

**Tuesday, January 7, 2014, 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 – Employee of the Year

– Swearing In of Fire Captain and Fire Engineer

– Proclamation – National Mentoring Month

1. CONSENT CALENDAR

A. Approval of Minutes

B. Adopt a Resolution Approving a FY 12/13 Supplemental Appropriation for Fund-Department Expenditures

C. Acceptance of the City of Tracy's Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ending June 30, 2013

D. Award a Professional Services Agreement to Schack and Company, Incorporated of Tracy, California, to Provide Professional Engineering Services for the Preparation of Plans, Specifications and Cost Estimates for the South MacArthur Drainage Improvement, Phase 2, Project, CIP 76059, and Authorize the Mayor to Execute the Agreement

E. Acceptance of the Tracy Airport Drainage Improvement Project CIP 77035B, Completed by Sinclair General Engineering Construction, Incorporated of Oakdale, California, and Authorization for the City Clerk to File a Notice of Completion

F. Acceptance of the Police Firearms Practice Range Electrical Improvements Project CIP 71072E, Completed by Silva Electrical Incorporated, of Tracy, California, and Authorization for the City Clerk to File the Notice of Completion

G. Approve a List of City of Tracy Projects for San Joaquin Council of Government's One Voice Trip to Washington D.C., for Congressional Funding Appropriation Requests

H. Authorize Electric Vehicle Charging Station Use by the Public for No Fee

2. ITEMS FROM THE AUDIENCE

3. CONTINUED PUBLIC HEARING TO ADOPT AMENDMENTS TO THE CITYWIDE ROADWAY AND TRANSPORTATION, AND STORM DRAINAGE MASTER PLANS, THE ESTABLISHMENT OF ROADWAY AND TRAFFIC, WATER, RECYCLED WATER, WASTEWATER, STORM DRAINAGE, PUBLIC SAFETY, PUBLIC FACILITIES, AND PARK DEVELOPMENT IMPACT FEES AND THE ASSOCIATED AB1600 FEE STUDIES FOR ALL NEW DEVELOPMENTS WITHIN THE CITY

4. PUBLIC HEARING TO CONSIDER APPLICATIONS TO AMEND THE EASTLAKE AND ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENTS TO REMOVE A TEN ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL; TO APPROVE THE CONCEPT, PRELIMINARY AND FINAL DEVELOPMENT PLANS FOR THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT; TO APPROVE A VESTING TENTATIVE SUBDIVISION MAP TO SUBDIVIDE THE TEN ACRE SITE INTO 47 RESIDENTIAL LOTS; AND TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBERS PUD12-0003 AND TSM12-0002
5. RECEIVE REPORT ON THE TRACER TRANSIT SYSTEM
6. CONSIDER AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND THE TRACY AFRICAN AMERICAN ASSOCIATION TO INCLUDE THE WAIVER OF ADMINISTRATIVE APPLICATION PROCESSING AND BANNER HANGING FEES AND PROVIDE STAFF DIRECTION
7. INTRODUCTION OF AN ORDINANCE AMENDING SECTION 3.08.580 OF THE TRACY MUNICIPAL CODE WHICH REGULATES THE ESTABLISHMENT OF SPECIAL SPEED ZONES
8. INTRODUCTION OF AN ORDINANCE ADOPTING, BY REFERENCE, THE 2013 CALIFORNIA BUILDING AND RELATED CODES, SPECIFYING WHICH APPENDICES APPLY TO THE CITY OF TRACY, RE-ADOPTING CERTAIN EXISTING SECTIONS OF TITLE 9 OF THE TRACY MUNICIPAL CODE, ADOPTING STANDARDS RELATED TO EXTERIOR PALLET STORAGE, RADIO AMPLIFICATION SYSTEMS, AUTOMATIC SPRINKLER SYSTEMS AND OTHER EMERGENCY RESPONDER REQUIREMENTS AND SETTING A PUBLIC HEARING DATE AND TIME FOR ADOPTION OF THE ORDINANCE
9. ITEMS FROM THE AUDIENCE
10. STAFF ITEMS
11. COUNCIL ITEMS
  - A. Consider Whether an Item to Discuss a Noise Report Submitted by Brian Van Lehn Should be Placed on a Future Agenda
  - B. Consider Whether an Item to Discuss the Establishment of a Citizen's Committee to Address Complaints Should be Placed on a Future Agenda
  - C. Consider Whether an Item to Discuss Individuals Being Recorded in Their Homes and Surveillance Practices Should be Placed on a Future Agenda
  - D. Appoint Applicants to the Tracy Arts Commission
  - E. Appointment of City Council Subcommittee to Interview Applicants for Vacancies on the Parks and Community Services Commission
12. ADJOURNMENT

**November 5, 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)

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

The invocation was provided by Pastor Scott McFarland, Journey Christian Church.

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

Leon Churchill, Jr., City Manager, presented the Employee of the Month award to Bogdan Swiergot, Public Works – Utilities.

Mayor Ives presented a proclamation to Alicia Carson, Records Supervisor in recognition of National Law Enforcement Records and Support Personnel Day.

Mayor Ives presented a proclamation to Danielle Mintz, Pancreatic Cancer Action Network's Bay Area Affiliate, in recognition of Pancreatic Cancer Awareness Month.

Mayor Ives presented a proclamation to Kathleen Serna-Halliday, Comprehensive Youth Outreach Coordinator Women's Center-Youth & Family Services, in recognition of Homeless Youth Awareness and Runaway Prevention Month.

Mayor Ives presented a proclamation to Shadd Newman, Associate Director of Property Operations, Eden Housing, in recognition of their 45<sup>th</sup> Anniversary.

Mayor Ives recognized students from Bohn, Central, Jacobson, McKinley, Poet Christian, and Villalovoz Elementary Schools in honor of their D.A.R.E. graduation.

Mayor Ives recognized students from Kimball, Millennium, Tracy and West High Schools for their involvement in D.A.R.E. TO PAY IT FORWARD.

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 September 3, 2013, were approved.
  - B. Authorize an Amendment of the City's Classification and Compensation Plan and Position Control Roster Reinstating a Full-Time Box Office Coordinator Position and Reallocating an Administrative Assistant II and a Cultural Arts Manager-Performing Arts to a Box Office Coordinator Position – Resolution 2013-165 authorized amendment of the plan.
  - C. Acceptance of the Senior Center Recreation Area CIP 78136, Completed by American Asphalt of Hayward, California, and Authorization for the City Clerk to File the Notice of Completion – Resolution 2013-166 accepted the project.

- D. Approve Amendment Number One to the Professional Services Agreement with Kimley-Horn and Associates for the Tracy Hills Specific Plan Amendment Subsequent Environmental Impact Report – Resolution 2013-167 approved Amendment One.
  - E. Award a Construction Contract to Commercial Pump and Mechanical (CMP) of Chico, California, for the Larch Road Storm Water Pump Station Upgrades, Phase 2 CIP 76054, and Authorize the Mayor to Execute the Contract – Resolution 2013-168 awarded the construction contract.
  - F. Approve a Minor Amendment to the Barnes & Noble/Sports Authority Final Development Plan to Modify the Façade and Add a Loading Dock At 3150 Naglee Road - Applicant is Naos Design Group for Rouse Properties, Inc. - Resolution 2013-169 approved the minor amendment.
  - G. Find it is in the Best Interest of the City of Tracy to Dispense with the Bid Process in Section 2.20.180 of the Tracy Municipal Code; Authorize the Purchase of Two Triple Combination Fire Pumpers From Hi-Tech Emergency Vehicle Service, Inc.; and Authorize Staff to Negotiate a Municipal Lease for the Purchase - Resolution 2013-170 approved dispensing with the bid process.
  - H. Find that it is in the Best Interests of the City to Waive the Competitive Bidding Process and Continue to Procure Centrifuge Rental Services from Karl Needham Enterprises (KNE) of Stockton, California - Resolution 2013-171 waived the competitive bidding process.
  - I. Authorization for the Chief of Police to Execute a Memorandum of Understanding between San Joaquin County Law Enforcement Agencies for the “Avoid the 10” DUI Campaign October 1, 2013, through September 30, 2014 - Resolution 2013-172, authorized the Chief of Police to execute the Memorandum of Understanding.
2. ITEMS FROM THE AUDIENCE – Bob Sarvey provided Council with a letter dated October 14, 2013, from Leon Churchill, Jr., City Manager. Mr. Sarvey stated he disagrees with the opinion of City staff and has not seen his request for reconsideration of the Surland purchase of the Schulte Road property placed on an agenda so he can provide rebuttal. Mr. Sarvey stated that the resolution approving the purchase and sale agreement is inaccurate and the findings did not accurately reflect the administrative record. Mr. Sarvey asked that Council reconsider their decision to sell the Schulte Road property to Surland.

Paul Miles addressed Council regarding the sale of the antenna farm property to Surland and provided a brief history of the site. Mr. Miles expressed concern over the sale price of the property, the rejection of other proposals which could generate revenue for the City, and the absence of any requirement that a solar farm be built.

Leon Churchill, Jr., City Manager, stated that due to the federal government shut down and the inability of the General Services Administration (GSA) to deliver the release documents for escrow on or before October 21, 2013, as required under the agreement, Surland was unwilling to extend the escrow period. On October 30, 2013, Surland sent a letter to the City of Tracy stating they had abandoned their efforts to acquire the site. Therefore, the agreement was not finalized. Mr. Churchill indicated dialogue continues with a number of stakeholders including Surland,

Congressman Denham's office, and GSA. Mr. Churchill added that he would return to Council in the future for Council consideration of alternate courses of action.

3. APPROVE A HIGH TECHNOLOGY (HI-TECH) INCENTIVE PILOT PROGRAM - Amie Mendes, Economic Development Analyst, provided the staff report. On April 30, 2012, Council allocated \$300,000 from the Residential Specific Plan (RSP) fund balance toward development of a business incubator to support start-up ventures in the early stages of development to ensure their growth and profitability. This effort would contribute to the local economy by increasing the City's tax base and creating new jobs. To test this assumption, a Business Accelerator Feasibility Study was conducted and completed in November 2012.

Several factors emerged suggesting that the City may want to explore alternative approaches to the business incubator. First, within the last year, i-GATE Innovation Hub, an organization dedicated to connecting entrepreneurs and investors to promote regional prosperity, accelerated their Business Incubator Program, leveraging its partnership with Lawrence Livermore Lab and other key businesses and expanding its network to increase innovation opportunities in the region. The City has been able to refer start-ups to i-GATE, helping to diversify the local economy. The City also created a partnership with The Indus Entrepreneurs (TiE) Silicon Valley, an organization which promotes entrepreneurship through mentoring, networking, and education. This collaboration resulted in a successful entrepreneur event on September 18, 2013, at the Grand Theatre Center for the Arts, exposing local technology companies to venture capitalists and entrepreneurs to discuss their business goals.

Given that these resources already exist to support start-ups, coupled with the City's economic development advantages, including its proximity to Silicon Valley, affordable land and housing and skilled workforce, the City is in a unique position to recruit high-technology (hi-tech) companies. The City proposes to test these assumptions through a temporary Hi-Tech Incentive Pilot Program (Program) to stimulate business growth and job creation, and manufacturing job retention and/or expansion.

The purpose of the Program is to increase the viability of current and future hi-tech businesses in Tracy. The Program is intended to provide various incentives to eligible companies interested in locating within the city limits. The Program also serves as a retention tool for existing hi-tech companies in Tracy that are interested in expanding.

The Program goals are to encourage hi-tech business development through incentives that attract eligible, new companies to Tracy, and retain existing businesses with a desire to expand their operations.

The Program reflects four proposed incentives: (1) Plan Concierge Services and Expedited Plan Review Rebate, (2) Use Tax Rebate, (3) Building and Planning Rebates, and (4) A High Wage Incentive.

1. *Plan Concierge Services and Expedited Plan Review Rebate* - Feedback from businesses indicated that concierge services and expedited plan review is one critical component in their site selection decision when relocating or expanding in a community. Key elements of this incentive include:
  - Expedited plan review services that require a building permit associated with tenant improvement construction or equipment installation;
  - Rebate of up to \$5,000 of the expedited plan review fee to qualifying companies;

- Ten business day turn-around for the first submittal of building plans, with all subsequent submittals at five business days; and
  - Next day inspection services as part of the building permit process to ensure timely completion of construction.
2. *Use Tax Rebate* - Businesses also indicated that Use Tax Rebates could play an important role in deciding to locate in one community over another. In this instance, the City would remit a portion of Use Tax dollars back to an eligible company. Use tax is applicable when an item is purchased (e.g. equipment) for use in California from an out of state retailer; if a city is deemed as the first functional use, the Use Tax would be distributed directly to the agency, rather than through the countywide pooling process. Firms that designate the City of Tracy as the first function use would be eligible for a Use Tax reimbursement of up to 50% conditioned upon a direct public benefit.
  3. *Building and Planning Rebates* - Another hi-tech business incentive is the rebate of a portion of the building, plumbing, mechanical, and electrical permit and plan check fees paid for as part of a commercial or tenant improvement building permit application. The City would rebate 75% of the building permit and plan check fees, up to a maximum of \$20,000, for fees associated with tenant improvement or equipment installation costs. In addition, the fees paid as part of a Development Review application or those associated with other discretionary permits from the Planning Division, may be eligible for a rebate up to a maximum of \$10,000. Any rebate of building and/or planning fees will be contingent upon the issuance of a Certificate of Occupancy.
  4. *High Wage Incentive* - A high wage incentive would also be made available to new and existing hi-tech companies that meet a specified "Head of Household" threshold. For the purposes of this pilot program, it is recommended that "Head of Household" be defined as a job compensated at a minimum of \$52,000 annually and receive some level of employer sponsored healthcare benefits. The proposed Head of Household requirement is similar to those in neighboring communities, such as the City of Livermore. However, the City will continue to further refine the Head of Household annual compensation requirement and provide a policy recommendation to Council within the next 12 months.

To receive the high wage incentive, new hi-tech companies must have at least 50% of their workforce at the Head of Household level. Existing hi-tech businesses must have expanded their workforce by a minimum of 25% with new Head of Household jobs to participate in the program. All Head of Household jobs must be permanent, full-time positions. Qualified hi-tech businesses would receive \$1,000 per eligible employee, per year, for a period of up to five years. All jobs created and/or relocated must be maintained for a period of 12 months. Companies must also verify applicable salaries and the required length of employment.

The proposed Hi-Tech Incentive Pilot Program would be made available through the reallocation of budgeted Residential Specific Plan (RSP) funds originally intended for a Business Incubator Program. There is approximately \$238,483 to fund the pilot program, which would be made available until the funds were expended. Any financial related incentive would be brought forward to Council prior to execution. Implementation of the financial incentives is at the discretion of the Council.

The Hi-Tech Incentive Pilot Program would be made available until the funds are expended. There is no impact to the General Fund.

Staff recommended that Council approve the High Technology Incentive Pilot Program.

Mayor Pro Tem Maciel stated three of the four project components are rebates so revenue would come in and subsequently be rebated. Mayor Pro Tem Maciel asked if the \$238,483 would be used for incentives and not backfill the rebated monies. Ms. Mendes stated the \$238,483 would be used for the rebates.

Mayor Pro Tem Maciel asked for clarification regarding the use tax. Leon Churchill, Jr., City Manager, clarified that the City cannot allocate rebates from revenue received; it has to come from the \$238,483 so funds are available for rebate.

Mayor Pro Tem Maciel asked how the \$52,000 Head of Household amount was determined. Ms. Mendes stated this program was similar to the City of Livermore and is based on median home prices.

Council Member Rickman asked how successful the program was in Livermore. Ms. Mendes stated it was a new program for Livermore and several companies have taken advantage of the program.

Council Member Manne stated this program was very encouraging and hoped it shows that Tracy is willing to invest in the Community. Council Member Manne asked how the incentive was going to be administered and if the City had the staff resources available. Mr. Churchill stated as proposed, existing staff will administer the program, principally Ms. Mendes and others in Economic Development.

Council Member Rickman asked how long it would be before any results were realized. Ms. Mendes stated it will take time to market the program, but believed staff would have an idea on how the program is received within the next six months.

Council Member Young asked if the program would be adjusted throughout the next two years in order to determine success in 2016. Ms. Mendes stated staff would provide Council with an update when the Strategic Plans are presented.

Council Member Young asked how much money was originally set aside for the incubator program. Ms. Mendes stated \$300,000.

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

Robert Tanner stated the incentive plan for one item has an end date for five years, with no end date on others which may impact the General Fund after 2016. Mr. Churchill stated that will be a milestone the City will have to consider. Mr. Churchill added if the program is successful, the funds will be exhausted quickly. Mr. Churchill further stated the program will have to be re-evaluated when funds are exhausted.

Mayor Ives confirmed that the program is currently capped at \$238,483 and no additional funds would be spent at this time.

Paul Miles asked why the program was restricted to hi tech companies. Ms. Mendes stated the incubator program originally targeted start-up companies and entrepreneurs. Ms. Mendes added that after additional research and after the state-of-the-City speaker



discussed hi tech companies, the City looked again at how to attract hi-tech businesses that can cross over many industries. Ms. Mendes stated the main goal was to attract a cluster which would also attract spin-off businesses.

Mr. Miles asked for clarification of the use tax. Ms. Mendes stated the county pooling system is based off retail sales and the City of Tracy receives approximately 15%. Ms. Mendes stated any company can take advantage of the use tax.

It was moved by Council Member Manne and seconded by Mayor Pro Tem Maciel to adopt Resolution 2013-173 approving a High Technology Incentive Pilot Program.

Council Member Rickman thanked Ms. Mendes for the creative presentation, stating the City needed lower fees, lower taxes, and tax incentives to bring head of household jobs to Tracy.

Mayor Ives stated Tracy is becoming more of a self-help City and that this program was a good example of the City designing its own way into prosperity.

Voice vote found all in favor; passed and so ordered.

5. REVIEW AND DISCUSS COUNCIL FOLLOW-UP PROCEDURE AND PROVIDE STAFF DIRECTION - Maria Hurtado, Assistant City Manager, provided the staff report. On October 1, 2013, Council directed staff to outline the City Administration's Council follow-up procedure and provide alternative methods to ensure clarity around the request and timely completion of Council referrals. Council described concerns over the lack of timeliness to its requests, and asked for methods for improvement. The City's practice is to schedule a Council follow-up meeting the day following a Council meeting. This meeting reviews the actions taken by Council, required internal coordination, and Council referrals. In preparation of the meeting, a Council action summary sheet is developed, which confirms, schedules, and assigns Council follow-up items. A determination is also made as to whether the follow-up item will be communicated to Council via an informational memorandum from the City Manager or by placing an item on the Council agenda. The following section describes the City's practice in more detail.

The City Clerk's office develops a Council summary document, which outlines all Council actions taken for each agenda item during a Council meeting. This includes Council votes, resolution numbers, a brief description of public, staff, and Council comments, and Council referrals. This serves as an internal planning tool for future Council meeting agendas and a mechanism to document and track Council actions and voting record.

The Council Follow-Up Request form tracks Council requests from previous Council meetings and items from the audience that require follow up. The Council Follow-Up Request form includes: (1) name of the requesting party, (2) Council meeting date, (3) agenda item number, (4) requests, (5) staff assigned to respond to that request, (6) due dates, and (7) status of the items.

Senior staff (including the City Manager, Assistant City Manager, City Attorney, and all Department Heads) hold a Council Follow-Up meeting the day after each Council meeting to review both the Summary of Actions and the Council Follow-Up Request tracking form. At the Council Follow-Up meetings, action items are discussed, new Council requests are assigned to specific staff members, and due dates are established. The pending items are tracked and discussed at subsequent Council Follow-Up meetings where the status on each item is provided by assigned staff. The action

requested remains on the Council Follow-Up tracking form until the item is completed or resolved.

If any of the action items listed on the Council Follow-Up tracking form require the subsequent placement of an item on a future Council agenda, that item is added to the Department Head (DH) Agenda Review Calendar. Senior staff meets every other Tuesday to discuss upcoming Council meeting agenda items to ensure a balanced agenda calendar and prioritization of agenda reports.

City Council receives a copy of the DH Agenda Review Calendar every two weeks, as an informational item. Please note that the DH Agenda Review Calendar is a planning tool and changes frequently due to a number of factors that impact timing of agenda items.

Some options for Council consideration to enhance the timeliness of communications of pending Council follow up requests are:

**Option One: Amend the City Council Meeting Procedures to Establish Clear Time Frames for Completion and/or Follow-Up of Council Member's Requests** - Under the current Procedures for Preparation, Posting and Distribution of Agenda and the Conduct of Public Meetings ("City Council Meeting Procedures"), upon the concurrence of a majority of the Council that a Council Member's request for an item should be researched and agendaized, the City Manager determines when to place the item on a future agenda based on time necessary to complete the research and staff workload considerations and the effect of City Council established priorities. The City Council Meeting Procedures could be amended to include direction from the City Council on when it would like the item to be placed on a future agenda and/or establish default times for updates. For example, an update on a City Council request could be automatically placed on the City Council agenda every month until completion.

**Option Two: Provide a copy of the Council Summary Sheet and Council Follow-Up Request tracking form to Council on a bi-monthly basis** - Staff can provide Council with a copy of the summary of action sheet, along with the Council Follow-Up Requests on a bi-monthly basis. Council already receives the DH Agenda Review Calendar on a monthly basis and adding these two additional planning tools can easily be incorporated. This additional information will enhance communication with Council and provide a status of items being tracked.

**Option Three: Other** - Council may determine a different preferred follow-up procedure and timeline.

Staff recommended that Council review and discuss the Council follow-up procedure.

Council Member Young asked where the option was to place it on the consent calendar. Ms. Hurtado stated it could be done with either option, but was listed under option 2.

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

Mayor Pro Tem Maciel stated Option Two, along with including the additional documents would satisfy his needs.

Council Member Rickman stated one of his concerns was that Council members receive questions about when a particular item was going before Council and Council does not have an answer. Council Member Rickman stated these tools will enable Council to relay that information.

Council Member Young asked for clarification regarding Option Two. Ms. Hurtado stated all items remain on the tracking form until they are completed, closed out, or placed on an agenda.

Council Member Manne stated either option would meet his needs.

Council Member Rickman stated Option Two was a bit restraining; however, there are times when time frames are needed. Ms. Hurtado added that if Council requests an agenda item with a specific timeframe that date is noted on the tracking form and the deadline met. Ms. Hurtado stated that if the deadline is not met, in most cases an informational memo is forwarded to the Council informing them of the reasons for any delay. Council Member Rickman stated he preferred Option Two.

Council Member Young stated Option Two was sufficient.

Mayor Pro Tem Maciel stated if a Council member made an inquiry on an item, that the response or information be shared with the entire Council.

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Rickman to direct staff to pursue Option Two. Voice vote found all in favor; passed and so ordered.

5. SECOND READING AND ADOPTION OF ORDINANCE 1189 AMENDING THE TRACY MUNICIPAL CODE (ZONING REGULATIONS) REGARDING TIME LIMITS AND EXTENSIONS FOR DEVELOPMENT REVIEW PERMITS (TMC CHAPTER 10.08, ARTICLE 30) – APPLICATION NUMBER ZA13-0002 – The Clerk read the title of Ordinance 1189.

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

It was moved by Mayor Pro Tem Maciel and seconded by Council Member Manne to adopt Ordinance 1189. Roll call vote found all in favor; passed and so ordered.

6. ITEMS FROM THE AUDIENCE - Brian Van Lehn provided Council with a letter dated August 20, 2013, which included a noise analysis of the Leprino Food property. Mr. Van Lehn stated he had provided the report to City staff two months ago and has not received a reply. Mr. Van Lehn requested an item be placed on the agenda for discussion

Robert Tanner thanked the City for their participation in the drug and prescription recall event held last week. Mr. Tanner stated he had read in The Record that the University of the Pacific had finally completed their CPI study which staff has been waiting for to determine fees, and that he hoped to see an agenda item regarding the matter in the near future.

A representative of the Naos Design Group thanked staff for their efforts in bringing their project to the West Valley Mall.

7. STAFF ITEMS – None.

8. COUNCIL ITEMS - Council Member Rickman stated that since the last Council meeting he had been approached by members of the public regarding what took place regarding the airport and the alleged agreement. Council Member Rickman stated the issue brings into question the integrity of the City and the Council. Council Member Rickman stated he did not think Council knew everything that was going on. Council Member Rickman suggested Council instruct Dan Sodergren, City Attorney, to work with the Police Chief to bring the issues and accusations to an independent entity.

Council Member Young asked for an update regarding the Senior Steering Committee. Maria Hurtado, Assistant City Manager, indicated Council would be receiving an informational memo from the City Manager's office on November 6, 2013. Ms. Hurtado stated that the seven member committee had been appointed, a consultant was on contract to facilitate the conversations, and a meeting was scheduled for Monday, November 18, 2013, between the facilitator and the Steering Committee. Ms. Hurtado added that after the November 18, 2013, meeting, staff should have additional information regarding meeting dates.

Council Member Young invited everyone to the second annual Veteran's Day breakfast at Kimball High School on Saturday, November 9, 2013, at 9:00 a.m. Council Member Young reminded everyone of other Veteran's Day events including the 10:00 a.m., event at the War Memorial on Monday, November 11, 2013.

Council Member Young stated there will be an Anti-Bullying celebration on November 14, 2013, at 6:00 p.m. at Kimball High School and that she would like to see the City participate in the event.

Dan Sodergren, City Attorney, asked for clarification regarding Council Member Rickman's request concerning the airport and any alleged agreement. It was Council consensus to have an item placed on the December 3, 2013, agenda for consideration, following the two-step process.

9. ADJOURNMENT - It was moved by Council Member Manne and seconded by Mayor Pro Tem Maciel to adjourn. Voice vote found all in favor; passed and so ordered. Time: 8:28 p.m.

The above agenda was posted at the Tracy City Hall on October 31, 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

**November 19, 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)

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

The invocation was provided by Pastor Kevin James, New Creation Bible Fellowship.

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

Wayne Schneider and Bill Swenson presented the Sports Hall of Fame plaque to Mayor Ives.

1. CONSENT CALENDAR - It was moved by Council Member Rickman and seconded by Council Member Young to adopt the consent calendar, minus Item 1-D. Roll call vote found Council Members Rickman, Young, and Mayor Ives in favor; Council Member Manne and Mayor Pro Tem Maciel absent. It was moved by Mayor Ives and seconded by Council Member Young to adopt consent item 1-D. Voice vote found Council Member Young and Mayor Ives in favor; Council Member Manne and Mayor Pro Tem Maciel absent; Council Member Rickman abstained.
  - A. Approval of Minutes – Regular meeting minutes of September 17, 2013, were approved.
  - B. Rescind Resolution 2012-247 Approving Utility Agreements with Pacific Gas & Electric (PG&E) and the West Side Irrigation District for Relocation and Modification of Their Facilities for the Eleventh Street East Tracy Overhead Bridge Replacement Project CIP 73063 and Federal Project Number BHLS-5192(020) and Approve New Agreements to Include Buy American Requirements as Required by the Federal Highway Authority on Federally Funded Projects and Authorize the Mayor to Execute the Agreements – Resolution 2013-174 rescinded Resolution 2012-247 and approved the Agreements.
  - C. Authorize the Mayor to Sign a Memorandum of Understanding (MOU) Between the City of Tracy and the Women’s Center Youth and Family Services in Order to Enhance Community Education, Prevention and Recovery for Victims of Domestic Violence and Sexual Assault – Resolution 2013-175 authorized the Mayor to sign the MOU.
  - D. Authorize the City Manager and Chief of Police to Execute a Memorandum of Understanding (MOU) Between the Regional Auto Theft Team (RATT) Task Force to Jointly Combat Vehicle Theft Crimes July 1, 2013, through June 30, 2015 – Resolution 2013-178 authorized the City Manager and Chief of Police to execute the MOU.
  - E. Authorize the City Manager and Chief of Police to Execute a Memorandum of Understanding (MOU) Between the County of San Joaquin Metropolitan

Narcotics Task Force (METRO) from July 1, 2013, to June 30, 2016 – Resolution 2013-176 authorized the City Manager and Chief of Police to execute the MOU.

- F. Approve a Resolution Exercising the Option to Extend a Lease Agreement with Mizuno Farms, Inc., for One Additional Two-Year Period, for Farming Operations at Property Located at the Corner of Eleventh Street and Chrisman Road and Amending Certain Language Regarding Termination in the Event of a Third Party Sale, and Authorize the Mayor to Execute Amendment No. 1 – Resolution 2013-177 approved extending the lease agreement.

2. ITEMS FROM THE AUDIENCE – Robert Tanner expressed disappointment in the condition of the flags that were installed on Eleventh Street in celebration of Veteran's Day and the fact that the flags were taken down the next day. Mr. Tanner asked that extra care be taken with the flags and torn ones disposed of properly. Mr. Tanner asked why a street has not been named after Vietnam Veteran William Pushner. Mr. Tanner indicated there were currently eight military individuals killed in action and hoped that future developers would consider naming streets after the veterans.

Paul Miles addressed Council regarding the investigation and reinstatement of Police Sargent Miller, stating the arbitrator's report points to significant bias and negligence on the part of police leadership and the lack of process to protect the public and police officers against capricious leadership. Mr. Miles stated he could find no records that document policies and procedures have been put in place for dealing with misconduct by the Chief of Police. Mr. Miles asked the Mayor to have staff direct him to the policies and procedures and to documents that demonstrate that the policies and procedures have been followed.

Steve Nicolaou provided Council with a legal opinion from the City of Oakland which outlines City Council censure law and procedures dated July 11, 2013. Mr. Nicolaou stated he could not find similar rules for the City of Tracy and asked Council to direct staff to prepare a thorough report setting forth what policies and procedures are in place that would allow Council to legally reprimand or censure one of its own if warranted, and for that item to be placed on the next agenda. Mr. Nicolaou stated if no procedures are in place, it is incumbent on Council to devise such policy or procedure.

Dave Helm referred to Council Member Rickman's request for Council to consider an investigation regarding the airport. Mr. Helm asked that airport issues including the \$50,000 and the attempt to shorten the runway length be discussed at a City Council meeting. Mr. Helm stated he did not believe that there was not a deal. Mr. Helm added that according to the Secretary of State's website, the fuel service operator's limited liability company is still suspended which represents a liability. Mr. Helm asked that a Council member sponsor an agenda item regarding the airport.

Deviation in agenda.

5. AUTHORIZE A FY2013-14 SUPPLEMENTAL APPROPRIATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND GENERAL PROJECTS FUND 301 MONIES – Scott Claar, Associate Planner, provided the staff report. Community Development Block Grant (CDBG) funds are allocated to cities and counties by the United States Department of Housing and Urban Development (HUD) for use

in projects, programs, and services that demonstrate a benefit to low and moderate income individuals and families.

San Joaquin County's CDBG program allocations increased slightly for FY2013-14, from the estimated allocations used in the 2013 Notice of Funding Availability. Due to this, the City of Tracy will receive an additional allocation of \$39,985 of CDBG program funds for FY2013-14. These additional funds have not been appropriated by City Council.

Staff recommended that a portion of the available funds be used to add additional amenities to the Lolly Hansen Senior Center Outdoor Recreation Area Project, CIP 78136.

The amenities have been requested by seniors who use the facility. The amenities were also part of the original vision for the Senior Center Recreation Area Project but, due to funding limitations, were not included in the scope of work that was recently completed by the contractor, American Asphalt.

Staff recommended that Council appropriate \$14,450 of CDBG funds for FY 2013-14 to the Senior Center project and that \$5,000 be appropriated to the project from General Projects Fund 301 monies, in order to cover overhead expenses, staff time, and contingency, all of which are not readily reimbursed with CDBG funds.

Staff recommended that Council appropriate \$25,535 of CDBG funds for FY2013-14, to the City's Sidewalk ADA Improvements Project. On February 19, 2013, City Council allocated \$75,000 of CDBG funds for FY2013-14 to the City's Sidewalk ADA Improvements Project. If Council appropriates these additional CDBG funds to this project, the total allocation for FY2013-14 would be increased to \$100,535. The project includes construction of missing sidewalks, reconstruction of broken sidewalks, curbs and gutters, installation of new wheelchair ramps, and relocation of storm drainage facilities to accommodate wheelchair ramps within the greater downtown area.

The City has received an additional allocation of \$39,985 of CDBG funds for FY2013-14. Approval of this agenda item would result in the appropriation of \$14,450 of CDBG funds for FY2013-14 and \$5,000 of General Projects Fund 301 monies to the Lolly Hansen Senior Center Outdoor Recreation Area Project, CIP 78136, and the appropriation of \$25,535 of CDBG funds for FY2013-14 to the City's Sidewalk ADA Improvements Project.

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

It was moved by Council Member Rickman and seconded by Council Member Young to adopt Resolution 2013-182, appropriating \$14,450 of Community Development Block Grant Funds for Fiscal Year 2013-2014 and \$5,000 of General Project Fund 301 Monies to the Lolly Hansen Senior Center outdoor recreation area project, CIP 78136, and appropriating \$25,535 of CDBG Funds for Fiscal Year 2013-2014 to the City's Sidewalk ADA Improvements Project. Voice vote found Council Members Rickman, Young, and Mayor Ives in favor; Council Member Manne and Mayor Pro Tem Maciel absent.

3. PUBLIC HEARING TO ADOPT AMENDMENTS TO THE CITYWIDE ROADWAY AND TRANSPORTATION, AND STORM DRAINAGE MASTER PLANS, THE ESTABLISHMENT OF ROADWAY AND TRAFFIC, WATER, RECYCLED WATER,

WASTEWATER, STORM DRAINAGE, PUBLIC SAFETY, PUBLIC FACILITIES, AND PARK DEVELOPMENT IMPACT FEES AND THE ASSOCIATED AB1600 FEE STUDIES FOR ALL NEW DEVELOPMENTS WITHIN THE CITY – Kuldeep Sharma, City Engineer, stated in order to properly address comments received from the development community, staff would bring a completed agenda item for Council consideration at the December 3, 2013, meeting.

Staff recommended that Council open the public hearing and continue consideration of the item to the December 3, 2013, City Council meeting.

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

It was Council consensus to move consideration of the item to December 3, 2013.

4. APPROVE AGREEMENTS RELATED TO RECONSTRUCTION AND WIDENING OF THE ELEVENTH STREET OVERPASS BRIDGE CIP 73063, FEDERAL PROJECT NUMBER BHLS-5192(020) AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENTS – Kuldeep Sharma, City Engineer, provided the staff report. The existing 1,441-foot long Eleventh Street Bridge, constructed by Caltrans in 1936, was widened from two lanes to four lanes in 1960 and crosses three Union Pacific Railroad (UPRR) tracks. Pacific Gas and Electric Company (PG&E) overhead electric facility and underground gas pipe line run along the bridge and the West Side Irrigation District (WSID) has an open irrigation channel along the north side of the bridge. Since the proposed bridge will be wider than the existing bridge, it is necessary to acquire additional right-of-ways from affected adjacent properties, including a temporary construction easement from UPRR. In addition UPRR has to grant a “Highway Easement” to allow construction of the bridge.

Necessary right-of-ways from the WSID have already been acquired. Approval of the subject agreements will conclude the remaining required right-of-ways and temporary construction easements from adjoining properties for the reconstruction and widening of the bridge.

On February 5, 2013, Council directed staff to negotiate the terms and conditions of the agreement with UPRR. Staff, in coordination with Interwest Consulting Group, the City’s consultant for right-of-ways services, and the City Attorney’s office, concluded negotiations of the terms and conditions of the UPRR agreement. This agreement grants the City a “Highway Easement” for the cost of \$139,629.

Under condition of the agreement, the City of Tracy will secure a temporary construction easement from UPRR for 24 months from award of the construction contract at a total cost of \$242,758.

During construction of the bridge, UPRR personnel will coordinate train movement and provide inspection of the construction activities within their right-of-way boundary. The estimated cost of the item is \$205,000 and the City of Tracy will receive invoices for work from UPRR during construction.

The total cost of UPRR granting the City of Tracy “Highway Easement” (temporary construction easement) and providing construction inspection is estimated to be \$587,387. With regard to the other agreements with MAGJJ Overpass Properties, LLC



and Joe Alvarez Revocable Survivor's Trust, the City will acquire (right of land in real and temporary construction easements) for the reconstruction and widening of the bridge.

The total cost of the right-of-ways and temporary construction easements with MAGJJ Overpass Properties, LLC (0.38 acres in fee acquisition and 2.65 acres in temporary construction easement) is \$84,000. The cost for 0.05 acres in fee acquisition and 0.45 acres of temporary construction easements including relocation of utility for Joe Alvarez, Trustee, will be \$79,000. The costs of these items are included in the total costs of the bridge replacement.

The cost of "Highway Easement", temporary construction easements and operational cost of UPRR, land acquisition for right-of-ways and construction easements from MAGJJ Overpass Properties, LLC and Joe Alvarez Trustee will be paid from the approved CIP 73063, for the Eleventh Street Bridge reconstruction and replacement.

There will be no impact to the General Fund. Staff recommended that Council, by separate resolutions, approve the agreements for reconstruction and widening of the Eleventh Street Overpass Bridge CIP 73063, and Federal project BHLS-5192(020) and authorize the Mayor to execute the agreements.

Council Member Rickman asked when the start of construction was expected. Mr. Sharma stated staff would be advertising for construction bids in July, 2014, awarding the contract in September, with completion expected in September, 2016.

Mayor Ives referred to the wall treatment on the overpass and asked if staff has considered the potential for graffiti and its removal. Mr. Sharma stated instead of having one vertical wall, there will be three walls of varying heights creating a stepped effect which will prevent access to the top of the bridge. Mr. Sharma added that landscaping and vines were to be included to discourage graffiti, along with the use of materials that are graffiti-resistant.

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

Robert Tanner asked why there needed to be vista points on the bridge. Mr. Sharma stated the intent is to have that portion of the bridge a little wider so that once MacArthur Drive has been re-aligned, no changes to the structure of the bridge will have to be made.

Mr. Tanner asked why bike paths were needed on the bridge. Mr. Sharma stated the bridge was designed anticipating future needs and the planned MacArthur Drive intersection improvements. Mr. Sharma stated the City needed to consider what can be accommodated now and for the future.

Mr. Tanner stated he thought the MacArthur Drive intersection was going to be completed at about the same time as the overpass. Mr. Sharma stated the MacArthur Drive intersection was a separate project and part of the master plans. Mr. Sharma added that staff was working on acquiring the needed right-of-ways and that the MacArthur Drive area still had to be annexed into the City.

Paul Miles stated he understood that the vehicle code prohibits riding bicycles on the sidewalk unless you are a child. Mr. Miles commented that if there are future federal

funds available that Council consider a perimeter system allowing better movement around the City north to south and east to west.

Dave Helm asked for clarification regarding a left turn pocket onto MacArthur Drive occurring at the apex of the bridge and limited visibility. Mr. Sharma stated that during the design phase, safety features will be looked at, noting the plan was still 10-15 years into the future.

It was moved by Council Member Rickman and seconded by Council Member Young to adopt Resolution 2013-179, approving a New Public Highway Overpass Crossing Agreement between Union Pacific Railroad Company and the City of Tracy covering the reconstruction and widening of the Eleventh Street Overpass Grade Separated Public Road Crossing at Railroad Mile Post 83.27 – Tracy subdivision, D.O.T. Number 753069A in the City of Tracy, San Joaquin County, State of California, City CIP 73063, and Federal Number BHLS-5192(020) and authorizing the Mayor to execute the agreement. Voice vote found Council Members Rickman, Young, and Mayor Ives in favor; Council Member Manne and Mayor Pro Tem Maciel absent.

It was moved by Council Member Rickman and seconded by Council Member Young to adopt Resolution 2013-180, approving Real Property Acquisition Agreement of Fee Interests and Temporary Construction Easement between the City of Tracy and MAGJJ Overpass Properties, LLC, for reconstruction and widening of the Eleventh Street Overpass Grade Separated Public Road Crossing at Railroad Mile Post 83.27, CIP 73063, and authorizing the Mayor to execute the agreement. Voice vote found Council Members Rickman, Young, and Mayor Ives in favor; Council Member Manne and Mayor Pro Tem Maciel absent.

It was moved by Council Member Rickman and seconded by Council Member Young to adopt Resolution 2013-181, approving a Real Property Acquisition Agreement of Fee Interests and Temporary Construction Easement between the City of Tracy and Joe Alvarez, Trustee of the Joe Alvarez Revocable Survivor's Trust as set forth in the Alvarez Trust for the reconstruction and widening of the Eleventh Street Overpass Grade Public Road Crossing at Railroad Mile Post 83.27., CIP 73063, and authorizing the Mayor to execute the agreement. Voice vote found Council Members Rickman, Young, and Mayor Ives in favor; Council Member Manne and Mayor Pro Tem Maciel absent.

6. ITEMS FROM THE AUDIENCE – None.

7. STAFF ITEMS

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

Council Member Rickman asked if there was any news regarding Panera Bread or Red Robin. Mr. Churchill stated there would be announcements coming soon.

Council Member Rickman stated Shedskin, a reptile store located in the mall, held a convention which attracted a large number of individuals to the mall. Council Member Rickman announced an event "Homes for the Holiday" being held November 23 and 24, 2013.

Council accepted the City Manager's Informational Update.

## 8. COUNCIL ITEMS

- A. Appointment of City Council Subcommittee to Interview Applicants for Vacancies on the Tracy Arts Commission – Maria A. Hurtado, Assistant City Manager, stated that on December 31, 2013, terms will expire for three of the Tracy Arts Commissioners. The upcoming vacancies have been advertised and the recruitment is scheduled to close on November 19, 2013. As of November 14, 2013, one application has been received by the City Clerk's office. As stated in Resolution 2004-152, in the event there are not two or more applicants than vacancies, the filing deadline will be extended. An eligibility list was established during the previous recruitment, but has since expired.

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

Council Member Young and Council Member Rickman were appointed to interview applicants to fill three upcoming vacancies on the Tracy Arts Commission.

Council Member Rickman congratulated the Tracy High Bulldogs, who made it to the playoffs, inviting everyone to the Friday night game on November 22, 2013.

Council Member Young also congratulated to the Tracy High Bulldogs for making it to the playoffs.

Council Member Young stated there will be a candle light vigil at Tracy Sutter Hospital on November 20, 2013, between 6:00 – 8:00 p.m. to bring attention to the proposal to take away 30 beds from the hospital.

Council Member Young wished everyone a Happy Thanksgiving. Council Member Young mentioned several places in town where free dinners were being offered to those in need.

Council Member Rickman wished everyone a Happy Thanksgiving.

9. ADJOURNMENT – It was moved by Council Member Young and seconded by Council Member Rickman to adjourn. Voice vote found Council Members Rickman, Young, and Mayor Ives in favor; Council Member Manne and Mayor Pro Tem Maciel absent. Time: 8:08 p.m.

The above agenda was posted at the Tracy City Hall on November 14, 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

AGENDA ITEM 1.B

REQUEST

**ADOPT A RESOLUTION APPROVING A FY 12/13 SUPPLEMENTAL APPROPRIATION FOR FUND-DEPARTMENT EXPENDITURES**

EXECUTIVE SUMMARY

The FY 12/13 adopted operating budget was \$113,836,710 and subsequently adjusted throughout the year to \$116,195,848. However, the final operating budget year-end expenditures were \$111,466,146, or 96% of the amended budget. While the overall FY 12/13 year-end expenditures were below the amended operating budget, certain fund-departments combination expenditures exceeded their budgets. To stay within the legal format of the budget, a supplemental appropriation is required.

DISCUSSION

The FY 12/13 budget was adopted by City Council on June 5, 2012. The FY 12/13 adopted operating budget was \$113,836,710 and through subsequent amendments, was adjusted to \$116,195,848. However, year-end total expenditures were approximately \$111,466,146 or 96% of the operating budget.

Once the budget is adopted, legal budget controls are established using a fund-department format. Occasionally, there are situations where some fund-department combinations exceed the adopted or amended budget. If this occurs, Council must authorize a supplemental appropriation, even if the total operating expenditures are within the adopted or amended budget. For FY 12/13, the total fund-department expenditures that exceeded the budget were approximately \$629,926 (Attachment A).

The fund-department expenditure fall into three areas as noted below:

1. In the Fire Department, expenditures were approximately \$238,256 higher than previously budgeted. Personnel expenses exceeded budgeted levels due to an increase in employee vacation leave buy-backs. Contracted services were also higher due to vehicle maintenance and telephone costs. The General Fund will cover the City's share of the costs which is \$133,133. The remaining costs have already been covered by Tracy Rural and Mountain House.
2. Expenditures for solid waste collection and recycling contracts were higher than anticipated (\$333,860) and are paid based on revenues received. Program rates were increased in the latter part of the prior fiscal year; however, the FY12/13 solid waste revenue and expenditure budgets were not updated based on the revised rates.
3. Indirect costs (City overhead) are budgeted a year in advance based upon prior fiscal year data; however, final indirect expenses are calculated based on FY12/13 year-end actual data and adjusted accordingly. As a result of the dissolution of redevelopment, indirect costs that were once covered by the City of Tracy

Community Development Agency (CDA) are now being picked up by the Community Access CTV, Solid Waste, Drainage, Transit, and Airport Funds. Combined, the five funds are covering an additional \$57,810 in indirect costs.

City Council action is required to approve supplemental appropriations of \$629,926 to provide funding to the FY12/13 expenditures.

STRATEGIC PLAN

This item is in accordance with Council Governance Strategy, Goal 2: "Ensure continued fiscal sustainability through financial and budgetary stewardship."

FISCAL IMPACT

Supplemental appropriations will be required from certain City funds as follows:

From the General Fund 101	
For the Fire Department	\$133,133
From the SC Fire Authority Fund 211	
For the Fire Department	\$105,123
From the Community Access CTV Fund 295	
For Indirect Costs	\$ 8,150
From the Solid Waste Funds 531, 532, & 533	
For Program 53810 Collection Contract	\$240,331
For Program 53820 Recycling Contract	\$ 93,529
For Indirect Costs	\$ 18,980
From the Drainage Fund 541	
For Indirect Costs	\$ 10,720
From the Airport Fund 561	
For Indirect Costs	\$ 7,320
From the Transit Fund 571	
For Indirect Costs	<u>\$ 12,640</u>
<b>Total</b>	<b>\$629,926</b>

Except for the Airport Fund 561, the resources for these funds are adequate to fund the supplemental appropriations required.

RECOMMENDATION

Adopt a resolution approving a supplemental appropriation of \$629,926 to cover the FY12/13 fund-department expenditures.

Prepared by: Allan J. Borwick, Budget Officer, Administrative Services Dept., Finance Division  
Approved by: Jenny Haruyama, Administrative Services Director  
              Maria A. Hurtado, Assistant City Manager  
              R. Leon Churchill, Jr., City Manager

ATTACHMENTS:

Attachment A - FY12/13 Year-End Budget Review Fund-Department Combinations

**Attachment A**

**City of Tracy  
FY12/13 Year-End Budget Review  
Fund-Department Combinations**

<b>Fire Department</b>					
<b>Accts #</b>	<b>Fund/Program</b>	<b>Program</b>	<b>Amended Budget</b>	<b>Year-End Expenditures</b>	<b>Difference</b>
211-52110-1xx	SC Fire Authority Fire Admin	Personnel Expenses	\$ 453,380	\$ 477,022 105%	\$23,642
211-52110-2xx	SC Fire Authority Fire Admin	Contracted Services	\$ 68,430	\$ 76,936 112%	\$8,506
211-52210-1xx	SC Fire Authority Fire Operations	Personnel Expenses	\$ 12,496,600	\$ 12,675,163 101%	\$178,563
211-52210-2xx	SC Fire Authority Fire Operations	Contracted Services	\$ 1,105,930	\$ 1,133,475 102%	\$27,545
<b>Total Fire Department:</b>					<b>\$238,256</b>

<b>Solid Waste</b>					
<b>Accts #</b>	<b>Fund/Program</b>	<b>Program</b>	<b>Amended Budget</b>	<b>Year-End Expenditures</b>	<b>Difference</b>
532-53810-283	SW Collection SW Coll & Disp	Collection Contract	\$4,240,000	\$ 4,480,331 106%	\$240,331
533-53820-283	SW Recycling SW Recycling	Recycling Contract	\$2,221,600	\$ 2,315,129 104%	\$93,529
<b>Total Solid Waste:</b>					<b>\$333,860</b>

<b>Indirect Costs</b>					
<b>Accts #</b>	<b>Fund/Program</b>	<b>Program</b>	<b>Amended Budget</b>	<b>Year-End Expenditures</b>	<b>Difference</b>
295-59210-905	Comm CTV	Indirect Costs	\$27,950	\$ 36,100 129%	\$8,150
531-59210-905	Solid Waste	Indirect Costs	\$32,030	\$ 51,010 159%	\$18,980
541-59210-905	Drainage	Indirect Costs	\$15,790	\$ 26,510 168%	\$10,720
561-59210-905	Airport	Indirect Costs	\$69,800	\$ 77,120 110%	\$7,320
571-59210-905	Transit	Indirect Costs	\$58,960	\$ 71,600 121%	\$12,640
<b>Total Indirect Costs:</b>					<b>\$57,810</b>

<b>Grand Total</b>					<b>\$ 629,926</b>
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<b>Operating Budget</b>			
	<b>Amended Budget</b>	<b>Year-End Expenditures</b>	<b>Over/Under Budget</b>
<b>All Funds</b>	\$ 116,195,848	\$ 111,466,146	\$ (4,729,702)
		96%	
<b>General Fund</b>	\$ 50,845,495	\$ 48,499,123	\$ (2,346,372)
		95%	

RESOLUTION \_\_\_\_\_

APPROVING SUPPLEMENTAL APPROPRIATIONS FOR FY 12/13 FUND-  
DEPARTMENT EXPENDITURES

WHEREAS, City Council adopted the City budget for FY12/13 on June 5, 2012, and since adoption, the budget has been amended by the Council numerous times, and

WHEREAS, Year-end expenditures for FY12/13 overall are within budget; however, in certain fund-department combinations expenditures exceeded their amended budgets, and

WHEREAS, To stay within the legal format of the budget, a supplemental appropriation is required;

NOW, THEREFORE, BE IT RESOLVED, The Tracy City Council hereby approves the following supplemental appropriations for the FY12/13 budget:

From the General Fund 101	
For the Fire Department	\$133,133
From the SC Fire Authority Fund 211	
For the Fire Department	\$105,123
From the Community Access CTV Fund 295	
For Indirect Costs	\$ 8,150
From the Solid Waste Funds 531, 532, & 533	
For Program 53810 Collection Contract	\$240,331
For Program 53820 Recycling Contract	\$ 93,529
For Indirect Costs	\$ 18,980
From the Drainage Fund 541	
For Indirect Costs	\$ 10,720
From the Airport Fund 561	
For Indirect Costs	\$ 7,320
From the Transit Fund 571	
For Indirect Costs	<u>\$ 12,640</u>
	Total
	\$629,926

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The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the Tracy City Council on the 7<sup>th</sup> day of January, 2014 by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 1.C

REQUEST

**ACCEPTANCE OF THE CITY OF TRACY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDING JUNE 30, 2013**

EXECUTIVE SUMMARY

The attached FY 2012/13 Comprehensive Annual Financial Report (CAFR) represents the City's financial, operational, and current economic condition for the fiscal year ending June 30, 2013. The City's financial statements for the year ending June 30, 2013, have been audited by Moss, Levy & Hartzheim, LLP, the City's independent auditing firm and have been incorporated in the CAFR document.

DISCUSSION

The City of Tracy FY 2012/13 Comprehensive Annual Financial Report (CAFR) was prepared by the Finance Division of the Administrative Services Department and examined by Moss, Levy & Hartzheim, LLP, the City's external auditing firm.

The CAFR received an unqualified opinion from Moss, Levy & Hartzheim, LLP. An unqualified opinion indicates that the financial data of the City is fairly presented in accordance with accounting principles generally accepted in the United States of America. New auditing standards require that any "significant deficiency" or "material weakness" discovered in the audit will be communicated in writing to management. A material weakness is a significant deficiency which could lead to a material misstatement of the financial statements. The auditor's report found the City's internal control structure to have no reportable material weaknesses.

Moss, Levy & Hartzheim, LLP conducted its audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Audit Standards*, issued by the Comptroller General of the United States. These standards require that they plan and perform the audits to obtain reasonable assurance as to whether the financial statements are free of material misstatement.

City Assets

The June 30, 2013, CAFR reports that the City's assets exceeded its liabilities by \$1,020 million. Of this amount, \$850.8 million or 83.4% of the City's net position is invested in capital assets and infrastructure, including land, buildings, roads, machinery, and equipment to provide services to the community. However, not all of these assets are available for spending; approximately \$111.3 million of the City's net position represents resources that are subject to external restrictions on how they may be used. The unrestricted net position in the City of \$66.9 million or 6.5% may be used to meet its ongoing obligations to residents and creditors.



General Fund Budgetary Highlights

The FY 2012/13 General Fund adopted budget indicated a deficit of \$2.2 million; however, upon subsequent receipt of updated sales tax projections from Muni Services, the City's sales tax consultant, that figure was revised during the FY 2013/14 budget process to reflect excess revenue in the amount of \$.8 million.

As part of the CAFR, a year-end financial analysis of all City funds is completed, including the General Fund. Actual revenues were more than estimated by \$3.6 million. Actual expenditures reported a favorable variance; expenses were lower than projected by \$2.4 million. The net excess of revenues over expenditures for the fiscal year ending June 30, 2013, was \$4.6 million before debt service and other transfers.

The table below summarizes the change in General Fund revenues and expenses from the FY 2012/13 adopted, amended, and actual budgets.

<b>General Fund</b>	<b>FY 2012/13 Adopted Budget</b>	<b>FY 2012/13 Amended Budget</b>	<b>FY 2012/13 Actual</b>
Total Revenues	\$47.7M	\$49.6M	\$53.1M
Total Operating Expenditures	49.7M	50.8M	48.5M
Debt Service, Transfers, use of Reserves	1.2M	1.2M	2.7M
<b>Net Change in Fund Balance</b>	<b>(\$3.2M)</b>	<b>(\$2.5M)</b>	<b>\$1.9M</b>

**Revenues.** Key sources of higher revenues included sales tax (including Measure E) and property tax. While a mid-year budget adjustment of \$907,510 in sales tax revenue was made due to increased new auto sales and fuel costs, actual sales tax at year-end was \$1.4 million or 6% higher than the amended budget. Likewise, property tax was \$1.2 million or 8% higher than the adopted budget. This was primarily due to an increased share of property tax due to the dissolution of redevelopment agencies, resulting in the redistribution of Community Development Agency (CDA) revenue. The City received an additional \$795,571 in property tax revenue; approximately \$570,000 was a one-time distribution of the City's share in redevelopment housing funding. The remaining funds were the redistribution of non-housing redevelopment property tax revenue as a result of the dissolution. Approximately \$225,571 in additional property tax revenue is expected to be received annually and will be incorporated into the overall property tax revenue base. Revenue sources such as licenses, permits and fees and charges for services were also higher due to renewed economic activity in the City.

As with prior years, investment income was below budget due to an unusually low interest rate environment. Fines and penalties were also lower due to the write-off of uncollectible outstanding collections, mostly related to utility accounts.

**Expenditures.** Actual expenses were lower than budget by \$2.3 million. A majority of this reduction is due to an assumed \$1 million or 2% savings in expenditures that was previously incorporated into the budget and additional savings due to budgeted public safety positions that were not filled during FY 12/13.

### General Fund Reserves

As reflected in the CAFR, total actual General Fund reserves as of June 30, 2013, are approximately \$28.9 million. Of that amount, approximately \$27.5 million is designated as unassigned, which according to the Governmental Accounting Standards Board (GASB), is the least constrained category of fund balance. The remaining \$1.4 million is reserved or restricted by law for other uses.

Of the \$27.5 million in unassigned reserves, approximately \$12 million is allocated to the Reserve for Economic Uncertainty. At year-end for FY 12/13, approximately \$1.9 million was added to the Economic Uncertainty Reserve. The remaining \$15.6 million in unassigned reserves is not allocated to any other reserve category.

The current General Fund Reserve policy requires the City to maintain a minimum of 20% of General Fund operating expenditures. The unassigned fund balance of \$27.5 million represents 56% of total General Fund expenditures for FY 13/14.

Last, the City has applied for and received the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the last 25 years. The FY 2012/13 CAFR will be submitted for the GFOA Certificate.

### STRATEGIC PLAN

Adoption of this item is a routine item and does not pertain to one of the City's Strategic Plans. However, strong financial management is critical as part of the Healthy Organization goal of the City.

### FISCAL IMPACT

There is no fiscal impact as a result of accepting this report. The CAFR reflects completed financial information as of June 30, 2013.

### RECOMMENDATION

It is recommended the City Council by resolution accept the June 30, 2013, Comprehensive Annual Financial Report as audited by Moss, Levy & Hartzheim, LLP.

Prepared by: Jenny Haruyama, Director of Administrative Services  
Reviewed by: Maria A. Hurtado, Assistant City Manager  
Approved by: R. Leon Churchill, Jr., City Manager

### ATTACHMENTS:

Attachment A - Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2013 (Oversized: Available at the City Clerks Office in City Hall and on the City of Tracy website at [http://www.ci.tracy.ca.us/documents/Comprehensive\\_Annual\\_Financial\\_Report\\_Year\\_Ended\\_June\\_30\\_2013.pdf](http://www.ci.tracy.ca.us/documents/Comprehensive_Annual_Financial_Report_Year_Ended_June_30_2013.pdf))

RESOLUTION \_\_\_\_\_

ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL  
YEAR ENDED JUNE 30, 2013

WHEREAS, The financial statements of the City of Tracy for the fiscal year ended June 30, 2013, have been prepared by the City's Administrative Services Department, and

WHEREAS, The annual financial statements were examined by the independent public accounting firm of Moss, Levy & Hartzheim, LLP, and

WHEREAS, The City prepared the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2013, and the auditor's opinion is included therein, and

WHEREAS, It is the opinion of the auditors that the financial statements present fairly the financial position of the City as of June 30, 2013, and that the statements were prepared in accordance with accounting principles generally accepted in the United States of America;

NOW, THEREFORE, BE IT RESOLVED, That the City Council does hereby accept the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2013.

\* \* \* \* \*

The foregoing Resolution \_\_\_\_\_ was passed and adopted by the Tracy City Council on the 7<sup>TH</sup> day of January, 2014 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

**AWARD A PROFESSIONAL SERVICES AGREEMENT TO SCHACK AND COMPANY, INCORPORATED OF TRACY, CALIFORNIA, TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND COST ESTIMATES FOR THE SOUTH MACARTHUR DRAINAGE IMPROVEMENT, PHASE 2, PROJECT, CIP 76059, AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT**

EXECUTIVE SUMMARY

This project is the second phase of an improvement to widen the existing South MacArthur Storm Drainage Open Channel. The project is located between Eastlake and Elissagaray Developments, crossing Schulte Road about one half mile to the north and curving to the west along the Union Pacific Railroad track to discharge to DET 4 basin south of the Eleventh Street bridge.

DISCUSSION

The east side storm drainage open channel between Eastlake Development and Eleventh Street serves the Plan C, South MacArthur area and certain infill developments. The existing V-shape open channel constructed with developers funding was an interim improvement and is prone to erosion. With the built out conditions, the open channel is required to have a trapezoidal cross section with an access road running alongside the channel and the construction cost is borne by development fees.

The scope of the work of this project includes the modification of the existing V-shape open storm drain channel to a trapezoidal cross-section, upgrading the storm drainage discharge connection into the existing detention basin south of Eleventh Street, and channel stabilization and erosion control.

On July 29, 2013, the City issued a Request for Proposal (RFP) to various consultants to provide professional engineering services for the preparation of plans, specifications and cost estimates for the South MacArthur Storm Drainage Open Channel Improvement. A total of three proposals were received from consultants as follows:

**Company**

- Schack and Company, Inc.
- West Yost Associates
- KSN, Inc.

After careful review of the proposals, Schack and Company, Incorporated, of Tracy, California was found to be the most qualified consultant to complete this work. Schack and Company completed the design of the first phase of this project satisfactorily and has completed similar projects for the City of Tracy in the past.

Staff negotiated an agreement with Schack and Company, Incorporated, to provide engineering design services for this project on a time and materials basis, for an amount not to exceed \$79,605. The estimated time to complete this work is five months after receiving the formal notice to proceed from the City.

#### STRATEGIC PLAN

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

#### FISCAL IMPACT

There will be no fiscal impact to the General Fund. Approximately \$875,000 has been appropriated for this approved CIP project. Funding sources include the Plan C Drainage Fund (F322) and MacArthur Area Developer's Contribution Fund (F352) to CIP 76059.

#### RECOMMENDATION

That City Council, by resolution, authorize a Professional Service Agreement with Schack and Company, Inc., of Tracy, California, on a time and material basis, for an amount not to exceed \$79,605 for professional services related to the preparation of plans, specifications and cost estimates for the South MacArthur Storm Drainage Channel Improvement Project, CIP 76059, and authorize the Mayor to execute the Agreement.

Prepared by: Zabih Zaca, Senior Civil Engineer  
Khoder Baydoun, Associate Civil Engineer

Reviewed by: Kuldeep Sharma, City Engineer  
Andrew Malik, Development Services Director  
Maria A. Hurtado, Assistant City Manager

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

#### ATTACHMENTS:

Attachment A - PSA with Schack and Company, Inc.

**City OF TRACY  
PROFESSIONAL SERVICES AGREEMENT  
FOR  
PREPARATION OF THE CONSTRUCTION DOCUMENTS/  
PROJECT DESIGN  
FOR  
SOUTH MACARTHUR STORM DRAINAGE IMPROVEMENT PHASE 2 PROJECT  
CIP 76059**

This Professional Services Agreement (“Agreement”) is entered into between the City of Tracy, a municipal corporation (“City”), and Schack & Company, Inc. (“Consultant”).

**RECITALS**

- A.** CONSULTANT services are needed for the design and preparation of plans, specifications, cost estimate, bidding and construction support services for the South MacArthur Storm Drainage Improvement Phase 2 Project, CIP 76059, located in the City of Tracy, hereinafter, (“PROJECT”).
- B.** On July 29, 2013, CITY issued a Request For Proposals (RFP) for the PROJECT. The City received three (3) proposals. After a competitive process including oral interviews, CONSULTANT’S proposal was determined to be the most responsive to the City’s RFP. After negotiations between CITY and CONSULTANT, the parties have reached an agreement for the performance of services in accordance with the terms set forth in this Agreement. On January 7, 2014, the City Council authorized the execution of this Agreement, pursuant to Resolution No. 2014-\_\_\_\_\_.
- C.** CONSULTANT represents it has the qualifications, skills and experience to provide these services and is willing to provide services according to the terms of this Agreement.

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

- 1. SCOPE OF SERVICES.** Consultant shall perform the services at the fees per task described in Exhibit “A” attached and incorporated by reference. The services shall be performed by, or under the direct supervision of, Consultant’s Authorized Representative: Daniel Ray Schack, Consultant, shall not replace its Authorized Representative, nor shall Consultant replace any of the personnel listed in Exhibit “C,” nor shall Consultant use any subcontractors or subconsultants, without City’s prior written consent.
- 2. TIME OF PERFORMANCE.** Time is of the essence in the performance of services under this Agreement and the timing requirements set forth shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. Consultant shall begin performance, and shall complete all required services no later than the dates set forth in Exhibit “B.” Any services for which times for

**City OF TRACY -- PROFESSIONAL SERVICES AGREEMENT FOR  
SOUTH MACARTHUR STORM DRAINAGE IMPROVEMENT PHASE 2, CIP 76059  
Page 2 of 6**

performance are not specified in this Agreement shall be started and completed by Consultant in a reasonably prompt and timely manner based upon the circumstances and direction communicated to the Consultant. Consultant shall submit all requests for extensions of time to the City in writing no later than ten days after the start of the condition which purportedly caused the delay, and not later than the date on which performance is due. City shall grant or deny such requests at its sole discretion.

3. **INDEPENDENT CONTRACTOR STATUS.** Consultant is an independent contractor and is solely responsible for all acts of its employees, agents, or subconsultants, including any negligent acts or omissions. Consultant is not City's employee and Consultant shall have no authority, express or implied, to act on behalf of the City as an agent, or to bind the City to any obligation, unless the City provides prior written authorization to Consultant. Consultant is free to work for other entities while under contract with the City. Consultant is not entitled to City benefits.
4. **CONFLICTS OF INTEREST.** Consultant (including its employees, agents, and subconsultants) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. If Consultant maintains or acquires such a conflicting interest, the City may terminate any contract (including this Agreement) involving Consultant's conflicting interest.
5. **COMPENSATION.**
  - 5.1 **General.** For services performed by Consultant under this Agreement, City shall pay Consultant on a time and expense basis, at the billing rates set forth in Exhibit "C," attached and incorporated by reference. Consultant's fee for this Agreement is Not to Exceed \$79,605. Consultant's billing rates shall cover all costs and expenses for Consultant's performance of this Agreement. No work shall be performed by Consultant in excess of the Not to Exceed amount without the City's prior written approval.
  - 5.2 **Invoices.** Consultant shall submit monthly invoices to the City describing the services performed, including times, dates, and names of persons performing the service.
  - 5.3 **Payment.** Within 30 days after the City's receipt of invoice, City shall make payment to the Consultant based upon the services described on the invoice and approved by the City.
6. **TERMINATION.** The City may terminate this Agreement by giving ten days written notice to Consultant. Upon termination, Consultant shall give the City all original documents, including preliminary drafts and supporting documents, prepared by Consultant for this Agreement. The City shall pay Consultant for all services satisfactorily performed in accordance with this Agreement, up to the date notice is given.

7. **OWNERSHIP OF WORK.** All original documents prepared by Consultant for this Agreement, whether complete or in progress, are the property of the City, and shall be given to the City at the completion of Consultant's services, or upon demand from the City. No such documents shall be revealed or made available by Consultant to any third party without the City's prior written consent.
8. **INDEMNIFICATION.** Consultant shall, to the fullest extent permitted by law, indemnify, defend (with independent counsel approved by the City), and hold harmless the City from and against any claims arising out of Consultant's performance or failure to comply with obligations under this Agreement, except to the extent caused by the sole, active negligence or willful misconduct of the City.

In this section, "City" means the City, its officials, officers, agents, employees and volunteers; "Consultant" means the Consultant, its employees, agents and subcontractors; "Claims" includes claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all related costs and expenses in connection therein) and any allegations of these; and "Arising out of" includes "pertaining to" and "relating to".

(The duty of a "design professional" to indemnify and defend the City is limited to claims that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the design professional, under Civ. Code § 2782.8.)

The provisions of this section survive completion of the services or the termination of this contract, and are not limited by the provisions of Section 10 relating to insurance.

9. **BUSINESS LICENSE.** Before beginning work under this Agreement, Consultant shall obtain a City of Tracy Business License.
10. **INSURANCE.**
- 10.1 **General.** Consultant shall, throughout the duration of this Agreement, maintain insurance to cover Consultant, its agents, representatives, and employees in connection with the performance of services under this Agreement at the minimum levels set forth here.
- 10.2 **Commercial General Liability** (with coverage at least as broad as ISO form CG 00 01 01 96) "per occurrence" coverage shall be maintained in an amount not less than \$2,000,000 general aggregate and \$1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.
- 10.3 **Automobile Liability** (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") "claims made" coverage shall be maintained in an amount not less than \$1,000,000 per accident for bodily injury and property damage.



- 10.4 **Workers' Compensation** coverage shall be maintained as required by the State of California.
- 10.5 **Professional Liability** "claims made" coverage shall be maintained to cover damages that may be the result of errors, omissions, or negligent acts of Consultant in an amount not less than \$1,000,000 per claim.
- 10.6 **Endorsements.** Consultant shall obtain endorsements to the automobile and commercial general liability with the following provisions:
- 10.6.1 The City (including its elected officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."
- 10.6.2 For any claims related to this Agreement, Consultant's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.
- 10.7 **Notice of Cancellation.** Consultant shall notify the City if the policy is canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation. Consultant shall immediately obtain a replacement policy.
- 10.8 **Authorized Insurers.** All insurance companies providing coverage to Consultant shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.
- 10.9 **Insurance Certificate.** Consultant shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City, no later than five days after the execution of this Agreement.
- 10.10 **Substitute Certificates.** No later than 30 days prior to the policy expiration date of any insurance policy required by this Agreement, Consultant shall provide a substitute certificate of insurance.
- 10.11 **Consultant's Obligation.** Maintenance of insurance by the Consultant as specified in this Agreement shall in no way be interpreted as relieving the Consultant of any responsibility whatsoever (including indemnity obligations under this Agreement), and the Consultant may carry, at its own expense, such additional insurance as it deems necessary.
11. **ASSIGNMENT AND DELEGATION.** This Agreement and any portion of it shall not be assigned or transferred, nor shall any of the Consultant's duties be delegated, without the City's written consent. Any attempt to assign or delegate this Agreement without the City's written consent shall be void and of no effect. City's consent to one assignment shall not be deemed to be a consent to any subsequent assignment.
12. **MISCELLANEOUS.**

**City OF TRACY -- PROFESSIONAL SERVICES AGREEMENT FOR  
SOUTH MACARTHUR STORM DRAINAGE IMPROVEMENT PHASE 2, CIP 76059  
Page 5 of 6**

**12.1 Notices.** All notices, demands, or other communications which this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or mailed to the other party as follows:

To City:

City of Tracy  
Attn: Zabih Zaca  
Senior Civil Engineer  
333 Civic Center Plaza  
Tracy, CA 95376

To Consultant:

Schack & Company, Inc.  
Attn: Daniel Ray Schack  
President  
1025 Central Avenue  
Tracy, CA 95376

With a copy to:

City Attorney  
333 Civic Center Plaza  
Tracy, CA 95376

Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the address designated above, or (2) three working days after the deposit in the United States Mail of registered or certified mail, sent to the address designated above.

**12.2 Modifications.** This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.

**12.3 Waivers.** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

**12.4 Severability.** If a term of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in effect.

**12.5 Jurisdiction and Venue.** The interpretation, validity, and enforcement of the Agreement shall be governed by and construed under the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Joaquin.

**12.6 Entire Agreement.** This Agreement comprises the entire integrated understanding between the parties concerning the services to be performed. This Agreement supersedes all prior negotiations, representations or agreements.

**City OF TRACY -- PROFESSIONAL SERVICES AGREEMENT FOR  
SOUTH MACARTHUR STORM DRAINAGE IMPROVEMENT PHASE 2, CIP 76059  
Page 6 of 6**

**12.7 Compliance with the Law.** Consultant shall comply with all local, state, and federal laws, whether or not those laws are expressly stated in this Agreement.

**12.8 Standard of Care.** Unless otherwise specified in this Agreement, the standard of care applicable to Consultant's services will be the degree of skill and diligence ordinarily used by reputable professionals performing in the same or similar time and locality, and under the same or similar circumstances.

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

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

City of Tracy

Consultant  
Schack & Company, Inc.



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

By: Daniel Ray Schack  
Title: President  
Date: 12-17-13  
Fed. Employer ID No. 68-0197400

Attest:

By: Sandra Edwards  
Title: City Clerk  
Date: \_\_\_\_\_

Approved As To Form:

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

Exhibits:

- A Scope of Services and Compensation per Task (See Agreement section 1)
- B Time of Performance (See Agreement section 2)
- C Personnel List and Compensation (See Agreement sections 1 and 5)

## EXHIBIT "A"

### **SOUTH MACARTHUR DRAINAGE IMPROVEMENT PHASE 2 PROJECT (CIP 76059)**

#### SCOPE OF SERVICES

##### TASK NO. 1

##### **I. PRELIMINARY PROJECT DOCUMENTATION, REVIEW AND COORDINATION:**

- A. **Project Scope:** The initial (or Phase 1) upstream extension of the Eastside Channel referred to in the Storm Drain Master Plan as the South MacArthur Channel has been constructed between the Eastlake/Elissagaray Developments, crossing Schulte Road about ½ mile to the north and curving to the west along the Union Pacific Railroad track to discharge to DET 4 basin. The open channel stretches for approximately 6,830 linear feet to serve the Eastside Watershed. The project scope includes preparation of contract plans, technical specifications and cost estimates (P.S.&E.) to include the following:
- 1) Improving the design of approximately 6,830 linear feet of a trapezoidal open storm drain channel culminating in the delivery of final construction contract drawings, specifications and construction documents.
  - 2) The project will begin at the northerly end of the Eastlake/Elissagaray Development to DET 4 detention basin.
  - 3) The open channel and the detention basin are intended to have a 100-year 24-hour return period storm design capacity under built out conditions for their contributing watershed.
- B. Review project scope and requirements with City and consultants.
- C. Review and coordinate with City for processing requirements.
- D. Perform field reconnaissance and prepare a photographic record of site conditions.
- E. **Record Review:** Search and review available plans and information relevant to this project from the City and other sources, including files and improvement plans prepared for Phase 1 by this Firm!
- F. **Project Coordination:**
- 1) Provide coordination with all parties affected by the project such as: utility companies, City staff, and property owners.
  - 2) Consultant shall send preliminary plans to all utility companies for marking of their lines, manholes, valves, cleanouts and vaults.
  - 3) Existing utilities are to be shown on the project plans.
  - 4) Provide all correspondence, letters, memos, maps, drawings, plans and other data pertinent to the project to the City.

- 5) Assist the City in obtaining authorization from Union Pacific Railroad and California Public Utilities Commission, for improvements planned within the railroad right-of-way.
- G. Perform potholing to verify the exact location and depth of existing utilities so as to avoid conflicts with proposed improvements.

ESTIMATED FEE FOR TASK NO. 1 SERVICES: \$ 13,525.00

**TASK NO. 2**

**II. PRELIMINARY ENGINEERING DESIGN**

- A. Submit three-(3) Channel Lining Alternatives
  - 1) The Consultant shall submit three-(3) channel lining alternatives to control the existing and potential erosion of the channel surface.
  - 2) The analysis for each alternative shall be submitted with recommendations for the preferred plan.
  - 3) The report will include geotechnical findings; surface impacts; utility, environmental and construction impacts; and cost considerations, including any mitigation issues and project cost comparisons.
  - 4) The Consultant's design must accommodate the City's completed and approved 2010 Citywide Storm Drainage Master Plans that reflect the proposed ultimate width of the open drainage channel.

ESTIMATED FEE FOR TASK NO. 2 SERVICES: \$ 4,600.00

**TASK NO. 3**

**III. TOPOGRAPHIC SURVEY:**

- A. Obtain, review and confirm available topographic and boundary information, and confirm as-built topographic survey benchmark as related to City of Tracy datum.
- B. Perform field data collection surveys to obtain topography (at 50-foot cross section intervals and as needed), the location of utilities and other structures visible from the surface, invert elevations of utilities where applicable, and existing paving, electric poles, sidewalks, curb and gutter, fire hydrants, trees and landscaping improvements along the project edges.
- C. Prepare topographic plans and base mapping in AutoCad format.
- D. Coordinate with property owners, City staff and utility agencies during the topographic surveying.
- E. Maintain coordination with utility agencies throughout the project.

ESTIMATED FEE FOR TASK NO. 3 SERVICES: \$ 5,092.50

**TASK NO. 4**

**IV. GEOTECHNICAL EXPLORATION AND REPORT:**

- A. Field Exploration: Perform site geotechnical exploration and investigations, including site visual observations and the taking and testing of representative soil borings/samples as necessary to determine existing surface and subsoil materials and conditions.
- B. Laboratory Testing: Laboratory testing will be completed in accordance with current ASTM standards on selected samples to evaluate the physical and engineering characteristics of the subsoils, including permeability. Final selection of testing type and frequency will be determined on the basis of the subsurface conditions encountered during the field exploration.
- C. Report Preparation: Prepare a formal geotechnical report that will include:
  - 1) Description of the proposed site.
  - 2) Description of the surface and subsurface site conditions.
  - 3) Field and laboratory investigations; conclusions and recommendations related to the geotechnical aspects of general earthwork; subgrade preparation; excavations and trench backfill; compaction criteria; and alternatives to remediate wet/soft soil conditions.
  - 4) Map showing the approximate boring locations.
  - 5) Appendix will include logs of borings and laboratory test summaries.

ESTIMATED FEE FOR TASK NO. 4 SERVICES:

\$ 9,082.50

**TASK NO. 5**

**V. HYDROLOGY AND HYDRAULIC DESIGN:**

- A. The Consultant will prepare a minimum of three-(3) alternative typical cross-sections for creating a stabilized channel within the existing 50-foot wide right-of-way. The alternatives will all have the capacity to convey the discharges produced by a 100-year 24-hour storm under the build-out condition for the contributing watershed. These discharges will be extracted from the HEC-HMS analysis and data provided in the adopted Citywide Storm Drainage Master Plan (SDMP). At this stage, preliminary hydraulic calculations will be provided to confirm that each alternative will have the required capacity and freeboard and will be stable based on velocities expected during the passage of the design flow. A matrix of pros and cons of each alternative will be provided. Each alternative shall be designed in a manner that will allow the completed channel to be easily converted to a Channel Parkway at such time as additional right-of-way and funding is acquired by the City to further upgrade the channel. The alternatives will be presented to the City, and based on the information provided the City will provide direction to the Consultant regarding the preferred approach.
- B. Upon selection of the preferred typical cross-section for the Phase 2 channel, the Consultant will perform a hydraulic analysis for the proposed channel utilizing the HEC-2 or HEC-RAS computer model to derive 100-year 24-hour storm water surface elevations for the channel. The Consultant will incorporate 100-year 24-hour storm water surface elevations onto the construction drawings at 500-foot intervals. The Consultant will include the existing culvert crossing of the open channel at Schulte Road (or a proposed upgrade to the existing culvert crossing, if warranted) in the hydraulic model.

- C. The Consultant will also perform separate HGL calculations to determine and support the sizing requirements for upgraded culvert crossings at the California Northern Railroad and at the discharge connector to existing DET 4. These upgraded crossings shall also have the capacity to convey the 100-year 24-hour storm discharge under the build-out scenario for the upstream contributing watershed.
- D. The Consultant will utilize the 100-year water surface elevation for the ultimate future enlargement for DET 4 presented in the SDMP as the tailwater elevation for hydraulic modeling and calculations.

ESTIMATED FEE FOR TASK NO. 5 SERVICES: \$ 9,390.00

**TASK NO. 6**

**VI. STORMWATER POLLUTION PREVENTION PLAN (SWPPP):**

- A. The Consultant to coordinate with City Staff to prepare and submit (on-line) a Notice of Intent (NOI) application to the State Water Resources Control Board. (The fee for submittal of the NOI and State permit to be provided by City of Tracy.)
- B. Preparation of SWPPP
  - 1) Review existing site conditions and mapping documentation.
  - 2) Coordinate with City of Tracy Water Resource Coordinator, and Regional Water Quality Control Board regarding site specific storm water requirements.
  - 3) Prepare draft SWPPP for review and comments.
  - 4) Prepare final SWPPP and distribute copies to City of Tracy.

ESTIMATED FEE FOR TASK NO. 6 SERVICES: \$ 5,745.00

**TASK NO. 7**

**VII. CONSTRUCTION DOCUMENTS (P.S.&E.):**

- A. Prepare contract plans, technical specifications, and cost estimates (P.S.&E.) associated with the project. These documents shall be suitable for public bidding. Prepare all plans using AutoCAD 2012 format with 1"=40' scale for plan and profile drawings and scaled details as required. Finished drawings will be delivered to the City on bond paper, 24"x36" using City border and title block. City staff will prepare the "boiler plate" portion of the specifications and incorporate the consultant's technical specifications into the final bid package to be reproduced (along with the project plans) by the City. The Consultant shall submit five (5) sets of plans, technical specifications and cost estimates at 60%, 90%, 100% and at Final completion stage of the project for City review. The Consultant shall incorporate the comments received after the reviews and should plan on a meeting with the City staff at each submittal level to review the City's comments. Final submittal requires originals and computer files of the P.S.&E.
- B. Plans and specifications for the project shall comply with the latest editions of the City of Tracy Design Standards, Standard Plans, Parks and Streetscape Standard Plans, Standard Specifications, the 2013 Citywide Storm Drainage Master Plan and other reference standards such as the State Standard Plans and Specifications and the Standard Specification for Public Works Construction (Greenbook) latest editions.

- D. The title sheet of the specifications, reports and each sheet of the project plans shall bear the professional seal, certificate number, registration classification, expiration date of the certificate and signature of the professional engineer responsible for their preparation.

ESTIMATED FEE FOR TASK NO. 7 SERVICES: \$ 26,307.50

**TASK NO. 8**

**VIII. BID PERIOD SERVICES:**

- A. Attend one (1) pre-bid meeting and one (1) pre-construction meeting. Respond to contractor questions during the bidding period. Provide interpretation of the plans and specifications and assist with issuance of addendum (if needed).
- B. Provide conform drawings which include incorporation of all addendum into plans and specifications before pre-construction conference.
- C. At the completion of construction, consultant shall prepare Record (as-built) Drawings of the final project and submit those to the City in AutoCad electronic format (on CD) and on reproducible paper. These record drawings shall be full size 24"x36", set with City of Tracy title blocks, and shall be prepared using the construction drawings and the contractor's marked up set of as-constructed drawings.

ESTIMATED FEE FOR TASK NO. 8 SERVICES: \$ 5,862.50

ESTIMATED TOTAL FEES FOR  
TASK NO 1 THROUGH TASK NO. 8 SERVICES: \$ 79,605.00



**EXHIBIT "B"**

**South MacArthur Drainage Improvements - Phase 2**

PROJECT PROGRESS SCHEDULE (South MacArthur Drainage Improvements - Phase 2)	WEEK	MILESTONE DESCRIPTION
January 1, 2014		
	1	<i>Notice to Proceed (Begin Preliminary Design)</i>
	2	
February 1, 2014		
	3	<i>Topo Survey Data Collection</i>
	4	<i>Submit Preliminary Alternatives</i>
	5	
	6	<i>Alternate Chosen by City</i>
March 1, 2014		
	7	
	8	
	9	
	10	
	11	<i>60% Progress Documents</i>
April 1, 2014		
	12	
	13	
	14	
	15	<i>90% Progress Documents</i>
May 1, 2014		
	16	
	17	
	18	
	19	<i>100% Contract Documents</i>
June 1, 2014		
	20	
	21	<i>Ready to Advertise</i>
	22	

**EXHIBIT "C"**

**INDEX**

**CONSULTANTS'**  
**LIST OF PERSONNEL / BILLING RATES**

<b><u>CONSULTANT</u></b>	<b><u>EXHIBIT PAGE</u></b>
* SCHACK & COMPANY, INC.	EXHIBIT "C-1"
* STORM WATER CONSULTING, INC.	EXHIBIT "C-2"
* KLEINFELDER GEOTECHNICAL CONSULTANTS	EXHIBIT "C-3"
* VERUX, INC. (VERUX PROJECTS SOLUTIONS)	EXHIBIT "C-4"
* BESS TESTLAB, INC. (GEOVAC)	EXHIBIT "C-5"

**EXHIBIT "C-1"**

**SCHACK & COMPANY, INC.  
LIST OF PERSONNEL / BILLING RATE**

	<u>NAME</u>	<u>JOB TITLE</u>	<u>BILLING RATE</u>
*	Dan R. Schack, P.E.	Registered Civil Engineer/ Principal Engineer	\$190.00 / Hr.
*	Scott F. Schendel	Associate Engineer I	\$125.00 / Hr.
*	Richard A. Paulson	Project Manager	\$ 85.00 / Hr.
*	Dylan D. Wooten	Associate Engineer III	\$ 65.00 / Hr.
*	Jean Cornwell	Clerical	\$ 45.00 / Hr.



EXHIBIT "C-2"

**Storm Water Consulting, Inc.  
Billing Rate Schedule (2014)**

<u>Classification</u>	<u>Hourly Rate</u>
Principal Hydrologist/Hydraulic Engineer (Jim Nelson)	\$175/hr
Senior Hydrologist/Hydraulic Engineer (Davina Gonzalez)	\$145/hr
CAD Operator/GIS Technician	\$110/hr
Administrative	\$ 93/hr

*Above rates apply to technical work, meetings, travel time, etc.*

Expenses: Travel Mileage at Federal Mileage Rate; All other reimbursable expenses at actual cost.

**EXHIBIT "C-3"**

**KLEINFELDER GEOTECHNICAL CONSULTANTS  
LIST OF KEY PERSONNEL / BILLING RATE**

<u>NAME</u>	<u>JOB TITLE</u>
* Ronald Heinzen, PE, GE	Principal Geotechnical Engineer
* Carl Henderson, PHD, PE, GE	Project Manager

**BILLING RATE: LUMP SUM CONTRACT**



August 27, 2013

Schack & Company  
1025 Central Avenue  
Tracy, CA 95376  
Attn: Richard Paulson

**Re: South MacArthur Phase 2 Drainage Improvements Project - Tracy, CA**

Dear Mr. Paulson,

Verux, Inc. proposes to use the following key personnel for the SWPPP preparation on the South MacArthur Phase 2 Drainage Improvements Project in Tracy, California.

Ben Rau, Owner/Project Manager  
*Certified Professional in Erosion and Sediment Control (CPESC)*  
*Qualified SWPPP Developer (QSD)*

---

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Rau', written over a dotted line.

Ben Rau  
Verux, Inc.

BILLING RATE: LUMP SUM CONTRACT

**EXHIBIT "C-5"**

**BESS TESTLAB, INC. (GEOVAC)  
LIST OF KEY PERSONNEL / BILLING RATE**

<u>NAME</u>	<u>JOB TITLE</u>
* Dennis Mead	Project Coordinator

**BILLING RATE: LUMP SUM CONTRACT**

RESOLUTION \_\_\_\_\_

AWARDING A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$79,605 FOR THE SOUTH MACARTHUR STORM DRAINAGE IMPROVEMENT PROJECT (PHASE 2) – CIP 76059, TO SCHACK AND COMPANY, INCORPORATED, OF TRACY, CALIFORNIA, TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND COST ESTIMATES, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, This project is the second phase of improvement to widen the existing south MacArthur Storm Drainage Open Channel, located between Eastlake and Elissagaray Developments and discharging into DET 4 basin south of the Eleventh Street bridge, and

WHEREAS, The scope of the work of this project includes the modification of the existing V-shape open storm drain channel to a trapezoidal cross-section, upgrading the storm drainage discharge connection into the detention basin, and channel stabilization and erosion control, and

WHEREAS, A Request for Proposal (RFP) was issued on July 29, 2013 to various consultants to provide professional engineering services related to the preparation of plans, specifications and cost estimates, and

WHEREAS, Three proposals were received from Schack and Company, Incorporated, West Yost Associates, and KSN, Incorporated, and

WHEREAS, After careful review of the proposals, Schack and Company, Incorporated, of Tracy, California, was ranked number one and was found to be the most qualified consultant to complete this work, and

WHEREAS, It is recommended that the professional services agreement be awarded to Schack and Company, Incorporated, of Tracy, California, in the amount of \$79,605, and

WHEREAS, There is no impact to the General Fund and this is an approved Capital Improvement Project, with total available funding of \$875,600 for design and construction;

NOW, THEREFORE BE IT RESOLVED, That City Council awards a Professional Services Agreement for the design services of the South MacArthur Storm Drainage Channel Improvement Project (Phase 2) - CIP 76059, to Schack and Company, Incorporated, of Tracy, California, in the amount of \$79,605, and authorizes the Mayor to execute the agreement.

\* \* \* \* \*



The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the City Council on the 7<sup>th</sup> day of January 2014, by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 1.E

REQUEST

**ACCEPTANCE OF THE TRACY AIRPORT DRAINAGE IMPROVEMENT PROJECT  
CIP 77035B, COMPLETED BY SINCLAIR GENERAL ENGINEERING  
CONSTRUCTION, INCORPORATED OF OAKDALE, CALIFORNIA, AND  
AUTHORIZATION FOR THE CITY CLERK TO FILE A NOTICE OF COMPLETION**

EXECUTIVE SUMMARY

The contractor, Sinclair General Engineering Construction, Incorporated, of Oakdale California, has completed construction of the Tracy Airport Drainage Improvement Project in accordance with project plans, specifications, and contract documents. Project costs are within the available budget. Staff recommends Council accept the project to enable the City to release the contractor's bonds and retention.

DISCUSSION

Public Contract Code Section 22032 and 22036 allows the public agency to procure informal bids for projects with an anticipated cost less than \$50,000. Since the estimated construction cost of this project was less than \$50,000, it was advertised for informal bids on the City of Tracy website and builder's exchanges on March 5, 2013; ten bids were received on April 3, 2013.

On July 21, 2013, the City Manager, in accordance with TMC 2.20.260 executed the agreement with the lowest monetary bidder, Sinclair General Engineering Construction, Incorporated of Oakdale, California, in the amount of \$45,040 for the Tracy Airport Drainage Improvement Project.

The scope of work included installation of 150 slot drains, drainage pipes, catch basins, minor concrete work, saw-cutting, core drilling, wedge grinding and approximately 5,000 square feet of asphalt concrete overlay at the Tracy Municipal Airport. The project plans and specifications were prepared in-house by engineering staff.

Due to building code changes, Asphalt Concrete Overlay was not permitted inside the hanger floor. The existing floor, which consisted of asphalt and concrete, needs to be redesigned and constructed using reinforced cement concrete when adequate funding becomes available. Due to lack of funding and changed code requirements this issue has been discussed between the engineering, airport and building divisions. Therefore, construction has been deferred to be completed in the future.

To accommodate these code changes staff negotiated one change order involving deletion of the asphalt concrete overlay (Bid item A1), saw cut and grind existing asphalt concrete, install asphalt concrete ramps to accommodate the grade difference due to installation of slot drains, supply and install ductile iron grates in lieu of galvanized grates to accommodate the heavy airplane loading. The change order reduced the bid quantities, but involved more labor resulting in a net increase of \$1,780.95.

Status of budget and project costs is as follows:

A. Construction Contract Amount	\$ 45,040.00
B. Change Order	\$ 1,780.95
C. Design, construction Inspections	\$ 1,500.00
D. Citywide Project Management	<u>\$ 2,250.00</u>
Total Project Costs	\$ 50,570.95
Budgeted Amount	\$ 51,547.00

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

#### STRATEGIC PLAN

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

#### FISCAL IMPACT

CIP 77035 is an approved Capital Improvement Project with sufficient funding to cover the total project costs; there is no fiscal impact to the General Fund.

#### RECOMMENDATION

That City Council, by resolution, accept construction of Tracy Airport Drainage Improvement Project – CIP 77035B, completed by Sinclair General Engineering Construction, Incorporated of Oakdale, California, and authorize the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bond and retention payment.

Prepared by: Paul Verma, Senior Civil Engineer

Reviewed by: Kuldeep Sharma, City Engineer  
Andrew Malik, Development Services Director  
Maria A. Hurtado, Assistant City Manager

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

RESOLUTION \_\_\_\_\_

ACCEPTING THE TRACY AIRPORT DRAINAGE IMPROVEMENT PROJECT CIP 77035B, COMPLETED BY SINCLAIR GENERAL ENGINEERING CONSTRUCTION, INCORPORATED, OF OAKDALE, CALIFORNIA, AND AUTHORIZING THE CITY CLERK TO FILE NOTICE OF COMPLETION.

WHEREAS, On July 21, 2013, the City Manager, in accordance with TMC 2.20.260 executed the agreement with the lowest monetary bidder, Sinclair General Engineering Construction, Inc. of Oakdale, California, in the amount of \$45,040 for the Tracy Airport Drainage Improvement Project, and

WHEREAS, The contractor has completed construction of the Tracy Airport Drainage Improvement Project in accordance with project plans, specifications, and contract documents, and

WHEREAS, One change order was received in the net amount of \$1,780.95, and

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

A. Construction Contract Amount	\$ 45,040.00
B. Change Order	\$ 1,780.95
C. Design, construction Inspections	\$ 1,500.00
D. Citywide Project Management	<u>\$ 2,250.00</u>
Total Project Costs	\$ 50,570.95
Budgeted Amount	\$ 51,547.00

WHEREAS, CIP 77035 is an approved Capital Improvement Project and there will be no impact to the General Fund;

NOW, THEREFORE BE IT RESOLVED, That City Council accepts construction of Tracy Airport Drainage Improvement Project - CIP 77035B, completed by Sinclair General Engineering Construction, Inc. of Oakdale, California, and authorizes the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

\* \* \* \* \*

The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the Tracy City Council on the 7<sup>th</sup> day of January, 2014, by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

January 7, 2014

AGENDA ITEM 1.F

REQUEST

**ACCEPTANCE OF THE POLICE FIREARMS PRACTICE RANGE ELECTRICAL IMPROVEMENTS PROJECT CIP 71072E, COMPLETED BY SILVA ELECTRICAL INCORPORATED, OF TRACY, CALIFORNIA, AND AUTHORIZATION FOR THE CITY CLERK TO FILE THE NOTICE OF COMPLETION**

EXECUTIVE SUMMARY

The contractor has completed construction of the Police Firearms Practice Range Electrical Improvements Project CIP 71072E, in accordance with project plans, specifications, and contract documents. Project costs are within the available budget. Staff recommends Council accept the project to enable the City to release the contractor's bonds and retention.

DISCUSSION

The scope of work of this project included installation of 400 amp electrical service including overhead service and subpanels to various buildings on the 14-acre police firing range. The estimated construction cost of this project was \$35,000. The plans and specifications were prepared in-house by engineering staff.

Public Contract Code Section 22032 and 22036 allows the public agency to procure informal bids for projects with an anticipated cost less than \$50,000. Since this project falls under this category it was advertised for informal bids on the City of Tracy website and builder's exchanges on June 26, 2013, and four bids were received on July 24, 2013.

On August 14, 2013, the City Manager, in accordance with TMC 2.20.260, executed the agreement with the lowest monetary bidder Silva Electrical Incorporated, of Tracy, California, in the amount of \$34,400 for the Police Firearms Practice Range Electrical Improvements Project CIP 71072E.

Two change orders were issued in the amount of \$10,870 for this project which consisted of installation of 200 feet of electrical feeder cable, installation of a new 25 foot pole per PG&E specifications, repair of the existing pole including installation of guy anchors.

Status of budget and project costs is as follows:

A. Construction Contract Amount	\$34,400
B. Change Order	\$10,870
C. Design, Construction Inspections	\$ 2,000
D. Citywide Project Management	<u>\$ 3,000</u>
Total Project Costs	\$50,270
Budgeted Amount	\$55,000

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

#### STRATEGIC PLAN

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

#### FISCAL IMPACT

CIP 71072E is an approved Capital Improvement Project with sufficient funding; there will be no fiscal impact to the General Fund. Remaining unused funds will be transferred back into Fund 301 – CIP General Fund Projects.

#### RECOMMENDATION

That City Council accept, by resolution, Police Firearms Practice Range Electrical Improvements Project CIP 71072E, completed by Silva Electrical Inc., of Tracy, California, and authorize the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

Prepared by: Paul Verma, Senior Civil Engineer

Reviewed by: Kuldeep Sharma, City Engineer  
Andrew Malik, Development Services Director  
Maria A. Hurtado, Assistant City Manager

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

RESOLUTION \_\_\_\_\_

ACCEPTING THE POLICE FIREARMS PRACTICE RANGE ELECTRICAL IMPROVEMENT PROJECT CIP 71072E, COMPLETED BY SILVA ELECTRICAL INCORPORATED, OF TRACY, CALIFORNIA, AND AUTHORIZING THE CITY CLERK TO FILE THE NOTICE OF COMPLETION

WHEREAS, On August 14, 2013, the City Manager, in accordance with TMC 2.20.260 executed the agreement with the lowest monetary bidder, Silva Electrical Incorporated, of Tracy, California, in the amount of \$34,400 for the Police Firearms Practice Range Electrical Improvements Project CIP 71072E, and

WHEREAS, The contractor has completed construction of the Police Firearms Practice Range Electrical Improvements Project CIP 71072E in accordance with project plans, specifications, and contract documents, and

WHEREAS, Two change orders were received in the net amount of \$ 10,870, and

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

A. Construction Contract Amount	\$34,400
B. Change Order	\$10,870
C. Design, Construction Inspections	\$ 2,000
D. Citywide Project Management	<u>\$ 3,000</u>
Total Project Costs	\$50,270
Budgeted Amount	\$55,000

WHEREAS, CIP 71072 is an approved Capital Improvement Project and there will be no impact to the General Fund;

NOW, THEREFORE BE IT RESOLVED, That City Council accepts the Police Firearms Practice Range Electrical Improvements Project CIP 71072E, completed by Silva Electrical Inc., of Tracy, California, and authorizes the City Clerk to record the Notice of Completion with the San Joaquin County Recorder. The City Engineer, in accordance with the terms of the construction contract, will release the bonds and retention payment.

\* \* \* \* \*



The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the Tracy City Council on the 7<sup>th</sup> day of January, 2014, by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 1.G

REQUEST

**APPROVE A LIST OF CITY OF TRACY PROJECTS FOR SAN JOAQUIN COUNCIL OF GOVERNMENT'S ONE VOICE TRIP TO WASHINGTON D.C., FOR CONGRESSIONAL FUNDING APPROPRIATION REQUESTS**

EXECUTIVE SUMMARY

Approval of the list of projects by City Council will make these projects eligible for San Joaquin Council of Government's (COG) One Voice Trip to Washington D.C. for congressional funding appropriation requests.

DISCUSSION

Every year the City of Tracy submits a list of projects for consideration at the annual congressional funding appropriations during One Voice Trip to Washington D.C., by San Joaquin County, Council of Governments, and cities elected officials. Each city is requested to submit a total of two projects; one project of regional significance, and one project for local improvements.

Staff has reviewed the existing needs of various transportation projects and is recommending the following two projects for the 2014 One Voice Trip.

- I-205/Lammers Road Interchange Improvements  
Total Construction Cost - \$62 million  
**Requested appropriation - \$5 million**
- New MacArthur Drive above grade crossing over UPRR Mococo line  
Total Construction Cost - \$28 million  
**Requested appropriation - \$5 million**

Both of these projects were submitted for consideration for the 2012 and 2013 One Voice trip; however, the City did not receive any funding in 2013. The City has received funds for the I-205/Lammers Road Interchange during previous years and the City's consultant is presently working on completion of the project design, improvement plans and construction documents.

The I-205/Lammers Road project is of regional significance and will connect Byron Road and Contra Costa County to Highway 580. This project is also essential for development of the Tracy Gateway project and the recently annexed Cordes Ranch area with 1,700 acres of industrial office and commercial uses. In addition this project will initiate developments north of I-205 along Lammers Road.

The existing at-grade Union Pacific Railroad (UPRR) Mococo line crossing with MacArthur Drive (adjacent to Sixth Street) will divide the City into two separate

unconnected areas for the duration of the freight trains movement through the City when the line is activated for higher volumes of train traffic. The proposed above grade crossing at the new MacArthur Drive alignment over the Mococo line will alleviate this condition. The above grade crossing at the new alignment of MacArthur Drive (east of the UPRR switch yard) intersecting with the Eleventh Street overpass will allow for an uninterrupted flow of traffic including quick movement of emergency vehicles on both sides of the Mococo rail line.

This list of projects, after approval from City Council, will be submitted to the San Joaquin Council of Governments for inclusion in the One Voice Trip to Washington for congressional funding.

Submittal of projects to the SJCOG's One Voice effort does not necessarily mean continued participation in the program. Other alternatives can also be considered in the future to advocate for Tracy projects.

#### STRATEGIC PLAN

This agenda item is consistent with the Council's adopted Economic Development Strategy to ensure the availability of infrastructure necessary for development in Tracy.

#### FISCAL IMPACT

Approving the proposed projects for the One Voice Trip will not impact the General Fund. The City is requesting approximately \$10 million in congressional appropriations. In addition to this funding, the proposed projects will be supported through other sources, including g Measure K Sales Tax and development impact fees.

#### RECOMMENDATION:

That City Council approve the list of City of Tracy projects for the San Joaquin Council of Government's One Voice Trip to Washington D.C. for congressional funding appropriation.

Prepared by: Kuldeep Sharma, City Engineer

Reviewed by: Andrew Malik, Development Services Director  
Maria A. Hurtado, Assistant City Manager

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

RESOLUTION \_\_\_\_\_

APPROVING A LIST OF CITY OF TRACY PROJECTS FOR SAN JOAQUIN COUNCIL OF GOVERNMENT'S ONE VOICE TRIP TO WASHINGTON D.C., FOR CONGRESSIONAL FUNDING APPROPRIATION

WHEREAS, The City of Tracy submits a list of projects for consideration at the annual congressional funding appropriations during One Voice Trip to Washington D.C., by San Joaquin County, Council of Governments, and cities elected officials, and

WHEREAS, Staff has reviewed the existing needs of various transportation projects and is recommending the following two projects for the One Voice Trip:

- I-205/Lammers Road Interchange Improvements  
Total Construction Cost - \$62 million  
Requested appropriation - \$5 million
- New MacArthur Drive above grade crossing over UPRR Mococo line Total Construction Cost - \$28 million  
Requested appropriation - \$5 million

WHEREAS, There is no fiscal impact to the General Fund. In addition to the requested congressional appropriations, funding of the above projects will be shared by a variety of sources including Measure K Sales Tax and development impact fees;

NOW, THEREFORE, BE IT RESOLVED, That City Council approves the list of City of Tracy projects for the San Joaquin Council of Government's One Voice Trip to Washington D.C. for congressional funding appropriation.

\* \* \* \* \*

The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the Tracy City Council on the 7<sup>th</sup> day of January, 2014, by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 1.H

REQUEST

**AUTHORIZE ELECTRIC VEHICLE CHARGING STATION USE BY THE PUBLIC FOR NO FEE**

EXECUTIVE SUMMARY

Staff requests that Council authorize electric vehicle charging station use by the public for no fee.

DISCUSSION

An electric vehicle charging station (EVCS) is being installed in the parking lot of the Tracy Transit Station. The EVCS will be available for use by the general public.

The charging station that is being installed is manufactured by ChargePoint, located in San Jose. ChargePoint is the first and largest network and currently has over 13,000 charging stations nation-wide on their network, with over 1,000 charging stations in and around the greater Bay Area and Sacramento regions. Access and fees vary from station to station depending on the owner. When comparing other municipalities with ChargePoint stations, the fees typically range from no cost to \$1 per hour, with most being free of charge. The table below outlines some other municipalities in our area with their corresponding fees as well as what is available publicly in Tracy.

<b>AGENCY</b>	<b>LOCATION</b>	<b>FEE</b>
Pleasanton	Pleasanton City Hall/Senior Center	\$1.00/hour
Hayward	City Hall	Free
San Jose	Various City Parking Areas	\$1.00/hour peak time \$0.25/hour off peak
Dublin	Dublin Library	Free
Lodi	Various City Facilities	Free
Sacramento	Various City Parking Areas	Free
Tracy Nissan	Naglee Road, Tracy	Free

Given that a majority of municipal charging stations are free to the public, staff recommends that the EVSC located at the Tracy Transit Station be free of charge. However, since this is new, it will be piloted for a period of 1 year. After one year, the costs associated with the EVCS will be evaluated and the fee will be re-assessed at that time based on usage and cost. At that time, fee options will be re-evaluated and brought to Council for consideration.

STRATEGIC PLAN

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

FISCAL IMPACT

There will be no impact to the General Fund. All costs associated with the EVCS will be charged to the Transit Fund. After one year using the current fee structure, the costs associated with the EVCS will be evaluated and the fee will be re-assessed at that time based on usage and cost.

RECOMMENDATION

That the City Council authorize the use of the EVCS located at the Tracy Transit Station by the public for no fee.

Prepared by: Ed Lovell, Management Analyst II

Reviewed by: David Ferguson, Director of Public Works  
Maria A. Hurtado, Assistant City Manager

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

RESOLUTION \_\_\_\_\_

AUTHORIZING THE USE OF ELECTRIC VEHICLE CHARGING STATION BY THE PUBLIC FOR NO FEE

WHEREAS, An electric vehicle charging station (EVCS) is being installed in the parking lot of the Tracy Transit Station, and

WHEREAS, The EVCS will be available for use by the general public, and

WHEREAS, Many municipalities are not currently charging a fee for use of EVCS, and

WHEREAS, As demand for charging stations increase, and as other cities move toward implementing fees for use of charging stations, staff will re-evaluate fee options and bring it back to Council for review;

NOW, THEREFORE, BE IT RESOLVED, That City Council hereby authorizes the use of electric vehicle charging station by the public for no fee.

\* \* \* \* \*

The foregoing Resolution \_\_\_\_\_ was adopted by the Tracy City Council on the 7th day of January, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
Mayor

ATTEST:

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

AGENDA ITEM 3

REQUEST

**CONTINUED PUBLIC HEARING TO ADOPT AMENDMENTS TO THE CITYWIDE ROADWAY AND TRANSPORTATION, AND STORM DRAINAGE MASTER PLANS, THE ESTABLISHMENT OF ROADWAY AND TRAFFIC, WATER, RECYCLED WATER, WASTEWATER, STORM DRAINAGE, PUBLIC SAFETY, PUBLIC FACILITIES, AND PARK DEVELOPMENT IMPACT FEES AND THE ASSOCIATED AB1600 FEE STUDIES FOR ALL NEW DEVELOPMENTS WITHIN THE CITY**

EXECUTIVE SUMMARY

Due to comments received from the development community late in the week ending November 14, 2013 related to the proposed development fees, the public hearing for this meeting was continued from the November 19, 2013 City Council Meeting.

The City Council adopted Citywide infrastructure Master Plans in late 2012 and 2013. Since then more detailed infrastructure studies have been completed for the Cordes Ranch area as part of their Specific Plan resulting in minor amendments to the Roadway and Transportation Master Plan and Storm Drainage Master Plan. Based upon the infrastructure Master Plans, the Development Impact Fees have been finalized in accordance with AB1600. Adoption of the Master Plans amendments and the Development Impact Fees will initiate the development process of new areas in the City.

DISCUSSION

In 2010 the City began the process of preparing Citywide Master Plans for traffic, water and recycled water, wastewater, storm drainage, public safety, public facilities and parks to serve new developments. The Citywide Master Plans were completed at the end of 2012, and subsequently adopted by City Council. Since that time, the Cordes Ranch Specific Plan and EIR documents have been adopted by Council. As a result of the detailed studies for the specific plan improvements, the Transportation Master Plan has been amended to reflect the addition of improvements at two interchanges. The addition of these interchanges was also required due to comments received from Caltrans. In addition, the Storm Drainage Master Plan has been amended to reflect the fact that the storm drainage detention basin upstream of Cordes, located in San Joaquin County's jurisdiction, is not needed to provide flood protection for new development within the City's sphere of influence. Cordes Ranch will mitigate all of its on-site storm drainage impacts and will reduce the downstream effects from the storm run-off generated up stream in the county which passes through Cordes Ranch toward the downstream properties located in the county. This detention basin upstream of the Cordes Ranch area is being deleted from the Master Plan since it does not serve property currently in the City's sphere.

After adoption of the Master Plans, AB1600 Development Impact Fee studies were completed. These studies determine new development's fair share of infrastructure costs. Revenue from development impact fees would cover the cost of projects,



including future wastewater treatment plant expansions, new eastside and westside sewer conveyance lines, a citywide recycled water system, new water tanks, distribution lines, and water supply sources, and the construction of public safety and park facilities. The studies discuss each of these projects as well as the methodology used to allocate costs to various land uses. These fee studies were provided to the development community for review and comment.

To ensure that the development impact fees were competitive and reasonable, the City considered a variety of approaches prior to finalizing the fees. After further review and receiving input from the development community, The following decisions were made to mitigate impacts to new development:

1. The Transportation Master Plan identified improvements needed to serve developments through the 2035 horizon year. This resulted in smaller street widths in the immediate future, however, ultimately wider right of ways will be reserved for future development. In order to keep the fees competitive, these improvements were spread over the total trips generated at build-out of the General Plan.
2. The traffic unit costs were adjusted on a case by case basis after input was received from the development community indicating some of the unit costs were too high given current market conditions.
3. It was assumed that \$274 million would be received from grants, regional Traffic Impact Fees and Measure K to offset traffic costs.
4. Water fees and Recycled Water Fees were adjusted by a factor of 15% and 30% respectively given concerns that costs were too high based on the current economic conditions. However, the fees will be reviewed and adjusted annually as the cost of construction increases or decreases.
5. The project soft-costs amount was proposed at 45% in line with the construction industry. However, after discussions with developers, the amount was reduced to 40%. The soft cost amount includes the cost of design, project management, inspection, construction contingencies, construction management and program management.
6. After receiving input from the development community, the Park Impact Fees were also adjusted to be more competitive.

The Citywide Master Plans analyzed 19 different planning areas covering 8,860 acres. The plan analyzed the various infrastructure needed to serve these new developments. The master plans were adopted by City Council as follows:

- “Citywide Roadway and Transportation Master Plan” adopted on November 26, 2012, by Resolution 2012-240
- “Citywide Water Master Plan” adopted on January 15, 2013, by Resolution 2013-008
- “Tracy Wastewater Master Plan” adopted on January 15, 2013, by Resolution 2013-008
- “Citywide Storm Drainage Master Plan” adopted on April 16, 2013, by Resolution 2013-056
- “Citywide Public Safety Master Plan” adopted on April 16, 2013, by Resolution 2013-056

- “Citywide Public Facilities Master Plan” adopted on April 16, 2013, by Resolution Number 2013-056
- “Parks Master Plan New Developments” adopted on April 16, 2013, by Resolution 2013-056

Amendments to the Citywide Roadway and Transportation and Storm Drainage Master Plans are being adopted concurrent with the fee studies. To fund the infrastructure identified in the Master Plans, AB1600 Development Impact Fee reports have been prepared. These reports identify the facilities and their costs and distribute them equitably to new developments. The reports take into consideration existing or potential future City funding sources.

The following reports were prepared to meet the requirements of the Mitigation Fee Act and establish the Development Impact Fees:

- “Citywide Roadway and Transportation Master Plan Traffic Impact Fee Program” prepared by RBF and Kimley Horn Consultants, November 2013.
- “Citywide Water System Master Plan – Tier 1 Development Impact Fee Analysis for the Backbone Buildout Portable and Recycled Water Systems” prepared by West Yost Associates, August 28, 2013.
- “Tracy Wastewater Conveyance and Treatment Development Impact Fee Study” prepared by CH2MHill, January 2013.
- “City of Tracy Citywide Storm Drainage Master Plan Impact Fee Analysis for New Impact Fee Program Areas” prepared by Stantec, November 2013.
- “Public Safety AB1600 Development Impact Fee Technical Memo” prepared by Harris and Associates, May 2013.
- “Public Facilities AB1600 Development Impact Fee Technical Memo” prepared by Harris and Associates, dated April 2013.
- “Parks AB1600 Development Impact Fee Technical Memo” prepared by Harris and Associates, May 2013.

### Development Impact Fees

In preparing the Development Impact Fees, the City has been consistent with the procedural and substantive requirements of the Mitigation Fee Act (also known as AB1600) as set forth in each of the above technical reports. The findings and conclusions for each infrastructure fee are summarized in the individual report. A summary of the fees are included in Attachment A.

These fees apply only to those developments that do not currently have finance plans in place. The facilities funded through the impact fee program are generally considered to be facilities that make up the backbone infrastructure. These fees do not include on-site infrastructure that is specific to each development. Maps and lists of the included facilities are included in each fee report.

Each new development will determine the necessary on-site improvements and will work with the City of Tracy to assess which, if any, of the Citywide improvements will be triggered as part of the development.

These impact fees will be updated on an annual basis by the Director of Development Services using the Engineering News Record (ENR) Construction Cost Index. The fees are also subject to periodic review and update based on recently completed project costs and industry trends, subject to City Council approval.

### STRATEGIC PLAN

This agenda item supports Objective 1(c) of the Economic Development Strategic Plan which ensures quality infrastructure to meet future development needs.

### FISCAL IMPACT

There is no fiscal impact on the General Fund. Development Impact Fees are paid by the developers to fund the infrastructure improvements required to serve their developments. Administration and updates to these fees are part of the program management funded through the soft costs included in all the infrastructure cost estimates.

### RECOMMENDATION

That City Council conduct the Public Hearing, take public testimony and adopt and approve by Resolution:

1. The Addendum to the Citywide Roadway and Transportation Master Plan;
2. The Supplement to the Citywide Storm Drainage Master Plan;
3. The Development Impact Fees for Traffic, Water, Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities, and Parks as set forth in Attachment A; and
4. The impact fee reports for Citywide Traffic, Water and Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities and Parks as set forth in Attachment B.

Prepared By: Kuldeep Sharma, City Engineer  
Reviewed By: Andrew Malik, Development Services Director  
Maria A. Hurtado, Assistant City Manager  
Approved By: R. Leon Churchill, Jr., City Manager

### ATTACHMENTS

Attachment A – Impact Fee Summary

Attachment B – Impact Fee Studies (Oversized: Available at Development Services Department in City Hall and on the City of Tracy Website at [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us))

## Attachment A

	Transportation	Water			Recycled Water	Wastewater			Parks	Public Safety	Public Facilities
		Distribution	Supply	Treatment		Treatment Plant	East Conveyance	West Conveyance			
	per unit										
Residential-Very Low Density	\$ 5,186	\$ 4,236	\$ 1,813	\$ 3,295	\$ 2,654	\$ 6,727	\$ 2,405	\$ 1,610	\$ 7,557	\$ 1,353	\$ 2,953
Residential-Low Density	\$ 5,186	\$ 4,236	\$ 1,813	\$ 3,295	\$ 2,654	\$ 6,727	\$ 2,405	\$ 1,610	\$ 7,557	\$ 1,353	\$ 2,953
Residential-Medium Density (attached 2-4)	\$ 3,164	\$ 3,050	\$ 1,305	\$ 2,372	\$ 2,282	\$ 5,504	\$ 1,968	\$ 1,317	\$ 6,183	\$ 1,107	\$ 2,416
Residential-High Density (attached 4+)	\$ 3,164	\$ 2,160	\$ 925	\$ 1,680	\$ 1,539	\$ 4,485	\$ 1,603	\$ 1,073	\$ 5,038	\$ 902	\$ 1,969
	per acre									per 1,000 sf	per 1,000 sf
Commercial/Retail	\$ 158,384	\$ 17,622	\$ 7,542	\$ 13,707	\$ 14,942	\$ 29,048	\$ 10,385	\$ 6,952	\$ -	\$ 410	\$ 77
Office	\$ 126,334	\$ 13,216	\$ 5,657	\$ 10,280	\$ 12,182	\$ 29,048	\$ 10,385	\$ 6,952	\$ -	\$ 683	\$ 128
Industrial	\$ 72,243	\$ 13,216	\$ 5,657	\$ 10,280	\$ 12,182	\$ 26,908	\$ 9,620	\$ 6,440	\$ -	\$ 137	\$ 26

	Storm Drainage*									
	Keenan	Westside Residential	NW WSO	Larch Clover	East Side Industrial	Chrisman & East UR-1	South MacArthur and Rocha	Mtn. House	Lammers Watershed	Kagehiro and West Larch Clover**
	per du									
Residential-Very Low Density	NA	NA	NA	NA	NA	\$ 1,703	\$ 4,866	NA	\$ 1,421	\$ 613
Residential-Low Density	\$ 2,141	\$ 4,571	NA	NA	NA	\$ 1,572	\$ 4,469	NA	\$ 1,304	\$ 532
Residential-Medium Density (attached 2-4)	\$ 1,446	\$ 3,062	NA	NA	NA	\$ 1,045	\$ 2,971	NA	\$ 868	\$ 375
Residential-High Density (attached 4+)	\$ 1,293	\$ 2,732	NA	NA	NA	\$ 933	\$ 2,659	NA	\$ 777	\$ 335
	per acre									
Commercial/Retail	NA	NA	\$ 16,384	\$ 10,056	\$ 48,957	\$ 28,682	\$ 81,501	\$ 15,795	\$ 23,818	NA
Office	NA	NA	\$ 16,384	NA	NA	\$ 28,682	NA	\$ 15,795	\$ 23,818	NA
Industrial	NA	NA	\$ 16,384	NA	\$ 48,957	\$ 28,682	NA	\$ 15,795	\$ 23,818	NA

\* See storm drainage breakdown for split between outfall versus program infrastructure.

\*\*Kagehiro and West Larch Clover only pay the Westside Outfall fee. No additional program infrastructure is required by Kagehiro and the West Larch Clover area is discharged directly to the existing detention basin.

Total Fees										
	Keenan	Westside Residential	NW WSO	Larch Clover	East Side Industrial	Chrisman & East UR-1	South MacArthur and Rocha	Mtn. House	Lammers Watershed	Kagehiro and West Larch Clover**
	per du									
Residential-Very Low Density	NA	NA	NA	NA	NA	\$ 39,882	\$ 43,045	NA	\$ 38,805	\$ 37,997
Residential-Low Density	\$ 39,525	\$ 41,955	NA	NA	NA	\$ 39,751	\$ 42,648	NA	\$ 38,688	\$ 37,916
Residential-Medium Density (attached 2-4)	\$ 30,147	\$ 31,763	NA	NA	NA	\$ 30,396	\$ 32,322	NA	\$ 29,569	\$ 29,076
Residential-High Density (attached 4+)	\$ 24,228	\$ 25,667	NA	NA	NA	\$ 24,398	\$ 26,124	NA	\$ 23,712	\$ 23,270
	per acre									
Commercial/Retail	NA	NA	\$ 270,942	\$ 264,614	\$ 306,948	\$ 286,673	\$ 339,492	\$ 270,353	\$ 278,376	NA
Office	NA	NA	\$ 235,947	NA	NA	\$ 251,678	NA	\$ 235,358	\$ 243,381	NA
Industrial	NA	NA	\$ 166,851	NA	\$ 202,604	\$ 182,329	NA	\$ 166,262	\$ 174,285	NA

The following summarizes the estimated fees by landuse. Note that fees for public facilities and public safety are based on a fee per square foot, so these total fees per acre, for the non-residential landuses are only estimates.

RESOLUTION \_\_\_\_\_

AUTHORIZING ADDENDUM TO THE CITYWIDE ROADWAY AND TRANSPORTATION  
MASTER PLAN

WHEREAS, The City adopted the Citywide Roadway and Transportation Master Plan, as approved by City Council Resolution Number 2012-240 on November 26, 2012, and

WHEREAS, The Cordes Ranch EIR was certified by City Council on September 3, 2013, and

WHEREAS, The Cordes Ranch Specific Plan was certified by City Council on September 3, 2013, and

WHEREAS, The Cordes Ranch Specific Plan identified two additional interchange improvements that were not previously identified in the Transportation Master Plan, and

WHEREAS, In order to be consistent with the Cordes Ranch Specific Plan and EIR, the Master plan must be amended to add these additional interchange improvements;

NOW, THEREFORE, BE IT RESOLVED, That the City Council does hereby adopt and approve the addendum to the Citywide Roadway and Transportation Master Plan.

\* \* \* \* \*

The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the Tracy City Council the 7<sup>th</sup> day of January, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

RESOLUTION \_\_\_\_\_

ADOPTING THE SUPPLEMENT TO THE CITYWIDE STORM DRAINAGE MASTER PLAN

WHEREAS, The City adopted the Citywide Storm Drainage Master Plan, as approved by City Council Resolution 2013-056, on April 16, 2013, and

WHEREAS, The Cordes Ranch EIR was certified by City Council on September 3, 2013, and

WHEREAS, The Cordes Ranch Specific Plan was certified by City Council on September 3, 2013, and

WHEREAS, The Cordes Ranch Specific Plan area was required to mitigate their storm drainage impacts with the use of on-site storm drainage facilities, and

WHEREAS, It has been determined that the upstream storm drainage basin located in San Joaquin County's jurisdiction is not needed to provide flood protection for the new developments within the City's sphere of influence; the Cordes Ranch Development will mitigate all of its onsite storm drainage impacts and will reduce the downstream effects from the storm run-off generated up stream in the county which pass through Cordes Ranch toward the downstream properties located in the county;

NOW, THEREFORE, BE IT RESOLVED, That the City Council does hereby adopt and approve the supplement to the Citywide Storm Drainage Master Plan.

\* \* \* \* \*

The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the Tracy City Council on the 7<sup>th</sup> day of January, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

RESOLUTION \_\_\_\_\_

ADOPTING AND APPROVING THE ESTABLISHMENT OF ROADWAY AND TRAFFIC, WATER, RECYCLED WATER, WASTEWATER, STORM DRAINAGE, PUBLIC SAFETY, PUBLIC FACILITIES, AND PARK DEVELOPMENT IMPACT FEES AND THE ASSOCIATED AB1600 FEE STUDIES FOR ALL NEW DEVELOPMENTS

WHEREAS, The City adopted the Citywide Roadway Master Plan, as approved by City Council Resolution 2012-240, on November 26, 2012, and amended on November 19, 2013, and

WHEREAS, The City adopted the Water Master Plan, as approved by City Council Resolution 2013-008, on January 15, 2013, and

WHEREAS, The City adopted the Wastewater Master Plan, as approved by City Council Resolution 2013-008, on January 15, 2013, and

WHEREAS, The City adopted the Storm Drainage Master Plan, as approved by City Council Resolution 2013-056, on April 16, 2013, and Amended on November 19, 2013, and

WHEREAS, The City adopted the Public Safety Master Plan, as approved by City Council Resolution 2013-056, on April 16, 2013, and

WHEREAS, The City adopted the Public Facilities Master Plan, as approved by City Council Resolution 2013-056, on April 16, 2013, and

WHEREAS, The City adopted the Parks Master Plan, as approved by City Council Resolution 2013-056, on April 16, 2013, and

WHEREAS, the City's consultants completed the following Development Impact Fee reports which are consistent with the adopted master plans and which meet the Mitigation Fee Act Requirements:

- "Citywide Roadway and Transportation Master Plan Traffic Impact Fee Program" prepared by RBF and Kimley Horn Consultants, October 2013.
- "Citywide Water System Master Plan – Tier 1 Development Impact Fee Analysis for the Backbone Buildout Portable and Recycled Water Systems" prepared by West Yost Associates, August 28, 2013.
- "Tracy Wastewater Conveyance and Treatment Development Impact Fee Study" prepared by CH2MHill, January 2013.
- "City of Tracy Citywide Storm Drainage Master Plan Impact Fee Analysis for New Impact Fee Program Areas" prepared by Stantec, November 2013.
- "Public Safety AB1600 Development Impact Fee Technical Memo" prepared by Harris and Associates, May 2013.
- "Public Facilities AB1600 Development Impact Fee Technical Memo" prepared by Harris and Associates, dated April 2013.
- "Parks AB1600 Development Impact Fee Technical Memo" prepared by Harris and Associates, May 2013, and



WHEREAS, The fees apply to all new development within the City of Tracy that do not already have finance plans in place as of the date of adoption of these fees, and as identified in the various Development Impact Fee Studies, and

WHEREAS, Each of the technical studies listed above, include an estimate of the reasonable cost to provide the infrastructure, including an estimate of land acquisition and a mark-up of the estimated construction costs to cover the costs of design, construction management, contingency, and program management, and

WHEREAS, The Development Services Director is authorized to update the development impact fees with the Engineering News Record (ENR) Construction Cost Index for San Francisco on an annual basis using the November 2013 index as the initial index, pursuant to Section 13.04.070(a) of the Tracy Municipal Code, and

WHEREAS, Government Code Section 66017 provides that Development Impact Fees are not effective until 60 days following adoption of the fee by the City;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby adopts and approves the Citywide Development Impact Fees and associated AB1600 Development Impact Fee Studies for Roadway and Traffic, Water and Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities, and Parks.

\* \* \* \* \*

The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the Tracy City Council on the 7<sup>th</sup> day of January, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 4

REQUEST

**PUBLIC HEARING TO CONSIDER APPLICATIONS TO AMEND THE EASTLAKE AND ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENTS TO REMOVE A TEN ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL; TO APPROVE THE CONCEPT, PRELIMINARY AND FINAL DEVELOPMENT PLANS FOR THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT; TO APPROVE A VESTING TENTATIVE SUBDIVISION MAP TO SUBDIVIDE THE TEN ACRE SITE INTO 47 RESIDENTIAL LOTS; AND TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBERS PUD12-0003 AND TSM12-0002**

EXECUTIVE SUMMARY

Last year, the City Council amended the General Plan for a vacant ten acre site located in the center of the Eastlake and Elissagaray Ranch subdivisions in anticipation of future development applications for single-family homes (Application Number GPA10-0004). Prior to that amendment, the site was identified for a public school within the Tracy Unified School District. According to the Tracy Unified School District, a school is no longer needed at that location. The property owner now proposes to develop a single-family detached home subdivision on the site.

BACKGROUND

The subject site is located on Dominique Drive between Eastlake Circle and Basque Drive. The westerly five acres of the site is contained within the Eastlake Planned Unit Development (PUD), and the easterly five acres is in the Elissagaray Ranch PUD (Attachment A: Location Map), both of which were approved in the late 1990's.

The property owner has submitted an application to amend the Eastlake and Elissagaray Ranch PUDs to remove the school site from those PUD areas. The application includes a new PUD called Elissagaray Infill and a Vesting Tentative Subdivision Map for 47 lots.

DISCUSSION

Amendment to the Eastlake and Elissagaray Ranch PUDs

As discussed above, the Eastlake and Elissagaray Ranch PUDs designate the subject site comprised of two five acre parcels for a school, which is no longer needed by the Tracy Unified School District. The proposed amendment would remove each five acre parcel from each respective PUD. Zoning guidelines for the subject site are proposed to be established in a separate PUD known as Elissagaray Infill.

### Establishment of the Elissagaray Infill PUD

The proposed Elissagaray Infill PUD is comprised of a Concept Development Plan (CDP), Preliminary Development Plan (PDP), and a Final Development Plan (FDP) to establish the land use and development standards for the Elissagaray Infill subdivision. Neighborhood input sought during the General Plan amendment process revealed that the primary interests of neighbors residing in Eastlake and Elissagaray Ranch are that the homes be similar in size, design, and quality to the existing homes. These considerations were taken by the applicant in the project proposal, as outlined below.

### Development Plan and Architecture

The proposed development plan consists of 47 detached single-family residential homes on a ten acre infill parcel. The proposed PUD is consistent with the General Plan designation of Residential Low. The proposed project would be consistent with the density allowed, which ranges from 2.1 to 5.8 units per gross acre. The average density of the proposed Elissagaray Infill subdivision is 4.7 dwelling units per gross acre.

The proposed architecture is consistent with the City's Design Goals and Standards for residential development. The proposal includes one single-story plan and three two-story plans with sizes ranging between approximately 2,300 and 3,500 square feet. Each of the four plan types would have three distinct elevation styles, giving the subdivision 12 different exterior house designs (Attachment B: Concept, Preliminary, and Final Development Plan). The proposed architectural styles took inspiration from Spanish (elevation A), Craftsman (elevation B), English Country (elevation C), and Farmhouse (elevation D) styles. The architectural styles utilize differing building planes, various roof lines, a variety of siding materials, decorative doors and windows, covered entries, front porches, and decorative details carried around on all four sides of each house.

Through the use of the design techniques described above, the proposed architecture would be consistent with the quality and design of existing homes in the Eastlake and Elissagaray Ranch neighborhoods. Furthermore, the color palettes proposed are warm and cool tones, complementary to those used on homes in the adjacent neighborhoods. A conceptual development plan (Attachment C) demonstrates how the housing mix goals established in the Design Goals and Standards can be achieved by the proposed number of floor plans and elevation styles, and Condition of Approval B.5 is recommended to ensure these goals are achieved prior to construction of the homes.

### Zoning Standards

The proposed PUD zoning regulations are intended to complement those of the Eastlake and Elissagaray Ranch subdivisions. Setbacks and other development standards are similar to those in the adjacent subdivisions and the Low Density Residential Zone (Attachment B: Concept, Preliminary, and Final Development Plan). Three of the plans include two-car garages and one plan includes a three-car garage, which meets and exceeds Tracy's standard parking requirement for each single-family dwelling to have a

two-car garage. Though it is not required, on-street parking is also available along the proposed and existing streets.

#### Vesting Tentative Subdivision Map

The proposed subdivision complements the adjacent residential neighborhoods. The proposed density is similar to the average density of 4.13 units per gross acre in Eastlake. The average density in Elissagaray Ranch is lower at 2.9 units per acre. The proposed lots range between approximately 6,600 to approximately 12,200 square feet (Attachment D: Vesting Tentative Subdivision Map). The lots are sized to be similar to the surrounding subdivisions, with particular attention to lots adjacent to existing homes. Typical lots in the Eastlake subdivision adjacent to the proposed project site are 60 feet in width by 100 feet in depth. Typical lots in the Elissagaray Ranch subdivision adjacent to the proposed project site are 65 feet by 100 feet and 80 feet by 120 feet. Similarly, the Elissagaray Infill subdivision proposes minimum lot sizes of 60 feet in width by 100 feet in depth. In consideration of the homes that back up to the proposed subdivision, the applicant proposes deeper rear yards than typical to provide greater privacy to the existing homes. These lots are between approximately 134 feet and 164 feet in depth, which is significantly deeper than most residential lots in the city. There are no reverse corner lots, resulting in greater efficiency in siting the houses, maximizing on-street parking, maximizing usable yard areas, and improving sight distances for vehicles backing out of driveways.

The subdivision would have its primary access from MacArthur Drive, Valpico Road, and Chrisman Road through existing residential streets crossing through the Eastlake and Elissagaray Ranch neighborhoods. The project proposes one through street connecting Eastlake Circle to Dominique Drive. The new street will allow for efficient circulation by giving vehicles and pedestrians two options to exit the subdivision. The street connection to Dominique Drive will also help slow down the speed of traffic on Dominique Drive, an issue on which residents have voiced concerns. The street is also strategically designed for the underground utility infrastructure that enters the subdivision from Eastlake Circle. The right-of-way will be 56 feet in width with a monolithic sidewalk to match the existing streets throughout the Eastlake and Elissagaray Ranch subdivisions.

#### Residential Growth Allotments

The project will require 47 RGAs for construction of the 47 proposed residential units. The project will be eligible to apply for and receive RGAs per the regulations set forth in the Growth Management Ordinance and Growth Management Ordinance Guidelines after a Tentative Subdivision Map is approved. The RGAs will be required prior to the issuance of any building permits.

#### Schools

The proposed project is located within the Tracy Unified School District. As stated above, the project site was originally planned for a school but the Tracy Unified School District has informed the City and the property owner that it no longer desires to locate a

school on this site, which grants development opportunity back to the property owner. In order to mitigate the proposed developments' impacts on school facilities, Memorandums of Understanding (MOU) were executed with the Tracy Unified School District when the Eastlake and Elissagaray Ranch subdivisions were developed, which included this ten acre site. Per the MOUs, a per-unit fee is to be charged for each of the 47 units constructed.

### Parks

Parks are required to be established within residential neighborhoods to serve the residents of the homes that are established in Tracy. In order to meet the need for park land, projects are either required to build their own park or pay park in-lieu fees. The City's requirement for park land is three acres of Neighborhood Park and one acre of Community Park, for a total of four acres of park land per 1,000 residents.

In this case, staff has determined that no dedication of park acreage is desired within the proposed project because the adjacent Eastlake and Elissagaray Ranch subdivision already exceeds the City's requirement for park land. Eastlake contains a 3.9-acre park and Elissagaray Ranch contains a four acre park, both of which are within a quarter mile of the proposed subdivision. In lieu of providing park land, the applicant would be required to pay the park in-lieu fees. These fees would provide funds for the creation of parks and recreation facilities consistent with the Parks Master Plan and the City's General Plan.

### Neighborhood Concerns

As stated earlier, during the General Plan Amendment public hearing process in 2012, residents in the Eastlake and Elissagaray Ranch subdivisions expressed interest and concern about future residential development and its fit within the existing neighborhoods. The applicant conducted several private meetings and one larger neighborhood meeting on September 26, 2013, at the Community Center to introduce his proposed project to the neighbors and collect their feedback. According to the applicant, the primary interests of the neighbors in attendance are related to density, lot sizes, architecture, and traffic. According to the applicant, neighbors were receptive to the proposed density, lot sizes, and architecture.

Concerns related to vehicular speeding on Dominique Drive were raised. Dominique Drive is a long, straight, 74-foot right-of-way with little cross-traffic bordered by homes, some of which back up to the street with a sound wall, and the subject site, which is currently undeveloped. When the new subdivision is constructed, twelve homes will face onto Dominique Drive, and the future through-street will intersect Dominique Drive. These improvements will increase cross-traffic and encourage more careful driving that will cause traffic to naturally slow.

Increased traffic congestion on Eastlake Circle was another concern raised. The proposed 47-lot single family subdivision will generate fewer trips per day than the elementary school previously planned for the site. These figures were derived using the data in *Trip Generation, 7th Edition* by the Institute of Transportation Engineers. In

conclusion, the traffic generated by the proposed subdivision will be less than that generated by the school that was originally planned to be built.

Some residents voiced their disappointment in the cancellation of the school. As stated above, the Tracy Unified School District no longer desires this site for a public school.

#### Planning Commission's Recommendation

Planning Commission held a public hearing on November 6, 2013, to review and consider the applicant's proposals. Public comments included maintenance of private yards and questions about California Building Code and California Fire Code compliance. Following staff's report, comments from the applicant, and comments from the neighbors, the Planning Commission unanimously voted in favor of recommending City Council approval of the project.

#### Environmental Document

The project is exempt from the California Environmental Quality Act per Section 15162 pertaining to projects with a certified Environmental Impact Report (EIR) where the project does not propose substantial changes that will result in a major revision of the previous EIR. On February 1, 2011, the City of Tracy adopted the General Plan. The associated EIR (SCH# 1992 122 069) was certified on February 1, 2011. The project does not propose new significant changes to the environment that was not analyzed in the General Plan EIR, including the areas of traffic, air quality, and aesthetics. Therefore, no further documentation is needed.

#### STRATEGIC PRIORITY

This agenda item is not related to the City's Strategic Plans.

#### FISCAL IMPACT

This agenda item will not require any expenditure of funds. The applicant entered into a Cost Recovery Agreement for the staff time that was required to review and process the proposed project. The applicant will also pay all of the appropriate building permit and development impact fees upon the commencement of construction of the dwelling units and other improvements.

Completion of the development will enhance the City's property tax base to support General Fund infrastructure maintenance and public safety expenses.

#### RECOMMENDATION

Staff and Planning Commission recommend that the City Council do the following:

1. Introduce an Ordinance:
  - a. Amending the Eastlake Planned Unit Development to remove the five-acre site that was previously designated for a school,

- b. Amending the Elissagaray Ranch Planned Unit Development to remove the five-acre site that was previously designated for a school, and
  - c. Creating a new Planned Unit Development called Elissagaray Infill and approves the Concept Development Plan for the Elissagaray Infill Planned Unit Development for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 and 252-260-01 (application number PUD12-0003).
2. Approve application number PUD12-0003 and application number TSM12-0002 as described in the City Council Resolution dated January 7, 2014, and subject to the conditions attached as Exhibit "1", which include the following:
  - a. Approval of the Preliminary Development Plan and Final Development Plan for the Elissagaray Infill Planned Unit Development, and
  - b. Approval of the Vesting Tentative Subdivision Map to subdivide the total ten acre site into 47 residential lots for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 and 252-260-01.

Prepared by: Kimberly Matlock, Assistant Planner

Reviewed by: Bill Dean, Assistant Development Services Director  
Andrew Malik, Development Services Director  
Maria A. Hurtado, Assistant City Manager

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

#### ATTACHMENTS

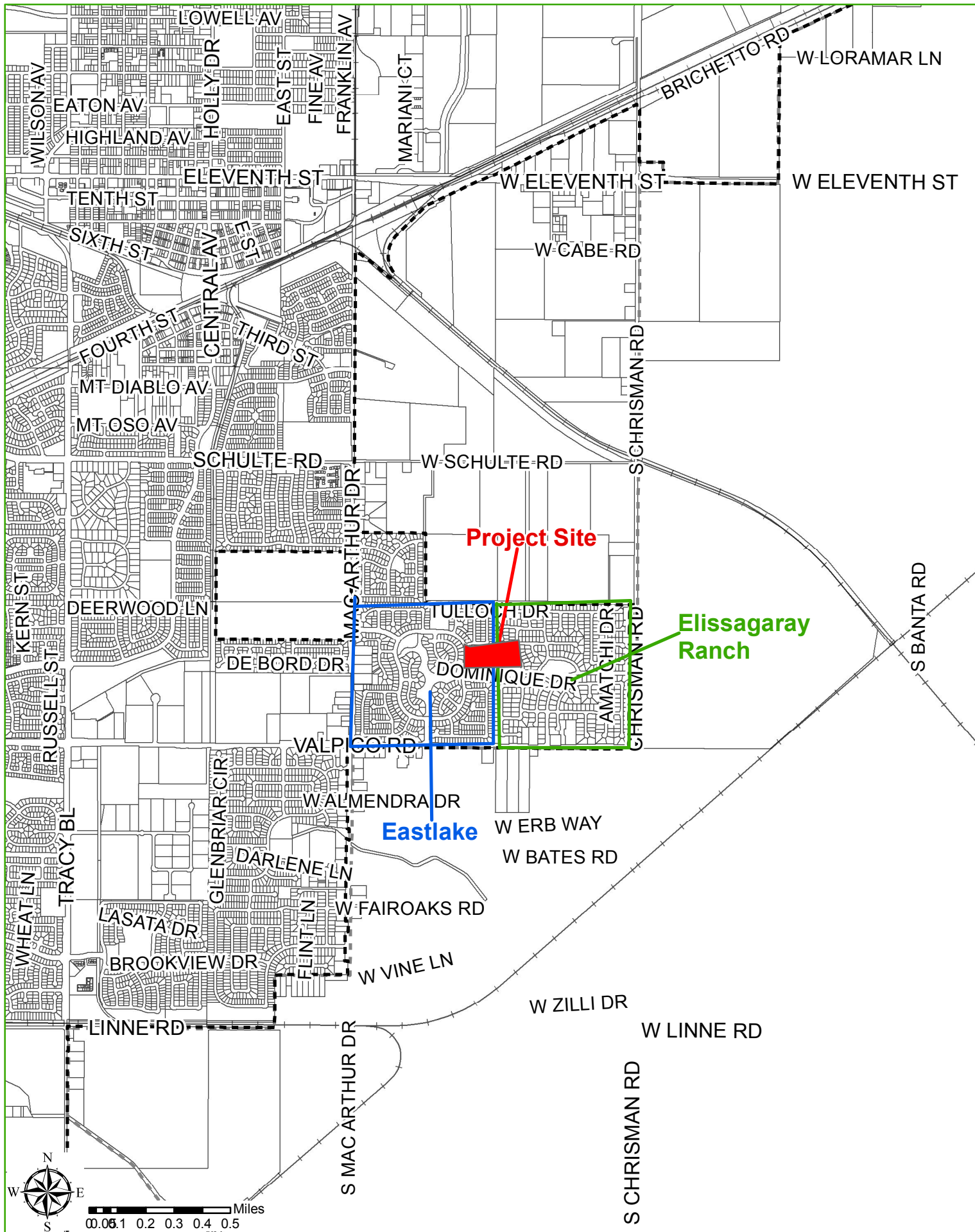
Attachment A – Location Map

Attachment B – Concept, Preliminary, and Final Development Plan (Oversized: Available at Development Services Department in City Hall and on the City of Tracy Website at [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us))

Attachment C – Conceptual Development Plan

Attachment D – Vesting Tentative Map (Oversized: Available at Development Services Department in City Hall and on the City of Tracy Website at [www.ci.tracy.ca.us](http://www.ci.tracy.ca.us))

# Location Map





# ELISSAGARAY INFILL

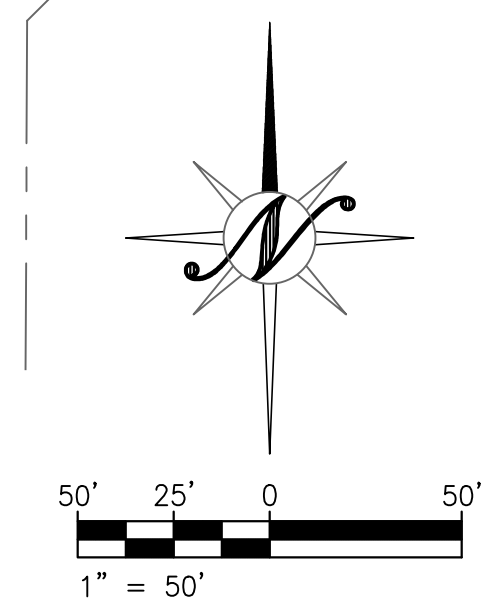
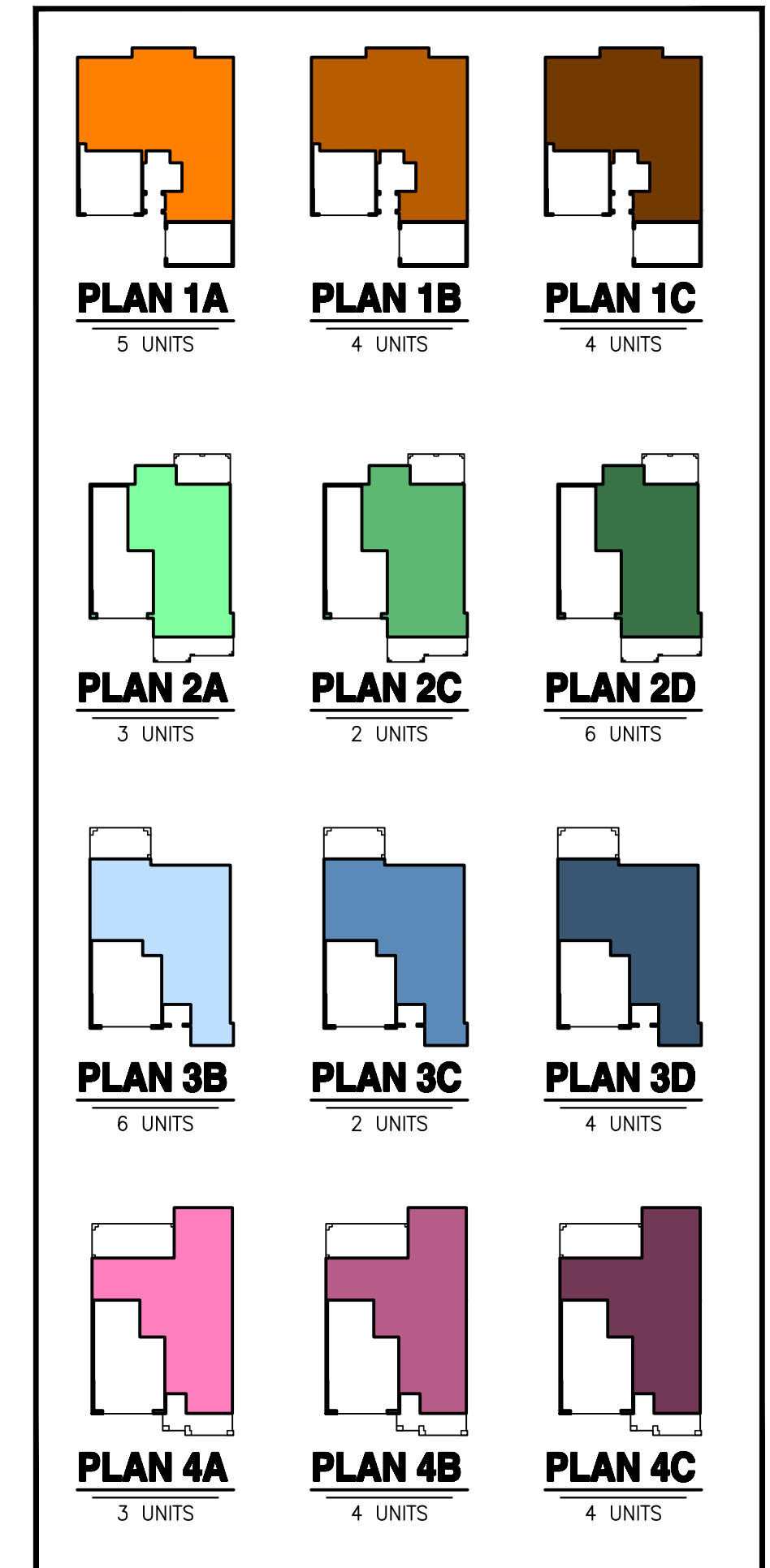
## NEIGHBORHOOD PLAN - BY PRODUCT

### TRACY, SAN JOAQUIN COUNTY, CALIFORNIA

ATTACHMENT C



#### UNIT DISTRIBUTION



ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TRACY AMENDING THE EASTLAKE PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AMENDING THE ELISSAGARAY RANCH PLANNED UNIT DEVELOPMENT TO REMOVE A FIVE-ACRE SITE PREVIOUSLY DESIGNATED FOR A SCHOOL, AND CREATING A NEW PLANNED UNIT DEVELOPMENT FOR THE TOTAL TEN-ACRE SITE KNOWN AS THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT. THE PROJECT IS LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBER PUD12-0003

The City Council of Tracy does hereby ordain as follows:

SECTION 1: The 5.02-gross acre site designated as a school, Assessor's Parcel Number 252-050-24, is removed from the Eastlake Planned Unit Development.

The 5.02-gross acre site designated as a school, Assessor's Parcel Number 252-260-01, is removed from the Elissagaray Ranch Planned Unit Development.

The Concept Development Plan for the Elissagaray Infill Planned Unit Development located on the 10.04-gross acre property located on Dominique Drive between Eastlake Circle and Basque Drive is approved as discussed and conditioned in the City Council staff report and its attachments.

SECTION 2: This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 3: This Ordinance shall be published once in the Tri-Valley Herald, a newspaper of general circulation, within fifteen (15) days from and after its final passage and adoption.

\* \* \* \* \*

The foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Tracy City Council on the 7<sup>th</sup> day of January, 2014, and finally adopted on the \_\_\_\_\_ day of \_\_\_\_\_, by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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

RESOLUTION \_\_\_\_\_

APPROVING OF THE PRELIMINARY AND FINAL DEVELOPMENT PLANS FOR THE ELISSAGARAY INFILL PLANNED UNIT DEVELOPMENT AND APPROVING A VESTING TENTATIVE SUBDIVISION MAP TO SUBDIVIDE THE SITE INTO 47 RESIDENTIAL LOTS. THE PROJECT IS ON A TEN-ACRE SITE LOCATED ON DOMINIQUE DRIVE BETWEEN EASTLAKE CIRCLE AND BASQUE DRIVE, ASSESSOR'S PARCEL NUMBERS 252-050-24 AND 252-260-01. THE APPLICANT AND PROPERTY OWNER IS TVC TRACY HOLDCO, LLC. APPLICATION NUMBERS PUD12-0003 AND TSM12-0002

WHEREAS, TVC Tracy Holdco, LLC submitted applications for a Preliminary Development Plan and a Final Development Plan for the Elissagaray Infill Planned Unit Development and a Vesting Tentative Subdivision Map to subdivide the site into 47 lots, and

A. WHEREAS, The following findings address the approval of the Elissagaray Infill Preliminary Development Plan and Final Development Plan:

WHEREAS, The applicant submitted an application for the creation of the Elissagaray Ranch Planned Unit Development, a single-family residential subdivision proposed on a ten-acre site, and

WHEREAS, The proposed subdivision consists of 47 lots, which is consistent with the General Plan designation of Residential Low and the proposed Concept Development Plan for the Elissagaray Infill Planned Unit Development, and

WHEREAS, The proposed development and architecture meets the General Plan community character policies for a variety of residential building styles and sizes that provide visual interest to the streetscape, and

WHEREAS, The proposed development plan complements the existing surrounding neighborhoods with lots similarly sized to match adjacent lots, lots with deeper rear yards adjacent to existing residences, and a streetscape designed to match the existing surrounding neighborhoods, and

WHEREAS, The architectural renderings are in compliance with Tracy's Design Goals and Standards and complement the surrounding neighborhoods because they have incorporated substantial variation between floor plans and elevations, building projections, varied rooflines, architectural features on all four sides of each house, and recessed garages so they do not dominate the street.

B. WHEREAS, The following findings address the Vesting Tentative Subdivision Map:

WHEREAS, The project is consistent with the General Plan and Title 12, the Subdivision Ordinance, of the Tracy Municipal Code, in terms of density, circulation, and land use, and

WHEREAS, The site is physically suitable for the type of development, as the site is virtually flat, and

WHEREAS, The site is physically suitable for the proposed density of development, which is below the maximum density allowed by the General Plan designation of Residential Low, and

WHEREAS, Traffic circulation is designed in accordance with City standards for the proposed density to ensure adequate traffic service levels are met and to match existing adjacent street improvements, and

WHEREAS, The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and

WHEREAS, The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, and

WHEREAS, The project complies with all other applicable ordinances, regulations and guidelines of the City, including but not limited to, the local floodplain ordinance. The subject property is not located within any floodplain and the project, with conditions, will meet all applicable City design and improvement standards, and

WHEREAS, All the public facilities necessary to serve the subdivision will be in place prior to the issuance of building permits. All the public facilities necessary to serve the subdivision or mitigate the impacts created by the subdivision will be assured through a subdivision improvement agreement prior to the approval of a final map.

WHEREAS, The project does not propose substantial changes that will result in a major revision of the previous Environmental Impact Report that analyzed the project site and is exempt from the California Environmental Quality Act per Section 15162, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the project on November 6, 2013, and recommended approval of the project, and

WHEREAS, The City Council conducted a public hearing to review and consider the project on January 7, 2014; and

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby:

1. Approves the Preliminary Development Plan and Final Development Plan for the Elissagaray Infill Planned Unit Development, and
2. Approves the Vesting Tentative Subdivision Map to subdivide the total ten-acre site into 47 residential lots for the ten-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, Assessor's Parcel Numbers 252-050-24 AND 252-260-01, Application Numbers PUD12-0003 and TSM12-0002, subject to conditions stated in Exhibit "1," attached and made part hereof.

BE IT FURTHER RESOLVED that this resolution will become effective 30 days after the Ordinance establishing the Elissagaray Infill Planned Unit Development is adopted.

\* \* \* \* \*

The foregoing Resolution 2014-\_\_\_\_\_ was adopted by the City Council on the 7<sup>th</sup> Day of January, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

AGENDA ITEM 5

REQUEST

**RECEIVE REPORT ON THE TRACER TRANSIT SYSTEM**

EXECUTIVE SUMMARY

TRACER is the transit system run by the City of Tracy. TRACER is currently operated and maintained by MV Transportation. The TRACER consists of a fixed route operation and a paratransit service. The basic format of the current system has been in operation since 2001. The TRACER is funded through grants from the Federal Transit Administration (FTA) and Transportation Development Act (TDA) funds.

DISCUSSION

The City of Tracy owns the TRACER transit system and contracts out the operation of the vehicles. The current contractor is MV Transportation. The TRACER consists of both fixed route and paratransit service with a fleet of 13 buses and 2 minivans. Transit operations occur from 7 a.m. to 7 p.m. Monday through Friday and from 9 a.m. to 5 p.m. on Saturday. In FY12/13, the TRACER transit system overall had 128,664 passengers, averaging approximately 411 passengers per day of operation. These numbers are the highest ridership levels that the TRACER system has ever experienced. This represents an increase in ridership of over 17% system-wide over the previous fiscal year. The increase can be attributed to the increased frequency of the A and B Routes during peak hours as well as increased student ridership as additional routes were added to accommodate students of the various high schools in Tracy.

Fixed route service provides service to passengers along designated routes that travel through various parts of the City. Most major destinations are served by one or more fixed routes including Wal-Mart, the West Valley Mall, the Tracy Outlets, all major supermarkets, and all high and middle schools. The fixed route service operates three core routes during all hours of operation, and three commuter routes with service limited to one morning run and two afternoon runs. The three core routes operate on an hourly headway, with 30 minute service available on two of the routes during peak periods in the afternoon. In FY12/13, the fixed route service alone carried 113,709 passengers, averaging approximately 363 passengers per day of operation.

Paratransit service is provided to Americans with Disabilities Act (ADA) eligible persons and those who are 65 and older, and residents of the City of Tracy. This service provides door to door service and operates during the same hours as the fixed route service. Additionally, after hours service is available to paratransit passengers through a subsidized taxi program. In FY12/13, the paratransit service provided rides to 14,955 passengers, averaging approximately 48 passengers per day of operation.

Below are the yearly ridership figures for the past 5 years. Ridership on the fixed route has remained steady and is continuing to grow, while paratransit ridership has been decreasing as more certified paratransit passengers are taking advantage of the lower fares on the fixed route. A spike in gas prices during FY 08/09 was the cause of the

huge ridership increase that year, while a fare increase in July 2010 was the cause of the noticeable drop in ridership in FY 10/11.

<b>RIDERSHIP</b>	<b>FY 08/09</b>	<b>FY 09/10</b>	<b>FY 10/11</b>	<b>FY 11/12</b>	<b>FY 12/13</b>
<b>Fixed Route</b>	97,424	92,536	74,006	91,703	113,709
<b>Paratransit</b>	25,514	23,265	20,593	17,942	14,955
<b>TOTAL</b>	122,938 <sup>1</sup>	115,801	94,599 <sup>2</sup>	109,645	128,664

As part of the bus system, the City operates the Tracy Transit Station. This is the main hub for all the fixed routes. It also serves as a connection to regional transit options including San Joaquin Regional Transit District (RTD) and Greyhound. In addition to the transportation services, there are also three conference rooms available for rent. In FY12/13, the Transit Station brought in over \$35,000 of rental revenue to the Transit Fund.

### **RECENT PROJECTS**

Most recently, the City completed construction of the second phase of the Bus Stop Improvements project involving 77 bus stop locations. A bench and trash can was installed at each site, with 23 of the sites receiving a bus shelter. This project was completed using American Recovery and Reinvestment Acts (ARRA) grant funding from the FTA with a project cost of approximately \$1.7 million dollars.

In December 2012, the City purchased and installed Routematch software to enhance efficiency when scheduling and dispatching paratransit buses. This has enabled the TRACER dispatchers to better organize paratransit routes and improve scheduling efficiencies by combining trips where necessary.

In February 2013, the City partnered with CALSTART, an organization dedicated to supporting clean transportation, to conduct a study on the benefits of using a hybrid system on buses. This project was funded completely through the FTA via CALSTART, with Tracy providing the buses used during the testing period. Testing was conducted on the TRACER routes from May through October. A draft report of the findings will be completed in mid to late January. The final report will be presented to the FTA by CALSTART.

Finally, the last phase of the security camera installation at the Transit Station is under way and expected to be completed by the end of January 2014. Funded by a Proposition IB grant, this project involves the installation of 20 security cameras and a fiber optic line from the Civic Center to the Transit Station to store camera data on servers located at City Hall.

### **FUTURE PROJECTS**

Within the next year, the City anticipates install a mobile data terminal (MDT) on the paratransit buses. This would enable drivers to receive real-time updates regarding passenger pick-ups and cancellations, and automate the recording of pick up and drop off data.

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<sup>1</sup> Increase in passengers due to abnormally high gas prices that year

<sup>2</sup> Drop in ridership due to a fare increase which took effect July 1, 2010

The City also plans on purchasing additional fixed route buses in preparation for future route expansion. These buses would be at least 30 feet in length and are considered heavy duty with a life span of 10 years. Emphasis would be put on finding a low-floor model to allow for easier access for ADA passengers. It will take approximately 18 months to receive the buses.

#### **TRANSIT FUNDING**

The Transit Fund is an enterprise fund with revenue sources coming from the FTA and TDA monies. Operating expenses are split evenly between FTA and TDA, while capital projects are split 80/20.

Additionally, when available, the City applies for additional grants for projects which are used to lower the amount of TDA funds needed for operating assistance and capital projects. Any TDA funds not used by transit can be used for streets and roads purposes.

#### **OPERATIONAL ISSUES**

At the recent unmet transit needs hearing on October 15, 2013, a number of operational issues were brought up by a concerned citizen who uses the TRACER. These items were addressed in a memo to council on November 5, 2013, which is Attachment A to this staff report.

#### **STRATEGIC PLAN**

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

#### **FISCAL IMPACT**

Acceptance of the Tracer Transit System report by Council will not result in a General Fund fiscal impact.

#### **RECOMMENDATION**

That City Council accept this report on the Tracer Transit System.

Prepared by: Ed Lovell, Management Analyst II

Reviewed by: David Ferguson, Director of Public Works  
Maria A. Hurtado, Assistant City Manager

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

#### **ATTACHMENTS**

Attachment: A – November 5, 2013, Memo to Council





City of Tracy  
333 Civic Center Plaza  
Tracy, CA 95376

## Memorandum

CITY MANAGER'S OFFICE

MAIN 209.831.6000  
FAX 209.831.6120  
www.ci.tracy.ca.us

Date: November 5, 2013  
To: Honorable Mayor Ives and Tracy City Council  
From: R. Leon Churchill, Jr., City Manager  
Subject: Response on Citizen Complaint Regarding TRACER Bus Service

At the October 15, 2013 Council meeting, a resident spoke to Council regarding various items that she felt needed to be addressed with the TRACER bus service. Council asked staff to provide a follow-up for the items addressed at that meeting.

Below is a list of the items brought up at the meeting and staff's response to those items.

- City staff warned resident not to call, being harassed, causing her stress
  - All staff has been reminded of the need to be courteous and professional with all customers.
- Bus stop by the DMV is located at the intersection, its illegal
  - There are plans to move this stop closer to the DMV building, but a no parking zone will need to be established in that area prior to moving the stop.
- Paint curbs where the bus stops are located, cars are blocking the stops
  - Establishing no parking zones must be done through Council action. Staff will bring back recommendations on which stops should be established as a no parking zone.
- Buses don't have the diamond E license plates on them
  - The "Diamond E" license plate is an older form of a California exempt license plate. These types of plates are no longer available from the DMV. Current California exempt license plates just say "exempt" on them. All City buses have California exempt license plates on them.
- Drivers driving too fast and slamming on the brakes
  - This issue will be addressed with drivers at their next safety meeting. In addition all buses are equipped with a DriveCam device which alerts MV Transportation any time there are sudden stops or if a turn is taken too fast.
- Winco bus stop, need cement at the stop

- This stop is a new stop that was added after Phase 2 of the bus stop improvement project. This stop, as well as others that were added after the Phase 2 improvements will be upgraded during the next project phase once funding is available.
- Boys and Girls Club stop, no sidewalk to Tracy Blvd. from the stop
  - A sidewalk exists from the bus stop at Dr. Powers Park to Tracy Blvd. From the bus stop, the sidewalk heads south toward the train, then east toward the tennis courts, and finally connecting to Tracy Blvd.
- Mistreatment of ADA passengers
  - City staff has spoken directly to the transit operator administration at MV Transportation. All drivers receive customer service training. In addition, all drivers receive approximately 4.5 hours of ADA sensitivity training. If any passenger feels that they are being mistreated, they can file a complaint which will be investigated and followed up on appropriately.
- Drivers say that wheelchair passengers are causing them to be late
  - City staff has spoken directly to the transit operator administration at MV Transportation. This will be addressed at the next driver safety meeting.
- Inconsistent application of rules (cell phones, open containers, etc.)
  - City staff has spoken directly to the transit operator administration at MV Transportation. A review of the bus rules will take place with all drivers at the next driver safety meeting.

If you have any additional questions, please let me know.

AGENDA ITEM 6

REQUEST

**CONSIDER AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TRACY AND THE TRACY AFRICAN AMERICAN ASSOCIATION TO INCLUDE THE WAIVER OF ADMINISTRATIVE APPLICATION PROCESSING AND BANNER HANGING FEES AND PROVIDE STAFF DIRECTION**

EXECUTIVE SUMMARY

The Tracy African American Association (TAAA) requests that the City Council consider an amendment to the existing Memorandum of Understanding (MOU) with the City of Tracy (Attachment A) to include the waiver of administrative processing and banner hanging fees for TAAA's annual Juneteenth event held at Lincoln Park.

DISCUSSION

The City of Tracy entered into a Memorandum of Understanding with the TAAA on July 26, 2006, to provide free use of Lincoln Park for their annual Juneteenth event. The MOU also includes free use of the City's mobile stage and filming services provided by Channel 26. In return, the TAAA has agreed to conduct fundraising activities to promote cultural and educational outreach services to the community, secure necessary volunteers, equipment, and insurance to conduct the Juneteenth event, and ensure that the park is cleaned and left in acceptable condition following the event.

On April 14, 2013, the TAAA submitted a letter to the former Director of Parks and Community Services (Attachment B) requesting an amendment to the MOU to include the following:

- Waiving the annual administrative processing fee to process permit applications. The fee amount is \$35.
- Waiving the banner hanging fee. The fee amount is \$200.

Historically, the City has not waived fees related to permit application and banner hanging fees specific to community MOUs. The City currently receives roughly \$11,000 annually in administrative application processing and banner hanging fees combined. Staff recommends that Council continue with its past practice and not waive the administrative processing fee or the banner hanging fee. However, should Council wish to waive the processing and banner hanging fees, it must determine that the waiver would provide a benefit to the community to avoid the California Constitution's ban on gifting public funds, and make a finding that waiving the fees will serve a valid municipal purpose.

STRATEGIC PLAN

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

FISCAL IMPACT

If Council chooses to waive the fees, there will be a fiscal impact to the general fund of \$235 annually.

RECOMMENDATION

That City Council consider TAAA's request to amend the Memorandum of Understanding (MOU) between the City of Tracy and the Tracy African American Association to include the waiver of administrative application processing and banner hanging fees and provide staff direction.

Prepared by: Vanessa Carrera, Management Analyst II

Reviewed by: Maria A. Hurtado, Assistant City Manager

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

ATTACHMENTS

Attachment A - MOU between the City of Tracy and the Tracy African American Association

Attachment B - TAAA letter to City of Tracy requesting amendment to MOU

ATTACHMENT A

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF TRACY AND  
TRACY AFRICAN AMERICAN ASSOCIATION

- I. **PARTIES:** This Memorandum of Understanding (hereinafter "MOU") is made by and between the City of Tracy (hereinafter "City"), a municipal corporation, and Tracy African American Association (hereinafter "TAAA"), a non-profit public benefit California Corporation.
- II. **RECITALS:** TAAA was formed in 1992. The organization is dedicated to provide support and educational opportunities for youth, to sponsor and promote educational, cultural and social activities that foster awareness, diversity and create a cooperative environment that unites the Tracy community.

The City Council recognizes TAAA as a partner with the City to expand and enhance awareness for the many contributions African-Americans have made to the community and its culture.

- III. **RESPONSIBILITIES:** It is agreed by and between the parties hereto that each party have the following responsibilities:

A. **City shall:**

1. Provide free use of Lincoln Park on one Saturday each June to permit TAAA to conduct their annual Juneteenth cultural celebration event.
2. Provide free use of the City's Mobile Stage on one Saturday each June to permit TAAA to conduct their annual Juneteenth cultural celebration event.
3. Provide filming of the Juneteenth event by TV 26 (as available) and provide a taped copy to the TAAA.

B. **TAAA shall:**

1. Provide and conduct adequate fundraising activities to obtain funds needed to insure on-going operations of TAAA and its ability to fulfill its mission.
2. Provide the necessary volunteers, equipment, and promotions to successfully conduct the annual "Juneteenth" cultural celebration event.
3. Adequately clean any City facilities to acceptable condition after permitted use and facilitate any repairs to damages caused by such use.
4. Carry insurance coverage and provide proof such insurance with endorsements evidencing the following:

ATTACHMENT A

Memorandum of Understanding  
City of Tracy / Tracy African American Association

- a. Policy shall name City of Tracy, its officers, agents and employees as "additional insured" in relation to the activities performed in/on City property.
- b. General liability insurance, including personal injury, in the amount of One Million Dollars (\$1,000,000.00) combined single limit per occurrence, including bodily injury, personal injury and property damage.

**C. The parties shall agree that:**

1. TAAA shall indemnify, defend, and hold harmless the City (including its elected officials, officers, agents, and employees) from and against any and all claims, demands, damages, liabilities, costs, and expenses (including court costs and attorney's fees) resulting from or arising out of the performance of this MOU by TAAA or TAAA's agents, representatives, contractors, subcontractors, or employees. City shall indemnify, defend, and hold harmless TAAA (including its elected officials, officers, agents, and employees) from and against any and all claims, demands, damages, liabilities, costs, and expenses (including court costs and attorney's fees) resulting from or arising out of the performance of this MOU by City's agents, representatives, contractors, subcontractors, or employees.
  2. This MOU shall be subject to any and all policies, regulations and ordinances of the City of Tracy and TAAA.
- IV. **TERMINATION:** Either party may terminate this MOU by providing prior written notice to the other party of intention to terminate not less than ninety (90) days prior to actual termination.
- V. **TERM:** This MOU shall take effect on July 1, 2006, for a term of two (2) years. This MOU will renew automatically, unless either of the parties provide written notice of non-renewal to the other party not less than ninety (90) days prior to expiration of each previously stated term.
- VI. **AMENDMENTS:** This MOU may be amended in writing and the amendment must be approved by the City Council and TAAA.
- VII. **DESIGNATED REPRESENTATIVES:** For the purposes of administering the MOU, the President of TAAA and the Parks and Community Services Director for the City of Tracy shall act as representatives for their respective organizations.

ATTACHMENT A

Memorandum of Understanding  
City of Tracy / Tracy African American Association

VIII. NOTICES:

CITY	Tracy African-American Association
City of Tracy Parks and Community Services Director 400 E. 10 <sup>th</sup> Street Tracy, CA 95376	Attn: Nathaniel Terry, President P.O. Box 62 Tracy, CA 95378

With a copy to:

City Attorney  
325 E. 10<sup>th</sup> Street  
Tracy, CA 95376

- IX. **ENTIRE AGREEMENT:** This MOU constitutes the entire agreement between the City and TAAA. Any amendment to this MOU, including oral modification, must be reduced to a writing and signed by both the City and TAAA.
- X. **SIGNATURES:** The individuals executing this MOU represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this MOU on behalf of the respective legal entities of TAAA and the City. This MOU shall inure to the benefit of and be binding upon the parties thereto and their respective successors and assigns

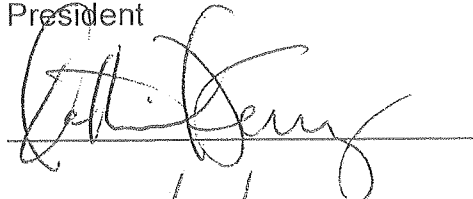
City of Tracy

Tracy African American Association

Dañ Bilbrey  
Mayor

Nathaniel Terry  
President


  
\_\_\_\_\_

  
\_\_\_\_\_

Date: 7/26/06


Date: 7/14/2006

ATTEST:

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

Date: 7-26-06

Approved as to Form:

  
\_\_\_\_\_  
Deputy City Attorney - 3 -  
7/17/06

ATTACHMENT B



Tracy African American Association  
P.O. Box 62  
Tracy, CA 95376

April 14, 2013

Rod Buchanan  
City of Tracy  
Parks and Community Services Department  
333 Civic Center Plaza  
Tracy, CA 95376

Dear Mr. Buchanan,

We, the Tracy African American Association request that our current Memorandum of Understanding (MOU attached) with the City of Tracy be amended to include/add:

- The waiving of Administrative Processing Fees for our Yearly Permit Applications submitted for our annual Juneteenth Event. This event is generally held the 2<sup>nd</sup> Saturday in June and it is open and free to all the residents of Tracy and beyond.
- The waiving of fee for the hanging of our banner advertising the Juneteenth Event at the 11<sup>th</sup> Street/Lammers Rd. intersection, to be hung according to the earliest timeframe allowed prior to the event and stay up until the first available day after the event.

We look forward to your favorable review and response. If you have any questions, please feel free to call me.

Sincerely,

Howard Baker  
Immediate Past President  
Juneteenth Entertainment Chair  
TAAA  
209-914-9764



AGENDA ITEM 7

REQUEST

**INTRODUCTION OF AN ORDINANCE AMENDING SECTION 3.08.580 OF THE TRACY MUNICIPAL CODE WHICH REGULATES THE ESTABLISHMENT OF SPECIAL SPEED ZONES**

EXECUTIVE SUMMARY

To assist the Police Department in enforcing posted traffic speed on streets using radar equipment, it is necessary to establish speed limits in accordance with the requirements of the California Vehicle Code (CVC). The CVC requires completion of engineering and traffic surveys to establish posted speeds on streets every five years. Staff has recently completed engineering and traffic surveys to update speed limits on various arterial and collector streets (37 segments) in accordance with the CVC and California Manual of Uniform Traffic Control Devices (MUTCD) and recommends introduction of an ordinance updating and amending special speed zones.

DISCUSSION

The use of radar equipment is one of the most effective tools to enforce speed limits and traffic safety on City streets. To assist the Police Department in fully using the equipment, it is necessary to establish speed limits in accordance with the requirements of the CVC. For the legal use of radar equipment for speed enforcement, engineering and traffic surveys are needed to establish posted speeds every five years. In addition, any major renovation to streets which changes the characteristics of the roadway, requires traffic surveys to re-establish speed limits for those segments.

Section 3.08.580, Article 12, of the Tracy Municipal Code (TMC) establishes speed zones on various streets in the City. The speed limit on streets is established on the basis of engineering and traffic surveys and the applicable traffic engineering standards. Speed limits in the vicinity of schools are posted in accordance with the requirements of the CVC and the California MUTCD. Because these surveys are good for a period of five years, the amendment to the TMC is necessary every five years to update these surveys resulting in an update of posted speeds.

An engineering and traffic survey was completed on a total of 37 segments of arterial and collector streets by the Engineering Division in October 2013. This survey is used to update the posted speeds and provide the basis for the proposed amendments of the TMC, thus resulting in continuation of special speed zones with updated speed limits on the street segments listed in Exhibit A and shown in Exhibit B.

This update to the TMC will establish radar enforceable speed limit zones for segments on arterial and collector streets which includes Central Avenue, Corral Hollow Road, Crossroads Drive, Cypress Drive, Eleventh Street, Fabian Road, Kavanagh Avenue, Lammers Road, Lauriana Lane, Linne Road, MacArthur Drive, Mount Diablo Avenue, Naglee Road, Old Schulte Road, Orchard Parkway, Schulte Road, Sycamore Parkway, Tennis Lane, Tracy Boulevard and Whispering Wind Drive

Speed limits are only recommended to be changed on two streets, Lammers Road and MacArthur Drive as listed in this agenda item.

Lammers Road was recently widened from a two lane to a six lane roadway segment between Eleventh Street and City Limits south of Jaguar Run. The new speed survey shows that existing speed limits on Lammers Road should be changed from 40 MPH to 45 MPH. Because this segment also fronts schools zones, speed limits of “25 MPH when children are present” shall also be applicable and will be posted within these school zones. However the existing established speeds will be raised by 5 MPH. On MacArthur Drive between Schulte Road and Valpico Road, the recent survey resulted in lowering the speed limit from 45 MPH to 40 MPH. Speed limits on all other remaining streets segments will remain unchanged.

The following table lists the proposed changes on the Lammers Road segment:

<b>Street</b>	<b>Segment</b>	<b>Previously Established</b>	<b>Newly Established</b>	<b>Change</b>
Lammers Road	Eleventh Street to City Limits south of Jaguar Run	40	45	5 MPH Up
MacArthur Drive	Schulte Road and Valpico Road	45	40	5 MPH Down

The recommendations are primarily based upon the 85<sup>th</sup> percentile speed of surveyed moving vehicles on those streets under normal conditions with consideration given to the existing road site conditions such as street alignment, classification, collision history, etc. These considerations allow further adjustment of the surveyed speed based on the above conditions in accordance with the provisions of the MUTCD. The recommended speed limits have already been adjusted for such considerations. Research indicates that posting speeds lower than the closest 85<sup>th</sup> percentile speed does not lower the speed of motorists unless the above constraints exist.

Pursuant to section 22404 of the CVC, Notice of this Amendment to update maximum speed on the Eleventh Street Bridge was posted for five days prior to this meeting.

The Police Department has reviewed the surveys and concurs with the proposed speed limits. A copy of the proposed Ordinance Amendment is provided as Exhibit C. Exhibit D provides an update of the table for TMC section 3.08.580.

A copy of all engineering and traffic surveys certified as correct by the City Engineer will be maintained in the Engineering Division files with a duplicate copy on file with the Police Department (Exhibit E).

## STRATEGIC PLAN

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

FISCAL IMPACT

The proposed amendment of the TMC would not fiscally impact the General Fund. While the recommended changes would require the installation of four speed signs on Lammers Road, there is adequate funding in the FY 13/14 operating budget to cover the related expenses.

RECOMMENDATION

That City Council introduce an ordinance amending Section 3.08.580, "Special Speed Zones," Article 12, of the Traffic Regulations of the Tracy Municipal Code.

Prepared by: Ripon Bhatia, Senior Civil Engineer

Reviewed by: Kuldeep Sharma, City Engineer  
Andrew Malik, Development Services Director  
Maria A. Hurtado, Assistant City Manager

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

ATTACHMENTS

- Exhibit – A Speed Survey List
- Exhibit – B Speed Survey Map
- Exhibit – C Revised Traffic Zone Ordinance
- Exhibit – D Speed Table Update
- Exhibit – E Engineering & Traffic Speed Survey Report 2013

**EXHIBIT "A"**

**ATTACHMENT A**

<b>SR. NO.</b>	<b>SEGMENT</b>	<b>FROM</b>	<b>TO</b>	<b>PREVIOUSLY ESTABLISHED SPEED LIMIT</b>	<b>85TH PERCENTILE SPEED</b>	<b>PROPOSED SPEED</b>
1	CENTRAL AVENUE	SYCAMORE PARKWAY	TRACY BLVD.	35	39.7	35
2	CORRAL HOLLOW ROAD	ELEVENTH STREET	SCHULTE ROAD	40	45.8	40
3	CORRAL HOLLOW ROAD	SCHULTE ROAD	PARKSIDE DRIVE	40	44.6	40
4	CROSSROADS DRIVE	GREYSTONE DRIVE	ELEVENTH STREET	35	38.2	35
5	CROSSROADS DRIVE	ELEVENTH STREET	GAINES LANE	30	33	30
6	CYPRESS DRIVE	HICKORY AVENUE	CORRAL HOLLOW ROAD	30	34.8	30
7	ELEVENTH STREET	WEST CITY LIMITS	LAMMERS ROAD	55	61	55
8	ELEVENTH STREET	LAMMERS ROAD	CORRAL HOLLOW ROAD	45	50.7	45
9	ELEVENTH STREET	CORRAL HOLLOW ROAD	LINCOLN BLVD.	35	40	35
10	ELEVENTH STREET	LINCOLN BLVD.	TRACY BLVD.	30	36.25	30
11	ELEVENTH STREET	EAST STREET	EAST CITY LIMITS	35	40.25	35
12	FABIAN ROAD	LAMMERS ROAD	MAIME ANDERSON LANE	35	40.6	35
13	KAVANAGH AVENUE	CORRAL HOLLOW ROAD	LINCOLN BLVD.	25	31.9	25
14	KAVANAGH AVENUE	LINCOLN BLVD.	TRACY BLVD.	25	31.9	25
15	LAMMERS ROAD	ELEVENTH STREET	SOUTH CITY LIMITS SOUTH OF JAGUAR RUN	40	52	45
16	LAURIANA LANE	SCHULTE ROAD	CYPRESS DRIVE	30	35	30

**EXHIBIT "A"**

<b>SR. NO.</b>	<b>SEGMENT</b>	<b>FROM</b>	<b>TO</b>	<b>PREVIOUSLY ESTABLISHED SPEED LIMIT</b>	<b>85TH PERCENTILE SPEED</b>	<b>PROPOSED SPEED</b>
17	LINNE ROAD	WEST CITY LIMITS	EAST CITY LIMITS	45	50	45
18	MAC ARTHUR DRIVE	NORTH CITY LIMITS	I-205	40	43	40
19	MAC ARTHUR DRIVE	I-205	GRANT LINE ROAD	40	44	40
20	MAC ARTHUR DRIVE	GRANTLINE ROAD	ELEVENTH STREET	40	43	40
21	MAC ARTHUR DRIVE	SCHULTE ROAD	VALPICO ROAD	45	44.2	40
22	MAC ARTHUR DRIVE	VALPICO ROAD	FAIROAKS DRIVE	40	46	40
23	MAC ARTHUR DRIVE	FAIROAKS DRIVE	SOUTH CITY LIMITS	35	38.2	35
24	MT DIABLO AVENUE	TRACY BLVD.	CENTRAL AVENUE	25	32	25
25	MT DIABLO AVENUE	CETNRA	MAC ARTHUR DRIVE	25	32.2	25
26	NAGLEE ROAD	NORTH CITY LIMITS	GRANT LINE ROAD	35	39	35
27	ORCHARD PARKWAY	GRANTLINE ROAD	LOWELL AVENUE	35	39	35
28	SCHULTE ROAD	CORRAL HOLLOW ROAD	TRACY BLVD.	40	43	40
29	SCHULTE ROAD	MABEL JOSEPHINE DRIVE	BARCELONA DRIVE	35	41	35
30	SCHULTE ROAD (Along rail	CORRAL HOLLOW ROAD	WEST CITY LIMITS	45	50	45
31	SYCAMORE PARKWAY	TRACY BLVD.	VALPICO ROAD	30	35.2	30
32	SYCAMORE PARKWAY	VALPICO ROAD	SCHUTLE ROAD	35	40.6	35

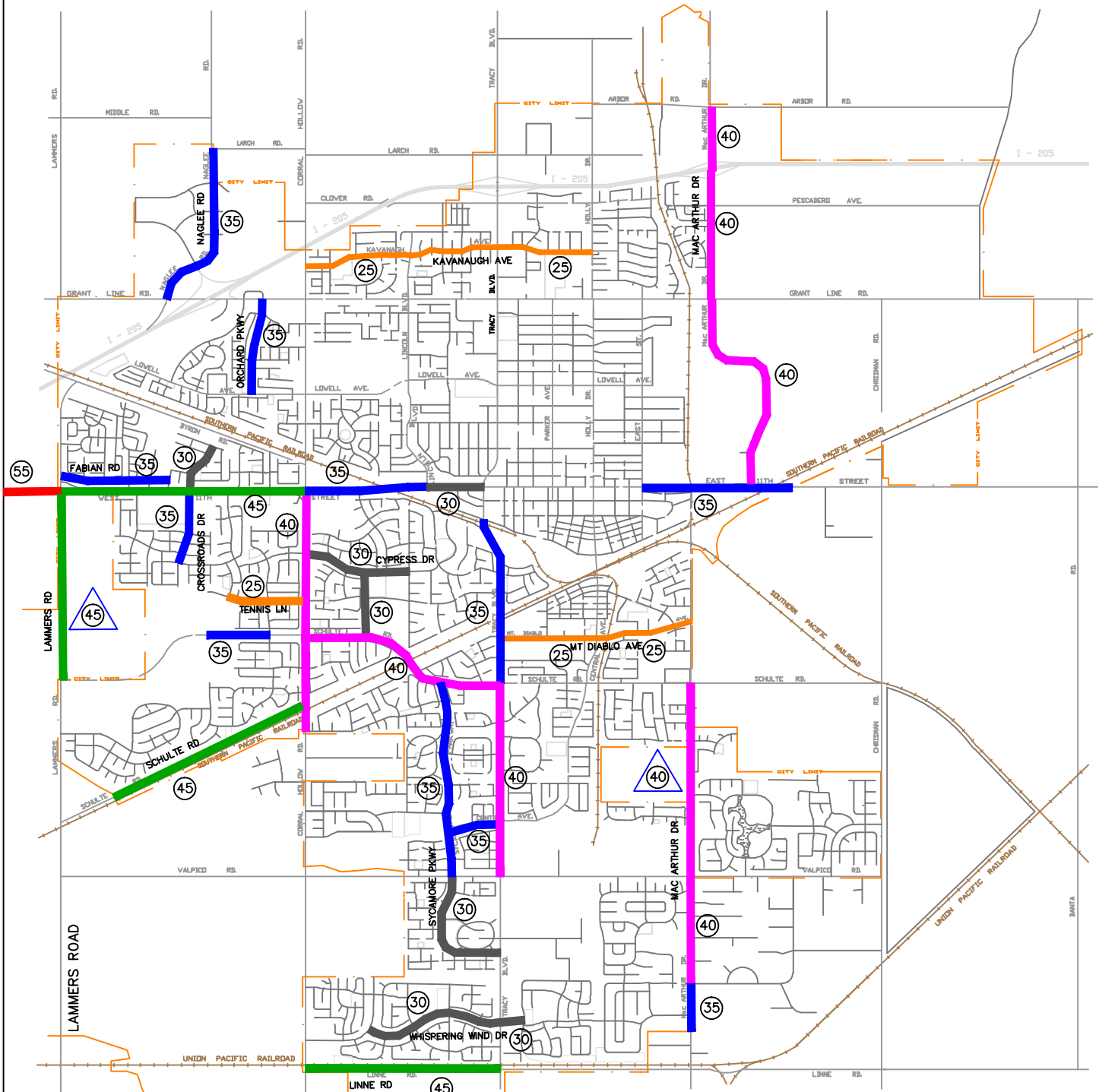
**EXHIBIT "A"**

<b>SR. NO.</b>	<b>SEGMENT</b>	<b>FROM</b>	<b>TO</b>	<b>PREVIOUSLY ESTABLISHED SPEED LIMIT</b>	<b>85TH PERCENTILE SPEED</b>	<b>PROPOSED SPEED</b>
33	TENNIS LANE	CORRAL HOLLOW ROAD	JILL DRIVE	25	32.4	25
34	TRACY BLVD.	SIXTH STREET	SCHUTLE ROAD	35	42	35
35	TRACY BLVD.	SCHULTE ROAD	VALPICO ROAD	40	46.2	40
36	WHISPERING WIND DRIVE	REGIS DRIVE	TRACY BLVD.	25	33.5	30
37	WHISPERING WIND DRIVE	TRACY BLVD.	MIDDLEFIELD DRIVE	30	34.25	30

The speed limits shall be effective when appropriate signs giving notice thereof are erected upon the street . The proposed speed limit shall not apply in respect to the twenty-five (25) mile per hour school zone prima facie speed limit when applicable.

# EXHIBIT B

OCTOBER 2013



### LEGEND

- 25 MPH —
- 30 MPH —
- 35 MPH —
- 40 MPH —
- 45 MPH —
- 55 MPH —
- SPEED LIMIT CHANGED

NOT TO SCALE



**SPEED ZONE SURVEY**  
2013

DESIGNED BY  
DM  
DRAWN BY  
DM  
CHECKED BY  
RB  
SCALE  
NTS

REVISIONS			
SYMBOL	DATE	DESCRIPTION	APPROVED

SHEET 1  
OF 1 SHEETS

**CITY OF TRACY**

APPROVED FOR CONSTRUCTION SUBJECT TO THE DATA SHOWN.  
CITY OF TRACY AND THE UNDERSIGNED ARE NOT RESPONSIBLE FOR  
ERRORS AND/OR OMISSION THAT MAY BE PRESENT ON THESE PLANS.

KULDEEP SHARMA CITY ENGINEER DATE

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TRACY, AMENDING SECTION 3.08.580, OF CHAPTER 3.08 (TRAFFIC REGULATIONS) OF TITLE 3 (PUBLIC SAFETY) OF THE TRACY MUNICIPAL CODE

WHEREAS, The use of radar equipment is one of the most effective tools for enforcing speed limits and traffic safety on City streets, and

WHEREAS, Subsection (c) of California Vehicle Code section 40803 provides that evidence of conducting a speed zone survey within the last five years to establish the prima facie speed for a local street or road shall constitute a prima facie case that such local street or road is not a speed trap for the purposes of radar enforcement, and

WHEREAS, City staff completed an Engineering & Traffic survey in October 2013, and

WHEREAS, The survey shows that the declared prima facie speed limits are still accurate for the majority of the City's streets and roads, and

WHEREAS, The survey shows that certain street portions require a change in the declared prima facie speed limits as set forth below, and

NOW THEREFORE, The City Council of the City of Tracy, does ordain as follows:

SECTION 1: Amended Section. Section 3.08.580 of Chapter 3.08 of Title 3 of the Tracy Municipal Code is hereby amended to change the previously established Declared Prima Facie Speed Limit (Miles per Hour) for the below described Portions of Streets:

Name of Street or Portion Affected	Declared Prima Facie Speed Limit (Miles per Hour)
- Lammers Road Eleventh Street to City Limits south of Jaguar Run	45
- MacArthur Drive Valpico Road to Schulte Road	40

SECTION 2: Remaining sections. Except as herein amended, the remaining sections of the Tracy Municipal Code, including the Declared Prima Facie Speed Limit (Miles per Hour) for the Portions of Streets not set forth above, shall remain in full force and effect.

SECTION 3: Title, chapter, and section headings. Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of any title, chapter, or section hereof.

SECTION 4: Constitutionality. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.



SECTION 5: Effective date. This Ordinance shall take effect thirty days after its final passage and adoption.

SECTION 7: Publication. This Ordinance shall be published once in the Tri Valley Times, a newspaper of general circulation, within fifteen days from and after its final passage and adoption.

\* \* \* \* \*

The foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Tracy City Council on the \_\_\_\_\_, and finally adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

**Attachment D**

**3.08.580 Special speed zone Table**

<b>Name of Street or Portion Affected</b>	<b>Declared Prima Facie Speed Limit (Miles per Hour)</b>
- Arbor Road	
West City limits to east City limits	40
- Balboa Drive	
Portola Way to Clover Road	25
- Barcelona Drive	
Cypress Drive to Schulte Road	25
- Beechnut Avenue	
Sequoia Boulevard to Tracy Boulevard	30
- Beverly Place	
Lincoln Boulevard to Tracy Boulevard	25
- Bricchetto Road	
Chrisman Road to east City limits	50
- Brookview Drive	
Regis Drive to Reids Way	30
Reids Way to Glenbrook Drive	25
- Buthmann Avenue	
Grant Line Road to Clover Road	25
- Byron Road	
Corral Hollow Road to Lammers Road	45
- Central Avenue	
Sycamore Parkway to Tracy Boulevard	35
Tracy Boulevard to Mount Diablo Avenue	30
Mount Diablo Avenue to Eleventh Street	25
- Chester Drive	
Eaton Avenue to Lowell Avenue	25
- Chrisman Road	
Eleventh Street to Bricchetto Road	35

Valpico Road to north City limits	45
- Clover Road	
West City limits to Holly Drive	25
- Corral Hollow Road	
North City limits to Grant Line Road	35
Grant Line Road to Eleventh Street	40
Eleventh Street to Parkside Drive	40
Parkside Drive to Valpico Road (City limits)	40
Valpico Road to Linne Road (City limits)	45
1100' south of Linne Road to I-580	50
I-580 to South City Limits	55
- Crossroads Avenue	
Greystone Drive to Eleventh Street	35
Eleventh Street to Gaines Lane	30
- Cypress Drive	
Hickory Avenue to Corral Hollow Road	25
Corral Hollow Road to Summer Lane	30
- Dominique Drive	
Eastlake Circle to Elissagary Drive	30
- Dove Drive/Way	
Sycamore Parkway to Starflower Drive	25
- East Lake Circle	
Crater Place to Lakeview Drive (East side)	25
Crater Place to Lakeview Drive (West side)	25
- East Street	
Sixth Street to Grant Line Road	25
- Eaton Avenue	
Richard Drive to East Street	25
- Eleventh Street	
West City limits to Lammers Road	55
Lammers Road to Corral Hollow Road	45
Corral Hollow Road to Lincoln Boulevard	35

Lincoln Boulevard to Tracy Boulevard	30
Tracy Boulevard to East Street	30
East Street to the east City limits	35
Chrisman Road to east City limits (isolated portion within City limits)	55
- Entrada Way	
Grant Line Road to Portola Way	25
- Fabian Road	
Lammers Road to Mamie Anderson Lane	35
- Fourth Street	
Tracy Boulevard to Central Avenue	35
- Glenbriar Drive	
Valpico Road to Glenbriar Circle	30
- Glenbrook Drive	
Brookview Drive to MacArthur Drive	25
- Grant Line Road	
West City limits to Corral Hollow Road	40
Corral Hollow Road to Tracy Boulevard	40
Tracy Boulevard to MacArthur Drive	40
MacArthur Drive to east City Limits	45
- Henley Parkway	
Lowell Avenue to Bridle Creek Drive	35
- Holly Drive	
Eleventh Street to Clover Road	25
Clover Road to the north City limits	35
- Jackson Avenue	
Crossroads Drive to Jefferson Parkway	25
- Jefferson Parkway	
Eleventh Street to Jackson Avenue	30
- Joe Pombo Parkway	
Bridle Creek Drive to Grant Line Road	35
- Kavanagh Avenue	
Corral Hollow Road to Tracy Boulevard	25

Tracy Boulevard to Balboa Drive	25
- Lammers Road	
Eleventh Street to Byron Road	40
Eleventh Street to City Limits south of Jaguar Run	45
Redbridge Drive to Schulte Road (City Limits)	45
- Larch Road	
Tracy Boulevard to Holly Drive	35
- Lauriana Lane	
Schulte Road to Cypress Avenue	30
- Lincoln Boulevard	
Eleventh Street to Grant Line Road	30
- Linne Road	
West City limits to east City limits	45
- Lowell Avenue	
Blanford Lane to Corral Hollow Road	30
Corral Hollow Road to Lincoln Boulevard	30
Lincoln Boulevard to Tracy Boulevard	30
Tracy Boulevard to East Street	25
- MacArthur Drive	
South City limits to Fair Oaks Drive	35
Fair Oaks Drive to Valpico Road	40
Valpico to Schulte Road	40
Schulte Road to SPRR Tracks	40
SPRR Tracks to Eleventh Street	30
Eleventh Street to I-205 Interchange	40
I-205 Interchange to north City limits	40
- Middlefield Drive	
Corral Hollow Road to Whispering Wind Drive	35
Whispering Wind Drive to Peony Drive	25
- Mt. Diablo Avenue	
Tracy Boulevard to Central Avenue	25
Central Avenue to MacArthur Drive	25

- Naglee Road	
Grant Line Road to north City limits	35
- Orchard Parkway	
Lowell Avenue to Grant Line Road	35
- Paradise Avenue	
Grant Line Road to north City limits	40
- Parker Avenue	
Eleventh Street to Grant Line Road	25
- Parkside Drive	
Winter Lane to Corral Hollow Road	25
- Pescadero Avenue	
MacArthur Drive to 2,500' east of MacArthur Drive	35
2,500' east of MacArthur Drive to east City limits	40
- Portola Way	
Holly Drive to Entrada Way	25
- Presidio Place	
Jackson Avenue to Compton Place	25
- Richard Drive	
Lincoln Boulevard to Eaton Avenue	25
- Schulte Road	
Corral Hollow Road to Tracy Boulevard	40
Tracy Boulevard to MacArthur Drive	35
Corral Hollow Road to west City limits (along RR tracks)	45
Corral Hollow Road to Mabel Josephine Drive	35
- Sequoia Boulevard	
Alden Glen Drive to Beechnut Street	25
- Sixth Street	
Tracy Boulevard to MacArthur Drive	30
- Starflower Drive	
Corral Hollow Road to Dove Drive/Way	25
- Summer Lane	
Eleventh Street to Brittany Place	25

- Sycamore Parkway	
Tracy Boulevard to Valpico Road	30
Valpico Road to Schulte Road	35
- Tennis Lane	
Corral Hollow Road to Jill Drive	25
Tracy Boulevard to Corral Hollow Road	25
- Tenth Street	
Tracy Boulevard to East Street	25
Civic Center Drive to Mac Arthur Drive	25
- Third Street	
Central Avenue to Mt. Diablo Avenue	25
- Tracy Boulevard	
South City limits to Linne Road	40
Linne Road to Valpico Road	40
Valpico to Schulte Road	40
Schulte Road to Sixth Street	35
Sixth Street to Lowell Avenue	35
Lowell Avenue to Grant Line Road	35
Grant Line Road to Larch Road	30
Larch Road to the north City limits	35
- Valpico Road	
West City limits to Tracy Boulevard	40
Tracy Boulevard to MacArthur Drive	40
MacArthur Drive to Fair Oaks Drive	40
Fair Oaks Drive to east City limits	45
- Whispering Wind Drive	
St. Regis Drive to Tracy Boulevard	30
Tracy Boulevard to Middlefield Drive	30

The declared prima facie or maximum speed limit shall be effective when appropriate signs giving notice thereof are erected upon the street and shall not thereafter be revised except on the basis of an engineering and traffic survey. The provisions of this section shall not apply in respect to the twenty-five (25) mile per hour prima facie speed limit which is applicable when passing a school building or the grounds thereof

City of Tracy

# Engineering & Traffic Survey Report October 2013



**Engineering Division  
Development Services Department**



## Index

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**October**  
**2013**  
**Engineering & Traffic Survey Report**

**I. INTRODUCTION**

This report presents the results of Traffic and Engineering Surveys conducted in the year 2013 by and for the City of Tracy. The surveys were conducted to establish safe and reasonable speed limits. The findings of this report will enable the City to justify radar enforcement of speed limits in these roadways, as indicated in Section 40802 of the California Vehicle Code. Segments of the following City streets were investigated:

- Central Avenue
- Corral Hollow Road
- Crossroads Drive
- Cypress Drive
- Eleventh Street
- Fabian Road
- Kavanagh Avenue
- Lammers Road
- Lauriana Lane
- Linne Road
- MacArthur Drive
- Mount Diablo Avenue
- Naglee Road
- Old Schulte Road
- Orchard Parkway
- Schulte Road
- Sycamore Parkway
- Tennis Ln
- Tracy Boulevard
- Whispering Wind Drive

## II. STUDY PROCEDURES

Section 22352, from the California Vehicle Code requires a 25 mph prima facie speed limit on streets in residential or business district, 15 mph at railroad grade crossings, highway intersections with sight restrictions and in any alley. However, upon the basis of an Engineering and Traffic survey, a local authority may declare speed limits of 30, 35, 40, 45, 50, 55, 60, or a maximum of 65 mph in order to facilitate the orderly movement of traffic. Section 22356 currently sets the maximum speed limit at 65 mph. Also, except as provided in Section 22356, Section 22349 (b) Notwithstanding any other provisions of law, no person may drive a vehicle upon a two lane, undivided highway at a speed greater than 55 miles per hour unless that highway, or portion thereof, has been posted for higher speed by local agency on the bases of an engineering and traffic survey. Prima facie speed limits can be posted without the need for engineering and traffic surveys. The required elements in such Engineering and Traffic Survey are outlined in Section 627 of the Code. This report adopts the aforementioned guidelines in formulating the recommendations in this report.

The principle elements in this study of the selected streets are highlighted below:

### **Radar Check**

Each street was divided into segments to account for its differing roadway characteristics. Variations in roadway segments include street width, and other significant geometric factors and constraints. One speed check was made in each section from an inconspicuously parked, unmarked vehicle. Every effort was made to insure that the presence of the vehicle does not affect the driving behavior of other motorists. A minimum of 100 samples was obtained for each section of major Roadway. All field data were coded onto forms for subsequent computer analysis.

### **Data Analysis**

For each survey section, computer analysis and calculations were performed on the field data to obtain several key parameters. The computer analysis printouts are included in the appendix of this report. A list of these parameters and a brief discussion of each follow:

**50<sup>th</sup> Percentile Speed.** The 50<sup>th</sup> percentile speed is the speed above and below which 50 percent of the sample speeds lie. This is also known as the median or middle speed.

**85<sup>th</sup> Percentile Speed.** The 85<sup>th</sup> percentile speed, or the critical speed, is the speed at or below which 85 percent of the observed vehicles are

traveling. Traffic engineers generally consider that at least 85 percent of all motorists will drive at speeds that are reasonable and prudent for the prevailing conditions, without the benefit of posted speed limits, signs, or enforcement. Therefore, the 85<sup>th</sup> percentile speed is a good preliminary indicator of the appropriate speed limit that can be imposed, after taking into consideration all other secondary factors such as historical collision occurrence, traffic volumes, road features, and other special constraints.

**Pace Speed.** The pace speed is the ten-mile-per-hour increment that contains the greatest number of observed vehicles. In general, the 85<sup>th</sup> percentile speed and the recommended speed limit should lie within the upper range of the pace. This parameter is also a good indicator of a reasonable and appropriate speed limit.

**Range of Speeds.** The range of speeds is simply the speeds of the fastest and slowest vehicles observed. A large range of speeds, say in excess of 30 mph, indicates unfavorable road conditions that lead to inconsistent traffic stream and great likelihood of traffic collisions.

**Average speed.** The average speed is a simple arithmetic mean of all speeds observed in a single sample.

## **Collision Review**

At this point, a good initial estimate of the appropriate speed limit for each of the street sections has been determined. However, as a first check, it is necessary to validate these estimates by carefully reviewing the historical collision occurrences within the last two years. The location and severity of collision occurrences, of well as their frequency are considered before a final speed limit is recommended for each road section. The intersection related collisions were not included for speed zone study.

## **Field Check**

After performing the radar checks, data analyses, and collision review, a final field check was made. In performing a field check, the driver needs to be fully aware of the aforementioned parameters and particularly cognizant of the 85<sup>th</sup> percentile speeds and the pace speed. The driver evaluates the appropriateness of these values and notes the significance of other factors such as roadside development, driveways, parked vehicles, emergency shoulder areas, schools and playgrounds, pedestrians, roadway alignment, control, and numerous other intangible factors. These elements are given serious consideration in the determination of a reasonable and safe speed limit.

Reasonable limits are speeds at which motorists would drive without the affects of enforcement of signs. However, it is known that motorists tend to drive faster in residential districts away from their homes that the local residents would prefer.

People are more concerned about traffic speeds in their neighborhood than those elsewhere. This is not a tendency to willfully break the law, but rather a reflection of human behavior. Consequently, unlike multi-lane arterial roadways, where the 85<sup>th</sup> percentile speed closely approximates the posted speed limit, the 85<sup>th</sup> percentile speed on local residential streets may be much higher than the legal limit. In fact, it is not uncommon that the majority of the motorists, ever as high as 80 to 90 percent of those observed, travels in excess of the 25 mph prima facie residential speed limit. This fact does not imply that the 25 mph limit is inappropriate; it simply implies that the majority of the motorists are driving imprudently.

Frequent changes of the speed limit over a stretch of roadway need to be avoided in establishing speed limits. Varying the limits over a relatively short length of roadway may also be inappropriate. Speed limits that change every few blocks may accurately reflect prevailing driving conditions on the street, but they do not give the motorist the opportunity to become aware of the lawful limit.

For the reasons mentioned above, the recommendations in this report are made to produce consistency in the speed limits, and are not intended to encourage unsafe speeds.

### **III. TRAFFIC AND ENGINEERING STUDIES**

The following sections present the findings of the Engineering and Traffic surveys. Each of the roadway segments into which a street is divided is discussed separately, and recommendation on the speed limit is provided at the end of each sub-section. The 85<sup>th</sup> percentile speed and the recommended speed limits for the surveyed roadways are included.

#### IV. Engineering & Traffic Survey Recommendations

- Central Avenue

Tracy Blvd. to Sycamore Parkway

This segment of the Central Avenue is a two-lane major residential collector street. The segment is approximately 0.27 mile in length and 56' feet in width. There is a median island. There is a Class II bike lane. There is school frontage near the West end of the intersection. On street parking is not permitted. The previously established speed limit in this section is 35 mph.

There were no reported collisions on this roadway from January 2010 to December 2012.

10 mph pace speed	32 mph. - 41 mph.
85 <sup>th</sup> percentile speed	39.7 mph.
50 <sup>th</sup> percentile speed	35.4 mph.

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is a bike lane, intermediate intersections and school frontage in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph.

The recommended speed limit for this section therefore is 35 mph.

- **Corral Hollow Road**

Parkside Drive to Schulte Road

This segment of the Corral Hollow Road is a four lane major arterial. The segment is approximately 0.48 mile in length and 104' to 118' feet in width. There is a median island. There is a Class II bike lane. On street parking is not permitted. The posted speed limit is 40 mph.

There were nineteen reported collisions on this roadway from January 2010 to December 2012. Five of the collisions were speed related.

10 mph pace speed	37 mph - 46 mph.
85 <sup>th</sup> percentile speed	44.6 mph.
50 <sup>th</sup> percentile speed	40.8 mph

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. There is a bike lane and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 40 mph.

The recommended speed limit for this section therefore is 40 mph.

Schulte Road to Eleventh Street

This segment of the Corral Hollow Road is a four lane major arterial. The segment is approximately 0.74 mile in length and 120' feet in width. There is a median island. There is a Class II bike lane. On street parking is not permitted. The posted speed limit is 40 mph.

There were twenty-seven reported collisions on this roadway from January 2010 to December 2012. Six of the collisions were speed related.

10 mph pace speed	38 mph – 47 mph.
85 <sup>th</sup> percentile speed	45.8 mph.
50 <sup>th</sup> percentile speed	41.6 mph

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. There is a bike lane and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 40 mph

The recommended speed limit for this section therefore is 40 mph.

## **Crossroads Drive**

### **Eleventh Street to Gaines Lane**

This segment of the Crossroads Drive is a two lane residential collector street. The segment is approximately 0.31 mile in length and 40 to 55 feet in width. There is a Class II bike lane. There is a City Park and Residential homes which fronts Crossroads Drive. There is a future school planned on this segment frontage. On street parking is permitted. The posted speed limit is 30 mph.

There were two reported collisions on this roadway from January 2010 to December 2012. Both of the collisions were speed related.

10 mph pace speed	24 mph - 33 mph.
85 <sup>th</sup> percentile speed	33 mph.
50 <sup>th</sup> percentile speed	29.1 mph

The 85<sup>th</sup> percentile speed indicates a 35 mph speed limit. There is a bike lane, residential driveways, intermediate intersections and city park in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 30 mph

The recommended speed limit for this section therefore is 30 mph.

### **Eleventh Street to Greystone Drive**

This segment of the Crossroads Drive is a four lane arterial street. The segment is approximately 0.31 mile in length and width varies from 78 feet to 90 feet. There is a Class II bike lane. There is Tracy Sports Complex and residential subdivisions along Crossroads Drive. The posted speed limit is 35 mph.

There were four reported collisions on this roadway from January 2010 to December 2012. One of the collisions was speed related.

10 mph pace speed	29 mph - 38 mph.
85 <sup>th</sup> percentile speed	38.2 mph.
50 <sup>th</sup> percentile speed	33.7 mph

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is a bike lane, intermediate intersections and city park in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit for this section therefore is 35 mph.



- **Cypress Drive**

Corral Hollow Road to Hickory Ave.

This segment of the Cypress Drive is a major residential collector street. The segment is approximately .57 miles in length and 42 feet in width. On street parking is permitted in portion of this segment. There is school frontage in this segment. The posted speed limit is 30 mph.

There were five reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	27 mph - 36 mph.
85 <sup>th</sup> percentile speed	34.8 mph.
50 <sup>th</sup> percentile speed	30.8 mph

The 85<sup>th</sup> percentile speed indicates a 35 mph speed limit. There is school frontage, city park, and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 30 mph

The recommended speed limit for this section therefore is 30 mph.

- **Eleventh Street**

West City limits to Lammers Road

This segment of the Eleventh Street is a newly annexed four lane major arterial street. This segment is also a freeway entrance and exit. The segment is approximately .63 miles in length. There is no parking, no bike lane. The posted speed limit is 55 mph.

There were fifteen reported collisions on this roadway from January 2010 to December 2012. Four of the collisions were speed related.

10 mph pace speed	52 mph – 61 mph.
85 <sup>th</sup> percentile speed	61 mph.
50 <sup>th</sup> percentile speed	56 mph

The 85<sup>th</sup> percentile speed indicates a 60 mph speed limit. This section of Eleventh Street connects the freeway off ramp with exit speed limits of 55 mph to another segment with proposed speed limits of 45 mph. To provide adequate transitions within these connected segments the downgrading of 85<sup>th</sup> percentile speed by 5 mph is necessary. Therefore it is recommended that the posted speed limit remain at 55 mph

The recommended speed limit for this section is 55 mph.

Lammers Road to Corral Hollow Road

This segment of the Eleventh Street is a four lane major arterial street and is a major entrance to the City. The segment is approximately 1.29 miles in length and 130 – 147 feet in width. There is a median island. There is a Class III bike lane. There is no parking permitted. The posted speed limit is 45 mph.

There were twenty-eight reported collisions on this roadway from January 2010 to December 2012. Twelve of the collisions were speed related.

10 mph pace speed	42 mph - 51 mph.
85 <sup>th</sup> percentile speed	50.7 mph.
50 <sup>th</sup> percentile speed	46.8 mph

The 85<sup>th</sup> percentile speed indicates a 50 mph speed limit. There is a Class I Bike Path, park frontage, and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 45 mph.

The recommended speed limit for this section therefore is 45 mph.

Corral Hollow Road to Lincoln Blvd.

This segment of the Eleventh Street is a four lane major arterial street. The segment is approximately .63 miles in length. The width from Corral Hollow Rd. to Alden Glen is 97 feet from Alden Glen to Lincoln 60 feet. There is a median island. There is a Class II bike lane. The posted speed limit is 35 mph.

There were thirty-seven reported collisions on this roadway from January 2010 to December 2012. Twelve of the collisions were speed related.

10 mph pace speed	31 mph – 40 mph.
85 <sup>th</sup> percentile speed	40 mph.
50 <sup>th</sup> percentile speed	35.7 mph

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is Class II or III Bike lane, fire station and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit for this section therefore is 35 mph.

Lincoln Blvd. to Tracy Blvd.

This segment of the Eleventh Street is a four lane major arterial street. The segment is approximately .29 miles in length and 60 feet in width. There is no bike lane and no parking. The posted speed limit is 30 mph

There were twenty-seven reported collisions on this roadway from January 2010 to December 2012. Five of the collisions were speed related.

10 mph pace speed	27 mph – 36 mph.
85 <sup>th</sup> percentile speed	36.25 mph.
50 <sup>th</sup> percentile speed	32 mph

The 85<sup>th</sup> percentile speed indicates a 35 mph speed limit. There are intermediate intersection and commercial driveways in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 30 mph

The recommended speed limit for this section therefore is 30 mph.

East Street to East City limits

This segment of the Eleventh Street is a four lane major arterial street. The segment is approximately .95 miles in length and in 60 feet width. There is no bike lane and no parking. There is school frontage on the North side of this segment. The posted speed limit is 35 mph

There were twenty-three reported collisions on this roadway from January 2010 to December 2012. Eight of the collisions were speed related.

10 mph pace speed	31 mph – 40 mph.
85 <sup>th</sup> percentile speed	40.25 mph.
50 <sup>th</sup> percentile speed	34.5 mph

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is school frontage, commercial driveways, residential driveways and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit for this section therefore is 35 mph.

- **Fabian Road**

*Lammers Road to Mamie Anderson Lane*

This segment of the Fabian Road is a two-lane residential collector street. The segment is approximately 0.61 mile in length and 18 feet in width. On street parking is not permitted. There is some residential frontage. The posted speed limit is 35 mph

There were two reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	31 mph - 40 mph.
85 <sup>th</sup> percentile speed	40.6 mph.
50 <sup>th</sup> percentile speed	35.8 mph

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is residential frontage and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit for this section therefore is 35 mph.

- **Kavanagh Avenue**

Corral Hollow Road to Lincoln Blvd.

This segment of Kavanagh Avenue is a two-lane residential collector. The segment is approximately .57 miles in length and 40 feet in width. There is a Class III or Class II bike lane in this segment. Street segment has and driveway openings in this section. There is school and park frontage on the Southside in this segment. On street parking is permitted. The posted speed limit is 25 mph.

There were five reported collisions on this roadway from January 2010 to December 2012. One of the collisions was speed related.

10 mph pace speed	24 mph - 33 mph.
85 <sup>th</sup> percentile speed	31.9 mph.
50 <sup>th</sup> percentile speed	28.1 mph

The 85<sup>th</sup> percentile speed indicates a 30 mph speed limit. There is a school frontage, bike lane and residential frontage in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 25 mph

The recommended speed limit for this section therefore is 25 mph.

Lincoln Blvd. to Tracy Blvd.

This segment of Kavanagh Avenue is a two-lane residential collector. The segment is approximately .45 mile in length and 40 feet in width. There is a Class III bike lane and driveway openings in this section. On street parking is permitted. The posted speed limit is 25 mph.

There were eight reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	23 mph - 32 mph.
85 <sup>th</sup> percentile speed	31.9 mph.
50 <sup>th</sup> percentile speed	28.3 mph

The 85<sup>th</sup> percentile speed indicates a 30 mph speed limit. There is a class III bike route and residential frontage in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 25 mph

The recommended speed limit for this section therefore is 25 mph.

- **Lammers Road**

*Eleventh St to South of Jaguar Run*

This segment of Lammers Road is recently widened from a two lane rural roadway to six lane major arterial facility within the City. The street narrows to a two lane facility in the un-incorporated San Joaquin County. The segment is approximately .38 mile in length and 144feet at its widest point. On street parking is not permitted. The previously established speed limit is 40 mph

There were eight reported collisions on this roadway from January 2010 to December 2012. Five of the collisions were speed related.

10 mph pace speed	42 mph - 51 mph.
85 <sup>th</sup> percentile speed	52 mph.
50 <sup>th</sup> percentile speed	46 mph

The 85<sup>th</sup> percentile speed indicates a 50 mph speed limit. There is school frontage, bike path and lane transitions in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit be reduced to 45 mph

The recommended speed limit for this section therefore is 45 mph.

- **Lauriana Lane**

Schulte to Cypress

This segment of Lauriana Lane is a two-lane major residential collector street. The segment is approximately 0.35 mile in length and 46' feet in width. There is a median island. There is a Class II bike lane. There is school frontage on the east side. On street parking is not permitted. The previously established speed limit in this section is 30 mph.

There were no reported collisions on this roadway from January 2010 to December 2012.

10 mph pace speed	26 mph. - 35 mph.
85 <sup>th</sup> percentile speed	35 mph.
50 <sup>th</sup> percentile speed	31.5 mph.

The 85<sup>th</sup> percentile speed indicates a 35 mph speed limit. There is a bike lane and school route in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 30 mph

The recommended speed limit for this section therefore is 30 mph.

- **Linne Road**

West City limits to East City limits

This segment of the Linne Road is a two lane arterial. The segment is approximately 1.75 miles in length and 24 feet in width. On street parking is not permitted. The posted speed limit is 45 mph.

There were five reported collisions on this roadway from January 2010 to December 2012. Two of the collisions were speed related.

10 mph pace speed	41 mph - 50 mph.
85 <sup>th</sup> percentile speed	50 mph.
50 <sup>th</sup> percentile speed	44.9 mph

The 85<sup>th</sup> percentile speed indicates a 50 mph speed limit. There are commercial driveways, truck route and no shoulder present in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 45 mph

The recommended speed limit for this section therefore is 45 mph.



- **MacArthur Drive**

North City limits to I-205

This segment of the MacArthur Drive is a two lane rural road. The segment is approximately .34 miles in length and 30' feet in width. On street parking is not permitted. The posted speed limit is 40 mph.

There were two reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	35 mph - 44 mph.
85 <sup>th</sup> percentile speed	43 mph.
50 <sup>th</sup> percentile speed	38.4 mph

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. The posted speed limit contiguous to this segment in the un-incorporated San Joaquin County north of this segment is 40mph. The posted speed limit contiguous to this segment to the south of this segment is 40mph. Therefore to provide consistency it is recommended that the posted speed limit remain at 40 mph

The recommended speed limit for this section therefore is 40 mph.

I-205 to Grant Line Road

This segment of the MacArthur Drive is a four lane major arterial. The segment is approximately .68 miles in length and 94 feet in width. On street parking is not permitted. There is a Class II bike lane. There are Commercial Driveways on the Eastside of the street. The posted speed limit is 40 mph.

There were eight reported collisions on this roadway from January 2010 to December 2012. Two of the collisions were speed related.

10 mph pace speed	35 mph - 44 mph.
85 <sup>th</sup> percentile speed	44 mph.
50 <sup>th</sup> percentile speed	39 mph

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. There is a bike lane, truck route, lane transitions, and industrial driveways in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 40 mph

The recommended speed limit for this section therefore is 40 mph.

Grant Line Road to Eleventh St.

This segment of the Macarthur Drive is a four lane major arterial. The segment is approximately 1.49 miles in length and 80 feet in width. There is a Class I Bike path and Class II bike lane present in this segment. On street parking is not permitted. The posted speed limit is 40 mph.

There were sixteen reported collisions on this roadway from January 2010 to December 2012. One of the collisions was speed related.

10 mph pace speed	33 mph - 42 mph.
85 <sup>th</sup> percentile speed	43 mph.
50 <sup>th</sup> percentile speed	37.25 mph

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. There is a bike lane, road curve, truck route, and industrial driveway in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 40 mph

The recommended speed limit for this section therefore is 40 mph.

Schulte Road & Valpico Road

This segment of the MacArthur Drive is a two lane major arterial. The segment is approximately 1.0 mile in length and 116' South of Yosemite drive to 381' feet North of East lake Drive the roadway is 24 feet. The remaining roadway is 80'. On street parking is not permitted. The posted speed limit is 45 mph

There were thirteen reported collisions on this roadway from January 2010 to December 2012. Four of the collisions were speed related.

10 mph pace speed	36 mph - 45 mph.
85 <sup>th</sup> percentile speed	44.2 mph.
50 <sup>th</sup> percentile speed	40.4 mph

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. There is bike lane, intermediate intersections, and low or no shoulder in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit be lowered 40 mph.

The recommended speed limit for this section therefore is 45 mph.

Valpico Road to Fair Oaks Drive

This segment of the MacArthur Drive is a two-lane arterial street. The segment is approximately .57 miles in length. The segment width varies from 44 feet to 24 feet. There are residential driveway openings in this section on both sides. On street parking is not permitted. The posted speed limit is 40 mph.

There were seven reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	36 mph - 45 mph.
85 <sup>th</sup> percentile speed	46 mph.
50 <sup>th</sup> percentile speed	41 mph

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. There is residential frontage, bike lane, and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 40 mph

The recommended speed limit for this section therefore is 40 mph.

Fair Oaks to South City limits

This segment of the MacArthur Drive is a two-lane arterial street. The segment is approximately .44 miles in length. The segment width varies from 44 feet to 24 feet.. There are residential driveway openings in this section on both sides. On street parking is not permitted. The posted speed limit is 35 mph

There were no reported collisions on this roadway from January 2010 to December 2012.

10 mph pace speed	29 mph - 38 mph.
85 <sup>th</sup> percentile speed	38.2 mph.
50 <sup>th</sup> percentile speed	33.7 mph

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is residential frontage and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit for this section therefore is 35 mph.

- **Mount Diablo Avenue**

- Tracy Blvd to Central Avenue

This segment of the Mt. Diablo Drive is a two-lane residential collector street. The segment is approximately .50 miles in length. The segment width varies from 44 feet to 56 feet. There are residential driveway openings in this section on both sides. There is school frontage on the south side of this segment. On street parking is permitted. The posted speed limit is 25 mph

There were two reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	23 mph - 32 mph.
85 <sup>th</sup> percentile speed	32 mph.
50 <sup>th</sup> percentile speed	27.6 mph

The 85<sup>th</sup> percentile speed indicates a 30 mph speed limit. There is school frontage, residential frontage and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 25 mph

The recommended speed limit for this section therefore is 25 mph.

- Central Avenue to Macarthur Drive

This segment of the Mt. Diablo Drive is a two-lane residential collector street. The segment is approximately .50 miles in length. The width varies from 44 feet to 56 feet in this segment. There are residential driveway openings in this section on both sides. On street parking is permitted. The posted speed limit is 25 mph

There were three reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	23 mph - 32 mph.
85 <sup>th</sup> percentile speed	32.2 mph.
50 <sup>th</sup> percentile speed	28.1 mph

The 85<sup>th</sup> percentile speed indicates a 30 mph speed limit. There is school frontage, residential frontage and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 25 mph

The recommended speed limit for this section therefore is 25 mph.

- **Naglee Road**

Grant Line Road to North City limits

This segment of the Naglee Road is a 4 lane minor arterial street. The segment is approximately 0.75 mile in length and 102 feet in width with a raised median island. There is a class I Bike lane. On street parking is prohibited. The posted speed limit is 35 mph.

There were twenty-three reported collisions on this roadway from January 2010 to December 2012. Four of the collisions were speed related.

10 mph pace speed	30 mph - 39 mph.
85 <sup>th</sup> percentile speed	39 mph.
50 <sup>th</sup> percentile speed	34.6 mph

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is a bike path, lane transitions, commercial driveways and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit for this section therefore is 35 mph.

- **Orchard Parkway**

Grant Line Road to Lowell Avenue

This segment of the Orchard Parkway is a two lane residential collector. The segment is approximately .50 mile in length and 56 feet in width. On street parking is prohibited. The posted speed limit is 35 mph.

There were three reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	31 mph - 40 mph.
85 <sup>th</sup> percentile speed	39 mph.
50 <sup>th</sup> percentile speed	34.3 mph

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is a bike lane, road curve and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit for this section therefore is 35 mph.

- **Schulte Road (Along RR tracks)**

West City limits to Corral Hollow Road

This segment of the Schulte Road along railroad tracks is a two-lane rural collector road. The segment is approximately 1.77 mile in length and 20 feet in width. There is no bike lane, and the road parallels the railroad track. On street parking is not permitted. The posted speed limit is 45 mph.

There were no reported collisions on this roadway from January 2010 to December 2012.

10 mph pace speed	42 mph - 51 mph.
85 <sup>th</sup> percentile speed	50 mph.
50 <sup>th</sup> percentile speed	46.1 mph

The 85<sup>th</sup> percentile speed indicates a 50 mph speed limit. There are residential driveways and no shoulder present in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 45 mph

The recommended speed limit for this section therefore is 45 mph.

Corral Hollow Road to Tracy Blvd.

This segment of Schulte Road is a four-lane arterial. The segment is approx. 1.44 mile in length and 83' feet in width. There are residential developments in this section. On street parking is not permitted and there is a class II bike lane in this segment. The posted speed limit is 40 mph.

There were twenty-nine reported collisions on this roadway from January 2010 to December 2012. Eight of the collisions were speed related.

10 mph pace speed	35 mph. - 44 mph.
85 <sup>th</sup> percentile speed	43 mph.
50 <sup>th</sup> percentile speed	39.2 mph.

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. There is a bike lane, road curve, intermediate intersections and school route in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 40 mph

The recommended speed limit therefore is 40 mph.

Barcelona Drive to Mabel Josephine Drive

This segment of Schulte Road is a four lane arterial. The segment is approx. 0.50 mile in length and 56' feet in width with a median island. There are residential developments in this section. On street parking is not permitted and there is a class II bike lane in this segment. The posted speed limit is 35 mph.

There were three reported collisions on this roadway from January 2010 to December 2012. One of the collisions was speed related.

10 mph pace speed	33 mph. - 42 mph.
85 <sup>th</sup> percentile speed	41 mph.
50 <sup>th</sup> percentile speed	36.7 mph.

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is a bike lane and road termination which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit therefore is 35 mph.



- **Sycamore Parkway**

Schulte Road to Valpico Road

This segment of Sycamore Parkway is a two lane Minor arterial. The segment is approx. 1.04 mile in length and 64 feet wide. On street parking is not permitted. There is Class I Bike lane There is school frontage on the West side. The posted speed limit is 35 mph.

There were ten reported collisions on this roadway from January 2010 to December 2012. Two of the collisions were speed related.

10 mph pace speed	32 mph. - 41 mph.
85 <sup>th</sup> percentile speed	40.6 mph.
50 <sup>th</sup> percentile speed	36.3 mph.

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is a bike path, road curves, school frontage and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit for this section is 35 mph

Valpico Road to Tracy Blvd.

This segment of Sycamore Parkway is four-lane Minor arterial in the major portion of the segment. The segment than narrow downs to two-lane major collector before Tracy Blvd. The segment is approx. .69 mile in length and 64' feet wide. On street parking is not permitted. There is a city park and school on the east side of this segment. The posted speed limit is 30 mph.

There were five reported collisions on this roadway from January 2010 to December 2012. One of the collisions was speed related.

10 mph pace speed	27 mph. - 36 mph.
85 <sup>th</sup> percentile speed	35.2 mph.
50 <sup>th</sup> percentile speed	31.4 mph.

The 85<sup>th</sup> percentile speed indicates a 35 mph speed limit. There is a bike path, road curves, school frontage and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 30 mph

The recommended speed limit for this section is 30 mph

- **Tennis Lane**

Corral Hollow Road to Jill Drive

This segment of Tennis Lane is a two-lane residential collector street. The segment is approximately .50 miles in length. The width varies from 44 feet to 56 feet in this segment. There are residential driveway openings in this section on both sides. On street parking is permitted. The posted speed limit is 25 mph.

There were no reported collisions on this roadway from January 2010 to December 2012.

10 mph pace speed	24 mph - 33 mph.
85 <sup>th</sup> percentile speed	32.4 mph.
50 <sup>th</sup> percentile speed	28.4 mph

The 85<sup>th</sup> percentile speed indicates a 30 mph speed limit. There is residential frontage and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 25 mph

The recommended speed limit for this section therefore is 25 mph.

- **Tracy Boulevard**

Sixth Street to Schulte Road

This segment of Tracy Boulevard is a four lane arterial. The segment is approx. .85 mile in length and 82 feet in width. There are residential subdivisions, on street parking is not permitted. There is a class II bike lane. The posted limit is 35 mph.

There were thirty-eight reported collisions on this roadway from January 2010 to December 2012. Eight of the collisions were speed related.

10 mph pace speed	34 mph – 43 mph.
85 <sup>th</sup> percentile speed	42 mph.
50 <sup>th</sup> percentile speed	37.6 mph

The 85<sup>th</sup> percentile speed indicates a 40 mph speed limit. There is a bike lane, road curve and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 35 mph

The recommended speed limit therefore is 35 mph.

Schulte Road & Valpico Road

This segment of Tracy Boulevard is a four lane arterial. The segment is approx. 1.01 mile in length and 82 feet in width. There are commercial developments developed on the West side. There are residential subdivisions on both sides. On street parking is not permitted. There is a class II bike lane. The posted limit is 40 mph.

There were seventeen reported collisions on this roadway from January 2010 to December 2012. Two of the collisions were speed related.

10 mph pace speed	37 mph - 46 mph.
85 <sup>th</sup> percentile speed	46.2 mph.
50 <sup>th</sup> percentile speed	41.8 mph

The 85<sup>th</sup> percentile speed indicates a 45 mph speed limit. There is a bike lane and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 40 mph

The recommended speed limit therefore is 40 mph.

- **Whispering Wind Drive**

Tracy Blvd. to Middlefield Drive

This segment of the Whispering Wind Drive is a residential collector. The segment is approx. 0.68 mile in length and 52 feet in width. There is a residential neighborhood on both sides and a future school on the north side of the segment. On street parking is permitted in this segment. The posted speed limit is 30 mph

There were four reported collisions on this roadway from January 2010 to December 2012. None of the collisions were speed related.

10 mph pace speed	26 mph. - 35 mph.
85 <sup>th</sup> percentile speed	34.25 mph.
50 <sup>th</sup> percentile speed	30.3 mph.

The 85<sup>th</sup> percentile speed indicates a 35 mph speed limit. There is residential frontage, school frontage and intermediate intersections in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 30 mph

The recommended speed limit therefore is 30 mph.

Tracy Blvd. to Regis Drive

This segment of the Whispering Wind Drive is a Industrial collector. The segment is approx. 52' feet in width. There is an industrial complex to the South. There is City park frontage at the east end of this segment. On street parking is not permitted. The posted speed limit is 30 mph

There were no reported collisions on this roadway from January 2010 to December 2012.

10 mph pace speed	24 mph. - 33 mph.
85 <sup>th</sup> percentile speed	33.5 mph.
50 <sup>th</sup> percentile speed	28.8 mph.

The 85<sup>th</sup> percentile speed indicates a 35 mph speed limit. There is city park frontage, bike lane and road termination in this segment which justifies the downgrading of 85<sup>th</sup> percentile speed by 5 mph. Therefore it is recommended that the posted speed limit remain at 30 mph

The recommended speed limit therefore is 30 mph.

Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

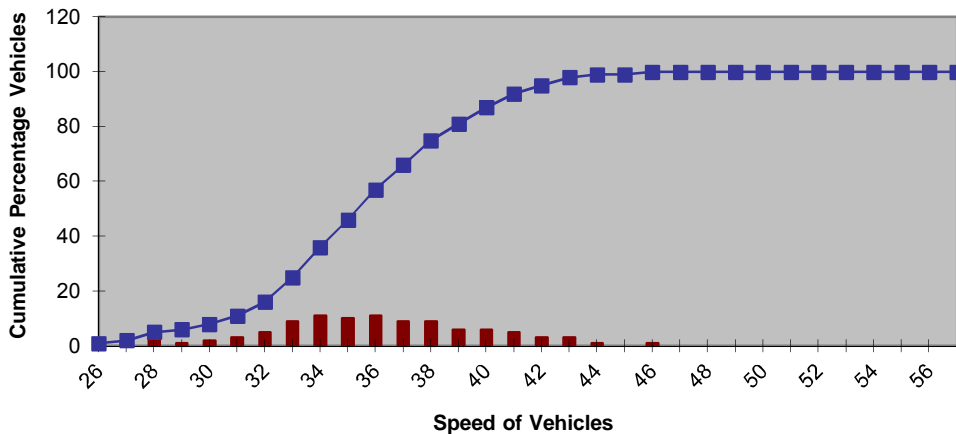
Location:	<b>Central Avenue (Tracy Blvd-Sycamore Parkway)</b>		
Date:	<u>6/12/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>10:00am</u>	Direction:	<u>EB &amp; WB</u>
End Time:	<u>11:45am</u>	Land use:	<u>Residential</u>
Day:	<u>Wednesday</u>	Type:	<u>Minor Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
25	0
26	1
27	1
28	3
29	1
30	2
31	3
32	5
33	9
34	11
35	10
36	11
37	9
38	9
39	6
40	6
41	5
42	3
43	3
44	1
45	0
46	1
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 veh.</u>
Speed range:	<u>26-46 mph.</u>
50th Percentile Speed:	<u>35.4 mph.</u>
85th Percentile Speed:	<u>39.7 mph.</u>
10 mph pace speed:	<u>32-41 mph.</u>
Average Speed:	<u>35.95</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 0; Intersection 0, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Minor Arterial
Volume (if known)	
Parking Conditions:	No Parking allowed, Class II Bike Lane
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Think Inside the Triangle

Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

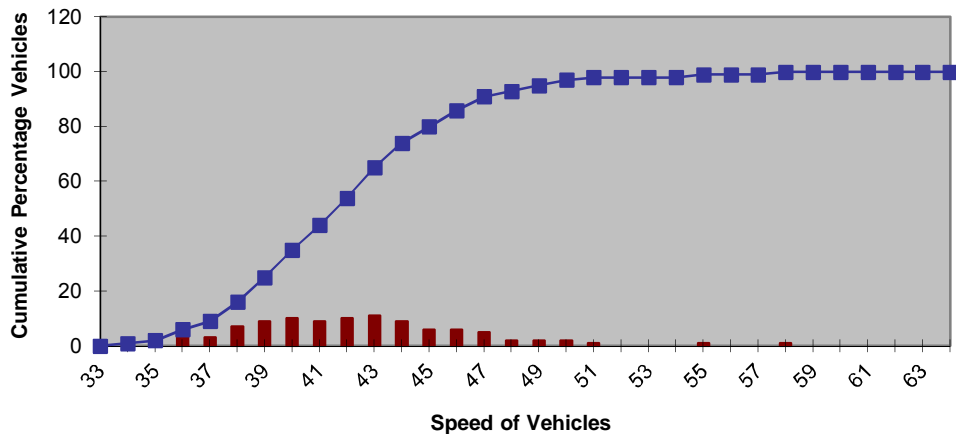
Location:	<b>Corral Hollow Road (Eleventh St - Schulte Rd)</b>		
Date:	<u>7/2/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>10:15 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Tuesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>40 mph</u>

SPEED DATA	
Speed	Number
32	0
33	0
34	1
35	1
36	4
37	3
38	7
39	9
40	10
41	9
42	10
43	11
44	9
45	6
46	6
47	5
48	2
49	2
50	2
51	1
52	0
53	0
54	0
55	1
56	0
57	0
58	1
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
76	0
77	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>34-58 mph</u>
50th Percentile Speed:	<u>41.6 mph</u>
85th Percentile Speed:	<u>45.8 mph</u>
10 mph pace speed:	<u>38-47 mph</u>
Average Speed:	<u>42.38</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 27; Intersection 12, Speed Related 6
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No Parking, Class II Bike Lane Present
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 40 mph



Think Inside the Triangle

Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

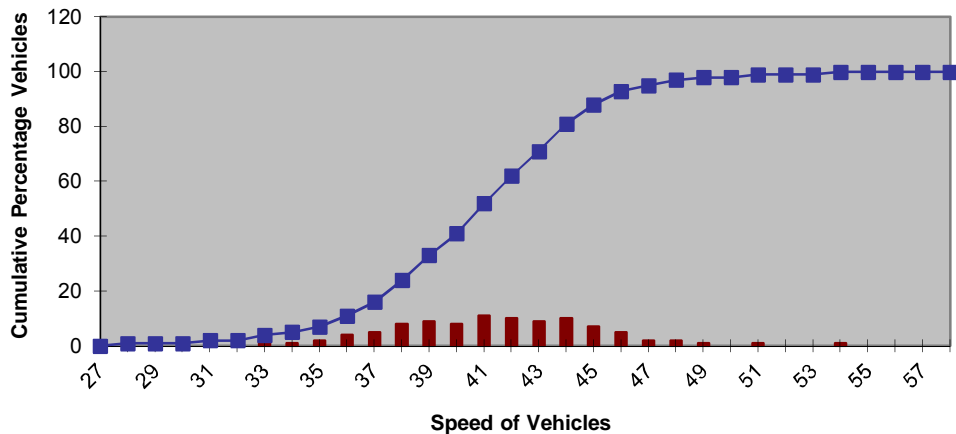
Location:	<b>Corral Hollow Road (Schulte Rd- Parkside Dr)</b>		
Date:	<u>9/16/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>10:00 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Monday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>40 mph</u>

SPEED DATA	
Speed	Number
26	0
27	0
28	1
29	0
30	0
31	1
32	0
33	2
34	1
35	2
36	4
37	5
38	8
39	9
40	8
41	11
42	10
43	9
44	10
45	7
46	5
47	2
48	2
49	1
50	0
51	1
52	0
53	0
54	1
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>28-54 mph</u>
50th Percentile Speed:	<u>40.8 mph</u>
85th Percentile Speed:	<u>44.6 mph</u>
10 mph pace speed:	<u>37-46 mph</u>
Average Speed:	<u>41.20</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 19; Intersection 11, Speed Related 5
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No Parking
Other Considerations	Class II Bike Lane

**RECOMMENDATIONS**

Recommended speed limit = 40 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

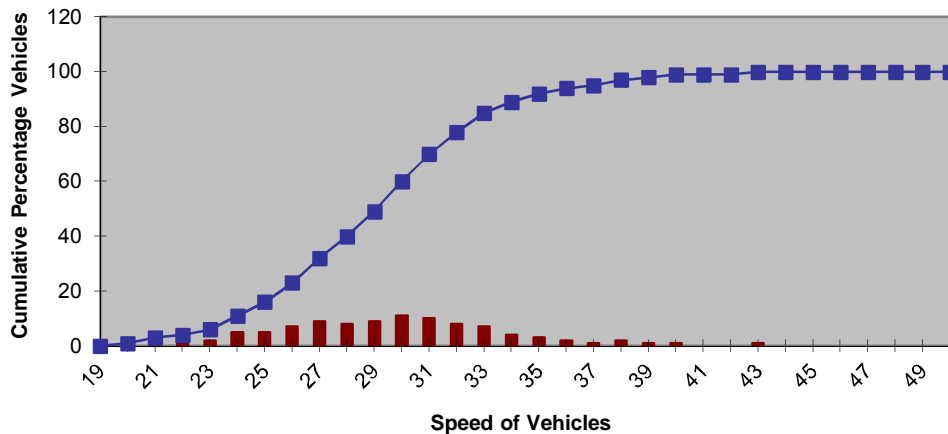
Location:	<b>Crossroads Drive (Eleventh St- Gaines Ln)</b>		
Date:	6/12/2013	Recorder:	Dennis
Begin Time:	1:20 PM	Direction:	NB/SB
End Time:	3:00 PM	Land use:	Residential
Day:	Wednesday	Type:	Collector
Weather:	Clear & Sunny	Posted Limit:	30 mph

SPEED DATA	
Speed	Number
18	0
19	0
20	1
21	2
22	1
23	2
24	5
25	5
26	7
27	9
28	8
29	9
30	11
31	10
32	8
33	7
34	4
35	3
36	2
37	1
38	2
39	1
40	1
41	0
42	0
43	1
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	100 Vehicles
Speed range:	20-43 mph
50th Percentile Speed:	29.1 mph
85th Percentile Speed:	33 mph
10 mph pace speed:	24-33 mph
Average Speed:	29.60

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 2; Intersection 1, Speed Related 2
Period:	1/1/2010-12/31/2012
Street	Residential Collector
Volume (if known)	
Parking Conditions:	Parking on both sides of street
Other Considerations	City Park, Class II Bike lane

**RECOMMENDATIONS**

Recommended speed limit = 30 mph





Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

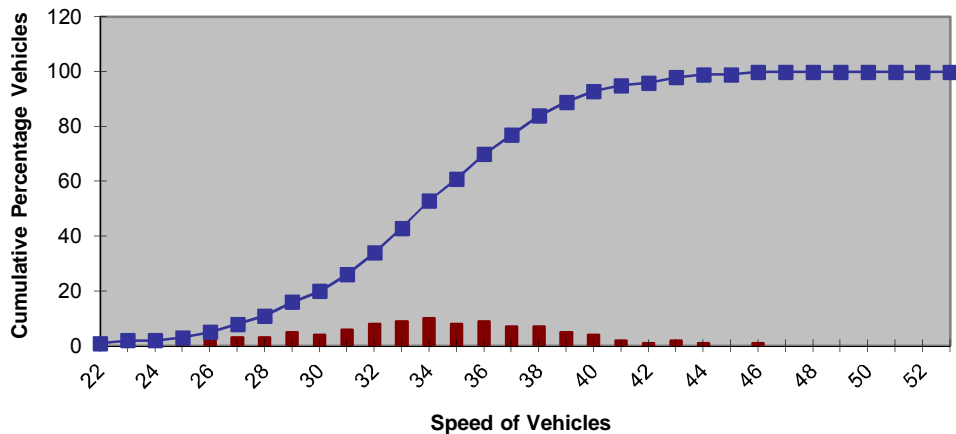
Location:	<b>Crossroads Drive (Eleventh St- Greystone Dr)</b>		
Date:	<u>6/13/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:15 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>11:00 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Thursday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
21	1
22	0
23	1
24	0
25	1
26	2
27	3
28	3
29	5
30	4
31	6
32	8
33	9
34	10
35	8
36	9
37	7
38	7
39	5
40	4
41	2
42	1
43	2
44	1
45	0
46	1
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>21-46</u>
50th Percentile Speed:	<u>33.7 mph</u>
85th Percentile Speed:	<u>38.2 mph</u>
10 mph pace speed:	<u>29-38 mph</u>
Average Speed:	<u>34.14</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 4; Intersection 0, Speed Related 1
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No Parking
Other Considerations	Street Parallels Tracy Sports Complex

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

Location: **Cypress Drive (Corral Hollow Rd - Hickory Ave)**  
 Date: **8/27/2013** Recorder: **Dennis**  
 Begin Time: **9:20 AM** Direction: **EB/WB**  
 End Time: **10:50 AM** Land use: **Residential**  
 Day: **Tuesday** Type: **Collector**  
 Weather: **Clear & Sunny** Posted Limit: **30 mph**

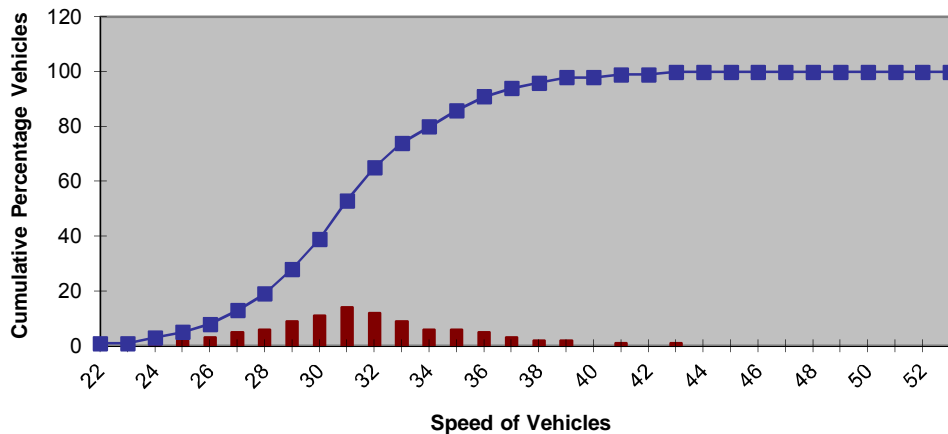
**SPEED DATA**

Speed	Number
21	0
22	1
23	0
24	2
25	2
26	3
27	5
28	6
29	9
30	11
31	14
32	12
33	9
34	6
35	6
36	5
37	3
38	2
39	2
40	0
41	1
42	0
43	1
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed: **100 Vehicles**  
 Speed range: **22-43 mph**  
 50th Percentile Speed: **30.8 mph**  
 85th Percentile Speed: **34.8 mph**  
 10 mph pace speed: **27-36 mph**  
 Average Speed: **31.50**

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents: **Total 5; Intersection 1, Speed Related 0**  
 Period: **1/1/2010-12/31/2012**  
 Street: **Residential Collector**  
 Volume (if known):  
 Parking Conditions: **Bike Lane Present, Parking in portion of segment**  
 Other Considerations: **Cypress Dr. is adjacent to Villalovoz School and Ceciliani Park**

**RECOMMENDATIONS**

Recommended speed limit = 30 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

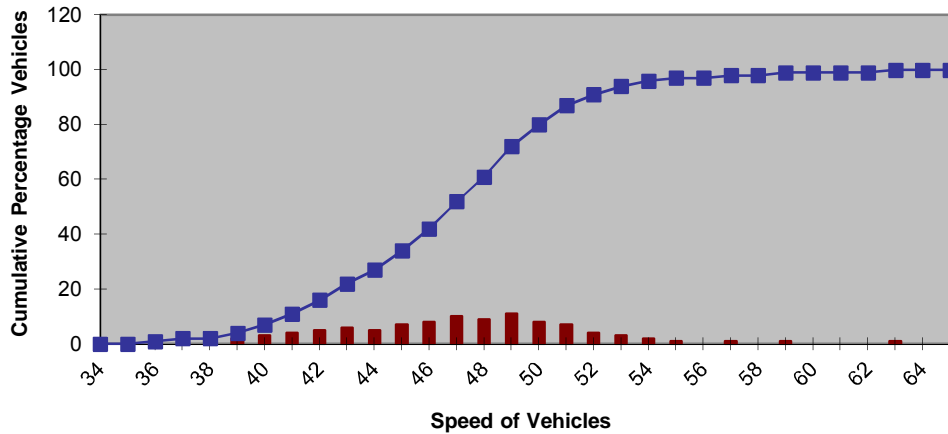
Location:	<b>Eleventh Street (Corral Hollow Rd- Lammers Rd)</b>		
Date:	<u>9/10/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:15 AM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>10:00 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Tuesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>45 mph</u>

SPEED DATA	
Speed	Number
33	0
34	0
35	0
36	1
37	1
38	0
39	2
40	3
41	4
42	5
43	6
44	5
45	7
46	8
47	10
48	9
49	11
50	8
51	7
52	4
53	3
54	2
55	1
56	0
57	1
58	0
59	1
60	0
61	0
62	0
63	1
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
76	0
77	0
78	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>36-63mph</u>
50th Percentile Speed:	<u>46.8 mph</u>
85th Percentile Speed:	<u>50.7 mph</u>
10 mph pace speed:	<u>42-51 mph</u>
Average Speed:	<u>47.13</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 28; Intersection 14, Speed Related 12
Period:	1/1/2010-12/31/2012
Street	Major Arterial
Volume (if known)	
Parking Conditions:	No Parking, No Bike Lane,
Other Considerations:	

**RECOMMENDATIONS**

Recommended speed limit = 45 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

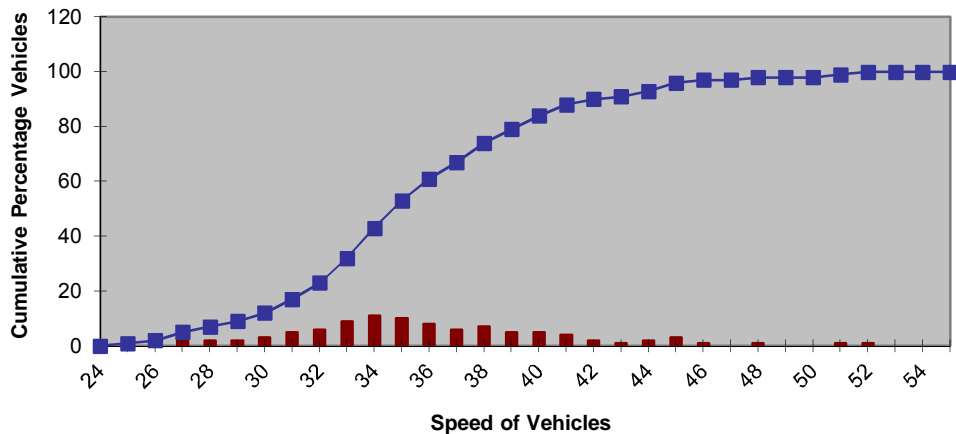
Location:	<b>Eleventh Street (East St- East City Limit)</b>		
Date:	<u>9/12/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>1:20 PM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>2:00 PM</u>	Land use:	<u>Commercial</u>
Day:	<u>Thursday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
23	0
24	0
25	1
26	1
27	3
28	2
29	2
30	3
31	5
32	6
33	9
34	11
35	10
36	8
37	6
38	7
39	5
40	5
41	4
42	2
43	1
44	2
45	3
46	1
47	0
48	1
49	0
50	0
51	1
52	1
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>25-52 mph</u>
50th Percentile Speed:	<u>34.5 mph</u>
85th Percentile Speed:	<u>40.25 mph</u>
10 mph pace speed:	<u>31-40 mph</u>
Average Speed:	<u>35.86</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 23; Intersection 3, Speed Related 8
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	None
Other Considerations	School Frontage.

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

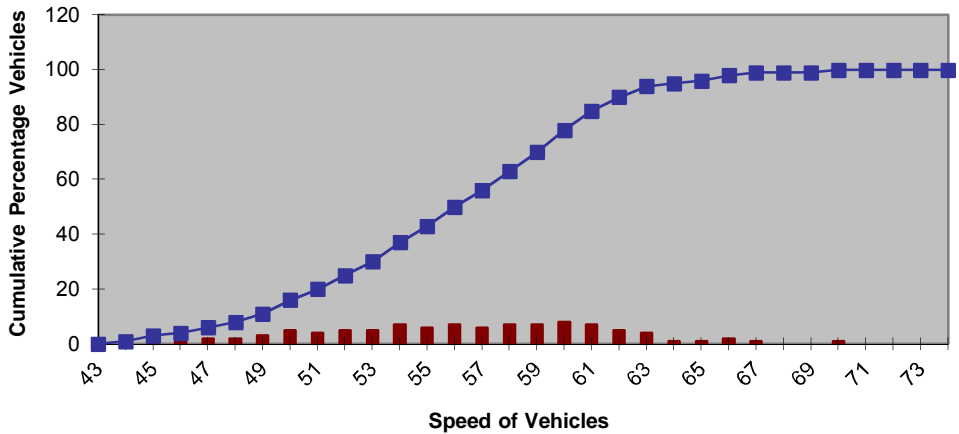
Location:	<b>Eleventh Street (Lammers Rd- West City Limits)</b>		
Date:	<u>6/18/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>EB</u>
End Time:	<u>10:15 AM</u>	Land use:	<u>Rural</u>
Day:	<u>Tuesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>55 mph</u>

SPEED DATA	
Speed	Number
42	0
43	0
44	1
45	2
46	1
47	2
48	2
49	3
50	5
51	4
52	5
53	5
54	7
55	6
56	7
57	6
58	7
59	7
60	8
61	7
62	5
63	4
64	1
65	1
66	2
67	1
68	0
69	0
70	1
71	0
72	0
73	0
74	0
75	0
76	0
77	0
78	0
79	0
80	0
81	0
82	0
83	0
84	0
85	0
86	0
87	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>44-70 mph</u>
50th Percentile Speed:	<u>56 mph</u>
85th Percentile Speed:	<u>61 mph</u>
10 mph pace speed:	<u>52-61 mph</u>
Average Speed:	<u>56.24</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 15; Intersection 6, Speed Related 4
Period:	1/1/2010-12/31/2012
Street	Major Arterial
Volume (if known)	
Parking Conditions:	No Parking, No Bike Lane
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 55 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

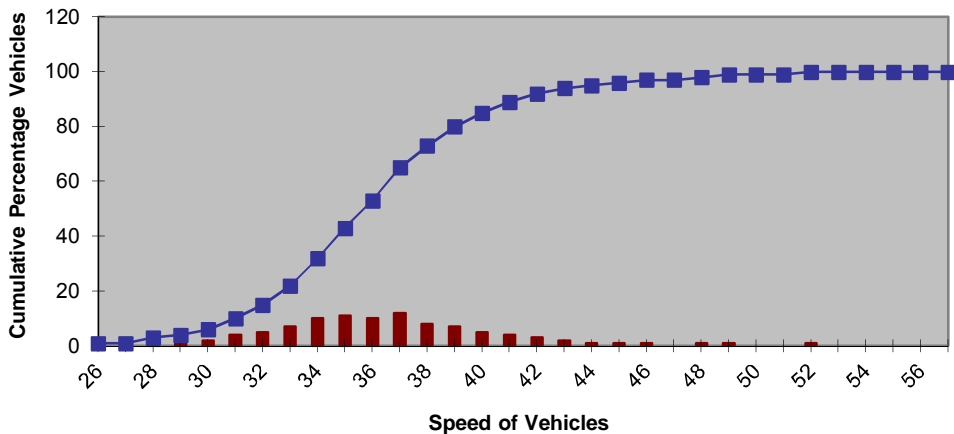
Location:	<b>Eleventh Street (Lincoln Blvd - Corral Hollow Rd)</b>		
Date:	<u>8/28/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:45 AM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>10:45 AM</u>	Land use:	<u>Commercial</u>
Day:	<u>Wednesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
25	0
26	1
27	0
28	2
29	1
30	2
31	4
32	5
33	7
34	10
35	11
36	10
37	12
38	8
39	7
40	5
41	4
42	3
43	2
44	1
45	1
46	1
47	0
48	1
49	1
50	0
51	0
52	1
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>26-52 mph</u>
50th Percentile Speed:	<u>35.7 mph</u>
85th Percentile Speed:	<u>40 mph</u>
10 mph pace speed:	<u>31-40 mph</u>
Average Speed:	<u>36.52</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 37; Intersection 13, Speed Related 12
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No parking allowed, bike lane present only in section
Other Considerations	commercial /residential area

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

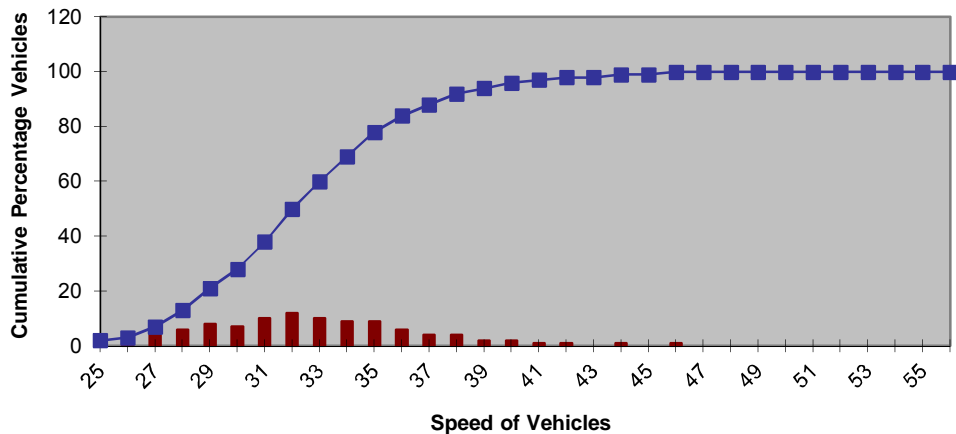
Location:	<b>Eleventh Street (Tracy Blvd- Lincoln Blvd)</b>		
Date:	8/28/2013	Recorder:	Dennis
Begin Time:	1:30 PM	Direction:	EB/WB
End Time:	2:30 PM	Land use:	Commercial
Day:	Wednesday	Type:	Arterial
Weather:	Clear & Sunny	Posted Limit:	30 mph

SPEED DATA	
Speed	Number
24	0
25	2
26	1
27	4
28	6
29	8
30	7
31	10
32	12
33	10
34	9
35	9
36	6
37	4
38	4
39	2
40	2
41	1
42	1
43	0
44	1
45	0
46	1
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	100 Vehicles
Speed range:	25-46 mph
50th Percentile Speed:	32 mph
85th Percentile Speed:	36.25 mph
10 mph pace speed:	27-36 mph
Average Speed:	32.86

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 27; Intersection 11, Speed Related 5
Period:	1/1/2010-12/31/2012
Street	Major Arterial
Volume (if known)	
Parking Conditions:	No Parking, No bike Lane
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 30 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

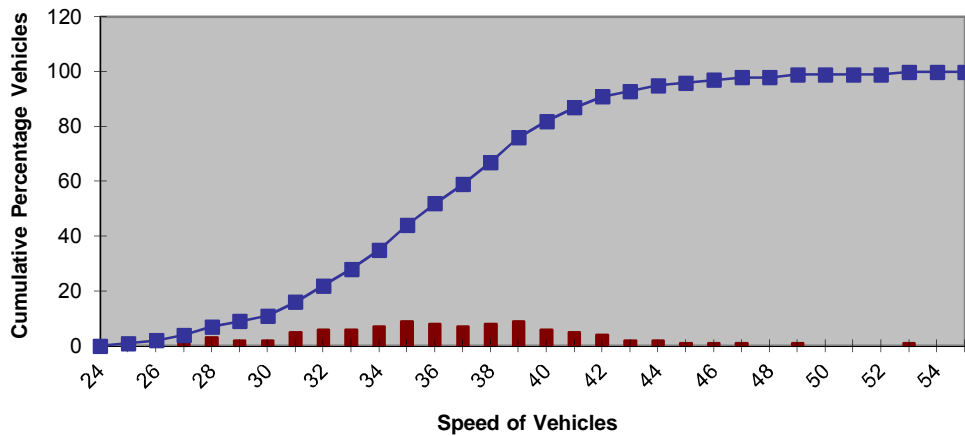
Location:	<b>Fabian Road (Lammers Rd-Mamie Anderson Ln)</b>		
Date:	8/12/2013	Recorder:	Dennis
Begin Time:	1:15 PM	Direction:	EB & WB
End Time:	3:30 PM	Land use:	Residential
Day:	Monday	Type:	collector
Weather:	Clear & Sunny	Posted Limit:	35 mph

SPEED DATA	
Speed	Number
23	0
24	0
25	1
26	1
27	2
28	3
29	2
30	2
31	5
32	6
33	6
34	7
35	9
36	8
37	7
38	8
39	9
40	6
41	5
42	4
43	2
44	2
45	1
46	1
47	1
48	0
49	1
50	0
51	0
52	0
53	1
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	100 veh.
Speed range:	25-53 mph
50th Percentile Speed:	35.8 mph
85th Percentile Speed:	40.6 mph
10 mph pace speed:	31-40 mph
Average Speed:	36.34

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 2; Intersection 0, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Collector
Volume (if known)	
Parking Conditions:	No Parking
Other Considerations	Some residential frontage, no bike lane

**RECOMMENDATIONS**

Recommended speed limit = 35 mph





Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

Location: **Kavanagh Avenue (Lincoln Blvd-Corral Hollow Rd)**  
 Date: 9/10/2013 Recorder: Dennis  
 Begin Time: 1:30 PM Direction: EB/WB  
 End Time: 3:15 PM Land use: Residential  
 Day: Tuesday Type: Collector  
 Weather: Clear & Sunny Posted Limit: 25 mph

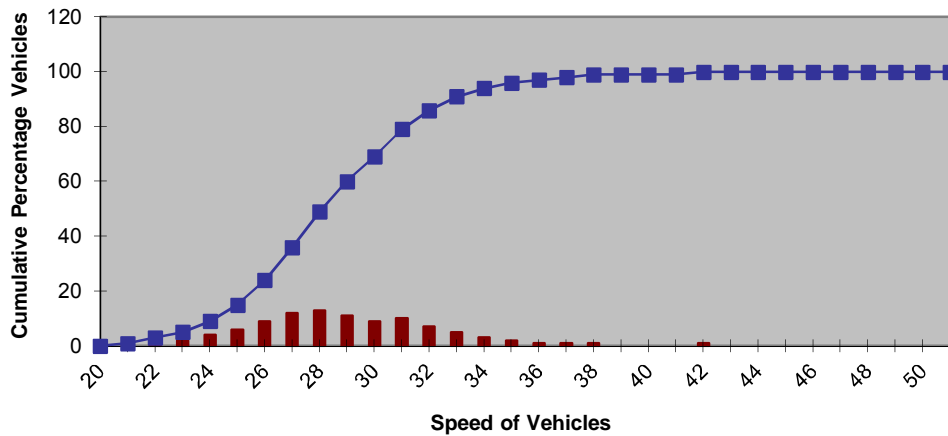
**SPEED DATA**

Speed	Number
19	0
20	0
21	1
22	2
23	2
24	4
25	6
26	9
27	12
28	13
29	11
30	9
31	10
32	7
33	5
34	3
35	2
36	1
37	1
38	1
39	0
40	0
41	0
42	1
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed: 100 Vehicles  
 Speed range: 21-42 mph  
 50th Percentile Speed: 28.1 mph  
 85th Percentile Speed: 31.9 mph  
 10 mph pace speed: 24-33 mph  
 Average Speed: 28.92

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents: Total 5; Intersection 0, Speed Related 1  
 Period: 1/1/2010-12/31/2012  
 Street: Residential Collector  
 Volume (if known):  
 Parking Conditions: Parking allowed, Class II or III present  
 Other Considerations: Kavanuagh is adjacent to Residential homes and Elementary School

**RECOMMENDATIONS**

Recommended speed limit = 25 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

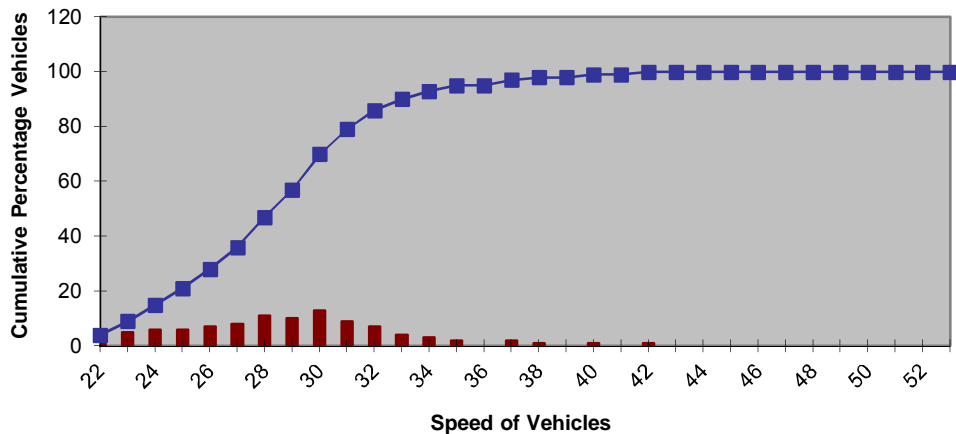
Location:	<b>Kavanagh Avenue (Tracy Blvd - Lincoln Ave)</b>		
Date:	<u>9/17/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>10:55 AM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>11:55 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Tuesday</u>	Type:	<u>Collector</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>25 mph</u>

SPEED DATA	
Speed	Number
21	2
22	2
23	5
24	6
25	6
26	7
27	8
28	11
29	10
30	13
31	9
32	7
33	4
34	3
35	2
36	0
37	2
38	1
39	0
40	1
41	0
42	1
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>21-42 mph</u>
50th Percentile Speed:	<u>28.3 mph</u>
85th Percentile Speed:	<u>31.9 mph</u>
10 mph pace speed:	<u>23-32 mph</u>
Average Speed:	<u>28.82</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 8; Intersection 7, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Residential Collector
Volume (if known)	
Parking Conditions:	Parking Present, Class III Bike Lane Present
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 25 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

Location: **Lammers Rd (11 St- South City Limits south of Jaguar)**  
 Date: **6/3/2013** Recorder: **Dennis**  
 Begin Time: **2:30 PM** Direction: **NB/SB**  
 End Time: **3:20 PM** Land use: **Major**  
 Day: **Monday** Type: **Arterial**  
 Weather: **Clear & Sunny** Posted Limit: **50 mph**

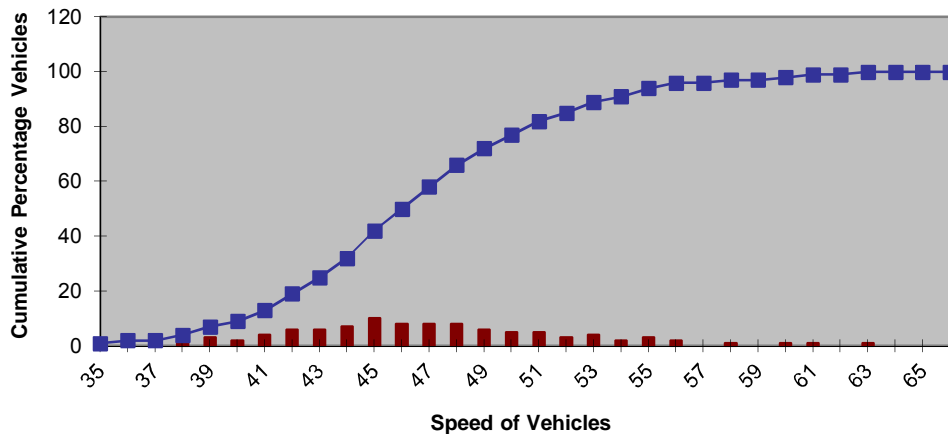
**SPEED DATA**

Speed	Number
34	0
35	1
36	1
37	0
38	2
39	3
40	2
41	4
42	6
43	6
44	7
45	10
46	8
47	8
48	8
49	6
50	5
51	5
52	3
53	4
54	2
55	3
56	2
57	0
58	1
59	0
60	1
61	1
62	0
63	1
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
76	0
77	0
78	0
79	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed: **100 Vehicles**  
 Speed range: **35-63 mph**  
 50th Percentile Speed: **46 mph**  
 85th Percentile Speed: **52 mph**  
 10 mph pace speed: **42-51 mph**  
 Average Speed: **46.98**

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents: **Total 8; Intersection 0, Speed Related 5**  
 Period: **1/1/2010-12/31/2012**  
 Street: **Rural Arterial**  
 Volume (if known):  
 Parking Conditions: **School frontage, Rural Conditions**  
 Other Considerations:

**RECOMMENDATIONS**

Recommended speed limit = 45 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

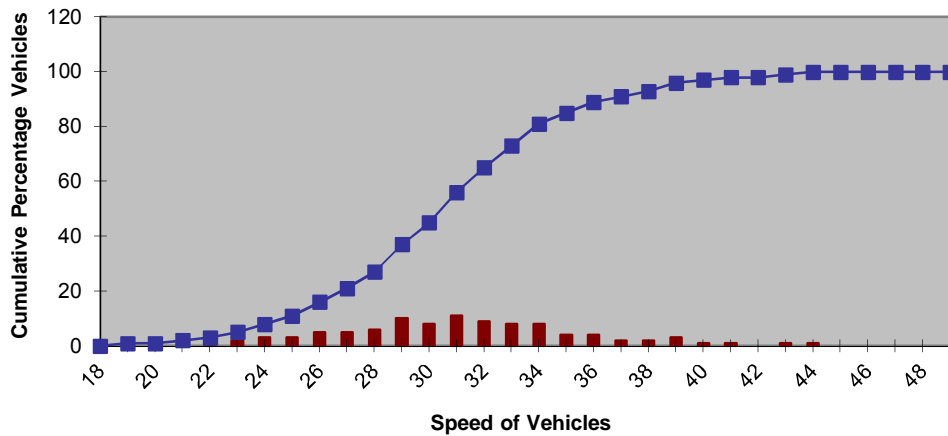
Location:	<b>Lauriana Lane (Schulte Rd - Cypress Dr)</b>		
Date:	<u>9/18/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:40 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>11:25 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Wednesday</u>	Type:	<u>Collector</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>30 mph</u>

SPEED DATA	
Speed	Number
17	0
18	0
19	1
20	0
21	1
22	1
23	2
24	3
25	3
26	5
27	5
28	6
29	10
30	8
31	11
32	9
33	8
34	8
35	4
36	4
37	2
38	2
39	3
40	1
41	1
42	0
43	1
44	1
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>19-44 mph</u>
50th Percentile Speed:	<u>31.5 mph</u>
85th Percentile Speed:	<u>35 mph</u>
10 mph pace speed:	<u>26-35 mph</u>
Average Speed:	<u>31.02</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 0; Intersection 0, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	2 lane street with residential driveways
Volume (if known)	n/a
Parking Conditions:	Parking is not permitted. There is a class II Bike lane
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 30 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

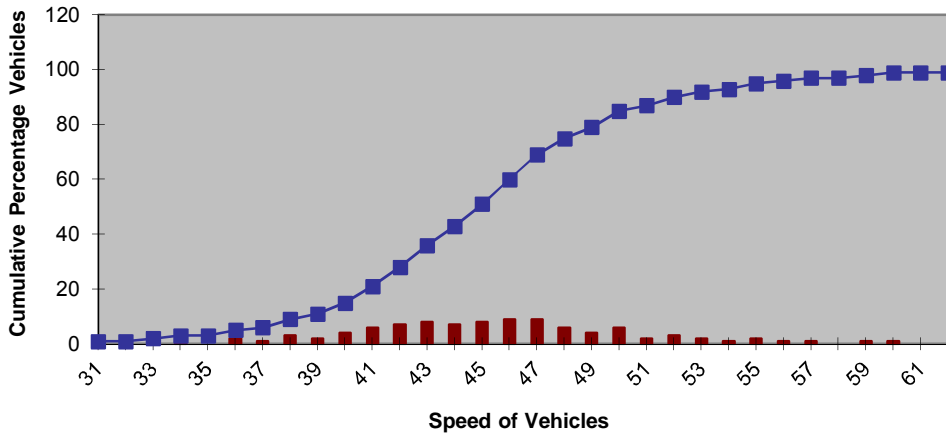
Location:	<b>Linne Road (Corral Hollow Rd- East City Limits)</b>		
Date:	<u>9/17/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:45 AM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>10:45 AM</u>	Land use:	<u>Rural</u>
Day:	<u>Tuesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>45 mph</u>

SPEED DATA	
Speed	Number
30	0
31	1
32	0
33	1
34	1
35	0
36	2
37	1
38	3
39	2
40	4
41	6
42	7
43	8
44	7
45	8
46	9
47	9
48	6
49	4
50	6
51	2
52	3
53	2
54	1
55	2
56	1
57	1
58	0
59	1
60	1
61	0
62	0
63	0
64	1
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>31-64 mph</u>
50th Percentile Speed:	<u>44.9 mph</u>
85th Percentile Speed:	<u>50 mph</u>
10 mph pace speed:	<u>41-50 mph</u>
Average Speed:	<u>45.56</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 5; Intersection 2, Speed Related 2
Period:	1/1/2010-12/31/2012
Street	Arterial - 2 Lane Rural Industrial
Volume (if known)	
Parking Conditions:	No Parking, No bike Lane
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 45 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

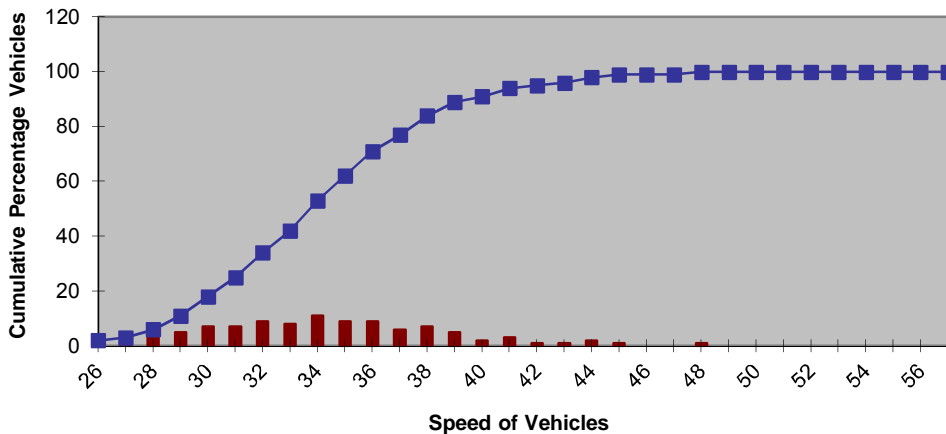
Location:	<b>MacArthur Drive (Fairoaks Dr- South City Limit)</b>		
Date:	<u>7/18/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>11:00 AM</u>	Land use:	<u>Rural</u>
Day:	<u>Thursday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
25	0
26	2
27	1
28	3
29	5
30	7
31	7
32	9
33	8
34	11
35	9
36	9
37	6
38	7
39	5
40	2
41	3
42	1
43	1
44	2
45	1
46	0
47	0
48	1
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>26-48 mph</u>
50th Percentile Speed:	<u>33.7 mph</u>
85th Percentile Speed:	<u>38.2 mph</u>
10 mph pace speed:	<u>29-38 mph</u>
Average Speed:	<u>34.52</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 0; Intersection 0, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	None
Other Considerations	Road Merge, Residential frontage driveways, Shoulder

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

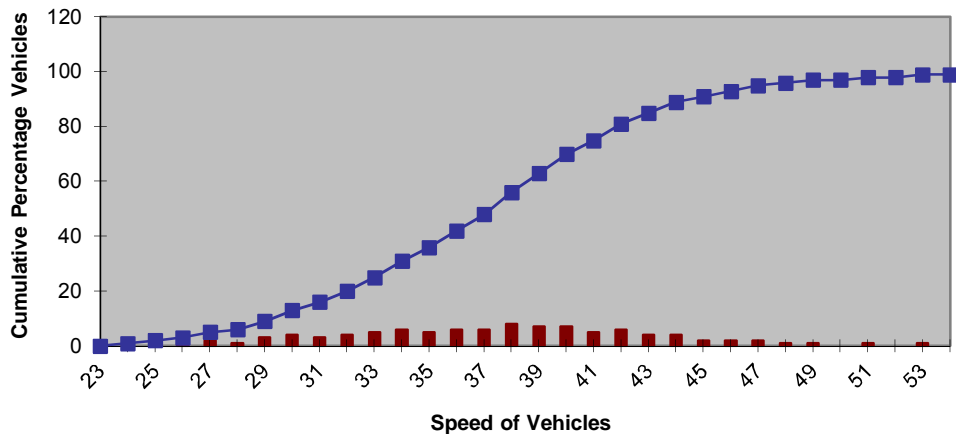
Location:	<b>MacArthur Drive (Grant Line Rd - Eleventh St)</b>		
Date:	<u>10/3/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>1:45 PM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>2:45 PM</u>	Land use:	<u>Industrial</u>
Day:	<u>Thursday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>40 mph</u>

SPEED DATA	
Speed	Number
22	0
23	0
24	1
25	1
26	1
27	2
28	1
29	3
30	4
31	3
32	4
33	5
34	6
35	5
36	6
37	6
38	8
39	7
40	7
41	5
42	6
43	4
44	4
45	2
46	2
47	2
48	1
49	1
50	0
51	1
52	0
53	1
54	0
55	1
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>24-55 mph</u>
50th Percentile Speed:	<u>37.25 mph</u>
85th Percentile Speed:	<u>43 mph</u>
10 mph pace speed:	<u>33-42 mph</u>
Average Speed:	<u>37.61</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 16; Intersection 7, Speed Related 1
Period:	1/1/2010-12/31/2012
Street	Arteria
Volume (if known)	
Parking Conditions:	No Parking allowed, Bike Lane/Bike Path Present
Other Considerations	Industrial Area, and Curves

**RECOMMENDATIONS**

Recommended speed limit = 40 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

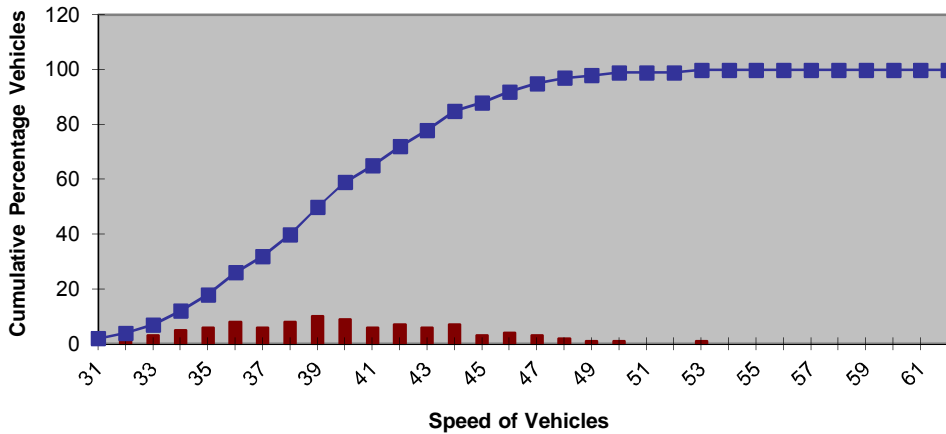
Location:	<b>MacArthur Drive (Grantline Rd - I-205)</b>		
Date:	<u>8/22/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>NB</u>
End Time:	<u>10:15 AM</u>	Land use:	<u>Industrial</u>
Day:	<u>Thursday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>40 mph</u>

SPEED DATA	
Speed	Number
30	1
31	1
32	2
33	3
34	5
35	6
36	8
37	6
38	8
39	10
40	9
41	6
42	7
43	6
44	7
45	3
46	4
47	3
48	2
49	1
50	1
51	0
52	0
53	1
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>30-53 mph</u>
50th Percentile Speed:	<u>39 mph</u>
85th Percentile Speed:	<u>44 mph</u>
10 mph pace speed:	<u>35-44 mph</u>
Average Speed:	<u>39.82</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 8; Intersection 2, Speed Related 2
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	None, Bike Lane Present
Other Considerations	Industrial Area

**RECOMMENDATIONS**

Recommended speed limit = 40 mph





Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

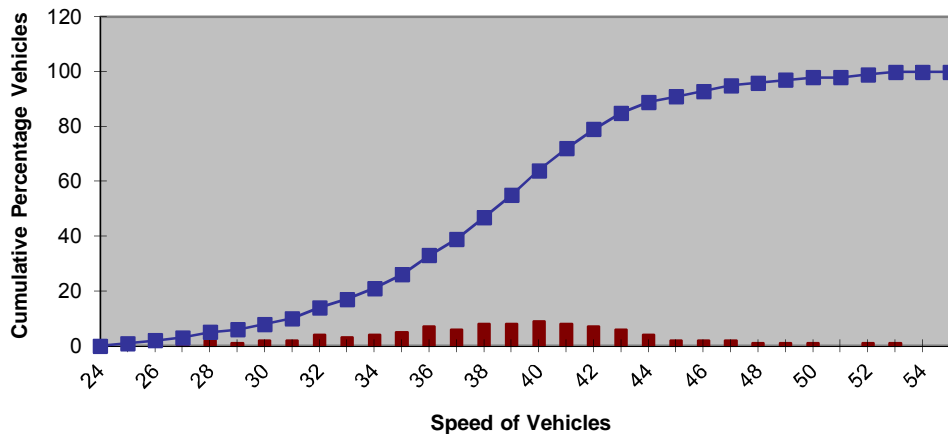
Location:	<b>MacArthur Drive ( I-205 - North City Limit)</b>		
Date:	<u>10/3/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>10:00 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>11:45 AM</u>	Land use:	<u>Rural</u>
Day:	<u>Thursday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>40 mph</u>

SPEED DATA	
Speed	Number
23	0
24	0
25	1
26	1
27	1
28	2
29	1
30	2
31	2
32	4
33	3
34	4
35	5
36	7
37	6
38	8
39	8
40	9
41	8
42	7
43	6
44	4
45	2
46	2
47	2
48	1
49	1
50	1
51	0
52	1
53	1
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>25-53 mph</u>
50th Percentile Speed:	<u>38.4 mph</u>
85th Percentile Speed:	<u>43 mph</u>
10 mph pace speed:	<u>35-44 mph</u>
Average Speed:	<u>38.57</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 2; Intersection 1, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Rural
Volume (if known)	
Parking Conditions:	No parking restrictions
Other Considerations	No Shoulder, no bike lane

**RECOMMENDATIONS**

Recommended speed limit = 40 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

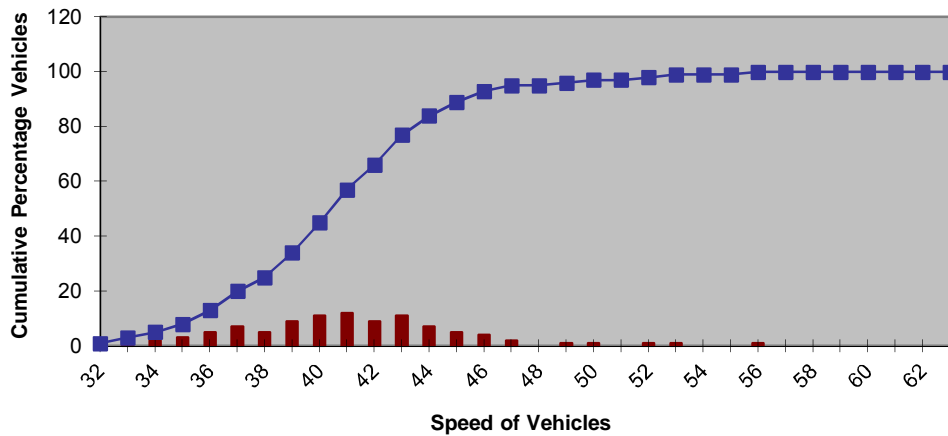
Location:	<b>MacArthur Drive (Schulte Rd- Valpico Rd)</b>		
Date:	<u>9/5/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>10:30 AM</u>	Land use:	<u>Rural</u>
Day:	<u>Thursday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>45 mph</u>

SPEED DATA	
Speed	Number
31	0
32	1
33	2
34	2
35	3
36	5
37	7
38	5
39	9
40	11
41	12
42	9
43	11
44	7
45	5
46	4
47	2
48	0
49	1
50	1
51	0
52	1
53	1
54	0
55	0
56	1
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
76	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>32-56 mph</u>
50th Percentile Speed:	<u>40.4 mph</u>
85th Percentile Speed:	<u>44.2 mph</u>
10 mph pace speed:	<u>36-45 mph</u>
Average Speed:	<u>41.05</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 13; Intersection 4, Speed Related 4
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No parking, Rural and subdivisions mixed
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 40 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

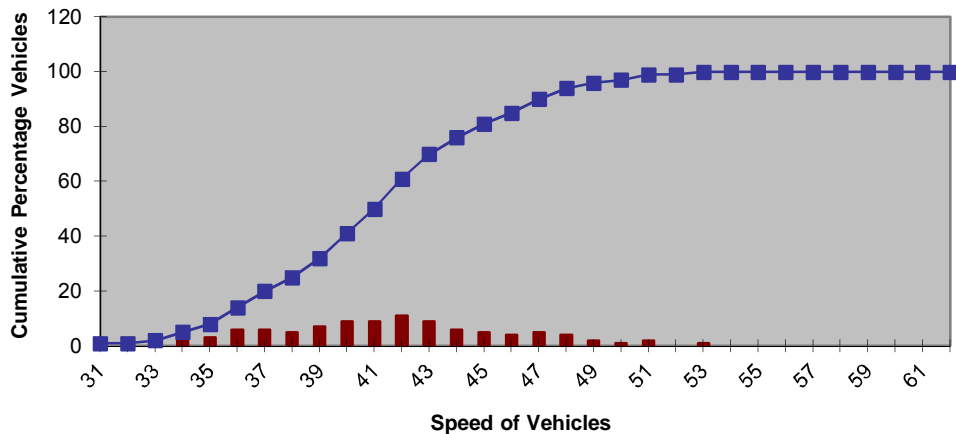
Location:	<b>MacArthur Drive (Valpico Rd -Fairoaks Dr)</b>		
Date:	<u>8/20/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>10:00 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>11:30 PM</u>	Land use:	<u>Rural</u>
Day:	<u>Tuesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>40 mph</u>

SPEED DATA	
Speed	Number
30	0
31	1
32	0
33	1
34	3
35	3
36	6
37	6
38	5
39	7
40	9
41	9
42	11
43	9
44	6
45	5
46	4
47	5
48	4
49	2
50	1
51	2
52	0
53	1
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>31-53 mph</u>
50th Percentile Speed:	<u>41 mph</u>
85th Percentile Speed:	<u>46 mph</u>
10 mph pace speed:	<u>36-45 mph</u>
Average Speed:	<u>41.53</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 7; Intersection 5, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No Parking, Bike Lane in Portions,
Other Considerations	Near School, Residential Driveways

**RECOMMENDATIONS**

Recommended speed limit = 40 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

Location:	<b>Mt Diablo Avenue (Central Ave- Mac Arthur Dr)</b>		
Date:	<u>9/9/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>11:30 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Monday</u>	Type:	<u>Collector</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>25 mph</u>

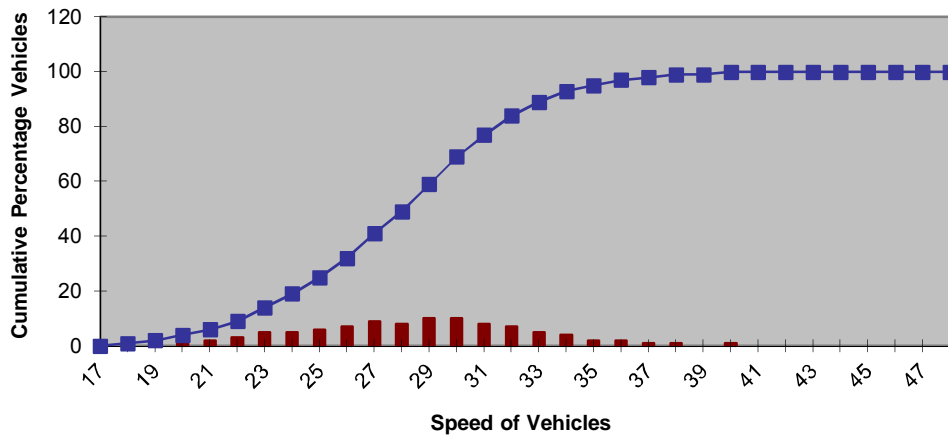
**SPEED DATA**

Speed	Number
16	0
17	0
18	1
19	1
20	2
21	2
22	3
23	5
24	5
25	6
26	7
27	9
28	8
29	10
30	10
31	8
32	7
33	5
34	4
35	2
36	2
37	1
38	1
39	0
40	1
41	0
42	0
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>18-40 mph</u>
50th Percentile Speed:	<u>28.1 mph</u>
85th Percentile Speed:	<u>32.2 mph</u>
10 mph pace speed:	<u>23-32 mph</u>
Average Speed:	<u>28.39</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 3; Intersection 0, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Residential Collector
Volume (if known)	
Parking Conditions:	Parking Allowed, Residential Frontage
Other Considerations	Class III bike Lane, School Area

**RECOMMENDATIONS**

Recommended speed limit = 25 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

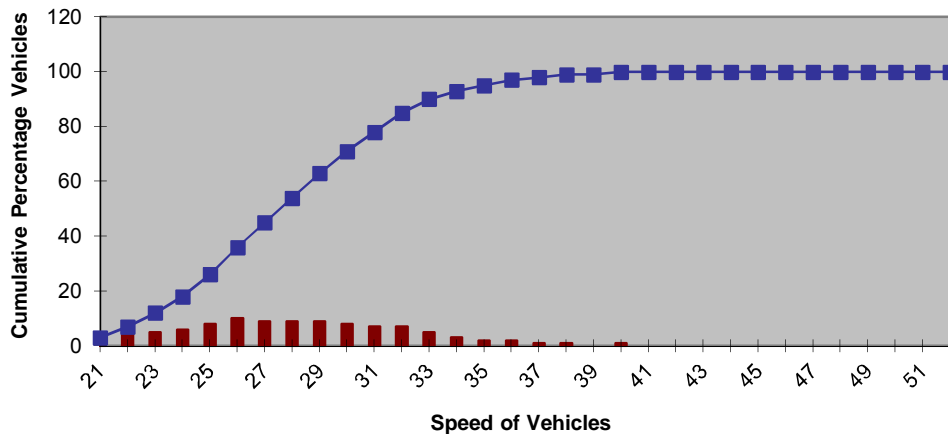
Location:	<b>Mt Diablo Avenue (Tracy Blvd - Central Ave)</b>		
Date:	8/8/2013	Recorder:	Dennis
Begin Time:	9:30 AM	Direction:	EB/WB
End Time:	11:00 AM	Land use:	Residential
Day:	Thursday	Type:	Collector
Weather:	Clear & Sunny	Posted Limit:	25 mph

SPEED DATA	
Speed	Number
20	1
21	2
22	4
23	5
24	6
25	8
26	10
27	9
28	9
29	9
30	8
31	7
32	7
33	5
34	3
35	2
36	2
37	1
38	1
39	0
40	1
41	0
42	0
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	100 Vehicles
Speed range:	20-40 mph
50th Percentile Speed:	27.6 mph
85th Percentile Speed:	32 mph
10 mph pace speed:	23-32 mph
Average Speed:	28.30

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 2; Intersection 1, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Residential Collector
Volume (if known)	
Parking Conditions:	Parking Allowed, Residential Frontage
Other Considerations	Class III bike Lane, School Area

**RECOMMENDATIONS**

Recommended speed limit = 25 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

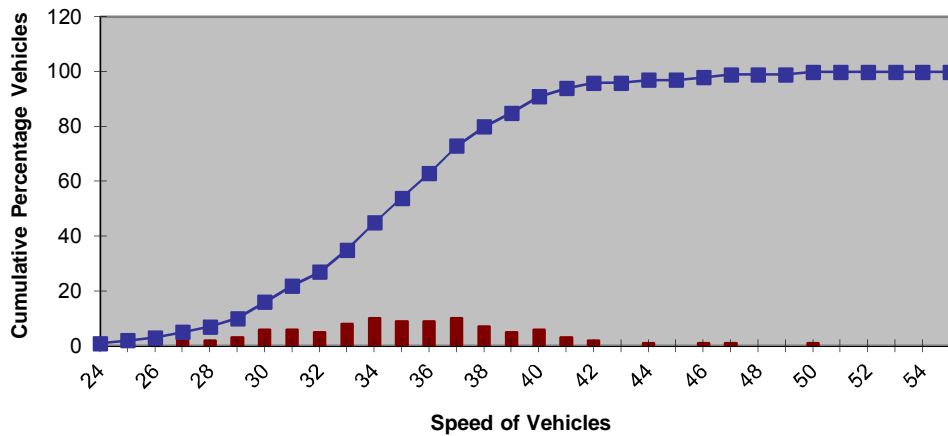
Location:	<b>Naglee Road ( Grant Line Rd- North City Limits)</b>		
Date:	<u>8/15/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>1:15 PM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>2:00 PM</u>	Land use:	<u>Commercial</u>
Day:	<u>Thursday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
23	0
24	1
25	1
26	1
27	2
28	2
29	3
30	6
31	6
32	5
33	8
34	10
35	9
36	9
37	10
38	7
39	5
40	6
41	3
42	2
43	0
44	1
45	0
46	1
47	1
48	0
49	0
50	1
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>24-50 mph</u>
50th Percentile Speed:	<u>34.6 mph</u>
85th Percentile Speed:	<u>39 mph</u>
10 mph pace speed:	<u>30-39 mph</u>
Average Speed:	<u>35.06</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 23; Intersection 7, Speed Related 4
Period:	1/1/2010-12/31/2012
Street	
Volume (if known)	
Parking Conditions:	No Parking Allowed, Class I Bike path Present
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

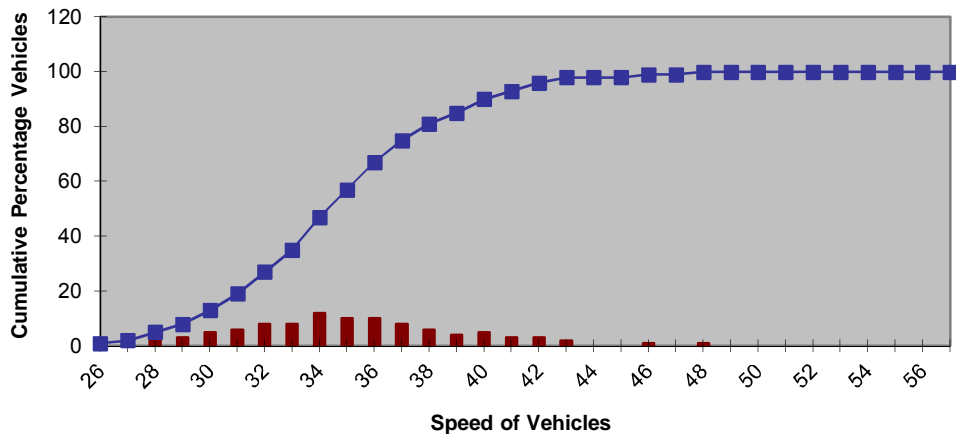
Location:	<b>Orchard Parkway (GrantLine Rd - Lowell Ave)</b>		
Date:	<u>9/17/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>1:15 PM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>2:45 PM</u>	Land use:	<u>Residential</u>
Day:	<u>Tuesday</u>	Type:	<u>Collector</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
25	1
26	0
27	1
28	3
29	3
30	5
31	6
32	8
33	8
34	12
35	10
36	10
37	8
38	6
39	4
40	5
41	3
42	3
43	2
44	0
45	0
46	1
47	0
48	1
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>25-48 mph</u>
50th Percentile Speed:	<u>34.3</u>
85th Percentile Speed:	<u>39 mph</u>
10 mph pace speed:	<u>31-40 mph</u>
Average Speed:	<u>35.06</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 3; Intersection 3, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Major Collector
Volume (if known)	
Parking Conditions:	No Parking Allowed
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

Location: **Schulte Rd (Corral Hollow Rd - West CL along RR trks)**  
 Date: **8/21/2013** Recorder: **Dennis**  
 Begin Time: **9:30 AM** Direction: **EB/WB**  
 End Time: **11:00 AM** Land use: **Rural**  
 Day: **Wednesday** Type: **Arterial**  
 Weather: **Clear & Sunny** Posted Limit: **45 mph**

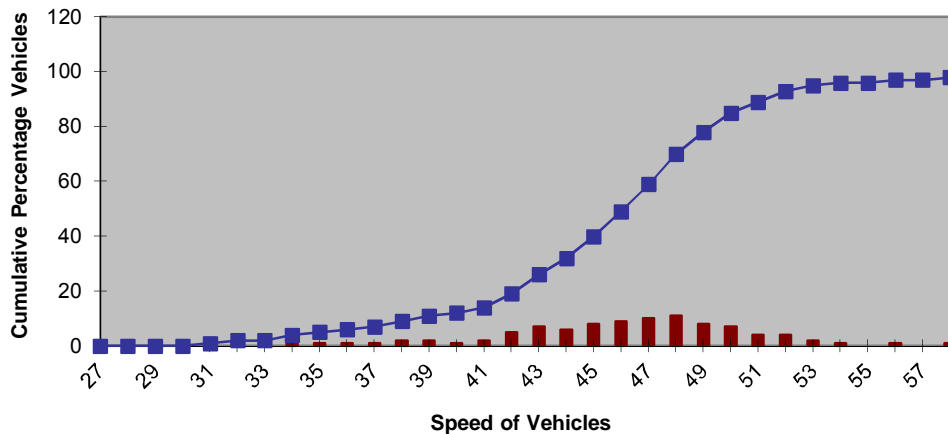
**SPEED DATA**

Speed	Number
26	0
27	0
28	0
29	0
30	0
31	1
32	1
33	0
34	2
35	1
36	1
37	1
38	2
39	2
40	1
41	2
42	5
43	7
44	6
45	8
46	9
47	10
48	11
49	8
50	7
51	4
52	4
53	2
54	1
55	0
56	1
57	0
58	1
59	0
60	1
61	0
62	0
63	0
64	0
65	1
66	0
67	0
68	0
69	0
70	0
71	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed: **100 Vehicles**  
 Speed range: **31-65 mph**  
 50th Percentile Speed: **46.1 mph**  
 85th Percentile Speed: **50 mph**  
 10 mph pace speed: **42-51 mph**  
 Average Speed: **46.15**

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents: **Total 0; Intersection 0, Speed Related 0**  
 Period: **1/1/2010-12/31/2012**  
 Street: **Two Lane Rural Arterial**  
 Volume (if known):  
 Parking Conditions: **No Parking No bike Lane, Rural**  
 Other Considerations: **Road parallels railroad track**

**RECOMMENDATIONS**

Recommended speed limit = 45 mph





Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

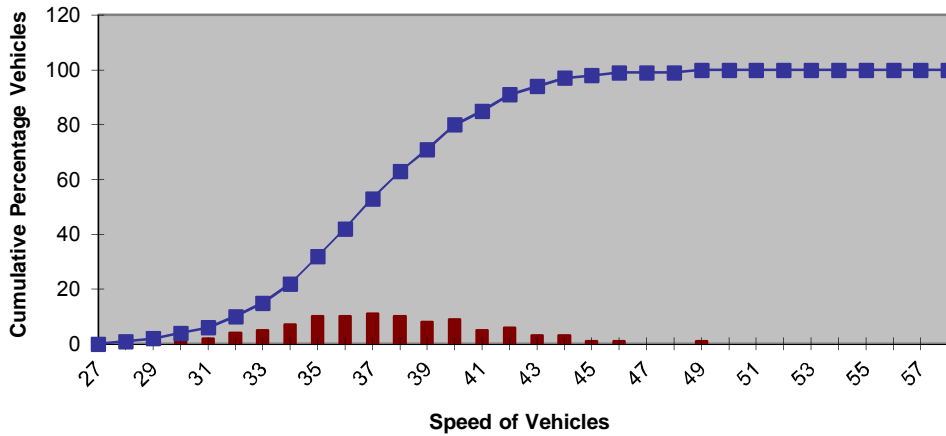
Location:	<b>Schulte Road (Barcelona Drive-Mabel Josephine)</b>		
Date:	<u>8/21/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>1:20 PM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>3:00 PM</u>	Land use:	<u>Residential</u>
Day:	<u>Wednesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
26	0
27	0
28	1
29	1
30	2
31	2
32	4
33	5
34	7
35	10
36	10
37	11
38	10
39	8
40	9
41	5
42	6
43	3
44	3
45	1
46	1
47	0
48	0
49	1
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 veh.</u>
Speed range:	<u>28-49 mph</u>
50th Percentile Speed:	<u>36.7 mph</u>
85th Percentile Speed:	<u>41 mph</u>
10 mph pace speed:	<u>33-42 mph</u>
Average Speed:	<u>37.37</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 3; Intersection 3, Speed Related 1
Period:	1/1/2010-12/31/2012
Street	2 lanes with median island
Volume (if known)	
Parking Conditions:	No parking, Class II Bike Lane
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

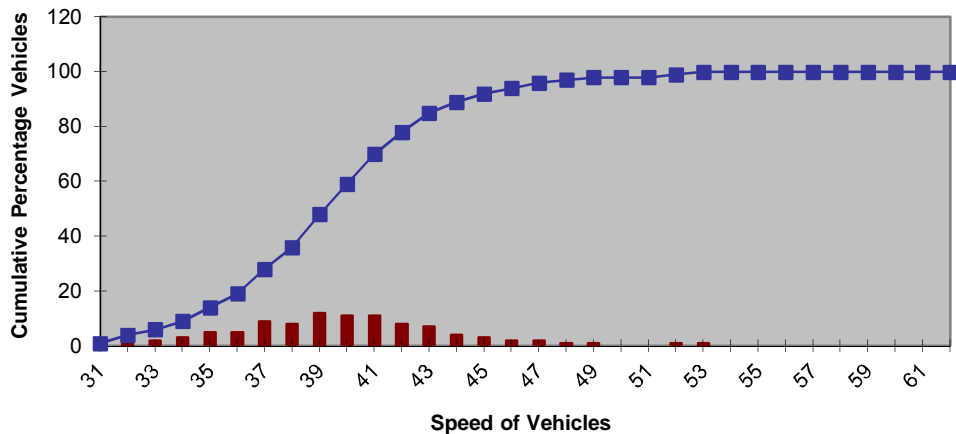
Location:	<b>Schulte Road ( Tracy Blvd- Corral Hollow Rd)</b>		
Date:	<u>7/24/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>1:30 PM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>2:30 PM</u>	Land use:	<u>Residential</u>
Day:	<u>Wednesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>40 mph</u>

SPEED DATA	
Speed	Number
30	0
31	1
32	3
33	2
34	3
35	5
36	5
37	9
38	8
39	12
40	11
41	11
42	8
43	7
44	4
45	3
46	2
47	2
48	1
49	1
50	0
51	0
52	1
53	1
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>31-53 mph</u>
50th Percentile Speed:	<u>39.2 mph</u>
85th Percentile Speed:	<u>43 mph</u>
10 mph pace speed:	<u>35-44 mph</u>
Average Speed:	<u>39.82</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 29; Intersection 13, Speed Related 8
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No Parking Allowed, bike lane present
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 40 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

Location:	<b>Sycamore Parkway (Valpico Rd-Tracy Blvd)</b>		
Date:	8/6/2013	Recorder:	Dennis
Begin Time:	9:30AM	Direction:	NB/SB
End Time:	11:00 AM	Land use:	Residential
Day:	Tuesday	Type:	Minor Arterial
Weather:	Clear & Sunny	Posted Limit:	30 mph

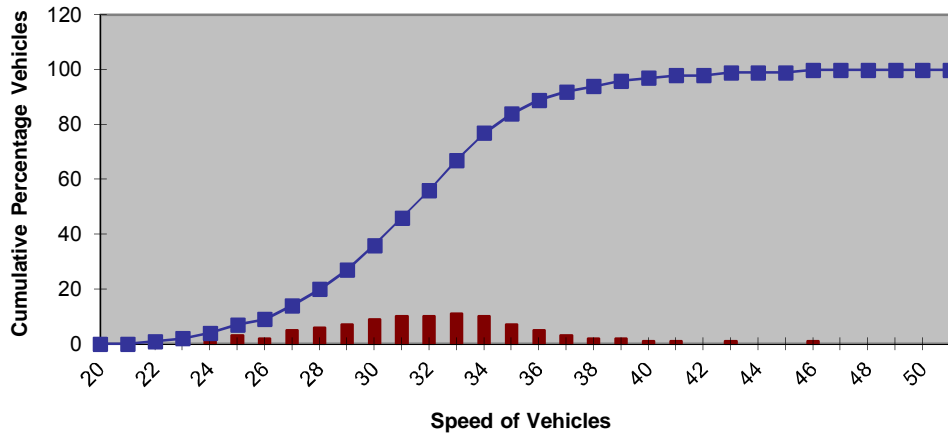
**SPEED DATA**

Speed	Number
19	0
20	0
21	0
22	1
23	1
24	2
25	3
26	2
27	5
28	6
29	7
30	9
31	10
32	10
33	11
34	10
35	7
36	5
37	3
38	2
39	2
40	1
41	1
42	0
43	1
44	0
45	0
46	1
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	100 veh
Speed range:	22-46 mph
50th Percentile Speed:	31.4 mph
85th Percentile Speed:	35.2 mph
10 mph pace speed:	27-36 mph
Average Speed:	31.89

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 5; Intersection 3, Speed Related 1
Period:	1/1/2010-12/31/2012
Street	Minor Arterial
Volume (if known)	
Parking Conditions:	No Parking Allowed
Other Considerations	Bike lane Class I, School Area

**RECOMMENDATIONS**

Recommended speed limit = 30 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

Location:	<b>Sycamore Pkwy ( Schulte Rd- Valpico Rd)</b>		
Date:	<u>9/19/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:00 AM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>10:30 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Thursday</u>	Type:	<u>Minor arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

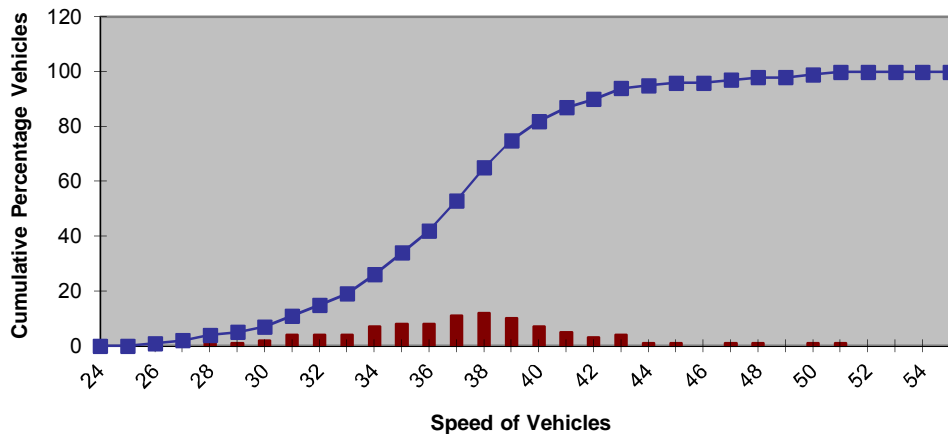
**SPEED DATA**

Speed	Number
23	0
24	0
25	0
26	1
27	1
28	2
29	1
30	2
31	4
32	4
33	4
34	7
35	8
36	8
37	11
38	12
39	10
40	7
41	5
42	3
43	4
44	1
45	1
46	0
47	1
48	1
49	0
50	1
51	1
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>26-51 mph</u>
50th Percentile Speed:	<u>36.3 mph</u>
85th Percentile Speed:	<u>40.6 mph</u>
10 mph pace speed:	<u>32-41 mph</u>
Average Speed:	<u>37.09</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 10; Intersection 5, Speed Related 2
Period:	1/1/2010-12/31/2012
Street	Minor Arterial
Volume (if known)	
Parking Conditions:	No parking
Other Considerations	School, Class I Bike Path

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

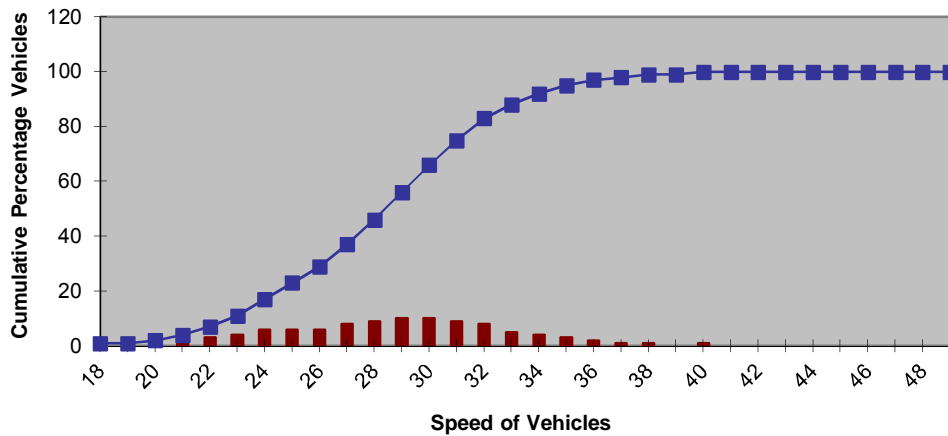
Location:	<b>Tennis Lane ( Corral Hollow Rd - Jill Dr)</b>		
Date:	<u>7/16/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>11:40 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Tuesday</u>	Type:	<u>Collector</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>25 mph</u>

SPEED DATA	
Speed	Number
17	0
18	1
19	0
20	1
21	2
22	3
23	4
24	6
25	6
26	6
27	8
28	9
29	10
30	10
31	9
32	8
33	5
34	4
35	3
36	2
37	1
38	1
39	0
40	1
41	0
42	0
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>18-40 mph</u>
50th Percentile Speed:	<u>28.4 mph</u>
85th Percentile Speed:	<u>32.4 mph</u>
10 mph pace speed:	<u>24-33mph</u>
Average Speed:	<u>28.74</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 0; Intersection 0, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	2 lane street with residential driveways
Volume (if known)	n/a
Parking Conditions:	Parking is permitted. There is a class II Bike lane
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 25 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

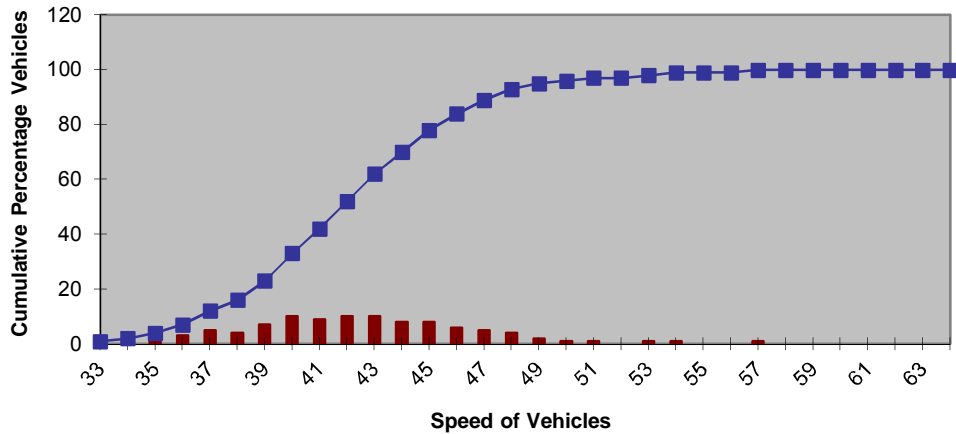
Location:	<b>Tracy Boulevard (Schulte Rd- Valpico Rd)</b>		
Date:	8/6/2013	Recorder:	Dennis
Begin Time:	1:30 PM	Direction:	NB/SB
End Time:	2:30 PM	Land use:	Residential
Day:	Tuesday	Type:	Arterial
Weather:	Clear & Sunny	Posted Limit:	40 mph

SPEED DATA	
Speed	Number
32	0
33	1
34	1
35	2
36	3
37	5
38	4
39	7
40	10
41	9
42	10
43	10
44	8
45	8
46	6
47	5
48	4
49	2
50	1
51	1
52	0
53	1
54	1
55	0
56	0
57	1
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
74	0
75	0
76	0
77	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	100 Vehicles
Speed range:	33-57 mph
50th Percentile Speed:	41.8 mph
85th Percentile Speed:	46.2 mph
10 mph pace speed:	37-46 mph
Average Speed:	42.52

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 17; Intersection 7, Speed Related 2
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No parking, Bike Lane Present
Other Considerations	

**RECOMMENDATIONS**

Recommended speed limit = 40 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

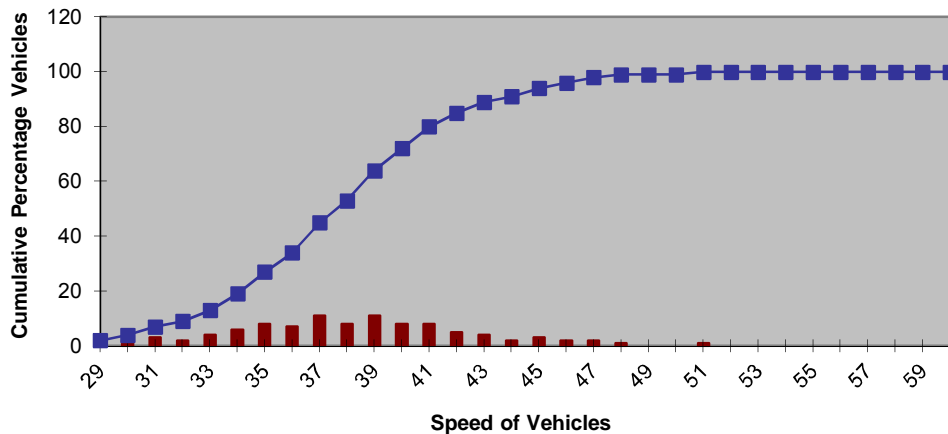
Location:	<b>Tracy Blvd (Sixth St - Schulte Rd)</b>		
Date:	<u>8/27/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>1:40 PM</u>	Direction:	<u>NB/SB</u>
End Time:	<u>2:00 PM</u>	Land use:	<u>Residential</u>
Day:	<u>Tuesday</u>	Type:	<u>Arterial</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>35 mph</u>

SPEED DATA	
Speed	Number
28	1
29	1
30	2
31	3
32	2
33	4
34	6
35	8
36	7
37	11
38	8
39	11
40	8
41	8
42	5
43	4
44	2
45	3
46	2
47	2
48	1
49	0
50	0
51	1
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
68	0
69	0
70	0
71	0
72	0
73	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>28-51 mph</u>
50th Percentile Speed:	<u>37.6 mph</u>
85th Percentile Speed:	<u>42 mph</u>
10 mph pace speed:	<u>34-43 mph</u>
Average Speed:	<u>38.20</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 38; Intersection 12, Speed Related 8
Period:	1/1/2010-12/31/2012
Street	Arterial
Volume (if known)	
Parking Conditions:	No Parking Allowed, Bike Lane
Other Considerations	Residential subdivisions

**RECOMMENDATIONS**

Recommended speed limit = 35 mph



Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

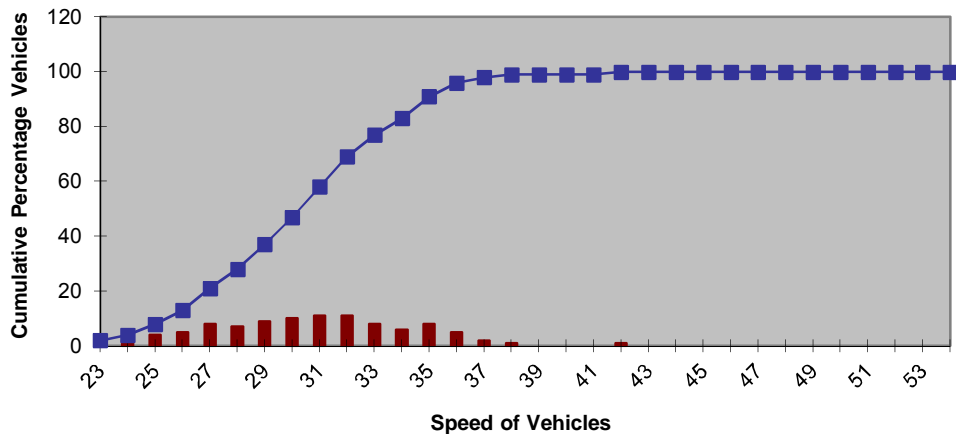
Location: **Whispering Wind Drive (Tracy Blvd- Middlefield Dr)**  
 Date: **8/15/2013** Recorder: **Dennis**  
 Begin Time: **9:30 AM** Direction: **EB/WB**  
 End Time: **11:00 AM** Land use: **Residential**  
 Day: **Thursday** Type: **Collector**  
 Weather: **Clear & Sunny** Posted Limit: **30 mph**

SPEED DATA	
Speed	Number
20	1
23	1
24	2
25	4
26	5
27	8
28	7
29	9
30	10
31	11
32	11
33	8
34	6
35	8
36	5
37	2
38	1
39	0
40	0
41	0
42	1
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
64	0
65	0
66	0
67	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed: **100 Vehicles**  
 Speed range: **20-42 mph**  
 50th Percentile Speed: **30.3 mph**  
 85th Percentile Speed: **34.25 mph**  
 10 mph pace speed: **26-35 mph**  
 Average Speed: **30.69**

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents: **Total 4; Intersection 1, Speed Related 0**  
 Period: **1/1/2010-12/31/2012**  
 Street: **Residential Collector**  
 Volume (if known):  
 Parking Conditions: **Parking Present**  
 Other Considerations: **Residential driveways, and Curves**

**RECOMMENDATIONS**

Recommended speed limit = 30 mph





Traffic Section, Engineering Division  
City of Tracy

**VEHICLE SPEED SURVEY REPORT**

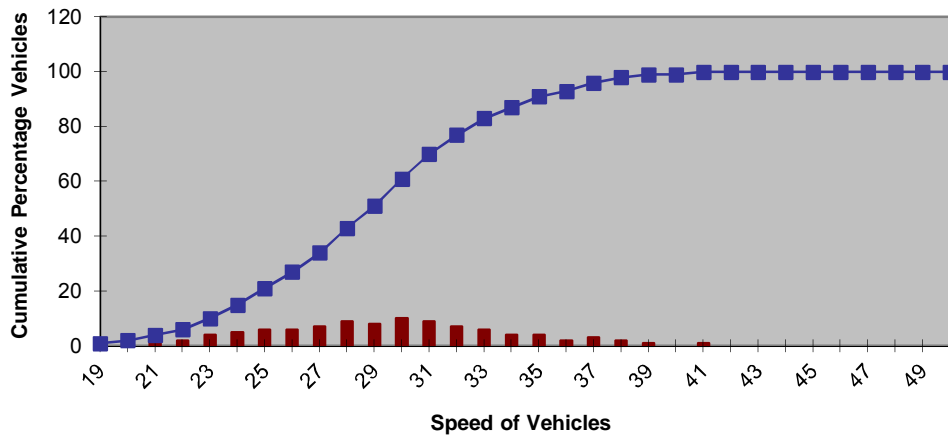
Location:	<b>Whispering Wind Drive (Tracy Blvd- Regis Dr)</b>		
Date:	<u>7/17/2013</u>	Recorder:	<u>Dennis</u>
Begin Time:	<u>9:30 AM</u>	Direction:	<u>EB/WB</u>
End Time:	<u>11:00 AM</u>	Land use:	<u>Residential</u>
Day:	<u>Wednesday</u>	Type:	<u>Collector</u>
Weather:	<u>Clear &amp; Sunny</u>	Posted Limit:	<u>30 mph</u>

SPEED DATA	
Speed	Number
18	1
19	0
20	1
21	2
22	2
23	4
24	5
25	6
26	6
27	7
28	9
29	8
30	10
31	9
32	7
33	6
34	4
35	4
36	2
37	3
38	2
39	1
40	0
41	1
42	0
43	0
44	0
45	0
46	0
47	0
48	0
49	0
50	0
51	0
52	0
53	0
54	0
55	0
56	0
57	0
58	0
59	0
60	0
61	0
62	0
63	0
<b>Total</b>	<b>100</b>

**SUMMARY STATISTICS**

Total observed:	<u>100 Vehicles</u>
Speed range:	<u>18-41 mph</u>
50th Percentile Speed:	<u>28.8 mph</u>
85th Percentile Speed:	<u>33.5 mph</u>
10 mph pace speed:	<u>24-33 mph</u>
Average Speed:	<u>29.31</u>

**GRAPH OF CUMULATIVE %AGE VEHICLES VS SPEED**



**ANALYSIS INFORMATION**

Number of Accidents:	Total 0; Intersection 0, Speed Related 0
Period:	1/1/2010-12/31/2012
Street	Collector
Volume (if known)	
Parking Conditions:	No parking Allowed
Other Considerations	Industrial, railroad crossing

**RECOMMENDATIONS**

Recommended speed limit = 30 mph



AGENDA ITEM 8

REQUEST

**INTRODUCTION OF AN ORDINANCE ADOPTING, BY REFERENCE, THE 2013 CALIFORNIA BUILDING AND RELATED CODES, SPECIFYING WHICH APPENDICES APPLY TO THE CITY OF TRACY, RE-ADOPTING CERTAIN EXISTING SECTIONS OF TITLE 9 OF THE TRACY MUNICIPAL CODE, ADOPTING STANDARDS RELATED TO EXTERIOR PALLET STORAGE, RADIO AMPLIFICATION SYSTEMS, AUTOMATIC SPRINKLER SYSTEMS AND OTHER EMERGENCY RESPONDER REQUIREMENTS AND SETTING A PUBLIC HEARING DATE AND TIME FOR ADOPTION OF THE ORDINANCE**

EXECUTIVE SUMMARY

The 2013 California Building and Fire Codes are mandated to be enforced throughout California six months after the publication date regardless of the local adoption process. The state-mandated effective date of local enforcement occurs on January 1, 2014. However, to enforce necessary local amendments, adopt certain appendices to the Building Codes update and contemporize administrative provisions, antiquated codes and references, modifications to Title 9 of the Tracy Municipal Code are requested at this time.

DISCUSSION

New versions of the various building and fire codes (California Codes) related to building design and construction are adopted by the State of California every three years. As new codes are adopted by the legislature, the City of Tracy amends our local ordinances as necessary. The codes under current consideration are the 2013 California Codes that replace the 2010 versions as set forth in Title 24 of the California Code of Regulations. These California Codes include the following:

- California Building Code (CBC),
- California Fire Code, (CFC),
- California Mechanical Code (CMC),
- California Plumbing Code (CPC),
- California Electrical Code (CEC),
- California Energy Code (CEnC),
- California Residential Code (CRC),
- California Existing Building Code (CEBC),
- California Green Standards Building Code (CGBSC)
- California Historical Building Code (CHBC).

Additionally, some of the California Codes are amended International Codes (copyrighted by the International Code Council or ICC), Uniform Codes (copyrighted by the International Association of Plumbing and Mechanical Officials or IAPMO) and the National Electric Code (copyrighted by the National Fire Protection Agency or NFPA), having been amended by various state agencies and ratified by the California State Building Standards Commission.

These codes provide minimum requirements and standards for the protection of life, limb, health, property, safety and welfare of the general public, owners and occupants of buildings. The California Health and Safety Code requires cities to enforce the most recent editions of the California Codes. As such, the 2013 California Codes are required by the State to be enforced beginning January 1, 2014.

However, local agencies, such as Tracy, are able to adopt appendices that are not uniformly required otherwise. In addition to the mandated 2013 building codes mentioned above, City staff is recommending adoption of certain appendices. This approach was also taken in 2009, and with previous building code updates.

The following list of California Codes and corresponding appendices are recommended for adoption:

- 2013 California Building Code; Appendices C, F, H, K
- 2013 California Electrical Code
- 2013 California Mechanical Code
- 2013 California Plumbing Code; All Appendices except J and L
- 2013 California Energy Code; Appendix 1-A
- 2013 California Residential Code; Appendix H
- 2013 California Historical Building Code; Appendix A
- 2013 California Existing Building Code
- 2013 California Green Standards Building Code
- 2013 California Fire Code; Appendices B, BB, C, CC, D, F, H and K

#### Local Amendments to the Building Codes

As stated above, most of the 2013 California Codes have appendices that are not applicable unless adopted locally. Some of the local amendments contained within the proposed ordinance are those that have been previously adopted by the City. Those specific items are excluded from this discussion but the new amendments are mentioned below. Not all appendices are proposed for local adoption.

The list below identifies all of the appendices recommended for approval and briefly clarifies the reason for recommendation; it also includes the appendices not recommended for approval and the rationale.

#### Recommended Appendices

- 2013 CBC Appendix C; gives specific requirements and definitions related to agricultural buildings wherever such exist within the City limits
- 2013 CBC Appendix F; gives specific requirements enabling rodent-proofing
- 2013 CBC Appendix H; provides requirements for unique construction aspects of commercial signage
- 2013 CBC Appendix K; State-mandated requirements for the Central Valley Flood Protection Plan for commercial buildings
- 2013 CRC Appendix H; provides requirements for unique aspects of patio construction

- 2013 CPC Appendix A; provides standardization to the sizing of water supply systems
- 2013 CPC Appendix B; provides explanatory direction for combination waste and vent systems
- 2013 CPC Appendix C; clarifies procedures for the design and approval of engineered plumbing systems, alternate materials and equipment not specifically covered in other parts of the CPC
- 2013 CPC Appendix D; provides standardization for sizing of storm water and drainage systems
- 2013 CPC Appendix E; provides criteria for the design and installation of manufactured and/or mobile home park plumbing and drainage systems
- 2013 CPC Appendix F; provides criteria for firefighter breathing air replenishment systems in high-rise building, underground structures, etc.
- 2013 CPC Appendix G; provides requirements for the sizing of venting systems for Category I appliances
- 2013 CPC Appendix H; where private sewage disposal is approved, this appendix provides the necessary requirements
- 2013 CPC Appendix I; provides standardization for specific plumbing installations
- 2013 CPC Appendix K; provides standards where potable rainwater catchment systems are installed
- 2013 CENC Appendix 1-A; provides expanded information regarding energy standards and other documents referenced within the CEnC
- 2013 CHBC Appendix A; clarifies if modifications made to qualified historical buildings meet Federal requirements as the CHBC is intended to work in conjunction with Federal standards
- 2013 CFC Appendix B; provides criteria for fire flow requirements
- 2013 CFC Appendix BB; provides criteria for fire flow requirements specific to private schools
- 2013 CFC Appendix C; provides criteria for hydrant location and appropriate number thereof
- 2013 CFC Appendix CC; provides criteria for hydrant location and appropriate number thereof specific to private schools
- 2013 CFC Appendix D; provides additional requirements as it relates to Fire Department emergency access to buildings
- 2013 CFC Appendix F; clarifies hazardous materials placarding requirements based on NFPA 704
- 2013 CFC Appendix H; creates a standard for a hazardous materials management plan and hazardous materials inventory sheets
- 2013 CFC Appendix K provides standards for haunted houses where none currently exist.

The list below identifies all of the appendices and annexes not recommended for approval and also briefly clarifies the reason for exclusion from recommendation. Additionally, annexes that are included within certain codes contain nonmandatory information relative to the use of the code and are not part of the enforceable requirements of the code. Therefore, annexes contained in the codes are not necessary to adopt locally.

Appendices and Annexes Not Recommended

- 2013 CBC Appendix A; the City's Human Resources Department provides employee qualifications
- 2013 CBC Appendix B; TMC already has Building Board of Appeals provisions
- 2013 CBC Appendix D; enforces construction restrictions in fire districts that are more restrictive than the Building Code. For example, the typical wood framing of a single family dwelling would not be allowed.
- 2013 CBC Appendix E; the appendix is reserved
- 2013 CBC Appendix G; TMC already has requirements for flood-resistant construction
- 2013 CBC Appendix I; the CRC already has requirements for residential patio covers
- 2013 CBC Appendix J; the City already has standards for grading
- 2013 CRC Appendix A; these regulations represent different national code standards than already provided in the CPC
- 2013 CRC Appendix B; these regulations represent different national code standards than already provided in the CPC
- 2013 CRC Appendix C; these regulations represent different national code standards than already provided in the CPC
- 2013 CRC Appendix D; the City does not perform inspections of existing appliances and therefore does not need these prescriptive requirements
- 2013 CRC Appendix E; these regulations are comparative to the applicable California Code of Regulations Title 25
- 2013 CRC Appendix F; Tracy is a low potential area where radon-resistant construction is not needed
- 2013 CRC Appendix G; repetitive requirements already found in CBC.
- 2013 CRC Appendix I; these regulations represent different national code standards than already provided in the CPC
- 2013 CRC Appendix J; TMC already has requirements for existing buildings and structures
- 2013 CRC Appendix K; repetitive, requirements already found in CBC
- 2013 CRC Appendix L; the City already has a fee schedule
- 2013 CRC Appendix M; State law already provides requirements for home day care
- 2013 CRC Appendix N; these regulations represent different national code standards than already provided in the CPC.
- 2013 CRC Appendix O; these regulations are redundant as they are found in the CFC.
- 2013 CRC Appendix P; these regulations represent different national code standards than already provided in the CPC
- 2013 CRC Appendix Q; the cross reference is to a national code standard that is not used in California
- 2013 CMC Appendix A; this appendix is a form to calculate the HVAC loads for a residential system and is not necessary to adopt
- 2013 CMC Appendix B; the City does not place gas equipment in operation and therefore does not need these prescriptive procedures

- 2013 CMC Appendix C; the City does not install and test oil fuel-fired equipment
- 2013 CMC Appendix D; these unit conversion tables are readily available standards and are not necessary to adopt
- 2013 GBSC Appendix A4; additional residential requirements such as higher levels of landscape irrigation design, recycled content requirements, thermal insulation requirements and mandatory cool roof and permeable paving requirements that will have an adverse economic impact to the project.
- 2013 GBSC Appendix A5; additional commercial requirements such as higher levels of requirements for fuel-efficient vehicles, recycled building materials, cool roofing, outdoor lighting and interior pollutant controls that will have an adverse economic impact to the project.
- 2013 CEC Annex A; identifies product safety standards which are informational and not necessary to adopt
- 2013 CEC Annex B; provides an alternate method for calculating ampacities and is not necessary to adopt
- 2013 CEC Annex C; provides conduit and tubing fill tables that are useful but not necessary to adopt
- 2013 CEC Annex D; provides load calculation examples that are helpful to understand load calculations but not necessary to adopt
- 2013 CEC Annex E; provides information related to types of construction that are not necessary to adopt
- 2013 CEC Annex F; provides information for critical operations power systems and is not necessary to adopt
- 2013 CEC Annex G; provides parameters for supervisory control and data acquisition systems (SCADA) but is not necessary to adopt
- 2013 CEC Annex H; the City already has administrative provisions for the CEC
- 2013 CEC Annex I; provides recommended torque tables as informational tables only and therefore, is not necessary to adopt
- 2013 CPC Appendix J; provides an example of how to calculate a combination of indoor and outdoor combustion ventilation openings and is not needed to be adopted
- 2013 CPC Appendix L; provides a comprehensive set of technical provisions that would mandate additional sustainable practices than what is already required through the CGBSC
- 2013 CFC Appendix A; provides a standard for an appeals board other than what the TMC has already provided
- 2013 CFC Appendix E; is informational only and is not intended for adoption
- 2013 CFC Appendix G; is informational only and is not intended for adoption
- 2013 CFC Appendix I; is informational only and is not intended for adoption
- 2013 CFC Appendix J; provides a standard for a building information sign wherein the Fire Department incident preplanning operations provide the equivalent information.

#### Additional Explanation for the Recommended Adoption of Various Appendices

The 2010 CRC first required suppression systems for all new single-family dwellings. Title 25 of the California Code of Regulations does not require that manufacturers of 'manufactured homes' install sprinkler systems in such homes unless a local ordinance mandates such systems. Yet, the protection of life provided by suppression systems should not be limited to site-built homes. Therefore, staff is proposing that the City of

Tracy require suppression systems in all of its newly built or manufactured homes with the 2013 CRC as a code amendment.

The 2013 CFC has incorporated new requirements and language within the model code that will necessitate the removal of several previously adopted amendments to the CFC currently found within the Tracy Municipal Code (TMC) to prevent redundancy. Staff is recommending that TMC Chapter 9.06 also be modified to update other administrative provisions of the other California codes being adopted locally. The 2013 CFC section 315 is proposed to be amended by consolidating provisions of the National Fire Protection Association Standard 1 and other portions of the 2013 California Fire Code. The amendment addresses the extraordinary hazard of exterior pallet fires. After an exterior pallet fire is initiated, the extreme rate of fire growth and heat intensity can contribute to a fire with major building-to-building flame spread over a great distance due to radiant heat generation that can be intensified by the windy conditions experienced in Tracy. Separation distances to property lines, buildings on site and to other on-site combustible storage are proposed to reduce the potential hazard.

Emergency responders, particularly firefighters, need ready access into buildings for them to rescue people within such buildings, find the source of the hazard, contain the hazard and eliminate the hazard. Various CFC amendments are being proposed for local adoption to do just this. For example, locked electrical gates need to have a non-proprietary use of signal receiver compatible with that used by fire engine companies for automatic access. Other amendments clarify the make, model, manufacturer and installation requirements of keyed entrance boxes. These boxes house the keys to businesses enabling ready emergency access by the Fire Department so that destructive access is avoided. Also, an amendment has been added to require the installation of a container which is to house current information regarding quantities, type and location of hazardous materials within a specific structure and/or site. This information is essential to firefighting personnel in responding to a fire involving hazardous substances or confronting a major accidental chemical release.

The previously adopted Fire Code amendment requires automatic sprinklers in existing building when a remodel or alteration is in excess of \$100,000 in valuation and where the existing structure is in excess of 6000 square feet in area. The monetary threshold was based on construction costs established at the time the amendment was first introduced to the TMC in 1985 and did not take into consideration cost increases in construction for wages and materials. The new amendment would link to a construction cost index that would allow for the increase in the \$100,000 base cost established in 1985 to an equivalent cost in today's terms at approximately \$260,000 and make the installation more reasonable and less of an impact upon owners of existing buildings interested in tenant improvements.

If adopted, this amendment would establish a three-year period within which expenditures for permitted improvements to a structure in excess of the adjusted \$100,000 valuation would trigger the installation of an automatic sprinkler system. There are also provisions for additions, change of use and minimum square footages for any type of newly constructed building that will also mandate automatic sprinkler protection. Such protection has proven not only to control, if not altogether extinguish fires that may start, but more importantly, save lives.

Staff proposes that the 2013 California Fire Code be amended to require emergency responder radio coverage within existing buildings where certain improvements to the

structure would impede such emergency radio communications. The intent is to further protect against loss of life (either on behalf of person in an emergency or the responder).

Most of the changes noted within the 2013 California Codes from previous editions should have minimal impact upon construction, yet constitute a continued effort to achieve the highest levels of health and life safety in the built environment under specified minimum standards. However, the most significant changes are the requirements found in the CEC and the CGBSC related to increased energy efficiencies and requirements that have a positive environmental impact and encourage sustainable construction practices.

A public hearing to adopt the mandated codes is not required. Government Code section 50022.2 provides an exception to the public hearing requirements for adopting codes by reference for those codes which the City is required to enforce as a condition of compliance with a state statute. However, a public hearing is required for adoption of the various non-mandated appendices to the codes so Staff is requesting that Council set a date for such public hearing to occur concurrently with adoption (second reading) of the proposed ordinance.

#### Local Outreach

City staff recently met with a group of community stakeholders that included business owners, residential and commercial developers, and contractors in order to receive feedback and more fully discuss the code updates. The stakeholders have been informed of the proposed local ordinances, and have expressed agreement with implementation of the proposed local amendments of the 2013 California Codes for the City of Tracy.

#### STRATEGIC PLAN

This agenda item supports the Public Safety strategy in relation to the adoption of the 2013 California Codes and specifically implements the following goals:

Goal 2: Promotes public health, safety and community welfare.

#### FISCAL IMPACT

Adoption of the ordinance could have a negative fiscal impact. Although the fees collected at permit issuance will not change, the new code editions will impose new construction requirements that are necessary to be inspected and plan reviewed by staff in both the plan review and inspection processes. Thus, the rate of plan review and inspections performed and the corresponding plan review and inspection production levels will likely diminish. As such, the fiscal impact could be negative. However, because the State mandates the enforcement of these codes, it may be prudent to consider a future permit and plan review fee adjustment.



RECOMMENDATION

It is recommended that City Council introduce an ordinance adopting the 2014 California Building, Fire, and related codes, specifying which appendices apply to the City of Tracy and re-adopting certain existing sections of Title 9 of the Tracy Municipal Code and adopting standards related to exterior pallet storage, radio amplification systems, automatic sprinkler systems and other emergency responder requirements and set a public hearing date and time for adoption of the proposed ordinance.

Prepared by: Kevin Jorgensen, Chief Building Official, Fire Code Official

Reviewed by: William Dean, Assistant Development Services Director  
Andrew Malik, Development Services Director  
Maria A. Hurtado, Assistant City Manager

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

ATTACHMENT

Attachment A: Proposed Ordinance adopting various Uniform Codes and appendices thereto, including local amendments, and repealing, amending and adding to Title 9 of the Tracy Municipal Code.

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TRACY ADOPTING THE 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA ELECTRICAL CODE, 2013 CALIFORNIA PLUMBING CODE, 2013 CALIFORNIA RESIDENTIAL CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 CALIFORNIA HISTORICAL BUILDING CODE, 2013 CALIFORNIA EXISTING BUILDING CODE, AND 2013 CALIFORNIA ENERGY CODE, 2013 CALIFORNIA FIRE CODE, ADOPTING APPENDICES C, F, H, AND K OF THE 2013 CALIFORNIA BUILDING CODE, APPENDICES A, B, C, D, E, F, G, H, I AND K OF THE 2013 CALIFORNIA PLUMBING CODE, APPENDIX 1-A OF THE 2013 CALIFORNIA ENERGY CODE, APPENDIX H OF THE 2013 CALIFORNIA RESIDENTIAL CODE, APPENDIX A OF THE 2013 CALIFORNIA HISTORICAL BUILDING CODE, APPENDICES B, BB, C, CC, D, F, H AND K OF THE 2013 CALIFORNIA FIRE CODE, ADOPTING SUPPRESSION REQUIREMENTS FOR MANUFACTURED HOMES, CLARIFYING REQUIREMENTS FOR AUTOMATIC SUPPRESSION SYSTEMS FOR TENANT IMPROVEMENTS AND REQUIREMENTS FOR HAZARDOUS PALLET STORAGE, CLARIFYING STANDARDS FOR RADIO AMPLIFICATION SYSTEMS FOR EXISTING BUILDINGS, ADOPTING EMERGENCY RESPONSE STANDARDS, AND REPEALING SECTIONS TO ELIMINATE ANTIQUATED OR REDUNDANT LANGUAGE

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

SECTION 1: Readopted sections. Tracy Municipal Code sections 9.04.010, 9.04.020 and 9.04.040 through 9.04.070 are readopted in their entirety without change.

SECTION 2: Amended sections. Tracy Municipal Code section 9.04.030 is hereby amended to read as follows:

9.04.030 Adoption by reference of the California Building Code.  
The City hereby adopts by reference the code entitled "2013 California Building Code," Volumes 1 and 2, including appendices C, F, H and K, copyrighted by the International Code Council and the California Building Standards Commission (hereinafter "California Building Code"), as amended by this chapter. The California Building Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6.

SECTION 3: Amended sections. Tracy Municipal Code sections 9.06.010 through 9.06.080 are hereby amended to read as follows:

“9.06.010 Reference to chapter.  
This chapter 9.06 of the Tracy Municipal Code may be referred to as the “City Fire Code” and is adopted pursuant to Government Code section 50022.2. For the purpose of clarity, the term “Code” when used alone, shall refer to the Tracy Municipal Code.

9.06.020 Purpose of chapter.  
The purpose of this chapter is to provide regulations governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of new and existing buildings and premises as herein provided and to provide safety to fire fighters and emergency responders during emergency operations; providing for the issuance of permits and collection of fees therefor; and to provide minimum standards to safeguard life or limb, health or property, and public

welfare by regulating the design, construction and quality of materials for all buildings or structures in the City.

9.06.030 Adoption by reference of the California Fire Code.

The City hereby adopts by reference the code entitled "2013 California Fire Code" including appendices B, BB, C, CC, D, H, F and K, copyrighted by the International Code Council and the California Building Standards Commission (hereinafter "California Fire Code"), as amended by this chapter. The California Fire Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6.

9.06.040 Penalty Provisions

The California Fire Code subsection 109.4 is amended to read as follows:

109.4 Violations Penalties. Violations of this Chapter shall be enforced by The City of Tracy in accordance with the provisions of City of Tracy Municipal Ordinance Section 9.02.040

9.06.050 Appeals

Any person aggrieved by any decision of the fire code official, may appeal to the Board of Appeals, by filing a written notice of appeal with the City Clerk within thirty days from the date the decision or action was taken.

9.06.060 Amendments to the California Fire Code.

The City of Tracy hereby makes the following local amendments to the California Fire Code:

CHAPTER 1

Section 103.2 Appointment, is hereby repealed in its entirety as it purports to give vested employment rights different than currently exists for the fire code official.

Section 105.2.3 is amended to read as follows:

Section 105.2.3 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the fire code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. However, at the discretion of the fire code official, an application shall not be extended more than two times if this code or any other pertinent code, law or ordinance has been adopted subsequent to the date of application. A new permit shall be obtained and corresponding fees shall be paid when a permit has expired.

Section 105.3.2 is amended to read as follows:

Section 105.3.2 Extensions. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The fire code official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. However, at the discretion of the fire code official, a permit shall not be extended more than two times if this code or any other pertinent code, law or ordinance has been adopted subsequent to the date of application. A new permit shall be obtained and corresponding fees shall be paid when a permit has expired."

Section 105 is amended by adding subsection 105.6.48 to read as follows:

Section 105.6.48 Christmas tree lots, haunted house or corn maze. An operational permit is required to operate a temporary or permanent operation.

Section 106 is amended by adding subsection 106.2.3 to read as follows:  
106.2.3 Reinspection Fee. A reinspection fee may be assessed for each inspection, test, or reinspection when such portion of work for which an inspection is requested is not complete or when corrections requested to be inspected are not made. This section is not to be interpreted as requiring reinspection fees the first time an inspection or test is rejected for failure to comply with the requirements of the code, but as controlling the practice of requesting inspections/tests before the job is ready for such inspection or test. Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection/test is requested, failure for those individuals conducting the test to show up at the scheduled time or deviating from the approved plans. The fee shall be equal to all incurred costs for inspection and administrative staff at the fully burdened rate.

## CHAPTER 2

Section 202 subsection FALSE ALARM is amended to read as follows:  
FALSE ALARM shall mean the giving, signaling or transmission to any public fire station or company or to any officer or employee thereof, whether by telephone, spoken word or otherwise, information to the effect that there is a fire, medical emergency, rescue request, or other need for emergency service at or near the place indicated by the person giving, signaling, or transmitting such information, and there is found to be no need for emergency services.

## CHAPTER 3

Section 315 is amended by adding subsection 315.6 to read as follows:  
Section 315.6 Outside storage of pallets, palletized packing boxes, bin boxes and other combustibles.

Section 315.6.1 Operational permit required an operational permit shall be obtained to store pallets, palletized packing boxes, bin boxes and other combustible materials in excess of 2500 cubic feet.

### Section 315.6.2 Height

Pallets, palletized packing boxes, bin boxes and other combustible materials shall be stored or piled with due regard to stability but in no case greater than 15 feet in height.  
Exception: Bin boxes may be stacked to a maximum height of 20 feet.

### Section 315.6.3 Proximity to other combustible yard storage

Pallets, palletized packing boxes and bin boxes shall be stored within the limitations to other combustible yard storage as per Table 315.6.3 (a). The distance of stacked pallets, palletized packing boxes or bin boxes adjacent to buildings on the same lot shall comply with Table 315.6.3 (b)

Table 315.6.3 (a)  
Minimum distance of piled storage to other combustible yard storage

# of Pallets Bins or boxes	Min. Ft.
<50	20 Feet
50-200	30 Feet
>200	50 feet

Table 315.6.3 (b)  
Minimum distance of piled or combustible storage to buildings

Building Wall Construction	# of Pallets, Bins or Boxes		
	<50	50-200	>200
Masonry without openings	0 ft.	0 ft.	15 ft.
Wood or metal With outside sprinklers	10 ft.	20 ft.	30 ft.
Wood, Metal or Masonry W/O outside sprinklers	20 ft.	30 ft.	50 ft.

Section 315.6.4 Proximity to property line

Where pallets, palletized packing boxes, bin boxes or other combustibles are piled or stored adjacent to a property line, the distance from such storage or pile shall not be less than 20 feet to the property line.

Section 315.6.5 Fire access

Fire access driveways between and around pallets, palletized packing boxes, bin boxes or other combustibles shall be a minimum of 20 feet in width and maintained free from accumulation of rubbish, weeds, machinery, equipment or other obstructions that may block access or add to the fire hazard. Driveways shall be spaced so as to establish a maximum grid of storage not to exceed 50 feet by 50 feet and no pile shall exceed 2500 square feet in dimension or more than 50 feet in any one dimension. An approved turning radius around such piles shall be maintained at all times.

Section 315.6.6 Fencing

Outside storage of pallets, palletized packing boxes, bin boxes or other combustibles operating under a permit shall be enclosed by a suitable fence not less than 6 feet in height.

Section 315.6.7 Water Supply

An approved water supply and hydrants capable of supplying the required fire flow shall be provided within 400 feet or all portions of the storage area in accordance with section 507 of the 2013 California Fire Code or NFPA 1142 (where municipal water supplies are not available).

CHAPTER 4

Section 401.5 is amended by adding subsection 401.5.1 Cost to read as follows:

Section 401.5.1 Cost recovery. All costs incurred by the City to any response to a false alarm will be charged to that person, property owner, firm or corporation causing the transmission of the false alarm.

CHAPTER 5

Section 503.6 is amended to read as follows:

Section 503.6 Security gates. The installation of security gates across a fire apparatus access road shall require, prior to installation, approval by the fire code official. Where security gates are installed they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. All electrically operated automatic gates across fire apparatus access roads shall be equipped with traffic

preempting optical signal receivers compatible with the emitters utilized by the Fire Department, which will activate the gate and override all command functions of the gate controller. The automatic gate shall have a battery backup or manual mechanical disconnect readily accessible to emergency personnel in case of power failure. All gates must meet Fire Department standards deemed necessary by the fire code official for rapid, reliable access. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. All manual gates shall be equipped with a Knox-Box containing a key to the gate, or an approved Knox-Padlock.

Section 506.1 is amended to read as follows:

Section 506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life safety or firefighting purposes, the fire code official is authorized to require a key box in which all keys necessary for entering any portion of the property, building or area shall be contained. The key box shall be manufactured by Knox and as a minimum size, shall be a Knox-Box 3200 series box with exterior dimensions of 5"x4"x3 3/4". Larger boxes will be required dependent upon the number of keys to be set within the box. The Knox-Box shall be installed at a height of 72" above finished grade in an accessible location approved by the fire code official. Keys within the box shall be permanently and readily identified.

Section 506 is amended by adding subsection 506.3 to read as follows:

Section 506.3 Hazardous materials management plan box. When a facility stores or uses hazardous materials, the fire code official may require the installation of a secured box manufactured by KNOX and located at the facilities primary entrance or fire control room. The plan box shall contain up-to-date hazardous materials inventory sheets (HMIS) of all of the hazardous materials stored or used within the facility, hazardous materials management plan (HMMP) and contact information of the company liaison to the fire department. The plan box shall be water proof and of sufficient size to contain HMMP and HMIS information without the need to fold the documentation.

Section 509 is amended by adding subsection 509.3 to read as follows:

509.3 Fire Control Room. All new buildings protected with an automatic fire extinguishing system shall be provided with a Fire Control Room in which shall contain system control valves and where practical, fire alarm panel, smoke exhaust controls and all other equipment as designated by the fire code official. The fire control room shall be located so as to be directly accessible from the exterior of the building and provided with a durable and permanent sign on the exterior of the access door to identify the space as the fire control room.

## CHAPTER 9

Section 903 is amended by adding subsection 903.2.20 to read as follows:

Section 903.2.20 Automatic fire sprinklers. In addition to the requirements specified in Section 903 of this code, an automatic fire sprinkler system shall be installed throughout and maintained in operable condition in the following buildings:

1. Every building hereafter constructed in which the total area of the building is greater than 6,000 square feet including overhangs.
2. Every building hereafter constructed of three or more stories in height as defined in the building code.

3. Every building hereafter remodeled or improved within a three-year period of time when the cost of improvements (alterations and/or structural repairs to the building) requiring permits exceeds a valuation threshold as specified below and the total area of the building exceeds 6,000 square feet. The calculation is determined using a valuation threshold of \$100,000 based on the 1985 "ENR US20 Cities" Average Construction Cost Index of 4195 adjusted by area cost factors. The City will annually update the valuation threshold to a current amount based on the increase in the index since the last figure used.
4. Every building hereafter changed in occupancy classification and the total area is greater than 6,000 square feet, and the proposed use is deemed to be more hazardous based on risk analysis by the fire code official
5. Every building hereafter in which square footage is increased by 50% or more within a three-year period and the total square footage of the building exceeds 6000 square feet. If the additional square footage added to a building creates a total that exceeds the minimum code requirement for sprinklers for that occupancy type, then automatic sprinklers shall be required.
6. (Exception) Minor additions; not greater than 500 square feet in area to existing non-sprinklered buildings and the purpose of the addition is for accessory storage or disabled access upgrades.

Section 912.4 is amended to read as follows:

Section 912.4 Signs. A metal sign with raised letters at least 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable. Where the fire department connection serves a portion of a building or a specific building among multiple buildings a sign shall be provided to reflect the appropriate building or portion of building served.

#### CHAPTER 11

Section 1103.2 amended to read as follows:

Section 1103.2 Emergency responder radio coverage in existing buildings. Existing buildings that do not have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction shall be equipped with such coverage when any of the following conditions apply:

1. Where the use or occupancy group of the building has been changed and the use is more hazardous.
2. The addition of metal racking systems, equipment, or interior walls utilizing metal, masonry or concrete materials that interfere with emergency responder radio coverage within the building.
  - a. Where multiple tenant spaces exist within a single structure, only the tenant space where improvements are made that trigger radio coverage shall have radio coverage.
  - b. New metal racks (including required aisle and flue space), equipment, masonry or concrete walls and elevated floors and metal framing installed that increase existing metal rack (including required aisle and flue space), equipment, masonry or concrete walls and elevated floors and metal framing area by 40% or greater for tenant spaces up to 100,000 square feet, 35% or greater for tenant spaces up to 400,000 square feet and 25% or greater for tenant spaces greater than 400,000 square feet shall require radio coverage.
  - c. New metal racks (including required aisles and flue spaces), equipment, masonry or concrete walls and elevated floors and metal framing installed that cover 30% or

greater area of the tenant space where no such improvements previously existed shall require radio coverage in tenant spaces up to 100,000 square feet; 25% or greater for tenant spaces up to 400,000 square feet and 20% or greater for tenant spaces greater than 400,000 square feet.

3. Every building hereafter in which square footage of the building is increased by 50% or more within a three-year period and the total square footage of the building exceeds 6000 square feet.

Exception: 1). Group R Division 3 Occupancies and buildings constructed entirely of structural members made of wood.

#### APPENDIX B

Section B105.2 and Exception 1 is amended to read as follows:

Section B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

Exception:

1. A reduction in required fire-flow of up to 50 percent, as approved by the fire code official, is allowed when the building is provided with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. A reduction in required fire-flow of up to 75 percent, as approved by the fire code official, is allowed for warehouse buildings of Type I, Type II, and Type III construction provided with ESFR automatic fire sprinkler systems. The resulting fire-flow for each of these reductions shall not be less than 1500 gallons per minute for the prescribed duration as specified in Table B105.1. Reduction of fire-flow does not apply to number of fire hydrants required as specified in Appendix C.

#### APPENDIX BB

Section BB105.1 and Exception is amended to read as follows:

Section BB105.1 The minimum fire-flow and flow duration for school buildings shall be as specified in Table BB105.1.

Exception: A reduction in required fire flow of up to 50 percent is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow for this reduction shall not be less than 1500 gallons per minute for the prescribed duration as specified in Table BB105.1. Reduction of fire-flow does not apply to number of fire hydrants required as specified in Appendix CC.

#### APPENDIX C

Appendix C is amended by adding section C106 to read as follows:

Section C106 Hydrant type. The fire code official shall approve the type of fire hydrants to be installed in the public right of way or on private property prior to any such installation.

Table C105.1 Number and Distribution of Fire Hydrants, footnote "b" is repealed and amended to read as follows:

Table C105.1 footnote "b"

b. Where streets are provided with median dividers that make access to hydrants difficult, cause time delay, or create undue hazard or both, or where arterial streets are provided with four or more traffic lanes, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute and spaced 400 feet for higher fire flow requirements.



APPENDIX CC

Appendix CC is amended by adding section CC106 to read as follows:

Section CC106 Hydrant type. The fire code official shall approve the type of fire hydrants to be installed in the public right of way or on private property prior to any such installation.

Table CC105.1 Number and Distribution of Fire Hydrants, footnote "b" is repealed and amended to read as follows:

Table CC105.1 footnote "b"

b. Where streets are provided with median dividers that make access to hydrants difficult, cause time delay, or create undue hazard or both, or where arterial streets are provided with four or more traffic lanes, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute and spaced 400 feet for higher fire flow requirements."

SECTION 4: Readopted sections. Tracy Municipal Code sections 9.08.010, 9.08.020 and 9.08.040 through 9.08.160 are readopted in their entirety without change.

SECTION 5: Amended sections. Tracy Municipal Code section 9.08.030 is hereby amended to read as follows:

9.08.030 Adoption by reference of the California Electrical Code.

The City hereby adopts by reference the code entitled "2013 California Electrical Code," copyrighted by the National Fire Protection Association and approved by the California Building Standards Commission (hereinafter "California Electrical Code"), as amended by this chapter. The California Electrical Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6."

SECTION 6: Readopted sections. Tracy Municipal Code sections 9.10.010, 9.010.020 and 9.10.040 are readopted in their entirety without change.

SECTION 7: Amended sections. Tracy Municipal Code section 9.10.030 is hereby amended to read as follows:

"9.10.030 Adoption by reference of the California Residential Code the City hereby adopts by reference the code entitled "2013 California Residential Code" and appendix H copyrighted by the International Code Council and the California Building Standards Commission (hereinafter "California Residential Code"), as amended by this chapter. The California Residential Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6."

SECTION 8: Added section. Tracy Municipal Code section 9.10.050 is hereby added by deleting the existing text of the 2013 California Residential Code section R313.2 and replacing it with the following:

9.10.050 One- and two-family dwellings automatic fire systems.

An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings

including all newly installed manufactured homes in accordance with Title 25.

SECTION 9: Readopted sections. Tracy Municipal Code sections 9.12.010, 9.012.020 and 9.12.040 are readopted in their entirety without change.

SECTION 10: Amended sections. Tracy Municipal Code sections 9.12.030 and 9.12.050 are hereby amended to read as follows: \_

9.12.030 Adoption by reference of the California Plumbing Code.  
The City hereby adopts by reference the code entitled "2013 California Plumbing Code," including all appendices attached thereto (A-K with the exception of L), copyrighted by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission (hereinafter "California Plumbing Code"), as amended by this chapter. The California Plumbing Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6."

9.12.050 Expiration of Application for Plan Review and Permit  
California Plumbing Code section 103.4.2, Expiration of Plan Review, is amended read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. However, at the discretion of the building official, an application shall not be extended more than two times if this code or any other pertinent code, law or ordinance has been adopted subsequent to the date of application. A new permit shall be obtained and corresponding fees shall be paid when a permit has expired.

California Plumbing Code section 103.3.3, Expiration, is amended to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. However, at the discretion of the building official, a permit shall not be extended more than two times if this code or any other pertinent code, law or ordinance has been adopted subsequent to the date of application. A new permit shall be obtained and corresponding fees shall be paid when a permit has expired."

SECTION 11: Readopted sections. Tracy Municipal Code sections 9.14.010, 9.014.020 and 9.14.040 are readopted in their entirety without change.

SECTION 12: Amended sections.

Tracy Municipal Code sections 9.14.030 is hereby amended to read as follows:

9.14.030 Adoption by reference of the California Green Building Standards Code  
The City hereby adopts by reference the code entitled "2013 California Green Building Standards Code" without appendices and copyrighted by the California Building Standards Commission (hereinafter "California Green Building Standards Code"), as amended by this chapter. The California Green Building Standards Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6."

SECTION 13: Readopted sections. Tracy Municipal Code sections 9.16.010, 9.016.020 and 9.16.040 are readopted in their entirety without change.

SECTION 14: Amended section. Tracy Municipal Code sections 9.16.030 and 9.16.050 are hereby amended to read as follows:

"9.16.030 Adoption by reference of the California Mechanical Code.  
The City hereby adopts by reference the code entitled "2013 California Mechanical Code," without appendices attached thereto, copyrighted by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission (hereinafter "California Mechanical Code"), as amended by this chapter. The California Mechanical Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6."

9.16.050 Expiration of Application for Plan Review and Permit  
California Mechanical Code section 114.4, Expiration of Plan Review, is amended to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. However, at the discretion of the building official, an application shall not be extended more than two times if this code or any other pertinent code, law or ordinance has been adopted subsequent to the date of application. A new permit shall be obtained and corresponding fees shall be paid when a permit has expired.

California Mechanical Code section 113.4, Expiration, is amended to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. However, at the discretion of the building official, a permit shall not be extended more than two times if this code or any other pertinent code, law or ordinance has been adopted subsequent to the date of application. A new permit shall be obtained and corresponding fees shall be paid when a permit has expired.

SECTION 15: Repealed and amended section. Tracy Municipal Code section

9.40.080 is hereby amended to read as follows:

9.40.080 Entrance numbers. All buildings and enclosures with main entrances on the public streets of the City shall be numbered in the manner set forth in this section, and all changes from the existing entrance number to a new entrance number where such changes are shown to be required by the block number revisions shown on said Plan shall be made at the earliest possible date, and in any event within a period of six months, unless such date is extended by resolution of the Council.

The duty of obtaining an assignment or reassignment of the appropriate entrance number is imposed upon the owner and also upon the occupant of the building or enclosure to which any such entrance belong or pertains. All such numbers or revised numbers shall be assigned by an official or department of the City designated to perform such duty, and such official or department shall cause to be prepared and maintained such block maps or other documents as may be necessary and adequate for the purpose of keeping an accurate record of entrance numbers.

After such assignment, all existing entrance numbers which are replaced and all numbers on such buildings and enclosures completed after July 1, 1989, shall be placed in figures not less than four inches (nominal) high on illuminated background and a minimum of ½-inch stroke width. Addressing shall be illuminated at night. Such address signs shall be internally or externally illuminated at an intensity of not less than 5.0 foot-candles. Such numbers shall also contrast with their background and shall be placed on a portion of the building that is both legible and visible from the street fronting the property a minimum of six feet above the grade. Entrance numbers shall not be placed on any moveable door and shall be unobstructed from the view of such numbers from the street. Additionally, where access is by means of a private road and/or the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be Arabic numbers or alphabetical letters. Address numbers shall be maintained. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response.

Multiple tenant spaces serviced by vehicular access to the rear of the building through any driveway, alleyway, or parking lot shall have numbers or addresses placed prior to occupancy on all new and existing buildings as to be plainly visible and legible from the rear access way. Multiple tenant spaces serviced by rear access through a corridor, exit court, or exit yard shall have approved numbers or addresses displayed on the rear of the tenant space.

Multiple tenant spaces that front on interior walkways or pedestrian malls shall have approved numbers or addresses placed over the entrance door in all new and existing buildings. An illuminated annunciator or directory board shall be required at every entrance where deemed necessary by the fire code official.”

SECTION 16: Readopted sections. Tracy Municipal Code sections 9.48.010, 9.048.020 and 9.48.040 are readopted in their entirety without change.

SECTION 17: Ammended section. Tracy Municipal Code section 9.48.030 is hereby amended to read as follows:

9.48.030 Adoption by reference of the California Historical Building Code.

The City hereby adopts by reference the code entitled "2013 California Historical Building Code" including all appendices attached thereto and copyrighted by the California Building Standards Commission (hereinafter "California Historical Building Code"), as amended by this chapter. The California Historical Building Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6."

SECTION 18: Readopted sections. Tracy Municipal Code sections 9.50.010, 9.050.020 and 9.50.040 are readopted in their entirety without change.

SECTION 19: Amended section. Tracy Municipal Code section 9.50.030 is hereby amended to read as follows:

9.50.030 Adoption by reference of the California Existing Building Code the City hereby adopts by reference the code entitled "2013 California Existing Building Code" copyrighted by the International Code Council and the California Building Standards Commission (hereinafter "California Existing Building Code"), as amended by this chapter. The California Existing Building Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022."

SECTION 20: Readopted sections. Tracy Municipal Code sections 9.64.010, 9.64.020 and 9.64.040 are readopted in their entirety without change.

SECTION 21: Repealed and amended section. Tracy Municipal Code section 9.64.030 is hereby amended to read as follows:

9.64.030 Adoption by reference of the California Energy Code.  
The City hereby adopts by reference the code entitled "2013 California Energy Code," including all appendices attached thereto, published by the International Code Council and copyrighted by the California Building Standards Commission (hereinafter "California Energy Code"), as amended by this chapter. The California Energy Code is on file with the City Clerk, and is available for inspection and copying in accordance with Government Code section 50022.6."

SECTION 22: Title, chapter and section headings. Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of any title, chapter, or section hereof.

SECTION 23: Constitutionality. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 24: Effective date. This Ordinance shall take effect thirty days after its final passage and adoption.

SECTION 25: Publication. A summary of this ordinance shall be published and a certified copy of the full text posted in the office of the City Clerk at least five days before the City Council meeting at which the proposed ordinance is to be adopted. Within 15 days after adoption, the City Clerk shall publish a summary, and shall post in her office a certified copy, of the ordinance with the names of those Council Members voting for and against the ordinance. (Government Code Section 36933(c)(1).)

The foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Tracy City Council on the 7<sup>th</sup> day of January, 2014, and finally adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote:

AYES:            COUNCIL MEMBERS:

NOES:            COUNCIL MEMBERS:

ABSENT:        COUNCIL MEMBERS:

ABSTAIN:       COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

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

January 7, 2014

AGENDA ITEM 11.A

REQUEST

**CONSIDER WHETHER AN ITEM TO DISCUSS A NOISE REPORT SUBMITTED BY BRIAN VAN LEHN SHOULD BE PLACED ON A FUTURE AGENDA**

EXECUTIVE SUMMARY

Determine whether an item to discuss a noise report submitted by Brian Van Lehn should be placed on a future Council agenda.

DISCUSSION

At the City Council meeting held on December 17, 2013, Council Member Young requested Council consider a discussion item related to a noise report submitted by Brian Van Lehn.

The purpose of this agenda item is to provide an opportunity for Council to discuss whether staff time and city resources should be devoted to research and writing a staff report to be placed on a future agenda for Council's discussion of a noise report submitted by Brian Van Lehn. If Council determines to agendaize an item for discussion, a staff report would be brought back on a future Council agenda.

STRATEGIC PLAN

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

FISCAL IMPACT

Consideration of this item will have no effect on the General Fund.

RECOMMENDATION

It is recommended that the City Council discuss Council Member Young's request and determine whether staff time and city resources should be devoted to an item for Council discussion related to a noise report submitted by Brian Van Lehn.

Prepared by: Sandra Edwards, City Clerk

Reviewed by: Maria A. Hurtado, Assistant City Manager

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

January 7, 2014

## AGENDA ITEM 11.B

### REQUEST

**CONSIDER WHETHER AN ITEM TO DISCUSS THE ESTABLISHMENT OF A CITIZEN'S COMMITTEE TO ADDRESS COMPLAINTS SHOULD BE PLACED ON A FUTURE AGENDA**

### EXECUTIVE SUMMARY

Determine whether an item to discuss the establishment of a citizen's committee to address complaints should be placed on a future Council agenda.

### DISCUSSION

At the City Council meeting held on December 17, 2013, Council Member Young requested Council consider a discussion item related to the establishment of a citizen's committee to address complaints.

The purpose of this agenda item is to provide an opportunity for Council to discuss whether staff time and city resources should be devoted to research and the development of a staff report for an agenda item related to the establishment of a citizen's committee to address complaints. Approval of Council Member Young's request would enable an agenda item to be brought back for discussion on a future Council agenda.

### STRATEGIC PLAN

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

### FISCAL IMPACT

Consideration of this item will have no effect on the General Fund.

### RECOMMENDATION

It is recommended that the City Council discuss Council Member Young's request to agendize an item to establish a citizen's committee to address complaints and determine whether any staff time and city resources should be devoted to this request.

Prepared by: Sandra Edwards, City Clerk

Reviewed by: Maria A. Hurtado, Assistant City Manager

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



January 7, 2014

AGENDA ITEM 11.C

REQUEST

**CONSIDER WHETHER AN ITEM TO DISCUSS INDIVIDUALS BEING RECORDED IN THEIR HOMES AND SURVEILLANCE PRACTICES SHOULD BE PLACED ON A FUTURE AGENDA**

EXECUTIVE SUMMARY

Determine whether an item to discuss individuals being recorded in their homes and surveillance practices should be placed on a future Council agenda.

DISCUSSION

At the City Council meeting held on December 17, 2013, Council Member Young requested Council consider a discussion item related to individuals being recorded in their homes and surveillance practices.

The purpose of this agenda item is to provide an opportunity for Council to discuss whether staff time and city resources should be devoted to research and agendaizing a staff report for Council discussion related to individuals being recorded in their homes and surveillance practices. Approval of Council Member Young's request would enable an agenda item to be brought back for discussion on a future Council agenda.

STRATEGIC PLAN

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

FISCAL IMPACT

Consideration of this item will have no effect on the General Fund.

RECOMMENDATION

It is recommended that the City Council discuss Council Member Young's request to agendaize an item related to individuals being recorded in their homes and surveillance practices and whether any staff time and city resources should be devoted to this item for Council discussion.

Prepared by: Sandra Edwards, City Clerk

Reviewed by: Maria A. Hurtado, Assistant City Manager

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

AGENDA ITEM 11.D

REQUEST

**APPOINT APPLICANTS TO THE TRACY ARTS COMMISSION**

EXECUTIVE SUMMARY

There are currently three term expirations on the Tracy Arts Commission. A recruitment was conducted and appointments need to be made.

DISCUSSION

There are currently three vacancies on the Tracy Arts Commission due to term expirations effective December 31, 2013. To fill the vacancies the City Clerk's office conducted a three week recruitment, during which two applications were received. As stated in Resolution 2004-152, in the event there are not two or more applicants than vacancies, the filing deadline may be extended. The recruitment was extended twice beginning on November 20, 2013, and then again on December 5, 2013. The City Clerk's office received two additional applications during the extended recruitment periods.

On December 18, 2013, a Council subcommittee consisting of Council Member Rickman and Council Member Young interviewed the four applicants. In accordance with Resolution 2004-152, the Council subcommittee will recommend applicants for appointment to serve four year terms, which will begin on January 8, 2014, and end on December 31, 2017.

FISCAL IMPACT

None.

RECOMMENDATION

That Council approves the subcommittee's recommendation and appoint three applicants to the Tracy Arts Commission to serve four year terms which will end on December 31, 2017.

Prepared by: Adrienne Richardson, Deputy City Clerk

Reviewed by: Sandra Edwards, City Clerk  
Maria A. Hurtado, Assistant City Manager

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

January 7, 2014

AGENDA ITEM 11.E

REQUEST

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

EXECUTIVE SUMMARY

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

DISCUSSION

On January 1, 2014, terms expired for three of the Parks and Community Service Commissioners. The vacancies were advertised and the recruitment closed on December 23, 2013. Three applications have been received by the City Clerk's office. As stated in Resolution 2004-152, in the event there are not two or more applicants than vacancies, the filing deadline may be extended. The recruitment has been extended and will close on January 9, 2014.

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

STRATEGIC PLAN

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

FISCAL IMPACT

None.

RECOMMENDATION

That Council appoint a two-member subcommittee to interview applicants for vacancies on the Parks and Community Services Commission.

Prepared by: Adrienne Richardson, Deputy City Clerk

Reviewed by: Sandra Edwards, City Clerk  
Maria A. Hurtado, Assistant City Manager

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