

**Tuesday, January 5, 2016, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

Web Site: [www.ci.tracy.ca.us](http://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, including those distributed within 72 hours of a regular City Council meeting, to a majority of the Council regarding an item on the agenda shall be made available for public inspection at the City Clerk's office (address above) during regular business hours.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENTATIONS – Employee of the Month

- NextDoor for Public Agencies Presentation
- Certificate of Appointments and Recognition – Tracy Arts Commission
- National Slavery and Human Trafficking Prevention Month Proclamation
- Introduction of Public Works Director

1. CONSENT CALENDAR

- A. Adopt Council Minutes – November 10, 2015, special meeting minutes.
- B. Approve Amendment No. 1 to Professional Services Agreement WJM C&E 15-1 with WJM Consulting & Engineering for Additional Services Related to the Recycled Water Grant Application to the Department of Water Resources (DWR) for an Amount Not to Exceed \$26,500
- C. Approve Amendment Number Seven to the Professional Services Agreement with Kimley-Horn and Associates for the Tracy Hills Specific Plan Amendment Subsequent Environmental Impact Report and Technical Analysis Related to Tentative Maps

2. ITEMS FROM THE AUDIENCE

3. PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT (PUD) ZONE PRELIMINARY AND FINAL DEVELOPMENT PLAN TO CONSTRUCT AN APPROXIMATELY 6,300 SQUARE FOOT MULTI-TENANT RESTAURANT BUILDING WITH DRIVE THRU, PARKING AREA AND LANDSCAPING IMPROVEMENTS, LOCATED AT THE SOUTHEAST CORNER OF NAGLEE ROAD AND PARK-N-RIDE DRIVE, ASSESSOR'S PARCEL NUMBER 212-290-39. APPLICANT IS VMI ARCHITECTS INC. PROPERTY OWNER IS THE CITY OF TRACY. APPLICATION NUMBER D15-0009

4. INTRODUCTION AND ADOPTION OF AN INTERIM ORDINANCE PROHIBITING THE ISSUANCE OF ANY LAND USE ENTITLEMENT OR BUILDING PERMIT FOR CERTAIN WAREHOUSE AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY BOULEVARD TO THE EASTERN CITY LIMIT

5. ADOPT A RESOLUTION DELCARING THE RESULTS OF THE DECEMBER 8, 2015, CITY OF TRACY SPECIAL ELECTION

6. ITEMS FROM THE AUDIENCE

7. COUNCIL ITEMS

- A. Appointment of City Council Subcommittee to Interview Applicants for Upcoming Vacancies on the Parks and Community Services Commission

8. ADJOURNMENT

**November 10 2015, 12:00 p.m.**Holiday Inn Express  
3751 N. Tracy Blvd. (Tracy Room)Web Site: [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

1. The special meeting was called to order at 12:10 p.m.
2. Present at the special meeting were Council Members Mitracos, Vargas, Young Mayor Pro Tem Rickman and Mayor Maciel.
3. Items from the Audience – There were none.
4. Council Retreat – Wayne McAfee, Ph.D., Director of Organizational Development and Nels Klyver provided a brief overview of the purpose and expected outcome of the special meeting.

Troy Brown, City Manager and Mayor Maciel made a few opening remarks related to the Council's vision and goals moving forward.

Council comments followed.

A powerpoint presentation was presented by Mr. McAfee and Mr. Klyver.

Strategic Priorities presentations followed by each team lead:

Alex Neicu, City of Tracy Police Lieutenant presented the Public Safety Strategy – Council comments and questions followed.

Ed Lovell, Management Analyst, Public Works presented the Governance Strategy – Council comments and questions followed.

Vanessa Carrera, Management Analyst, City Manager's Office presented the Quality of Life Strategy – Council comments and questions followed.

Andrew Malik, Director of Development Services presented the Economic Development Strategy – Council comments and questions followed.

Closing remarks were made by the Strategic Team Members.

Council discussion followed about next steps, in conclusion the Council continued and engaged in a discussion related to Council collaboration from the July 28, 2015 retreat.

5. Adjournment – The meeting adjourned at 6:34 p.m.

The above agenda was posted at the Tracy City Hall on November 6, 2015. The above are action minutes.

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Mayor

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City Clerk

January 5, 2016

AGENDA ITEM 1.B

REQUEST

**APPROVE AMENDMENT No. 1 TO PROFESSIONAL SERVICES AGREEMENT WJM C&E 15-1 WITH WJM CONSULTING & ENGINEERING FOR ADDITIONAL SERVICES RELATED TO THE RECYCLED WATER GRANT APPLICATION TO THE DEPARTMENT OF WATER RESOURCES (DWR) FOR AN AMOUNT NOT TO EXCEED \$26,500.**

EXECUTIVE SUMMARY

The City of Tracy entered into a Professional Services Agreement (PSA) with WJM Consulting & Engineering (consultant) in April of 2015 to provide services for preparing and submitting a Recycled Water Grant application to DWR. The City' application has been approved and DWR has recommended award of the \$18 million Recycled Water Grant to the City of Tracy. Additional services are needed from the consultant to coordinate with DWR and provide required information and analysis prior to execution of the grant agreement with the City.

DISCUSSION

In April 2015 the City entered into a PSA with the consultant to provide services in preparing and submitting a Recycled Water Grant application to DWR. Since then, the consultant has been working with the City to complete and submit the Grant application to DWR in a timely manner.

DWR has approved the City's application for grant funding and has recommended an award of \$18 million to the City of Tracy for the Recycled Water project. Additional services are needed from the consultant to provide certain project information and analysis prior to execution of the grant agreement.

The consultant has proposed, and staff has negotiated with the consultant, to provide additional services for a not to exceed amount of \$26,500 on an hourly basis. The original PSA with the consultant was approved by the City Manager since the cost of the PSA fell under his authority. However, since the combined amount of the original PSA and the proposed amendment exceeds the approval authority of the City Manager, approval from City Council is recommended for this amendment.

STRATEGIC PLAN

This agenda item is consistent with the Economic Development Strategic Plans and meets the goals to ensure physical infrastructure and systems necessary for development

FISCAL IMPACT

Sufficient funds are budgeted in the Wastewater Fund to cover this expense.

RECOMMENDATION

That the City Council, by resolution, approve Amendment No. 1 to the Professional Services Agreement WJM C&E 15-1 with WJM Consulting & Engineering for additional services related to the Recycled Water Grant application to the Department of Water Resources in an amount not to exceed \$26,500.

Prepared by: Kuldeep Sharma, Utilities Director

Reviewed by: Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

ATTACHMENTS

Attachment A: Amendment No. 1 to PSA WJM C&E 15-1

**CITY OF TRACY  
AMENDMENT NO. 1 TO  
PROFESSIONAL SERVICES AGREEMENT WJM C&E 15-1**

This Amendment No. 1 (Amendment) to the Professional Services Agreement (PSA) WJM C&E 15-1 with WJM Consulting & Engineering for additional services related to the Recycled Water Grant Application is entered into between the City of Tracy, a municipal corporation (City), and WJM C&E.

**Recitals**

- A.** The City and WJM C&E entered into a Professional Services Agreement WJM C&E 15-1 for the Recycled Water Grant Application in April 2015.
- B.** Additional services are needed from WJM C&E related to the Recycled Water Grant prior to execution of the Grant Agreement.

**Now therefore, the parties mutually agree as follows:**

- 1. Incorporation by Reference.** This Amendment incorporates by reference all terms set forth in the Agreement, unless specifically modified by this Amendment. The terms which are not specifically modified by this Amendment will remain in effect.
- 2. Terms of Amendment.** This amendment modifies the previous scope of services, time of performance and compensation as shown in Exhibit A. All other terms are unchanged.
  - Exhibit A – Revised Scope of Services
  - Compensation – Additional not to exceed \$26,500
  - Time of performance – Shown in Exhibit A
- 3. Modifications.** This Amendment may not be modified orally or in any manner other than by an agreement in writing signed by both parties, in accordance with the requirements of the Agreement.
- 4. Severability.** If any term of this Amendment is held invalid by a court of competent jurisdiction, the Amendment shall be construed as not containing that term, and the remainder of this Amendment shall remain in effect.
- 5. Signatures.** The individuals executing this Amendment represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Amendment. This Amendment shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

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

City of Tracy

WJM C&E

By: \_\_\_\_\_  
Michael Maciel  
Title: Mayor  
Date: \_\_\_\_\_

By:  \_\_\_\_\_  
William J. Miller  
Title: Owner  
Date: 12/20/15

Attest:

By: \_\_\_\_\_  
Nora Pimentel, City Clerk

Approved as to form

By: \_\_\_\_\_  
Daniel G. Sodergren, City Attorney

## **EXHIBIT A**

### **I. SCOPE OF SERVICES**

WJM C&E shall provide the following additional services related to the Recycled Water Grant Application from the Department of Water Resources (DWR)

- a) Coordinate with DWR for timely submittal of project related information from the City of Tracy.
- b) Assist City in preparation of the project schedule and budget in relation to the grant funds
- c) Provide grant fund cash flow analysis
- d) Provide professional services support to the City prior to execution of the grant agreement
- e) Meet and coordinate with DWR and City Staff
- f) Assist City in developing overall project program meeting the DWR requirements.

### **II. COMPENSATION**

Compensation for the above work associated with this PSA amendment shall be a not to exceed amount of \$26,500 on an hourly basis.

RESOLUTION 2016-\_\_\_\_\_

APPROVING AMENDMENT No. 1 TO PROFESSIONAL SERVICES AGREEMENT WJM C&E 15-1 WITH WJM CONSULTING & ENGINEERING FOR ADDITIONAL SERVICES RELATED TO THE RECYCLED WATER GRANT APPLICATION TO THE DEPARTMENT OF WATER RESOURCES (DWR) FOR AN AMOUNT NOT TO EXCEED \$26,500

WHEREAS, The City of Tracy entered into a Professional Services Agreement (PSA) with WJM C&E (consultant) in April of 2015 to provide services for preparing and submitting a Recycled Water Grant application to DWR, and

WHEREAS, The City' application has been approved and DWR has recommended award of the \$18 million Recycled Water Grant to the City of Tracy, and

WHEREAS, Additional services are needed from the consultant to provide certain grant information and analysis prior to execution of the grant agreement, and

WHEREAS, The consultant has proposed, and staff has negotiated with the consultant, to provide additional services for a not to exceed amount of \$26,500 on an hourly basis, and

WHEREAS, There will be no impact to the General Fund from the approval of this agenda item as the cost of the additional services will be paid from the approved Reclaimed Water Pipeline Project CIP 74064;

NOW, THEREFORE, BE IT RESOLVED, That the City Council, by resolution, approve Amendment No. 1 to the Professional Services Agreement WJM C&E I5-1 with WJM Consulting & Engineering for additional services related to the Recycled Water Grant application to the Department of Water Resources for an amount not to exceed \$26,500.

\* \* \* \* \*

The foregoing Resolution \_\_\_\_\_ was passed and adopted by the Tracy City Council on the 5<sup>th</sup> day of January, 2016, by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 1.C

REQUEST

**APPROVE AMENDMENT NUMBER SEVEN TO THE PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES FOR THE TRACY HILLS SPECIFIC PLAN AMENDMENT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT AND TECHNICAL ANALYSIS RELATED TO TENTATIVE MAPS**

EXECUTIVE SUMMARY

Additions to the Tracy Hills Specific Plan Environmental Impact Report (EIR) and project analysis will require additions to the scope of work for the project from what was previously anticipated. This request is to approve an amendment to the Professional Services Agreement (PSA) for Kimley-Horn and Associates (KHA) to complete the work on the EIR and project technical analysis.

DISCUSSION

On May 7, 2013, the City Council approved a PSA (Resolution Number 2013-063) with KHA to prepare the EIR for the Tracy Hills Specific Plan Amendment project. Six amendments to the PSA have been approved by the City Council since the initial PSA in 2013 (Resolution Numbers 2013-167, 2014-024, 2014-026, 2014-117, 2015-044, and 2015-102). The amendments were necessary to perform additional work, largely in response to changes to the project made after the project application was submitted and responses to the Notice of Preparation and the Draft EIR.

At this time, additional work is requested of KHA, related to previously unanticipated meetings and public hearings, and preparation of the project findings and Final EIR. The additional work is outlined in the PSA Amendment (Attachment A). The proposed amendment includes an additional amount not to exceed \$37,800.

STRATEGIC PLAN

The PSA amendment is a routine operational item and is not related to the City Council's Strategic Plans.

FISCAL IMPACT

This PSA amendment will not impact the General Fund. The City and the project developer have a Cost Recovery Agreement through which the developer pays consultant costs and staff time to review and process the application.

RECOMMENDATION

Staff recommends that the City Council approve the PSA Amendment Number Seven to the Tracy Hills Specific Plan Amendment EIR and Technical Analysis Related to Tentative Maps in the amount of \$37,800, and authorize the Mayor to execute the Agreement.

Agenda Item 1.C  
January 5, 2016  
Page 2

Prepared by Alan Bell, Senior Planner

Reviewed by Bill Dean, Assistant Development Services Director  
Andrew Malik, Development Services Director

Approved by Troy Brown, City Manager

ATTACHMENT

Attachment A – Amendment Number Seven to the Professional Services Agreement

**CITY OF TRACY  
AMENDMENT NO. 7 TO  
PROFESSIONAL SERVICES AGREEMENT  
TRACY HILLS SPECIFIC PLAN AMENDMENT ENVIRONMENTAL IMPACT REPORT  
AND TECHNICAL ANALYSIS RELATED TO TENTATIVE MAPS**

This Amendment No. 7 ("Amendment") to the Professional Services Agreement for Tracy Hills Specific Plan Amendment Environmental Impact Report and Technical Analysis related to Tentative Maps is entered into between the City of Tracy, a municipal corporation ("City"), and Kimley-Horn and Associates, Inc., a North Carolina Corporation ("CONSULTANT").

**RECITALS**

- A.** The City and CONSULTANT entered into a Professional Services Agreement ("Agreement") for the Tracy Hills Specific Plan Amendment Subsequent Environmental Impact Report (EIR) which was approved by the City Council on May 7, 2013, under Resolution No. 2013-063.
- B.** The City and CONSULTANT entered into a Professional Services Agreement Amendment No. 1 approved by the City Council on November 5, 2013, under Resolution No. 2013-167; Amendment No. 2 on February 18, 2014, under Resolution No. 2014-024; Amendment No. 3 on February 18, 2014, under Resolution No. 2014-026; Amendment No. 4 on August 5, 2014 under Resolution No. 2014-117; Amendment No. 5 on April 7, 2015 under Resolution No. 2015-044; and Amendment No. 6 on July 7, 2015 under Resolution No. 2015-102.
- C.** Additional work is requested of CONSULTANT for preparation of the EIR related to additional meetings, public hearings, and preparation of the project findings and Final EIR.

**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.** Section 1, Scope of Services, is amended to include the additional work set forth in Exhibit A6, attached hereto and incorporated herein. The Development Services Director may authorize in writing, additional CONSULTANT work directly related to the preparation of the Environmental Impact Report as long as such work does not exceed the approved contingency amount.

Section 5, Compensation, is amended to increase the not-to-exceed amount from \$1,392,500 to \$1,430,300.

CITY OF TRACY  
AMENDMENT NO. 7 TO  
PROFESSIONAL SERVICES AGREEMENT  
TRACY HILLS SPECIFIC PLAN AMENDMENT ENVIRONMENTAL IMPACT REPORT  
AND TECHNICAL ANALYSIS RELATED TO TENTATIVE MAPS  
PAGE 2 of 2

3. **Modifications.** This Amendment may not be modified orally or in any manner other than by an agreement in writing signed by both parties, in accordance with the requirements of the Agreement.
4. **Severability.** If any term of this Amendment is held invalid by a court of competent jurisdiction, the Amendment shall be construed as not containing that term, and the remainder of this Amendment shall remain in effect.
5. **Signatures.** The individuals executing this Amendment represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Amendment. This Amendment shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

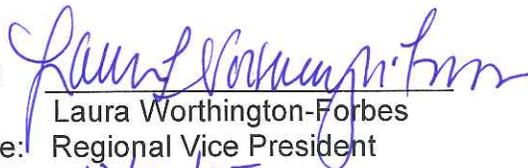
The parties agree to the full performance of the terms set forth here.

City of Tracy

Consultant

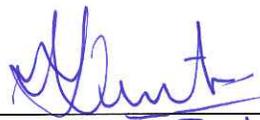
By: \_\_\_\_\_  
Michael Maciel  
Title: Mayor  
Date: \_\_\_\_\_

Kimley-Horn and Associates, Inc.

By:   
Laura Worthington-Forbes  
Title: Regional Vice President  
Date: 12/21/15

Attest:

By: \_\_\_\_\_  
Nora Pimentel  
Title: City Clerk  
Date: \_\_\_\_\_

By:   
~~Scott Colvin~~ Frederik Venter PE  
Title: Assistant Secretary #64621  
Date: 12/21/15

Approved as to form

By: \_\_\_\_\_  
Daniel G. Sodergren  
Title: City Attorney  
Date: \_\_\_\_\_

Exhibit: A6 Scope of Services

## ADDENDUM #7 to PSA Tracy Hills Specific Plan EIR

As noted in more detail below, the following request to amend our approved and authorized Scope of Work is based on our conference call dated December 17, 2015 and both requests made of the Kimley-Horn Team by City Staff and the anticipated level of legal review and response required to complete the Final SEIR for the Tracy Hills Specific Plan Project.

### **Task 1: Prepare 2<sup>nd</sup> Administrative (Draft) Final Recirculated Draft Subsequent EIR: Response to Comments**

Amendment #6 addressed a single rounds of review for the Final Recirculated Draft Subsequent EIR. Based on the process required to ensure responsiveness, clarity and consensus on the strategy, approach and content for the Administrative Draft SEIR, we anticipate an additional two (2) rounds of review with the applicable team and legal team members. One of the rounds of review can be accommodated by the use of the Contingency Budget. In addition, because time constraints preclude the ability to consolidate comments into one concise document, we anticipate receipt of comments from multiple team members, and the potential need to rectify conflicting submitted comments. This task also assumes up to one additional round of review on the prepared Findings of Fact, Statement of Overriding Considerations, Resolutions and Mitigation Monitoring Program, as well as an exhaustive review of the Administrative Draft Final SEIR Response to Comments. Finally, this task also includes an allocation of time to address changes that may be required as a result of ongoing Development Agreement negotiations and/or revisions to Conditions of Project Approval, neither of which were contemplated in Amendment #6.

### **Task 2: Project Management, Coordination and Meeting Attendance**

As noted in Amendment #6, the project schedule has been significantly extended due to the preparation of new Technical Reports commissioned by the Project Applicant, and requests for information necessary to respond to Draft SEIR comments. At the time of approval of Amendment #6, we anticipated (conservatively) that the project would be completed by late fall 2015. We now understand that the earliest the project could be completed would be mid to late March 2016. As such, we have added time for additional meetings, conference calls, internal and external team coordination [which was extensive during the Draft SEIR preparation and we would expect to continue through Final SEIR], and project management.

In addition, per the request of City Staff, we have been asked to have all critical team members available at up to four (4) public hearings at dates to be determined in February and March 2016. We have provided an estimated budget to accommodate this request.

TASK	TASK FEE TOTAL
<b>Task 1 – Preparation of 2 Additional Internal Drafts FSEIR</b>	\$14,100
<b>Task 2 – Project Management, Coordination and Meeting Attendance/Public Hearings</b>	\$23,700
<b>Total Fee Estimate</b>	<b>\$37,800</b>

RESOLUTION 2016-\_\_\_\_\_

APPROVING AMENDMENT NUMBER SEVEN TO THE PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES FOR THE TRACY HILLS SPECIFIC PLAN AMENDMENT SUBSEQUENT EIR AND TECHNICAL ANALYSIS RELATED TO TENTATIVE MAPS

WHEREAS, On May 7, 2013, the City Council approved a Professional Services Agreement (PSA) (Resolution Number 2013-063) with Kimley-Horn and Associates (KHA) to prepare the Tracy Hills Specific Plan Amendment project Environmental Impact Report (EIR), and

WHEREAS, The City Council approved Amendment Number One to the PSA on November 5, 2013 (Resolution Number 2013-167); Amendment Numbers Two and Three on February 18, 2013 (Resolution Numbers 2014-024 and 2014-026, respectively); Amendment Number Four on August 5, 2014 (Resolution Number 2014-117); Amendment Number Five on April 7, 2015 (Resolution Number 2015-044); and Amendment Number Six on July 7, 2015 (Resolution Number 2015-102), and

WHEREAS, Additional work is requested of KHA, related to additional meetings, public hearings, and preparation of the project findings and Final EIR, and

WHEREAS, KHA submitted a proposal to complete the additional work at a cost not to exceed \$37,800, and

WHEREAS, A Cost Recovery Agreement is in place through which the developer pays consultant costs to prepare the EIR;

NOW, THEREFORE, BE IT RESOLVED, That the City Council approves PSA Amendment Number Seven to the Tracy Hills Specific Plan Amendment EIR and Technical Analysis Related to Tentative Maps in the amount of \$27,800 and authorizes the Mayor to execute the Agreement.

\* \* \* \* \*

The foregoing Resolution \_\_\_\_\_ was passed and adopted by the Tracy City Council on the 5<sup>th</sup> day of January, 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

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

January 5, 2016

### AGENDA ITEM 3

#### REQUEST

**PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT (PUD) ZONE PRELIMINARY AND FINAL DEVELOPMENT PLAN TO CONSTRUCT AN APPROXIMATELY 6,300 SQUARE FOOT MULTI-TENANT RESTAURANT BUILDING WITH DRIVE THRU, PARKING AREA AND LANDSCAPING IMPROVEMENTS, LOCATED AT THE SOUTHEAST CORNER OF NAGLEE ROAD AND PARK-N-RIDE DRIVE, ASSESSOR'S PARCEL NUMBER 212-290-39. APPLICANT IS VMI ARCHITECTS INC. PROPERTY OWNER IS THE CITY OF TRACY. APPLICATION NUMBER D15-0009**

#### EXECUTIVE SUMMARY

This agenda item involves consideration of a PUD Zone Preliminary and Final Development Plan to construct a 6,300 square foot multi-tenant restaurant building (intended for Chipotle Mexican Grill and Panera Bread) and its related site improvements on a City-owned parcel adjacent to Naglee Road and Park-N-Ride Drive.

#### DISCUSSION

##### Background

This project is located on an approximately 2.78-acre parcel at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, currently in use as the Tracy Park and Ride lot (Attachment A: Location Map). On April 21, 2015, the City Council declared the approximately 2.78-acre parcel as surplus property and authorized a sale agreement with BCP Tracy, LLC for development of a multi-tenant restaurant building (intended for Chipotle Mexican Grill and Panera Bread) on the western portion of the site (approximately 50,000 square feet, referred to as Parcel A). The deed to the property lists both the City and the Successor Agency to the Tracy Community Development Agency (the "Successor Agency"). Therefore, the City will not be able to proceed with the sale of Parcel A until the City and Successor Agency receive approval of the Long Range Property Management Plan from the Successor Agency's Oversight Board (which occurred on December 1, 2015) and the State Department of Finance (which appears to be imminent). Staff's recommendation is contingent on the City obtaining fee title to Parcel A through this process. The applicant has acknowledged that he is aware of this contingency.

##### Land Use

The subject property is located within the I-205 Corridor Specific Plan area. The site is zoned Planned Unit Development (PUD) and designated Freeway Commercial by the I-205 Corridor Specific Plan. The General Plan designation is Commercial.

The project consists of construction of an approximately 6,300 square foot multi-tenant restaurant building (intended for Chipotle Mexican Grill and Panera Bread) with drive thru. Eating and drinking establishments are principally permitted within the Freeway

Commercial designation of the I-205 Corridor Specific Plan. The proposed use would be compatible with the surrounding land uses, which include the Texas Roadhouse restaurant to the south and a mix of retail and other restaurants to the north, east and west. The recently approved El Pollo Loco restaurant is now constructed on an adjacent parcel to the west.

#### Site Plan

The approximately 6,300 square foot multi-tenant restaurant building would be located at the southeast corner of Naglee Road and Park & Ride Drive (Attachment B: Site Plan, Floor Plans, Elevations, and Landscape Plan). A drive thru (intended to serve Panera Bread) is proposed to wrap around the building on the sides adjacent to Naglee Road and Park-N-Ride Drive. The proposed site has 56 parking spaces (minimum requirement is 42 parking spaces). The project meets the requirements of the I-205 Corridor Specific Plan, including requirements for parking, landscaping, and setbacks.

#### Architecture

The proposed architecture consists of an attractive design, which includes variation in façade depth, variation in parapet height, a mix of complementary building materials and colors, and other desirable elements such as brick used on multiple portions of the façade, and ample use of canopies and windows to break-up the façade and add interesting details on all four sides of the building. The proposed architecture is consistent with the City's Design Goals and Standards.

#### Environmental Document

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, which pertains to certain infill development projects, because the project is consistent with the General Plan, I-205 Corridor Specific Plan, and zoning; occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. Therefore, no further environmental assessment is necessary.

#### Planning Commission Discussion

The Planning Commission held a public hearing to discuss this project on November 4, 2015. The discussion included questions from Planning Commissioners regarding the plans for relocating the Park-N-Ride site. Staff explained that the San Joaquin Council of Government (SJCOG) is working on securing one or more sites to replace this Park-N-Ride location. Staff is assisting SJCOG in this process. Potential sites include various shopping centers with large parking areas. SJCOG will begin informing Park-N-Ride users of changes to the site availability and alternative sites within about two months of the start of construction, which is anticipated for spring of 2016. Planning

Commission recommended that City Council approve the project, contingent on the City having fee title to the property.

#### STRATEGIC PLAN

This agenda item supports the City's Economic Development Strategy goal to attract new retail and restaurants.

#### FISCAL IMPACT

This is a routine development application. This agenda item does not require any specific expenditure from the General Fund for processing this application.

#### RECOMMENDATION

Staff and the Planning Commission recommend that City Council approve a PUD Zone Preliminary and Final Development Plan to construct an approximately 6,300 square foot multi-tenant restaurant building with drive thru, parking area and landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009, contingent on the City having fee title to the property, and subject to the conditions and based on the determinations contained in the City Council Resolution dated January 5, 2016.

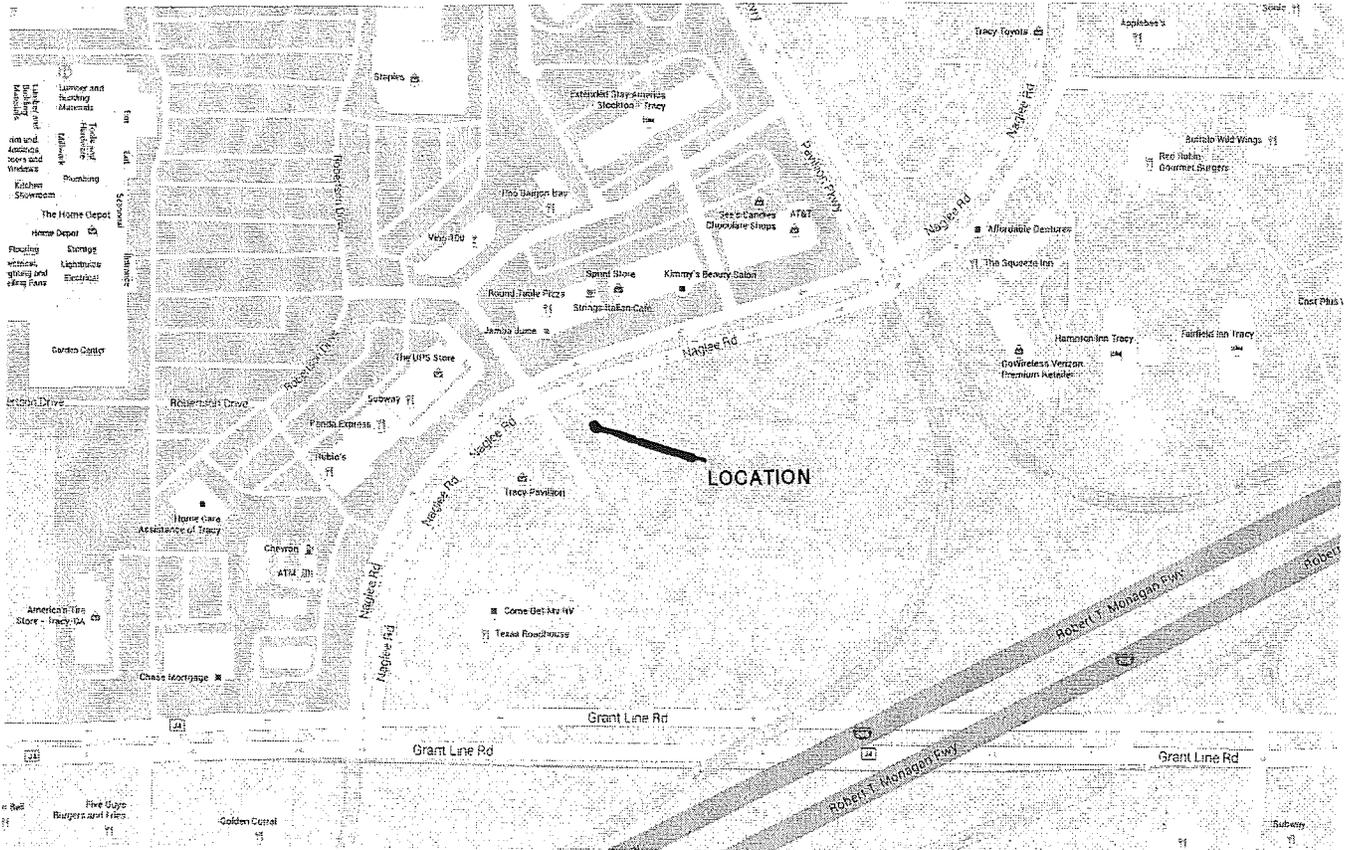
Prepared by: Scott Claar, Senior Planner

Reviewed by: Bill Dean, Assistant Development Services Director  
Andrew Malik, Development Services Director  
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

#### ATTACHMENTS

- A: Location Map
- B: Site Plan, Floor Plans, Elevations, and Landscape Plan (oversized, available at the Clerk's office or Development Services)



RESOLUTION \_\_\_\_\_

APPROVING A PLANNED UNIT DEVELOPMENT (PUD) ZONE PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR THE CONSTRUCTION OF AN APPROXIMATELY 6,300 SQUARE FOOT MULTI-TENANT RESTAURANT BUILDING WITH DRIVE THRU, PARKING AREA AND LANDSCAPING IMPROVEMENTS, LOCATED AT THE SOUTHEAST CORNER OF NAGLEE ROAD AND PARK-N-RIDE DRIVE, ASSESSOR'S PARCEL NUMBER 212-290-39 APPLICATION NUMBER D15-0009

WHEREAS, On June 17, 2015, an application was submitted for a Planned Unit Development (PUD) Zone Preliminary and Final Development Plan to construct an approximately 6,300 square foot multi-tenant restaurant building (intended for Chipotle Mexican Grill and Panera Bread) with drive thru, parking area and landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009, and

WHEREAS, The subject property is zoned PUD and designated Freeway Commercial (FC) by the I-205 Corridor Specific Plan and Commercial by the General Plan, and

WHEREAS, Eating and drinking establishments are principally permitted within the FC designation of the I-205 Corridor Specific Plan, and

WHEREAS, The project meets the requirements of the I-205 Corridor Specific Plan, including requirements for parking, landscaping, and setbacks, and

WHEREAS, The proposed architecture is consistent with the City's Design Goals and Standards, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the project on November 4, 2015, and recommended that City Council approve the project, and

WHEREAS, The City Council conducted a public hearing to review and consider the project on January 5, 2016;

NOW, THEREFORE BE IT RESOLVED, That contingent on the City having fee title to the property, the City Council hereby approves the PUD Zone Preliminary and Final Development Plan to construct an approximately 6,300 square foot multi-tenant restaurant building with drive thru, parking area and landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009, subject to the conditions as stated in Exhibit "1" attached and made part hereof and based on the following determinations:

1. The establishment, maintenance, and operation of the proposed use and associated structures are compatible with the land use, design, and operational characteristics of the neighboring properties. 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 the associated structures, or to the general welfare of the City because the project is consistent with the land use, design, and other elements of the I-205 Corridor Specific Plan and PUD Zone, the City of Tracy General Plan,

and applicable requirements of Chapter 10.08 of the Tracy Municipal Code, including, but not limited to, Article 26, Off-Street Parking Requirements.

- 2. 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 because the architectural elements of the project as designed and conditioned, are an architecturally interesting addition to the parcel, and will not adversely visually impair the benefits of the properties in the vicinity, as the project includes desirable elements, which consist of the use of a mix of building materials and colors, variation in roofline, variation in façade depth, brick used on multiple portions of the façade, and ample use of canopies and windows to break up the façade and add interesting details on all four sides of the building, consistent in quality and integrity with the surrounding community.
- 3. The project is consistent with the City of Tracy General Plan and the I-205 Corridor Specific Plan and PUD Zone in that the proposal is for a multi-tenant restaurant building at a location designated Commercial by the General Plan and Freeway Commercial by the I-205 Corridor Specific Plan. The Commercial General Plan designation identifies restaurants as an allowed use and the Freeway Commercial Specific Plan designation identifies restaurants as a principally permitted use. Furthermore, as documented in the City's Transportation Master Plan and other infrastructure master plans, the roadways, sewer, water, and storm drainage systems are designed to accommodate the traffic and demands on public utilities from the proposed multi-tenant restaurant building.
- 4. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, which pertains to certain infill development projects, because the project is consistent with the General Plan, I-205 Corridor Specific Plan, and zoning; occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. Therefore, no further environmental assessment is necessary.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was adopted by the City Council on the 5<sup>th</sup> day of January 2016, by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

**Conditions of Approval**  
**PUD Zone Preliminary and Final Development Plan**  
**6,300 Square Foot Multi-Tenant Restaurant Building**  
**Southeast Corner of Naglee Road and Park-N-Ride Drive**  
**Assessor's Parcel Number 212-290-39**  
**Application Number D15-0009**  
**January 5, 2016**

These Conditions of Approval shall apply to the Planned Unit Development (PUD) zone Preliminary and Final Development Plan to construct an approximately 6,300 square foot multi-tenant restaurant building (intended for Chipotle Mexican Grill and Panera Bread) with drive thru, parking area and landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009 (hereinafter "Project"), proposed by VMI Architects, Inc. (hereinafter "Applicant").

**A. Definitions.**

The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "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.
3. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, the Development Services Director, or the City Engineer, to perform the duties set forth herein.
4. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director, to perform the duties set forth herein.
5. "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 I-205 Corridor Specific 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).
6. "Conditions of Approval" means these conditions of approval applicable to the PUD zone Preliminary and Final Development Plan to construct an approximately 6,300 square foot multi-tenant restaurant building (intended for Chipotle Mexican Grill and Panera Bread) with drive thru, parking area and

landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009.

7. "Project" means the PUD zone Preliminary and Final Development Plan to construct an approximately 6,300 square foot multi-tenant restaurant building (intended for Chipotle Mexican Grill and Panera Bread) with drive thru, parking area and landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009.
8. "Property" means the property shown on the PUD zone Preliminary and Final Development Plan to construct an approximately 6,300 square foot multi-tenant restaurant building (intended for Chipotle Mexican Grill and Panera Bread) with drive thru, parking area and landscaping improvements, located at the southeast corner of Naglee Road and Park-N-Ride Drive, Assessor's Parcel Number 212-290-39, Application Number D15-0009.

#### **B. Planning Division Conditions of Approval**

1. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project boundaries, including, but not limited to: the Planning and Zoning Law (Government Code sections 65000, et seq.), the Subdivision Map Act (Government Code sections 66410, et seq.), the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and the Guidelines for the California Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., "CEQA Guidelines").
2. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.
3. 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 that are within the purview of the Mitigation Fee Act [Government Code section 66000 et seq.] ("Exactions") and imposed on this Project by these Conditions of Approval) shall commence on the date of the conditional approval of this Project. If the Developer fails to file a protest of the Exactions 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 of the Exactions. The terms of this paragraph shall not affect any other deadlines or statutes of limitations set forth in the Mitigation Fee Act or other applicable law, or constitute a waiver of any affirmative defenses available to the City.

4. The project shall be developed in substantial compliance with the plans received by the Development Services Department on September 9, 2015.
5. Prior to the issuance of a building permit, the developer shall submit a detailed landscape and irrigation plan consistent with City landscape and irrigation standards, including, but not limited to Tracy Municipal Code Section 10.08.3560, the City's Design Goals and Standards, the applicable Department of Water Resources Model Efficient Landscape Ordinance on private property, and all other applicable City regulations, to the satisfaction of the Development Services Director.
6. Prior to the issuance of a building permit, an Agreement for the Maintenance of Landscape and Irrigation Improvements, installed in compliance with the plans referenced in Condition of Approval Number B.5., above, shall be executed and financial security submitted to the Development Services Department. The Agreement shall ensure maintenance of the landscape and irrigation improvements for a period of two years. Said security shall be equal to the actual material and labor costs for installation of the landscape and irrigation improvements, or \$2.50 per square foot of landscape area.
7. Prior to issuance of a building permit, the construction documents shall comply with California Building Standards Commission (Cal Green Code Emergency Standards; Title 24, Part 11) regarding landscaping and irrigation water efficiency to the satisfaction of the Utilities Director.
8. Prior to issuance of a building permit or grading permit, the developer shall demonstrate compliance with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and the Incidental Take Minimization Measures prepared by San Joaquin Council of Government (SJCOG), to the satisfaction of the Development Services Director.
9. Prior to issuance of a building permit, the Developer shall comply with all applicable requirements of the San Joaquin Valley Air Pollution Control District (APCD), including District Rule 9510, Regulation VIII, and payment of all applicable fees, to the satisfaction of the APCD.
10. All PG&E transformers, phone company boxes, Fire Department connections, back flow prevention devices, irrigation controllers, and other on-site utilities, shall be vaulted or screened from view from any public right-of-way, behind structures or landscaping, to the satisfaction of the Development Services Director.
11. All roof-mounted equipment, including, but not limited to, HVAC units, vents, fans, antennas, dishes, or skylights shall be at or below the height of the parapet wall so that any equipment referenced above is not visible from

Naglee Road, Grant Line Road, I-205, or any other public right-of-way, to the satisfaction of the Development Services Director.

12. All vents, gutters, downspouts, flashing, electrical conduit, etc. shall be painted to match the color of the adjacent surface or otherwise designed in harmony with the building exterior, to the satisfaction of the Development Services Director.
13. Prior to occupancy, the back side of any visible roof parapets shall be painted the same color as the front side of roof parapets, to the satisfaction of the Development Services Director.
14. Prior to the issuance of a building permit, the developer shall design the trash enclosure to include the following, to the satisfaction of the Development Services Director: a masonry enclosure with a minimum height of seven feet, exterior materials and colors to match the proposed building, solid metal screen doors painted to match the proposed building colors, a roof designed with complementary materials and design, and a concrete apron in front of the enclosure where the dumpsters and loading/transport equipment or vehicles will maneuver.
15. Prior to final inspection or certificate of occupancy, parking area lighting shall be designed and installed so that it is directed downward onto the parking surface and away from the public right-of-way.
16. Prior to the issuance of a building permit, the developer shall document compliance with the City of Tracy Manual of Stormwater Quality Control Standards for New Development and Redevelopment (Manual) to the satisfaction of the Utilities Director, which includes the requirement for Site Design Control Measures, Source Control Measures and Treatment Control Measures under the guidelines in a project Stormwater Quality Control Plan (SWQCP). Compliance with the Manual includes, but is not limited to, addressing outdoor storage areas, loading and unloading areas, trash enclosures, parking areas, any wash areas and maintenance areas. The SWQCP must conform to the content and format requirements indicated in Appendix D of the Manual and must be approved by the Utilities Director prior to issuance of grading or building permits.
17. No signs are approved as part of this development application. Approval of a separate sign permit application by the Development Services Department is necessary prior to the installation of any signs.
18. Prior to issuance of a building permit, the Developer shall provide plans to show that where landscape planters are parallel and adjacent to the side of a vehicular parking space, a 12-inch wide concrete curb shall be provided to allow for pedestrian access to vehicles without damage to landscape areas.

19. Outdoor vending machines such as newspaper racks or beverage dispensing machines are not permitted.
20. Prior to issuance of a building permit, if not previously recorded, the Developer shall cause to be recorded easement(s), agreement(s), or other instruments to ensure mutual access with the Park-N-Ride parcel for customers, employees, deliveries, etc., to the satisfaction of the Development Services Director.

### **C. Engineering Division Conditions of Approval**

#### **C.1. General Conditions**

- C.1.1 Developer shall comply with the applicable sections of approved documents and/or recommendations of the technical analyses/ reports prepared for the Project listed as follows:
  - a) Reciprocal Easements and Restrictive Covenant Agreement (REA) per the Purchase and Sale Agreement as approved by City Council.
- C.1.2 Developer shall comply with the requirements and pay applicable fees per the Finance Plan for I-205 Specific Plan GL-27 Parcel, approved by City Council on April 19, 2005, per Resolution 2005-104, and as specified in Condition C.5.1 through C.5.3, below.

#### **C.2. Grading Permit**

The City will not accept grading permit application for the Project as complete until the Developer has provided all relevant documents related to said grading permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

- C.2.1 Grading and Drainage Plans prepared on a 24" x 36" size polyester film (mylar). Grading and Drainage Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil Engineer.
- C.2.2 Payment of the applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.
- C.2.3 Three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) for the Project with a copy of the Notice of Intent (NOI) submitted to the State Water Quality Control Board (SWQCB) and any relevant documentation or written approvals from the SWQCB, including the Wastewater Discharge Identification Number (WDID#).

- C.2.3.1 After the completion of the Project, the Developer is responsible for filing the Notice of Termination (NOT) required by SWQCB. The Developer shall provide the City with a copy of the completed Notice of Termination.
- C.2.3.2 The cost of preparing the SWPPP, NOI and NOT, including the filing fee of the NOI and NOT, shall be paid by the Developer.
- C.2.3.3 The Developer shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the applicable provisions of the City's Storm Water Management Program.
- C.2.4 Two (2) sets of the Project's Geotechnical Report signed and stamped by a licensed Geo-technical Engineer licensed to practice in the State of California, as required in Condition C.4.1(a), below. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, and elevation of the highest observed groundwater level.
- C.2.5 Documentation or letter from the San Joaquin Valley Air Pollution Control District (SJVAPCD) stating that this Project meets their requirements related to dust control.
- C.3. Encroachment Permit - No applications for encroachment permit will be accepted by the City as complete until the Developer provides all relevant documents related to said encroachment permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:
  - C.3.1. Improvement Plans prepared on a 24" x 36" size 4-mil thick polyester film (mylar), if necessary that incorporate all the requirements described in these Conditions of Approval. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.
  - C.3.2. Check payment for the applicable engineering review fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable fees as required by these Conditions of Approval. The engineering review fees will be calculated based on the fee rate adopted by the City Council on May 19, 2015, per Resolution 2015-075.
  - C.3.3. Traffic Control Plan, if necessary, signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California, as required in Condition C.4.6, below.

C.4. Improvement Plans - Improvement Plans shall contain the design, construction details and specifications of public improvements that are necessary to serve the Project. The Improvement Plans shall be drawn on a 24" x 36" size 4-mil thick polyester film (mylar) and shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work. The Improvement Plans shall be completed to comply with City Regulations, these Conditions of Approval, and the following requirements:

C.4.1. Grading and Storm Drainage Plans

Site Grading

- a Include all proposed erosion control methods and construction details to be employed and specify materials to be used. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project's Geotechnical Engineer. A copy of the Project's Geotechnical Report must be submitted with the Grading and Storm Drainage Plans.
- b Grading for the site shall be designed such that the Project's storm water can overland release to a public street that has a functional storm drainage system with adequate capacity to drain storm water from the Project Site, in the event that the on-site storm drainage system fails or it is clogged. The storm drainage release point is recommended to be at least 0.70 foot lower than the building finish floor elevation and shall be improved to the satisfaction of the City Engineer.

C.4.2 Storm Drainage

- a) The Developer shall design and install storm drain lines and connection to existing storm drains per City Regulations.
- b) The project site will need to include storm water quality treatment provisions that conform to the City's *Manual of Stormwater Quality Control* ("SWQC") Standards for New Development and Redevelopment. Calculations related to the design and sizing of on-site storm water treatment facilities must be submitted with the Grading and Storm Drainage Plans, and approved by City's Stormwater Coordinator prior to issuance of the Grading Permit for the Project.
- c) Prior to the issuance of the building certificate of occupancy, the Developer shall submit a signed and notarized Stormwater Treatment Facilities Maintenance Agreement (STFMA) as a guarantee for the performance of Developer's responsibility towards the repair and maintenance of on-site storm water treatment facilities.

C.4.3 Sanitary Sewer Improvement Plans

On-site Sewer

- a) The Subdivider shall design and install sanitary sewer facilities including the Project's sewer connection in accordance with City Regulations and utility improvement plans approved by the City Engineer. The Subdivider is hereby notified that the City will not provide maintenance of the sewer lateral within the public right-of-way unless the sewer cleanout is located and constructed in conformance with Standard Plan No. 203. The City's responsibility to maintain on the sewer lateral is from the wye fitting to the point of connection with the sewer main.
- b) The Developer is hereby notified that the City has limited wastewater treatment capacity in the City's Wastewater Treatment Plant until current and future expansion capital improvement projects are completed and operational. As of January 2015, the City had an unused capacity of approximately 4200 EDU's within its wastewater treatment plant available to new development within the City on a first come-first served basis. These EDU's are currently available to serve the proposed project, but as other development projects within the City come forward and building permits are issued, this remaining capacity will be reduced.

C.4.4 Water Distribution System

- a) During the construction of the Project, the Developer is responsible for providing water infrastructure (temporary or permanent) capable of delivering adequate fire flows and pressure appropriate to the various stages of construction and as approved by the City of Tracy Fire Code Official.
- b) Interruption to the water supply to the existing businesses and other users will not be allowed to facilitate construction of improvements related to the Project. The Developer shall be responsible for notifying business owner(s) and users, regarding construction work. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before start of work. Prior to starting the work described in this section, the Developer shall submit a Work Plan acceptable to the City that demonstrates no interruptions to the water supply, and Traffic Control Plan to be used during the installation of the offsite water mains and connections.
- c) Domestic and Irrigation Water Services – The Developer shall design and install domestic and irrigation water service

connection, including a remote-read master water meter (the water meter to be located within City's right-of-way) and a Reduced Pressure Type back-flow protection device in accordance with City Regulations. The domestic and irrigation water service connection(s) must be completed before the final inspection of the building. The City shall maintain water lines from the water meter to the point of connection with the water distribution main (inclusive) only. Repair and maintenance of all on-site water lines, laterals, sub-meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Developer.

- d) Fire Service Line – Location and construction details of fire service line including fire hydrant(s) that are to serve the Project shall be approved by the City's Fire Safety Officer and Chief Building Official. Prior to the approval of the Improvement Plans, the Developer shall obtain written approval from the City's Fire Safety Officer and Chief Building Official, for the design, location and construction details of the fire service connection to the Project, and for the location and spacing of fire hydrants that are to be installed or planned to serve the Project.

- C.4.5 Project Driveways and Access to Existing Businesses: The Developer shall take all steps necessary to plan and construct site improvements such that construction operations do not impact safety and access (including emergency vehicles) to the existing businesses throughout the duration of construction. Developer shall coordinate with the owners and cooperate to minimize impacts on existing businesses and the Park and Ride Lot. All costs of measures needed to provide safe and functional access shall be borne by the Developer.
- C.4.7 Joint Utility Trench Plans All private utility services to serve Project such as electric, telephone and cable TV to the building must be installed underground, and to be installed at the location approved by the respective owner(s) of the utilities. The Developer shall submit Joint Utility Trench Plans for the installation of electric, gas, telephone and TV cable main and service lines that are necessary to be installed to serve the Project. The Developer shall coordinate, as feasible, with the respective owner(s) of the utilities for the design of these underground utilities to ensure they can be installed within the 10-foot wide PUE to the extent feasible (and except in the event, that additional space beyond the 10-foot PUE is required, as determined by the utilities owner(s)).
- C.4.9 Street Cut(s) - When street cuts are made for installation of utilities, the Developer is required to install 2 inches thick asphalt concrete

overlay with reinforcing fabric at least 25 feet from all sides and for the entire length of the utility trench. A 2 inches deep grind on the existing asphalt concrete pavement will be required where the asphalt concrete overlay will be applied and shall be uniform thickness in order to maintain current pavement grades, cross and longitudinal slopes. If the utility trench extends beyond the median island, the limit of asphalt concrete overlay shall be up to the lip of existing gutter located along that side of the street.

- C.5. Building Permit - No building permit will be approved by the City until the Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:
- C.5.1. Payment of the San Joaquin County Facilities Fees as required in Chapter 13.24 of the TMC, and these Conditions of Approval.
  - C.5.2. Payment of the Regional Transportation Impact Fees (RTIF) as required in Chapter 13.32 of the TMC, and these Conditions of Approval.
  - C.5.3. The Project is within the boundaries of the I-205 Specific Plan Parcel GL-27 area. Payment of applicable development impact fees (a.k.a. capital in-lieu fees) as specified in the Project's Finance Plan and all fees as required in the I-205 Infrastructure Cost Allocation Spreadsheet (recent version) and these Conditions of Approval.  
  
The Developer shall also pay to the City the Project's fair share of the cost of the Non-program Streets and Non-program Traffic Signals within the I-205 Specific Plan Area per the I-205 North Roadway Funding Study approved by the City, and as shown on the Project's Finance Plan.
  - C.5.4. Parcel Map approved by the City and recorded in San Joaquin County Recorder's Office.
- C.6. Temporary or Final Building Certificate of Occupancy - No temporary or final building certificate of occupancy will be issued by the City until after the Developer provides reasonable documentation which demonstrates, to the satisfaction of the City Engineer, that:
- C.6.1 The Developer has satisfied all the requirements set forth in Condition C.1 through C.5, above.
  - C.6.2 The Developer has completed construction of all required public facilities for the building for which a certificate of occupancy is requested and all the improvements required in these Conditions of Approval. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Developer shall use diligent and good faith efforts in taking all actions

Conditions of Approval  
PUD Zone Preliminary and Final Development Plan  
6,300 s.f. Multi-Tenant Restaurant Building  
Southeast Corner of Naglee Road and Park-N-Ride Drive  
Application Number D15-0009  
Page 11

necessary to construct all public facilities required to serve the Project, and the Developer shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).

AGENDA ITEM 4

REQUEST

**INTRODUCTION AND ADOPTION OF AN INTERIM ORDINANCE PROHIBITING THE ISSUANCE OF ANY LAND USE ENTITLEMENT OR BUILDING PERMIT FOR CERTAIN WAREHOUSE AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY BOULEVARD TO THE EASTERN CITY LIMIT**

EXECUTIVE SUMMARY

In response to City Council direction on December 15, 2015, this agenda item pertains to the introduction and adoption of an interim ordinance prohibiting the issuance of any land use entitlement or building permit for certain warehouse and distribution uses along the I-205 Corridor between Tracy Boulevard to the eastern City limit while the I-205 corridor is being studied by the City.

DISCUSSION

Over the last several months, City Council has conducted a series of discussions and a workshop related to the I-205 Corridor. On December 15, 2015, the City Council furthered those discussions and received new information from BAE Urban Economics (consulting firm commissioned by the City) related to demand for retail space and the Tracy retail market in general, as well as new draft design guidelines for architecture and landscaping (prepared by Kimley-Horn and Associates, consulting for the City). City Council considered the information and made the decision to continue to study the corridor, including options related to potential changes to development standards and zoning along portions of the I-205 Corridor. City Council also directed staff to bring back an interim ordinance for City Council consideration.

The area of study that would be subject to the interim ordinance is the I-205 Corridor from Tracy Boulevard east to the east City limit line (Attachment A is an aerial photograph of the area that would be subject to an interim ordinance).

Consideration of an Interim Ordinance

As a result of Council's direction, staff is recommending that the Council adopt a limited interim ordinance to preserve the status quo while this process is being undertaken.

State law authorizes a city to adopt, as an urgency measure, an interim ordinance prohibiting such uses that may conflict with a general plan, specific plan, or zoning proposal that the City is considering, without following the procedures otherwise required for adoption of a zoning ordinance. However, such an urgency measure requires a four-fifths vote of the City Council for adoption. An interim ordinance remains in effect for 45 days. However, after notice and hearing, the City Council may extend such interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for an additional one year. Any extension of the interim ordinance requires a four-fifths vote

of the City Council. Ten days before the expiration of the interim ordinance, or any extension of it, the City Council must issue a written report describing the measures taken to alleviate the condition that led to the adoption of the ordinance.

Attached is an interim ordinance for City Council consideration that is narrowly tailored to prohibit only warehouse and distribution type land uses in the I-205 Corridor from Tracy Boulevard to the eastern City limit. This ordinance does not preclude the approval of any other permitted land uses across the various zoning districts. If development applications were submitted to the City, those applications would be processed, but not approved until such a time that the interim ordinance is lifted.

#### STRATEGIC PLANS

The proposal is a routine item and is not related to the Council's Strategic Plans.

#### FISCAL IMPACT

This agenda item will not require any specific expenditure from the General Fund.

#### RECOMMENDATION

Staff recommends that the City Council introduce and adopt an interim ordinance prohibiting the issuance of any land use entitlement or building permit for certain warehouse and distribution uses along the I-205 Corridor between Tracy Boulevard to the eastern City limit.

Prepared by: Bill Dean, Assistant Development Services Director

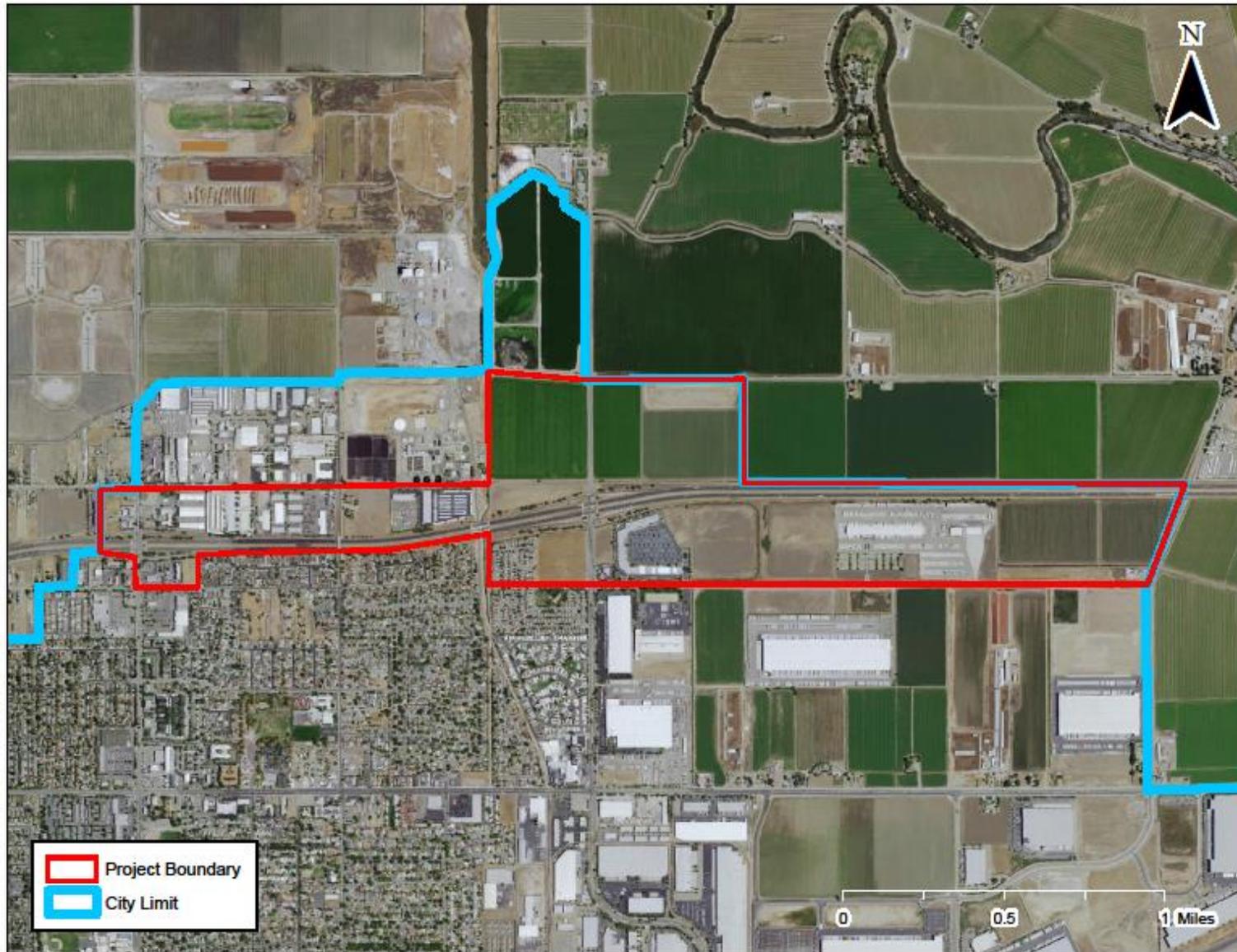
Reviewed by: Andrew Malik, Development Services Director  
Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

#### ATTACHMENTS

Attachment A – Air Photo of Study Area: I-205 Corridor from Tracy Boulevard East to the City Limit

Figure 1-1: Project Boundary



ORDINANCE \_\_\_\_\_

AN INTERIM ORDINANCE OF THE CITY OF TRACY PROHIBITING THE  
ISSUANCE OF ANY LAND USE ENTITLEMENT FOR CERTAIN WAREHOUSE  
AND DISTRIBUTION USES ALONG THE I-205 CORRIDOR BETWEEN TRACY  
BOULEVARD TO THE EASTERN CITY LIMIT

The City Council of the City of Tracy does ordain as follows:

SECTION 1. FINDINGS

The City Council of the City of Tracy finds and declares that:

A. Interstate 205 (“I-205”) runs through the northern-most part of the City and connects to Interstates 580 and 5. Areas that are adjacent to I-205 (“I-205 Corridor”) are of vital importance to the City because they are visual entryways to the City and serve a significant function in preserving the City’s economic vitality; and

B. Large buildings, particularly with long expanses, built along I-205, may lack aesthetic appeal, block views of the City and nearby scenic resources, or create an imposing presence, negatively affecting the impression of the City’s image and character to people traveling along I-205; and

C. Some areas of the I-205 Corridor are governed by the I-205 Corridor Specific Plan. A major amendment to the I-205 Corridor Specific Plan was adopted by the City Council in 1999 (Resolution No. 99-240). Since that time, there have been a number of amendments to the I-205 Specific Plan; and

D. Other areas of the I-205 Corridor are governed by different specific planning areas and zoning districts, including: the Industrial Area Specific Plan; the Northeast Industrial Specific Plan; the Light Industrial Zone (M-1); the Highway Service Zone (HS); the Planned Unit Development Zone (PUD); the Medium Density Cluster Zone (MDC); and the Low Density Residential Zone (LDR); and

E. In 2011, the City adopted a major update of its General Plan; and

F. The General Plan recognizes the aesthetic importance of the I-205 Corridor; and

G. The Community Character Element of the General Plan provides in relevant part that:

Tracy is at the crossroads of three Interstate highways that carry many visitors, in addition to residents, through the city. Thus, aesthetically pleasing entryways and visual landmarks that signal a sense of arrival to Tracy are important components that contribute to the City’s character. (Community Character Element, p. 3-5.); and;

H. The Land Use Element of the General Plan identifies parts of the I-205 Corridor as “areas of special consideration” and provides in relevant part that:

Areas around I-205 off-ramps, including areas on Eleventh Street, Grant Line Road, Tracy Boulevard and MacArthur Drive, serve as entryways to the City. Special attention should be given to the types of uses and design of these areas to ensure that development is visually attractive.

5a. Entryway locations include, but are not limited to: Paradise Road, Chrisman Road, Lammers Road, MacArthur Drive, Grant Line Road and Eleventh Street, where these streets intersect I-205.

5c. Follow the guidance for entryways in the City's Civic Art Plan. (Land Use Element, p. 2-55.); and

I. The Economic Development Element of the General Plan also recognizes that the I-205 Corridor serves a significant function in preserving the City's economic vitality and sets forth the following objective and policies:

Objective ED-6.5 Support and expand the I-205 Specific Plan.

Policies

P1. The following types of businesses are encouraged in the I-205 Specific Plan area:

- ◆ Office or tech/flex office development to support the retail base with daytime customer clientele.
- ◆ Big box and regional destination/lifestyle retail development.
- ◆ Restaurants.

P2. The City shall support efforts to ensure that the I-205 Specific Plan area remains a regional retail destination. (Land Use Element, p. 4-15 – 4-16.)

J. The General Plan also calls for the City to “[t]ake actions necessary to ensure that Specific Plans are in conformance with the General Plan.” (Land Use Element, p.2-34.); and

K. The City anticipates receiving land use applications for warehouse and distribution buildings on properties within the I-205 Corridor in the near future; and

L. The City believes that the General Plan's goals and policies related to preserving the visual and economic importance of the I-205 Corridor may be better furthered by incorporating updated development standards and the design standards in the existing specific plans and zoning districts that govern warehouse and distribution type uses in the I-205 Corridor; and

M. On July 21, 2015, the City Council directed City staff to begin studying options for the land uses, development standards, and design standards along portions of the I-205 Corridor from Tracy Boulevard to the eastern City limit; and

N. On October 9, 2015, the City Council authorized funding and directed staff to create draft design guidelines for, and to conduct an economic analysis of, the I-205 Corridor; and

O. On December 15, 2015, the City Council reviewed the draft design guidelines and economic analysis of the I-205 Corridor, and directed staff to present options to the City Council related to possible zoning ordinance amendments to uses in the I-205 Corridor; and

P. Government Code section 65858 authorizes the City to adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City Council is considering or studying or intends to study within a reasonable time; and

Q. City staff has been informed that a developer will be submitting a land use application for a distribution use in the I-205 Corridor in the near future that may conflict with, and undermine, any new land uses, development standards, and design standards that the City may implement as a result of the current study of the I-205 Corridor which is being undertaken. This study is intended to better further the visual and economic goals and objectives of the City's General Plan. Therefore, there is a current and immediate threat to the public health, safety, or welfare.

R. The approval of this application, and additional subdivisions, use permits, variances, or development review permits, or preliminary or final development plans related to the warehouse and distribution uses listed below would be a threat to public health, safety, or welfare.

## SECTION 2. INTERIM PROHIBITION

During the time this Ordinance is in effect, no approvals shall be given for any subdivisions, use permits, variances, development review permits, or preliminary or final development plans for property fronting, abutting, and/or located within 500 feet of I-205 from Tracy Boulevard to the eastern City limit and that relate to the following uses:

- a. "Warehouse and distribution facilities" in the Industrial Areas Specific Plan.
- b. "Warehouse and distribution" in the I-205 Corridor Specific Plan.
- c. "Warehouse and distribution facilities" in the Northeast Industrial Specific Plan.
- d. "Warehousing and storage (Use Group 53)" in the Light Industrial Zone (M-1).

SECTION 3. EFFECTIVE DATE AND DURATION

This Ordinance is an urgency ordinance enacted under Government Code sections 65858 and 36937 and takes effect immediately upon adoption. This Ordinance remains in effect for 45 days unless extended by the City in accordance with Government Code section 65858.

SECTION 4. WRITTEN REPORT

Pursuant to subdivision (d) of Government Code section 65858, ten days before the expiration of this Ordinance, or any extension of it, the City Council shall issue a written report describing the measures taken to alleviate the condition that led to the adoption of the ordinance.

SECTION 5. ENVIRONMENTAL REVIEW

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to sections 15606(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in section 15378) of the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3).

SECTION 6. PUBLICATION

This Ordinance shall be published once in the Tri-Valley Times, a newspaper of general circulation, within fifteen (15) days from and after its final passage and adoption.

\* \* \* \* \*

The foregoing Ordinance \_\_\_\_\_ was enacted as an interim, urgency ordinance on the 5th day of January, 2016, by the following vote, which is at least 4/5ths of the City Council:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 5

REQUEST

**ADOPT A RESOLUTION DELCARING THE RESULTS OF THE DECEMBER 8, 2015  
CITY OF TRACY SPECIAL ELECTION**

EXECUTIVE SUMMARY

A special election was held in the City of Tracy on December 8, 2015. The Registrar of Voters has certified the results of the election which are attached. The results of the election and other matters as provided by law need to be adopted by resolution.

DISCUSSION

A Special Election was held in the City of Tracy on Tuesday, December 8, 2015. Pursuant to Resolution 2015-162 (Attachment A), adopted by the City Council on September 15, 2015, the Registrar of Voters for San Joaquin County has canvassed the returns of the special election and has certified the results (Exhibit A) per Elections Code section 10264:

The Measure voted upon at the election was as follows:

Measure K - Shall an ordinance be adopted establishing a new Active Adult Residential Allotment Program in the City's Municipal Code; exempting such program from the City's Growth Management Ordinance; and allocating 600 Active Adult Residential Allotments to property located at the southeast corner of Corral Hollow and Valpico Roads? - YES/NO

As indicated in Exhibit A, the majority of the voters voting on Measure K voted in favor (78.23%) and 21.77% voted against. Therefore, the measure was carried, and shall be deemed adopted and ratified.

STRATEGIC PLAN

This item is a routine operational item and does not relate to any of the Council's strategic plans.

FISCAL IMPACT

At the September 1, 2015 City Council Meeting the City Council approved to appropriate \$275,776 from the City's General Fund to pay for verifying signatures on the petitions (\$1,000) and for the estimated cost of conducting the special election (\$274,776). Those figures were provided by the San Joaquin County Registrar's Office in August. The actual cost may change depending on the actual number of registered voters on the day of election, the City will borne the actual cost once an invoice is received by the County.

RECOMMENDATION

That the City Council, pursuant to Elections Code section 10262, adopt a resolution reciting the fact of the Special Election held on December 8, 2015, declaring the results and other matters as provided by law.

Prepared by: Nora Pimentel, City Clerk

Reviewed by: Stephanie Garrabrant-Sierra, Assistant City Manager

Approved by: Troy Brown, City Manager

ATTACHMENT

A. Tracy City Council Resolution 2015-162

RESOLUTION 2015-162

RESCINDING RESOLUTION 2015-144 AND DIRECTING THAT A PROPOSED ORDINANCE BE SUBMITTED TO THE VOTERS AT A SPECIAL ELECTION TO BE HELD ON DECEMBER 8, 2015 AND APPROPRIATING \$275,776 FROM THE CITY'S GENERAL FUND FOR THE COSTS ASSOCIATED WITH VERIFYING SIGNATURES AND HOLDING THE SPECIAL ELECTION

WHEREAS, on June 4, 2015, proponents Eugene Birk, Wayne Schneider, and Carl Roy Hawkins, filed in the City Clerk's Office a Notice of Intent to Circulate Petition for the purpose of adopting an initiative measure; and

WHEREAS, on July 20, 2015, the initiative petitions were filed in the Office of the City Clerk; the total number of raw signatures submitted by the proponents was 8,235; the total number of Random Sample signatures verified by the San Joaquin County Registrar of Voters was 500 and the total number of sufficient signatures was 397 (79.400%), valid signatures percentage required for Sample Verification 67.524%; and

WHEREAS, the minimum number of 5,087 (61.38.5%) signatures required to call a special election was met; and

WHEREAS, on September 1, 2015 the City Council adopted Resolution 2015-144 ordering a special election be held on December 1, 2015; and

WHEREAS, Since that time, it has been determined that the special election should be held on December 8, 2015 rather than December 1, 2015.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. Resolution 2015-144 is rescinded.

SECTION 2. A special election is ordered to be held on Tuesday, December 8, 2015, to submit the following question to the qualified electors of the City of Tracy:

Shall an ordinance be adopted establishing a new Active Adult Residential Allotment Program in the City's Municipal Code; exempting such program from the City's Growth Management Ordinance; and allocating 600 Active Adult Residential Allotments to property located at the southeast corner of Corral Hollow and Valpico Roads?	YES
	NO

SECTION 3. The proposed complete text of the ordinance submitted to the voters is attached as Exhibit A.

SECTION 4. The City Council appropriates \$275,776 from the City's General Fund to the City Clerk's election account to pay for the estimated cost of verifying signatures on the petitions and for holding the special election.

SECTION 5. The measure shall pass by 50% + 1.

\*\*\*\*\*

The foregoing Resolution 2015-162 , was passed and adopted by the Tracy City Council on the 15th day of September, 2015, by the following vote:

AYES: COUNCIL MEMBERS: RICKMAN, VARGAS, YOUNG, MACIEL

NOES: COUNCIL MEMBERS: NONE

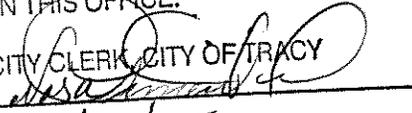
ABSENT: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: MITRACOS

  
MAYOR

ATTEST:  
  
CITY CLERK

THE FOREGOING DOCUMENT IS CERTIFIED  
TO BE A CORRECT COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE.

CITY CLERK, CITY OF TRACY  
BY:   
DATE: 9/16/15

RESOLUTION 2016-

RECITING THE FACT OF THE SPECIAL ELECTION HELD ON DECEMBER 8, 2015,  
DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a Special Election was held and conducted in the City of Tracy,  
California, on Tuesday, December 8, 2015, as required by law; and

WHEREAS, notice of the election was given in time, form, and manner as provided by  
law; that voting precincts were properly established; that election officers were appointed and that  
in all respects the election was held and conducted and the votes were cast, received and  
canvassed and the returns made and declared in time, form and manner as required by the  
provisions of the Elections Code of the State of California for the holding of elections in general  
law cities; and

WHEREAS, pursuant to Tracy City Council Resolution 2015-162 adopted on  
September 15, 2015, the County Elections Department canvassed the returns of the election and  
has certified the results per Elections Code section 10264. The results are attached and made a  
part hereof as Exhibit A.

NOW, THEREFORE, the Tracy City Council does resolve, declare, determine, and  
order as follows:

SECTION 1. That the measure voted upon at the election was as follows:

Measure K - Shall an ordinance be adopted establishing a new Active Adult Residential Allotment Program in the City's Municipal Code; exempting such program from the City's Growth Management Ordinance; and allocating 600 Active Adult Residential Allotments to property located at the southeast corner of Corral Hollow and Valpico Roads?	YES
	NO

SECTION 2. That as a result of the election the majority of the voters voting on  
Measure K voted in favor (78.23%) and 21.77% voted against. Therefore, the measure was  
carried, and shall be deemed adopted and ratified.

SECTION 3. That the City Clerk shall enter on the records of the Tracy City Council, a  
statement of the results of the election showing the (1) the whole number of ballots cast in the  
City; (2) the measure voted upon; (3) the number of votes given at each precinct for and against  
the measure; (6) the total number of votes given for and against the measure.

SECTION 4. That the ordinance shall take effect 10 days after the adoption of this  
resolution.

\*\*\*\*\*

The foregoing Resolution 2016- , was passed and adopted by the Tracy City Council on the 5th day of January, 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

**COUNTY OF SAN JOAQUIN  
STATEMENT OF VOTES CAST**

**CITY OF TRACY  
MEASURE K SPECIAL ELECTION  
DECEMBER 8, 2015**

**BOARD OF SUPERVISORS  
SAN JOAQUIN COUNTY**

KATHERINE M. MILLER  
CHAIR, 2nd DISTRICT

CARLOS VILLAPUDUA  
1st DISTRICT

CHARLES WINN  
4th DISTRICT



"VACANT"  
3rd DISTRICT

BOB ELLIOTT  
5th DISTRICT

PREPARED BY THE OFFICE OF THE REGISTRAR OF VOTERS

REGISTRAR OF VOTERS  
CERTIFICATE OF RESULTS  
OF THE CITY OF TRACY SPECIAL ELECTION  
MEASURE "K"  
HELD ON TUESDAY, DECEMBER 8, 2015

I, AUSTIN G. ERDMAN, Registrar of Voters for the County of San Joaquin, State of California, do hereby certify that this office has completed the canvass of the City of Tracy Measure "K" Special Election, held on Tuesday, December 8, 2015, and that the following are the results of said election:

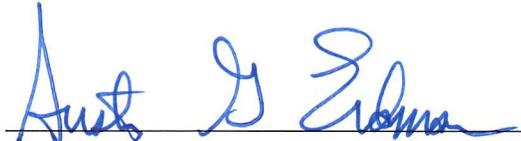
**CITY OF TRACY**

**MEASURE "K"**

Total Votes	5800	100.00 %
Yes	4535	78.23 %
No	1262	21.77 %

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 16<sup>th</sup> day of December, 2015.



  
Austin G. Erdman, Registrar of Voters  
County of San Joaquin  
State of California

**HELP AMERICA VOTE ACT OF 2002  
CERTIFICATION OF ELECTIONS OFFICIAL**

STATE OF CALIFORNIA }  
COUNTY OF SAN JOAQUIN } ss.

Pursuant to the statewide voter registration list requirements set forth in the Help America Vote Act of 2002 (HAVA) (Pub. L. No. 107-252 (2002) 116 Stat. 1666, 42 U.S.C. § 15483),

I, Austin G. Erdman, Registrar of Voters for the County of San Joaquin, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the City of Tracy Special Election for Measure K, held on Tuesday, December 8, 2015, in the County of San Joaquin, State of California.

I hereby set my hand and official seal this 16<sup>th</sup> day of December, 2015, at the County of San Joaquin.



  
Austin G. Erdman, Registrar of Voters  
County of San Joaquin  
State of California

**CERTIFICATION OF THE REGISTRAR OF VOTERS  
OF RESULTS OF THE CANVASS OF THE DECEMBER 8, 2015  
CITY OF TRACY SPECIAL ELECTION  
MEASURE "K"**

STATE OF CALIFORNIA }  
COUNTY OF SAN JOAQUIN } ss.

I, Austin G. Erdman, Registrar of Voters of said county, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the City of Tracy Special Election, held on Tuesday, December 8, 2015, for measure K that was submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.

I hereby set my hand and official seal this 16<sup>th</sup> day of December, 2015, at the County of San Joaquin.



A handwritten signature in blue ink, reading "Austin G. Erdman", is written over a horizontal line.

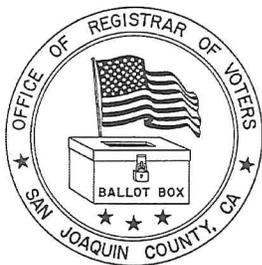
Austin G. Erdman, Registrar of Voters  
County of San Joaquin  
State of California

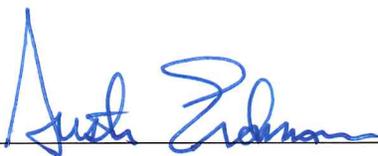
**CERTIFICATION**  
**STATEMENT OF VOTES CAST**  
**CITY OF TRACY SPECIAL ELECTION**  
**MEASURE "K"**

HELD ON TUESDAY, DECEMBER 8, 2015  
SAN JOAQUIN COUNTY, CALIFORNIA

I, Austin G. Erdman, Registrar of Voters for the County of San Joaquin, do hereby certify the following to be a true and correct Statement of Votes Cast for the City of Tracy Special Election, held on Tuesday, December 8, 2015, for the local measure K set forth, as determined by the official canvass of said election.

WITNESS my hand and official seal this 16<sup>th</sup> day of December, 2015.



  
Austin G. Erdman, Registrar of Voters  
County of San Joaquin  
State of California

# TABLE OF CONTENTS

<b>CONTEST</b>	<b>PAGE NUMBER</b>
ELECTION SUMMARY REPORT .....	R1
OFFICIAL FINAL RESULTS - BY PRECINCT .....	1-7
<b>CITY OF TRACY</b>	
TURN OUT .....	1
TURN OUT Total .....	7
<b>LOCAL MEASURES</b>	
<b>Measure K</b> .....	1-7
Legend / Terms .....	8
List of Mail Ballot Precincts .....	9
Regular Precinct / Voting Precinct Cross Reference .....	<i>PctXref</i> 1
District / Voting Precinct / Regular Precinct Cross Reference .....	<i>DistXref</i> 1

Election Summary Report  
City of Tracy Measure K Special Election  
Summary For Jurisdiction Wide, All Counters, All Races  
December 8 2015  
Official Final Results

Date:12/16/15  
Time:09:10:34  
Page:1 of 1

**R**

Registered Voters 34435 - Cards Cast 5800 16.84%

Num. Report Precinct 41 - Num. Reporting 41 100.00%

MEASURE K	
	Total
Number of Precincts	41
Precincts Reporting	41 100.0 %
Times Counted	5800/34435 16.8 %
Total Votes	5797
<b>YES</b>	4535 78.23%
<b>NO</b>	1262 21.77%

Statement of Votes Cast  
City of Tracy Measure K Special Election  
SOVC For Jurisdiction Wide, Multiple Counters, All Races  
December 8 2015  
Official Final Results

Date:12/15/15  
Time:15:21:11  
Page:1 of 7

	TURN OUT			MEASURE K					
	Reg. Voters	Cards Cast	% Turnout	Reg. Voters	Times Counted	Total Votes	YES		NO
Jurisdiction Wide									
0033501									
Polling OS	1320	15	1.14%	1320	15	15	14	93.33%	1 6.67%
Polling TS	1320	0	0.00%	1320	0	0	0	-	0 -
VBM	1320	163	12.35%	1320	163	162	142	87.65%	20 12.35%
Provisional	1320	3	0.23%	1320	3	3	3	100.00%	0 0.00%
Total	1320	181	13.71%	1320	181	180	159	88.33%	21 11.67%
0033502									
Polling OS	961	25	2.60%	961	25	25	16	64.00%	9 36.00%
Polling TS	961	0	0.00%	961	0	0	0	-	0 -
VBM	961	176	18.31%	961	176	176	147	83.52%	29 16.48%
Provisional	961	5	0.52%	961	5	5	1	20.00%	4 80.00%
Total	961	206	21.44%	961	206	206	164	79.61%	42 20.39%
0033503									
Polling OS	832	23	2.76%	832	23	23	16	69.57%	7 30.43%
Polling TS	832	0	0.00%	832	0	0	0	-	0 -
VBM	832	124	14.90%	832	124	124	100	80.65%	24 19.35%
Provisional	832	4	0.48%	832	4	4	3	75.00%	1 25.00%
Total	832	151	18.15%	832	151	151	119	78.81%	32 21.19%
0033504									
Polling OS	1095	26	2.37%	1095	26	26	16	61.54%	10 38.46%
Polling TS	1095	0	0.00%	1095	0	0	0	-	0 -
VBM	1095	169	15.43%	1095	169	169	127	75.15%	42 24.85%
Provisional	1095	0	0.00%	1095	0	0	0	-	0 -
Total	1095	195	17.81%	1095	195	195	143	73.33%	52 26.67%
0033505									
Polling OS	624	13	2.08%	624	13	13	11	84.62%	2 15.38%
Polling TS	624	0	0.00%	624	0	0	0	-	0 -
VBM	624	95	15.22%	624	95	95	86	90.53%	9 9.47%
Provisional	624	0	0.00%	624	0	0	0	-	0 -
Total	624	108	17.31%	624	108	108	97	89.81%	11 10.19%
0033506									
Polling OS	867	11	1.27%	867	11	11	6	54.55%	5 45.45%
Polling TS	867	0	0.00%	867	0	0	0	-	0 -
VBM	867	116	13.38%	867	116	116	90	77.59%	26 22.41%
Provisional	867	0	0.00%	867	0	0	0	-	0 -
Total	867	127	14.65%	867	127	127	96	75.59%	31 24.41%
0033507									
Polling OS	642	11	1.71%	642	11	11	9	81.82%	2 18.18%
Polling TS	642	0	0.00%	642	0	0	0	-	0 -
VBM	642	123	19.16%	642	123	123	99	80.49%	24 19.51%

Statement of Votes Cast  
City of Tracy Measure K Special Election  
SOVC For Jurisdiction Wide, Multiple Counters, All Races  
December 8 2015  
Official Final Results

Date:12/15/15  
Time:15:21:11  
Page:2 of 7

	TURN OUT			MEASURE K				
	Reg. Voters	Cards Cast	% Turnout	Reg. Voters	Times Counted	Total Votes	YES	NO
Provisional	642	2	0.31%	642	2	2	1 50.00%	1 50.00%
Total	642	136	21.18%	642	136	136	109 80.15%	27 19.85%
0033508								
Polling OS	627	9	1.44%	627	9	9	7 77.78%	2 22.22%
Polling TS	627	0	0.00%	627	0	0	0 -	0 -
VBM	627	112	17.86%	627	112	112	82 73.21%	30 26.79%
Provisional	627	1	0.16%	627	1	1	0 0.00%	1 100.00%
Total	627	122	19.46%	627	122	122	89 72.95%	33 27.05%
0033509								
Polling OS	1149	17	1.48%	1149	17	17	12 70.59%	5 29.41%
Polling TS	1149	0	0.00%	1149	0	0	0 -	0 -
VBM	1149	223	19.41%	1149	223	223	184 82.51%	39 17.49%
Provisional	1149	0	0.00%	1149	0	0	0 -	0 -
Total	1149	240	20.89%	1149	240	240	196 81.67%	44 18.33%
0033510								
Polling OS	990	11	1.11%	990	11	11	9 81.82%	2 18.18%
Polling TS	990	0	0.00%	990	0	0	0 -	0 -
VBM	990	161	16.26%	990	161	161	125 77.64%	36 22.36%
Provisional	990	3	0.30%	990	3	3	3 100.00%	0 0.00%
Total	990	175	17.68%	990	175	175	137 78.29%	38 21.71%
0033513								
Polling OS	985	15	1.52%	985	15	15	12 80.00%	3 20.00%
Polling TS	985	0	0.00%	985	0	0	0 -	0 -
VBM	985	144	14.62%	985	144	144	120 83.33%	24 16.67%
Provisional	985	1	0.10%	985	1	1	0 0.00%	1 100.00%
Total	985	160	16.24%	985	160	160	132 82.50%	28 17.50%
0033514								
Polling OS	877	8	0.91%	877	8	8	8 100.00%	0 0.00%
Polling TS	877	0	0.00%	877	0	0	0 -	0 -
VBM	877	154	17.56%	877	154	154	113 73.38%	41 26.62%
Provisional	877	0	0.00%	877	0	0	0 -	0 -
Total	877	162	18.47%	877	162	162	121 74.69%	41 25.31%
0033515								
Polling OS	726	7	0.96%	726	7	7	4 57.14%	3 42.86%
Polling TS	726	0	0.00%	726	0	0	0 -	0 -
VBM	726	81	11.16%	726	81	81	58 71.60%	23 28.40%
Provisional	726	1	0.14%	726	1	1	1 100.00%	0 0.00%
Total	726	89	12.26%	726	89	89	63 70.79%	26 29.21%
0033517								
Polling OS	785	7	0.89%	785	7	7	7 100.00%	0 0.00%
Polling TS	785	0	0.00%	785	0	0	0 -	0 -

Statement of Votes Cast  
City of Tracy Measure K Special Election  
SOVC For Jurisdiction Wide, Multiple Counters, All Races  
December 8 2015  
Official Final Results

Date:12/15/15  
Time:15:21:12  
Page:3 of 7

	TURN OUT			MEASURE K							
	Reg. Voters	Cards Cast	% Turnout	Reg. Voters	Times Counted	Total Votes	YES		NO		
VBM	785	136	17.32%	785	136	136	116	85.29%	20	14.71%	
Provisional	785	1	0.13%	785	1	1	1	100.00%	0	0.00%	
Total	785	144	18.34%	785	144	144	124	86.11%	20	13.89%	
0033518											
Polling OS	889	10	1.12%	889	10	10	8	80.00%	2	20.00%	
Polling TS	889	0	0.00%	889	0	0	0	-	0	-	
VBM	889	119	13.39%	889	119	119	102	85.71%	17	14.29%	
Provisional	889	6	0.67%	889	6	6	5	83.33%	1	16.67%	
Total	889	135	15.19%	889	135	135	115	85.19%	20	14.81%	
0033520											
Polling OS	756	8	1.06%	756	8	8	4	50.00%	4	50.00%	
Polling TS	756	0	0.00%	756	0	0	0	-	0	-	
VBM	756	138	18.25%	756	138	138	103	74.64%	35	25.36%	
Provisional	756	0	0.00%	756	0	0	0	-	0	-	
Total	756	146	19.31%	756	146	146	107	73.29%	39	26.71%	
0033521											
Polling OS	991	7	0.71%	991	7	6	6	100.00%	0	0.00%	
Polling TS	991	0	0.00%	991	0	0	0	-	0	-	
VBM	991	138	13.93%	991	138	138	99	71.74%	39	28.26%	
Provisional	991	2	0.20%	991	2	2	1	50.00%	1	50.00%	
Total	991	147	14.83%	991	147	146	106	72.60%	40	27.40%	
0033522											
Polling OS	644	8	1.24%	644	8	8	4	50.00%	4	50.00%	
Polling TS	644	0	0.00%	644	0	0	0	-	0	-	
VBM	644	125	19.41%	644	125	125	95	76.00%	30	24.00%	
Provisional	644	0	0.00%	644	0	0	0	-	0	-	
Total	644	133	20.65%	644	133	133	99	74.44%	34	25.56%	
0033523											
Polling OS	965	12	1.24%	965	12	12	9	75.00%	3	25.00%	
Polling TS	965	0	0.00%	965	0	0	0	-	0	-	
VBM	965	156	16.17%	965	156	156	125	80.13%	31	19.87%	
Provisional	965	0	0.00%	965	0	0	0	-	0	-	
Total	965	168	17.41%	965	168	168	134	79.76%	34	20.24%	
0033524											
Polling OS	757	27	3.57%	757	27	27	12	44.44%	15	55.56%	
Polling TS	757	0	0.00%	757	0	0	0	-	0	-	
VBM	757	143	18.89%	757	143	143	102	71.33%	41	28.67%	
Provisional	757	2	0.26%	757	2	2	1	50.00%	1	50.00%	
Total	757	172	22.72%	757	172	172	115	66.86%	57	33.14%	
0033525											
Polling OS	1211	10	0.83%	1211	10	10	10	100.00%	0	0.00%	



Statement of Votes Cast  
City of Tracy Measure K Special Election  
SOVC For Jurisdiction Wide, Multiple Counters, All Races  
December 8 2015  
Official Final Results

Date:12/15/15  
Time:15:21:12  
Page:5 of 7

	TURN OUT			MEASURE K						
	Reg. Voters	Cards Cast	% Turnout	Reg. Voters	Times Counted	Total Votes	YES		NO	
Polling OS	1283	17	1.33%	1283	17	17	14	82.35%	3	17.65%
Polling TS	1283	0	0.00%	1283	0	0	0	-	0	-
VBM	1283	186	14.50%	1283	186	185	156	84.32%	29	15.68%
Provisional	1283	0	0.00%	1283	0	0	0	-	0	-
Total	1283	203	15.82%	1283	203	202	170	84.16%	32	15.84%
0033542										
Polling OS	898	7	0.78%	898	7	7	4	57.14%	3	42.86%
Polling TS	898	2	0.22%	898	2	2	2	100.00%	0	0.00%
VBM	898	119	13.25%	898	119	119	89	74.79%	30	25.21%
Provisional	898	1	0.11%	898	1	1	1	100.00%	0	0.00%
Total	898	129	14.37%	898	129	129	96	74.42%	33	25.58%
0033543										
Polling OS	967	23	2.38%	967	23	23	16	69.57%	7	30.43%
Polling TS	967	0	0.00%	967	0	0	0	-	0	-
VBM	967	157	16.24%	967	157	157	132	84.08%	25	15.92%
Provisional	967	5	0.52%	967	5	5	4	80.00%	1	20.00%
Total	967	185	19.13%	967	185	185	152	82.16%	33	17.84%
0033545										
Polling OS	1527	25	1.64%	1527	25	25	18	72.00%	7	28.00%
Polling TS	1527	0	0.00%	1527	0	0	0	-	0	-
VBM	1527	250	16.37%	1527	250	250	199	79.60%	51	20.40%
Provisional	1527	1	0.07%	1527	1	1	1	100.00%	0	0.00%
Total	1527	276	18.07%	1527	276	276	218	78.99%	58	21.01%
0033546										
Polling OS	791	5	0.63%	791	5	5	4	80.00%	1	20.00%
Polling TS	791	0	0.00%	791	0	0	0	-	0	-
VBM	791	103	13.02%	791	103	103	85	82.52%	18	17.48%
Provisional	791	3	0.38%	791	3	3	2	66.67%	1	33.33%
Total	791	111	14.03%	791	111	111	91	81.98%	20	18.02%
0033548										
Polling OS	671	9	1.34%	671	9	9	6	66.67%	3	33.33%
Polling TS	671	0	0.00%	671	0	0	0	-	0	-
VBM	671	77	11.48%	671	77	77	50	64.94%	27	35.06%
Provisional	671	0	0.00%	671	0	0	0	-	0	-
Total	671	86	12.82%	671	86	86	56	65.12%	30	34.88%
0033551										
Polling OS	843	7	0.83%	843	7	7	6	85.71%	1	14.29%
Polling TS	843	0	0.00%	843	0	0	0	-	0	-
VBM	843	103	12.22%	843	103	103	80	77.67%	23	22.33%
Provisional	843	3	0.36%	843	3	3	3	100.00%	0	0.00%
Total	843	113	13.40%	843	113	113	89	78.76%	24	21.24%

Statement of Votes Cast  
 City of Tracy Measure K Special Election  
 SOVC For Jurisdiction Wide, Multiple Counters, All Races  
 December 8 2015  
 Official Final Results

Date:12/15/15  
 Time:15:21:12  
 Page:6 of 7

	TURN OUT			MEASURE K					
	Reg. Voters	Cards Cast	% Turnout	Reg. Voters	Times Counted	Total Votes	YES		NO
0033552									
Polling OS	1167	12	1.03%	1167	12	12	2	16.67%	10 83.33%
Polling TS	1167	0	0.00%	1167	0	0	0	-	0 -
VBM	1167	147	12.60%	1167	147	147	108	73.47%	39 26.53%
Provisional	1167	5	0.43%	1167	5	5	1	20.00%	4 80.00%
Total	1167	164	14.05%	1167	164	164	111	67.68%	53 32.32%
0033553									
Polling OS	1022	4	0.39%	1022	4	4	3	75.00%	1 25.00%
Polling TS	1022	0	0.00%	1022	0	0	0	-	0 -
VBM	1022	100	9.78%	1022	100	100	80	80.00%	20 20.00%
Provisional	1022	1	0.10%	1022	1	1	0	0.00%	1 100.00%
Total	1022	105	10.27%	1022	105	105	83	79.05%	22 20.95%
0033554									
Polling OS	938	6	0.64%	938	6	6	5	83.33%	1 16.67%
Polling TS	938	0	0.00%	938	0	0	0	-	0 -
VBM	938	141	15.03%	938	141	141	117	82.98%	24 17.02%
Provisional	938	2	0.21%	938	2	2	2	100.00%	0 0.00%
Total	938	149	15.88%	938	149	149	124	83.22%	25 16.78%
0033555									
Polling OS	840	19	2.26%	840	19	19	15	78.95%	4 21.05%
Polling TS	840	0	0.00%	840	0	0	0	-	0 -
VBM	840	155	18.45%	840	155	155	130	83.87%	25 16.13%
Provisional	840	2	0.24%	840	2	2	1	50.00%	1 50.00%
Total	840	176	20.95%	840	176	176	146	82.95%	30 17.05%
M335280									
Polling OS	15	0	0.00%	15	0	0	0	-	0 -
Polling TS	15	0	0.00%	15	0	0	0	-	0 -
VBM	15	1	6.67%	15	1	1	1	100.00%	0 0.00%
Provisional	15	0	0.00%	15	0	0	0	-	0 -
Total	15	1	6.67%	15	1	1	1	100.00%	0 0.00%
M335310									
Polling OS	9	0	0.00%	9	0	0	0	-	0 -
Polling TS	9	0	0.00%	9	0	0	0	-	0 -
VBM	9	5	55.56%	9	5	5	0	0.00%	5 100.00%
Provisional	9	0	0.00%	9	0	0	0	-	0 -
Total	9	5	55.56%	9	5	5	0	0.00%	5 100.00%
M335440									
Polling OS	14	0	0.00%	14	0	0	0	-	0 -
Polling TS	14	0	0.00%	14	0	0	0	-	0 -
VBM	14	6	42.86%	14	6	6	5	83.33%	1 16.67%
Provisional	14	0	0.00%	14	0	0	0	-	0 -

Statement of Votes Cast  
 City of Tracy Measure K Special Election  
 SOVC For Jurisdiction Wide, Multiple Counters, All Races  
 December 8 2015  
 Official Final Results

Date:12/15/15  
 Time:15:21:12  
 Page:7 of 7

	TURN OUT			MEASURE K							
	Reg. Voters	Cards Cast	% Turnout	Reg. Voters	Times Counted	Total Votes	YES		NO		
Total	14	6	42.86%	14	6	6	5	83.33%	1	16.67%	
Total											
Polling OS	34435	489	1.42%	34435	489	488	354	72.54%	134	27.46%	
Polling TS	34435	5	0.01%	34435	5	5	4	80.00%	1	20.00%	
VBM	34435	5244	15.23%	34435	5244	5242	4138	78.94%	1104	21.06%	
Provisional	34435	62	0.18%	34435	62	62	39	62.90%	23	37.10%	
Total	34435	5800	16.84%	34435	5800	5797	4535	78.23%	1262	21.77%	



COUNTY OF SAN JOAQUIN  
REGISTRAR OF VOTERS OFFICE



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## Legend of terms used in the Statement of Votes Cast

**SOVC** ..... Statement of Votes Cast

**“R”** next to page numbers ..... Represents SOVC “Results” pages

**“M”** in front of Precinct Number ..... Mail Ballot Precinct

**“PctXref”** ..... Regular Precinct to Voting Precinct Cross Reference

**“DistXref”** ..... District to Precinct Cross Reference



**Mail Ballot Precinct List**  
**City of Tracy Measure K Special Election - 12/08/2015**

Mail Ballot Precinct	Precinct	Ballot Type	Registration	Mail Ballot Precinct	Precinct	Ballot Type	Registration
<b>0335280</b>	<b>CONS MAIL</b>	0033528	1	11			
		0033556	1	4			
		<i>Num Pcts:</i>	<b>2</b>	<i>Total Reg:</i>	<b>15</b>		
<b>0335310</b>	<b>CONS MAIL</b>	0033531	1	5			
		0033541	1	4			
		<i>Num Pcts:</i>	<b>2</b>	<i>Total Reg:</i>	<b>9</b>		
<b>0335440</b>	<b>MAIL</b>	0033544	1	14			
		<i>Num Pcts:</i>	<b>1</b>	<i>Total Reg:</i>	<b>14</b>		
<b>Total Mail Pcts:</b>	<b>3</b>	<b>Pcts:</b>	<b>5</b>	<b>Registration:</b>	<b>38</b>		



### Regular/Absentee/Voting Pct Xref (Summary - Regular Pct Order)

#### City of Tracy Measure K Special Election - 12/08/2015

Regular Precinct	Absentee	Voting Precinct	MB?	Bal Type	Regular Precinct	Absentee	Voting Precinct	MB?	Bal Type
0033501 PCT 0033501	8033501	0033501 - CONS		1	0033542 PCT 0033542	8033542	0033542 - PCT 0033542		1
0033502 PCT 0033502	8033502	0033502 - CONS		1	0033543 PCT 0033543	8033543	0033543 - CONS		1
0033503 PCT 0033503	8033503	0033503 - PCT 0033503		1	0033544 PCT 0033544	8335440	0335440 - MAIL	Yes	1
0033504 PCT 0033504	8033504	0033504 - CONS		1	0033545 PCT 0033545	8033545	0033545 - CONS		1
0033505 PCT 0033505	8033505	0033505 - PCT 0033505		1	0033546 PCT 0033546	8033546	0033546 - PCT 0033546		1
0033506 PCT 0033506	8033506	0033506 - CONS		1	0033547 PCT 0033547	8033540	0033540 - CONS		1
0033507 PCT 0033507	8033507	0033507 - PCT 0033507		1	0033548 PCT 0033548	8033548	0033548 - PCT 0033548		1
0033508 PCT 0033508	8033508	0033508 - PCT 0033508		1	0033549 PCT 0033549	8033521	0033521 - CONS		1
0033509 PCT 0033509	8033509	0033509 - CONS		1	0033550 PCT 0033550	8033545	0033545 - CONS		1
0033510 PCT 0033510	8033510	0033510 - CONS		1	0033551 PCT 0033551	8033551	0033551 - PCT 0033551		1
0033511 PCT 0033511	8033504	0033504 - CONS		1	0033552 PCT 0033552	8033552	0033552 - CONS		1
0033512 PCT 0033512	8033509	0033509 - CONS		1	0033553 PCT 0033553	8033553	0033553 - CONS		1
0033513 PCT 0033513	8033513	0033513 - CONS		1	0033554 PCT 0033554	8033554	0033554 - PCT 0033554		1
0033514 PCT 0033514	8033514	0033514 - PCT 0033514		1	0033555 PCT 0033555	8033555	0033555 - PCT 0033555		1
0033515 PCT 0033515	8033515	0033515 - PCT 0033515		1	0033556 PCT 0033556	8335280	0335280 - CONS MAIL	Yes	1
0033516 PCT 0033516	8033506	0033506 - CONS		1	0033557 PCT 0033557	8033553	0033553 - CONS		1
0033517 PCT 0033517	8033517	0033517 - PCT 0033517		1	0033558 PCT 0033558	8033552	0033552 - CONS		1
0033518 PCT 0033518	8033518	0033518 - PCT 0033518		1	0033559 PCT 0033559	8033535	0033535 - CONS		1
0033519 PCT 0033519	8033510	0033510 - CONS		1	0033560 PCT 0033560	8033543	0033543 - CONS		1
0033520 PCT 0033520	8033520	0033520 - PCT 0033520		1					
0033521 PCT 0033521	8033521	0033521 - CONS		1					
0033522 PCT 0033522	8033522	0033522 - PCT 0033522		1					
0033523 PCT 0033523	8033523	0033523 - CONS		1					
0033524 PCT 0033524	8033524	0033524 - PCT 0033524		1					
0033525 PCT 0033525	8033525	0033525 - CONS		1					
0033526 PCT 0033526	8033525	0033525 - CONS		1					
0033527 PCT 0033527	8033527	0033527 - CONS		1					
0033528 PCT 0033528	8335280	0335280 - CONS MAIL	Yes	1					
0033529 PCT 0033529	8033529	0033529 - PCT 0033529		1					
0033530 PCT 0033530	8033530	0033530 - PCT 0033530		1					
0033531 PCT 0033531	8335310	0335310 - CONS MAIL	Yes	1					
0033532 PCT 0033532	8033501	0033501 - CONS		1					
0033533 PCT 0033533	8033533	0033533 - PCT 0033533		1					
0033534 PCT 0033534	8033534	0033534 - PCT 0033534		1					
0033535 PCT 0033535	8033535	0033535 - CONS		1					
0033536 PCT 0033536	8033502	0033502 - CONS		1					
0033537 PCT 0033537	8033527	0033527 - CONS		1					
0033538 PCT 0033538	8033523	0033523 - CONS		1					
0033539 PCT 0033539	8033513	0033513 - CONS		1					
0033540 PCT 0033540	8033540	0033540 - CONS		1					
0033541 PCT 0033541	8335310	0335310 - CONS MAIL	Yes	1					



**District /Voting Precinct/Regular Precinct XRef**  
**City of Tracy Measure K Special Election - 12/08/2015**

Voting Precinct	Mail Ballot	Regular Precinct	Ballot Type	Registration	Voting Precinct	Mail Ballot	Regular Precinct	Ballot Type	Registration
<b>City</b>					0033540 - CONS		0033547 PCT 0033547	1	859
<b>*503 - 0 City Of Tracy</b>					0033542 - PCT 0033542		0033542 PCT 0033542	1	898
0033501 - CONS		0033501 PCT 0033501	1	873	0033543 - CONS		0033543 PCT 0033543	1	627
0033501 - CONS		0033532 PCT 0033532	1	447	0033543 - CONS		0033560 PCT 0033560	1	340
0033502 - CONS		0033502 PCT 0033502	1	592	0033545 - CONS		0033545 PCT 0033545	1	827
0033502 - CONS		0033536 PCT 0033536	1	369	0033545 - CONS		0033550 PCT 0033550	1	700
0033503 - PCT 0033503		0033503 PCT 0033503	1	832	0033546 - PCT 0033546		0033546 PCT 0033546	1	791
0033504 - CONS		0033504 PCT 0033504	1	581	0033548 - PCT 0033548		0033548 PCT 0033548	1	671
0033504 - CONS		0033511 PCT 0033511	1	514	0033551 - PCT 0033551		0033551 PCT 0033551	1	843
0033505 - PCT 0033505		0033505 PCT 0033505	1	624	0033552 - CONS		0033552 PCT 0033552	1	579
0033506 - CONS		0033506 PCT 0033506	1	455	0033552 - CONS		0033558 PCT 0033558	1	588
0033506 - CONS		0033516 PCT 0033516	1	412	0033553 - CONS		0033553 PCT 0033553	1	628
0033507 - PCT 0033507		0033507 PCT 0033507	1	642	0033553 - CONS		0033557 PCT 0033557	1	394
0033508 - PCT 0033508		0033508 PCT 0033508	1	627	0033554 - PCT 0033554		0033554 PCT 0033554	1	938
0033509 - CONS		0033509 PCT 0033509	1	559	0033555 - PCT 0033555		0033555 PCT 0033555	1	840
0033509 - CONS		0033512 PCT 0033512	1	590	0335280 - CONS MAIL	M	0033528 PCT 0033528	1	11
0033510 - CONS		0033510 PCT 0033510	1	507	0335280 - CONS MAIL		0033556 PCT 0033556	1	4
0033510 - CONS		0033519 PCT 0033519	1	483	0335310 - CONS MAIL	M	0033531 PCT 0033531	1	5
0033513 - CONS		0033513 PCT 0033513	1	492	0335310 - CONS MAIL		0033541 PCT 0033541	1	4
0033513 - CONS		0033539 PCT 0033539	1	493	0335440 - MAIL	M	0033544 PCT 0033544	1	14
0033514 - PCT 0033514		0033514 PCT 0033514	1	877					
0033515 - PCT 0033515		0033515 PCT 0033515	1	726	<b>Total Voting Pcts:</b>		<b>38</b>		
0033517 - PCT 0033517		0033517 PCT 0033517	1	785	<b>Total Mail Ballot Pcts:</b>		<b>3</b>		
0033518 - PCT 0033518		0033518 PCT 0033518	1	889	<b>Grand Total Tot Pcts:</b>		<b>41</b>	<b>Reg:</b>	<b>34,435</b>
0033520 - PCT 0033520		0033520 PCT 0033520	1	756					
0033521 - CONS		0033521 PCT 0033521	1	495					
0033521 - CONS		0033549 PCT 0033549	1	496					
0033522 - PCT 0033522		0033522 PCT 0033522	1	644					
0033523 - CONS		0033523 PCT 0033523	1	561					
0033523 - CONS		0033538 PCT 0033538	1	404					
0033524 - PCT 0033524		0033524 PCT 0033524	1	757					
0033525 - CONS		0033525 PCT 0033525	1	595					
0033525 - CONS		0033526 PCT 0033526	1	616					
0033527 - CONS		0033527 PCT 0033527	1	730					
0033527 - CONS		0033537 PCT 0033537	1	578					
0033529 - PCT 0033529		0033529 PCT 0033529	1	638					
0033530 - PCT 0033530		0033530 PCT 0033530	1	667					
0033533 - PCT 0033533		0033533 PCT 0033533	1	661					
0033534 - PCT 0033534		0033534 PCT 0033534	1	570					
0033535 - CONS		0033535 PCT 0033535	1	496					
0033535 - CONS		0033559 PCT 0033559	1	417					
0033540 - CONS		0033540 PCT 0033540	1	424					

January 5, 2016

AGENDA ITEM 7.A

REQUEST

**APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS FOR UPCOMING VACANCIES ON THE PARKS AND COMMUNITY SERVICES COMMISSION**

EXECUTIVE SUMMARY

Request appointment of subcommittee to interview applicants to fill three upcoming vacancies on the Parks and Community Services Commission.

DISCUSSION

On January 31, 2016, terms will expire for three of the Parks and Community Services Commissioners. The upcoming vacancies have been advertised and the four week recruitment closed on December 15, 2015. The City Clerk's office received seven applications.

In accordance with Resolution 2004-152, a two-member subcommittee needs to be appointed to interview the applicants and make a recommendation to the full Council.

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 appoint a two-member subcommittee to interview applicants to fill three upcoming term expirations on the Parks and Community Services Commission.

Prepared by: Adrienne Richardson, Deputy City Clerk

Reviewed by: Nora Pimentel, City Clerk  
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