the process, costs, requirements, limitations, etc.
2. Staff completes a mail-in ballot to ensure support from 70% of the property owners of the neighborhood within the designated area.
3. Neighborhood property owners are informed of the ballot results. If the measure is supported by 70% of the property owners they will be requested to collect and provide funds payable to the City for the acquisition and installation of the required signage.
4. Engineering staff will inform Police Department staff of the mail-in ballot results.
5. After the receipt of funds from the residents and property owners, City Engineering staff will designate the permit parking boundary area and request the acquisition and installation of the signs.
6. Thirty days after the designation of the permit parking area, the parking zone will be established.
7. The Police Department will issue parking permits.
8. Parking enforcement will be performed on “Call for Service” by the Police Department parking interns or community service officers. If neither is available a police officer will respond.

Following the approval of permit parking, the Police Department will issue, manage and enforce the permit parking program. At this time, the Police Department staff has determined it will provide permits at no cost to the residents or property owners as a pilot program. Depending upon future requests, Council may determine that annual permit fees would be required in the future.

Based on the interest from the neighborhood community it is anticipated that property owners from only two streets, Twelfth Street and Berverdor Avenue between Mae Avenue and East Street, will pursue this program. If approved by the property owners there is potential of issuing 120 total permits. Therefore the fiscal impact is minimal. No major operation impact is anticipated at this time.

The existing City code does not allow permit or preferential parking. In order to allow permit parking within the City, Council must approve the addition of a new chapter in the ordinance that provides a tool to resolve citizen’s concerns and provides a mechanism to install preferential/permit parking.

There will be minimal impact to the General Fund. No major operational impact is anticipated by the Police Department at this time. However, if preferential parking is extended to other areas of the City, further impact studies will need to be performed. The

establishment of a preferential parking/permit parking zone will be implemented by engineering staff. The cost for acquisition and installation of signs will be collected from the property owners requesting the preferential/permit parking. Issuance of parking permits will be performed by Police Department staff.

Staff recommended that Council introduce an ordinance adding Chapter 3.12, Preferential Parking to the Tracy Municipal Code.

Mayor Pro Tem Maciel asked if the process described was a best practice versus a statutory requirement. Mr. Sharma stated it was a hybrid of the City's existing traffic calming policy and the proposed permit parking program.

Mayor Pro Tem Maciel asked how staff would assess the cost of the signs. Mr. Sharma stated they estimated eight signs would be needed, including installation costs divided between the 34 property owners.

Mayor Pro Tem Maciel asked if the cost information would be made available to the property owners. Mr. Sharma stated yes.

Council Member Young asked if introducing the ordinance can transition to other neighborhoods throughout the City. Mr. Sharma stated that was correct; it allows the establishment of permit parking in the City. Mr. Sharma added that staff would work with residents to resolve issues before considering permit parking.

Council Member Young stated she was concerned that all property owners will pursue this option. Council Member Young asked if there were opportunities for the residents and the school to discuss the situation.

Council Member Manne asked if any consideration was given regarding a shared use with the West Side Irrigation District (WSID). Mr. Sharma stated the WSID lines go east to west behind some of the houses that back up to the park. Mr. Sharma added that in order to create public parking, a driveway would be needed along with other improvements. Mr. Sharma stated parking on the school site has been explored.

Council Member Rickman asked for clarification regarding 60 stalls not being used at Tracy High. Mr. Sharma stated construction had occurred on site which blocked some of the parking stalls. Mr. Sharma added that since construction has ended, staff has not seen a decrease of parking on Berverdor Avenue and Twelfth Street.

Council Member Rickman asked if the ordinance can be site specific. Dan Sodergren, City Attorney, stated it was possible to limit the ordinance to a location or locations.

Council Member Rickman stated his understanding was that the ordinance was a trial and included a sunset. Mr. Sharma stated that could be done.

Mayor Ives asked if the neighbors on Highland Avenue have complained. Mr. Sharma stated only residents on Berverdor Avenue and Twelfth Street have complained.

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

Melissa Furtado, a resident of Twelfth Street, discussed daily struggles she encounters including entering and exiting her home, foul language, garbage, and students smoking and hanging out in the neighborhood. Ms. Furtado provided Council with a copy of pictures of her neighborhood since the last Council meeting.

Mayor Ives asked Ms. Furtado if she liked the ordinance. Ms. Furtado stated she was in favor of the ordinance.

Robert Tanner asked if the ordinance was citywide and could be done anywhere by 70% of the voters. Mr. Sharma stated the ordinance could be used anywhere in the City and that the sunset clause only dealt with the fees.

Robert Tanner asked what would be done when the students begin to park in the City parking lot. Captain Watney indicated there are municipal code violations regarding parking at City Hall during business hours.

Curtis Brown, a resident of Twelfth Street, stated he would happily give his free space to the Superintendent. Mr. Brown stated he has replaced four car mirrors that have been hit during school hours.

A resident explained that the Police Department conducted a survey regarding violations occurring on Twelfth Street. The resident explained that she has to leave 30 minutes early to be able to exit her driveway to avoid being late.

Dave Anderson stated if the City implements permit parking on these two streets, it will only move the problem, suggesting the City needed to look at a larger area.

Ms. Furtado asked Council to visit the neighborhood.

Dr. Christina McDougall, a resident of Berverdor Avenue, shared the problems she encounters including trash, parents using profanity, and blocked access to her home. Dr. McDougall asked what time frame was covered by the permits. Mr. Sharma stated weekdays.

Mayor Ives closed the public hearing.

Council Member Young asked about the 60 parking spaces on the school site. Captain Watney stated he conducted a survey and on average found 17 student parking spaces and 22 teacher parking spaces available at various times during the day.

Council Member Young stated she was concerned that the parking issue will not change. Council Member Young stated some of the other concerns noted such as litter, dropping off students, smoking, and hanging out will not be eliminated with permit parking; that it was a character issue. Council Member Young stated she did not believe permit parking will address all the issues.

Mayor Pro Tem Maciel stated this has been a longstanding issue. Mayor Pro Tem Maciel stated he disagrees with Dr. Franco on this issue stating the community has grown, lifestyles have changed, and there is a higher percentage of teenagers driving.

Mayor Pro Tem Maciel stated the school needs to be more proactive. Mayor Pro Tem Maciel stated this action may be a step in the right direction.

Council Member Manne stated he was a little disappointed that the School District has let the concerns get this far. Regarding an ordinance, Council Member Manne stated he was hesitant to add more rules to the books. Council Member Manne added that this was not the end of the conversation; students have their reasons for why they park where there do. Council Member Manne stated this was an opportunity to fix the problem on Berverdor Avenue and Twelfth Street and is in favor of the ordinance.

Council Member Rickman stated the ordinance has to be specific to these two areas (Twelfth Street and Berverdor Avenue); it should not be city-wide. Council Member Rickman stated he would like to see a sunset provision added.

Mayor Ives stated he was not in favor of an ordinance, but was in favor of a pilot project which calls for the city to set up signs and after a set time, determine if the program worked. Mayor Ives stated he believed the number of parking spaces have decreased due to the various campus improvements.

Council Member Young stated she agreed with the Mayor's approach, but added she was concerned that many of the issues will remain.

Mayor Ives stated this action will put the School District on notice and added that the school district has to come to the table.

Mayor Pro Tem Maciel asked if what was being proposed would have to come back to Council. Mr. Sodergren stated preferential parking would have to be adopted by resolution or ordinance. Mr. Sodergren added that if Council wanted to pursue a pilot program, they would need to provide staff with specific direction.

Mayor Pro Tem Maciel stated he supported a city-wide ordinance that creates a mechanism to approach the problem as has been laid out and would consider it on an interim basis.

Mayor Ives proposed 18 months for the pilot program. Mayor Ives recommended putting the School District on notice that they need to work on enforcement for on-site parking and notification to students and parents to not park in the residential neighborhoods.

Mr. Sodergren clarified Council direction was to limit the pilot program to Berverdor Avenue and Twelfth Street, return after 18 months, and that the City would cover the costs of the signs.

Council Member Young asked how soon the pilot program could begin. Mr. Sharma stated the signs could be installed within three weeks.

It was moved by Council Member Manne and seconded by Council Member Rickman to direct staff to bring back a resolution for Council consideration regarding a pilot program addressing parking concerns on Berverdor Avenue and Twelfth Street. Voice vote found all in favor; passed and so ordered.

Mayor Ives called for a recess at 9:54 p.m., reconvening at 10:02 p.m.

6. DISCUSS AND PROVIDE DIRECTION ON A COUNCIL COMMUNICATIONS POLICY – It was Council consensus to move discussion of the item to the February 18, 2014 Council meeting.

7. SECOND READING AND ADOPTION OF ORDINANCE 1190 AN ORDINANCE OF THE CITY OF TRACY AMENDING THE EASTLAKE PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AMENDING THE ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AND CREATING A NEW PLANNED UNIT DEVELOPMENT FOR THE TOTAL TEN-ACRE SITE KNOWN AS THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-50-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBER PUD12-0003 - Mayor Ives excused himself from consideration of the item.

The Clerk read the title of proposed Ordinance 1190.

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

It was moved by Council Member Rickman and seconded by Council Member Manne to waive the reading of the text. Voice vote found Council Members Manne, Rickman, Young and Mayor Pro Tem Maciel in favor; Mayor Ives abstained.

It was moved by Council Member Rickman and seconded by Council Member Manne to adopt Ordinance 1190. Roll call vote Council Members Manne, Rickman, Young and Mayor Pro Tem Maciel in favor; Mayor Ives abstained.

8. SECOND READING AND ADOPTION OF ORDINANCE 1191 AN ORDINANCE OF THE CITY OF TRACY, AMENDING SECTION 3.08.580, OF CHAPTER 3.08 (TRAFFIC REGULATIONS) OF TITLE 3 (PUBLIC SAFETY) OF THE TRACY MUNICIPAL CODE

The Clerk read the title of proposed Ordinance 1191.

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

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to waive the reading of the text. Voice vote found all in favor; passed and so ordered.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Ordinance 1191. Roll call vote found all in favor; passed and so ordered.

9. ITEMS FROM THE AUDIENCE – None.

10. STAFF ITEMS

A. Receive and Accept the City Manager Informational Update – Leon Churchill, Jr., City Manager, provided the staff report.

Council accepted the City Manager Informational Update.

11. COUNCIL ITEMS

A. Appoint Applicants to the Parks and Community Services Commission - Council Member Manne reported that he and Mayor Pro Tem Maciel interviewed 17 applicants.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to reappoint Gene Birk and Alexander Holguin, and appoint Janice Johnson to the Parks and Community Services Commission with terms expiring January 1, 2018. Leslie Douglas, Patrick O'Brien, and William Helpley were placed on the eligibility list. Voice vote found all in favor; passed and so ordered.

B. Review Appointments to Council Committees – Maria A. Hurtado, Assistant City Manager, provided the staff report. Appointments to Council subcommittees are reviewed on an annual basis. The appointments were last reviewed on January 15, 2013.

Some committees may need to be deleted from the list if they are no longer active or if Council participation is no longer required. Likewise, active committees not on the list may need to be added. Council members may be reappointed to the same committees on which they are currently serving, or new assignments can be made upon request.

There were no changes to the existing Council appointments.

Council Member Rickman reminded everyone that the Parks Activity Guide still had opportunities for individuals to get involved. Council Member Rickman invited those with any special skills that would be willing to teach to please contact the Parks Department.

12. ADJOURNMENT - It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adjourn. Voice vote found all in favor; passed and so ordered. Time: 10:17 p.m.

The above agenda was posted at the Tracy City Hall on January 16, 2014. The above are summary minutes. A recording is available at the office of the City Clerk.

_____
Mayor

_____
City Clerk

April 15, 2014

AGENDA ITEM 1.B

REQUEST

ACCEPTANCE OF THE SENIOR CENTER AND TRANSIT STATION MISCELLANEOUS IMPROVEMENTS CIPS 78136 A AND 77544 A, COMPLETED BY BOCKMON & WOODY ELECTRIC, INCORPORATED OF STOCKTON, CALIFORNIA, AND AUTHORIZATION FOR THE CITY CLERK TO FILE A NOTICE OF COMPLETION

EXECUTIVE SUMMARY

The contractor, Bockmon & Woody Electric Company, Incorporated of Stockton, California, has completed construction of the Senior Center and Transit Station miscellaneous improvements CIPS 78136-A and 77544-A in accordance with project plans, specifications, and contract documents. Project costs are within the available budget. Staff recommends City Council accept the project, file notice of completion and enable the City to release the contractor's bonds and retention.

DISCUSSION

The scope of work for the Senior Center project included installation of a security camera, decorative water fountain which included electrical and plumbing, and a bike rack. The Transit Station project scope of work included a vehicle charging station, electrical work, signage and striping. Project plans and specifications were prepared in-house by engineering staff.

Public Contract Code Section 22032 and 22036 allows a public agency to procure informal bids for projects with an anticipated cost less than $50,000. Since this project falls under this category, it was advertised for informal bids on the City of Tracy website and builder's exchanges on November 8, 2013. Three bids were received on November 26, 2013.

On December 19, 2013, the City Manager, in accordance with TMC 2.20.260 executed the agreement with the lowest monetary bidder, Bockmon & Woody Electric Company, Incorporated of Stockton, California, in the amount of $33,915 for the Senior Center & Transit Station miscellaneous improvements CIPS 78136-A and 77544-A.

One change order in the amount of $2,511.17 was issued for the project which included the installation of three bollards and wheel stops for the vehicle charging station.

Status of budget and project cost is as follows:

A. Construction Contract Amount	$ 33,915.00
B. Change order	$ 2,511.17
C. Design, Construction Inspections (Estimated)	$ 4,000.00
D. Citywide Project Management (Estimated)	$ 6,000.00
Total Project Costs	$ 46,426.17
Budgeted Amount	$ 50,000.00

The project has been completed within the available budget, on schedule, per plans, specifications, and City of Tracy standards.

STRATEGIC PLAN

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

FISCAL IMPACT

CIPS 78136-A and 77544-A are approved Capital Improvement Projects with sufficient funding to cover the total project costs. There is no fiscal impact to the General Fund.

RECOMMENDATION

That City Council accept, by resolution, the Senior Center and Transit Station miscellaneous improvements CIPS 78136-A and 77544-A, completed by Bockmon & Woody Electric Company, Incorporated, of Stockton, California, and authorize the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

Prepared by: Paul Verma, Senior Civil Engineer

Reviewed by: Victoria Dion, City Engineer/Assistant Development Services Director
Andrew Malik, Development Services Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

RESOLUTION _____

ACCEPTING THE SENIOR CENTER AND TRANSIT STATION MISCELLANEOUS IMPROVEMENTS CIPS 78136-A AND 77544-A, COMPLETED BY BOCKMON & WOODY ELECTRIC COMPANY, INCORPORATED OF STOCKTON, CALIFORNIA, AND AUTHORIZINGTHE CITY CLERK TO FILE A NOTICE OF COMPLETION

WHEREAS, On December 19, 2013, the City Manager, in accordance with TMC 2.20.260 executed the agreement with the lowest monetary bidder, Bockmon & Woody Electric Company, Incorporated of Stockton, California, in the amount of $33,915 for the Senior Center and Transit Station miscellaneous improvements CIPS 78136A & 77544A, and

WHEREAS, The contractor has completed construction of the Senior Center and Transit Station miscellaneous improvements CIPS 78136-A and 77544-A in accordance with project plans, specifications, and contract documents, and

WHEREAS, One change order was received in the amount of $2,511.17, and

WHEREAS, Status of budget and project costs are estimated to be as follows:

A. Construction Contract Amount	$ 33,915.00
B. Change order	$ 2,511.17
C. Design, Construction Inspections (Estimated)	$ 4,000.00
D. Citywide Project Management (Estimated)	$ 6,000.00
Total Project Costs	$ 46,426.17
Budgeted Amount	$ 50,000.00

WHEREAS, CIPS 78136-A and 77544-A are approved Capital Improvement Projects with sufficient funding to cover the total project costs. There is no fiscal impact to the General Fund;

NOW, THEREFORE BE IT RESOLVED, That City Council accepts the Senior Center and Transit Station miscellaneous improvements CIPS 78136-A and 77544-A completed by Bockmon and Woody Electric Company, Incorporated, of Stockton, California, and authorizes the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

* * * * * * * * * *

The foregoing Resolution 2014 -_____ was adopted by the City Council on the 15th day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 1.C

REQUEST

ACCEPTANCE OF THE TRANSIT STATION SECURITY CAMERAS CIP 77545, COMPLETED BY BOCKMON & WOODY ELECTRIC OF STOCKTON, CALIFORNIA, AND AUTHORIZATION FOR THE CITY CLERK TO FILE THE NOTICE OF COMPLETION

EXECUTIVE SUMMARY

The contractor has completed construction of the Transit Station Security Cameras CIP 77545, in accordance with plans, specifications, and contract documents. Project costs are within the available budget. Staff recommends City Council accept the project and authorize the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

DISCUSSION

July 2, 2013, City Council awarded a construction contract to Bockmon & Woody Electric of Stockton, California, in the amount of $142,173 for the Transit Station Security Cameras CIP 77545.

The project scope included installation of an interior and exterior security camera system for 5,000 square feet of Tracy Transit Building and 40,000 square feet of the adjacent parking lot. The security camera system consisted of four interior cameras and 16 exterior cameras including site electrical work, server, trenching, paving, and directional boring.

One change order totaling a net credit to the City in amount of $2,808.40 was issued for the project which included deletion of certification of the IT staff and additional work for removal of excessive paint markings at the project site.

Status of budget and project cost is as follows:

A.	Construction Contract Amount	$142,173.00
B.	Approved Change orders	($ 2,808.40)
C.	Design, construction management, inspection, Testing , Miscellaneous Expenses including permit fees	$ 28,856.40
D.	Project Overhead Charges	$ 27,240.00
	Total Project Costs	$195,461.00
	Budgeted Amount	$200,000.00

The project has been completed within the available budget, within the time frame of the original contract plus the time extension given to the contactor.

STRATEGIC PLAN

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

FISCAL IMPACT

CIP 77545 is an approved Capital Improvement Project with entire funding received through a State Grant. There will be no fiscal impact to the General Fund. All remaining funds will be used to secure certification of the City IT staff for operational and maintenance of the security camera system.

RECOMMENDATION

That City Council, by resolution, accept construction of the Transit Station Security Cameras CIP 77545, completed by Bockmon & Woody Electric of Stockton, California, and authorize the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

Prepared by: Paul Verma, Senior Civil Engineer

Reviewed by: Victoria Dion, City Engineer/Assistant Development Services Director
Andrew Malik, Development Services Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

RESOLUTION 2014- _____

ACCEPTING THE TRANSIT STATION SECURITY CAMERAS CIP 77545, COMPLETED BY BOCKMON & WOODY ELECTRIC OF STOCKTON, CALIFORNIA, AND AUTHORIZING THE CITY CLERK TO FILE THE NOTICE OF COMPLETION

WHEREAS, On July 2, 2013, City Council awarded a construction contract to Bockmon & Woody Electric of Stockton, California, in the amount of $142,173 for Transit Station Security Cameras CIP 77545 , and

WHEREAS, The contractor has completed construction of the Transit Station Security Cameras CIP 77545, in accordance with plans, specifications, and contract documents. Project costs are within the available budget, and

WHEREAS, One change order was received in the credit amount of $2,808.40, and

WHEREAS, Status of budget and project costs are estimated to be as follows:

A.	Construction Contract Amount	$142,173.00
B.	Approved Change orders	($ 2,808.40)
C.	Design, construction management, inspection, Testing, Miscellaneous Expenses including permit fees	$ 28,856.40
D.	Project Overhead Charges	$ 27,240.00
	Total Project Costs	$195,461.00
	Budgeted Amount	$200,000.00

WHEREAS, CIP 77545 is an approved Capital Improvement Project with sufficient funding and there will be no fiscal impact to the General Fund. All remaining funds will be transferred back into the Transit Capital Fund F573;

NOW, THEREFORE BE IT RESOLVED, That City Council accepts the construction of the Transit Station Security Cameras CIP 77545, completed by Bockmon & Woody Electric of Stockton, California, and authorizes the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

* * * * * * * * * *

The foregoing Resolution 2014-_____ was adopted by City Council on the 15th day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 1.D

REQUEST

ACCEPTANCE OF THE TRAFFIC RELATED CAPITAL IMPROVEMENT PROJECTS - CIPs 72072, 72080, AND 72083, COMPLETED BY TENNYSON ELECTRIC OF LIVERMORE, CALIFORNIA, AND AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION

EXECUTIVE SUMMARY

The contractor, Tennyson Electric of Livermore, California, has completed construction of the Traffic Signal Modification at Eleventh Street and East Street, Traffic Signal Controller replacement at Tracy Boulevard and Vallerand Drive, and STAA Improvements at MacArthur Drive and Pescadero Avenue - CIPs 72072, 72080, and 72083, in accordance with project plans, specifications, and contract documents. Project costs are within the available budget. Staff recommends Council accept the project to enable the City Engineer to release the contractor's bonds and retention.

DISCUSSION

On July 16, 2013, City Council awarded a construction contract to Tennyson Electric of Livermore, California, in the amount of $245,938 for the Traffic Signal modification at Eleventh Street and East Street (CIP 72072), Traffic Signal Controller Replacement at Tracy Boulevard and Vallerand Drive (CIP 72080), and STAA Improvements at MacArthur Drive and Pescadero Avenue (CIP 72083).

The modification of Eleventh Street and East Street Project - CIP 72072, provided new traffic signal poles, mast arms, LED lighting, audible pedestrian signal heads, countdown pedestrian heads, traffic controllers, service, CCTV Camera, etc. The existing outdated 170 Controller was replaced with the new 2070 Controller to meet current State Department of Transportation standards.

The Tracy Boulevard and Vallerand Drive Project - CIP 72080, provided replacement of the existing 170 Traffic Controller with a new 2070 Traffic Controller including associated improvements.

The MacArthur Drive and Pescadero Avenue Intersection Project - CIP 72083, provided Surface Transportation Assistance Act (STAA) improvements at this intersection to make it accessible for larger trucks.

The project has been completed within the available budget, on schedule, per plans, specifications and City of Tracy standards.

No change orders were issued.

Status of budget and project costs is as follows:

A.	Construction Contract Amount	$245,938
B.	Design, construction management, inspection, Testing, & miscellaneous expenses (Estimated)	$ 10,246
C.	Project Management Charges (Estimated)	$ 14,498
	Total Project Costs	$ 270,682
	Budgeted Amount	$ 327,000

STRATEGIC PLAN

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

FISCAL IMPACT

CIPs 72072, 72080, and 72083, are approved Capital Improvement Projects with sufficient funding and there will be no fiscal impact to the General Fund. All remaining unused funds will be transferred back into the Gas Tax Fund.

RECOMMENDATION

That City Council, by resolution, accept the Traffic Signal Modification at Eleventh Street and East Street, Traffic Signal Controller Replacement at Tracy Boulevard and Vallerand Drive, and STAA improvements at MacArthur Drive and Pescadero Avenue - CIPs 72072, 72080, and 72083, completed by Tennyson Electric of Livermore, California, and authorize the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

Prepared by: Paul Verma, Senior Civil Engineer

Reviewed by: Victoria Dion, City Engineer/Assistant Development Services Director
Andrew Malik, Development Services Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

RESOLUTION 2014- _____

ACCEPTING THE TRAFFIC RELATED CAPITAL IMPROVEMENT PROJECTS - CIPs 72072, 72080, AND 72083, COMPLETED BY TENNYSON ELECTRIC OF LIVERMORE, CALIFORNIA, AND AUTHORIZING THE CITY CLERK TO FILE THE NOTICE OF COMPLETION

WHEREAS, On July 16, 2013, City Council awarded a construction contract to Tennyson Electric of Livermore, California, in the amount of $245,938 for the Traffic Signal Modification at Eleventh Street and East Street, Traffic Signal Controller replacement at Tracy Boulevard and Vallerand Drive, and STAA Improvements at MacArthur Drive and Pescadero Avenue - CIPs 72072, 72080, and 72083, and

WHEREAS, Traffic Signal Modification at Eleventh Street and East Street, Traffic Signal Controller replacement at Tracy Boulevard and Vallerand Drive, and STAA Improvements at MacArthur Drive and Pescadero Avenue - CIPs 72072, 72080, and 72083 were completed in accordance with project plans, specifications, and contract documents. Project costs are within the available budget, and

WHEREAS, No change orders were received, and

WHEREAS, Status of budget and project costs are estimated to be as follows:

A.	Construction Contract Amount	$245,938
B.	Design, construction management, inspection, Testing, & miscellaneous expenses (Estimated)	$ 10,246
C.	Project Management Charges (Estimated)	$ 14,498
	Total Project Costs	$ 270,682
	Budgeted Amount	$ 327,000

WHEREAS, CIPs 72072, 72080, and 72083 are approved Capital Improvement Projects with sufficient funding and there will be no fiscal impact to the General Fund;

NOW, THEREFORE BE IT RESOLVED, That City Council accepts the Traffic Signal Modification at Eleventh Street and East Street, Traffic Signal Controller replacement at Tracy Boulevard and Vallerand Drive, and STAA Improvements at MacArthur Drive and Pescadero Avenue - CIPs 72072, 72080, and 72083, completed by Tennyson Electric of Livermore, California, and authorizes the City Clerk to record the Notice of Completion with the San Joaquin County Recorder's Office. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

* * * * * *

The foregoing Resolution 2014-_____ was adopted by City Council on the 15th Day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 1.E

REQUEST

ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AS REQUIRED PER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR THE MACARTHUR DRIVE WIDENING BETWEEN SCHULTE ROAD AND VALPICO ROAD - CIP 73126, AND FEDERAL PROJECT NO. STPL-5192(033)

EXECUTIVE SUMMARY

Staff is recommending that City Council adopt the proposed Mitigated Negative Declaration for the proposed MacArthur Drive Widening between Schulte Road and Valpico Road which is required for projects that are allocated Federal funds.

DISCUSSION

The existing MacArthur Drive south of Schulte Road and north of Valpico Road varies between two lanes and four lanes and needs to be widened to accommodate four travel lanes. The proposed widening is needed to accommodate the traffic volumes generated by the existing, approved and planned development, thus maintaining the operational level of service at an acceptable level.

Therefore, it is necessary to reconstruct and widen an approximately 5,000 foot segment of said road between Schulte Road and Valpico Road from two lanes to four lanes. The proposed widening includes modification of three traffic signals, construction of curbs, gutters, wheel chair ramps, Class II bike lanes, sidewalks, street lights, landscaping, traffic marking and striping and storm drainage system improvements.

Since a majority of the funding for planning, design and construction of this project is provided by the Federal Highway Program, it is prudent that the project complies with both the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).

The City's consultant has prepared the NEPA documents and Caltrans, as a lead agency for the NEPA process, has approved the subject documents.

The City of Tracy is the lead agency for the CEQA process and the consultant has completed the required documents including notices to interested agencies and the public for their review and comments. The Mitigated Negative Declaration has been prepared based on the comments received. The 30 day public circulation of the Initial Study took place between October 25, 2013, and November 24, 2013. The Mitigated Negative Declaration concludes that the project will not have a significant impact on the environment with the inclusion of appropriate avoidance, minimization, and mitigation measures included in the study. Staff recommends that the City Council adopt the Mitigated Negative Declaration for this project.

STRATEGIC PLAN

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

FISCAL IMPACT

There is no impact to the City's General Fund. All costs related to the preparation of these documents are paid from the allocated fund of $542,900, Federal TEA Grant.

RECOMMENDATION

That City Council, by resolution, adopt the proposed Mitigated Negative Declaration for the MacArthur Drive Widening between Schulte Road and Valpico Road - CIP 73126, and Federal Project No. STPL-5192(033).

Prepared by: Zabih Zaca, Senior Civil Engineer

Reviewed by: Victoria Dion, City Engineer/Assistant Development Services Director
Andrew Malik, Development Services Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENT
Attachment A: Mitigated Negative Declaration and Initial Study

ATTACHMENT A

FINAL

MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

FOR THE

MACARTHUR DRIVE WIDENING BETWEEN SCHULTE ROAD AND VALPICO ROAD

CIP 73126: Federal No. STPL-5192 (033)

FEBRUARY 2014

Prepared for:

City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

Prepared by:

De Novo Planning Group
4630 Brand Way
Sacramento, CA 95819
(916) 580-9818

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

FINAL

MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY

FOR THE

MACARTHUR DRIVE WIDENING BETWEEN SCHULTE ROAD AND VALPICO ROAD

CIP 73126: Federal No. STPL-5192 (033)

FEBRUARY 2014

Prepared for:

City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

Prepared by:

De Novo Planning Group
4630 Brand Way
Sacramento, CA 95819
(916) 580-9818

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INITIAL STUDY CHECKLIST

PROJECT TITLE

MacArthur Drive Widening between Schulte Road and Valpico Road

LEAD AGENCY NAME AND ADDRESS

City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

CONTACT PERSON AND PHONE NUMBER

Zabih Zaca, Senior Civil Engineer
Development and Engineering Services Department
City of Tracy
(209) 831-6452

PROJECT SPONSOR'S NAME AND ADDRESS

City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

PROJECT LOCATION AND SETTING

MacArthur Drive is located in the eastern portion of the City of Tracy and extends from its northern terminus at Delta Avenue in unincorporated San Joaquin County south through the corporate limits of the City of Tracy to its southern terminus in unincorporated San Joaquin County near the California Aqueduct (Figure 1). Within the corporate limits of Tracy, this roadway varies between two lanes and four lanes. Much of the southern segment of MacArthur Drive currently has two lanes, including the segment within the project limits (Figure 2). The posted speed limit on MacArthur Drive varies from 40 to 45 miles per hour. This roadway is classified as a major arterial in the City of Tracy General Plan Circulation Element.

The northern limits of the proposed project (Figure 3) begin at Schulte Road, which is an east-west roadway that extends from Chrisman Road in the east to its current terminus located approximately 2000 feet to the west of South Corral Hollow Road. This roadway varies between two lanes and four lanes with bicycle lanes and sidewalks on certain sections. The roadway is four lanes west of MacArthur Drive and two lanes east of MacArthur Drive. Schulte Road is classified as a major arterial in the City of Tracy General Plan Circulation Element.

PURPOSE AND NEED

The purpose of the proposed project is to upgrade an approximately 5,000-foot segment of MacArthur Drive between Schulte Road and Valpico Road to a four-lane major arterial. The proposed project is needed to accommodate the traffic volumes generated by existing, approved, and planned development, thus maintaining the operational level of service at acceptable levels. The proposed project is also needed to improve safety, connectivity, and mobility for bicyclists,

pedestrians, transit users, and motorists of all ages and abilities by upgrading the facility to a continuous and complete roadway with improved drainage, lighting, landscaping, striping, traffic markings, and ADA access.

PROJECT DESCRIPTION

The City of Tracy proposes to reconstruct and widen an approximately 5,000-foot segment of MacArthur Drive between Schulte Road and Valpico Road from two lanes to four lanes. The proposed project includes modification of three (3) traffic signals at East Lake Drive, Yosemite Avenue, and Schulte Road, including construction of curb, gutter, wheel chair ramps, class II bike lanes, continuous sidewalks, streetlights, landscaping, traffic marking and striping.

The project includes the following design improvements on MacArthur Drive:

- Intersection widening/re-striping from Schulte Road to Valpico Road to provide two travel lanes in each direction
- Center median from Schulte Road to De Bord Drive that allows for left-turn pockets at intersections
- Traffic signal modifications at Schulte Road, Eastlake Drive, and Yosemite Avenue intersections
- Class II bicycle lanes in both directions
- Complete sidewalk network on both sides of the street
- Construction of curb, gutter, wheel chair ramps, street lights and landscaping.

The relocation of an overhead power line on the westside of MacArthur Drive from Valpico Road to just south of De Bord Drive may require the removal of three residential structures. Additionally, the proposed project may include the construction of noise attenuation features at four locations along MacArthur Drive.

The proposed project is included in the City's approved Capital Improvement Program and is programmed as a Tier 1 project in the 2011 San Joaquin County Regional Transportation Plan with an "Open to Traffic Year" of 2012 (MPO ID: SJ07-3108/CTIPS IS: 212-0000-0427).

The proposed project has an estimated cost of $5,638,900. The proposed project is partly funded from Infill and Industrial Area Specific Plan development impact fees and a Federal TEA Grant. A recent award of a Federal TEA grant for $542,900 has facilitated the design and acquisition of rights-of-ways for this project. The project has also received approval for additional funding from a Federal grant for $1,146,000 due in FY 2012-13. The remaining funding for completion of the proposed project will be from Infill development impact fees and gas tax. Additional funding will also be solicited from Federal grants. Depending on the availability of funds, the project may be completed in multiple phases.

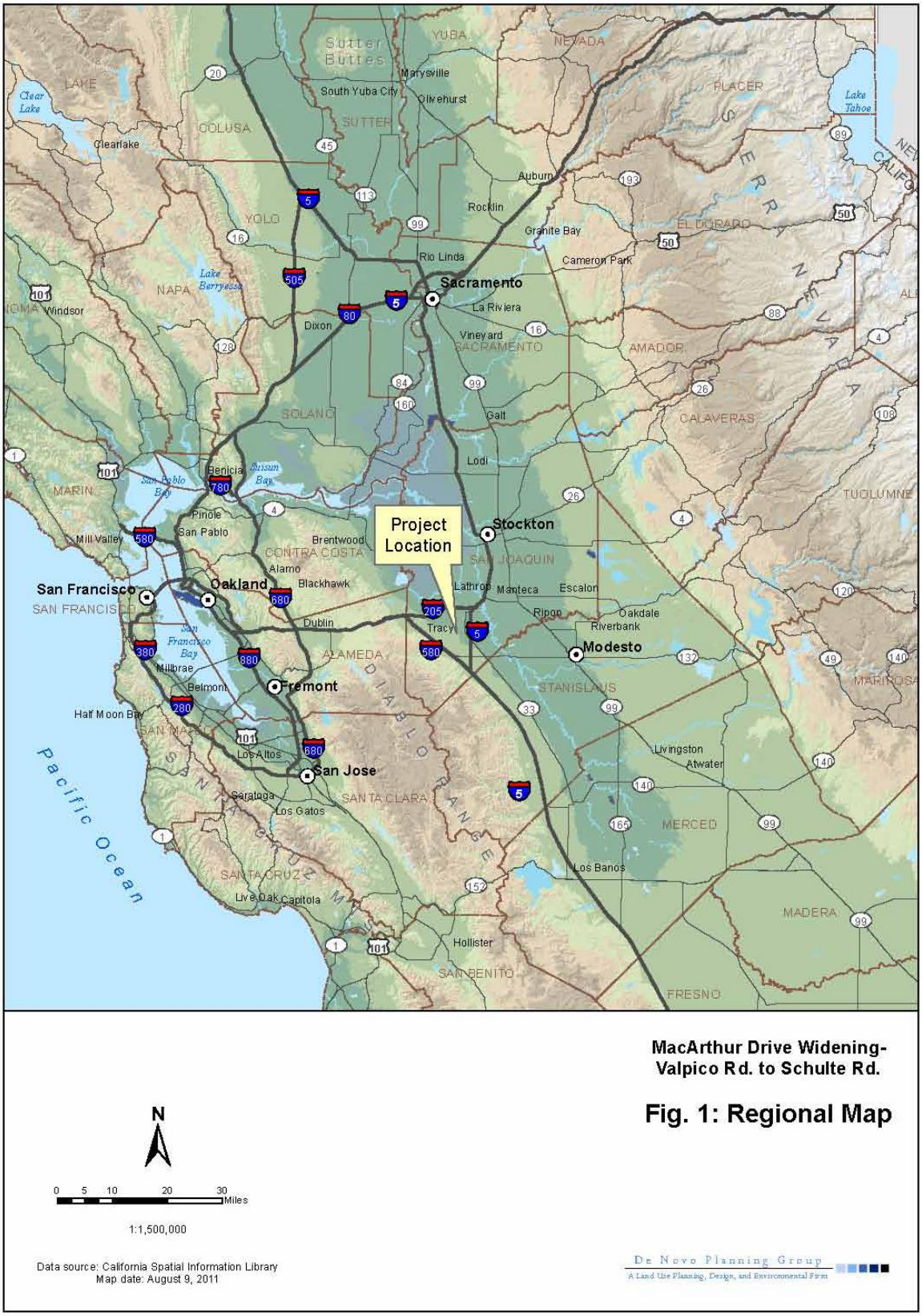


Figure 1: Regional Map

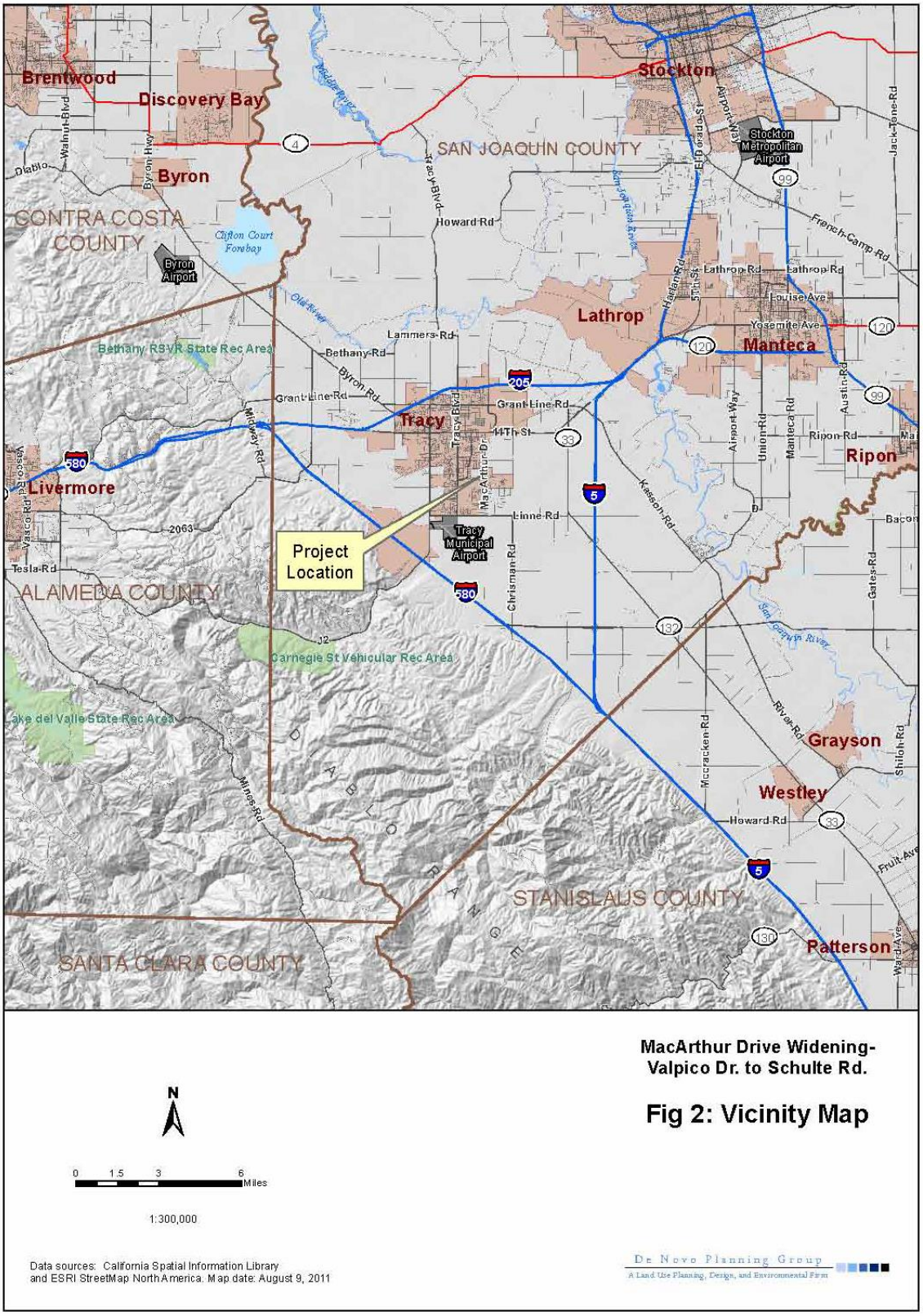


Figure 2: Vicinity Map

Figure 3: Project Limits (North)

Figure 4: Project Limits (South)

The southern limits of the proposed project (Figure 4) begin at Valpico Road, which is an east-west roadway that extends from Chrisman Road in the east to Lammers Road in the west. The roadway is two lanes east of MacArthur Drive, and mostly four lanes west of MacArthur Drive. The posted speed limit varies from 35 to 45 miles per hour. Valpico Road is classified as a major arterial in the City of Tracy General Plan Circulation Element.

The segment of MacArthur Drive within the project limits provides access to residential neighborhoods via the following local roadways: Peerless Way (± 450 ft. south of Schulte Rd.), Janice Way (± 900 ft. south of Schulte Rd.), Yosemite Drive (± 1350 ft. south of Schulte Rd.), Dardanelle Drive (± 2150 ft. south of Schulte Rd.), Eastlake Drive (± 2250 ft. north of Valpico Rd.), and De Bord Drive (±1300 ft. north of Valpico Rd.).

ALTERNATIVES

During the project planning phase, two alternatives were considered: the "No-Build" Alternative and the "Build" Alternative (Figures 5 and 6).

Build Alternative

The "Build" Alternative proposes to widen MacArthur Drive into a four-lane roadway, through the acquisition of right-of-way where curbs and gutters, sidewalks, and bikeways are currently absent. This alternative would involve the removal of K rails and street signs that currently mark the narrowing of the asphalt pavement; the construction of wider asphalt pavement sections with curbs and gutters; and the provision of sidewalks and bikeways. The existing roadway striping would also be revised or restriped to reflect the new four-lane configuration.

Overhead power transmission lines currently run along the western edge of the roadway. As part of this alternative, utility poles and overhead lines would be moved away from the planned travel lanes and relocated at the edge of the new right-of-way (in the future parkway area). The relocation of the power line on the westside of MacArthur Drive from Valpico Road to just south of De Bord Drive may require the removal of three residential structures. This alternative may also include the construction of noise attenuation at four locations along MacArthur Drive to ensure acceptable noise levels at existing residences.

This alternative would require the reconstruction/relocation of private property walls/fences, railings, fire hydrants, utility boxes, and mailboxes at locations where these minor structures currently exist within the proposed right-of-way. Adjustments to driveway grades would be necessary to match the new roadway grade.

Modifications to the existing traffic signals, including renovation of the signal arms, would be made at three intersections: MacArthur Drive at Eastlake Drive, Yosemite Avenue, and Schulte Road. ADA ramps would be constructed at intersections where these have not been provided, and streetlights would be placed along the new sidewalks. Drainage inlets would also be constructed to connect to existing storm drain lines.

No-Build Alternative

The "No Build" Alternative would leave existing conditions, with no change to the existing two-lane configuration of MacArthur Drive. Half-sections of the street would remain wider, with curbs and gutters, sidewalks, and parkways, while other half-sections would continue to exist in narrower conditions, with dirt shoulders and no sidewalks. Under the "No Build" Alternative, the roadway's operational level of service is anticipated to degrade to unacceptable levels as future traffic volumes increase. There would also be a continued lack of connectivity and mobility within the community from gaps in the sidewalks, bikeways, and parkways along MacArthur Drive. This alternative would not meet the objectives of the project and has been dismissed from further consideration.

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (E.G., PERMITS, ETC.)

The City of Tracy will be the Lead Agency for construction of proposed project pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), Section 15050.

The following additional agency approvals/permits will apply proposed project:

- California Department of Transportation (Caltrans): NEPA Lead Agency
- Regional Water Quality Control Board (RWQCB): NPDES permit

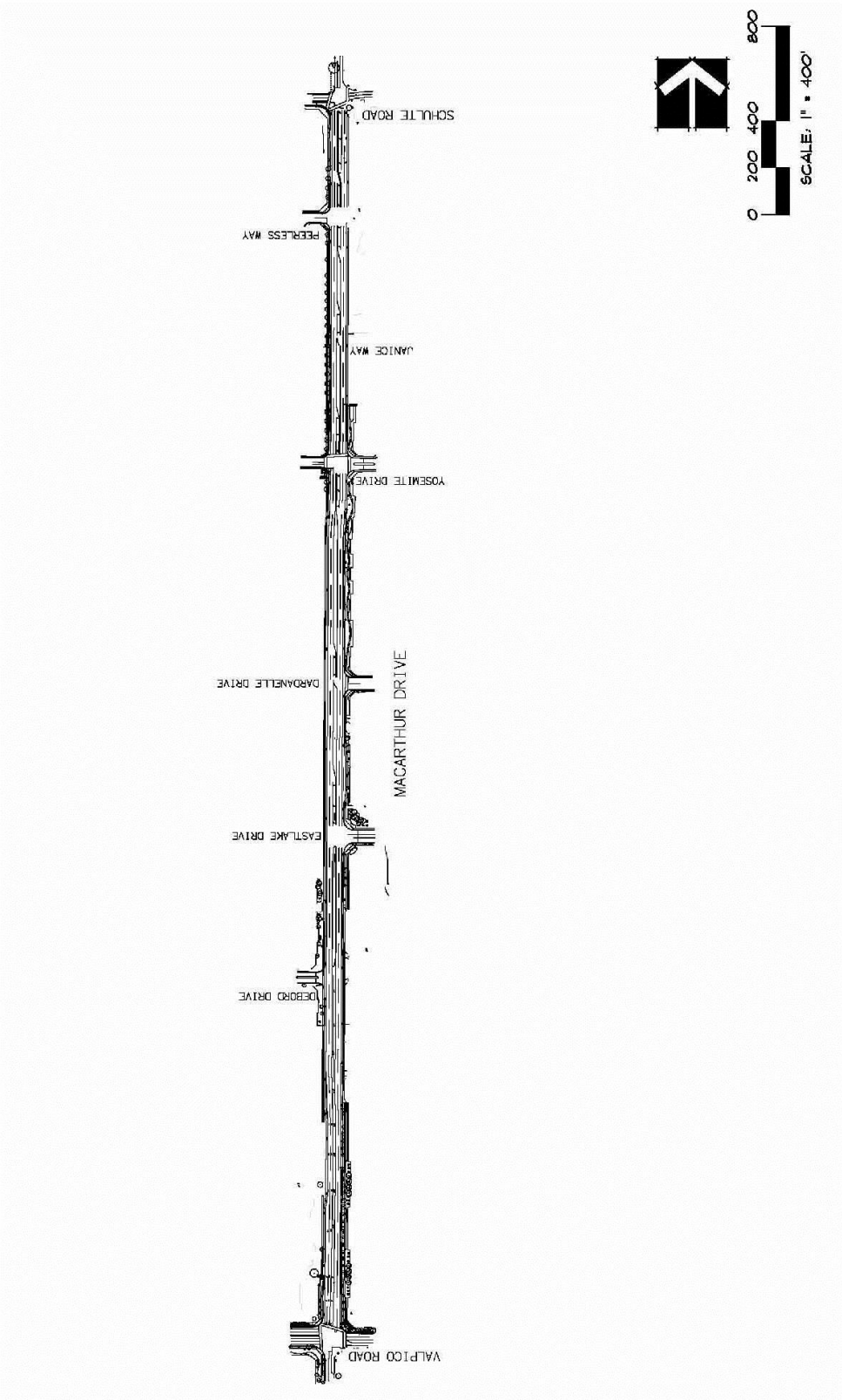


Figure 5: Build Alternative

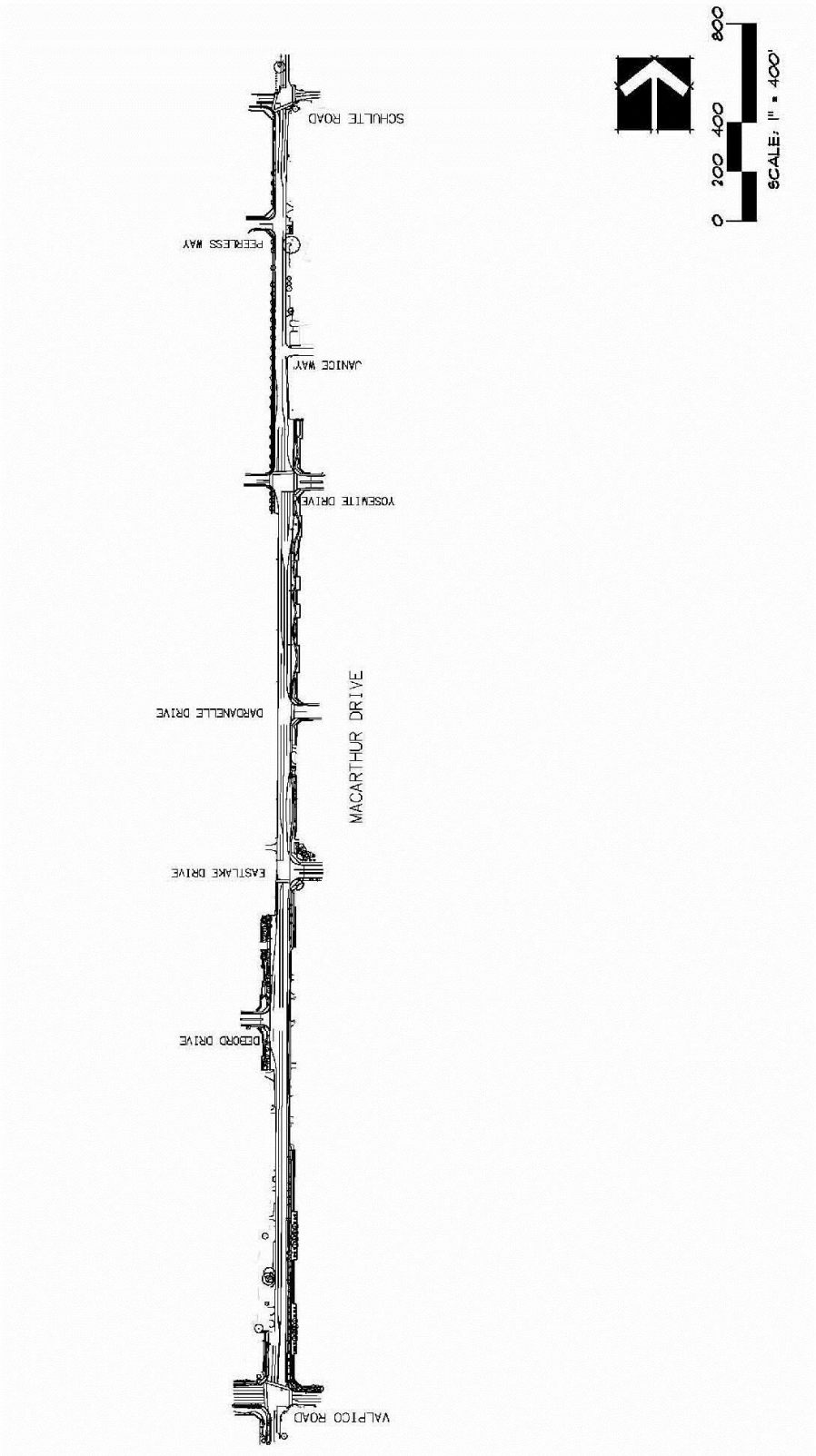


Figure 6: No Build Alternative

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture Resources		Air Quality
	Biological Resources		Cultural Resources		Geology /Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

DETERMINATION:

On the basis of this initial evaluation:

	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form, contained in the CEQA Guidelines. Impact questions and responses are included in both tabular and narrative formats for each of the 17 environmental topic areas.

I. AESTHETICS

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Have a substantial adverse effect on a scenic vista?				*X*
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			*X*	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			*X*	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			*X*	

Responses to Checklist Questions

The discussion below is based on *Draft Visual Impact Assessment for the proposed MacArthur Drive Widening (Schulte Road to Valpico Road) in the City of Tracy, California* (David Evans Associates June 2012).

Response a): There is not a scenic vista within the project area. Implementation of the proposed project will have **no impact** relative to this issue.

Response b): The California Scenic Highway Program has officially designated the segments of the I-5 and I-580 near Tracy as Scenic Highways. The Tracy General Plan has not identified scenic resources or scenic routes in the City or its planning area. However, the San Joaquin County General Plan lists several local scenic roadways. The County General Plan has also identified several scenic resources (i.e., rural agricultural landscapes, the Delta, marshes and wetlands, river corridors, rangelands, views of the Coast Ranges and Sierra Nevada Mountains, and oak groves) and scenic routes (i.e., I-5, I-205, I-580, State Route [SR] 4, SR-12, SR-26, SR-33, SR-88, SR-99, and SR-120). The County's local scenic roadways or proposed scenic resources and scenic routes do not include MacArthur Drive or the area along MacArthur Drive, where the project is proposed. In addition, the State Scenic Highways, County local scenic roadways, or proposed scenic resources and scenic routes are not visible from MacArthur Drive. Implementation of the proposed project will have a **less than significant** impact relative to this issue.

Response c): The proposed project would lead to changes in the visual quality of the project area. Visual impacts would depend on the sensitivity of the viewer; the degree of alteration to the physical environment; the design of introduced elements; and the visibility of the changes. Travelers are not expected to be highly sensitive to changes in the visual quality of the roadway, since they only have fleeting views of the roadway as they pass along MacArthur Drive. Residents would have permanent views of the roadway and could be more sensitive. However, most residences face away and are separated by block walls from MacArthur Drive. Therefore, the roadway improvements would not be highly visible from the exterior areas of these rear-facing homes, and the roadway would only be visible from second-story views of these residences. A few other homes face the roadway and would have views of the roadway improvements planned on or near their properties. The sections with residential frontages are also the same sections where most of the improvements are proposed. The visual impacts of the proposed project are discussed further below.

Short-term Impacts

During construction, travelers on MacArthur Drive and local residents would see the removal of vegetation, pavement, street signs, K-rails, utility poles, traffic poles, and other structures; excavation and grading activities; construction of the roadway; views of construction equipment and materials, construction signs and lights, construction workers; and the installation of signs and lights. The construction phase is expected to be completed within approximately 6 months.

Changes in visual elements of line, form, color, and texture would be continuous during the construction phase and would present contrasts to the adjacent landscape. Entrained dust would be intermittent and would reduce the quality of distant views. Residents and users of properties where improvements are proposed would have the nearest (in terms of distance) and the longest (in terms of time) views of construction activities. However, construction impacts would be confined to an overall 6 month time frame. Thus, visual impacts would be temporary and considered low impact.

Long-term Impacts

The proposed roadway improvements on MacArthur Drive would introduce a wider asphalt pavement, curbs and gutters, sidewalks, bikeways, streetlights, and ADA ramps at several sections of the roadway. The project would involve reconstruction of driveways; removal of existing W-beam guardrails, traffic poles, residential structures and trees at scattered locations along the right-of-way; and relocation of traffic signals, street signs, fire hydrants, and utility poles. These improvements would create a more uniform streetscape on MacArthur Drive from Schulte Road to Valpico Road.

These visual changes are further evaluated below.

> ***View Obstruction.*** The majority of the proposed improvements would be at the existing ground elevation (i.e., asphalt pavement, curbs and gutters, sidewalks, ADA ramps, parkways, driveway reconstruction) and would not lead to partial or total blockage of existing views. Relocation of utility poles, street signs, mailboxes, utility boxes, fences, fire

hydrants, and traffic signal arms would only move the structures that currently present partial view obstructions. Relocation would not lead to or cause any major change in views.

Removal of trees and plant materials from properties on the west side of MacArthur Drive would expand views of the rural residential lots. Three residential structures would be removed and other existing buildings along the road would be located closer to the edge of the roadway, but no view obstruction would occur. The introduction of streetlights is not expected to block any views since the poles would be relatively thin and views would remain available just a few inches from the poles. Should sound walls be necessary, they would be constructed to be compatible with existing block walls. The agricultural field and open canal would continue to be visible to travelers, pedestrians, bicyclists, and residents. This visual impact would be low.

Changes to Natural Setting. The views from and of the roadway do not present a natural setting. The agricultural field and irrigation canal would remain in place and would continue to be visible to travelers. While sidewalks would replace the dirt shoulders along the field, no changes to the agricultural use of the field and canal are proposed as part of the project. No impact to the natural setting would occur.

Open Sky Obstruction. Roadway improvements would be at grade, and proposed improvements would be located along the sides of the road. Removal of several trees along the road would also open up views. Thus, no changes to views of the open sky would occur with the project. No impacts would occur.

New Structural Elements. As stated earlier, most of the proposed improvements would be at grade and other improvements would be relocations of existing structures. The only new structural element proposed are streetlights and noise walls, which would be the same as the streetlights and block walls currently found along other sections of the roadway. This impact would be low.

Addition of Signs and Poles. Existing street signs would be replaced or relocated. Traffic signal poles and utility poles would be relocated. Light poles in the form of new streetlights would be provided along some sections of MacArthur Drive. However, there are existing street signs, traffic signals, utility poles, and streetlights along the roadway and the addition or relocation of these appurtenances would not create visual clutter. Impacts would be low.

New Light Sources. The proposed project would include the provision of streetlights on sections of MacArthur Drive where no streetlights currently exist. Thus, new sources of light would be introduced. While changes in lighting levels would occur for travelers and residents, these lights would improve visibility and traffic safety by providing consistent lighting levels throughout the roadway. Also, streetlights would be directed downward and are not expected to adversely affect residents along the street nor prevent views of the night sky. Impacts would be low.

Alteration of Landforms. The existing roadway grade is relatively flat and would remain relatively flat with the proposed project. No major grading, excavation, or fill is proposed

that may alter existing landforms on or near MacArthur Drive. No impact on landforms would occur.

The Vividness of the roadway would not change with the proposed project. Intactness would increase as man-made elements (including utility poles, streetlights, traffic signal poles, street signs, and ADA ramps) are introduced or relocated to create a more uniform streetscape. Unity would also increase as a consistent four-lane roadway (with curbs and gutters, sidewalks, and bikeways) is developed between Schulte Road and Valpico Road. Therefore, visual quality along MacArthur Drive would improve with the proposed project.

The views of the rural residences along MacArthur Drive would change from the dirt shoulders and narrow pavement that currently occur in front of their properties to a developed roadway with curbs and gutters, a sidewalk, a bikeway, and streetlights. This change in views would provide a more urban character to the roadway.

While travelers, residents, and other viewer groups would see the visual changes on MacArthur Drive, these changes would not be visible to viewers located farther from the roadway, especially where intervening trees and structures are present. Views of the roadway from other segments of MacArthur Drive would slightly change, as the road is and would continue to be visible only as a straight gray band disappearing in the distance.

The proposed roadway improvements would also have little effect on the existing visual character of the area. The major elements of the landscape would be retained and would not be affected by the project. No changes to the agricultural field and irrigation canal would occur. Also, no changes to the residential tracts located along the roadway are proposed. Right-of-way acquisition would lead to narrower front yards for the rural residential uses and three residential buildings would be demolished. However, the location of existing buildings nearer the roadway edge (due to the wider pavement) would not present a major change in visual character.

According to the Caltrans' definitions of Visual Impact Levels, projects with no resulting visual impact do not require mitigation. Resulting visual impacts that are low may or may not require mitigation; visual impacts that are moderate, moderately high, or high must be mitigated.

Since the visual impacts of the project would be low, no mitigation is required. However, design recommendations that would allow for the development of a more aesthetically pleasing streetscape, while blending the proposed improvements with the existing surrounding environment include:

- Designing sidewalks to match adjacent sections of the roadway or with appropriate transitions.
- Using the same design for streetlights, utility poles, traffic signal arms, street signs, and other aboveground structures as found along McArthur Drive between Schulte Road and Valpico Road.

- If necessary, sound walls shall be set back from the street and shall include design features that enhance visual interest and incorporate landscaping (as stated in Policy P4 in the Community Character Element of the Tracy General Plan).

- Future landscaping of parkway areas shall utilize the same or complementary plant materials and landscaping design as currently found on landscaped parkways along McArthur Drive between Schulte Road and Valpico Road.

Overall, implementation of the proposed project will have **a less than significant impact** relative to this issue.

Response d): Daytime glare can occur when the sunlight strikes reflective surfaces such as vehicle windshields and shiny reflective materials. The project site is already used as a roadway and vehicular glare is present. There is not a documented occurrence of citizens reporting excessive glare associated with vehicles on MacArthur Boulevard.

The proposed project would include exterior lighting along the roadway. The street lighting would be consistent with street lighting throughout the City and would be consistent with the City's standards and specifications for such lighting.

Overall, implementation of the proposed project will have **a less than significant impact** relative to this issue.

II. AGRICULTURE AND FOREST RESOURCES

Would the project:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

Responses to Checklist Questions

The discussion below is based on *MacArthur Drive Widening (Shulte to Valpico): Submittal of Farmland Impact Memo and Form AD 1006* (De Novo Planning Group, Inc. June 2012).

Response a): According to the City of Tracy General Plan (2006), there are a total of 39,781 acres of land identified as Prime Farmland, Unique Farmland, Farmland of Statewide Importance and Farmland of Local Importance within the City's Planning Area, SOI and City limits combined. Of this amount, 4,890 acres are located within the City limits, 10,268 acres are within the SOI outside City limits, and 24,263 acres are located in the Tracy Planning Area outside the SOI. Farmland on the project site and within the vicinity of the project site is mostly designated as Urban and Built-up Land, with two parcels designated as Prime Farmland. Figure 7 illustrates the location of the project within the context of the Important Farmland designations in Tracy.

A Form AD 1006 Farmland Conversion Impact Rating was prepared in consultation with the NRCS to assess the project's potential impacts. The Farmland Protection Policy Act establishes the criteria to assess the suitability of each site for protection as farmland. Each criterion is given a score on a scale of 0 to a maximum points shown on the form. Conditions suggesting top, intermediate and bottom scores are described in 7 CFR 658.5 (b) for each criterion. Caltrans must make scoring decisions in the context of each proposed site or alternative action by examining the site, the surrounding area, and the programs and policies of the State or local unit of government in which

the site is located. There are 12 site assessment criteria, each listed below with an explanation of the points that were assigned to each criterion for the proposed project:

1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

- Approximately 25 percent of the land within a 1 mile radius of the project is non-urban. Pursuant to 7 CFR 658.5 (b) the appropriate score is calculated to be 1.95, which we have rounded to the nearest tenth for a total of 2.0 points.

(2) How much of the perimeter of the site borders on land in nonurban use?

- Less than 20 percent of the perimeter of the site borders on land in nonurban use. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than 5 of the last 10 years?

- Less than 20 percent of the site has been farmed more than five of the last 10 years. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(4) Is the site subject to State or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

- The Williamson Act and private conservation easements are the most common method of protecting farmland in the project area. The site is not under a Williamson Act contract or any other conservation easement intended to protect farmland. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(5) How close is the site to an urban built-up area?

- The site is adjacent to an urban built-up area. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(6) How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?

- All of these services are within or immediately adjacent to the site. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(7) Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county?

- According to the NRCS data provided in Part II of Form AD 1006, the average farm size in the region is 204 acres. The existing farm is 91 acres, which is approximately 45% of the average farm size in the region. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(8) If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

- If the site is chosen for the project, less than 5 percent of the remaining land on the farm will become non-farmable because of interference with land patterns. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(9) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

- All required services are available. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 5 points.

(10) Does the site have substantial and well-maintained on-farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

- The farmland adjacent to the site has on-farm investments including a farm residence and irrigation canal that bisects the 91-acre farm; however, the 2.2 acres of farmland within the site does not have on-farm investments. The irrigation canal is not part of the project. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(11) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

- There would be no significant reduction in demand for support services if the site is converted. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

(12) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

- The proposed project is fully compatible with existing agricultural use of surrounding farmland. Pursuant to 7 CFR 658.5 (b) the appropriate score under this scenario is 0 points.

The NRCS determined that the site includes 2.2 acres of prime farmland and they provided a Relative Value of Farmland To Be Converted of 69.8 on a scale of 0 to 100 points. The Site Assessment, as described above, provided 7.0 points on a scale of 0 to 160 points. The total points for the proposed project are 76.8 points out of 260. According to 7 CFR 658.4, sites receiving a total score of less than 160 need not be given further consideration for protection and no additional sites need to be evaluated. As such, implementation of the proposed project would have a **less than significant** impact relative to this topic.

A Farmland Impact Memo and Form AD 1006 are included in Appendix A.

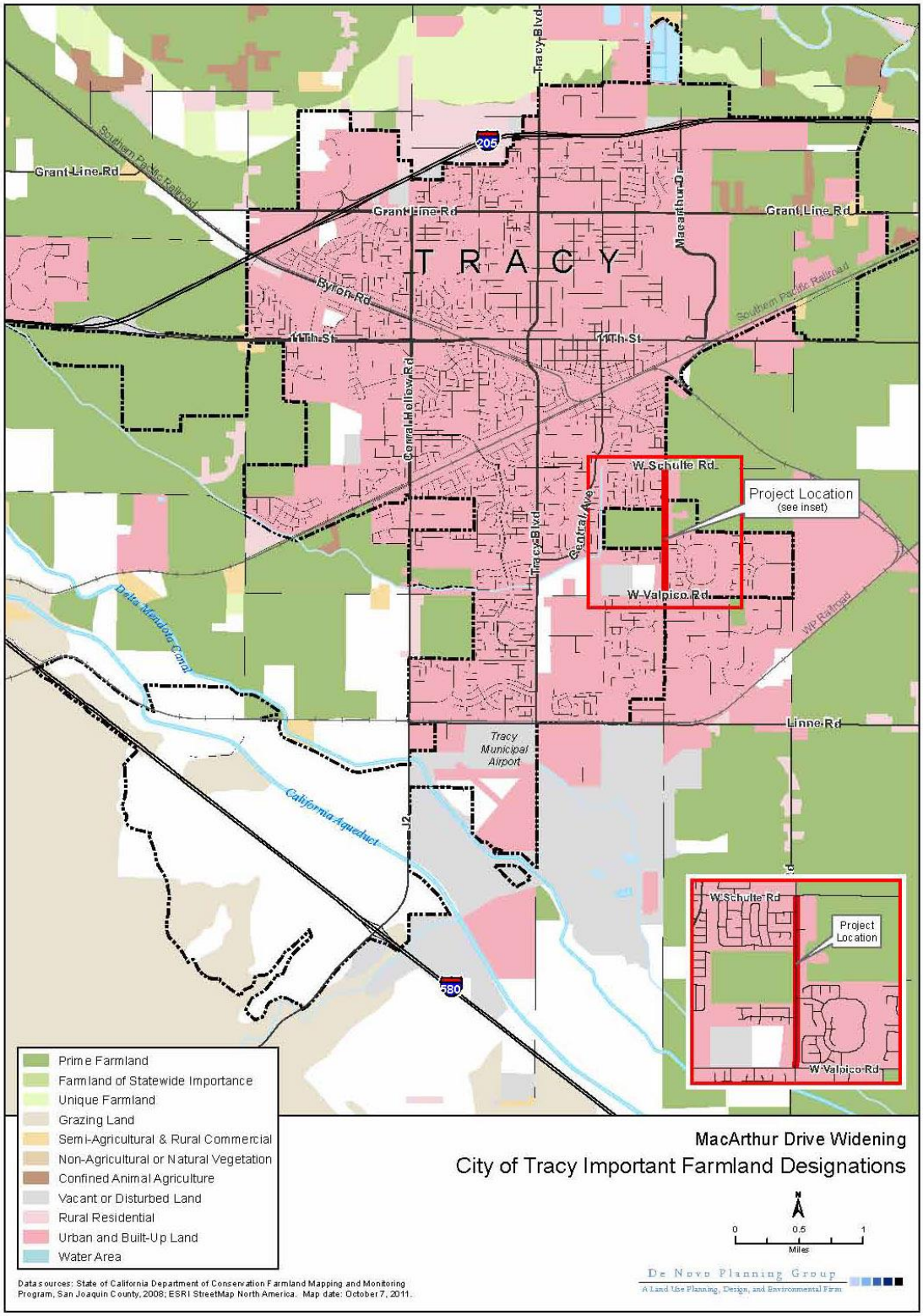


Figure 7: City of Tracy Important Farmlands Map

Response b): The proposed project would not conflict with a Williamson Act Contract. The proposed project largely includes land that is zoned for urban uses; however, the parcel currently under agricultural production within the project limits is currently zoned AU-20 Agricultural-Urban Reserve. This zoning is intended for agricultural areas that are planned for future urban development. This agricultural parcel is within the City of Tracy Sphere of Influence, but has not been annexed into the City limits. As such, it is an island of unincorporated land that is completely surrounded by incorporated urban land. The improvements included in the proposed project would not result in development of the site for uses other than agricultural, nor would it inhibit the ongoing agricultural activities of the parcel. Implementation of the proposed project would not affect the agricultural zoning. Implementation of the proposed project would have a **less than significant** impact relative to this issue.

Response c-d): The proposed project does not include improvements on forest lands or areas under timber production. Implementation of the proposed project would have **no impact** relative to this issue.

Response e): The project area is relatively flat urban land that is largely composed of residential land. There are two parcels within the project area that are currently under active agricultural production. This parcel is an island of unincorporated San Joaquin County land that is completely surrounded by incorporated and developed land. This agricultural parcel has a County zoning designation of AU-20 Agricultural-Urban Reserve, which is intended for agricultural areas that are planned for future urban development.

At the time of the field survey this farmland had been tilled and was being prepared for planting. Historically, agricultural land in Tracy is used for a variety of agricultural uses including row crops and grasses (i.e. alfalfa). Irrigation water for this agricultural operation is provided through a canal that crosses the project site into the agricultural parcels.

The proposed project does not **i**nvolve changes in the existing environment which, due to their location or nature, could result in conversion of this existing agricultural, to non-agricultural uses. Additionally, the proposed project would not result in the conversion of forest land to non-forest use, because none is present. The proposed project will have a **less than significant** impact on agricultural or forest operations.

III. AIR QUALITY

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
d) Expose sensitive receptors to substantial pollutant concentrations?		X		
e) Create objectionable odors affecting a substantial number of people?			X	

Responses to Checklist Questions

The discussion below is based on *Air Quality Study Report MacArthur Drive widening between Schulte Road and Valpico Road* (De Novo Planning Group, Inc. June 2012).

Responses a-d):

Regional Level Conformity

The MacArthur Drive widening between Schulte Road and Valpico Road was included in the regional emissions analysis conducted by San Joaquin Council of Governments for the conforming 2011 Regional Transportation Plan, as amended. The project's design concept and scope have not changed significantly from what was analyzed in the 2011 Regional Transportation Plan, as amended. This analysis found that the plan and, therefore, the individual projects contained in the plan, are conforming projects, and will have air quality impacts consistent with those identified in the state implementation plans (SIPs) for achieving the National Ambient Air Quality Standards (NAAQS). FHWA determined the RTP to conform to the SIP. Additional documentation related to the regional emissions analysis is contained in Appendix B.

The MacArthur Drive widening between Schulte Road and Valpico Road is also included in the 2011 Federal Transportation Improvement Program FFY 2010/11 through FFY 2013/14, as amended and adopted March 24, 2011 by the San Joaquin Council of Governments. The project's open to the public year is consistent with (within the same regional emission analysis period as) the construction completion date identified in the federal TIP and/or RTP. The federal TIP gives priority to eligible Transportation Control Measures (TCMs) identified in the SIP and provides sufficient funds to provide for their implementation. FHWA determined the TIP to conform to the

SIP April 2, 2011. Documentation related to the public and interagency consultation process to develop the TIP is contained on the SJCOG website at the following: http://www.sjcog.org/docs/pdf/Transportation/FTIP%20Amendments/2011/Amend3.pdf and http://www.sjcog.org/docs/pdf/Transportation/AirQuality/Final_2011_%20AQ_Analysis.pdf.

Project Level Conformity:

Carbon Monoxide (CO) Analysis

The project is located in an attainment area for CO. The California Project-Level Carbon Monoxide Protocol (http://www.dot.ca.gov/hq/env/air/pages/coprot.htm) was used to analyze CO impacts for the MacArthur Drive widening between Schulte Road and Valpico Road. The ambient air quality effects of traffic emissions were evaluated qualitatively according to the CO Protocol. In the CO Protocol the proposed project screens from Level 1 to Level 7 before screening out satisfactorily. Therefore, proposed project would not have the potential for causing or worsening violation of the National Ambient Air Quality Standards for CO.

Level 1 Screening: The proposed project is located in an area that is federally designated as attainment for CO. The area has continued to be in attainment since the 1990 Clean Air Act.

Level 7 Screening: The project is not likely to worsen air quality as it does not significantly increase the percentage of vehicles operating in cold start mode, it does not significantly increase traffic volumes, or worsen traffic flows. Additionally, the project is not suspected of resulting in higher CO concentrations than those existing within the region at the time of attainment demonstration. Lastly, the project does not involve signalized intersections operating at LOS E or F, nor does it worsen a signalized intersection to LOS E or F. There are no other reasons to believe that the proposed project may have adverse air quality impacts. The project screens out satisfactorily at Level 7.

Particulate Matter Analysis

Qualitative particulate matter (PM) hot-spot analysis is required under the EPA Transportation Conformity rule for Projects of Air Quality Concern (POAQC), as described in EPA's Final Rule of March 10, 2006. Projects that are not POAQC do not require detailed PM hot-spot analysis.

The proposed project is not considered a project of air quality concern for PM_{10} and/or $PM_{2.5}$ (POAQC) because it does not meet the definition of a POAQC as defined in EPA's Transportation Conformity Guidance. The EPA's March 2006 final rule provided examples of projects that would not require a $PM_{2.5}$ or PM_{10} hot-spot analysis (71 FR 12491). Non-highway road widening projects that improve roadway operations by smoothing traffic flow and vehicle speeds and do not have adverse impacts to intersections operating at LOS D, E, or F are determined to be projects that would not create or worsen $PM_{2.5}$ or PM_{10} violations. The proposed project is a non-highway road widening project that would not create or worsen $PM_{2.5}$ or PM_{10} and PM hot-spot analysis is not required.

The proposed project will require implementation of the applicable PM_{10} and/or $PM_{2.5}$ control measures described in Section 10 Avoidance, Minimization, and Mitigation Measures . This includes the implementation of the Caltrans' Standard Specifications Section 7-1.01F and Section 10 of

Caltrans' Standard Specifications (1999), as well as the San Joaquin Valley Air Pollution Control District Regulation VIII (Fugitive PM_{10} Prohibitions).

Interagency Consultation (IAC) in San Joaquin County is performed through the San Joaquin Valley Interagency Consultation Group, which includes representatives of the U.S. Environmental Protection Agency, the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), the California Air Resources Board (CARB), the San Joaquin Valley Unified Air Pollution Control District, the 8 San Joaquin Valley MPOs, and Caltrans. These agencies review updates and, in certain instances, amendments to the RTP and FTIP to ensure they conform to federal transportation conformity regulations via transportation-air quality conformity analysis. IAC began on May 16, 2012 and concluded on June 4, 2012. The San Joaquin Valley Interagency Consultation Group found that the project was not a project of air quality concern, which is consistent with the findings of this document. The Interagency Consultation (IAC) documentation is presented in Appendix C.

Mobile Source Air Toxics

The Clean Air Act identifies 188 air toxics, also known as hazardous air pollutants. The federal EPA has identified 21 of these toxics as Mobile Source Air Toxics (MSATs). They have also identified a subset of MSATs that are known as Priority MSATs. These are: benzene, acrolein, formaldehyde, 1,3-butadiene, acetaldehyde, and diesel particulate matter/diesel exhaust organic gases.

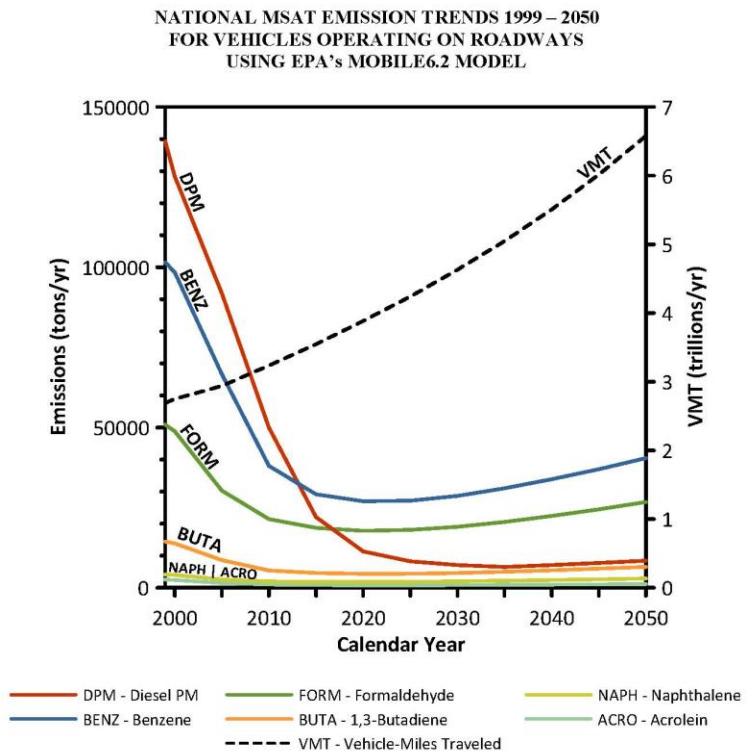
The Caltrans Standard Environmental Reference defers to the FHWA Interim Guidance on Addressing MSATs (September 30, 2009), which provides an approach for analyzing MSATs under the following three scenarios:

1. No analysis for exempt projects with no potential for meaningful MSAT effects
2. Qualitative analysis for projects with low potential MSAT effects
3. Quantitative analysis to differentiate alternatives for projects with higher potential MSAT

Under the FHWA Interim Guidance, the types of projects that require a qualitative analysis include minor widening projects, and projects where design year traffic is projected to be less than 140,000 to 150,000 annual average daily traffic (AADT). The proposed project is a minor widening project and design year AADT (year 2035) is projected to be 17,000 AADT under the No Build Alternative or 21,000 AADT under the Build Alternative, both of which are well below the 140,000 AADT threshold identified in the FHWA Interim Guidance. As such, the proposed project qualifies for a qualitative analysis of potential MSAT effects.

The FHWA Interim Guidance provides that the qualitative assessment should compare, in narrative form, the expected effect of the project on traffic volumes, vehicle mix, or routing of traffic and the associated changes in MSAT for the project alternatives, based on VMT, vehicle mix, and speed. It also provides that there should be a discussion of national trend data reflecting stricter engine and fuel regulations issued by EPA. Lastly, the FHWA Interim Guidance states that a qualitative assessment must include a discussion of information that is incomplete or unavailable for a project specific assessment of MSAT impacts, in compliance with the Council on Environmental Quality (CEQ) regulations (40 CFR 1502.22(b)) (See Appendix D).

The EPA has assessed MSAT trends on a national and regional-scale for cancer risk drivers and has established rules to require controls that will dramatically decrease MSAT emissions through cleaner fuels and cleaner engines. A 2009 FHWA analysis of national trends using EPA's MOBILE6.2 model shows that even if vehicle activity (vehicle-miles travelled, VMT) increases by 145 percent as assumed, a combined reduction of 72 percent in the total annual emission rate for the priority MSAT is projected from 1999 to 2050 (Figure 7). Additionally, FHWA determined that MSAT emission rates for Benzene, Formaldehyde, 1,3-Butadiene, Naphthalene, and Acrolein (priority MSATs) decrease as speed increases, but diesel particulate matter, which is largely contributed from truck trips, does not decrease as speed increases. FHWA concluded that MSAT emissions will trend significantly lower than present levels as a result of EPA's national control programs. California's vehicle emission control and fuel standards are more stringent than Federal standards and the State's standards are effective sooner. As such, the effect on MSATs of combined state and federal regulations is expected to result in greater emission reductions in California, more quickly, than the 2009 FHWA analysis shows in their MOBILE6.2 model. The results from the 2009 FHWA analysis is considered conservative when applied to California.



Note: (1) Annual emissions of polycyclic organic matter are projected to be 561 tons/yr for 1999, decreasing to 373 tons/yr for 2050.
(2) Trends for specific locations may be different, depending on locally derived information representing vehicle-miles travelled, vehicle speeds, vehicle mix, fuels, emission control programs, meteorology, and other factors

Figure 8. National MSAT Emission Trends 1999 – 2050 for Vehicles Operating on Roadways Using U.S. EPA's MOBILE6.2 Model

For the Build and No Build Alternatives presented in this report, the amount of MSAT emitted would be proportional to the vehicle miles traveled, or VMT, assuming that other variables such as fleet mix are the same for each alternative. The VMT estimated for the Build Alternative is slightly

higher than that for the No Build Alternative, because the additional capacity increases the efficiency of the roadway and attracts rerouted trips from elsewhere in the transportation network. Refer to Table 1. This increase in VMT would lead to higher MSAT emissions for the Build Alternative along the roadway corridor, along with a corresponding decrease in MSAT emissions along the parallel routes. The emissions increase is offset somewhat by lower MSAT emission rates due to increased speeds. EPA's MOBILE6.2 model shows that diesel particulate matter, which is largely contributed from truck trips, does not decrease as speed increases, however, truck trips are estimated to be only 2.4% of the total AADT.

Table 1 VMT and AADT Summary

	VMT		AADT	
	NO BUILD	BUILD	NO BUILD	BUILD
2011 Conditions	174,687	174,740	10,700	10,700
2035 Conditions	338,319	339,304	17,000	21,000

SOURCE: FEHR & PEERS, 2012.

The extent to which these speed-related emissions of Benzene, Formaldehyde, 1,3-Butadiene, Naphthalene, and Acrolein decreases will offset VMT-related emissions increases cannot be reliably projected due to the inherent deficiencies of technical models. Because the estimated VMT under the Build and No Build Alternatives are nearly the same, varying by less than one percent, it is expected there would be no appreciable difference in overall MSAT emissions among the various alternatives. Also, regardless of the alternative, emissions will likely be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by 72 percent between 1999 and 2050, combined with California's more stringent control programs. The magnitude of the EPA and California projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future in nearly all cases.

The additional travel lanes contemplated as part of the Build Alternative will have the effect of moving some traffic closer to nearby homes, schools, and businesses; therefore, under the Build Alternative there may be localized areas where ambient concentrations of MSAT could be higher under the Build Alternative when compared to the No Build Alternative. The localized increases in MSAT concentrations would likely be most pronounced along the following three expanded roadway sections that would be built under the Build Alternative: 1) Schulte Road to just south of Janice Way (east side of MacArthur Dr.), 2) just south of Yosemite Drive to just south of Eastlake Drive (west side of MacArthur Dr.), and 3) just south of De Bord Drive to Valpico Road (west side of MacArthur Dr.). See Figures 3 and 4. These specific locations along the roadway corridor will be widened from one lane to two lanes in each direction. The remaining sections of the roadway corridor already have two lanes in each direction and additional lanes will not be built under the Build Alternative.

The magnitude and the duration of these potential increases in MSAT concentrations compared to the No-Build alternative cannot be reliably quantified due to incomplete or unavailable information in forecasting project-specific MSAT health impacts as discussed in Appendix D. In sum, when a roadway is widened, the localized level of MSAT emissions for the Build Alternative could be higher

relative to the No Build Alternative, but this could be offset due to increases in speeds and reductions in congestion (which are associated with lower MSAT emissions). Also, MSAT will be lower in other locations when traffic shifts away from them. However, on a regional basis, EPA and California's vehicle and fuel regulations, coupled with fleet turnover, will over time cause substantial reductions that, in almost all cases, will cause region-wide MSAT levels to be significantly lower than today.

Construction Emissions

During construction, the proposed project will generate air pollutants. The exhaust from construction equipment contains hydrocarbons, oxides of nitrogen, carbon monoxide, suspended particulate matter, and odors. However, the largest percentage of pollutants would be windblown dust generated during excavation, grading, hauling, and various other activities. The impacts of these activities would vary each day as construction progresses. Dust and odors at some residences very close to the right of way could probably cause occasional annoyance and complaints.

San Joaquin County is not among the counties listed as containing serpentine and ultramafic rock (Governor's Office of Planning and Research, October 26, 2000). Therefore, the impact from Naturally Occurring Asbestos (NOA) during project construction would be minimal to none. If structures that may contain asbestos are to be demolished, it is the responsibility of the contractor to comply with the Rules and Regulations of the Air Pollution Control District.

The SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI) indicates PM_{10} is the primary pollutant of concern from construction activities, and compliance with SJVAPCD Regulation VIII will constitute sufficient mitigation to reduce PM_{10} emissions to reasonable levels. The SJVAPCD requires implementation of effective and comprehensive control measures. The amount of PM_{10} emitted during construction activities varies greatly depending on the level of activity, the specific operations taking place, the equipment being operated, soil characteristics, and weather conditions. Despite this variability in emissions, experience has shown that several feasible control measures can be reasonably implemented to reduce PM_{10} emissions during construction.

All construction projects must abide by Regulation VIII. Since the publication of the SJVAPCD's guidance manual, the SJVAPCD has revised various rules comprising Regulation VIII. However, guidance from SJVAPCD staff indicates that implementation of a Dust Control Plan would satisfy all of the requirements of SJVAPCD Regulation VIII. The proposed project will require implementation of the San Joaquin Valley Air Pollution Control District Regulation VIII (Fugitive PM_{10} Prohibitions) and such compliance will be sufficient to control the short-term air quality effects generated by construction activities.

Air quality management plans are based on land use and growth assumptions evaluated in the regional and community planning documents. The proposed project is programed within the latest San Joaquin County Regional Transportation Plan, which has been determined to be in conformance with the State Implementation Plan. As such, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan. The proposed project is consistent with the SJVAPCD rules and regulations and would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Additionally, the proposed project

would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Lastly, the proposed project would not expose sensitive receptors to substantial pollutant concentrations. This is considered a **less than significant** impact.

Mitigation Measure 1: *The construction contractor shall comply with Caltrans' Standard Specifications Section 7-1.01F and Section 10 of Caltrans' Standard Specifications (1999).*

- *Section 7, "Legal Relations and Responsibility," addresses the contractor's responsibility on many items of concern, such as: air pollution; protection of lakes, streams, reservoirs, and other water bodies; use of pesticides; safety; sanitation; and convenience of the public; and damage or injury to any person or property as a result of any construction operation. Section 7-1.01F specifically requires compliance by the contractor with all applicable laws and regulations related to air quality, including air pollution control district and air quality management district regulations and local ordinances.*
- *Section 10 is directed at controlling dust. If dust palliative materials other than water are to be used, material specifications are contained in Section 18.*

Mitigation Measure2: *In compliance with SJVAPCD Regulation VIII (Fugitive PM10 Prohibitions) and SJCOG 2011 RTP EIR Mitigation Measure 3.3-1, the City of Tracy shall implement the following:*

- *Develop a Traffic Management Plan (TMP) to minimize traffic flow interference from construction activities.*
- *Prepare and submit a Dust Control Plan to the SJVAPCD at least 30 days prior to any earthmoving or construction activities.*
- *Maintain on-site truck loading zones.*
- *Configure on-site construction parking to minimize traffic interference and to ensure emergency vehicle access.*
- *Provide temporary traffic control during all phases of construction activities to improve traffic flow.*
- *Use best efforts to minimize truck idling to not more than two minutes during construction.*
- *Apply non-toxic soil stabilizers (according to manufacturers' specifications) to all inactive construction areas.*
- *During construction, replace ground cover in disturbed areas as quickly as possible.*
- *During construction, enclose, cover, water twice daily or apply non-toxic soil binders (according to manufacturers' specifications) to exposed piles with 5 percent or greater silt content and to all unpaved parking or staging areas or unpaved road surfaces.*
- *During the period of construction, install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.*
- *During the period of construction, assure that traffic speeds on all unpaved roads be reduced to 15 miles per hour or less.*
- *Pave all construction access roads at least 100 feet on to the site from permanent roadways.*
- *Cover all haul trucks.*

Mitigation Measure 3: *The City of Tracy shall coordinate with the SJVAPCD to determine if any project component is subject to the SJVAPCD rules and regulations, including, but not limited to, District Rule 9510 (Indirect Source Review), Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).*

Response e): The proposed project will not create any objectionable odors during operation. During the construction phase of the project there will be short term and temporary odors associated with typical construction activities (diesel exhaust, asphalt paving, etc). These odors are not anticipated to be noticeable beyond the boundaries of the construction areas, and would be short term and temporary. This is considered a **less than significant** impact.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Responses to Checklist Questions

The discussion below is based on *Biological Evaluation Memo by Dotrik Wilson, Environmental Planner-Natural Science Environmental Maintenance and Planning Services Branch* (Caltrans June 2012).

Response a): Land use in the project vicinity is primarily urban or built-up land, row and field crops and orchards or vineyards (Holland, 1986). No natural habitat exists at the project location. The project site (area that will be affected by the proposed project) is dominated by residential dwellings bordered by paved roadway, regularly maintained roadside shoulder, ornamental vegetation (grasses, trees and shrubs) and disked agricultural fields. The majority of the area is highly urbanized and provides minimal habitat value.

According to the CNDDB, the San Joaquin Kit fox (*Vulpes macrotis mutica*) has been documented in the greater project vicinity (CNDDB, 2012). Based on the surrounding land use and the associated

habitat value, it is unlikely that the San Joaquin Kit fox inhabits the project site, except perhaps as a transient. It is also unlikely that construction activities will interfere with the breeding, feeding or sheltering behaviors of the San Joaquin Kit fox as construction will occur in existing disturbed and urbanized areas. As a precaution and in order to further minimize any potential harm, the following biological resource requirements and protection measures will be implemented.

Mitigation Measure 4: *The City of Tracy shall implement the following measures to avoid and minimize environmental effects to San Joaquin kit fox:*

General Measures:

- *All construction-related access must be kept within project limits and to existing highway and associated paved or graded shoulders or other designated areas clearly marked on the ground.*
- *Project-related traffic shall observe a 20 mile per hour speed limit except on roads or highways open for public use.*
- *The Contractor shall immediately notify the Engineer if a dead, injured or entrapped kit fox is found. All construction activity within ISO feet radius of the kit fox shall be halted and may not resume until the Engineer provides written authorization. Any entrapped kit fox shall be permitted to escape. No injured or dead kit fox may be handled or otherwise disturbed.*
- *If a kit fox den is discovered, all construction activity within a 150 feet radius of the den shall be halted and the Engineer shall be contacted immediately. Work may not continue until the Engineer provides written authorization.*
- *All food-related trash shall be disposed of in closed garbage containers provided by the Contractor and the containers shall be emptied daily.*
- *Pets are prohibited on work site.*

Protection Measures:

- *Excavation Inspections: At the end of each working day, the Contractor shall take measures to prevent the entrapment of kit foxes in all excavated, steep-walled holes or trenches more than or equal to 2 feet deep. Such measures shall include covering excavations with plywood or providing dirt or plank escape ramps from the trenches.*
- *Material Inspections: The Contractor shall inspect all pipes and culverts with a diameter greater than or equal to 4 inches before burying, capping, or other use. If a kit fox is discovered during this inspection, the pipe or culvert shall not be disturbed (other than to move it to a safe location if necessary) until after the fox has escaped.*

Response b): The project site does not have riparian habitat. The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. Implementation of the proposed project will have **no impact** relative to this issue.

Response c): The project site does not have wetlands. The proposed project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal,

filling, hydrological interruption, or other means. Implementation of the proposed project will have **no impact** relative to this issue.

Response d): There are not any documented wildlife corridors or wildlife nursery sites on or adjacent to the project site. Furthermore, the field survey did not reveal any corridor or nursery sites. Implementation of the proposed project will have **no impact** relative to this issue.

Response e-f): The project site is located within the jurisdiction of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan ("Plan" or "SJMSCP") and is located within the Central/Southwest Transition Zone of the SJMSCP. The San Joaquin Council of Governments (SJCOG) prepared the Plan pursuant to a Memorandum of Understanding adopted by SJCOG, San Joaquin County, the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Game (CDFG), Caltrans, and the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy in October 1994. On February 27, 2001, the Plan was unanimously adopted in its entirety by SJCOG. The City of Tracy adopted the Plan on November 6, 2001.

According to Chapter 1 of the SJMSCP, its key purpose is to "provide a strategy for balancing the need to conserve open space and the need to convert open space to non-open space uses, while protecting the region's agricultural economy; preserving landowner property rights; providing for the long-term management of plant, fish and wildlife species, especially those that are currently listed, or may be listed in the future, under the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA); providing and maintaining multiple use Open Spaces which contribute to the quality of life of the residents of San Joaquin County; and, accommodating a growing population while minimizing costs to project proponents and society at large."

In addition, the goals and principles of the SJMSCP include the following:

- Provide a County-wide strategy for balancing the need to conserve open space and the need to convert open space to non-open space uses, while protecting the region's agricultural economy.
- Preserve landowner property rights.
- Provide for the long-term management of plant, fish, and wildlife species, especially those that are currently listed, or may be listed in the future, under the ESA or the CESA.
- Provide and maintain multiple-use open spaces, which contribute to the quality of life of the residents of San Joaquin County.
- Accommodate a growing population while minimizing costs to project proponents and society at large.

In addition to providing compensation for conversion of open space to non open space uses, which affect plant and animal species covered by the SJMSCP, the SJMSCP also provides some compensation to offset impacts of open space conversions on non-wildlife related resources such as recreation, agriculture, scenic values and other beneficial open space uses. Specifically, the SJMSCP

compensates for conversions of open space to urban development and the expansion of existing urban boundaries, among other activities, for public and private activities throughout the County and within Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy.

Participation in the SJMSCP is voluntary for both local jurisdictions and project applicants. Only agencies adopting the SJMSCP would be covered by the SJMSCP. Individual project applicants have two options if their project is located in a jurisdiction participating in the SJMSCP: mitigating under the SJMSCP or negotiating directly with the state and/or federal permitting agencies. If a project applicant opts for SJMSCP coverage in a jurisdiction that is participating under the SJMSCP, the following options are available, unless their activities are otherwise exempted: pay the appropriate fee; dedicate, as conservation easements or fee title, habitat lands; purchase approved mitigation bank credits; or, propose an alternative mitigation plan.

Responsibilities of permittees covered by the SJMSCP include collection of fees, maintenance of implementing ordinances/resolutions, conditioning permits (if applicable), and coordinating with the Joint Powers Authority (JPA) for Annual Report accounting. Funds collected for the SJMSCP are to be used for the following: acquiring Preserve lands, enhancing Preserve lands, monitoring and management of Preserve lands in perpetuity, and the administration of the SJMSCP. Because the primary goal of SJMSCP to preserve productive agricultural use that is compatible with SJMSCP's biological goals, most of the SJMSCP's Preserve lands would be acquired through the purchase of easements in which landowners retain ownership of the land and continue to farm the land. These functions are managed by San Joaquin Council of Governments.

The proposed project is classified as Urban Habitat under the SJMSCP. The City of Tracy will consult with SJCOG and pursue coverage of the project pursuant to the SJMSCP. The proposed project is consistent with the SJMSCP and coverage under the plan is anticipated. Implementation of the proposed project will have **no impact** relative to this issue.

V. CULTURAL RESOURCES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Responses to Checklist Questions

The discussion below is based on *Archaeological Survey Report, MacArthur Drive Widening Project, San Joaquin County, California* (Peak Associates, Inc. September 2013), *Historical Resources Evaluation Report for the MacArthur Drive Widening Project, City of Tracy, San Joaquin County, California* (Peak Associates, Inc. September 2013), and *Historical Property Survey Report* (Peak Associates, Inc. September 2013).

Response a): The Area of Potential Effects (APE) for the proposed project contains seven buildings/building complexes. These buildings were recorded and evaluated for potential listing in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR). As a result of the review and evaluation of the sections of the resources, Peak & Associates concluded that none of the buildings are not eligible for the NRHP or the CRHR, and are not historical resources for purposes of the California Environmental Quality Act (CEQA). Implementation of the proposed project will have **no impact** relative to this issue.

Response b): The cultural resources study was designed to identify any cultural resources present within the Area of Potential Effects (APE) and to determine if the resources can be defined as historic properties if they are eligible for the California Register of Historical Resources and /or the National Register of Historic Places. The study included research through the Central California Information Center of the California Historical Resources Information System and a complete pedestrian field survey of all portions of the Area of Potential Effect.

A complete pedestrian field survey of the APE was conducted on June 28, 2012 by Neal Neuenschwander (Lead Archaeological Surveyor--Prehistoric Archeology). No newly identified cultural resources were observed in the APE, and the resources in the architectural APE were recorded and evaluated, with documentation in a Historical Resources Evaluation Report.

While there are no known archaeological resources known within the APE, it is possible that construction activities would uncover previously unknown resources. The following mitigation measure addresses actions required in the event that previously unknown cultural resources are

encountered during construction activities. This mitigation measure would ensure that this impact to **less than significant**.

> ***Mitigation Measure 5:*** *If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Tracy shall be notified, and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery. The City of Tracy shall consider mitigation recommendations presented by the professional archaeologist for any unanticipated discoveries and shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.*

Response c): There is evidence of paleontological resources within the APE. Implementation of the proposed project will have **no impact** relative to this issue.

Responses d): Indications from historical records searches and archaeological discoveries indicate that humans have occupied many regions of California for thousands of years and it is not always possible to predict where human remains may occur outside of formal burials. Therefore, excavation and construction activities, regardless of depth, may yield human remains that may not be marked in formal burials. Under CEQA, human remains are protected under the definition of archaeological materials as being "any evidence of human activity." Additionally, Public Resources Code Section 5097 has specific stop-work and notification procedures to follow in the event that human remains are inadvertently discovered during project implementation. Implementation of the following mitigation measure would ensure that, in the event of an inadvertent discovery of human remains, the City of Tracy implement state required consultation methods to determine the disposition and historical significance of any discovered human remains. Adherence to the following mitigation measure would ensure that this impact would be **less than significant**.

> ***Mitigation Measure 6:*** *If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to their origin and disposition pursuant to Public Resource code Section 5097.98. If the Coroner determines that no investigation of the cause of death is required, and if the remains are of Native American origin, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendent. The descendent will then recommend to the landowner appropriate disposition of the remains and any grave goods.*

VI. GEOLOGY AND SOILS

	Potentially Significant Impact	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Responses to Checklist Questions

Responses a.i), a.ii): The project site is located in an area of moderate to high seismicity. No known active faults cross the project site, and the site is not located within an Alquist-Priolo Earthquake Fault Zone, however, relatively large earthquakes have historically occurred in the Bay Area and along the margins of the Central Valley. Many earthquakes of low magnitude occur every year in California. The two closest active earthquake faults are the Great Valley Fault, located approximately five miles to the west of the site, and the Greenville fault, located approximately 13 miles southwest of the site. The Great Valley fault is a blind thrust fault with no known surface expression; the postulated fault location has been based on historical regional seismic activity and isolated subsurface information.

Portions of the Great Valley fault are considered seismically active thrust faults; however, since the Great Valley fault segments are not known to extend to the ground surface, the State of California

has not defined Earthquake Fault Hazard Zones around the postulated traces. The Great Valley fault is considered capable of causing significant ground shaking at the site, but the recurrence interval is believed longer than for more distant, strike-slip faults. Further seismic activity can be expected to continue along the western margin of the Central Valley, and as with all projects in the area, the project will be designed to accommodate strong earthquake ground shaking, in compliance with the applicable California building code standards.

Other active faults capable of producing significant ground shaking at the site include the Calaveras, 26 miles southwest; the Hayward fault, 28 miles west; the Ortigalita fault, 31 miles southwest; and the San Andreas Fault, 49 miles southwest of the site. Any one of these faults could generate an earthquake capable of causing strong ground shaking at the subject site. Earthquakes of Moment Magnitude (Mw) 7 and larger have historically occurred in the region and numerous small magnitude earthquakes occur every year.

Since there are no known active faults crossing the project site and the site is not located within an Earthquake Fault Special Study Zone, the potential for ground rupture at the site is considered low.

An earthquake of moderate to high magnitude generated within the San Francisco Bay Region and along the margins of the central valley could cause considerable ground shaking at the site, similar to that which has occurred in the past. In order to minimize potential damage to the proposed structures caused by groundshaking, all construction would comply with the latest California Building Code standards, as required by the City of Tracy Municipal Code 9.04.030.

The Safety Element of the Tracy General Plan includes several goals, objectives and policies to reduce the risks to the community from earthquakes and other geologic hazards. In particular, the following policies would apply to the project site:

> **SA-1.1, Policy P1:** Underground utilities, particularly water and natural gas mains, shall be designed to withstand seismic forces.
>
> **SA-1.1, Policy P2:** Geotechnical reports shall be required for development in areas where potentially serious geologic risks exist. These reports should address the degree of hazard, design parameters for the project based on the hazard, and appropriate mitigation measures.
>
> **SA-1.2, Policy P1:** All construction in Tracy shall conform to the California Building Code and the Tracy Municipal Code including provisions addressing unreinforced masonry buildings.

There are no inhabitable structures that would result from the proposed project. All roadway infrastructure, including the underground utilities, would need to be designed utilizing the geotechnical engineering recommendations. Implementation of the proposed project would have a **less than significant** impact relative to this issue.

Responses a.iii), c), d): Liquefaction normally occurs when sites underlain by saturated, loose to medium dense, granular soils are subjected to relatively high ground shaking. During an earthquake, ground shaking may cause certain types of soil deposits to lose shear strength, resulting in ground settlement, oscillation, loss of bearing capacity, landsliding, and the buoyant

rise of buried structures. The majority of liquefaction hazards are associated with sandy soils, silty soils of low plasticity, and some gravelly soils. Cohesive soils are generally not considered to be susceptible to liquefaction. In general, liquefaction hazards are most severe within the upper 50 feet of the surface, except where slope faces or deep foundations are present.

Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement and distorting structural elements. Expansion is a typical characteristic of clay-type soils. Expansive soils shrink and swell in volume during changes in moisture content, such as a result of seasonal rain events, and can cause damage to foundations, concrete slabs, roadway improvements, and pavement sections.

The soils encountered at the site generally consisted of very stiff to hard sandy lean clay, silt, and poorly graded sand with clay and gravel in the upper 3 to 6 feet underlain by interbedded layers of poorly graded gravel with cobbles, clayey gravel, lean clay, silt, and silty sand to the maximum depth explored of 25 feet. The Plasticity Index (PI) in the area is approximately 15, which indicates that the site soils have a moderate shrink-swell potential and medium plasticity.

The potential for liquefaction to occur at the project site is considered low. Additionally, the project site contains moderately expansive soils, which could pose a risk to the roadway infrastructure. There are no inhabitable structures that would be at risk. The infrastructure design and construction would need to accommodate the potential for moderate expansion. As such, this is a **less than significant** impact and no mitigation is required.

Responses a.iv): The project site is relatively flat and there are no major slopes in the vicinity of the project site. As such, the project site is exposed to little or no risk associated with landslides. This is a **less than significant** impact.

Response b): Construction and site preparation activities associated with development of the project site include ground disturbing activities. During the construction preparation process, existing vegetation would be removed to grade and compact the project site, as necessary. As construction occurs, these exposed surfaces could be susceptible to erosion from wind and water. Effects from erosion include impacts on water quality and air quality. Exposed soils that are not properly contained or capped increase the potential for increased airborne dust and increased discharge of sediment and other pollutants into nearby stormwater drainage facilities. Risks associated with erosive surface soils can be reduced by using appropriate controls during construction and properly revegetating exposed areas. The proposed project will require a Storm Water Pollution Prevention Plan to be prepared as part of the NPDES General Construction Permit. This will include the implementation of various best management practices (BMPs) that would reduce the potential for disturbed soils and ground surfaces to result in erosion and sediment discharge into adjacent surface waters during construction activities. Implementation of the proposed project would have a **less than significant** impact relative to this issue.

Response e): The proposed project does not involve the use or construction of a septic system. Implementation of the proposed project will have **no impact** relative to this issue.

VII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?			X	

Responses to Checklist Questions

Response a-b): The City of Tracy adopted the Tracy Sustainability Action Plan. The Sustainability Action Plan includes programs and measures to reduce GHGs through community and municipal operations. Programs and measures vary from a focus on buildings, lighting, recycling, and transportation, including alternative mode transportation.

The proposed project would assist the City of Tracy with implementation of the Sustainability Action Plan, in that it is a complete street project that would provide sidewalk and bike lanes in the gaps along MacArthur Drive. Providing these improvement in the gap locations provides the citizens with a complete and continuous path to either ride a bicycle, jog, or walk.

In addition to the City of Tracy's Sustainability Action Plan, SJCOG is in the processes of preparing the Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP) update. Sen. Bill No. 375 (Stats. 2008, ch. 728) (SB 375) was built on AB 32 (California's 2006 climate change law). SB 375's core provision is a requirement for regional transportation agencies to develop a Sustainable Communities Strategy in order to reduce GHG emissions from passenger vehicles. The SCS outlines the region's plan for combining transportation resources, such as roads and mass transit, with a realistic land use pattern, in order to meet a state target for reducing GHG emissions. The strategy must take into account the region's housing needs, transportation demands, and protection of resource and farmlands. While the SJCOG SCS has not been completed and adopted at the time that this environmental analysis was prepared, the SCS is anticipated to encourage and promote a roadway network that is complimentary to land use design that is compact and focused on infill development and complete streets. As previously described, the proposed project is consistent with the intent of SB 375, and is anticipated to further the goals and priorities of the SJCOG SCS.

The proposed project is consistent with the City's Sustainability Action Plan. The proposed project is consistent with the existing SJCOG RTP. Implementation of the proposed project will have **a less than significant** impact relative to this issue.

VIII. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Responses to Checklist Questions

Response a-c): The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Once complete, the proposed project would not include operations or activities that would use, store or transport hazardous materials. During construction activities, small amounts of common construction materials, such as diesel fuel, would be used on the site. However, construction activities would be temporary and would not involve the use of extremely hazardous materials, other than common petroleum products.

Additionally, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Implementation of the proposed project will have **a less than significant** impact relative to this issue.

Response d): An *Initial Site Assessment, MacArthur Drive Widening Between Schulte Road and Valpico Road, Tracy, California* (Adanta, Inc. September 2011) was prepared to determine the presence of contaminants on the site. No known contaminants were discovered within the project area during records searches and field visits conducted during preparation of the ISA. The proposed project is not located on an active clean-up or remediation site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There is always a possibility for aerially deposited lead concentrations and other contaminations adjacent to roadways in California. However, the proposed project does not require extensive grading activities because of the existing grades on the project site. Implementation of the proposed project will have **a less than significant** impact relative to this issue.

Responses e-f): The proposed project would not create new safety hazards for people in association with airports/airstrips. Implementation of the proposed project will have **no impact** relative to this issue.

Response g): Construction of the proposed project would not result in temporary road closures or traffic detours that could affect emergency access. The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Implementation of the proposed project will have **no impact** relative to this issue.

Response h): The proposed project would not result in the construction of structures that would be occupied by humans; therefore, it would not expose people or structures to a significant risk involving wild fires. Implementation of the proposed project will have **no impact** relative to this issue.

IX. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Responses to Checklist Questions

Responses a, c-f): Implementation of proposed project would not violate any waste discharge requirements. The proposed project would slightly alter the existing drainage of the roadway to ensure proper drainage; however, the drainage design would not result in the alteration of a course of a stream or river, which could result in erosion, siltation, or flooding on- or off-site.

The construction phase of the projects could cause storm water runoff that could carry topsoil into the City's municipal storm drainage system which will require an approved Storm Water Pollution Prevention Plan (SWPPP) that includes best management practices for grading, and preservation of topsoil. SWPPPs are designed to control storm water quality degradation to the extent practicable using best management practices during and after construction.

The City of Tracy will submit the SWPPP with a Notice of Intent to the Regional Water Quality Control Board (RWQCB) to obtain a General Permit. The RWQCB is an agency responsible for reviewing the SWPPP with the Notice of Intent, prior to issuance of a General Permit for the discharge of storm water during construction activities. The RWQCB accepts General Permit applications (with the SWPPP and Notice of Intent) after specific projects have been approved by the lead agency. The City of Tracy is required to obtain a General Permit for discharge of storm water during construction activities prior to commencing construction (per the Clean Water Act). Construction of each segment would be required to comply with NPDES General Construction Permit requirements to reduce or eliminate construction-related water quality effects. With NPDES compliance the proposed project would have a **less-than-significant** impact.

Responses b): The proposed project does not create a new demand on water supplies. As such, the proposed project does not substantially deplete groundwater supplies. Additionally, the proposed project would not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Implementation of the proposed project will have **no impact** relative to this issue.

Responses g-j): Implementation of the proposed project would not place housing within a 100-year flood hazard area, place structures which would impede or redirect flood flows within a 100-year flood hazard area, nor would it expose people or structures to a significant risk of loss, injury or death involving flooding (including flooding as a result of the failure of a levee or dam, or inundation by seiche, tsunami, or mudflow). Implementation of the proposed project will have **no impact** relative to this issue.

X. LAND USE AND PLANNING

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Responses to Checklist Questions

The discussion below is based on *MacArthur Drive Widening between Schulte Road and Valpico Road Community Impact Assessment* (De Novo Planning Group September 2013).

Responses a): The proposed project does not physically divide an established community. Implementation of the proposed project will have **no impact** relative to this issue.

Responses b): The proposed project would not change the land uses or result in incompatibility with the policies identified in the City's General Plan. Implementation of the proposed project will have **no impact** relative to this issue.

Response c): The project site is located within the jurisdiction of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan ("Plan" or "SJMSCP") and is located within the Central/Southwest Transition Zone of the SJMSCP. This topic is discussed in detail within this Initial Study under Biological Resources.

The proposed project is classified as Urban Habitat under the SJMSCP. The City of Tracy will consult with SJCOG and pursue coverage of the project pursuant to the SJMSCP. The proposed project is consistent with the SJMSCP and coverage under the plan is anticipated. Implementation of the proposed project will have **no impact** relative to this issue.

XI. MINERAL RESOURCES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				x
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				x

Responses to Checklist Questions

Responses a), b): The project site is not currently, and has not historically, been used as a mineral resource recovery site. The proposed project will not result in the loss of availability of a mineral resource. Implementation of the proposed project will have **no impact** relative to this issue.

XII. NOISE

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			x	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				x
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				x

Responses to Checklist Questions

The discussion below is based on *MacArthur Drive Widening Noise Study Report* (J.C. Brennan Associates June 2012).

Responses a, c): Table B-1 in Appendix B of the Noise Study Report summarizes the traffic noise modeling results for existing conditions and the design-year conditions for the No Build alternative and the Proposed Project. Predicted design-year traffic noise levels with the project are compared to existing conditions. The comparison to existing conditions is included in the analysis to identify traffic noise impacts under 23 CFR 772. Figure 7-1 in the Noise Study shows the locations of modeled receptors.

As stated in the TeNS, modeling results are rounded to the nearest decibel before comparisons are made. In some cases, this can result in relative changes that may not appear intuitive. An example would be a comparison between sound levels of 64.4 and 64.5 dBA. The difference between these two values is 0.1 dB. However, after rounding, the difference would be reported as 1 dB.

The modeling results in Table B-1 of the Noise Study Report indicate that the proposed project would result in noise levels which would approach or exceed the NAC criteria of 67 dBA Leq(h) at Activity Category B receptors. However, none of the project-related increases in noise levels exceed

the 12 dBA Leq(h) threshold required before consideration of noise abatement. Where future noise levels are predicted to approach or exceed the NAC criteria of 67 dBA Leq(h) noise abatement consideration is warranted and was considered at four locations as shown in the Noise Study in Appendix H.

NB-1: Noise Barrier 1 is acoustically feasible and would benefit one sensitive receptor. The analysis was conducted for a barrier located at the project right-of-way. There is currently no barrier of any height located at this location. A range of heights were evaluated, but wall heights less than 10 feet would not be acoustically feasible as they would not provide a minimum noise reduction of 7 dB. A 10-foot wall in this location would reduce noise levels below the threshold for exterior noise levels. The cost to install this wall is estimated to cost $50,000, which is below the reasonable allowance. At this time, the City does not plan to not install the 10-foot tall sound wall considering the benefit is to a single residence and the height of the wall is excessive in this residential area of the City of Tracy.

NB-2: Noise Barrier 2 is not acoustically feasible as it does not provide a minimum noise reduction of 7 dB. Additionally, this barrier is located outside of the ROW for MacArthur Road. This area is located adjacent to an area that is planned for development under the General Plan. Noise attenuation will be required along the frontage of MacArthur Drive when the adjacent property develops, and that noise attenuation will functionally reduce the backyard noise impact at NB-2.

NB-3: Noise Barrier 3 is acoustically feasible and would benefit one sensitive receptor. The analysis considered removing the existing 5-foot tall barrier that extends from MacArthur Road northeast at a 45 degree angle away from MacArthur Road along the northwest property line for a distance of approximately 140 feet to the northeast along the north property line. This wall would be 1-foot taller than the existing 5-foot tall wall at this location and would reduce noise by 7 dB. A range of heights were evaluated, but the 6-foot wall in this location would reduce noise levels below the threshold for exterior noise levels. The cost to install this wall is estimated to cost $20,000, which is below the reasonable allowance. At this time, the City does not plan to remove the existing 5-foot tall sound wall and replace it with a barrier that is only 1-foot taller considering the benefit is to a single residence.

NB-4: Noise Barrier 4 is not acoustically feasible as it does not provide a minimum noise reduction of 7 dB. Additionally, this noise barrier is no longer required as the City will be acquiring and demolishing the existing residential structure located at Receptor location R-63 as part of the project.

Conclusion: The preliminary noise abatement decision presented in the Noise Abatement Design Report is based on preliminary project alignments and profiles, which may be subject to change. As such, the physical characteristics of noise abatement described herein also may be subject to change. If pertinent parameters change substantially during the final project design, the preliminary noise abatement decision may be changed or eliminated from the final project design. A final decision to construct noise abatement will be made upon completion of the project design. This noise abatement is considered by the City; however, it is not warranted by the noise levels. As

such, implementation of the proposed project will have a **less than significant** impact relative to this issue.

Responses: b, d): Increases in ambient noise levels associated with construction projects located near sensitive land uses can result in increased levels of annoyance. Construction equipment is expected to generate noise levels ranging from 70 to 90 dB at a distance of 50 feet, and noise produced by construction equipment would be reduced over distance at a rate of about 6 dB per doubling of distance.

Construction activities occurring during the more noise-sensitive nighttime hours would be of particular concern, given the potential for increased sleep disruption. The City of Tracy limits construction to the daytime hours and requires equipment to be properly maintained and muffled. The City's has standard minimization measures required under the General Plan Noise Element. Implementation of these standard minimization measures would ensure that this impact is **less-than-significant**.

Responses: e), f): The proposed project would not expose people to excessive noise levels associated with airports/airstrips. Implementation of the proposed project will have **no impact** relative to this issue.

XIII. POPULATION AND HOUSING

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			x	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?		x		
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?		x		

Responses to Checklist Questions

The discussion below is based on *MacArthur Drive Widening between Schulte Road and Valpico Road Community Impact Assessment* (De Novo Planning Group September 2013).

Response a): The proposed project is consistent with the General Plan and would not induce substantial population growth in an area, either directly or indirectly, above what is anticipated for the City of Tracy. Implementation of the proposed project will have a **less than significant** impact relative to this issue.

Response b-c): Relocations and displacement of residential and nonresidential uses can affect community character and cohesion. A full acquisition of a property is defined as an area within which occupants of residential and nonresidential units would be displaced by the project and would be expected to be relocated as part of a project. A partial acquisition is when a small area of a property is acquired, but full use of the property and structures, such as multifamily units, would remain. Generally, partial acquisitions consist of portions of a back, side, or front yard; landscaping; and/or parking.

The severity of property acquisition impacts varies greatly with the population involved. For instance, if a person is highly mobile and has had a history of changing residences frequently, the impact may only be a minor inconvenience. However, if the community is stable and cohesive and residents have been in their homes for many years, many of the displaced persons may have a difficult time adjusting to new homes and neighborhoods because they have a strong attachment to their existing homes and neighborhoods.

The proposed project will require an additional 3.59 acres of land for right-of-way (ROW). This acquisition of this ROW will require three full acquisitions and 15 partial acquisitions. Table 2 presents the full acquisitions and Table 3 presents the partial acquisitions.

Table 2: Full Acquisition

APN	SITE ADDRESS	OWNER / MAILING ADDRESS	ACQUISITION IMPACTS	CONSIDERATIONS
252-020-09	25760 S Macarthur Dr Tracy, CA 95376	Torres, Joe & C M Family Trust 1265 Eagle St Tracy, CA 95376	Full acquisition of residential property for ROW. The driveway to the residential structure is accessed from MacArthur Drive and would be severely reduced from ROW acquisition. There is a possibility that the access from MacArthur Drive could be abandoned and access could be provided from Jance Court.	An alternative to removing the structure could include abandonment of the front yard driveway access, and utilize Janice Court as an alternative driveway access. Would require some improvements for new driveway, garage, and building façade.
246-140-04	2455 S Macarthur Dr Tracy, CA 95376	Gonsalves, Douglas G & Suzette 2455 S Macarthur Dr Tracy, CA 95376	Full acquisition of residential property for ROW and Pole Relocation. The driveway to the residential structure is accessed from MacArthur Drive and would be severely reduced from ROW acquisition. Additionally, the Pole Relocation would result in power lines over the residential structure.	N/A
246-140-05	2505 S Macarthur Dr Tracy, CA 95376	Fernandes, Manuel O PO Box 1301 Tracy, CA 95378	Full acquisition of residential property for ROW and Pole Relocation. Two multifamily residential structures are within the ROW needed for the proposed project. Additionally, the Pole Relocation would result in power lines over the two residential structures.	There are five residential structures on the remainder of the property that could continue to be used.

SOURCE: CITY OF TRACY (2012) AND MULTIPLE LISTINGS SERVICE (HTTP://PROSPECTOR.METROLIST.NET/) ACCESSED 10/3/12.

Table 3: Partial Acquisition

APN	SITE ADDRESS	OWNER / MAILING ADDRESS	ACQUISITION IMPACTS	DESIGN/ENGINEERING CONSIDERATIONS
252-020-04	Southeast Ct Tracy, CA	Gelsomini Martha J 141 Melrose St Modesto, CA 95354	Acquisition of residential side yard, including: fencing, landscaping, and utilities. Residence does not front on MacArthur and would not be directly affected. Noise levels would be within the City noise standards, but slightly above Caltrans standards and noise abatement will be considered in a Noise Abatement Design Report. The County Zoning Ordinance requires a 10' side yard setback from the ROW, which should be able to be accommodated with the design/engineering of the project.	10' side yard setback from the ROW to the side of residence. Relocation or replacement of fencing, landscaping.
252-020-05	25596 S Macarthur Dr Tracy, CA 95376	Cuziz, Giancarlo J & Barbara J 25596 S Macarthur Dr Tracy, CA 95376-9133	Acquisition of small portion of residential access driveway. Residence does not front on MacArthur Dr. and would not be affected. There are no noise, zoning, or design/engineering	Access to driveway needs to be maintained. Relocation or replacement of

			considerations for this acquisition.	mailbox.
252-020-06	25600 S Macarthur Dr Tracy, CA 95376	Kingdom Hall Jehovah Witness Dba Sunset Park Con G 25600 S Macarthur Dr Tracy, CA 95376-9133	Acquisition of Church property frontage, including: portions of existing driveway, fencing, landscaping, parking lot, mailbox, and utilities. The Church structure will not be directly affected. Between 2 and 4 parking spaces may be lost depending on the final design/engineering. The property has adequate land available to accommodate additional parking spaces if replacement of those parking spaces is needed. This would require parking plan and striping be performed. There are no noise, zoning, or design/engineering considerations for this acquisition.	Access to parking lot needs to be maintained. Parking lot restriping plan may be warranted to compensate for lost parking spaces (anticipated between 2-4 spaces lost). Property appears to have adequate space to accommodate additional spaces. Relocation or replacement of fencing, landscaping, mailbox, and utilities.
252-020-07	25700 S Macarthur Dr Tracy, CA 95376	Yadav Sunil L & S S 1050 S Cherokee Ln Lodi, CA 95240	Acquisition of residential property frontage, including: portions of existing driveway, fencing, landscaping, mailbox, and utilities. Residential structure will not be directly affected. There are no noise, zoning, or design/engineering considerations for this acquisition.	Access to driveway needs to be maintained. Relocation or replacement of fencing, landscaping, mailbox, and utilities.
252-020-08	25740 S Macarthur Dr Tracy, CA 95376	Weaver, David A & Joyce 25740 S Macarthur Dr Tracy, CA 95376-8126	Acquisition of residential property frontage, including: portions of existing driveway, fencing, landscaping, mailbox, and utilities. Residential structure will not be directly affected. There are no noise, zoning, or design/engineering considerations for this acquisition.	Access to driveway needs to be maintained. Relocation or replacement of fencing, landscaping, mailbox, and utilities.
252-020-14	25820 S Macarthur Dr Tracy, CA 95376	Henson, Teena & Dennis 25820 S Macarthur Dr Tracy, CA 95376	Acquisition of residential property frontage, including: portions of existing driveway, fencing, landscaping, mailbox, and utilities. Residential structure will not be directly affected. The County Zoning Ordinance requires a 30' front yard setback from the ROW, which should be able to be accommodated with the design/engineering of the project. There are no noise considerations for this acquisition.	30' front yard setback from the ROW to the front of residence. Access to driveway needs to be maintained. Relocation or replacement of fencing, landscaping, mailbox, and utilities.
246-150-01	26101 S Macarthur Dr Tracy, CA 95376	Rocha, Dina Lourenco 26469 S Macarthur Dr Tracy, CA 95376	Acquisition of agricultural property frontage, including: portions of agricultural perimeter roadway, utilities, and farmland. There are no structures located on property. There are no noise or zoning considerations for this acquisition.	Access to farmland needs to be maintained. Relocation of utilities.
246-150-02	26431 S Macarthur Dr Tracy, CA 95376	Rocha, Dina Lourenco 26469 S Macarthur Dr	Acquisition of agricultural property frontage, including: portions of agricultural perimeter roadway, driveway, mailbox, utilities, and	Access to driveway and farmland needs to be maintained. Relocation or replacement of

		Tracy, CA 95376	farmland. Residential structure will not be directly affected. There are no noise or zoning considerations for this acquisition.	fencing, landscaping, mailbox, and utilities.
246-140-02	2295 S Macarthur Dr Tracy, CA 95376	Thrasher, D W & D A Cotrs Tr PO Box 851 Tracy, CA 95378	Acquisition of small portion of residential/agricultural access driveway. Residence does not front on MacArthur Dr. and would not be affected. There are no noise, zoning, or design/engineering considerations for this acquisition.	Access to driveway needs to be maintained. Relocation or replacement of mailbox.
246-140-03	2325 S Macarthur Dr Tracy, CA 95376	Thrasher, Darren Trust 2800 Levon Ave Modesto, CA 95350	Acquisition of residential/agricultural property frontage, including: portions of driveway, mailbox, utilities, and landscaping. Residential structure will not be directly affected. There are no noise or zoning considerations for this acquisition.	Access to driveway needs to be maintained. Relocation or replacement of fencing, landscaping, mailbox, and utilities.
246-140-06	2555 S Macarthur Dr Tracy, CA 95376	Gentry, Lawrence C & Wanda A Trust PO Box 581 Tracy, CA 95378	Acquisition of residential property frontage, including: portions of driveway, mailbox, utilities, and landscaping. Residential structure will not be directly affected. The City Zoning Ordinance requires a 15' front yard setback from the ROW to the garage, which should be able to be accommodated with the design/engineering of the project. There are no noise considerations for this acquisition.	15' front yard setback from the ROW to the garage. Relocation or replacement of fencing, landscaping, mailbox, and utilities. Access to driveway needs to be maintained.
246-140-07	2585 S Macarthur Dr Tracy, CA 95376	Gentry, Lawrence C & Wanda A Trust PO Box 581 Tracy, CA 95378	Acquisition of residential property frontage, including: portions of driveway, mailbox, utilities, and landscaping. Residential structure will not be directly affected. The City Zoning Ordinance requires a 15' front yard setback from the ROW to the garage, which should be able to be accommodated with the design/engineering of the project. There are no noise considerations for this acquisition.	15' front yard setback from the ROW to the garage. Relocation or replacement of fencing, landscaping, mailbox, and utilities. Access to driveway needs to be maintained.
246-140-08	2625 S Macarthur Dr Tracy, CA 95376	White, Edmond L & Gwendolyn S 2625 S Macarthur Dr Tracy, CA 95376	Acquisition of small portion of residential/agricultural access driveway. Residence does not front on MacArthur Dr. and would not be affected. There are no noise, zoning, or design/engineering considerations for this acquisition.	Access to driveway needs to be maintained. Relocation or replacement of mailbox.
246-140-09	2655 S Macarthur Dr Tracy, CA 95376	Otsuki, Tiffany L 2655 S Macarthur Dr Tracy, CA 95376	Acquisition of residential property frontage, including: portions of driveway, mailbox, utilities, and landscaping. Residential structure will not be directly affected. The City Zoning	15' front yard setback from the ROW to the garage. Relocation or replacement of fencing, landscaping, mailbox,

			Ordinance requires a 15' front yard setback from the ROW to the garage, which should be able to be accommodated with the design/engineering of the project. There are no noise considerations for this acquisition.	and utilities. Access to driveway needs to be maintained.
246-140-10	2675 S Macarthur Dr Tracy, CA 95376	Stopka, Anita M 2675 S Macarthur Dr Tracy, CA 95376	Acquisition of residential property frontage, including: portions of driveway, mailbox, utilities, and landscaping. Residential structure will not be directly affected. The City Zoning Ordinance requires a 15' front yard setback from the ROW to the garage, which should be able to be accommodated with the design/engineering of the project. There are no noise considerations for this acquisition.	15' front yard setback from the ROW to the garage. Relocation or replacement of fencing, landscaping, mailbox, and utilities. Access to driveway needs to be maintained.

SOURCE: CITY OF TRACY (2012) AND MULTIPLE LISTINGS SERVICE (HTTP://PROSPECTOR.METROLIST.NET/) ACCESSED 10/3/12.

Residential Displacement

The proposed project could displace four residential structures on three parcels. Two of the structures are single family units, and two of the structures are part of a seven unit multi-family residential complex. None of the four residential structures are part of the Public Housing projects in San Joaquin County that are owned by the Housing Authority of the County of San Joaquin Housing Programs (HACSJ), and they are not a Section 8 Project based property. It is not known whether the tenant utilizes the Housing Choice Voucher Program for rent payments. There are 148 units registered as available for rent with the HACSJ, of which two are within the City of Tracy. If rent is subsidized through the Housing Choice Voucher Program for either, or both of, the two displaced units, the displacees would be eligible to utilize their voucher for rent subsidies on a replacement unit. Certain provisions would need to be considered if it is found that the tenants utilize the Housing Choice Voucher Program for rent subsidy.

Residential Replacement

The Replacement Area includes the jurisdiction of Tracy. Relocating displacees within the communities in which they currently reside (i.e. Tracy) would reduce the hardship associated with relocation, including community cohesion, commute times, etc. Below is a summary of the replacement area. Average prices of typical single-family homes that are Decent, Safe, and Sanitary (DS&S) for the displacement properties are shown in Table 4.

<u>Tracy Housing Stock</u>

- Number of single-family residences: 20,813
- Number of multiple-family units: 33,017
- Number of mobile homes: 570
- Total housing units (a+b+c): 24,700

(Source: US Census Bureau, 2005-2009 American Community Survey 5-Year Estimate)

Tracy Vacancy rate expressed as a percent:

- Owner vacancy rate: 5.0
- Rental vacancy rate: 6.0

(Source: US Census Bureau, 2005-2009 American Community Survey 5-Year Estimate)

Table 4: Residential Relocation Resources

Residential For Sale			
Type	# of Units	Value	
		Low	High
2 Bedroom	23	$ 50,000	$ 950,000
3 Bedroom	136	$ 82,000	$ 1,400,000
4 Bedroom	160	$ 105,000	$ 1,150,000
5 Bedroom	73	$ 199,950	$ 999,950
Residential For Rent			
Type	# of Units	Value	
		Low	High
2 Bedroom	12	$ 699	$ 1,400
3 Bedroom	25	$ 1,100	$ 2,950
4 Bedroom	24	$ 1,150	$ 2,500
5 Bedroom	7	$ 1,695	$ 2,180

SOURCE: MULTIPLE LISTINGS SERVICE (HTTP://PROSPECTOR.METROLIST.NET/) ACCESSED 10/14/11, CRAIGSLIST.ORG (HTTP://STOCKTON.CRAIGSLIST.ORG/) ACCESSED 10/14/11.

Direct surveys, either by mail or personal contact, were not conducted during as part of this study. Therefore, it is unknown if residents displaced by the proposed project are using government assistance. This issue should be reassessed during the final relocation process.

The replacement area is homogeneous to the displacement area. The units displaced by the proposed project are older than the majority of units in the surrounding area, where 56.6 percent of units have been built since 1990. An additional 18.7 percent were built between 1980 and 1989, which indicates that 75.3 percent of housing units in Tracy have been built over the past 30 years (U.S. Bureau of the Census 2000).

The condition of units being displaced is considered fair to average. The condition of units available in the replacement area is considered average to good.

Table 5: Residential Relocation Resources

	Displacements	Replacement Area
Total Housing Units	4	24,700
% Owner Occupied	Not Available	62%
% Renter Occupied	Not Available	31%
Total Housing Units Vacant	All potentially impacted units appeared to be occupied during field reconnaissance.	1,843

Vacancy Rate	0.0% based on field reconnaissance.	6%
Housing Units for Sale	No impacted residential units were observed to be for sale during field reconnaissance.	392
Housing Units for Rent	No impacted residential units were observed to be for rent during field reconnaissance. Two of the units appear to be occupied rental units.	68
Average Household Size - Owner Occupied	3.36	3.36
Average Household Size - Renter Occupied	3.47	3.47
Median Housing Value	Not Available	$458,600
Median Rent	Not Available	$1,235

SOURCE: US CENSUS BUREAU, 2005-2009 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATE AND CALIFORNIA DEPARTMENT OF FINANCE, 2010

Market Availability

In 2007 the housing market in Tracy, like much of the United States, began a steep decline as a result of high foreclosure rates, low sales rates, home value depreciation, tighter lending standards, high unemployment, and an increasing threat of a long-term recession with high inflationary risks.

As a result of the high foreclosure rates, low sales rates, home value depreciation, and tighter lending standards, market availability is expected to remain adequate through the time of displacement. The City of Tracy's current housing element (*City of Tracy 2009-2014 Housing Element*) indicates that the replacement area has adequate housing resources that are planned for the future to meet projected housing requirements.

Impact Analysis

Permanent impacts to neighborhoods and communities occur when a project displaces residents and requires relocation. The proposed project will require acquisition of 3.59 acres of land for ROW. This acquisition of this ROW will require three full acquisitions and 15 partial acquisitions. The full acquisitions are needed because the ROW encroaches into a structure or severely limits access to the structure. The full acquisitions will require relocation of residents. The partial acquisitions are needed because the ROW encroaches into the front or sideyards of residential parcels. The partial acquisitions will consist of the purchase of approximately 15-30 feet of the front or side yard of the residential parcels.

The replacement area studied is within the City of Tracy. This area was chosen as the replacement area because it is the jurisdiction where the impacts would take place. Relocating displacees within the community in which they currently reside would reduce the hardship associated with relocation, including community cohesion, commute times, etc.

Since the relocation area selected is the jurisdiction in which the displacees are currently located, the relocation area would be comparable in terms of amenities, public utilities, and accessibility to public services, transportation, and shopping.

The relocation resources are affordable to the majority of residential displacees given the use of replacement housing payments as needed to assist displaced persons/households.

There are not any public projects in the area that would displace other families or make additional housing unavailable concurrently with the subject project.

The State's relocation program is adequate to successfully relocate all displacees. There is not any special relocation problems associated with this project that are anticipated. The relocation of residential displacees is not anticipated to require Last Resort Housing (LRH) payments. The construction of replacement housing under the LRH Program would not be utilized as it is not anticipated that construction of replacement housing under the LRH Program would be necessary.

Funds and staffing resources should be adequate to relocate these displacees to DS&S housing during the relocation phase. It is anticipated that sufficient lead time will be available to relocate displacees from these locations. Relocation resources exist throughout the City of Tracy. Relocation resources for each displacee are not limited to the community in which they are currently located. For example, adequate relocation resources for residents displaced from the City of Tracy are also available in neighboring communities, including unincorporated San Joaquin County, and the cities of Lathrop, Manteca, and Stockton.

The proposed project would result in the removal of four residential structures, with an estimated 6.72 displacees from owner occupied units and 6.94 displacees from rental occupied units. Relocation resources of comparable affordability for residents within the residential structures are not difficult to find within the City of Tracy. There are 392 residential units with between two and five bedrooms that are listed for sale with the local Multiple Listing Service for the City of Tracy. Additionally, there are 68 residential units with between two and five bedrooms that are listed for rent on local online classified advertisements for the City of Tracy. This project would not significantly impact the local housing stock for the community.

In conclusion, Caltrans will need to utilize the State's relocation program to relocate these displacees. Advisory assistance, replacement site availability, and/or payments as applicable under the program, may be needed to effect the relocations. Adequate project funding, staffing and lead-times are also resources that should be available and fully utilized to ensure successful relocations.

Implementation of the following measures would reduce the impact on displaces by insuring that they are justly compensated for their property, and that they are properly relocated. The displacement and relocation of people as a result of the acquisitions would not necessitate the construction of replacement housing elsewhere. This impact is **less than significant**.

> ***Mitigation Measure 7:*** *The City of Tracy shall compensate all property owners where a partial or full acquisition is required. Compensation shall be fair market value of the acquisition.*
>
> *The Uniform Act (Public Law 910646, 84 Statutes 1894) mandates that certain relocation services and payments be made available to eligible residents, businesses, and nonprofit organizations displaced by its projects. The Uniform Act provides for uniform and equitable treatment by federal or federally assisted programs of persons displaced from their homes, businesses, or farms, and establishes uniform and equitable land acquisition policies.*
>
> *Where acquisition and relocation are unavoidable, the provisions of the Uniform Act and the 1987 Amendments, as implemented by the Uniform Relocation Assistance and Real Property Acquisition*

Regulations for Federal and Federally Assisted Programs adopted by the United States Department of Transportation (March 2, 1989), will be followed. An independent appraisal of the affected property will be obtained, and an offer for the full appraisal will be made.

The Uniform Act requires that comparable, decent, safe, and sanitary replacement housing that is within a person's financial means be made available before that person may be displaced. In the event that such replacement housing is not available for persons displaced by the project within the statutory limits for replacement housing payments, last resort housing may be provided in a number of prescribed ways.

XIV. PUBLIC SERVICES

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

Responses to Checklist Questions

Responses a): The proposed improvements would not result in substantial adverse physical or environmental impacts related the provision of public services. The proposed project would have **no impact** on schools, parks, or other public facilities. The proposed project would provide police and fire services with better emergency travel along MacArthur Road, which is considered a beneficial impact.

XV. RECREATION

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Responses to Checklist Questions

Response a-b): The proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Additionally, the proposed project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Implementation of the proposed project will have a **no impact** relative to these issues.

XVI. TRANSPORTATION/TRAFFIC

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

Responses to Checklist Questions

The discussion below is based on *Draft Transportation Impact Analysis Report MacArthur Drive Widening Project* (Fehr and Peers. April 2012). See Appendix I.

Responses a-b):

Existing Plus Project

The Existing Plus Project intersection analysis results are presented in Table 2. With the widening of MacArthur Drive, all seven study intersections are generally anticipated to operate at similar service levels compared to Existing conditions. The MacArthur Drive study corridor would continue to operate at acceptable service levels with slightly less delay during the AM and PM peak hours. The delay decrease along MacArthur Drive is small because all study intersections operate under capacity and at acceptable service levels under Existing No Project conditions. Prohibiting left-turns out at the De Bord Drive intersection does decrease the average side-street stop delay, but results in an increase in delay at the Valpico Road intersection. The eastbound approach of the side-street

stop controlled intersection at Chrisman Road/Schulte Road will continue to operate at LOS F during the AM peak hour.

The proposed turn-pocket lengths along MacArthur Drive between Schulte Road and Valpico Road are sufficient and do not result in queuing issues. The LOS calculation worksheets for the Existing Plus Project scenario are provided in Appendix B of the Traffic Analysis.

Table 2 Existing Plus Project Peak Hour Intersection Levels of Service

Intersection		Control[1]	Peak Hour	Existing		Existing Plus Project	
				Delay [2] (in seconds)	LOS	Delay[2] (in seconds)	LOS
1.	MacArthur Drive/Schulte Road	Signal	AM PM	35.9 29.3	D C	34.8 28.9	C C
2.	MacArthur Drive/Yosemite Drive	Signal	AM PM	6.7 6.0	A A	5.6 5.2	A A
3.	MacArthur Drive/Eastlake Drive	Signal	AM PM	12.5 11.6	B B	10.4 10.3	B B
4.	MacArthur Drive/De Bord Drive	SSSC	AM PM	2.3 (16.7) 1.4 (15.0)	A (C) A (C)	1.4 (10.3) 1.0 (9.8)	A (B) A (A)
5.	MacArthur Drive/Valpico Road	Signal	AM PM	24.0 23.4	C C	27.4 24.4	C C
6.	Chrisman Road/Schulte Road	SSSC	AM PM	15.8 **(78.2)** 3.2 (20.3)	A **(F)** A (C)	15.0 **(76.1)** 3.2 (20.3)	A **(F)** A (C)
7.	Chrisman Road/Valpico Road	AWSC	AM PM	13.9 8.6	B A	14.5 8.6	B A

Notes: Results in **bold** represent unacceptable LOS

1. Signal = signalized intersection, SSSC = side street stop controlled intersection, AWSC = all way stop controlled intersection
2. For side-street stop-controlled intersections, delay is reported as: Intersection average (worst case approach).

SOURCE: FEHR & PEERS, 2012.

Existing Plus Project Intersection Peak Hour Signal Warrant Analysis

The results of the Existing Plus Project traffic signal warrant analyses are shown in Table 3. Detailed signal warrant assessments are provided in Appendix C of the Traffic Analysis. As shown in Table 3, the urban peak hour volume traffic signal warrant is satisfied at the Chrisman Road/Schulte Road intersection for Existing No Project and Plus Project Conditions. The Chrisman Road/Schulte Road intersection is under the jurisdiction of San Joaquin County and not the City of Tracy.

Table 3 Existing Plus Project Intersection Peak Hour Signal Warrant Analysis

Intersection		Control[1]	No Project	Plus Project
			Peak Hour Warrant Met?	Peak Hour Warrant Met?
4.	MacArthur Drive/De Bord Drive	SSSC	No	No
6.	Chrisman Road/Schulte Road	SSSC	**Yes**	**Yes**
7.	Chrisman Road/Valpico Road	AWSC	No	No

Note:

1. SSSC = side-street stop-controlled intersection, AWSC = all-way stop-controlled intersection

SOURCE: FEHR & PEERS, 2012

Existing Plus Project Impacts

The project is expected to reduce delay slightly at the majority of study intersections along MacArthur Drive providing an operational benefit. All study intersections, except the Chrisman Road/Schulte Road intersection, are anticipated to operate acceptably with the project. The project will result in similar levels of delay at the study intersections along Chrisman Road. Therefore, the proposed project would not result in significant impacts at any of the study intersections.

The proposed project includes the closure of sidewalk gaps and continuous Class II bike lanes on both sides of MacArthur Drive from Schlute Road to Valpico Road. The implementation of sidewalks and bicycle facilities will improve pedestrian and bicycle access and circulation along this stretch of MacArthur Drive and no significant impacts on pedestrian or bicycle facilities will occur. Pedestrian and bicycle facility improvements proposed by the project are consistent with City of Tracy's General Plan policies for active transportation modes.

Area transit service providers, Tracer and SJRTD, do not currently route buses along MacArthur Drive. As a result, the project will not have significant transit system impacts.

Cumulative Intersection Operations

The intersection operation analyses for Cumulative (2035) Conditions were performed using the same methodologies discussed previously. The Cumulative No Project and Plus Project intersection analysis results are presented in Table 4-2. As shown in Table 4-2, the MacArthur Drive/Schulte Road and MacArthur Drive/De Bord Drive intersections are expected to operate at unacceptable service levels under the Cumulative No Project scenario. The MacArthur Drive/Schulte Road intersection is projected to operate at LOS D during the AM peak hour and LOS E during the PM peak hour; the eastbound approach of the unsignalized MacArthur Drive/De Bord Drive intersection is expected to operate at LOS D during the AM peak hour and at LOS E during the PM peak hour. Under Cumulative conditions (both No Project and Plus Project), the Chrisman Road/Schulte Road and Chrisman Road/Valpico Road intersections are assumed to be signalized and are anticipated to operate at acceptable service levels during the AM and PM peak hours.

The capacity enhancing improvements due to the project at the MacArthur Drive/Schulte Road, MacArthur Drive/Yosemite Drive, MacArthur Drive/Eastlake Drive, and Macarthur Drive/De Bord Drive intersections all result in delay improvements as compared to the Cumulative No Project scenario. Most notably, the intersection of MacArthur Drive/Schulte Road is expected to improve from LOS D to LOS C during the AM peak hour and from LOS E to LOS D during the PM peak hour. The side-street stop controlled eastbound approach of the intersection of MacArthur Drive/De Bord Drive is anticipated to improve from LOS D to LOS B during the AM peak hour and from LOS E to LOS B during the PM peak hour with implementation of the project.

The MacArthur Drive/Valpico Road intersection maintains LOS C in the AM and PM peak hour under No Project conditions. The intersection would degrade to LOS D during the AM and PM peak hour with implementation of the project. The increase in delay is attributed to the increase of peak hour traffic demand and minimal capacity enhancements due to the project at this location.

Prohibiting left-turns out at the De Bord Drive intersection does decrease the average side-street stop delay at the De Bord Drive intersection, but results in an increase in delay at the Valpico Road intersection. However, the intersection of MacArthur Drive/Valpico Road is still anticipated to operate at acceptable services levels.

Under Cumulative Plus Project conditions, all seven study intersections would operate at acceptable service levels during the AM and PM peak hours.

The LOS calculation worksheets for the Cumulative No Project and Plus Project scenarios are provided in Appendix B.

Table 4 Cumulative (2030) Peak Hour Intersection Levels of Service

Intersection		Control[1]	Peak Hour	No Project		Plus Project	
				Delay [2] (in seconds)	LOS	Delay (in seconds)	LOS
1.	MacArthur Drive/Schulte Road	Signal	AM PM	51.5 **60.8**	D **E**	27.5 36.7	C D
2.	MacArthur Drive/Yosemite Drive	Signal	AM PM	9.6 11.0	A B	8.1 7.6	A A
3.	MacArthur Drive/Eastlake Drive	Signal	AM PM	12.8 14.2	B B	10.1 10.3	B B
4.	MacArthur Drive/De Bord Drive	SSSC	AM PM	2.1 (30.9) 2.6 **(47.3)**	A (D) A **(E)**	0.6 (10.6) 0.6 (10.9)	A (B) A (B)
5.	MacArthur Drive/Valpico Road	Signal	AM PM	32.6 31.4	C C	37.8 40.1	D D
6.	Chrisman Road/Schulte Road	Signal	AM PM	9.1 10.2	A B	9.2 10.7	A B
7.	Chrisman Road/Valpico Road	Signal	AM PM	19.6 20.3	B C	19.5 17.1	B B

Note: Results in **bold** represent unacceptable LOS

1. Signal = signalized intersection, SSSC = side street stop controlled intersection
2. For side-street stop-controlled intersections, delay is reported as: Intersection average (worst case approach).

SOURCE: FEHR & PEERS, 2012.

Cumulative Intersection Peak Hour Signal Warrant Analysis

The results of the traffic signal warrant analyses are shown in Table 5. The MacArthur Drive/De Bord Drive intersection is not expected to meet the peak hour signal warrant under Cumulative No Project and Cumulative Plus Project conditions. In addition, the proposed project improvements are expected to reduce the average side-street stop controlled approach delay as shown in Table 4. Detailed signal warrant assessments are provided in Appendix C of the Traffic Analysis.

Table 5 Existing Plus Project Intersection Peak Hour Signal Warrant Analysis

Intersection		Control[1]	No Project	Plus Project
			Peak Hour Warrant Met?	Peak Hour Warrant Met?
4.	MacArthur Drive/De Bord Drive	SSSC	No	No

Note:
1. SSSC = side-street stop-controlled intersection

SOURCE: FEHR & PEERS, 2012.

Cumulative Plus Project Queuing Analysis

A queuing analysis was conducted to determine whether the left-turn pockets in the preliminary roadway design had sufficient length to accommodate the projected maximum queues. Ninety-fifth (95th) percentile queue lengths were evaluated for Cumulative Plus Project peak hour conditions using the Synchro 7.0 software to estimate the maximum queues. Table 6 summarizes the proposed turn pocket lengths at the study intersections along MacArthur Drive and compares them to the estimated 95th percentile queue lengths. The results show that all of the proposed left-turn pocket lengths will be sufficient.

Table 6 Cumulative Plus Project PM Peak Hour Queue Length Analysis

INTERSECTION		TURN-POCKET[1]	PROPOSED LENGTH (IN FEET)	AM PEAK HOUR 95TH PERCENTILE QUEUE LENGTH (IN FEET)	PM PEAK HOUR 95TH PERCENTILE QUEUE LENGTH (IN FEET)
1.	MacArthur Drive/Schulte Road	NBL	250	100	150
2.	MacArthur Drive/Yosemite Drive	NBL	140	40	40
		SBL	150	30	50
3.	MacArthur Drive/Eastlake Drive	SBL	185	80	140
4.	MacArthur Drive/De Bord Drive	NBL	100	25	25
5.	MacArthur Drive/Valpico Road	SBL	200	120	140

Notes:
1. NB = northbound, SB = southbound, L = left turn lane

SOURCE: FEHR & PEERS, 2012.

Cumulative Plus Project Impacts

The proposed project would generally improve traffic operations of the study intersections, close gaps in the sidewalk system, and add new bicycle facilities. The project will not result in significant impacts at any of the study intersections. All study intersections are anticipated to operate acceptably with the project.

The proposed project includes the closure of sidewalk gaps and continuous Class II bike lanes on both sides of MacArthur Drive from Schlute Road to Valpico Road. The implementation of sidewalks and bicycle facilities will improve pedestrian and bicycle access and circulation along this segment of MacArthur Drive under the Plus Project scenario and no significant impacts on pedestrian or bicycle facilities will occur. Pedestrian and bicycle facility improvements proposed by the project are consistent with City of Tracy's General Plan policies for active transportation modes.

Area transit service providers, Tracer and SJRTD, do not currently route buses along MacArthur Drive. As a result, the project will not have significant transit system impacts.

VMT Analysis

Existing No Project and Existing Plus Project VMT estimates are summarized in Table 7. The segment of MacArthur Drive between Schulte Road and Valpico Road currently operates under capacity. Therefore, widening the study segment of MacArthur Drive to four lanes is not expected to divert existing traffic from parallel roads under Existing Conditions. However, prohibiting left-turns out of the De Bord Drive intersection at MacArthur Drive will result in vehicles making slightly longer trips for drivers that would normally make a left out of the residential site. Therefore, prohibiting left-turns out of De Bord Drive will result in a slight increase in VMT within the study area under Existing Plus Project conditions.

Table 7 Existing Conditions VMT Summary

VMT Speed Bin (MPH)	AM Peak Hour		PM Peak Hour		Off-Peak Period		Daily	
	No Project	Plus Project	No Project	Plus Project	No Project	Plus Project	No Project	Plus Project
0.0 - 7.49	0	0	0	0	0	0	0	0
7.5 - 12.49	0	0	0	0	0	0	0	0
12.5 - 17.49	0	0	0	0	0	0	0	0
17.5 - 22.49	0	0	257	257	0	0	257	257
22.5 - 27.49	1,353	1,357	2,663	2,664	17,047	17,047	21,063	21,068
27.5 - 32.49	2,147	2,161	4,433	4,428	25,003	25,003	31,583	31,592
32.5 - 37.49	4,650	4,629	4,356	4,357	42,459	42,467	51,465	51,453
37.5 - 42.49	2,042	2,056	2,439	2,444	23,177	23,185	27,658	27,685
42.5 - 47.49	3,071	3,089	3,136	3,141	36,454	36,454	42,661	42,684
Total	***13,263***	***13,292***	***17,284***	***17,291***	***144,140***	***144,157***	***174,687***	***174,740***

SOURCE: FEHR & PEERS, 2012.

Widening MacArthur Drive to four lanes is expected to divert traffic along parallel roads in the Cumulative scenario. Cumulative No Project and Plus Project VMT estimates are summarized in Table 8. As shown in Table 8, VMT totals are slightly higher for Cumulative Plus Project conditions compared to No Project conditions. However, when comparing VMT by speed bin, implementation of the project reduces the VMT totals in the lower speed bins while increasing the VMT totals in the higher speed bins. The VMT results by speed bin indicate that the project is expected to increase average travel speed, thus resulting in a decrease in delay within the study area.

Table 8 Cumulative (2035) Conditions VMT Summary

VMT Speed Bin (MPH)	AM Peak Hour		PM Peak Hour		Off-Peak Period		Daily	
	No Project	Plus Project	No Project	Plus Project	No Project	Plus Project	No Project	Plus Project
0.0 - 7.49	0	0	0	0	0	0	0	0
7.5 - 12.49	0	0	1,054	1,049	0	0	1,054	1,049
12.5 -	298	296	2,381	1,875	0	0	2,679	2,171

17.49								
17.5 - 22.49	161	160	3,633	2,437	0	0	3,794	2,597
22.5 - 27.49	2,737	2,735	6,391	6,089	27,297	27,063	36,425	35,887
27.5 - 32.49	2,322	2,365	6,865	7,044	56,562	55,644	65,749	65,053
32.5 - 37.49	4,705	4,398	5,777	5,683	75,644	74,159	86,126	84,240
37.5 - 42.49	2,462	1,988	5,346	6,621	22,643	24,478	30,451	33,087
42.5 - 47.49	5,963	6,756	2,779	3,529	103,299	104,934	112,041	115,219
Total	***18,648***	***18,698***	***34,226***	***34,327***	***285,445***	***286,279***	***338,319***	***339,304***

SOURCE: FEHR & PEERS, 2012.

Conclusion

The Existing Plus Project conditions intersection analysis showed that the proposed project will generally improve intersection operations and therefore have no intersection impacts under this scenario. The proposed project will also provide pedestrian and bicycle improvements through the provision of continuous bicycle lanes and sidewalk gap closure on MacArthur Drive from Schulte Road to Valpico Road. Therefore it will have no pedestrian or bicycle impacts. No transit impacts are also expected with the project, as transit routes do not currently operate within the study area.

Under Cumulative No Project conditions, the MacArthur Drive/Schulte Road and the MacArthur Drive/De Bord Drive intersections are expected to operate at unacceptable levels of service. Under the Cumulative Plus Project conditions all intersections would operate at acceptable service levels. In addition, all of the proposed left-turn pocket lengths along MacArthur Drive between Schulte Road and Valpico Road will be sufficient to accommodate 95th percentile queues under Cumulative Plus Project conditions. The project will generally improve intersection operations and therefore have no intersection impacts under this scenario.

The project will also have no impacts on bicycle or pedestrian facilities as the project would improve conditions over existing through the provision of continuous bicycle lanes and sidewalk gap closure on MacArthur Drive from Schulte Road to Valpico Road. No transit impacts are also expected with the project, as transit routes do not currently operate within the study area.

Widening the study segment of MacArthur Drive to four lanes is not expected to divert existing traffic from parallel roads. Therefore, the Existing Plus Project VMT results are similar to the results of Existing No Project conditions.

In the Cumulative scenarios, widening MacArthur Drive to four lanes is expected to divert traffic from parallel roads. Under Cumulative Plus Project conditions, VMT results by speed bin indicate that the project is expected to increase average travel speed, thus resulting in a decrease in delay within the study area compared to Cumulative No Project conditions.

The proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Additionally, the proposed project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. Implementation of the proposed project would have a **less than significant** impact relative to this topic.

Response c): The proposed project would not result in a change in air traffic patterns that results in substantial safety risks. Implementation of the proposed project will have **no impact** relative to this issue.

Response d): The proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. Implementation of the proposed project will have **no impact** relative to this issue.

Response e): The proposed project would not result in inadequate emergency access. Implementation of the proposed project will have **no impact** relative to this issue.

Response f): The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Implementation of the proposed project will have **no impact** relative to this issue.

XVII. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Responses to Checklist Questions

Responses a-b), d-g): The City of Tracy has an elaborate network of public utilities and services, such as water, wastewater, and solid waste collection and disposal. The proposed project does not require the use of these utilities or infrastructure and would not result in the expansion of utilities or infrastructure. Implementation of the proposed project will have **no impact** relative to this issue.

Response c): The proposed project would result in additional impervious services and increased stormwater runoff. City policies and federal and state laws provide various requirements relative to storm drainage management. The proposed project includes a drainage design to ensure proper drainage of the roadway. The drainage design will largely maintain the existing drainage. The drainage system is designed in accordance with the City's engineering standards to control runoff and prevent flooding, erosion, and sedimentation. The construction of the proposed project will require the City to submit a SWPPP with a Notice of Intent to the Regional Water Quality Control Board (RWQCB) to obtain a General Permit. Construction of proposed project would be required to comply with NPDES General Construction Permit requirements to reduce or eliminate

construction-related water quality effects. With NPDES compliance the proposed project would have a **less-than-significant** impact.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	***Less Than Significant with Mitigation Incorporation***	***Less Than Significant Impact***	***No Impact***
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Responses to Checklist Questions

Responses a-c): As described throughout the analysis above, the proposed project will not result in any changes to General Plan land use designations or zoning districts, would not result in annexation of land, and would not allow new land use development. The project would not threaten a significant biological resource, nor would it eliminate important examples California history or prehistory. The proposed project does not have impacts that are cumulatively considerable, nor would it have substantial adverse effects on human beings. Several mitigation measures are presented throughout this document. With the implementation of these mitigation measures, the proposed project would have a **less than significant** impact on these environmental topics.

REFERENCES

Army Corps of Engineers. 1987. Army Corps of Engineers Wetland Delineation Manual.

Barbour and Major 1988. Terrestrial vegetation of California.

C Donald Ahrens. 2006. Meteorology Today: An Introduction to Weather, Climate, & the Environment.

California Air Resources Board. 2006. ARB Databases: Aerometric Data Analysis and Management System (ADAM). Updated: 2006. Available: <http://www.arb.ca.gov/html/databases.htm>.

California Department of Conservation. 2012. California Important Farmlands 2012 Map.

California Department of Conservation. 2012. California Land Conservation (Williamson) Act 2012 Status Report.

California Dept. of Fish and Game . "Special Plants List." Natural Diversity Database.

California Dept. of Fish and Game. "Special Animals List." Natural Diversity Database.

California Dept. of Fish and Game. "Special Vascular Plants, Bryophytes, and Lichens List." Natural Diversity Database.

California Department of Transportation (Caltrans). January 2002(a). California Airport Land Use Planning Handbook.

California Department of Transportation (Caltrans). 2002(b). Transportation Related Earthborne Vibrations.

California Department of Transportation (Caltrans). June 2004. Transportation and Construction-Induced Vibration Guidance Manual.

California Department of Transportation. 2006. Officially Designated State Scenic Highways. Available: <http://www.dot.ca.gov/hq/LandArch/scenic/schwy1.html>.

California Department of Transportation (Caltrans). 2007. Annual Average Daily Truck Traffic on the California State Highway System.

California Energy Commission. 2005. Global Climate Change: In Support of the 2005 Integrated Energy Policy Report. (CEC-600-2005-007.) Available: <http://www.energy.ca.gov/2006publications/CEC-600-2005-007/CEC-600-3005-007-SF.PDF>.

California Energy Commission. 2006. Inventory of California Greenhouse Gas Emissions and Sinks 1990 to 2004. (CEC-600-2006-013-SF.) Available:

<http://www.energy.ca.gov/2006publicastions/CEC-600-2006-013/CEC-600-2006-013-SF.PDF>.

Federal Highway Administration. 1983. Visual Impact Assessment for Highway Projects. (Contract DOT-FH-11-9694). Washington, DC.

Federal Highway Administration (FHWA). June 1995. Highway Traffic Noise Analysis and Abatement Policy and Guidance.

Federal Highway Administration (FHWA). January 2006. Roadway Construction Noise Model.

Federal Transit Administration (FTA). 2006. Transit Noise and Vibration Impact Assessment.

Hickman, James C. 1993. Jepson Manual: Higher Plants of California.

Intergovernmental Panel on Climate Change. 2007. Climate Change 2007: The Physical Science Basis, Summary for Policy Makers. (Working Group 1 Fourth Assessment Report.) February. Available: <http://www.ipcc.ch/SPM2feb07.pdf>.

Sawyer, John and Todd Keeler-Wolf. 1995. A Manual of California Vegetation.

Skinner, Mark W. and Bruce M. Pavlik, Eds. 2001. California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California.

United States Bureau of Land Management. 1980. Visual Resource Management Program. (Stock 024-001-00116-6.) Washington, DC: U.S. Government Printing Office.

United States Department of Transportation (U.S. DOT). September 1980. Highway Noise Fundamentals.

United States Environmental Protection Agency (U.S. EPA). 1974. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety.

United States Forest Service. 1974. National Forest Landscape Management. Vol. 2., Chapter 1: The Visual Management System. (Agriculture Handbook 462). Washington, DC.

United States Soil Conservation Service. 1978. Procedure to Establish Priorities in Landscape Architecture. (Technical Release 65). Washington, DC.

RESPONSE TO COMMENTS

Introduction

The City of Tracy received seven (7) comment letters during the Initial Study/Mitigated Negative Declaration public review period. The comments do not involve any new significant impacts or "significant new information" that would require recirculation of the environmental document pursuant to the CEQA Guidelines. Acting as lead agency, the City of Tracy has prepared the following response to comments.

List of Commentors
Table 1 lists the comments that were submitted to the City of Tracy.

Table 1 List of Commentors

Response Letter/ Number	Individual or Signatory	Affiliation	Date
1	Laurel Boyd	SJCOG, Inc.	10/28/13
2	Charles Torres	Citizen of the City of Tracy	10/28/13
3	Dennis and Teena Henson	Citizen of the City of Tracy	11/4/13
4	Mike Oliphant	Chevron Environmental Management Company	11/6/13
5	Amy Spitzer	San Joaquin County Public Works	11/20/13
6	David Warner	San Joaquin Valley Air Pollution Control District	11/25/13
7	Scott Morgan	Governor's Office of Planning and Research	11/26/13

Comments and Responses

CEQA Guidelines requires that lead agencies evaluate and respond to all comments on the environmental document that consider an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need to only respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commentor, as long as a good faith effort at full disclosure is made in the environmental document.

CEQA Guidelines Section recommend that commentors provide detailed comments that focus on the sufficiency of the environmental document in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commentors provide evidence supporting their comments. Pursuant to CEQA Guidelines, an effect shall not be considered significant in the absence of substantial evidence.

S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ)
ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Zabih Zaca, City of Tracy, Community Development Department

From: Laurel Boyd, SJCOG, Inc.

Date: October 28, 2013

Local Jurisdiction Project Title: MacArthur Drive Widening between Schulte Road and Valpico Road

Assessor Parcel Number(s): Multiple

Local Jurisdiction Project Number: CIP 73126: Federal No. STPL-5192 (033)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Urban, Agricultural, and Multi-Purpose Open Space Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Mr. Zaca:

SJCOG, Inc. has reviewed the Notice of Intent to Adopt a Mitigated Negative Declaration for the MacArthur Drive Widening between Schulte Road and Valpico Road (CIP 73126: Federal No. STPL-5192 (033)). The City of Tracy proposes to reconstruct and widen an approximately 5,000-foot segment of MacArthur Dive between Schulte Road and Valpico Road from two lanes to four lanes. The proposed project includes modification of three (3) traffic signals at East Lake Drive, Yosemite Avenue, and Schulte Road, including construction of curb, gutter, wheel chair ramps, class II bike lanes, continuous sidewalks, streetlights, landscaping, traffic marking and striping. The project site is located on MacArthur Drive between Schulte Road and Valpico Road.

City of Tracy is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

This Project is subject to the SJMSCP. This can be up to a 30 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. http://www.sjcog.org

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental take Minimization Measures and mitigation requirement:

1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period), or
    b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:

a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0600.

S J C O G, Inc.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other: _____

FROM: Laurel Boyd, SJCOG, Inc.

DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:

1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
   a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
   b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
   c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
   d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
   a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
   b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
   c. Purchase approved mitigation bank credits.

   Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: Notice of Intent to Adopt a Mitigated Negative Declaration for the MacArthur Drive Widening between Schulte Road and Valpico Road

Applicant: City of Tracy _____ Assessor Parcel #s: Multiple

T _____, R_____, Section(s): _____

Local Jurisdiction Contact: Zabih Zaca

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

Response to Letter 1 Laurel Boyd, SJCOG, Inc.

The commentor notes that their agencies has reviewed the Notice of Intent to Adopt a Mitigated Negative Declaration for the project. They note that the City of Tracy is a signatory to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and that participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The commentor notes that the City of Tracy retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. The comments states that the project is subject to the SJMSCP and then provides detailed instructions for submission of an application and other steps necessary for compliance.

The Initial Study includes a detailed discussion of the SJMSCP on pages 34 through 37. This comment does not warrant any changes to the environmental document. No further response is necessary.

Oct 28, 2013

City of Tracy,
Re: property at 25760 S. Mac Arthur dr. Tracy, CA
Re: Initial Study / Mitigated Negative Declaration
Atten: Habib Zaca, P.E., Senior Civil Engineer

Dear Mr. Zaca,

Thank you for taking time with me this morning regarding my concerns about noise that will adversely affect my property at 25760 S. Mac Arthur dr. Tracy, CA. I would request the City of Tracy to pay for double paned windows for Livingroom, Bath, and bedroom that fronts on S. Mac Arthur dr. Thank you for your consideration. Also, to resituate mail box if necessary.

Sincerely,
Charlene Torres
1265 Eagle St
Tracy, CA 95376
209 815-0011

RECEIVED
OCT 30 2013
CITY OF TRACY

Response to Letter 2 Charles Torres, Citizen of the City of Tracy

The commentor states that he met with the City of Tracy the morning of October 28, 2013 regarding his concerns about noise that will adversely affect his property at 25760 South MacArthur Drive, Tracy CA. The commentor requests that the City of Tracy pay for double paned windows for Livingroom, Bath, and Bedroom that fronts on South MacArthur Drive. The commentor also requests that the City of Tracy resituate the mailbox if necessary.

This comment is noted. The City will consider the function of each property, including noise concerns, during the right-of-way acquisition process. The City will meet with each individual property owner to understand the existing concerns at the property. The City recognizes the widening of MacArthur Drive will require the installation of a traffic lane closer to the commentor's house then the existing traffic lane. This will inherently increase noise levels at the commentor's house. A Noise Study Report was prepared to analyze the projected noise levels. The Noise Study Report was included as Appendix H in the Initial Study. Table B-1 in Appendix B of the Noise Study Report summarizes the traffic noise modeling results for existing conditions and the design-year conditions for the No Build alternative and the Proposed Project. Predicted design-year traffic noise levels with the project are compared to existing conditions. The comparison to existing conditions is included in the analysis to identify traffic noise impacts under 23 CFR 772. Figure 7-1 in the Noise Study shows the locations of modeled receptors.

The modeling results in Table B-1 of the Noise Study Report indicate that the proposed project would result in noise levels which would approach or exceed the NAC criteria of 67 dBA Leq(h) at Activity Category B receptors. However, none of the project-related increases in noise levels exceed the 12 dBA Leq(h) threshold required before consideration of noise abatement. Where future noise levels are predicted to approach or exceed the NAC criteria of 67 dBA Leq(h) noise abatement consideration is warranted and was considered at four locations as shown in the Noise Study in Appendix H. As shown in the Noise Abatement Design Report, noise abatement is not warranted by the noise levels.

This comment is noted. The Initial Study adequately addresses noise increases associated with the project. No changes to the environmental document are warranted. The City will discuss the property owner's concerns directly with the property owner during the right-of-way acquisition process.

RECEIVED
NOV 13 2013
CITY OF TRACY

To: Zabih Zaca, P.E., Senior Civil Engineer
333 Civic Center Plaza
Tracy, CA 93576

November 4, 2013

We met with Zabih Zaca, P.E., on Tuesday, October 29, 2013 to discuss the information in a letter received October 26, 2013 titled **Notice of Intent to Adopt a Mitigated Negative Declaration for the MacArthur Drive Widening between Schulte Road and Valpico Road (CIP 73126: Federal No. STPL-5192 (033))** and the potential impact on our property located at 25820 S. MacArthur Drive, Tracy, CA. Mr. Zaca provided information on the current proposal for the widening of MacArthur drive and informed us the city was in the environmental impact stage and no design had been finalized yet. As requested at this meeting and within the letter of notice, we are providing comments on the proposal.

As far as we can tell by reviewing the preliminary plans, the intent is to take a 23 x 250 foot section of our property for this project. Not only will the square footage of our property be reduced, but the traffic lane will be moved much closer to the house. We suspect this will cause an increase in traffic noise and will make it difficult to pull in and out of the driveways. Following are the concerns we have about the proposed project.

1) The current speed limit on this road is 45 miles per hour. Traffic travels at a much higher rate of speed than the posted limit. Commercial trucks (semis with trailers) are allowed to travel on this road along with personal vehicles. Traffic will now flow 23 feet closer to the home. We were told this was not close enough to warrant a sound wall, but the placement of the road will definitely increase the traffic noise within the home.
2) If the City intends to allow traffic to flow so close to homes, then they should reconsider allowing commercial truck traffic in this area. With the addition of sidewalks, bike lanes, a median and multiple lanes of traffic, it seems that commercial truck traffic just doesn't fit well with the new plans. Also, this area is comprised only of homes with the exception of a Rite Aid at the corner of Valpico Road. Truck traffic begins as early as 4:00 am, which is very disruptive due to the noise. Most of the commercial businesses are on Valpico Road, so the traffic should flow from Chrisman to Valpico and not be allowed on MacArthur between Eleventh Street and Valpico Road.
3) Currently, the property is fenced 20 feet inside of our property line. The remainder of our property is a graveled area we use to safely merge into and out of traffic. We will no longer have this "buffer" zone and will now have to merge immediately into traffic. The speed limit needs to be reduced to a safe rate.

1

4) This "buffer" zone is also used to move our car trailers into and out of the shop area on the property. By removing our use of this area, the only safe way to enter the property while pulling a trailer would be via Janice Court. This would require us to add a gate and a gravel driveway. We would continue to use the MacArthur drive gate for entrance of personal vehicles, so a driveway will be required for both the house and the shop.
5) We recently contacted the county to determine if the property could be divided into two ½ acre lots. Our intent was to build a home on the ½ acre where the shop currently exists. How will this be impacted by the reduction in the land size? Since this is county property, we have a well and septic system for water/sewer. Is there a possibility this property can be annexed into the city and connected to city water/sewer?
6) The property is fully fenced and fences and landscaping will be removed. We would expect replacement of both the fences and the plants/trees.
7) What is the purpose of increasing the section of MacArthur between Schulte Road and Valpico Road to four lanes when the traffic will flow into roads that are only two lanes in all directions? It seems like this would create more of a traffic problem than a solution.
8) Currently, the city requires members of landscape districts to contribute additional money to keep the landscaping maintained in their districts. Since this is additional landscaping for the sidewalks, bike paths, and medians, is there going to be an additional cost to the homeowners in the area for maintenance of the new landscaping? If not, is the City going to maintain these areas? There are plenty of medians and sidewalks poorly maintained in the city now, so this is a concern.

Dennis E. Henson

Dennis E. Hen

Nov. 6, 2013

Teena J. Henson

Teena J. Henson

Nov. 6, 2013

25820 S. MacArthur Drive

Tracy, CA 95304

2

Response to Letter 3 Dennis and Teena Henson, Citizen of the City of Tracy

The commentors states that they met with the City of Tracy on October 29, 2013 to discuss the Notice of Intent to Adopt a Mitigated Negative Declaration for the project and the potential impact on their property located at 25820 S. MacArthur Drive, Tracy, CA. The commentors notes that the preliminary plans require taking a 23 x 250 foot section of their property for the project. The commentor notes that not only will the square footage of their property be reduced, but the traffic lane will be moved much closer to their house. They suspect this will cause an increase in traffic noise and will make it difficult to pull in and out of their driveway. The commenters provided the following concerns:

Comment 1: "The current speed limit on this road is 45 miles per hour. Traffic travels at a much higher rate of speed than the posted limit. Commercial trucks (semis with trailers) are allowed to travel on this road along with personal vehicles. Traffic will now flow 23 feet closer to the home. We were told this was not close enough to warrant a sound wall, but the placement of the road will definitely increase the traffic noise within the home."

Response 1: The current speed limit on MacArthur Drive is 45. Traffic that travels at a higher rate of speed than the posted limit is subject to penalties pursuant to the vehicle code. This is a law enforcement issue beyond the scope of CEQA.

The City recognizes that MacArthur Drive is used by commercial vehicles. The widening of MacArthur Drive will require the installation of a traffic lane closer to the commentor's house then the existing traffic lane. This will inherently increase noise levels at the commentor's house. A Noise Study Report was prepared to analyze the projected noise levels. The Noise Study Report was included as Appendix H in the Initial Study. Table B-1 in Appendix B of the Noise Study Report summarizes the traffic noise modeling results for existing conditions and the design-year conditions for the No Build alternative and the Proposed Project. Predicted design-year traffic noise levels with the project are compared to existing conditions. The comparison to existing conditions is included in the analysis to identify traffic noise impacts under 23 CFR 772. Figure 7-1 in the Noise Study shows the locations of modeled receptors.

The modeling results in Table B-1 of the Noise Study Report indicate that the proposed project would result in noise levels which would approach or exceed the NAC criteria of 67 dBA Leq(h) at Activity Category B receptors. However, none of the project-related increases in noise levels exceed the 12 dBA Leq(h) threshold required before consideration of noise abatement. Where future noise levels are predicted to approach or exceed the NAC criteria of 67 dBA Leq(h) noise abatement consideration is warranted and was considered at four locations as shown in the Noise Study in Appendix H. None of these locations include the commentor's property. Additionally, as shown in the Noise Abatement Design Report, noise abatement is not warranted by the noise levels.

This comment is noted. The Initial Study adequately addresses noise increases associated with the project. No changes to the environmental document are warranted.

Comment 2: "If the City intends to allow traffic to flow so close to homes, then they should reconsider allowing commercial truck traffic in this area. With the addition of sidewalks, bike lanes, a median and multiple lanes of traffic, it seems that commercial truck traffic just doesn't fit well with

the new plans. Also, this area is comprised only of homes with the exception of a Rite Aid at the corner of Valpico Road. Truck traffic begins as early as 4:00 am, which is very disruptive due to the noise. Most of the commercial businesses are on Valpico Road, so the traffic should flow from Chrisman to Valpico and not be allowed on MacArthur between Eleventh Street and Valpico Road."

Response 2: This comment is noted. The City will consider the use of MacArthur Drive for commercial vehicles. No changes to the environmental document are warranted. The use of commercial vehicle use on this roadway will be a topic for consideration by the City Council.

Comment 3: Currently, the property is fenced 20 feet inside of our property line. The remainder of our property is a graveled area we use to safely merge into and out of traffic. We will no longer have this "buffer" zone and will now have to merge immediately into traffic. The speed limit needs to be reduced to a safe rate.

Response 3: This comment is noted. As the final engineering and design of improvements and lane configurations are prepared, the City will consider the safety of through traffic, as well as all traffic entering onto, and existing from MacArthur Drive. A few notable safety design considerations that will be incorporated into the final design will include the appropriate speed limits, turning lanes, and signage to minimize safety concerns.

Comment 4: This "buffer" zone is also used to move our car trailers into and out of the shop area on the property. By removing our use of this area, the only safe way to enter the property while pulling a trailer would be via Janice Court. This would require us to add a gate and a gravel driveway. We would continue to use the MacArthur drive gate for entrance of personal vehicles, so a driveway will be required for both the house and the shop.

Response 4: This comment is noted. The City will consider the function of each property, including access (driveway and other), during the right-of-way acquisition process. The City will meet with each individual property owner to understand the existing access and use of the property. These are also considerations relative to the final design of the improvements, as well as the final design of access into and out of each property that fronts on MacArthur. As stated in Response 3 above, as the final engineering and design of improvements and lane configurations are prepared, the City will consider the safety of through traffic, as well as all traffic entering onto, and existing from MacArthur Drive. A few notable safety design considerations that will be incorporated into the final design will include the appropriate speed limits, turning lanes, and signage to minimize safety concerns.

Comment 5: "We recently contacted the county to determine if the property could be divided into two ½ acre lots. Our intent was to build a home on the ½ acre where the shop currently exists. How will this be impacted by the reduction in the land size? Since this is county property, we have a well and septic system for water/sewer. Is there a possibility this property can be annexed into the city and connected to city water/sewer?

Response 5: According to the San Joaquin County GIS database, the commentor's property is 0.45 acres, so it would not be possible to divide the property into two ½ acre lots. The County General Plan Land Use Designation is Agriculture/Urban Reserve (A/UR) and the Zoning is Agricultural Urban Reserve Minimum 20 acre parcel (AU-20). Under the existing Land Use and Zoning designations it would not be expected that the County would allow for

the subdivision of the 0.45 acre parcel; however, this is a discretionary action subject to County review. The subdivision of the property would likely require the commentor to submit an application for a General Plan Amendment and Zone Change as well as a Parcel Map Application. Each of these would be subject to review and approval by the County. These County entitlements are beyond the scope of this environmental document.

The annexation of land to the City of Tracy requires an application to be submitted to the City. Ultimately, the application is subject to the review and approval of the City of Tracy and the San Joaquin County LAFCo. Annexation to the City is beyond the scope of this environmental document.

No changes to the environmental document are warranted.

Comment 6: The property is fully fenced and fences and landscaping will be removed. We would expect replacement of both the fences and the plants/trees.

Response 6: As noted in the Mitigation Measure presented on page 60 and 61 of the Initial Study, the City of Tracy is required to compensate all property owners where a partial or full acquisition is required. Compensation shall be fair market value of the acquisition. The Uniform Act (Public Law 910646, 84 Statutes 1894) mandates that certain relocation services and payments be made available to eligible residents, businesses, and nonprofit organizations displaced by its projects. The Uniform Act provides for uniform and equitable treatment by federal or federally assisted programs of persons displaced from their homes, businesses, or farms, and establishes uniform and equitable land acquisition policies. Where acquisition and relocation are unavoidable, the provisions of the Uniform Act and the 1987 Amendments, as implemented by the Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs adopted by the United States Department of Transportation (March 2, 1989), will be followed. An independent appraisal of the affected property will be obtained, and an offer for the full appraisal will be made.

This comment is noted. No changes to the environmental document are warranted.

Comment 7: What is the purpose of increasing the section of MacArthur between Schulte Road and Valpico Road to four lanes when the traffic will flow into roads that are only two lanes in all directions? It seems like this would create more of a traffic problem than a solution.

Response 7: This comment is noted. The City of Tracy General Plan Circulation Element includes plans for roadway improvements throughout the City during the foreseeable future. The City cannot build all improvements at once; therefore, they are programed, designed, and constructed over an extended period of time. The City intends to widen key roadways throughout the City as funding becomes available. The funding for the project is programed through the San Joaquin County Regional Transportation Plan and is issued by the San Joaquin Council of Governments. The City will continue their effort to improve roadways through the City, focusing on sections that are identified as deficient through their ongoing traffic modeling efforts. No changes to the environmental document are warranted.

Comment 8: Currently, the city requires members of landscape districts to contribute additional money to keep the landscaping maintained in their districts. Since this is additional landscaping for the sidewalks, bike paths, and medians, is there going to be an additional cost to the homeowners in the area for maintenance of the new landscaping? If not, is the City going to maintain these areas? There are plenty of medians and sidewalks poorly maintained in the city now, so this is a concern.

> **Response 8**: This comment is noted. The comment raises a financial and maintenance question that is beyond the scope of the environmental document. No changes to the environmental document are warranted. The financing and maintenance of public infrastructure, including landscaping, will be a topic for consideration by the City Council.

Chevron

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NOV 7 2013
CITY OF TRACY

Mike N. Oliphant
Project Manager
Superfund and Specialty Portfolio

Chevron Environmental Management Company
P.O. Box 6012
San Ramon, CA 94583
Tel (925) 790 6431
Fax (925) 790 6772
mike.oliphant@chevron.com

November 6, 2013

Stakeholder Communication – City of Tracy

Mr. Zabih Zaca
Senior Civil Engineer
Development and Engineering Services Department
City of Tracy
333 Civic Center Plaza
Tracy, California, 95376

Subject: **Comments on the Mitigated Negative Declaration and Initial Study for the MacArthur Drive Widening Between Schulte Road and Valpico Road (CIP 73126)**
Historical Pipeline Portfolio–Bakersfield to Richmond

Dear Mr. Zaca:

On behalf of Chevron Environmental Management Company (CEMC), Leidos Engineering LLC (Leidos: CEMC contract consultant) recently reviewed the Mitigated Negative Declaration and Initial Study for the MacArthur Drive Widening Project between Schulte Road and Valpico Road (proposed project). The information contained in this letter may help you in planning this project and to understand something about Chevron's former pipeline operations in the City of Tracy, as residual weathered crude oil, abandoned pipeline, and asbestos-containing materials (ACM) could potentially be encountered during subsurface construction activities in these former pipeline rights of way (ROWs).

A portion of the former Old Valley Pipeline (OVP) existed in the vicinity of the proposed project area. This formerly active pipeline was constructed in the early 1900s and carried crude oil from the Kern River Oil Fields (in and near Bakersfield) to the San Francisco Bay Area. Pipeline operations for the OVP ceased in the 1940s, at which point, the pipeline was taken out of commission. The degree and method of decommissioning varied; in some instances the pipeline was removed, while in others, it remains in place. Because this pipeline has been decommissioned, with the majority of pipeline having been removed, it is not readily identified as underground utilities through the Underground Service Alert North System or utility surveys. Figure 1 illustrates the location of the former OVP ROW with respect to the proposed project area. The location of the pipeline shown on Figure 1 is based on historical as-built drawings and the approximated positional accuracy of the alignments is generally +/- 50 feet. The OVP pipeline was installed at depths of up to 10 feet below ground surface. The steel pipeline was typically encased in a protective coating composed of coal tar and ACM.

Working under the direction of State regulatory agencies, CEMC conducted risk assessments at numerous locations with known historical crude-oil release points along the former OVP pipeline. Analytical results from these risk assessments indicated that the crude-contaminated soil was non-hazardous. Accordingly, it is likely that if soil affected by the historical release of crude oil from this former pipeline is encountered during construction activities it may be reused as backfill on site. Properly abandoned crude-oil pipeline may be left in the ground. Parties

Mr. Zabih Zaca– City of Tracy
November 6, 2013
Page 2 of 2

conducting construction activities in the vicinity of this former pipeline ROW may wish to use the information provided in this letter to help prepare for the possibility of encountering abandoned pipelines and pipeline-related ACM during the course of their work.

For more information regarding this historic pipeline, please visit http://www.hppinfo.com/. If you would like additional information, or would like to request more detailed maps, please contact Leidos consultants Mike Hurd (michael.t.hurd@leidos.com) at (510) 466-7161 or Daniel Anzelon (daniel.b.anzelon@leidos.com) at (858) 826-3316.

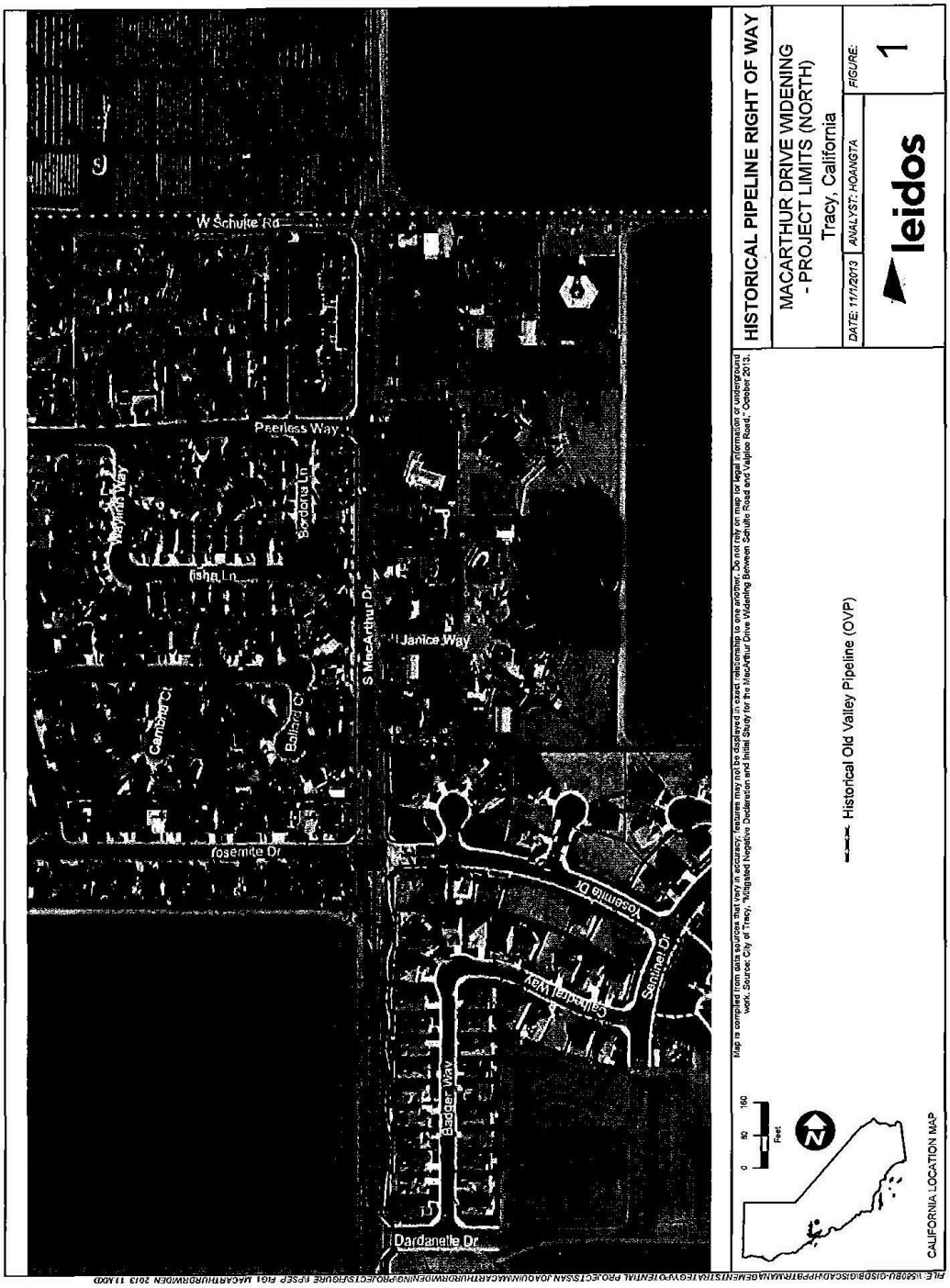
Sincerely,

Mike Oliphant

MO/klg

Enclosure:
Figure 1. Historical Pipeline Right of Way – MacArthur Drive Widening – Project Limits (North)

cc: Mr. Mike Hurd – Leidos
1000 Broadway, Suite 675, Oakland, California 94607


W Schulte Rd
Peerless Way
Newport Way
Berkshire Ln
Ashe Ln
S MacArthur Dr
Janice Way
Cambria Ct
Ballard Ct
Yosemite Dr
Yosemite Ct
Sentinel Dr
Cathedral Way
Badger Way
Dardanelle Dr
Map is compiled from data sources that vary in accuracy; features may not be displayed in exact relationship to one another. Do not rely on map for legal information or underground work. Source: City of Tracy, "Mitigated Negative Declaration and Initial Study for the MacArthur Drive Widening Between Schulte Road and Valpico Road," October 2013.
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N
Historical Old Valley Pipeline (OVP)
CALIFORNIA LOCATION MAP
HISTORICAL PIPELINE RIGHT OF WAY
MACARTHUR DRIVE WIDENING
- PROJECT LIMITS (NORTH)
Tracy, California
DATE: 11/1/2013
ANALYST: HOANGTA
FIGURE:
1
leidos

Response to Letter 4 Mike Oliphant, Chevron Environmental Management Company.

The commentor states that the Chevron Environmental Management Company (CEMC) and Leidos Engineering LLC (Leidos: CEMC contract consultant) recently reviewed the Mitigated Negative Declaration and Initial Study for the project. The commentor provides information regarding Chevron's former pipeline operations in the City of Tracy. This includes information regarding residual weathered crude oil, abandoned pipeline, and asbestos-containing materials (ACM) that could potentially be encountered during subsurface construction activities in these former pipeline rights of way (ROWs). The commentor notes that a portion of the former Old Valley Pipeline (OVP) existed in the vicinity of the project. This formerly active pipeline was constructed in the early 1900s and carried crude oil from the Kern River Oil Fields (in and near Bakersfield) to the San Francisco Bay Area. Pipeline operations for the OVP ceased in the 1940s, at which point, the pipeline was taken out of commission. The degree and method of decommissioning varied; in some instances the pipeline was removed, while in others, it remains in place. Because this pipeline has been decommissioned, with the majority of pipeline having been removed, it is not readily identified as underground utilities through the Underground Service Alert North System or utility surveys. The commentor provides a map illustrating the approximately location of the pipeline and notes that the accuracy of the alignment is generally +/- 50 feet. The commentor notes that the OVP pipeline was installed at depths of up to 10 feet below ground surface. The commentor provides some additional information regarding an assessment of historical releases and notes that soil affected by a historical release may be used for backfill onsite.

These comments are noted. This comment does not warrant any changes to the environmental document. No further response is necessary.

THOMAS M. GAU
DIRECTOR

FRITZ BUCHMAN
DEPUTY DIRECTOR

MICHAEL SELLING
DEPUTY DIRECTOR

JIM STONE
DEPUTY DIRECTOR

ROGER JANES
BUSINESS ADMINISTRATOR

Public Works
San Joaquin County
Working for YOU

P. O. BOX 1810 - 1810 E. HAZELTON AVENUE
STOCKTON, CALIFORNIA 95201
(209) 468-3000 FAX (209) 468-2999
www.sjgov.org/pubworks

November 20, 2013

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CITY OF TRACY

Zabih Zaca, P.E., Senior Civil Engineer
City of Tracy
333 Civic Center Plaza
Tracy, California 95376

SUBJECT: NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE MACARTHUR DRIVE WIDENING BETWEEN SCHULTE ROAD AND VALPICO ROAD

Dear Mr. Zaca:

The San Joaquin County Department of Public Works (SJCDPW) has reviewed the Notice of Intent for the above referenced project and our comments are as follows:

Transportation Engineering:

1. All construction haul routes including material and oversized equipment haul shall be identified and subject to SJCDPW review and approval prior to implementation upon County roads.

2. If signal at Schulte and MacArthur is interrupted during construction, all proposed detours through County roads shall be reviewed and approved by SJCDPW.

Thank you for the opportunity to review and comment. Should you have questions or need additional information regarding the above comments, please contact me at (209) 468-8494 or aspitzer@sjgov.org.

Sincerely,

AMY SPITZER
Assistant Planner

AS:mh

c: Firoz Vohra, Senior Engineer

Response to Letter 5 Amy Spitzer, San Joaquin County Public Works

The commentor states that the San Joaquin County Department of Public Works (SJCDPW) has reviewed the Notice of Intent for the project and provides two comments. The SJCDPW states that all construction haul routes including material and oversized equipment haul shall be identified and subject to SJCDPW review and approval prior to implementation upon County roads. Additionally, the SJCDPW states that if a signal at Schulte and MacArthur is interrupted during construction, all proposed detours through County roads shall be reviewed and approved by SJCDPW.

These comments are noted. It is the practice of the City of Tracy to identify haul routes on construction drawings. In addition, the City of Tracy will cooperate with the San Joaquin County Public Works Department as the construction drawings are prepared. The City of Tracy will coordinate with the San Joaquin County Public Works prior to the commencement of construction regarding any hauling or detours on County right-of-way. This comment does not warrant any changes to the environmental document.

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

November 25, 2013

Zabih Zaca, P.E.
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

Project: Notice of Intent to Adopt a Mitigated Negative Declaration for the MacArthur Drive Widening between Schulte Road and Valpico Road (CIP 73126: Federal No. STPL-5192(033))

District CEQA Reference No: 20130924

Dear Mr. Zaca:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of a proposal to reconstruct and widen approximately 5,000-foot segment of MacArthur Drive between Schulte Road and Valpico Road from two lanes to four lanes, in Tracy, CA. The District offers the following comments:

1. Based on information provided to the District, the proposed project may be subject to District Rule 9510 (Indirect Source Review). Therefore, the District strongly encourages the project proponent to contact District staff at (559) 230-6000 to determine if the project is subject to Indirect Source Review.

   District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyairliving.com

Printed on recycled paper.

District CEQA Reference No. 20130567

2. The proposed project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

3. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please call Angel Lor at (559)230-5808.

Sincerely,

David Warner
Director of Permit Services

For: Arnaud Marjollet
Permit Services Manager

DW: al

Cc: File

Response to Letter 6 David Warner, San Joaquin Valley Air Pollution Control District

The commentor states that the San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project. The commentor notes that the project may be subject to District Rule 9510 (Indirect Source Review), Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The District encourages the City to contact the District to determine if the project is subject to these rules and regulations.

These comments are noted. Pages 31 through 32 of the environmental document address the requirement for compliance with Regulation VIII. It is the practice of the City of Tracy to coordinate with the SJVAPCD prior to finalizing construction drawings and the commencement of construction. The following mitigation measure is added to the environmental document to clarify and amplify the document. The addition of this mitigation measure does not change the impact significance.

> ***Mitigation Measure 3:*** *The City of Tracy shall coordinate with the SJVAPCD to determine if any project component is subject to the SJVAPCD rules and regulations, including, but not limited to, District Rule 9510 (Indirect Source Review), Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).*

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

November 26, 2013

RECEIVED
DEC 02 2013
CITY OF TRACY

Zabih Zaca
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

Subject: MacArthur Drive Widening between Schulte Road and Valpico Road
SCH#: 2013102046

Dear Zabih Zaca:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on November 25, 2013, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2013102046
Project Title MacArthur Drive Widening between Schulte Road and Valpico Road
Lead Agency Tracy, City of

Type MND Mitigated Negative Declaration

Description The City of Tracy proposes to reconstruct and widen an approximately 5,000-foot segment of MacArthur Drive between Schulte Road and Valpico Road from two lanes to four lanes. The proposed project includes modifications of three (3) traffic signals at East Lake Drive, Yosemite Avenue, and Schulte Road, including construction of curb, gutter, wheel chair ramps, class II bike lanes, continuous sidewalks, streetlights, landscaping, traffic marking and striping.

Lead Agency Contact

Name Zabih Zaca
Agency City of Tracy
Phone 209 831 6452 **Fax**
email
Address 333 Civic Center Plaza
City Tracy **State** CA **Zip** 95376

Project Location

County San Joaquin
City Tracy
Region
Lat / Long
Cross Streets MacArthur Drive/Schulte Road
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use Residential, commercial, and agricultural

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission

Date Received 10/25/2013 **Start of Review** 10/25/2013 **End of Review** 11/25/2013

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

November 26, 2013

RECEIVED
DEC 02 2013
CITY OF TRACY

Zabih Zaca
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

Subject: MacArthur Drive Widening between Schulte Road and Valpico Road
SCH#: 2013102046

Dear Zabih Zaca:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on November 25, 2013, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
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Document Details Report
State Clearinghouse Data Base

SCH# 2013102046
Project Title MacArthur Drive Widening between Schulte Road and Valpico Road
Lead Agency Tracy, City of

Type MND Mitigated Negative Declaration

Description The City of Tracy proposes to reconstruct and widen an approximately 5,000-foot segment of MacArthur Drive between Schulte Road and Valpico Road from two lanes to four lanes. The proposed project includes modifications of three (3) traffic signals at East Lake Drive, Yosemite Avenue, and Schulte Road, including construction of curb, gutter, wheel chair ramps, class II bike lanes, continuous sidewalks, streetlights, landscaping, traffic marking and striping.

Lead Agency Contact

Name Zabih Zaca
Agency City of Tracy
Phone 209 831 6452 **Fax**
email
Address 333 Civic Center Plaza
City Tracy **State** CA **Zip** 95376

Project Location

County San Joaquin
City Tracy
Region
Lat / Long
Cross Streets MacArthur Drive/Schulte Road
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use Residential, commercial, and agricultural

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission

Date Received 10/25/2013 **Start of Review** 10/25/2013 **End of Review** 11/25/2013

Response to Letter 7 Scott Morgan, Governor's Office of Planning and Research

The commentor states that the State Clearinghouse submitted the Mitigated Negative Declaration to selected state agencies for review. The review period closed on November 25,2013, and no state agencies submitted comments by that date. This letter acknowledges that the City of Tracy has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. This comment does not warrant any changes to the environmental document. No further response is necessary.

RESOLUTION 2014- _____

ADOPTING THE MITIGATED NEGATIVE DECLARATION AS REQUIRED PER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR THE MACARTHUR DRIVE WIDENING BETWEEN SCHULTE RAOD AND VALPICO ROAD - CIP 73126, AND FEDERAL PROJECT NO. STPL-5192(033)

WHEREAS, The existing MacArthur Drive between Schulte Road and Valpico Road varies between two lanes and four lanes and does not accommodate required traffic volumes of existing and proposed developments, and

WHEREAS, MacArthur Drive is a major arterial street with a large volume of traffic and needs to be widened to four lanes including, construction of curbs, gutters, bike lanes, sidewalks, traffic striping and marking, modification of existing traffic signals, and

WHEREAS, The City of Tracy is the lead agency for the CEQA process and the consultant has completed the required documents including notices to interested agencies and the public for their review and comments, and

WHEREAS, The Mitigated Negative Declaration has been prepared based on the comments received, and

WHEREAS, The 30 day public circulation of the Initial Study took place between October 25, 2013, and November 24, 2013, and

WHEREAS, The Mitigated Negative Declaration concludes that the project will not have a significant impact on the environment with the inclusion of appropriate avoidance, minimization, and mitigation measures included in the study, and

WHEREAS, There is no impact to the City's General Fund. All costs related to the preparation of these documents are paid from the Federal allocated funds;

NOW, THEREFORE, BE IT RESOLVED, That City Council adopts the proposed Mitigated Negative Declaration for the MacArthur Drive widening between Schulte Road and Valpico Road - CIP 73126, and Federal Project No. STPL-5192(033).

****

The foregoing Resolution 2014-_____ was adopted by the Tracy City Council on the 15th day of April, 2014 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 1.F

REQUEST

AUTHORIZE THE PURCHASE OF THREE LARGE TURF MOWERS FROM TURF STAR, INC. OF RANCHO CORDOVA, CALIFORNIA

EXECUTIVE SUMMARY

Turf Star, Inc. of Rancho Cordova, California is the supplier of Toro brand large commercial mowers in the region. Turf Star has a qualifying California Multiple Award Schedules (CMAS) agreement that allows the City of Tracy to purchase equipment without going through a local Request for Bids process. The Public Works Department wishes to purchase three Toro large-area turf mowers through the Turf Star, Inc. CMAS agreement.

DISCUSSION

The Public Works Department received authorization through the FY 13-14 budget process to purchase three turf mowers. One mower is to replace a 2002 wide-area rotary, and one 2002 trim mower for park mowing operations. Both will be assigned to the Parks, Sports Fields and Trees Division. The third unit is a replacement for a 2002 reel mower used at the Tracy Sports Complex and Plasencia Fields.

The award of these purchases to Turf Star is based on Turf Star's ability to provide mowers that comply with Tier IV emissions requirements and have key features listed on Attachments A, B & C. More important, Turf Star offers California Multiple Award Schedules (CMAS) pricing. Pursuant to Tracy Municipal Code Section 2.20.220, the City wishes to waive competitive bidding for the mowers because the prices available through the CMAS program are lower than the prices the City of Tracy could obtain individually. The mowers are of a commercial type available only from a regional supplier and therefore not available locally. Below is a summary of costs for each mower:

MOWER	DESCRIPTION	ENTITY/BID #	AMOUNT(S)
Toro 5900 Diesel	16' wide-area rotary mower	CMAS/4-07-51-0020A	$87,848.63
Toro 4700-D	Light weight rotary mower (7-gang)	CMAS/4-07-51-0020A	$77,010.15
Toro 3280D	72" trim mower	CMAS/4-07-51-0020A	$25,008.07
		TOTAL	$189,866.85

The bid submitted by Turf Star, Inc. meets City specifications. The CMAS program enables the City to receive a "volume discount," which is not available if bid independently. Staff recommends the purchase of three turf mowers be awarded to Turf Star, Inc.

STRATEGIC PLAN

This item relates to the Council's Strategic Plan of 'Governance' as this equipment will enhance City services and improve productivity of mowing operation.

FISCAL IMPACT

Funding in the amount of $190,000 was approved in the FY 13/14 Adopted Budget to acquire three turf mowers.

RECOMMENDATION

That City Council, by resolution, authorize the purchase of three turf mowers from Turf Star, Inc., of Rancho Cordova, California in the total amount of $189,866.85, without competitive bidding.

Prepared by: Don Scholl, Parks, Sports Fields & Trees Superintendent

Reviewed by: David Ferguson, Director of Public Works
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENTS

Attachment: A – Groundsmaster 5900/5910 Specifications
B – Groundsmaster 4500-D & 4700-D Specifications
C – Specifications for Groundsmaster 3280-D & 3320

Groundsmaster® 5900/5910 Specifications*

	GROUNDSMASTER 5900, MODEL 31598(N) / GROUNDSMASTER 5910, MODEL 31599(N)
ENGINE	Cummins®, 4-cylinder, turbocharged, intercooled. HP: 99* @ 2600 (73.8 kW), Torque: 306 ft. lbs. (415 N•m) @ 1600 rpm. Displacement 199 cu. in. (3.3 L), Fuel Injection; electronic high-pressure common rail. EPA Tier III Compliant.
COOLING SYSTEM	SmartCool™ System - Variable speed, temperature actuated reversing fan; Top and rear intake; Oil cooler tilts out for service access; Radiator cross flow, 4 row. Intercooler cools air from turbo for improved power, fuel economy and emissions control.
FUEL SYSTEM	Diesel. Biodiesel compatible up to B20
CAPACITIES	Fuel: 35 gallon (132 liter). Hydraulic: 19 gallon (72 liter). Engine Oil: 8.5 qt. (8 liter) w/filter. Coolant: 5900 13.5 qt. (12.8 liter), 5910 18.0 qt. (17.0 liter)
TIRES/WHEELS	Front: 29 x 12.50-15, 10 ply Rear: 23 x 10.50-12, 6-ply.
INSTRUMENTATION	InfoCenter™ : Onboard LCD display shows gauges, alerts/faults, service reminders, electrical system diagnostics. Indicates fuel level, coolant temp., low oil pressure, alternator, engine hours, engine rpm, hydraulic oil temp, voltage.
POWERTRAIN	4 wheel drive; parallel hydrostatic, closed loop; traction drive pump; variable displacement piston, servo control. Front drive: planetary gear type, double reduction. Rear drive: high torque, low speed hydraulic motors. Traction assist: front and rear hydraulic flow divider, steering brakes.
ELECTRICAL SYSTEM	12-volt, 120 amp alternator, battery 1380 CCA
PRODUCTIVITY	Infinitely variable speed. Forward speeds: mow: 0-10.8 mph (17.4 km/h) transport: 0-20 mph (0-32.2 km/h). Reverse speeds mow: 0-5.7 mph (0-9.2 km/h), transport: 0-10.5 mph (0-16.9 km/h). Speed control: Electronic, limits max speed. Maximum mow rate: 20.77 acres/hr. (8.4 ha)* Typical mow rate: 9.6 acres/hr. (3.9 ha)** 15.4 acres/hr (6.3 ha) @ 8 mph**
CONTROLS	Control arm, right armrest, travels with seat and suspension. Deck lift/lower, electrohydraulic switches. Throttle; electronic, 3 position or variable. Traction pedal, electronic. Brakes: internal wet disc. Steering; hydrostatic load sensing. Other: High/low range, PTO, cruise control, hydraulic flow divider, lights, key switch, horn.
OPERATOR STATION	Operator platform: isolated rubber mounted. Seat: 4 way adjustable. Suspension: air-ride with 3 in. (7.6 cm) of adjustability. Steering: power and adjustable tilt. Traction Pedal: adjustable angle uses position sensor. Storage: Toolbox, cup holder, radio holder, phone holder and behind seat (area for cooler, trash bucket, etc.) ROPS: ISO 21299 certified. 12 volt power outlet standard. Audio system: optional 5910 aftermarket accessory.
PERFORMANCE	Sound Level: 5900 - 92 dBA 5910 - 84 dBA
STEERING	Uncut circle - 0" diameter. Turning radius - 86" (218 cm)
FUEL ECONOMY	Acres per gallon** - 5900 - 4.3. 5910 - 3.8. Mowing range*** - 5900 - 15.8 hours, 5910 13.7 hours. Fuel consumption***: 5900 - 2.22 gal/hr (8.4 L/hr). 5910 - 2.55 gal/hr. (9.7 L/hr).
CAB (5910)	Climate controls: air conditioning, heat, opening front and rear windows. Factory installed, ROPS certified, tinted glass, front wiper/washer, interior mirror, side mirrors.
SAFETY	Certification: ANSI B71.4-2004. SMV sign rear mounted. Horn. Lights: headlights, red and amber flashers, turn signals, tail lights, brake lights; meets ANSI/ASAE 5279.12 (Lighting and Marking of Agricultural Equipment on Highways). EN 836: 1997
WARRANTY	Two year limited warranty.

	OVERALL WEIGHT AND DIMENSIONS (APPROXIMATE)
WIDTH	Transport: 99" (251 cm). Mow: 199" (488 cm).
WHEELBASE	76" (194 cm).
HEIGHT	5900: 89" (226 cm), 5910: 93" (236 cm).
GROUND CLEARANCE	9.5" (24 cm)
TOTAL WEIGHT	5900: 5,966 lbs. (2,706 kg), 5910: 6,457 lbs. (2,929 kg)

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only.
Actual products offered for sale may vary in use, design, required attachments and safety features. See distributor for details on all warranties.
**Typical Mow Rate/Gallons Per Hour
***Dependent on operator and turf conditions

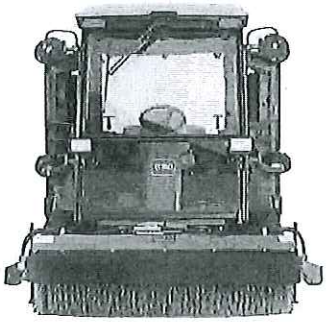
THINK SAFE SAFELY

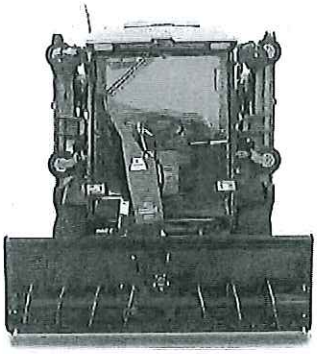
Groundsmaster® 5900/5910 Specifications* (continued)

	CUTTING DECKS
TYPE	Three rear discharge rotary decks.
CUTTING WIDTH	192 in. (488 cm), 57 in. (145 cm), 92 in (234 cm), 144 in. (366 cm).
HEIGHT OF CUT	1-6" in 0.5" increments.
CONSTRUCTION	11/12 gauge high strength steel. 7-gauge, reinforcements, bullnose bumpers.
PROTECTION	Wing decks: 2 way shock absorption.
DECK DRIVE	HybridDrive™ - Hydraulic motor to spindle, remaining spindle(s) driven by "B" section v-belts.
TENSIONING	Automatic, spring loaded idlers.
SPINDLES SHAFT	1.25" (3.2 cm) hardened steel.
SPINDLE HOUSING	9" (22.9 cm) ductile iron.
SPINDLE BEARINGS	Greasable tapered roller.
STANDARD BLADES	20" (50.8 cm), heat-treated steel blades.
OPTIONAL BLADES	Atomic™ mulching blades, flat blades.
SKIDS	Reversible polymeric.

TORO ACCESSORIES AND PARTS	
Model/Part #	Description
30349	Universal Mount Sunshade
117-9440	Windscreen Kit (GM5900)
119-7719	Backrest Extension Kit – Fabric (GM5910)
119-7718	Backrest Extension Kit – Vinyl (GM5900)
114-5610	Work Light Kit (GM5910)
117-9430	2-Post ROPS Extension (GM5900) (includes sunshade)

TORO ACCESSORIES AND PARTS	
Model/Part #	Description
115-8898	Blade & Belt Kit
115-8896	Combo Blade Pack
114-0897	Atomic Blade Pack
31581	Leaf Mulching Kit
119-8268	Flat Blade Kit
31582	Light Kit – EU
119-8256	Beacon Kit – EU
120-7570	Registration Plate Kit – EU
117-2795	Tall Grass Kit
93-5973	10" Foam Filled Caster Tire Assembly
30041	500 Hour Filter Maintenance Kit (oil/fuel)





	SNOWTHROWER ERSKINE MODEL 2000**
STAGE	2
WIDTH OF CUT	85" (216 cm)
CUTTING HEIGHT	29" (74 cm)
CUTTING EDGE	3/8" x 3" (9.5 mm x 7.62 cm) bolt-on
SKID SHOES	Adjustable
AUGER DIAMETER	16" (41 cm) open flight
FAN DIAMETER	20" (51 cm) 4-blade
CHUTE ROTATION	Hydraulic, 270°
SHEAR PROTECTION	Pressure relief
CASTING DISTANCE	Up to 30' (9.4 m)
APPROXIMATE SHIPPING WEIGHT	850 lbs. (386 kg)
HOSES	Included

	ROTARY BROOM M-B MODEL SHL***
TYPE	Windrow type, front mounted hydraulic broom with dual motors. Electric/hydraulic angling, 30° left and right.
BROOM SIZE	32" (81 cm) diameter x 60" (153 cm) wide.
BRUSH	Sectional brush with combination polypropylene/wire radial segments.
OPTIONS	Dirt Deflector, Storage Stands.

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in design, required attachments and safety features. Consult your local Toro Distributor. Information regarding non-Toro (Allied Vendor) products is included in the Toro Golf and Grounds Equipment Guide as a convenience to Toro customers. Toro does not warrant, endorse or support any products purchased from Allied vendors. Additionally, Toro shall not be responsible for any personal injury or property damage, whether direct or consequential, caused by such Allied products. Toro does not certify fit up, compatibility or functionality of Allied products.

**Manufactured by Erskine.

***Manufactured by M-B Companies, Inc.

The Toro Company does not manufacture or sell the snow thrower, rotary broom, nor does Toro guarantee these accessories in any manner whatsoever.

Groundsmaster® 4500-D & 4700-D Specifications*

	GROUNDSMASTER 4500-D, MODEL 30857	GROUNDSMASTER 4700-D, MODEL 30858
ENGINE	Kubota' V2403T, 4-cylinder, 117 ft.-lbs. of torque, liquid-cooled, turbo-charged diesel, 60 hp (45 kW) gross, 58 hp (43.5 kW) net, governed to 2600 RPM. 148.5 cu. in. (2.4 liter) displacement. 10 quart (9.5 liter) oil capacity.	
AIR CLEANER	Dry, replaceable primary and safety elements.	
RADIATOR	Rear-mount, cross flow, 7-row, 5 fins per inch, 13 quart (12.3 liters) capacity.	
FUEL CAPACITY	22 gallons (83 liters) diesel fuel. Biodiesel-Ready for use up to B-20 (20% biodiesel and 80% petrol blend).	
TRACTION DRIVE	Full-time, bi-directional, hydrostatic, closed-loop, 4WD transmission. Variable displacement piston pump with servo control powers fixed displacement piston motors which drive single reduction planetary gear assemblies at each front wheel. Parallel hydraulic flow powers fixed displacement piston motor which drives mechanical axle in rear. 2WD transport range. Optional 4WD Flow Divider Kit, model 30871.	
HYDRAULICS/COOLING	8.25 gallon (31.3 liter) capacity with 10 micron remote spin-on filter, 9 row single pass cooler with tilt out for cleaning. Variable speed hydraulic fan drive with automatic (based on coolant and oil temps) and manual reversing capabilities.	
DIAGNOSTICS	Diagnostics pressure test ports: forward and reverse traction, deck circuit 1 & 2, reverse 4WD, lift, steering, traction charge, and counter balance.	
GROUND SPEED	Transport: 0-13 mph (0-21 km/h) forward, 0-6.2 mph (0-10 km/h) reverse. Mow: 0-7 mph (0-11.3 km/h) forward, 0-3.5 mph (0-5.6 km/h) reverse.	
TIRES	Front: 29 x 14-15, 6-ply ultra-trac tread. Rear: 20 x 12-10, 4-ply multi-trac tread.	
MAIN FRAME	All welded formed-steel frame with integral tie-down anchors.	
BRAKES	Mechanically actuated, internal wet disc brakes on input to each planetary drive. Individual foot-operated steering brake control of left and right wheel. Lock pedals together and latch to engage parking brake.	
SEAT	Premium seat with adjustments for operator weight via air ride suspension, seat fore/aft position, seat back angle, arm rest height and retractable seat belt.	
STEERING	Power steering with dedicated power source, tilt steering.	
GAUGES	Hour meter, fuel gauge, engine temperature gauge, indicator lights for glow plugs, high coolant temperature, charge indicator, and low oil pressure. Shutdown for high coolant temperature.	
CONTROLS	Ignition switch, hand-operated throttle, foot-operated traction pedal, two position switches for deck lift (GM 4500) 3 - two position switches for deck lift (GM 4700), Reverse fan two position switch (auto/manual reverse), mow/transport selector switch, lockable individual brake pedals, park brake lock, deck lift levers.	
ELECTRICAL	12-volt, 650 cold cranking amps battery, 40 amp alternator. Overload protection with automotive type fuses.	
INTERLOCKS	Prevents engine from starting unless traction pedal is in neutral and deck is disengaged. If operator leaves seat with deck engaged, engine stops. Mowing only permitted in low range. Engine stops if parking brake engaged and traction pedal not in neutral.	
OPERATOR AREA	Beverage holder, radio holder, 12-volt power point, storage box (tools, jackets, golf balls, etc.), seatbelt.	
WORK LIGHT	Standard.	
ROPS	2-post standard.	
DIMENSIONS W/ CUTTING UNITS	**GM 4500-D**	**GM 4700-D**
	Overall length w/decks down: 145.8" (370 cm)	145.8" (370 cm)
	Overall width, lowered/raised: 112.8" (286 cm)/88.3" (224 cm)	153.8" (391 cm)/88.3" (224 cm)
	Height w/2-post ROPS: 85" (216 cm)	85" (216 cm)
	Wheelbase: 67.5" (172 cm)	67.5" (172 cm)
	Track Width, front/rear: 88.3" (224 cm)/55.5" (141 cm)	88.3" (224 cm)/55.5" (141 cm)
	Ground clearance: 6" (15.3 cm)	6" (15.3 cm)
WEIGHT	4400 lbs. (1995 kg) - with full fluids.	4950 lbs. (2245 kg) - with full fluids.
FUEL ECONOMY**	Acres per Gallon - 3.4 Mowing Range - 13.8 hours Fuel consumption - 1.6 Gal/Hr (6.06 L/Hr)	Acres per Gallon - 4.4 Mowing Range - 12.9 hours Fuel consumption - 1.7 Gal/Hr (6.44 L/Hr.)
SAFETY	Complies with American National Standards Institute (ANSI B71.4-2004) and applicable CE (machine directive 89/392, 91/368, 93/44, 84/538, 89/336) requirements.	
WARRANTY	Two-year limited.	
ACCESSORIES	Atomic mulching blades (107-0235-03), universal sunshade (30359), operator fan kit (110-8804), 4WD flow divider kit (30871), rear roller scraper kit, 2 post ROPS extension, windscreen, 90 amp alternator kit (115-8473), leaf mulching kit (30836).	
	CUTTING UNITS	
TYPE	Five Contour™ Plus 27" (68.6 cm), rear-discharge rotary cutting units w/ rear rollers.	Seven Contour™ Plus 27" (68.6 cm), rear-discharge rotary cutting units w/rear rollers.
WIDTH OF CUT	109" (277 cm), overlap 6.5" (16.5 cm), overhang 10.4" (26.4 cm).	Overall: 150" (381 cm), 109" (277 cm) with deck 6 and 7 raised. Overlap 6.5" (16.5 cm), overhang 30.9" (78.4 cm).
HEIGHT OF CUT	.75"-4" (1.9-10.2 cm) in .25" (.6 cm) increments.	
CONSTRUCTION	10-gauge steel constructed chambers with 12-gauge welded reinforcements. 1.5" (3.8 cm) square x .25" (.6 cm) wall tube with 7-gauge side supports. Spindle support 3/16" (.48 cm) high-strength steel and 10-gauge exterior channels.	
SPINDLE ASSEMBLY	Ductile cast iron spindle housing. Dual greaseable tapered roller bearings. 1.25" (3.2 cm) diameter solid cold finished steel spindle shaft. Splined connection between spindle shaft and pulley. Welded blade retainer plus anti-scalp cups.	
GROUND FOLLOWING	6" (15.3 cm) anti-scalp cups on each blade. On each deck: two 5" (12.7 cm) diameter front rollers, one 3" (7.6 cm) diameter rear roller.	
BLADES	27" (68.6 cm) long, 2.5" (6.4 cm) wide, .25" (.64 cm) thick. Standard combo blade optional Atomic Blade for leaf mulching.	
WING PROTECTION	Groundsmaster 4700-D has an impact absorption device on wing decks 6 and 7.	

*Specifications and design subject to change without notice.

**Dependent on operator and turf conditions, assumes 85% efficiency for overlaps and turns
Certification complies with ANSI B71.4-1999 and applicable CE directives.
Warranty: Two-year limited warranty. Refer to operator's manual for further details.

The Groundsmaster 4500-D and 4700-D are manufactured in Tomah, WI ISO 9002 Certified Plant.

Specifications for Groundsmaster® 3280-D & 3320

Engine

Model: 3280-D: Kubota® 3-cylinder;
3320: Briggs & Stratton®/Daihatsu® 3-cylinder
Rating: 3280-D: 28 hp (20.9 kW) gross, 26 hp (19.5 kW) net;
3320: 32 hp (23.9 kW) gross, 24.9 hp (18.6 kW) net
Displacement: 3280-D: 68.5 cu. in. (1.1 liter)
Fuel: 3280-D: Diesel; 3320: Unleaded Gasoline
Fuel capacity: 3280-D: 11.3 gallon (42.8 liter)
3320: 11.3 gallon (42.8 liter)
Cooling: Liquid

Traction Unit

Drive: 2WD: Hydrostatic U-type transmission; 4WD: On-demand, bi-directional overrunning clutch
Brakes: Individual drum type, dynamic braking traction drive
Steering: Power
Gauges: Hour meter, fuel, temperature, oil pressure, water temperature, amps, glow plug (3280-D only)
Controls: Foot-operated traction and brake pedals. Hand-operated throttle, brake lock, ignition switch
Seat suspension options: mechanical or air ride
ROPS: Standard foldable

Electrical

Battery: 12 volt, 530 CCA
Alternator: 40 amp
Interlock: High water temperature

Tires

Front traction: 23 x 9.5-12 with demountable rims
Rear steering: 2WD: 16 x 6.5-8; 4WD: 18 x 6.5-8, tubeless, 4-ply

Dimensions

Width: 3280-D: 47" (119 cm), 3320: 47" (119 cm)
Length: 3280-D: 83.5" (212 cm), 3320: 85" (216 cm)
Height: 3280-D, 3320: 56" w/ROPS down (142 cm),
77" w/ROPS up (195 cm)
Wheelbase: 3280-D: 46" (117 cm), 3320: 47.5" (121 cm)

Ground Speed

0-10 mph (16.1 km/h)

Cutting Units

72" Cutting Units
Model 30368: 72" Side Discharge with adjustable front baffle and 5/16" (8 mm) rubber discharge chute
Model 30369: 72" Rear Discharge
Model 30379: 72" Guardian® Recycler®
Type: 3-blade, front mounted rotary
Width of cut: 72" (183 cm)
Height of cut: Side and Rear Discharge 1-5" (2.5-12.7 cm), Recycler 1.5-5" (3.8-12.7 cm), all are adjustable front and rear in .5" (12.7 mm) increments
Mowing rate: 3.6 acres/h (1.46 hectares/h) at 5 mph (8 km/h)
Construction: 7-gauge welded steel

62" Cutting Units
Model 30367: 62" Rear Discharge
Model 30376: 62" Guardian® Recycler®
Type: 3-blade, front mounted rotary
Width of cut: 62" (157 cm)
Height of cut: 1.5-5" (3.8-12.7 cm), adjustable front and rear in .5" (12.7 mm) increments
Mowing rate: 3.1 acres/h (1.25 hectares/h) at 5 mph (8 km/h)
Construction: 7-gauge welded steel

60" Cutting Unit
Model 30366: 60" Side Discharge with adjustable front baffle and 5/16" rubber discharge chute
Type: 3-blade, front mounted rotary
Width of cut: 60" (152 cm)
Height of cut: 1-5" (2.5-13 cm), adjustable front and rear in .5" (12.7 mm) increments
Mowing rate: 3.0 acres/h (1.22 hectares/h) at 5 mph (8 km/h)
Construction: 7-gauge welded steel

52" Cutting Unit
Model 30555: 52" Side Discharge with steel discharge chute
Type: 3-blade, front mounted rotary
Width of cut: 52" (132 cm)
Height of cut: 1-4" (2.5-10.2 cm), adjustable front and rear in .5" (12.7 mm) increments
Mowing rate: 2.6 acres/h (1.1 hectares/h) at 5 mph (8 km/h)
Construction: 12-gauge welded steel w/7-gauge support brackets

Warranty: Two-year limited

TORO® PROFESSIONAL SERVICES

Toro Financing A full service offering for all your equipment and irrigation purchases. Flexible financing options can be tailored to meet your operational needs.

Toro Protection Plus Extended Protection Plan Protect your budget and your equipment investment. Plans are available for both new and used equipment, and you can choose from various terms to fit your financing terms.

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RESOLUTION _____

AUTHORIZING THE PURCHASE OF THREE LARGE TURF MOWERS FROM TURF STAR, INC. OF RANCHO CORDOVA, CALIFORNIA

WHEREAS, The Public Works Department received authorization through the 2013-14 budget process to purchase three turf mowers that are replacements for the 2002 mowers by the Parks, Sports Fields & Trees Division, and

WHEREAS, Authorization has been given by Turf Star, Inc. to utilize the California Multiple Award Schedules (CMAS) program (summarized below), and

MOWER	**DESCRIPTION**	**ENTITY/BID #**	**AMOUNT(S)**
Toro 5900 Diesel	16' wide-area rotary mower	CMAS/ 4-07-51-0020A	$87,848.63
Toro 4700-D	Light weight rotary mower (7-gang)	CMAS/ 4-07-51-0020A	$77,010.15
Toro 3280D	72" trim mower	CMAS/ 4-07-51-0020A	$25,008.07

WHEREAS, Tracy Municipal Code Section 2.20.220 allows the City to waive competitive bidding for the mowers, because the prices available through the CMAS program are lower than the prices the City of Tracy could obtain individually, and

WHEREAS, The selected mowers possess features that meet the specifications and requirements of the City;

NOW, THEREFORE, BE IT RESOLVED, That City Council authorizes the award of three turf mowers to Turf Star, Inc. of Rancho Cordova, California in the amount of $189,866.85.

****

The foregoing Resolution _____ was adopted by City Council on the 15th day of April, 2014, by the following vote:

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

_____
MAYOR

ATTEST:

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 1.G

REQUEST

AUTHORIZE AMENDMENT OF THE CITY'S CLASSIFICATION AND COMPENSATION PLANS AND POSITION CONTROL ROSTER BY APPROVING THE ESTABLISHMENT OF A NEW CLASSIFICATION SPECIFICATION AND SALARY RANGE FOR ACCOUNTING COORDINATOR

EXECUTIVE SUMMARY

This report recommends establishment of a new classification of Accounting Coordinator in the Administrative Services Department as part of achieving strategic priorities and goals in the City. The proposed Accounting Coordinator will meet the City's need for a specialized classification to focus on the highly technical accounting duties specifically related to the implementation, administration, monitoring and reporting of Capital Improvement Projects, Community Development Block Grants, Finance as well as Implementation Plans and Capital-In-Lieu Fee revenues. The cost will be funded through existing development-related fee revenue.

DISCUSSION

Periodically, Human Resources receives requests for classification studies and conducts classification reviews as necessary to allow for changes that have occurred in areas such as job responsibilities, organizational structure, and/or service needs.

Based on the results of a classification study, the Human Resources Division recommends approval of a new classification of Accounting Coordinator. Prior to the recession, the City had a position that provided some components of the highly technical accounting functions, such as financial tracking, reporting, billing calculations for development activities and city-wide master fee schedule updates (including capital fees), and development related expenses. However, as part of the City's downsizing, this position, which supported the DES Department, was eliminated.

With the current upswing in the economy, the Accounting Coordinator, which will work within the Finance Department, will meet the City's need for a specialized classification to focus on the highly technical accounting duties specifically related to the implementation, administration, monitoring and reporting of Capital Improvement Projects, Community Development Block Grants, Finance and Implementation Plans and Capital-In-Lieu Fee revenues.

The duties of the single position classification will require in-depth knowledge of Federal, State and City accounting, monitoring and financial reporting requirements and require developing and implementing mandated specialized accounting systems and reporting procedures for various projects and grants. The Accounting Coordinator will also provide information and assistance to management, engineers, consultants, outside agencies and grant sub-recipients.

Currently, tasks associated with this position are the responsibility of multiple employees in within the Administrative Services and Development Services Departments, which has been found to be inefficient. It is recommended that the required responsibilities be consolidated and performed by one dedicated position.

Classification Study Findings

The study determined that there is not an existing City of Tracy classification that will provide the desired consolidation of duties, specialized focus and appropriate level of knowledge, skills and abilities required for the mandated specialized accounting systems, monitoring and financial reporting requirements necessary for Capital Improvement Projects, Community Development Block Grants, Finance and Implementation Plans and Capital-In-Lieu Fee revenues.

Therefore, a new classification of Accounting Coordinator is recommended to meet the needs of the City.

Classification Study Recommendations

Based on the results of the classification study, the Human Resources Department recommends that the City's Classification and Compensation Plans and the Position Control Roster be amended to incorporate the following adjustments:

<u>Establish Classification Specification and Salary Range: Accounting Coordinator - Administrative Services Department</u>

Staff recommends that the monthly salary range for Accounting Coordinator be $5,175.20 - $6,290.48 per month. This range is aligned internally with the Payroll Coordinator classification. Although the two classifications perform accounting duties in different areas, both are single position specialized accounting classifications that require a similar level of specialized knowledge, skills and abilities; the interpretation and implementation of regulations and laws; and the exercise of highly independent judgment and decision making skills in carrying out duties in their respective areas. Additionally, both classifications may exercise technical and functional direction over lower level accounting staff. Both are also distinguished from the lower level Accounting Technician by the focus on specialized duties and the higher level of analytical skill and independent judgment necessary to perform the various duties.

<u>STRATEGIC PLAN</u>

This agenda item supports the City's Governance Strategy and Business Plan and specifically implements the following goal and objectives:

Goal 1: Further develop an organization that attracts, motivates, develops and retains a high-quality, engaged, informed and high-performing workforce.

Objective 1b: Affirm organizational values.

FISCAL IMPACT

A Non-General Fund expense adjustment in the amount of $102,000 was approved as part of the recent mid-year budget adjustment to fund the new Accounting Coordinator position from existing development-related fee revenue.

RECOMMENDATION

That the City Council, by resolution, authorize the Administrative Services Director to amend the City's Classification and Compensation Plans and the Budget Officer to amend the Position Control Roster by approving the establishment of a classification specification and salary range for Accounting Coordinator.

Prepared by: Midori Dearborn, Senior Human Resources Analyst
Reviewed by: Jenny Haruyama, Administrative Services Director
Gary Hampton, Acting Assistant City Manager
Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENTS

Attachment A: Accounting Coordinator Job Description

City of Tracy

ACCOUNTING COORDINATOR

Class Title: Accounting Coordinator
Department: Administrative Services
EEO Code: 80
FLSA Status: Non-Exempt

Class Code: 40XXX
Unit: Technical & Support Services
Effective Date: April 15, 2014

DESCRIPTION

Under general direction, performs a variety of highly technical and specialized accounting duties related to implementation, administration, monitoring and reporting of Capital Improvement Projects, Community Development Block Grants, Finance and Implementation Plans and Capital-In-Lieu Fee revenues; provides accounting assistance to Departments and City staff; and performs other duties as assigned

DISTINGUISHING CHARACTERISTICS

The Accounting Coordinator is an entry level accountant position in the accounting classification series. The incumbent performs complex accounting functions requiring specialized knowledge of Federal, State and City accounting, monitoring and financial reporting requirements for Capital Improvement Projects, Community Development Block Grants, Finance and Implementation Plans and Capital-In-Lieu Fee revenues. Duties require developing and implementing required accounting systems and reporting procedures; regularly coordinating with, and providing information and assistance to, management, engineers, consultants, outside agencies, and grant sub-recipients. The incumbent is expected to exercise independent decision making skills in resolving problems. Supervision is received from management or higher level accounting staff. The incumbent may serve in a lead capacity exercising technical and functional direction over lower level clerical and accounting staff. The Accounting Coordinator is distinguished from the lower level Accounting Technician by the nature of the specialized duties and the higher level of analytical skill and independent judgment required to perform duties at the higher class.

EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES

Duties may include, but are not limited to, the following:

Review, analyze and interpret Federal and State regulations and local provisions regarding implementation, administration, monitoring and reporting of Capital Improvement Projects (CIP) and Community Development Block Grants (CDBG); recommend strategies for implementation and develop required systems, procedures and reporting formats

Assist in application process, execution and monitoring of CDBG subrecipient agreements; provide information on accounting requirements to subrecipients; receive

and process reimbursement requests; communicate with parties involved to provide information and resolve problems

Track Financial Implementation Plans provided by developers; coordinate cost data with consultants and staff; calculate Development Impact Fees and communicate fee information to developers; monitor the collection of Development Impact Fees for accuracy; prepare annual Development Impact Fee Report

Calculate Capital-In-Lieu fees for developments; process fees per various agreement requirements

Assist program management engineers with Assessment Districts and Bonds for CIP's; provide fund allocation information; develop and maintain a Developer Reimbursement Tracking System; prepare Summary of Expenditure reports for engineers; provide expenditure and revenue reports as needed; process development review billing

Coordinate accounting functions and responsibilities closely with management, staff, engineers, consultants, developers, grant sub-recipients, and outside agencies

Monitor and compile annual Master Fee schedule; reconcile and provide reports for various fees including, but not limited to, County Facilities Fees; Regional Transportation Impact Fees; Capital-In-Lieu Fees

Maintain Detail Sheets providing cost estimates and project details from engineers for Capital Improvement Projects; prepare and enter journal entries to record Building Permit Fees collected for CIP's

Prepare semi-monthly, quarterly and annual reports and statements for Federal and State agencies; prepare various expenditure and revenue reports for departments

Provide technical information and direction regarding applicable procedures and methods; interpret and explain rules, answer questions and resolve problems or complaints

Gather and analyze information from a variety of sources; compile and prepare a variety of statistical and financial reports

Perform other duties as assigned

MINIMUM QUALIFICATIONS

Knowledge of:

Federal and State laws, rules and regulations including accounting, monitoring and reporting requirements pertaining to assigned duties

Residential and commercial development implications as it relates to municipal planning and engineering functions

Principles and practices of governmental budgeting, accounting, financial record keeping and auditing

Ability to:

Analyze, interpret and apply federal and state regulations and procedures related to assigned duties

Work independently and organize, prioritize and coordinate work activities among multiple departments and divisions

Coordinate responsibilities and communicate successfully with a variety of individuals both inside and outside the City including management, staff, engineers, consultants, developers, grant sub-recipients, and outside agencies

Convey information to others successfully both orally and in writing

Use initiative and sound independent judgment within established guidelines

EDUCATION AND EXPERIENCE

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education:

Major course work in public or business administration, accounting, finance or closely related field. Graduation from an accredited college or university in public or business administration, accounting, finance or closely related field is desirable

Experience:

Three years of increasingly responsible technical accounting experience which includes experience that would provide a demonstrated understanding of residential and commercial development implications as it relates to municipal planning and engineering functions

LICENSES AND CERTIFICATES

Possession of, or ability to obtain and maintain, an appropriate, valid California driver license by date of hire.

TOOLS AND EQUIPMENT USED

Requires frequent use of personal computer and printer, including word processing and spread sheet software; central financial computer, 10 key calculator, phone, fax and copy machine.

PHYSICAL REQUIREMENTS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to walk, sit and talk or hear. The employee is required to use hands to finger,handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee is occasionally required to climb or balance; stoop, kneel, crouch, or crawl. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, color vision, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The positions work in an office environment where the temperature remains constant. The noise level in the work environment is moderately noisy. There may be intermittent interruptions from phones, public inquiries and other staff.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

RESOLUTION _____

AUTHORIZING AN AMENDMENT OF THE CITY'S CLASSIFICATION AND COMPENSATION PLANS AND POSITION CONTROL ROSTER BY APPROVING THE ESTABLISHMENT OF A CLASSIFICATION SPECIFICATION AND SALARY RANGE FOR ACCOUNTING COORDINATOR

WHEREAS, The City has Classification and Compensation Plans and a Position Control Roster, and

WHEREAS, The City has completed a classification review and determined it is in the best interest and efficiency of the Administrative Services Department to establish a new classification specification of Accounting Coordinator to further the strategic priorities and goals of the City;

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The City Council authorizes the Administrative Services Director to amend the City's Classification and Compensation Plans as follows:

Establish Classification: Accounting Coordinator as described in the attached job description
Establish Salary Range: $5,175.20 - $6,290.48 per month

2. The City Council authorizes the Budget Officer to amend the Position Control Roster to reflect the amendments set forth above.

* *

The foregoing Resolution _____ was adopted by the Tracy City Council on the 15th day of April, 2014 by the following votes:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 1.H

REQUEST

APPROVAL OF A MASTER PROFESSIONAL SERVICES AGREEMENT (MPSA) WITH SNG & ASSOCIATES, INC., TO PROVIDE STAFF SUPPORT AND PLAN/MAP REVIEW SERVICES IN THE ENGINEERING DIVISION OF THE DEVELOPMENT SERVICES DEPARTMENT FOR VARIOUS PROJECTS, AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE AGREEMENT

EXECUTIVE SUMMARY

Due to the recent increase in the amount of development activity, additional staff is required to assist with the timely and cost effective processing of Vesting Tentative Maps, Parcel Maps, Final Maps, Development Agreements, Review of Grading Plans and Improvement Plans, Subdivision Agreements, Deferred Improvement Agreements, Reimbursement Agreements and related tasks.

DISCUSSION

Staff of Development Services has been working with representatives of several large developments that are in various stages of planning. Several of the major proposed developments such as Cordes Ranch, Tracy Hills and Ellis have made significant progress in moving projects from preliminary planning stages to the next stage when they will be ready to make submittals to the City for various entitlement processing and approvals. Additionally, the Tracy Gateway project that had previously secured approvals for the Vesting Tentative Map and Final Maps, has submitted applications to seek approvals for Tracy Gateway Distribution Center within Tracy Gateway. Staff has also been working on many other residential, commercial and industrial applications. It is anticipated that substantial outside or consultant resources to support existing staff will be required to provide timely review and processing of the development applications.

SNG & Associates, Inc. (SNG) has provided engineering staff support and review services to the Engineering Division during previous rapid growth periods in Tracy between the years 2000 to 2007. SNG staff is led by Mr. Gottiparthy, P.E., who worked as a Senior Engineer for Development and Engineering Services from 1993 to 1998. Due to their involvement in the majority of the development projects within the Residential Specific Plan, Industrial Specific Plan, I-205 Specific Plan, Plan C and Tracy Hills Specific Plan, SNG staff has intimate knowledge of City's standards, procedures and policies.

SNG provided the plan review and staff support services for projects such as Tracy Gateway, and SNG staff was involved in the preliminary stages of many of the large Specific Plan areas currently being processed by the Planning Division. Due to their qualifications and extensive experience with City of Tracy projects, SNG is uniquely suited to provide services needed to support staff in the processing of Vesting Tentative Maps, Parcel Maps, Final Maps, Development Agreements, Review of Grading Plans and Improvement Plans, Subdivision Agreements, Deferred Improvement Agreements,

Reimbursement Agreements and related tasks in the most efficient and expedited manner.

Because of the unique qualifications of SNG, staff requests that the City Council find that compliance with the formal request for proposal procedure is not in the best interest of the City.

STRATEGIC PLAN

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

FISCAL IMPACT

There will be no fiscal impact to the General Fund. These services will be paid for by developers through a Cost Recovery Agreement or engineering review fees.

RECOMMENDATION

That City Council, by this resolution, approve the Master Professional Services Agreement with SNG & Associates, Inc. to provide staff support and plan/map review services and other tasks as assigned by staff of Engineering Division, and authorize the Mayor to execute the agreement. It is further recommended that individual task orders be approved by the Director of Development Services with a not to exceed cumulative dollar amount of $200,000, provided that this is only applicable to projects for which funds are available through a Cost Recovery Agreement.

Prepared by: Criseldo S. Mina, Senior Civil Engineer

Reviewed by: Victoria Dion, City Engineer/Assistant Development Services Director
Andrew Malik, Development Services Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENTS

Attachment A – MPSA with SNG & Associates, Inc.

CITY OF TRACY
MASTER PROFESSIONAL SERVICES AGREEMENT
STAFF SUPPORT AND PLAN / MAP REVIEW SERVICES

This Master Professional Services Agreement ("Agreement") is entered into between the City of Tracy, a municipal corporation ("City"), and SNG & Associates, Inc. ("Consultant").

RECITALS

A. WHEREAS, many development projects are underway or anticipated to be processed by the City for approvals;

B. WHEREAS, in order to meet the schedules for development projects for timely approval and construction, City staff determined that professional services by outside consultants are required to support the staff in review and processing of various projects; and

C. WHEREAS, all costs of services shall be paid for by the developers for various project in accordance with the Cost Reimbursement Agreements;

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **SCOPE OF SERVICES.** Consultant shall perform the services generally described in Exhibit "A" attached and incorporated by reference. Consultant's specific scope of services shall be more particularly described in individual Task Orders subject to the approval of the Director of Development Services and the Consultant. The terms of this Agreement shall be incorporated by reference into each Task Order. The services shall be performed by, or under the direct supervision of, Consultant's Authorized Representative: Nanda Gottiparthy, P.E. Consultant shall not replace its Authorized Representative, nor shall Consultant replace any of the personnel listed in Exhibit "A," nor shall Consultant use any subcontractor or subconsultant, without the City's prior written consent.

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

3. **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, unless the City provides prior written authorization to Consultant.

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. City may terminate this Agreement if Consultant maintains or acquires such a conflicting interest.

5. **COMPENSATION.**
   - **5.1. General**. For services performed by Consultant under this Agreement, City shall pay Consultant on a time and expense basis, at the billing rate amounts set forth in Exhibit "B," and Not to Exceed the amount set forth in each individual Task Order provided, however that the aggregate total of all Task Orders under this Agreement is not to exceed $200,000. Consultant's billing rates, and Not to Exceed amount, shall cover all costs and expenses for Consultant's performance of this Agreement. No work shall be performed by Consultant in excess of the Not to Exceed amount without City's prior written approval.
   - **5.2. Invoices.** Consultant shall submit monthly invoices to the City describing the services performed, including times, dates, and names of persons performing the service.
   - **5.3. Payment**. Within 30 days after the City's receipt of invoice, City shall make payment to the Consultant based upon the services described on the invoice and approved by the City.

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

7. **OWNERSHIP OF WORK.** All original documents prepared by Consultant for this Agreement 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 City.

8. **INDEMNIFICATION.** Consultant shall, to the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold

harmless the City from and against any claims arising out of Consultant's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole, active negligence or willful misconduct of the City.

In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "Consultant" means the Consultant, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses in connection therein) and any allegations of these; and "Arising out of" includes "pertaining to" and "relating to".

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

The provisions of this section survive completion of the services or the termination of this contract, and are not limited by the provisions of Section 10 relating to insurance.

9. **BUSINESS LICENSE.** Before beginning any work under this Agreement, Consultant shall obtain a City of Tracy Business License.

10. **INSURANCE.**
    - **10.1 General.** Consultant shall, throughout the duration of this Agreement, maintain insurance to cover Consultant, its agents, representatives, and employees in connection with the performance of services under this Agreement at the minimum levels set forth here.
    - **10.2 Commercial General Liability** (with coverage at least as broad as ISO form CG 00 01 01 96) coverage shall be maintained in an amount not less than $2,000,000 general aggregate and $1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.
    - **10.3 Automobile Liability** (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") coverage shall be maintained in an amount not less than $1,000,000 per accident for bodily injury and property damage.
    - **10.4 Workers' Compensation** coverage shall be maintained as required by the State of California.
    - **10.5 Professional Liability** 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 occurrence.
    - **10.6 Endorsements.** Consultant shall obtain endorsements to the automobile and commercial general liability with the following provisions:
        - **10.6.1** The City (including its elected officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."

10.6.2 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.

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

10.8 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.

10.9 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 Attorney, no later than five days after the execution of this Agreement.

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

10.11 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.

11. ASSIGNMENT AND DELEGATION. This Agreement and any portion of it shall not be assigned or transferred, nor shall any of the Consultant's duties be delegated, without the City's prior written consent. Any attempt to assign or delegate this Agreement without the City's written consent shall be void and of no effect. City's consent to one assignment shall not be deemed to be a consent to any subsequent assignment.

12. MISCELLANEOUS.

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

To City:

City of Tracy
Development Services
Civic Center Plaza
Tracy, CA 95376
Attn: Cris Mina

To Consultant:

SNG & Associates, Inc.
5776 Stoneridge Mall Road, #365333
Pleasanton, CA 94588
Attn: Nanda Gottiparthy

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

Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the address designated above, or (2) three working days after deposit in the United States Mail of registered or certified mail, sent to the address designated above.

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

12.3 Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

12.4 Severability. If a term of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in effect.

12.5 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.

12.6 Entire Agreement. This Agreement comprises the entire integrated understanding between the parties concerning the services to be performed. This Agreement supersedes all prior negotiations, representations or agreements.

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

12.8 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 licensed professionals performing in the same or similar time and locality, and under the same or similar circumstances.

(BALANCE OF PAGE LEFT INTENTIONALLY BLANK)

13. 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 and their respective successors and assigns.

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

City of Tracy

_____

By: Brent H. Ives
Title: Mayor

Date: _____

Attest:

_____

By: Sandra Edwards
Title: City Clerk

Date: _____

Approved As To Form:

_____

By: Daniel G. Sodergren
Title: City Attorney

Date: _____

Consultant
SNG & ASSOCIATES, INC.

_____

By: Nanda Gottiparthy
Title: President

Date: _____
Fed. Employer ID No. 94-3359203

_____

By: Nanda Gottiparthy
Title: Secretary

Date: _____

Exhibits:
A. Scope of Services
B. Billing Rates

EXHIBIT "A"

SCOPE OF SERVICES

The scope of services shall include review of development projects, permit applications, entitlement processing, review of improvement plans, final maps, preparation of conditions of approval, agreements, staff reports to City Council and other tasks as assigned by City staff. The services shall include attendance at meetings with developers, staff, engineers and others as requested by the City. The Consultant may also be required to make presentations to City Council or other groups as identified the City staff.

EXHIBIT "B"

Hourly Rate Schedule

SNG & Associates, Inc. (Consultant)

Position	Hourly Rate
Principal Engineer	158.00
Project Manager	147.00
Senior Engineer	138.00
Construction Manager	125.00
Associate Engineer II	125.00
Associate Engineer I	119.00
Assistant Engineer	108.00
Engineering Technician/CAD Drafting	95.00
Engineering Inspector	95.00
Clerical (SNG)	65.00
Licensed land Surveyor	138.00

Note: Sub-consultants and outside services billed at 110% of actual cost. Travel time billed at 50% of hourly rates. Rates valid through December 31, 2014.

RESOLUTION_____

APPROVING A MASTER PROFESSIONAL SERVICES AGREEMENT WITH SNG & ASSOCIATES, INC., TO PROVIDE STAFF SUPPORT AND PLAN/MAP REVIEW SERVICES IN THE ENGINEERING DIVISION OF THE DEVELOPMENT SERVICES DEPARTMENT FOR VARIOUS PROJECTS, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, Staff has been working with representatives of several large developments that are in various stages of planning, and

WHEREAS, It is anticipated that substantial outside or consultant resources to support existing staff will be required to provide timely review and processing of these development applications, and

WHEREAS, SNG & Associates, Inc., has provided engineering staff support and review services to the Engineering Division during previous rapid growth periods in Tracy between the years 2000 to 2007, and

WHEREAS, SNG & Associates, Inc., provided plan review and staff support services for projects such as the Tracy Gateway project and were involved in the preliminary stages of many of the large Specific Plan areas currently being processed, and

WHEREAS, Due to their qualifications and extensive experience with City of Tracy projects, SNG & Associates, Inc, is uniquely qualified to provide services needed to support staff in the processing of Vesting Tentative Maps, Parcel Maps, Final Maps, Development Agreements, Review of Grading Plans and Improvement Plans, Subdivision Agreements, Deferred Improvement Agreements, Reimbursement Agreements and related tasks in the most efficient and expedited manner;

NOW, THEREFORE, BE IT RESOLVED, That City Council: a) find that compliance with the formal request for proposal procedure is not in the best interest of the City; and b) hereby approve the Master Professional Services Agreement with SNG & Associates, Inc., to provide staff support and plan/map review services and other tasks as assigned by staff of the Engineering Division, and authorize the Mayor to execute the agreement on behalf of the City, authorize the approval of individual task orders by the Director of Development Services with a not to exceed cumulative dollar amount of $200,000, provided that this is only applicable to projects for which funds are available through a Cost Recovery Agreement.

* * * * * * * * * *

The foregoing Resolution 2014-_____ was adopted by the City Council on the 15th day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 1.I

REQUEST

APPROVE A MINOR AMENDMENT TO THE TRACY HONDA FINAL DEVELOPMENT PLAN FOR THE ADDITION OF A CAR WASH BUILDING AT 3450 AUTO PLAZA WAY - APPLICANT IS BRYSON BURNS CONSTRUCTION AND PROPERTY OWNER IS KBH INVESTMENTS, LP APPLICATION NUMBER D14-0002

EXECUTIVE SUMMARY

This agenda item involves a minor amendment to a Final Development Plan for Tracy Honda to allow for the addition of an automatic car wash building in the service area and associated landscaping modifications.

DISCUSSION

Background

In September of 1999, City Council approved a Preliminary and Final Development Plan for the Tracy Honda dealership at 3450 Auto Plaza Way. In December 2002, City Council approved a Preliminary and Final Development Plan for the expansion of the dealership's service area. On February 6, 2014, the applicant, on behalf of Tracy Honda, submitted an application for the addition of a car wash building for use by Honda for serviced vehicles. According to the applicant, the car wash will not be available for public use.

Proposed Amendment

In accordance with the Tracy Municipal Code and the I-205 Corridor Specific Plan, the Development Services Director has determined that the request is a minor amendment to the approved Final Development Plan and that it is consistent with the concept and preliminary development plan. The Planning Commission and City Council shall review minor amendments to Final Development Plans.

Tracy Honda is located in the auto plaza in the I-205 Corridor Specific Plan area. Vehicle services, including car washes, are permitted in this area.

According to the applicant, the expectation for serviced vehicles to be washed before being returned to the customer is increasing. Tracy Honda is currently hand washing serviced vehicles and desires to increase their efficiency by using an automatic car wash. The applicant has proposed to construct an approximately 1,100 square foot car wash building within the vehicle service area (Attachment A). The proposed building will match the main building by use of wide vertical panels, parapet roof, and wall color to match the main building. An 850 square foot landscaped planter is proposed to be removed for the new building and reconstructed adjacent to the car wash building, resulting in no net loss of landscaped area.

Planning Commission Discussion

The Planning Commission met and discussed the proposed amendment on April 9, 2014, and recommended approval of the minor amendment.

Environmental Document

The proposed PDP/FDP amendment is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, pertaining to new construction of small structures not exceeding 2,500 square feet in size. In accordance with CEQA Guidelines, no further environmental assessment is required.

FISCAL IMPACT

This agenda item will not require any expenditure of funds. The staff time spent processing the application was funded by the receipt of the required application processing fees.

STRATEGIC PLAN

This agenda item supports the Economic Development Strategic Plan, related to retail retention. The ability to retain existing businesses that generate sales tax is essential to the economic vitality of the I-205 retail area.

RECOMMENDATION

Staff and the Planning Commission recommend City Council approve, by resolution, the minor amendment to the Tracy Honda Final Development Plan for the addition of a car wash building and associated landscaping modifications, based on the findings contained in the City Council Resolution dated April 15, 2014.

Prepared by: Kimberly Matlock, Assistant Planner

Reviewed by: Bill Dean, Assistant Development Services Director
Andrew Malik, Development Services Department Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENTS

Attachment A – Location Map, Site, Floor, Landscape, and Elevation Plans (Oversize Item: Copies available in Development Services, Tracy City Hall)

RESOLUTION _____

APPROVING A MINOR AMENDMENT TO THE TRACY HONDA FINAL DEVELOPMENT PLAN FOR THE ADDITION OF A CAR WASH BUILDING AT 3450 AUTO PLAZA WAY - APPLICANT IS BRYSON BURNS CONSTRUCTION AND PROPERTY OWNER IS KBH INVESTMENTS, LP. APPLICATION NUMBER D14-0002

WHEREAS, The City Council approved a Preliminary and Final Development Plan for the Tracy Honda dealership in September of 1999, and for a building expansion for vehicle services in December 2002, and

WHEREAS, KBH Investments, LP submitted an application to amend the Tracy Honda Final Development plan to add a car wash building to their service area and make associated landscaping modifications on February 6, 2014, and

WHEREAS, The subject property is located within the I-205 Corridor Specific Plan area, with a land use designation of Service Commercial, which allows automobile sales and service as a permitted land use, and

WHEREAS, The project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, pertaining to new construction of small structures not exceeding 2,500 square feet in size, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the application on April 9, 2014 and recommended project approval;

NOW, THEREFORE BE IT RESOLVED, That City Council hereby approves a minor amendment to the Tracy Honda Final Development plan for the addition of a car wash building and associated landscaping modifications, Application Number D14-0002, subject to the conditions contained in Exhibit 1 to this Resolution and based on the findings below.

1. The establishment, maintenance, and operation of the proposed improvements are compatible with the land use, design, and operational characteristics of the neighboring properties. The proposed project consists of an automatic car wash for serviced vehicles in association with the vehicle service offered by Tracy Honda. The car wash building will match the main building for a consistent architectural theme throughout the site.

2. The project will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed use and its associated structure, or to the general welfare of the City because the project, as conditioned, is consistent with the land use, design, and other elements of the I-205 Corridor Specific Plan, the Tracy Municipal Code, the City of Tracy General Plan, Design Goals and Standards, City Standards, California Building Codes, and California Fire Codes.

3. The project will not adversely affect or impair the benefits of occupancy, most appropriate development, property value stability, or the desirability of property in the vicinity and will not adversely visually impair the benefits of the properties in the vicinity. The car wash building will use wide and textured vertical panels, a parapet roof, and a building color to match the dealership and service building. The landscape planter will be removed for the car wash and will be relocated adjacent to the car wash so that no net loss of landscaping will occur.

* * * * * * * *

The foregoing Resolution 2014-_____ was adopted by the City Council on the 15th day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Exhibit "1"

City of Tracy
Conditions of Approval
Tracy Honda Car Wash
Application Number D14-0002
April 15, 2014

A. General Provisions and Definitions.

A.1. General. These Conditions of Approval apply to:

The Project: A car wash building and associated landscaping modifications

The Property: 3450 Auto Plaza Way, Assessor's Parcel Number 212-270-19

A.2. Definitions.

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

b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.

c. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).

d. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.

e. "Conditions of Approval" shall mean the conditions of approval applicable to the car wash and associated landscaping area modifications at 3450 Auto Plaza Way, Application Number D14-0002. The Conditions of Approval shall specifically include all City of Tracy conditions set forth herein.

f. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The term "Developer" shall include all successors in interest.

A.3. Compliance with submitted plans. Except as otherwise modified herein, the project shall be constructed in substantial compliance with the plans received by the Development Services Department on March 25, 2014. These plans include the site plan, floor plan, landscape plan, elevations, and color palette.

A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the project.

A.5. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:
- the Planning and Zoning Law (Government Code sections 65000, et seq.)
- the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and
- the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").

A.6. Compliance with City regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City regulations, including, but not limited to, the Tracy Municipal Code (TMC), Standard Plans, and Design Goals and Standards.

A.7. Protest of fees, dedications, reservations, or other exactions. Pursuant to Government Code section 66020, including section 66020(d)(1), the City HEREBY NOTIFIES the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations or other exactions.

B. Development Services Planning Division Conditions

Contact: Kimberly Matlock (209) 831-6430 kimberly.matlock@ci.tracy.ca.us

B.1. Landscaping & irrigation. Before the approval of a building permit, the applicant shall provide detailed landscape and irrigation plans to address the following:
- B.1.1. Said plans shall be consistent with the City of Tracy Guidelines for Water Efficient Landscape Design, Development and Maintenance.
- B.1.2. A minimum of 60 points in each landscaping and irrigation category must be achieved and the assessment summaries must be on the plans.
- B.1.3. At planting, trees shall be a minimum of 24" box size, shrubs shall be a minimum size of 5 gallon, and groundcover shall be a minimum size of 1 gallon.

B.2. Screening utilities and equipment.
- B.2.1. Before final inspection or certificate of occupancy, all vents, gutters, downspouts, flashing, and electrical conduits shall be internal to the structures and bollards and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent surfaces or otherwise designed in harmony with the building exterior to the satisfaction of the Development Services Director.
- B.2.2. Before final inspection or certificate of occupancy, no roof mounted equipment, including, but not limited to, HVAC units, vents, fans, antennas, sky lights and dishes, whether proposed as part of this application, potential

future equipment, or any portion thereof, shall be visible from any public right-of-way to the satisfaction of the Development Services Director. Plans to demonstrate such compliance shall be submitted to the City prior to the issuance of a building permit.

C. Public Works Department Conditions

Contact: Stephanie Hiestand (209) 831-4333 stephanie.hiestand@ci.tracy.ca.us

D.1. Sanitary Sewer Connection. The sand and oil separators shall connect to the sanitary sewer system and not the stormdrain system to the satisfaction of the Public Works Director.

April 15, 2014

AGENDA ITEM 1.J

REQUEST

ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN GARY HAMPTON AND THE CITY OF TRACY RELATING TO SERVICE AS INTERIM ASSISTANT CITY MANAGER

EXECUTIVE SUMMARY

The City Council recently appointed Assistant City Manager Maria Hurtado to serve as Interim City Manager. The Interim City Manager in turn has appointed Gary Hampton to serve as Interim Assistant City Manager. The proposed amendment to Mr. Hampton's employment agreement provides that his compensation shall be increased by 10% during the time he serves as Interim Assistant City Manager.

DISCUSSION

The City Council recently appointed Assistant City Manager Maria Hurtado to serve as Interim City Manager. The Interim City Manager in turn has appointed Gary Hampton to serve as Interim Assistant City Manager. The proposed amendment to Mr. Hampton's employment agreement provides that his compensation shall be increased by 10% during the time he serves as Interim Assistant City Manager.

STRATEGIC PLAN

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

FISCAL IMPACT

There is no fiscal impact to the General Fund as the cost associated with approval of this agreement will be taken out of cost savings from the vacant City Manager position.

RECOMMENDATION

Staff recommends that City Council adopt a resolution approving an amendment to the employment agreement with Gary Hampton relating to service as Interim Assistant City Manager.

Prepared by: Dan Sodergren, City Attorney
Reviewed by: Maria A. Hurtado, Interim City Manager
Approved by: Maria A. Hurtado, Interim City Manager

RESOLUTION _____

AMENDING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF TRACY AND GARY HAMPTON RELATING TO SERVICE AS INTERIM ASSISTANT CITY MANAGER AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT

WHEREAS, The City entered into an employment agreement with Gary Hampton on August 2, 2011 to hire Gary Hampton as its Police Chief ("Employment Agreement"); and

WHEREAS, The Employment Agreement was amended on September 13, 2012; and

WHEREAS, The parties now wish to amend the Employment Agreement to adjust the compensation by 10% during the time Hampton serves as Interim Assistant City Manager.

NOW, THEREFORE, BE IT RESOLVED, That City Council authorizes the amendment to the employment agreement between Gary Hampton and the City of Tracy attached hereto as Exhibit I, and authorizes the Mayor to execute the amendment.

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

The foregoing Resolution _____ was adopted by the Tracy City Council on the 15TH day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

_____
MAYOR

ATTEST:

_____
CITY CLERK

EXHIBIT I

SECOND AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN
GARY HAMPTON AND THE CITY OF TRACY

This Second Amendment ("Amendment") to the Employment Agreement between Gary Hampton and the City of Tracy ("Agreement") is made and entered into by and between Gary Hampton ("Hampton") and the City of Tracy, a municipal corporation ("City").

RECITALS

WHEREAS, The City entered into an employment agreement with Gary Hampton on August 2, 2011 to hire Gary Hampton as its Police Chief ("Employment Agreement"); and

WHEREAS, The Employment Agreement was amended on September 13, 2012; and

WHEREAS, The parties now wish to amend the Employment Agreement to adjust the compensation by 10% during the time Hampton serves as Interim Assistant City Manager.

NOW, THEREFORE, In consideration of the mutual covenants set forth below, the parties agree as follows:

1. Amendment. Section 4 of the Employment Agreement is amended to read as follows:

   Compensation. Hampton shall receive an initial base monthly salary of $15,208.33, payable in installments at the same time as other employees of the City are paid and subject to legally required withholdings and deductions. During any time Hampton serves as Interim Assistant City Manager his salary shall be increased by 10%.

2. Modifications. This Amendment may not be modified orally or in any manner other than by an agreement in writing signed by both parties, in accordance with the requirements of the Agreement.

3. Representation by Counsel. Hampton and City acknowledge that they each did, or had the opportunity to, consult with legal counsel of their respective choices with respect to the subject matter of this Amendment prior to signing it.

4. Applicable Law. This Amendment is signed and delivered in the State of California and the rights and obligations of the parties under this Agreement shall be construed and enforced in accordance with the laws of the State of California.

5. Waiver. No waiver by any party of any breach of any term or provision of this Amendment shall be construed to be, nor shall be, a waiver of any preceding, concurrent or succeeding breach of the same or any other term or provision of this Amendment.

6. Interpretation. This Amendment is deemed to have been drafted jointly by the parties to this Amendment. Any uncertainty or ambiguity shall not be construed for or against any party based upon attribution of drafting to any party.

7. Severability. If any provision of this Amendment is held unconstitutional, invalid or unenforceable, that invalidity shall not affect any other provisions which could be given effect without the invalid provision.

8. Counterparts. This Amendment may be executed in several counterparts, and shall be admissible in counterparts. All executed copies are duplicate originals and are equally admissible in evidence.

City of Tracy

_____
Brent H. Ives, Mayor

Date: _____

Gary Hampton

_____

Date: _____

Attest:

_____
By: Sandra Edwards
Title: CITY CLERK

Date: _____

Approved as to Form:

_____
City Attorney

April 15, 2014

AGENDA ITEM 1.K

REQUEST

AUTHORIZATION TO ENTER INTO AN INTERIM ADVANCED LIFE SUPPORT AGREEMENT WITH SAN JOAQUIN COUNTY AND THE SOUTH COUNTY FIRE AUTHORITY, AND AUTHORIZATION FOR THE INTERIM CITY MANAGER TO SIGN THE AGREEMENT

DISCUSSION

Staff is requesting authorization to enter into an Interim Advanced Life Support Agreement with San Joaquin County and the South County Fire Authority.

The Agreement will be distributed at the City Council Meeting.

STRATEGIC PLAN

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

FISCAL IMPACT

There will be no impact to the General Fund. There are sufficient funds in the FY 2013/14 Fire Department budget.

RECOMMENDATION

That City Council, by resolution, authorize entering into an Interim Advanced Life Support Agreement with San Joaquin County and the South County Fire Authority, and authorize the Interim City Manager to sign the Agreement.

Prepared By: Maria A. Hurtado, Interim City Manager
Approved By: Maria A. Hurtado, Interim City Manager

RESOLUTION _____

AUTHORIZING AN INTERIM ADVANCED LIFE SUPPORT AGREEMENT WITH SAN JOAQUIN COUNTY AND THE SOUTH COUNTY FIRE AUTHORITY AND AUTHORIZING THE INTERIM CITY MANAGER TO SIGN THE AGREEMENT

WHEREAS, Staff is requesting authorization to enter into an Interim Advanced Life Support Agreement, and

WHEREAS, This Interim Advanced Life Support Agreement will be entered into with San Joaquin County and the South County Fire Authority;

NOW, THEREFORE, BE IT RESOLVED, That City Council authorizes an Interim Advanced Life Support Agreement with San Joaquin County and the South County Fire Authority, and authorizes the Interim City Manager to sign the Agreement.

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

The foregoing Resolution _____was adopted by the Tracy City Council on the 15th day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 3

REQUEST

CONDUCT A PUBLIC HEARING TO ADOPT A RESOLUTION APPROVING THE UPDATED MASTER FEE SCHEDULE

EXECUTIVE SUMMARY

Staff has performed the annual update of the consolidated, City-Wide Master Fee Schedule for Council approval. Examples of proposed modifications to the schedule include fees for new recreation programs, community facilities and equipment rentals in the Cultural Arts Programs. Additionally, modifications have been made to correct minor errors and update department contact references.

It has been the past practice of Council to adjust fees by the Consumer Price Index (CPI) [1] which addresses cost of living and inflationary changes.

DISCUSSION

In May 2011, the City Council consolidated city-wide fees in a master schedule, centralizing fees in a single document. This action established consistency and clarity regarding the fee update process, which included an automatic cost of living adjustment.

The proposed 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 and agricultural mitigation fees)
- Business license fees (taxes)
- Enterprise fund charges (water, sewer, storm water, airport, transit)
- Fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid and yard waste, and recycling under TMC Chapter 5.20)
- Landscape Maintenance District (special assessments)
- Fines (imposed as penalties)
- Leases of City property
- Rates established by separate agreements (i.e., Tracy Unified School District and performance artists)

Proposed FY 14/15 Master Fee Schedule - New Fees and Corrections

The following sections list new fees and minor corrections to the proposed FY 14/15 Master Fee Schedule:

[1] 2.556% based on the Consumer Price Index for the San Francisco-Oakland-San Jose Metropolitan Area for the percent change to June 2013 from June 2012.

New fees:

Cultural Arts "Miscellaneous Rentals" (see Schedule, Page 12)

- $180 to cover the cost of extra labor needed to install and remove the Marley dance floor - 3 staff for 2-3 hours
- New fees ranging from $5-$15 each for extra use of rented furniture and equipment, e.g., tables, stools, music stands, orchestra chairs
- Agreement Processing Fee (see Schedule, page 13)

Recreation

- New adult kick ball league (see Schedule, page 20)
- A 20% fee range was included to allow for contracted classes to increase by a 20% range to allow for negotiations with the contracted instructor and to cover instructors' new equipment or lesson plans (see Schedule, pages 15 and 17)
- Added range of $5-$10 for Senior Arts and Craft Project class to cover cost of materials led by volunteers (see Schedule, page 18)

Public Works, Community Facilities Rentals (see Schedule, page 50)

- Refundable deposit of $250 for baseball/softball bases
- Storage Container License - $0.40/square foot of ground space

Decreased or increased (beyond inflationary increase):

Theatre

- Marquee listings change from a "per day fee" to a per installation fee, allowing the marquee to be displayed for several days at no additional charge if there are no other shows scheduled to be displayed (see Schedule, page 12)

Recreation

- Fee change from $25 to $50 for profit vendors for special event booths (see Schedule, page 19)
- Increase for the minimum cost of special events tickets from $30 to $40 to include additional event hours and quantity of event/promotional items (see Schedule, page 21)
- Increase maximum fee for Event Booth to include mobile vendor trucks and the additional space required for events (Schedule, page 21)

Public Works, Community Facilities Rentals

- For softball field preparations, light watering, minor field dragging—proposed increase from $13 to $15 to reflect true cost of preparation (see Schedule, page 50)

Master Fee Schedule Administrative Corrections

Grand Theatre

- Rental rate reduction for non-primetime rental of studio theatre for performances and rehearsals from $330 to $240 (see Schedule, page 11)

Development Services, Planning

- The "Zone Change" fee was incorrectly stated as $6,417 (beginning in August, 2013 when the fees took effect) and has been changed to $2,758. A refund to the single affected applicant is being coordinated (see Schedule, page 34)

Police, Animal Services

- The fee for animal collar identification was changed from $24, the result of a typographical error, to $2 (see Schedule, page 38)

Public Works, Community Rentals

- The inclusion of Banner fees (for installation and removal) that were previously approved by Council was inadvertently omitted from the prior Schedule updates (see Schedule, page 43)

General Changes

- Other changes include the update of staff names and referenced reports, and correction of typographical and rounding errors.

The fees set forth in the Schedule represent no more than the estimated reasonable costs, or actual costs of the services or facilities provided. In many cases, the fees are significantly below the City's costs as further explained under the fiscal impact section.

When establishing new fees, time and motion assessments are conducted which factor in the hourly rates of staff that provides the service. The most recent Cost of Services Study Update was performed in 2003. Therefore, it is anticipated that a phased[2] update will be performed during the next Fiscal Year. The cost of the update is estimated to be approximately $45,000.

Automatic Cost of Living Adjustment

In keeping with Council action, the master fee Schedule has been prepared with an automatic adjustment, rounded to the nearest dollar (except where cents are already used) with the exception of fees related to: (1) recreation (2) Grand Theatre and Cultural Arts; and (3) other fees indicated by an asterisk in the attached Proposed FY 14/15 Master Fee Schedule.

The adoption of this Schedule is permitted under the California Constitution, Article XIIIC, including the exceptions under Article XIIIC, Section 1(e). The City has given notice of the proposed Schedule update as required by Government Code Section 66016 to interested parties who filed a written request for such notice with the City. Notice has also been given by publication, pursuant to Government Code Sections 66018 and 6062a.

The adoption of the Schedule is not subject to the California Environmental Quality Act because it is not a project that has the potential for causing a significant effect on the environment (CEQA Guidelines, 14 California Code of Regulations, §15061(b)(3)).

[2] Phasing may be necessary due to the cost of having the study performed.

STRATEGIC PLAN

This item is in accordance with Council Governance Strategy, Goal 2: Ensure continued fiscal sustainability through budgetary and financial stewardship.

FISCAL IMPACT

The annual update of the Master Fee Schedule ensures that city fees are aligned with the cost of providing services; however, it is equally important that fees continue to be reasonable and affordable to the community.

It is anticipated that the proposed adjustments to city-wide fees will have a nominal impact to users given the low CPI; it is estimated that fees would increase 2 cents per dollar. Based on the prior year's activity levels, the CPI adjustment is anticipated to generate approximately $137,402 in fee revenue.

The table below reflects the FY 12/13 City-wide fee recovery levels. Overall, revenue generated from current user fees is considerably lower than the cost of the service provided. Understanding that there are many competing interests for general fund dollars, the City continues to evaluate the City's recovery levels in light of community and financial priorities.

FY 12/13 City-wide Fee Recovery Level

Program	Fee Revenue	Expenditures	General Fund Allocation/Subsidy	General Fund Allocation/Subsidy %
Community Facilities				
Facility Rentals	$ 99,069	$ (454,822)	$ (355,753)	78%
Sports Field Rental	$ 139,678	$ (416,145)	$ (276,467)	66%
Subtotal	**$ 238,747**	**$ (870,967)**	**$ (632,220)**	
Animal Services	$ 42,043	$ (594,172)	$ (552,129)	93%
Fire Prevention	$ 216,620	$ (355,538)	$ (138,918)	39%
Cultural Arts	$ 303,735	$ (1,479,822)	$ (1,176,087)	79%
Recreation	$ 713,318	$ (1,633,193)	$ (919,875)	56%
DS-Planning	$ 788,021	$ (1,028,273)	$ (240,252)	23%
DS-Building	$ 1,434,495	$ (1,987,773)	$ (553,278)	28%
Total	**$ 3,736,979**	**$ (7,949,738)**	**$ (4,212,759)**	

RECOMMENDATION

It is recommended that the Mayor open a Public Hearing to receive and consider comments on the Schedule update. Staff recommends that Council adopt the resolution approving the updated FY 14/15 Master Fee Schedule. Upon adoption, the fees will be effective on July 1, 2014.

Prepared by: Anne Bell, Management Analyst II, Administrative Services Department

Reviewed by: Jenny Haruyama, Administrative Services Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENTS

Attachment 1: FY 14/15 Proposed Master Fee Schedule – Comparison of Current and Proposed Fees

Attachment 2: FY14/15 Proposed Master Fee Schedule – Proposed Fees Only

Think Inside the Triangle™

City of Tracy

Master Fee Schedule

Adopted by City Council Resolution No. 2011-101, May 17, 2011

Amended by Resolution No. 2012-111, June 5, 2012
Amended by Resolution No. 2013-047, April 2, 2013
Amended by Resolution No. 2013-086 June 4, 2013
Amended by Resolution No. _____ April 15, 2014

Effective July 1, 2014

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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 by Department and does not include the following types of fees:

- development impact fees adopted under the Mitigation Fee Act;
- mitigation fees (ie habitat mitigation, agricultural mitigation fees);
- business license fees (taxes);
- enterprise fund charges (water, sewer, storm water, 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 district assessments;
- fines (imposed as penalties);
- leases of City property; and
- rates established by separate agreements (ie Tracy Unified School District).

The Master Fee Schedule will generally be updated annually, and most fees will increase by a cost-of-living adjustment (CPI) rounded to the nearest dollar. The fees which are updated by some other method are indicated as such.

Public services may be classified as community-supported public services, such as police and fire services. These are typically 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.

Property development services (requiring a building permit or land use entitlement) is done at the request, 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.

City Staff whom worked to update this Master Fee Schedule include the following representatives from each Department:

Administrative Services, Finance Division	Anne Bell
Administrative Services, Finance Division	Robert Harmon
City Attorney's Office	Judith Robbins
City Clerk'S Department	Sandra Edwards
City Manager's Department, Cultural Arts Division	Kim Scarlata, Laura Smith
City Manager's Department, Recreation Division	Kim Scarlata, Jolene Jauregui-Correll
City Manager's Department, Theater Division	Kim Scarlata, Laura Johnston
Development Services, Engineering Division	
Development Services, Planning Division	William Dean
Development Services, Building Division	Delores Ohm
Fire Department, Fire Administration Division	David Bramell
Police Department, Support Operations Division	Lani Smith
Public Works Department, Community Facilities Division	Brian MacDonald

ADMINISTRATIVE SERVICES DEPARTMENT

Administrative Services Department

Finance Division

Department Contact: ~~Anne Bell, Mgt. Analyst II~~ **Robert Harmon, Senior Accountant**

SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
Fire Sprinkler Charges			~~Reso.2012-111~~
(Water Access/Availability)			Resolution 2013-086
2" line	$5		~~**Resolution 95-018**~~
4" line	~~**$10**~~	**$11**	
6" line	~~**$21**~~	**$22**	
8" line	~~**$31**~~	**$32**	
10" line	~~**$41**~~	**$43**	
12" line	~~**$52**~~	**$54**	
Returned Check Processing (NSF-Not Sufficient Funds)	**$16**		Reso. 2003-059
Delinquent Water Turn-off/Turn-on	**$38**		Reso. 2003-059
Business Licenses:			
• State disability access fee	$1	/application or renewal	GC §4467 TMC6.04.130
• Transfer, assignment or duplication fee	$5	/duplication	TMC6.04.130

Note: Business Licenses:

- Business license fee amounts are established by ordinance, at TMC Chapter 6.04.
- For failure to pay a business tax when due, the Collector shall add a penalty of ten (10%) percent of such business tax on the first day of delinquency and shall add a further penalty of ten (10%) percent of such business tax on the first day of every subsequent calendar month following such first day of delinquency provided the amount of such penalties to be added shall in no event exceed fifty (50%) percent of the business tax due. The penalties provided in this subsection shall be assessed from the date when such deficiency was required to be paid pursuant to 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. ~~2012-243~~ 2013-086 and assoicated staff report.**
- ~~**City Council Resolution No. 2011-101 and associated 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.**~~
- City Council Resolution 95-018 and associated staff report.

Legend:

* Not subject to CPI adjustment	CBC - CA Building Cod	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
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Administrative Services Department
Human Resources Division

Division Contact: Midori Dearborn, Senior Human Resources Analyst

There are no Human Resources Division Fees.

Administrative Services Department
Information Technology Division

Division Contact: Matt Engen, Manager

There are no Information Technology Division Fees.

CITY-WIDE FEES

CITY CLERK & CITY MANAGER'S DEPARTMENTS

City-Wide Fees
City Clerk and City Manager's Departments

Department Contacts: Maria Hurtado, Assistant City Manager; Sandra Edwards, City Clerk

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC §3.36.010
Annual Subscriptions (City Council, Planning Commission)		GC §6253
Agendas	**$38** / month ~~**$36**~~ / month $2 / disc / agenda	Reso. 2007-258
Minutes*	$0.15 / page	GC §6253
Appeals		
To City Council To City Manager	**$162** ~~**$155**~~ **$162** ~~**$155**~~	TMC §1.12.020(B)(2) TMC §1.12.010(D)(2)
By Impartial Hearing Officer	May be shared equally by parties	TMC §1.12.030
Document Certification	**$16** / document b ~~**$15**~~	
Photocopies		
Paper Copy * Oversized Copy Maps *	$0.15 / page At cost At cost	GC §6253 GC §6253
Duplicating Recording of Public Meeting:		
Video or Audio DVD of Council Meeting	At cost $2	
Notary Fee *	$10	GC §8211
Palmistry License Fee (through Police Dept)		TMC §4.12.190
New New Renewal Renewal	**$595** ~~**$567**~~ **$379** ~~**$360**~~	

Latest Fee Study or Staff Report Explanation:

- **City Council Resolution No.~~2012-111~~ 2013-086 and accompanying staff report.**
- ~~**Updated Council Policies and Procedures, City Council Resolution No. 2007-258.**~~
- Resolution No. 2003-059 and accompanying staff report.
- [b] ~~**1998 Cost of Service Study, and**~~ 2003 Cost of Services Update, prepared by Finance Department. (City Council Resolution No. 2003-059).

Legend:

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City Manager's Department
Grand Theatre\Cultural Arts Divisions

Division Contact: Division Contacts:
Kim Scarlata, Recreation Program Manager
~~Jeffrey Haskett, Theater Manager~~
~~William Wilson, Gallery Supervisor, Cultural Arts~~

* Fees are set by this Department annually and are not subject to automatic CPI adjustments.

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC §3.36.010
DEPOSITS		
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	$100	

ETK THEATRE

Note:

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 or percentage, whichever is greater.

	Non-profit	Commercial	
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	$287	$750	
Each Additional Hour	$100	$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	Not Applicable	
Non-Prime Time Resident Company Rental: Performance	$230 / 8 hours	Not Applicable	
Non-Prime Time Resident Company Rental: Rehearsal	$115 / 8 hours	Not Applicable	

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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
STUDIO THEATRE			**TMC §3.36.010**
Note: Prime time is Friday through Sunday. Percentage payment is based on gross receipts. Fee is either minimum of percentage, whichever is greater.			
	Non-profit	**Commercial**	
Prime Time Rental: Performance			
First 5 Hours	$110 or 10%	$330 or 15%	
Each Additional Hour	$60	$180	
Prime Time Rental: Rehearsal			
First 5 Hours	$110	$330	
Each Additional Hour	$60	$180	
Non-Prime Time Rental: Performance		**$240**	
First 5 Hours	$80	~~$330~~ or 15%	
Each Additional Hour	$60	$180	
Non-Prime Time Rental: Rehearsal		**$240**	
First 5 Hours	$80	~~$330~~	
Each Additional Hour	$60	$180	
Meeting	$225 / 2 hrs		
Each Additional Hour	$40	$115	
Prime Time Resident Company	$88 / 5 hrs	Not Applicable	
Non-Prime Time Resident Company	$64 / 5 hrs	Not Applicable	
Non-Prime Time Resident Company	$64 / 5 hours	Not Applicable	
DANCE STUDIO, ART STUDIO I AND II, AND CHIDREN'S ART STUDIO			
Class/Meeting or Studio Theatre			
First 2 Hours	$75	$225	
Each Additional Hour	$40	$115	
ART PARTIES			
First 2 Hours	$50	$150	
Each Additional Hour	$35	$75	
Materials Fee (activity dependent)	$5 - $25 / person		
LARGE MUSIC ROOM (Includes Any Room Set Up & Tear			
Class/Meeting			
First 2 Hours	$25	$100	
Each Additional Hour	$35	$125	
MUSIC ROOM (Includes any room set up and tear			
Class (medium) or			
First 2 Hours	$25	$100	
Practice & Each Additional Hour	$35	$125	

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SERVICE OR APPLICATION	CURRENT FEE				LEGAL AUTHORITY TMC §3.36.010
	Non-profit		Commercial		
GRAND GALLERIES	$75	/2 hrs	$225	/2 hrs	
Each Additional Hour	$50		$150		
LOBBY AREAS					
Upstairs	$250	/4 hrs	$500	/4 hrs	
Downstairs	$200	/4 hrs	$400	/4 hrs	
OLD TOWN HALL & JAIL					
Weekday (Mon 8am – Fri 6 pm)	$40	/2 hrs	$60	/2 hrs	
Weekend (Fri 6 pm – Mon 8 am)	$50	/2 hrs	$100	/2 hrs	
2ND FLOOR ARTS OFFICE					
Weekday (Mon 8am – Fri 6 pm)	$30	/2 hrs	Not Available		
Weekend (Fri 6 pm – Mon 8 am)	$40	/2 hrs			
(LOGGIA)					
May only be rented as part of Reception (hourly rate)	$50		$150		
BOX OFFICE SERVICES					
Per Performance	$100		$300		
Per Ticket Charge to Patron	$3				
General Admission Per Ticket to Patron	$1				
Marquee Listing	$50	**/ Installation** ~~**/ day**~~	$100	**/ Installation** ~~**/ day**~~	
MISCELLANEOUS RENTALS					
~~**Grand Piano**~~	~~**$900**~~	~~**/ use**~~			
Baby Grand Piano	$500	/ use			
Piano Tuning at Renter's Expense	$150	each			
Installation/Removal of Floor for O	$250	/ use			
Wireless Microphones	$25	/ day			
Microphone Stands	$0	/ use			
Follow Spot	$350	/ use			
Video Projector	**$130** ~~**$100**~~	**/4 hours** ~~**/ day**~~			
Laptop Computer	$50	/ use			
~~Screen~~	~~**$30**~~	~~**/ use**~~	~~**$90**~~	~~**/ use**~~	
~~LCD Projector per Day/Event~~	~~**$0**~~	~~**/ use**~~			
Marquee Sign Listing	**$50** ~~**$100**~~	**/ Installation** ~~**/ use**~~	**$100 / Installation**		
Marley Dance Floor	**$180**	**/use**			
6' Mitey Lite Tables	**$5**	**each**			
46" Round Tables	**$10**	**/each**			
Cocktail Table Stools	**$15**	**/each**			
Cocktail Tables	**$10**	**/each**			
Wooden Classroom Chairs	**$5**	**/each**			
Music Stands >20	**$10**	**/each**			
Black Wenger Orchestra Chairs >25	**$10**	**/each**			

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
LABOR FEES		TMC §3.36.010
Technical Theatre Supervisor	$56 / hr	
Theatre Technicians	$40 / hr	
General Stagehands	$20 / hr	
Follow Spot Operator	$15 / hr	
Merchandise Sales Person	$15 / hr	
Gallery Supervisor	$40 / hr	
Gallery Docents	$15r / hr	
Arts Education Instructor	$25 / hr	
Recreation Leader	$15 / hr	
ADDITIONAL FEES		
Janitorial Fees	$150 / day	
Season Discount/Reward Card	$20 / year	
Large Format Printing (posters, signs)	$2 / Sq Ft	
Agreement Processing Fee	**$35 /contract**	
CERAMICS		TMC §3.36.010; Reso. 2007-232
Building		
Example Classes: Wheel Throwing, Hand Building, Molding	$50-$300	
Firing		
Example Classes: Kiln Loading, Firing Tecniques	$40-$300	
Glazing		
Example Classes: Glazing & Finishing	$20-$300	
Workshops		
Workshop Example: Artist Talks and Demonstrations	$10-$300	
DANCE		
Children's Classical		
Example Classes: Ballet, Lyrical	$30-$150	
Children's Modern		
Example Classes: Jazz, Hip-Hop, Tap, Creative Dance	$30-$150	
Children's Workshops	$10-$200	
Adult Classical		
Example Classes: Ballet, Lyrical	$30-$150	
Adult Modern		
Example Classes: Hip-Hop, Tap, Jazz	$30-$150	
Adult Ballroom		
Example Classes: Swing, Salsa, Waltz	$30-$150	
Adult Workshops	$10-$300	
DRAMA		
Acting Technique		
Example Classes: Improvisation, Beginning Acting	$40-$250	
Technical Theater		
Example Classes: Set Building, Lighting/ Audio	$40-$250	
Performance		
Example Classes: Musical Theater, Scene Study	$40-$250	
Workshops		
Example Workshops: Audtion Workshops, Theater Camps	$10-$300	

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
MUSIC		TMC §3.36.010; Reso. 2007-232
Perucssion Example Classes: Drumming, Muisc & Rhythm	$50-$200	
Strings Example Classes: Guitar, Violin	$50-$200	
Horns Example Classes: Trumpet, Saxophone, Clarinet	$50-$200	
Keyboard Example Classes: Piano, Group Keyboarding	$50-$200	
Voice Example: Group & Private Voice	$50-$200	
Music Methodologies Example: Music Theory, Music History	$50-$200	
Workshops Example: Music PR, Breaking into the Music Business	$10-$300	
VISUAL ARTS		
Children's Drawing Example Classes: Pre-School Drawing, Cartooning	$40-$120	
Children's Painting Example Classes: Acrylic & Watercolor Painting	$40-$120	
Children's Design Example Classes: Color and Light, Graphic Design	$40-$150	
Children's Mixed Media Example Classes: Print Making, Storybook Building	$40-150	
Children's Workshops Making	$10-$250	
Adult Drawing Example Classes: Landscape, Figure, Still Life Drawing	$40-$300	
Adult Painting Example Classes: Acyrlic, Oil, and Watercolor Painting	$40-$300	
Adult Design Example Classes: Graphic Design, Fashion Design	$40-$300	
Adult Mixed Media Example Classes: Apparel Construction, Weaving, Sculpting	$40-$300	
Adult Workshops Demonstrations	$10-$300	
Performance Admission Fees	Cost to City Based on Performer	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2007-232 and associated staff report.

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	**FAC - CA Food & Agriculture Code**	

City Manager's Department
Recreation Division

Division Contact: Kim Scarlata, Recreation Manager

* Fees are set by this Department annually and are not subject to automatic CPI adjustments.

SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
ADMINISTRATION				TMC §3.36.010
Advertising Fee for Activity Guide[1]				
Full page, back cover	$1,000			
Full page, inside back cover	$500			
½ page, inside	$350			
¼ page, inside	$200			
[1]Applied to advertising in City's Activity Guide				
Insurance Processing Fee Fee for public purchase of event Insurance	$35 / transaction			
Program Transaction Fee Applied to withdrawal, refund, credit or	$5 / transaction			
Fac. Rental Applic. Processing Fee	$35 / transaction			
Early Registration Discount	($10) / registration			
Online Registration Discount	($10) / registration			
Sibling Registration Discount	10% / registration			
Range of Fee Increase for Contract To be used based on staff's assessment of	20% / registration			
CURRENT SPECIAL INTEREST (CONTRACTOR) CLASSES				
Baby Sitter Training	$85/Non-Res	$77/Res	/2-day session	
Cardio Kick Boxing	$55/Non-Res	$50/Res	/6-week session	
Cheer Prep	$50/Non-Res	$45/Res	/4-week session	
Cheer-Preschool	$50/Non-Res	$45/Res	/4-week session	
Classic Gym-Preschoolers	$53/Non-Res	$48/Res	/4-week session	
Classic Gym-Youth	$57/Non-Res	$52/Res	/4-week session	
CPR/FA	$55/Non-Res	$50/Res	/1-day session	
Dog Obedience-Advanced	$105/Non-Res	$95/Res	/7-week session	
Dog Obedience-Basic	$127/Non-Res	$115/Res	/7-week session	

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GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	SF Ft - Square Feet
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	hr(s) - hour(s)

SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
CURRENT SPECIAL INTEREST (CONTRACTOR) CLASSES, CONTINUED				TMC §3.36.010
Golf Lessons-Adult	$66/Non-Res	$60/Res	/4-week session	
Gymnastic Camps	$66/Non-Res	$60/Res	/per week	
Just 4 Kicks-Preschool	$79/Non-Res	$72/Res	/8-week session	
Just 4 Kicks-Youth	$79/Non-Res	$72/Res	/8-week session	
KidSAFE	$99/Non-Res	$90/Res	/10 -week session	
LEGO Camp (Half Day)	$189/Non-Res	$172/Res	/per week	
Mad Science (Half Day)	$185/Non-Res	/$169/Res	/per week	
Preschool AM	$193/Non-Res	$175/Res	/per calendar month	
Preschool PM	$418/Non-Res	$380/Res	/per calendar month	
Safety Club	$21/Non-Res	$18/Res	/1-day workshop	
SNAP Summer Day Camp	$55/Non-Res	$50/Res	/per week	
SNAP After School Program	$28/Non-Res	$25/Res	/per week	
Tennis-Adult	$55/Non-Res	$50/Res	/4-week session	
Tennis-Tiny Tots	$48/Non-Res	$44/Res	/4-week session	
Tennis-Youth	$55/Non-Res	$50/Res	/4-week session	
Tracy Online Learning	$97/Non-Res	$88/Res	/6-week session	
Yoga-Adults	$35/Non-Res	$32/Res	/4-week session	
Yoga-Seniors	$33/Non-Res	$30/Res	/per calendar month	
Action Gymnastics	$83/Non-Res	$75/Res	/8-week session	
Action Gymnastics Parent/Tot	$28/Non-Res	$25/Res	/4-week session	
Action Gymnastics Parent/Tot Adv	$33/Non-Res	$30/Res	/4-week session	
Zumba 10-day Pass	$88/Non-Res	$80/Res	/10-day pass	
Zumba 20-day Pass	$165/Non-Res	$150/Res	/20-day pass	
Zumba Drop In	$13/Non-Res	$10/Res	/per drop in	
Tai Chi	$44/Non-Res	$40/Res	/6-week session	
Tiny Tots Hooked on Books	**$53-/Non-Res**	$48/Res	/4-week session	
Basic Gardening	$28/Non-Res	$25/Res	/4-week session	
Bowling for Beginners	$99/Non-Res	$90/Res	6-week session	
Camps-Biology Camp	$220/Non-Res	$200/Res	/per week	
Camps-Build a Robot	$198/Non-Res	$180/Res	/per week	
Camps-Chess	$59/Non-Res	$54/Res	/3-week session	
Camps-Eagal Lakes	$94/Non-Res	$85/Res	/3-day session	
Camps-Kidsafe	$99/Non-Res	$90/Res	/3-week session	
Computer Tech Camp	$204-$149/Non-Res	$185-135/Res	/5-day session	
Fly Fishing	$33/Non-Res	$30/Res	/1-day workshop	
Just 4 Hoops	$59/Non-Res	$54/Res	/6-week session	
Just 4 Kicks Camps Preschoolers	$94/Non-Res	$85/Res	/5-day session	
Just 4 Kicks Camps Youth	$110/Non-Res	$100/Res	/5-day session	
Kindergarten Tutoring	$63/Non-Res	$57/Res	/4-week session	
Tae Kwon Do Tots	$47/Non-Res	$43/Res	/4-week session	
Tennis Camp Preschoolers	$50/Non-Res	$45/Res	/1-week session	
Tennis Camp Youths	$55/Non-Res	$50/Res	/1-week session	

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SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
NEW SPECIAL INTEREST (CONTRACTOR) CLASSES				TMC §3.36.010
Adventure Thursdays Field Trip	$65/Non-Res	$59/Res	/per trip	
Arthritis Foundation Tai Chi	$64/Non-Res	$58/Res	/8-day session	
Athletic Perfection - Play Date	$23/Non-Res	$20/Res	/1-day session	
Athletic Perfection - Discover the	$50/Non-Res	$45/Res	/4-week session	
Camps - Fencing	$220/Non-Res	$200/Res	/per week	
Camp - Flag Football	$165/Non-Res	$150/Res	/per week	
~~Camps -~~ Skyhawks Basketball	$54/Non-Res	$49/Res	/4-sessions	
~~Camps -~~ Skyhawks Baseball	$54/Non-Res	$49/Res	/4-sessions	
Camps - Skyhawks Sports	**$175/Non-Res** **~~$164/Non-Res~~**	**$159/Res** **~~$149/Res~~**	/per week	
Camps - Tennis	$165/Non-Res	$150/Res	/per week	
Classic Gym - Open Gym	**$13/Non-Res** **~~$3~~**	**$10 Res**	/per drop-in	
Classic Gym - Crafty Time	$72/Non-Res	$65/Res	/4-week session	
Classic Gym - School's Out Party	$20		/per drop-in	
Fencing for Beginners	$99/Non-Res	$90/Res	/4-week session	
Get Up & Moving Fitness	$66-$220/Non-Res	$60-$200/Res	/4, 10, 20-day	
Leaders in Training: Jr Rec Leaders	$83/Non-Res	$75/Res	/2-day session	
Tai Chi Arthritis Foundation	$70/Non-Res	$64/Res	/6-sessions	
Tennis - Cardio Workshop	$28/Non-Res	$25/Res	/1-day workshop	
Workshop Series for Adults	$8/Non-Res	$5/Res	/1-day workshop	
Yoga - Adults	$83/Non-Res	$75/Res	/10-day pass	
YOUTH & TEENS				
BBQ and Game Day		$3	/ person	
Teen Swim Events		$5	/ person	
Teen Events				
Minimum		$5	/ person	
Maximum		$20	/ person	
Girls Retreat		$10	/ person	
Teen Camps		$77/Non-Res/week	$70/Res/week	
Teen Chill Out Night (Movie & Popcorn)		$3	/ person	
Extreme Sports Day (competition registration)		$10	/ person	
Fashion Show		$10	/ person	
Ski/Snowboard Trip		$90	/ lift ticket only	
		$125	/rental & lift ticket	
		$125	/rentals, lift & lesson	
		$55	/ transportation only	
		$5	/ helmet rental	
S.A.F.E. (Teen After School Program)	Minimum:	$50	/ membership/school yr	
	Maximum:	$100	/ membership/school yr	
		$0	/ drop-in for members	
*Fee ranges based on direct costs		$5	/ scrapbooking class	
		$5	/ cooking class	

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MCYSN		
Mobile recreation (Roll'n Rec)	$0	/ person
YOUTH DEVELOPMENT		
ROC (Recreation on Campus After School)*		
*Fee ranges based on direct costs		
Minimum	$180	/ regular-per month
Maximum	$240	/ regular-per month
ROC (Recreation on Campus After School)*		
*Fee ranges based on direct costs		
Minimum	$15	/ daily-per day
Maximum	$24	/ daily-per day
ROC (Recreation on Campus After School)*		
*Fee ranges based on direct costs		
Minimum	$105	/ hourly-per month
Maximum	$144	/ hourly-per month
Summer Camp (Full Day) 7am-6pm*		
*Fee ranges based on direct costs		
Minimum	$140	/ week
Maximum	$192	/ week
Summer Camp Extended Care Fees (7am-9am, 3pm-	$35	/ week
Summer Camp 9am-3pm ONLY*	$150	/ week
*Fee ranges based on direct costs		
Summer Camp (Half Day)		
9am-12pm or 1pm-4pm*		
*Fee ranges based on direct costs		
Minimum	$65	/ week
Maximum	$90	/ week
SENIORS		
Senior Health & Wellness		
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	$44/Non-Res	$40/Res
Senior Arts & Music		
Senior Idol	$0	/ class
Wood Carving	$0	/ class
Arts & Craft Class	$0	/ class
Arts & Craft Project	**$5 min/$10 max**	/ project
	~~**$5**~~	
Painting	$0	/ class

Legend:

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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
SENIORS, Senior Health and Wellness, Continued			TMC §3.36.010
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	
Senior Recreation			
Tea Social	$0	/ class	
Bingo	$0	/ class	
Social Recreation Programs	$0	/ class	
Table Games	$0	/ class	
Senior Special Events			
Minimum	$5	/ event	
Maximum	$20	/ event	
Booth for Special Events	**$25/non profit; $50 for profit per event**		
	~~$25~~		
St. Patty's Day & Oktoberfest Lunch	$5	/ person	
Dances	$5	/ person	
Fashion Show	$0	/ class	
SNAP Friday Night Dance	$0	/ class	
20 Visit Drop-In Activities Card	$20	/ card	
Senior Trips			
~~Golden Agers~~ Bus Trips	$33/Non-Res	$30/Res	
Senior Social Services			
Lunch Program	$0	/ month	
AARP Programs	$0	/ month	
Other Services	$0	/ month	
Clubs	$0	/ month	
ATHLETICS			
Adult Sports			
Adult Slow Pitch Leagues*			
Minimum	$280	/ team	
Maximum	$520	/ team	
*League fees pending format, number of games & srvcs			
Adult/Youth Fast Pitch Leagues*			
Minimum	$450	/ team	
Maximum	$600	/ team	
*League fees pending format, number of games & srvcs			
Adult/Youth Softball Tournament*			
Minimum	$250	/ team	
Maximum	$500	/ team	
*Tournaments vary based on type of tournament and awards provided			

Legend:

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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
ATHLETICS			TMC §3.36.010
Adult Sports, Continued			
Adult Softball Protest Fee	$25	/ per protest	
Adult Flag Football League			
Minimum	$400	/ team	
Maximum	$600	/ team	
*League fees pending format, number of games & services			
Adult Kick Ball League [1]			
Minimum	**$275**	**/ team**	
Maximum	**$400**	**/ team**	
[1] **League Fees pending format, number of games & services.**			
Youth Sports			
Youth Basketball League (Youth Hoops)	Per Non-Res Player	Per Res Player	
Minimum	$75	$75	
Maximum	$85	$80	
Jr. Giants Youth Baseball (Free Program)	$0	$0	
Youth Sports Camps	Per Non-Res Player	Per Res Player	
Minimum	$60	$60	
Maximum	$88	$80	
Flag Football League	Per Non-Res Player	Per Res Player	
Minimum	$75	$75	
Maximum	$99	$90	
AQUATICS			
General Recreation Swim			
Individual Entrance Fee	$2	/ person	
10-Visit Pass	$25	/ pass	
Swim Lessons			
Parent/Tot	$55	/ parent/tot	
Learn To Swim*			
Minimum	$29/Non-Res	$26/Res/team	
Maximum	$66/Non-Res	$60/Res	2 week session
*Fees vary based on number of instruction days			
Water Aerobics			
Drop-In	$4	/ person	
10-Visit Pass	$30	/ pass	
Lap Swimming			
Individual Entrance Fee	$3	/ person	
10-Visit Pass	$25	/ pass	

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SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
Other Classes/Programs				
Introduction to Lifesaving	$60/Non-Res	$55/Res	~~2 week session~~	
Swim Camp	$80/Non-Res	$75/Res	~~2 week session~~	
Diving	$60/Non-Res	$55/Res	~~2 week session~~	
Basic Water Polo	$60/Non-Res	$55/Res	~~2 week session~~	
Lifeguard Training	$253/Non-Res	$230/Res	~~1 week session~~	
Private Swim Lesson (one ½-hour session)	$105/Non-Res	$100/Res	~~2 week session~~	
Discover SCUBA	$18/Non-Res	$15/Res		
SPECIAL EVENTS				**TMC §3.36.010**
Event Ticket				
Minimum	$18	/ person		
Maximum	**$40**	/ person	**~~$30~~**	
Event Booth Fee				
Minimum	$25	/ booth		
Maximum	**$150**	/ booth	**~~$75~~**	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2013-086 ~~2011-101~~ 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.

Legend:

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DEVELOPMENT SERVICES DEPARMENT

Note: The DS Department fees in this Schedule do not include:

- *development impact fees adopted under the Mitigation Fee Act;*
- *mitigation fees (ie habitat mitigation, agricultural mitigation fees);*
- *fees adopted by separate agreement with a developer.*

Development 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

Note: Whenever called for, employee hourly rates are based on the particular employee position, salary, benefits & overhead.

Building Safety

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Building Permit Fee (Based upon project value, as determined by building valuation data table, with regional modifiers, as most recently published in the "Building Safety Journal".) **Electrical Permit** **Mechanical Permit** **Plumbing Permit**	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 & Table 3A-D. TMC §9.02.030, 9.08.080, CFR Title 24
Investigation Fee (when work was begun without permit)	Equal to amount of permit fee, in addition to permit	1997 UAC §304.5.2
Title 24 Energy Inspection (including Photovoltaic Systems)	**Employee hourly rates**	GC §66014, CFR Title 24
Strong Motion Instrumentation Tax (SMI)		PRC §2705
Group R (Resid). occupancies, one to three stories in height except for hotels and motels:	**Valuation multiplied by $0.0001 = Fee (minimum $0.50)**	
All other buildings (commercial):	**Valuation multiplied by $0.00022 = Fee (minimum $0.50)**	
~~**(CA State fee forwarded quarterly)**~~ ~~**Residential, for first $7,215 in value, plus**~~ ~~**for each additional $1,000 or portion thereof.**~~ ~~**Commercial, for first $7,215 in value, plus**~~ ~~**for each additional $1,000 or portion thereof.**~~	~~**$0.52 / $7,215 plus**~~ ~~**$0.07 /$1000**~~ ~~**$1.03 / $7,215 plus**~~ ~~**$0.15 /$1000**~~	
Elevator Permit	**$96** plus **$2** ~~**$94**~~ ~~**$1.73**~~	
Elevator, escalator or moving walk	for each $1,000 or fraction over $40,000	
Commercial dumbwaiter	**$27** plus **$2** ~~**$1.69**~~	
	for each $1,000 or fraction over $10,000	
Electrical Meter Re-Set (City safety inspection before PG&E turns on utilities.)	**$58** ~~**$57**~~	GC §66014
Bldg./Moving or Oversized Load-Initial insp. fee	**$108** ~~**$105**~~	TMC §9.32.040
Expedited Plan Check and Inspection Fees	Employee hourly rates	TMC §3.36.010

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Micro-Imaging Fees:		~~Reso. 2005-161~~
[1](+ 2% of invoice total for pick-up and delivery):		**Reso. 2013-086**
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	$0.08 each +2%[1] ~~0.07~~	
▪ anything larger than 11" x 17", black & white or gray scale document with a two field index	$0.81 each +2%[1]	
▪ 11" x 17" and smaller, color document, with a two-field index	**$0.14** each +2%[1] ~~$0.13~~	
▪ 18" x 24" color document, with a two-field index	**$0.49** each +2%[1] ~~$0.47~~	
▪ 24" x 36" color document, with a two field index	**$1** each +2%[1] ~~$1.37~~	
Sign Permit	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 and CFC 113
Annual Operational Fire Permit and Inspection		**CFC ~~105.6~~ 113**
Permit fee	**$103 /Permit** ~~$100~~	
Inspection fee:	plus:	
Type A: amusement buildings; Christmas tree lots; exhibits & trade shows; open burning; pyroxylin plastics; rooftop heliports; haunted houses & corn mazes; pumpkin patches.	Employee Hourly Rate	
Type B: open candles, flames & torches.	**$43** ~~$42~~	
Type C: covered mall buildings; fire hydrants & valves; liquid or gas-fueled vehicles or equipment in assembly buildings; private fire hydrants.	**$59** ~~$58~~	
Type D: aviation facilities; cellulose nitrate film; cutting & welding; hot work operations; magnesium; temporary membrane structures, tents & canopies.	**$87** ~~$84~~	

Legend:

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Type E: aerosol products; carnivals & fairs; combustible fibers; compressed gasses; dry cleaning plants; fruit & crop ripening; industrial ovens; miscellaneous combustible storage; wood products; floor finishing.	**$119** ~~**$116**~~	**CFC 113**
Type F: above/below ground fuel storage tank installation, per tank; combustible dust-producing operations; cryogenic fluids; flammable & combustible liquids; LP-gas; organic coatings; places of assembly; repair garages & motor fuel-dispensing facilities; spraying or dipping; storage of scrap tires & tire byproducts; tire-rebuilding plants; fumigation & thermal insecticidal fogging.	**$178** ~~**$174**~~	
Type G: above/below ground fuel tank removal, per tank; lumber yards & woodworking plants; refrigeration equipment; production facilities; live audiences.	**$265** ~~**$258**~~	
Type H: explosives; hazardous materials; hazardous production material facilities; pyrotechnic/special effects displays; waste handling facilities.	**$357** ~~**$348**~~	
Type I: high-piled storage.	**$530** ~~**$517**~~	
Construction Fire Permit, Including Plan Check, Review and Inspection		CFC 105.7
Fire sprinkler plan check		
$0 - $5,000	**$87** ~~**$84**~~	
$5,001 - $20,000	**$260** ~~**$253**~~	
$20,001 +	Fee will be based on employee hourly rate	
Fire sprinkler inspection		
$0 - $5,000	**$265** ~~**$258**~~	
$5,001 - $20,000	**$492** ~~**$480**~~	
$20,001 +	Fee will be based on employee hourly rate	
Alarm plan check		
$0 - 20,000	**$357** ~~**$348**~~	
$20,001 +	Fee will be based on employee hourly rate	
Alarm inspection		
$0 - $20,000	**$178** ~~**$174**~~	
$20,001+	Fee will be based on employee hourly rate	
Hood and duct		
Plan check	**$43** /applic. ~~**$42**~~	
Inspection	**$135** /applic. ~~**$132**~~	

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SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
State Mandated Occupancy Inspection				Title 19, CCR H & S Section 13235
Pre-inspection request:				
25 or less	**$54**	~~$52~~		
26 or more	**$108**	~~$105~~		
Day care, 14 or fewer	**$135**	~~$132~~		
Day care, more than 14, or Convalescent Home	**$305**	~~$297~~		
Hydrant System Flow Testing				
Testing	**$343**	/ test	~~$335~~	
Witnessing	**$119**	/ test	~~$116~~	
Fire Reinspection	**Fee will be based on employee hourly rate**			**Ordin. 1192, Section 106.2.3**

Latest Fee Study or Staff Report Explanation:

Building:

- City Council Resolution No. ~~2011-101~~ **2013-086** and accompanying staff report.
- ~~**Resolution No. 2003-267 .**~~
- 1997 Uniform Administrative Code adopted by TMC §9.02.030.

Fire Safety:

- **City Council Resolution No. ~~2011-101~~ 2013-086 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 Services Department
Code Enforcement Division

Department Contact: William Dean, Assistant Director of Development Services Department
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.

Development Services Department
Economic Development Division

Department Contact: Amie Mendes, Analyst

The Economic Development Division has no fees.

established in the Tracy Municipal Code under the following chapters:

Development Services Department
Engineering Division

Department Contact: **Victoria Dion~~, Kuldeep Sharma, City Engineer~~**
Cris Mina, Senior Civil Engineer

SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
AGREEMENT PROCESSING FEE	**$6,607**	/ agmt		
Inspection improvement agreement	**~~$6,442~~**	/ agmt		
Subdivision improvement agreement				
Deferred improvement agreement				
Off-site improvement agreement				
Park improvement and reimbursement agreement				
GRADING				TMC §12.12.070
Grading plan check (base amount)	**~~$2,524~~**	**$2,589**		
0-10,000 cubic yards (CY)	Base amt.			
10,001-100,000 CY	Base amt. plus	**$137**	/10,000 CY	
		~~$134~~		
100,001-200,000 CY	Base amt. plus	**$117**	/10,000 CY	
		~~$114~~		
200,000 + CY Additional	Base amt. plus	**$91**	/10,000 CY	
		~~$89~~	/10,000 CY	
Grading permit and inspection				TMC §12.12.070
5 or fewer lots (residential or commercial)	**~~$1,427~~**	**$1,463**		
Subdivisions (5 or more lots)	**~~$3,605~~**	**$3,697**		
Additional plan review required by multiple	Hourly personnel costs	**$103**		
changes, additions, revisions after initial	Hourly personnel costs	**$103**	/hour	
review completed.	Hourly personnel costs	**~~$100~~**	/hour	
SUBDIVISIONS				
Tentative subdivision map		(See Planning)		TMC §12.12.070; 12.16.060
Vesting tentative subdivision map		(See Planning)		TMC §12.28.050
Final Parcel Map Review	**~~$2,337~~**	**$2,397**		
Final Subdivision Map Review	**~~$1,895~~**	**$1,943**		TMC §12.12.070
Map amendment review	**~~$1,164~~**	**$1,194**		
Certificate of correction	**~~$3,554~~**	**$3,645**		TMC §12.28.050
Certificate of compliance – lot line adjustment	**~~$2,781~~**	**$2,852**		TMC §12.04.080

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SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
PUBLIC IMPROVEMENTS				
Inspection improvement agreement (SIA, DIA, OIA, PIRA, any amendment)	~~$6,442~~	$6,607		
Plan check (% of improvement constr cost)	5.78%			
Inspection (% of improvement constr cost)	3.50%			
As-builts, review after construction	~~$31~~	$32		
Micro-Imaging Fees				~~Reso 2005-161~~
[1](+ 2% of invoice total for pick-up and delivery):				Reso. 2013-086
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	$0.07	each	+2%[1]	
▪ anything larger than 11" x 17", black and white or gray scale document with a two field index	$0.81 ~~$0.79~~	each	+2%[1]	
▪ 11" x 17" and smaller, color document with a two-field index	$0.14 ~~$0.13~~	each	+2%[1]	
▪ 18" x 24" color document, with a two-field index	$0.49 ~~0.47~~	each	+2%[1]	
▪ 24" x 36" color document, with a two field index	$1 ~~$1.37~~	each	+2%[1]	
SEGREGATON OF ASSESSMEMT (Within any assessment districts)	$42 ~~$41~~	/ lot		
RECORD OF SURVEY	$313	~~$305~~		
STREET/EASEMENT ABANDONMENT	$1,521	~~$1,483~~		
ENCROACHMENT PERMIT	$370 ~~$361~~	plus $16 / Sq Ft or $53 / hr ~~plus $15 / Sq Ft or $50 / hr~~		TMC §7.04.020
Sidewalks, plus whichever is less	$58 ~~$57~~	plus $16 / Sq Ft or $53 / hr ~~plus $15 / Sq Ft or $50 / hr~~		
Driveways, Curbs, plus whichever is less	$58 ~~$57~~	plus $53 / hr ~~plus $50 / hr~~		
Trees, Utility Boxes/per hour	$58 ~~$57~~			
(1 hour minimum)	~~/ permit plus $85 / hr~~	/ permit plus $89 / hr		
Miscellaneous Encroachment Permit, plus hourly rate for inspection and engineering review.	$116	~~$113~~		
OVERSIZE LOAD PERMIT				
Single Permit	$116	~~$16~~		
Annual or Blanket Permit (fix route)	$95	~~$93~~		
BUILDING MOVING OR OVERSIZED LOAD	$604			TMC §9.32.040
Permit fee	~~$589~~			
Other	Hourly rate for City personnel			

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SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
REPRODUCTION, MAP AND DOCUMENT SALES:				**Reso. 2013-086**
Standard Plans, Standard Specs, and Design Standards	**$16**		~~$15~~	
Parks Manual	**$81**		~~$77~~	
Storm Drainage Master Plans	**$22**		~~$21~~	
Subdivision Maps	$5			
Reproduction Fees	**$2**	/ sheet	~~$1.55~~	
CONSTRUCTION WATER METERS				~~Reso. 2008-063 & 93-130~~
Deposit for use of City-owned meter	**$793**	~~$773~~		
Service reinstatement fee	**$53**	~~$52~~		
Winter rates per ccf (Nov - Apr)				
(100 cubic feet or 748 gal)				
0 - 12 ccf; 13 - 19 ccf;	**$1; $2**	~~$1.03; $1.49~~		
20 - 191 ccf; 192+ ccf	**$2; $2**	~~$1.70; $1.85~~		
Summer rates per ccf (May - Oct)				
0 - 18 ccf; 19 - 29 ccf	**$1; $2**	~~$1.03; $1.49~~		
30 - 287 ccf; 288+ ccf	**$2; $2**	~~$1.70; $1.85~~		
Monthly service charge	**$10**	/ day + 15% adm fee plus:		
(Meter code and size)				
LL (LIRA) – 1"	**$9**	~~$8.96~~		
WL (LIRA) – varies	$0	$0		
W1 - 5/8" or ¾"	**$12**	~~$12.05~~		
W2 – 1"	**$22**	~~$21.01~~		
W3 – 1 ½"	**$49**	~~$48.05~~		
W4 – 2"	**$87**	~~$85.23~~		
W5 – 3"	**$197**	~~$191.84~~		
W6 – 4"	**$350**	~~$341.19~~		
W7 – 6"	**$787**	~~$767.61~~		
W8 – 8"	**$1,400**	~~$1,364.80~~		
W9 – 10"	**$2,187**	~~$2,132.51~~		
NEW ADDRESS MAPPING FEES				~~Reso. 99-094~~
Single-family	**$68**	/ lot	~~$66~~	~~Reso. 2002-176~~
Multi-family projects, plus dwelling unit cost	**$68**	/ lot plus	~~$66~~	
In buildings with 5 or more units	**$34**	/ dwelling unit	~~$33~~	

Latest Fee Study or Staff Report Explanation:

- **City Council Resolution No. ~~2011-101~~ 2013-086 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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DevelopmentServices Department
Planning Division

Department Contact: William Dean, Assistant Director of Development 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
PLANNING DIVISION APPLICATION PROCESSING FEES			Generally, TMC §10.08.4150; 12.12.070
Adult Business Use Permit	Cost Recovery Agreement		TMC §10.28.808
Annexation	**$11,358**	**~~$11,075~~**	TMC §10.08.4150
Appeal to City Council ●	**$299**	**~~$291~~**	TMC §10.08.4150
Appeal to Planning Commission ●	**$299**	**~~$291~~**	TMC §10.08.4150
Conditional Use Permit [a]			TMC §10.08.4270(h)
class A	**$5,733**	**~~$5,590~~**	
class B	**$3,651**	**~~$3,559~~**	
Conditional Use Permit (Non-Profit Organizations)			TMC §10.08.4270(h)
class A	**$591**	**~~$559~~**	
class B	**$379**	**~~$358~~**	
Development Review [b]			TMC §10.08.4150
class A	**$4,234**	**~~$4,008~~**	
class B	**$3,008**	**~~$2,848~~**	

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	**FAC - CA Food & Agriculture Code**	

SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
ENVIRONMENTAL				CEQA Guidelines §15045 (14 CCR 15045)
Environmental Assessment (charged for all projects not requiring a	~~$105~~	$108		
Environmental Initial Study / Negative Declaration	~~$1,498~~	$1,536		
Environment Impact Report	Cost Recovery Agreement			
General Plan Amendment	Cost Recovery Agreement			TMC §10.08.4150
Lot Line Adjustment	~~$430~~	$441		TMC §12.04.080; 12.12.070
Micro-Imaging Fees				~~Reso. 2005-161~~ Reso. 2013-086
[1](+ 2% of invoice total for pick-up and delivery):	each	each		
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index		$0.08 ~~0.07~~	+2%[1]	
▪ anything larger than 11" x 17", black and white or gray scale document with a two field index	~~$0.79~~	$0.81	+2%[1]	
▪ 11" x 17" and smaller, color document, with a two-field index	~~$0.13~~	$0.14	+2%[1]	
▪ 18" x 24" color document, with a two-field index	~~$0.47~~	$0.48	+2%[1]	
▪ 24" x 36" color document, with a two field index	~~$1.37~~	$1	+2%[1]	
Noise Ordinance Variation	~~$4,320~~	$4,327		TMC §4.12.780(B)(4)
Planned Unit Development	~~$8,280~~	$8,491		TMC §10.08.4150
Planned Unit Development Amendment	~~$4,746~~	$4,868		
Planning Commission Determination	~~$1,060~~	$1,087		TMC §10.08.4150
Residential Growth Allotment ●	~~$1,760~~	$1,805		TMC §10.12.070(c); GMO Guidelines §2 G
Sign Permit ●				TMC §10.08.4150
Master Sign Program	~~$1,067~~	$1,095		
Individual Sign Complying w/MSP	~~$79~~	$81		
All other signs	~~$481~~	$493		
Specific Plan	Cost Recovery Agreement			TMC §10.20.040(c)(1); 10.20.080
Specific Plan Amendment	~~$5,379~~	$5,517		

Legend:

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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
Temporary Use Permit ●	~~$76~~	**$78**	TMC §10.08.4240; 10.08.4150
Tentative Map			TMC §12.12.070
Parcel map	~~$7,699~~	**$7,896**	
5 – 100 lots	~~$10,547~~	**$10,817**	
100 & over lots	~~$16,454~~	**$16,874**	
Time Extension ●	~~$443~~	**$454**	TMC §12.12.070 for Subd
Variance	~~$709~~	**$727**	TMC §10.08.3630; 10.08.4150
Zoning			TMC §10.08.4150
Zone Change	~~$6,417~~	**$2,758**	
Zone Text Amendment	~~$2,637~~	**$2,704**	
Zoning Research Letter ●	~~$84~~	**$87**	

[a] **Conditional Use Permit -** Classification by type of project:

	Residential	Commercial	Industrial
Class A:	4+ lots	+3,000 Sq Ft or 4+ lots	+10,000 Sq Ft or 4+ lots
Class B:	1-3 lots	-3,000 Sq Ft or 1-3 lots	-10,000 Sq Ft or 1-2 lots

[b] **Development Review Permit -** Classification by type of project:

	Residential	Commercial	Industrial
Class A:	4+ units	+3,000 Sq Ft	+10,000 Sq Ft
Class B:	1-3 units	-3,000 Sq. Ft.	-10,000 Sq Ft

Latest Fee Study or Staff Report Explanation:

- **City Council Resolution No.~~ 2011-101~~ 2013-086 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.

Legend:

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FIRE DEPARTMENT

Fire Department

Department Contact: David Bramell, Division Chief

Note: The South County Fire authority has adopted separate fees for areas under its jurisdiction.

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Illegal Burn Response	**$119** /hr/ engine, with ½ hr min ~~**$113**~~	TMC §3.36.010; CFC
Hazardous Materials Clean-Up	Actual costs for all responding personnel	
Special Event Fire Protection (Stand-by)	Actual costs for all responding personnel	
Weed Abatement	Contract cost + 25% overhead charge	
Fireworks Sales Permit Fee (Including initial stand inspection, safety seminar, and lottery processing.)	**$243** ~~**$238**~~	TMC §3.04.040(a)
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.)	Actual costs for fire	TMC §3.04.020

Latest Fee Study or Staff Report Explanation:

- **City Council Resolution No. ~~2011-101~~ 2013-086 and accompanying staff report.**
- 2003 Cost of Services Study Update, prepared by Finance Dept. (City Council Resolution No. 2003-059. See also February 18, 2003 staff report).
- 1998 Cost of Service Study, prepared by MSI.

Legend:

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POLICE DEPARTMENT

Police Department

Department Contact: Lani Smith, Support Operations Manager

SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
Alarm Permit; False Alarms				
Alarm user permit	$22			TMC §3.40.060
False alarm costs:				
4th response	**$32**			TMC §3.40.150
5th response	**$59**	~~$58~~		
6th response	**$76**	~~$74~~		
7th response	**$87**	~~$84~~		
(plus penalties)				TMC Ch. 1.28
Animal Services				TMC §3.36.010
Animal adoption, plus veterinary services	$5			TMC §5.08.130(L)
Animal bite	$32			
Board and care (daily):				
for impounded dogs	**$16**	~~$15~~		
for impounded cats	**$13**	~~$12~~		
Cat carrier	**$5**			TMC §5.08.130
Cat neuter	**$54**	~~$53~~		
Cat spay	**$97**	~~$95~~		
Collar identification	**$2**	~~$24~~		
Dog neuter	**$108**	~~$105~~		TMC §5.08.130
Dog spay	**$162**	~~$159~~		
Impound: 1	**$22**			TMC §5.08.130; 5.08.240
Impound: 2	**$32**			
Impound: 3+	**$43**	~~$42~~		
*Impound, additional state fee for unaltered, at large, animals: 1st; 2nd; 3rd	$35; $50 $100			FAC 30804.7
License fee: unaltered dogs	**$54** /yr		~~$53~~	TMC §5.08.130
License fee: altered dogs	**$11** /yr		~~$10~~	
License fee: replacement for lost	$5			
License fee: late	$22			
Low cost spay/neuter voucher	$22			
Multiple pet permit application	$27			TMC §5.08.420
Owner surrender:				TMC §5.08.170; 5.08.180; 5.08.240
Live animal	$49		~~$47~~	
Deceased animal (not at shelter)	$22			
Rabies vaccination voucher	$17		~~$16~~	TMC §5.08.130
Vaccination	$5			TMC §5.08.130
Veterinary costs	At Cost			

Legend:

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SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
BICYCLES				
License and registration	$6	/3 years		TMC §3.20.060
Renewal	$3	/3 years		TMC §3.20.070
BINGO				
License	**$54**		~~$53~~	TMC §4.24.050
Renewal	**$11**		~~$10~~	
CARD ROOMS				TMC §4.04.030
License and renewal	$27			TMC §4.04.050
Dealer/work permit	**$65**	plus	~~$63~~	TMC §4.04.070
Department of Justice Fee	$32	*		
CITATION SIGN-OFF FOR AGENCIES OUTSIDE THE CITY	**$16**		~~$15~~	TMC §3.36.010 ~~GC §2.67.461~~ **GC 26746.1**
CLEARANCE LETTER (for immigration or other clearance plus fingerprint fees)	**$16**		~~$15~~	TMC §3.36.010
CONCEALED WEAPONS				
Permit	$100	*		PC 26150; 26190
	(20% at application; 80% at permit issuance)			
Department of Justice Processing Fee - Payable to DOJ	$52	*		
Department of Justice Live Scan Fee	$95	*		
Renewal	**$26**	~~$25~~		
Department of Justice Fee - Payable to DOJ	$52	*		
Amended License	**$10**			
CRIME REPORT COPY	$0.15	/page		TMC §3.36.010
	$0.15	/page bulletin entries		
	$10.00	/report + .15 /page after 25th		
Traffic collision report (for other than victim)				VC 20012
DOJ, FBI AND FINGERPRINT				
				PC 11105
DOJ and FBI fee *	$32-$100	*		TMC §3.36.010
Fingerprint (City's rolling fee) *	$20	/ request		PC 26150
DUI				GC §53150 - 53159; CVC 20012
Accident response and investigation	Actual personnel cost, up	*		
Arrest and report	Actual personnel cost, up to $1,000		*	
Firearms Sales Permit	**$32**	plus	~~$31~~	PC 12071(a)(F)(7)
Department of Justice fee	$32	*		
Massage Establishment				
New	**$81**	plus	~~$77~~	TMC §4.20.060
Department of Justice fee	$32	*		
Renewal	**$27**		~~$26~~	TMC §4.20.040
Transfer of permit	**$81**		~~$77~~	TMC §4.20.110
Change of location	**$27**		~~$26~~	TMC §4.20.130

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SERVICE OR APPLICATION	CURRENT FEE				LEGAL AUTHORITY
Massage Permit				**DOJ Fee**	
New	**$28**	**~~$26~~**	plus	$32*	TMC §4.20.180
Renewal	**$28**	**~~$26~~**	plus	$32*	TMC §4.20.160
(Plus fingerprint fees)					DOJ, PC 11105
Registration by state certificate holder	$0				TMC §4.20.155
Palmistry License Fee					
New	**$595**		**~~$581~~**		TMC §4.12.190
Renewal	**$379**		**~~$370~~**		TMC §4.12.109
Police Photo (reproduction)	$0.31	/photo			TMC §3.36.010
Plus traffic photo processing fee to insurance company	**$45** **~~$44~~**	plus	$0.30	/photo	VC 20012
Police Special Services (for school and other semi-public special events)	Actual personnel costs				GC §6257
RESPOSSESSION RELEASE	**$16**	/ vehicle	**~~$15~~**		VC 9255 (3)
SECOND-HAND DEALER/PAWN BROKER					
New or Renewal (Check payable to DOJ)	**$308**		**~~$300~~**		BP 21642.5
Department of Justice Livescan (for new permits)	**$33**		**~~$32~~**		PC 11105
Solicitor Permit	**$16**		**~~$15~~**		TMC §4.12.210; 3.36.010
Taxi Driver				**DOJ Fee**	
Permit	**$119**	**~~$113~~**	plus	$32*	TMC §3.16.030
Renewal	**$87**	**~~$82~~**			TMC §3.16.040
Background investigation	**$11**	**~~$10~~**			TMC §3.16.150
(City fingerprint fee)					
Tow Truck Driver/Attendant				**DOJ Fee**	TMC §3.44.140
Permit	**$65**	**~~$62~~**	plus	$32*	
Renewal	**$32**	**~~$31~~**			
Vehicle Release	**$117**	/ vehicle	**~~$114~~**		VC 22850.5(a)
VIN Verification	**$22**	/ request			TMC §3.36.010
Storage of Firearms	**$55**	/ firearm, plus	**~~$54~~**		TMC §3.52.050
(per domestic violence protective order)	**$2**	/ day			PC 12021.3(j)

Latest Fee Study or Staff Report Explanation:

- **City Council Resolution No. ~~2011-101~~ 2013-086 and accompanying staff report.**
- City Council Resolution No. 2013-047 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

Public Works Department
Administration, Community Facilities, Maintenance, and Operations Divisions

Department Contact: **~~Rod Buchanan, Interim Director~~ David Ferguson**

Note: This Master Fee Schedule does not include all fees, and excludes the following:

- enterprise fund charges (water, sewer, storm water, airport, and 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);
- fines (imposed as penalties);
- rates established by separate agreements.
- rates established by landscape maintenance districts

Public Works Department
Community Facilities Division

Division Contact: ~~Vanessa Carrera,~~ **Brian MacDonald, Management Analyst II**

SERVICE OR APPLICATION	CURRENT FEE				LEGAL AUTHORITY
COMMUNITY CENTER RENTALS **Main Hall (5,300 Sq Ft)** **Week Day Only (4 hour minimum)**					TMC §3.36.010
Non-Profit Classification		**$36**	/hour	**~~$35~~**	
Private Classification		**$61**	/hour	**~~$59~~**	
Commercial Classification		**$86**	/hour	**~~$84~~**	
Conference Room A or B (250 Sq Ft) **Week Day Only (2 hour minimum)**					
Non-Profit Classification		$7	/hour		
Private Classification		$11	/hour		
Commercial Classification		$15	/hour		
Entire Facility (6,200 Sq Ft) **(4 hour minimum)**	Week Day/ Hour		Week End/ Hour		
Non-Profit Classification	**~~$40~~ $41**		**$61**	**~~$59~~**	
Private Classification	**~~$69~~ $70**		**$104**	**~~$101~~**	
Commercial Classification	**~~$97~~ $100**		**$148**	**~~$144~~**	
Deposits **An additional $400 Deposit is required for all activities where alcohol is sold**					
Main Hall	**~~$400~~**	**$410**	/ rental		
Conference Room A or B	**~~$200~~**	**$205**	/ rental		
Entire Facility	**~~$400~~**	**$410**	/ rental		
TRACY SPORTS COMPLEX MEETING ROOM RENTAL **TSC Meeting Room (700 Sq Ft)** **Week Day & Week End (2 hour minimum)**					
Non-Profit Classification		**$14**	/hour		
Private Classification	**~~$25~~**	**$26**	/hour		
Commercial Classification	**~~$35~~**	**$36**	/hour		
Deposits **An additional $200 Deposit is required for all activities where alcohol is sold**					
Meeting Room	**~~$200~~**	**$205**	/ rental		
BANNER INSTALLATION AND REMOVAL **For Each Over-the-Street Banner Location**	**$200**	**/banner**	**$200**		**TMC Article 35, 10.08.4465**
[1] **For Each Street Light Banner Zone**	**$4,000.00**	**Zone 1**	**$4,000**		**Resolution 2010-025**
	$1,000.00	**Zone 2**	**$1,000**		
	$1,000.00	**Zone 3**	**$1,000**		

[1] **Zone 1: Eleventh Street between Lammers Road and Corral Hollow Road**
Zone 2: Tenth Street between A Street and East Street
Zone 3: Central Avenue between Eleventh Street and Sixth Street

Legend:

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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
TRACY TRANSIT STATION			TMC §3.36.010
Room 103 or 104 (590 Sq Ft)			**Reso. 2013-086**
(2 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$18	**$28** ~~**$27**~~	
Private Classification	~~**$32**~~ **$33**	**$48** ~~**$47**~~	
Commercial Classification	~~**$45**~~ **$46**	**$70** ~~**$68**~~	
Rooms 103-104 Combined (1,180 sf)			
(2 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	~~**$36**~~ **$37**	**$55** ~~**$54**~~	
Private Classification	~~**$63**~~ **$65**	**$97** ~~**$95**~~	
Commercial Classification	~~**$90**~~ **$92**	**$138** ~~**$135**~~	
Room 105 (913 Sq Ft)			
(2 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	~~**$28**~~ **$29**	**$43** ~~**$42**~~	
Private Classification	~~**$49**~~ **$50**	**$76** ~~**$74**~~	
Commercial Classification	~~**$70**~~ **$72**	**$108** ~~**$105**~~	
Lobby or Patio (1,762 Sq Ft)			
(2 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	~~**$18**~~ **$18**	**$28** ~~**$27**~~	
Private Classification	~~**$32**~~ **$33**	**$48** ~~**$47**~~	
Commercial Classification	~~**$45**~~ **$46**	**$70** ~~**$68**~~	
Entire Facility (4,445 Sq Ft)			
(4 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	~~**$82**~~ **$84**	**$126** ~~**$123**~~	
Private Classification	~~**$144**~~ **$148**	**$222** ~~**$216**~~	
Commercial Classification	~~**$205**~~ **$210**	**$316** ~~**$308**~~	
Deposits			
An additional $400 Deposit is required for all activities where alcohol is sold			
All Rooms	**$200**	per rental	
TRACY CIVIC CENTER RENTAL			
Council Chambers (3,500 Sq Ft)			
(4 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	~~**$20**~~ **$21**	**$36** ~~**$35**~~	
Private Classification	~~**$56**~~ **$57**	**$86** ~~**$84**~~	
Commercial Classification	~~**$80**~~ **$82**	**$123** ~~**$120**~~	
Conference Room #109 (500 Sq Ft)			
(2 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	~~**$15**~~ **$15**	**$24** ~~**$23**~~	
Private Classification	~~**$26**~~ **$27**	**$40** ~~**$39**~~	
Commercial Classification	~~**$38**~~ **$39**	**$57** ~~**$56**~~	

Legend:

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SERVICE OR APPLICATION					LEGAL AUTHORITY
					TMC §3.36.010
Conference Room #203 (825 sf)					**Reso. 2013-086**
(2 hour minimum)	Week Day/Hour		Week End/Hour		
Non-Profit Classification	~~$25~~	$26	$39	~~$38~~	
Private Classification	~~$44~~	$45	$68	~~$66~~	
Commercial Classification	~~$63~~	$65	$96	~~$94~~	
Lobby and Both Conference Rooms					
(4 hour minimum)	Week Day/Hour		Week End/Hour		
Non-Profit Classification	~~$40~~	$41	$42	~~$60~~	
Private Classification	~~$70~~	$72	$74	~~$105~~	
Commercial Classification	~~$100~~	$103	$154	~~$150~~	
Special Events in Civic Center Park					
(May through October)					
Full Service Event Coordination		$1,538	~~$1,500~~		
Deposit					
An additional $400 Deposit is required for all activities where alcohol is sold					
Rental Deposit		$410	/ rental	~~400~~	
PARK AND PICNIC AREA RENTAL					
Park/Picnic ~ 1 to 50 people					
(4 hour minimum)					
Non-Profit Classification		$13	/hour	~~13~~	
Private Classification		$24	/hour	~~23~~	
Commercial Classification		$34	/hour	~~33~~	
Park/Picnic ~ 51 to 100 people					
(4 hour minimum)					
Non-Profit Classification		$19	/hour		
Private Classification		$34	/hour	~~$33~~	
Commercial Classification		$49	/hour	~~$48~~	
Park/Picnic ~ 101 + people					
(4 hour minimum)					
Non-Profit Classification		$26	/hour	~~$25~~	
Private Classification		$45	/hour	~~$44~~	
Commercial Classification		$65	/hour	~~$63~~	
Inflatable Structures Administrative Fee					
All Classifications (new)		$46	/ day / structure		
(applied to all approved "jumpy" requests to accompany a park rental)		~~$45~~			
Non-Profit Org ~ $100 Max		$103	/ rental		
Non-Profit Classification		~~$100~~			

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SERVICE OR APPLICATION	CURRENT FEE					LEGAL AUTHORITY
Deposits	Per Rental					TMC §3.36.010
Less than 50, traditionally activity	$0 / rental					**Reso. 2013-086**
50-100; or less than 5 non-traditional		**$103**	/rental	~~$100~~		
101-200 attendees		**$205**	/rental	~~$200~~		
201-300 attendees		**$308**	/rental	~~$300~~		
301 and above attendees		**$513**	/rental	~~$500~~		
PARKING LOT RENTAL **Locations and Availability at City Discretion** **(10 hour maximum)**						
Base Fee	**$103**	plus:	~~$100, plus:~~			
Use Fee: Non-Profit Classification	Per Parking Space $2					
Private Classification		**$359**	~~$350~~			
Commercial Classification	$5					
MOBILE STAGE RENTAL	Non-Profit Per Rental		Private Per Rental			
"A" Set Up (36' X 14')	**$328**	~~$320~~	**$815**	~~$795~~		
"B" Set Up (36' x 18')	**$513**	~~$500~~	**$2,225**	~~$2,170~~		
"C" Set Up (36' x 22')	**$585**	~~$570~~	**$2,877**	~~$2,805~~		
Deposits						
All Stage Rentals		**$410**	/ rental		~~$400~~	
TENNIS COURT RENTAL						
		Per Hour / Per Court				
Rental	Private	League	Tournament			
Non-Profit Youth Classification	$0	$5	$5			
	$0	$5	$10			
Private Classification	$5	$7	$15			
Commercial Classification	$10	$10	$15			
		Per Hour / Per Court				
Lights Fee	Private	League	Tournament			
Non-Profit Youth Classification	$0	$5	$7			
Non-Profit Adult Classification	$0	$5	$10			
Private Classification	$5	$10	$12			
Commercial Classification	$0	$10	$12			
Deposits						
Tennis Court Rental Deposit		**$51**	/ day / crt	~~$50~~		

Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	**B & P - CA Bus. & Professions Code**
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PRC - CA Public Resources Code	CFC - CA Fire Code	**FAC - CA Food & Agriculture Code**	

SERVICE OR APPLICATION	CURRENT FEE				LEGAL AUTHORITY
WEST HIGH SWIMMING POOL RENTALS Any Size Groups, When Organization Provides Own Lifeguards					TMC §3.36.010 **Reso. 2013-086**
Non-Profit Classification (Half Pool)	**$59**	/hour	~~$58~~		
Non-Profit Classification (Full Pool)	**$113**	/hour	~~$111~~		
Up to 50 People, Includes 2 Lifeguards					
Non-Profit Classification (Half Pool)	**$108**	/hour	~~$105~~		
Private Classification (Half Pool)	**$118**	/hour	~~$115~~		
Commercial Classification (Half Pool)	**$133**	/hour	~~$130~~		
Non-Profit Classification (Full Pool)	**$210**	/hour	~~$205~~		
Private Classification (Full Pool)	**$231**	/hour	~~$225~~		
Commercial Classification (Full Pool)	**$251**	/hour	~~$245~~		
Up to 75 People, Includes 3 Lifeguards					
Non-Profit Classification (Half Pool)	**$123**	/hour	~~$120~~		
Private Classification (Half Pool)	**$133**	/hour	~~$130~~		
Commercial Classification (Half Pool)	**$144**	/hour	~~$140~~		
Non-Profit Classification (Full Pool)	**$241**	/hour	~~$235~~		
Private Classification (Full Pool)	**$262**	/hour	~~$255~~		
Commercial Classification (Full Pool)	**$282**	/hour	~~$275~~		
Up to 100 People, Includes 4 Lifeguards					
Non-Profit Classification (Half Pool)	**$138**	/hour	~~$135~~		
Private Classification (Half Pool)	**$149**	/hour	~~$145~~		
Commercial Classification (Half Pool)	**$159**	/hour	~~$155~~		
Non-Profit Classification (Full Pool)	**$272**	/hour	~~$265~~		
Private Classification (Full Pool)	**$292**	/hour	~~$285~~		
Commercial Classification (Full Pool)	**$313**	/hour	~~$305~~		
100 to 150 People, Includes 5 Lifeguards					
Non-Profit Classification (Half Pool)	**$154**	/hour	~~$150~~		
Private Classification (Half Pool)	**$164**	/hour	~~$160~~		
Commercial Classification (Half Pool)	**$174**	/hour	~~$170~~		
Non-Profit Classification (Full Pool)	**$303**	/hour	~~$295~~		
Private Classification (Full Pool)	**$323**	/hour	~~$315~~		
Commercial Classification (Full Pool)	**$344**	/hour	~~$335~~		

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SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY	
WEST HIGH SWIMMING POOL RENTALS, Continued				TMC	TMC §3.36.010
Over 150 People, Includes 6 Lifeguards				**Reso. 20**	**Reso. 2013-086**
Non-Profit Classification (Half Pool)	**$169**	/hour	~~$165~~		
Private Classification (Half Pool)	**$179**	/hour	~~$175~~		
Commercial Classification (Half Pool)	**$190**	/hour	~~$185~~		
Non-Profit Classification (Full Pool)	**$333**	/hour	~~$325~~		
Private Classification (Full Pool)	**$354**	/hour	~~$345~~		
Commercial Classification (Full Pool)	**$374**	/hour	~~$365~~		
Deposits					
All Classifications, All Group Sizes	**$103**	/ rental	~~$100~~		
Additional WHS Pool Rental Fees					
Restrooms (for non-pool events)	**$41**	/hour	~~$40~~		
Restrooms (for non-pool events)	**$205**	/ day	~~$200~~		
Extra lifeguard (as deemed necessary by staff, based on event)	**$15**	/ hour / lifeguard	~~$15~~		
JOE WILSON COMMUNITY POOL RENTALS Any Size Groups, When Organization Provides Own Lifeguards					
Non-Profit Classification	**$51**	/hour	~~$50~~		
Up to 50 People, Includes 2 Lifeguards					
Non-Profit Classification	**$72**	/hour	~~$70~~		
Private Classification	**$82**	/hour	~~$80~~		
Commercial Classification	**$92**	/hour	~~$90~~		
Up to 75 People, Includes 3 Lifeguards					
Non-Profit Classification	**$87**	/hour	~~$85~~		
Private Classification	**$97**	/hour	~~$95~~		
Commercial Classification	**$108**	/hour	~~$105~~		
Up to 100 People Max, Includes 4 Lifeguards					
Non-Profit Classification	**$103**	/hour	~~$100~~		
Private Classification	**$113**	/hour	~~$110~~		
Commercial Classification	**$123**	/hour	~~$120~~		
Deposits					
All Classifications, All Group Sizes	**$103**	/ rental	~~$100~~		

Legend:

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SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
				TMC §3.36.010
LOLLY HANSEN SENIOR CENTER RENTAL **Multi-Purpose Room (2,225 Sq Ft)** **Week Day & Week End (4 hour minimum)**				**Reso. 2013-086**
Non-Profit Classification	**$13**	/hour		
Private Classification	**$24**	/hour	~~23~~	
Commercial Classification	**$0**	/ hour		
Arts and Crafts Room (675 Sq Ft) **Week Day & Week End (4 hour minimum)**				
Non-Profit Classification	**$5**	/hour		
Private Classification	**$9**	/hour		
Commercial Classification	**$0**	/ hour		
Entire Facility (4, 350 Sq Ft) **Week Day & Week End (4 hour minimum)**				
Non-Profit Classification	**$27**	/ hour	~~26~~	
Private Classification	**$47**	/ hour	~~46~~	
Commercial Classification	**$0**	/ hour		
MOU – Hours Provided to Non-Profits/Gov	**$0**	/ hour		
Deposits **An additional $400 Deposit is required for all activities where alcohol is sold**				
Multi-Purpose Room	**$205**	/ rental	~~200~~	
Arts and Crafts Room	**$205**	/ rental	~~200~~	
Entire Facility	**$205**	/ rental	~~200~~	

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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
SPORT FACILITIES (TBP, TSC, Plasencia Fields, Tiago, Galli, & Bland Ball Fields)			TMC §3.36.010
Hourly Fee ~ League/Individual			**Reso. 2013-086**
Non-Profit Youth Classification	$5 / hour / field		
Non-Profit Adult Classification	$11 / hour / field		
Private Classification	$19 / hour / field		
Commercial Classification	$27 / hour / field	~~$26~~	
Lights Fee ~ League/Individual			
Non-Profit Youth Classification	$7 / hour / field		
Non-Profit Adult Classification	$10 / hour / field		
Private Classification	$12 / hour / field		
Commercial Classification	$18 / hour / field		
Deposit for Baseball/Softball Bases	**$250 /rental**		
Storage Container License	**$0.40 /square foot of ground space**		
Daily Fee ~ Tournaments			
Non-Profit Youth Classification	**$62** / hour / field	~~$60~~	
Non-Profit Adult Classification	**$103** / hour / field	~~$100~~	
Private Classification	**$123** / hour / field	~~$120~~	
Commercial Classification	**$123** / hour / field	~~$120~~	
Lights Fee ~ Tournaments			
Non-Profit Youth Classification	$10 / hour / field		
Non-Profit Adult Classification	$10 / hour / field		
Private Classification	$10 / hour / field		
Commercial Classification	$10 / hour / field		
Staff for Sports Complex Use			
Non-Profit Youth Classification	**$26** / hour / complex	~~$25~~	
Non-Profit Adult Classification	**$26** / hour / complex	~~$25~~	
Private Classification	**$26** / hour / complex	~~$25~~	
Commercial Classification	**$26** / hour / complex	~~$25~~	
Softball Field Preparations			
A Prep – Light Watering	$5 / preparation		
B Prep – Light Watering, Minor Dragging	**$15** / preparation	~~$13~~	
C Prep – Full Field Preparation	**$40** / preparation	~~$40~~	
Use of Temporary Outfield Fencing	**$103** / field	~~$100~~	

Latest Fee Study or Staff Report Explanation:

- **City Council Resolution No. ~~2011-101~~ 2013-086 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.
- (Parks Commission reviewed and supported rates for FY14/15

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Utilities Department

Department Contact: Kuldeep Sharma

Note: This Master Fee Schedule does not include utility fees

Attachment 2
(Proposed Fees for FY14/15)

Think Inside the Triangle™

City of Tracy

Master Fee Schedule

Adopted by City Council Resolution No. 2011-101, May 17, 2011

Amended by Resolution No. 2012-111, June 5, 2012
Amended by Resolution No. 2013-047, April 2, 2013
Amended by Resolution No. 2013-086 June 4, 2013
Amended by Resolution No. _____ April 15, 2014

Effective July 1, 2014

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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 by Department and does not include the following types of fees:

- development impact fees adopted under the Mitigation Fee Act;
- mitigation fees (ie habitat mitigation, agricultural mitigation fees);
- business license fees (taxes);
- enterprise fund charges (water, sewer, storm water, 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 district assessments;
- fines (imposed as penalties);
- leases of City property; and
- rates established by separate agreements (ie Tracy Unified School District).

The Master Fee Schedule will generally be updated annually, and most fees will increase by a cost-of-living adjustment (CPI) rounded to the nearest dollar. The fees which are updated by some other method are indicated as such.

Public services may be classified as community-supported public services, such as police and fire services. These are typically 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.

Property development services (requiring a building permit or land use entitlement) is done at the request, 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.

City Staff whom worked to update this Master Fee Schedule include the following representatives from each Department:

Administrative Services, Finance Division	Anne Bell
Administrative Services, Finance Division	Robert Harmon
City Attorney's Office	Judith Robbins
City Clerk'S Department	Sandra Edwards
City Manager's Department, Cultural Arts Division	Kim Scarlata, Laura Smith
City Manager's Department, Recreation Division	Kim Scarlata, Jolene Jauregui-Correll
City Manager's Department, Theater Division	Kim Scarlata, Laura Johnston
Development Services, Engineering Division	
Development Services, Planning Division	William Dean
Development Services, Building Division	Delores Ohm
Fire Department, Fire Administration Division	David Bramell
Police Department, Support Operations Division	Lani Smith
Public Works Department, Community Facilities Division	Brian MacDonald

ADMINISTRATIVE SERVICES DEPARTMENT

Administrative Services Department
Finance Division

Department Contact: Robert Harmon, Senior Accountant

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Fire Sprinkler Charges		Resolution 2013-086
(Water Access/Availability)		
2" line	$5	
4" line	$11	
6" line	$22	
8" line	$32	
10" line	$43	
12" line	$54	
Returned Check Processing (NSF-Not Sufficient Funds)	$16	Reso. 2003-059
Delinquent Water Turn-off/Turn-on	$38	Reso. 2003-059
Business Licenses:		
• State disability access fee	$1 /application or renewal	GC §4467 TMC6.04.130
• Transfer, assignment or duplication fee	$5 /duplication	TMC6.04.130

Note: Business Licenses:

- Business license fee amounts are established by ordinance, at TMC Chapter 6.04.
- For failure to pay a business tax when due, the Collector shall add a penalty of ten (10%) percent of such business tax on the first day of delinquency and shall add a further penalty of ten (10%) percent of such business tax on the first day of every subsequent calendar month following such first day of delinquency provided the amount of such penalties to be added shall in no event exceed fifty (50%) percent of the business tax due. The penalties provided in this subsection shall be assessed from the date when such deficiency was required to be paid pursuant to 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. 2013-086 and assoicated 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).
- City Council Resolution 95-018 and associated staff report.

Legend:

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Administrative Services Department
Human Resources Division

Division Contact: Midori Dearborn, Senior Human Resources Analyst

There are no Human Resources Division Fees.

Administrative Services Department
Information Technology Division

Division Contact: Matt Engen, Manager

There are no Information Technology Division Fees.

CITY-WIDE FEES

CITY CLERK & CITY MANAGER'S DEPARTMENTS

City-Wide Fees
City Clerk and City Manager's Departments

Department Contacts: Maria Hurtado, Assistant City Manager; Sandra Edwards, City Clerk

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
		TMC §3.36.010
Annual Subscriptions (City Council, Planning Commission)		GC §6253
Agendas	$38 / month $2 / disc / agenda	Reso. 2007-258
Minutes*	$0.15 / page	GC §6253
Appeals		
To City Council	$162	TMC §1.12.020(B)(2)
To City Manager	$162	TMC §1.12.010(D)(2)
By Impartial Hearing Officer	May be shared equally by parties	TMC §1.12.030
Document Certification	$16 / document b	
Photocopies		
Paper Copy *	$0.15 / page	GC §6253
Oversized Copy	At cost	
Maps *	At cost	GC §6253
Duplicating Recording of Public Meeting:		
Video or Audio	At cost	
DVD of Council Meeting	$2	
Notary Fee *	$10	GC §8211
Palmistry License Fee (through Police Dept)		TMC §4.12.190
New	$595	
Renewal	$379	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2013-086 and accompanying staff report.
- Updated Council Policies and Procedures, City Council Resolution No. 2007-258.
- Resolution No. 2003-059 and accompanying staff report.
- 2003 Cost of Services Update, prepared by Finance Department.
  (City Council Resolution No. 2003-059).

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City Manager's Department
Grand Theatre\Cultural Arts Divisions

Division Contact: Division Contacts:
Kim Scarlata, Recreation Program Manager

* Fees are set by this Department annually and are not subject to automatic CPI adjustments.

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
		TMC §3.36.010
DEPOSITS		
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	$100	

ETK THEATRE

Note:

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 or percentage, whichever is greater.

	Non-profit	Commercial
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	$287	$750
Each Additional Hour	$100	$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	Not Applicable
Non-Prime Time Resident Company Rental: Performance	$230 / 8 hours	Not Applicable
Non-Prime Time Resident Company Rental: Rehearsal	$115 / 8 hours	Not Applicable
Prime Time Rental: Performance		
First 5 Hours	$110 or 10%	$330 or 15%
Each Additional Hour	$60	$180
Prime Time Rental: Rehearsal		
First 5 Hours	$110	$330
Each Additional Hour	$60	$180

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
STUDIO THEATRE			TMC §3.36.010
Note: Prime time is Friday through Sunday. Percentage payment is based on gross receipts. Fee is either minimum of percentage, whichever is greater.			Reso. 2013-086
	Non-profit	**Commercial**	
Non-Prime Time Rental: Performance			
First 5 Hours	$80	$240 or 15%	
Each Additional Hour	$60	$180	
Non-Prime Time Rental: Rehearsal			
First 5 Hours	$80	$240	
Each Additional Hour	$60	$180	
Meeting	$225 / 2 hrs		
Each Additional Hour	$40	$115	
Prime Time Resident Company Rental -	$88 / 5 hrs	Not Applicable	
Non-Prime Time Resident Company	$64 / 5 hrs	Not Applicable	
Non-Prime Time Resident Company	$64 / 5 hours	Not Applicable	
DANCE STUDIO, ART STUDIO I AND II, AND CHIDREN'S ART STUDIO			
Class/Meeting or Studio Theatre			
First 2 Hours	$75	$225	
Each Additional Hour	$40	$115	
ART PARTIES			
First 2 Hours	$50	$150	
Each Additional Hour	$35	$75	
Materials Fee (activity dependent)	$5 - $25 / person		
LARGE MUSIC ROOM			
(Includes Any Room Set Up & Tear			
Class/Meeting			
First 2 Hours	$25	$100	
Each Additional Hour	$35	$125	
MUSIC ROOM			
(Includes any room set up and tear			
Class (medium) or			
First 2 Hours	$25	$100	
Practice & Each Additional Hour	$35	$125	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
	Non-profit	Commercial	TMC §3.36.010 Reso. 2013-086
GRAND GALLERIES	$75 /2 hrs	$225 /2 hrs	
Each Additional Hour	$50	$150	
LOBBY AREAS			
Upstairs	$250 /4 hrs	$500 /4 hrs	
Downstairs	$200 /4 hrs	$400 /4 hrs	
OLD TOWN HALL & JAIL			
Weekday (Mon 8am – Fri 6 pm)	$40 /2 hrs	$60 /2 hrs	
Weekend (Fri 6 pm – Mon 8 am)	$50 /2 hrs	$100 /2 hrs	
2ND FLOOR ARTS OFFICE			
Weekday (Mon 8am – Fri 6 pm)	$30 /2 hrs	Not Available	
Weekend (Fri 6 pm – Mon 8 am)	$40 /2 hrs		
(LOGGIA)			
May only be rented as part of Reception (hourly rate)	$50	$150	
BOX OFFICE SERVICES			
Per Performance	$100	$300	
Per Ticket Charge to Patron	$3		
General Admission Per Ticket to	$1		
Marquee Listing	$50 / Installation	$100/Installation	
MISCELLANEOUS RENTALS			
Baby Grand Piano	$500 / use		
Piano Tuning at Renter's Expense	$150 each		
Installation/Removal of Floor for Orc	$250 / use		
Wireless Microphones	$25 / day		
Microphone Stands	$0 / use		
Follow Spot	$350 / use		
Video Projector	$130 /4 hours		
Laptop Computer	$50 / use		
Marquee Sign Listing	$50 / Installation	$100 / Installation	
Marley Dance Floor	$180 /use		
6' Mitey Lite Tables	$5 each		
46" Round Tables	$10 /each		
Cocktail Table Stools	$15 /each		
Cocktail Tables	$10 /each		
Wooden Classroom Chairs	$5 /each		
Music Stands >20	$10 /each		
Black Wenger Orchestra Chairs >25	$10 /each		

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
LABOR FEES		TMC §3.36.010
Technical Theatre Supervisor	$56 / hr	Reso. 2013-086
Theatre Technicians	$40 / hr	
General Stagehands	$20 / hr	
Follow Spot Operator	$15 / hr	
Merchandise Sales Person	$15 / hr	
Gallery Supervisor	$40 / hr	
Gallery Docents	$15r / hr	
Arts Education Instructor	$25 / hr	
Recreation Leader	$15 / hr	
ADDITIONAL FEES		
Janitorial Fees	$150 / day	
Season Discount/Reward Card	$20 / year	
Large Format Printing (posters, signs)	$2 / Sq Ft	
Agreement Processing Fee	$35 /contract	
CERAMICS		TMC §3.36.010; Reso. 2007-232
Building		
Example Classes: Wheel Throwing, Hand Building, Molding	$50-$300	
Firing		
Example Classes: Kiln Loading, Firing Tecniques	$40-$300	
Glazing		
Example Classes: Glazing & Finishing	$20-$300	
Workshops		
Workshop Example: Artist Talks and Demonstrations	$10-$300	
DANCE		
Children's Classical		
Example Classes: Ballet, Lyrical	$30-$150	
Children's Modern		
Example Classes: Jazz, Hip-Hop, Tap, Creative Dance	$30-$150	
Children's Workshops	$10-$200	
Adult Classical		
Example Classes: Ballet, Lyrical	$30-$150	
Adult Modern		
Example Classes: Hip-Hop, Tap, Jazz	$30-$150	
Adult Ballroom		
Example Classes: Swing, Salsa, Waltz	$30-$150	
Adult Workshops	$10-$300	
DRAMA		
Acting Technique		
Example Classes: Improvisation, Beginning Acting	$40-$250	
Technical Theater		
Example Classes: Set Building, Lighting/ Audio	$40-$250	
Performance		
Example Classes: Musical Theater, Scene Study	$40-$250	
Workshops		
Example Workshops: Audtion Workshops, Theater Camps	$10-$300	

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
MUSIC		TMC §3.36.010; Reso. 2007-232
Perucssion		Reso. 2013-086
Example Classes: Drumming, Muisc & Rhythm	$50-$200	
Strings		
Example Classes: Guitar, Violin	$50-$200	
Horns		
Example Classes: Trumpet, Saxophone, Clarinet	$50-$200	
Keyboard		
Example Classes: Piano, Group Keyboarding	$50-$200	
Voice		
Example: Group & Private Voice	$50-$200	
Music Methodologies		
Example: Music Theory, Music History	$50-$200	
Workshops		
Example: Music PR, Breaking into the Music Business	$10-$300	
VISUAL ARTS		
Children's Drawing		
Example Classes: Pre-School Drawing, Cartooning	$40-$120	
Children's Painting		
Example Classes: Acrylic & Watercolor Painting	$40-$120	
Children's Design		
Example Classes: Color and Light, Graphic Design	$40-$150	
Children's Mixed Media		
Example Classes: Print Making, Storybook Building	$40-150	
Children's Workshops		
Example Workshops: Cartoon Workshop, Fused Glass Making	$10-$250	
Adult Drawing		
Example Classes: Landscape, Figure, Still Life Drawing	$40-$300	
Adult Painting		
Example Classes: Acyrlic, Oil, and Watercolor Painting	$40-$300	
Adult Design		
Example Classes: Graphic Design, Fashion Design	$40-$300	
Adult Mixed Media		
Example Classes: Apparel Construction, Weaving, Sculpting	$40-$300	
Adult Workshops		
Demonstrations	$10-$300	
Performance Admission Fees	Cost to City Based on Performer	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2007-232 and associated staff report.

Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	**B & P - CA Bus. & Professions Code**
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GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

City Manager's Department
Recreation Division

Division Contact: Kim Scarlata, Recreation Manager

* Fees are set by this Department annually and are not subject to automatic CPI adjustments.

SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
ADMINISTRATION				TMC §3.36.010; Reso. 2007-232
Advertising Fee for Activity Guide[1]				Reso. 2013-086
Full page, back cover	$1,000			
Full page, inside back cover	$500			
½ page, inside	$350			
¼ page, inside	$200			
[1]Applied to advertising in City's Activity Guide				
Insurance Processing Fee Fee for public purchase of event Insurance	$35 / transaction			
Program Transaction Fee Applied to withdrawal, refund, credit or	$5 / transaction			
Fac. Rental Applic. Processing Fee	$35 / transaction			
Early Registration Discount	($10) / registration			
Online Registration Discount	($10) / registration			
Sibling Registration Discount	10% / registration			
Range of Fee Increase for Contract To be used based on staff's assessment of	20% / registration			
PROPOSED SPECIAL INTEREST (CONTRACTOR) CLASSES				
Baby Sitter Training	$85/Non-Res	$77/Res	/2-day session	
Cardio Kick Boxing	$55/Non-Res	$50/Res	/6-week session	
Cheer Prep	$50/Non-Res	$45/Res	/4-week session	
Cheer-Preschool	$50/Non-Res	$45/Res	/4-week session	
Classic Gym-Preschoolers	$53/Non-Res	$48/Res	/4-week session	
Classic Gym-Youth	$57/Non-Res	$52/Res	/4-week session	
CPR/FA	$55/Non-Res	$50/Res	/1-day session	
Dog Obedience-Advanced	$105/Non-Res	$95/Res	/7-week session	
Dog Obedience-Basic	$127/Non-Res	$115/Res	/7-week session	

Legend:

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GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	SF Ft - Square Feet
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	hr(s) - hour(s)

SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
PROPOSED SPECIAL INTEREST (CONTRACTOR) CLASSES, CONTINUED				TMC §3.36.010
Golf Lessons-Adult	$66/Non-Res	$60/Res	/4-week session	Reso. 2013-086
Gymnastic Camps	$66/Non-Res	$60/Res	/per week	
Just 4 Kicks-Preschool	$79/Non-Res	$72/Res	/8-week session	
Just 4 Kicks-Youth	$79/Non-Res	$72/Res	/8-week session	
KidSAFE	$99/Non-Res	$90/Res	/10 -week session	
LEGO Camp (Half Day)	$189/Non-Res	$172/Res	/per week	
Mad Science (Half Day)	$185/Non-Res	/$169/Res	/per week	
Preschool AM	$193/Non-Res	$175/Res	/per calendar month	
Preschool PM	$418/Non-Res	$380/Res	/per calendar month	
Safety Club	$21/Non-Res	$18/Res	/1-day workshop	
SNAP Summer Day Camp	$55/Non-Res	$50/Res	/per week	
SNAP After School Program	$28/Non-Res	$25/Res	/per week	
Tennis-Adult	$55/Non-Res	$50/Res	/4-week session	
Tennis-Tiny Tots	$48/Non-Res	$44/Res	/4-week session	
Tennis-Youth	$55/Non-Res	$50/Res	/4-week session	
Tracy Online Learning	$97/Non-Res	$88/Res	/6-week session	
Yoga-Adults	$35/Non-Res	$32/Res	/4-week session	
Yoga-Seniors	$33/Non-Res	$30/Res	/per calendar month	
Action Gymnastics	$83/Non-Res	$75/Res	/8-week session	
Action Gymnastics Parent/Tot	$28/Non-Res	$25/Res	/4-week session	
Action Gymnastics Parent/Tot Adv	$33/Non-Res	$30/Res	/4-week session	
Zumba 10-day Pass	$88/Non-Res	$80/Res	/10-day pass	
Zumba 20-day Pass	$165/Non-Res	$150/Res	/20-day pass	
Zumba Drop In	$13/Non-Res	$10/Res	/per drop in	
Tai Chi	$44/Non-Res	$40/Res	/6-week session	
Tiny Tots Hooked on Books	**$53-/Non-Res**	$48/Res	/4-week session	
Basic Gardening	$28/Non-Res	$25/Res	/4-week session	
Bowling for Beginners	$99/Non-Res	$90/Res	6-week session	
Camps-Biology Camp	$220/Non-Res	$200/Res	/per week	
Camps-Build a Robot	$198/Non-Res	$180/Res	/per week	
Camps-Chess	$59/Non-Res	$54/Res	/3-week session	
Camps-Eagal Lakes	$94/Non-Res	$85/Res	/3-day session	
Camps-Kidsafe	$99/Non-Res	$90/Res	/3-week session	
Computer Tech Camp	$204-$149/Non-Res	$185-135/Res	/5-day session	
Fly Fishing	$33/Non-Res	$30/Res	/1-day workshop	
Just 4 Hoops	$59/Non-Res	$54/Res	/6-week session	
Just 4 Kicks Camps Preschoolers	$94/Non-Res	$85/Res	/5-day session	
Just 4 Kicks Camps Youth	$110/Non-Res	$100/Res	/5-day session	
Kindergarten Tutoring	$63/Non-Res	$57/Res	/4-week session	
Tae Kwon Do Tots	$47/Non-Res	$43/Res	/4-week session	
Tennis Camp Preschoolers	$50/Non-Res	$45/Res	/1-week session	
Tennis Camp Youths	$55/Non-Res	$50/Res	/1-week session	

Legend:

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SERVICE OR APPLICATION		PROPOSED FEE		LEGAL AUTHORITY
NEW SPECIAL INTEREST (CONTRACTOR) CLASSES				TMC §3.36.010
Adventure Thursdays Field Trip	$65/Non-Res	$59/Res	/per trip	Reso. 2013-086
Arthritis Foundation Tai Chi	$64/Non-Res	$58/Res	/8-day session	
Athletic Perfection - Play Date	$23/Non-Res	$20/Res	/1-day session	
Athletic Perfection - Discover the	$50/Non-Res	$45/Res	/4-week session	
Camps - Fencing	$220/Non-Res	$200/Res	/per week	
Camp - Flag Football	$165/Non-Res	$150/Res	/per week	
~~Camps -~~ Skyhawks Basketball	$54/Non-Res	$49/Res	/4-sessions	
~~Camps -~~ Skyhawks Baseball	$54/Non-Res	$49/Res	/4-sessions	
Camps - Skyhawks Sports	$175/Non-Res	$159/Res	/per week	
Camps - Tennis	$165/Non-Res	$150/Res	/per week	
Classic Gym - Open Gym	$13/Non-Res	$10 Res	/per drop-in	
Classic Gym - Crafty Time	$72/Non-Res	$65/Res	/4-week session	
Classic Gym - School's Out Party	$20		/per drop-in	
Fencing for Beginners	$99/Non-Res	$90/Res	/4-week session	
Get Up & Moving Fitness	$66-$220/Non-Res	$60-$200/Res	/4, 10, 20-day	
Leaders in Training: Jr Rec Leaders	$83/Non-Res	$75/Res	/2-day session	
Tai Chi Arthritis Foundation	$70/Non-Res	$64/Res	/6-sessions	
Tennis - Cardio Workshop	$28/Non-Res	$25/Res	/1-day workshop	
Workshop Series for Adults	$8/Non-Res	$5/Res	/1-day workshop	
Yoga - Adults	$83/Non-Res	$75/Res	/10-day pass	
YOUTH & TEENS				
BBQ and Game Day		$3	/ person	
Teen Swim Events		$5	/ person	
Teen Events				
Minimum		$5	/ person	
Maximum		$20	/ person	
Girls Retreat		$10	/ person	
Teen Camps		$77/Non-Res/week	$70/Res/week	
Teen Chill Out Night (Movie & Popcorn)		$3	/ person	
Extreme Sports Day (competition registration)		$10	/ person	
Fashion Show		$10	/ person	
Ski/Snowboard Trip		$90	/ lift ticket only	
		$125	/rental & lift ticket	
		$125	/rentals, lift & lesson	
		$55	/ transportation only	
		$5	/ helmet rental	
S.A.F.E. (Teen After School Program)	Minimum:	$50	/ membership/school yr	
	Maximum:	$100	/ membership/school yr	
		$0	/ drop-in for members	
*Fee ranges based on direct costs		$5	/ scrapbooking class	
		$5	/ cooking class	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
MCYSN			TMC §3.36.010
Mobile recreation (Roll'n Rec)	$0	/ person	Reso. 2013-086
YOUTH DEVELOPMENT			
ROC (Recreation on Campus After School)*			
*Fee ranges based on direct costs			
Minimum	$180	/ regular-per month	
Maximum	$240	/ regular-per month	
ROC (Recreation on Campus After School)*			
*Fee ranges based on direct costs			
Minimum	$15	/ daily-per day	
Maximum	$24	/ daily-per day	
ROC (Recreation on Campus After School)*			
*Fee ranges based on direct costs			
Minimum	$105	/ hourly-per month	
Maximum	$144	/ hourly-per month	
Summer Camp (Full Day) 7am-6pm*			
*Fee ranges based on direct costs			
Minimum	$140	/ week	
Maximum	$192	/ week	
Summer Camp Extended Care Fees (7am-9am, 3pm-	$35	/ week	
Summer Camp 9am-3pm ONLY*	$150	/ week	
*Fee ranges based on direct costs			
Summer Camp (Half Day)			
9am-12pm or 1pm-4pm*			
*Fee ranges based on direct costs			
Minimum	$65	/ week	
Maximum	$90	/ week	
SENIORS			
Senior Health & Wellness			
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	$44/Non-Res	$40/Res	
Senior Arts & Music			
Senior Idol	$0	/ class	
Wood Carving	$0	/ class	
Arts & Craft Class	$0	/ class	
Arts & Craft Project	$5 min/$10 max	/ project	
Painting	$0	/ class	

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
SENIORS, Senior Health and Wellness, Continued			TMC §3.36.010
Scrapbooking	$0	/ class	Reso. 2013-086
Sewing	$0	/ class	
Beading	$7	/ month	
Card Making	$2	/ class	
Tap Dancing	$2	/ class	
Line Dancing	$2	/ class	
Country Jams	$2	/ class	
Senior Recreation			
Tea Social	$0	/ class	
Bingo	$0	/ class	
Social Recreation Programs	$0	/ class	
Table Games	$0	/ class	
Senior Special Events			
Minimum	$5	/ event	
Maximum	$20	/ event	
Booth for Special Events	$25/non profit; $50 for profit per event		
St. Patty's Day & Oktoberfest Lunch	$5	/ person	
Dances	$5	/ person	
Fashion Show	$0	/ class	
SNAP Friday Night Dance	$0	/ class	
20 Visit Drop-In Activities Card	$20	/ card	
Senior Trips			
Bus Trips	$33/Non-Res	$30/Res	
Senior Social Services			
Lunch Program	$0	/ month	
AARP Programs	$0	/ month	
Other Services	$0	/ month	
Clubs	$0	/ month	
ATHLETICS			
Adult Sports			
Adult Slow Pitch Leagues*			
Minimum	$280	/ team	
Maximum	$520	/ team	
*League fees pending format, number of games & srvcs			
Adult/Youth Fast Pitch Leagues*			
Minimum	$450	/ team	
Maximum	$600	/ team	
*League fees pending format, number of games & srvcs			
Adult/Youth Softball Tournament*			
Minimum	$250	/ team	
Maximum	$500	/ team	
*Tournaments vary based on type of tournament and awards provided			

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SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
ATHLETICS				TMC §3.36.010
Adult Sports, Continued				Reso. 2013-086
Adult Softball Protest Fee	$25	/ per protest		
Adult Flag Football League				
Minimum	$400	/ team		
Maximum	$600	/ team		
*League fees pending format, number of games & services				
Adult Kick Ball League [1]				
Minimum	$275	/ team		
Maximum	$400	/ team		
[1] League Fees pending format, number of games & services.				
Youth Sports				
Youth Basketball League (Youth Hoops)	Per Non-Res Player	Per Res Player		
Minimum	$75	$75		
Maximum	$85	$80		
Jr. Giants Youth Baseball (Free Program)	$0	$0		
Youth Sports Camps	Per Non-Res Player	Per Res Player		
Minimum	$60	$60		
Maximum	$88	$80		
Flag Football League	Per Non-Res Player	Per Res Player		
Minimum	$75	$75		
Maximum	$99	$90		
AQUATICS				
General Recreation Swim				
Individual Entrance Fee	$2	/ person		
10-Visit Pass	$25	/ pass		
Swim Lessons				
Parent/Tot	$55	/ parent/tot		
Learn To Swim*				
Minimum	$29/Non-Res	$26/Res/team		
Maximum	$66/Non-Res	$60/Res	2 week session	
*Fees vary based on number of instruction days				
Water Aerobics				
Drop-In	$4	/ person		
10-Visit Pass	$30	/ pass		
Lap Swimming				
Individual Entrance Fee	$3	/ person		
10-Visit Pass	$25	/ pass		

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SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
Other Classes/Programs				TMC §3.36.010
Introduction to Lifesaving	$60/Non-Res	$55/Res	2 week session	Reso. 2013-086
Swim Camp	$80/Non-Res	$75/Res	2 week session	
Diving	$60/Non-Res	$55/Res	2 week session	
Basic Water Polo	$60/Non-Res	$55/Res	2 week session	
Lifeguard Training	$253/Non-Res	$230/Res	1 week session	
Private Swim Lesson (one ½-hour session)	$105/Non-Res	$100/Res	2 week session	
Discover SCUBA	$18/Non-Res	$15/Res		
SPECIAL EVENTS				
Event Ticket				
Minimum	$18 / person			
Maximum	$40 / person			
Event Booth Fee				
Minimum	$25 / booth			
Maximum	$150 / booth			

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2013-086 ~~2011-101~~ 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.

Legend:

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DEVELOPMENT SERVICES DEPARMENT

Note: The DS Department fees in this Schedule do not include:

- *development impact fees adopted under the Mitigation Fee Act;*
- *mitigation fees (ie habitat mitigation, agricultural mitigation fees);*
- *fees adopted by separate agreement with a developer.*

Development 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

Note: Whenever called for, employee hourly rates are based on the particular employee position, salary, benefits & overhead.

Building Safety

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Building Permit Fee (Based upon project value, as determined by building valuation data table, with regional modifiers, as most recently published in the "Building Safety Journal".) **Electrical Permit** **Mechanical Permit** **Plumbing Permit**	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 & Table 3A-D. TMC §9.02.030, 9.08.080, CFR Title 24
Investigation Fee (when work was begun without permit)	Equal to amount of permit fee, in addition to permit	1997 UAC §304.5.2
Title 24 Energy Inspection (including Photovoltaic Systems)	Employee hourly rates	GC §66014, CFR Title 24
Strong Motion Instrumentation Tax (SMI) Group R (Resid). occupancies, one to three stories in height except for hotels and motels: All other buildings (commercial):	Valuation X $0.0001 (minimum $0.50) Valuation X $0.00022 (minimum $0.50)	PRC §2705
Elevator Permit Elevator, escalator or moving walk	$96 plus $2 for each $1,000 or fraction over $40,000	
Commercial dumbwaiter	$27 plus $2 for each $1,000 or fraction over $10,000	
Electrical Meter Re-Set (City safety inspection before PG&E turns on utilities.)	$58	GC §66014
Bldg./Moving or Oversized Load-Initial insp. fee	$108	TMC §9.32.040
Expedited Plan Check and Inspection Fees	Employee hourly rates	TMC §3.36.010

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Micro-Imaging Fees:		TMC §3.36.010
[1](+ 2% of invoice total for pick-up and delivery):		Reso. 2013-086
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	$0.08 each +2%[1]	
▪ anything larger than 11" x 17", black & white or gray scale document with a two field index	$0.81 each +2%[1]	
▪ 11" x 17" and smaller, color document, with a two-field index	$0.14 each +2%[1]	
▪ 18" x 24" color document, with a two-field index	$0.49 each +2%[1]	
▪ 24" x 36" color document, with a two field index	$1 each +2%[1]	
Sign Permit	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	PROPOSED FEE	LEGAL AUTHORITY
		TMC §3.36.010 and CFC 113
Annual Operational Fire Permit and Inspection		CFC-113
Permit fee	$103 /Permit	
Inspection fee:	plus:	
Type A: amusement buildings; Christmas tree lots; exhibits & trade shows; open burning; pyroxylin plastics; rooftop heliports; haunted houses & corn mazes; pumpkin patches.	Employee Hourly Rate	
Type B: open candles, flames & torches.	$43	
Type C: covered mall buildings; fire hydrants & valves; liquid or gas-fueled vehicles or equipment in assembly buildings; private fire hydrants.	$59	
Type D: aviation facilities; cellulose nitrate film; cutting & welding; hot work operations; magnesium; temporary membrane structures, tents & canopies.	$87	

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Type E: aerosol products; carnivals & fairs; combustible fibers; compressed gasses; dry cleaning plants; fruit & crop ripening; industrial ovens; miscellaneous combustible storage; wood products; floor finishing.	$119	CFC 113
Type F: above/below ground fuel storage tank installation, per tank; combustible dust-producing operations; cryogenic fluids; flammable & combustible liquids; LP-gas; organic coatings; places of assembly; repair garages & motor fuel-dispensing facilities; spraying or dipping; storage of scrap tires & tire byproducts; tire-rebuilding plants; fumigation & thermal insecticidal fogging.	$178	
Type G: above/below ground fuel tank removal, per tank; lumber yards & woodworking plants; refrigeration equipment; production facilities; live audiences.	$265	
Type H: explosives; hazardous materials; hazardous production material facilities; pyrotechnic/special effects displays; waste handling facilities.	$357	
Type I: high-piled storage.	$530	
Construction Fire Permit, Including Plan Check, Review and Inspection		CFC 105.7
Fire sprinkler plan check		
$0 - $5,000	$87	
$5,001 - $20,000	$260	
$20,001 +	Fee will be based on employee hourly rate	
Fire sprinkler inspection		
$0 - $5,000	$265	
$5,001 - $20,000	$492	
$20,001 +	Fee will be based on employee hourly rate	
Alarm plan check		
$0 - 20,000	$357	
$20,001 +	Fee will be based on employee hourly rate	
Alarm inspection		
$0 - $20,000	$178	
$20,001+	Fee will be based on employee hourly rate	
Hood and duct		
Plan check	$43 /applic.	
Inspection	$135 /applic.	

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
State Mandated Occupancy Inspection		Title 19, CCR H & S Section 13235
Pre-inspection request:		
25 or less	$54	
26 or more	$108	
Day care, 14 or fewer	$135	
Day care, more than 14, or Convalescent Home	$305	
Hydrant System Flow Testing		
Testing	$343 / test	
Witnessing	$119 / test	
Fire Reinspection	Fee will be based on employee hourly rate	Ordin. 1192, Section 106.2.3

Latest Fee Study or Staff Report Explanation:

Building:

- City Council Resolution No. 2013-086 and accompanying staff report.
- 1997 Uniform Administrative Code adopted by TMC §9.02.030.

Fire Safety:

- City Council Resolution No. 2013-086 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).

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Development Services Department
Code Enforcement Division

Department Contact: William Dean, Assistant Director of Development Services Department
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.

Development Services Department
Economic Development Division

Department Contact: Amie Mendes, Analyst

The Economic Development Division has no fees.

established in the Tracy Municipal Code under the following chapters:

Development Services Department
Engineering Division

Department Contact: **Victoria Dion, City Engineer**
Cris Mina, Senior Civil Engineer

SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
AGREEMENT PROCESSING FEE	$6,607	/ agmt		TMC §3.36.010
Inspection improvement agreement				Reso. 2013-086
Subdivision improvement agreement				
Deferred improvement agreement				
Off-site improvement agreement				
Park improvement and reimbursement agreement				
GRADING				TMC §12.12.070
Grading plan check (base amount)				
0-10,000 cubic yards (CY)	Base amt.	$2,589		
10,001-100,000 CY	Base amt. plus	$137	/10,000 CY	
100,001-200,000 CY	Base amt. plus	$117	/10,000 CY	
200,000 + CY Additional	Base amt. plus	$91	/10,000 CY	
Grading permit and inspection				TMC §12.12.070
5 or fewer lots (residential or commercial)		$1,463		
Subdivisions (5 or more lots)		$3,697		
Additional plan review required by multiple	Hourly personnel costs	$103	/hour	
changes, additions, revisions after initial	Hourly personnel costs	$103	/hour	
review completed.				
SUBDIVISIONS				
Tentative subdivision map		(See Planning)		TMC §12.12.070; 12.16.060
Vesting tentative subdivision map		(See Planning)		TMC §12.28.050
Final Parcel Map Review		$2,397		
Final Subdivision Map Review		$1,943		TMC §12.12.070
Map amendment review		$1,194		
Certificate of correction		$3,645		TMC §12.28.050
Certificate of compliance – lot line adjustment		$2,852		TMC §12.04.080

Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
PUBLIC IMPROVEMENTS		TMC §3.36.010
Inspection improvement agreement (SIA, DIA, OIA, PIRA, any amendment)	$6,607	Reso. 2013-086
Plan check (% of improvement constr cost)	5.78%	
Inspection (% of improvement constr cost)	3.50%	
As-builts, review after construction	$32	
Micro-Imaging Fees		
[1](+ 2% of invoice total for pick-up and delivery):		
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	$0.08 each +2%[1]	
▪ anything larger than 11" x 17", black and white or gray scale document with a two field index	$0.81 each +2%[1]	
▪ 11" x 17" and smaller, color document with a two-field index	$0.14 each +2%[1]	
▪ 18" x 24" color document, with a two-field index	$0.49 each +2%[1]	
▪ 24" x 36" color document, with a two field index	$1 each +2%[1]	
SEGREGATON OF ASSESSMEMT (Within any assessment districts)	$42 / lot	
RECORD OF SURVEY	$313	
STREET/EASEMENT ABANDONMENT	$1,521	
ENCROACHMENT PERMIT	$370 plus $16 / Sq Ft or $53 / hr	TMC §7.04.020
Sidewalks, plus whichever is less	$58 plus $16 / Sq Ft or $53 / hr	
Driveways, Curbs, plus whichever is less	$58 plus $53 / hr	
Trees, Utility Boxes/per hour (1 hour minimum)	$58 / permit plus $89 / hr	
Miscellaneous Encroachment Permit, plus hourly rate for inspection and engineering review.	$116	
OVERSIZE LOAD PERMIT		
Single Permit	$16	
Annual or Blanket Permit (fix route)	$95	
BUILDING MOVING OR OVERSIZED LOAD		TMC §9.32.040
Permit fee	$604	
Other	Hourly rate for City personnel	

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
REPRODUCTION, MAP AND DOCUMENT SALES:		TMC §3.36.010 Reso. 2013-086
Standard Plans, Standard Specs, and Design Standards	$15	
Parks Manual	$79	
Storm Drainage Master Plans	$22	
Subdivision Maps	$5	
Reproduction Fees	$2 / sheet	
CONSTRUCTION WATER METERS		
Deposit for use of City-owned meter	$793	
Service reinstatement fee	$53	
Winter rates per ccf (Nov - Apr)		
(100 cubic feet or 748 gal)		
0 - 12 ccf; 13 - 19 ccf;	$1; $2	
20 - 191 ccf; 192+ ccf	$2; $2	
Summer rates per ccf (May - Oct)		
0 - 18 ccf; 19 - 29 ccf	$1; $2	
30 - 287 ccf; 288+ ccf	$2; $2	
Monthly service charge	$10 / day + 15% adm fee plus:	
(Meter code and size)		
LL (LIRA) – 1”	$9	
WL (LIRA) – varies	$0	
W1 - 5/8” or ¾”	$12	
W2 – 1”	$22	
W3 – 1 ½”	$49	
W4 – 2”	$87	
W5 – 3”	$197	
W6 – 4”	$350	
W7 – 6”	$787	
W8 – 8”	$1,400	
W9 – 10”	$2,187	
NEW ADDRESS MAPPING FEES		
Single-family	$68 / lot	
Multi-family projects, plus dwelling unit cost	$68 / lot plus	
In buildings with 5 or more units	$34 / dwelling unit	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 and accompanying staff report.

Legend:

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Development Services Department
Planning Division

Department Contact: William Dean, Assistant Director of Development 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	PROPOSED FEE	LEGAL AUTHORITY
PLANNING DIVISION APPLICATION PROCESSING FEES		Generally, TMC §10.08.4150; 12.12.070
Adult Business Use Permit	Cost Recovery Agreement	TMC §10.28.808
Annexation	$11,358	TMC §10.08.4150
Appeal to City Council ●	$299	TMC §10.08.4150
Appeal to Planning Commission ●	$299	TMC §10.08.4150
Conditional Use Permit [a]		TMC §10.08.4270(h)
class A	$5,733	
class B	$3,651	
Conditional Use Permit (Non-Profit Organizations)		TMC §10.08.4270(h)
class A	$573	
class B	$368	
Development Review [b]		TMC §10.08.4150
class A	$4,234	
class B	$3,008	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
ENVIRONMENTAL		CEQA Guidelines §15045 (14 CCR 15045)
Environmental Assessment (charged for all projects not requiring a	$108	
Environmental Initial Study / Negative Declaration	$1,536	
Environment Impact Report	Cost Recovery Agreement	
General Plan Amendment	Cost Recovery Agreement	TMC §10.08.4150
Lot Line Adjustment	$441	TMC §12.04.080; 12.12.070
Micro-Imaging Fees		Reso. 2013-086
[1](+ 2% of invoice total for pick-up and delivery):	each	
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	$0.08 +2%[1]	
▪ anything larger than 11" x 17", black and white or gray scale document with a two field index	$0.81 +2%[1]	
▪ 11" x 17" and smaller, color document, with a two-field index	$0.14 +2%[1]	
▪ 18" x 24" color document, with a two-field index	$0.49 +2%[1]	
▪ 24" x 36" color document, with a two field index	$1 +2%[1]	
Noise Ordinance Variation	$4,327	TMC §4.12.780(B)(4)
Planned Unit Development	$8,491	TMC §10.08.4150
Planned Unit Development Amendment	$4,868	
Planning Commission Determination	$1,087	TMC §10.08.4150
Residential Growth Allotment ●	$1,805	TMC §10.12.070(c); GMO Guidelines §2 G
Sign Permit ●		TMC §10.08.4150
Master Sign Program	$1,095	
Individual Sign Complying w/MSP	$81	
All other signs	$493	
Specific Plan	Cost Recovery Agreement	TMC §10.20.040(c)(1); 10.20.080
Specific Plan Amendment	$5,517	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Temporary Use Permit ●	$78	TMC §10.08.4240; 10.08.4150
Tentative Map		TMC §12.12.070
Parcel map	$7,896	
5 – 100 lots	$10,817	
100 & over lots	$16,874	
Time Extension ●	$455	TMC §12.12.070 for Subd
Variance	$727	TMC §10.08.3630; 10.08.4150
Zoning		TMC §10.08.4150
Zone Change	$2,758	
Zone Text Amendment	$2,704	
Zoning Research Letter ●	$86	

[a] **Conditional Use Permit -** Classification by type of project:

	Residential	Commercial	Industrial
Class A:	4+ lots	+3,000 Sq Ft or 4+ lots	+10,000 Sq Ft or 4+ lots
Class B:	1-3 lots	-3,000 Sq Ft or 1-3 lots	-10,000 Sq Ft or 1-2 lots

[b] **Development Review Permit -** Classification by type of project:

	Residential	Commercial	Industrial
Class A:	4+ units	+3,000 Sq Ft	+10,000 Sq Ft
Class B:	1-3 units	-3,000 Sq. Ft.	-10,000 Sq Ft

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 and accompanying staff report.
- 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.

Legend:

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FIRE DEPARTMENT

Fire Department

Department Contact: David Bramell, Division Chief

Note: The South County Fire authority has adopted separate fees for areas under its jurisdiction.

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Illegal Burn Response	$119 /hr/ engine, with ½ hr min	TMC §3.36.010; CFC
Hazardous Materials Clean-Up	Actual costs for all responding personnel	
Special Event Fire Protection (Stand-by)	Actual costs for all responding personnel	
Weed Abatement	Contract cost + 25% overhead charge	
Fireworks Sales Permit Fee (Including initial stand inspection, safety seminar, and lottery processing.)	$243	TMC §3.04.040(a)
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.)	Actual costs for fire	TMC §3.04.020

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 and accompanying staff report.
- 2003 Cost of Services Study Update, prepared by Finance Dept. (City Council Resolution No. 2003-059. See also February 18, 2003 staff report).
- 1998 Cost of Service Study, prepared by MSI.

Legend:

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POLICE DEPARTMENT

Police Department

Department Contact: Lani Smith, Support Operations Manager

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Alarm Permit; False Alarms		
Alarm user permit	$22	TMC §3.40.060
False alarm costs:		
4th response	$32	TMC §3.40.150
5th response	$59	
6th response	$76	
7th response	$87	
(plus penalties)		TMC Ch. 1.28
Animal Services		TMC §3.36.010
Animal adoption, plus veterinary services	$5	TMC §5.08.130(L)
Animal bite	$32	
Board and care (daily):		
for impounded dogs	$16	
for impounded cats	$13	
Cat carrier	$5	TMC §5.08.130
Cat neuter	$54	
Cat spay	$97	
Collar identification	$2	
Dog neuter	$108	TMC §5.08.130
Dog spay	$162	
Impound: 1	$22	TMC §5.08.130; 5.08.240
Impound: 2	$32	
Impound: 3+	$43	
*Impound, additional State fee for unaltered, at large, animals: 1st; 2nd; 3rd	$35; $50 $100	FAC 30804.7
License fee: unaltered dogs	$54 /yr	TMC §5.08.130
License fee: altered dogs	$11 /yr	
License fee: replacement for lost	$5	
License fee: late	$22	
Low cost spay/neuter voucher	$22	
Multiple pet permit application	$27	TMC §5.08.420
Owner surrender:		TMC §5.08.170; 5.08.180; 5.08.240
Live animal	$49	
Deceased animal (not at shelter)	$22	
Rabies vaccination voucher	$17	TMC §5.08.130
Vaccination	$5	TMC §5.08.130
Veterinary costs	At Cost	

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
BICYCLES		
License and registration	$6 /3 years	TMC §3.20.060
Renewal	$3 /3 years	TMC §3.20.070
BINGO		
License	$54	TMC §4.24.050
Renewal	$11	
CARD ROOMS		TMC §4.04.030
License and renewal	$27	TMC §4.04.050
Dealer/work permit	$65 plus	TMC §4.04.070
Department of Justice Fee	$32 *	
CITATION SIGN-OFF FOR AGENCIES OUTSIDE THE CITY	$16	TMC §3.36.010 GC 26746.1
CLEARANCE LETTER (for immigration or other clearance le plus fingerprint fees)	$16	TMC §3.36.010
CONCEALED WEAPONS		
Permit	$100 *	PC 26150; 26190
	(20% at application; 80% at permit issuance)	
Department of Justice Processing Fee - Payable to DOJ	$52 *	
Department of Justice Live Scan Fee	$95 *	
Renewal	$26	
Department of Justice Fee - Payable to DOJ	$52 *	
Amended License	$10	
CRIME REPORT COPY	$0.15 /page	TMC §3.36.010
	$0.15 /page bulletin entries	
Traffic collision report (for other than victim)	$10.00 /report + .15 /page after 25th page	VC 20012
DOJ, FBI AND FINGERPRINT		PC 11105
DOJ and FBI fee *	$32-$100 *	TMC §3.36.010
Fingerprint (City's rolling fee) *	$20 / request	PC 26150
DUI		GC §53150 - 53159; CVC 20012
Accident response and investigation	Actual personnel cost, up to $12,000	
Arrest and report	Actual personnel cost, up to $1,000	
Firearms Sales Permit	$32 plus	PC 12071(a)(F)(7)
Department of Justice fee	$32 *	
Massage Establishment		
New	$81 plus	TMC §4.20.060
Department of Justice fee	$32 *	
Renewal	$27	TMC §4.20.040
Transfer of permit	$81	TMC §4.20.110
Change of location	$27	TMC §4.20.130

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SERVICE OR APPLICATION	PROPOSED FEE				LEGAL AUTHORITY
Massage Permit				DOJ Fee	
New	$28		plus	$32*	TMC §4.20.180
Renewal	$28		plus	$32*	TMC §4.20.160
(Plus fingerprint fees)					DOJ, PC 11105
Registration by state certificate holder	$0				TMC §4.20.155
Palmistry License Fee					
New	$595				TMC §4.12.190
Renewal	$379				TMC §4.12.109
Police Photo (reproduction)	$0.31	/photo			TMC §3.36.010
Plus traffic photo processing fee to insurance company	$45	plus	$0.30	/photo	VC 20012
Police Special Services	Actual personnel costs				GC §6257
(for school and other semi-public special events)					
RESPOSSESSION RELEASE	$16	/ vehicle			VC 9255 (3)
SECOND-HAND DEALER/PAWN BROKER					
New or Renewal (Check payable to DOJ)	$308				BP 21642.5
Department of Justice Livescan (for new permits)	$33				PC 11105
Solicitor Permit	$16				TMC §4.12.210; 3.36.010
Taxi Driver				DOJ Fee	
Permit	$119		plus	$32*	TMC §3.16.030
Renewal	$87				TMC §3.16.040
Background investigation	$11				TMC §3.16.150
(City fingerprint fee)					
Tow Truck Driver/Attendant				DOJ Fee	TMC §3.44.140
Permit	$65		plus	$32*	
Renewal	$32				
Vehicle Release	$117	/ vehicle			VC 22850.5(a)
VIN Verification	$22	/ request			TMC §3.36.010
Storage of Firearms	$55	/ firearm, plus			TMC §3.52.050
(per domestic violence protective order)	$2	/ day			PC 12021.3(j)

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 and accompanying staff report.
- City Council Resolution No. 2013-047 and accompanying staff report.
- City Council Res 2009-178, regarding animal services, and accompanying staff report.
- City Council Res 2006-209 regarding alarm permits.
- 2003 Cost of Services Study Update, prepared by Finance Department.
- 1998 Cost of Service Study.

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PUBLIC WORKS DEPARTMENT

Public Works Department
Administration, Community Facilities, Maintenance, and Operations Divisions

Department Contact: David Ferguson, Director

Note: This Master Fee Schedule does not include all fees, and excludes the following:

- Enterprise fund charges (water, sewer, storm water, airport, and 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);
- Fines (imposed as penalties);
- Rates established by separate agreements.
- Rates established by landscape maintenance districts

Public Works Department
Community Facilities Division

Division Contact: Brian MacDonald, Management Analyst II

SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
COMMUNITY CENTER RENTALS **Main Hall (5,300 Sq Ft)** **Week Day Only (4 hour minimum)**			TMC §3.36.010 Reso. 2013-086
Non-Profit Classification	$36 /hour		
Private Classification	$61 /hour		
Commercial Classification	$86 /hour		
Conference Room A or B (250 Sq Ft) **Week Day Only (2 hour minimum)**			
Non-Profit Classification	$7 /hour		
Private Classification	$11 /hour		
Commercial Classification	$15 /hour		
Entire Facility (6,200 Sq Ft) **(4 hour minimum)**	Week Day/ Hour	Week End/ Hour	
Non-Profit Classification	$41	$61	
Private Classification	$70	$104	
Commercial Classification	$100	$148	
Deposits **An additional $400 Deposit is required for all activities where alcohol is sold**			
Main Hall	$410 / rental		
Conference Room A or B	$205 / rental		
Entire Facility	$410 / rental		
TRACY SPORTS COMPLEX MEETING ROOM RENTAL **TSC Meeting Room (700 Sq Ft)** **Week Day & Week End (2 hour minimum)**			
Non-Profit Classification	$14 /hour		
Private Classification	$26 /hour		
Commercial Classification	$36 /hour		
Deposits **An additional $200 Deposit is required for all activities where alcohol is sold**			
Meeting Room	$205 / rental		
Banner Installation and Removal			TMC Article 35, 10.08.4465
For Each Over-the-Street Banner Location	$200	/banner	
[1] For Each Street Light Banner Zone	$4,000.00	Zone 1	Resolution 2010-025
	$1,000.00	Zone 2	
	$1,000.00	Zone 3	

[1] Zone 1: Eleventh Street between Lammers Road and Corral Hollow Road
Zone 2: Tenth Street between A Street and East Street
Zone 3: Central Avenue between Eleventh Street and Sixth Street

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
TRACY TRANSIT STATION **Room 103 or 104 (590 Sq Ft)** **(2 hour minimum)**	Week Day/Hour	Week End/Hour	TMC §3.36.010 Reso. 2013-086
Non-Profit Classification	$18	$28	
Private Classification	$33	$48	
Commercial Classification	$46	$70	
Rooms 103-104 Combined (1,180 sf) **(2 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$37	$55	
Private Classification	$65	$97	
Commercial Classification	$92	$138	
Room 105 (913 Sq Ft) **(2 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$29	$43	
Private Classification	$50	$76	
Commercial Classification	$72	$108	
Lobby or Patio (1,762 Sq Ft) **(2 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$18	$28	
Private Classification	$33	$48	
Commercial Classification	$46	$70	
Entire Facility (4,445 Sq Ft) **(4 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$84	$126	
Private Classification	$148	$222	
Commercial Classification	$210	$316	
Deposits **An additional $400 Deposit is required for all activities where alcohol is sold**			
All Rooms	$200	per rental	
TRACY CIVIC CENTER RENTAL **Council Chambers (3,500 Sq Ft)** **(4 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$21	$36	
Private Classification	$57	$86	
Commercial Classification	$82	$123	
Conference Room #109 (500 Sq Ft) **(2 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$15	$24	
Private Classification	$27	$40	
Commercial Classification	$39	$57	

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SERVICE OR APPLICATION			LEGAL AUTHORITY
			TMC §3.36.010
Conference Room #203 (825 sf)			Reso. 2013-086
(2 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$26	$39	
Private Classification	$45	$68	
Commercial Classification	$65	$96	
Lobby and Both Conference Rooms			
(4 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$41	$42	
Private Classification	$72	$74	
Commercial Classification	$103	$154	
Special Events in Civic Center Park			
(May through October)			
Full Service Event Coordination	$1,538		
Deposit			
An additional $400 Deposit is required for all activities where alcohol is sold			
Rental Deposit	$410 / rental		
PARK AND PICNIC AREA RENTAL			
Park/Picnic ~ 1 to 50 people			
(4 hour minimum)			
Non-Profit Classification	$13 /hour		
Private Classification	$24 /hour		
Commercial Classification	$34 /hour		
Park/Picnic ~ 51 to 100 people			
(4 hour minimum)			
Non-Profit Classification	$19 /hour		
Private Classification	$34 /hour		
Commercial Classification	$49 /hour		
Park/Picnic ~ 101 + people			
(4 hour minimum)			
Non-Profit Classification	$26 /hour		
Private Classification	$45 /hour		
Commercial Classification	$65 /hour		
Inflatable Structures Administrative Fee			
All Classifications: applied to all approved "jumpy requests to accompany a park rental.	$46 / day / structure		
Non-Profit Org ~ $100 Max	$103 / rental		
Non-Profit Classification			

Legend:

* Not subject to CPI adjustment	**CBC - CA Building Code**	**CFR - Code of Federal Regulations**	**B & P - CA Bus. & Professions Code**
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PRC - CA Public Resources Code	**CFC - CA Fire Code**	**FAC - CA Food & Agriculture Code**	

SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
Deposits	Per Rental			TMC §3.36.010
Less than 50, traditionally activity	$0 / rental			Reso. 2013-086
50-100; or less than 5 non-traditional	$103	/rental		
101-200 attendees	$205	/rental		
201-300 attendees	$308	/rental		
301 and above attendees	$513	/rental		
PARKING LOT RENTAL **Locations and Availability at City Discretion** **(10 hour maximum)**				
Base Fee	$103 plus:			
Use Fee: Non-Profit Classification	Per Parking Space $2			
Private Classification	$359			
Commercial Classification	$5			
MOBILE STAGE RENTAL	Non-Profit Per Rental		Private Per Rental	
"A" Set Up (36' X 14')	$328		$815	
"B" Set Up (36' x 18')	$513		$2,225	
"C" Set Up (36' x 22')	$585		$2,877	
Deposits				
All Stage Rentals	$410 / rental			
TENNIS COURT RENTAL				
		Per Hour / Per Court		
Rental	Private	League	Tournament	
Non-Profit Youth Classification	$0	$5	$5	
	$0	$5	$10	
Private Classification	$5	$7	$15	
Commercial Classification	$10	$10	$15	
		Per Hour / Per Court		
Lights Fee	Private	League	Tournament	
Non-Profit Youth Classification	$0	$5	$7	
Non-Profit Adult Classification	$0	$5	$10	
Private Classification	$5	$10	$12	
Commercial Classification	$0	$10	$12	
Deposits Tennis Court Rental Deposit	$51 / day / crt		~~$50~~	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
WEST HIGH SWIMMING POOL RENTALS **Any Size Groups, When Organization** **Provides Own Lifeguard**s		TMC §3.36.010 Reso. 2013-086
Non-Profit Classification (Half Pool)	$59 /hour	
Non-Profit Classification (Full Pool)	$113 /hour	
Up to 50 People, Includes 2 Lifeguards		
Non-Profit Classification (Half Pool)	$108 /hour	
Private Classification (Half Pool)	$118 /hour	
Commercial Classification (Half Pool)	$133 /hour	
Non-Profit Classification (Full Pool)	$210 /hour	
Private Classification (Full Pool)	$231 /hour	
Commercial Classification (Full Pool)	$251 /hour	
Up to 75 People, Includes 3 Lifeguards		
Non-Profit Classification (Half Pool)	$123 /hour	
Private Classification (Half Pool)	$133 /hour	
Commercial Classification (Half Pool)	$144 /hour	
Non-Profit Classification (Full Pool)	$241 /hour	
Private Classification (Full Pool)	$262 /hour	
Commercial Classification (Full Pool)	$282 /hour	
Up to 100 People, Includes 4 Lifeguards		
Non-Profit Classification (Half Pool)	$138 /hour	
Private Classification (Half Pool)	$149 /hour	
Commercial Classification (Half Pool)	$159 /hour	
Non-Profit Classification (Full Pool)	$272 /hour	
Private Classification (Full Pool)	$292 /hour	
Commercial Classification (Full Pool)	$313 /hour	
100 to 150 People, Includes 5 Lifeguards		
Non-Profit Classification (Half Pool)	$154 /hour	
Private Classification (Half Pool)	$164 /hour	
Commercial Classification (Half Pool)	$174 /hour	
Non-Profit Classification (Full Pool)	$303 /hour	
Private Classification (Full Pool)	$323 /hour	
Commercial Classification (Full Pool)	$344 /hour	

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
WEST HIGH SWIMMING POOL RENTALS, Continued		TMC §3.36.010
Over 150 People, Includes 6 Lifeguards		Reso. 2013-086
Non-Profit Classification (Half Pool)	$169 /hour	
Private Classification (Half Pool)	$179 /hour	
Commercial Classification (Half Pool)	$190 /hour	
Non-Profit Classification (Full Pool)	$333 /hour	
Private Classification (Full Pool)	$354 /hour	
Commercial Classification (Full Pool)	$374 /hour	
Deposits		
All Classifications, All Group Sizes	$103 / rental	
Additional WHS Pool Rental Fees		
Restrooms (for non-pool events)	$41 /hour	
Restrooms (for non-pool events)	$205 / day	
Extra lifeguard (as deemed necessary by staff, based on event)	$15 / hour / lifeguard	
JOE WILSON COMMUNITY POOL RENTALS Any Size Groups, When Organization Provides Own Lifeguards		
Non-Profit Classification	$51 /hour	
Up to 50 People, Includes 2 Lifeguards		
Non-Profit Classification	$72 /hour	
Private Classification	$82 /hour	
Commercial Classification	$92 /hour	
Up to 75 People, Includes 3 Lifeguards		
Non-Profit Classification	$87 /hour	
Private Classification	$97 /hour	
Commercial Classification	$108 /hour	
Up to 100 People Max, Includes 4 Lifeguards		
Non-Profit Classification	$103 /hour	
Private Classification	$113 /hour	
Commercial Classification	$123 /hour	
Deposits		
All Classifications, All Group Sizes	$103 / rental	

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
		TMC §3.36.010
LOLLY HANSEN SENIOR CENTER RENTAL **Multi-Purpose Room (2,225 Sq Ft)** **Week Day & Week End (4 hour minimum)**		Reso. 2013-086
Non-Profit Classification	$13 /hour	
Private Classification	$24 /hour	
Commercial Classification	$0 / hour	
Arts and Crafts Room (675 Sq Ft) **Week Day & Week End (4 hour minimum)**		
Non-Profit Classification	$5 /hour	
Private Classification	$9 /hour	
Commercial Classification	$0 / hour	
Entire Facility (4, 350 Sq Ft) **Week Day & Week End (4 hour minimum)**		
Non-Profit Classification	$27 / hour	
Private Classification	$47 / hour	
Commercial Classification	$0 / hour	
MOU – Hours Provided to Non-Profits/Gov	$0 / hour	
Deposits **An additional $400 Deposit is required for all activities where alcohol is sold**		
Multi-Purpose Room	$205 / rental	
Arts and Crafts Room	$205 / rental	
Entire Facility	$205 / rental	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
SPORT FACILITIES (TBP, TSC, Plasencia Fields, Tiago, Galli, & Bland Ball Fields)		TMC §3.36.010
Hourly Fee ~ League/Individual		
Non-Profit Youth Classification	$5 / hour / field	Reso. 2013-086
Non-Profit Adult Classification	$11 / hour / field	
Private Classification	$19 / hour / field	
Commercial Classification	$27 / hour / field	
Lights Fee ~ League/Individual		
Non-Profit Youth Classification	$7 / hour / field	
Non-Profit Adult Classification	$10 / hour / field	
Private Classification	$12 / hour / field	
Commercial Classification	$18 / hour / field	
Deposit for Baseball/Softball Bases	$250 /rental	
Storage Container License	$0.40 /square foot of ground space	
Daily Fee ~ Tournaments		
Non-Profit Youth Classification	$62 / hour / field	
Non-Profit Adult Classification	$103 / hour / field	
Private Classification	$123 / hour / field	
Commercial Classification	$123 / hour / field	
Lights Fee ~ Tournaments		
Non-Profit Youth Classification	$10 / hour / field	
Non-Profit Adult Classification	$10 / hour / field	
Private Classification	$10 / hour / field	
Commercial Classification	$10 / hour / field	
Staff for Sports Complex Use		
Non-Profit Youth Classification	$26 / hour / complex	
Non-Profit Adult Classification	$26 / hour / complex	
Private Classification	$26 / hour / complex	
Commercial Classification	$26 / hour / complex	
Softball Field Preparations		
A Prep – Light Watering	$5 / preparation	
B Prep – Light Watering, Minor Dragging	$15 / preparation	
C Prep – Full Field Preparation	$40 / preparation	
Use of Temporary Outfield Fencing	$103 / field	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 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.
- Approved by Parks Commission on March 13, 2014.

Legend:

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Utilities Department

Department Contact: Kuldeep Sharma

Note: This Master Fee Schedule does not include utility fees

RESOLUTION _____

APPROVING THE MASTER FEE SCHEDULE

WHEREAS, City departments have proposed, and the City Council has adopted, various fees relating to the work of City departments, and

WHEREAS, The City desires to improve public and customer information dissemination, and

WHEREAS, On June 4, 2013, the City Council adopted the most recent consolidated City-wide Master Fee Schedule to provide for a record of fees in a single document, improve public information, and provide consistent updating of the fees (Resolution 2013-086), and

WHEREAS, The Master Fee Schedule reflects fees charged for City services but does not include the following types of fees and charges:

- development impact fees adopted under the Mitigation Fee Act;
- mitigation fees (i.e., habitat and agricultural mitigation fees);
- business license fees (taxes);
- enterprise fund charges (water, sewer, storm water, airport, transit);
- fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid and yard waste, and recycling under TMC Chapter 5.20);
- landscape maintenance district (special assessments);
- fines (imposed as penalties);
- leases of City property; and
- rates established by separate agreements (i.e., Tracy Unified School District and performance artists), and

WHEREAS, The City shall continue to update the Master Fee Schedule on an annual basis, based on an automatic cost-of-living adjustment calculated since the fees were last set, with the exception of: (1) Recreation fees (2) Cultural Arts and Grand Theatre fees; and (3) other fees indicated by an asterisk, and

WHEREAS, The adoption of the Master Fee Schedule is not subject to the California Environmental Quality Act because it is not a project that has the potential for causing a significant effect on the environment (CEQA Guidelines, 14 California Code of Regulations, §15061(b)(3)), and

WHEREAS, On April 15, 2014, the City Council held a public meeting where all interested parties were able to provide testimony;

NOW, THEREFORE, BE IT RESOLVED, The Tracy City Council hereby resolves, declares, determines, and orders as follows:

1. The Master Fee Schedule, attached to this Resolution as Exhibit A, is approved.

2. This Resolution takes effect on July 1, 2014.

3. This Resolution supersedes Resolution No. 2013-086.

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

The foregoing Resolution _____ was adopted by the Tracy City Council on the 15th day of April, 2014 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

Think Inside the Triangle™

City of Tracy

Master Fee Schedule

Adopted by City Council Resolution No. 2011-101, May 17, 2011

Amended by Resolution No. 2012-111, June 5, 2012
Amended by Resolution No. 2013-047, April 2, 2013
Amended by Resolution No. 2013-086 June 4, 2013
Amended by Resolution No. _____ April 15, 2014

Effective July 1, 2014

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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 by Department and does not include the following types of fees:

- development impact fees adopted under the Mitigation Fee Act;
- mitigation fees (ie habitat mitigation, agricultural mitigation fees);
- business license fees (taxes);
- enterprise fund charges (water, sewer, storm water, 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 district assessments;
- fines (imposed as penalties);
- leases of City property; and
- rates established by separate agreements (ie Tracy Unified School District).

The Master Fee Schedule will generally be updated annually, and most fees will increase by a cost-of-living adjustment (CPI) rounded to the nearest dollar. The fees which are updated by some other method are indicated as such.

Public services may be classified as community-supported public services, such as police and fire services. These are typically 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.

Property development services (requiring a building permit or land use entitlement) is done at the request, 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.

City Staff whom worked to update this Master Fee Schedule include the following representatives from each Department:

Administrative Services, Finance Division	Anne Bell
Administrative Services, Finance Division	Robert Harmon
City Attorney's Office	Judith Robbins
City Clerk'S Department	Sandra Edwards
City Manager's Department, Cultural Arts Division	Kim Scarlata, Laura Smith
City Manager's Department, Recreation Division	Kim Scarlata, Jolene Jauregui-Correll
City Manager's Department, Theater Division	Kim Scarlata, Laura Johnston
Development Services, Engineering Division	
Development Services, Planning Division	William Dean
Development Services, Building Division	Delores Ohm
Fire Department, Fire Administration Division	David Bramell
Police Department, Support Operations Division	Lani Smith
Public Works Department, Community Facilities Division	Brian MacDonald

ADMINISTRATIVE SERVICES DEPARTMENT

Administrative Services Department
Finance Division

Department Contact: Robert Harmon, Senior Accountant

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Fire Sprinkler Charges		Resolution 2013-086
(Water Access/Availability)		
2" line	$5	
4" line	$11	
6" line	$22	
8" line	$32	
10" line	$43	
12" line	$54	
Returned Check Processing (NSF-Not Sufficient Funds)	$16	Reso. 2003-059
Delinquent Water Turn-off/Turn-on	$38	Reso. 2003-059
Business Licenses:		
• State disability access fee	$1 /application or renewal	GC §4467 TMC6.04.130
• Transfer, assignment or duplication fee	$5 /duplication	TMC6.04.130

Note: Business Licenses:

- Business license fee amounts are established by ordinance, at TMC Chapter 6.04.
- For failure to pay a business tax when due, the Collector shall add a penalty of ten (10%) percent of such business tax on the first day of delinquency and shall add a further penalty of ten (10%) percent of such business tax on the first day of every subsequent calendar month following such first day of delinquency provided the amount of such penalties to be added shall in no event exceed fifty (50%) percent of the business tax due. The penalties provided in this subsection shall be assessed from the date when such deficiency was required to be paid pursuant to 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. 2013-086 and assoicated 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).
- City Council Resolution 95-018 and associated staff report.

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

Administrative Services Department
Human Resources Division

Division Contact: Midori Dearborn, Senior Human Resources Analyst

There are no Human Resources Division Fees.

Administrative Services Department
Information Technology Division

Division Contact: Matt Engen, Manager

There are no Information Technology Division Fees.

CITY-WIDE FEES

CITY CLERK & CITY MANAGER'S DEPARTMENTS

City-Wide Fees
City Clerk and City Manager's Departments

Department Contacts: Maria Hurtado, Assistant City Manager; Sandra Edwards, City Clerk

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
		TMC §3.36.010
Annual Subscriptions (City Council, Planning Commission)		GC §6253
Agendas	$38 / month $2 / disc / agenda	Reso. 2007-258
Minutes*	$0.15 / page	GC §6253
Appeals		
To City Council	$162	TMC §1.12.020(B)(2)
To City Manager	$162	TMC §1.12.010(D)(2)
By Impartial Hearing Officer	May be shared equally by parties	TMC §1.12.030
Document Certification	$16 / document b	
Photocopies		
Paper Copy *	$0.15 / page	GC §6253
Oversized Copy	At cost	
Maps *	At cost	GC §6253
Duplicating Recording of Public Meeting:		
Video or Audio	At cost	
DVD of Council Meeting	$2	
Notary Fee *	$10	GC §8211
Palmistry License Fee (through Police Dept)		TMC §4.12.190
New	$595	
Renewal	$379	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2013-086 and accompanying staff report.
- Updated Council Policies and Procedures, City Council Resolution No. 2007-258.
- Resolution No. 2003-059 and accompanying staff report.
- 2003 Cost of Services Update, prepared by Finance Department.
  (City Council Resolution No. 2003-059).

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City Manager's Department
Grand Theatre\Cultural Arts Divisions

Division Contact: Division Contacts:
Kim Scarlata, Recreation Program Manager

* Fees are set by this Department annually and are not subject to automatic CPI adjustments.

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
		TMC §3.36.010
DEPOSITS		
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	$100	

ETK THEATRE

Note:

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 or percentage, whichever is greater.

	Non-profit	Commercial
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	$287	$750
Each Additional Hour	$100	$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	Not Applicable
Non-Prime Time Resident Company Rental: Performance	$230 / 8 hours	Not Applicable
Non-Prime Time Resident Company Rental: Rehearsal	$115 / 8 hours	Not Applicable
Prime Time Rental: Performance		
First 5 Hours	$110 or 10%	$330 or 15%
Each Additional Hour	$60	$180
Prime Time Rental: Rehearsal		
First 5 Hours	$110	$330
Each Additional Hour	$60	$180

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
STUDIO THEATRE			TMC §3.36.010
Note: Prime time is Friday through Sunday. Percentage payment is based on gross receipts. Fee is either minimum of percentage, whichever is greater.			Reso. 2013-086
	Non-profit	**Commercial**	
Non-Prime Time Rental: Performance			
First 5 Hours	$80	$240 or 15%	
Each Additional Hour	$60	$180	
Non-Prime Time Rental: Rehearsal			
First 5 Hours	$80	$240	
Each Additional Hour	$60	$180	
Meeting	$225 / 2 hrs		
Each Additional Hour	$40	$115	
Prime Time Resident Company Rental -	$88 / 5 hrs	Not Applicable	
Non-Prime Time Resident Company	$64 / 5 hrs	Not Applicable	
Non-Prime Time Resident Company	$64 / 5 hours	Not Applicable	
DANCE STUDIO, ART STUDIO I AND II, AND CHIDREN'S ART STUDIO			
Class/Meeting or Studio Theatre			
First 2 Hours	$75	$225	
Each Additional Hour	$40	$115	
ART PARTIES			
First 2 Hours	$50	$150	
Each Additional Hour	$35	$75	
Materials Fee (activity dependent)	$5 - $25 / person		
LARGE MUSIC ROOM			
(Includes Any Room Set Up & Tear			
Class/Meeting			
First 2 Hours	$25	$100	
Each Additional Hour	$35	$125	
MUSIC ROOM			
(Includes any room set up and tear			
Class (medium) or			
First 2 Hours	$25	$100	
Practice & Each Additional Hour	$35	$125	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
	Non-profit	Commercial	TMC §3.36.010 Reso. 2013-086
GRAND GALLERIES	$75 /2 hrs	$225 /2 hrs	
Each Additional Hour	$50	$150	
LOBBY AREAS			
Upstairs	$250 /4 hrs	$500 /4 hrs	
Downstairs	$200 /4 hrs	$400 /4 hrs	
OLD TOWN HALL & JAIL			
Weekday (Mon 8am – Fri 6 pm)	$40 /2 hrs	$60 /2 hrs	
Weekend (Fri 6 pm – Mon 8 am)	$50 /2 hrs	$100 /2 hrs	
2ND FLOOR ARTS OFFICE			
Weekday (Mon 8am – Fri 6 pm)	$30 /2 hrs	Not Available	
Weekend (Fri 6 pm – Mon 8 am)	$40 /2 hrs		
(LOGGIA)			
May only be rented as part of Reception (hourly rate)	$50	$150	
BOX OFFICE SERVICES			
Per Performance	$100	$300	
Per Ticket Charge to Patron	$3		
General Admission Per Ticket to	$1		
Marquee Listing	$50 / Installation	$100/Installation	
MISCELLANEOUS RENTALS			
Baby Grand Piano	$500 / use		
Piano Tuning at Renter's Expense	$150 each		
Installation/Removal of Floor for Orc	$250 / use		
Wireless Microphones	$25 / day		
Microphone Stands	$0 / use		
Follow Spot	$350 / use		
Video Projector	$130 /4 hours		
Laptop Computer	$50 / use		
Marquee Sign Listing	$50 / Installation	$100 / Installation	
Marley Dance Floor	$180 /use		
6' Mitey Lite Tables	$5 each		
46" Round Tables	$10 /each		
Cocktail Table Stools	$15 /each		
Cocktail Tables	$10 /each		
Wooden Classroom Chairs	$5 /each		
Music Stands >20	$10 /each		
Black Wenger Orchestra Chairs >25	$10 /each		

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
LABOR FEES		TMC §3.36.010
Technical Theatre Supervisor	$56 / hr	Reso. 2013-086
Theatre Technicians	$40 / hr	
General Stagehands	$20 / hr	
Follow Spot Operator	$15 / hr	
Merchandise Sales Person	$15 / hr	
Gallery Supervisor	$40 / hr	
Gallery Docents	$15r / hr	
Arts Education Instructor	$25 / hr	
Recreation Leader	$15 / hr	
ADDITIONAL FEES		
Janitorial Fees	$150 / day	
Season Discount/Reward Card	$20 / year	
Large Format Printing (posters, signs)	$2 / Sq Ft	
Agreement Processing Fee	$35 /contract	
CERAMICS		TMC §3.36.010; Reso. 2007-232
Building		
Example Classes: Wheel Throwing, Hand Building, Molding	$50-$300	
Firing		
Example Classes: Kiln Loading, Firing Tecniques	$40-$300	
Glazing		
Example Classes: Glazing & Finishing	$20-$300	
Workshops		
Workshop Example: Artist Talks and Demonstrations	$10-$300	
DANCE		
Children's Classical		
Example Classes: Ballet, Lyrical	$30-$150	
Children's Modern		
Example Classes: Jazz, Hip-Hop, Tap, Creative Dance	$30-$150	
Children's Workshops	$10-$200	
Adult Classical		
Example Classes: Ballet, Lyrical	$30-$150	
Adult Modern		
Example Classes: Hip-Hop, Tap, Jazz	$30-$150	
Adult Ballroom		
Example Classes: Swing, Salsa, Waltz	$30-$150	
Adult Workshops	$10-$300	
DRAMA		
Acting Technique		
Example Classes: Improvisation, Beginning Acting	$40-$250	
Technical Theater		
Example Classes: Set Building, Lighting/ Audio	$40-$250	
Performance		
Example Classes: Musical Theater, Scene Study	$40-$250	
Workshops		
Example Workshops: Audtion Workshops, Theater Camps	$10-$300	

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
MUSIC		TMC §3.36.010; Reso. 2007-232
Perucssion		Reso. 2013-086
Example Classes: Drumming, Muisc & Rhythm	$50-$200	
Strings		
Example Classes: Guitar, Violin	$50-$200	
Horns		
Example Classes: Trumpet, Saxophone, Clarinet	$50-$200	
Keyboard		
Example Classes: Piano, Group Keyboarding	$50-$200	
Voice		
Example: Group & Private Voice	$50-$200	
Music Methodologies		
Example: Music Theory, Music History	$50-$200	
Workshops		
Example: Music PR, Breaking into the Music Business	$10-$300	
VISUAL ARTS		
Children's Drawing		
Example Classes: Pre-School Drawing, Cartooning	$40-$120	
Children's Painting		
Example Classes: Acrylic & Watercolor Painting	$40-$120	
Children's Design		
Example Classes: Color and Light, Graphic Design	$40-$150	
Children's Mixed Media		
Example Classes: Print Making, Storybook Building	$40-150	
Children's Workshops		
Example Workshops: Cartoon Workshop, Fused Glass Making	$10-$250	
Adult Drawing		
Example Classes: Landscape, Figure, Still Life Drawing	$40-$300	
Adult Painting		
Example Classes: Acyrlic, Oil, and Watercolor Painting	$40-$300	
Adult Design		
Example Classes: Graphic Design, Fashion Design	$40-$300	
Adult Mixed Media		
Example Classes: Apparel Construction, Weaving, Sculpting	$40-$300	
Adult Workshops		
Demonstrations	$10-$300	
Performance Admission Fees	Cost to City Based on Performer	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2007-232 and associated staff report.

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City Manager's Department
Recreation Division

Division Contact: Kim Scarlata, Recreation Manager

* Fees are set by this Department annually and are not subject to automatic CPI adjustments.

SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
ADMINISTRATION				TMC §3.36.010; Reso. 2007-232
Advertising Fee for Activity Guide[1]				Reso. 2013-086
Full page, back cover	$1,000			
Full page, inside back cover	$500			
½ page, inside	$350			
¼ page, inside	$200			
[1]Applied to advertising in City's Activity Guide				
Insurance Processing Fee Fee for public purchase of event Insurance	$35 / transaction			
Program Transaction Fee Applied to withdrawal, refund, credit or	$5 / transaction			
Fac. Rental Applic. Processing Fee	$35 / transaction			
Early Registration Discount	($10) / registration			
Online Registration Discount	($10) / registration			
Sibling Registration Discount	10% / registration			
Range of Fee Increase for Contract To be used based on staff's assessment of	20% / registration			
PROPOSED SPECIAL INTEREST (CONTRACTOR) CLASSES				
Baby Sitter Training	$85/Non-Res	$77/Res	/2-day session	
Cardio Kick Boxing	$55/Non-Res	$50/Res	/6-week session	
Cheer Prep	$50/Non-Res	$45/Res	/4-week session	
Cheer-Preschool	$50/Non-Res	$45/Res	/4-week session	
Classic Gym-Preschoolers	$53/Non-Res	$48/Res	/4-week session	
Classic Gym-Youth	$57/Non-Res	$52/Res	/4-week session	
CPR/FA	$55/Non-Res	$50/Res	/1-day session	
Dog Obedience-Advanced	$105/Non-Res	$95/Res	/7-week session	
Dog Obedience-Basic	$127/Non-Res	$115/Res	/7-week session	

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	hr(s) - hour(s)

SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
PROPOSED SPECIAL INTEREST (CONTRACTOR) CLASSES, CONTINUED				TMC §3.36.010
Golf Lessons-Adult	$66/Non-Res	$60/Res	/4-week session	Reso. 2013-086
Gymnastic Camps	$66/Non-Res	$60/Res	/per week	
Just 4 Kicks-Preschool	$79/Non-Res	$72/Res	/8-week session	
Just 4 Kicks-Youth	$79/Non-Res	$72/Res	/8-week session	
KidSAFE	$99/Non-Res	$90/Res	/10 -week session	
LEGO Camp (Half Day)	$189/Non-Res	$172/Res	/per week	
Mad Science (Half Day)	$185/Non-Res	/$169/Res	/per week	
Preschool AM	$193/Non-Res	$175/Res	/per calendar month	
Preschool PM	$418/Non-Res	$380/Res	/per calendar month	
Safety Club	$21/Non-Res	$18/Res	/1-day workshop	
SNAP Summer Day Camp	$55/Non-Res	$50/Res	/per week	
SNAP After School Program	$28/Non-Res	$25/Res	/per week	
Tennis-Adult	$55/Non-Res	$50/Res	/4-week session	
Tennis-Tiny Tots	$48/Non-Res	$44/Res	/4-week session	
Tennis-Youth	$55/Non-Res	$50/Res	/4-week session	
Tracy Online Learning	$97/Non-Res	$88/Res	/6-week session	
Yoga-Adults	$35/Non-Res	$32/Res	/4-week session	
Yoga-Seniors	$33/Non-Res	$30/Res	/per calendar month	
Action Gymnastics	$83/Non-Res	$75/Res	/8-week session	
Action Gymnastics Parent/Tot	$28/Non-Res	$25/Res	/4-week session	
Action Gymnastics Parent/Tot Adv	$33/Non-Res	$30/Res	/4-week session	
Zumba 10-day Pass	$88/Non-Res	$80/Res	/10-day pass	
Zumba 20-day Pass	$165/Non-Res	$150/Res	/20-day pass	
Zumba Drop In	$13/Non-Res	$10/Res	/per drop in	
Tai Chi	$44/Non-Res	$40/Res	/6-week session	
Tiny Tots Hooked on Books	**$53-/Non-Res**	$48/Res	/4-week session	
Basic Gardening	$28/Non-Res	$25/Res	/4-week session	
Bowling for Beginners	$99/Non-Res	$90/Res	6-week session	
Camps-Biology Camp	$220/Non-Res	$200/Res	/per week	
Camps-Build a Robot	$198/Non-Res	$180/Res	/per week	
Camps-Chess	$59/Non-Res	$54/Res	/3-week session	
Camps-Eagal Lakes	$94/Non-Res	$85/Res	/3-day session	
Camps-Kidsafe	$99/Non-Res	$90/Res	/3-week session	
Computer Tech Camp	$204-$149/Non-Res	$185-135/Res	/5-day session	
Fly Fishing	$33/Non-Res	$30/Res	/1-day workshop	
Just 4 Hoops	$59/Non-Res	$54/Res	/6-week session	
Just 4 Kicks Camps Preschoolers	$94/Non-Res	$85/Res	/5-day session	
Just 4 Kicks Camps Youth	$110/Non-Res	$100/Res	/5-day session	
Kindergarten Tutoring	$63/Non-Res	$57/Res	/4-week session	
Tae Kwon Do Tots	$47/Non-Res	$43/Res	/4-week session	
Tennis Camp Preschoolers	$50/Non-Res	$45/Res	/1-week session	
Tennis Camp Youths	$55/Non-Res	$50/Res	/1-week session	

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SERVICE OR APPLICATION		PROPOSED FEE		LEGAL AUTHORITY
NEW SPECIAL INTEREST (CONTRACTOR) CLASSES				TMC §3.36.010
Adventure Thursdays Field Trip	$65/Non-Res	$59/Res	/per trip	Reso. 2013-086
Arthritis Foundation Tai Chi	$64/Non-Res	$58/Res	/8-day session	
Athletic Perfection - Play Date	$23/Non-Res	$20/Res	/1-day session	
Athletic Perfection - Discover the	$50/Non-Res	$45/Res	/4-week session	
Camps - Fencing	$220/Non-Res	$200/Res	/per week	
Camp - Flag Football	$165/Non-Res	$150/Res	/per week	
~~Camps -~~ Skyhawks Basketball	$54/Non-Res	$49/Res	/4-sessions	
~~Camps -~~ Skyhawks Baseball	$54/Non-Res	$49/Res	/4-sessions	
Camps - Skyhawks Sports	$175/Non-Res	$159/Res	/per week	
Camps - Tennis	$165/Non-Res	$150/Res	/per week	
Classic Gym - Open Gym	$13/Non-Res	$10 Res	/per drop-in	
Classic Gym - Crafty Time	$72/Non-Res	$65/Res	/4-week session	
Classic Gym - School's Out Party	$20		/per drop-in	
Fencing for Beginners	$99/Non-Res	$90/Res	/4-week session	
Get Up & Moving Fitness	$66-$220/Non-Res	$60-$200/Res	/4, 10, 20-day	
Leaders in Training: Jr Rec Leaders	$83/Non-Res	$75/Res	/2-day session	
Tai Chi Arthritis Foundation	$70/Non-Res	$64/Res	/6-sessions	
Tennis - Cardio Workshop	$28/Non-Res	$25/Res	/1-day workshop	
Workshop Series for Adults	$8/Non-Res	$5/Res	/1-day workshop	
Yoga - Adults	$83/Non-Res	$75/Res	/10-day pass	
YOUTH & TEENS				
BBQ and Game Day		$3	/ person	
Teen Swim Events		$5	/ person	
Teen Events				
Minimum		$5	/ person	
Maximum		$20	/ person	
Girls Retreat		$10	/ person	
Teen Camps		$77/Non-Res/week	$70/Res/week	
Teen Chill Out Night (Movie & Popcorn)		$3	/ person	
Extreme Sports Day (competition registration)		$10	/ person	
Fashion Show		$10	/ person	
Ski/Snowboard Trip		$90	/ lift ticket only	
		$125	/rental & lift ticket	
		$125	/rentals, lift & lesson	
		$55	/ transportation only	
		$5	/ helmet rental	
S.A.F.E. (Teen After School Program)	Minimum:	$50	/ membership/school yr	
	Maximum:	$100	/ membership/school yr	
		$0	/ drop-in for members	
*Fee ranges based on direct costs		$5	/ scrapbooking class	
		$5	/ cooking class	

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
MCYSN			TMC §3.36.010
Mobile recreation (Roll'n Rec)	$0	/ person	Reso. 2013-086
YOUTH DEVELOPMENT			
ROC (Recreation on Campus After School)*			
*Fee ranges based on direct costs			
Minimum	$180	/ regular-per month	
Maximum	$240	/ regular-per month	
ROC (Recreation on Campus After School)*			
*Fee ranges based on direct costs			
Minimum	$15	/ daily-per day	
Maximum	$24	/ daily-per day	
ROC (Recreation on Campus After School)*			
*Fee ranges based on direct costs			
Minimum	$105	/ hourly-per month	
Maximum	$144	/ hourly-per month	
Summer Camp (Full Day) 7am-6pm*			
*Fee ranges based on direct costs			
Minimum	$140	/ week	
Maximum	$192	/ week	
Summer Camp Extended Care Fees (7am-9am, 3pm-	$35	/ week	
Summer Camp 9am-3pm ONLY*	$150	/ week	
*Fee ranges based on direct costs			
Summer Camp (Half Day)			
9am-12pm or 1pm-4pm*			
*Fee ranges based on direct costs			
Minimum	$65	/ week	
Maximum	$90	/ week	
SENIORS			
Senior Health & Wellness			
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	$44/Non-Res	$40/Res	
Senior Arts & Music			
Senior Idol	$0	/ class	
Wood Carving	$0	/ class	
Arts & Craft Class	$0	/ class	
Arts & Craft Project	$5 min/$10 max	/ project	
Painting	$0	/ class	

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SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
SENIORS, Senior Health and Wellness, Continued			TMC §3.36.010
Scrapbooking	$0	/ class	Reso. 2013-086
Sewing	$0	/ class	
Beading	$7	/ month	
Card Making	$2	/ class	
Tap Dancing	$2	/ class	
Line Dancing	$2	/ class	
Country Jams	$2	/ class	
Senior Recreation			
Tea Social	$0	/ class	
Bingo	$0	/ class	
Social Recreation Programs	$0	/ class	
Table Games	$0	/ class	
Senior Special Events			
Minimum	$5	/ event	
Maximum	$20	/ event	
Booth for Special Events	$25/non profit; $50 for profit per event		
St. Patty's Day & Oktoberfest Lunch	$5	/ person	
Dances	$5	/ person	
Fashion Show	$0	/ class	
SNAP Friday Night Dance	$0	/ class	
20 Visit Drop-In Activities Card	$20	/ card	
Senior Trips			
Bus Trips	$33/Non-Res	$30/Res	
Senior Social Services			
Lunch Program	$0	/ month	
AARP Programs	$0	/ month	
Other Services	$0	/ month	
Clubs	$0	/ month	
ATHLETICS			
Adult Sports			
Adult Slow Pitch Leagues*			
Minimum	$280	/ team	
Maximum	$520	/ team	
*League fees pending format, number of games & srvcs			
Adult/Youth Fast Pitch Leagues*			
Minimum	$450	/ team	
Maximum	$600	/ team	
*League fees pending format, number of games & srvcs			
Adult/Youth Softball Tournament*			
Minimum	$250	/ team	
Maximum	$500	/ team	
*Tournaments vary based on type of tournament and awards provided			

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SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
ATHLETICS				TMC §3.36.010
Adult Sports, Continued				Reso. 2013-086
Adult Softball Protest Fee	$25	/ per protest		
Adult Flag Football League				
Minimum	$400	/ team		
Maximum	$600	/ team		
*League fees pending format, number of games & services				
Adult Kick Ball League [1]				
Minimum	$275	/ team		
Maximum	$400	/ team		
[1] League Fees pending format, number of games & services.				
Youth Sports				
Youth Basketball League (Youth Hoops)	Per Non-Res Player	Per Res Player		
Minimum	$75	$75		
Maximum	$85	$80		
Jr. Giants Youth Baseball (Free Program)	$0	$0		
Youth Sports Camps	Per Non-Res Player	Per Res Player		
Minimum	$60	$60		
Maximum	$88	$80		
Flag Football League	Per Non-Res Player	Per Res Player		
Minimum	$75	$75		
Maximum	$99	$90		
AQUATICS				
General Recreation Swim				
Individual Entrance Fee	$2	/ person		
10-Visit Pass	$25	/ pass		
Swim Lessons				
Parent/Tot	$55	/ parent/tot		
Learn To Swim*				
Minimum	$29/Non-Res	$26/Res/team		
Maximum	$66/Non-Res	$60/Res	2 week session	
*Fees vary based on number of instruction days				
Water Aerobics				
Drop-In	$4	/ person		
10-Visit Pass	$30	/ pass		
Lap Swimming				
Individual Entrance Fee	$3	/ person		
10-Visit Pass	$25	/ pass		

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SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
Other Classes/Programs				TMC §3.36.010
Introduction to Lifesaving	$60/Non-Res	$55/Res	2 week session	Reso. 2013-086
Swim Camp	$80/Non-Res	$75/Res	2 week session	
Diving	$60/Non-Res	$55/Res	2 week session	
Basic Water Polo	$60/Non-Res	$55/Res	2 week session	
Lifeguard Training	$253/Non-Res	$230/Res	1 week session	
Private Swim Lesson (one ½-hour session)	$105/Non-Res	$100/Res	2 week session	
Discover SCUBA	$18/Non-Res	$15/Res		
SPECIAL EVENTS				
Event Ticket				
Minimum	$18 / person			
Maximum	$40 / person			
Event Booth Fee				
Minimum	$25 / booth			
Maximum	$150 / booth			

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2013-086 ~~2011-101~~ 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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DEVELOPMENT SERVICES DEPARMENT

Note: The DS Department fees in this Schedule do not include:

- *development impact fees adopted under the Mitigation Fee Act;*
- *mitigation fees (ie habitat mitigation, agricultural mitigation fees);*
- *fees adopted by separate agreement with a developer.*

Development 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

Note: Whenever called for, employee hourly rates are based on the particular employee position, salary, benefits & overhead.

Building Safety

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Building Permit Fee (Based upon project value, as determined by building valuation data table, with regional modifiers, as most recently published in the "Building Safety Journal".) **Electrical Permit** **Mechanical Permit** **Plumbing Permit**	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 & Table 3A-D. TMC §9.02.030, 9.08.080, CFR Title 24
Investigation Fee (when work was begun without permit)	Equal to amount of permit fee, in addition to permit	1997 UAC §304.5.2
Title 24 Energy Inspection (including Photovoltaic Systems)	Employee hourly rates	GC §66014, CFR Title 24
Strong Motion Instrumentation Tax (SMI) Group R (Resid). occupancies, one to three stories in height except for hotels and motels: All other buildings (commercial):	Valuation X $0.0001 (minimum $0.50) Valuation X $0.00022 (minimum $0.50)	PRC §2705
Elevator Permit Elevator, escalator or moving walk	$96 plus $2 for each $1,000 or fraction over $40,000	
Commercial dumbwaiter	$27 plus $2 for each $1,000 or fraction over $10,000	
Electrical Meter Re-Set (City safety inspection before PG&E turns on utilities.)	$58	GC §66014
Bldg./Moving or Oversized Load-Initial insp. fee	$108	TMC §9.32.040
Expedited Plan Check and Inspection Fees	Employee hourly rates	TMC §3.36.010

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Micro-Imaging Fees:		TMC §3.36.010
[1](+ 2% of invoice total for pick-up and delivery):		Reso. 2013-086
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	$0.08 each +2%[1]	
▪ anything larger than 11" x 17", black & white or gray scale document with a two field index	$0.81 each +2%[1]	
▪ 11" x 17" and smaller, color document, with a two-field index	$0.14 each +2%[1]	
▪ 18" x 24" color document, with a two-field index	$0.49 each +2%[1]	
▪ 24" x 36" color document, with a two field index	$1 each +2%[1]	
Sign Permit	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	PROPOSED FEE	LEGAL AUTHORITY
		TMC §3.36.010 and CFC 113
Annual Operational Fire Permit and Inspection		CFC-113
Permit fee	$103 /Permit	
Inspection fee:	plus:	
Type A: amusement buildings; Christmas tree lots; exhibits & trade shows; open burning; pyroxylin plastics; rooftop heliports; haunted houses & corn mazes; pumpkin patches.	Employee Hourly Rate	
Type B: open candles, flames & torches.	$43	
Type C: covered mall buildings; fire hydrants & valves; liquid or gas-fueled vehicles or equipment in assembly buildings; private fire hydrants.	$59	
Type D: aviation facilities; cellulose nitrate film; cutting & welding; hot work operations; magnesium; temporary membrane structures, tents & canopies.	$87	

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Type E: aerosol products; carnivals & fairs; combustible fibers; compressed gasses; dry cleaning plants; fruit & crop ripening; industrial ovens; miscellaneous combustible storage; wood products; floor finishing.	$119	CFC 113
Type F: above/below ground fuel storage tank installation, per tank; combustible dust-producing operations; cryogenic fluids; flammable & combustible liquids; LP-gas; organic coatings; places of assembly; repair garages & motor fuel-dispensing facilities; spraying or dipping; storage of scrap tires & tire byproducts; tire-rebuilding plants; fumigation & thermal insecticidal fogging.	$178	
Type G: above/below ground fuel tank removal, per tank; lumber yards & woodworking plants; refrigeration equipment; production facilities; live audiences.	$265	
Type H: explosives; hazardous materials; hazardous production material facilities; pyrotechnic/special effects displays; waste handling facilities.	$357	
Type I: high-piled storage.	$530	
Construction Fire Permit, Including Plan Check, Review and Inspection		CFC 105.7
Fire sprinkler plan check		
$0 - $5,000	$87	
$5,001 - $20,000	$260	
$20,001 +	Fee will be based on employee hourly rate	
Fire sprinkler inspection		
$0 - $5,000	$265	
$5,001 - $20,000	$492	
$20,001 +	Fee will be based on employee hourly rate	
Alarm plan check		
$0 - 20,000	$357	
$20,001 +	Fee will be based on employee hourly rate	
Alarm inspection		
$0 - $20,000	$178	
$20,001+	Fee will be based on employee hourly rate	
Hood and duct		
Plan check	$43 /applic.	
Inspection	$135 /applic.	

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
State Mandated Occupancy Inspection		Title 19, CCR H & S Section 13235
Pre-inspection request:		
25 or less	$54	
26 or more	$108	
Day care, 14 or fewer	$135	
Day care, more than 14, or Convalescent Home	$305	
Hydrant System Flow Testing		
Testing	$343 / test	
Witnessing	$119 / test	
Fire Reinspection	Fee will be based on employee hourly rate	Ordin. 1192, Section 106.2.3

Latest Fee Study or Staff Report Explanation:

Building:

- City Council Resolution No. 2013-086 and accompanying staff report.
- 1997 Uniform Administrative Code adopted by TMC §9.02.030.

Fire Safety:

- City Council Resolution No. 2013-086 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).

Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
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Development Services Department
Code Enforcement Division

Department Contact: William Dean, Assistant Director of Development Services Department
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.

Development Services Department
Economic Development Division

Department Contact: Amie Mendes, Analyst

The Economic Development Division has no fees.

established in the Tracy Municipal Code under the following chapters:

Development Services Department
Engineering Division

Department Contact: **Victoria Dion, City Engineer**
Cris Mina, Senior Civil Engineer

SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
AGREEMENT PROCESSING FEE	$6,607	/ agmt		TMC §3.36.010
Inspection improvement agreement				Reso. 2013-086
Subdivision improvement agreement				
Deferred improvement agreement				
Off-site improvement agreement				
Park improvement and reimbursement agreement				
GRADING				TMC §12.12.070
Grading plan check (base amount)				
0-10,000 cubic yards (CY)	Base amt.	$2,589		
10,001-100,000 CY	Base amt. plus	$137	/10,000 CY	
100,001-200,000 CY	Base amt. plus	$117	/10,000 CY	
200,000 + CY Additional	Base amt. plus	$91	/10,000 CY	
Grading permit and inspection				TMC §12.12.070
5 or fewer lots (residential or commercial)		$1,463		
Subdivisions (5 or more lots)		$3,697		
Additional plan review required by multiple	Hourly personnel costs	$103	/hour	
changes, additions, revisions after initial	Hourly personnel costs	$103	/hour	
review completed.				
SUBDIVISIONS				
Tentative subdivision map		(See Planning)		TMC §12.12.070; 12.16.060
Vesting tentative subdivision map		(See Planning)		TMC §12.28.050
Final Parcel Map Review		$2,397		
Final Subdivision Map Review		$1,943		TMC §12.12.070
Map amendment review		$1,194		
Certificate of correction		$3,645		TMC §12.28.050
Certificate of compliance – lot line adjustment		$2,852		TMC §12.04.080

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
PUBLIC IMPROVEMENTS		TMC §3.36.010
Inspection improvement agreement (SIA, DIA, OIA, PIRA, any amendment)	$6,607	Reso. 2013-086
Plan check (% of improvement constr cost)	5.78%	
Inspection (% of improvement constr cost)	3.50%	
As-builts, review after construction	$32	
Micro-Imaging Fees		
[1](+ 2% of invoice total for pick-up and delivery):		
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	$0.08 each +2%[1]	
▪ anything larger than 11" x 17", black and white or gray scale document with a two field index	$0.81 each +2%[1]	
▪ 11" x 17" and smaller, color document with a two-field index	$0.14 each +2%[1]	
▪ 18" x 24" color document, with a two-field index	$0.49 each +2%[1]	
▪ 24" x 36" color document, with a two field index	$1 each +2%[1]	
SEGREGATON OF ASSESSMEMT (Within any assessment districts)	$42 / lot	
RECORD OF SURVEY	$313	
STREET/EASEMENT ABANDONMENT	$1,521	
ENCROACHMENT PERMIT	$370 plus $16 / Sq Ft or $53 / hr	TMC §7.04.020
Sidewalks, plus whichever is less	$58 plus $16 / Sq Ft or $53 / hr	
Driveways, Curbs, plus whichever is less	$58 plus $53 / hr	
Trees, Utility Boxes/per hour (1 hour minimum)	$58 / permit plus $89 / hr	
Miscellaneous Encroachment Permit, plus hourly rate for inspection and engineering review.	$116	
OVERSIZE LOAD PERMIT		
Single Permit	$16	
Annual or Blanket Permit (fix route)	$95	
BUILDING MOVING OR OVERSIZED LOAD		TMC §9.32.040
Permit fee	$604	
Other	Hourly rate for City personnel	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
REPRODUCTION, MAP AND DOCUMENT SALES:		TMC §3.36.010 Reso. 2013-086
Standard Plans, Standard Specs, and Design Standards	$15	
Parks Manual	$79	
Storm Drainage Master Plans	$22	
Subdivision Maps	$5	
Reproduction Fees	$2 / sheet	
CONSTRUCTION WATER METERS		
Deposit for use of City-owned meter	$793	
Service reinstatement fee	$53	
Winter rates per ccf (Nov - Apr)		
(100 cubic feet or 748 gal)		
0 - 12 ccf; 13 - 19 ccf;	$1; $2	
20 - 191 ccf; 192+ ccf	$2; $2	
Summer rates per ccf (May - Oct)		
0 - 18 ccf; 19 - 29 ccf	$1; $2	
30 - 287 ccf; 288+ ccf	$2; $2	
Monthly service charge	$10 / day + 15% adm fee plus:	
(Meter code and size)		
LL (LIRA) – 1”	$9	
WL (LIRA) – varies	$0	
W1 - 5/8” or ¾”	$12	
W2 – 1”	$22	
W3 – 1 ½”	$49	
W4 – 2”	$87	
W5 – 3”	$197	
W6 – 4”	$350	
W7 – 6”	$787	
W8 – 8”	$1,400	
W9 – 10”	$2,187	
NEW ADDRESS MAPPING FEES		
Single-family	$68 / lot	
Multi-family projects, plus dwelling unit cost	$68 / lot plus	
In buildings with 5 or more units	$34 / dwelling unit	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 and accompanying staff report.

Legend:

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Development Services Department
Planning Division

Department Contact: William Dean, Assistant Director of Development 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	PROPOSED FEE	LEGAL AUTHORITY
PLANNING DIVISION APPLICATION PROCESSING FEES		Generally, TMC §10.08.4150; 12.12.070
Adult Business Use Permit	Cost Recovery Agreement	TMC §10.28.808
Annexation	$11,358	TMC §10.08.4150
Appeal to City Council ●	$299	TMC §10.08.4150
Appeal to Planning Commission ●	$299	TMC §10.08.4150
Conditional Use Permit [a]		TMC §10.08.4270(h)
class A	$5,733	
class B	$3,651	
Conditional Use Permit (Non-Profit Organizations)		TMC §10.08.4270(h)
class A	$573	
class B	$368	
Development Review [b]		TMC §10.08.4150
class A	$4,234	
class B	$3,008	

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	**FAC - CA Food & Agriculture Code**	

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
ENVIRONMENTAL		CEQA Guidelines §15045 (14 CCR 15045)
Environmental Assessment (charged for all projects not requiring a	$108	
Environmental Initial Study / Negative Declaration	$1,536	
Environment Impact Report	Cost Recovery Agreement	
General Plan Amendment	Cost Recovery Agreement	TMC §10.08.4150
Lot Line Adjustment	$441	TMC §12.04.080; 12.12.070
Micro-Imaging Fees		Reso. 2013-086
[1](+ 2% of invoice total for pick-up and delivery):	each	
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	$0.08 +2%[1]	
▪ anything larger than 11" x 17", black and white or gray scale document with a two field index	$0.81 +2%[1]	
▪ 11" x 17" and smaller, color document, with a two-field index	$0.14 +2%[1]	
▪ 18" x 24" color document, with a two-field index	$0.49 +2%[1]	
▪ 24" x 36" color document, with a two field index	$1 +2%[1]	
Noise Ordinance Variation	$4,327	TMC §4.12.780(B)(4)
Planned Unit Development	$8,491	TMC §10.08.4150
Planned Unit Development Amendment	$4,868	
Planning Commission Determination	$1,087	TMC §10.08.4150
Residential Growth Allotment ●	$1,805	TMC §10.12.070(c); GMO Guidelines §2 G
Sign Permit ●		TMC §10.08.4150
Master Sign Program	$1,095	
Individual Sign Complying w/MSP	$81	
All other signs	$493	
Specific Plan	Cost Recovery Agreement	TMC §10.20.040(c)(1); 10.20.080
Specific Plan Amendment	$5,517	

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	**FAC - CA Food & Agriculture Code**	

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Temporary Use Permit ●	$78	TMC §10.08.4240; 10.08.4150
Tentative Map		TMC §12.12.070
Parcel map	$7,896	
5 – 100 lots	$10,817	
100 & over lots	$16,874	
Time Extension ●	$455	TMC §12.12.070 for Subd
Variance	$727	TMC §10.08.3630; 10.08.4150
Zoning		TMC §10.08.4150
Zone Change	$2,758	
Zone Text Amendment	$2,704	
Zoning Research Letter ●	$86	

[a] **Conditional Use Permit -** Classification by type of project:

	Residential	Commercial	Industrial
Class A:	4+ lots	+3,000 Sq Ft or 4+ lots	+10,000 Sq Ft or 4+ lots
Class B:	1-3 lots	-3,000 Sq Ft or 1-3 lots	-10,000 Sq Ft or 1-2 lots

[b] **Development Review Permit -** Classification by type of project:

	Residential	Commercial	Industrial
Class A:	4+ units	+3,000 Sq Ft	+10,000 Sq Ft
Class B:	1-3 units	-3,000 Sq. Ft.	-10,000 Sq Ft

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 and accompanying staff report.
- 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.

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	**FAC - CA Food & Agriculture Code**	

FIRE DEPARTMENT

Fire Department

Department Contact: David Bramell, Division Chief

Note: The South County Fire authority has adopted separate fees for areas under its jurisdiction.

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Illegal Burn Response	$119 /hr/ engine, with ½ hr min	TMC §3.36.010; CFC
Hazardous Materials Clean-Up	Actual costs for all responding personnel	
Special Event Fire Protection (Stand-by)	Actual costs for all responding personnel	
Weed Abatement	Contract cost + 25% overhead charge	
Fireworks Sales Permit Fee (Including initial stand inspection, safety seminar, and lottery processing.)	$243	TMC §3.04.040(a)
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.)	Actual costs for fire	TMC §3.04.020

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 and accompanying staff report.
- 2003 Cost of Services Study Update, prepared by Finance Dept. (City Council Resolution No. 2003-059. See also February 18, 2003 staff report).
- 1998 Cost of Service Study, prepared by MSI.

Legend:

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POLICE DEPARTMENT

Police Department

Department Contact: Lani Smith, Support Operations Manager

SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
Alarm Permit; False Alarms		
Alarm user permit	$22	TMC §3.40.060
False alarm costs:		
4th response	$32	TMC §3.40.150
5th response	$59	
6th response	$76	
7th response	$87	
(plus penalties)		TMC Ch. 1.28
Animal Services		TMC §3.36.010
Animal adoption, plus veterinary services	$5	TMC §5.08.130(L)
Animal bite	$32	
Board and care (daily):		
for impounded dogs	$16	
for impounded cats	$13	
Cat carrier	$5	TMC §5.08.130
Cat neuter	$54	
Cat spay	$97	
Collar identification	$2	
Dog neuter	$108	TMC §5.08.130
Dog spay	$162	
Impound: 1	$22	TMC §5.08.130; 5.08.240
Impound: 2	$32	
Impound: 3+	$43	
*Impound, additional State fee for unaltered, at large, animals: 1st; 2nd; 3rd	$35; $50 $100	FAC 30804.7
License fee: unaltered dogs	$54 /yr	TMC §5.08.130
License fee: altered dogs	$11 /yr	
License fee: replacement for lost	$5	
License fee: late	$22	
Low cost spay/neuter voucher	$22	
Multiple pet permit application	$27	TMC §5.08.420
Owner surrender:		TMC §5.08.170; 5.08.180; 5.08.240
Live animal	$49	
Deceased animal (not at shelter)	$22	
Rabies vaccination voucher	$17	TMC §5.08.130
Vaccination	$5	TMC §5.08.130
Veterinary costs	At Cost	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
BICYCLES		
License and registration	$6 /3 years	TMC §3.20.060
Renewal	$3 /3 years	TMC §3.20.070
BINGO		
License	$54	TMC §4.24.050
Renewal	$11	
CARD ROOMS		TMC §4.04.030
License and renewal	$27	TMC §4.04.050
Dealer/work permit	$65 plus	TMC §4.04.070
Department of Justice Fee	$32 *	
CITATION SIGN-OFF FOR AGENCIES OUTSIDE THE CITY	$16	TMC §3.36.010 GC 26746.1
CLEARANCE LETTER (for immigration or other clearance le plus fingerprint fees)	$16	TMC §3.36.010
CONCEALED WEAPONS		
Permit	$100 *	PC 26150; 26190
	(20% at application; 80% at permit issuance)	
Department of Justice Processing Fee - Payable to DOJ	$52 *	
Department of Justice Live Scan Fee	$95 *	
Renewal	$26	
Department of Justice Fee - Payable to DOJ	$52 *	
Amended License	$10	
CRIME REPORT COPY	$0.15 /page	TMC §3.36.010
	$0.15 /page bulletin entries	
Traffic collision report (for other than victim)	$10.00 /report + .15 /page after 25th page	VC 20012
DOJ, FBI AND FINGERPRINT		PC 11105
DOJ and FBI fee *	$32-$100 *	TMC §3.36.010
Fingerprint (City's rolling fee) *	$20 / request	PC 26150
DUI		GC §53150 - 53159; CVC 20012
Accident response and investigation	Actual personnel cost, up to $12,000	
Arrest and report	Actual personnel cost, up to $1,000	
Firearms Sales Permit	$32 plus	PC 12071(a)(F)(7)
Department of Justice fee	$32 *	
Massage Establishment		
New	$81 plus	TMC §4.20.060
Department of Justice fee	$32 *	
Renewal	$27	TMC §4.20.040
Transfer of permit	$81	TMC §4.20.110
Change of location	$27	TMC §4.20.130

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE				LEGAL AUTHORITY
Massage Permit				DOJ Fee	
New	$28		plus	$32*	TMC §4.20.180
Renewal	$28		plus	$32*	TMC §4.20.160
(Plus fingerprint fees)					DOJ, PC 11105
Registration by state certificate holder	$0				TMC §4.20.155
Palmistry License Fee					
New	$595				TMC §4.12.190
Renewal	$379				TMC §4.12.109
Police Photo (reproduction)	$0.31	/photo			TMC §3.36.010
Plus traffic photo processing fee to insurance company	$45	plus	$0.30	/photo	VC 20012
Police Special Services	Actual personnel costs				GC §6257
(for school and other semi-public special events)					
RESPOSSESSION RELEASE	$16	/ vehicle			VC 9255 (3)
SECOND-HAND DEALER/PAWN BROKER					
New or Renewal (Check payable to DOJ)	$308				BP 21642.5
Department of Justice Livescan (for new permits)	$33				PC 11105
Solicitor Permit	$16				TMC §4.12.210; 3.36.010
Taxi Driver				DOJ Fee	
Permit	$119		plus	$32*	TMC §3.16.030
Renewal	$87				TMC §3.16.040
Background investigation	$11				TMC §3.16.150
(City fingerprint fee)					
Tow Truck Driver/Attendant				DOJ Fee	TMC §3.44.140
Permit	$65		plus	$32*	
Renewal	$32				
Vehicle Release	$117	/ vehicle			VC 22850.5(a)
VIN Verification	$22	/ request			TMC §3.36.010
Storage of Firearms	$55	/ firearm, plus			TMC §3.52.050
(per domestic violence protective order)	$2	/ day			PC 12021.3(j)

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 and accompanying staff report.
- City Council Resolution No. 2013-047 and accompanying staff report.
- City Council Res 2009-178, regarding animal services, and accompanying staff report.
- City Council Res 2006-209 regarding alarm permits.
- 2003 Cost of Services Study Update, prepared by Finance Department.
- 1998 Cost of Service Study.

Legend:

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PUBLIC WORKS DEPARTMENT

Public Works Department
Administration, Community Facilities, Maintenance, and Operations Divisions

Department Contact: David Ferguson, Director

Note: This Master Fee Schedule does not include all fees, and excludes the following:

- Enterprise fund charges (water, sewer, storm water, airport, and 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);
- Fines (imposed as penalties);
- Rates established by separate agreements.
- Rates established by landscape maintenance districts

Public Works Department
Community Facilities Division

Division Contact: Brian MacDonald, Management Analyst II

SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
COMMUNITY CENTER RENTALS **Main Hall (5,300 Sq Ft)** **Week Day Only (4 hour minimum)**			TMC §3.36.010 Reso. 2013-086
Non-Profit Classification	$36 /hour		
Private Classification	$61 /hour		
Commercial Classification	$86 /hour		
Conference Room A or B (250 Sq Ft) **Week Day Only (2 hour minimum)**			
Non-Profit Classification	$7 /hour		
Private Classification	$11 /hour		
Commercial Classification	$15 /hour		
Entire Facility (6,200 Sq Ft) **(4 hour minimum)**	Week Day/ Hour	Week End/ Hour	
Non-Profit Classification	$41	$61	
Private Classification	$70	$104	
Commercial Classification	$100	$148	
Deposits **An additional $400 Deposit is required for all activities where alcohol is sold**			
Main Hall	$410 / rental		
Conference Room A or B	$205 / rental		
Entire Facility	$410 / rental		
TRACY SPORTS COMPLEX MEETING ROOM RENTAL **TSC Meeting Room (700 Sq Ft)** **Week Day & Week End (2 hour minimum)**			
Non-Profit Classification	$14 /hour		
Private Classification	$26 /hour		
Commercial Classification	$36 /hour		
Deposits **An additional $200 Deposit is required for all activities where alcohol is sold**			
Meeting Room	$205 / rental		
Banner Installation and Removal			TMC Article 35, 10.08.4465
For Each Over-the-Street Banner Location	$200	/banner	
[1] For Each Street Light Banner Zone	$4,000.00	Zone 1	Resolution 2010-025
	$1,000.00	Zone 2	
	$1,000.00	Zone 3	

[1] Zone 1: Eleventh Street between Lammers Road and Corral Hollow Road
Zone 2: Tenth Street between A Street and East Street
Zone 3: Central Avenue between Eleventh Street and Sixth Street

Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
TMC - Tracy Municipal Code	PC - Penal Code	DOJ - CA Department of Justice	CCR - CA Code of Regulations
GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	PROPOSED FEE		LEGAL AUTHORITY
TRACY TRANSIT STATION **Room 103 or 104 (590 Sq Ft)** **(2 hour minimum)**	Week Day/Hour	Week End/Hour	TMC §3.36.010 Reso. 2013-086
Non-Profit Classification	$18	$28	
Private Classification	$33	$48	
Commercial Classification	$46	$70	
Rooms 103-104 Combined (1,180 sf) **(2 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$37	$55	
Private Classification	$65	$97	
Commercial Classification	$92	$138	
Room 105 (913 Sq Ft) **(2 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$29	$43	
Private Classification	$50	$76	
Commercial Classification	$72	$108	
Lobby or Patio (1,762 Sq Ft) **(2 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$18	$28	
Private Classification	$33	$48	
Commercial Classification	$46	$70	
Entire Facility (4,445 Sq Ft) **(4 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$84	$126	
Private Classification	$148	$222	
Commercial Classification	$210	$316	
Deposits **An additional $400 Deposit is required for all activities where alcohol is sold**			
All Rooms	$200	per rental	
TRACY CIVIC CENTER RENTAL **Council Chambers (3,500 Sq Ft)** **(4 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$21	$36	
Private Classification	$57	$86	
Commercial Classification	$82	$123	
Conference Room #109 (500 Sq Ft) **(2 hour minimum)**	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$15	$24	
Private Classification	$27	$40	
Commercial Classification	$39	$57	

Legend:

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GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	
PRC - CA Public Resources Code	CFC - CA Fire Code	**FAC - CA Food & Agriculture Code**	

SERVICE OR APPLICATION			LEGAL AUTHORITY
			TMC §3.36.010
Conference Room #203 (825 sf)			Reso. 2013-086
(2 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$26	$39	
Private Classification	$45	$68	
Commercial Classification	$65	$96	
Lobby and Both Conference Rooms			
(4 hour minimum)	Week Day/Hour	Week End/Hour	
Non-Profit Classification	$41	$42	
Private Classification	$72	$74	
Commercial Classification	$103	$154	
Special Events in Civic Center Park			
(May through October)			
Full Service Event Coordination	$1,538		
Deposit			
An additional $400 Deposit is required for all activities where alcohol is sold			
Rental Deposit	$410 / rental		
PARK AND PICNIC AREA RENTAL			
Park/Picnic ~ 1 to 50 people			
(4 hour minimum)			
Non-Profit Classification	$13 /hour		
Private Classification	$24 /hour		
Commercial Classification	$34 /hour		
Park/Picnic ~ 51 to 100 people			
(4 hour minimum)			
Non-Profit Classification	$19 /hour		
Private Classification	$34 /hour		
Commercial Classification	$49 /hour		
Park/Picnic ~ 101 + people			
(4 hour minimum)			
Non-Profit Classification	$26 /hour		
Private Classification	$45 /hour		
Commercial Classification	$65 /hour		
Inflatable Structures Administrative Fee			
All Classifications: applied to all approved "jumpy requests to accompany a park rental.	$46 / day / structure		
Non-Profit Org ~ $100 Max	$103 / rental		
Non-Profit Classification			

Legend:

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TMC - Tracy Municipal Code	**PC - Penal Code**	**DOJ - CA Department of Justice**	**CCR - CA Code of Regulations**
GC - CA Government Code	**VC - Vehicle Code**	**H&S - CA Health and Safety Code**	
PRC - CA Public Resources Code	**CFC - CA Fire Code**	**FAC - CA Food & Agriculture Code**	

SERVICE OR APPLICATION	PROPOSED FEE			LEGAL AUTHORITY
Deposits	Per Rental			TMC §3.36.010
Less than 50, traditionally activity	$0 / rental			Reso. 2013-086
50-100; or less than 5 non-traditional	$103	/rental		
101-200 attendees	$205	/rental		
201-300 attendees	$308	/rental		
301 and above attendees	$513	/rental		
PARKING LOT RENTAL **Locations and Availability at City Discretion** **(10 hour maximum)**				
Base Fee	$103 plus:			
Use Fee: Non-Profit Classification	Per Parking Space $2			
Private Classification	$359			
Commercial Classification	$5			
MOBILE STAGE RENTAL	Non-Profit Per Rental		Private Per Rental	
"A" Set Up (36' X 14')	$328		$815	
"B" Set Up (36' x 18')	$513		$2,225	
"C" Set Up (36' x 22')	$585		$2,877	
Deposits				
All Stage Rentals	$410 / rental			
TENNIS COURT RENTAL				
		Per Hour / Per Court		
Rental	Private	League	Tournament	
Non-Profit Youth Classification	$0	$5	$5	
	$0	$5	$10	
Private Classification	$5	$7	$15	
Commercial Classification	$10	$10	$15	
		Per Hour / Per Court		
Lights Fee	Private	League	Tournament	
Non-Profit Youth Classification	$0	$5	$7	
Non-Profit Adult Classification	$0	$5	$10	
Private Classification	$5	$10	$12	
Commercial Classification	$0	$10	$12	
Deposits Tennis Court Rental Deposit	$51 / day / crt		~~$50~~	

Legend:

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TMC - Tracy Municipal Code	PC - Penal Code	DOJ - CA Department of Justice	**CCR - CA Code of Regulations**
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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
WEST HIGH SWIMMING POOL RENTALS **Any Size Groups, When Organization** **Provides Own Lifeguard**s		TMC §3.36.010 Reso. 2013-086
Non-Profit Classification (Half Pool)	$59 /hour	
Non-Profit Classification (Full Pool)	$113 /hour	
Up to 50 People, Includes 2 Lifeguards		
Non-Profit Classification (Half Pool)	$108 /hour	
Private Classification (Half Pool)	$118 /hour	
Commercial Classification (Half Pool)	$133 /hour	
Non-Profit Classification (Full Pool)	$210 /hour	
Private Classification (Full Pool)	$231 /hour	
Commercial Classification (Full Pool)	$251 /hour	
Up to 75 People, Includes 3 Lifeguards		
Non-Profit Classification (Half Pool)	$123 /hour	
Private Classification (Half Pool)	$133 /hour	
Commercial Classification (Half Pool)	$144 /hour	
Non-Profit Classification (Full Pool)	$241 /hour	
Private Classification (Full Pool)	$262 /hour	
Commercial Classification (Full Pool)	$282 /hour	
Up to 100 People, Includes 4 Lifeguards		
Non-Profit Classification (Half Pool)	$138 /hour	
Private Classification (Half Pool)	$149 /hour	
Commercial Classification (Half Pool)	$159 /hour	
Non-Profit Classification (Full Pool)	$272 /hour	
Private Classification (Full Pool)	$292 /hour	
Commercial Classification (Full Pool)	$313 /hour	
100 to 150 People, Includes 5 Lifeguards		
Non-Profit Classification (Half Pool)	$154 /hour	
Private Classification (Half Pool)	$164 /hour	
Commercial Classification (Half Pool)	$174 /hour	
Non-Profit Classification (Full Pool)	$303 /hour	
Private Classification (Full Pool)	$323 /hour	
Commercial Classification (Full Pool)	$344 /hour	

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
WEST HIGH SWIMMING POOL RENTALS, Continued		TMC §3.36.010
Over 150 People, Includes 6 Lifeguards		Reso. 2013-086
Non-Profit Classification (Half Pool)	$169 /hour	
Private Classification (Half Pool)	$179 /hour	
Commercial Classification (Half Pool)	$190 /hour	
Non-Profit Classification (Full Pool)	$333 /hour	
Private Classification (Full Pool)	$354 /hour	
Commercial Classification (Full Pool)	$374 /hour	
Deposits		
All Classifications, All Group Sizes	$103 / rental	
Additional WHS Pool Rental Fees		
Restrooms (for non-pool events)	$41 /hour	
Restrooms (for non-pool events)	$205 / day	
Extra lifeguard (as deemed necessary by staff, based on event)	$15 / hour / lifeguard	
JOE WILSON COMMUNITY POOL RENTALS Any Size Groups, When Organization Provides Own Lifeguards		
Non-Profit Classification	$51 /hour	
Up to 50 People, Includes 2 Lifeguards		
Non-Profit Classification	$72 /hour	
Private Classification	$82 /hour	
Commercial Classification	$92 /hour	
Up to 75 People, Includes 3 Lifeguards		
Non-Profit Classification	$87 /hour	
Private Classification	$97 /hour	
Commercial Classification	$108 /hour	
Up to 100 People Max, Includes 4 Lifeguards		
Non-Profit Classification	$103 /hour	
Private Classification	$113 /hour	
Commercial Classification	$123 /hour	
Deposits		
All Classifications, All Group Sizes	$103 / rental	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
		TMC §3.36.010
LOLLY HANSEN SENIOR CENTER RENTAL **Multi-Purpose Room (2,225 Sq Ft)** **Week Day & Week End (4 hour minimum)**		Reso. 2013-086
Non-Profit Classification	$13 /hour	
Private Classification	$24 /hour	
Commercial Classification	$0 / hour	
Arts and Crafts Room (675 Sq Ft) **Week Day & Week End (4 hour minimum)**		
Non-Profit Classification	$5 /hour	
Private Classification	$9 /hour	
Commercial Classification	$0 / hour	
Entire Facility (4, 350 Sq Ft) **Week Day & Week End (4 hour minimum)**		
Non-Profit Classification	$27 / hour	
Private Classification	$47 / hour	
Commercial Classification	$0 / hour	
MOU – Hours Provided to Non-Profits/Gov	$0 / hour	
Deposits **An additional $400 Deposit is required for all activities where alcohol is sold**		
Multi-Purpose Room	$205 / rental	
Arts and Crafts Room	$205 / rental	
Entire Facility	$205 / rental	

Legend:

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SERVICE OR APPLICATION	PROPOSED FEE	LEGAL AUTHORITY
SPORT FACILITIES (TBP, TSC, Plasencia Fields, Tiago, Galli, & Bland Ball Fields)		TMC §3.36.010
Hourly Fee ~ League/Individual		
Non-Profit Youth Classification	$5 / hour / field	Reso. 2013-086
Non-Profit Adult Classification	$11 / hour / field	
Private Classification	$19 / hour / field	
Commercial Classification	$27 / hour / field	
Lights Fee ~ League/Individual		
Non-Profit Youth Classification	$7 / hour / field	
Non-Profit Adult Classification	$10 / hour / field	
Private Classification	$12 / hour / field	
Commercial Classification	$18 / hour / field	
Deposit for Baseball/Softball Bases	$250 /rental	
Storage Container License	$0.40 /square foot of ground space	
Daily Fee ~ Tournaments		
Non-Profit Youth Classification	$62 / hour / field	
Non-Profit Adult Classification	$103 / hour / field	
Private Classification	$123 / hour / field	
Commercial Classification	$123 / hour / field	
Lights Fee ~ Tournaments		
Non-Profit Youth Classification	$10 / hour / field	
Non-Profit Adult Classification	$10 / hour / field	
Private Classification	$10 / hour / field	
Commercial Classification	$10 / hour / field	
Staff for Sports Complex Use		
Non-Profit Youth Classification	$26 / hour / complex	
Non-Profit Adult Classification	$26 / hour / complex	
Private Classification	$26 / hour / complex	
Commercial Classification	$26 / hour / complex	
Softball Field Preparations		
A Prep – Light Watering	$5 / preparation	
B Prep – Light Watering, Minor Dragging	$15 / preparation	
C Prep – Full Field Preparation	$40 / preparation	
Use of Temporary Outfield Fencing	$103 / field	

Latest Fee Study or Staff Report Explanation:

- City Council Resolution No.-2013-086 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.
- Approved by Parks Commission on March 13, 2014.

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

Utilities Department

Department Contact: Kuldeep Sharma

Note: This Master Fee Schedule does not include utility fees

April 15, 2014

AGENDA ITEM 4

REQUEST

ACCEPT STATUS OF ANIMAL SHELTER PROJECT CIP 71064 AND CONSIDER THE OPTIONS TO EITHER AWARD THE CONSTRUCTION CONTRACT TO THE LOWEST BIDDER OR REJECT ALL BIDS AND AUTHORIZE STAFF TO RESCOPE AND REBID THE PROJECT

EXECUTIVE SUMMARY

After completion of the design of the Animal Shelter facility, the project was advertised for construction bids. The City has received an overwhelming response with nine bids and the total cost of the project is estimated to exceed the available budget. This agenda item provides the project status and options for Council's consideration to either award the construction contract by appropriating additional funds or reject all the bids and authorize staff to rescope and rebid the project.

DISCUSSION

The City's existing Animal Shelter facility is located on Arbor Road between Holly Drive and MacArthur Drive east of the City's wastewater treatment plant. The Animal Shelter facility consists of an old stone masonry building and a modular building with minor improvements completed during the last decade for maintenance purposes.

On April 2, 2013, City Council approved a Professional Services Agreement with Indigo Hammond & Playle Architects for completion of the design for the new Animal Shelter facility to be located on a 2.19 acre parcel at the south western corner of Grant Line Road and Paradise Road.

Initially a total of $3.623 million was allocated for this project toward the cost of land, design, construction and inspection services. Prior to the start of the preliminary design, various meetings were held with the stakeholders and it was realized that the cost, based on current needs and community expectations, were much higher than the available budget. As a result the project budget was augmented to a total of $4.523 million during the 2013-2014 budget process. This project competed with other priority projects in the City at that time and only a portion of the requested funds could be augmented for the Animal Shelter Project.

After completion of 50% of the design, the consultant and staff made a presentation to City Council on June 18, 2013, and solicited public input for the project. Based on the available information, and after considering various options, Council directed staff to proceed with the remaining design of the project.

The consultant and staff worked very diligently to meet the basic needs of the facility and provide a cost effective and functional facility. Staff explored options to use some of the existing equipment, caging and furniture to reduce the overall cost to stay within the available budget. However, due to wear and tear and the life expectancy of such equipment, it was not practical to use such equipment or furniture in the new facility.

Recognizing the increasing cost of construction and present improvements in certain sections of the construction industry, staff and consultants divided the total project into base bid and additive alternates. This would allow the City to award the construction contract for the base bid with or without additive alternates in the order of priority depending upon the availability of limited funds.

The project was advertised for construction bids on February 6 and 13, 2014. A total of 11 additive bid items, in order of priority, were listed in the contract documents in addition to the base bid as follows:

1. Add Sinks and Casework
2. Not Used
3. Add Cat Holding Cages
4. Add Eight Parking Spaces
5. Add Tubular Skylights
6. Add Concrete Wrap at Column Base
7. Add Grooming Equipment
8. Add Landscaped Areas
9. Add Dog Exercise Yards
10. Add Perimeter Irrigated Trees
11. Add Entry Trellis Sections

A total of nine bids were received on March 13, 2014, as follows:

Construction Company	**Base Bid**
D.G Granade Inc. Shingle Springs	$ 3,334,000
Pacific Mountain Contractors, Concord	$ 3,413,538
Diede Construction Inc., Woodbridge	$ 3,508,000
Zovich Construction, Hayward	$ 3,530,000
Younger General Contractors Inc., Rancho Cordova	$ 3,663,000
SCS Simile Construction Service, Modesto	$ 3,764,000
SW Allen Construction, Sacramento	$ 3,810,758
Roebbelen Contractors, El Dorado Hills	$ 3,895.000
Iomlan Construction Services Inc. Turlock	$ 3,978,422

The contract documents require the award of construction to be made:

- Either on the base bid plus additive bid items chosen in the order of priority as long as such cost is lower than the construction funding amount publically disclosed at the opening of the bids.

Or

- On the basis of the base bid if no bid is received with cost less than the publically disclosed funding amount.

All base bid costs and additive bid item costs are higher than the publically disclosed funding amount of $2.8 million. The lowest monetary bid is from D.G. Granade Incorporated of Shingle Springs, California. The bid analysis indicates that the low bid is responsive and the bidder is responsible. D.G. Granade Incorporated has good references and has completed similar projects satisfactorily with other public agencies.

After reviewing the cost of additive alternates and the urgency of each additive alternate, staff believes that at this time only additive alternate 1 to 3 (additive alternate 2 is not used in this bid) be added to the base bid if the project is awarded for construction. With completion of base bid with additive alternates 1 to 3 the facility will be functional. The other additive alternates include some equipment and other site improvements which can be deferred for future completion with the future Phase Two improvement of the facility.

D. G. Granade Incorporated of Shingle Springs is still the lowest monetary bidder for base bid with bid alternates 1 and 3. The total cost of the project is estimated to be as follows if the project is awarded for construction for base bid with additive alternate 1 to 3.

Base Bid Amount + additive bids 1 - 3	$ 3,462,600
Contingency (10%)	$ 346,260
Right of Way Acquisition	$ 300,000
Design Cost (Consultant)	$ 402,400
Design City (Plan Check, Building Permit & Project Management)	$ 70,000
Utility Connection Fees (Gas, Electric, Telephone, Cable)	$ 50,000
City Inspection and Project Management	$ 80,000
Special Inspections (Specialized Consultants)	$ 40,000
Design Support during Construction and Construction Management (Consultant)	$ 179,200
City-wide management	$ 225,000
Furniture, Appliances and Other equipment	$ 40,000
Total Project Cost Estimate	**$ 5,195,460**
Total Project Budget	**$ 4,523,000**
Additional funding required to award the construction contract and to complete the project	**$ 672,460**

In order to complete the construction of the Animal Shelter Project, staff believes that there are two options at this time as listed below.

1. <u>Award the construction contract to the lowest bidder for base bid and additive alternatives 1 to 3.</u>

   City Council may choose this option to award the construction contract to the lowest bidder by authorizing a supplemental appropriation of $672,460 from the General Project Fund 301 to Animal Shelter Facility Project CIP 71064.

The Animal Shelter Facility project is a Council priority project competing with other projects potentially funded from the limited amount available from the General Project Fund 301. This appropriation request will be presented to Council for its consideration in the CIP workshop scheduled on April 15, 2014, prior to the Council's regular meeting.

If Council exercises this option, staff will work diligently with the construction management consultant to ensure effective use of construction contingency amounts and complete additional additive items from any saving achieved during construction.

During construction, design support and construction management services will be needed from the consultant who designed the project since staff is preoccupied by the existing work load. The consultant will be reviewing Reports for Information (RFI) and checking shop drawings from the contractor. In addition, services will be needed for resolution of conflicts, unforeseen conditions, substitution of materials and overall construction management of the project including review of progress payments, change order and field inspections. The consultant has submitted and staff has reviewed a proposal to complete these tasks for a not to exceed amount of $179,200 on a time and materials basis.

2. Reject all construction bids for the Animal Shelter Project CIP 71064 and authorize staff to rescope and rebid the project.

If Council chooses this option, staff will work with the consultant to reduce the scope of work by reducing the facility size. This will require an amendment to the consultants Professional Services Agreement and the project will incur additional design costs. Since the existing project is fully designed in terms of structure, architecture, heating, ventilation, plumbing, electrical, etc., any deletion will trigger involvement of the specialty consultant work.

Staff believes by reducing the scope of work of the project, the facility size may be reduced but it may not be able to provide effective services at the desired level. The proportionate benefit of savings in cost may not be enough to offset the reduction in level of services. However, staff has not completed any thorough study or analysis and its finding are based upon preliminary information.

STRATEGIC PLAN

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

FISCAL IMPACT:

If Council decides to reject the bids, there is no impact to the General Fund.

If Council exercise option one, a supplement appropriation of $672,460 is needed from General Project Fund 301 to CIP 71064 to complete the Animal Shelter Project.

RECOMMENDATION:

That City Council accept the status of Animal Shelter Project CIP 71064 and consider one of the following two options;

1. By resolution award the construction contract for Tracy Animal Shelter Project CIP 71064, to D. G. Granade, Incorporated of Shingle Springs, California in the amount of $3,462,600, for base bid with additive alternate bid items 1 to 3, authorize approval of Amendment 1 to the Professional Services Agreement with Indigo Hammond and Playle Architects in the amount of $179,200, authorize a supplemental appropriation in the amount of $672,460 from the General Project Fund 301 to CIP 71064, and authorize the Mayor to execute the construction contract and the amendment to the Professional Services Agreement.

2. By resolution, reject all bids received for the Animal Shelter Project CIP 71064 and authorize staff to rescope and rebid the project.

Prepared by: Kuldeep Sharma, Utilities Director

Reviewed by: Andrew Malik, Development Services Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENTS
Attachment A – Amendment No. 1 to PSA Indigo Hammond & Playle CIP 71064

CITY OF TRACY
AMENDMENT NO. 1 TO
PROFESSIONAL SERVICES AGREEMENT
ANIMAL SHELTER
CIP 71064

This Amendment No. 1 ("Amendment") to the Professional Services Agreement is entered into between the City of Tracy, a municipal corporation ("City"), and **INDIGO, HAMMOND + PLAYLE ARCHITECTS LLP** (hereinafter "CONSULTANT")

RECITALS

A. The City and CONSULTANT entered into a Professional Services Agreement ("Agreement") for the Animal Shelter Project – CIP 71064 which was approved by the City Council on April 2, 2013, under Resolution No. 2013-053

B. CONSULTANT services are needed to provide enhanced design support services for the project during construction.

C. In March 2014, CONSULTANT submitted a proposal to perform additional services described in this amendment. After negotiations between the CITY and CONSULTANT, the parties have reached an agreement for the performance of services with the terms set forth in this Amendment.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Incorporation by Reference.** This Amendment incorporates by reference all terms set forth in the Agreement, unless specifically modified by this Amendment. The terms which are not specifically modified by this Amendment shall remain in effect.

2. **Terms of Amendment.**
   A. The following language shall be added to Paragraph 1 of the Agreement

   A new Exhibit "A1" is hereby added to the Agreement and made a part thereof, a true and correct copy of which is attached hereto and made a part hereof. The following language is also hereby added to the end of Section 1, SCOPE OF SERVICES, of the Agreement:

   "CONSULTANT shall also perform the tasks described in Exhibit "A1" attached hereto and incorporated herein by reference.

   The additional tasks shall be performed by, or under the direct supervision of, CONSULTANT's Authorized Representative: Bruce Playle. CONSULTANT shall not replace its Authorized Representative, nor shall CONSULTANT replace any of the

personnel listed in Exhibit "A1", nor shall CONSULTANT use any subcontractors or subconsultants, without the prior written consent of the CITY."

B. The following language shall be added to Section 5.1 of paragraph 5 of the Agreement.

In addition, for services performed by CONSULTANT in accordance with Amendment No.1, CITY shall pay CONSULTANT on a time and expense basis, at the billing rates set forth in Exhibit "B," of the Agreement incorporated herein by reference. CONSULTANT's fee for this Amendment No. 1 is Not to Exceed ONE HUNDRED SEVENTY NINE THOUSAND TWO HUNDRED ($179,200). 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.

3. **Modifications.** This Amendment may not be modified orally or in any manner other than by an agreement in writing signed by both parties, in accordance with the requirements of the Agreement.

4. **Severability.** If any term of this Amendment is held invalid by a court of competent jurisdiction, the Amendment shall be construed as not containing that term, and the remainder of this Amendment shall remain in effect.

5. **Signatures.** The individuals executing this Amendment represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Amendment. This Amendment shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

INTENTIONALLY LEFT BLANK

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

City of Tracy

By: _____
Brent H. Ives
Title: Mayor
Date: _____

Attest:

By: _____
Sandra Edwards
Title: City Clerk
Date: _____

Approved as to form

By: _____
Daniel G. Sodergren
Title: City Attorney
Date: _____

CONSULTANT
Indigo Hammond + Playle Architects

By: _____
Bruce Playle, AIA
Partner
Date: 4/2/14

EXHIBIT "A1"

SCOPE OF SERVICES

OVERVIEW OF SCOPE OF SERVICES. As more specifically described in this Agreement, CONSULTANT shall provide design support during construction for the Tracy Animal Shelter Project

CONSULTANT shall provide Construction Phase Services as follows:

- CONSULTANT shall attend construction progress meetings and prepare meeting minutes. Meeting attendance will be weekly, or bi-weekly when indicated by progress in the work.
- CONSULTANT shall maintain routine phone and e-mail communications with City staff, Building Dept., City inspector and Contractor for the duration of construction.
- CONSULTANT shall review the results of testing and inspection conducted by City inspector or their agent. (Note all testing and inspections will be separate by City, including geotechnical inspection and material testing).
- CONSULTANT shall process contractor Submittals and Shop Drawings and maintain the Submittal and Shop Drawings Log.
- CONSULTANT shall answer Request for Information (RFI) and maintain RFI Log.
- CONSULTANT shall issue Architect's Supplemental Instructions (ASI) as needed.
- CONSULTANT shall review Potential Change Orders (PCO), maintain PCO log and recommend any PCO to City for inclusion in CCO, see below.
- CONSULTANT shall review Contract Change Orders (CCO), maintain CCO log, recommend any CCO for approval by City. Processing and payment is by City.
- CONSULTANT shall review Schedule of Values prepared by Contractor.
- CONSULTANT shall review Project Schedule prepared by Contractor.
- CONSULTANT shall review Contractor's monthly Payment Application Requests and recommend for approval by City. Processing and payment is by City.
- CONSULTANT shall conduct Final Inspection upon receiving notice of contractor's claim of substantial completion and issue a list of items requiring correction (punch list).

- CONSULTANT shall review and comment upon warranty and manuals prepared by Contractor.

- CONSULTANT, with cooperation of City, will conduct project close-out and project management procedures including: obtaining Release of Liens, Consent of Surety to Final Payment and other final close out forms from Contractor; preparing Notice of Substantial Completion; and preparing Notice of Final Completion. Filing of Notice of Final Completion will be by City.

- **Record Drawings:** CONSULTANT shall review Contractor's marked-up record set and prepare CAD record drawings based on it.

COMPLETION OF THE SCOPE OF SERVICES. CONSULTANT shall complete the design within the following time frames:

Design Support during Construction Phase will commence with the award of the contract for Construction and will terminate with the acceptance of the completion of project by the City Council.

RESOLUTION 2014 -_____

ACCEPTING THE STATUS OF THE ANIMAL SHELTER PROJECT CIP 71064 AND AWARDING THE CONSTRUCTION CONTRACT TO THE LOWEST BIDDER D. G. GRANADE INC. OF SHINGLE SPRINGS, CALIFORNIA, FOR THE BASE BID WITH ADDITIVE ALTERNATES 1 TO 3, APPROVING AMENDMENT 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH INDIGO HAMMOND AND PLAYLE ARCHITECTS, AUTHORIZING A SUPPLEMENT APPROPRIATION OF FUNDS AND AUTHORIZING THE MAYOR TO EXECUTE THE CONSTRUCTION CONTRACT AND AMENDMENT 1 TO THE PROFESSIONAL SERVICES AGREEMENT

WHEREAS, On April 2, 2013, City Council approved a Professional Services Agreement with Indigo Hammond & Playle Architects for completion of the design for the new Animal Shelter facility, and

WHERAS, Initially the total budget allocated to this project was $3.623 million which included the cost of land, design, construction and inspection services, and

WHEREAS, Soon after the design process was started it was realized that the cost, based on current needs and community expectations, was much higher than the available budget, and

WHEREAS, The project budget was augmented to a total of $4.523 million during the 2013-2014 budget process, and

WHEREAS, After completion of 50% of the design, the consultant and staff made a presentation to City Council and solicited public input for the project at which time Council directed staff to proceed with the remaining design of the project, and

WHEREAS, Due to uncertainty of construction bid costs and improvement in the construction industry, the project was divided into a base bid and 11 additive alternate bid items to maximize the project improvements within the available budget, and

WHEREAS, The project was advertised for construction bids on February 6 and 13, 2014, and

WHEREAS, A total of nine bids were received on March 13, 2014, and

WHEREAS, The contract documents allow the City to award base bids with or without additive alternate bid items listed in the order of priority, and

WHEREAS, The lowest monetary bid is from D. G. Granade Inc. of Shingle Springs, California, and

WHEREAS, Staff recommends award of base bid and additive alternates 1 to 3 be made for effective and functional use of the Animal Shelter Facility, and

WHEREAS, The base bid and additive alternate bids from D. G. Granade, Inc. of Shingle Springs, California, is the lowest monetary bid in the amount of $3,462,600, and

WHEREAS, Additional funding of $672,460 is still needed to complete this project and such funding can be appropriated from the General Project Fund 301, and

WHEREAS, Design support services and construction management services are needed from the project consultant, Indigo Hammond and Playle Architects, and

WHEREAS, The consultant has submitted and staff has reviewed the proposal for providing the design support and construction management services for not to exceed amount of $179,200;

NOW, THEREFORE BE IT RESOLVED, That City Council accepts the status of the Animal Shelter Project CIP 71064 and awards the construction contract to the lowest bidder D. G. Granade, Inc. of Shingle Springs, California, for the base bid with additive alternates 1 to 3 for an amount of $3,462,600, approves amendment 1 to the Professional Services Agreement with Indigo Hammond and Playle Architects for design support services and construction management for a not to exceed amount of $179,200, authorizes supplement appropriation of $672,460 from the General Project Fund 301 to CIP 71064, and authorizes the Mayor to execute the construction contract and amendment 1 to the Professional Services Agreement.

* * * * * * * * * *

The foregoing Resolution 2014-_____ was adopted by the City Council on the 15th day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

RESOLUTION 2014 -_____

ACCEPTING THE STATUS OF THE ANIMAL SHELTER PROJECT CIP 71064 AND REJECTING ALL CONSTRUCTION BIDS AND AUTHORIZING STAFF TO RESCOPE AND REBID THE PROJECT

WHEREAS, On April 2, 2013, City Council approved a Professional Services Agreement with Indigo Hammond & Playle Architects for completion of the design for the new Animal Shelter facility, and

WHERAS, Initially the total budget allocated to this project was $3.623 million which included the cost of land, design, construction and inspection services, and

WHEREAS, Soon after the design process was started it was realized that the cost, based on current needs and community expectations, were much higher than the available budget, and

WHEREAS, The project budget was augmented to a total of $4.523 million during the 2013-2014 budget process, and

WHEREAS, After completion of 50% of the design, the consultant and staff made a presentation to City Council and solicited public input for the project at which time Council directed staff to proceed with the remaining design of the project, and

WHEREAS, Due to uncertainty of construction bid costs and improvement in the construction industry, the project was divided into a base bid and 11 additive alternate bid items to maximize the project improvements within the available budget, and

WHEREAS, The project was advertised for construction bids on February 6 and 13, 2014, and

WHEREAS, A total of nine bids were received on March 13, 2014, and

WHEREAS, All bids received are higher than the available construction budget, and

WHEREAS, Additional funding will be required to complete the project as advertised for construction bids, and

WHEREAS, There is no additional funding available toward construction of this project, and

WHEREAS, The project scope can be reduced and rebid for reduced construction cost;

NOW, THEREFORE BE IT RESOLVED, That City Council accepts the status of the Animal Shelter Project CIP 71064 and directs staff to rescope and rebid the project to complete the project within available budget.

* * * * * * * * *

The foregoing Resolution 2014-_____ was adopted by the City Council on the 15th day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 5

REQUEST

CITY COUNCIL DIRECTION RELATED TO REQUESTED CHANGES TO WATER SUPPLY FOR THE TRACY GATEWAY PROJECT LOCATED AT THE SOUTHWEST CORNER OF LAMMERS ROAD AND ELEVENTH STREET

EXECUTIVE SUMMARY

This agenda item requests City Council direction on developer requested changes to the water supply for the Tracy Gateway project. Project applicants have submitted applications to amend the City's General Plan and Concept Development Plan (zoning document) to allow industrial (instead of office) development, and have submitted a development permit for the construction of an approximately 1.5 million square foot warehouse/distribution center at the City's entry off Eleventh Street at I-205. The approved water supply for the Gateway project is a water exchange where non-potable water from West Side Irrigation District and/or recycled water, when available, would be piped to landscaped areas and City parks "in exchange" for potable water from the parks being used at Gateway. Project applicants have requested changes to the water supply which would require changes to several City water policy documents and Gateway project conditions of approval and related agreements, including the approved Development Agreement (DA).

DISCUSSION

Tracy Gateway Project

The Tracy Gateway project is an approximately 538-acre development area located at the southwest corner of Lammers Road and Eleventh Street (Attachment A). The project zoning was approved on October 29, 2002, and the project area was annexed into the City of Tracy by action of the Local Agency Formation Commission on February 21, 2003. The vision of the Gateway Project, as established through the master planning process and the adopted zoning document is to create a viable Class A[1], office Business Park with multiple story office buildings, a golf course, commercial areas, and open space amenities. To date, on-site improvements have not materialized, property ownership on portions of the project area has changed, and development of the project area has not begun. Several infrastructure improvements have been made to accommodate development, namely the full right-of-way development of Lammers Road at Eleventh Street.

[1] Page 4-3 of the adopted Concept Development Plan (adopted zoning document), defines Class A office buildings as follows: "These are investment grade buildings, generally the most desirable in their markets, offering excellent location and first-rate design, building systems, amenities, and management. Class A buildings command the market's highest rents and attract creditworthy tenants. Class A space is limited primarily to new, highly competitive buildings that feature outstanding architecture, building materials, location, and management."

Current Development Applications

Applications have been filed by the Gateway developers for a series of land use policy changes, zoning changes, and development permits for the purpose of placing a warehouse at Gateway. Any request for changes to the water supply for Gateway intended to facilitate such a development should be viewed in context of the entire request by the Gateway developers so that it is understood by the community and City Council. Because the City's water supply portfolio is limited, these development application requests are mentioned for the purposes of showing City Council and the community the connection between their water request, the project, and what such a shift in water supply for the project would facilitate. As stated in their applications, the Gateway developers are seeking to develop a 1.5 million square foot warehouse/distribution center. This would become the largest warehouse in Tracy. The proposed location is an approximately 100-acre site at the City's highly visible entrance on Eleventh Street at I-205. For comparison purposes, the Amazon project located in the City's Northeast Industrial Area, is approximately 1 million square feet in size. This proposed building would be approximately 40 feet tall and one half mile long.

The process to develop such a warehouse/distribution center within the Gateway development area involves modifying the vision and master plan for the project, changing the zoning, and understanding the effects such a project would have on neighboring properties within the Gateway area, other neighboring properties, and on nearby highly traveled corridors including I-205, Eleventh Street, and Lammers Road. Some of that work has begun by City staff, as is normal when applications are filed.

Several approvals from the City, including but not limited to, the following approvals/permits would be necessary. Such applications are processed and then brought to the Planning Commission and City Council for consideration at public hearings.

DA Amendment: The current DA vests the property owners to the existing General Plan designation of Office, which doesn't allow warehouses/distribution centers. The current DA requires that a 200,000 square foot multi-story Class A office building be the first building at Gateway, among other requirements, including a specific water supply as discussed below[2].

General Plan Amendment: The City's principal land use and development policy document (General Plan) would have to be amended from its current designation of Office to Industrial.

Concept Development Plan Amendment: The entire Gateway project area is zoned Planned Unit Development, with zoning regulations stated in the adopted Concept Development Plan (CDP). This CDP would have to be changed for this

[2] Any amendments to the DA and the Non-potable Water Agreement (discussed below) would require the authorization of all property owners within the DA area. Currently, several properties in the DA area are the subject of bankruptcy proceedings. The Gateway developers are currently attempting to secure approval from the bankruptcy trustee to file a DA amendment application.

100-acre development site from office zoning to industrial zoning that permitted warehouse and distribution centers. Design standards would also have to be developed for such land uses. Recently, during the Cordes Ranch Specific Plan approval process, City Council directed staff to prohibit such buildings within 500 feet of the I-205. This request is in conflict with that recent direction.

Development Permit: A development permit (called a Preliminary/Final Development Plan under this zoning district) would require City Council approval. This is the permit that establishes the site plan, preliminary grading and utilities, landscaping, on-site circulation, and exterior building architecture for improvement on the site. This permit application would have to be evaluated for consistency with many City policies and standards, including the Roadway Master Plan which includes a “fly-over” roadway (overpass over I-205 to be built in the future) in the same vicinity as this development request. Such evaluation requires coordination with neighboring property owners to the north and south, and consideration of Caltrans standards.

Building Permits/Grading Permit/Improvement Plans: These are permits issued for actual construction.

The timetable to complete review of these applications as a City priority and schedule hearings before the Planning Commission and City Council could take until September to complete, assuming a tight timeframe to negotiate the DA amendment, and resolve water supply and roadway alignments for the project.

Background on the Water Supply for Tracy Gateway

The City’s Urban Water Management Plan identifies existing and future water supplies needed for existing and future development. Most development in Tracy has water from a combination of water sources, and as development progresses from the planning stages through implementation and occupancy, the collective water supply portfolio and water treatment and delivery system is utilized and shared. Water for Tracy Gateway is different. A specific water supply has been identified for Gateway, which also includes stand-alone infrastructure necessary for that project. Moreover, current water supply planning for the City relies on this specific supply for this project.

In 2002 when the Tracy Gateway project was approved, the City did not have surplus water supplies for the project. In response, a water exchange was conceived and documented in the Environmental Impact Report for the project. Under the water exchange, non-potable water from the West Side Irrigation District and/or recycled water, when available, would be used to irrigate City parks and the potable water currently used to irrigate the City parks would be freed up and used to meet the potable water demands from the Tracy Gateway project. The proximity of Tracy Gateway to the City’s Sports Complex on Eleventh Street would yield enough water from the exchange to facilitate the development of the first phase of Tracy Gateway (which is specifically identified in the existing DA), while later phases of Tracy Gateway would have to expand the water exchange into other City parks.

Several City approvals were predicated on the water exchange program for Tracy Gateway. The water exchange became a requirement of the DA (2004) between the City and the property owners; it also became a condition of approval of the Vesting Tentative Subdivision Map (2008), and the subject of a Non-Potable Water Agreement (2010). As part of the first Final Map (2010) water allocations from this source were recorded on each benefitting property within Phase 1. Additionally, the City's principal water planning policy document, the Urban Water Management Plan (2005 and 2010) reflects the Tracy Gateway water exchange as a necessary potable supply in order to meet future demands.

Requested Change to Water Supply for Gateway

The developers for the proposed 100-acre warehouse site are seeking to utilize other City water supplies instead of the water exchange program currently approved. This would result in a net increase on the potable water demand because the water would have to come from sources other than the water exchange. As a result, it is likely that the warehouse proposal may require a new water supply analysis (WSA) under SB 610 (Water Code sections 10910-10915).

A WSA for the warehouse project would involve a review of the City's existing supplies to determine whether or not the City currently has sufficient supplies to meet the anticipated demand of the warehouse project and all other existing and planned demands. It would utilize estimated demand calculations for the warehouse project based on the City's water demand rates for industrially zoned property. This could result in a water demand for this warehouse project that exceeds the City's ability to provide potable water without having to shift the water from another anticipated development site; thereby resulting in a potential shortage elsewhere. The level of impact, if any, would be identified in future analyses.

The Urban Water Management Plan (UWMP) is the policy document that identifies water demands and supplies for future development, and is used as a planning document to address future growth. Deviating from the UWMP assumptions for both water demands for various developments and identified water supplies, as could be necessary to accommodate the Gateway request, has to be viewed in light of overall growth management in the City.

Growth in the City is carefully managed through multiple infrastructure, water supply, and residential growth allotment systems to ensure appropriate development in accordance with community expectations, the adopted General Plan (the City's principal planning and development policy document) and City Council direction. This is one reason why the UWMP is required by law to be updated every five years – to align current growth projections with identified water supply. Adjusting the water supply for Gateway (increasing potable demand) could be achieved; however, it is not yet understood what affect that would have on other projects.

Environmental Review

Discussion and direction related to the City's water supply does not require environmental analysis. The development applications related to this discussion will require environmental analysis pursuant to the California Environmental Quality Act (CEQA).

STRATEGIC PLAN

This item is not directly related to the Council's Strategic Plans.

FISCAL IMPACT

This request is funded by the applicant in accordance with a City approved Cost Recovery Agreement dated March 19, 2014.

RECOMMENDATION

Staff recommends that City Council discuss this item and provide direction to staff. The developers have requested to present information during the City Council meeting. The following are two options that staff has identified for City Council:

Option 1) Maintain the current potable water supply approach for the Tracy Gateway project; (i.e. the water exchange program);

Option 2) Modify the approach to potable water supply for this warehouse/distribution user. This would require amendments to the DA and the non-potable water agreement, which could only be achieved with property owner signatures and authorization.

Prepared by: Bill Dean, Assistant Development Services Director
Steve Bayley, Project Specialist, Public Works, Department

Reviewed by: Andrew Malik, Development Services Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENT:
Attachment A: Request from Gateway Developers

TRACY GATEWAY DISTRIBUTION CENTER

Project Description: Specifications for Water Supply

Introduction and Overview

An application was recently submitted to the City of Tracy ("City") requesting a set of entitlements for the Tracy Gateway Distribution Center ("Distribution Center"). At the request of City staff, this document provides additional detail for the Distribution Center's project description with respect to water supply.

The existing approved Tracy Gateway Development Agreement, approved by the City in 2004 together with Amendment No. 1 approved in 2008 (collectively, "Development Agreement"), expressly recognizes that the sequence of development of the Tracy Gateway Project may differ somewhat from the phasing originally anticipated. (Development Agreement, § 202.) Similarly, the Tracy Gateway Project's Vesting Tentative Map ("VTM") conditions of approval ("COA") provide that "the boundary of Phase 1" may be amended upon approval of the City "provided no significant changes are required in the various infrastructure required for Phase I." (VTM COA (A)(6).)

Consistent with these policies, the proposed Distribution Center has been designed to avoid unnecessarily altering the existing water supply covenants for the Tracy Gateway Phase 1 development ("Phase I"). The Distribution Center would represent a stand-alone initial phase of the Tracy Gateway Project, Phase IA, and subject to its own set of covenants concerning the provision of water for the Distribution Center that do not require any major changes to either water source or infrastructure required for Phase 1. It is anticipated that development and construction of the Distribution Center as Phase IA would precede build out of Phase I.

Landscaping for Phase IA will utilize non-potable water from the Westside Irrigation District. With respect to potable water, two possible sources are proposed to serve the Distribution Center. These two sources, which are not mutually exclusive, include:

- To the extent that the City maintains excess water supply capacity, the developer requests potable water service in an amount that is sufficient to supply domestic demand and fire flow requirements for the Distribution Center.

- Consistent with the principles of City's water exchange program, the developer will retrofit existing public buildings (or reimburse the cost for such upgrades) to reduce potable water use. This will reduce water demand that can, in turn, be utilized by the Distribution Center.

Although build out of Phase I will follow Phase IA, the majority of public water supply infrastructure specified for Phase I has already been constructed. Thus, water supply infrastructure for Phase IA will largely consist of connections to Phase I public improvements including some form of booster pump with controls to augment the water pressure from the 20" potable water line installed along Lammers Road. The developer may initially construct and utilize interim facilities to serve Phase IA. However, it is understood that any interim facilities will be replaced with permanent facilities unless the City Engineer determines that such interim facilities satisfy City standards.

Project Entitlements

It is contemplated that development of Phase IA will precede Phase I. As a stand-alone initial phase to the Tracy Gateway Project, development of Phase IA would not alter the developer's existing duties with respect to water supply for Phase I or Phase II as set forth in the Development Agreement (including but not limited to Section 300, subds. (1), (3), (4)), the VTM (including but not limited to COA Section L), the Phase I Subdivision Improvement Agreement (Sections 1.2 – 1.6), or the Non-Potable Water Supply Operations and Maintenance Agreement (passim). Rather than revise the existing terms applicable to water supply for Phase I and II contained in these documents, it is contemplated that additional terms memorializing this project description will be prepared as follows:

- Insert new terms into the existing Development Agreement (i) identifying the Distribution Center as a new phase, Phase IA, of the Tracy Gateway Project in Section 103, and (ii) inserting a term in Section 300 stating that the developer's obligations for infrastructure for Phase IA will be set forth in a newly prepared Tracy Gateway Phase IA Infrastructure Plan, which will be approved concurrently with the Development Agreement amendment (proposed language set forth in **Attachment 1**);

- Execute a newly-prepared Tracy Gateway Phase IA Infrastructure Plan, analogous to the previously-approved Phase I Subdivision Improvement Agreement, that addresses water supply and any other infrastructure required for Phase IA;

- Amend the VTM to include any additional COA's specific to Phase IA as the City deems necessary.

Project Benefits

The Distribution Center's water supply strategy will provide several benefits to the City with respect to water quality and supply. These benefits include:

- The Distribution Center will use significantly less water than the original 'office' designation under to the Tracy Gateway Master Plan. This will provide additional water capacity for the City to allocate to other City-wide projects;
- Development of on-site storm water retention/detention ponds will promote groundwater recharge and reduce strain on the City's storm drain system;
- Funding that could be used for the support and enhancement of the City's Water Exchange program;
- Facilitate implementation of the City's 'water conservation retrofit' program to further enhance opportunities in existing developments.

The above benefits, which are specific to water issues, are in addition to the Distribution Center's many other benefits to the City, such as the projected annual revenue in the amount of $5,000,000 to the City of Tracy, that are described more fully in the Distribution Center's Statement of Benefits document previously submitted with the application.

<u>Attachment 1</u>

Proposed amendments to Development Agreement:

1. Insert a new subdivision "(x)" to Section 103, which provides: " 'Phase IA' means an approximately 1.4 million square foot distribution center and multi-story office building located on approximately 98.5 acres."

2. Insert a new subdivision "j" to Section 300, which provides: "The Developer's obligations with respect to infrastructure necessary to serve Phase IA are specified in the Tracy Gateway Phase IA Infrastructure Plan."

April 15, 2014

AGENDA ITEM 6

REQUEST

APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH WEST YOST & ASSOCIATES, INC., TO PROVIDE WATER DISTRIBUTION SERVICES ANALYSIS FOR THE TRACY GATEWAY BUSINESS PARK, AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE AGREEMENT

EXECUTIVE SUMMARY

The infrastructure needs for the Tracy Gateway Business Park – Phase 1, the eastern portion of the business park, were analyzed in 2004 for office and retail land uses. The proposed Tracy Gateway Distribution Center is outside the Phase 1 area and is located on the western portion of the business park. The technical analysis to be performed by West Yost & Associates (City's consultant) will identify specific interim water infrastructure improvements that are necessary to be in place to serve the proposed Tracy Gateway Distribution Center. Approval of the Professional Services Agreement will allow the City's consultant to start their work and facilitate early completion of the technical report.

DISCUSSION

Tracy Gateway Business Park is a commercial project composed of a business park and commercial/retail sites. On behalf of the developer of Tracy Gateway Business Park, Coats Consulting of Carmel, California, submitted a development application for the development of approximately 98 acres at the western end of the Tracy Gateway Business Park site into a distribution center which will include a 1,483,388 square foot building which would provide for 47,800 square feet for office, 150,000 square feet home delivery service area, and 1,285,588 square feet for storage, receiving, shipping, quality control and loading.

The Vesting Tentative Subdivision Map (VTSM) for the Tracy Gateway Business Park was approved by City Council on April 28, 2004, and a Development Agreement between the City of Tracy and Tracy Gateway, LLC (Developer) was adopted by City Council on June 1, 2004, became Ordinance 1062, which was recorded as Document No. 2004-163961 with the San Joaquin County Recorder. The Finance and Implementation Plan (FIP) was adopted by City Council on May 24, 2004. Approval of the VTSM is subject to specified conditions of approval.

The Conditions of Approval for the Tracy Gateway Project require that all water systems within the Tracy Gateway commercial development are analyzed to ensure that adequate water is available to the site and that all improvements within the development are designed to accommodate the water demand for domestic water, fire demand water and non-potable water supplies used for irrigation purposes.

During the review process for the proposed Final Subdivision Map of the Gateway project, it was determined that a water analysis was needed to provide interim and long term water supply to the project. This would include location and trigger points for coordination of a water storage tank. An updated water study was required to include the evaluation of the

proposed land use and fire service water demand including irrigation demand from the West Side Irrigation District.

Professional services are required from a qualified consultant to complete the above tasks.

West Yost & Associates completed the original water analysis for this project and are familiar with the project requirements. Therefore, the Interim City Manager has determined that it is in the best interest of the City to acquire professional services from West Yost and Associates bypassing the standard RFP process. The developer has requested to proceed as quickly as possible and will bear all the cost of such services. The services required from West Yost & Associates will include analysis of the domestic water system, fire water requirements, adequate sizing of all potable and non-potable water pipelines and evaluation of the amount of irrigation water required for the proposed distribution center, should Council approve the project.

West Yost & Associates will provide analysis to assist staff in making a determination as to the location and triggers of a 1.7 million gallon water storage tank and pump station. This analysis will be used by staff to review and process the proposed amendment to the Vesting Tentative Subdivision Map and Preliminary Development Plan/Final Development Plan required for the distribution center.

West Yost & Associates submitted a proposal to complete the tasks for a not to exceed amount of $58,700. After careful review and coordination with the developers regarding the proposal, City staff found it to be acceptable. The cost of the consultant's services will be paid on a time and expense basis at the billing rates specified in the proposal. It is estimated that the consultant services for this scope of work will be required for a period of approximately fifteen weeks. In the event that additional work is required for this water analysis, it is requested that the Interim City Manager be authorized to approve an extension of the existing agreement for a not to exceed additional cost of $15,000.

- <u>Professional Services Agreement with West Yost and Associates for an interim infrastructure plan and hydraulic analysis and a water supply assessment for the distribution center for a not to exceed amount of $58,700.</u>

    - Task 1 – Evaluate an interim water system infrastructure plan to temporarily serve the distribution center for the interim period before the proposed water reservoir and pump station in Tracy Gateway are constructed. Evaluate and determine which transmission pipelines are required, and whether an interim pump station and/or interim water storage will be required, to meet domestic water and fire flow demands at the distribution center. Provide estimated water demands and fire flow duration to be assumed in the design of the distribution center. A Technical Memorandum will be prepared with the recommended interim infrastructure plan to serve the distribution center. The estimated fee for this task is $18,500.

    - Task 2 – Perform hydraulic modelling on the Tracy Gateway water system for the proposed relocation of the water reservoir and pump station site from Parcel 32 to Parcel 14, to confirm water facility sizing, water supply, and hydraulic conditions. A Technical Memorandum will be

prepared summarizing results of the hydraulic modelling with recommendation pertaining to the relocation of the water reservoir and pump station site. The estimated fee for this task is $16,500.

- Task 3 – In 2001, an evaluation of water needs for the Tracy Gateway Business Park was prepared for an office/retail land use (SB 610 study. With the proposed distribution center project and as a result of the land use change with a revised water demand, an SB 610 water supply assessment needs to be completed to ensure compliance for this project. West Yost and Associates has submitted a proposal to complete this task for a not to exceed amount of $23,700. The Developer has reviewed the proposal and agreed to pay this amount and has requested the City to proceed with the PSA.

FISCAL IMPACT

There will be no fiscal impact to the General Fund. Tracy Gateway LLC has paid the City $54,000 in cash and the remaining $4,700 will be funded from the Cost Recovery Agreement signed by the Developer. In the event that an extension of the existing agreement is necessary and prior to Interim City Manager's approval of the extension, Tracy Gateway LLC will pay the additional $15,000.

STRATEGIC PLAN

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

RECOMMENDATION

That City Council, by resolution, approve a Professional Services Agreement with West Yost & Associates, Inc., to provide water engineering services related to the Tracy Gateway Business Park for a not to exceed cost of $58,700 on a time and material basis and authorize the Interim City Manager to approve additional work, if required, in the amount of $15,000 and authorize the Mayor to execute the agreement.

Prepared by: Criseldo Mina, Senior Engineer

Reviewed by: Kuldeep Sharma, Utilities Director
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENTS

Attachment A – PSA with West Yost & Associates, Inc.

CITY OF TRACY
PROFESSIONAL SERVICES AGREEMENT FOR DESIGN PROFESSIONALS
INTERIM INFRASTRUCTURE EVALUATION AND WATER SUPPLY ASSESSMENT FOR TRACY GATEWAY DISTRIBUTION CENTER

This Professional Services Agreement ("Agreement") is entered into between the City of Tracy, a municipal corporation ("City"), and West Yost Associates ("Consultant").

RECITALS

A. CONSULTANT is a registered professional engineer.

B. Consultant services are needed for development of an interim infrastructure plan for the Tracy Gateway Distribution Center; a hydraulic analysis of the relocation of the proposed permanent Gateway Tank and Pump Station from the previously proposed and analyzed location (Gateway Parcel 32) to another parcel in the vicinity of Parcel 14 as currently desired by Project Proponents; and the preparation of a Water Supply Assessment for the proposed Tracy Gateway Distribution Center based on the requirements of California Senate Bill 610 (SB 610) as included in the California Water Code sections 10910 through 10915.

C. At the request of the City, in March 2014, Consultant submitted a proposal to perform the services described in 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.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **SCOPE OF SERVICES.** Consultant shall perform the services described in Exhibit "A" attached and incorporated by reference. The services shall be performed by, or under the direct supervision of, Consultant's Authorized Representative: Elizabeth Drayer. 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 City's prior written consent.

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

3. **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, unless the City provides prior written authorization to Consultant. Consultant is free to work for other entities while under contract with the City. Consultant is 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. If Consultant maintains or acquires such a conflicting interest, the City may terminate any contract (including this Agreement) involving Consultant's conflicting interest.

5. **COMPENSATION.**
   - **5.1 General.** For services performed by Consultant under this Agreement, City shall pay Consultant on a time and expense basis, at the billing rates set forth in Exhibit "B," attached and incorporated by reference. Consultant's fee for this Agreement is Not to Exceed FIFTY EIGHT THOUSAND SEVEN HUNDRED DOLLARS [$58,700]. Consultant's billing rates shall cover all costs and expenses for Consultant's performance of this Agreement. No work shall be performed by Consultant in excess of the Not to Exceed amount without the City's prior written approval.
   - **5.2 Invoices.** Consultant shall submit monthly invoices to the City describing the services performed, including times, dates, and names of persons performing the service.
   - **5.3 Payment.** Within 30 days after the City's receipt of invoice, City shall make payment to the Consultant based upon the services described on the invoice and approved by the City.

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

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 City's prior written consent.

8. **INDEMNIFICATION.** Consultant shall, to the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold harmless the City from and against any claims arising out of Consultant's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole, active negligence or willful misconduct of the City.

   In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "Consultant" means the Consultant, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses in connection therein) and any allegations of these; and "Arising out of" includes "pertaining to" and "relating to".

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

   The provisions of this section survive completion of the services or the termination of this contract, and are not limited by the provisions of Section 10 relating to insurance.

9. **BUSINESS LICENSE.** Before beginning work under this Agreement, Consultant shall obtain a City of Tracy Business License.

10. **INSURANCE.**
    - **10.1 General.** Consultant shall, throughout the duration of this Agreement, maintain insurance to cover Consultant, its agents, representatives, and employees in connection with the performance of services under this Agreement at the minimum levels set forth here.
    - **10.2 Commercial General Liability** (with coverage at least as broad as ISO form CG 00 01) "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.
    - **10.3 Automobile Liability** (with coverage at least as broad as ISO form CA 00 01, for "any auto") coverage shall be maintained in an amount not less than $1,000,000 per accident for bodily injury and property damage.

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

10.5 **Professional Liability** "claims made" coverage shall be maintained to cover damages from negligent errors, omissions, or acts of Consultant in an amount not less than $2,000,000 per claim and in the aggregate.

10.6 **Endorsements.** Consultant shall obtain endorsements to the commercial general liability with the following provisions:

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

10.6.2 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.

10.7 **Notice of Cancellation.** Consultant shall notify the City if the policy is canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation. Consultant shall immediately obtain a replacement policy.

10.8 **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.

10.9 **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 days after the execution of this Agreement.

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

10.11 **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.

11. **ASSIGNMENT AND DELEGATION.** This Agreement and any portion of it shall not be assigned or transferred, nor shall any of the Consultant's duties be delegated, without the City's written consent. Any attempt to assign or delegate this Agreement without the City's written consent shall be void and of no effect. City's consent to one assignment shall not be deemed to be a consent to any subsequent assignment.

12. MISCELLANEOUS.

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

To City:

Ms. Victoria Dion
City Engineer
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

To Consultant:

Mr. Charles Duncan
President
West Yost Associates
7041 Koll Center Parkway, Suite 110
Pleasanton, CA 94566

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

Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the address designated above, or (2) three working days after the deposit in the United States Mail of registered or certified mail, sent to the address designated above.

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

12.3 Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

12.4 Severability. If a term of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in effect.

12.5 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.

12.6 Entire Agreement. This Agreement comprises the entire integrated understanding between the parties concerning the services to be performed. This Agreement supersedes all prior negotiations, representations or agreements.

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

12.8 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.

INTENTIONALLY LEFT BLANK

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

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

City of Tracy

By: Maria Hurtado
Title: Interim City Manager
Date: _____

Attest:

By: Sandra Edwards
Title: City Clerk
Date: _____

Approved As To Form:

By: Daniel G. Sodergren
Title: City Attorney
Date: _____

Consultant
West Yost Associates

By: ~~Charles Duncan~~ John Goodwin
Title: ~~President~~ Vice President
Date: 3-25-14

Fed. Employer ID No. 68-0370826

By: ~~Elizabeth M. Nilsen~~ Franklin Helmick
Title: ~~Treasurer/CFO~~ assistant Treasurer
Date: 3/25/14

Interim Infrastructure Evaluation and Water Supply Assessment for Tracy Gateway Distribution Center Approach and Scope of Work

PROJECT UNDERSTANDING

A new development is being proposed within the Tracy Gateway Project area in the City of Tracy (City). The Tracy Gateway Distribution Center (Proposed Project) is proposed at the western end of the Tracy Gateway Project area. The Proposed Project is located within the Tracy Gateway Specific Plan area and the site is approximately 98 acres and includes 1,483,388 square feet of building (47,800 square feet for office, 150,000 square feet for home delivery service area, and 1,285,588 square feet for storage, receiving, shipping, quality control and loading dock).

Due to the proposed expedited timing for the construction of the Proposed Project, permanent water storage and pumping facilities proposed for the overall Gateway Project area will not be available in time to initially serve the Proposed Project. Therefore, an interim infrastructure plan must be developed to determine how to serve the Proposed Project with City water supplies for domestic use and fire flow purposes. To be clear, this interim infrastructure plan is temporary (until the construction of the permanent Gateway Tank and Pump Station) and could impact the installation of facilities that will no longer be required once the permanent Gateway Tank and Pump Station are constructed.

Also included in this Scope of Work is the hydraulic analysis for the relocation of the proposed permanent Gateway Tank and Pump Station from the previously proposed and analyzed location (Gateway Parcel 32) to another parcel in the vicinity of Parcel 14, as currently desired by Project Proponents.

Also, based on the required California Environmental Quality Act (CEQA) review for the proposed project, and the building square footages being proposed, a Senate Bill 610 (SB 610) Water Supply Assessment (WSA) is required for the Proposed Project. A WSA was previously prepared for the Tracy Gateway Project in late 2001; however, that WSA was prepared prior to the enactment of SB 610 and, therefore, does not meet the current SB 610 requirements for a WSA.

BASIC SCOPE OF SERVICES

Task 1 – Interim Infrastructure Plan for Tracy Gateway Distribution Center

West Yost will work with the City to develop and evaluate an interim water system infrastructure plan to temporarily serve the Proposed Project for the interim period before the proposed permanent Gateway Tank and Pump Station are constructed. West Yost will evaluate and determine which transmission pipelines are required, and whether an interim pump station and/or interim water storage will also be required, to meet water demands and fire flow demands at the Proposed Project.

The City and Project Proponents will provide West Yost with the water demands estimated for the Proposed Project (gallons per day) and fire flow (in gallons per minute) and fire flow duration (in hours) to be assumed for the Proposed Project.

Deliverables

- West Yost will prepare a short Technical Memorandum (TM) summarizing the recommended interim infrastructure plan to serve the Tracy Gateway Distribution Center.

Estimated Fee for Task 1 Services = $18,500

Task 2 – Hydraulic Analysis for Relocation of Gateway Tank and Pump Station

All previous hydraulic water system modeling has assumed that the Gateway Tank and Pump Station site would be located on Parcel 32. The Project Proponent's would now like to consider relocating the tank and pump station site from Parcel 32 to Parcel 14. Additional hydraulic modeling will be required to confirm hydraulic conditions, facility sizing and water supply pipelines into and out of the proposed re-located tank and pump station location. For the purposes of this scope of services and corresponding level of engineering effort, we have assumed that the new tank and pump station site would be relocated to Parcel 14.

This task also includes up to 25 hours of additional senior level hydraulic modeling support to perform other "as-requested" hydraulic modeling scenarios as requested by the Project Proponents and/or his Design Engineer.

Deliverables

- West Yost will prepare a short Technical Memorandum (TM) summarizing the findings of the hydraulic analysis. The TM will provide a summary of the hydraulic advantages and disadvantages of re-locating the tank and pump station from Parcel 32 to Parcel 14.

Estimated Fee for Task 2 Services = $16,500

Task 3 – Water Supply Assessment for Tracy Gateway Distribution Center

Subtask 3-1 – Calculate Water Demands for the Proposed Project

West Yost will calculate the water demands for the Proposed Project, including water demand that can be served by potable water and recycled water. These water demands will be compared to the water demands previously calculated for the proposed project area under the previous Tracy Gateway Project plans for purposes of understanding the impact of the Proposed Project on the City's overall water demands and consistency with the previous Gateway Project demands.

Deliverables

- No specific deliverables are anticipated for this task. Calculated water demands will be incorporated into the WSA being prepared under Subtask 3-3.

Subtask 3-2 – Identify Water Supplies for the Proposed Project

Based on the water demands calculated in Subtask 3-1, West Yost will coordinate with the City to identify available water supplies to serve the Proposed Project. For the Tracy Gateway Project, the identified water supply was based on a water exchange program whereby numerous City parks and sports fields would be converted from potable water irrigation to recycled water irrigation and then the potable water being used on those parks and fields would be freed up for use by the Tracy Gateway Project. West Yost will work with the City to further explore this type of exchange, in addition to possibly installing artificial turf on some existing sports fields to accomplish the same type of exchange.

Deliverables

- No specific deliverables are anticipated for this task. Available water supplies will be described in the WSA being prepared under Subtask 3-3.

Subtask 3-3 – Prepare Water Supply Assessment

West Yost will prepare a WSA for the Proposed Project. The WSA will be prepared in accordance with the requirements of SB 610 as adopted in the California Water Code as Sections 10910 through 10915. The WSA will be based on the water demand for the Proposed Project as determined in Subtask 3-1 and the available City water supplies identified in Subtask 3-2.

The WSA will include the following:

1. A description of the Proposed Project, including location, overall area, number of parcels, and type of proposed development at buildout of the Proposed Project; no phasing will be considered in the WSA.
2. The total potable and recycled water demand for the Proposed Project as determined in Subtask 3-1.
3. A description of the availability and reliability of the proposed water supply for the Proposed Project. The basis for this description will be the City's 2010 Urban Water Management Plan and the most recent SB 610 WSA prepared for the City.
4. A description of determinations as required by SB 610, including:
   a. If the Proposed Project is subject to the requirements of the California Environmental Quality Act (CEQA),
   b. If the Proposed Project meets the SB 610 definition of a Project,
   c. Identification of the City as the responsible water system, and
   d. If the City's 2010 Urban Water Management Plan includes the water demands for the Proposed Project.

5. An evaluation of the availability and reliability of water supply to serve the Proposed Project including the following:
   a. Identification and evaluation of the proposed water supplies for the Proposed Project and demonstration that said water supplies exist.
   b. If inadequate water supplies exist, identification and evaluation of options to meet the water supply deficit.
   c. Identification of any potential conflicts that may arise from the exercise of water supply entitlements required for the Proposed Project.
   d. Proposed use and sufficiency of groundwater supplies for use in emergency conditions only, not as an everyday source of supply.
   e. A determination of sufficiency of existing and future water supply for the Proposed Project.

The Proposed Project does not include any residential development. Therefore, the Proposed Project is not subject to the requirements of Senate Bill 221 (SB 221).

Results of the analysis described above will be documented in a Draft WSA. Three (3) copies of the Draft WSA will be submitted to the City for review and comment. The City will be responsible for forwarding a copy of the Draft WSA to Proposed Project representatives, and for obtaining and consolidating all comments, including those from any legal advisors, into a single comment letter, prior to providing to West Yost. West Yost will attend one review meeting to discuss comments on the Draft WSA. Following receipt of a consolidated written set of all comments on the Draft WSA to be provided to West Yost by the City, and meeting to discuss these written comments, West Yost will prepare and submit five (5) hard copies and five (5) CD copies of the Final WSA to the City.

West Yost has only budgeted time to attend one meeting to receive comments on the Draft WSA and to attend a City Council meeting when the WSA is considered for adoption. No other meetings, project status conference calls, coordination with legal advisors, or other correspondence time have been budgeted. Any additional meetings or conference calls could be added to this task if a budget augmentation is approved by the City.

Total Estimated Fee for Task 3 Services = $23,700

Total Estimated Fee for Tasks 1 – 3 Services = $58,700

SCHEDULE

West Yost will submit the Task 1 technical memorandum four (4) weeks following receipt of Notice to Proceed. Because the temporary solution developed in Task 1 may result in changes to initial infrastructure constructed to serve the Gateway Project, work on Task 2 cannot be started until the Task 1 technical memorandum is reviewed and approved by the City and Project Proponents. West Yost will submit the Task 2 technical memorandum three (3) weeks following the start of Task 2.

Submittal of the Task 3 Draft WSA will be approximately twelve (12) weeks following receipt of Notice to Proceed from the City. Submittal of the Final WSA will be approximately three (3) weeks following receipt of consolidated comments on the Draft WSA and the meeting with the City and Proposed Project representatives to discuss those comments. This proposed schedule will be impacted if plans for the Proposed Project are revised after West Yost receives Notice to Proceed.

PERSONNEL

West Yost shall assign the following person/persons to perform the tasks set forth in this Agreement:

- Charles Duncan (President)
- Gerry S. Nakano (Vice President)
- Elizabeth Drayer (Engineering Manager; Authorized Representative)
- Jim Connell (Principal Engineer)
- Doug DeMaster (Senior Engineer)
- Amy Kwong (Senior Engineer)
- Irene Suroso (Senior Engineer)
- Shannon Barcal (Engineer II)
- Brian Coox (Engineer II)
- Christine Encelan (Administrative IV)
- Angelica Perea (Administrative III)

Exhibit "B"

WEST YOST ASSOCIATES
Consulting Engineers

WEST YOST ASSOCIATES, INC.

2014 Billing Rate Schedule

(Effective January 1, 2014 through December 31, 2014)*

Position	Labor Charges (dollars per hr)
Principal/Vice President	240
Engineering Manager	229
Principal Engineer/Scientist	207
Senior Engineer/Scientist/GIS Analyst	186
Associate Engineer/Scientist	169
GIS Analyst	164
Engineer II/Scientist II	147
Engineer I/Scientist I	126
Construction Manager III	186
Construction Manager II	169
Construction Manager I	158
Resident Inspector III	140
Resident Inspector II	129
Resident Inspector I	115
Sr. Designer/Sr. CAD Operator	120
Designer/CAD Operator	107
Technical Specialist III	120
Technical Specialist II	104
Technical Specialist I	87
Engineering Aide	71
Administrative IV	109
Administrative III	98
Administrative II	82
Administrative I	66

Hourly labor rates include Direct Costs such as general computers, system charges, telephone, fax, routine in-house copies/prints, postage, miscellaneous supplies, and other incidental project expenses.

Outside Services such as vendor reproductions, prints, shipping, and major West Yost reproduction efforts, as well as Engineering Supplies, Travel, etc. will be billed at actual cost plus 15%.

Mileage will be billed at the current Federal Rate.

Subconsultants will be billed at actual cost plus 10%.

Computers are billed at $25 per hour for specialty models and AutoCAD.

Expert witness, research, technical review, analysis, preparation and meetings billed at 150% of standard hourly rates. Expert witness testimony and depositions billed at 200% of standard hourly rates.

A Finance Charge of 1.5% per month (an Annual Rate of 18%) on the unpaid balance will be added to invoice amounts if not paid within 45 days from the date of the invoice.

*This schedule will be updated annually.

WEST YOST ASSOCIATES
Consulting Engineers

WEST YOST ASSOCIATES, INC.

2014 Billing Rate Schedule
(Cont'd.)

(Effective January 1, 2014 through December 31, 2014)*

SURVEYING AND EQUIPMENT CHARGES

Position	Labor Charges (dollars per hr)
GPS, 3-Person	366
GPS, 2-Person	317
GPS, 1-Person	246
Survey Crew, 2-Person	268
Survey Crew, 1-Person	202

EQUIPMENT CHARGES

Equipment	Billing Rate (dollars per day)	Billing Rate (dollars per week)
DO Meter	16	81
pH Meter	5	26
Automatic Sampler	128	698
Transducer/Data Logger	40	202
Hydrant Pressure Gage	11	49
Hydrant Pressure Recorder (HPR)	—	202
Hydrant Wrench	5	32
Pitot Diffuser	29	132
Well Sounder	29	132
Ultrasonic Flow Meter	—	264
Vehicle	87	437
Velocity Meter	11	64
Water Quality Multimeter	173	946
Thickness Gage	—	70

* This schedule will be updated annually.

RESOLUTION 2014-_____

APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WEST YOST & ASSOCIATES, INC., TO PROVIDE WATER DISTRIBUTION SERVICE FOR THE TRACY GATEWAY BUSINESS PARK, AUTHORIZING THE INTERIM CITY MANAGER TO EXTEND THE SCOPE OF WORK IN THE AMOUNT OF $15,000, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, The Tracy Gateway Business Park is a commercial project composed of a business park and commercial/retail sites, and

WHEREAS, On behalf of the developer of Tracy Gateway Business Park, Coats Consulting of Carmel, California submitted a development application for the development of approximately 98 acres at the western end of the Tracy Gateway Business Park site into a distribution center which will include a 1,483,388 square foot building which would provide for 47,800 square feet for office, 150,000 square feet for home delivery service area, and 1,285,588 square feet for storage, receiving, shipping, quality control and loading, and

WHEREAS, The Vesting Tentative Subdivision Map (VTSM) for the Tracy Gateway Business Park was approved by City Council on April 28, 2004, and a Development Agreement between the City of Tracy and Tracy Gateway, LLC (Developer) was adopted by City Council on June 1, 2004, became Ordinance 1062, which was recorded as Document No. 2004-163961 with the San Joaquin County Recorder. The Finance and Implementation Plan (FIP) was adopted by City Council on May 24, 2004. Approval of the VTSM is subject to specified conditions of approval, and

WHEREAS, The Conditions of Approval for the Tracy Gateway Project require that all water systems within the Tracy Gateway commercial development are analyzed to ensure that adequate water is available to the site and that all improvements within the development are designed to accommodate the water demand for domestic water, fire demand water and non-potable water supplies used for irrigation purposes, and

WHEREAS, During the review process for the proposed Final Subdivision Map of the Gateway project, it was determined that a water analysis is needed to provided interim and long term water supply to the project including location and trigger points. Also coordination of a water storage tank for an updated water study was required to include the evaluation of the proposed land use and fire service water demand to include the irrigation demand from the West Side Irrigation District, and

WHEREAS, Professional services are required from a qualified consultant to complete the above tasks, and

WHEREAS, The Developer of the Tracy Gateway Business Park has certain time lines to complete this project, a timely completion of these analyses is necessary. In order to meet the needs of the Developer, the standard Request-For-Proposal (RFP) process needs to be by-passed with a single source consultant who is familiar, qualified and knowledgeable about the project, and

WHEREAS, West Yost & Associates completed the original water analysis for this project and are familiar with the project requirements. The Interim City Manager has determined that it is in the best interest of the City to acquire professional services from West

Yost and Associates bypassing the standard RFP process. The developer has requested to proceed as quickly as possible and will bear all the cost of such services. The services required from West Yost & Associates, Inc., will include analysis of the domestic water system, the fire water requirements, the adequate sizing of all potable and non-potable water pipelines and evaluation of the amount of irrigation water required for the proposed distribution center, and

WHEREAS, West Yost & Associates will provide analysis to assist staff in making a determination as to the location and trigger of a 1.7 million gallon water storage tank and pump station, and

WHEREAS, West Yost & Associates submitted proposals to complete the tasks for a not to exceed amount of $58,700, and

WHEREAS, After careful review and coordination with the developers regarding the proposal, City staff found it to be acceptable, and

WHEREAS, The cost of the consultant's services will be paid on a time and expense basis at the billing rates specified in the proposal. It is estimated that the consultant services for this scope of work will be required for a period of approximately fifteen weeks. In the event that additional work is required for this water analysis, it is requested that the Interim City Manager be authorized to approve an extension of the existing agreement for a not to exceed additional cost of $15,000, and

WHEREAS, There will be no impact to the General Fund. The developer has paid $54,000, and the remaining $4,700 will be funded from the Cost Recovery Agreement the Developer has signed with the City, and

WHEREAS, In the event that an extension of the existing agreement is necessary, and prior to the Interim City Manager's approval of the extension, the Developer will pay the additional $15,000;

NOW, THEREFORE, BE IT RESOLVED, That City Council approves the Professional Services Agreement with West Yost & Associates, Inc. of Pleasanton, California, for water distribution service analysis related to the Tracy Gateway Business Park, authorizes the Interim City Manager to extend the scope of work in the amount of $15,000 and authorizes the Mayor to execute the agreement.

* * * * * * * * *

The foregoing Resolution 2014-_____ was adopted by the Tracy City Council on the 15th day of April 2014 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST

_____
CITY CLERK

April 15, 2014

AGENDA ITEM 8.A

REQUEST

RECEIVE AND ACCEPT THE INTERIM CITY MANAGER UPDATE

EXECUTIVE SUMMARY

This agenda item will update the Council on newsworthy events.

DISCUSSION

The Interim City Manager will provide Council with a report on various items, including upcoming special events, status on key projects, or other items of interest in an effort to keep Council, staff, and residents abreast of newsworthy events.

STRATEGIC PLAN

This agenda item does not relate to the Council's Strategic Plans.

FISCAL IMPACT

There is no fiscal impact with this item.

RECOMMENDATION

That Council receive and accept the Interim City Manager's update.

Prepared by: Maria A. Hurtado, Interim City Manager
Reviewed by: Maria A. Hurtado, Interim City Manager
Approved by: Maria A. Hurtado, Interim City Manager

April 15, 2014

AGENDA ITEM 9.A

REQUEST

DISCUSS AND, IF NECESSARY, PROVIDE DIRECTION ON RESPONDING TO COMMENTS MADE BY MEMBERS OF THE PUBLIC

EXECUTIVE SUMMARY

This agenda item is to allow the City Council to discuss and, if necessary, provide direction on responding to comments made by members of the public.

DISCUSSION

I. Background

On February 18, 2014, Mayor Pro Tem Maciel requested that the City Council discuss responding to comments made by members of the public. On March 4, 2014, the City Council directed this item to be added to the agenda.

II. Brown Act

The Brown Act is the state's open meeting law (Government Code, §§ 54950-54963).[1]

The Brown Act provides that ". . . [e]very agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action . . ." has been placed on an agenda pursuant to the noticing provisions of the Brown Act.. (§ 54954.3(a).) Additionally, every notice for a special meeting must provide an opportunity for members of the public to directly address the City Council concerning any item that has been described in the notice for the meeting before or during consideration of that item. (§ 54954.3(a).)

The City Council may adopt reasonable regulations to ensure that the intent of the public comment provisions of the Brown Act is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. (§ 54954.3(b).) Also, the City Council may not prohibit public criticism of the policies, procedures, programs, or services of the City, or of the acts or omissions of the City Council. (§ 54954.3(c).)

The Brown Act provides that no action or discussion shall be undertaken on any item not appearing on a posted agenda. (§ 54954.2(a)(2).) However, this general rule has several exceptions, including the following:

[1] All statutory references are to the Government Code unless otherwise indicated.

- City Council Members or staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights;

- On their own initiative or in response to questions posed by the public, a City Council Member or staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities; and

- A City Council Member, or the City Council itself, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(§ 54954.2(a)(2).)

Nothing in the Brown Act requires the City to allow the public to comment on statements made by City Council Members or staff pursuant to these exceptions.

Finally, it is important to keep in mind that these exceptions are intended to allow only brief statements or requests from individual City Council Members and/or staff. To the extent that such a statement or request requires, or evolves into, a discussion by a majority of the City Council, it should be placed on a future noticed meeting.

III. City Council Policy

The City Council has adopted a policy related to the Procedures for Preparation, Posting and Distribution of Agenda and the Conduct of Public Meeting (Resolution No. 2008-140) ("City Council Meeting Policy"). A copy of the Policy is attached.

The City Council Meeting Policy provides that all agendas for regular meetings have two opportunities for "Items from the Audience." The first opportunity is limited to a 15-minute maximum period. The second opportunity does not have a maximum time limit. Each member of the public is allowed a maximum of five minutes for public testimony, including statements made during "Items from the Audience."

The City Council Meeting Policy also acknowledges the exceptions contained in the Brown Act by specifically providing that "[b]rief announcements, brief responses or questions for clarification, may be made to statements or questions raised on items not on the agenda."

When a member of the public raises an item at a Council meeting which requires attention, the Policy provides that the item should be referred to staff for follow-up. If the requesting member of the public is not satisfied with staff's response to his or her question, they may request a City Council Member to sponsor the item for discussion at a future City Council meeting.

STRATEGIC PLAN

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

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Staff recommends that City Council discuss and, if necessary, provide direction on responding to comments made by members of the public.

Prepared by: Daniel G. Sodergren, City Attorney

Reviewed by: Daniel G. Sodergren, City Attorney

Approved by: Daniel G. Sodergren, City Attorney

ATTACHMENT

Attachment A – Resolution No. 2008-140

ATTACHMENT A

RESOLUTION 2008-140

RESCINDING RESOLUTION 2007-258 AND
ESTABLISHING UPDATED COUNCIL POLICIES AND PROCEDURES

WHEREAS, On November 6, 2007, the Council adopted Resolution 2007-258 which revised the "Procedures for Preparation, Posting and Distribution of Agenda and the Conduct of Public Meetings, and

WHEREAS, On July 15, 2008, Council desired to modify the Procedures related to, Public Access to Materials Distributed after the Agenda has been Posted or at Council Meetings, Non-agendized Items, and Presentations to the Council, and

WHEREAS, There is no fiscal impact to the General Fund;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby rescinds Resolution 2007-258 and adopts the "Procedures for Preparation, Posting and Distribution of Agenda and the Conduct of Public Meetings" attached as Exhibit "A."

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

The foregoing Resolution 2008-140 was adopted by the Tracy City Council on the 15th day of July 2008, by the following vote:

AYES:	COUNCIL MEMBERS:	ABERCROMBIE, SUNDBERG, TOLBERT, TUCKER, IVES
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

Mayor

ATTEST:

City Clerk

PROCEDURES FOR PREPARATION, POSTING AND DISTRIBUTION OF AGENDA AND THE CONDUCT OF PUBLIC MEETINGS

(Exhibit "A" to Resolution No. 2008-140; July 15, 2008)

Applicability

The procedures outlined below relating to the preparation, posting and distribution of agendas applies to the City Council, the Community Development Agency, the South County Fire Authority, the Public Facilities Corporation, the Tracy Operating Partnership Joint Powers Authority, and all City Boards, Commissions, and Committees. The procedures outlined below relating to the conduct of Council meetings apply only to the City Council. All City Council meetings shall be open to the public; however, the City Council may hold closed sessions as authorized by state law.

A. Preparation, Posting and Distribution of Agenda

Purpose of Agenda

The agenda process serves four purposes:

- As a communication mechanism, the agenda informs City staff, City Council, the public and the press.
- As a compliance mechanism, the agenda process ensures compliance with mandated state laws.
- As a decision-making mechanism, the agenda process regularly brings City business to the City Council for consideration and action. Agenda items should contain enough background information so City Council can obtain a full understanding of the issues. The agenda item should conclude with a staff recommendation so City Council has the benefit of staff input prior to making a final decision.
- As a historical reference that can be kept as a record of proceedings and actions as needed for future actions and/or litigation.

Agenda

As set forth above, the purpose of the agenda is to provide a framework within which Council meetings can be conducted and to effectively implement the approved Council programs, goals and budget. Staff shall work within the policies established by Council and not place matters on the agenda that are outside the scope of existing work programs and priorities except as approved by a majority of the Council, or to inform the Council of matters necessary to the proper operation and well-being of the City.

The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting.

Distribution of Agenda

At a minimum the posting and distribution of all agendas shall be done in accordance with the Ralph M. Brown Act ("Brown Act") (California Government Code sections 54950 et seq.). Agendas for regular meetings shall be posted 72 hours prior to the meeting; special meeting agendas shall be posted not less than 24 hours prior to the meeting. All agendas shall be posted in the following locations: City Hall, the Community Center, the library, the City's website, and other locations as may be required by a particular Board or Commission's Bylaws. Posting of agendas at City Hall shall be the official location for purposes of Brown Act compliance.

The agenda packets are provided to City Council Members on the Thursday (or Friday) prior to City Council meeting. Distribution to the staff, public and media shall occur immediately after distribution to the City Council. The City will provide, by mail, a copy of the agenda cover sheet and the specific item relating to any individual and/or company which has an item on any given Council agenda.

Agenda subscriptions are available from the receptionist at City Hall, 333 Civic Center Plaza, Tracy, (Tel: 209/831-6000). A paperless version of the agenda is available at a cost of $2 per disc; a paper copy costs $35 per month ($17.50 per agenda) to be pre-paid not less than 10 days prior to any regular Council meeting. A full copy of the agenda shall be provided in an indexed binder and shall be available for review by the public at City Hall during normal operating hours. Copies of individual agenda items will be provided at a cost of $.15 per page. Copies of the agenda are also available at the Library and the agenda is posted on the City's website www.ci.tracy.ca.us.

Public Access to Written Materials after the Agenda has been Posted or Distributed at Council Meetings

On occasion, Council may receive written materials either after the Agenda has been posted or at a Council meeting. These written materials are typically related to an agendized item or handed out during Items from the Audience. Once the Council receives these written materials they become a public record. A copy will be kept in a file at the City Clerk's Office and posted on the City's website under "Materials Distributed at Council Meetings" 48 hours after the Council meeting.

B. Conduct of Council Meetings

Council Meetings

Council meetings are held on the first and third Tuesdays of the month, unless the meeting date falls on a holiday as defined in California Government Code Section 6700. No meeting shall be held on such a holiday, but a regular meeting shall be held at 7:00 p.m. on the next business day thereafter, as required by California Government Code Section 54954. Special meetings are scheduled as necessary.

Council meetings are broadcast live on Channel 26. Reruns of the preceding Council meeting are shown every Wednesday at 8:00 p.m. and every Saturday at 9:00 a.m. on Channel 26. Videotapes and DVD recordings of City Council meetings are available. Videotapes cost $3 per tape and DVDs cost $2.

Order of Business

The suggested order of business of Council meetings shall be as follows. However, the City Manager may make exceptions to the order as needed.

1. Roll Call
2. Pledge of Allegiance
3. Invocation
4. Proclamations and Awards
5. Consent Calendar
6. Items from the Audience
7. Continued Public Hearings
8. New Public Hearings
9. Regular Items including Introduction and Second Readings of Ordinances
10. Items from the Audience
11. Staff Items
12. Council Items
13. Adjournment

The regular order of business may be changed or suspended for any purpose at any particular meeting by the Mayor.

The Council may determine whether it will consider any new items after 11:00 p.m. and shall determine which specific items will be considered. If an item is continued due to the lateness of the hour, the item shall be automatically placed on the agenda for the next regularly scheduled City Council meeting unless otherwise scheduled by motion action of the Council.

Consent Calendar

All items listed on the Consent Calendar are considered to be routine matters or consistent with previous City Council direction. One motion, a second and a roll call vote may enact the items listed on the Consent Calendar. There will be no separate discussion of Consent Calendar items unless members of the City Council, City staff or the public request discussion on a specific item at the beginning of the meeting.

Public Access/Items from the Audience

It is the policy of the City Council that members of the public be allowed to address the Council on any agenda item or other matter within the Council's jurisdiction. Each member of the public will be allowed a maximum of five (5) minutes for public input or testimony. At the Mayor's discretion, additional time for testimony may be granted. Individuals addressing the Council shall state their names and addresses for the record, to ensure accuracy in the minutes and for contact information. The public shall be given an opportunity to speak on "Items of Interest to the Public." Agendas for regular meetings will have two opportunities for "Items from the Audience." The first opportunity will be limited to a 15-minute maximum period. The second opportunity will not have a maximum time limit. The five (5) minute maximum time limit per speaker will apply to all "Items from the Audience." The City Clerk shall be the timekeeper.

Non-Agendized Items (Items from the Audience and Council Items)

No matters, other than those on the posted agenda, shall be acted upon by the Council. However, items may be added to the agenda (such as emergency matters) as permitted in the Brown Act. Brief announcements, brief responses or questions for clarification, may be made to statements or questions raised on items not on the agenda.

Action on any item not on the agenda shall be deferred until the item is properly listed on the agenda for a subsequent Council meeting unless added due to an immediate need as permitted under state law.

Council Member Request for Matters to be Discussed by Council

The intent of this policy is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the City Council. The policy described below has two parts. The first part is to enable the Council Member to place a matter in front of the Council. The second part is to enable the Council to determine whether staff time should be spent on the issue.

Part 1: Council Members wishing to have a matter discussed by the City Council may do so by one of two means:

1. During a Council meeting, under "Council Items," a Council Member may request that a matter be placed on a future agenda for discussion. The Council Member will state the meeting date for which he/she wishes the item to be agendized.

2. In advance of a Council meeting, a Council Member may contact the City Manager, or his/her designee, via telephone, email, or in person and convey the desired title of the agenda item and desired meeting date. The desired title must be conveyed before 12:00 p.m. on the Wednesday prior to the Council meeting. This will give the City Clerk's Office time on the following Thursday to finalize the agenda and post it within the required timeframe. Requests received after this deadline shall be placed on the agenda for the following regularly-scheduled meeting. The item will then be added under the "Council Items" section of the agenda in the order it was received. It is the Council Member's option to prepare a one page summary report for the City Clerk's Office to include in the Council agenda packet. The one page summary will identify the Council Member who made the request and briefly describe the nature of the item.

   Staff will not spend time preparing any reports or analyses on the requested item. The only staff assistance provided at this initial stage would be to help the Council Member frame the issue, if needed, so that the Council and public clearly understand the request.

Part 2: Consideration of the Council Member's Request: When the item is called at the Council meeting, the Council Member who made the request will describe the item. The Council discussion will be limited to determining whether staff time and City resources should be spent researching the particular agenda item and whether to direct staff to conduct further analysis on the item. Council will not take action on the item itself.

Concurrence that staff time and City resources will be devoted to the item does not signify approval of the item. It only indicates that the Council wishes to have it studied further. Additionally, the Council may, at any time, decide to drop the matter, even after the matter has been analyzed by staff.

Upon the concurrence of a majority of the Council that the item should be researched and agendized, the City Manager will determine when to place the item on a future agenda based on time necessary to complete the research and staff workload considerations and the effect on City Council established priorities.

Members of the Public - Request for Agenda Items

When a member of the public raises an item at a Council meeting which requires attention, such items shall be referred to staff for follow-up. If the requesting member of the public is not satisfied with staff's response to his/her question, the member of the public may request a Council Member to sponsor his/her item for discussion at a future Council meeting. In such cases, the sponsoring Council Member shall follow those procedures described under "Council Member Request for Agenda Items." Placing an item from a member of the public on a Council agenda does not imply or guarantee a decision or action different from that taken by staff in the initial follow-up to the question or request.

Public Hearings

Public hearings are required for a variety of City Council actions such as most changes to the Tracy Municipal Code, zoning revisions, some annexations, street vacations, weed abatement, liens, fee increases, etc. Whenever the law provides that publication of a notice shall be made, such notice shall be published in a newspaper of general circulation for the period prescribed, the number of times, and in the manner required. Each speaker will be allowed a maximum of five (5) minutes for public input or testimony. At the Mayor's discretion, additional time for testimony may be granted. The City Clerk shall be the timekeeper.

Presentations to the Council

Letters and written communications: 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. Letters submitted with a request that they be read into the record will be done so only upon a request of the majority of the Council.

PowerPoint (or similar): Staff and members of the public who wish to make PowerPoint, Video or similar presentations to the Council will utilize the City's audio/visual equipment. Staff and members of the public are required to provide the City Clerk's Office with the DVD/CD/Video (or email copy) of the presentation no later than 24 hours prior to the Council meeting.

Additionally, eight (8) hard copies of the presentation material shall be provided to the City Clerk's Office for inclusion in the record of the meeting and for distribution to Council, City Attorney and City Manager.

Americans with Disabilities Act

The City of Tracy is in compliance with the Americans with Disabilities Act and will make all reasonable accommodations for the disabled. To allow for such reasonable accommodations, persons requiring assistance or auxiliary aids to participate at a City meeting, should contact the City Manager's Office at (209) 831-6000 at least 24 hours prior to the meeting.

Workshops

The purpose of a workshop is to inform the policy body on complex issues. Workshops provide an opportunity for the Council to review documents and request additional information. However, no final Council action shall be taken on workshop items.

Procedure for Invocations

Any member of the public who wishes to offer an invocation prior to the opening of a regular City Council meeting shall contact the City Clerk. The City Clerk shall select a mutually agreeable City Council meeting date for the invocation.

Minutes

The City Clerk's office shall be responsible for the preparation and distribution of the Council minutes. The minutes shall be summary minutes and shall reflect the sense of the discussion and any action taken, or recommendation made, with respect to each item considered at the meeting. A written report or written communication presented at a City Council meeting will be referenced in the minutes with the name and title of the author, date of the report or communication, subject of the communication or title of report, and the action taken on the matter. Unless a reading of the minutes is requested by a Council Member, the minutes may be approved as a Consent Calendar item.

No minutes or written record of closed sessions of the City Council shall be kept, except as required by state law or as directed by the majority vote of the City Council. The Council shall report at a public meeting any action taken in closed session, as required by Government Code Section 54957.1.

The City Clerk shall include a report on posting of the agenda in the minutes.

Rules of Decorum – Enforcement

While the Council is in session, all persons shall preserve the order and decorum of the session. The standards of order and decorum shall be governed by common sense. Any person who disrupts the orderly course of the meeting is guilty of an infraction and may be called out of order by the Mayor and barred from further participation during that session of the Council in accordance with the Brown Act and the California Penal Code.

(Exhibit "A" to Resolution No. 2008-140)

April 15, 2014

AGENDA ITEM 9.B

REQUEST

APPOINT TWO APPLICANTS TO THE TRANSPORTATION ADVISORY COMMISSION

EXECUTIVE SUMMARY

On April 30, 2014, terms will expire for two of the Transportation Advisory Commissioners. A recruitment was conducted and appointments need to be made.

DISCUSSION

On May 1, 2014, there will be two vacancies on the Transportation Advisory Commission due to term expirations effective April 30, 2014. To fill the vacancies the City Clerk's office conducted a three week recruitment, during which time five applications were received.

On April 14, 2014, a Council subcommittee consisting of Council Member Rickman, and Council Member Young interviewed five applicants. In accordance with Resolution 2004-152, the Council subcommittee will recommend applicants for appointment to serve four year terms, which will begin on May 1, 2014, and end on April 30, 2018.

STRATEGIC PLAN

This item is a routine operational item and does not relate to any of the Council's Strategic Plans.

FISCAL IMPACT

None.

RECOMMENDATION

That Council approves the subcommittee's recommendations and appoints two applicants to the Transportation Advisory Commission to serve four year terms which will end on April 30, 2018.

Prepared by: Adrianne Richardson, Deputy City Clerk

Reviewed by: Sandra Edwards, City Clerk
Reviewed by: Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

April 15, 2014

AGENDA ITEM 9.C

REQUEST

APPOINT AN APPLICANT TO THE MEASURE E RESIDENTS' OVERSIGHT COMMITTEE FROM THE COMMITTEE'S ELIGIBILITY LIST

EXECUTIVE SUMMARY

There is a vacancy on the Measure E Residents' Oversight Committee due to Committee Member Vargas's resignation. An eligibility list was created during the last Measure E Residents' Oversight Committee recruitment. Council confirmation of the appointment of Larry Fragoso to the Measure E Residents' Oversight Committee is requested.

DISCUSSION

There is one vacancy on the Measure E Residents' Oversight Committee due to Committee Member Vargas submitting her resignation from the Committee effective April 2, 2014. On April 1, 2014, City Council appointed Ms. Vargas to the Planning Commission. The last time appointments were made to the Measure E Residents' Oversight Committee was March 4, 2014. At that time the subcommittee consisting of Council Member Rickman and Council Member Young nominated three applicants to fill vacancies on the Measure E Residents' Oversight Committee and recommended Brooke Fell and Larry Fragoso be placed on an eligibility list. Resolution 2004-152 (Attachment A), includes direction on the "Selections Process for Appointee Bodies," and also states if there are multiple qualified candidates, the subcommittee can recommend the Council establish an eligibility list that can be used to fill vacancies that might occur in the following 12 months. Council confirmed the subcommittee's nomination and the creation of an eligibility list. Staff contacted Ms. Fell, but due to commitments at this time, Ms. Fell is unable to serve on the committee, but would like to remain on the eligibility list for the remainder of the 12 month period

At this time, Council can either appoint Mr. Fragoso to fill the vacancy on the Measure E Residents' Oversight Committee for a term commencing on April 16, 2014, and expiring on March 1, 2016, or direct staff to open a new recruitment. If a new recruitment is opened, Council would need to determine how to proceed with regard to Mr. Fragoso's status.

STRATEGIC PLAN

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

FISCAL IMPACT

None.

RECOMMENDATION

That Council approves the subcommittee's recommendation to appoint Larry Fragoso to the Measure E Residents' Oversight Committee to serve the remainder of a term, which will commence on April 16, 2014, and expire on March 1, 2016.

Prepared by: Adrianne Richardson, Deputy City Clerk

Reviewed by: Sandra Edwards, City Clerk
Gary Hampton, Acting Assistant City Manager

Approved by: Maria A. Hurtado, Interim City Manager

ATTACHMENTS

Attachment A – Resolution 2004-152

RESOLUTION 2004-152

REVISING RESOLUTION NO. 2004-089 ESTABLISHING THE COUNCIL SELECTION PROCESS, AND DEFINING RESIDENCY REQUIREMENTS, FOR APPOINTEE BODIES (GOVERNMENT CODE §54970 ET SEQ. LOCAL APPOINTEE OFFICERS)

WHEREAS, Council Policy D-5 was adopted by Resolution 2002-434 on October 15, 2002, which established a selection process for appointee bodies, and

WHEREAS, A variety of terms are used to define residency for the purposes of eligibility for appointment to various Appointee bodies and a method to verify residency has not been established, and

WHEREAS, Council wishes to define the terms and identify methods by which to verify residency and to incorporate those definitions into the selection process, and

WHEREAS, The definitions established herein shall apply to all boards and commissions to which the City Council appoints members unless the Bylaws of the board or commission specifically define otherwise, and

WHEREAS, Revisions to Resolution No. 2004-089 were considered and approved by the City Council on May 18, 2004 as set forth below.

NOW, THEREFORE, the Tracy City Council hereby resolves as follows:

A. SELECTION PROCESS FOR APPOINTEE BODIES:

1. On or before December 31st of each year, the clerk shall prepare an appointment list of all regular and ongoing boards, commissions and committees that are appointed by the City Council of the City of Tracy. The list shall contain the following information:

   a. A list of all appointee terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of the appointment, the date the term expires and the necessary qualifications for the position.

   b. A list of all boards, commissions and committees whose members serve at the pleasure of the Council and the necessary qualifications of each position.

   c. The list of appointments shall be made available to the public for a reasonable fee that shall not exceed actual cost of production. The Tracy Public Library shall receive a copy of the list.

2. Whenever a vacancy occurs in any board, commission or committee, whether due to expiration of an appointee's term, resignation, death, termination or other causes, a special notice shall be posted in the office of the City Clerk, The Tracy Public Library, the City website, and in other places as directed within twenty (20) days after the vacancy occurs. Final

appointment to the board, commission or committee shall not be made by the City Council for at least ten (10) working days after the posting of the notice in the Clerk's office. If Council finds an emergency exists, the Council may fill the unscheduled vacancy immediately.

3. Appointments shall be made for the remainder of the term created by the vacancy except as follows:

   a. If appointee will fill an un-expired term with six months or less remaining, the appointment shall be deemed to be for the new term.

   b. If the vacancy is filled by an emergency appointment the appointee shall serve only on an acting basis until the final appointment is made pursuant to section 3.

4. The council shall use the following selection process to provide an equal opportunity for appointment to a board, commission or committee:

   a. Mayor (or designee) and a selected Council member will review applications, interview applicants and recommend a candidate for appointment to the board, commission or committee.

   b. If the interview subcommittee determines there are multiple qualified candidates, the subcommittee can recommend the Council establish an eligibility list that can be used to fill vacancies that occur in the following twelve (12) months.

   c. At the interview subcommittee's discretion, the chair (or designee) of the board, committee or commission for which a member will be appointed, can participate in the interviews.

5. In the event there are not two or more applicants than vacancies on any board, commission or committee, the filing deadline may be extended by staff.

6. An individual already serving on a City of Tracy board, committee or commission may not be appointed to serve on an additional City of Tracy board, committee, or commission concurrently.

B. DEFINITION OF RESIDENCY REQUIREMENTS:

1. The following definitions shall be used to determine whether residency requirements are met for boards and commissions to which the Tracy City Council appoints members:

   a. Tracy Planning Area means the geographical area defined in the City of Tracy General Plan and any amendments thereto.

   b. City of Tracy means within the city limits of the City of Tracy.

c. Citizen means a resident of the City of Tracy.

d. Tracy School District means the geographical area served by the Tracy Unified School District.

e. Sphere of Influence shall be the geographical area approved by the Local Agency Formation Commission (LAFCo) of San Joaquin County and any amendments thereto.

2. Residency, as defined above and as set forth in the applicable bylaws for each board or commission, shall be verified annually by the City Clerk. The residency must be verifiable by any of the following means:

a. Voter registration,

b. Current California Driver's License or Identification,

c. Utility bill information (phone, water, cable, etc.),

d. Federal or State tax returns.

3. Members of boards or commissions shall notify the City Clerk in writing within thirty (30) days of any change in residency. If the change in residency results in the board member or commissioner no longer meeting the residency requirements, the member shall tender their resignation to the City Clerk who shall forward it to the City Council.

* * * * * * * * * *

The foregoing Resolution 2004-152 was passed and adopted by the Tracy City Council on the 18th day of May, 2004, by the following vote:

AYES: COUNCIL MEMBERS: HUFFMAN, IVES, TOLBERT, TUCKER, BILBREY

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: NONE

Mayor

ATTEST:

City Clerk

ca:dec:general:Policy- Select, Appoint, Residency (Reso rev. 5-18-04)