

**Tuesday, July 2, 2013, 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 to a majority of the Council regarding an item on the agenda shall be made available for public inspection at the City Clerk's office (address above) during regular business hours.

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

Full copies of the agenda are available at City Hall, 333 Civic Center Plaza, the Tracy Public Library, 20 East Eaton Avenue, and on the City's website [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

PRESENTATIONS - Employees of the Month  
- Certificate of Recognition – Anne Marie and Rebecca Fuller

1. CONSENT CALENDAR

- A. Approval of Minutes
- B. Approval of the Final Subdivision Map and Subdivision Improvement Agreement for Muirfield 7 – Phase 4, Tract 3779, and Authorize the Mayor to Execute the Agreement
- C. Authorization to Award Chemical Bids for Water and Wastewater Treatment for Fiscal Year 2013-14
- D. Approve an Offsite Improvement Agreement with McDonald's USA, LLC, for the Construction of Street and Utility Improvements on Eleventh Street and "F" Street, and Authorize the Mayor to Execute the Agreement

2. ITEMS FROM THE AUDIENCE

- 3. PUBLIC HEARING DECLARING THE EXISTENCE OF WEEDS, RUBBISH, REFUSE AND FLAMMABLE MATERIAL ON EACH OF THE PARCELS LISTED IN EXHIBIT "A" TO THIS AGENDA ITEM A NUISANCE; CONSIDER OBJECTIONS TO ABATEMENT OF SAID NUISANCE, AND ADOPT A RESOLUTION AUTHORIZING FIRE DEPARTMENT STAFF TO ORDER CONTRACTOR TO ABATE SAID NUISANCES
- 4. REVIEW AND DISCUSS THE POTENTIAL FORMATION OF A SENIOR COMMISSION AND PROVIDE STAFF DIRECTION
- 5. RECEIVE AN UPDATE ON THE STRUCTURE FOR FIRE SERVICE GOVERNANCE AND APPROVE THE FIRE SERVICE GOVERNANCE STEERING COMMITTEE'S RECOMMENDATION REGARDING THE FUTURE GOVERNANCE STRUCTURE
- 6. AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE RESPONSIBLE BIDDER FOR THE TRANSIT STATION SECURITY CAMERAS - CIP 77545, AUTHORIZE ALLOCATION OF \$50,000 FROM TRANSIT CAPITAL F573 TO CIP 77545, AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT
- 7. COUNCIL DISCUSSION ON COST ESTIMATE TO ANALYZE CITY-WIDE FEES AND DIRECTION ON WHETHER OR NOT TO COMMISSION A STUDY TO DETERMINE IF CURRENT FEES ARE COVERING COST OF SERVICE
- 8. COUNCIL UPDATE AND AFFIRMATION OF CONTINUED SUPPORT FOR THE DELTA COALITION LOBBYING EFFORTS RELATED TO THE BAY DELTA CONSERVATION PLAN AND THE DELTA PLAN

9. ITEMS FROM THE AUDIENCE
10. STAFF ITEMS
11. COUNCIL ITEMS
12. ADJOURNMENT

**April 16, 2013, 7:00 p.m.**

City Council Chambers, 333 Civic Center Plaza

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Mayor Ives called the meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

The invocation was offered by Rajan Zed, Universal Society of Hinduism.

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

Mayor Ives presented a proclamation to Police Chief Hampton, in recognition of National Public Safety Telecommunications Week.

Mayor Ives presented a proclamation to Brian Pekari, Community Organizer, Tracy United to Make a Difference, in recognition of National Volunteer Week.

Mayor Ives presented a proclamation to Boys and Girls Club Executive Director – Kelly Wilson, and Chief Volunteer Officer - Mike Souza, in recognition of Boys and Girls Club Month.

Abigail Hickman presented the proceeds from an Animal Shelter fundraiser to Mayor Ives and Benjamin Miller, Animal Control Supervisor.

1. CONSENT CALENDAR - It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
  - A. Approval of Minutes – Regular Meeting Minutes of February 19, 2013, were approved.
  - B. Authorize Grant Applications for San Joaquin Valley Air Pollution Control District's (SJVAPCD) Public Benefit Grant Program and Authorize the Development Services Director to Execute Grant Documents – Resolution 2013-055 authorized the grant applications.
2. ITEMS FROM THE AUDIENCE – Wayne Schneider, 1401 Michelle Avenue, stated he was rejuvenating the Tracy Sports Hall of Fame with a kick-off banquet scheduled in April or May 2014. Mr. Schneider stated he was hoping Council would consider City Hall as the home to display plaques for those inducted into the Tracy Sports Hall of Fame.
3. PUBLIC HEARING TO ADOPT TWO MITIGATED NEGATIVE DECLARATIONS AND APPROVE THE CITYWIDE STORM DRAINAGE, PARKS, PUBLIC SAFETY, AND PUBLIC FACILITIES MASTER PLANS – Kuldeep Sharma, City Engineer, provided the staff report. Mr. Sharma stated that the City's existing Master Plans were approved in mid-1990s and the City adopted its new General Plan on February 1, 2011. The new General Plan identifies existing and new areas of development within and around the

existing City limits. It includes areas east of the City up to Banta Road and to the west up to the Altamont Pass south of I-205. The new General Plan also includes the Larch Clover area both north and south of I-205.

Due to the increased development interest in the General Plan area, various property owners requested in 2009, that the City finalize the Infrastructure Master Plans to serve the new developments. The City acquired the services of various consultants to finalize the Infrastructure Master Plans and complete the environmental documents for a total cost of \$3.1 million.

The Roadways and Transportation Master Plan was completed ahead of the other Master Plans since it identifies the location and alignments of the roadway network which is essentially used for the layout of the other infrastructure elements. Council adopted the Citywide Roadway and Transportation Master Plan at a special Council meeting on November 26, 2012. Water and Wastewater Master Plans were approved by Council on January 15, 2013.

The City's Storm Drainage Master Plan was completed by Stantec Consulting, Inc. of Sacramento, California. In addition to the East and West side channel watershed, the Master Plan identified the Lammers watershed area and storm drainage collection systems. The Master Plan provides amendments to the East side channel system to include new areas of development. The storm drainage system provides a combination of channels, pipe systems, and detention basins.

MIG, Inc. of Portland, Oregon is the City's consultant responsible for completion of the Parks Master Plan. The Master Plan reconciles the City's existing park acreage and facilities, and further identifies park requirements from new residential developments. Three acres of neighborhood parks and one acre of community park acreage will be added per 1,000 of new population. The minimum acreage of park will be six acres for a neighborhood park.

The City's Public Safety Master Plan was prepared by Indigo/Hammond + Playle Architects, LLP after extensive coordination with the Police and Fire Departments. The plan studied various alternatives to meet safety needs as a result of new developments in Tracy. With the full build out of the City's General Plan, a new Police facility will be required in the Eleventh Street corridor.

The existing Police facility will become Public Safety Center with EOC, dispatch, evidence, and data center. The existing firing range site at the south end of town will be upgraded to provide a joint Fire and Police training facility.

The City's Public Facilities Master Plan was also prepared by Indigo/Hammond + Playle Architects, LLP after coordination with multiple departments including Parks and Public Works. New developments will require expansion of the existing facilities at the Boyd Service Center, Community Center, City Hall, and additional facilities for the Public Library and Aquatics Center. All new residential and non-residential developments will share the costs of new facilities. However, costs attributed to Parks and Library facilities will be borne by new residential development only.

In accordance with the California Environmental Quality Act (CEQA) Guidelines, two Initial Study/Section 15183 Analyses and Mitigated Negative Declarations (IS/MND) were prepared to evaluate potential environment effects of the project. One IS/MND was prepared to analyze the Storm Drain Master Plans and the other IS/MND analyzed the potential effects of the Parks, Public Facilities and Public Safety Master Plans. Each of these IS/MNDs include Mitigation Monitoring and Reporting Programs for implementation.

There is no impact to the General Fund from approval of the Citywide Storm Drainage, Parks, Public Safety, and Public Facilities Master Plans. The cost of completion of the Master Plans, and their CEQA documentation was funded by the development community. The cost of construction of the physical infrastructure listed in the Master Plans will be borne by the developments through development impact fees or other funding mechanisms without any impact to the City's General Fund.

Staff recommended that Council adopt the Mitigated Negative Declarations and approve the Citywide Storm Drainage, Parks, Public Safety, and Public Facilities Master Plans.

Mayor Ives referred to the Storm Drain Master Plan, asking if the plan provides the opportunity to mitigate vulnerabilities related to the "first flush" concept. Mr. Sharma stated the Plan does comply with all current requirements. Mayor Ives asked if the potential exists to treat this water. Mr. Sharma stated the concept was not part of the Master Plan.

Mayor Ives asked if the Public Safety Master Plan propagates a level of staffing that currently exists. Mr. Sharma stated yes.

Mayor Ives asked if there were fire related assumptions regarding Mountain House related to facilities. Al Nero, Fire Chief, stated the current agreement with Mountain House contemplates additional fire houses as the area continues to grow. Mayor Ives asked if a fire training facility was included in the Plan. Mr. Shama stated yes.

Mayor Ives asked if the Parks Master Plan was reviewed by the Parks and Community Services Commission. Mr. Sharma stated yes. Mayor Ives asked if the Plan included any design direction related to how parks are built (i.e., flat or rolling). Mr. Sharma stated the guidelines suggest parks surfaces that are flat.

Mayor Ives opened the public hearing. As there was no one wishing to address Council on the item, the public hearing was closed.

Council Member Rickman asked how the amenities were determined for each park. Mr. Sharma stated the Plan provides a menu of activities and was based on park size, existing amenities, and funding.

Mayor Pro Tem Maciel asked how far in the future the Master Plans were projecting. Mr. Sharma stated 25-30 years.

Council Member Young asked about plans for the Lolly Hansen Senior Center. Mr. Sharma indicated improvement plans for the Senior Center call for the addition of 1,100 square feet.

Council Member Rickman asked if any consideration had been given to attaching the Senior Center to the Community Center. Mr. Sharma indicated options were explored, and the proposed improvements were found to be the preferred option.

Council Member Rickman asked if seniors were given the opportunity to provide input. Mr. Sharma stated input would be sought at the design stage.

Council Member Young indicated it would be nice to have a senior area that included a combined Senior Center and Community Center.

Mr. Sharma explained that upon completion of the Master Plans, a Finance and Implementation Plan would be prepared which would prioritize the projects and provide Council and the community with a clearer picture.

Council Member Young asked if the Finance and Implementation Plan would return to the current or future Council. Mr. Sharma stated the Finance and Implementation Plans are updated every year.

Mayor Ives asked if the City was constrained related to public facilities as described in the Master Plan. Mr. Sharma stated staff used the existing Master Plans and limited the scope to those areas. Mayor Ives asked if that flexibility was mandated by law. Mr. Sharma explained that AB 1600 relates to a nexus of the areas and uses, and allows some flexibility. Mayor Ives asked if Council was constrained by the projects identified in the Master Plans. Mr. Sharma stated yes.

Mayor Ives asked when the Finance and Implementation Plans would return to Council. Mr. Sharma indicated within the next couple of months.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to adopt Resolution 2013-056, adopting two Mitigated Negative Declarations and approving the Citywide Storm Drainage, Parks, Public Safety, and Public Facilities Master Plans. Voice vote found all in favor; passed and so ordered.

4. COUNCIL DISCUSSION REGARDING GENERAL SITE SELECTION CRITERIA AND A REGIONAL DEVELOPMENT FEE COMPARATIVE ANALYSIS RECENTLY COMPLETED BY THE SAN JOAQUIN PARTNERSHIP – Andrew Malik, Development Services Director, provided the staff report. Mr. Malik stated that in order to develop and implement an effective Economic Development Strategy and attract private investment into the community, it is important to understand which site selection factors influence those private investment decisions. Even more important, is how to specifically meet the needs and expectations of companies relative to those site selection factors.

There are numerous site selection factors that play a role in attracting new development; retail establishments will typically look at population growth and density, disposable income, traffic counts, etc., while manufacturing facilities may focus more on proximity to consumer markets, supplier proximity, energy costs, and labor availability. Area Development Magazine recently surveyed over 120 national site selection consultants and provided a comprehensive list of the typical selection factors being reviewed by firms in a broad range of industries - from Manufacturing to Healthcare/Life Sciences to

Data Centers. Annual tracking of these survey findings is important because it shows how site selection factors can change over time. The article and survey identifies 26 site selection factors and nine Quality of Life factors used to make new location decisions.

The survey findings represent a collective view from site selection consultants and corporate real estate executives across the nation. It is important to understand that Tracy's economy and competitive position is part of the larger national and international economy. For example, earlier this year Tracy was one of a few cities who hosted a Chinese delegation interested in pursuing a renewable energy manufacturing project.

Staff also participates with the State of California at national tradeshows targeting Renewable Energy, Bio-Tech, Advanced Manufacturing, and Medical Design industries. Another example of how Tracy competes on a regional and national scale can be seen by the recent attraction of Amazon. The City was able to successfully communicate how our competitive benefits and position were a match for Amazon's global location strategy.

While there are certain site selection factors that are outside of the control or authority of the City, staff, over the past few years have been working diligently to address those factors that the City can control. Through the Council's actions over the past 3-5 years, Tracy has made great progress toward addressing the fundamental site selection factors in order to compete and attract private investment.

The Site Selection Consultant Survey also included findings related to Quality of Life factors that can influence the decision to locate a new facility within a community. There is a typical saying that everyone in a community is involved in Economic Development; this supports that theory. There are numerous factors that influence the decision to locate a new facility within a community. While prioritized as 11 out of 26, fees and occupancy costs are still an important factor in the site selection process. As such, the San Joaquin Partnership (SJP) has been working on an updated Regional Development Fee Comparative Analysis to show how individual cities and the region compare relative to development impact fees.

The Regional Development Fee Comparative Analysis is the fourth publication that has been prepared by the SJP. The purpose of the study is to provide a comparative basis for regional competitiveness. The comparative analysis of the report provides a snapshot of the permitting, infrastructure, mitigation and finance district costs of 21 jurisdictions utilizing six basic land use models: Residential (single-family and multifamily), Commercial (retail and office), and Industrial (logistics and manufacturing).

The SJP e-mailed questionnaires to 28 jurisdictions requesting development fee information based on fee schedules effective July 1, 2012, on each of the six development model types. The SJP received completed questionnaires from 18 jurisdictions. Using individual jurisdictions published development fee schedules, the SJP completed the calculations for three additional communities (Livermore, Patterson, and Mountain House).

The SJP determined that the use of a "model" structure would be the most effective tool to compare development fees among the 21 jurisdictions. The development fees identified within the analysis related to new construction and included the respective



jurisdictions fees related to Building Permit and Plan Check Fees, Public Facilities Fees, Infrastructure, Other Agencies, and Finance Districts and Taxes.

Mr. Malik provided several comparative charts on the overhead and outlined their significance.

Tracy's development fee structure, for the six models analyzed, falls generally in the middle range among the regional competition. In other words, Tracy's development fees are generally lower than those jurisdictions closer to the Bay Area or along the Hwy 80 corridor, but are higher than some jurisdictions farther into the Central Valley. There are some development models (Office and Retail) where Tracy has even lower development fees than most of the jurisdictions in the Central Valley.

It is important to note that cities must follow very strict State regulations (AB 1600) when it comes to establishing impact fees. Impact fees charged to new development must show a nexus to the infrastructure needed for those same developments. Cities cannot simply lower or raise development fees without some justification or relationship to the infrastructure needed. If impact fees are lowered and development standards have not been correspondingly reduced, then there may be impacts to those city's general funds.

Tracy's development fees are competitively positioned in the region. The City's design standards and amenities funded by new development (bike/pedestrian trails, recreational facilities, library etc.) will ensure that Tracy is an attractive destination for quality job generating employers now and into the future. Tracy is positioned as the high value proposition for business investment and offers a superior service based on speed to market coupled with a superior location.

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

Mayor Ives briefly discussed strategies regarding fees and how it relates to specific types of development.

Council Member Rickman stated now that the City knows how it compares regionally, it was time to identify what we want and pursue it aggressively. Mr. Malik stated the report was fundamental and that the City has the economic strategy to make it a reality.

Council Member Rickman indicated with the lack of freeway frontage property in the East Bay, it provides Tracy with an opportunity to shine in that area.

Mayor Pro Tem Maciel indicated it was important to keep in mind that all things are not equal and that it was truly a balancing act.

Council Member Young stated it was important to note how expedited permitting has moved up in priority for developers, and complemented staff for their efforts.

Council Member Manne thanked staff for the report and for their efforts in fast track permitting.

Council accepted the report.

5. DISCUSS THE PROPOSED COUNCIL STRATEGY AREAS, GOALS AND OBJECTIVES, AND PERFORMANCE MEASURES FOR FY 14/15 AND FY 15/16 AND PROVIDE DIRECTION TO STAFF – Leon Churchill, Jr., City Manager, introduced the Leadership Team members who would be presenting the goals.

Ana Contreras, Community Preservation Manager, presented the Public Safety Strategy. The purpose of the Public Safety Strategy is to create a safe community by promoting a responsive public safety system that includes civic engagement and partnerships, community involvement, public education and offering prevention, intervention and suppression services that meet the needs of Tracy residents.

The four goals identified in the Public Safety Strategy include the following: (1) Partner with and engage residents to address public safety concerns, (2) Promote public health, safety, and community welfare by responding and addressing unsafe, unhealthy or blighted conditions in homes, neighborhoods and the entire community, (3) Enhance citywide disaster preparedness, and (4) Reduce the number of major injury collisions.

For Goal 1, Partner with and engage residents to address public safety concerns, two objectives have been identified:

Objective 1: Increase awareness on vandalism and public nuisances in parks and neighborhoods.

Objective 2: Increase public education and visibility within the community to include public educational programs by the Police Department, Fire Department, and Code Enforcement by attending community events such as the Tracy Bean Festival, Juneteenth festivities, etc.

Five performance measures have been identified to ensure goals are being met. These include: Increase visibility and usage of GO Request smart phone app (Government Outreach) to internal and external customers by 20%; Re-establish an Adopt a Park program, with the adoption of four parks during years 2013/2014 and an additional four during year 2014/2015; Increase VIP participants by 10% annually; Increase Drown Without a Sound presentations by 10% annually; Increase Neighborhood Watch program by 5% annually.

For Goal 2, Promote public health, safety, and community welfare by responding and addressing unsafe, unhealthy or blighted conditions in homes, neighborhoods and the entire community, three objectives have been identified: These include the following:

Objective 1: Address violations of all City and State codes.

Objective 2: Inspect and respond to complaints of violations, deficiencies, zoning or other public nuisance conditions.

Objective 3: Create a more streamlined approach in the enforcement process for violations that cross departmental lines, such as weed abatement and inoperable vehicles.

There are five performance measures associated with the Public Safety Strategy Goal 2: Increase field inspections annually by 10%; Resolve 98% of all violations annually without court action; Complete initial inspection within 72 hours of report of violation;

Broaden education platform to include outreach through K-8 school grades; Implement an internal training program to address the abatement process of inoperable vehicles and overgrown weeds and rubbish by other departments.

For Goal 3, Enhance citywide disaster preparedness, two objectives have been identified:

Objective 1: Create and implement a community education program for both internal and external customers to prepare and respond to man-made and natural disasters.

Objective 2: Develop a safety plan in the event of power outage, technological failure or natural or man-made disasters to as not to impact public safety.

Three performance measures for Public Safety Strategy Goal 3 are: Increase Community Emergency Response Team (CERT) graduates by 10% annually; Participate in the annual Statewide "Great Shake Out" Earth Quake Preparedness Drill; Implement a City Hall Emergency Evacuation and Safety Plan for City Hall employees.

For Goal 4, Reduce the number of major injury collisions, two objectives have been identified:

Objective 1: Increase awareness of distracted drivers and no texting while driving initiatives.

Objective 2: Increase traffic related enforcement by 5%.

The three performance measures for Goal 4 are: Conduct presentations to all local high schools regarding distracted driving and texting while driving statistics; Develop and distribute literature at a citywide level on current trends relating to distracted driving and don't text while driving initiatives; Participate in three community safety events.

Mayor Ives asked what the timeline was for the strategies. Mr. Churchill indicated it represented a two year business plan.

Mayor Ives asked that the Council look at the purpose statements to ensure they have captured what the Council wants to achieve.

Mayor Pro Tem Maciel stated the purpose statement was all-encompassing, but in the execution, he did not find "suppression" represented in the strategy. Mr. Churchill indicated the business plans focus on those items that are new or altered and do not necessarily outline the day-to-day operation of the City.

Mayor Pro Tem Maciel indicated he liked the idea of adopting a park and asked if community involvement would be sought for those parks that may require additional work. Ms. Contreras indicated the concept was presented several years ago and that once staff begins implementation of the program, the Parks and Community Services Commission would be involved in establishing a program and criteria for adopting a park.

Council Member Manne asked if the strategic priority team members were provided with the results of the Council's priorities from the workshop. Ms. Contreras stated yes.

Mayor Ives stated he took exception to one word "create" which would imply one does not exist. Mayor Ives indicated he wants it clear to everyone reading the statement that the City's public safety culture and the way the City deals with public safety reflects the values of our City. Council Member Young suggested the word "foster".

Mayor Ives asked for clarification regarding Public Safety Goal 2, Objective 2. Ms. Contreras stated the purpose was to eliminate duplication of staff resources.

Mayor Ives referred to Goal 3 and asked if there was a retention program regarding CERT graduates. Mayor Ives asked if the Council could do more for the program such as providing a home. Al Nero, Fire Chief, stated the CERT program was a valuable part of the public safety umbrella and the City has increased the number of graduates and trainees. Fire Chief Nero stated the City was not having a problem in retaining CERT graduates. Fire Chief Nero added that the goal was to increase the number of CERT graduates to incorporate them with emergency response teams with the Fire Department and Police Department. Fire Chief Nero stated there was a home for CERT in the Fire Administration building for storage, meeting and training.

Council Member Young referred to Goal 3 and asked where individuals would obtain information regarding the City Hall Emergency Evacuation and Safety Plan. Council Member Young asked if community education on emergency preparedness was planned for over the next two years. Ms. Contreras stated a training opportunity was scheduled for October 2013, for the Central California region.

Monica Gutierrez, Management Analyst, presented the Quality of Life Strategy. The purpose of the Quality of Life Strategy is to provide an outstanding quality of life by enhancing the City's amenities and services and cultivating connections to promote positive change and progress in our community.

Four goals identified in the Quality of Life Strategy include: (1) Improve current recreation and entertainment programming and services to reflect the community and match trending demands, (2) Address City amenities and facility usage with an emphasis on accessibility and streamlined services, (3) Cultivate Community Engagement through digital and traditional means, and (4) Coordinating community outreach with all four strategies.

For Goal 1, Improve current recreation and entertainment programming and services to reflect the community and match trending demands, three objectives have been identified:

Objective 1: Analyze current programming participation trends and submitted evaluations.

Objective 2: Interpret City and School District demographic shifts and recommend service improvements accordingly.

Objective 3: Restructure recreation programming and cultural arts services throughout the City to align with above.

Five performance measures have been identified to ensure goals are being met. The first year performance measures are as follows: Review at least 80% of submitted

evaluations from classes between the summer of 2012 and summer of 2013; Generate a quarterly report from class to view participation trends; Pilot at least three new recreation and cultural arts classes/programs per season; Present at least six presentations to City departments, including Council on the demographic changes affecting programming and recreational services; Increase resident enrollment by 10% in City classes.

For Goal 2, Address City amenities and facility usage with an emphasis on accessibility and streamlined services, three objectives have been identified:

Objective 1: Update facility use policies to protect and preserve our current inventory of amenities

Objective 2: Explore public-private facility initiatives geared towards a multi-use facility.

Objective 3: Implement facility and class software improvement recommendations to sync, facility rentals, class enrollments and cultural art needs.

Five performance measures have been identified to ensure goals are being met. These measures pertain to the two year plan and include: Conduct at least three community conversations with facility users to discuss policy; Provide management with a semi-annual inventory of current partnerships; Launch new class software; Increase software registrants by at least 10%; Train at least ten staff members on the new class software. For Goal 3, Cultivate Community Engagement through digital and traditional means, three objectives have been identified:

Objective 1: Develop a value based marketing and communications plan that bridges the gap between residents, businesses and the city.

Objective 2: Implement an on-line citizen engagement plug-in to the website that allows residents to share ideas, comment on agenda items and receive news at their leisure.

Objective 3: Explore media partnerships with local news agencies to feature or provide column space for City news, editorials and information.

There are five performance measures associated with the Quality of Life Strategy Goal 3. These measures pertain to the two year plan and are as follows: Circulate four marketing pieces to strategic locations throughout the city; Increase digital users of current City tools by 20%; Increase website "new" visitor hits by 15%; Produce at least six articles/information pieces for media publication; Host at least two media receptions at City Hall.

For Goal 4, Coordinating community outreach with all four strategies, two objectives have been identified:

Objective 1: Implementation of an electronic communication strategy to enhance civic engagement.

Objective 2: Assist Public Safety strategy team with Goal 1, Objective 2, Increase public education and visibility within the community to include public educational programs by the Police Department, Fire Department, and Code Enforcement by attending community events such as the Tracy Bean Festival, Juneteenth

festivities, etc., and the Economic Development team with Goal 2, Objective 2 (Increase the recreational opportunities and events that draw people into Tracy).

There are four performance measures associated with the Quality of Life Strategy Goal 4. These measures pertain to the two-year plan and are as follows: Increase visibility and usage of email subscription service to internal and external customers by 20%; Collaborate with strategy teams on at least four public education and marketing events; Identify at least six community outreach opportunities; Create four email distribution templates for City departments.

Mayor Pro Tem Maciel asked if piloting three new programs per season referring to Goal 1, Performance Measure 3 was done in conjunction with programs that might not be worthy of continuing. Ms. Gutierrez stated that was correct and provided an example.

Mayor Pro Tem Maciel asked for clarification regarding producing media pieces and hosting media receptions. Ms. Gutierrez indicated the goal was to partner with local media and the community.

Council Member Manne asked if implementing the "Class" software referred to in Goal 2, Objective 3, was something the City already has or would it be a capital improvement project. Ms. Gutierrez stated funding had already been appropriated for the software and staff was looking at models trying to determine the best fit.

Ed Lovell, Management Analyst, provided the Governance Strategy. The purpose of the Governance Strategy is to retain and attract new talent, enhance fiscal stability, and improve the use of technology for the betterment of the community of Tracy.

Three goals identified in the Governance Strategy include the following: (1) Further develop an organization that attracts, motivates, develops and retains a high quality, engaged, informed and high-performing workforce, (2) Ensure continued fiscal sustainability through financial and budgetary stewardship, (3) Identify technological resources to promote communication and civic engagement, enhance City services, and promote organizational productivity.

For Goal 1, Further develop an organization that attracts, motivates, develops and retains a high quality, engaged, informed and high-performing workforce, three objectives have been identified:

- Objective 1: Identify outreach opportunities to promote Tracy as a desirable place to work
- Objective 2: Affirm organizational values
- Objective 3: Evaluate and promote Tracy W.I.N.S. (When Initiative Nurtures Success)

Five performance measures have been identified to ensure goals are being met. These include: List of methods for outreach and promotion of Tracy is created; Analysis of interdepartmental sampling of organizational values, and revise if necessary; Maintain 95% enrollment capacity in each Tracy Performance Institute (TPI) class; 80% of all TPI course evaluations rates four or above; Analysis of curriculum.

For Goal 2, Ensure continued fiscal sustainability through financial and budgetary stewardship; three objectives have been identified: These include the following:

- Objective 1: Update General Fund reserve policy.
- Objective 2: Development of revenue strategies.
- Objective 3: Development of expenditure reduction strategies.

There are four performance measures associated with the Governance Strategy Goal 2. They are as follows: Updated General Fund reserve policy that is part of the annual budget book; Comprehensive fee study of development fees with proposed fees and rates; Council approved one-time revenue policy; Council approved long term liability strategy.

For Goal 3, Identify technological resources to promote communication and civic engagement, enhance City services, and promote organizational productivity; two objectives have been identified:

- Objective 1: Develop Information Technology (IT) policy guidelines to coordinate and streamline the implementation of new software/hardware.
- Objective 2: Implement productivity initiatives to improve organizational effectiveness.

The three performance measures for Governance Strategy Goal 3 are: Policy for software/hardware standardization throughout the City developed; Areas identified where technology can be used to make improvements along with associated costs; Prioritized technology resource list along with associated costs.

Council Member Rickman indicated residents may not be aware of the iPhone applications.

Mayor Pro Tem Maciel referred to governance asking if Council should be looking at their goals or at staff goals. Mayor Ives outlined opportunities for Council development if so desired by Council.

A discussion ensued regarding transparency and governance.

Mayor Ives proposed wording "... to improve the use of technology to enhance transparency for the betterment of the community of Tracy". Mr. Lovell stated it would be added to the purpose statement.

Amie Mendes, Economic Management Analyst, provided the Economic Development Strategy. The purpose of the Economic Development Strategy is to enhance the competitiveness of the City while creating a strong and diverse economic base.

The four goals identified in the Economic Development Strategy include the following: (1) Create head-of-household jobs reflective of the City's target industries and those that best match the skill sets of the local labor force, (2) Attract retail and entertainment uses that offer residents quality dining, shopping and entertainment experiences,(3) Support a higher education presence in Tracy, and (4) Position Tracy as the preferred location for start-up companies and entrepreneurial investment.

For Goal 1, Create head-of-household jobs reflective of the City's target industries and those that best match the skill sets of the local labor force, three objectives have been identified:

Objective 1: Focus business recruitment efforts on identified target industries – including: Medical Equipment and Supplies, Food Processing, Renewable Resources and Technology, Manufacturing, Backroom Office and Information Technology.

Objective 2: Foster relationships with the existing business community to support the overall upgrade and expansion of employment opportunities.

Objective 3: Continuously improve the streamline permit process and ensure quality infrastructure to meet future development needs.

Three performance measures have been identified to ensure goals are being met. These include: Increase overall job growth by 5% citywide annually; Target 30% of new jobs annually to be head-of-household positions; Approve four Grow Tracy Fund Loans to new/existing businesses.

For Goal 2, Attract retail and entertainment uses that offer residents quality dining, shopping and entertainment experiences, three objectives have been identified:

Objective 1: Focus retail recruitment efforts on quality retailers and restaurants that meet the desires of the community.

Objective 2: Increase the recreational opportunities and events that draw people into Tracy.

Objective 3: Collaborate with and support the Tracy City Center Association in an effort to increase the drawing power of the downtown.

There are four performance measures associated with the Economic Development Strategy Goal 2 as follows: Attract five 'unique' retailers that are not currently in the trade area; Increase sales tax revenue by 8% annually; Increase Transient Occupancy Tax (TOT) revenue by 5% annually; Decrease downtown vacancy rate by 5% annually.

For Goal 3, Support a higher education presence in Tracy, three objectives have been identified:

Objective 1: Research and collect supportive data to demonstrate the regional demand for higher education.

Objective 2: Identify potential higher education partners and begin marketing and outreach efforts to encourage the development of programming in Tracy.

Objective 3: Partner with the current university recruitment group in educating the Tracy community on the assessment and possible benefits of higher education in Tracy.

The two performance measures for Economic Development Strategy Goal 3 are: Distribute marketing and outreach materials to a dozen higher education institutions; Meet with and tour four higher education institutions in Tracy.



For Goal 4, Position Tracy as the preferred location for start-up companies and entrepreneurial investment, two objectives have been identified:

Objective 1: Promote the growth and development of existing incubator and entrepreneur programs in the region, including: San Joaquin Angel Network, Altamont Cowork, Tracy Chamber Entrepreneurs Group, etc.

Objective 2: Attract start-up companies and entrepreneurs from the Silicon Valley and Bay Area region.

There are three performance measures associated with the Economic Development Strategy Goal 4 as follows: Identify two office locations and associated funding to aid in the attraction of start-ups and entrepreneurs; Foster relationships with five start-up companies and/or entrepreneurs; Secure \$50,000 of sponsorship funding to further develop the initiative of attracting start-ups and entrepreneurs to Tracy.

Mr. Churchill concluded the presentation stating Council's comments would be incorporated. Mr. Churchill explained this government is based on unity of command and this organization will follow Council's direction.

Mayor Pro Tem Maciel clarified that the items listed are new goals and the City will also continue with what is working well. Mr. Churchill indicated the marketplace will bring the here and now to our doorstep; that our job is to push down and out and diversify the economy.

Mayor Pro Tem Maciel stated he wanted to ensure that there is balance.

Council Member Manne asked Ms. Mendes to elaborate on Goal 3 Performance Measures. Ms. Mendes stated it included bringing businesses to Tracy and touring the City.

Council Member Manne asked if staff believed that by distributing 12 marketing and outreach materials the City would get four new businesses. Ms. Mendes stated staff believed it was a good way to start the marketing.

Council Member Manne asked where the goal of four businesses came from. Ms. Mendes indicated it was a number staff believed could be accomplished.

Council Member Manne stated Goal 4 was not necessarily a Council objective and that it came from the State of the City address, asking if Council agreed it should be part of the strategy. Mayor Ives stated due to its visibility, it was important.

Council Member Young suggested changing the word "creating" to "developing" a strong and diverse economic base.

Council Member Young stated she viewed Goal 2, Objective 2 "increase the recreation" as an objective, but did not see it as a performance measure. Council Member Young added that the City needs a roller skating rink.

Council Member Rickman referred to Goal 4 in relation to small businesses stating positioning Tracy as the preferred location for start-up companies and entrepreneurial

investment could provide a lucrative job market in Tracy. Council Member Rickman stated economic development is intertwined with quality of life and that the City needed to identify what we want and go after it.

Council Member Rickman referred to Goal 2 and the location of businesses. Council Member Rickman suggested companies should be able to decide where they want to locate.

Mayor Ives asked what the term of the plan was. Ms. Mendes indicated the strategy is for two years.

Mayor Ives asked what a 5% increase in jobs would mean. Andrew Malik, Development Services Director, stated approximately 800 additional jobs.

Mayor Ives asked Mr. Churchill if he had the resources to achieve these objectives. Mr. Churchill suggested Council look at the Development Services budget when it is presented and that resources would have to be expanded to achieve the objectives.

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

George Riddle referred to Goal 3, Objective 2 on public safety, asking if there was already a plan in place. Mr. Riddle suggested after six months software/hardware becomes obsolete. Mr. Riddle stated he did not see any schooling listed for trade jobs.

Council Member Rickman stated Mr. Riddle had a good point regarding trade schools. Mayor Ives stated the plan does not preclude that type of schooling.

6. ACCEPT UPDATE ON SCHULTE ROAD SOLAR PROJECT - Rod Buchanan, Interim Public Works Director, provided the staff report. The Schulte Road property is approximately 200-acres in total and is located on the south side of Schulte Road, west of Lammers Road. On September 18, 2012, Council considered appropriating \$1,115,250 from the Residential Areas Specific Plan (RSP) Fund for costs associated with the removal of use restrictions and Federal reversionary rights on the 150-acre Schulte Road parcel. Council did not approve the appropriation and instead directed staff to request that General Services Agency (GSA) grant an extension while the City performed due diligence on the viability of a renewable energy project on the site.

GSA did grant a six month extension to the City on the following two conditions:

1. The City agrees to pay a \$50,000 deposit by November 14, 2012, which would be applied to the purchase price; and
2. Complete the purchase by April 1, 2013

On November 7, 2012, Council approved the appropriation of \$50,000 from the RSP Fund to be used for the deposit. Council also approved \$40,000 from the RSP Fund for necessary consultant services to assess the viability and best options for a renewable energy project on the site including obtaining and evaluation of necessary project development information, development of a Request for Proposals and evaluation of submitted proposals. An RFP was issued for consulting services and in December 2012, URS Corporation (URS) was the consultant chosen to assist the City. URS did finalize

the Schulte Road Renewable Energy Development Options report in February, 2013. The report stated that several development pathways could be pursued to implement a viable renewable energy project on the Schulte site. Given the many potentially feasible solar development options at the Schulte Road Site, URS recommended that the City request bids for solar developers for pursuing one or more of the development options addressed in the report. Based on responses received from bidders, the City could then make an informed decision about whether it is in the City's best interest to purchase the additional 150-acres.

An RFP was issued for project proposals on February 21, 2013, and two proposals were received on March 26, 2013. Concurrently, on March 7, 2013, a three-month extension request was sent to GSA in order to evaluate the responses, complete negotiations and execute an agreement. GSA responded and granted a four-month extension to complete the revisionary transaction under the following three conditions:

- 1) GSA will contract for an updated appraisal and requests that the City pay in the form of a deposit for the previous and updated appraisals in the total amount of \$9,500 by May 1, 2013;
- 2) The City will pay the updated abrogation amount reflected by the new appraisal, but not less than the previous abrogation amount of \$1,100,000.
- 3) The City Council will approve the resolution to purchase the property by July 20, 2013 and complete the transaction by August 1, 2013.

The GSA letter also states that if the City cannot complete the purchase by August 1, 2013 and voluntarily reverts the property, the \$50,000 deposit will be refunded and the \$9,500 will be retained to cover appraisal expenses.

Two proposals were received from reputable companies. Both Ecoplexus and SunPower are reputable bidders in the industry, and both are capable of delivering projects similar to those being proposed. The fact that two reputable, and capable, bidders have been engaged by this process confirms that a renewable energy project is potentially viable both in technical and financial nature on the Schulte site, and could potentially meet the City's objectives for beneficial use and financial gain. However, prior to being able to adequately recommend potential award, additional information is required from both bidders.

For purposes of comparison, attention was directed to the Ecoplexus "City RES-BCT" project option. This, and the project proposed by SunPower are nearly the same in size and scope. The terms achieved through negotiation of this project option could decide the awardee for that project and may serve as a basis of comparison in general between the two bidders.

The importance and purpose of the "interim payments" item in the RFP will be emphasized. Both proposals may contain contingencies on forward movement of projects prior to payment to the City. It will be made clear that interim or "site control" payments should be necessary for engagement, regardless of the potential in the future for the projects to never reach fruition. This is the nature of option agreements, and the bidders should be expected to agree to favorable interim payments to the City. This will also protect the City with guaranteed minimum revenue from the site and provide some incentive for speedy development.

It may be possible to ultimately engage both bidders for projects on the Schulte site. Engaging both bidders could benefit the City by essentially playing to the strengths of both developers, and could lead to favorable lease/option rates for the highest percentage of the total site acreage.

Logical next steps could include parallel engagement of both bidders in good faith negotiations to terms, financials, and additional information that could lead to an award for project development. URS has itemized details and points from both proposals that require further due diligence. Requests for further information from both bidders will be requested by URS on behalf of the City.

The City may also consider its own independent due diligence on the site to ensure that there are no pitfalls or fatal flaws associated with the site itself that may surface later in the project development cycle.

There is no fiscal impact for this report. The amount of \$50,000 has been previously paid to fulfill the request from GSA for a deposit. This amount is refundable in the event the City does not move forward with completing the acquisition of the Schulte Road property. The amount of \$9,500 is needed for a deposit for costs associated with previous and future appraisals and can be paid out of the current CIP (#79367).

Dustin Jolley, URS, provided a brief synopsis of the two proposals and stated it was his opinion that both proposers were reputable. Mr. Jolley further stated that prior to being able to recommend an awardee, additional analysis was needed along with further negotiation with the bidders.

Staff recommended that City Council accept the update on the Schulte Road Solar Project.

Mr. Buchanan added that Surland Communities submitted a letter of interest to purchase the 200 acre site and that staff would come back on May 21, 2013, and provide Council with all options.

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

It was moved by Council Member Rickman and seconded by Council Member Manne to accept the report on the Schulte Road Solar Project. Voice vote found all in favor; passed and so ordered.

7. ITEMS FROM THE AUDIENCE – None.
8. STAFF ITEMS
  - A. Receive and Accept the City Manager Informational Update - Leon Churchill, Jr., City Manager, provided the staff report. Mr. Churchill added that assertions of a \$5.5 million giveaway were misleading and bordered on scandal baiting.

Mr. Churchill stated America's innocence and optimism was shaken by the recent events in Boston and our hearts and prayers go out to those affected. Mr. Churchill added that today the City's optimism and innocence clawed back with the ribbon cutting ceremony of Legacy Fields.

Council accepted the City Manager's Informational Update.

9. COUNCIL ITEMS

- A. Consider Whether an Item to Discuss Naming the Firearms Facility Should be Placed on a Future City Council Agenda – It was Council consensus to place an item on a future City Council agenda to discuss naming the Firearms Facility.
- B. Appoint Applicants to the Transportation Advisory Commission - It was moved by Council Member Manne and seconded by Council Member Rickman to appoint Christina Frankel, Ameni Alexander and Michael Carter to serve four year terms on the Transportation Advisory Commission, expiring on April 30, 2017. Voice vote found all in favor; passed and so ordered.

Council Member Rickman asked if the Tracy Sports Hall of Fame item needed a sponsor. Mr. Churchill stated it was clear that Council directed staff to research the item and return to Council.

Council Member Young asked that an item be placed on a future agenda to determine if Council would like to discuss a Senior Commission.

10. ADJOURNMENT - It was moved by Council Member Manne and seconded by Council Member Rickman to adjourn. Voice vote found all in favor; passed and so ordered. Time: 10:08 p.m.

The above agenda was posted at the Tracy City Hall on April 11, 2013. The above are summary minutes. A recording is available at the office of the City Clerk.

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Mayor

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City Clerk

**May 7, 2013, 6:05 p.m.**

City Council Chamber, 333 Civic Center Plaza

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

1. CALL TO ORDER - Mayor Ives called the meeting to order at 6:08 p.m. for the purpose of a closed session to discuss the items outlined below.
2. ROLL CALL - Roll call found Council Members Manne, Rickman, Young, Mayor Pro Tem Maciel and Mayor Ives present.
3. ITEMS FROM THE AUDIENCE – None.
4. REQUEST TO CONDUCT CLOSED SESSION -
  - A. Pending Litigation (Gov. Code, § 54956.9(d)(1))
    - *Allred & McFarland v. City of Tracy, et al.*  
(San Joaquin County Superior Court Case No. 39-2009-00215510-CU- WT-STK)
    - *Espinoza v. City of Tracy, et al.*  
(San Joaquin County Superior Court Case No. 39-2011-00259854-CU- MC-TK)
  - B. Initiation of Litigation (Gov. Code, § 54956.9(d)(4))
    - Two potential cases
5. MOTION TO RECESS TO CLOSED SESSION – Mayor Pro Tem Maciel motioned to recess the meeting to closed session at 6:08 p.m. It was seconded by Council Member Manne. Voice vote found all in favor; passed and so ordered.
6. RECONVENE TO OPEN SESSION – Mayor Ives reconvened the meeting into open session at 6:45 p.m.
7. REPORT OF FINAL ACTION – City Council authorized the initiation of litigation in two matters.
8. ADJOURNMENT – It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adjourn the meeting. Voice vote found all in favor; passed and so ordered. Time: 6:45 p.m.

The above agenda was posted at City Hall on May 2, 2013. The above are action minutes.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

AGENDA ITEM 1.B

REQUEST

**APPROVAL OF THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR MUIRFIELD 7 – PHASE 4, TRACT 3779, AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT**

EXECUTIVE SUMMARY

City staff requests that City Council approve the Final Subdivision Map of Muirfield 7 – Phase 4, Tract 3779, to create 61 single family dwelling lots. Approval of the Final Subdivision Map will facilitate recordation of the Final Subdivision Map, and the issuance of the building permits to construct the residential houses. Standard Pacific Corporation, a Delaware corporation (Subdivider) has signed the Subdivision Improvement Agreement (SIA) for the construction of subdivision improvements to serve 61 single family dwelling lots.

DISCUSSION

The Tentative Subdivision Map for Muirfield 7 – Phase 4 Subdivision, a single-family residential subdivision with a total of 61 lots, was approved by the Tracy Planning Commission on May 22, 2013, pursuant to Resolution PC2013-0008. This subdivision is part of the Muirfield 7 Subdivision and is designated in the General Plan as LDR for residential low development.

At the Subdivider's request, City Council approved an Inspection Improvement Agreement on June 4, 2013, pursuant to Resolution 2013-079, to allow the Subdivider to proceed with the construction of subdivision improvements at their own risk and responsibility while the Final Map is in review process.

The Final Subdivision Map has now been reviewed as to its substantial compliance with design of the approved Vesting Tentative Subdivision Map. The Subdivision Improvement Agreement, Final Subdivision Map, and Improvement Plans are on file with the City Engineer and are available for review upon request.

The Subdivider has executed the Subdivision Improvement Agreement and posted security for the completion of the subdivision improvements. The Engineering Division has reviewed the Improvement Plans and all improvements required of Muirfield 7 – Phase 4 are guaranteed as part of the Subdivision Improvement Agreement with security.

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

FISCAL IMPACT

There will be no impact to the General Fund. Developer has paid the applicable engineering review fees which include the cost of processing the Final Subdivision Map and Subdivision Improvement Agreement.

STRATEGIC PLAN

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

RECOMMENDATION

That City Council, by resolution, approve the Final Subdivision Map for Muirfield 7 – Phase 4, Tract 3779, and authorize the Mayor to execute the Subdivision Improvement Agreement.

Prepared by: Criseldo Mina, Senior Civil Engineer

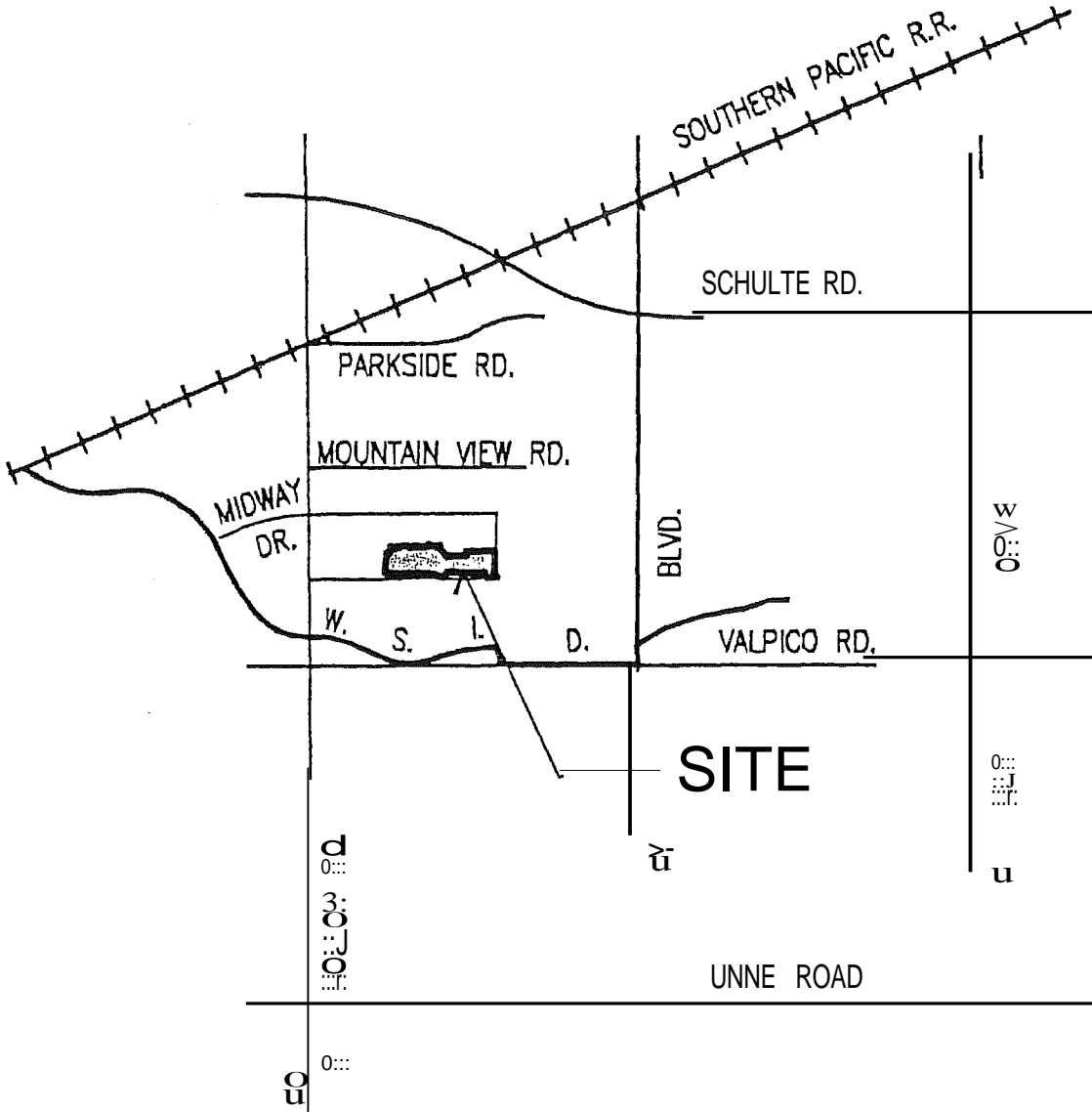
Reviewed by: Kuldeep Sharma, City Engineer

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

ATTACHMENTS

Attachment A - Vicinity Map





# LOCATION MAP

N.T.S.

NORTH

RESOLUTION 2013-\_\_\_\_\_

APPROVING THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR MUIRFIELD 7 – PHASE 4, TRACT 3779, AND AUTHORIZATION FOR THE MAYOR TO SIGN THE AGREEMENT

WHEREAS, The Tentative Subdivision Map for Muirfield 7 - Phase 4 Subdivision, a single-family residential subdivision with a total of sixty (61) lots, was approved by the Tracy Planning Commission on May 22, 2013, pursuant to Resolution PC2013-0008; and

WHEREAS, Standard Pacific Corporation, a Delaware corporation, has requested that the City approve the Final Subdivision Map for Muirfield 7 - Phase 4 Subdivision, to create 8 single family dwelling lots; and

WHEREAS, The Engineering Division has reviewed the Final Map for compliance with the Tentative Subdivision Map; and

WHEREAS, The Developer has executed the Subdivision Improvement Agreement and posted security, for the construction of subdivision improvements; and

WHEREAS, There will be no impact to the General Fund. The Developer has paid the applicable engineering review fees, which include the cost of reviewing and processing the Final Subdivision Map and Subdivision Improvement Agreement;

NOW, THEREFORE, BE IT RESOLVED, That City Council approves the Final Subdivision Map for Muirfield 7 – Phase 4, Tract 3779, and authorizes the Mayor to execute the Subdivision Improvement Agreement for Muirfield 7 – Phase 4, Tract 3779.

The foregoing Resolution was adopted by the Tracy City Council on the 2<sup>nd</sup> day of July, 2013 by the following vote:

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

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MAYOR

ATTEST:

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CITY CLERK

July 2, 2013

AGENDA ITEM 1.C

REQUEST

**AUTHORIZATION TO AWARD CHEMICAL BIDS FOR WATER AND WASTEWATER TREATMENT FOR FISCAL YEAR 2013-14**

EXECUTIVE SUMMARY

The City of Tracy requires various chemicals for daily treatment of water at the John Jones Water Treatment Plant, production wells, and the Wastewater Treatment Plant.

DISCUSSION

The City of Tracy requires various chemicals for daily treatment of water at the John Jones Water Treatment Plant, production wells, and the Wastewater Treatment Plant.

Bid packages were sent to chemical firms that expressed interest in furnishing water and wastewater treatment chemicals. Bids were opened at 2:00 p.m. on Thursday, June 13, 2013. Staff received bids from 9 companies.

The bids identified below are the lowest responsible bid for each chemical and comply with City specifications. Staff recommends the purchase of chemicals from these low bidders.

<u>Chemical</u>	<u>Company</u>	<u>Bid Price</u>
Liquid Cationic Polymer	Polydyne Inc.	\$0.4557/lb.
Non-ionic Liquid Poly-Acrylamide	Ecolab (Nalco)	\$0.99/lb.
Blended Liquefied Phosphate	Brenntag	\$0.441/lb.
Liquid Alum	General Chemical Corp.	\$343.00/ton
Liquid Chlorine, Bulk	Sierra Chemical Co.	\$499.80/ton
Liquid Sulfur Dioxide, Bulk	Sierra Chemical Co.	\$664.89/ton
Aqua Ammonia	Hill Bros. Company	\$0.148/lb.
Sodium Hypochlorite	Brenntag	\$0.964/gal

STRATEGIC PLAN

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

FISCAL IMPACT

Funding is available in the FY 2013-14 budget for the purchase of chemicals. It is anticipated that the annual cost for chemicals will be approximately \$390,000.

RECOMMENDATION

That City Council, by resolution, authorize the purchase of chemicals from the low bidders.

Prepared by: Dave Carter, Water Production Superintendent

Reviewed by: Rod Buchanan, Interim Public Works Director

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

RESOLUTION \_\_\_\_\_

AUTHORIZATION TO AWARD CHEMICAL BIDS FOR WATER AND WASTEWATER TREATMENT FOR FISCAL YEAR 2013-14

WHEREAS, The following chemical companies were the low bidder for each chemical, and

Chemical	Company	Bid Price
Liquid Cationic Polymer	Polydyne Inc.	\$0.4557/lb.
Non-ionic Liquid Poly-Acrylamide	Ecolab (Nalco)	\$0.99/lb.
Blended Liquefied Phosphate	Brenntag	\$0.441/lb.
Liquid Alum	General Chemical Corp.	\$343.00/ton
Liquid Chlorine, Bulk	Sierra Chemical Co.	\$499.80/ton
Liquid Sulfur Dioxide, Bulk	Sierra Chemical Co.	\$664.89/ton
Aqua Ammonia	Hill Bros. Company	\$0.148/lb.
Sodium Hypochlorite	Brenntag	\$0.964/gal

WHEREAS, The low bids identified above are responsible bids and comply with City specifications, and

WHEREAS, Funding is available in the FY 2013-14 budget for the purchase of chemicals and it is anticipated that the annual cost for chemicals will be approximately \$390,000.

NOW, THEREFORE, BE IT RESOLVED That the City Council authorizes the purchase of chemicals from the low bidders.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was passed and adopted by the Tracy City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 1.D

REQUEST

**APPROVE AN OFFSITE IMPROVEMENT AGREEMENT WITH MCDONALD'S USA, LLC, FOR THE CONSTRUCTION OF STREET AND UTILITY IMPROVEMENTS ON ELEVENTH STREET AND "F" STREET, AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT**

EXECUTIVE SUMMARY

The City Council is requested to approve the Offsite Improvement Agreement (OIA), with McDonald's USA, LLC for the McDonald's Restaurant project to be located at the southeast corner of Eleventh and F Streets to facilitate the construction of frontage improvements. The Developer has signed the OIA and posted the necessary improvement security to guarantee completion of the frontage improvements.

DISCUSSION

On January 14, 2013, the Director of Development Services made a determination to approve Development Review Application D12-0011 for construction of a McDonald's Restaurant and associated improvements to be located on the southeast corner of Eleventh Street and "F" Street.

The frontage improvements on Eleventh Street and "F" Street will include the removal and replacement of asphalt concrete pavement, concrete curb, gutter, and sidewalk, signing and striping, installation of domestic, irrigation and fire services, fire hydrant, sanitary sewer lateral with sewer cleanout, sewer manhole, storm drain, landscaping incorporating an automatic irrigation system, and other improvements as shown on the Improvement Plans and Specifications.

The Improvement Plans for the frontage improvements on Eleventh Street and "F" Street have been reviewed and approved by Engineering staff. The Developer has executed the agreement and submitted the required security to guarantee completion of the frontage improvements covered under the OIA. The OIA is on file with the office of the City Engineer and is available for review upon request.

Upon completion, the City will accept the improvements for maintenance.

STRATEGIC PLAN

This agenda item is consistent with the City Council's Economic Development Strategic Plan to ensure physical infrastructure necessary for development.

FISCAL IMPACT

There will be no impact to the General Fund.

RECOMMENDATION

That City Council, by resolution, approves the Offsite Improvement Agreement with McDonald's USA, LLC, a Delaware limited liability company, for construction of street and utility improvements on Eleventh Street and "F" Street, and authorize the Mayor to execute the Agreement.

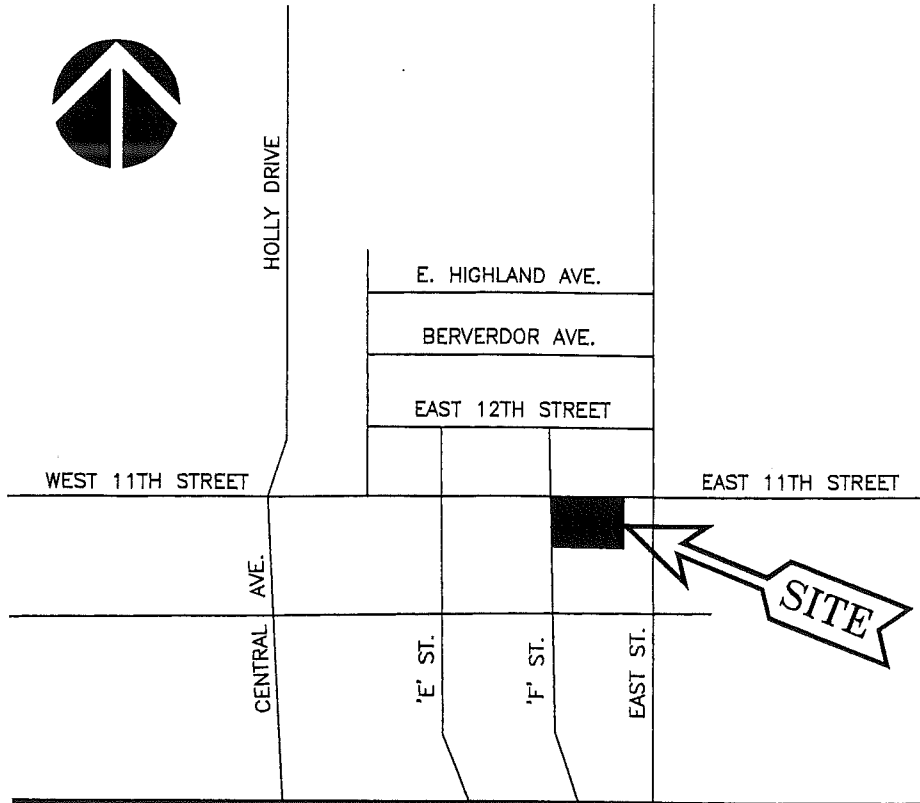
Prepared by: Cris Mina, Senior Civil Engineer

Reviewed by: Kuldeep Sharma, City Engineer

Approved by: Andrew Malik, Director of Development Services  
R. Leon Churchill, Jr., City Manager

ATTACHMENT

Attachment A - Vicinity Map



**VICINITY MAP N.T.S.**



RESOLUTION 2013-\_\_\_\_\_

APPROVING AN OFFSITE IMPROVEMENT AGREEMENT (OIA), FOR CONSTRUCTION OF STREET AND UTILITY IMPROVEMENTS ON ELEVENTH STREET AND "F" STREET, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, On January 14, 2013, the Director of Development Services approved the development review application for the construction of McDonald's Restaurant and associated on-site improvements; and

WHEREAS, Approval of this development was subject to certain conditions of approval, and

WHEREAS, The Developer was required to design and complete construction of street and utility improvements on Eleventh Street and "F" Street, and complete these improvements prior to the issuance of a certificate of occupancy, and

WHEREAS, Improvement plans, specifications, and cost estimates for the frontage street and utility improvements on Eleventh Street and "F" Street have been prepared by the Developer and reviewed by Engineering staff, and

WHEREAS, The Developer has executed the OIA and submitted the required security to guarantee completion of the improvements covered under the OIA, and

WHEREAS, Upon completion of the OIA, the City will accept the improvements for maintenance, and

WHEREAS, There will be no impact to the General Fund. The Developer has paid the cost of reviewing the improvement plans, and processing the OIA;

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the Offsite Improvement Agreement with McDonald's USA, LLC, a Delaware limited liability company, for construction of street and utility improvements on Eleventh Street and "F" Street, and authorizes the Mayor to execute the Agreement.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was adopted by the Tracy City Council on the 2<sup>nd</sup> day of July, 2013 by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST

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

AGENDA ITEM 3

REQUEST

**PUBLIC HEARING DECLARING THE EXISTENCE OF WEEDS, RUBBISH REFUSE AND FLAMMABLE MATERIAL ON EACH OF THE PARCELS LISTED IN EXHIBIT "A" TO THIS AGENDA ITEM A NUISANCE; CONSIDER OBJECTIONS TO ABATEMENT OF SAID NUISANCE, AND ADOPT A RESOLUTION AUTHORIZING FIRE DEPARTMENT STAFF TO ORDER CONTRACTOR TO ABATE SAID NUISANCES**

EXECUTIVE SUMMARY

The Fire Department performs inspections on its own and after complaints are received from citizens regarding the existence of weeds, rubbish, refuse and flammable material on residential and commercial parcels. Abatement notices are sent to parcel owners within the City deemed by Fire Department staff to be a public nuisance and dangerous to public health and safety.

The notice states the time and date of the Public Hearing to be conducted by the City Council to address any and all objections to the proposed abatement and, as necessary, authorize Fire Department staff to direct the City's contractor to abate parcels Council finds to be a nuisance.

DISCUSSION

Pursuant to Tracy Municipal Code, a Public Hearing is required prior to the abatement of any parcels. Sections 4.12.250 through 4.12.340 of the Tracy Municipal Code set forth the procedure for the City to abate weeds, rubbish, refuse and flammable material on private property.

On June 10, 2013, pursuant to Tracy Municipal Code, Section 4.12.280, the Fire Department sent a notice to the property owner(s) listed in Exhibit "A" to this staff report. That notice required the said owner to abate weeds, rubbish, refuse and flammable material on his/her parcel within twenty days, and informed the property owner(s) that a Public Hearing would be conducted on July 2, 2013, where any protests regarding the notice to abate would be heard. The Tracy Municipal Code provides that upon failure of the owner, or authorized agent, to abate within 20 days from the date of notice, the City will perform the necessary work by private contractor and the cost of such work will be made a personal obligation of the owner, or become a tax lien against the property.

Under the provisions of Tracy Municipal Code Section 4.12.290, the Fire Department will proceed at Council's direction with instructing the City's contractor to perform weed, rubbish, refuse and flammable material abatement on the parcels listed in Exhibit "A". Per the Tracy Municipal Code, property owners are liable for the cost of abatement and will be billed for the actual cost of the City contractor's services, plus a twenty-five percent administrative charge. All unpaid assessments will be filed with the San Joaquin County Auditor Controller's office to establish a lien on the property.

STRATEGIC PLAN

This agenda item is a routine operational item and does not relate to the Council's four strategic priorities.

FISCAL IMPACT

There is \$12,100 budgeted for Fiscal Year 2013-2014, Grounds and Maintenance account 211-52150-252-00000, that is used for contracting the abatement of weeds, rubbish, refuse and flammable material. There are sufficient funds at this time to accomplish abatement services.

RECOMMENDATION

That City Council conduct a Public Hearing to hear and consider any and all objections to the proposed abatement, and by resolution, declare the weeds, rubbish, refuse, and flammable material located at the parcels listed within Exhibit "A" to be a nuisance, and authorize the Fire Department to direct the City's contractor to abate such nuisance.

Prepared by: Gina Rodriguez, Administrative Assistant II

Reviewed by: Steve Hanlon, Fire Division Chief

Approved by: Alford Nero, Fire Chief

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

Attachment: Exhibit A - 2013 Weed Abatement Parcel List

**TRACY FIRE - WEED ABATEMENT LIST**

<b>APN</b>	<b>SITUS ADDRESS</b>	<b>NAME/BUSINESS</b>	<b>MAILING ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
246-140-13	2795 S. Mac Arthur Drive	Valpico Road Investors LLC	1200 N. Bundy Drive	Los Angeles	CA	90049
246-140-14	Vacant Lot S. Mac Arthur Drive	Valpico Road Investors LLC	1200 N. Bundy Drive	Los Angeles	CA	90049
212-260-08	3095 N. Corral Hollow Road	Franklin & Delores Atkins	12602 E. 47th Drive	Yuma	AZ	85367
233-140-18	5 W. Eaton Avenue	Scott Schreiber	5 W. Eaton Avenue	Tracy	CA	95376
252-370-32	1675 Lahola Court	Melvyn & Irene Schishido	1675 Lahola Court	Tracy	CA	95376
<del>235-270-01</del>	<del>435 Gianelli Street - Vacant Lot</del>	<del>Sukhjit &amp; Rani Jaswal</del>	<del>5284 Black Oak Drive</del>	<del>Stockton</del>	<del>CA</del>	<del>95212</del>
<del>235-174-16</del>	<del>107 E. 9th Street</del>	<del>John &amp; Gloria Purcell</del>	<del>2307 Harewood Drive</del>	<del>Livermore</del>	<del>CA</del>	<del>94554</del>
214-210-05	Vacant Lot Clover Road	M S Imperial Investment Inc.	30073 Skylark Court	Hayward	CA	94544
232-260-20	1150 W. Eaton Avenue	Laurence Williams	5205 Buena Vista Avenue	Fair Oaks	CA	95628
232-200-05	1507 Madison Avenue	Federal National Mortgage Assn.	1 Banting	Irvine	CA	92618
240-220-56	480 Clarence Bromell Street	Kim Tae Young & Joyce Hyonchu	480 Clarence Bromell Street	Tracy	CA	95377
232-082-33	1850 Mello Court	John Adian	P.O. Box 1665	Oakdale	CA	95361
235-200-12	371 S. Central Avenue	Betty Lou Sanders	2460 Russell Street	Tracy	CA	95376
232-238-07	1311 N. Tracy Blvd	Gary & Grace Houston	155 Weyer Road	Modesto	CA	95357
<del>248-470-10</del>	<del>Vacant Lot Gandy Dancer</del>	<del>AEJ Properties LLC</del>	<del>440 Gandy Dancer Drive</del>	<del>Tracy</del>	<del>CA</del>	<del>95377</del>
238-450-11	2852 Herford Lane	Tahi & Hanh Vo	2781 Clara Smith Drive	San Jose	CA	95135
233-190-05	245 W. 21st Street	David & Betty Langlois	732 Wilkie Way	Yuba City	CA	95991
214-190-44	2948 Carreen Court	Maribel Tate	2948 Carreen Court	Tracy	CA	95376
235-230-63	185 Cedar Mountain	Stevan & Dusica Pirocanac	185 Cedar Mountain	Tracy	CA	95376
235-320-15	511 Czerny Street	Jose & Eliana Martinez	511 Czerny Street	Tracy	CA	95376
<del>235-430-19</del>	<del>70 W. South Street</del>	<del>Josephine Lopez</del>	<del>70 W. South Street</del>	<del>Tracy</del>	<del>CA</del>	<del>95376</del>
235-200-02	250 S. C Street	Christine Carrier	740 Greenford Court	Tracy	CA	95376
238-380-02	1213 Annamarie Way	Van Huynh	1213 Annamarie Way	Tracy	CA	95376
250-260-10	Vacant lot Mariani Court	640 Hegenberger PTP	2228 Livingston Street	Oakland	CA	94606
250-260-06	Vacant lot Mariani Court	Roger Birdsall	P.O. Box 1562	Lake Oswego	OR	97035
250-260-07	Vacant lot Mariani Court	Thomas & Elizabeth Taylor	30282 Lemon Avenue	Escalon	CA	95320
233-030-04	560 W. Grant Line Road	Ramesh & Promila Sood	7183 Fawn Hills Lane	Pleasanton	CA	94566

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212-170-49	Vacant Lot on N. Tracy Blvd	Alejo & Elizabeth Pascual	2324 Heritage Hills Drive	Pleasant Hill	CA	94523
212-170-31	3733 N. Tracy Blvd	Chevron USA Inc.	P.O. Box 1404	Houston	TX	77002
214-483-13	468 Dillon Avenue	Timothy & Donna Head	468 Dillon Avenue	Tracy	CA	95376
233-460-04	400 E. Grant Line Road	Louis Levand	123 E. Eaton Avenue	Tracy	CA	95376
214-320-83	321 E. Grant Line Road	James Tong Inc.	4690 Chabot Drive #100	Pleasanton	CA	94588
248-020-15	100 W. Valpico Road	Valpico Properties LLC	475 Blewett Road	Tracy	CA	95304
<b>248-020-14</b>	<b>250 W. Valpico Road</b>	<b>Cypress Equities V LP</b>	<b>10 Harris Court #B3</b>	<b>Monterey-</b>	<b>CA</b>	<b>93940</b>
248-290-51	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 326	Tracy	CA	95378
248-290-52	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 327	Tracy	CA	95378
248-290-53	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 328	Tracy	CA	95378
248-290-54	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 329	Tracy	CA	95378
248-290-55	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 330	Tracy	CA	95378
248-290-56	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 331	Tracy	CA	95378
248-290-57	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 332	Tracy	CA	95378
248-290-58	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 333	Tracy	CA	95378
246-110-35	2001 Earl Way	Richard Schott	618 Hillside Blvd	San Francisco	CA	94080
<b>235-260-35</b>	<b>325 Cecilio Way</b>	<b>John &amp; Mary Schramm</b>	<b>325 Cecilio Way</b>	<b>Tracy</b>	<b>CA</b>	<b>95376</b>
235-082-08	235 W. South Street	Resham Singh	235 W. South Street	Tracy	CA	95376
235-430-17	100 W. South Street	Raymond & Lucia Costa	100 W. South Street	Tracy	CA	95376
235-430-18	90 W. South Street	Raymond & Lucia Costa	100 W. South Street	Tracy	CA	95376
235-260-29	445 Cecilio Way	Covenant & Assoc Inc.	770 L Street #950	Sacramento	CA	95814
238-050-01	2774 W. Byron Road	Marion William Co. LLC	20632 Redwood Road #B	Castro Valley	CA	94546
232-240-40	1620 Valerie Lane	Christina Salles	1620 Valerie Lane	Tracy	CA	95376
233-030-06	546 W. Grant Line Road	Soosan Mahjorirad	3058 Flora Court	Pleasanton	CA	94588
233-030-09	522 W. Grant Line Road	Soosan Mahjorirad	3058 Flora Court	Pleasanton	CA	94588
238-310-08	2358 Riviera Court	Qu & Jihua Li	111 Racoon Court	Fremont	CA	94539
234-240-10	1740 Tennis Lane	Kenan & Yan Yu	811 Milo Court	San Jose	CA	95133

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240-550-03	2121 Cabana Lane	Yong Wang	2117 Main Street	Santa Clara	CA	95050
238-380-43	1198 Michael Drive	Ashit & Vinita Zinzuwadia	1198 Michael Drive	Tracy	CA	95376
214-020-02	2955 N. Corral Hollow Road	Axton Real Estate & Development	5909 Cumberland	Stockton	CA	95219
240-650-14	2685 Castle Haven Court	Son Nguyen	2685 Castle Haven Court	Tracy	CA	95377
238-040-07	Vacant Lot Crossroads	William Lyon Homes	4695 Mac Arthur Court Floor 8	Newport Beach	CA	92660
242-410-30	1746 Kagaehiro Drive	Natalie Stein	5913 Horsemans Canyon Drive #6B	Walnut Creek	CA	94595
214-310-28	228 Granada Way	Fernando Banks	15539 Warfield Road	Lathrop	CA	95330
240-220-57	490 Clarence Bromell	Lwayway Syo	17824 Golden Spike Trail	Lathrop	CA	95330
233-030-05	553 W. 23rd Street	Shojaei Baghini	553 W. 23rd Street	Tracy	CA	95376
250-250-06	780 E. 11th Street	ESP Seven Subsidiary LLC	P.O. Box 320099	Alexandria	VA	22320
235-360-35	Vacant Lot Mt. Oso Avenue	Kiper Development	4125 Blackhawk Plaza Circle #203	Danville	CA	94506
235-360-18	540 Mt. Oso Avenue	Richard & Sandra Chaffino	540 Mt. Oso Avenue	Tracy	CA	95376
07/02/13 Council Meeting						

RESOLUTION \_\_\_\_\_

DECLARING THE EXISTENCE OF WEEDS, RUBBISH, REFUSE AND FLAMMABLE MATERIAL ON THE PARCELS LISTED IN EXHIBIT "A" A NUISANCE AND AUTHORIZING FIRE DEPARTMENT STAFF TO ORDER CONTRACTOR TO ABATE

WHEREAS, On June 10, 2013 pursuant to Tracy Municipal Code, Section 4.12.280, Fire Department staff mailed, via certified mail, a notice to the owners of record listed within Exhibit "A", that the existence of weeds, rubbish, refuse and flammable material on said parcel in the City of Tracy constitutes a nuisance and is dangerous to public health and safety of the inhabitants of the City pursuant to Section 4.12.260 of the Tracy Municipal Code, and

WHEREAS, The notices included an order to abate said nuisance within 20 days and informed the property owner(s) of their opportunity to appear and object to the abatement of such nuisance at a public hearing before the City Council on July 2, 2013, and

WHEREAS, The County Assessor's Office shows the mailing address for the owner(s) of record of the subject parcels as listed within Exhibit "A", and a notice to abate and the notice of the public hearing was sent in a timely manner to that address by certified mail, and

WHEREAS, Objections, if any, to said abatement have been heard and considered, and

WHEREAS, The Fire Department has \$12,100 in the FY 2013-2014 budget for weed, rubbish, refuse and flammable material abatement;

NOW, THEREFORE, BE IT RESOLVED, That the City Council declares the weeds, rubbish, refuses and flammable material on the parcels listed within Exhibit "A" to be a nuisance and further authorizes Fire Department staff to order the City's contractor to abate the accumulation of weeds, rubbish, refuse and flammable materials on the listed parcels.

\*\*\*\*\*

The foregoing Resolution \_\_\_\_\_ was passed and adopted by the Tracy City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2013. by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

**TRACY FIRE - WEED ABATEMENT LIST**

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246-140-14	Vacant Lot S. Mac Arthur Drive	Valpico Road Investors LLC	1200 N. Bundy Drive	Los Angeles	CA	90049
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<b>248-020-14</b>	<b>250 W. Valpico Road</b>	<b>Cypress Equities V LP</b>	<b>10 Harris Court #B3</b>	<b>Monterey-</b>	<b>CA</b>	<b>93940</b>
248-290-51	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 326	Tracy	CA	95378
248-290-52	Vacant Lot Glenbriar Circle/Pebble	Cose Corner LLC	P.O. Box 327	Tracy	CA	95378
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238-310-08	2358 Riviera Court	Qu & Jihua Li	111 Racoon Court	Fremont	CA	94539
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238-040-07	Vacant Lot Crossroads	William Lyon Homes	4695 Mac Arthur Court Floor 8	Newport Beach	CA	92660
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07/02/13 Council Meeting						

AGENDA ITEM 4

REQUEST

**REVIEW AND DISCUSS THE POTENTIAL FORMATION OF A SENIOR COMMISSION AND PROVIDE STAFF DIRECTION**

EXECUTIVE SUMMARY

On May 7, 2013, Council directed staff to explore the potential formation of a Senior Advisory Commission with the goal of providing seniors with an opportunity to advise City Council on senior programming and/or issues affecting the senior population. This staff report presents various considerations in the formation of a Senior Advisory Commission as well as the staffing needs and cost associated with establishing a new Commission. Additionally, staff presents Council with alternatives that may accomplish the goal of increased Seniors engagement for Council discussion.

DISCUSSION

During the May 7, 2013 City Council Meeting, Council directed staff to explore the potential formation of a Senior Advisory Commission. Attachment A outlines the components involved in developing, supporting and maintaining a Senior Advisory Commission. The estimated operating expenses associated with creating a Senior Advisory Commission is outlined in the fiscal impact section of the report, estimated at \$27,650 annually.

Over thirteen cities with Senior Advisory Commissions were reviewed to determine how the City of Tracy's Senior Advisory Commission might be structured. The California cities surveyed included: Davis, Dublin, Encinitas, Fremont, Lathrop, Loma Linda, Manteca, Mission Viejo, Patterson, Ripon, San Ramon, Santa Clara and Vista. The majority of these cities had similar models with regard to membership, purpose, and responsibilities. The proposed structure attached to this staff report is based on these models.

The various components in the formation of a Senior Advisory Commission include purpose, commissioner responsibilities, membership guidelines, officer duties, and terms. Additionally, consideration to staffing needs, fiscal impact, and the length of time it would take to form the Senior Advisory Commission is also included (Attachment A: Considerations for the Formation of a Senior Advisory Commission).

Determining the relationship a Senior Advisory Commission would have with the Parks and Community Services Commission is critical, particularly given that the Parks and Community Services Commission has purview over parks and programming for youth, adults and seniors. The Senior Advisory Commission could serve as an advisory group to the Parks and Community Services Commission and advise the Parks and Community Services Commission on senior activities, including recreational, social,

educational, health and wellness programs held at the Lolly Hanson Senior Center or the Commission could advise Council directly.

A Senior Advisory Commission could consist of a five (5) member commission with senior representatives that are a minimum of 55 years of age, currently working or have experience working in a senior related field, be a resident of Tracy, and not currently serving in any other City of Tracy Committee, Commission or Board. Staff liaison support would entail duties such as preparing and posting agendas, attending meetings, prepare meeting minutes, trainings and special projects. An estimated \$27,650 impact to the General Fund is anticipated annually.

If Council chooses to pursue the formation of a Senior Advisory Commission, the estimated timeline to form a Senior Advisory Commission is approximately six months.

In the process of researching the various cities' Commissions within their jurisdictions, staff found an emerging trend towards Commission consolidation. For purposes of Council discussion, staff included two alternatives to forming a Senior Commission that would also address the goal of increased Senior participation with this trend in mind.

As staff developed the two alternatives listed below, four key points were considered; (1) Public Engagement goal; (2) Community's social trends; (3) re-engineering of City service delivery and priorities undertaken over the last several years, and (4) previous Board/Commission recruitment challenges.

First, as discussed in previous Council meetings, the question of resident engagement and participation and the method by which public participation and engagement is elicited and encouraged varies depending on the public participation goal. The City of Tracy has used various means to practice open government and encourage public participation, elicit community input, provide information or assess public perception. As previously reported to Council, over the years, some of these methods have included Resident Surveys, Community Conversations, Speakers Bureau, workshops, or establishing Resident Advisory Boards and Commissions. One consideration, then, would be to clarify the goal and then determine the most appropriate method to pursue.

Secondly, in the last ten years, Tracy has become more diverse in age, population and neighborhood composition. Tracy has a relatively young populace; 35% are under 20; the median age for the last thirteen years average is 32; and 48% of households have children less than 18 years of age, while 60% of working adults commute. According to US Census figures, senior citizens, ages 65 and over make up 6.9% of the population. It is important to note that in 2010, federal guidelines define a senior citizen as 65 and older. Previous to 2010, census and other governmental data defined seniors as 55 and older. The community's social trends may also be a factor to consider.

Thirdly, The City of Tracy has re-engineered and consolidated various departments and divisions to create greater efficiency in its service delivery with a newer, leaner structure. The City Council has also recently approved the 2013-2015 Quality of Life Strategic Priority which aims to match programming and services to the diversity and composition of the community. A collaborative comprehensive service delivery rather than silos can create great synergy among the volunteers who sit on these Commissions and who support these endeavors. Efficient utilization of existing staff and fiscal resources that

reflect the newer leaner structure can also be a factor to consider.

Lastly, over the last year, the recruitment for replacing Commissioners has become more difficult in that, due to lack of applicants, recruitments have had to be completed several times, and in some cases, the single applicant has been appointed due to lack of interest. Challenges with previous Commissioner recruitment and maintaining a quorum is a perspective included as a consideration.

Given the four key points listed above, two alternatives are provided for Council discussion, including (1) expanding the Parks and Community Services Commission by adding Senior Citizens to the Commission composition, and (2) the consolidation of three existing commissions into one Commission. Both options provide an alternative method to meet the goal of increasing senior citizen participation in an inclusive and collaborative manner.

#### **Alternative 1: Expanding the Parks and Community Services Commission**

Given that the Parks and Community Services Commission currently oversees programming for youth, adults and seniors, alternative 1 expands the composition of the Parks and Community Services Commission by adding three senior citizen seats and one youth seat. This appointment would expand the representation of the youth and senior population and increase the overall expertise of the Commission. The Youth Advisory Commission would remain, with the Youth Advisory Commission appointing a representative from the Youth Advisory Commission to the Parks and Community Services Commission.

If Council directs staff to pursue this alternative, staff will return with a plan and timeline.

#### **Alternative 2: Consolidation of Three Existing Commissions into one Commission**

By way of background, over the years the composition of some Boards and Commissions has changed based on the environmental trends occurring in the City. For example, at the March 19, 2007 Council retreat, the Council expressed an interest in reviewing some existing Commissions and prospective new ones. These included the creation of a Transportation Commission, the creation of a Beautification Commission, and a review of the role and mission of the Tracy Tomorrow and Beyond (TT& B) Committee. Council ultimately determined to sunset the TT & B Committee, not pursue a Beautification Commission, and, given the various levels of connectivity between all modes of transportation outlined in the General Plan, that the best course of action was to eliminate the Airport Commission which focused on a specialized service area and replace it with a Transportation Commission that addressed broader issues including inter-City transit (TRACER, Para-transit, airports, Multi-modal Station, taxis, limousines, Park-and Ride lots, bikeways, trails and passes) and intra-city transit (SJRTD, commuter -vanpools and ACE).

Similar to the creation of the Transportation Commission, Alternative 2 considers consolidating the Parks and Community Services Commission, the Tracy Arts Commission, and the Youth Advisory Commission into one Community Services Commission. This consolidation would result in an 11-member Community Services Commission that includes the appointment of 3 senior advisory members to ensure Senior citizen representation.

The consolidation could occur as current Commissioner terms expire. Joint commission meetings could be held 3 months prior to that to begin discussions relative to the new Commissions purpose to ensure all interested stakeholders participate in the creation of the new Community Services Commission's mission and focus.

If Council directs staff to pursue this alternative, staff will return with a plan and timeline.

**Commission Input:**

Staff reviewed this agenda item with the Tracy Arts Commission (TAC), the Youth Advisory Commission and the Parks and Community Services Commission prior to bringing this item to Council to provide Council with each Commission's perspective on this discussion item.

**Parks and Community Services Commission:**

The Parks and Community Services Commission met on June 19, 2013 to provide feedback on the possible formation of a Senior Advisory Commission. The Commission was in favor of adding a youth representative to the Parks and Community Services Commission, they were not in favor of creating a Senior Advisory Commission nor were they in favor of consolidation 3 commissions into one.

Some Commissioners commented that senior representation already exists on the Arts and Parks Commissions, and adding a Senior Advisory board would be unnecessary, as the Parks Commission already outreaches to seniors in the community and provides staff with feedback related to programming and policy improvements.

Several Commissioners felt that consolidation would create lengthier meetings and the need to form additional subcommittees to complete special projects, which would ultimately require greater time commitments amongst the commissioners and staff. The Parks Commission also expressed concern that topics specifically related to parks and recreation programming may become overshadowed by arts and youth topics. The Parks Commission further believes that the group dynamic may not be successful, as some topics may become highly political or controversial amongst the consolidated group.

**Tracy Arts Commission (TAC):**

The TAC discussed the various options at their June 11, 2013 Commission meeting and felt were in favor of adding a Senior and youth representative to the Parks and Community Services Commission, in favor of a Senior Advisory Commission, not in favor of eliminating the Tracy Arts Commission and felt artists, art groups and the Grand Theatre rely on the Arts Commission.

The TAC expressed apprehensiveness about consolidation of 3 commissions into 1 because of limited to no significant cost savings, because the new Consolidated Commission would likely require more subcommittee meetings to meet the numerous goals. The TAC voiced their importance and need to support the Grand Theatre Center for the Arts, and the numerous artists and arts groups in the community. In addition, Commissioners noted the complexity of the arts field, covering disciplines such as a dance, drama, music, visual arts and literature, and that a dedicated Commission with

such expertise is needed. The TAC feels their priorities, including the Civic Art Program, Music in the Park, and a newly-designed Multicultural Festival, might be lost in the goals of a larger Community Services Commission.

Commissioners stated the TAC often and currently has senior Commissioners, and that youth and senior interests are normally discussed. The TAC feels they have historically represented both youth and seniors, and stated there is no need to create additional dedicated positions to serve the TAC.

Youth Commission:

The Youth Advisory Commission met on Wednesday, June 12<sup>th</sup> and stated they were in favor of appointing youth commissioners to the Parks and Community Services Commission, maintaining the Youth Advisory Commission, opposed a Commission consolidation from 3 to 1 primarily because adult commissioners may not support or consider Youth ideas and would result in limited representation from each high school.

Their initial concern was that a larger commission comprised mostly of adults would not allow for the youth's ideas to be formalized, and feel that their issues may appear trivial and not wholly supported. They also stated that the current Youth Advisory Commission allows for each high school to be represented with at least two students per school, whereas a consolidated commission may only allow for one or two schools to be represented. Youth commissioners also stated that they appreciate what they've learned about the government process by being on a commission and are concerned that experience may be taken away.

STRATEGIC PLAN

This item is in accordance with the Council Strategic priority, Quality of Life, Goal 1, Improve current recreation and entertainment programming & services to reflect the community and match trending demands.

FISCAL IMPACT

Formation of a new Senior Advisory Commission would have an annual impact to the General Fund of approximately \$27,650.

If Council chooses to explore Alternative 1, a \$1,800 annual impact to the General Fund for Commissioner Salaries is estimated.

If Council chooses to explore Alternative 2, an estimated \$3,200 General Fund savings would be realized. Additionally, staff hours dedicated to support and administer three commissions could be redirected to other City-related priorities.

RECOMMENDATION

That the City Council review and discuss the potential formation of a Senior Commission and provide staff direction.

Agenda Item 4  
July 2, 2013  
Page 6

Prepared by: Kim Scarlata, Recreation Program Manager  
Vanessa Carrera, Management Analyst II  
William Wilson, Cultural Arts Manager- Visual Arts  
Jolene Jauregui, Recreation Coordinator II

Reviewed by: Rod Buchanan, Interim Public Works Director  
Maria A. Hurtado, Assistant City Manager

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

Attachment A: Considerations for the Formation of a Senior Advisory Commission



**CONSIDERATIONS FOR THE  
FORMATION OF A SENIOR ADVISORY COMMISSION**

This attachment outlines various considerations in the formation of a Senior Advisory Commission, and includes the purpose, responsibilities, membership guidelines, Officer duties, terms, staffing and fiscal impacts, and potential timeline.

**PURPOSE:**

The Senior Advisory Commission could serve as an advisory group to the Parks and Community Services Commission or the City Council through the City Manager's Office Recreation Division. This Commission will advise the staff and possibly the Parks and Community Services Commission on planning and organizing various activities that provide meaningful recreational, social, educational and health and wellness services to the community's senior citizens.

**RESPONSIBILITIES INCLUDE:**

1. Advise the staff and Parks and Community Services Commission on the delivery of various senior citizen services to the Lolly Hansen Senior Center.
2. Provide recommendations to the staff and Commission on senior citizen programs and Lolly Hansen Senior Center policies.
3. Appoint appropriate sub-committees as necessary to further the work of the Senior Center's program and efforts of the committee.
4. Receive input from the senior citizen community, including input from other individuals and organizations on issues relevant to the senior citizen community.
5. Act as liaison for senior citizen issues to governmental and private organizations.
6. Identify problems of service and recommend appropriate solutions.
7. Be a channel of communication between staff, Lolly Hansen Senior Center participants and the senior citizen community.
8. Provide feedback to staff on the assessment of current and future needs of the senior citizen community for the purpose of program planning.
9. The Senior Commission recommendations to governing bodies are advisory only.

## **MEMBERSHIP GUIDELINES:**

1. Membership. The Senior Advisory Commission shall consist of five (5) senior representatives who meet the following qualifications:
  1. Minimum age requirement of 55 years
  2. Currently work or have experience working in a senior related field
  3. Applicants should have the ability to take an active role in Committee meetings and projects and participate a minimum of 8 hours per month in Senior Center programs and activities.
  4. Be a resident of the City of Tracy.
  5. Not currently serving on another City of Tracy Advisory Committee or Commission.
2. **Term.** Each member shall serve a 2 - year term. In the first year of formation, two members will serve a 1 - year term; thereafter, all terms shall be for two years.
3. **Attendance.** If a member of the Senior Advisory Commission fails to attend four regular meetings in any calendar year, his or her position on the Senior Advisory Commission shall automatically become vacant and the staff liaison shall so inform the City Clerk. Absences may not be excused; however, a Commissioner may request a leave of absence as outlined in the Bylaws. For quorum confirmation, a member who is unable to attend a meeting shall inform the staff liaison designated by the relevant City Department at least 48 hours before the next meeting.
4. **Leave of Absence.** A Senior Advisory Commission member may submit a written request to the City Council, for a leave of absence of up to six-months, which may be approved in its discretion.
5. **Appointment.** An interview process will be conducted in November by a panel of (3) members. One (1) member from the City Manager's Office Recreation Division staff; One (1) Parks and Community Services Commissioner and One (1) senior citizen participant from the Lolly Hansen Senior Center. The panel shall make recommendations for appointment to the City Council to be considered annually in January. Additional interviews may be conducted throughout the year to fill vacant positions when they become available. A Council subcommittee is typically appointed to interview applicants and recommend appointees to Council.
6. **AB 1234 Training and Form 700 Completion.** AB 1234 Ethics training and filling out the Form 700 is required. If a member of the Senior Advisory Commission does not complete these requirements in a timely manner, the City Clerk's Office will send two written notices at least 10 days apart to the member. If the member does not complete the required training and/or form, and provide proof of compliance to the City Clerk's Office, within 30 days of receiving the second written notice, his or her appointment will automatically terminate.

### **QUORUM:**

A quorum of the Senior Advisory Commission shall consist of a majority of the members appointed. A quorum must be present in order for the Senior Advisory Commission to hold a meeting.

### **OFFICERS AND DUTIES:**

1. The officers of the Senior Advisory Commission shall be:
  - a. The Chairperson and
  - b. The Vice-Chairperson.
2. The Chairperson shall:
  - a. Preside at all regular and special meetings.
  - b. Rule on all points of order and procedure during the meetings.
  - c. Provide recommendations to staff liaison regarding agenda items.
3. The Vice Chairperson shall assume all duties of the Chairperson in his or her absence or disability.
4. In case of the absence of both the Chairperson and Vice Chairperson from any meeting, an Acting Chairperson shall be elected from among the members present.

### **TERMS AND VACANCIES:**

The officers will be selected by the membership for a one-year term. The annual election of officers shall take place at the last regular meeting in June of each year. The terms of officers shall commence as of July 1st following the election and shall continue through June 30th of the following year. In the first year of formation, the election of officers shall take place at the first regular meeting.

### **MEETINGS:**

1. Regular meetings of the Senior Advisory Commission shall be held on the 2nd Tuesday of each month and shall begin at 9:30am.
2. If the scheduled date of a regular meeting conflicts with a holiday period staff shall reschedule that meeting to be conducted within that month.
3. Any regular meeting may be adjourned, or any item on the agenda continued to the next or any subsequent regular meeting of the Senior Advisory Commission by a majority of the quorum. If a meeting is adjourned or an item is continued to a special meeting to be held on a date other than a regular meeting date, the time, place, and date of such special meeting shall be specified in the motion for adjournment or continuance.
4. All meetings are subject to the Brown Act as set forth in Government Code sections 54950 and following. Accordingly, all meetings shall be noticed and agendas for all meetings shall be prepared and posted in accordance with the current City Council meeting procedures.

5. All meetings shall be conducted in accordance with the current City Council meeting procedures.
6. All agendas shall be prepared and distributed in accordance with City Council meeting procedures and the Brown Act.

**ADMINISTRATIVE PROCEDURES AND POLICIES:**

City Boards and Commissions shall follow all applicable City fiscal administrative policies and procedures.

**SUBCOMMITTEES:**

The Senior Advisory Commission may form ad hoc subcommittees in accordance with the Brown Act, and make appointments to that subcommittee, as it deems necessary. If a proposed subcommittee will consist of Commission members, a quorum of Commission members may not be appointed to serve on a subcommittee. Before forming a subcommittee, the Senior Advisory Commission shall establish a specific charge and term for the subcommittee.

**STAFF LIAISON:**

The Senior Advisory Commission shall have a staff liaison designated by the City. The staff liaison shall:

1. Receive and record all exhibits, petitions, documents, or other material presented to the Commission in support of, or in opposition to, any question before the Commission.
2. Sign all meeting minutes and resolutions upon approval.
3. Prepare and distribute agendas and agenda packets.

**STAFFING AND FISCAL IMPACTS:**

Staff liaison support will entail duties such as preparing and posting agendas, attending meetings, prepare meeting minutes, trainings and special projects.

Additionally, City of Tracy Commissioners are entitled to compensation of \$50 per meeting, not to exceed \$100 per month, to include special meetings & subcommittee meetings. The table below illustrates the estimated breakdown of costs per year which includes staff support, supplies and Commissioner compensation pay.

ITEM	SERVICE	ESTIMATED COST
Senior Advisory Commissioner	Regular Meeting \$50/ meeting x 5 members x 12 meetings	\$3,000
Senior Advisory Commissioner	Special Meeting \$50/ meeting x 5 members x 3 meetings (approximation)	\$750
Meeting Supplies	Miscellaneous office supplies	\$1,500
Recreation Coordinator II (Staff Liaison)	Agenda Preparation Review of Minutes Staff Report Preparation Respond to Commissioner Correspondence Attend Regular Meetings Attend Special Meetings Attend Subcommittee Meetings Prepare Senior Division Report *Approx. 300 hours	\$10,000
Recreation Leader III (On site supervisor at Senior Center)	Attend Regular Meetings Attend Special Meetings as needed Attend Subcommittee Meetings as needed Prepare Senior Center Reports Respond to Commissioner Correspondence Assist with researching commission items Recruitment of Commissioners Special Projects *Approx. 150 hours	\$3,200
Executive Assistant	Record Meeting Minutes Prepare Meeting Minutes Maintain Action-Item List Prepare Full Agenda Packet Post and Distribute Agenda Packet Respond to Commissioner Correspondence Attend Special Meetings *Approx. 150 hours	\$4,200
Recreation Manager	Review Meeting Minutes Review Staff Reports Prepare Managers Report Respond to Commissioner Correspondence Attend Regular Meetings Attend Special Meetings *Approx. 100 hours	\$5,000
Total Estimated Cost Per Year		\$27,650

## **TIMELINE**

Below is a Potential timeline for the formation of a Senior Commission.

<b>TASK</b>	<b>DATE</b>
Staff begins to prepare documents (bylaws, staff reports and etc.) necessary to develop at Senior Advisory Commission	Aug 01, 2013
Council review and approval of Bylaws	Oct 01, 2013
Recruitment will begin and it will follow the process of other City of Tracy Commissions	Oct 02, 2013
Council Appointment of a Subcommittee (To Interview Applicants)	Oct 15, 2013
Applications due to the Clerk's office	Nov 30, 2013
Council Interviews	Dec 15, 2013
Appointments to Senior Advisory Commission made by Council	Jan 14, 2014
First Senior Advisory Commission meeting	Feb 04, 2014

AGENDA ITEM 5

REQUEST

**RECEIVE AN UPDATE ON THE STRUCTURE FOR FIRE SERVICE GOVERNANCE AND APPROVE THE FIRE SERVICE GOVERNANCE STEERING COMMITTEE'S RECOMMENDATION REGARDING THE FUTURE GOVERNANCE STRUCTURE**

EXECUTIVE SUMMARY

At its October 21, 2011 meeting, San Joaquin County LAFCo recommended that the City of Tracy analyze and evaluate the current fire services governance structure and other governance models that may be employed. Staff developed a Fire Service Steering Committee to oversee the process. Several fire service governance options were considered and a vetting process was employed. Staff has made a recommendation to the Steering Committee, is now making a recommendation to the Tracy City Council, and will make a recommendation to the South County Fire Authority Board of Directors, and the Tracy Rural Fire District Board of Directors. If the various affected agencies reach consensus on a recommendation, staff will present their recommendation to LAFCo for its consideration at its meeting on July 19, 2013.

DISCUSSION

At its May 15, 2012 meeting, staff provided a presentation to City Council on the current structure of fire governance, which included an overview of the process to be employed over the succeeding months to evaluate the current structure and to identify alternatives to the existing structure. The goal was to identify a structure that streamlines decision-making and to identify existing barriers to governance efficiency related to the provision of fire services within the South County Fire Authority service area.

On June 5, 2012, the City Council appointed Steve Abercrombie to represent the Council on the Fire Governance Steering Committee. At the July 17, 2012 meeting of the South County Fire Authority (SCFA), the SCFA Board appointed Jim Thoming to represent the SCFA on the Fire Governance Steering Committee (Committee). The Tracy Rural Fire District (District) appointed John Vieira, the Mountain House Community Services District (MHCS D) appointed Celeste Farron, IAFF Local 3355 appointed Ryan Gall, and Robert Sarvey and Dan Ball were appointed as community members at large. The Committee has convened monthly meetings since January of this year. Additionally, special meetings were scheduled as needed.

Staff provided the Committee with information about four options: (1) maintain the current structure, (2) dissolve the SCFA and form a new joint powers authority, (3) have all the entities contract directly for fire services with the City, and (4) annex the City and MHCS D into the District to form one fire district. The MHCS D representative has indicated that MHCS D does not want to be annexed into the District.

Staff held three community workshops to receive input from the public and to hear any concerns that may need consideration. The meetings were held at the MHCSD Board room, New Jerusalem School, and the Tracy Transit Center. One person attended the Mountain House workshop, no one attended the workshop at New Jerusalem School, and three people attended the workshop at the Transit Center, two of those people were District Board members. No concerns were raised during any of the meetings. Staff reported the workshop results to the Committee.

Staff formed a task force of Fire Department employees to review the options, perform research to gather information regarding each of the four options and to advise of any concerns that employees may have regarding the options. Additionally, staff met with IAFF Local 3355 to discuss the options and identify any concerns related to them. The concerns raised through that process were security of employment for current employees and continuance of the current employee contract, should any option be implemented that changes the current employer.

Staff met with the Interim County Administrator to provide an overview of the options, requested that she touch bases with the Board of Supervisors to determine any concerns, and asked the County to identify any fiscal concerns. Staff provided information that the County will use in making that determination. Staff also met with the County Auditor to get property tax information upon which to base analysis of fiscal considerations regarding the City being annexed into the District.

Staff's analysis of the four options indicates that two have merit: (1) maintaining the current structure, or (2) annexing the City into the District.

The following is an overview of each option based on the information available to date:

#### Strengthen the Existing Joint Powers Authority

The South County Fire Authority is a Joint Powers Authority (JPA), organized in 1999 pursuant to California Government Code Sections 6500-6536. The JPA currently consists of two partners, the City of Tracy and the Tracy Rural Fire District. The service area covered by the JPA includes the jurisdictional areas of the City of Tracy, the adjacent rural areas, and the community of Mountain House. Services are provided to the community of Mountain House pursuant to a contract with the Tracy Rural Fire District. The JPA is governed by a four member board of directors, two from each partner. Services are provided through contract, by the City of Tracy. Costs, including indirect costs, are allocated through a formula based on the staffing needs within each member's jurisdictional area. Each member is responsible for the costs of replacement apparatus and major repair/renovation of facilities located within their respective jurisdictional boundaries.

The following is the cost allocation based on the Fiscal Year 2013/14 budget:



**SCFA Cost Allocations Based Upon FY 13/14  
 Proposed Budget for Tracy Fire Department**

<b>Programs</b>	<b>Proposed FY 13-14 Expenditures</b>	<b>TRFD Share</b>	<b>MHCSD Share</b>	<b>Grant Funding</b>	<b>City Share</b>	
P52110 - Fire Admin	\$551,520	\$148,470	\$89,550	\$0	\$313,500	
P52150 - Fire Prevention	412,360	110,190	66,460	0	235,710	*1
P52210 - Fire Operations	12,902,350	3,505,850	2,114,560	0	7,281,940	
Constant Staffing - FS #91	1,069,000	0	0	0	1,069,000	*2
City Staffing FS #92	120,310				120,310	*3
P52230 - Fire Mutual Aid	206,000	0	0	206,000	0	*4
P52250 - Fire Training	260,500	70,830	42,720	0	146,950	
<b>Sub-Total</b>	<b>\$15,522,040</b>	<b>\$3,835,340</b>	<b>\$2,313,290</b>	<b>\$206,000</b>	<b>\$9,167,410</b>	
P59320 - Fire Dept Eqpt						
New Equipment 50%	0	0	0	0	0	
Replacement Eqpt	636,950	0	0	0	636,950	*5
<b>Sub-Total</b>	<b>\$636,950</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$636,950</b>	
P59210 - Indirect Costs	\$408,400	113,530	\$67,800		\$227,070	
<b>Total Costs</b>	<b>\$16,567,390</b>	<b>\$3,948,870</b>	<b>\$2,381,090</b>	<b>\$206,000</b>	<b>\$10,031,430</b>	

- \*1 - Fee revenues of \$175,500, deposited directly into Fund 211, but credited against City's share of costs
- \*2 - Constant staffing overtime costs at FS #91
- \*3 - City Staffing FS #92: 2 Firefighters for 5 months
- \*4 - SCFA revenue estimate for State Mutual Aid
- \*5 - Equipment Replacements acquired through Fund 605.

Should this option be approved, staff recommends that the following changes be made to the JPA:

- Offer full membership in the JPA to the community of Mountain House.
- Expand the Board of Directors to five. If Mountain House accepts membership, they will be represented on the Board. If not, establish an "At Large" position be established with appointment determined by the member agencies.
- Incrementally move toward full autonomy for the JPA. This may begin with the establishment of a pool to cover capital costs for all member agencies, each member agency paying its "fair share." During the next year, develop an implementation plan to achieve this goal. The implementation toward full autonomy will take several years to achieve.

Annexation of the City into the District

Annexations are subject to the Cortese-Knox-Hertzberg Local Government Reorganization Act and are subject to LAFCo procedures. The proceedings for annexation may be initiated by resolution of the affected local agency, the Tracy Rural Fire Protection District in this case. Parties are required to negotiate an exchange of property tax revenues to establish the revenue source(s) to fund the service. If the application proceeds, LAFCo will hold a public hearing and may either terminate the proceedings if a majority protest exists, order annexation subject to voter confirmation if the requisite number of protests are made, or order annexation without an election if the number of protests does not require an election.

All properties within the District's jurisdiction are subject to a benefit assessment based on the type of structure. Services would be funded through property tax and the benefit assessment. Residential and most commercial structures are assessed three cents per square foot in addition to the base property tax. The County, acting on behalf of the District, and the City would negotiate a property tax sharing agreement to determine the property tax to be transferred to the District.

Staff analyzed the fiscal effect on the City, making certain assumptions. Financial experts have not verified staff's analysis so it is subject to change. Staff recommends that caution be used and that no decision be based on its analysis until verified. Property tax generation within that portion of the City that would be subject to annexation and tax sharing negotiations is shown below (based on available information).

<b>Tax Rate Area (TRA)</b>	<b>Prior Year Allocation (BASE)</b>	<b>Increment Factor</b>	<b>Disposition</b>
004-002			No Assessed Value
004-003	\$ (95,400.13)	0.16	Core City/Not Attached
004-008	\$ 20,467.17	0.15	Core City/Not Attached
004-048	\$ 7,116.79	0.17	Core City/Not Attached
004-056	\$ 309,309.07	0.12	Core City/Not Attached
004-073	\$ 6,419,032.00	0.16	Core City/Not Attached
004-074			No Assessed Value
004-075	\$ 141,294.04	0.15	Core City/Not Attached
004-085	\$ 253,337.26	0.17	Core City/Not Attached
004-086	\$ 547,413.90	0.15	Core City/Not Attached
004-087	\$ 910,590.36	0.17	Core City/Not Attached
<b>Subtotal</b>	<b>\$ 8,513,160.46</b>		

Tax Rate Area (TRA)	Prior Year Allocation (BASE)	Increment Factor	Disposition
004-001	\$ 871.73	0.0%	*Core City/Not Attached/RDA
004-018	\$ 6,294.93	0.0%	*Core City/Not Attached/RDA
004-047	\$ 2,900.21	0.0%	*Core City/Not Attached/RDA
004-049	\$ 471,314.90	0.0%	*Core City/Not Attached/RDA
004-050	\$ 3,968.46	0.0%	*Core City/Not Attached/RDA
004-051	\$ 6,114.20	0.0%	*Core City/Not Attached/RDA
004-052	\$ 11,112.08	0.0%	*Core City/Not Attached/RDA
004-053	\$ -	0.0%	*Core City/Not Attached/RDA
004-077	\$ -	0.0%	*Core City/Not Attached/RDA
004-078	\$ -	0.0%	*Core City/Not Attached/RDA
004-093	\$ 1,826.18	0.0%	*Core City/Not Attached/RDA
Subtotal	\$ 504,402.69		
<b>TOTAL</b>	<b>\$ 9,017,563.15</b>		The above figures are all from Tax Year 2012

Upon completion of the annexation, the City would have no authority or responsibility for fire services. The delivery of all fire services would be the full responsibility of the District. To implement this option, the following would first need resolution:

- Agreement on how to resolve the District's debt to the City.
- Employee transfer plan and implementation of current MOU.
- Agreement regarding ownership, use, and maintenance of facilities and apparatus/equipment.
- Implementation plan for the transfer of authority and responsibility.

STRATEGIC PLAN

This is an operational item and is not identified in any of the current strategic plans.

FISCAL IMPACT

Strengthen the Existing Joint Powers Agreement – No changes as long as existing share is intact.

Annexation of the City into the District – Subject to negotiations.

RECOMMENDATION

That Council direct staff to advise LAFCo that the current governance structure will be continued while the parties move toward a regional stand-alone fire agency, either one fire district or maintenance of the current JPA with the changes outlined in this report.

Staff will also advise LAFCo that completion of the fiscal analysis and verification of all data is essential before the affected agencies make a final determination on how best to move forward on changing the fire services governance structure.

Prepared by: Alford Nero, Fire Chief

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

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

AGENDA ITEM 6

REQUEST

**AWARD A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE RESPONSIBLE BIDDER FOR THE TRANSIT STATION SECURITY CAMERAS CIP 77545, AUTHORIZE ALLOCATION OF \$50,000 FROM TRANSIT CAPITAL F573 TO CIP 77545 AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT**

EXECUTIVE SUMMARY

Award of a construction contract for the Transit Station Security Cameras CIP 77545, will facilitate installation of security cameras for video surveillance of the facility. Also recommended is the award of an Additive Bid Item for installation of parking lot security cameras. Additional funding for the Additive Bid Item is available for allocation to CIP 77545 from Transit Capital F573.

DISCUSSION

The City and its Police Department fully respect the individual right to privacy and to conduct lawful activities without interference. The City and Police Department have neither the right nor the desire to function as “Big Brother” in the lives of Tracy residents. The City has a vested interest, however, in protecting its assets from vandals; thus enhancing the ability to prosecute the persons responsible for malicious mischief, and gaining restitution where possible. Research around the country on surveillance cameras impact typically show a 24% reduction in criminal activity where cameras exist.

The Tracy Transit Station facility was completed from transit funds received from the Federal Transit Authority. The funding for security cameras at this facility was also provided from transit funds, which require that funding be spent for security purposes to protect the assets for which it has helped to pay. Currently, there are security cameras on all TRACER buses; footage is only viewed when an incident or complaint arises. The same protocol is used with other such cameras within the City of Tracy.

TRANSIT STATION SECURITY CAMERA PROJECT:

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by the voters as Proposition 1B at the November 7, 2006, General Election. This act authorizes the issuance of \$19,925,000,000 in general obligation bonds for specific purposes, including grants for transit system safety, security and disaster response projects.

The City of Tracy applied for two separate Prop 1B grants through the San Joaquin Council of Governments (SJCOG) for a total amount of \$150,000. These grant applications have been approved and the grant funds will allow for installation of security cameras at the Tracy Transit Station.

The existing Transit Station is an open facility with a large parking lot. The facility is open to the public from 8:00 a.m. to 7:00 p.m. weekdays and from 10:00 a.m. to 4:00 p.m. on Saturdays. Due to the large size of the facility and lack of sufficient staffing, the facility is vulnerable to graffiti and damages. Installation of security cameras will make

the facility safer and more secure. Cameras will be installed to overlook interior and exterior locations around the building. An additive bid item is included for installation of cameras to oversee the main parking lot along Sixth Street.

Plans and specifications were prepared in-house. The project was advertised for construction bids on April 4 and 11, 2013. A total of three bids were received on May 23, 2013 as follows:

<u>Contractors</u>	<u>Base Bid Amount</u>	<u>Base Bid + Additive Bid Amount</u>
Bockmon & Woody Electric, Stockton	\$112,448.00	\$142,173.00
Modesto Executive Electric, Modesto	\$177,005.53	\$299,782.53
Walsh Electronic Systems, Los Osos	\$ 85,155.00	\$152,645.00

The lowest monetary bid is from Bockmon & Woody Electric of Stockton, California, in the amount of \$142,173. The bid documents state the contract will be awarded on the basis of the Base Bid. However, in order to complete the project in its entirety and make use of low cost bids, it is in the City of Tracy's best interest to award the project for the Base Bid and Additive Alternate Bid. Bid analysis indicates that the bid is responsive and the bidder is responsible.

If the City Council awards the construction contract for the Base Bid with Additive Bid Items, the status of funding is as follows:

Construction Bid Amount (Base Bid + Additive Bid )	\$ 142,173
Contingency (15%)	\$ 21,000
Construction Management & Inspection	\$ 5,000
Design	\$ 16,000
Project Management	\$ 15,257
Total Project Cost	\$ 199,430
Available Budget	\$ 150,000
Additional Funds Needed	\$ 50,000

Additional funding of \$50,000 is needed to complete the project as recommended. Funding for this amount is available from the Transit Capital Fund F573 and needs to be allocated to CIP 77545.

### STRATEGIC PLAN

The agenda item is a routine operational item and is not related to the City Council's strategic plans.

### FISCAL IMPACT

There will be no impact to the General Fund. This is an approved Capital Improvement Program project in FY 2012/13. Funds are available in Transit Capital F573 for the additional \$50,000 needed for the Additive Bid Item.

RECOMMENDATION

Staff recommends that City Council, by resolution, award, a construction contract to Bockmon & Woody Electric of Stockton, California, in the amount of \$142,173 for the Transit Station Security Cameras CIP 77545, authorize allocation of \$50,000 from Transit Capital F573 to CIP 77545, and authorize the Mayor to execute the construction contract.

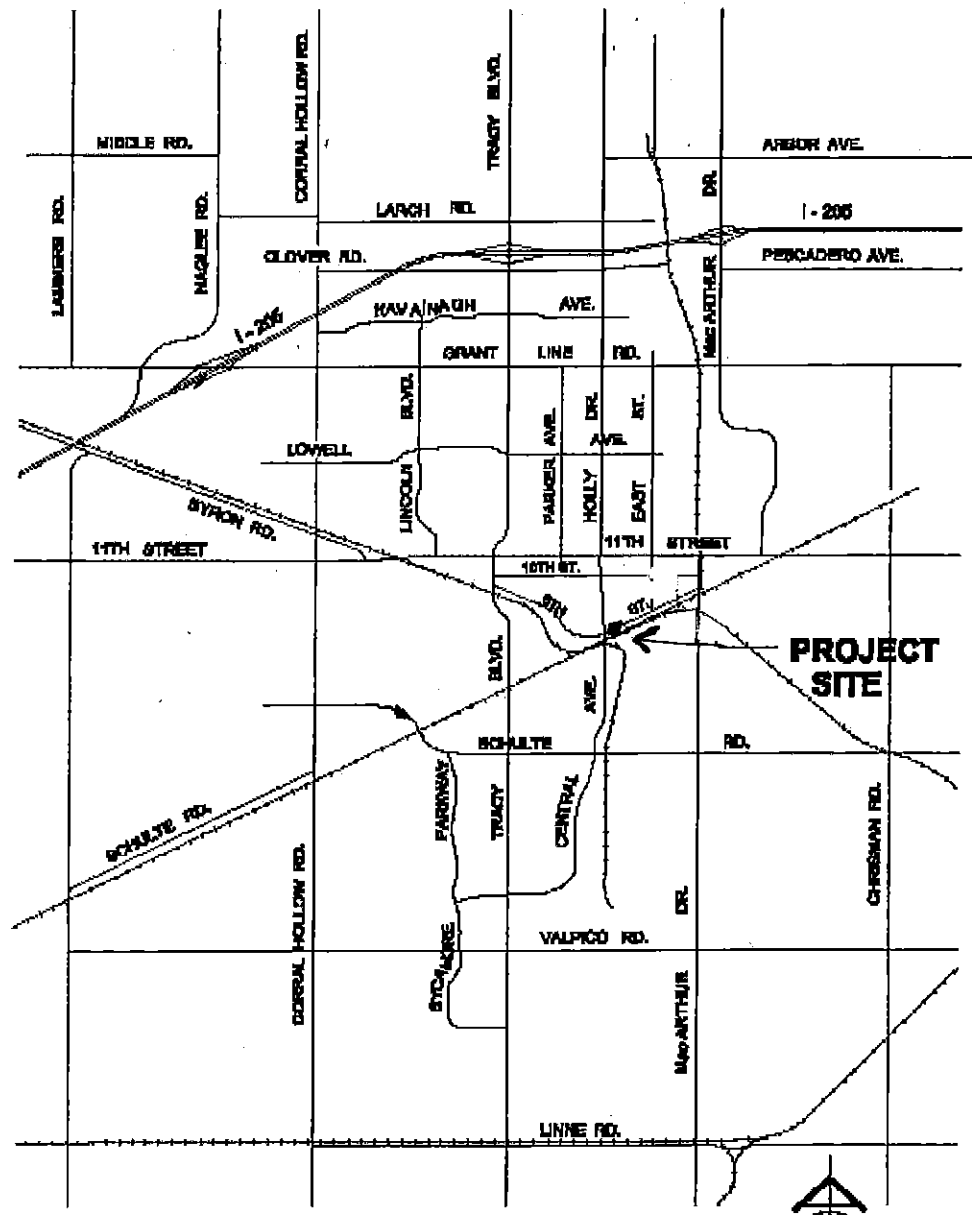
Prepared by: Binh Nguyen, Associate Civil Engineer

Reviewed by: Kuldeep Sharma, City Engineer

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

ATTACHMENTS

Attachment A – Vicinity Map



**LOCATION MAP**  
(CITY OF TRACY)

NOT TO SCALE



RESOLUTION 2013 - \_\_\_\_\_

APPROVING A CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIVE RESPONSIBLE BIDDER FOR THE TRANSIT STATION SECURITY CAMERAS CIP 77545, AUTHORIZING THE ALLOCATION OF \$50,000 FROM TRANSIT CAPITAL F573 TO CIP 77545 AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT

WHEREAS, The City of Tracy has a vested interest, in protecting its assets from vandals, and

WHEREAS, The Federal Transit Authority requires that funding be spent for security purposes to protect the assets for which it has helped to pay, and

WHEREAS, The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by the voters as Proposition 1B at the November 7, 2006, General Election, and

WHEREAS, This act authorizes the issuance of \$19,925,000,000 in general obligation bonds for specific purposes, including grants for transit system safety, security and disaster response projects, and

WHEREAS, The City of Tracy has applied for two separate Prop 1B grants through the San Joaquin Council of Governments (SJCOG) for a total amount of \$150,000, and

WHEREAS, These grant applications have been approved and the grant funds will allow for installation of security cameras at the Tracy Transit Station, and

WHEREAS, The existing Transit Center is an open facility vulnerable to graffiti and damages, and

WHEREAS, Installation of security cameras will make the facility safer and more secure, and

WHEREAS, The project was advertised for construction bids on April 4 and 11, 2013, and three bids were received on May 23, 2013, and

WHEREAS, The lowest monetary bid is from Bockmon & Woody Electric of Stockton, California; the bid analysis indicates that the bid is "responsive" and the bidder is "responsible", and

WHEREAS, The total recommended construction cost for this project, if awarded to Bockman & Woody Electric, is as follows:

Construction Bid Amount (Base Bid + Additive Bid )	\$ 142,173
Contingency (15%)	\$ 21,000
Construction Management & Inspection	\$ 5,000
Design	\$ 16,000
Project Management	\$ 15,257
Total Project Cost	\$ 199,430
Available Budget	\$ 150,000
Additional Funds Needed	\$ 50,000

WHEREAS, Additional funding of \$50,000 is needed to complete the project as recommended and funding for this amount is available from the Transit Capital Fund F573 and needs to be allocated to CIP 77545, and

WHEREAS, there will be no impact to the General Fund. This is an approved Capital Improvement Program project in FY 2012/13. Funds are available in Transit Capital F573 for the additional \$50,000 needed for the Additive Bid Item;

NOW, THEREFORE BE IT RESOLVED, That City Council awards a construction contract to Bockmon & Woody Electric of Stockton, California, in the amount of \$142,173 for the Transit Station Security Cameras CIP 77545, authorizes the allocation of \$50,000 from Transit Capital F573 to CIP 77545, and authorizes the Mayor to execute the construction contract.

The foregoing Resolution \_\_\_\_\_ was adopted by the City Council on the 2<sup>nd</sup> day of July, 2013, by the following vote:

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

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

AGENDA ITEM 7

REQUEST

**COUNCIL DISCUSSION ON COST ESTIMATE TO ANALYZE CITY-WIDE FEES AND DIRECTION ON WHETHER OR NOT TO COMMISSION A STUDY TO DETERMINE IF CURRENT FEES ARE COVERING COST OF SERVICE**

EXECUTIVE SUMMARY

On June 4, 2013, Council directed staff to obtain a cost estimate for a study that reviews and evaluates current City-wide fees listed in the City's Master Fee Schedule. The estimated cost to commission a cost of service study would range between \$65,000 and \$75,000.

DISCUSSION

*Background*

On June 4, 2013, Council approved the City's Master Fee Schedule annual update based on the Consumer Price Index (CPI). The City's Master Fee Schedule includes various fees, ranging from recreational fees to police-related fees and various development permit fees. A copy of the City's Master Fee Schedule adopted by Council on June 4, 2013, is included as Attachment A for reference.

During the June 4, 2013 Council meeting, Council asked several questions related to whether or not current fees represent the actual cost of service and requested a cost estimate for updating the 1998 study, as well as, evaluating the methodology for estimating annual fee increases.

*Cost and Scope of Study to evaluate current fees:*

The estimated cost to commission a cost of service study ranges between \$65,000 and \$75,000. The scope of the study would include a cost of service analysis to examine appropriate fee levels to achieve cost recovery or to better understand general fund subsidies for various fee programs. The analysis would also examine the activities that are provided to individual users and determine the appropriate fee to achieve cost recovery. Once this information is gathered and evaluated, the decision regarding the level of cost recovery for a particular service (or the subsidy) is a policy decision for Council discussion. The analysis of current fees, however, will provide a sound factual basis for Council as they deliberate the level of general fund subsidy, if any.

*Current Cost Recovery Efforts*

As stated at the June 4, 2013 Council meeting, without analyzing each specific fee and corresponding cost for that particular service, it is difficult to answer the questions of cost recovery relative to the City's current fees on an individual basis. There are, however, indications from the FY 13/14 budget that the City currently subsidizes various

fee programs at an estimated subsidy amount of approximately \$4.2 million as reflected in the table below.

Estimated General Fund Subsidy

	<b>Actuals FY10-11</b>	<b>Actuals FY11-12</b>	<b>Estimate FY12-13</b>	<b>Budget FY13-14</b>
Program Costs	\$9,066,316	\$9,297,021	\$9,888,555	\$10,039,045
<b>Fee Revenues</b>	<b>\$5,957,377</b>	<b>\$5,635,436</b>	<b>\$6,187,070</b>	<b>\$5,937,630</b>
<b>General Fund Subsidy</b>	<b>\$3,156,435</b>	<b>\$3,706,814</b>	<b>\$3,768,985</b>	<b>\$4,168,915</b>
% Cost Recovered	65.2%	60.1%	61.9%	58.5%

The chart above is a historical view of the level of general fund subsidy associated with the various fees for service as outlined in the Master Fee Schedule. This chart is provided as a snap shot illustration of the General Fund subsidy to various departments and is not intended to show cost recovery detail for any individual fee within a specific Department. That level of detail would be the basis for hiring a consultant to analyze City fees, and if appropriate, make fee adjustment recommendations. An updated cost of service study may compel the City Council to alter the City's subsidy policies and practices to achieve similar results.

Next Steps

If Council directs staff to hire a consultant to analyze the City's fees, staff would follow the formal Request for Proposal (RFP) process as defined by City policy. Staff estimates that the selection of the consultant and funding appropriation agenda item could come back to Council within the next 60 days.

STRATEGIC PLAN

This agenda item relates to the City's Governance Strategic Plan. The Governance Strategy Plan focuses on budgetary issues such as streamlining processes, becoming for efficient and implementing strategies to improve the City's financial health.

FISCAL IMPACT

Should Council direct staff to move forward in hiring a consultant to analyze the City's fees, there would be a General Fund impact in the range of \$65,000 to \$75,000. To recover the cost of the analysis, a small recovery charge can be applied to each fee over a period of time.

RECOMMENDATION

Staff recommends City Council discuss and provide direction to staff relative to hiring a consultant to analyze and update the City's fees as identified within the Master Fee Schedule.

Prepared by: Andrew Malik, Development Services Director

Reviewed by: Maria A. Hurtado, Assistant City Manager  
Jenny Haruyama, Administrative Services Director

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

ATTACHMENT

Attachment A - Master Fee Schedule



Think Inside the Triangle

## City of Tracy

### Master Fee Schedule

Adopted by City Council Resolution No. 2012-101, May 17, 2011

Amended by Resolution No. 2012-111, June 5, 2012

Amended by Resolution No. 2013-047, April 2, 2013

Amended by Resolution No. 2013-086 June 4, 2013

Effective June 5, 2013, with the exception of  
Development Services which will be effective  
August 6, 2013 due to revised Conditional Use  
Permit fees

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## Introduction

The City of Tracy Master Fee Schedule is a compilation of most of the fees charged by the City for services. It is organized by Department and does not include the following types of fees:

- development impact fees adopted under the Mitigation Fee Act;
- mitigation fees (ie habitat mitigation, agricultural mitigation fees);
- business license fees (taxes);
- enterprise fund charges (water, sewer, storm water, airport, transit);
- fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid waste, yard waste and recycling under TMC Chapter 5.20);
- landscape maintenance district assessments;
- fines (imposed as penalties);
- leases of City property; and
- rates established by separate agreements (ie Tracy Unified School District).

The Master Fee Schedule will generally be updated annually, and most fees will increase by a cost-of-living adjustment (CPI) rounded to the nearest dollar. The fees which are updated by some other method are indicated as such.

**Public services** may be classified as community-supported public services, such as police and fire services. These are typically provided to the community as a whole and are supported by general tax dollars from the City's general fund.

**Personal choice services** are optional, such as taking a class, and are requested by the customer.

**Property development services** (requiring a building permit or land use entitlement) is done at the request, and for the benefit, of the owner. Fees are usually charged for these types of services, though some may be subsidized with general tax dollars when they have some social, safety, or welfare benefit.

City Staff whom worked to update this Master Fee Schedule include the following representatives from each Department:

Administrative Services, Finance Division	Anne Bell
City Attorney's Office	Judith Robbins
City Clerk'S Department	Sandra Edwards
City Manager's Department	Linda Bower
City Manager's Department, Cultural Arts Division	Jeffrey Haskett
City Manager's Department, Recreation Division	Kim Scarlata
City Manager's Department, Theater Division	William Wilson
Development Services, Engineering Division	Kuldeep Sharma
Development Services, Planning Division	William Dean
Fire Department, Fire Administration Division	David Bramell
Police Department, Support Operations Division	Lani Smith
Public Works Department, Community Facilities Division	Vanessa Carrera



**ADMINISTRATIVE SERVICES DEPARTMENT**

# Administrative Services Department

## Finance Division

Department Contact: Anne Bell, Mgt. Analyst II

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>Fire Sprinkler Charges</b> (Water Access/Availability)		Reso.2012-111
2" line	\$5	
4" line	\$10	
6" line	\$21	
8" line	\$31	
10" line	\$41	
12" line	\$52	
<b>Business Licenses:</b>		
• State disability access fee	\$1 /application or renewal	GC §4467
<u>Note re: Other Business License Fees:</u>		
• Business license fee amounts are established		TMC6.04.130
by ordinance, at TMC Chapter 6.04.		
• Transfer, assignment or duplication fee	\$5 /duplication	TMC6.04.130
• <sup>1</sup> Penalty of 10% of business tax for delinquent		TMC 6.04.170
taxes, not to exceed 50%		
6.04.170.		

**Note: Business Licenses:**

- Business license fee amounts are established by ordinance, at TMC Chapter 6.04.
- <sup>1</sup> For failure to pay a business tax

**Note: Transient Occupancy Tax**

- Established by ordinance as 10% of rent, at TMC 8.48.230.

**Latest Fee Study or Staff Report Explanation:**

- City Council Resolution No. 2012-243 and associated staff report.
- City Council Resolution No. 2011-101 and associated staff report.
- 2003 Cost of Services Study Update, prepared by Finance Department. (See City Council Resolution No. 2003-059). Relates to water delinquencies, business licenses and returned checks.
- 1998 Cost of Service Study.
- City Council Resolution 95-018 and associated staff report.

**Legend:**

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
TMC - Tracy Municipal Code	PC - Penal Code	DOJ - CA Department of Justice	CCR - CA Code of Regulations
GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

**Administrative Services Department  
Human Resources Division**

Department Contact: Midori Dearborn, Senior Human Resources Analyst

There are no Human Resources Division Fees.

## **Administrative Services Department Information Technology Division**

Department Contact: Matt Engen, Manager

There are no Information Technology Division Fees.

**CITY-WIDE FEES**  
**CITY CLERK & CITY MANAGER'S DEPARTMENTS**

## City-Wide Fees City Clerk and City Manager's Departments

Department Contacts: Maria Hurtado, Assistant City Manager; Sandra Edwards, City Clerk

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC §3.36.010
<b>Annual Subscriptions (City Council, Planning Commission)</b>		GC §6253
Agendas	\$36 / month \$2 / disc / agenda	Reso. 2007-258
Minutes*	\$0.15 / page	GC §6253
<b>Appeals</b>		
To City Council	\$155	TMC §1.12.020(B)(2)
To City Manager	\$155	TMC §1.12.010(D)(2)
By Impartial Hearing Officer	May be shared equally by parties	TMC §1.12.030
<b>Document Certification</b>	\$15 / document b	
<b>Photocopies</b>		
Paper Copy *	\$0.15 / page	GC §6253
Oversized Copy	At cost	
Maps *	At cost	GC §6253
<b>Duplicating Recording of Public Meeting:</b>		
Video or Audio	At cost	
DVD of Council Meeting	\$2	
<b>Notary Fee *</b>	\$10	GC §8211
<b>Palmistry License Fee (through Police Dept)</b>		TMC §4.12.190
New	\$567	
Renewal	\$360	

### Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2011-104 2012-111 and accompanying staff report.
- Updated Council Policies and Procedures, City Council Resolution No. 2007-258.
- Resolution No. 2003-059 and accompanying staff report.
- <sup>b</sup> 1998 Cost of Service Study, and 2003 Cost of Services Update, prepared by Finance Department. (City Council Resolution No. 2003-059).

### Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

# City Manager's Department Grand Theatre\Cultural Arts Divisions

Division Contact:

Division Contacts:

Kim Scarlata, Recreation Manager

Jeffrey Haskett, Theater Manager

William Wilson, Gallery Supervisor, Cultural Arts

\* Fees are set by this Department annually and are not subject to automatic CPI adjustments.

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC §3.36.010
<b>DEPOSITS</b>		
Grand Theatre (Refundable)	\$500	
Studio Theatre	\$250	
Movement Theatre	\$100	
Art Studio	\$100	
Art Studio 2	\$100	
Children's Art Studio	\$100	
Music Rooms 1-1	\$100	

## ETK THEATRE

*Note:*

*Grand Theatre base rental is 8 hours and includes: 1 staff technician and 1 front-of-house supervisor.*

*Prime time is Friday through Sunday. Percentage payment is based on gross receipts. Fee is either minimum or percentage, whichever is greater.*

	Non-profit	Commercial
<b>Prime Time Rental: Performance</b>		
First 8 hours	\$574 or 10%	\$1,722 or 15%
Each Additional Hour	\$100	\$300
<b>Prime Time Rental: Rehearsal</b>		
First 8 hours	\$574	\$1,722
Each Additional Hour	\$100	\$300
<b>Non-Prime Time Rental: Performance</b>		
First 8 hours	\$287	\$750
Each Additional Hour	\$100	\$300
<b>Non-Prime Time Rental: Rehearsal</b>		
First 8 hours	\$143	\$375
Each Additional Hour	\$100	\$300
<b>Prime Time Resident Company Rental: Performance or Rehearsal</b>	\$460 / 8 hours	Not Applicable
<b>Non-Prime Time Resident Company Rental: Performance</b>	\$230 / 8 hours	Not Applicable
<b>Non-Prime Time Resident Company Rental: Rehearsal</b>	\$115 / 8 hours	Not Applicable

Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
<b>STUDIO THEATRE</b>			<b>TMC §3.36.010</b>
<i>Note: Prime time is Friday through Sunday. Percentage payment is based on gross receipts. Fee is either minimum of percentage, whichever is greater.</i>			
	<b>Non-profit</b>	<b>Commercial</b>	
<b>Prime Time Rental: Performance</b>			
First 5 Hours	\$110 or 10%	\$330 or 15%	
Each Additional Hour	\$60	\$180	
<b>Prime Time Rental: Rehearsal</b>			
First 5 Hours	\$110	\$330	
Each Additional Hour	\$60	\$180	
<b>Non-Prime Time Rental: Performance</b>			
First 5 Hours	\$80	\$330 or 15%	
Each Additional Hour	\$60	\$180	
<b>Non-Prime Time Rental: Rehearsal</b>			
First 5 Hours	\$80	\$330	
Each Additional Hour	\$60	\$180	
<b>Meeting</b>	\$225 / 2 hrs		
Each Additional Hour	\$40	\$115	
<b>Prime Time Resident Company Rental - Performance or Rehearsal</b>	\$88 / 5 hrs	Not Applicable	
<b>Non-Prime Time Resident Company Rental - Performance</b>	\$64 / 5 hrs	Not Applicable	
<b>Non-Prime Time Resident Company Rental - Rehearsal</b>	\$64 / 5 hours	Not Applicable	
<b>DANCE STUDIO, ART STUDIO I AND II, AND CHILDREN'S ART STUDIO</b>			
<b>Class/Meeting or Studio Theatre</b>			
First 2 Hours	\$75	\$225	
Each Additional Hour	\$40	\$115	
<b>ART PARTIES</b>			
First 2 Hours	\$50	\$150	
Each Additional Hour	\$35	\$75	
Materials Fee (activity dependent)	\$5 - \$25 / person		
<b>LARGE MUSIC ROOM (Includes Any Room Set Up &amp; Tear Down)</b>			
<b>Class/Meeting</b>			
First 2 Hours	\$25	\$100	
Each Additional Hour	\$35	\$125	
<b>MUSIC ROOM (Includes any room set up and tear down)</b>			
<b>Class (medium) or</b>			
First 2 Hours	\$25	\$100	
Practice & Each Additional Hour	\$35	\$125	
<b>Legend:</b>			
* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
	Non-profit	Commercial	TMC §3.36.010
<b>GRAND GALLERIES</b>			
Each Additional Hour	\$75 /2 hrs \$50	\$225 /2 hrs \$150	
<b>LOBBY AREAS</b>			
Upstairs	\$250 /4 hrs	\$500 /4 hrs	
Downstairs	\$200 /4 hrs	\$400 /4 hrs	
<b>OLD TOWN HALL &amp; JAIL</b>			
Weekday (Mon 8am – Fri 6 pm)	\$40 /2 hrs	\$60 /2 hrs	
Weekend (Fri 6 pm – Mon 8 am)	\$50 /2 hrs	\$100 /2 hrs	
<b>2<sup>ND</sup> FLOOR ARTS OFFICE</b>			
Weekday (Mon 8am – Fri 6 pm)	\$30 /2 hrs	Not Available	
Weekend (Fri 6 pm – Mon 8 am)	\$40 /2 hrs		
<b>(LOGGIA)</b>			
May only be rented as part of another rental			
Reception (hourly rate)	\$50	\$150	
<b>BOX OFFICE SERVICES</b>			
Per Performance	\$100	\$300	
Per Ticket Charge to Patron	\$3		
General Admission Per Ticket to Patron	\$1		
Marquee Listing	\$50 / day	\$100 / day	
<b>MISCELLANEOUS RENTALS</b>			
Grand Piano	\$900 / use		
Baby Grand Piano	\$500 / use		
Piano Tuning at Renter's Expense	\$150 each		
Installation/Removal of Floor for Carpet	\$250 / use		
Wireless Microphones	\$25 / day		
Microphone Stands	\$0 / use		
Follow Spot	\$350 / use		
Video Projector	\$100 / day		
Laptop Computer	\$50 / use		
Screen	\$30 / use	\$90 / use	
LCD Projector per Day/Event	\$0 / use		
Marquee Sign Listing	\$100 / use		

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY	
<b>LABOR FEES</b>		TMC §3.36.010	
Technical Theatre Supervisor	\$56 / hr		
Theatre Technicians	\$40 / hr		
General Stagehands	\$20 / hr		
Follow Spot Operator	\$15 / hr		
Merchandise Sales Person	\$15 / hr		
Gallery Supervisor	\$40 / hr		
Gallery Docents	\$15r / hr		
Arts Education Instructor	\$25 / hr		
Recreation Leader	\$15 / hr		
<b>ADDITIONAL FEES</b>			
Janitorial Fees	\$150 / day		
Season Discount/Reward Card	\$20 / year		
Large Format Printing (posters, signs)	\$2 / Sq Ft		
<b>CERAMICS</b>		TMC §3.36.010; Reso. 2007-232	
<b>Building</b> Example Classes: Wheel Throwing, Hand Building, Molding	\$50-\$300		
<b>Firing</b> Example Classes: Kiln Loading, Firing Techniques	\$40-\$300		
<b>Glazing</b> Example Classes: Glazing & Finishing	\$20-\$300		
<b>Workshops</b> Workshop Example: Artist Talks and Demonstrations	\$10-\$300		
<b>DANCE</b>			
<b>Children's Classical</b> Example Classes: Ballet, Lyrical	\$30-\$150		
<b>Children's Modern</b> Example Classes: Jazz, Hip-Hop, Tap, Creative Dance	\$30-\$150		
<b>Children's Workshops</b>	\$10-\$200		
<b>Adult Classical</b> Example Classes: Ballet, Lyrical	\$30-\$150		
<b>Adult Modern</b> Example Classes: Hip-Hop, Tap, Jazz	\$30-\$150		
<b>Adult Ballroom</b> Example Classes: Swing, Salsa, Waltz	\$30-\$150		
<b>Adult Workshops</b>	\$10-\$300		
<b>DRAMA</b>			
<b>Acting Technique</b> Example Classes: Improvisation, Beginning Acting	\$40-\$250		
<b>Technical Theater</b> Example Classes: Set Building, Lighting/ Audio	\$40-\$250		
<b>Performance</b> Example Classes: Musical Theater, Scene Study	\$40-\$250		
<b>Workshops</b> Example Workshops: Audtion Workshops, Theater Camps	\$10-\$300		
Legend:			
* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>MUSIC</b>		TMC §3.36.010; Reso. 2007-232
<b>Perucssion</b> Example Classes: Drumming, Muisc & Rhythm	\$50-\$200	
<b>Strings</b> Example Classes: Guitar, Violin	\$50-\$200	
<b>Horns</b> Example Classes: Trumpet, Saxophone, Clarinet	\$50-\$200	
<b>Keyboard</b> Example Classes: Piano, Group Keyboarding	\$50-\$200	
<b>Voice</b> Example: Group & Private Voice	\$50-\$200	
<b>Music Methodologies</b> Example: Music Theory, Music History	\$50-\$200	
<b>Workshops</b> Example: Music PR, Breaking into the Music Business	\$10-\$300	
<b>VISUAL ARTS</b>		
<b>Children's Drawing</b> Example Classes: Pre-School Drawing, Cartooning	\$40-\$120	
<b>Children's Painting</b> Example Classes: Acrylic & Watercolor Painting	\$40-\$120	
<b>Children's Design</b> Example Classes: Color and Light, Graphic Design	\$40-\$150	
<b>Children's Mixed Media</b> Example Classes: Print Making, Storybook Building	\$40-150	
<b>Children's Workshops</b> Example Workshops: Cartoon Workshop, Fused Glass Making	\$10-\$250	
<b>Adult Drawing</b> Example Classes: Landscape, Figure, Still Life Drawing	\$40-\$300	
<b>Adult Painting</b> Example Classes: Acrylic, Oil, and Watercolor Painting	\$40-\$300	
<b>Adult Design</b> Example Classes: Graphic Design, Fashion Design	\$40-\$300	
<b>Adult Mixed Media</b> Example Classes: Apparel Construction, Weaving, Sculpting	\$40-\$300	
<b>Adult Workshops</b> Example Workshops: Art History, Artist Talks and Demonstrations	\$10-\$300	
<b>Performance Admission Fees</b>	Cost to City Based on Performer	

**Latest Fee Study or Staff Report Explanation:**

- City Council Resolution No. 2007-232 and associated staff report.

Legend:

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# City Manager's Department Recreation Division

Division Contact: Kim Scarlata, Recreation Manager

\* Fees are set by this Department annually and are not subject to automatic CPI adjustments.

SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
<b>ADMINISTRATION FEES/CHARGES/SERVICES</b>				TMC §3.36.010
<b>Advertising Fee for Activity Guide<sup>1</sup></b>				
Full page, back cover	\$1,000			
Full page, inside back cover	\$500			
½ page, inside	\$350			
¼ page, inside	\$200			
<sup>1</sup> Applied to advertising in City's Activity Guide publications				
Insurance Processing Fee Fee for public purchase of event Insurance	\$35	/ transaction		
Program Transaction Fee Applied to withdrawal, refund, credit or transfer	\$5	/ transaction		
Fac. Rental Applic. Processing Fee	\$35	/ transaction		
Early Registration Discount	(\$10)	/ registration		
Online Registration Discount	(\$10)	/ registration		
Sibling Registration Discount	10%	/ registration		
Range of Fee Increase for Contract Classes To be used based on staff's assessment of need, and negotiations with Contract Instructors	20%	/ registration		
<b>CURRENT SPECIAL INTEREST (CONTRACTOR) CLASSES</b>				
Baby Sitter Training	\$85/Non-Res	\$77/Res	/2-day session	
Cardio Kick Boxing	\$55/Non-Res	\$50/Res	/6-week session	
Cheer Prep	\$50/Non-Res	\$45/Res	/4-week session	
Cheer-Preschool	\$50/Non-Res	\$45/Res	/4-week session	
Classic Gym-Preschoolers	\$53/Non-Res	\$48/Res	/4-week session	
Classic Gym-Youth	\$57/Non-Res	\$52/Res	/4-week session	
CPR/FA	\$55/Non-Res	\$50/Res	/1-day session	
Dog Obedience-Advanced	\$105/Non-Res	\$95/Res	/7-week session	
Dog Obedience-Basic	\$127/Non-Res	\$115/Res	/7-week session	
Golf Lessons-Adult	\$66/Non-Res	\$60/Res	/4-week session	
Gymnastic Camps	\$66/Non-Res	\$60/Res	/per week	
Just 4 Kicks-Preschool	\$79/Non-Res	\$72/Res	/8-week session	
Just 4 Kicks-Youth	\$79/Non-Res	\$72/Res	/8-week session	
KidSAFE	\$99/Non-Res	\$90/Res	/10-week session	
LEGO Camp (Half Day)	\$189/Non-Res	\$172/Res	/per week	
Mad Science (Half Day)	\$185/Non-Res	/\$169/Res	/per week	
Preschool AM	\$193/Non-Res	\$175/Res	/per calendar month	
Preschool PM	\$418/Non-Res	\$380/Res	/per calendar month	

Legend:

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TMC - Tracy Municipal Code	PC - Penal Code	DOJ - CA Department of Justice	Res - Resident; Non-Res, Non-resident
GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	SF Ft - Square Feet
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	hr(s) - hour(s)

SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
<b>CURRENT SPECIAL INTEREST (CONTRACTOR) CLASSES, CONTINUED</b>				TMC §3.36.010
Safety Club	\$21/Non-Res	\$18/Res	/1-day workshop	
SNAP Summer Day Camp	\$55/Non-Res	\$50/Res	/per week	
SNAP After School Program	\$28/Non-Res	\$25/Res	/per week	
Tennis-Adult	\$55/Non-Res	\$50/Res	/4-week session	
Tennis-Tiny Tots	\$48/Non-Res	\$44/Res	/4-week session	
Tennis-Youth	\$55/Non-Res	\$50/Res	/4-week session	
Tracy Online Learning	\$97/Non-Res	\$88/Res	/6-week session	
Yoga-Adults	\$35/Non-Res	\$32/Res	/4-week session	
Yoga-Seniors	\$33/Non-Res	\$30/Res	/per calendar month	
Action Gymnastics	\$83/Non-Res	\$75/Res	/8-week session	
Action Gymnastics Parent/Tot	\$28/Non-Res	\$25/Res	/4-week session	
Action Gymnastics Parent/Tot Adv	\$33/Non-Res	\$30/Res	/4-week session	
Zumba 10-day Pass	\$88/Non-Res	\$80/Res	/10-day pass	
Zumba 20-day Pass	\$165/Non-Res	\$150/Res	/20-day pass	
Zumba Drop In	\$13/Non-Res	\$10/Res	/per drop in	
Tai Chi	\$44/Non-Res	\$40/Res	/6-week session	
Tiny Tots Hooked on Books	\$53-/Non-Res	\$48/Res	/4-week session	
Basic Gardening	\$28/Non-Res	\$25/Res	/4-week session	
Bowling for Beginners	\$99/Non-Res	\$90/Res	6-week session	
Camps-Biology Camp	\$220/Non-Res	\$200/Res	/per week	
Camps-Build a Robot	\$198/Non-Res	\$180/Res	/per week	
Camps-Chess	\$59/Non-Res	\$54/Res	/3-week session	
Camps-Eagal Lakes	\$94/Non-Res	\$85/Res	/3-day session	
Camps-Kidsafe	\$99/Non-Res	\$90/Res	/3-week session	
Computer Tech Camp	\$204-\$149/Non-Res	\$185-135/Res	/5-day session	
Fly Fishing	\$33/Non-Res	\$30/Res	/1-day workshop	
Just 4 Hoops	\$59/Non-Res	\$54/Res	/6-week session	
Just 4 Kicks Camps Preschoolers	\$94/Non-Res	\$85/Res	/5-day session	
Just 4 Kicks Camps Youth	\$110/Non-Res	\$100/Res	/5-day session	
Kindergarten Tutoring	\$63/Non-Res	\$57/Res	/4-week session	
Tae Kwon Do Tots	\$47/Non-Res	\$43/Res	/4-week session	
Tennis Camp Preschoolers	\$50/Non-Res	\$45/Res	/1-week session	
Tennis Camp Youths	\$55/Non-Res	\$50/Res	/1-week session	
SERVICE OR APPLICATION	CURRENT FEE			LEGAL AUTHORITY
<b>NEW SPECIAL INTEREST (CONTRACTOR) CLASSES</b>				TMC §3.36.010
Adventure Thursdays Field Trip	\$65/Non-Res	\$59/Res	/per trip	
Arthritis Foundation Tai Chi	\$64/Non-Res	\$58/Res	/8-day session	
Athletic Perfection - Play Date	\$23/Non-Res	\$20/Res	/1-day session	
Athlete in You	\$50/Non-Res	\$45/Res	/4-week session	
Camps - Fencing	\$220/Non-Res	\$200/Res	/per week	
Camp - Flag Football	\$165/Non-Res	\$150/Res	/per week	
Camps - Skyhawks Basketball	\$54/Non-Res	\$49/Res	/4-sessions	
Camps - Skyhawks Baseball	\$54/Non-Res	\$49/Res	/4-sessions	
Camps - Skyhawks Sports	\$164/Non-Res	\$149/Res	/per week	
Camps - Tennis	\$165/Non-Res	\$150/Res	/per week	
Classic Gym - Open Gym	\$3		/per drop-in	
Classic Gym - Crafty Time	\$72/Non-Res	\$65/Res	/4-week session	
Classic Gym - School's Out Party	\$20		/per drop-in	
Fencing for Beginners	\$99/Non-Res	\$90/Res	/4-week session	
Get Up & Moving Fitness	\$66-\$220/Non-Res	\$60-\$200/Res	/4, 10, 20-day passes	
Leaders in Training: Jr Rec Leaders	\$83/Non-Res	\$75/Res	/2-day session	
Tai Chi Arthritis Foundation	\$70/Non-Res	\$64/Res	/6-sessions	
Tennis - Cardio Workshop	\$28/Non-Res	\$25/Res	/1-day workshop	
Workshop Series for Adults	\$8/Non-Res	\$5/Res	/1-day workshop	
Yoga - Adults	\$83/Non-Res	\$75/Res	/10-day pass	
Legend:				
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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code		

SERVICE OR APPLICATION		CURRENT FEE		LEGAL AUTHORITY
<b>YOUTH &amp; TEENS</b>				TMC §3.36.010
BBQ and Game Day		\$3 / person		
Teen Swim Events		\$5 / person		
Teen Events				
Minimum		\$5 / person		
Maximum		\$20 / person		
Girls Retreat		\$10 / person		
Teen Camps		\$77/Non-Res/week	\$70/Res/week	
Teen Chill Out Night (Movie & Popcorn)		\$3 / person		
Extreme Sports Day (competition registration)		\$10 / person		
Fashion Show		\$10 / person		
Ski/Snowboard Trip		\$90 / lift ticket only \$125 /rental & lift ticket \$125 /rentals, lift & lesson \$55 / transportation only \$5 / helmet rental		
S.A.F.E. (Teen After School Program)	Minimum: Maximum:	\$50 / membership/school yr \$100 / membership/school yr		
*Fee ranges based on direct costs		\$0 / drop-in for members \$5 / scrapbooking class \$5 / cooking class		
<b>MCYSN</b>				
Mobile recreation (Roll'n Rec)		\$0 / person		
<b>YOUTH DEVELOPMENT</b>				
ROC (Recreation on Campus After School)* *Fee ranges based on direct costs				
Minimum		\$180	/ regular-per month	
Maximum		\$240	/ regular-per month	
ROC (Recreation on Campus After School)* *Fee ranges based on direct costs				
Minimum		\$15	/ daily-per day	
Maximum		\$24	/ daily-per day	
ROC (Recreation on Campus After School)* *Fee ranges based on direct costs				
Minimum		\$105	/ hourly-per month	
Maximum		\$144	/ hourly-per month	
Summer Camp (Full Day) 7am-6pm* *Fee ranges based on direct costs				
Minimum		\$140	/ week	
Maximum		\$192	/ week	
Summer Camp Extended Care Fees (7am-9am, 3pm-6pm)		\$35	/ week	
Summer Camp 9am-3pm ONLY* *Fee ranges based on direct costs		\$150	/ week	
Summer Camp (Half Day) 9am-12pm or 1pm-4pm* *Fee ranges based on direct costs				
Minimum		\$65	/ week	
Maximum		\$90	/ week	
<b>SENIORS</b>				
<b>Senior Health &amp; Wellness</b>				
Wii Jubilee Fitness		\$0	/ class	
Virtues		\$0	/ class	
Power Walk		\$0	/ class	
Cardio and Core		\$1	/ class	
Cardio and Stretch		\$1	/ class	
Legend:				
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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
<b>SENIORS, Senior Health and Wellness, Continued</b>			TMC §3.36.010
Tone Your Body	\$1	/ class	
Abs, Backs and Gluts	\$1	/ class	
Cardio Drill	\$1	/ class	
25 Visit - Senior Fitness Pass	\$20	/ card	
Tai Chi (New)	\$44/Non-Res	\$40/Res	
<b>Senior Arts &amp; Music</b>			
Senior Idol	\$0	/ class	
Wood Carving	\$0	/ class	
Arts & Craft Class	\$0	/ class	
Arts & Craft Project	\$5	/ project	
Painting	\$0	/ class	
Scrapbooking	\$0	/ class	
Sewing	\$0	/ class	
Beading	\$7	/ month	
Card Making	\$2	/ class	
Tap Dancing	\$2	/ class	
Line Dancing	\$2	/ class	
Country Jams	\$2	/ class	
<b>Senior Recreation</b>			
Tea Social	\$0	/ class	
Bingo	\$0	/ class	
Social Recreation Programs	\$0	/ class	
Table Games	\$0	/ class	
<b>Senior Special Events</b>			
Minimum	\$5	/ event	
Maximum	\$20	/ event	
Booth for Special Events	\$25	/ event	
St. Patty's Day & Oktoberfest Lunch	\$5	/ person	
Dances	\$5	/ person	
Fashion Show	\$0	/ class	
SNAP Friday Night Dance	\$0	/ class	
20 Visit Drop-In Activities Card	\$20	/ card	
<b>Senior Trips</b>			
Golden Agers Bus Trips	\$33/Non-Res	\$30/Res	
<b>Senior Social Services</b>			
Lunch Program	\$0	/ month	
AARP Programs	\$0	/ month	
Other Services	\$0	/ month	
Clubs	\$0	/ month	
<b>ATHLETICS</b>			
<b>Adult Sports</b>			
Adult Slow Pitch Leagues*			
Minimum	\$280	/ team	
Maximum	\$520	/ team	
*League fees pending format, number of games & srvc			
Adult/Youth Fast Pitch Leagues*			
Minimum	\$450	/ team	
Maximum	\$600	/ team	
*League fees pending format, number of games & srvc			
Adult/Youth Softball Tournament*			
Minimum	\$250	/ team	
Maximum	\$500	/ team	
*Tournaments vary based on type of tournament and awards provided			
Legend:			
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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
<b>ATHLETICS</b>			TMC §3.36.010
<b>Adult Sports, Continued</b>			
Adult Softball Protest Fee	\$25	/ per protest	
Adult Flag Football League Minimum Maximum *League fees pending format, number of games & services	\$400 \$600	/ team / team	
<b>Youth Sports</b>			
Youth Basketball League (Youth Hoops) Minimum Maximum	Per Non-Res Player \$75 \$85	Per Res Player \$75 \$80	
Jr. Giants Youth Baseball (Free Program)	\$0	\$0	
Youth Sports Camps Minimum Maximum	Per Non-Res Player \$60 \$88	Per Res Player \$60 \$80	
Flag Football League Minimum Maximum	Per Non-Res Player \$75 \$99	Per Res Player \$75 \$90	
<b>AQUATICS</b>			
<b>General Recreation Swim</b>			
Individual Entrance Fee	\$2	/ person	
10-Visit Pass	\$25	/ pass	
<b>Swim Lessons</b>			
Parent/Tot	\$55	/ parent/tot	
Learn To Swim*			
Minimum	\$29/Non-Res	\$26/Res/team	
Maximum	\$66/Non-Res	\$60/Res	2 week session
*Fees vary based on number of instruction days			
<b>Water Aerobics</b>			
Drop-In	\$4	/ person	
10-Visit Pass	\$30	/ pass	
<b>Lap Swimming</b>			
Individual Entrance Fee	\$3	/ person	
10-Visit Pass	\$25	/ pass	
<b>Other Classes/Programs</b>			
Introduction to Lifesaving	\$60/Non-Res	\$55/Res	2 week session
Swim Camp	\$80/Non-Res	\$75/Res	2 week session
Diving	\$60/Non-Res	\$55/Res	2 week session
Basic Water Polo	\$60/Non-Res	\$55/Res	2 week session
Lifeguard Training	\$253/Non-Res	\$230/Res	1 week session
Private Swim Lesson (one ½-hour session)	\$105/Non-Res	\$100/Res	2 week session
<b>Discover SCUBA</b>	\$18/Non-Res	\$15/Res	
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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>SPECIAL EVENTS</b>		<b>TMC §3.36.010</b>
Event Ticket		
Minimum	\$18 / person	
Maximum	\$30 / person	
Event Booth Fee		
Minimum	\$25 / booth	
Maximum	\$75 / booth	

**Latest Fee Study or Staff Report Explanation:**

- City Council Resolution No. 2011-101 and accompanying staff report.
- City of Tracy Parks and Community Services Department, General Fund, Cost of Services Study Findings, June, 2008, prepared by MGT of America, Inc.

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## DEVELOPMENT SERVICES DEPARTMENT

*Note: The DS Department fees in this Schedule do not include:*

- *development impact fees adopted under the Mitigation Fee Act;*
- *mitigation fees (ie habitat mitigation, agricultural mitigation fees);*
- *fees adopted by separate agreement with a developer.*

# Development Services Department

## Building Safety and Fire Prevention Division

Department Contact: William Dean, Assistant Director of Development and Engineering Services  
Kevin Jorgensen, Chief Building Official and Acting Fire Marshal

Note: Whenever called for, employee hourly rates are based on the particular employee position, salary, benefits & overhead.

### Building Safety

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>Building Permit Fee</b> (Based upon project value, as determined by building valuation data table, with regional modifiers, as most recently published in the "Building Safety Journal".) <b>Electrical Permit</b> <b>Mechanical Permit</b> <b>Plumbing Permit</b>	Amount established by 1997 Uniform Administrative Code, Tables 3-A through 3-D and \$304	GC §66014, H&S §17951, Uniform Adm Code Section 304 & Table 3A-D. TMC §9.02.030, 9.08.080, CFR Title 24
<b>Investigation Fee (when work was begun without permit)</b>	Equal to amount of permit fee, in addition to permit	1997 UAC §304.5.2
<b>Title 24 Energy Inspection (including Photovoltaic Systems)</b>	Employee hourly rates	GC §66014, CFR Title 24
<b>Strong Motion Instrumentation Tax (SMI)</b> (CA State fee forwarded quarterly)		PRC §2705
Residential, for first \$7,215 in value, plus for each additional \$1,000 or portion thereof.	\$0.52 / \$7,215 plus \$0.07 / \$1000	
Commercial, for first \$7,215 in value, plus for each additional \$1,000 or portion thereof.	\$1.03 / \$7,215 plus \$0.15 / \$1000	
<b>Elevator Permit</b> Elevator, escalator or moving walk	\$94 plus \$1.69 for each \$1,000 or fraction over \$40,000	
Commercial dumbwaiter	\$27 plus \$1.69 for each \$1,000 or fraction over \$10,000	
<b>Electrical Meter Re-Set</b> (City safety inspection before PG&E turns on utilities.)	<b>\$57</b>	GC §66014
<b>Bldg./Moving or Oversized Load-Initial insp. fee</b>	<b>\$105</b>	TMC §9.32.040
<b>Expedited Plan Check and Inspection Fees</b>	Employee hourly rates	TMC §3.36.010

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>Micro-Imaging Fees:</b> <b><sup>1</sup>(+ 2% of invoice total for pick-up and delivery):</b>		Reso. 2005-161
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	\$0.07 each +2% <sup>1</sup>	
▪ anything larger than 11" x 17", black & white or gray scale document with a two field index	\$0.79 each +2% <sup>1</sup>	
▪ 11" x 17" and smaller, color document, with a two-field index	\$0.13 each +2% <sup>1</sup>	
▪ 18" x 24" color document, with a two-field index	\$0.47 each +2% <sup>1</sup>	
▪ 24" x 36" color document, with a two field index	\$1.37 each +2% <sup>1</sup>	
<b>Sign Permit</b>	Based on valuation for building and electrical permits	TMC \$9.28.050

## Fire Prevention

*Note: The Chief Building Official and Acting Fire Marshal has the authority to not charge wholly duplicative fees, for example for a construction fire permit and operational fire permit in the same year.*

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC \$3.36.010 and CFC 113
<b>Annual Operational Fire Permit and Inspection</b>		CFC 105.6
Permit fee	\$100 /Permit	
Inspection fee:	plus:	
<u>Type A</u> : amusement buildings; Christmas tree lots; exhibits & trade shows; open burning; pyroxylin plastics; rooftop heliports; haunted houses & corn mazes; pumpkin patches.	Employee Hourly Rate	
<u>Type B</u> : open candles, flames & torches.	\$42	
<u>Type C</u> : covered mall buildings; fire hydrants & valves; liquid or gas-fueled vehicles or equipment in assembly buildings; private fire hydrants.	\$58	
<u>Type D</u> : aviation facilities; cellulose nitrate film; cutting & welding; hot work operations; magnesium; temporary membrane structures, tents & canopies.	\$84	

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<u>Type E</u> : aerosol products; carnivals & fairs; combustible fibers; compressed gasses; dry cleaning plants; fruit & crop ripening; industrial ovens; miscellaneous combustible storage; wood products; floor finishing.	\$116	
<u>Type F</u> : above/below ground fuel storage tank installation, per tank; combustible dust-producing operations; cryogenic fluids; flammable & combustible liquids; LP-gas; organic coatings; places of assembly; repair garages & motor fuel-dispensing facilities; spraying or dipping; storage of scrap tires & tire byproducts; tire-rebuilding plants; fumigation & thermal insecticidal fogging.	\$174	
<u>Type G</u> : above/below ground fuel tank removal, per tank; lumber yards & woodworking plants; refrigeration equipment; production facilities; live audiences.	\$258	
<u>Type H</u> : explosives; hazardous materials; hazardous production material facilities; pyrotechnic/special effects displays; waste handling facilities.	\$348	
<u>Type I</u> : high-piled storage.	\$517	
<b>Construction Fire Permit, Including Plan Check, Review and Inspection</b>		CFC 105.7
Fire sprinkler plan check \$0 - \$5,000 \$5,001 - \$20,000 \$20,001 +	\$84 \$253 Fee will be based on employee hourly rate	
Fire sprinkler inspection \$0 - \$5,000 \$5,001 - \$20,000 \$20,001 +	\$258 \$480 Fee will be based on employee hourly rate	
Alarm plan check \$0 - 20,000 \$20,001 +	\$348 Fee will be based on employee hourly rate	
Alarm inspection \$0 - \$20,000 \$20,001+	\$174 Fee will be based on employee hourly rate	
Hood and duct  Plan check Inspection	  \$42 /applic. \$132 /applic.	
Legend:		
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		B & P - CA Bus. & Professions Code
		CCR - CA Code of Regulations

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>State Mandated Occupancy Inspection</b>		Title 19, CCR H & S Section 13235
Pre-inspection request:		
25 or less	\$52	
26 or more	\$105	
Day care, 14 or fewer	\$132	
Day care, more than 14, or Convalescent Home	\$297	
<b>Hydrant System Flow Testing</b>		
Testing	\$335 / test	
Witnessing	\$116 / test	

**Latest Fee Study or Staff Report Explanation:**

Building:

- City Council Resolution No. 2011-101 and accompanying staff report.
- Resolution No. 2003-267 .
- 1997 Uniform Administrative Code adopted by TMC §9.02.030.

Fire Safety:

- City Council Resolution No. 2011-101 and accompanying staff report.
- 2008 MGT of America, Inc. Fire Department cost of services study. (Note: based on this study, many fees are now set at 50% of actual cost).
- 2003 Cost of Services Study Update, prepared by Finance Dept. (City Council Resolution No. 2003-059.) (See also Feb 18, 2003 staff report).
- 1998 Cost of Service Study, prepared by MSI.

Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
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## **Development Services Department Code Enforcement Division**

Department Contact: William Dean, Assistant Director of Development Services Department  
Ana Contreras, Code Enforcement Officer

The Code Enforcement Division has no fees as such. However, there are various fines and costs of abatement established in the Tracy Municipal Code under the following chapters:

- Administrative Citations and Penalties: TMC Chapter 1.28.
- Public Nuisance Abatement: TMC Chapter 1.32.
- Abandoned Shopping Carts: TMC Chapter 6.24.

**Development Services Department  
Economic Development Division**

Department Contact: Amie Mendes, Analyst

The Economic Development Division has no fees.  
established in the Tracy Municipal Code under the following chapters:



# Development Services Department Engineering Division

Department Contact: **Kuldeep Sharma, City Engineer**  
**Cris Mina, Senior Civil Engineer**

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>AGREEMENT PROCESSING FEE</b> Inspection improvement agreement Subdivision improvement agreement Deferred improvement agreement Off-site improvement agreement Park improvement and reimbursement agreement	\$6,442 / agmt	
<b>GRADING</b> <b>Grading plan check</b> (base amount) 0-10,000 cubic yards (CY) 10,001-100,000 CY 100,001-200,000 CY 200,000 + CY Additional	\$2,524 Base amt. Base amt. plus \$134 /10,000 CY Base amt. plus \$114 /10,000 CY Base amt. plus \$89 /10,000 CY	TMC §12.12.070
<b>Grading permit and inspection</b> 5 or fewer lots (residential or commercial) Subdivisions (5 or more lots) Additional plan review required by multiple changes, additions, revisions after initial review completed.	\$1,427 \$3,605 Hourly personnel costs \$100 / hour	TMC §12.12.070
<b>SUBDIVISIONS</b> Tentative subdivision map Vesting tentative subdivision map Final Parcel Map Review Final Subdivision Map Review Map amendment review Certificate of correction Certificate of compliance – lot line adjustment	(See Planning) (See Planning) \$2,337 \$1,895 \$1,164 \$3,554 \$2,781	TMC §12.12.070; 12.16.060 TMC §12.28.050 TMC §12.12.070 TMC §12.28.050 TMC §12.04.080

Legend:

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY	
<b>PUBLIC IMPROVEMENTS</b>			
Inspection improvement agreement (SIA, DIA, OIA, PIRA, any amendment)	\$6,442		
Plan check (% of improvement constr cost)	5.78%		
Inspection (% of improvement constr cost)	3.50%		
As-builts, review after construction	\$31		
<b>Micro-Imaging Fees</b>		Reso 2005-161	
<sup>1</sup> (+ 2% of invoice total for pick-up and delivery):			
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	\$0.07 each	+2% <sup>1</sup>	
▪ anything larger than 11" x 17", black and white or gray scale document with a two field index	\$0.79 each	+2% <sup>1</sup>	
▪ 11" x 17" and smaller, color document with a two-field index	\$0.13 each	+2% <sup>1</sup>	
▪ 18" x 24" color document, with a two-field index	\$0.47 each	+2% <sup>1</sup>	
▪ 24" x 36" color document, with a two field index	\$1.37 each	+2% <sup>1</sup>	
<b>SEGREGATION OF ASSESSMENT</b> (Within any assessment districts)	\$41 / lot		
<b>RECORD OF SURVEY</b>	\$305		
<b>STREET/EASEMENT ABANDONMENT</b>	\$1,483		
<b>ENCROACHMENT PERMIT</b>		TMC §7.04.020	
Sidewalks, plus whichever is less	\$361 plus \$15 / Sq Ft or \$50 / hr		
Driveways, Curbs, plus whichever is less	\$57 plus \$15 / Sq Ft or \$50 / hr		
Trees, Utility Boxes/per hour	\$57 plus \$50 / hr		
(1 hour minimum)	\$57 / permit plus \$85 / hr		
Miscellaneous Encroachment Permit, plus hourly rate for inspection and engineering review.	\$113		
<b>OVERSIZE LOAD PERMIT</b>			
Single Permit	\$16		
Annual or Blanket Permit (fix route)	\$93		
<b>BUILDING MOVING OR OVERSIZED LOAD</b>		TMC §9.32.040	
Permit fee	\$589		
Other	Hourly rate for City personnel		
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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>REPRODUCTION, MAP AND DOCUMENT SALES:</b> Standard Plans, Standard Specs, and Design Standards Parks Manual Storm Drainage Master Plans Subdivision Maps Reproduction Fees	\$15 \$77 \$21 \$5 \$1.55 / sheet	
<b>CONSTRUCTION WATER METERS</b> Deposit for use of City-owned meter Service reinstatement fee <u>Winter rates per ccf</u> (Nov - Apr) (100 cubic feet or 748 gal) 0 - 12 ccf; 13 - 19 ccf; 20 - 191 ccf; 192+ ccf <u>Summer rates per ccf</u> (May - Oct) 0 - 18 ccf; 19 - 29 ccf 30 - 287 ccf; 288+ ccf <u>Monthly service charge</u> (Meter code and size) LL (LIRA) – 1" WL (LIRA) – varies W1 - 5/8" or 3/4" W2 – 1" W3 – 1 1/2" W4 – 2" W5 – 3" W6 – 4" W7 – 6" W8 – 8" W9 – 10"	\$773 \$52 \$1.03; \$1.49 \$1.70; \$1.85 \$1.03; \$1.49 \$1.70; \$1.85 \$10 / day + 15% adm fee plus: \$8.96 \$0 \$12.05 \$21.01 \$48.05 \$85.23 \$191.84 \$341.19 \$767.61 \$1,364.80 \$2,132.51	Reso. 2008-063 & 93-130
<b>NEW ADDRESS MAPPING FEES</b> Single-family Multi-family projects, plus dwelling unit cost In buildings with 5 or more units	\$66 / lot \$66 / lot plus \$33 / dwelling unit	Reso. 99-094 Reso. 2002-176

**Latest Fee Study or Staff Report Explanation:**

- City Council Resolution No. 2011-101 and accompanying staff report.
- Resolution No. 2008-063 (regarding water rates for construction water meters).
- Resolution No. 2003-265 and 2003 Cost of Services Study Update, prepared by Finance Dept.
- Resolution No. 2002-176, re mapping fee for multi-family residential.

**Legend:**

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# Development Services Department Planning Division

Department Contact: William Dean, Assistant Director of Development Services

The Planning Division fees represent application processing fees only, and do not reflect capital improvement in-lieu fees, school fees, or any other city or other agency fees or deposits that may be applicable to the proposed project. Regarding building permit fees, plan check fees and inspection fees, see Building Division. Regarding encroachment permit fees, see Engineering Division.

### Symbol Key

- Plus Actual Costs Incurred: including fees for consultant services, environmental documentation filing fees, other agency fees, etc.
- Environmental Assessment Fee not applicable.

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>PLANNING DIVISION APPLICATION PROCESSING FEES</b>		Generally, TMC §10.08.4150; 12.12.070
Adult Business Use Permit	Cost Recovery Agreement	TMC §10.28.808
Annexation	\$11,075	TMC §10.08.4150
Appeal to City Council ●	\$291	TMC §10.08.4150
Appeal to Planning Commission ●	\$291	TMC §10.08.4150
Conditional Use Permit <sup>a</sup>		TMC §10.08.4270(h)
class A	\$5,590	
class B	\$3,559	
Conditional Use Permit (Non-Profit Organizations)		TMC §10.08.4270(h)
class A	\$559	
class B	\$358	
Development Review <sup>b</sup>		TMC §10.08.4150
class A	\$4,008	
class B	\$2,848	

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>ENVIRONMENTAL</b>		CEQA Guidelines §15045 (14 CCR 15045)
Environmental Assessment (charged for all projects not requiring a	\$105	
Environmental Initial Study / Negative Declaration Environment Impact Report	\$1,498 Cost Recovery Agreement	
<b>General Plan Amendment</b>	Cost Recovery Agreement	TMC §10.08.4150
<b>Lot Line Adjustment</b>	\$430	TMC §12.04.080; 12.12.070
<b>Micro-Imaging Fees</b> †(+ 2% of invoice total for contractor pick-up and delivery):		Reso. 2005-161
▪ 11" x 17" and smaller, black & white or gray scale document with 2" field index	\$0.07 each +2% <sup>1</sup>	
▪ anything larger than 11" x 17", black and white or gray scale document with a two field index	\$0.79 each +2% <sup>1</sup>	
▪ 11" x 17" and smaller, color document, with a two-field index	\$0.13 each +2% <sup>1</sup>	
▪ 18" x 24" color document, with a two-field index	\$0.47 each +2% <sup>1</sup>	
▪ 24" x 36" color document, with a two field index	\$1.37 each +2% <sup>1</sup>	
<b>Noise Ordinance Variation</b>	\$4,320	TMC §4.12.780(B)(4)
<b>Planned Unit Development</b>	\$8,280	TMC §10.08.4150
<b>Planned Unit Development Amendment</b>	\$4,746	
<b>Planning Commission Determination</b>	\$1,060	TMC §10.08.4150
<b>Residential Growth Allotment •</b>	\$1,760	TMC §10.12.070(c); GMO Guidelines §2 G
<b>Sign Permit •</b>		TMC §10.08.4150
Master Sign Program	\$1,067	
Individual Sign Complying w/MSP	\$79	
All other signs	\$481	
<b>Specific Plan</b>	Cost Recovery Agreement	TMC §10.20.040(c)(1);
Specific Plan Amendment	\$5,379	10.20.080

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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Temporary Use Permit •	\$76	TMC §10.08.4240; 10.08.4150
Tentative Map		TMC §12.12.070
Parcel map	\$7,699	
5 – 100 lots	\$10,547	
100 & over lots	\$16,454	
Time Extension •	\$443	TMC §12.12.070 for Subd
Variance	\$709	TMC §10.08.3630; 10.08.4150
Zoning		TMC §10.08.4150
Zone Change	\$6,417	
Zone Text Amendment	\$2,637	
Zoning Research Letter •	\$84	

**a Conditional Use Permit - Classification by type of project:**

	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>
Class A:	4+ lots	+3,000 Sq Ft or 4+ lots	+10,000 Sq Ft or 4+ lots
Class B:	1-3 lots	-3,000 Sq Ft or 1-3 lots	-10,000 Sq Ft or 1-2 lots

**b Development Review Permit - Classification by type of project:**

	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>
Class A:	4+ units	+3,000 Sq Ft	+10,000 Sq Ft
Class B:	1-3 units	-3,000 Sq. Ft.	-10,000 Sq Ft

**Latest Fee Study or Staff Report Explanation:**

- City Council Resolution No. 2011-101 and accompanying staff report.
- Resolution No. 2003-265, and 2003 Cost of Services Study Update, prepared by Finance Dept.
- City Council Resolution No. 98-373 and 1998 Cost of Services Study and Cost Allocation Plan, prepared by Management Services Institute.

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**FIRE DEPARTMENT**

# Fire Department

Department Contact: David Bramell, Division Chief

Note: The South County Fire authority has adopted separate fees for areas under its jurisdiction.

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
Illegal Burn Response	\$113 /hr/ engine, with ½ hr min	TMC §3.36.010; CFC
Hazardous Materials Clean-Up	Actual costs for all responding personnel	
Special Event Fire Protection (Stand-by)	Actual costs for all responding personnel	
Weed Abatement	Contract cost + 25% overhead charge	
Fireworks Sales Permit Fee (Including initial stand inspection, safety seminar, and lottery processing.)	\$238	TMC §3.04.040(a)
Public Display of Fireworks (In addition to inspection fee and permit fee specified under Fire Prevention, Annual Operational Fire Inspection and Permit, Inspection Type H.)	Actual costs for fire	TMC §3.04.020

### Latest Fee Study or Staff Report Explanation:

- City Council Resolution No. 2011-101 and accompanying staff report.
- 2003 Cost of Services Study Update, prepared by Finance Dept. (City Council Resolution No. 2003-059. See also February 18, 2003 staff report).
- 1998 Cost of Service Study, prepared by MSI.

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**POLICE DEPARTMENT**

# Police Department

Department Contact: Lani Smith, Support Operations Manager

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>Alarm Permit; False Alarms</b>		
Alarm user permit	\$22	TMC §3.40.060
False alarm costs:		
4th response	\$32	TMC §3.40.150
5th response	\$58	
6th response	\$74	
7th response	\$84	
(plus penalties)		TMC Ch. 1.28
<b>Animal Services</b>		
Animal adoption, plus veterinary services	\$5	TMC §3.36.010
Animal bite	\$32	TMC §5.08.130(L)
Board and care (daily):		
for impounded dogs	\$15	
for impounded cats	\$12	
Cat carrier	\$5	TMC §5.08.130
Cat neuter	\$53	
Cat spay	\$95	
Collar identification	\$24	
Dog neuter	\$105	TMC §5.08.130
Dog spay	\$159	
Impound: 1	\$22	TMC §5.08.130; 5.08.240
Impound: 2	\$32	
Impound: 3+	\$42	
*Impound, additional state fee for unaltered, at large, animals: 1st; 2nd; 3rd	\$35; \$50 \$100	FAC 30804.7
License fee: unaltered dogs	\$53 /yr	TMC §5.08.130
License fee: altered dogs	\$10	
License fee: replacement for lost	\$5	
License fee: late	\$22	
Low cost spay/neuter voucher	\$22	
Multiple pet permit application	\$27	TMC §5.08.420
Owner surrender:		
Live animal	\$47	TMC §5.08.170;
Deceased animal (not at shelter)	\$22	5.08.180; 5.08.240
Rabies vaccination voucher	\$16	TMC §5.08.130
Vaccination	\$5	TMC §5.08.130
Veterinary costs	At Cost	

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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
BICYCLES License and registration Renewal	\$6 /3 years \$3 /3 years		TMC §3.20.060 TMC §3.20.070
BINGO License Renewal	\$53 \$10	\$55	TMC §4.24.050
CARD ROOMS License and renewal Dealer/work permit Department of Justice Fee	\$27 \$63 plus \$32 *	\$27 \$65	TMC §4.04.030 TMC §4.04.050 TMC §4.04.070
CITATION SIGN-OFF FOR AGENCIES OUTSIDE THE CITY	\$15		TMC §3.36.010 GC §2.67.461
CLEARANCE LETTER (for immigration or other clearance plus fingerprint fees)	\$15		TMC §3.36.010
CONCEALED WEAPONS Permit Department of Justice Processing Fee - Payable to DOJ Department of Justice Live Scan Fee Renewal Department of Justice Fee - Payable to DOJ Amended License	\$100 (20% at application; 80% at permit issuance) \$52 * \$95 * \$25 \$52 * \$10	\$10	PC 26150; 26190
CRIME REPORT COPY  Traffic collision report (for other than victim)	\$0.15 /page \$0.15 /page bulletin entries \$10.00 /report + .15 /page after 25th		TMC §3.36.010  VC 20012
DOJ, FBI AND FINGERPRINT DOJ and FBI fee * Fingerprint (City's rolling fee) *	\$32-\$100 * \$20 / request		PC 11105 TMC §3.36.010 PC 26150
DUI Accident response and investigation Arrest and report	Actual personnel cost, up to \$12,000 Actual personnel cost, up to \$1,000		GC §53150 - 53159; CVC 20012
Firearms Sales Permit Department of Justice fee	\$31 plus \$32 *		PC 12071(a)(F)(7)
Massage Establishment New Department of Justice fee Renewal Transfer of permit Change of location	\$77 plus \$32 * \$26 \$77 \$26		TMC §4.20.060 TMC §4.20.040 TMC §4.20.110 TMC §4.20.130
Legend:			
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SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>Massage Permit</b>		
New	\$26 plus; DOJ fee \$32*	TMC §4.20.180
Renewal (Plus fingerprint fees)	\$26 plus; DOJ fee \$32*	TMC §4.20.160
Registration by state certificate holder	0*	DOJ, PC 11105 TMC §4.20.155
<b>Palmistry License Fee</b>		
New	\$581	TMC §4.12.190
Renewal	\$370	TMC §4.12.109
<b>Police Photo (reproduction)</b>	\$0.30 /photo	TMC §3.36.010
Plus traffic photo processing fee to insurance company	\$44 plus \$0.30 /photo	VC 20012
<b>Police Special Services</b> (for school and other semi-public special events)	Actual personnel costs	GC §6257
RESPOSSESSION RELEASE	\$15 / vehicle	VC 9255 (3)
<b>SECOND-HAND DEALER/PAWN BROKER</b>		
New or Renewal (Check payable to DOJ)	\$300	BP 21642.5
Department of Justice Livescan (for new permits)	\$32	PC 11105
Solicitor Permit	\$15	TMC §4.12.210; 3.36.010
<b>Taxi Driver</b>		
Permit	\$113 plus; DOJ fee \$32*	TMC §3.16.030
Renewal	\$82	TMC §3.16.040
Background investigation (City fingerprint fee)	\$10	TMC §3.16.150
<b>Tow Truck Driver/Attendant</b>		
Permit	\$62 plus; DOJ fee \$32*	TMC §3.44.140
Renewal	\$31	
Vehicle Release	\$114 / vehicle	VC 22850.5(a)
VIN Verification	\$22 / request	TMC §3.36.010
Storage of Firearms (per domestic violence protective order)	\$54 / firearm, plus \$2 / day	TMC §3.52.050 PC 12021.3(j)

**Latest Fee Study or Staff Report Explanation:**

- City Council Resolution No. 2013-047 and accompanying staff report.
- City Council Resolution No. 2011-101 and accompanying staff report.
- City Council Res 2009-178, regarding animal services, and accompanying staff report.
- City Council Res 2008-234, regarding storage of firearms.
- City Council Res 2006-209 regarding alarm permits.
- 2003 Cost of Services Study Update, prepared by Finance Department.  
(See City Council Resolution No. 2003-059 re storage of firearms).
- 1998 Cost of Service Study.

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**PUBLIC WORKS DEPARTMENT**

## **Public Works Department Administration, Maintenance, Operations Divisions, and Utilities Divisions**

Department Contact: Rod Buchanan, Interim Director

Note: This Master Fee Schedule does not include all fees, and excludes the following:

- enterprise fund charges (water, sewer, storm water, airport, and transit);
- fees adopted under franchise agreements (cable franchise under TMC Chapter 8.10; franchise contractor for collection of solid waste, yard waste and recycling under TMC Chapter 5.20);
- fines (imposed as penalties);
- rates established by separate agreements.
- rates established by landscape maintenance districts

# Public Works Department Community Facilities Division

Department Contact: Vanessa Carrera, Management Analyst II

SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
<b>COMMUNITY CENTER RENTALS</b>			TMC §3.36.010
<b>Main Hall (5,300 Sq Ft)</b>			
<b>Week Day Only (4 hour minimum)</b>			
Non-Profit Classification	\$35 /hour		
Private Classification	\$59 /hour		
Commercial Classification	\$84 /hour		
<b>Conference Room A or B (250 Sq Ft)</b>			
<b>Week Day Only (2 hour minimum)</b>			
Non-Profit Classification	\$7 /hour		
Private Classification	\$11 /hour		
Commercial Classification	\$15 /hour		
<b>Entire Facility (6,200 Sq Ft)</b>			
<b>(4 hour minimum)</b>	Week Day/ Hour	Week End/ Hour	
*Non-Profit Classification	\$40	\$59	
Private Classification	\$69	\$101	
Commercial Classification	\$97	\$144	
<b>Deposits</b>			
An additional \$400 Deposit is required			
Main Hall	\$400 / rental		
Conference Room A or B	\$200 / rental		
Entire Facility	\$400 / rental		
<b>TRACY SPORTS COMPLEX MEETING ROOM RENTAL</b>			
<b>TSC Meeting Room (700 Sq Ft)</b>			
<b>Week Day &amp; Week End (2 hour minimum)</b>			
Non-Profit Classification	\$14 /hour		
Private Classification	\$25 /hour		
Commercial Classification	\$35 /hour		
<b>Deposits*</b>			
An additional \$200 Deposit is required			
Meeting Room	\$200 / rental		

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SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
<b>TRACY TRANSIT STATION</b>			TMC §3.36.010
<b>Room 103 or 104 (590 Sq Ft) (2 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$18	\$27	
Private Classification	\$32	\$47	
Commercial Classification	\$45	\$68	
<b>Rooms 103-104 Combined (1,180 sf) (2 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$36	\$54	
Private Classification	\$63	\$95	
Commercial Classification	\$90	\$135	
<b>Room 105 (913 Sq Ft) (2 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$28	\$42	
Private Classification	\$49	\$74	
Commercial Classification	\$70	\$105	
<b>Lobby or Patio (1,762 Sq Ft) (2 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$18	\$27	
Private Classification	\$32	\$47	
Commercial Classification	\$45	\$68	
<b>Entire Facility (4,445 Sq Ft) (4 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$82	\$123	
Private Classification	\$144	\$216	
Commercial Classification	\$205	\$308	
<b>Deposits</b> An additional \$400 Deposit is required All Rooms	\$200	per rental	
<b>TRACY CIVIC CENTER RENTAL</b>			
<b>Council Chambers (3,500 Sq Ft) (4 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$20	\$35	
Private Classification	\$56	\$84	
Commercial Classification	\$80	\$120	
<b>Conference Room #109 (500 Sq Ft) (2 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$15	\$23	
Private Classification	\$26	\$39	
Commercial Classification	\$38	\$56	

Legend:

* Not subject to CPI adjustment	CBC - CA Building Code	CFR - Code of Federal Regulations	B & P - CA Bus. & Professions Code
TMC - Tracy Municipal Code	PC - Penal Code	DOJ - CA Department of Justice	CCR - CA Code of Regulations
GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	



SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
			TMC §3.36.010
<b>Conference Room #203 (825 sf) (2 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$25	\$38	
Private Classification	\$44	\$66	
Commercial Classification	\$63	\$94	
<b>Lobby and Both Conference Rooms (4 hour minimum)</b>	Week Day/Hour	Week End/Hour	
Non-Profit Classification	\$40	\$60	
Private Classification	\$70	\$105	
Commercial Classification	\$100	\$150	
<b>Special Events in Civic Center Park (May through October)</b>			
Full Service Event Coordination	\$1,500		
<b>Deposit</b> An additional \$400 Deposit is required for all activities where alcohol is sold			
Rental Deposit	\$400 / rental		
<b>PARK AND PICNIC AREA RENTAL</b>			
<b>Park/Picnic ~ 1 to 50 people (4 hour minimum)</b>			
Non-Profit Classification	\$13 /hour		
Private Classification	\$23 /hour		
Commercial Classification	\$33 /hour		
<b>Park/Picnic ~ 51 to 100 people (4 hour minimum)</b>			
Non-Profit Classification	\$19 /hour		
Private Classification	\$33 /hour		
Commercial Classification	\$48 /hour		
<b>Park/Picnic ~ 101 + people (4 hour minimum)</b>			
Non-Profit Classification	\$25 /hour		
Private Classification	\$44 /hour		
Commercial Classification	\$63 /hour		
<b>Inflatable Structures Administrative Fee</b> All Classifications (new) (applied to all approved "jumpy" requests to accompany a park rental)	\$45 / day / structure		
<b>Non-Profit Org ~ \$100 Max Non-Profit Classification</b>	\$100 / rental		

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	CURRENT FEE		LEGAL AUTHORITY
<b>Deposits</b>	Per Rental		TMC §3.36.010
Less than 50, traditionally activity	\$0 / rental		
50-100; or less than 5 non-traditional	\$100 / rental		
101-200 attendees	\$200 / rental		
201-300 attendees	\$300 / rental		
301 and above attendees	\$500 / rental		
<b>PARKING LOT RENTAL</b> Locations and Availability at City Discretion (10 hour maximum)			
<b>Base Fee</b>	\$100, plus:		
<b>Use Fee:</b>	Per Parking Space		
Non-Profit Classification	\$2		
Private Classification	\$350		
Commercial Classification	\$5		
<b>MOBILE STAGE RENTAL</b>	Non-Profit Per Rental	Private Per Rental	
"A" Set Up (36' X 14')	\$320	\$795	
"B" Set Up (36' x 18')	\$500	\$2,170	
"C" Set Up (36' x 22')	\$570	\$2,805	
<b>Deposits</b>			
All Stage Rentals	\$400	/ rental	
<b>TENNIS COURT RENTAL</b>			
	Per Hour / Per Court		
<b>Rental</b>	Private	League	Tournament
Non-Profit Youth Classification	\$0	\$5	\$5
	\$0	\$5	\$10
Private Classification	\$5	\$7	\$15
Commercial Classification	\$10	\$10	\$15
	Per Hour / Per Court		
<b>Lights Fee</b>	Private	League	Tournament
Non-Profit Youth Classification	\$0	\$5	\$7
Non-Profit Adult Classification	\$0	\$5	\$10
Private Classification	\$5	\$10	\$12
Commercial Classification	\$0	\$10	\$12
<b>Deposits</b>			
Tennis Court Rental Deposit	\$50	/ day / crt	

Legend:

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GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>WEST HIGH SWIMMING POOL RENTALS</b>		TMC §3.36.010
<b>Any Size Groups, When Organization Provides Own Lifeguards</b>		
Non-Profit Classification (Half Pool)	\$57.75 /hour	
Non-Profit Classification (Full Pool)	\$110.50 /hour	
<b>Up to 50 People, Includes 2 Lifeguards</b>		
Non-Profit Classification (Half Pool)	\$105 /hour	
Private Classification (Half Pool)	\$115 /hour	
Commercial Classification (Half Pool)	\$130 /hour	
Non-Profit Classification (Full Pool)	\$205 /hour	
Private Classification (Full Pool)	\$225 /hour	
Commercial Classification (Full Pool)	\$245 /hour	
<b>Up to 75 People, Includes 3 Lifeguards</b>		
Non-Profit Classification (Half Pool)	\$120 /hour	
Private Classification (Half Pool)	\$130 /hour	
Commercial Classification (Half Pool)	\$140 /hour	
Non-Profit Classification (Full Pool)	\$235 /hour	
Private Classification (Full Pool)	\$255 /hour	
Commercial Classification (Full Pool)	\$275 /hour	
<b>Up to 100 People, Includes 4 Lifeguards</b>		
Non-Profit Classification (Half Pool)	\$135 /hour	
Private Classification (Half Pool)	\$145 /hour	
Commercial Classification (Half Pool)	\$155 /hour	
Non-Profit Classification (Full Pool)	\$265 /hour	
Private Classification (Full Pool)	\$285 /hour	
Commercial Classification (Full Pool)	\$305 /hour	
<b>100 to 150 People, Includes 5 Lifeguards</b>		
Non-Profit Classification (Half Pool)	\$150 /hour	
Private Classification (Half Pool)	\$160 /hour	
Commercial Classification (Half Pool)	\$170 /hour	
Non-Profit Classification (Full Pool)	\$295 /hour	
Private Classification (Full Pool)	\$315 /hour	
Commercial Classification (Full Pool)	\$335 /hour	

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>WEST HIGH SWIMMING POOL RENTALS, Continued</b>		TMC §3.36.010
<b>Over 150 People, Includes 6 Lifeguards</b>		
Non-Profit Classification (Half Pool)	\$165 /hour	
Private Classification (Half Pool)	\$175 /hour	
Commercial Classification (Half Pool)	\$185 /hour	
Non-Profit Classification (Full Pool)	\$325 /hour	
Private Classification (Full Pool)	\$345 /hour	
Commercial Classification (Full Pool)	\$365 /hour	
<b>Deposits</b>		
All Classifications, All Group Sizes	\$100 / rental	
<b>Additional WHS Pool Rental Fees</b>		
Restrooms (for non-pool events)	\$40 /hour	
Restrooms (for non-pool events)	\$200 / day	
Extra lifeguard (as deemed necessary by staff, based on event)	\$15 / hour / lifeguard	
<b>JOE WILSON COMMUNITY POOL RENTALS</b>		
<b>Any Size Groups, When Organization Provides Own Lifeguards</b>		
Non-Profit Classification	\$50 /hour	
<b>Up to 50 People, Includes 2 Lifeguards</b>		
Non-Profit Classification	\$70 /hour	
Private Classification	\$80 /hour	
Commercial Classification	\$90 /hour	
<b>Up to 75 People, Includes 3 Lifeguards</b>		
Non-Profit Classification	\$85 /hour	
Private Classification	\$95 /hour	
Commercial Classification	\$105 /hour	
<b>Up to 100 People Max, Includes 4 Lifeguards</b>		
Non-Profit Classification	\$100 / hour /hour	
Private Classification	\$110 /hour	
Commercial Classification	\$120 /hour	
<b>Deposits</b>		
All Classifications, All Group Sizes	\$100 / rental	

Legend:

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PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
		TMC §3.36.010
<b>LOLLY HANSEN SENIOR CENTER RENTAL</b>		
<b>Multi-Purpose Room (2,225 Sq Ft)</b>		
<b>Week Day &amp; Week End (4 hour minimum)</b>		
Non-Profit Classification	\$13 /hour	
Private Classification	\$23 /hour	
Commercial Classification	\$0 /hour	
<b>Arts and Crafts Room (675 Sq Ft)</b>		
<b>Week Day &amp; Week End (4 hour minimum)</b>		
Non-Profit Classification	\$5 /hour	
Private Classification	\$9 /hour	
Commercial Classification	\$0 /hour	
<b>Entire Facility (4, 350 Sq Ft)</b>		
<b>Week Day &amp; Week End (4 hour minimum)</b>		
Non-Profit Classification	\$26 /hour	
Private Classification	\$46 /hour	
Commercial Classification	\$0 /hour	
MOU – Hours Provided to Non-Profits/Gov	\$0 /hour	
<b>Deposits</b>		
An additional \$400 deposit is required for all activities where alcohol is sold.		
Multi-Purpose Room	\$200 / rental	
Arts and Crafts Room	\$200 / rental	
Entire Facility	\$200 / rental	
<b>SPORT FACILITIES (TBP, TSC, Plasencia Fields, Tiago, Galli, &amp; Bland Ball Fields)</b>		
<b>Hourly Fee ~ League/Individual</b>		
Non-Profit Youth Classification	\$5 / hour / field	
Non-Profit Adult Classification	\$11 / hour / field**	
Private Classification	\$19 / hour / field**	
Commercial Classification	\$26 / hour / field**	
<b>Lights Fee ~ League/Individual</b>		
Non-Profit Youth Classification	\$7 / hour / field	
Non-Profit Adult Classification	\$10 / hour / field	
Private Classification	\$12 / hour / field	
Commercial Classification	\$18 / hour / field	

Legend:

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GC - CA Government Code	VC - Vehicle Code	H&S - CA Health and Safety Code	
PRC - CA Public Resources Code	CFC - CA Fire Code	FAC - CA Food & Agriculture Code	

SERVICE OR APPLICATION	CURRENT FEE	LEGAL AUTHORITY
<b>SPORT FACILITIES (TBP, TSC, Plasencia Fields, Tiago, Galli, &amp; Bland Ball Fields), Continued</b>		TMC §3.36.010
<b>Daily Fee ~ Tournaments</b>		
Non-Profit Youth Classification	\$60 / hour / field	
Non-Profit Adult Classification	\$100 / hour / field	
Private Classification	\$120 / hour / field	
Commercial Classification	\$120 / hour / field	
<b>Lights Fee ~ Tournaments</b>		
Non-Profit Youth Classification	\$10 / hour / field	
Non-Profit Adult Classification	\$10 / hour / field	
Private Classification	\$10 / hour / field	
Commercial Classification	\$10 / hour / field	
<b>Staff for Sports Complex Use</b>		
Non-Profit Youth Classification	\$25 / hour / complex	
Non-Profit Adult Classification	\$25 / hour / complex	
Private Classification	\$25 / hour / complex	
Commercial Classification	\$25 / hour / complex	
<b>Softball Field Preparations</b>		
A Prep – Light Watering	\$5 / preparation	
B Prep – Light Watering, Minor Dragging	\$13 / preparation	
C Prep – Full Field Preparation	\$26 / preparation	
Use of Temporary Outfield Fencing	\$100 / field	

**Latest Fee Study or Staff Report Explanation:**

- City Council Resolution No. 2011-101 and accompanying staff report.
- City of Tracy Parks and Community Services Department, General Fund, Cost of Services Study Findings, June, 2008, prepared by MGT of America, Inc.

**Legend:**

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AGENDA ITEM 8

REQUEST

**COUNCIL UPDATE AND AFFIRMATION OF CONTINUED SUPPORT FOR THE DELTA COALITION LOBBYING EFFORTS RELATED TO THE BAY DELTA CONSERVATION PLAN AND THE DELTA PLAN**

EXECUTIVE SUMMARY

On January 17, 2012, the City Council adopted a joint resolution of San Joaquin County Stakeholders in support of an initiative for joint action, advocacy, and mutual interests on issues concerning the Sacramento-San Joaquin River Delta (Delta), a copy of the resolution is attached (Attachment A). After extensive written and public testimony from the City of Tracy, the Delta Stewardship Council (DSC) recently adopted the final draft Delta Plan. Over the past two years, the DSC has made amendments to address the City's concerns over local land use control; however, the adopted Delta Plan does not go far enough to alleviate all concerns. Whereas the Delta Plan addresses the broader issues facing the Delta (including urban development within the Secondary Zone of the Delta), the scope of the BDCP is within the Delta itself. Its specific purpose is to restore and protect ecosystem health and the State Water Project and CVP water supplies and water quality.

DISCUSSION

Background

In November 2009, the California Legislature enacted Senate Bill X7 1 (The Delta Reform Act). It established the Delta Stewardship Council (DSC) as an independent State agency, and requires that the DSC develop, adopt, and implement by January 1, 2012, the Delta Plan, a legally enforceable, comprehensive, long-term management plan for the Sacramento-San Joaquin Delta and the Suisun Marsh (Delta) that achieves the "coequal goals" as specified in California Water Code Section 85300(a). The coequal goals are the two goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem. The coequal goals are to be achieved in a manner that protects and enhances the unique cultural, recreational, nature resource and agricultural values of the Delta as an evolving place" (Water Code section 85054). Achieving the coequal goals is a fundamental purpose of the Delta Plan.

The Final Draft Delta Plan was adopted by the DSC on May 28, 2013. The final Delta Plan generally covers five topic areas and goals: increased water supply reliability, restoration of the Delta ecosystem, improved water quality, reduced risks of flooding in the Delta, and protection and enhancement of the Delta as an evolving place. Although the DSC, through the Delta Plan, does not propose or contemplate constructing, owning, or operating any facilities related to these five topic areas, the Delta Plan sets the regulatory policies and recommendations that seek to influence the actions, activities and projects of cities, counties, State, Federal, regional and other local agencies toward meeting the goals in the five topic areas. In other words, local public agencies such as

the City of Tracy will be required to conform to the actions, policies, and regulations of the Delta Plan and the appeal procedures established to implement the Delta Plan.

After the Delta Plan was adopted, a lawsuit was filed by the Westlands Water District and San Luis Delta Mendota Water Authority challenging the adequacy of the Plan's Environmental Impact Report and the Delta Stewardship Council's authority under, and compliance with, the Delta Reform Act.

City staff has monitored the development of the Delta Plan over the years and provided comments and coordinated with San Joaquin and other affected parties. The City and other agencies were concerned with the scope and extent of proposed regulatory and review authority of the DSC. The proposed Delta Plan, in its final form, continues to threaten the ability of local communities to grow and prosper, takes away local decision making, and provides an appointed body with the authority to veto certain local land use and other decisions based upon subjective criteria.

More specifically, staff is concerned with the policies in the Delta Plan (chapter 2) which requires certain "Covered Actions" to be consistent with the Delta Plan. Under the Plan, the term "Covered Action" is broadly defined and includes most land use and development applications that are considered to be "projects" for the purpose of CEQA. For all Covered Actions, the City must submit a written certification to the Delta Stewardship Council, with detailed findings, demonstrating that the Covered Action is consistent with the Delta Plan. Any person, including any member of the Delta Stewardship Council or its Executive Director, may file an appeal with regard to a certification of consistency submitted to the Council. The Council has final decision-making authority if such an appeal is filed. If a Covered Action is found to be inconsistent, the project may not proceed until it is revised so that it is consistent with the Delta Plan. This process will likely lead to additional processing times for land use and development applications. Also, given that any person can file an appeal with the Council, this process could be abused and used simply to delay development projects. Therefore, this process is contrary to the City of Tracy's economic development efforts.

Additionally, staff is concerned with the policies in the Delta Plan (Chapter 5) related to the location of future growth in areas within the Secondary Zone of the Delta (large portions of the City of Tracy and the City's Sphere of Influence). A Map of the Primary and Secondary Zone of the Delta is part of the report as Attachment B. The Delta Plan limits development to the current Sphere of Influence (SOI) of cities. The City's recent SOI approval by LAFCo is significantly smaller than the LAFCo-approved SOI in 1994. This was due to new local LAFCo policies that required smaller SOIs. It is unclear how any potential future SOI update/expansion in areas within the Secondary Zone of the Delta would be received by the Delta Stewardship Council.

City staff has attended periodic coordination meetings with representatives of San Joaquin County and the City of Stockton in the establishment and coordination of stakeholder meetings to facilitate a collaborative and uniform effort to address our mutual concerns with the adoption and implementation of the Delta Plan, the Program EIR, and related plans and programs such as the Bay Delta Conservation Plan (BDGP).



Whereas the Delta Plan addresses the broader issues facing the Delta (including urban development within the Secondary Zone of the Delta), the scope of the BDCP is within the Delta itself. Its specific purpose is to restore and protect ecosystem health and the SWP and CVP water supplies and water quality.

#### Present Situation

The Delta Plan was adopted by the Delta Stewardship Council on May 28, 2013. Delta Coalition Stakeholders continue to provide comments on the Bay Delta Conservation Plan (BDCP) which has yet to be adopted. Within the BDCP is the plan to utilize the much-publicized tunnels to ship water south of the Delta. Coalition Stakeholders have developed recommendations and a position statement related to the Delta Plan and the BDCP which is attached to this report. Staff agrees with the all of the statements highlighted within the Coalition's position statement. Staff is requesting confirmation by Council to continue supporting Coalition recommendations as additional lobbying efforts continue.

#### STRATEGIC PLAN

This item is related to the Economic Development Strategy as it relates to our job creation actions and goals as well as protecting infrastructure such as future water supplies.

#### FISCAL IMPACT

This agenda item is for discussion and direction only. There is no fiscal impact to the City's General Fund resulting from this item.

#### RECOMMENDATION

Staff recommends that City Council affirm support for the Delta Coalition Stakeholders relative to the Delta Plan and Bay Delta Conservation Plan position statement attached to this staff report.

Prepared by: Andrew Malik, Development Services Director  
Bill Dean, Assistant Development Services Director  
Rod Buchanan, Interim Public Works Director  
Steve Bayley, Project Specialist

Reviewed by: Maria Hurtado, Assistant City Manager

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

#### ATTACHMENTS

Attachment A – January 17, 2012 Adopted Resolution  
Attachment B – Map Exhibit  
Attachment C – Position Statement

## RESOLUTION 2012-016

## APPROVING A JOINT RESOLUTION OF CITIES, COUNTY, AND OTHER SAN JOAQUIN COUNTY STAKEHOLDERS REGARDING LAND USE, WATER, AND OTHER DELTA RELATED ISSUES

WHEREAS, The Sacramento-San Joaquin River Delta is at risk from many factors, and in addressing these threat, the State is proposing large-scale changes to the Delta ecosystem, land use authority within the Delta, water conveyance through and around the Delta, water rights, statewide management, and many other aspects related to the Delta, and

WHEREAS, The Cities, County and other Stakeholders as Members believe there is value in developing an initiative on issues concerning the Sacramento-San Joaquin River Delta, its watershed, and greater Bay/Delta estuary, and

WHEREAS, The Members wish to collectively articulate the issues and interests from the perspective of the Delta region itself, from the people who call the Delta home and best understand the tremendous resource the Delta represents, and

WHEREAS, The Members have identified a need for joint action, advocacy, and mutual interests on Delta-related issues;

NOW, THEREFORE, The Members adopt this Resolution for the purpose of articulating mutual interests on Delta issues. Furthermore, the Members resolve to work together to defend Delta-related interests at a regional perspective and to use their unified voice to advocate on behalf of local government in available forums at all levels. Our principles of mutual interests are as follows:

1. Recognition of the authority and responsibility given to local government related to land use, water resource development, flood management, public health and safety, economic development and sustainable growth, agricultural stability, recreation, and environmental protection.
2. Protect the economic viability of agriculture, industry, recreation, and the ongoing vitality of communities throughout the Delta.
3. Represent and include local government in any new governance structures for the Delta.
4. Funding and implementation of urban and non-urban flood protection through rehabilitation, improvement, and maintenance of flood control levees and structures.
5. Protection and restoration of the Delta ecosystem including adequate water supply, quality, and outflow to support fisheries, wildlife, and habitat in perpetuity while support immediate improvements to the existing Through-Delta Conveyance as part of a complete strategy for the State's water management.
6. Incorporation of sustainable approaches for improved water supply, quality, and reliability through the overarching principle of regional self-sufficiency to reduce future reliance on exports from the Delta.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that City Council approves a joint resolution of Cities, County, and other San Joaquin County Stakeholders regarding land use, water, and other Delta related issues.

\*\*\*\*\*


The foregoing Resolution 2012-016 was adopted by the Tracy City Council on the 17<sup>th</sup> day of January, 2012 by the following vote:

AYES: COUNCIL MEMBERS: ABERCROMBIE, ELLIOTT, MACIEL, RICKMAN, IVES

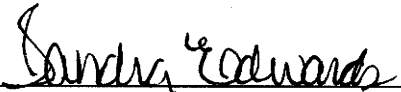
NOES: COUNCIL MEMBERS: NONE

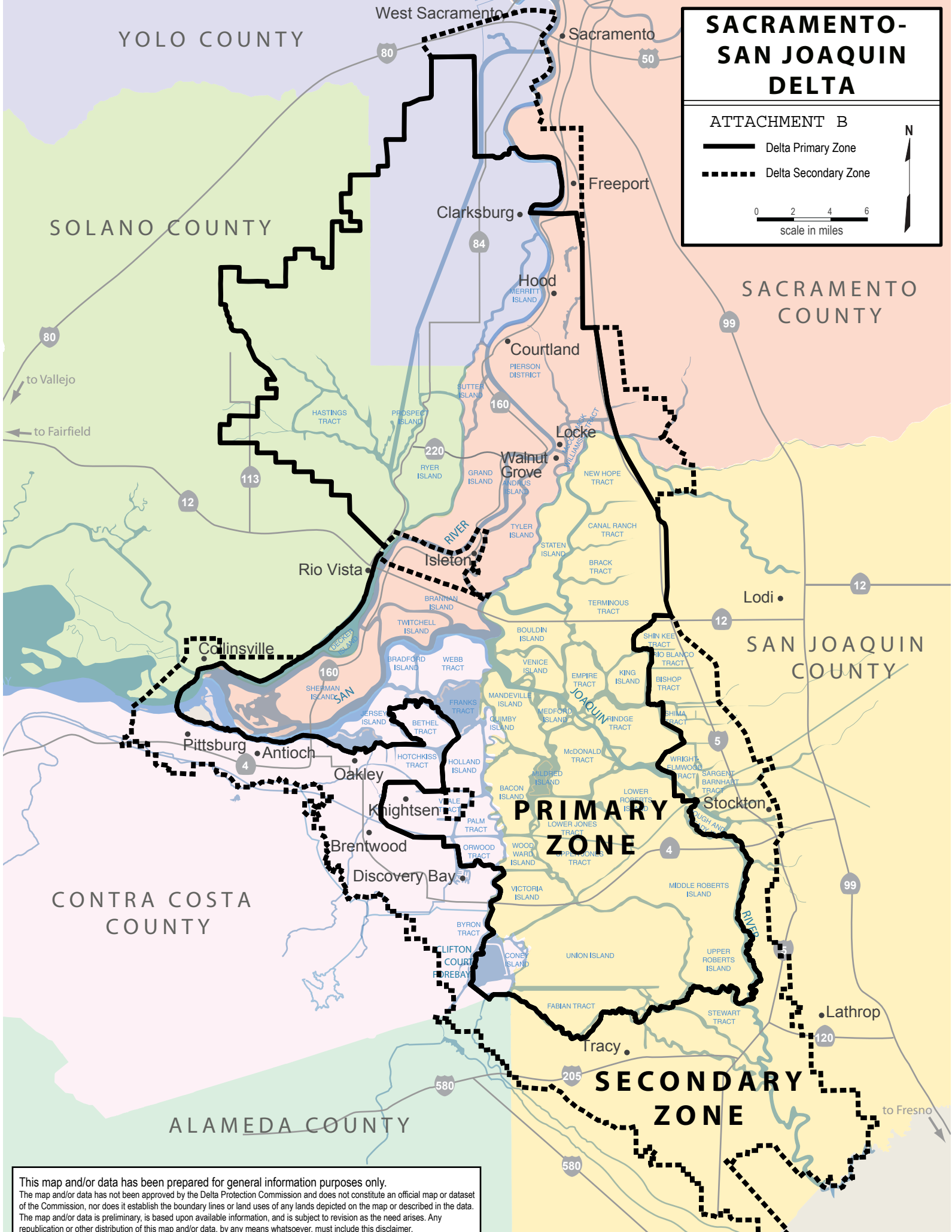
ABSENT: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: NONE

  
\_\_\_\_\_  
MAYOR

ATTEST

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



## SACRAMENTO-SAN JOAQUIN DELTA

ATTACHMENT B

- Delta Primary Zone
- Delta Secondary Zone

N

0 2 4 6

scale in miles

This map and/or data has been prepared for general information purposes only. The map and/or data has not been approved by the Delta Protection Commission and does not constitute an official map or dataset of the Commission, nor does it establish the boundary lines or land uses of any lands depicted on the map or described in the data. The map and/or data is preliminary, is based upon available information, and is subject to revision as the need arises. Any republication or other distribution of this map and/or data, by any means whatsoever, must include this disclaimer.



## **POSITION STATEMENT OF THE DELTA COALITION ON THE BAY DELTA CONSERVATION PLAN AND THE DELTA PLAN**

The Delta Coalition is comprised of the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy, the County of San Joaquin, and leaders of the local business and environmental communities. The Coalition's mission is to help further the long-term sustainability of the Delta and its unique economy and environment. The Delta Coalition also seeks to work collaboratively with State agencies to revise the Bay Delta Conservation Plan (BDCP) and the Delta Stewardship Council's (DSC) Delta Plan to reflect the importance of the issues and positions summarized below:

### **FUNDING FOR NEAR-TERM PROJECTS**

Support state and federal funding and implementation of priority near-term strategic proposals, projects, and actions, as recommended by the Coalition for Delta Projects (See Attachment A- "Near-Term Delta Projects Supported to Move Forward in the Process(es)" dated October 11 & 12, 2012), and the joint Delta Counties Coalition/California Partnership for the San Joaquin Valley "Candidate" list of projects (See Attachment B-"Candidate" List of Regional Projects dated August 28, 2012).

### **WATER QUALITY, QUANTITY, AND ECOSYSTEM RESTORATION & PROTECTION**

Seek to reinforce existing area of origin, watershed, and Delta protection concepts, including the non-degradation policy of the State Water Resources Control Board, such that there would be no deprivation of the water needed for reasonable beneficial use, current and future, in those protected areas. Existing water rights in the Delta and upstream of the Delta must be protected and continued. Water quantities, quality, uses, diversions, and flows upstream of and into and out of the Delta must meet the needs of agriculture, fish and wildlife, municipal, and industrial uses. Water conveyance in the Delta should remain solely a through-Delta system and not include an isolated facility that would transport water around the Delta or otherwise would divert water from flowing through the Delta. The burden for mitigating the impacts of exporting water from the Delta should not be shifted or redirected to others.

### **BDCP ALTERNATIVES**

The Delta Coalition maintains that the State should fully analyze and evaluate all viable alternatives including through-Delta conveyance, and other alternatives that *"Achieve the two coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place"*. (SBX7\_1, 2009, Section 1, (a)) Each alternative must be subject to full federal and State environmental review, including the impacts throughout the entire estuary, including the flow from the Delta, water quality, aquatic/terrestrial species, habitat and the agricultural economy.

### **GOVERNANCE**

Any governing entity that will develop, approve, and/or implement the BDCP must include local government representatives as voting members. The Delta Coalition seeks full, fair, and effective participation in the BDCP development and implementation process.

### **BENEFIT - COST ANALYSIS AND SCIENTIFIC ANALYSIS**

All BDCP alternatives that reflect the reasonable spectrum of options available shall be included in the BDCP analysis and shall be equally evaluated and subjected to a peer-reviewed “cost-benefit” analysis. The DWR handbook shall be used for such analyses. (See [http://www.water.ca.gov/pubs/planning/economic\\_analysis\\_guidebook/econguidebook.pdf](http://www.water.ca.gov/pubs/planning/economic_analysis_guidebook/econguidebook.pdf)).

### **MITIGATION**

All BDCP proposals and actions, and BDCP implementation shall preserve, protect and enhance the Delta economy and agriculture, and there shall be full mitigation of all direct and indirect negative impacts to the Delta ecosystem and economy including commerce, transportation, recreation, agriculture, historical value, and communities caused by any and all BDCP actions when implemented.

### **AGRICULTURE**

The preservation and enhancement of agricultural land, resources, and the agricultural economy in San Joaquin County must be supported and alternatives to the conversion of agricultural land to habitat as mitigation for past, present, and future water exports must be promoted.

### **FLOOD CONTROL**

Flood control and levee maintenance programs and projects shall be implemented as a prerequisite to the implementation of BDCP actions.

### **WATER RIGHTS**

All water right priorities including area of origin protections shall be upheld.

### **HABITAT CONSERVATION PLANS (HCPs)/NATURAL COMMUNITIES CONSERVATION PLANS (NCCPs)**

BDCP proposals, actions, and implementation must be consistent with locally developed HCPs/NCCPs goals or objectives. BDCP shall not invoke eminent domain authority for restoration or mitigation land within San Joaquin County. Furthermore, BDCP must recognize the linkage between the Delta and the terrestrial lands (habitat and agricultural).

### **COVERED ACTIONS**

The regulation of land-use consistent with Federal and California law has always been, and should remain, within the control and responsibility of local government. In making determinations whether covered actions are consistent with the Delta Plan, the DSC should only consider approved and funded flood control, water conveyance, and habitat projects identified in the Plan. The review authority of the Delta Stewardship Council (“covered actions”) should be strictly limited to the specific appellate authority granted in the enabling legislation "Covered Actions" should exclude any planned development within urban and urbanizing areas in the Secondary Zone of the Delta, which is consistent with an adopted General Plan and Sphere of Influence, or adopted urban limit line, as of the effective date of the Delta Plan.