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May 15, 2012

Submitted in the record at May 15, 2012 City Council Meeting

Mayor and Members of the City Council
City Hall
333 Civic Center Plaza
Tracy, CA 95376

Re: Draft Housing Element

Dear Mayor and Members of the City Council:

TRAQC reviewed the Proposed Housing Element. There were two major flaws in the Proposed Housing Element that resulted in changes to portions of the GMO as adopted by Measure A. After meeting with Staff and discussion on possible language changes up to the hours before the meeting it is hoped that changes to the Proposed Housing Element will resolve these issues. Each of these issues will be discussed separately.

City cannot make overbroad and unnecessary changes in Measure A and the calculation of the Measure A/GMO 600 average/750 maximum limit.

As presented to the Planning Commission the Proposed Housing Element created a new exemption to the RGA and Building Permits limitations. The term "exemption" or "exception" are terms of art in the GMO that often mean the RGAs or Permits issued are not counted in the calculation of the 600 average or 750 annual limit calculations. As worded, the Proposed Housing Element would have allowed RGAs or Permits to be issued up to the RHNA without any of those RGAs or permits being included in the 600 average or 750 limit calculation. This would mean that "above moderate" housing as legally defined would now no longer be included in the calculation of the 600 annual average or the 750 limit. This exception/exemption was not necessary in any way to achieve RHNA objectives. This new exception/exemption would have drastically increased the number of RGA's and permits which could be issued by reducing the number of RGAs or permits included in the Measure A average or annual limitations.

This difference can be quantified. Using the same table and formula used by the City to calculate the RGAs that can be issued, the difference due to this improper "exception/exemption" is calculated in the three tables attached as Exhibit A.

Table 1 shows that using figures provided by the City 9,647.13 RGAs would (or could) be issued by 2017 which is an average of 535.95 per year between 2000 and 2017.

Table 2 shows the result if 2,375 RGAs were issued in 2012 to satisfy all required Above Moderate RHNA housing AND those units continue to be counted in the calculation of the 600 and 750 limitations. At the end of 2017 the same 9,647.13 RGAs have been issued, the average is still 535.95 per year, and RHNA for the Above Moderate Category is completely satisfied. This methodology is what staff has represented is what contained in the Housing Element proposed to be adopted tonight in terms of how the new "RHNA exception" would be implemented in the GMO. RGAs or Permits issued under the new "RHNA exemption" for "above moderate" or market rate housing would still be counted in the Measure A limitation calculations.

Table 3 of Exhibit A shows the difference if the new "RHNA exception" for "above moderate" market rate housing was treated like some existing exemptions and not counted in the Measure A limitation calculations. The result would be 11,422.13 RGAs by the end of 2017 with the same 2,375 RHNA required RGAs issued in 2012. Table 3 shows the flaw in the proposed Housing Element as attached to the agenda packet by allowing far more units than would be allowed by not directly changing the 600 and 750 limits, but by changing the inputs into the calculations of those limits.

The proposal in the Agenda Packet of creating this new "exception" is in effect the Council modifying and raising the Measure A limits as enacted by the voters for no purpose. RHNA could not justify this change to Measure A since it would be creating an exception to Measure A unnecessary to satisfy RHNA.

Exhibit B is the table provided by the City showing RGAs that have been issued and how the Measure A limitations are currently calculated. This is attached to show how Exhibit A is based on the current method of calculation used by the City.

TRAQC has not had an opportunity to thoroughly review the final proposed Housing Element changes that we understand will be submitted by staff to the City Council tonight other than just an hour before the Council meeting. The Housing Element must be clear and unequivocal that Table 2 of Exhibit A demonstrates how the Housing Element would be implemented in the GMO. The failure to adopt a Housing Element that is clear and unequivocal that above moderate RHNA housing will be included in the Measure A limitations will be challenged.

The Housing Element must continue to apply the 600 average/750 annual limits imposed by Measure A as to each RHNA housing category once the units required by RHNA for that category have been reached.

Once the RHNA requirements for a category such as "Above Moderate" have been met, then no further RGAs or permits for that category can be issued if doing so would exceed the Measure A 600 average and 750 limitations. This is also shown on Exhibit A, Table 2. If 2,375 RGAs were issued in 2012 satisfying all the RHNA requirements for that category, then for that category no RGA would be issued in 2013

and 2014 and only 25 issued in 2015. This is because RHNA would have been satisfied for that category and the Measure A limits would restrict any further RGA issuance.

Staff has represented that Housing Element language is proposed to be added and presented to you tonight to clarify that RGAs and permits can be issued up to the RHNA requirements for any planning period and once those have been issued Measure A would limit any further issuances in succeeding years until additional RHNA requirements for a later RHNA program periods require additional RGAs for that category or Measure A itself would allow additional units. Table 2 illustrates this principle. RHNA would be treated just as the Plan C vested projects were when Measure A was enacted: Those RGAs and permits were issues in excess of Measure A limits, but they were still counted toward the Measure A limits.

This is another litmus test for the Housing Element. If the Housing Element does not make it clear and unequivocal that Measure A will still limit RGAs and permits after RHNA has been satisfied as to each category, then it will be challenged.

One reason for a challenge is that from 1993 to 2014 the City will have issued 3,207 above moderate units over what is required by RHNA while in all other categories it will have been deficient by 5,289 units. Any Housing Element or proposed GMO amendment that allows any Above Moderate housing above the RHNA and above the Measure A limits will only contribute to a vast surplus of above market rate housing and deficit in all other categories. This is shown on Exhibits C and D. Exhibit E is the supporting City documentation for these calculations.

Modifications to Measure A/GMO should submitted to the voters.

TRAQC believes there is a duty to allow the voters to amend Measure A. If the voters approve these changes, then the Council will have avoided unilaterally changing this voter enacted limitation and challenges to that action. The Housing Element should describe a plan to submit changes to the GMO to the voters, rather than ignore the fact that these elements of the GMO were voter enacted.

TRAQC will not repeat again the concerns expressed in the March 14, 2012 letter to the Planning Commission which is attached to the Staff Report, but TRAQC reaffirms these concerns. Particularly TRAQC believes that the issuance of RGAs, annexation, and other expressions in the Housing Element that the Ellis project is proceeding are misleading and inaccurate and in violation of the court judgment in TRAQC vs. City/Surland.

In conclusion, TRAQC hopes the proposed Housing Element will address the issues raised in this letter. Creating another exemption or exception not included in the

Measure A limitation calculations will be challenged. Allowing RGAs or permits above the higher of the RHNA or Measure A limit in any category will be challenged.

Very truly yours,



MARK V. CONNOLLY

/Enclosures – Exhibits A - F

Exhibit A

Exhibit A to May 15, 2012 Letter

Table 1:
RGA issuance with 600 Average assuming 600 RGAs issued annually starting 2012 with no RHNA considerations

	Year	Less Affordable & Expired RGAs		Adjusted Annual Total	Counts Toward		Counts Toward Average
		Annual Total	Expired RGAs		Future Year Average	Current Year Average	
Actual	2000	1,282.74	199.00	1,083.74	-483.74	600.00	600.00
	2001	1,302.00	0.00	1,302.00	-702.00	600.00	600.00
	2002	1,305.69	97.00	1,208.69	-608.69	600.00	600.00
	2003	1,274.30	0.00	1,274.30	-674.30	600.00	600.00
	2004	151.40	13.56	137.84	462.16	600.00	600.00
	2005	167.00	76.00	91.00	509.00	600.00	600.00
	2006	123.00	68.00	55.00	545.00	600.00	600.00
	2007	66.00	28.00	38.00	562.00	600.00	600.00
	2008	0.00	0.00	0.00	390.57	390.57	390.57
	2009	125.00	0.00	125.00	0.00	125.00	125.00
	2010	125.00	0.00	125.00	0.00	125.00	125.00
	2011	125.00	0.00	125.00	0.00	125.00	125.00
Projected	2012	600.00	0.00	600.00	0.00	600.00	600.00
	2013	600.00	0.00	600.00	0.00	600.00	600.00
	2014	600.00	0.00	600.00	0.00	600.00	600.00
	2015	600.00	0.00	600.00	0.00	600.00	600.00
	2016	600.00	0.00	600.00	0.00	600.00	600.00
	2017	600.00	0.00	600.00	0.00	600.00	600.00
	Total	9,647.13	481.56	9,165.57	0.00	9,165.57	9,165.57
	Average	535.95		509.20	0.00	509.20	509.20

**Table 2:
RGA issuance with RHNA Market Rate issuance included in 600 average calculation:**

	Year	Annual Total	Less Affordable & Expired RGAs		Adjusted Annual Total	Counts Toward		Current Year Average
			Annual Total	Expired RGAs		Future Year Average	Counts Toward Average	
Actual	2000	1,282.74	199.00	1,083.74	-483.74	600.00	600.00	
	2001	1,302.00	0.00	1,302.00	-702.00	600.00	600.00	
	2002	1,305.69	97.00	1,208.69	-608.69	600.00	600.00	
	2003	1,274.30	0.00	1,274.30	-674.30	600.00	600.00	
	2004	151.40	13.56	137.84	462.16	600.00	600.00	
	2005	167.00	76.00	91.00	509.00	600.00	600.00	
	2006	123.00	68.00	55.00	545.00	600.00	600.00	
	2007	66.00	28.00	38.00	562.00	600.00	600.00	
	2008	0.00	0.00	0.00	390.57	390.57	390.57	
	2009	125.00	0.00	125.00	0.00	125.00	125.00	
	2010	125.00	0.00	125.00	0.00	125.00	125.00	
	2011	125.00	0.00	125.00	0.00	125.00	125.00	
Projected	2012	2,375.00	0.00	2,375.00	-1,775.00	600.00	600.00	
	2013	0.00	0.00	0.00	600.00	600.00	600.00	
	2014	0.00	0.00	0.00	600.00	600.00	600.00	
	2015	25.00	0.00	25.00	575.00	600.00	600.00	
	2016	600.00	0.00	600.00	0.00	600.00	600.00	
	2017	600.00	0.00	600.00	0.00	600.00	600.00	
	Total	9,647.13	481.56	9,165.57	0.00	9,165.57	509.20	
	Average	535.95		509.20	0.00	0.00	509.20	

Table 3

RGA issuance exempting RHNA market rate from Measure A 600 average calculation									
Year	Less Entire RHNA			Adjusted			Counts Toward		Current Year Average
	Annual Total	Market Rate Housing after 2012	Annual Total	Annual Total	Future Year Average	Future Year Average	Counts Toward Average		
Actual									
2000	1,282.74	199.00	1,083.74	1,083.74	-483.74	-483.74	600.00	600.00	600.00
2001	1,302.00	0.00	1,302.00	1,302.00	-702.00	-702.00	600.00	600.00	600.00
2002	1,305.69	97.00	1,208.69	1,208.69	-608.69	-608.69	600.00	600.00	600.00
2003	1,274.30	0.00	1,274.30	1,274.30	-674.30	-674.30	600.00	600.00	600.00
2004	151.40	13.56	137.84	137.84	462.16	462.16	600.00	600.00	600.00
2005	167.00	76.00	91.00	91.00	509.00	509.00	600.00	600.00	600.00
2006	123.00	68.00	55.00	55.00	545.00	545.00	600.00	600.00	600.00
2007	66.00	28.00	38.00	38.00	562.00	562.00	600.00	600.00	600.00
2008	0.00	0.00	0.00	0.00	390.57	390.57	390.57	390.57	390.57
2009	125.00	0.00	125.00	125.00	0.00	0.00	125.00	125.00	125.00
2010	125.00	0.00	125.00	125.00	0.00	0.00	125.00	125.00	125.00
2011	125.00	0.00	125.00	125.00	0.00	0.00	125.00	125.00	125.00
Projected									
2012	2,375.00	2,375.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2013	600.00	0.00	600.00	600.00	0.00	0.00	600.00	600.00	600.00
2014	600.00	0.00	600.00	600.00	0.00	0.00	600.00	600.00	600.00
2015	600.00	0.00	600.00	600.00	0.00	0.00	600.00	600.00	600.00
2016	600.00	0.00	600.00	600.00	0.00	0.00	600.00	600.00	600.00
2017	600.00	0.00	600.00	600.00	0.00	0.00	600.00	600.00	600.00
Total	11,422.13	2,856.56	8,565.57	8,565.57	0.00	0.00	8,565.57	8,565.57	8,565.57
Average	634.56		475.87	475.87	0.00	0.00	475.87	475.87	475.87

EXHIBIT B

RGA Allotment Annual Totals and Overall Averages--Less Invalid RGAs
GMO and Measure A Limitations

Pre-Measure A GMO Annual Average Limitations				Post-Measure A Annual Average Limitation (600)			
Year	Annual Total	Adjusted Annual Total	Less Affordable & Expired RGAs	Annual Total	Adjusted Annual Total	Future Year Average	Counts Toward Current Year Average
1987	1,199.00	1,199.00		1,282.74	1,083.74	483.74	600.00
1988	1,204.00	1,204.00		1,302.00	1,302.00	702.00	600.00
1989	1,196.00	1,196.00		1,305.69	1,206.69	608.69	600.00
1990	861.00	861.00		1,274.30	1,274.30	674.30	600.00
1991	466.00	466.00		151.40	137.84	462.16	91.00
1992	360.00	360.00		167.00	91.00	509.00	55.00
1993	321.08	321.08		123.00	55.00	545.00	66.00
1994	156.00	156.00		66.00	38.00	390.57	0.00
1995	257.00	257.00		0.00	0.00	0.00	125.00
1996	282.00	282.00		125.00	125.00	0.00	125.00
1997	1,092.20	1,092.20		125.00	125.00	0.00	125.00
1998	1,449.60	1,449.60		0.00	0.00	0.00	0.00
1999	1,449.48	1,385.24	(64.24 affordable)	6,047.13	5,565.57	4,937.46	3,124.84
2000	1,282.74	1,083.74	(199 expired)	503.93	463.80		
2001	1,302.00	1,302.00					
2002	1,305.69	1,305.69					
2003	1,208.69	1,208.69	(97 expired)				
2004	151.40	137.84	(13.56 expired)				
2005	167.00	91.00	(13.56 expired)				
2006	123.00	55.00	(13.56 expired)				
2007	66.00	38.00	(13.56 expired)				
2008	0.00	0.00	(13.56 expired)				
2009	125.00	125.00	(13.56 expired)				
2010	125.00	125.00	(13.56 expired)				
2011	125.00	125.00	(13.56 expired)				
Total*	16,340.49	15,794.69					
Annual Avg.	653.62	631.79					

Worst Case Scenario - Measure A Annual Average Limitation (600)				Post-Measure A Annual Average Limitation (600)			
Year	Annual Total	Adjusted Annual Total	Less Affordable & Expired RGAs	Annual Total	Adjusted Annual Total	Future Year Average	Counts Toward Current Year Average
2000	1,282.74	1,083.74	199.00	1,282.74	1,083.74	483.74	600.00
2001	1,302.00	1,302.00	0.00	1,302.00	1,302.00	702.00	600.00
2002	1,305.69	1,208.69	97.00	1,208.69	1,208.69	608.69	600.00
2003	1,274.30	1,274.30	0.00	1,274.30	1,274.30	674.30	600.00
2004	151.40	137.84	13.56	137.84	137.84	462.16	600.00 ***
2005	167.00	91.00	76.00	91.00	91.00	509.00	600.00 ***
2006	123.00	55.00	68.00	55.00	55.00	545.00	600.00 ***
2007	66.00	38.00	28.00	38.00	38.00	390.57	600.00 ***
2008	0.00	0.00	0.00	0.00	0.00	0.00	125
2009	125.00	125.00	0.00	125.00	125.00	0.00	125.00
2010	125.00	125.00	0.00	125.00	125.00	0.00	125.00
2011	125.00	125.00	0.00	125.00	125.00	0.00	125.00
Projected	600.00	600.00	0.00	600.00	600.00	0.00	600.00
2012	600.00	600.00	0.00	600.00	600.00	0.00	600.00
2013	600.00	600.00	0.00	600.00	600.00	0.00	600.00
2014	600.00	600.00	0.00	600.00	600.00	0.00	600.00
2015	600.00	600.00	0.00	600.00	600.00	0.00	600.00
2016	600.00	600.00	0.00	600.00	600.00	0.00	600.00
2017	600.00	600.00	0.00	600.00	600.00	0.00	600.00
Total	9,647.13	9,165.57	481.56	9,165.57	9,165.57	0.00	9,165.57
Average	535.95	509.20				0.00	463.80

***=Previous years' excess, counting toward current year averages. (=2,466.73 excess from 2000-2003, spread over several years)

*379.56 RGAs in the pool for re-allocation per TMC Section 10.12.160

Annual Avg. 503.93 463.80

EXHIBIT C

**TRAQC ANALYSIS OF AFFORDABLE HOUSING AND REQUESTED ALLOCATION BY CATEGORY FOR HOUSING ELEMENT:
ALLOCATION OF RGAS WITHIN MEASURE A ONLY TO AFFORDABLE HOUSING TO CORRECT AFFORDABLE HOUSING DEFICIT:
Submitted December 21, 2010 to Tracy City Council.**

Income Level:	Construction vs RHNA:		RHNA: 2009-2014	Constructed Post 1/2007	Total Shortage or Surplus:	Fraction of Shortage by category:	Allocation of Measure A Limits: 2009-2014 2650	Surplus or shortage by category for 1993-2014 Planning Period:
	1993-2000	2001-2008						
Affordable:								
Very Low	-1171	-1176	-907	0	-3254	41%	1086	-2168
Low	-794	-826	-632	50	-2202	28%	735	-1467
Moderate	-964	-850	-813	144	-2483	31%	829	-1654
Total Affordable:					<u>-7939</u>		<u>2650</u>	<u>-5289</u>
Market:								
Above Moderate	4081	1,501	-2535	160	3207			3207

Average Number of Building Permits issued 2007-2010:

Year:	Issued:
2007	23
2008	18
2009	28
2010	16
	<u>85</u>

EXHIBIT D

City of Tracy
Regional Housing Needs Assessment Against Actual/Projected
1993-2008 (actually goes through part of 2009)

Housing Period	Legally Defined Affordable Categories			Total Affordable Categories	Above Moderate/Market	Total
	Very Low	Low	Moderate (7)			
1993-2000 RHINA (4)	1,227	848	1,095	5,170	2,042	5,212
Actual Issued as of 12/31/00 (1)	56	54	131	241	6,123	6,364
(Deficit)/Surplus	(1,171)	(794)	(964)	(2,929)	4,081	

2001-2008+ RHINA (4)	1,178	974	1,064	3,146	3,323	6,469
Actual Issued as of 12/04 (1)	2	88	204	294	4,824	5,118
Total Issued '01-'04	2	88	204	294	4,824	5,118
(Deficit)/Surplus	(1,176)	(826)	(850)	(2,852)	1,501	
9/04 Projection/Plan to Correct Imbalance						
Projects w/ RGAs, Issued BPs '05-'08+ (2)			193	193	667	667
Infill '05-'08+ (3)			50	50	500	500
Projected Second Units (8)	18	12	15	45	50	50
Projected Units Rehabed (9)	180	120	300	300	45	45
City Project (10)	108	109	304	521	300	300
Current MF/Mixed use sites (5)			2,000	2,000	521	521
Rezoned MF/Mixed use sites (6)					2,000	2,000
Total Projected '05-'08+	306	241	2,562	3,109	1,167	2,916
Total 2001-2008+	308	329	2,766	3,403	5,991	8,034
Remaining (Deficit)/Surplus (Act+Proj)	(870)	(585)	1,712	257	2,668	1,565

Data Sources:

- (1) Actual permits based on City Building Permit reports for SF and MF for '93-'04, 12/04. Very Low-Low est from page III-2, Table III-3, Table V-2
- (2) Based on City Building Permit projection reports 12/04
- (3) Infill at 100/year for 5 years or 500 for market rate.

- (4) 1993-2000 RHNA page V-1, 2001-2008 RHNA, Table III-3, page III-8
- (5) Currently zoned MF sites, Table III-2, Table III-3
- (6) At least 180 infill acres 1120 units at SF density available for housing. Plan to rezone to multifamily minimum of 142 acres plus 18 rezoned from RMD to RHD with GP update, estimated capacity 2000 units. Page VII-2. For this table put all 2000 in Moderate category but will actually be spread out among different affordable categories
- (7) Affordable Includes Market Rate Multi-family in Moderate category. All units put into Moderate but will include many in low and very low categories.
- (8) Moderate generally includes Market Rate Multifamily and small units
- (9) Second units page III-8
- (10) Rehabbed units, Table II-1
- (11) City project, Table II-1

EXHIBIT E

PLAN AREA	SUBDIVISION NAME	DEVELOPER	TOTAL # OF UNITS	# BP's TO 04/05/12	NON VESTED PERMITS REMAINING
NON-VESTED PROPERTIES					
Infill	90 E. Grant Line Road	Philipovitch/Mahjorirad	6	6	0
	Arner Ridge Multi-Family	Dale Cose	33	33	0
	Borges Estates	Cecchi	13	13	0
	Brookview (Non-Vested Portion)	JB Valley	86	0	86
	Gilfion Apartments	Todd Aarvig	6	6	0
	Forest Greens, Ph II	Pavia/Palimeno	44	44	0
	Parker Villas	Willard Souza	1	0	1
	Quail Glen	Fernandez	4	0	4
	Rimrock Apts.	Todd Aarvig	30	30	0
	SFDU - 620 Gianelli St.	Rob Smith	1	1	0
	St. Jean Estates	Forrest Aarvig	6	6	0
	Sycamore Village II	Dave Ueker	8	8	0
	Tiburon Village	Kimball Hill Homes	103	0	103
	Tracy Place	C.F.Y. Development	50	50	0
	The Classics	New America Homes	64	0	64
	Fourth Street Commons	Dale Cose	21	0	21
	Seventh Street Commons	Dale Cose	7	0	7
	Muirfield VII-Phase 2 (Gap)	Standard Pacific	67	0	67
			550	197	353
(RSP)	Muirfield VII	Standard Pacific	158	145	13
(ECUs)	Southgate (Castro)	Bright Development	71	63	8
	Eastgate (Kagehiro)	Meritage Homes	112	112	0
			341	320	21
TOTAL NON-VESTED PROJECTS			891	517	374
TOTAL PROJECTS			11,491	8,647	2,844

**BUILDING PERMIT TRACKING FOR MEASURE A AND FOR THE GROWTH MANAGEMENT ORDINANCE
CALENDAR YEAR 2012
(Calendar Year-To-Date)**

Column	(1) Permits issued to Vested/DA Projects	(2) Permits issued to Non-Vested Projects (if < 600 total permits only)	(3) Affordable Housing Permits Issued	(4) Sub Total Monthly Permits Issued (1)+(2)+(3)	(5) Sub-Total Year-to-Date Permits Issued	(6) Remaining Permits Allowed Under Measure A (Max Allowed 600)	(7) Remaining Permits Allowed Under GMO (Max Allowed 1,500)	(8) Permits Issued for Projects Exempt from Measure A & GMO	(9) Total Monthly Permits Issued (1)+(2)+(3)+(8)	(10) Total Year-to-Date Permits Issued	Overall Remaining Permits To Be Issued (Under GMO & Measure A) (Max Allowed 1,500)
January	-	-	-	-	600	1,500	-	-	-	-	1,500
February	2	-	-	2	598	1,498	-	2	2	2	1,498
March	-	-	-	-	598	1,498	-	-	-	2	1,498
April	-	-	-	-	598	1,498	-	-	-	2	1,498
May	-	-	-	-	598	1,498	-	-	-	2	1,498
June	-	-	-	-	598	1,498	-	-	-	2	1,498
July	-	-	-	-	598	1,498	-	-	-	2	1,498
August	-	-	-	-	598	1,498	-	-	-	2	1,498
September	-	-	-	-	598	1,498	-	-	-	2	1,498
October	-	-	-	-	598	1,498	-	-	-	2	1,498
November	-	-	-	-	598	1,498	-	-	-	2	1,498
December	-	-	-	-	598	1,498	-	-	-	2	1,498
Total Permits (Units)				2					2		

Footnotes:

1. The term "Permits" is synonymous with "Residential Dwelling Unit". For example, one duplex equals two permits.
2. See page 2 of Workbook, RGA ECU Totals to Vested/DA projects

4. GMO Text for projects exempt from Measure A and the Growth Management Ordinance-(Chapter 10.12.080(c)).-The development project is either a four-plex or lesser number of dwelling units on a single existing lot, provided, however, (1) the lot existed on or before March 17, 1992, (2) the dwellings are not part of a larger eligible parcel that will result in more than four dwelling units at build-out of the eligible parcel, (3) the exemption is limited to no more than a total of four such dwelling units per subdivider per calendar year, and (4) prior to the issuance of each building permit, the subdivider shall pay all required fees, including impact fees required by Title 13 of the Code (Ord 1000 par 1 (part), 1999).

LEGEND
RGA - Residential Growth Allocation
ECU - Equivalent Consumer Unit

**BUILDING PERMIT ANNUAL TOTALS AND OVERALL AVERAGES
GMO AND MEASURE A LIMITATIONS**

PRE-MEASURE A GMO ANNUAL AVERAGE LIMITATION (1,200)						MEASURE A ANNUAL AVERAGE LIMITATION (600)					
Year	Permits Issued For SFD's	Permits Issued For MFD's (Units)	Total Permits Issued For All Dwelling Units	Annual Average of Permits Issued	Year	Annual Total	Less Affordable Housing Permits (150 Max)	Adjusted Annual Total	Counts Toward Future Year Average	Counts Toward Current Year Average	
1988	703	25	728	728	2000	1,500	0	1,500	(900)	600	
1989	1,390	7	1,397	1,063	2001**	1,229	85	1,144	(544)	600	
1990	714	13	727	951	2002	1,375	0	1,375	(775)	600	
1991	502	3	505	839	2003	1,265	0	1,265	(665)	600	
1992	650	34	684	808	2004	1,254	0	1,254	(654)	600	
1993	595	25	620	777	2005	416	0	416	0	416	
1994	386	8	394	722	2006**	256	50	206	0	206	
1995	389	40	429	686	2007	23	0	23	0	23	
1996	346	0	346	648	2008	18	0	18	0	18	
1997	561	4	565	640	2009	28	0	28	0	28	
1998	1,026	52	1,078	679	2010	16	0	16	0	16	
1999	1,320	2	1,322	733	2011	11	0	11	0	11	
2000	1,500	0	1,500	792	2012	2	0	2	0	2	
2001	1,011	133	1,144	817	TOTAL	7,393	135	7,258	(3,538)	3,720	
2002	1,340	35	1,375	854	ANNUAL AVERAGE	671	12	659	(322)	337	
2003	1,265	0	1,265	880	MEASURE A ANNUAL AVERAGE LIMITATION (600)						Counts Toward Current Year Average
2004	1,251	3	1,254	902	Year	Annual Total	Less Affordable Housing Permits (150 Max)	Adjusted Annual Total	Counts Toward Future Year Average	Counts Toward Current Year Average	
2005*	378	38	416	875	2000	1,500	0	0	600	0	
2006	172	84	256	842	2001**	1,229	85	1,144	(544)	600	
2007	23	0	23	801	2002	1,375	0	1,375	(775)	600	
2008	18	0	18	764	2003	1,265	0	1,265	(665)	600	
2009	28	0	28	731	2004	1,254	0	1,254	(654)	600	
2010	16	0	16	700	2005	416	0	416	0	600	
2011	11	0	11	671	2006**	256	50	206	0	416	
2012	2	0	2	644	2007	23	0	23	0	206	
					2008	18	0	18	0	23	
					2009	28	0	28	0	18	
					2010	16	0	16	0	28	

Footnotes:
 - Building permits issued for exempt projects do not count in the averaging.
 ** Annual total includes building permits issued for affordable multi-family residential units.

**BUILDING PERMIT ANNUAL TOTALS AND OVERALL AVERAGES
GMO AND MEASURE A LIMITATIONS**

2011	11	0	11	0	16
2012	2	0	2	0	11
TOTAL	7,380	135	5,745	(2,038)	3,691
AVERAGE	671	12	522	(185)	336

^ Total annual permits issued minus affordable permits issued.

*2005 Permits issued is adjusted for 4 permits that were issued but expired
Those 4 permits (Foothill Vista) are now counted in 2010

DETAIL OF BUILDING PERMITS ISSUED - BEGINNING OF FISCAL YEAR 2012

DATE PERMITS ISSUED	SUBDIVISION	PRODUCT NAME	BUILDER	# OF PERMITS ISSUED	# OF PERMITS ISSUED YEAR-TO-DATE
02/27/12	Yosemite Vista		Bright	1	1
02/29/12	Yosemite Vista		Bright	1	2

Plan Area		Subdivision Name	Developer	Total # of Units	#BP's to 04/05/12	Vested Permits Remaining
DA-ISP So	V	Brookview	JB Valley	9	0	9
DA-ISP So	V	Garden Square	Shea Homes	375	375	0
DA-I205	V	Park Atherton (Cheasapeake Bay)		216	216	0
DA-Presidio	V	Presidio/Lourence Ranch	Standard Pacific	550	550	0
DA-Ellis		Ellis	Surland	2,250	0	2,250
				3,400	1,141	2,259
I-205	V	Cintra Park East	Brian Boatright	1	1	0
	V	Meadowood (Cintra Park West)	Kimball Hill Homes	38	37	1
	V	Woodfield Estates	Seeway Fam Hms	14	14	0
				53	52	1
RSP	V	California Parkside	Kaufman & Broad	2	2	0
	V	Corral Hollow Estates	Beck Development	97	97	0
	V	Corral Hollow Estates	Standard Pacific	32	32	0
	V	Corral Hollow Subdivision	Fitzpatrick Homes	23	23	0
	V	Foothill Vista	Bright Development	4	4	0
	V	Muirfield IX SFDU's	Standard Pacific	84	84	0
	V	Muirfield VIII	Standard Pacific	54	54	0
	V	Ryland Junction (Tracy Estates)	Ryland Companies	186	186	0
	V	Sienna Park	Kaufman & Broad	2	2	0
	V	Victoria Park, Unit 4	Castle Companies	14	14	0
				498	498	0
Plan C	V	Alden Meadows	Greystone Homes	150	150	0
	V	Alden Meadows	Castle Companies	84	84	0
	V	Eastlake	Pulte Homes	518	518	0
	V	Eastlake	Richmond American	76	76	0
	V	Edgewood Multi-Family	Pacific Union	156	156	0
	V	Edgewood	Matthews Homes	142	142	0
	V	Edgewood	Kaufman & Broad	253	253	0
	V	Edgewood	Lafferty Homes	229	229	0
	V	Edgewood	Lakemont Homes	52	52	0
	V	Edgewood	Ryland Homes	121	121	0
	V	Edgewood	SEI	174	174	0
	V	Edgewood	Western Pacific	219	219	0
	V	Gabriel Estates	Forecast Homes	288	288	0
Plan C	V	Gabriel Estates	Woodside Homes	98	98	0
	V	Glenbriar	Westco	655	655	0
	V	Glenbriar	Kaufman & Broad	180	180	0
	V	Huntington Park	Award Homes	388	388	0
	V	Larkspur Estates	Bright Development	180	166	14
	V	Lyon Crossroads	Wm. Lyon Homes	255	255	0
	V	Pebblebrook	Gary Chase	100	92	8
	V	Redbridge	Standard Pacific	150	150	0
	V	Redbridge	Surland Development	288	288	0
	V	San Marco	SEI	209	209	0
	V	San Marco	Warmington Homes	234	234	0
	V	San Marco	Ryland Homes	81	81	0
	V	San Marco	Kaufman & Broad	55	55	0
	V	Sterling Park	Meritage Homes	265	265	0
	V	Westgate	Standard Pacific	356	356	0
	V	Westgate Multi-Family	Standard Pacific	84	0	84
Non-Vested		Glenbriar - Cose Parcels	H. Randhawa	7	0	7
				6,047	5,934	113
So. Mac.	V	Yosemite Vista	Bright Development	166	69	97
	V	Elissagaray Ranch	Suncrest Homes	183	183	0
	V	Elissagaray Ranch	Richmond American	119	119	0
	V	Elissagaray Ranch	Western Pacific	63	63	0
	V	Elissagaray Ranch	Pulte Homes	71	71	0
				602	505	97
TOTAL VESTED PROJECTS				10,600	8,130	2,470

**GMO and Measure A Monitoring
RGAs Allocated - Categories - Vested Non-Vested Projects**

GMRB/CARB Meeting Date	Allocation Period	DA Projects	Affordable	Infill/RSP	After 1/1/1990	Lands Annexed	Total RGAs Allocated	DA or Vested	
								Pre-7/20/99	Non-Vested
May 12, 2000 August 4, 2000	January 2000	150	0	419.5	614.24	1168.74	919	249.74	
	July 2000	75	0	39	0	114	91	23	
	Total 2000	225	0	458.5	614.24	1282.74	1010	272.74	
August 29, 2001 December 20, 2001	January 2001	225	0	27*	976	1,228	1228	0	
	Jan 2001 cont..	0	0	0	74	74	74	0	
	Total 2001	225	0	0	1050	1,302	1302	0	
February 20, 2002	January 2002	150	0	1.6	1056.09	1,207.69	1206.09	1.6	
	July 2002	0	0	98	0	98	0	98	
	Total 2002	150	0	99.60	1,056.09	1,305.69	1,206.09	99.60	
January 2003 July 2003 Total 2003	January 2003								
	July 2003								
	Total 2003								

*27 RGAs issued to vested projects under the Infill/RSP category.

PLAN AREA	SUBDIVISION NAME	DEVELOPER	TOTAL		BALANCE		RGAS NEEDED
			# UNITS	RGAS	# BPS TO 04/05/12	RGAS	
		JB Valley	9	9	0	9	0
DA-ISP So	V Brookview	Shea Homes	375	375	375	0	0
DA-ISP So	V Garden Square		216	157.68	216	0	0
DA-1205	V Park Atherton (Chesapeake Bay)	Standard Pacific	550	550	550	0	0
DA-Residio	V Presidio/Lourence Ranch	Surland	2250	375	0	375	1875
DA-Ellis	Ellis		3400	1466.68	1141	384	1875
		Philipovitch/Mahjorrad	6	4.8	6	0.0	0
Infill	90 E. Grant Line Road		33	24.09	33	0	0
	Amber Ridge Multi-Family		13	13	13	0	0
	Borges Estates	Cecchi	86	86	0	86	0
	* Brookview	JB Valley	6	4.38	6	0	0
	Clifton Apartments (6)	Todd Aarvig	44	41.84	44	0	0
	Forest Greens, Ph II	Pavia / Palimeno	1	1	0	1	0
	Parker Villas	Willard Souza	4	0	0	0	4
	Quail Glen	Fernandez	30	21.9	30	0	0
	Rimrock 30-Unit Complex	Todd Aarvig	1	1	1	0	0
	SFDU - 620 Gianelli St.	Rob Smith	6	6	6	0	0
	St. Jean Estates	Forrest Aarvig	8	8	8	0	0
	Sycamore Village II	Dave Ueker	103	0	0	0	103
	Tiburton Village	Kimball Hill Homes	50	50	50	0	0
	Tracy Place	C.F.Y. Development	16	0	0	0.0	16
	Villa DeFlores	Vasquez Prop Grp	18	0	0	0.0	18
	West Park Row	Dubney & Ptr	64	0	0	0.0	64
	The Classics	New America Homes	21	21	0	21.0	0
	Fourth Street Commons	Dale Cose	7	7	0	7.0	0
	Seventh Street Commons	Dale Cose	517	290.01	197	115.00	205
			14	14	14	0	0
I-205	V Woodfield Estates	Seeway Fam Hmbldrs	38	38	37	1	0
	V Meadowood (Cintra Park West)	Kimball Hill Homes	1	1	1	0	0
	V Cintra Park East	Brian Boatright	53	53	52	1	0
			23	23	23	0	0
RSP	V Corral Hollow Subdivision	Fitzpatrick Homes	97	97	97	0	0
	V Corral Hollow Estates	Beck Development	32	32	32	0	0
	V Corral Hollow Estates	Standard Pacific	4	4	4	0	0
	V Foothill Vista Estates	Bright Development	84	84	84	0	0
	V Muirfield IX SFDU's	Standard Pacific					

RGa TOTALS AS OF 12/31/2011

V	Ryland Junction (Tracy Estates)									186	186	186
V	Muirfield VIII									54	54	54
V	Sienna Park II									2	2	2
V	CA Parkside									14	14	14
V	Victoria Park, Unit 4									498	498	498
V	Alden Meadows									150	150	150
V	Alden Meadows									84	84	84
V	Eastlake									76	76	76
V	Eastlake									156	156	156
V	Edgewood Multi-Family									142	142	142
V	Edgewood									253	253	253
V	Edgewood									229	229	229
V	Edgewood									52	52	52
V	Edgewood									121	121	121
V	Edgewood									174	174	174
V	Edgewood									219	219	219
V	Edgewood									288	288	288
V	Gabriel Estates									98	98	98
V	Gabriel Estates									677	677	655
V	Glenbriar									180	180	180
V	Glenbriar									388	388	388
V	Huntington Park									180	180	166
V	Larkspur Estates									255	255	255
V	Lyon Crossroads									100	95	92
V	Pebblebrook									150	150	150
V	Redbridge									288	288	288
V	Redbridge									209	209	209
V	San Marco									234	234	234
V	San Marco									81	81	81
V	San Marco									55	55	55
V	San Marco									265	265	265
V	Sterling Park									356	356	356
V	Westgate									84	84	61.32
V	Westgate Multi-Family									7	15	15
Non Vested	Glenbriar - Cose Parcels									6069	6013.31	5934
So. Mac.	Yosemite Vista									166	166	67
										Bright Development	99	0

RGAs TOTALS AS OF 12/31/2011

V	Elissagaray Ranch	Suncrest Homes	183	183	183	0	0
V	Elissagaray Ranch	Richmond American	119	119	119	0	0
V	Elissagaray Ranch	Western Pacific	63	63	63	0	0
V	Elissagaray Ranch	Pulte Homes	71	71	71	0	0
			602	602	503	99	0
			158	145	145	0	13
Other	Muirfield VII	Standard Pacific	71	71	63	8	0
(RSP	Southgate (Castro)	Bright Development	112	112	112	0	0
ECUs)	Eastgate (Kagehiro)	Meritage Homes	341	328	320	8	13
		Totals	11480	9179	8645	707.32	2098

* 14 RGA's are for affordable units.

PLAN AREA	SUBDIVISION NAME	DEVELOPER	TOTAL		# BP'S TO 04/05/12	BALANCE		RGAS NEEDED
			# UNITS	RGAS		RGAS		
			9	9	0	9	0	0
DA-ISP So	V Brookview	JB Valley	375	375	375	0	0	0
DA-ISP So	V Garden Square	Shea Homes	216	157.68	216	0	0	0
DA-I205	V Park Atherton (Chesapeake Bay)	Standard Pacific	550	550	550	0	0	0
DA-Residio	V Presidio/Lourence Ranch	Surland	2250	375	0	375	1875	1875
DA-Ellis	Ellis		3400	1466.68	1141	384	1875	1875
			6	4.8	6	0.0	0	0
		Philipovitch/Mahjorirad	33	24.09	33	0	0	0
Infill	90 E. Grant Line Road		13	13	13	0	0	0
	Amber Ridge Multi-Family	Cecchi	86	86	0	86	0	0
	Borges Estates	JB Valley	6	4.38	6	0	0	0
	* Brookview	Todd Aarvig	44	41.84	44	0	0	0
	Clifton Apartments (6)	Pavia / Palimeno	1	1	0	1	0	0
	Forest Greens, Ph II	Willard Souza	4	0	0	0	4	4
	Parker Villas	Fernandez	30	21.9	30	0	0	0
	Quail Glen	Todd Aarvig	1	1	1	0	0	0
	Rimrock 30-Unit Complex	Rob Smith	6	6	6	0	0	0
	SFDU - 620 Gianelli St.	Forrest Aarvig	8	8	8	0	0	0
	St. Jean Estates	Dave Ueker	103	0	0	0	103	103
	Sycamore Village II	Kimball Hill Homes	50	50	50	0	0	0
	Tiburon Village	C.F.Y. Development	16	0	0	0.0	16	16
	Tracy Place	Vasquez Prop Grp	18	0	0	0.0	18	18
	Villa DeFlores	Dubney & Ptr	64	0	0	0.0	64	64
	West Park Row	New America Homes	21	21	0	21.0	0	0
	The Classics	Dale Cose	7	7	0	7.0	0	0
	Fourth Street Commons	Dale Cose	517	290.01	197	115.00	205	205
	Seventh Street Commons							
			14	14	14	0	0	0
I-205	V Woodfield Estates	Seeway Fam Hmbldrs	38	38	37	1	0	0
	V Meadowood (Cintra Park West)	Kimball Hill Homes	1	1	1	0	0	0
	V Cintra Park East	Brian Boatright	53	53	52	1	0	0
			23	23	23	0	0	0
RSP	V Corral Hollow Subdivision	Fitzpatrick Homes	97	97	97	0	0	0
	V Corral Hollow Estates	Beck Development	32	32	32	0	0	0
	V Corral Hollow Estates	Standard Pacific	4	4	4	0	0	0
	V Foothill Vista Estates	Bright Development						

RGA TOTALS AS OF 1/31/12

V	Muirfield IX SFDU's	Standard Pacific	84	84	84	0
V	Ryland Junction (Tracy Estates)	Ryland Companies	186	186	186	0
V	Muirfield VIII	Standard Pacific	54	54	54	0
V	Sienna Park II	KB Home	2	2	2	0
V	CA Parkside	KB Home	2	2	2	0
V	Victoria Park, Unit 4	Castle Companies	14	14	14	0
			498	426	498	0
			150	150	150	0
Plan C	Alden Meadows	Greystone Homes	84	84	84	0
V	Alden Meadows	Castle Companies	518	518	518	0
V	Eastlake	Pulte Homes	76	76	76	0
V	Eastlake	Richmond American	156	118.99	156	0
V	Edgewood Multi-Family	Pacific Union	142	142	142	0
V	Edgewood	Matthews Homes	253	253	253	0
V	Edgewood	Kaufman & Broad	229	229	229	0
V	Edgewood	Lafferty Homes	52	52	52	0
V	Edgewood	Lakemont Homes	121	121	121	0
V	Edgewood	Ryland Homes	174	174	174	0
V	Edgewood	SEI	219	219	219	0
V	Edgewood	Western Pacific	288	288	288	0
V	Gabriel Estates	Forecast Homes	98	98	98	0
V	Gabriel Estates	Woodside Homes	677	677	655	22
V	Glenbriar	Westco	180	180	180	0
V	Glenbriar	Kaufman & Broad	388	388	388	0
V	Huntington Park	Award Homes	180	180	166	14
V	Larkspur Estates	Bright Development	255	255	255	0
V	Lyon Crossroads	Wm. Lyon Homes	100	95	92	3
V	Pebblebrook	Gary Chase	150	150	150	0
V	Redbridge	Standard Pacific	288	288	288	0
V	Redbridge	Surland Development	209	209	209	0
V	San Marco	SEI	234	234	234	0
V	San Marco	Warmington Homes	81	81	81	0
V	San Marco	Ryland Homes	55	55	55	0
V	San Marco	Kaufman & Broad	265	265	265	0
V	Sterling Park	Meritage Homes	356	357	356	0
V	Westgate	Standard Pacific	84	61.32	0	61.32
V	Westgate Multi-Family	Standard Pacific	7	15	0	15
Non Vested	Glenbriar - Cose Parcels	H. Randhawa				

RGa TOTALS AS OF 1/31/12

		6069	6013.31	5934	100.32	5
		166	166	67	99	0
	Bright Development	183	183	183	0	0
So. Mac.	Suncrest Homes	119	119	119	0	0
	Richmond American	63	63	63	0	0
	Western Pacific	71	71	71	0	0
	Pulte Homes	602	602	503	99	0
		158	145	145	0	13
	Standard Pacific	71	71	63	8	0
Other	Bright Development	112	112	112	0	0
(RSP	Meritage Homes	341	328	320	8	13
ECUs)						
		11480	9179	8645	707.32	2098
	Totals					

* 14 RGA's are for affordable units.

RGA TOTALS AS OF 2/29/12

PLAN AREA	SUBDIVISION NAME	DEVELOPER	TOTAL		# BPS TO 04/05/12	BALANCE		RGAS NEEDED
			# UNITS	RGAS		RGAS		
			9	9	0	9	0	0
DA-ISP So	V Brookview	JB Valley	375	375	375	0	0	0
DA-ISP So	V Garden Square	Shea Homes	216	157.68	216	0	0	0
DA-I205	V Park Atherton (Chesapeake Bay)	Standard Pacific	550	550	550	0	0	0
DA-Residio	V Presidio/Lourence Ranch	Surland	2250	375	0	375	1875	1875
DA-Ellis	Ellis		3400	1466.68	1141	384	1875	1875
			6	4.8	6	0.0	0	0
Infill	90 E. Grant Line Road	Philipovitch/Mahjorirad	33	24.09	33	0	0	0
	Amber Ridge Multi-Family		13	13	13	0	0	0
	Borges Estates	Cecchi	86	86	0	86	0	0
	* Brookview	JB Valley	6	4.38	6	0	0	0
	Clifton Apartments (6)	Todd Aarvig	44	41.84	44	0	0	0
	Forest Greens, Ph II	Pavia / Palimeno	1	1	0	1	0	0
	Parker Villas	Willard Souza	4	0	0	0	4	4
	Quail Glen	Fernandez	30	21.9	30	0	0	0
	Rimrock 30-Unit Complex	Todd Aarvig	1	1	1	0	0	0
	SF DU - 620 Gianelli St.	Rob Smith	6	6	6	0	0	0
	St. Jean Estates	Forrest Aarvig	8	8	8	0	0	0
	Sycamore Village II	Dave Ueker	103	0	0	0	103	103
	Tiburon Village	Kimball Hill Homes	50	50	50	0	0	0
	Tracy Place	C.F.Y. Development	16	0	0	0.0	16	16
	Villa DeFlores	Vasquez Prop Grp	18	0	0	0.0	18	18
	West Park Row	Dubney & Ptr	64	0	0	0.0	64	64
	The Classics	New America Homes	21	21	0	21.0	0	0
	Fourth Street Commons	Dale Cose	7	7	0	7.0	0	0
	Seventh Street Commons	Dale Cose	517	290.01	197	115.00	205	205
			14	14	14	0	0	0
I-205	V Woodfield Estates	Seeway Fam Hmbldrs	38	38	37	1	0	0
	V Meadowood (Cintra Park West)	Kimball Hill Homes	1	1	1	0	0	0
	V Cintra Park East	Brian Boatright	53	53	52	1	0	0
			23	23	23	0	0	0
RSP	V Corral Hollow Subdivision	Fitzpatrick Homes	97	97	97	0	0	0
	V Corral Hollow Estates	Beck Development	32	32	32	0	0	0
	V Corral Hollow Estates	Standard Pacific	4	4	4	0	0	0
	V Foothill Vista Estates	Bright Development	4	4	4	0	0	0

RGa TOTALS AS OF 2/29/12

V	Muirfield IX SFDU's	Standard Pacific	84	84	84	0	0
V	Ryland Junction (Tracy Estates)	Ryland Companies	186	186	186	0	0
V	Muirfield VIII	Standard Pacific	54	54	54	0	0
V	Sienna Park II	KB Home	2	2	2	0	0
V	CA Parkside	KB Home	2	2	2	0	0
V	Victoria Park, Unit 4	Castle Companies	14	14	14	0	0
			498	426	498	0	0
			150	150	150	0	0
Plan C	V Alden Meadows	Greystone Homes	84	84	84	0	0
	V Alden Meadows	Castle Companies	518	518	518	0	0
	V Eastlake	Pulte Homes	76	76	76	0	0
	V Eastlake	Richmond American	156	118.99	156	0	0
	V Edgewood Multi-Family	Pacific Union	142	142	142	0	0
	V Edgewood	Matthews Homes	253	253	253	0	0
	V Edgewood	Kaufman & Broad	229	229	229	0	0
	V Edgewood	Lafferty Homes	52	52	52	0	0
	V Edgewood	Lakemont Homes	121	121	121	0	0
	V Edgewood	Ryland Homes	174	174	174	0	0
	V Edgewood	SEI	219	219	219	0	0
	V Edgewood	Western Pacific	288	288	288	0	0
	V Gabriel Estates	Forecast Homes	98	98	98	0	0
	V Gabriel Estates	Woodside Homes	677	677	655	22	0
	V Glenbriar	Westco	180	180	180	0	0
	V Glenbriar	Kaufman & Broad	388	388	388	0	0
	V Huntington Park	Award Homes	180	180	166	14	0
	V Larkspur Estates	Bright Development	255	255	255	0	0
	V Lyon Crossroads	Wm. Lyon Homes	100	95	92	3	5
	V Pebblebrook	Gary Chase	150	150	150	0	0
	V Redbridge	Standard Pacific	288	288	288	0	0
	V Redbridge	Surland Development	209	209	209	0	0
	V San Marco	SEI	234	234	234	0	0
	V San Marco	Warrington Homes	81	81	81	0	0
	V San Marco	Ryland Homes	55	55	55	0	0
	V San Marco	Kaufman & Broad	265	265	265	0	0
	V Sterling Park	Meritage Homes	356	357	356	0	0
	V Westgate	Standard Pacific	84	61.32	0	61.32	0
	V Westgate Multi-Family	Standard Pacific	7	15	0	15	0
Non Vested	Glenbriar - Cose Parcels	H. Randhawa					

RGA TOTALS AS OF 2/29/12

		6069	6013.31	5934	100.32	5
		166	166	69	97	0
	Bright Development	183	183	183	0	0
So. Mac.	Suncrest Homes	119	119	119	0	0
	Richmond American	63	63	63	0	0
	Western Pacific	71	71	71	0	0
	Pulte Homes	602	602	505	97	0
		158	145	145	0	13
	Standard Pacific	71	71	63	8	0
Other	Bright Development	112	112	112	0	0
(RSP	Meritage Homes	341	328	320	8	13
ECUs)						
		11480	9179	8647	705.32	2098
	Totals					

* 14 RGA's are for affordable units.

PLAN AREA	SUBDIVISION NAME	DEVELOPER	TOTAL		TOTAL RGAS	# BP'S TO 04/05/12	BALANCE		RGAS NEEDED
			# UNITS	RGAS			RGAS		
			9	9		0	9	0	
DA-ISP So	V Brookview	JB Valley	375	375		375	0	0	
DA-ISP So	V Garden Square	Shea Homes	216	157.68		216	0	0	
DA-1205	V Park Atherton (Cheasapeake Bay)	Standard Pacific	550	550		550	0	0	
DA-Residio	V Residio/Lourence Ranch	Surland	2250	375		0	375	1875	
DA-Ellis	Ellis		3400	1466.68		1141	384	1875	
			6	4.8		6	0.0	0	
Infill	90 E. Grant Line Road	Phillipovitch/Mahjorirad	33	24.09		33	0	0	
	Amber Ridge Multi-Family		13	13		13	0	0	
	Borges Estates	Cecchi	86	86		0	0	86	
	* Brookview	JB Valley	6	4.38		6	0	0	
	Clifton Apartments (6)	Todd Aarvig	44	41.84		44	0	0	
	Forest Greens, Ph II	Pavia / Palimeno	1	1		1	0	0	
	Parker Villas	Willard Souza	4	0		0	0	4	
	Quail Glen	Fernandez	30	21.9		30	0	0	
	Rimrock 30-Unit Complex	Todd Aarvig	1	1		1	0	0	
	SFDU - 620 Gianelli St.	Rob Smith	6	6		6	0	0	
	St. Jean Estates	Forrest Aarvig	8	8		8	0	0	
	Sycamore Village II	Dave Ueker	103	0		0	0	103	
	Tiburou Village	Kimball Hill Homes	50	50		50	0	0	
	Tracy Place	C.F.Y. Development	16	0		0	0.0	16	
	Villa DeFlores	Vasquez Prop Grp	18	0		0	0.0	18	
	West Park Row	Dubney & Ptr	64	0		0	0.0	64	
	The Classics	New America Homes	21	21		0	0.0	21	
	Fourth Street Commons	Dale Cose	7	7		0	0.0	7	
	Seventh Street Commons	Dale Cose	517	290.01		198	0.00	319	
			14	14		14	0	0	
I-205	V Woodfield Estates	Seeway Fam Hmbldrs	38	38		37	1	0	
	V Meadowood (Cintra Park West)	Kimball Hill Homes	1	1		1	0	0	
	V Cintra Park East	Brian Boatright	53	53		52	1	0	
			23	23		23	0	0	
RSP	V Corral Hollow Subdivision	Fitzpatrick Homes	97	97		97	0	0	
	V Corral Hollow Estates	Beck Development	32	32		32	0	0	
	V Corral Hollow Estates	Standard Pacific	4	4		4	0	0	
	V Foothill Vista Estates	Bright Development	4	4		4	0	0	

RGa TOTALS AS OF 3/31/12

V	Muirfield IX SFDU's	Standard Pacific	84	84	84	0	0
V	Ryland Junction (Tracy Estates)	Ryland Companies	186	186	186	0	0
V	Muirfield VIII	Standard Pacific	54	54	54	0	0
V	Sienna Park II	KB Home	2	2	2	0	0
V	CA Parkside	KB Home	2	2	2	0	0
V	Victoria Park, Unit 4	Castle Companies	14	14	14	0	0
			498	426	498	0	0
			150	150	150	0	0
			84	84	84	0	0
			518	518	518	0	0
			76	76	76	0	0
			156	118.99	156	0	0
			142	142	142	0	0
			253	253	253	0	0
			229	229	229	0	0
			52	52	52	0	0
			121	121	121	0	0
			174	174	174	0	0
			219	219	219	0	0
			288	288	288	0	0
			98	98	98	0	0
			677	677	655	22	0
			180	180	180	0	0
			388	388	388	0	0
			180	180	166	14	0
			255	255	255	0	0
			100	95	92	3	5
			150	150	150	0	0
			288	288	288	0	0
			209	209	209	0	0
			234	234	234	0	0
			81	81	81	0	0
			55	55	55	0	0
			265	265	265	0	0
			356	357	356	0	0
			84	61.32	0	61.32	0
			7	15	0	15	0
Non Vested							

RGAs TOTALS AS OF 3/31/12

	6069	6013.31	5934	100.32	5
V Yosemite Vista	166	166	69	97	0
V Elissagaray Ranch	183	183	183	0	0
V Elissagaray Ranch	119	119	119	0	0
V Elissagaray Ranch	63	63	63	0	0
V Elissagaray Ranch	71	71	71	0	0
V Elissagaray Ranch	602	602	505	97	0
Standard Pacific	158	145	145	0	13
Bright Development	71	71	63	0	8
Meritage Homes	112	112	112	0	0
	341	328	320	0	21
	11480	9179	8648	582.32	2220
Totals					

* 14 RGA's are for affordable units.

EXHIBIT F

NOTICE OF INTENTION TO CIRCULATE INITIATIVE PETITION

Notice is hereby given of the intention of the persons whose names appear hereon of their intention to circulate a Petition adopting an initiative within the City of Tracy for the purpose of adopting an ordinance limiting residential growth in the City of Tracy. A Statement of the reasons for the proposed action as contemplated in the Petition is as follows:

Tracy's Growth Management Ordinance allows 1,500 homes a year (approximately an 8% growth rate). The plan calls for Tracy to grow to over 160,000. The Council and the developer for the 5,500 home Tracy Hills project are considering plans to increase the growth rate from 1,500 to 2,000 homes or more a year, which is over 12%!

The state growth rate is about 1.5%. Cities like Pleasanton, Livermore and Manteca allow less than 600 homes or 4% a year. Tracy's current growth rate of 8% is excessive. Tracy is not keeping up with services like schools, storm drainage, water and police. The city's growth plan and excessive residential growth is degrading our community. The older parts of town are not being maintained. Schools and roads are over-crowded. There is no plan for economic development. The plan has focused on residential growth and not on bringing quality jobs for the people who live here, or protecting the quality of our community.

The 5,500 home Tracy Hills project will start even though the city has already approved 6,000 other homes. The Tracy Hills developer recently added a business park to help win approval to increase the growth rate. Even if 1,500 - 3,000 jobs are generated by the business park, the project adds 5,500 new homes requiring 5,500 new jobs. No jobs will be left for other Tracy residents. The Tracy Hills project is located miles south from the existing urban boundary. Tracy will have to build a new sewage plant and other infrastructure. The Tracy Hills project will not improve the quality of life for Tracy residents if we are growing at 2,000 or more homes a year.

On March 2, 2000, over 48% of Tracy voters voted to slow the rate of residential growth to 750. Developers spent over \$250,000 to allow the Council to increase the growth rate above 1,500. The Chamber of Commerce received over \$180,000 in developer money to fight responsible growth. Developers' money and lobbyists control our city government.

No real review of the plan will occur with uncontrolled residential growth slowed only by lack of water, sewage capacity, schools or running out of land. Lack of water at the building permit stage is not a growth limit, it reflects a failure of the plan to control growth or adequately plan resources.

If residential growth is slowed in Tracy, growth will not shift to the county because there is no infrastructure such as water, roads and sewage to support it. The

County's plan provides for growth to occur within cities. The County Board of Supervisors, whose membership changed on March 7, 2000, to be more supportive of protecting surrounding farmland and preventing sprawl.

This Initiative gives voters control over the maximum rate of residential growth and leaves all other planning decisions with the City Council. The City Council will not be able to increase the rate of growth beyond 750 without voter approval.

This notice is signed this 3 day of ^{May}~~April~~ 2000 by:

Kelly Henneiman
Kelly Henneiman

Irene Sundberg
Irene Sundberg

Terri Foster
Terri Foster

TO THE HONORABLE CLERK OF THE CITY OF TRACY:

We the undersigned, registered and qualified voters of the City of Tracy hereby propose amendments to Sections 10.12.140 and 10.12.200 of the Residential Growth Management Plan of the City of Tracy. We petition you to submit the same to the Tracy City Council for its adoption or for rejection and submission of the same to the voters of the City of Tracy. The Initiative Ordinance is as follows:

**AMENDMENT TO SECTIONS 10.12.140 & 10.12.200 OF
THE RESIDENTIAL GROWTH MANAGEMENT PLAN**

The People of the City of Tracy hereby ordain as follows:

SECTION 1: Purpose of Initiative Ordinance.

The People of the City of Tracy hereby find that it is in the best interest of the present and future residents of Tracy to prevent the City Council from increasing the rate of residential growth from the already excessive 1,500 units per year to 2,000 or more. No meaningful review of the general plan to create enough jobs will take place while excessive residential growth is allowed.

The purpose of the Initiative Ordinance is to reduce the rate of residential growth from a maximum of 1,500 per year to 750. It is also to prevent the City Council from increasing the rate of residential growth for special residential projects without voter approval.

SECTION 2: Amendment and Adoption.

Sections 10.12.140 and 10.12.200 of the Tracy Municipal Code Chapter 10.12, the entirety of the existing text, a copy of which is attached to this Initiative Ordinance and marked "Amended by this Initiative" on each page, are hereby amended as follows:

10.12.140 Limits on annual allocation of RGAs.

(a) The City shall not allocate RGAs in any calendar year in excess of either of the following: (1) an average of 600 RGAs per year calculated pursuant to subsection 10.12.140(b), and (2) a maximum of 750 RGAs per year calculated pursuant to subsection 10.12.140(c).

(b) The average number per year shall be calculated as follows: (1) the total sum of RGAs allocated by the City from January 1, 2000, through the calendar year of the allocation, (2) less the sum of RGAs which are invalid, as defined in section 10.12.160, (3) less the sum of RGAs allocated for Affordable Housing Project exceptions, (4) divided by the number of years which have passed from January 1, 2000, to the year of the allocation, inclusive.

(c) The maximum number of RGAs per year shall equal the total sum of RGAs allocated by the City for the calendar year of the allocation, including a maximum of 150 RGAs allocated for Affordable Housing Project exceptions, and including a maximum of 225 RGAs allocated to development projects with which the city has entered into a development agreement providing for an allocation of RGAs (as identified in the GMO guidelines). The City shall not allocate more than 150 RGAs in any calendar year for Affordable Housing Project exceptions. The City shall not allocate more than 150 RGAs in any calendar year for affordable housing project exceptions. The City shall not allocate more than 225 RGAs in any calendar year to development projects with which the City has entered into development agreement providing for an allocation of RGAs (as identified in the GMO Guidelines.) The annual limit of 225 RGAs for development agreement shall include the sum of all RGAs allocated to all development agreement in any calendar year. The City shall not allocate more than 750 RGAs in any calendar year.

(d) To the extent that RGAs have not been allocated in any calendar year for Affordable Housing Project exceptions, the City shall reserve, until the first Friday in July of each year: 150 RGAs for Affordable Housing Projects.

10.12.200 Limits on annual issuance of residential building permits.

(a) The City shall not issue residential building permits in any calendar year in excess of either of the following: (1) an average of 600 residential building permits per year calculated pursuant to subsection (b) of this section, and (2) a maximum of 750 residential building permits per year calculated pursuant to subsection (c) of this section.

(b) The average number of residential building permits per year shall be calculated as follows: (1) the total sum of residential building permits allocated by the City from January 1, 2000, through the calendar year of the allocation, (2) less the sum of residential building permits which expired prior to completion of construction, (3) less the sum of residential building permits allocated for Affordable Housing Project exceptions,

(4) less the sum residential building permits exempt from this chapter, (5) divided by the number of years which have passed from January 1, 2000, to the year of the allocation, inclusive.

(c) The maximum number of residential building permits per year shall be calculated as follows: (1) the total sum of dwelling units allowed by residential building permits allocated by the City for the calendar year of the allocation, (2) less the sum of residential building permits exempt from this chapter.

(d) Applications for residential building permits will be evaluated (and, for each approved application, will be issued) by the City in the order they are received.

SECTION 3: Title, chapter, and section headings.

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

SECTION 4: Implementation.

(1) Upon passage of this Initiative Ordinance, its provisions shall be immediately effective, and the City shall immediately adopt all changes required by this Initiative Ordinance.

(2) The City shall amend the Residential Growth Management Plan (RGMP), any successor Growth Management Ordinance (GMO), all ordinances, GMO Guidelines, Guidelines, regulations, its zoning ordinance and all other land use, development, and subdivision regulations to bring them into conformity with this Initiative Ordinance. Revisions to the RGMP, GMO, GMO Guidelines or other Guidelines, regulations and ordinances may include revisions which are necessary to reflect development which has already occurred and approved development proposals for which the right to develop was legally vested as of the date this Initiative Ordinance is passed by the voters.

(3) Pending such amendment, as well as after said amendment, the City, its departments, boards, commissions, officers and employees, shall not issue any RGA or ECU, grant any permit, approval or other land use entitlement, enter into any development agreements, or take any other action, which is inconsistent with the RGMP as amended herein.

(4) The City shall not adopt any amendments to the General Plan inconsistent with the terms and purposes of this Initiative Ordinance without a majority vote of the electors of Tracy.

(5) Subsequent amendments to the RGMP, GMO, GMO Guidelines, other Guidelines, regulations and ordinances may thereafter be made, so long as such amendments are consistent with the terms and purposes of this Initiative Ordinance.

(6) This Initiative Ordinance is not intended, and shall not be applied or construed, to authorize the City to exercise its powers in a manner which will take private property for public use with the payment of just compensation therefore, but shall be interpreted, applied and implemented so as to accomplish its purpose to the maximum permissible extent, by all constitutional means consistent with state law. If application of this Initiative Ordinance to a specific property of record as of the date of its adoption would create a taking, then pursuant to this Initiative Ordinance the City Council may allow the issuance of additional RGAs as to said property but only to the extent necessary to avoid a taking.

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

SECTION 5: Amendment and Repeal.

This Initiative Ordinance as amended shall remain in effect and no part of the Ordinance may be amended or repealed except by a majority vote of the electors of Tracy at a regularly scheduled general election.

SECTION 6: Severability and Interpretation.

This Initiative Ordinance shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. Nothing in this Initiative Ordinance shall be construed to interfere with municipal annexation processes.

If any portion of this Initiative Ordinance is held to be invalid by a final judgment of a court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of this Initiative Ordinance. Tracy voters hereby declare that this Initiative Ordinance and each portion thereof, would have been adopted or passed even if one or more portions are declared invalid. If any provision of this Initiative Ordinance is held invalid as applied to any person or circumstance, such invalidity shall not effect any application of this Initiative Ordinance that can be given effect without the invalid application.

This Initiative Ordinance shall be broadly construed in order to achieve the purposes stated in this Initiative Ordinance.

Amended by this Initiative

10.12.140 Limits on annual allocation of RGAS.

(a) The City shall not allocate RGAs in any calendar year in excess of either of the following: (1) an average of 1,200 RGAs per year calculated pursuant to section 10.12.140(b), and (2) a maximum of 1,500 RGAs per year calculated pursuant to section 10.12.140(c).

(b) The average number of RGAs per year shall be calculated as follows: (1) the total sum of RGAs allocated by the City from January 1, 1988, through the calendar year of the allocation, (2) less the sum of RGAs which are invalid, as defined in section 10.12.160, (3) less the sum of RGAs allocated for affordable housing project exceptions, (4) divided by the number, of years which have passed from January 1, 1988, to the year of the allocation, inclusive.

(c) The maximum number of RGAs per year shall equal the total sum of RGAs allocated by the City for the calendar year of the allocation, including a maximum of 300 RGAs allocated for affordable housing project exceptions, and including a maximum of 225 RGAs allocated to development projects with which the City has entered into a development agreement providing for an allocation of RGAs (as identified in the GMO Guidelines). The City shall not allocate more than 300 RGAs in any calendar year for affordable housing project exceptions. The City shall not allocate more than 225 RGAs in any calendar year to development projects with which the City has entered into a development agreement providing for an allocation of RGAs (as identified in the GMO Guidelines). The annual limit of 225 RGAs for development agreement shall include the sum of all RGAs allocated to all development agreements in any calendar year. The City shall not allocate more than 1,500 RGAs in any calendar year.

d) To the extent that RGAs have not been allocated any calendar year for affordable housing projects, the City shall reserve, until the first Friday in July of each year: 300 RGAs for affordable housing projects, (Ord.1000 Section 1(part), 1999)

10.12.200 Limits on annual issuance of residential building permits.

(a) The City shall not issue residential building permits in any calendar year in excess of either of the following: (1) an average of 1,200 residential building permits per year calculated pursuant to subsection (b) of this section, and (2) a maximum of 1,500 residential building permits per year calculated pursuant to subsection (c) of this section.

(b) The average number of residential building permits per year shall be calculated as follows: (1) the total sum of residential building permits allocated by the City from January 1, 1988, through the calendar year of the allocation, (2) less the sum of residential building permits which expired prior to completion of construction, (3) less the sum of

Amended by this Initiative

residential building permits allocated for affordable housing project exceptions, (4) less the sum of residential building permits exempt from this chapter, (5) divided by the number of years which have passed from January 1, 1988, to the year of the allocation, inclusive.

(c) The maximum number of residential building permits per year shall be calculated as follows: (1) the total sum of residential building permits allocated by the City for the calendar year of the allocation, (2) less the sum of residential building permits exempt from this chapter.

(d) Applications for residential building permits will be evaluated (and, for each approved application, will be issued) by the City in the order they are received. (Ord. 1000 Section I (part), 1999)

City Council Meeting 5/15/12, Agenda Item 6, Airport Improvement Plan

Required changes to Action Plan statements submitted by David Anderson, TAA:

S-21: Confirm Runway Lengths: Completed

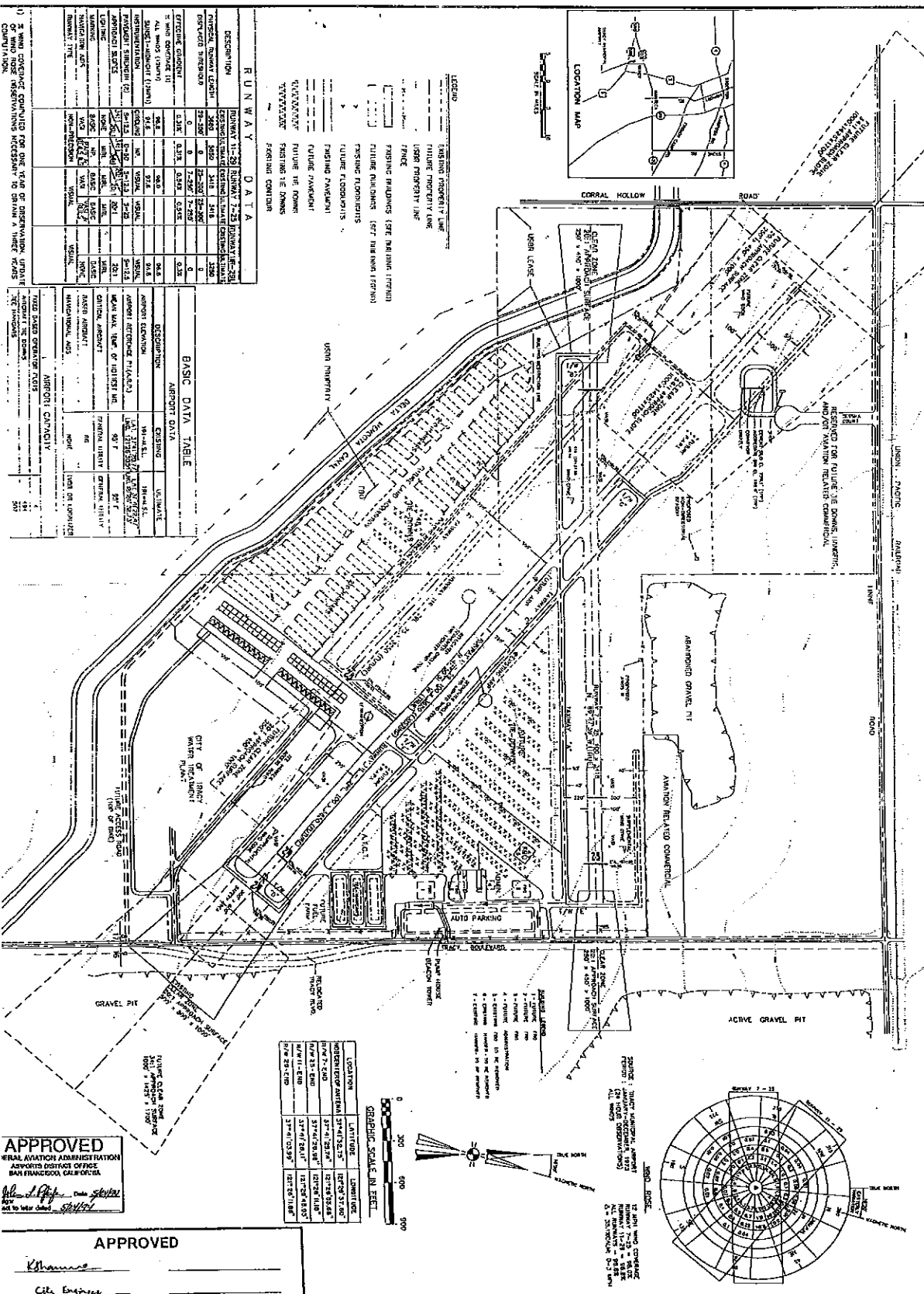
There have been some discrepancies as to the actual length of runway 12/30. Confirming the runway lengths is the first step in future planning for the airport as indicated in Step 5 of the Financial Strategies below. A survey has been completed to ascertain the accurate length. The actual length of the runway under current conditions is 3,996. ~~This length will be considered as the base starting point~~ **THE CORRECT LENGTH OF 4002 FEET FOR RUNWAY 12/30 WILL BE USED** for future airport multiphase planning effort as well as defining optimal runway lengths to maximize opportunities for the Airport.

M-2: Airport Site Study

~~See Step 5 under item S-22 above. The current airport is somewhat limited in its growth due to the surrounding development. A site study would take into consideration an ideal location for a new airport which could grow much larger and accommodate larger airplanes than the current one. The estimated cost for this item is \$200,000 and the potential funding source is the FAA.~~ **COMPLETE A SITE STUDY ON HOW TO MAXIMIZE THE OPPORTUNITIES AT THE CURRENT TRACY MUNICIPAL AIRPORT INCLUDING INCREASING RUNWAY LENGTH AND ESTABLISHING "MEDIUM" SIZE AIRPORT PROTECTION ZONES.**

94-507

94-507



RUNWAY DATA

DESCRIPTION	REMARKS	DATE	BY
Runway 11-29	3000' x 100'		
Runway 7-26	3000' x 100'		
Taxiway A	100' x 100'		
...

BASIC DATA TABLE

DESCRIPTION	UNIT	VALUE
APPROXIMATE AREA	SQ. FT.	1,234,567
PERCENTAGE GRADE	%	0.5
...

AIRPORT CAPACITY

TYPE OF OPERATION	PER HOUR
Arrivals	12
Departures	15
...	...

LEGEND

- BOUNDARY PROPERTY LINE
- BOUNDARY CITY LINE
- USER PROPERTY LINE
- FENCE
- FUTURE IMPROVEMENTS
- FUTURE IMPROVEMENTS (SEE MAIN PLAN)
- FUTURE IMPROVEMENTS (SEE MAIN PLAN)
- FUTURE IMPROVEMENTS
- FUTURE IMPROVEMENTS

APPROVED

[Signature]
City Engineer
CITY OF TRACY

APPROVED

FEDERAL AVIATION ADMINISTRATION

REINOLD W. BRANDLEY
CONSULTING ENGINEER

TRACY MUNICIPAL AIRPORT
AIRPORT LAYOUT PLAN

COUNTY OF SAN JOAQUIN
STATE OF CALIFORNIA

REVISIONS

NO.	REVISIONS	DATE	BY
1	ADD THE CORNS & HANGARS	12/15/48	WMB
2	REVISE SPEC. WEGATE	1/15/49	WMB
3	RELOCATE TEE HANGARS	2/15/49	WMB
4	RELOCATE TEE HANGARS	2/15/49	WMB
5	ADD VAS-4 FOR RWY 21	2/15/49	WMB
6	NEW REVISED SHEET	2/15/49	WMB
7	TRAYED CLEAN ZONE RWY 11	2/15/49	WMB

DATE: FEB 2, 1949

Tracy City Council 5- 15- 2012

David Anderson
Vice President – Tracy Airport Association

S-14: Runway Repairs and Fencing at New Jerusalem Airport

The project was advertised for bidding with a close date of April 26th. The contract award is scheduled to be approved by Council at the May 15th meeting. It is anticipated that the project will start construction by July 2012.

Repairs and fencing at New Jerusalem Airport (1Q4) must meet all FAA requirements including AC 150/5370. The relocated thresholds at 1Q4 should be removed and restored to displaced thresholds allowing additional runway length thereby increasing safety.

S-17: Seal Coat on Runways and Taxiways

Pavement core samples have been taken in various locations throughout the airport runways and taxiways. The samples were analyzed to determine their composition. A final report was issued stating that the composition of the core samples did not meet the specifications as stated in the bid documents. Additionally, the report also recommended solutions to repair the pavement. The City Attorney's Office is looking into a potential remedy. Staff is concurrently working with the FAA to request funding as necessary to complete the work. It is anticipated that the runway repairs should be completed by the end of December 2012.

TAA reiterates the importance of making sure that AC 150/5370 is complied with during the repair process and that the previous seal coat is removed prior to the new seal being installed. Additionally TAA requests that the City provide a means for the repair of damage caused to aircraft because of the runway seal that did not comply with AC 150/5370.

S-21: Confirm Runway Lengths: Completed

There have been some discrepancies as to the actual length of runway 12/30. Confirming the runway lengths is the first step in future planning for the airport as indicated in Step 5 of the Financial Strategies below. A survey has been completed to ascertain the accurate length. The actual length of the runway under current conditions is 3,996. This length will be considered as the base starting point for future airport multiphase planning effort as well as defining optimal runway lengths to maximize opportunities for the Airport.

LETTER DATED APRIL 9, 2012 FROM: David Anderson

The TAA demands the following:

1. *The City immediately stop any and all attempts to reclassify the Tracy Municipal Airport to a small size airport or reduce the size of its runways.*

Staff Response: *During the recent Airport Land Use Compatibility Plan (ALUCP) update, the City petitioned the San Joaquin Council of Governments, acting as the Airport Land Use Commission (ALUC), to use the airport safety zones for the Tracy Municipal Airport as documented in the 1998 Airport Master Plan. The Tracy airport safety zones in the 1998 Tracy Airport Master Plan is somewhat of a hybrid between a Small and Medium classification in the State of California Land Use Planning*

Handbook. In the ALUCP, the ALUC did not make a final determination of the classification of the Tracy Airport as either a Small or Medium size airport for the purposes of land use planning. The ALUCP just states the facts regarding the uses in and around the airport and sets the safety zones as deemed appropriate by the ALUCP, which is very close to those in the 1998 Tracy Airport Master Plan. There have been no other requests from the City of Tracy to the ALUPC regarding reclassification.

In TAA's letter dated April 9, 2012, TAA demanded that the City immediately stop any and all attempts to reclassify the Tracy Municipal Airport to a small size airport or reduce the size of its runways. We restate that demand tonight.

In the cases Watsonville Pilots Association vs. The City of Watsonville and TRAQC vs. The City of Tracy the Judges rules that the latest available information must be used. Tracy has not done this.

Staff responded to Council with statements related to Airport Land Use Compatibility Plans and master plans. None of this has anything to do with the shortening of runway 12/30 to 3996 feet. Everyone here tonight knows that shortening the runway is about reducing the impacts on Ellis and allowing more construction inside the safety zones and closer to the airport.

At the April TAC meeting Staff indicated to TAC that TAA was incorrect in its assertions that the City has/had plans to reduce the length of runway 12/30 to 3996 feet. Staff did so disregarding the fact that TAC was provided with a copy of Leon Churchill's memo January 9, 2012 indication his intentions to City Council that he planned to do exactly that.

TAA requests that the City Council being forth a resolution to both maintain the full current registered and certified runway length of 4002 feet for 12/30 and maintain the medium classification of Tracy airport.

This action by the city or reducing the runway length to 3996 feet will negatively impact the airport and the City in a number of significant ways. Some are listed below:

By definition (runway length less than 4000 feet), Tracy airport is reduced to a small airport.

Smaller protection zones around the airport.

More houses closer to the end of the runway.

More noise complaints.

More attempts to restrict airport use because of noise.

More obstacles closer to the airport.

Less places to land if an engine fails.

The ability for the Airport to grow in the future terminated.

Restricted approach speeds and categories for RWY 12/30.

Restricts access to the airport to a significant fleet of aircraft that buy a LOT of fuel and make a LOT of money for the airport ... reducing income.

Less federal \$\$\$ available to the airport

Lower priority for Federal \$\$\$ at the airport.

Ability for the FBO to survive reduced.

Ability for the Fuel Provider to survive reduced.
Conflicts with the contract for the fuel provider.

The fuel provider was granted a 25 year contract with a business plan based on larger aircraft;
The length reduction reclassification blocks many of those aircraft from access to the airport;
Significant commercial growth moves to Byron and the associated cash moves to Contra Costa County.

STEP 4: Capital Improvements

Staff is currently working with Tracy Air Center on negotiating a ground lease for the construction of a restaurant. Tracy Air Center is also interested in building corporate hangars at the airport. Once construction is underway on the restaurant, staff will explore options for a corporate hangar ground lease.

The construction of corporate hangars at the airport is contradictory and mutually exclusive of the shortening of the runways to 3996 feet and the reclassification of the airport as a small airport as discussed prior.

S-9: Shorten 3 and Remove 1 Obstruction Light

As part of the latest inspection by Caltrans, it was suggested to shorten 3 and remove one of the obstructions lights in the south hangar area. Estimated cost is \$2,000 and the potential funding source is Caltrans.

Two of the obstruction lights should be removed and the remaining two should be relocated so that they are adjacent to the hangar buildings. The location of the obstruction lights in the middle of the aircraft movement area causes them to be an obstruction and a safety hazard.

S-19: Removal of Aligned Taxiway

The FAA has required that the aligned taxiways at both ends of runway 08/26 be eliminated. The estimated cost for this is \$100,000 and the potential funding source is the FAA.

We believe that there is no requirement from the FAA to remove the aligned taxiways at both ends of runway 08/26. The City has failed to provide any documentation regarding this issue after repeated public records requests as required by law. The relocated thresholds on runway 08/26 must be changed back to displaced thresholds as they were prior to their re-designation as relocated. Staff indicated at a TAA earlier this year, that the re-designation was a mistake and that the displaced thresholds would be restored. The only benefit of the relocated thresholds and to removal the aligned taxiways is a reduced impact on the construction of Tracy Hills by allowing reduced safety zones and construction closer to the airport. Safety is significantly decreased and the usefulness of the airport is decreased. This is in violation of the transfer deed to the airport.

M-2: Airport Site Study

See Step 5 under item S-22 above. The current airport is somewhat limited in its growth due to the surrounding development. A site study would take into consideration an ideal location for a new airport which could grow much larger and accommodate larger airplanes than the current one. The estimated cost for this item is \$200,000 and the potential funding source is the FAA.

TAA asked that this item be removed. Staff indicated via email that this item would be removed. Poor planning on the part of the City of Tracy over the past 80 years will not justify the expenditure of +\$100M by the FAA to construct a new airport at an inferior location.

When the Tracy airport was constructed, extensive studies were conducted to identify the best location and the best runway orientation. Both of these criteria were met when the airport was constructed. TAA discussed the relocation of the airport with the FAA planning staff and they indicated that Tracy has a perfectly good airport and that they have no plans to construct a new airport. This study would be a waste of \$200,000.

Tracy Airport is already built on the best location.

It is the City's legal and moral responsibility under FAA grant assurances and the Transfer Deed from the US government to protect the airport and not reduce its usefulness as an airport.



City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

**PARKS & COMMUNITY
SERVICES DEPARTMENT**

MAIN 209.831.6200
FAX 209.831.6218
www.ci.tracy.ca.us

Memorandum

Date: January 9, 2012
To: City Council
From: Leon
Subject: Airport Runway Update

On October 18, 2011, City Council held a joint meeting with the Transportation Advisory Commission. During this meeting a list of items were presented to Council as potential improvement items for the Tracy Municipal Airport. Two items of particular concern were Short Term Items S-17 (Seal Coat on Runways and Taxiways) and S-21 (Confirm Runway Lengths on Runway 12/30).

Since that joint meeting, the runway has been surveyed. Under the current conditions and markings the actual length of runway 12/30 is 3,996 feet. This length will be considered as the base starting point for future airport multi-phase planning efforts as well as defining optimal runway lengths to have the highest economic benefit to the City.

Regarding the pavement, core samples have been taken in 48 locations throughout the airport runways and taxiways and have been analyzed for composition. While a full report is not yet available, based on preliminary information, all 48 samples do not meet the required specifications as set forth in the original slurry seal bid documents. Once the full report has been received, staff will meet with the City Attorney and the FAA to determine a recommended course of action.

This information will be included in a report that will be presented to the Tracy City Council on January 17, 2012. This week the information will be presented to the Transportation Advisory Commission and the Tracy Airport Association.

Please contact Rod Buchanan, 209.831.6203, if you have any questions.

April 9, 2012

Mayor Brent Ives
City Council Members
Leon Churchill, City Manager
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376

Re: AIRPORT RUNWAY LENGTH AND RECLASSIFICATION
OF TRACY AIRPORT

Reference: FAA AIP #3-06-0259-09 to 11/ Tracy CIP # 7716

Dear Mayor, Council Members, City Manager:

It has come to our attention through information obtained from a Public Records Request that the City has been working to improperly reduce the length of runway 12-30 and thereby pursue reclassification of the airport as a small airport. Additionally, the City has improperly reduced the length of runway 26-08. Attached is a memo from Mr. Churchill to the council confirming these efforts. In an apparent effort to further this damage to the airport the January 17, 2012 Staff Report for Agenda Item #8 under topic S-21 incorrectly proposes to rely on defective resurfacing of the runways that failed to meet project specifications as a basis for future planning. Attached is the January 18, 2012 report confirming that the runway paving that was completed in 2008 was completely defective with the failure of all 48 of core samples taken and analyzed.

Members of the Tracy Airport Association (TAA) and Pilots that use the airport have brought their concerns to the City that the paving project was defective before the work was even completed in 2008. In this continuing process to correct the botched paving work it has been identified that the contractor incorrectly paved and/or marked less than the full length of runway 12-30. Additionally, the contractor incorrectly marked the full length of runway 26 by relocating its threshold. It is essential that any new resurfacing not only use correct material to avoid raveling that has been for years damaging aircraft and creating safety issues, but also that the entire runway 12-30 in excess of 4,002 feet be resurfaced, not just 3,996 feet of that runway that was improperly paved. It is also essential that markings for runway 26 be corrected so that the entire runway 26 is returned to 4,005 feet from its current 3,438 feet NOTAMed length. There is no justification for the relocation of the runway 26 threshold.

Based on Mr. Churchill's January 9, 2012 Memorandum it is clear that the City intends to use this contractor error in an attempt to improperly reclassify the airport from a medium airport to a small airport. This improper City objective was identified and brought to the Council's attention in 2008 based on staff comments to the 2009 ALUP update which were intended to facilitate development of the Ellis residential housing project. Strong objections to any attempts to reclassify the airport to a smaller size were made at that time. We were assured by the City that it was not their intent to reduce the airport size and in fact there were discussions about increasing the runway lengths.

5. The City discontinue negotiations with CPM to repair the airport surfaces and locate another company to complete the repairs that is both competent and capable to perform such work.
6. The City provide a corrected CIP list which does not show airport relocation contract proposal that is undisputedly an error.

We would like to meet with the City Manager and Mayor next week, the week of April 16th, to review this matter and confirm the corrective steps that will be taken. Please call or email me at 209-609-2162, dntanderson@yahoo.com to arrange this meeting.
Thank you.

Sincerely,

David Anderson
Tracy Resident, Tracy Airport Association Vice President

Attachments:

Memo To Council - Airport Pavement
E8614-06-01 Tracy Airport LMI 1.18.12 FINAL

cc: FAA
CalTrans
SJCOG/ALUPC
California Pilots Association
Experimental Aircraft Association
Aircraft Owners Pilots Association

- Planned Unit Development (PUD)
- Central Business District (CBD)

Growth Management Ordinance

The City of Tracy adopted the residential Growth Management Ordinance (GMO) Guidelines in 1987. The GMO was amended from time to time with significant amendments occurring in 1994, 2000, and again most recently in June 2009. Growth management in the City is intended to:

- Achieve a steady and orderly rate of residential growth in the City, and encourage diverse housing opportunities balanced with the City's obligation to provide public facilities and services with available fiscal resources;
- Regulate the timing and annual amount of new development projects, so that necessary and sufficient public facilities and services are provided, and so that new development projects will not diminish the City's level of service standards;
- Encourage concentric (contiguous) growth of the City;
- Encourage development which will efficiently utilize existing, and planned future, public facilities;
- Encourage a balance of housing types in the City which will accommodate a variety of persons, including affordable housing projects which will accommodate persons of very low, low, and moderate income, and persons on limited or fixed incomes;
- Implement and augment the City policies related to the regulation of new development as set forth in the General Plan, specific plans, City ordinances and resolutions, master plans, finance and implementation plans, and design documents.

Under the GMO, builders must obtain a Residential Growth Allotment (RGA) in order to secure a residential building permit. The GMO limits the number of RGA's and building permits to an average of 600 housing units per year for ~~above moderate income~~ ~~market rate housing~~, with a maximum of 750 units in any single year. The maximum of 750 units includes an annual allocation of 150 units reserved specifically for affordable housing. The GMO is not intended to limit the production of affordable housing, small projects, or rehabilitation, therefore a number of exemptions and exceptions were included in the GMO. The number of RGAs and building permits (hereafter "building permits" or "permits") issued to projects that meet the following requirements is not limited by the GMO:

- The rehabilitation or remodeling of an existing structure or conversion of apartments to condominiums.
- The replacement of legally established dwelling units that were demolished.

- The project is a fourplex or lesser number of dwelling units developed on a single existing lot.
- The project is a secondary residential unit.

The City of Tracy has issued permits for affordable housing and the above listed exceptions given Affordable Housing Project Exceptions to all residential developers who have applied for them. For the past several years, homes sale prices in Tracy have been such that moderate income households can afford to purchase median priced homes. Building permits within the normal limits of the GMO (without seeking Affordable Housing Project Exceptions) are so readily available, that residential developers have not needed to obtain Affordable Housing Exceptions. Currently, the supply of building permits without Affordable Exception criteria exceeds the demand.

The number of building permits available each year as Affordable Housing Exceptions is set at a maximum of 150. The maximum of 150 was put in place through Measure A, approved by Tracy voters; therefore, the text in the GMO cannot be amended without another ballot initiative approved by voters. The City, however, is proposing a program that would ensure the RHNA by income category for the Housing Element planning period could be entirely accommodated, notwithstanding the numerical limits stated in Measure A or the GMO. The voter-approved Measure A provides in part,

“Nothing in this Initiative Ordinance shall be construed to preclude, prohibit, or limit the City from complying with any requirements under State housing law.”

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

Should the demand for building permits exceed Measure A limits in a calendar year, the City would issue building permits until the City’s RHNA obligation in each income category for the planning period has been met. Specifically, permits up to the RHNA for each income category could be issued in any year within the planning period after which point Measure A and GMO would limit further permit issuance. Permits needed to meet RHNA would still be counted toward the annual 600 average and 750 maximum.

Specifically, the program would add a new exemption in the GMO for building permits needed to meet the RHNA. The number of permits available through this exemption would be limited to the RHNA by income category during each planning period. Current exemptions in the GMO include the following: (1) rehabilitations or additions to existing structures; (2) conversions of apartments to condominiums; (3) replacement of previously existing dwelling units that had been demolished; (4) construction of “model homes” until they are converted to residential units; (5) development of a project with four or fewer dwelling units; and (6) secondary residential units.

Residential projects exempt from the GMO are not counted toward the 600 annual average or the 750 annual maximum. By adding another exemption (that is, building permits needed to

permitted. For supportive housing facilities that operate as group quarters, such facilities will be permitted as residential care facilities.

- *Single Room Occupancy Units (SROs)*: The City will amend its Zoning Ordinance to permit SROs with a Conditional Use Permit in the MDR and GHC zones.
- *Reasonable Accommodation*: The City will amend the Zoning Ordinance to implement a reasonable accommodation procedure to address reasonable accommodation requests.
- *Second Units*: The City will amend its Zoning Ordinance to permit second units in residential zones where a primary single-family unit already exists.
- *Manufactured and Mobile Homes*: The City will amend its Zoning Ordinance to allow manufactured/mobile homes installed on a permanent foundation in all residential zones where single-family dwellings are permitted.

Responsible Agency: Tracy Development and Engineering Services (DES) Department
Funding Sources: Departmental Budget

Program 1712: Growth Management Ordinance (GMO)

Under the GMO, builders must obtain a Residential Growth Allotment (RGA) in order to secure a residential building permit. The GMO limits the number of RGA's and building permits to an average of 600 housing units per year for above moderate income housing market rate housing, with a maximum of 750 units in any single year. The City is proposing to amend the GMO to ensure that the RHNA can be entirely accommodated within each income category for the Housing Element planning period. Specifically, the City is proposing to amend the GMO which would allow issuance of building permits, up to the City's RHNA in each income category based on HCD criteria. Should the demand for building permits exceed Measure A limits in a calendar year, the City would issue building permits until the City's RHNA obligation in each income category for the planning period has been met. The GMO shall be revised to include a new "RHNA exemption". The number of RGAs and building permits issued under this exemption shall be included in the existing calculations for GMO averages. Additionally, in no RHNA planning period shall the City issue permits that exceed the higher of GMO maximums or RHNA by income category.

~~The amendment would add a new exemption in the GMO for building permits needed to meet the RHNA.~~ By Contrast, current exemptions in the GMO include the following: (1) rehabilitations or additions to existing structures; (2) conversions of apartments to condominiums; (3) replacement of previously existing dwelling units that had been demolished; (4) construction of "model homes" until they are converted to residential units; (5) development of a project with four or fewer dwelling units; and (6) secondary residential units.

With the exception of the new RHNA exemption, residential projects currently exempt from the GMO are not counted toward the 600 annual average or the 750 annual maximum. By adding another exemption (that is, building permits needed to meet the RHNA), these, too,

would not be counted toward the annual 600 average or 750 maximum. The RHNA exemption, in contrast to the other exemptions listed above, would be limited to the number of permits necessary to achieve the RHNA for each income category during each Housing Element planning period.

In addition, the current GMO requires that the affordable units utilizing the affordable housing exemption be deed restricted for 55 years. Recognizing that the 55-year deed restriction term is not consistent with several State and federal housing programs, the City will be amending the GMO to reduce the affordability restriction to ten years.

Objectives and Timeframe:

- Amend the GMO within one year of the adoption of the Housing Element.
- Annually monitor and evaluate the Growth Management Ordinance for the impacts on the cost, supply and timing of housing including seeking input from residential developers and affordable housing stakeholders in reviewing the effects of the GMO. The annual review will analyze the ability to accommodate the City's regional housing need, constraints on supply and affordability of housing and the process for applying and reviewing allocations. The review will reflect the RHNA as a minimum and consider impacts on overall housing supply in addition to accommodating the RHNA. Factors to be considered include:
 - o New RHNA exemption program;
 - o Overall impacts on housing supply based on the new RHNA exemption in addition to the annual limit;
 - o Number of building permits issued under the exemption by income categories and housing type;
 - o Number of total applications, applications approved or denied and developer interest in applications;
 - o Timing for approving allocations; and
 - o Potential uncertainty associated with scoring criteria used to evaluate application for allocations.

Information will be included and evaluated as part of the annual Growth Management Status report, published in the fourth quarter of each calendar year. Based on the outcomes of the evaluation and consideration of stakeholder input, the City will establish appropriate action such as revising the ordinance within one year of the evaluation.

Responsible Agency: Tracy Development and Engineering Services (DES) Department
Funding Sources: Departmental Budget