

Tuesday, October 2, 2018, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

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

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

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

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

Presentations to Council - Persons who wish to make presentations which may exceed the time limits are encouraged to submit comments in writing at the earliest possible time to ensure distribution to Council and other interested parties. Requests for letters to be read into the record will be granted only upon approval of the majority of the Council. Power Point (or similar) presentations need to be provided to the City Clerk's office at least 24 hours prior to the meeting. All presentations must comply with the applicable time limits. Prior to the presentation, a hard copy of the Power Point (or similar) presentation will be provided to the City Clerk's office for inclusion in the record of the meeting and copies shall be provided to the Council. Failure to comply will result in the presentation being rejected. Any materials distributed, including those distributed within 72 hours of a regular City Council meeting, to a majority of the Council regarding an item on the agenda shall be made available for public inspection at the City Clerk's office (address above) during regular business hours.

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

CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL
PRESENTATIONS

1. Employee of the Month
2. Arbor Day Proclamation
3. Domestic Violence Awareness Month Proclamation
4. Fire Prevention Week Proclamation

1. CONSENT CALENDAR

- A. Approval of September 18, 2018, Closed Session and Regular Meeting Minutes
- B. Authorize the Purchase of Multiple Vehicles and Equipment in the Amount of \$1,038,981
- C. Approve Software License and Maintenance Agreements with Central Square Technologies (Formerly Superion) and Approve an Appropriation of \$207,640 from Fund 205, for the Upgrade of the Development Services Permit Tracking Software and Purchase of Computer Monitors and Software for Electronic Plan Review, and Authorize the Development Services Director to Approve Subsequent Maintenance Agreements
- D. Accept Travel Report from City Attorney Regarding Attendance at League of California Cities' Annual Conference & Expo
- E. Approve Change Order No. 5 to Preston Pipelines, Inc., to Install Two Additional Pressure Relief Valves for the City Side Zone 3 Pump Station Project, CIP 75121 and Authorize the City Manager to Execute the Change Order
- F. Approve the Final Subdivision Map and Subdivision Improvement Agreement for Tracy Hills Village 8A, Tract 3957, and Authorize the City Clerk to File the Subdivision Improvement Agreement with the Office of the San Joaquin County Recorder

2. ITEMS FROM THE AUDIENCE

3. RECEIVE PRESENTATION FROM SAN JOAQUIN COUNTY'S PROGRAM ADMINISTRATOR FOR HOMELESS INITIATIVES, AND DISCUSS AND DETERMINE WHETHER TO DECLARE A SHELTER CRISIS PURSUANT TO GOVERNMENT CODE SECTION 8698.2 TO ESTABLISH ELIGIBILITY FOR HOMELESS EMERGENCY AID PROGRAM GRANT FUNDS AS REQUIRED BY SENATE BILL 850
4. PUBLIC HEARING TO APPROVE AN AMENDMENT TO THE CITYWIDE STORM DRAINAGE MASTER PLAN AND ADOPT STORM DRAINAGE IMPACT FEE STUDY AND NEW AND UPDATED FEES FOR THE EXPANDED NORTHEAST INDUSTRIAL AREA OF THE CITY

5. APPROVE THE RENAMING OF SIXTH STREET PLAZA TO FRONT STREET PLAZA
6. APPROVE FINANCING PLAN FOR THE CONSTRUCTION OF FIRE STATIONS 94, 95, 97, AND 99; ADOPT POLICY FOR INTERFUND LOANS; AND APPROVE INTERFUND LOANS FROM THE GENERAL FUND AND INTERNAL SERVICES-EQUIPMENT REPLACEMENT FUND TO THE MASTER PLAN-PUBLIC SAFETY (FIRE) FUND
7. ITEMS FROM THE AUDIENCE
8. STAFF ITEMS
9. COUNCIL ITEMS
10. ADJOURNMENT

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

September 18, 2018, 6:45 p.m.

Council Chambers, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Rickman called the meeting to order at 6:45 p.m. for the purpose of a closed session to discuss the items outlined below.
2. ROLL CALL – Roll call found Council Members Dement, Ransom, Mayor Pro Tem Vargas, and Mayor Rickman present. Council Member Young arrived at 6:46 p.m.
3. ITEMS FROM THE AUDIENCE – None.
4. CLOSED SESSION
 1. Real Property Negotiations (Gov. Code, § 54956.8)

Property Location: APN: 233-020-01 & 233-051-02
1960 N. Tracy Blvd

Negotiators for the City: Brian MacDonald, Parks & Recreation Director
Thien Nguyen, Recreation Services Supervisor
Christine Mabry, Management Analyst I
Randall Bradley, City Manager

Negotiating Parties: Vaughn Gates – Post Commander - American Legion,
James McDermott Post No. 172

Under Negotiation: Terms of License Agreement
5. MOTION TO RECESS TO CLOSED SESSION – Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Dement to recess the meeting to closed session at 6:46 p.m. Roll call vote found Council Members Dement, Ransom, Young, Mayor Pro Tem Vargas and Mayor Rickman in favor; passed and so ordered.
6. RECONVENE TO OPEN SESSION – Mayor Rickman reconvened the meeting into open session at 7:01 p.m.
7. REPORT OF FINAL ACTION – There was no report of final action

8. ADJOURNMENT – Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Young to adjourn the meeting. Roll call vote found all in favor; passed and so ordered. Time 7:02 p.m.

The agenda was posted at City Hall on September 13, 2018. The above are action minutes.

ATTEST:

Mayor

City Clerk

September 18, 2018, 7:00 p.m.

City Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

Mayor Rickman called the meeting to order at 7:02 p.m.

Cub Sout Pack #525 presented an opening flag ceremony and led the Pledge of Allegiance

Invocation was offered by Deacon Ray Whitlock, Saint Bernard's Catholic Church

Roll call found Council Members Dement, Ransom, Young, Mayor Pro Tem Vargas and Mayor Rickman present

Mayor Rickman presented a Certificate of Recognition to Anne Marie Fuller for her national appointment to the American Legion Auxiliary 100th Anniversary Celebration Committee

Michel Bazinet, Measure V Residents' Oversight Committee Chair presented the Measure V Committee Annual Report.

1. CONSENT CALENDAR – Following the removal of items 1.I by Council Member Young and Robert Tanner and 1.J by Robert Tanner it was moved by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.
 - A. Approval of September 4, 2018, Closed Session and Regular Meeting Minutes – Minutes were approved.
 - B. Approve a Two Year General Services Agreement with Stockton Petroleum Company, Inc., of Stockton, CA, for Gasoline and Diesel Fuel Supply Services and Authorize the City Manager to Execute the Agreement and Any Extensions or Minor Amendments to the Agreement – Resolution 2018-185 approved the General Services Agreement with Stockton Petroleum Company, Inc.
 - C. Approve the First Amendment to the Subdivision Improvement Agreement for Tracy Hills Phase 1A, Tract 3878, and Authorize the City Clerk to File the First Amendment with the Office of the San Joaquin County Recorder – Resolution 2018-186 approved the First Amendment to the Subdivision Improvement Agreement.
 - D. Approve a Professional Services Agreement for the Citywide Roadway, Transportation and Bikeways Master Plan Update (CIP 73173 & CIP 78171) and Approve an Appropriation of \$100,000 from Fund 363 for CIP 73173 for FY 2018-19 – Resolution 2018-187 approved the Professional Services Agreement.
 - E. Approve Amendment No.1 to Professional Services Agreement with IBI Group for the Boyd Service Center Renovation Phase 2 Project (CIP 71091) with a Not to Exceed Amount of \$24,500, and Authorize the City Manager to Execute the Agreement – Resolution 2018-188 approve Amendment No. 1 to the Professional Services Agreement with IBI Group.

- F. Approve Memorandum of Understanding (MOU) with Humphreys University for Use of City Facilities to Administer its Higher Education Programs – Resolution 2018-189 approved the Memorandum of Understanding with Humphreys University.
- G. Waive Second Reading and Adopt Ordinance 1262, an Ordinance of the City of Tracy Adopting the Avenues Specific Plan, Amending Title 10 of the Tracy Municipal Code to Include the Avenues Specific Plan Zone, and Rezoning the Avenues Project Site Consisting of Approximately 95 Acres in Unincorporated San Joaquin County Located at 12650 and 12500 W. Valpico Road (Assessor's Parcel Numbers 240-140-05 & 240-140-06) to the Avenues Specific Plan Zone, Application Numbers SPA16-0003, ZA16-0001, and A/P16-0001- Ordinance 1262 was adopted
- H. Waive Second Reading and Adopt Ordinance 1263, an Ordinance of the City of Tracy Amending Chapter 3.04 of the Tracy Municipal Code Pertaining to "Fireworks" – Ordinance 1263 was adopted
- K. Approve Responses to the San Joaquin County Grand Jury Final Report 2017-2018 – Resolution 2018-190 approved the responses to the Grand Jury Final Report.
- L. Award a Construction Contract to Teichert Construction of Stockton, California, for the Reconstruction of the Tracy Municipal Airport Tee-Hangar Taxilanes, CIP 77037, AIP No. 3-06-0259-19-2018, Approve Task Order No. 8 to R. W. Brandley Master Professional Services Agreement, and Authorize the Transfer of Funds in the Amount of \$2,982,100 from 77037 to CIP 77580 – Resolution 2018-191 awarded the Construction Contract to Teichert Construction.
- M. Award a Construction Contract to Central Valley Automated, Inc., of Fresno, California for the Construction of a New Airport Beacon Light on the Existing Tower at the Tracy Municipal Airport, CIP 77037, AIP NO. 3-06-0259-19-2018, Approve Task Order No. 7 TO R. W. Brandley Master Professional Services Agreement, and Approve the Transfer of Funds in the Amount of \$50,050 for this Project 77037 to CIP 77581 – Resolution 2018-192 awarded a Construction Contract to Central Valley Automated, Inc.
- I. Approve the Memorandum of Understanding Between the City of Tracy and the Tracy Police Officers Association, Authorize the City Manager to Increase Appropriations, and Authorize an Amendment of the City Master Salary Schedule

Council Member Young and Robert Tanner pulled the item.

Robert Tanner spoke about fiscal responsibility and added the increase should have been 2.5% or 3% to save money.

City Council questions followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Dement to adopt **Resolution 2018-193** approving the Memorandum of Understanding between the City of Tracy and the Tracy Police Officers Association, authorize the City Manager to increase appropriations, and authorize an amendment

of the City Master Salary Schedule. Roll call found Council Members Dement, Ransom, Mayor Pro Tem Vargas and Mayor Rickman in favor. Council Member Young opposed.

- J. Approve the Memorandum of Understanding Between the City of Tracy and the Tracy Technical Support Services Employee Association, Authorize the City Manager to Increase Appropriations, and Authorize an Amendment of the City Master Salary Schedule

Robert Tanner pulled the item to address the same concerns he had regarding Item 1.I.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Young to adopt **Resolution 2018-194** approving the Memorandum of Understanding between the City of Tracy and the Tracy Technical Support Services Employee Association, authorize the City Manager to increase appropriations, and authorize and amendment of the City Master Salary Schedule. Roll call vote found all in favor; passed and so ordered.

2. ITEMS FROM THE AUDIENCE - Michael Maciel referred to the June 19 agenda item accepting the CAFR and questioned if amending and reassigning \$2.8 million within the budget was valid when the recommendation was to accept the report. Mr. Maciel requested per Council policy, responses to his complaint submitted against City Manager Randall Bradley and Transportation Commissioner Alice English being engaged in inappropriate political activity while representing the City of Tracy, and his complaint against Mayor Pro Tem Vargas and Mayor Rickman directing staff to address the San Joaquin Regional Rail Commission to oppose his appointment to the Tri-Valley San Joaquin Regional Rail Authority, which has no city interest.

Robert Tanner asked why the City has not taken possession of the aquatic center land and why money is being spent on land that the City does not own.

Martin Evans expressed concerns about Sutter Hospital, parking, and zoning in the medical zone. Mr. Evans stated Eaton to Carlton is stressful to live by because of trucks.

3. APPROVE THE RENAMING OF TRACY BALL PARK TO RITTER FAMILY BALL PARK

Brian MacDonald, Parks and Recreation Director presented the staff report.

Dan Schack stated the Tracy Friends for Parks Recreation Community Services Foundation submitted the request to rename the park and felt the community would be better served by renaming the park.

Paul Ritter, stated his grandfather had a fondness for Tracy and did a lot of things for the city. Mr. Ritter added he was honored that City Council is considering the item.

Sam Matthews provided historical information regarding the Ritter family and stated it is fitting for the park to be renamed Ritter Family Park.

Robert Tanner expressed his support for the renaming of the park to Ritter Family Ball Park.

City Council comments followed.

ACTION: Motion was made by Council Member Dement and seconded by Mayor Pro Tem Vargas to adopt **Resolution 2018-195** approving the renaming of the Tracy Ball Park to Ritter Family Ball Park. Roll call vote found all in favor; passed and so ordered.

4. CONSIDER STAFF'S RECOMMENDATION FOR AWARD OF MAYOR'S COMMUNITY YOUTH SUPPORT NETWORK (MCYSN) RECONNECTING OUR YOUTH (ROY) GRANT PROGRAM FUNDS FOR FISCAL YEAR 2018-2019 AND APPROVE THE FUNDING AGREEMENTS FOR THE PROGRAM, AUTHORIZE THE CITY MANAGER TO EXECUTE THE FUNDING AGREEMENTS, AND APPOINT TWO COUNCIL MEMBERS TO SERVE ON AN AD HOC SUBCOMMITTEE TO WORK WITH THE CITY STAFF TO UPDATE THE MCYSN GOALS AND OBJECTIVES FOR FISCAL YEAR 2019-2020

Vanessa Carrera, Public Information Officer presented the staff report.

No one from the public wanted to speak.

City Council questions and comments followed.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Young to adopt **Resolution 2018-196** awarding the Mayor's Community Youth Support Network Reconnecting our Youth Grant Program Funds for Fiscal Year 2018-2019. Roll call vote found all in favor; passed and so ordered.

ACTION: Motion was made by Council Member Young and seconded by Council Member Dement to appoint Council Member Ransom and Mayor Pro Tem Vargas to serve on the ad hoc subcommittee to work with staff to update the MCYSN goals and objectives for FY 2019-2020. Roll call vote found all in favor; passed and so ordered.

5. RECEIVE AND FILE ESTIMATED TOTALS FOR THE GENERAL FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2018 AND ADOPT THE RESOLUTION AMENDING THE FISCAL YEAR 2018-2019 BUDGET TO INCLUDE APPROPRIATIONS FOR THE ADDITION OF TWENTY-ONE POSITIONS AND DELETION OF FOUR POSITIONS FROM THE POSITION CONTROL ROSTER

Thomas Hedegard, Budget Officer presented the staff report.

City Council questions and comments followed.

Robert Tanner asked about the changes from Airport Coordinator to Airport Manager and Media Coordinator to Media Supervisor.

City Council questions and comments continued.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Ransom to adopt **Resolution 2018-197** receiving and filing estimated totals for the General Fund for the Fiscal Year ending June 30, 2018 and amending the Fiscal Year 2018-2019 budget to include appropriations for the addition of twenty-one positions and deletion of four positions from the Position Control Roster. Roll call vote found all in favor; passed and so ordered.

6. APPROVE AN AGREEMENT BETWEEN THE CITY OF TRACY AND GIANT PROPERTIES, INC. LLC, FOR THE LEASE OF A UNIT AT 1325. N. MACARTHUR DR. FOR THE PURPOSE OF STORAGE AND PROCESSING OF EVIDENCE AND PROPERTY AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE OPTIONS TO EXTEND AND MINOR AMENDMENTS TO THE AGREEMENT

Alec Neicu, Interim Police Chief and Karin Schnaider, Finance Director presented the staff report.

City Council questions and comments followed.

Mike Clazzy from Souza Realty responded to City Council questions.

ACTION: Motion was made by Council Member Dement and seconded by Mayor Pro Tem Vargas to adopt **Resolution 2018-198** approving the Lease Agreement between the City of Tracy and Giant Properties, LLC. for a unit in a retail/office shopping center to be used as a Police Department evidence facility and authorizing the City Manager to execute the options to extend and minor amendments. Roll call vote found Council Member Dement, Council Member Ransom, Mayor Pro Tem Vargas, and Mayor Rickman in favor. Council Member Young absent.

7. DISCUSS THE PROPOSED AMENDMENT TO CHAPTER 6.36 OF THE TRACY MUNICIPAL CODE (TMC) FOR CANNABIS (MARIJUANA) NON-STOREFRONT (DELIVERY ONLY) RETAILERS AND AMENDMENT TO SECTION 10.08.3196 OF THE TMC REGARDING ESTABLISHING ZONING AND LOCATION REQUIREMENTS, AND PROVIDE FEEDBACK TO STAFF

Karin Schnaider, Finance Director presented the staff report.

Yolanda Barial Knight asked for clarification regarding the amendment of the ordinance regarding a cannabis business (property) not being within half a mile of Gandy Dancer Drive.

City Council questions and comments followed.

There was no action taken.

8. ITEMS FROM THE AUDIENCE – Jennifer Rowell expressed concern regarding City Council's vote on the shelter crisis item at the September 4, 2018 Council meeting. Ms. Rowell stated the decision blocked all non-profits from access to funds and requested City Council revisit the item.
9. STAFF ITEMS – Thomas Watson, City Attorney requested an evaluation.

10. COUNCIL ITEMS - Mayor Pro Tem Vargas stated the MTC Programming and Allocations Committee voted unanimously to approve \$10.1 million that will fund 30% in environmental studies to continue efforts to build the commuter train and also pay for a staffing plan. Mayor Pro Tem Vargas sent a shout out to the chairman and supervisor of Alameda County who swayed the committee to approve the funds. Next steps include the MTC commission approval of the depot connection that connects ACE and Valley Link and Lathrop and Manteca, and to BART and ACE at Greenville and Pleasanton, Dublin, ordering 14 sets of trains and getting the project built within 5-7 years. Mayor Pro Tem Vargas thanked those who worked with the Council of Governments and supported the project. Mayor Pro Tem Vargas added if Council wishes, the chairman will attend a Council meeting and provide an update. Council Member Dement supported the update.

Council Member Ransom stated if there was support from Council, she would like to invite Adam Cheshire from the San Joaquin County to provide a presentation and County perspective regarding reconsidering the shelter crisis. Council Member Young supported the request.

Randall Bradley, City Manager and Thomas Watson, City Attorney clarified that staff will bring the item back as an action item for reconsideration with additional information.

Council Member Ransom reported on the trip to the League of California Cities Annual Conference. Council Member Ransom asked the City Attorney about the status of the alleged National Night Out incident. Mr. Watson responded he has completed the interviews and is formulating a report. Mr. Watson added it will also include policy suggestions.

Council Member Dement reported on the trip to the League of Californian Cities Annual Conference. Council Member Dement thanked everyone for attending the Mexican Independence Day on September 16, 2018, which is sponsored by the Southside Community Organization. A lot of the money raised goes towards scholarships for Tracy youth. Council Member Dement thanked people for attending the 911 event and stated a lot of money was raised that will benefit non-profits. Council Member Dement added she had an opportunity to hit a wall with a sledge hammer today at the Lolly Hansen Senior Center for ground breaking for renovation.

Council Member Young as a representative on the SJCOG spoke about the 511 call boxes along the freeway stating a new plan had been voted on and the 139 call boxes in San Joaquin County had been reduced by 41%. The original recommendation was to remove all of the boxes but Council Member Young fought to keep a number of them as not everyone has a cell phone and a cell phone can lose signal. Council Member Young reported on the trip to League of California Cities Annual Conference.

Mayor Rickman announced the following events: Lolly Hansen Senior Center expansion with a completion date April 2019; September 21 - Kids in a Box fund raiser for McHenry House Tracy Family Shelter at St. Bernard's; September 22 – Farmers Market, Downtown Art Walk at 6:00 p.m., and Wine Stroll at 6:00 p.m. September 28 – 38 Special coming to the Gand Theatre Center for the Arts.

11. ADJOURNMENT – Time: 9:18 p.m.

ACTION: Motion was made by Council Member Dement and seconded by Council Member Ransom to adjourn. Roll call vote found all in favor, passed and so ordered.

The above agenda was posted at the Tracy City Hall on September 13, 2018. The above are action minutes. A recording is available at the office of the City Clerk.

Mayor

ATTEST:

City Clerk

AGENDA ITEM 1.B

REQUEST**AUTHORIZE THE PURCHASE OF MULTIPLE VEHICLES AND EQUIPMENT IN THE AMOUNT OF \$1,038,981**EXECUTIVE SUMMARY

A current need exists to replace antiquated vehicles and equipment, and to purchase additional equipment for the operation and maintenance of City infrastructure. This request seeks authorization to make the necessary purchases.

DISCUSSION

The Public Works Department is responsible for managing most of the City's vehicle and equipment fleet. There is an existing need to replace antiquated equipment, and purchase additional equipment for the Utilities and Police departments for use throughout the City. The Public Works Department received authorization through the Fiscal Year 2017-2019 budget process for the replacement and purchase of the equipment.

On August 18, 2018, staff issued a Request for Bids to provide the City with various replacement fleet vehicles and equipment. In order to allow more vendors to bid, and to receive the best price for each unit, dealers were allowed to bid on only the vehicle(s) and equipment they wanted to bid on - instead of the entire list. As a result, bid awards are being recommended for multiple vendors based on the lowest priced vehicles – including any adjustments allowed through the City's Local Preference ordinance. Four vendors submitted bids to the City. Bid packets were opened on August 27, 2018.

Below is a list of the vehicles and equipment being purchased and the vendors that will be used.

Description	Vendor	Cost	Reason for award
Ford Transit Connect Van (1)	Tracy Ford	\$30,399	Local vendor preference applied
Ford F250 Extended Cab w/Utility Bed (1)	Tracy Ford	\$44,804	Local vendor preference applied
Ford F250 w/Utility Bed and Lift Gate (1)	Tracy Ford	\$49,726	Local vendor preference applied
Ford F250 8' Bed and Lift Gate (1)	Tracy Ford	\$38,591	Local vendor preference applied
Ford F250 Extended Cab w/Utility Bed (1)	Tracy Ford	\$44,804	Local vendor preference applied
Ford F250 w/Utility Bed (1)	Tracy Ford	\$47,734	Local vendor preference applied
Ford Explorer FWD (3)	Tracy Ford	\$91,562	Local vendor; low bid
Ford F250 4x4 Extended Cab (1)	Tracy Ford	\$37,881	Local vendor preference applied
Ford F550 Flatbed (1)	Tracy Ford	\$55,158	Local vendor; low bid
Ford Police Interceptor Utility (2)	Tracy Ford	\$69,842	Local vendor; low bid
Toyota Tacoma 4-Door (3)	Tracy Toyota	\$102,085	Local vendor; low bid

Toyota Tacoma Access Cab w/Lights and Accessories (2)	Tracy Toyota	\$62,152	Local vendor; low bid
Toyota Tacoma 4x4 4-Door (2)	Tracy Toyota	\$78,161	Local vendor; low bid
Ford F250 Regular Cab w/Utility Bed	Downtown Ford	\$60,502	Low bid
Ford F250 w/Utility Bed and Bumper Crane (2)	Downtown Ford	\$93,739	Low bid
Ford Transit Cutaway Utility Cargo Van Body (2)	Holt of California	\$131,841	Sourcewell (NJPA)120716-NAF low bid

The total purchase amount per vendor for the various vehicles are as follows:

Tracy Ford – Tracy, CA	\$510,501
Tracy Toyota – Tracy, CA	\$242,398
Downtown Ford – Sacramento, CA	\$154,241
Holt of California – Stockton, CA	\$131,841

Sourcewell (formerly NJPA) is a municipal contracting government agency that serves education and government agencies nationally through competitively bid and awarded contract purchasing solutions. The City of Tracy is an established customer with Sourcewell (customer number 18531). The City is authorized to make purchases using the Sourcewell cooperative purchasing agreements, per Tracy Municipal Code section 2.20.220.

After bids were received, the Police Department decided to forego purchasing one Explorer due to a need for a different type of vehicle. Because of this, one Explorer has been removed from the above list and the total purchase price has been adjusted. The additional vehicle will be purchased at a separate time.

STRATEGIC PLAN

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

FISCAL IMPACT

Funding was budgeted and is available in the fiscal year 2017-2019 equipment replacement budget for the acquisition of this equipment.

RECOMMENDATION

That City Council, by resolution, authorize the purchase of multiple vehicles and equipment in the amount of \$1,038,981.

Prepared by: Frank Desousa, Fleet Supervisor
 Nancy Chapman, Management Analyst

Reviewed by: Don Scholl, Public Works Director
 Karin Schnaider, Finance Director
 Midori Lichtwardt, Interim Assistant City Manager

Approved by: Randall Bradley, City Manager

RESOLUTION _____

AUTHORIZING THE PURCHASE OF MULTIPLE VEHICLES AND EQUIPMENT IN THE AMOUNT OF \$1,038,981

WHEREAS, As part of the equipment replacement program for the City of Tracy (City), there are multiple vehicles and equipment needing replacement, and additional equipment is needed for the operation and maintenance of City infrastructure, which is funded in the Fiscal Year 2017-2019 budget, and

WHEREAS, on August 18, 2018, the City issued a Request for Bids for various replacement fleet vehicles and equipment, and

WHEREAS, On August 27, 2018, staff opened and reviewed the bids that were received from multiple vendors for each individual vehicle and piece of equipment, and

WHEREAS, Multiple vendors are being used for the purchase of the replacement vehicles, which include Tracy Ford, Tracy, CA, Tracy Toyota, Tracy, CA, Downtown Ford, Sacramento, CA, and Holt of California, Stockton, CA through Sourcewell, formerly known as National Joint Powers Alliance (NJPA), to ensure that the best price is received for each unit based on lowest bid or local vendor preference, and

WHEREAS, The City is authorized to make purchases using cooperative purchasing agreements under Tracy Municipal Code Section 2.20.220;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby authorizes the purchase of multiple vehicles and equipment in the amount of \$1,038,981 as set forth in the staff report accompanying this item.

* * * * *

The foregoing Resolution _____ is hereby passed and adopted by the Tracy City Council this 2nd day of October 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 1.C

REQUEST

APPROVE SOFTWARE LICENSE AND MAINTENANCE AGREEMENTS WITH CENTRAL SQUARE TECHNOLOGIES (FORMERLY SUPERION) AND APPROVE AN APPROPRIATION OF \$207,640 FROM FUND 205, FOR THE UPGRADE OF THE DEVELOPMENT SERVICES PERMIT TRACKING SOFTWARE AND PURCHASE OF COMPUTER MONITORS AND SOFTWARE FOR ELECTRONIC PLAN REVIEW, AND AUTHORIZE THE DEVELOPMENT SERVICES DIRECTOR TO APPROVE SUBSEQUENT MAINTENANCE AGREEMENTS

EXECUTIVE SUMMARY

The permit tracking software in use by Development Services is outdated and is in need of an upgrade. Upgrading the software will also add new features to increase productivity, accountability and customer service. Additionally, in support of increasing efficiency and enhancing services through electronic plan review, new computer monitors are needed along with additional plan review software licenses. City staff requests that City Council authorize an appropriation of \$207,640 from Fund 205 (DS: Building Fees) for the upgrade of the Development Services permit tracking software, and purchase of electronic plan review software and computer monitors. This involves approving software license agreements and ongoing maintenance agreements, and authorizing the Development Services Director to sign such maintenance agreements.

DISCUSSION

Since 1998, TRAKiT by Central Square Technologies (formerly Superion) has been in use as the City's permit tracking software. TRAKiT is an integrated suite of software modules for tracking and managing Parcels, Planning Applications, Building Permits, Code Enforcement Cases and Business Licenses. This software is the main tool that Development Services uses for day-to-day operations. The software serves as the database for all past, current and future projects developed within the City. All phases of projects are recorded into the system from when the project is in the development review stage, through the review of construction drawings, and to the issuance of permits, improvement plans, and the subsequent inspection process.

The software system was last updated in 2012. Technology has continued to advance, and the City's tracking software has become outdated. As the newer editions of this software take a larger foothold in the marketplace, software companies begin to provide less and less support for the older editions. The version the City currently uses is beginning to lose developer support, which in turn affects operational capabilities of the Development Services Department as it relates to permit tracking.

The proposed upgrade will have the added benefit of adding new features that will increase staff productivity, accountability and customer service as well as improve interdepartmental communication. Following is an overview of that increased functionality:

- Permit Workflow Tracking: Currently the software provides accountability by tracking which staff is assigned to the project. The upgrade will add workflow functionality to improve accountability by not only tracking who the project is assigned to, but also where the project is within the process. Additional flexibility in the reporting options will also be available, so staff will be able to keep informed on the progress of projects and data on how staff is performing.
- Web-based: The new software has moved to a web-based platform, which will eliminate the need for additional software to be installed on every employee's computer. This will allow users to access their profile from any computer, which will increase productivity and customer service. The web-based software will also increase efficiency through real time updating of information and the use of tablets during field inspections. Currently inspection records that are updated in the field have to be synchronized and uploaded to the server, which takes time and occasionally does not work. This leads to a duplication of entering inspection records. The web-based system allows for immediate updating of records with no synchronization necessary. This eliminates any duplication of effort, and allows real time access by supervisors of inspection records so that they have the most current information when customers have questions.
- GIS Integration: Efficiency will also increase with a new integrated GIS system. This will allow for access of all records associated with a parcel from a single GIS screen.
- Integration with Finance Software: Another improvement offered by upgrading the software suite will be an increase in interdepartmental software communication. An API will be implemented between TRAKiT and the relatively new financial software (Tyler/Munis) in use that will allow for the transfer of payment information received to the Finance Department. This will increase staff efficiency by removing the manual entry of payment information that is the current process.
- Upgraded Customer Portal: The upgrade will also add new features to the customer portal; currently customers are limited to what they can view on the customer portal. Through the updated citizen portal, the general public will be able to log in and see the status of permits, schedule inspections and apply for a limited selection of permits online. Through user controls determined by staff, developers and contractors will be able to interact with staff through the customer portal. This will add collaboration between developers and staff directly in the tracking software for an added level of customer service.

The scope of work for upgrading the TRAKiT software suite will include the following:

- Updating our current modules: GeoTRAK, PermitTRAK, ProjectTRAK, CodeTRAK and LicenseTRAK
- Adding the TRAKiT GIS module
- Upgrading eTRAKiT citizen portal
- API for credit card payments
- MobileTRAK software
- Data/module Migration
- Report migration and creation
- Training of staff

Staff will work with Central Square Technologies (formerly Superior) to develop timelines and milestones for implementation of TRAKiT. The database will be web-based; however, it will be locally hosted on the City's servers so the data will be secure from outside influence. Once the new version is built Central Square Technologies (formerly Superior) staff will provide on-site training for: Everyday Users, Power Users, System Administrators and Report Writing. Upon completion of the training, there will be a Go Live period in which Central Square Technologies (formerly Superior) staff will be available for technical guidance to ensure a smooth transition.

Electronic Plan Review License and Equipment Needs:

In addition to the permit database software (TRAKiT) upgrades mentioned above, electronic plan submittal and review is the next step in advancing the services of the Development Services Department. Electronic plan submittal and review provides many benefits, including:

- Saving of costs incurred from printing, scanning and archiving of plans
- Increases speed and ease of submission for residents, developers and design professionals
- Quicker turnaround times by reducing the number of submissions
- Improved accuracy of data transmitted
- Ability of divisions/departments to conduct real time parallel plan reviews
- Enhanced document retention with reduction of space necessary for retention

Development Services staff has begun training on the use of the plan review software and will begin accepting plans for electronic review at the start of next calendar year. In order to be as efficient as possible, large screen computer monitors will be necessary for viewing the plans. We are attempting to outfit all personnel that will be performing plan reviews, and 11 monitors will be needed. The monitors and associated equipment have a total projected cost of \$11,000.

Additionally, there is also a need to increase the number of licenses for the electronic plan review software. Development Services uses a software named BlueBeam for viewing and reviewing plans electronically. The City's annual subscription with BlueBeam includes licenses for staff to access the software which cost \$660 per license. Currently, there are 10 licenses in use, which are shared between all the users. These licenses are available from any workstation, but once the maximum number of licenses is in use, additional staff cannot log on. Since there will be an increase in the number of users on the system once plans are accepted and reviewed electronically, additional licenses will be necessary to prevent delays in using the software. An additional five licenses is recommended to prevent this from occurring and will cost a prorated \$440 for the remainder of this fiscal year's subscription and will then increase to the \$660 for subsequent years.

STRATEGIC PLAN

This agenda item supports the Governance Strategy, specifically:

Goal 3: Identify technological resources to promote communication, enhance city services, and promote organizational productivity.

Objective 1: Research and implement mechanisms to improve interdepartmental communication

Objective 2: Identify and implement methods to improve organizational productivity.

FISCAL IMPACT

The projected cost of the tracking software upgrade is \$190,940, which includes a \$20,000 contingency. This one-time fee covers all aspects of licensing and implementation of the software. The current annual maintenance agreement cost for the software is \$17,125; the upgrade will add an additional \$3,500 to the annual maintenance costs. The equipment necessary for electronic plan review has a projected cost of \$11,000. The current annual subscription with Bluebeam is \$6,600, increasing the number of licenses by five has a pro-rated cost of \$2,200 at this time, and will increase the annual subscription to \$9,900 for subsequent years.

	COST	
	One-Time	On-Going
TRAKiT Upgrade		
Licenses	\$17,500	
Professional Services	\$5,600	
Development and Conversion	\$67,600	
Technical Services	\$30,400	
Consulting	\$12,800	
Training	\$22,160	
Project Management	\$14,880	
Contingency	\$20,000	
Total Upgrade Cost	\$190,940	
TRAKiT Annual Maintenance		
Current		\$17,125
Added	\$3,500	\$3,500
Future total Maintenance		\$20,625
Electronic Plan Review		
Computer Monitors	\$11,000	
Added Bluebeam Licenses (Pro-rated FY18-19)	\$2,200	
Total Electronic Plan Review	\$13,200	

Electronic Plan Review Annual Subscription		
Current		\$6,600
Added		\$3,300
Total Annual Subscription		\$9,900
Total One-Time Funding Requested	\$201,940	
Pro-Rated FY18-19 Maintenance Fees	\$5,700	
Total Appropriation	\$207,640	
Total On-Going		\$30,525

It should be noted that staff recommends adding a \$20,000 contingency to the projected cost. This may be used if there are additional fees accrued beyond the projected cost for currently unknown needed enhancements that come along with any typical software upgrade. The total one-time cost for the TRAKiT upgrade and electronic plan review equipment and software, including the pro-rated maintenance fees, is \$207,640. The increase in TRAKiT maintenance fees and BlueBeam subscription fees will bring the total annual costs for TRAKiT and BlueBeam to \$30,525, which will be added to the Development Services Department's operating budget for subsequent years. The total appropriation requested is \$207,640 from Fund 205 (DS: Building Fees).

RECOMMENDATION

That City Council, by resolution, approve software license and maintenance agreements with Central Square Technologies (formerly Superior), approve an appropriation of \$207,640 from Fund 205 for the upgrade of the Development Services permit tracking software and purchase of computer monitors and software for electronic plan review, and authorize the Development Services Director to approve subsequent maintenance agreements.

Prepared by: Chris Landreth, Supervising Building and Fire Inspector, Development Services

Reviewed by: Bill Dean, Assistant Development Services Director
 Andrew Malik, Development Services Director
 Karin Schnaider, Finance Director
 Midori Lichtwardt, Interim Assistant City Manager

Approved by: Randall Bradley, City Manager

ATTACHMENTS

- Attachment A – Quote from Superior
- Attachment B – Scope of Work

Add-On Quote

Quote Prepared For:

Andrea Cipponeri, Administrative Assistant II
 City of Tracy
 333 Civic Center Plaza
 Tracy, CA, 95376
 (209) 831-6444

Date: 08/07/18

Quote Number: Q-00007001

**Valid Until:
10/31/18**

Quote Prepared By:

Tracy Bierman, Account Executive
 Superior
 1000 Business Center Dr.
 Lake Mary, FL 32746
 Phone: (858) 451-3030 Fax:
tracy.bierman@superion.com

Thank you for your interest in Superior and our software and services solutions. Please review the below quote and feel free to contact Tracy Bierman with any questions.

License Fees & Maintenance

Product Name	Quantity	License Fee	Maintenance
TRAKiT GIS Standard Engine	1	\$12,500.00	\$2,500.00
eTRAKiT Credit Card API	1	\$5,000.00	\$1,000.00
Total		\$17,500.00	\$3,500.00

Professional Services Installation & Configuration

Product Name	Amount	
eTRAKiT Citizen Portal Configuration Package-L3-Premium	\$1,750.00	
TRAKiT, Tst Acct, eTRAKiT CC API	\$3,850.00	
Total		\$5,600.00

Development & Conversion

Product Name	Amount
GeoTRAK Update Routine	\$6,000.00
eTRAKiT Citizen Portal Configuration Package-L3-Premium	\$3,000.00
DB2X, LT Conv, SSRS Rpts, Btch Expt	\$28,600.00
Add'l SSRS Report Development	\$30,000.00

	Total	\$67,600.00
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Technical Services

Product Name	Amount
TRAKiT GIS Standard Engine Services	\$17,600.00
eTRAKiT Citizen Portal Configuration Package-L3-Premium	\$12,800.00
Total	\$30,400.00

Consulting

Product Name	Amount
Tst & BusProcOpt Rvw, GL	\$12,800.00
Total	\$12,800.00

Training

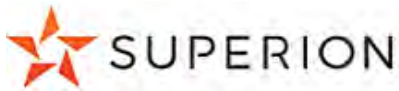
Product Name	Amount
TRAKiT GIS Standard Engine Services	\$320.00
eTRAKiT Citizen Portal Configuration Package-L3-Premium	\$320.00
PU, EU	\$17,680.00
TRAKiT9 Administrator/Report Writing Training	\$3,840.00
Total	\$22,160.00

Project Management

Product Name	Amount
GeoTRAK Update Routine	\$3,200.00
eTRAKiT Citizen Portal Configuration Package-L3-Premium	\$800.00
TRAKiT Community Development Project Management	\$10,880.00
Total	\$14,880.00
Total Professional Services	\$153,440.00

Summary

Product/Service	Amount
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License Fees
Professional Services

\$17,500.00
\$153,440.00

Subtotal

\$170,940.00

Total

\$170,940.00

Net Maintenance

\$3,500.00

See Product notes in the Additional Information Section

Payment terms as follows, unless otherwise notated below for Special Payment Terms by Product:

License, Project Planning, Project Management, Consulting, Technical Services, Conversion, Third Party Product Software and Hardware Fees are due upon execution of this Quote. Additional SSRS Report Development (150 hours to be used as requested from Customer), Training fees and Travel & Living expenses are due as incurred monthly. Installation is due upon completion. Custom Modifications/Development, System Change Requests or SOW's for customization, and Third Party Product Implementation Services fees are due 50% on execution of this Quote and 50% due upon invoice, upon completion. Unless otherwise provided, other Professional Services are due monthly, as such services are delivered. Additional services, if requested, will be invoiced at then-current rates. Any shipping charges shown are estimated only and actual shipping charges will be due upon invoice, upon delivery.

Annual Subscription Fee(s): Initial annual subscription fees are due 100% on the Execution Date. The initial annual subscription term for any subscription product(s) listed above shall commence on the Execution Date of this Agreement and extend for a period of one (1) year. Thereafter, the subscription terms shall automatically renew for successive one (1) year terms, unless either party gives the other party written notice of non-renewal at least sixty (60) days prior to expiration of the then-current term. The then-current fee will be specified by Superior in an annual invoice to Customer thirty (30) days prior to the expiration of then-current annual period.

Superior Application Annual Support (Maintenance): Customer is committed to the initial term of Maintenance for which the support fee is included in the License fee(s) and begins upon execution of this Quote and extends for a twelve (12) month period. Subsequent terms of Maintenance will be for twelve (12) month periods, commencing at the end of the prior support period. Maintenance fees shown are for the second term of support and which shall be due prior to the start of that term. Fees for subsequent terms of Maintenance will be due prior to the start of each term at the then prevailing rate. Except for the second term of Maintenance for which Superior is committed, subsequent terms will renew automatically until such time a party receives written notice from the other party thirty (30) days prior to the expiration of the then current term. Notification of non renewal is required prior to the start of the renewal term. Customer will be invoiced, and payment is due, upon renewal.

Third Party Product Annual Support Fees: The support fee for the initial annual period is included in the applicable Third Party Product License fees(s) unless otherwise stated. Subsequent terms invoiced by Superior will renew automatically at then-prevailing rates until such time Superior receives written notice of non-renewal from the Customer ninety (90) days in advance of the expiration of the then-current term. Notification of non-renewal is required prior to the start of the renewal term. Customer will be invoiced, and payment is due, upon renewal. As applicable for certain Third Party Products that are invoiced directly by the third party to Customer, payment terms for any renewal term(s) of support shall be as provided by the third party to Customer.

This Quote constitutes an Amendment to the existing Agreement by and between Superior, as successors to CRW Systems, Inc., and Customer, consenting to such assignment. Except as otherwise provided herein, all terms and conditions of the existing Agreement shall remain in full force and effect.

Superior is the sole owner of the Source Code, design specifications and associated documentation herein which relate to Superior's licensed programs and which constitute the proprietary information and trade secrets of Superior and are protected under the terms of the Agreement. If applicable, any code created hereunder will be licensed to Customer under the terms of the Agreement. There is no testing and acceptance period or warranty for any product or service provided herein.

The date of delivery is the date on which Superior delivers, F.O.B. Superior's place of shipment, the Software licensed programs to Customer.

Applicable taxes are not included, and, if applicable, will be added to the amount in the payment of invoice(s) being sent separately. Travel and living expenses shall be governed by the Superior Travel and Expense Guidelines.

Third party hardware/software maintenance and/or warranty will be provided by the third party hardware and software manufacturer(s). Superior makes no representations as to expected performance, suitability, or the satisfaction of Customer's requirements with respect to the hardware or other third party products specified in this Quote. The return and refund policy of each individual third party hardware/software supplier shall apply.

This Agreement is based on the current licensing policies of each third party software manufacturer as well as all hardware manufacturers. In the event that a manufacturer changes any of these respective policies or prices, Superior reserves the right to adjust this proposal to reflect those changes.

Preprinted conditions and all other terms not included in this Quote or in the Agreement, stated on any purchase order or other document submitted hereafter by Customer are of no force or effect, and the terms and conditions of the Agreement and any amendments thereto shall control unless expressly accepted in writing by Superior to Customer.

Annual maintenance is not included in any Custom Modification fee above and is not being provided. Customer is responsible for the cost for Superior to retrofit the Modification into new releases.

Superior's liability for damages to Customer for any cause whatsoever under this Quote, regardless of the form of action, is limited to the total amount of fees paid by Customer under this Quote. In no event will Superior be liable for any consequential damages.

Superior will be covered at all times during the Term of the Agreement by such insurance as it deems adequate in its reasonable judgment, which shall in any event consist of not less than the following types and minimum amounts of coverage with a reputable insurance company(ies): (a) commercial general liability insurance covering claims for personal injury and property damage, with limits of not less than US \$1,000,000 per occurrence; (b) commercial crime coverage/fidelity bond insurance, with limits of not less than US \$1,000,000 per occurrence; (c) workers compensation coverage as required by the statutes of the jurisdiction in which the services are being performed covering all personnel employed by Superior in the performance of their duties who are required to be covered by the statutes of the applicable jurisdiction; and (d) errors and omissions insurance with a reputable insurance company, with limits of not less than US \$5,000,000 per occurrence and aggregate. Upon the reasonable request of Customer, Superior shall furnish Customer with a certificate of insurance as specified in this Agreement. Maintenance of insurance as specified in this Agreement shall in no way be interpreted as relieving or increasing Superior's responsibilities or liabilities under this Agreement; and Superior may carry, at its own expense, such additional insurance as it deems necessary, including self-insurance.

Comments:

The City is interested in upgrading to the latest platform of TRAKiT which is 100% web based. This quote has been prepared in response to the City's request and also includes an upgrade to eTRAKiT3 with Level 3 Implementation and the eTRAKiT CC API with standard payment processors, and GIS Standard with the GeoTRAK Update Routine, An EOD Batch Export to Tyler MUNIS has also been included.

Please refer to the following documents for more information:

- Updated 7.24.2018 Exhibit 1 for TRAKiT Upgrade scope of work.
- eTRAKiT3 Upgrade
- eTRAKiT3 Configuration Services
- eTRAKiT Online Payment Interface
- TRAKiT- GIS License

-TRAKiT Technical Specifications

Andrea Cipponeri, Administrative Assistant II
City of Tracy

Authorized Signature: _____

Printed Name: _____

Date: _____

Additional Information Section

Product Notes:

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Exhibit 1 – Scope of Work

TRAKiT Upgrade

TRAKiT Licensing Terms

The following software is currently licensed by the Client and will be replaced during the migration process:

TRAKiT Software

Superion will transfer the license & maintenance from the current TRAKiT product to TRAKiT, 100% web based platform. Modules currently licensed by the Client include:

- Unlimited TRAKiT End User Licenses
- GeoTRAK (formerly LandTRAK)
- PermitTRAK
- ProjectTRAK
- CodeTRAK
- LicenseTRAK – No Automation in TRAKiT.NET, None being provided in TRAKiT, 100% web based version.

Superion shall provide maintenance service, technical support, and software updates. Covered software does not include hardware, hardware vendor operating systems and other system software, CLIENT-developed software, or third-party software.

eTRAKiT Software

This quote includes an upgrade to eTRAKiT3, Level 3 Configuration, and the eTRAKiT Credit Card API with one of Superion's standard payment processors.

MobileTRAK Software

- Superion will ensure that current MobileTRAK settings are maintained and connected properly to the new TRAKiT database. This includes migration for the following modules:
 - iTRAKiT Inspect
 - iTRAKiT Code

Installation & Migration Assistance

Superion will migrate all Client data contained within TRAKiT and confirm that primary system functions are available. Client understands that some functions/features are different or have been removed from previous versions of TRAKiT.

Installation Assistance

Superion will provide the TRAKiT software and assist the City in installing it on a local server. Server must have access to the agency's TRAKiT database. Software installation will be done one (1) time and must be installed in Client's live environment. The Client will be charged for any moving and/or reinstallation of the software.

Initial installation of TRAKiT is completed into 1 pre-production environment. All configuration, training, and testing is completed in this environment. Upon go live a “testing” environment is created and the data from the new Production environment is copied over. This second environment called “test” is used for ongoing training and as a sand box for users to learn.

Data Migration

Superion will migrate the Client’s existing TRAKiT database into the TRAKiT data structure. Price includes two (2) conversion routines:

1. Migration will occur at the initial delivery for Client testing. Any issues with migrated data must be reported to Superion at the conclusion of the initial testing period, which will be defined by the Project Schedule that will be negotiated by the City and the Superion project manager.
2. Just prior to the Go Live event. The TRAKiT database must be provided to Superion by no later than 9:00 AM PST on the scheduled conversion date.

Any alterations made to the TRAKiT database by the Client during migration will result in additional charges to correct.

Agency Responsibilities

The Agency agrees to the following:

- Fully test the system and host the site live per the project schedule that the Superion Project Manager will present/negotiate to the City.
- Client will be responsible for providing remote network access to Superion.
- Any delays in the project schedule caused by the City may result in additional charges.
- The client must track any alterations made to their production TRAKiT database while testing TRAKiT9, and apply those changes (as needed) to the TRAKiT database with the guidance of Superion. Any alterations made to the TRAKiT database by the Client during migration will result in additional charges should Superion need to correct.
- Client will provide IT support, as requested by Superion, to affect changes to the client environment in support of this project.
- Any delays in the negotiated project schedule caused by the City may result in additional charges.

Report, Document, & Customization Migration

TRAKiT Reporting has been updated from Crystal Reports (SAP) to SQL Server Reporting Service (Microsoft SSRS) standards. Client understands that the format/details of the TRAKiT reports may vary from the TRAKiT.Net reports. The following custom reports, documents, forms, and customizations will be delivered as part of the migration. Any reports not identified on the list below will result in additional fees, if Superion needs to correct any errors.

TRAKiT Standard Reports

Standard Reports are included at no cost to the client. The following list of Standard Reports are in current use by the Client and will be migrated to TRAKiT9:

FILE NAME	USER	COMMENTS
Inspection 12	Permit	Standard Single Inspection
Permit 612	Permit	Standard Report – Permits Applied But NOT Approved
Permit Activities	Permit	Standard Report – Permits Actions
Permit Views	Permit	Standard Report – Permit Reviews
Plan 11	Project	Permit Routing Report – Selected Contacts
Project Activities	Project	Project Actions
Project Review	Project	Standard Report – Project Reviews

Agency-Specific Custom Reports/Forms

FILE NAME	USER	COMMENTS
Code Trak Emails	Code	
Inspection Details	Permit	
Landtrak Emails	Landtrak	
License Trak Email	License	
Permit trak Emails	Permit	
Project trak Emails	Project	
Tracy Pmt Review Status	Permit	
Tracy License Inspection Complete	License	
Tracy Operational Fire Permit Receipt	License	
Tracy Outstanding Review	Permit	
Tracy Pending Review	Permit	
Tracy Application	Permit	
Tracy Inspection	License	
Tracy Permit Report	Permit	

Note: Project Receipts (Project), Receipt (Permit), Tracy BL Receipts (License) – TRAKiT, 100% web based version, allows only one (1) receipt.

150 hrs of additional SSRS Report Development @ \$200.00 per hour has been provided in this quote Due As Incurred to be used as requested by the City.

Agency Customizations/Enhancements

- None Requested

User Training

Training will be conducted onsite at the Client's location.

Power User Training

- Superior will perform up to four (4) days of onsite training at the beginning of the project.
- One trainer to accommodate up to twelve (12) students.

Superion Training

- One trainer to accommodate up to twelve (12) students.
- Provide all necessary training material for students.
- End User Training will be broken into 4 hour (half-day) segments for each class. Students must be able to attend the full training session.
- Provide one (1) full business onsite day of End User Training with two (2) Consultants/two (2) full days of go live migration assistance with two (2) Consultants.
- 62.5 hours @ \$160.00 per hour of additional Superior End User Training has been provided per the City's request.

System Administrator/Report Writing Training

- Superior will perform three (3) days of onsite for System Administrator and Report Writing Training.
- One trainer to accommodate up to eight (8) students.

Client Responsibility

- Provide an adequate training space to accommodate trainees.
- Provide eight (8) workstations/laptops for each individual to be trained.
- Workstation environment must connect directly to the Client's Live/Production database.
- Students will have sufficient basic knowledge of Client's business processes and basic MSWindows functions.
- Customer will actively test all components of TRAKiT after upgrade and training is provided by Superior.

Technology Requirements

Please see TRAKiT Technical Specifications.

RESOLUTION 2018-_____

APPROVING SOFTWARE LICENSE AND MAINTENANCE AGREEMENTS WITH CENTRAL SQUARE TECHNOLOGIES (FORMERLY SUPERION) AND APPROVING AN APPROPRIATION OF \$207,640 FROM FUND 205 FOR THE UPGRADE OF THE DEVELOPMENT SERVICES PERMIT TRACKING SOFTWARE AND PURCHASE OF COMPUTER MONITORS AND SOFTWARE FOR ELECTRONIC PLAN REVIEW, AND AUTHORIZE THE DEVELOPMENT SERVICES DIRECTOR TO APPROVE SUBSEQUENT MAINTENANCE AGREEMENTS

WHEREAS, The current permit tracking software, TRAKiT, which has been in use since 1998, is due for an upgrade, and

WHEREAS, TRAKiT is an integrated suite of software for managing parcels, planning applications, building permits, code enforcement cases and business licenses, and

WHEREAS, Upgrading of the software will provide for better interdepartmental communication, staff efficiency, accountability, productivity and customer service, and

WHEREAS, The Development Services Department is transitioning to accepting electronic plan submittals, and

WHEREAS, Providing the appropriate equipment and software is essential to successful implementation, and

WHEREAS, Electronic plan review will increase efficiency, accuracy, and ease of plan reviews, and

WHEREAS, The software upgrade has a projected cost of \$194,440, and the necessary electronic plan review software/equipment has a projected cost of \$13,200;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the software license and maintenance agreements with Central Square Technologies (formerly Superior), authorizes the Development Services Director to approve future maintenance agreements, and authorizes an appropriation of \$207,640 from Fund 205, for the upgrade of the Development Services Permit Tracking Software and purchase of computer monitors and software for electronic plan review, and authorizes the Development Services Director to approve subsequent maintenance agreements.

* * * * *

The foregoing Resolution 2018-_____ was adopted by the Tracy City Council on the 2nd day of October, 2018 by the following vote:

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

MAYOR

ATTEST:

CITY CLERK

October 2, 2018

AGENDA ITEM 1.D

REQUEST

ACCEPT TRAVEL REPORT FROM CITY ATTORNEY REGARDING ATTENDANCE AT LEAGUE OF CALIFORNIA CITIES' ANNUAL CONFERENCE & EXPO.

EXECUTIVE SUMMARY

This agenda item involves a travel report from the City Attorney.

DISCUSSION

The City Attorney attended League of California Cities' Annual Conference & Expo from September 12-14, 2018. The Conference provided an opportunity to hear presentations, and obtain written materials, on a variety of topics including: CEQA, marijuana regulations, FPPC developments, elections, ethics, First Amendment issues, natural disaster planning, revenue and taxation, as well as general litigation, land use litigation, and labor and employment litigation updates.

Information obtained has be shared with the appropriate departments.

STRATEGIC PLAN

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

FISCAL IMPACT

The costs of travel and training were included in this year's budget.

RECOMMENDATION

That the Council accept the Conference Travel Report.

Prepared and Approved by Thomas T. Watson, City Attorney

AGENDA ITEM 1.E

REQUEST

APPROVE CHANGE ORDER NO. 5 TO PRESTON PIPELINES, INC., TO INSTALL TWO ADDITIONAL PRESSURE RELIEF VALVES FOR THE CITY SIDE ZONE 3 PUMP STATION PROJECT, CIP 75121 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CHANGE ORDER

EXECUTIVE SUMMARY

Construction of the City Side Zone 3 Pump Station and a water distribution main line is in progress to provide water service to Ellis and other new developments in the Water Zone 3 area. City Council awarded a construction contract to Preston Pipelines, Inc., in November 2017 to complete this work in the amount of \$2,445,000.

In order to deliver desirable water pressure to the new developments, two additional Pressure Relief Valves (PRV's) are required to be installed in the existing Zone 3 piping network. It is timely and cost effective to install these PRV's under a change order in the amount of \$178,084 to the existing construction contract instead of constructing these improvements under a separate project. This will eliminate delays for services to the new developments.

DISCUSSION

On November 7, 2017, City Council awarded a construction contract to Preston Pipelines, Inc., for the City Side Zone 3 Pump Station and a portion of pipeline in the amount of \$2,445,000. The project is under construction and ready for beneficial occupancy. The completion of this project is necessary to serve water to Ellis and other developments in City's water Zone 3 area.

In order to provide adequate water pressure in the new developments, two pressure relief valves are needed to be installed on the existing water main lines network. It is cost effective to install these PRV's now through Change Order 5 to Preston Pipelines, Inc. This approval will eliminate the contractor's mobilization cost and ensure meeting the developer's timeline. The original Pump Station and the additional work under this change order is funded from the developer's impact fees.

After receiving the proposal from Preston Pipelines, staff, along with the consultants have negotiated a competitive lump sum cost of \$178,084 to complete this work. The previous change orders in the amount of \$178,541 approved for this project include changes in the contract due to major unknown underground utilities and undergrounding of certain appurtenances instead of installing above ground.

The total construction contingency approved by Council for this project was in the amount of \$245,000. The amount of previous change orders for this project is well within this contingency amount and within the authority of the City Manager for approval. However, with approval of Change Order No. 5, the total contingency amount will be exceeded by approximately \$111,000, and therefore Council approval is needed to

execute this change order.). If Council approves this change order, the remaining construction contingency will be \$66.459 for this project.

STRATEGIC PLAN

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

FISCAL IMPACT

Capital Improvement Project 75121, funded from developers through Tracy Infrastructure Master Plan Water Impact (TIMP - Water) fees has sufficient funds budgeted to accommodate for Change Order No. 5 in the amount of \$178,084.

RECOMMENDATION

That the City Council, by resolution, approve Change Order No. 5 to Preston Pipelines, Inc., to install two additional pressure relief valves for the City Side Zone 3 Pump Station Project, CIP 75121, and authorize the City Manager to execute the Change Order.

Prepared by: Ripon Bhatia, Senior Civil Engineer

Reviewed by: Kuldeep Sharma, Utilities Director
Karin Schnaider, Finance Director
Midori Lichtwardt, Interim Assistant City Manager

Approved by: Randall Bradley, City Manager

ATTACHMENTS

A – Change Order No. 5

CHANGE ORDER NO. 5

Preston Pipelines, Inc.
133 Bothelo Avenue
Milpitas, CA 95035

DATE:
Project Name:
CIP NO.

9/20/2018
City Side Zone 3 Pump Station
75121A

You are hereby instructed that the above contract is modified as herein specifically set forth, but that in all other respects, the contract remains unaltered.

NOTE: This change order is not effective until approved by the city.

Requested By: Ripon Bhatia

Description of Work:

A	Pothole, verify existing utilities and install vault, PRV, Piping and appurtances including repaving, striping, cleanup in accordance with City Standards and requirements	\$178,083.72
---	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

Total \$178,083.72

TOTAL COST: Decrease \$ ___ or Increase \$ \$178,083.72

*** Per Council Resolution 2017-232, City Manager is authorized to execute the change order up to project contingency amount (10% of construction contract=\$245,000)**

By reason of this order, the time of completion will be adjusted as follows:

* To be determined

Recommended By:

Reviewed By:

Approved By:

Project Engineer

Date

UT Director

Date

*City Manager

Date

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, we will provide all equipment, furnish all labor and materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment the prices shown above.

Accepted By Contractor:

Date: _____

Title: _____

___ City Clerk (Orig.)

___ Project Engir ___ Contractor



Attn: Roger Remolacio
 4 Leaf, Incorporated
 2110 Rheem Drive Suite A
 Pleasanton, Ca 94588

CE # 15
 Date: 8/30/2018
 PPI Job# 17-094
 Cost Code: NA
 Items See All Attached
 Dates of Work: TBD

Job Name: City Side Zone 3 Pump Station on Clear Well No. 2

Client Job #: Install two new PRV vaults and PRV valves at Summit Drive and Northington Drive.

EWO Totals

Item	Date	Description	Calculated Pricing
1		Pothole and Verify existing utilities	\$10,405.71
2		Install Vault, PRV, piping, and appurtenances	\$155,790.61
3		Pave and cleanup	\$8,608.39
4		Extend Builders Risk Insurance	\$3,279.00
TOTAL ITEM AMOUNTS			\$178,083.72

CCO	\$178,083.72
------------	---------------------

Additional contract days are needed to perform work and are to be determined based on approval of change as well as material procurement. All items are custom ordered. PRVs and vaults need to be fabricated, built, and shipped to jobsite. Estimated Lead time for vaults is 8 weeks from date of approval of price

The above breakdown is a specific change to the existing contract. All other conditions of the original contract remain in force. Please sign one copy and return it to our Milpitas office.

Submitted By: _____ Tyler Vieira

Accepted By: _____

Project Manager - Preston Pipelines, Inc.

Date: _____

- Project Manager

RESOLUTION 2018-_____

APPROVING CHANGE ORDER NO. 5 TO PRESTON PIPELINES, INC., TO INSTALL TWO ADDITIONAL PRESSURE RELIEF VALVES FOR THE CITY SIDE ZONE 3 PUMP STATION PROJECT, CIP 75121 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER

WHEREAS, On November 7, 2017, City Council awarded a construction contract to Preston Pipelines, Inc., for the City Side Zone 3 Pump Station and a portion of pipeline in the amount of \$2,445,000, and

WHEREAS, In order to deliver desirable water pressure to the new developments, two additional Pressure Relief Valves (PRV's) are required to be installed in the existing Zone 3 piping network, and

WHEREAS, It is timely and cost effective to install these PRV's under a change order in the amount of \$178,084 to the existing construction contract, and

WHEREAS, After receiving the proposal from Preston Pipelines, staff, along with the consultants have negotiated a competitive lump sum cost of \$178,084 to complete this work, and

WHEREAS, Previous change orders in the amount of \$178,541 approved for this project include changes in the contract due to major unknown underground utilities and undergrounding of certain appurtenances, and

WHEREAS, The total construction contingency for this project was in the amount of \$245,000, and

WHEREAS, The amount of previous change orders for this project is well within this contingency amount and within the authority of the City Manager for approval, and

WHEREAS, With approval of Change Order No. 5, the total contingency amount will be exceeded by approximately \$111,000, and therefore Council approval is needed, and

WHEREAS, Capital Improvement Project 75121, funded from developers through Tracy Infrastructure Master Plan Water Impact (TIMP - Water) fees has sufficient funds to pay for Change Order No. 5 in the amount of \$178,084;

NOW, THEREFORE, BE IT RESOLVED, That the Tracy City Council approves Change Order No. 5 to Preston Pipelines, Inc., to install two additional pressure relief valves for the City Side Zone 3 Pump Station Project, CIP 75121, and authorizes the City Manager to execute the Change Order.

* * * * *

The foregoing Resolution 2018-_____ was adopted by Tracy City Council on the 2nd day of October, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 1.F

REQUEST

APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACY HILLS VILLAGE 8A, TRACT 3957, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

EXECUTIVE SUMMARY

City staff requests that the City Council approve the Final Subdivision Map for Tract 3957, Tracy Hills Village 8A, to subdivide land into 71 lots for single-family residential purposes. Approval of the Final Subdivision Map will facilitate recordation of the Final Subdivision Map, the construction of in-tract improvements, and the issuance of the building permits to construct residential houses. Lennar Homes of California, Inc., a California corporation (Subdivider), has signed the Subdivision Improvement Agreement (SIA) and posted the required security to guarantee completion of the improvements required as a condition of approval of the Final Subdivision Map.

DISCUSSION

On April 5, 2016, the City Council approved the Small-Lot Vesting Tentative Subdivision Map for Tracy Hills Phase 1A, Tract 3788 (VTSM), pursuant to Resolution No. 2016-066. The VTSM includes approximately 1,160 single-family residential lots, an approximately 50-acre mixed-use business park/commercial retail area, three public parks, school site, and numerous other Homeowners Association owned and maintained parcels. The Final Subdivision Map for Tract 3957, Tracy Hills Village 8A, consists of 71 single-family lots within the boundaries of the aforementioned approximately 1,160 lot Tracy Hills Phase 1A project. Attachment A shows the overall Tracy Hills Phase 1A project area and the location of the Final Subdivision Map for Tract 3957, Tracy Hills Village 8A.

The Subdivider is requesting approval of the Final Subdivision Map for Tract 3957, Tracy Hills Village 8A, to create 71 single-family residential lots within the boundaries of, and in conformance with, the approved VTSM. The Final Subdivision Map for Tract 3957, Tracy Hills Village 8A (Attachment B) has been prepared on behalf of the Subdivider and reviewed by the Engineering Division.

The Conditions of Approval for the VTSM require the Subdivider to design and construct certain on-site improvements as a condition of approval of the Final Subdivision Map pursuant to the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards. Improvement Plans for the required improvements, excepting landscape and irrigation improvements within the parkway strips along the proposed streets, have been prepared on behalf of the Subdivider, and approved by the City Engineer. The Landscape Plans are currently undergoing separate review by the Engineering Division.

The Subdivision Improvement Agreement (Attachment C) addresses construction of Moser Way, Wilkins Lane, Copley Drive, Greymont Drive, Sanderson Avenue, Zink House Drive, Carousel Avenue, Cameo Way, and Prospect Drive, and other in-tract improvements associated with the 71 lots that will be developed by the Subdivider as

part of Village 8A. The SIA will be amended at a later date to include the parkway landscape and irrigation improvements, upon approval of the Landscape Plans by the Engineering Division.

The Subdivider has executed the SIA and posted the required security to guarantee completion of the improvements.

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

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

FISCAL IMPACT

The Subdivider has paid the applicable engineering review fees, which include the cost of review of the Improvement Plans and processing the agreements.

STRATEGIC PLAN

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

RECOMMENDATION

Staff recommends that the City Council, by resolution, approve the Final Subdivision Map and Subdivision Improvement Agreement for Tract 3957, Tracy Hills Village 8A, and authorize the City Clerk to file the Subdivision Improvement Agreement with the Office of the San Joaquin County Recorder.

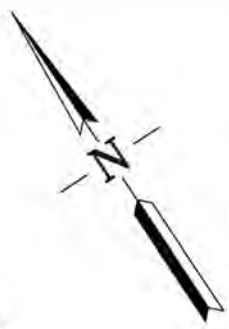
Prepared by: Nanda Gottiparthi, PE, SNG & Associates, Inc.

Reviewed by: Robert Armijo, PE, City Engineer / Assistant Development Services Director
Andrew Malik, Development Services Director
Karin Schnaider, Finance Director
Midori Lichtwardt, Interim Assistant City Manager

Approved by: Randall Bradley, City Manager

ATTACHMENTS

Attachment A – Vicinity Map
Attachment B – Final Subdivision Map
Attachment C – Subdivision Improvement Agreement



LANDS OF RODGERS

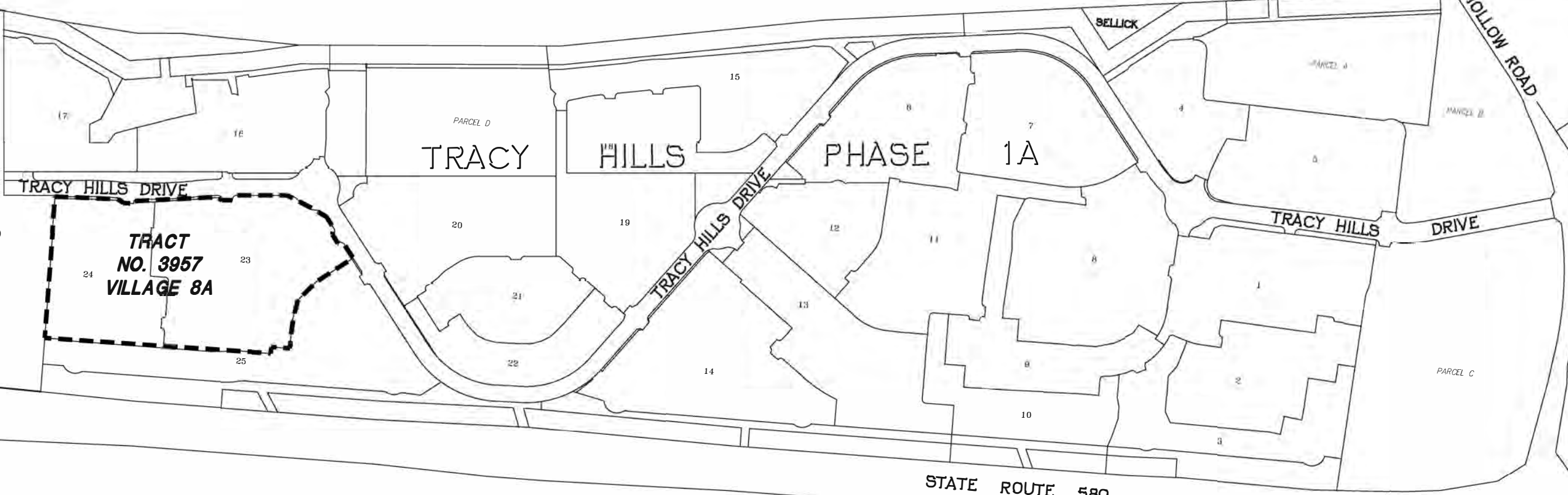
LANDS OF VIEIRA

SATNAM SANDHU

CALIFORNIA AQUEDUCT

CORRAL HOLLOW ROAD

BELLYCK



UNSURVEYED
REMAINDER
25 PM 168

**TRACT
NO. 3957
VILLAGE 8A**

ATTACHMENT 'A'

G:\JOB2012\121083-P\CAD FILES\00-EXHIBITS\SA EXHIBITS\VA - ATTACH_A.DWG 9/14/2018 1:19:03 PM ALLISON GALLISPIE

OWNER'S STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE PARTIES HAVING RECORD TITLE INTEREST IN THE LANDS SUBDIVIDED AND SHOWN ON THIS FINAL MAP OF "TRACT NO. 3957, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TRACY HILLS VILLAGE 8A", CITY OF TRACY, CALIFORNIA, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF TRACY, IN FEE, FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "MOSER WAY", "WILKINS LANE", "COPELY DRIVE", "GREYMONT DRIVE", "SANDERSON AVENUE", "ZINK HOUSE DRIVE", "CAROUSEL AVENUE", "CAMEO WAY", AND "PROSPECT DRIVE" WITHIN THE BOUNDARY OF THIS MAP ARE FOR THE PURPOSE OF PUBLIC STREETS.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF TRACY, IN FEE, FOR PUBLIC PARK PURPOSES: THE AREA DESIGNATED WITHIN THE BOUNDARY OF THIS MAP AS "LOT A".

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF TRACY AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "PUBLIC UTILITY EASEMENT" OR "PUE" ARE FOR PUBLIC UTILITY PURPOSES, INCLUDING THE RIGHTS OF INGRESS, EGRESS, CONSTRUCTION, RECONSTRUCTION, ACCESS FOR MAINTENANCE OF WORKS, IMPROVEMENTS AND STRUCTURES, AND THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF TRACY AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "ONE-FOOT ACCESS RESERVE STRIP" ARE FOR THE RIGHT TO CONTROL ACCESS OVER AND ACROSS SAID STRIP.

THE REAL PROPERTY DESCRIBED BELOW IS RESERVED AS AN EASEMENT FOR PRIVATE PURPOSES: THE AREAS DESIGNATED AS "LANDSCAPE MAINTENANCE EASEMENT" OR "LME" ARE FOR LANDSCAPING PURPOSES. SAID AREAS SHALL BE CONVEYED TO THE HOMEOWNERS ASSOCIATION OF THIS SUBDIVISION BY SEPARATE INSTRUMENT.

THE REAL PROPERTY DESIGNATED WITHIN THE BOUNDARY OF THIS MAP AS "LOT B" IS HEREBY RETAINED BY OWNER FOR FUTURE DEVELOPMENT PURPOSES.

THE UNDERSIGNED HEREBY RELINQUISH TO THE PUBLIC FOREVER ALL ABUTTERS RIGHTS OF ACCESS FOR PEDESTRIAN AND VEHICLE INGRESS AND EGRESS ACROSS THE LOT LINES SHOWN THUSLY ////////// (LOTS 1, 2, 3, 4, 5 AND 67 TO AND FROM PARCEL DDD OF TRACT NO. 3878, LOT 1 TO AND FROM COPELY DRIVE, LOTS 8, 66 AND 71 TO AND FROM CAROUSEL AVENUE, LOTS 9 AND 28 TO AND FROM MOSER WAY, LOT 15 TO AND FROM ZINK HOUSE DRIVE, LOTS 20, 21, 34 AND 39 TO AND FROM SANDERSON AVENUE, LOT 29 TO AND FROM TRACY HILLS DRIVE OF TRACT NO. 3878, LOTS 45 AND 46 TO AND FROM WILKINS LANE, LOTS 52 AND 53 TO AND FROM CAMEO WAY, LOTS 62, 63, 64, 65 AND 66 TO AND FROM PARCEL EEE OF TRACT NO. 3878).

DATED THIS _____ DAY OF _____, 2018.

OWNER: LENNAR HOMES OF CALIFORNIA, INC., A CALIFORNIA CORPORATION
2603 CAMINO RAMON, SUITE 525
SAN RAMON, CA 94583

BY: _____ PRINT NAME: _____ TITLE: _____

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
COUNTY OF _____) SS

ON _____, 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/ SHE/ THEY EXECUTED THE SAME IN HIS/ HER/ THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS /HER /THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY ON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND,

SIGNATURE: _____
PRINT NAME: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINCIPAL COUNTY OF BUSINESS: _____

TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A

BEING A SUBDIVISION OF LOTS 23 AND 24 AS SHOWN ON TRACT NO. 3878 RECORDED JANUARY 28, 2018 IN BOOK 43 OF MAPS AND PLATS AT PAGE 17 OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E. MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018

TRUSTEE'S STATEMENT

THE UNDERSIGNED, FIRST AMERICAN TITLE COMPANY, AS TRUSTEE UNDER THE DEED OF TRUST RECORDED SEPTEMBER 6, 2018 AS DOCUMENT NO. 2018-099760, SAN JOAQUIN COUNTY RECORDS DOES HEREBY JOIN IN AND CONSENT TO THE RECORDATION OF THIS FINAL MAP.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE EXECUTED THIS STATEMENT ON THE _____ DAY OF _____, 2018.

FIRST AMERICAN TITLE COMPANY

BY: _____ NAME: _____ TITLE: _____

TRUSTEE'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA)
COUNTY OF _____) SS

ON _____, 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF CALIFORNIA, PERSONALLY APPEARED _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/ SHE/ THEY EXECUTED THE SAME IN HIS/ HER/ THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS /HER /THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY ON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

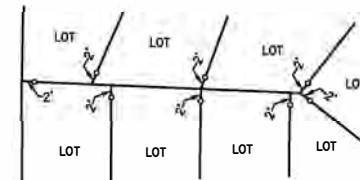
WITNESS MY HAND,

SIGNATURE: _____
PRINT NAME: _____
MY COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINCIPAL COUNTY OF BUSINESS: _____



NOTES:

1. APPROVAL OF THIS FINAL TRACT MAP IS SUBJECT TO THE VESTING TENTATIVE MAP (APPLICATION NUMBER TSM13-0005) CONDITIONS OF APPROVAL DATED APRIL 5, 2016.
2. ALL FRONT CORNERS ARE TO BE REFERENCED WITH A NAIL AND TAG AT THE TOP OF CURB ON LOT LINE PROJECTIONS, UNLESS OTHERWISE NOTED.
3. ALL REAR CORNERS ARE TO BE REFERENCED WITH A 3/4" IRON PIPE AND CAP OR A NAIL AND TAG SET ON THE CORRESPONDING SIDE PROPERTY LINES ON A 2 FEET OFFSET AS TYPICALLY SHOWN BELOW, UNLESS OTHERWISE NOTED.



RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2018, AT _____ M., IN BOOK _____ OF MAPS AND PLATS, AT PAGE _____, RECORDER'S SERIES NO. _____ AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

FEE: \$ _____ PAID

STEVE J. BESTOLARIDES
ASSESSOR/RECORDER/COUNTY CLERK

BY: _____
DEPUTY COUNTY RECORDER

TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A

BEING A SUBDIVISION OF LOTS 23 AND 24 AS SHOWN ON
TRACT NO. 3878 RECORDED JANUARY 28, 2018
IN BOOK 43 OF MAPS AND FLATS AT PAGE 17
OFFICIAL RECORDS OF SAN JOAQUIN COUNTY,
BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E.
MOUNT Diablo MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF LENNAR HOMES OF CALIFORNIA, INC., ON JANUARY 1, 2018. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP (IF ANY), THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2020, AND THAT SAID MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED THIS _____ DAY OF _____, 2018.

SCOTT A. SHORTLIDGE, P.L.S. NO. 6441



CERTIFICATE OF DEDICATION

THE FOLLOWING REAL PROPERTY IS DEDICATED BY LENNAR HOMES OF CALIFORNIA, INC., 2603 CAMINO RAMON, SUITE 525, SAN RAMON, CA 94583, FOR THE PURPOSE OF A PUBLIC PARK: "LOT A";

FOR THE PURPOSE OF PUBLIC STREET RIGHTS-OF-WAY:
"MOSER WAY", "WILKINS LANE", "COPLEY DRIVE", "GREYMONT DRIVE", "SANDERSON AVENUE", "ZINK HOUSE DRIVE", "CAROUSEL AVENUE", "CAMEO WAY", AND "PROSPECT DRIVE".

THE CITY OF TRACY SHALL RECONVEY THE PROPERTY TO THE SUBDIVIDER IF THE CITY OF TRACY MAKES A DETERMINATION PURSUANT TO GOVERNMENT CODE SECTION 66477.5 THAT THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES.

CITY CLERK'S STATEMENT

THIS IS TO STATE THAT AT ITS REGULARLY HELD MEETING ON THE _____ DAY OF _____, 2018, THE CITY COUNCIL OF THE CITY OF TRACY, CALIFORNIA PER COUNCIL RESOLUTION NO. _____, APPROVED THIS FINAL MAP OF "TRACT NO. 3957, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TRACY HILLS VILLAGE 8A", CITY OF TRACY, CALIFORNIA, AND ACCEPTED ON BEHALF OF THE PUBLIC FOR PUBLIC USE THE OFFER OF DEDICATION OF ALL PUBLIC UTILITY EASEMENTS, ACCEPTED ON BEHALF OF THE CITY THE RIGHT TO CONTROL ACCESS OVER AND ACROSS THE ONE-FOOT ACCESS RESERVE STRIPS, ACCEPTED ON BEHALF OF THE CITY THE RELINQUISHMENT TO THE CITY OF TRACY ALL ACCESS RIGHTS OF LOTS 1, 2, 3, 4, 5 AND 67 TO AND FROM PARCEL DDD OF TRACT NO. 3878, LOT 1 TO AND FROM COPLEY DRIVE, LOTS 8, 66 AND 71 TO AND FROM CAROUSEL AVENUE, LOTS 9 AND 28 TO AND FROM MOSER WAY, LOT 15 TO AND FROM ZINK HOUSE DRIVE, LOTS 20, 21, 34 AND 39 TO AND FROM SANDERSON AVENUE, LOT 29 TO AND FROM TRACY HILLS DRIVE OF TRACT NO. 3878, LOTS 45 AND 46 TO AND FROM WILKINS LANE, LOTS 52 AND 53 TO AND FROM CAMEO WAY, LOTS 62, 63, 64, 65 AND 66 TO AND FROM PARCEL EEE OF TRACT NO. 3878, ALL AS SHOWN ON THIS FINAL MAP, AND ACCEPTED THE OFFER OF DEDICATION OF "LOT A" AND ALL STREET RIGHTS-OF-WAY, SUBJECT TO SATISFACTORY COMPLETION OF IMPROVEMENTS THEREON OF SAID STREET RIGHTS-OF-WAY, IN ACCORDANCE WITH TITLES 10 AND 12 OF THE TRACY MUNICIPAL CODE, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP.

I HEREBY FURTHER STATE PURSUANT TO SECTION 66477.5 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA: THE LOCAL AGENCY SHALL RECONVEY THE PROPERTY TO THE SUBDIVIDER IF THE LOCAL AGENCY MAKES A DETERMINATION PURSUANT TO SAID SECTION THAT THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES, AS SPECIFIED IN SUBDIVISION (C) OF SAID SECTION.

DATED THIS _____ DAY OF _____, 2018.

ADRIANNE RICHARDSON, CITY CLERK
AND CLERK OF THE CITY COUNCIL

CITY ENGINEER'S STATEMENT

I, ROBERT ARMIJO, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF TRACY, CALIFORNIA AND THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 3957, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TRACY HILLS VILLAGE 8A", CITY OF TRACY, CALIFORNIA AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLIES WITH ALL THE PROVISIONS OF TITLES 10 AND 12 OF THE TRACY MUNICIPAL CODE, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2018.

ROBERT ARMIJO, R.C.E. NO. 63173
CITY ENGINEER



SURVEYOR FOR THE CITY STATEMENT

I, DAVID W. ENKE, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 3957, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TRACY HILLS VILLAGE 8A", CITY OF TRACY, CALIFORNIA AND THAT THE SUBDIVISION SHOWN HEREON COMPLIES WITH ALL THE PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA SUBDIVISION MAP ACT, AS AMENDED, AND THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 2018.

DAVID W. ENKE, L.S. NO. 4071



BASIS OF BEARINGS

THE LINE TAKEN AS N44°38'35"W BETWEEN TWO FOUND MONUMENTS (STATION NUMBER 2060 AND STATION NUMBER 3022) OF THE CITY OF TRACY GEODETIC CONTROL NETWORK, WHICH IS BASED UPON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 3, NAD 83 (EPOCH 2004.0), AS SHOWN ON THE RECORD OF SURVEY FILED JUNE 26, 2007, IN BOOK 36 OF SURVEYS AT PAGE 118, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, IS THE BASIS OF BEARINGS FOR THIS MAP.

REFERENCES:

- (1) DIVISION OF HIGHWAYS, DISTRICT 10, STATE HIGHWAY MAP 10 S.J. 580 11.0 SHEETS 9 TO 13 OF 21 SHEETS AND DEED 3095 O.R. 714 SAN JOAQUIN COUNTY RECORDS.
- (2) RECORD OF SURVEY, 33 RS 57
- (3) CITY OF TRACY GEODETIC CONTROL NETWORK RECORD OF SURVEY, 36 RS 118
- (4) PARCEL MAP, 25 PM 168
- (5) TRACT NO. 3878, 43 M & P 17
- (6) TRACT NO. 3955, 43 M & P 50

GRID NOTE:

THE DISTANCES SHOWN HEREON ARE GRID DISTANCES. MULTIPLY DISTANCES BY 1.0000612 TO OBTAIN GROUND LEVEL DISTANCES.

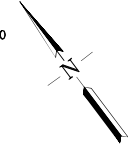
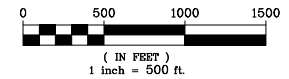
LEGEND

	TRACT MAP BOUNDARY LINE	PUE	PUBLIC UTILITY EASEMENT
	LOT LINE	LME	LANDSCAPE MAINTENANCE EASEMENT
	EXISTING EASEMENT LINE	EX	EXISTING
	NEW EASEMENT LINE	(M-M)	MONUMENT TO MONUMENT
	MONUMENT LINE	(R)	RADIAL
	MONUMENT TIE LINE	(T)	TOTAL
	EXISTING PROPERTY LINE	O.R.	OFFICIAL RECORDS
		(DATA)(1)	RECORD DATA & REFERENCE
	FOUND MONUMENT AS NOTED		
	SET STANDARD MONUMENT, STAMPED LS 6441		
	3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441		
	SET PER REFERENCE AS NOTED		
	3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441		
	ABUTTERS RIGHTS OF ACCESS RELINQUISHED		

TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A

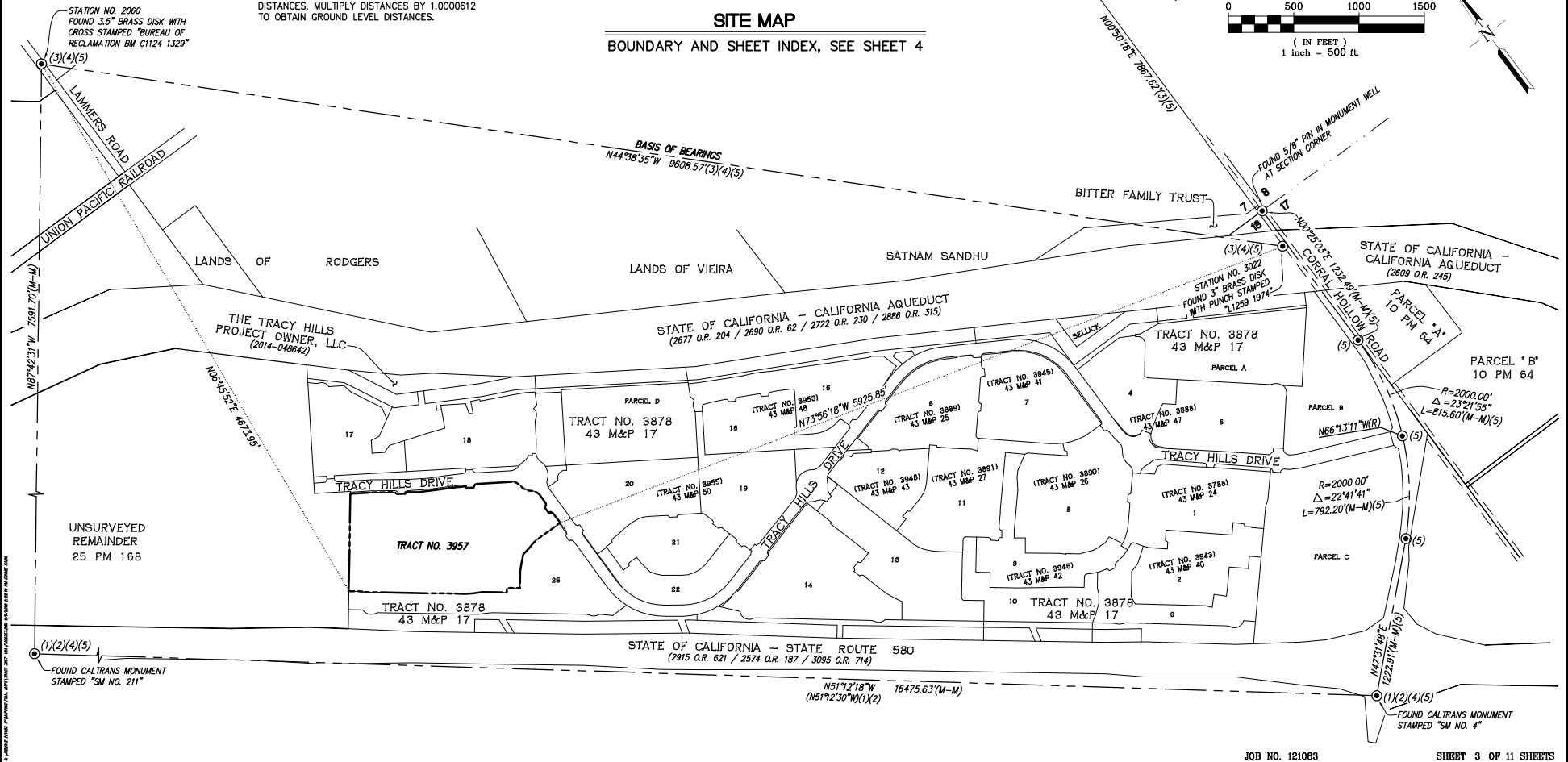
BEING A SUBDIVISION OF LOTS 23 AND 24 AS SHOWN ON TRACT NO. 3878 RECORDED JANUARY 26, 2018 IN BOOK 43 OF MAPS AND PLATS AT PAGE 17 OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E. MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018



SITE MAP

BOUNDARY AND SHEET INDEX, SEE SHEET 4



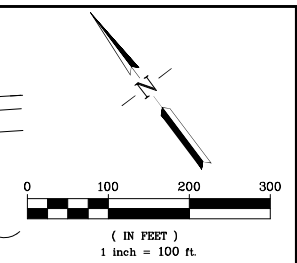
TRACT NO. 3878
43 M&P 17

BOUNDARY MAP
AREA WITHIN TRACT MAP BOUNDARY LINE = 25.84±ACRES
AREA OF LOTS 1-71 = 12.92±ACRES
AREA OF STREETS = 5.20±ACRES

TRACT NO. 3878
43 M&P 17

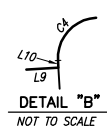
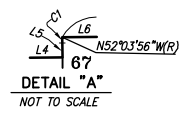
5 SHEET NUMBER

EX.16.5' UNION OIL PIPELINE EASEMENT
(1897 O.R. 449 & 1963 O.R. 227)



UNSURVEYED
REMAINDER
25 PM 168

Line	Bearing	Distance
L1	N56°23'17"W	162.41'
L2	N53°36'38"W	180.59'
L3	N11°23'00"W	18.69'
L4	N53°29'13"W	65.00'
L5	N36°30'47"E	12.00'
L6	N53°29'13"W	99.99'
L7	N60°24'27"W	171.17'
L8	N59°39'11"W	65.11'
L9	N56°23'17"W	55.00'
L10	N33°36'43"E	1.27'
L11	N00°45'14"E	72.54'
L12	N00°45'14"E	55.00'
L13	N89°14'46"W	12.00'
L14	N00°45'14"E	4.82'
L15	N00°45'14"E	85.00'
L16	N81°20'04"E	34.26'
L17	N78°46'45"E	34.08'
L18	N78°54'59"E	71.96'
L19	N50°51'40"E	66.70'
L20	N45°08'10"E	85.52'
L21	N37°54'13"E	130.00'
L22	N52°05'47"W	100.00'
L23	N37°54'13"E	35.00'
L24	N52°05'47"W	190.00'
L25	N37°54'13"E	1.00'
L26	N59°03'31"W	65.48'
L27	N57°26'52"W	65.28'
L28	N37°54'13"E	5.97'
L29	N52°05'47"W	110.00'
L30	N37°54'13"E	25.97'
L31	N37°54'13"E	80.00'
L32	N52°05'47"W	5.00'
L33	N37°54'13"E	55.00'
L34	N37°54'13"E	85.00'
L35	N52°05'47"W	84.12'



Curve	Radius	Delta	Length
C1	25.00'	01°25'17"	0.62'
C2	1902.00'	03°57'32"	131.42'
C3	25.00'	33°06'50"	14.45'
C4	25.00'	90°00'00"	39.27'
C5	78.00'	52°46'17"	71.84'
C6	122.00'	48°24'02"	103.06'
C7	78.00'	52°46'16"	71.84'
C8	25.00'	06°53'32"	3.01'
C9	25.00'	53°07'48"	23.18'
C10	20.00'	90°00'00"	31.42'
C11	322.50'	37°08'59"	209.10'
C12	20.00'	85°42'30"	29.92'
C13	1957.00'	04°43'20"	161.29'
C14	2313.00'	10°24'19"	420.06'
C15	1957.00'	05°41'00"	194.12'

- LEGEND**
- TRACT MAP BOUNDARY LINE
 - LOT LINE
 - EXISTING EASEMENT LINE
 - NEW EASEMENT LINE
 - MONUMENT LINE
 - MONUMENT TIE LINE
 - EXISTING PROPERTY LINE
 - FOUND MONUMENT AS NOTED
 - ⊙ SET STANDARD MONUMENT, STAMPED LS 6441
 - 3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441 SET PER REFERENCE AS NOTED
 - SET 3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441
 - PUE PUBLIC UTILITY EASEMENT
 - LME LANDSCAPE MAINTENANCE EASEMENT
 - EX. EXISTING
 - (M-M) MONUMENT TO MONUMENT
 - (R) RADIAL
 - (T) TOTAL
 - O.R. OFFICIAL RECORDS
 - (DATA)(1) RECORD DATA & REFERENCE
 - // // // // // ABUTTERS RIGHTS OF ACCESS RELINQUISHED

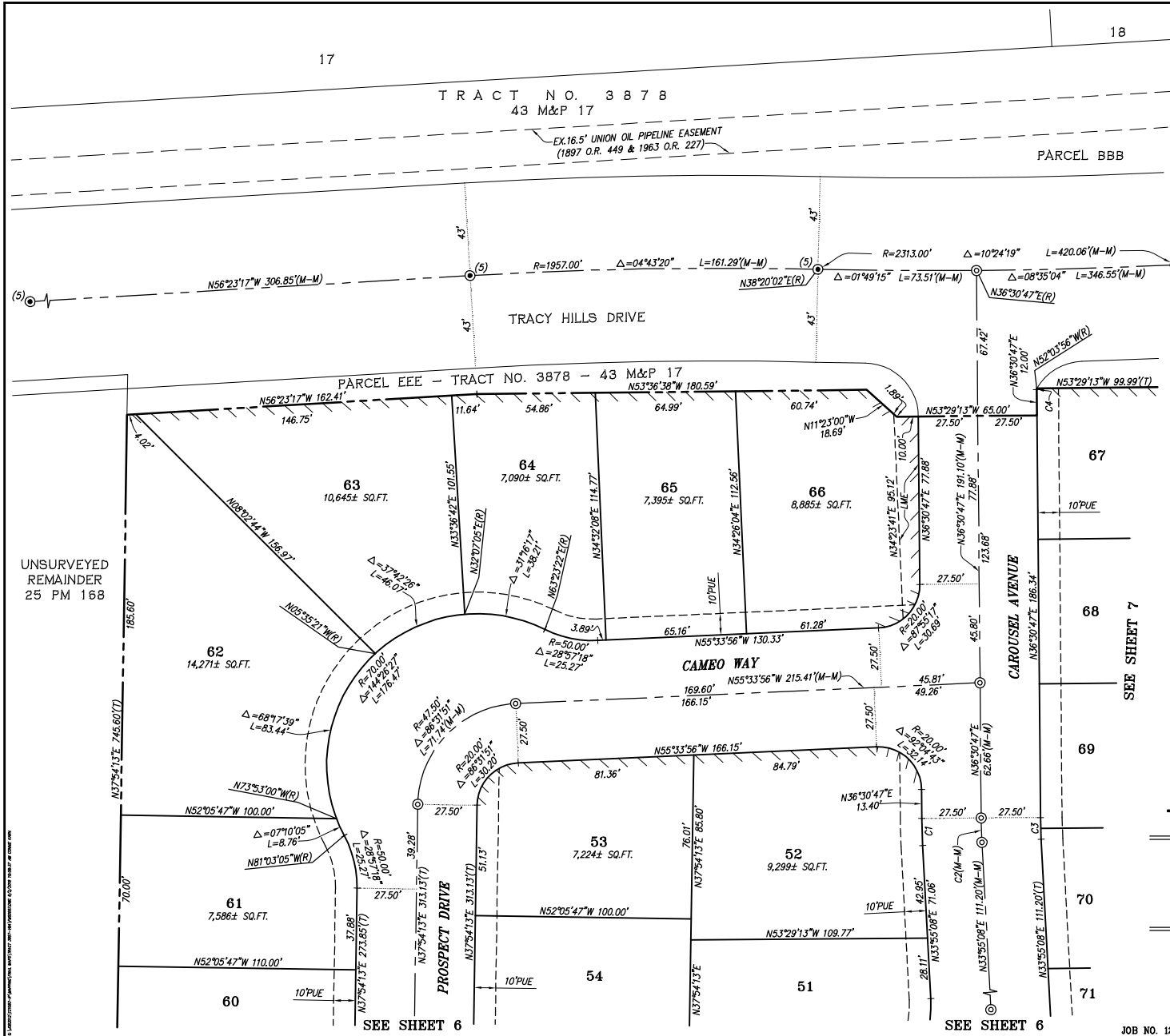
GRID NOTE:
THE DISTANCES SHOWN HEREON ARE GRID DISTANCES. MULTIPLY DISTANCES BY 1.0000612 TO OBTAIN GROUND LEVEL DISTANCES.

BASIS OF BEARINGS
THE LINE TAKEN AS N44°38'35"W BETWEEN TWO FOUND MONUMENTS (STATION NUMBER 2060 AND STATION NUMBER 3022) OF THE CITY OF TRACY GEODETIC CONTROL NETWORK, WHICH IS BASED UPON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 3, NAD 83 (EPOCH 2004.0), AS SHOWN ON THE RECORD OF SURVEY FILED JUNE 26, 2007, IN BOOK 36 OF SURVEYS AT PAGE 118, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, IS THE BASIS OF BEARINGS FOR THIS MAP.

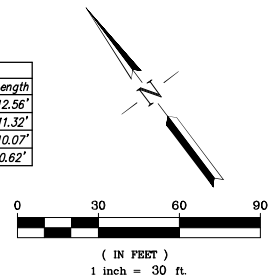
TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A

BEING A SUBDIVISION OF LOTS 23 AND 24 AS SHOWN ON TRACT NO. 3878 RECORDED JANUARY 26, 2018 IN BOOK 43 OF MAPS AND PLATS AT PAGE 17 OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E. MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018



Curve Table			
Curve	Radius	Delta	Length
C1	277.50'	02°35'39"	12.56'
C2	250.00'	02°35'39"	11.32'
C3	222.50'	02°35'39"	10.07'
C4	25.00'	01°25'17"	0.62'



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- LEGEND**
- TRACT MAP BOUNDARY LINE
 - LOT LINE
 - - - EXISTING EASEMENT LINE
 - - - NEW EASEMENT LINE
 - MONUMENT LINE
 - MONUMENT TIE LINE
 - EXISTING PROPERTY LINE
 - FOUND MONUMENT AS NOTED
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 - PUE PUBLIC UTILITY EASEMENT
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 - EX. EXISTING
 - (M-M) MONUMENT TO MONUMENT
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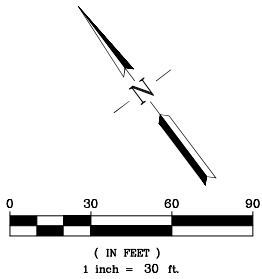
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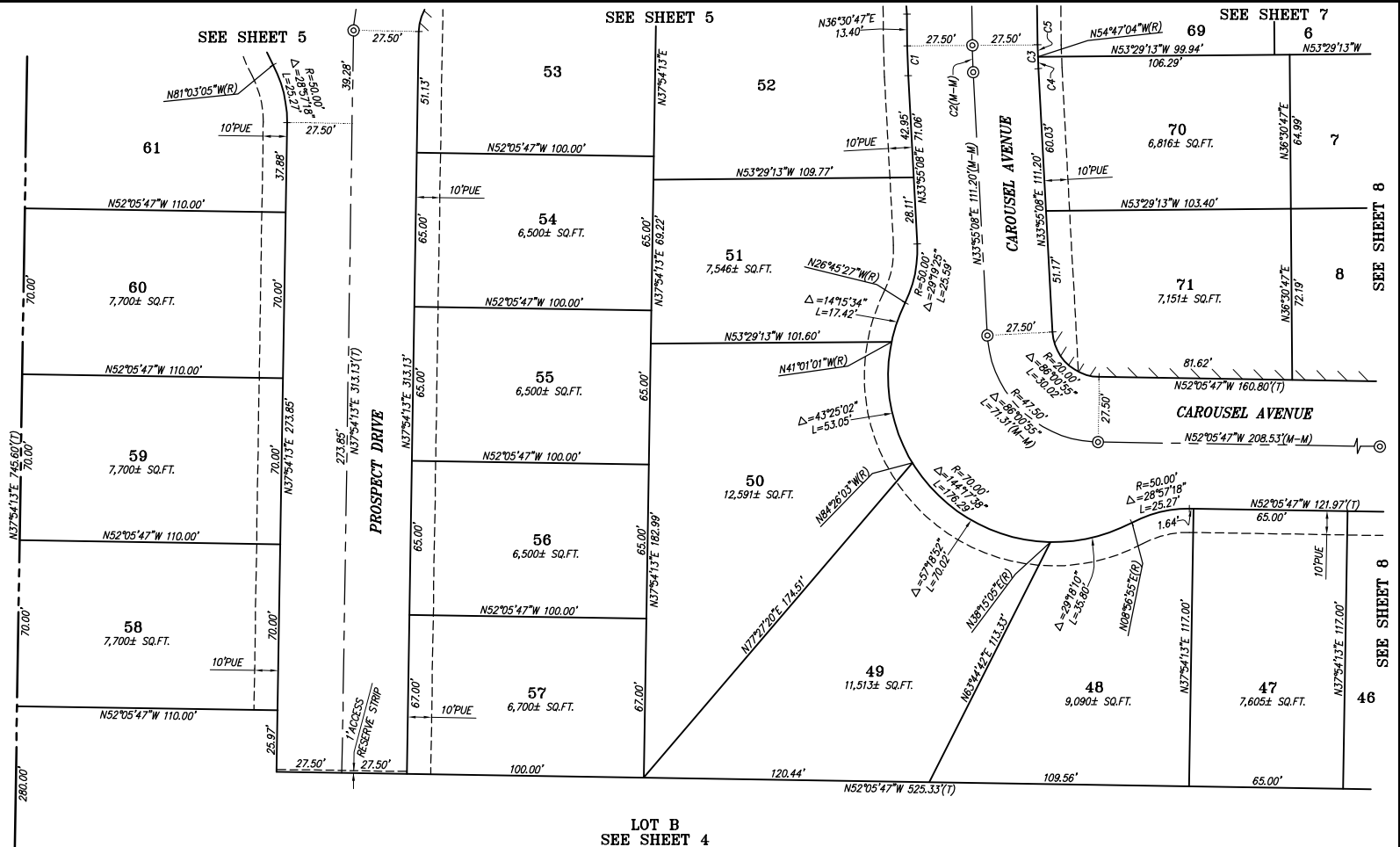
CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018



Curve Table			
Curve	Radius	Delta	Length
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C3	222.50'	02°35'39"	10.07'
C4	222.50'	01°17'48"	5.03'
C5	222.50'	01°17'51"	5.04'

UNSURVEYED
REMAINDER
25 PM 168



LOT B
SEE SHEET 4

TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A

BEING A SUBDIVISION OF LOTS 23 AND 24 AS SHOWN ON
TRACT NO. 3876 RECORDED JANUARY 26, 2018
IN BOOK 43 OF MAPS AND PLATS AT PAGE 17
OFFICIAL RECORDS OF SAN JOAQUIN COUNTY,
BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E.
MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018

JOB NO. 121083

SHEET 6 OF 11 SHEETS

GRID NOTE:

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DISTANCES BY 1.0000612 TO OBTAIN GROUND LEVEL DISTANCES.

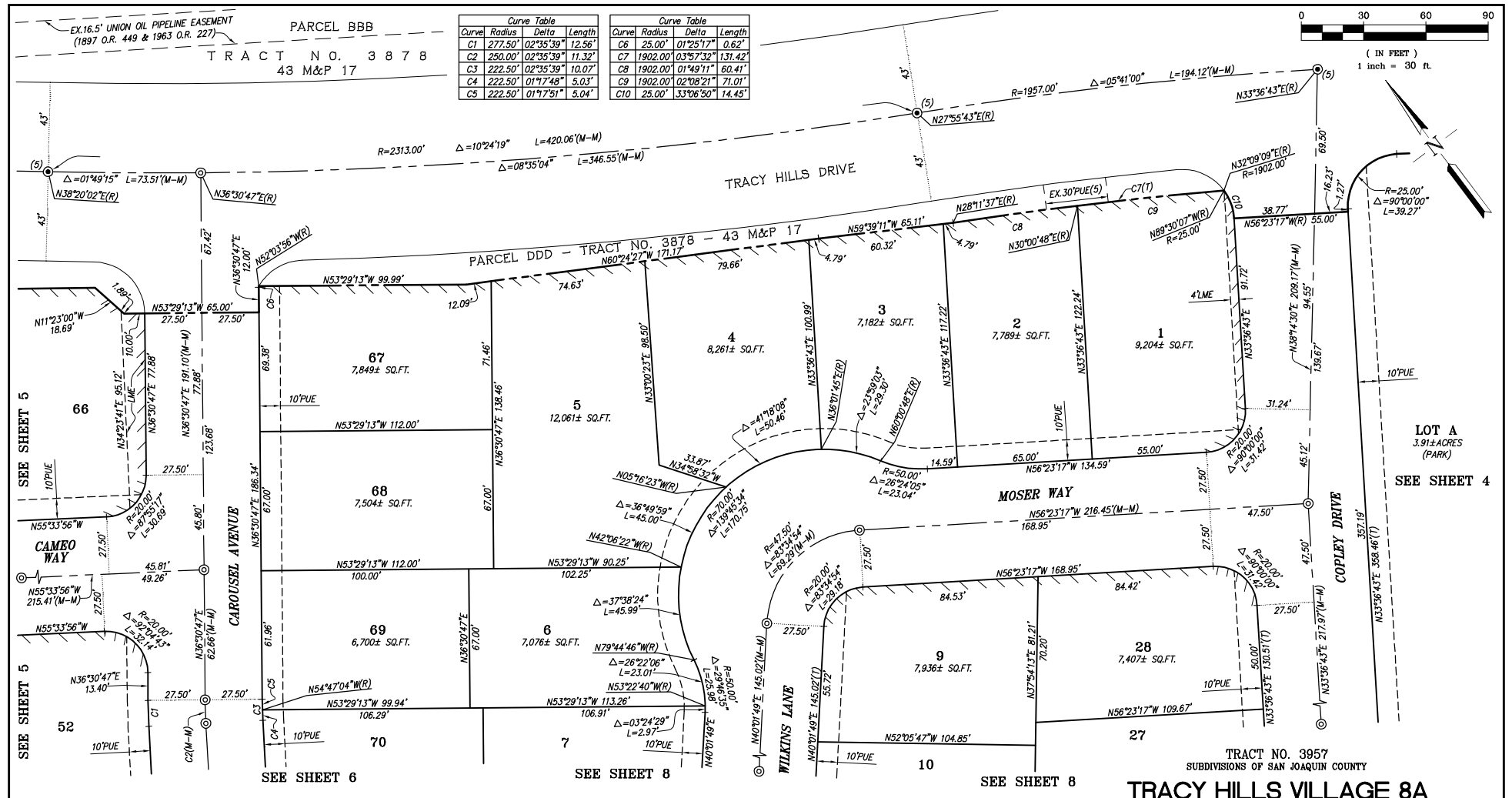
BASIS OF BEARINGS

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THIS MAP.

LEGEND

———	TRACT MAP BOUNDARY LINE	—	PUE	PUBLIC UTILITY EASEMENT
———	LOT LINE	———	LME	LANDSCAPE MAINTENANCE EASEMENT
———	EXISTING EASEMENT LINE	EX	EX	EXISTING
———	NEW EASEMENT LINE	(M-M)	(M-M)	MONUMENT TO MONUMENT
———	MONUMENT LINE	(R)	(R)	RADIAL
———	MONUMENT TIE LINE	(T)	(T)	TOTAL
———	EXISTING PROPERTY LINE	(O.R.)	(O.R.)	OFFICIAL RECORDS
●	FOUND MONUMENT AS NOTED	(DATA)	(1)	RECORD DATA & REFERENCE
⊙	SET STANDARD MONUMENT, STAMPED LS 6441	///////		ABUTTERS RIGHTS OF ACCESS RELINQUISHED
●	3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441			
●	SET PER REFERENCE AS NOTED			
○	SET 3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441			

Curve Table				Curve Table			
Curve	Radius	Delta	Length	Curve	Radius	Delta	Length
C1	277.50'	02°35'39"	12.56'	C7	1902.00'	03°57'32"	131.42'
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C4	222.50'	01°47'48"	5.03'	C10	25.00'	33°06'50"	14.45'
C5	222.50'	01°47'51"	5.04'				



SEE SHEET 5

SEE SHEET 6

SEE SHEET 8

SEE SHEET 8

LOT A
3.91± ACRES
(PARK)
SEE SHEET 4

TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A

GRID NOTE:

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THE LINE TAKEN AS N44°38'35"W BETWEEN TWO FOUND MONUMENTS (STATION NUMBER 2060 AND STATION NUMBER 3022) OF THE CITY OF TRACY GEODETIC CONTROL NETWORK, WHICH IS BASED UPON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 3, NAD 83 (EPOCH 2004.0), AS SHOWN ON THE RECORD OF SURVEY FILED JUNE 26, 2007, IN BOOK 36 OF SURVEYS AT PAGE 118, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, IS THE BASIS OF BEARINGS FOR THIS MAP.

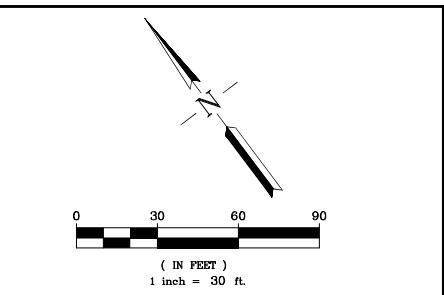
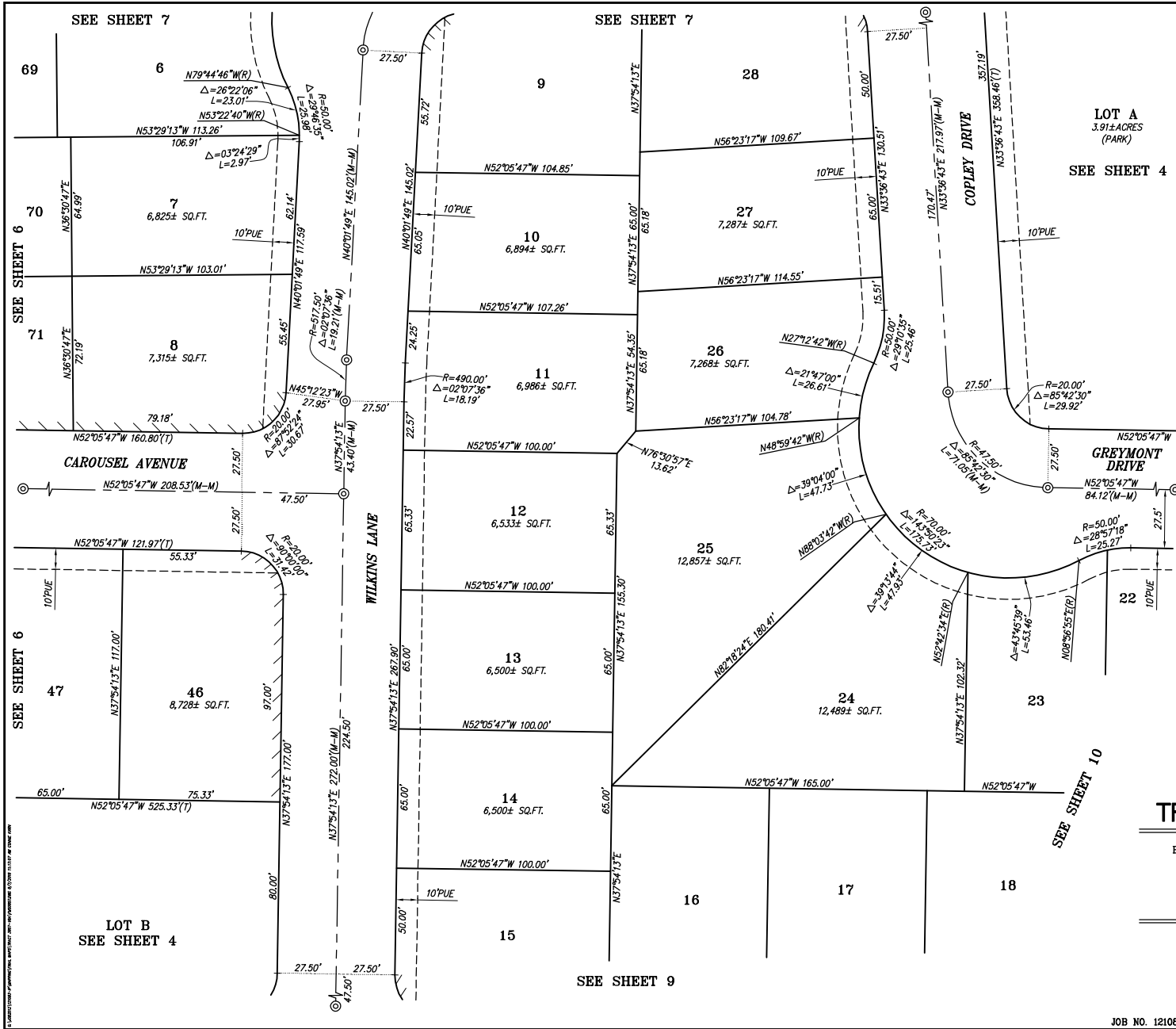
LEGEND

- TRACT MAP BOUNDARY LINE
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- (R) RADIAL
- (T) TOTAL
- (O.R.) OFFICIAL RECORDS
- () (DATA) (1) RECORD DATA & REFERENCE
- ////// ABUTTERS RIGHTS OF ACCESS RELINQUISHED

BEING A SUBDIVISION OF LOTS 23 AND 24 AS SHOWN ON TRACT NO. 3878 RECORDED JANUARY 26, 2018 IN BOOK 43 OF MAPS AND PLATS AT PAGE 17 OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E. MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018



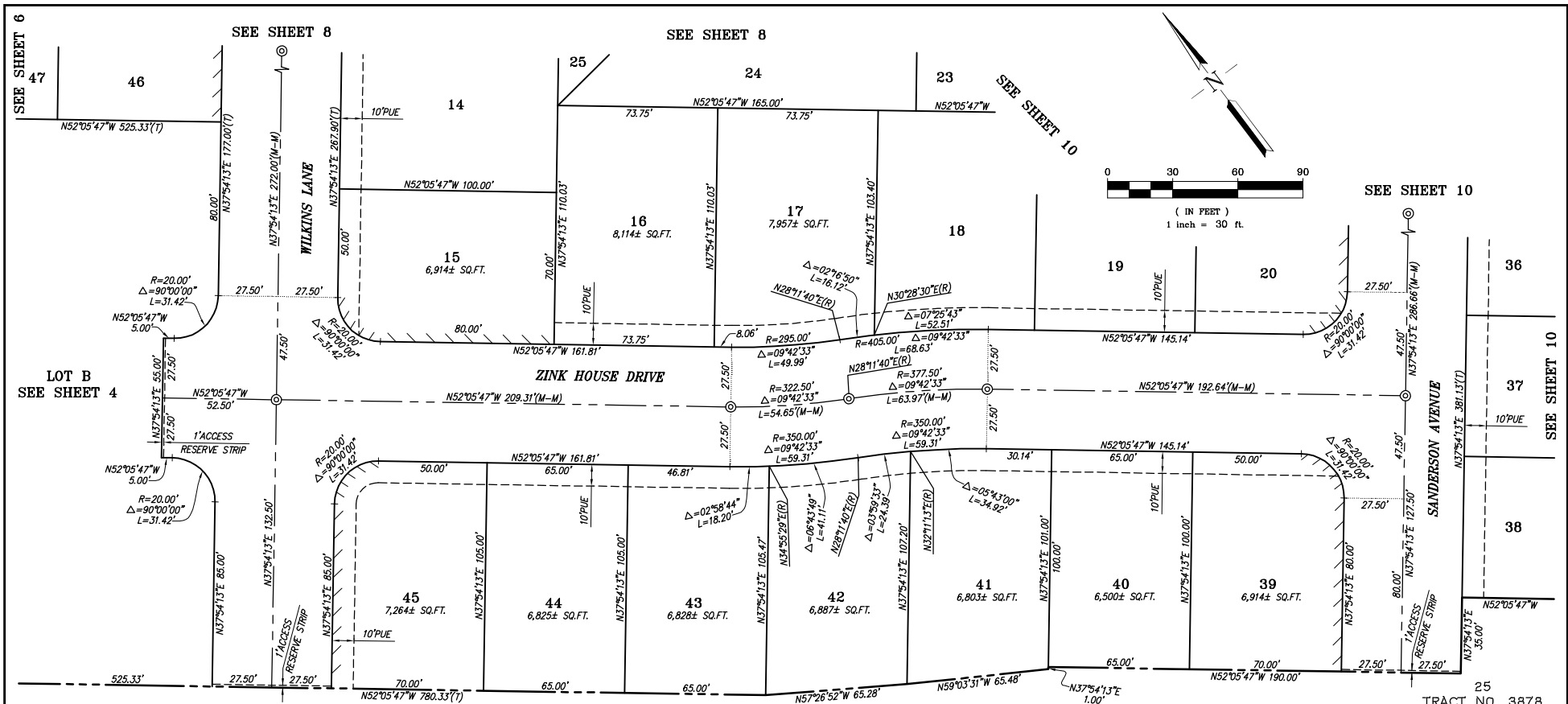
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TRACT NO. 3957
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TRACY HILLS VILLAGE 8A
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CITY OF TRACY
 SAN JOAQUIN COUNTY, CALIFORNIA
 RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS, PLANNERS, SURVEYORS
 PLEASANTON, CALIFORNIA
 SEPTEMBER 2018



25
TRACT NO. 3878
43 M&P 17

25
TRACT NO. 3878
43 M&P 17

TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A

BEING A SUBDIVISION OF LOTS 23 AND 24 AS SHOWN ON
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CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018

JOB NO. 121083

SHEET 9 OF 11 SHEETS

GRID NOTE:

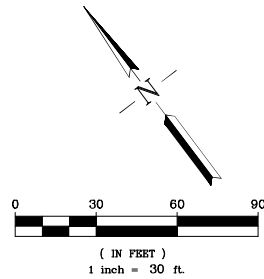
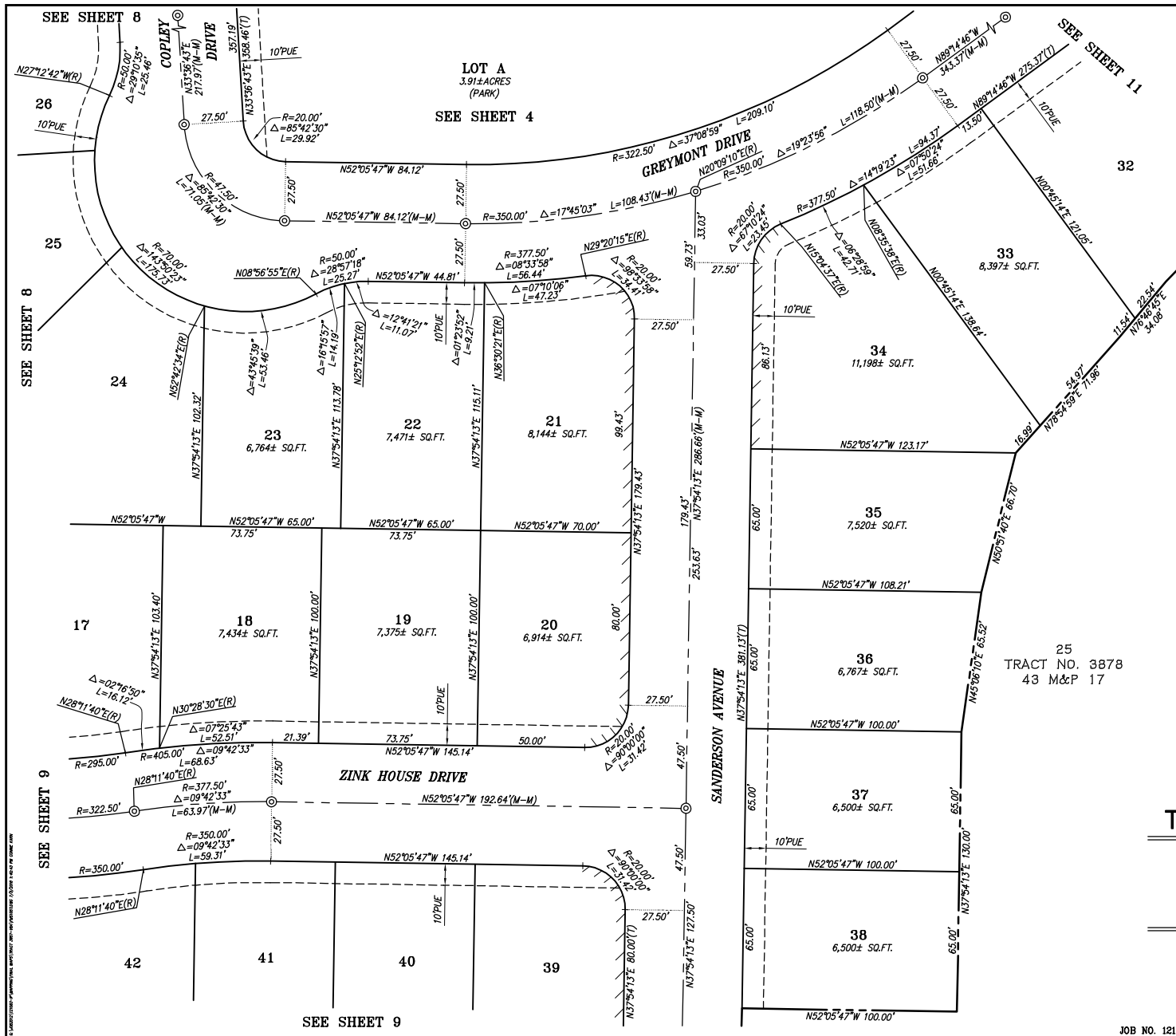
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LEGEND

———	TRACT MAP BOUNDARY LINE	PUE	PUBLIC UTILITY EASEMENT
———	LOT LINE	LME	LANDSCAPE MAINTENANCE EASEMENT
———	EXISTING EASEMENT LINE	EX.	EXISTING
———	NEW EASEMENT LINE	(M-M)	MONUMENT TO MONUMENT
———	MONUMENT LINE	(R)	RADIAL
———	MONUMENT TIE LINE	(T)	TOTAL
———	EXISTING PROPERTY LINE	(O.R.)	OFFICIAL RECORDS
●	FOUND MONUMENT AS NOTED	(DATA)	(1) RECORD DATA & REFERENCE
⊙	SET STANDARD MONUMENT, STAMPED LS 6441	///////	ABUTTERS RIGHTS OF ACCESS RELINQUISHED
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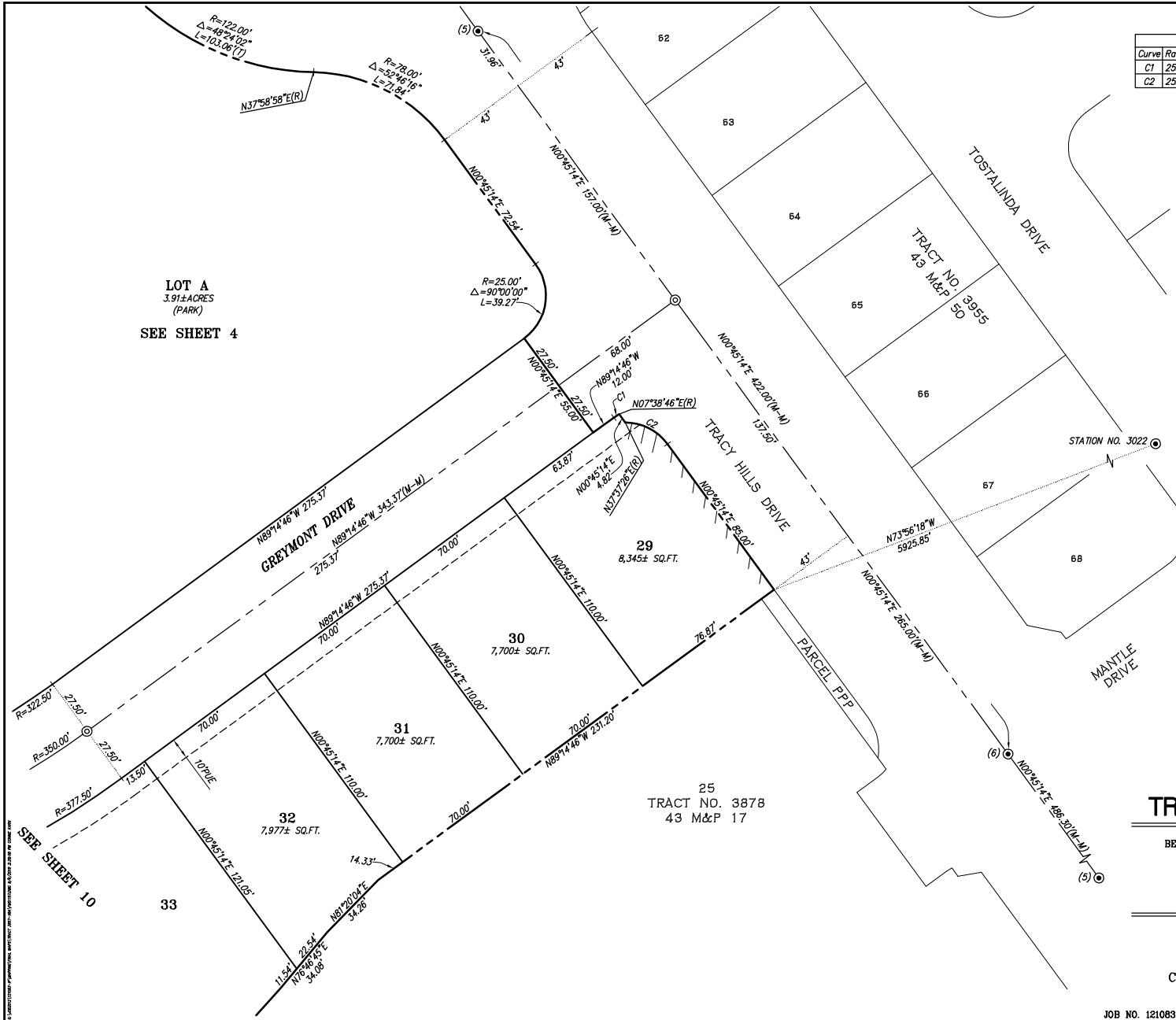


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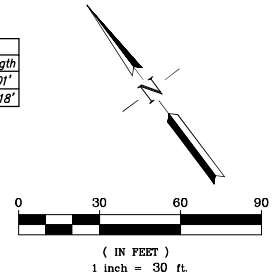
LEGEND	
---	TRACT MAP BOUNDARY LINE
---	LOT LINE
- - - - -	EXISTING EASEMENT LINE
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TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A
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CITY OF TRACY
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CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018



LOT A
3.91± ACRES
(PARK)
SEE SHEET 4

Curve	Radius	Delta	Length
C1	25.00'	06°53'32"	3.01'
C2	25.00'	53°07'48"	23.18'



GRID NOTE:
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 - LME LANDSCAPE MAINTENANCE EASEMENT
 - EX EXISTING
 - (M-M) MONUMENT TO MONUMENT
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 - O.R. OFFICIAL RECORDS
 - (DATA)(1) RECORD DATA & REFERENCE
 - ////// ABUTTERS RIGHTS OF ACCESS RELINQUISHED

TRACT NO. 3957
SUBDIVISIONS OF SAN JOAQUIN COUNTY
TRACY HILLS VILLAGE 8A

BEING A SUBDIVISION OF LOTS 23 AND 24 AS SHOWN ON TRACT NO. 3878 RECORDED JANUARY 26, 2018 IN BOOK 43 OF MAPS AND PLATS AT PAGE 17 OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E. MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA
RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
SEPTEMBER 2018

Recording Requested By:

City of Tracy
Development Services
333 Civic Center Plaza
Tracy, CA 95376

And When Recorded Mail To:

City of Tracy
Office of the City Clerk
333 Civic Center Plaza
Tracy, CA 95376
Attn: Adrienne Richardson

SPACE ABOVE THIS LINE FOR RECORDER'S INFORMATION

**CITY OF TRACY
SUBDIVISION IMPROVEMENT AGREEMENT
TRACT 3957, TRACY HILLS VILLAGE 8A**

This **SUBDIVISION IMPROVEMENT AGREEMENT** (hereinafter "Agreement") is made and entered into by and between the **CITY OF TRACY**, a municipal corporation (hereinafter "City"), and **LENNAR HOMES OF CALIFORNIA, INC.**, a California corporation (hereinafter, "Subdivider").

RECITALS

- A. The Subdivider is the owner of the real property more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (hereinafter "**Property**"), said Property comprising the subject Final Subdivision Map for Tract 3957, Tracy Hills Village 8A.
- B. On April 5, 2016, the Tracy City Council ("**City Council**") adopted the Tracy Hills Specific Plan and approved various related land use entitlements, including that certain Small-Lot Vesting Tentative Subdivision Map for Tracy Hills Phase 1A, Tract 3788, processed under Application No. TSM13-0005 and approved by Resolution No. 2016-066 (the "**Tentative Subdivision Map**"). The Tentative Subdivision Map is on file with the City Clerk, and is incorporated herein by this reference.
- C. The approval of the Tentative Subdivision Map by the City Council was subject to specified conditions of approval ("**Conditions of Approval**"). The Conditions describe, among other things, improvements that are required for approval of the Final Map pursuant to the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards. The Conditions of Approval are attached hereto as Exhibit "B", and are incorporated herein by reference.

- D. The Tentative Subdivision Map includes approximately 1,160 single-family residential lots, an approximately 50 acre mixed-use business park/commercial retail area, three public parks, school site, and numerous other parcels owned and maintained by a Homeowners Association. The Final Subdivision Map for Tract 3957, Tracy Hills Village 8A, consists of 71 single-family lots within the boundaries of the aforementioned approximately 1,160 lot Tracy Hills Phase 1A project. Exhibit "C" shows the overall Tracy Hills Phase 1A project area and the location of the Final Subdivision Map for Tract 3957, Tracy Hills Village 8A, hereinafter "**Project**" or "**Project site**".
- E. In accordance with the Conditions of Approval, the Subdivider has prepared and the City Engineer has approved certain improvement plans and specifications (which incorporate portions of the City's Standard Specifications), which describe the improvements which are required for approval of the Final Map and are incorporated herein by reference. The approved plans and specifications (the "**Plans and Specifications**") include seventeen (17) sheets of improvement plans titled "Improvement Plans Village 8A-Tract 3957-Tracy Hills Phase 1A" prepared by Ruggeri-Jensen-Azar, seven (7) sheets of joint trench plans entitled "Joint Trench, Integral Communities, LLC, Tracy Hills-Village 8A-Tract 3957" prepared by Giacalone Design Services, Inc., and six (6) sheets of street light plans entitled "Public Street Lighting, Integral Communities, LLC Tracy Hills-Village 8A-Tract 3957" prepared by Giacalone Design Services, Inc. Collectively, these Plans and Specifications are referred to herein as the "**Scope of Work**" or "**Work**".
- F. Since the Work has not been completed in accordance with the Conditions of Approval, the Subdivider has requested to execute this Agreement as authorized by Government Code section 66462.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **SCOPE OF WORK.** The Subdivider shall perform, or cause to be performed, the Work to the satisfaction of the City Engineer. The Work shall be performed, and all materials and labor shall be provided, at the Subdivider's expense, in the manner described in the Plans and Specifications. No change shall be made to the Scope of Work unless authorized in writing by the City Engineer. The Subdivider may submit a written request to the City Engineer for a change in the Scope of Work, as required by Tracy Municipal Code section 12.36.060(f). Any portion(s) of the Work that are performed within existing City's right(s)-of-way and/or easement(s) are to be performed by the Subdivider in accordance with the requirements of the State prevailing wage laws, in the event and to the extent applicable.
2. **GRADING AND STREET MAINTENANCE.**
 - 2.1. Until all the Work is accepted by the City as complete, the Subdivider shall diligently perform the necessary maintenance of the entire Project site, including

streets constructed within the Project, to the satisfaction of the City Engineer, at the Subdivider's own cost.

- 2.2. All infrastructure constructed under this Agreement will be maintained by the Subdivider until accepted by the City.
3. **SUBDIVIDER'S AUTHORIZED REPRESENTATIVE.** At all times during the progress of the Work, Subdivider shall have a competent foreman or superintendent (hereinafter "Authorized Representative") on site or available by cell phone with authority to act on behalf of the Subdivider. The Subdivider shall, at all times, keep the City Engineer reasonably informed in writing of the name and telephone number of the Authorized Representative. The Authorized Representative shall be on site approximately 60% of the time the Work is occurring. The Subdivider may designate an employee of its general contractor as the Authorized Representative. The Subdivider shall, at all times, keep the City Engineer reasonably informed in writing of the names and telephone numbers of all contractors and subcontractors performing the Work.
4. **LOCATION OF PERFORMANCE.** The Subdivider shall perform all Work at the locations and grades shown on the Plans and Specifications. The Subdivider shall acquire at the Subdivider's sole cost and expense, any easement or right-of-way necessary for the performance of the Work, with no credit or reimbursement from the City.
5. **IMPROVEMENT SECURITY.** Concurrently with the execution of this Agreement by the Subdivider, and prior to the commencement of any Work, the Subdivider shall furnish contract security, in a form authorized by the Subdivision Map Act (including Government Code sections 66499 *et seq.*) and Tracy Municipal Code Section 12.36.080, in the following amounts:
 - 5.1. **Faithful Performance** security in the amount of **\$1,732,214.00** in accordance with the cost estimates approved by City to secure faithful performance of this Agreement (until the date on which the City Council accepts the Work as complete).
 - 5.2. **Labor and Material** security in the amount of **\$1,732,214.00** in accordance with the cost estimates approved by City to secure payment by the Subdivider to laborers and materialmen (until the date on which claims are required to be made by laborers and materialmen).
 - 5.3. **Warranty** security in the amount of **\$173,221.00** in accordance with the cost estimates approved by City to secure faithful performance of this Agreement (from the date on which the City Council accepts the Work as complete until one year thereafter).

5.4. **Monumentation** security in the amount of **\$27,625.00** to secure faithful performance of setting monuments as described in the Final Map within one year from the date this of Agreement pursuant to Government Code section 66496.

6. **INSURANCE.** Concurrently with the execution of this Agreement by the Subdivider, and prior to the commencement of any Work, the Subdivider shall furnish evidence to the City that all of the following insurance requirements have been satisfied.

6.1. **General.** The Subdivider shall, throughout the duration of this Agreement, maintain insurance to cover Subdivider, its agents, representatives, contractors, subcontractors, and employees in connection with the performance of services under this Agreement at the minimum levels set forth herein.

6.2. **Commercial General Liability** (with coverage at least as broad as ISO form CG 00 01 01 96) coverage shall be maintained in an amount not less than \$1,000,000 per occurrence, and \$3,000,000 in the general aggregate for general liability, bodily injury, personal injury, and property damage, including completed operation coverage.

6.3. **Automobile Liability** (with coverage at least as broad as ISO form CA 00 01 07 97, for “any auto” including “hired autos” and “non-owned autos”) coverage in an amount not less than \$1,000,000 per accident for bodily injury and property damage. If Subdivider has no employees, or does not own automobiles, then “hired autos” and “non-owned autos” coverage shall be maintained in an amount not less than \$1,000,000 per accident for bodily injury and property damage.

6.4. **Workers’ Compensation** coverage for employees shall be maintained as required by the State of California.

6.5. **Endorsements.** Subdivider shall obtain endorsements to the automobile and commercial general liability insurance policies with the following provisions:

6.5.1. The City (including its elected and appointed officials, officers, employees, agents, and volunteers) shall be named as an additional “insured.”

6.5.2. For any claims related to this Agreement, Subdivider’s coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Subdivider’s insurance and shall not contribute with it.

6.6. **Notice of Cancellation.** Subdivider shall obtain endorsements to all insurance policies by which each insurer is required to provide thirty (30) days prior written notice to the City should the policy be 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.

- 6.7. **Authorized Insurers.** All insurance companies providing coverage to Subdivider 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.
- 6.8. **Insurance Certificate.** Subdivider shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City Attorney.
- 6.9. **Substitute Certificates.** No later than thirty calendar (30) days prior to the policy expiration date of any insurance policy required by this Agreement, Subdivider shall provide a substitute certificate of insurance.
- 6.10. **Subdivider's Obligation.** Maintenance of insurance by the Subdivider as specified in this Agreement shall in no way be interpreted as relieving the Subdivider of any responsibility whatsoever (including indemnity obligations under this Agreement), and the Subdivider may carry, at its own expense, such additional insurance as it deems necessary.
7. **PERMITS, LICENSES, AND COMPLIANCE WITH LAW.** The Subdivider shall, at the Subdivider's expense, obtain and maintain all necessary permits and licenses for the performance of the Work. Prior to the commencement of the Work, the Subdivider shall obtain a City of Tracy Business License. The Subdivider shall comply with all local, state, and federal laws, whether or not said laws are expressly stated in this Agreement.
8. **TIME OF PERFORMANCE.** Time is of the essence in the performance of the Work, and the timing requirements set forth herein shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. The Subdivider shall submit all requests for extensions of time to the City, in writing, no later than ten (10) days after the start of the condition which purportedly caused the delay, and not later than the date on which performance is due.
- 8.1. **Commencement of Work.** No later than fifteen (15) days prior to the commencement of Work, the Subdivider shall provide written notice to the City Engineer of the date on which the Subdivider shall commence Work. The Subdivider shall not commence Work until after the notice required by this section is properly provided, and the Subdivider shall not commence Work prior to the date specified in the written notice.
- 8.2. **Schedule of Work.** Concurrently with the written notice of commencement of Work, the Subdivider shall provide the City with a written schedule of Work, which shall be updated in writing as necessary to accurately reflect the Subdivider's prosecution of the Work.

8.3. Completion of Work. The Subdivider shall complete all Work by no later than three hundred sixty-five (365) days after the City's execution of this Agreement. If the Work is not completed and accepted by City Council by this date, City Engineer may grant an extension of time if (a) the Subdivider submits a written request for extension at least ten (10) days prior to expiring date of completion, (b) the City Engineer determines that Work is progressing satisfactorily and an extension is warranted, and (c) the Subdivider pays all processing fees for such time extension.

8.4. Reversion to Acreage. In the event that the Subdivider fails to commence the Work prior to the date on which completion is due, the Subdivider shall, upon written request by the City, consent to the reversion to acreage of all real property described by the Final Map, and the Subdivider shall bear all costs thereof.

9. INSPECTION BY THE CITY. In order to permit the City to inspect the Work, the Subdivider shall, at all times, provide to the City proper and safe access to the Project site, and all portions of the Work, and to all shops wherein portions of the Work are in preparation.

10. INSPECTION FEES AND FEE CREDITS. Concurrently with the execution of this Agreement by the Subdivider, and prior to the commencement of any Work, the Subdivider shall pay the City Inspection Fees in the amount of three and one-half percent (3-1/2%) of the estimated Project costs (as approved by the City Engineer). In the event that the City determines that the City's actual costs of inspecting the Work (including all costs and expenses of inspection, reviewing maps and plans, field checking, testing, and administrative and overhead costs of fifteen percent (15%)) exceeds the amount of Inspection Fees paid by the Subdivider, the Subdivider shall pay the City the actual costs of inspecting the Work less Inspection Fees previously paid.

In the event that the City requires an independent inspection, the City may retain an independent inspector, Subdivider shall pay all costs associated with the independent inspection, and the independent inspector shall provide a report directly to the City.

In the event that the City determines that the City's actual costs of inspecting the Work (including all costs and expenses of inspection, reviewing maps and plans, field checking, testing and administrative and overhead costs of fifteen (15%)) is less than the amount of Inspection Fees paid by the Subdivider, the City shall refund the Subdivider the cost difference between the Inspection Fees previously paid and the actual costs of inspecting the Work.

The Subdivider shall be entitled to fee credits consistent with Section 3.3 of the Development Agreement (DA), adopted by Ordinance 1213 and as provided in greater detail in the Finance and Implementation Plan (FIP) for the Property pursuant

to the DA and the Tracy Municipal Code Section 10.20.060(b)(3), as may be amended from time to time.

11. DEFAULT.

- 11.1.** In the event that the Subdivider is in default of this Agreement, as defined in this section, the City Engineer shall provide written notice to the Subdivider and the Subdivider's surety (if any) in which the default is described with appropriate specificity.
- 11.2.** The Subdivider shall be in default of this Agreement if the City Engineer determines that any one of the following conditions exist:
- 11.2.1.** The Subdivider is insolvent, bankrupt, or makes a general assignment for the benefit of its creditors.
 - 11.2.2.** The Subdivider abandons the Project site.
 - 11.2.3.** The Subdivider fails to perform one or more requirements of this Agreement.
 - 11.2.4.** The Subdivider fails to replace or repair any damage caused by Subdivider or its agents, representatives, contractors, subcontractors, or employees in connection with performance of the Work.
 - 11.2.5.** The Subdivider violates any legal requirement related to the Work.
- 11.3.** In the event that the Subdivider fails to cure the default within thirty (30) days, or provide adequate written assurance to the satisfaction of the City Engineer that the cure will be promptly commenced and diligently prosecuted to its completion, the City may, in the discretion of the City Engineer, take any or all of the following actions:
- 11.3.1.** Cure the default and charge the Subdivider for the costs therefore, including administrative costs and interest in an amount equal to seven percent (7%) per annum from the date of default.
 - 11.3.2.** Demand the Subdivider to complete performance of the Work.
 - 11.3.3.** Demand the Subdivider's surety (if any) to complete performance of the Work.
 - 11.3.4.** Commence a legal action to enforce the terms of this Agreement.
- 12. ACCEPTANCE OF WORK.** Prior to acceptance of the Work by the City Council, the Subdivider shall be solely responsible for maintaining the quality of the Work, and maintaining safety at the Project site. The Subdivider's obligation to perform the Work shall not be satisfied until after the City Engineer has made a written

determination that all obligations of the Agreement have been satisfied and all outstanding fees and charges have been paid, and the City Council has accepted the Work as complete.

13. **WARRANTY PERIOD.** The Subdivider shall warrant the quality of the Work, in accordance with the terms of the Plans and Specifications, for a period of one year after acceptance of the Work by the City Council. In the event that (during the one year warranty period) any portion of the Work is determined by the City Engineer to be defective as a result of an obligation of the Subdivider under this Agreement, the Subdivider shall be in default.
14. **INDEPENDENT CONTRACTOR STATUS.** Subdivider is an independent contractor and is solely responsible for all acts of its employees, agents, or subcontractors, including any negligent acts or omissions. Subdivider is not City's employee and Subdivider 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 whatsoever, unless the City provides prior written authorization to Subdivider.
15. **OWNERSHIP OF WORK.** All original documents prepared by Subdivider for this Agreement shall be given to City upon City's acceptance of the Work; provided, however, ownership of said documents shall be determined in accordance with applicable laws. Prior to acceptance of the Work, the Subdivider shall submit the as-built drawings in Auto-CAD format Release-14 or higher in a compact disc (CD).
16. **ASSIGNMENT AND DELEGATION.** This Agreement and any portion thereof shall not be assigned or transferred, nor shall any of the Subdivider's duties be delegated, without the written consent of the City. Any attempt to assign or delegate this Agreement without the written consent of the City shall be void and of no force and effect. Consent by the City to one assignment shall not be deemed to be consent to any subsequent assignment.
17. **NOTICES.**

- 17.1 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 respective party as follows:

To City:
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
Attn: City Engineer

To Subdivider:
Lennar Homes of California, Inc.
2603 Camino Ramon, Suite 525
San Ramon, CA 94583
Attn: Brent Reed

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 following the deposit in the United States Mail of registered or certified mail, sent to the address designated above.

18. **MODIFICATIONS.** This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.
19. **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.
20. **SEVERABILITY.** In the event, any 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 full force and effect.
21. **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.
22. **INDEMNIFICATION.** Subdivider shall indemnify, defend and hold harmless the City (including its elected officials, officers, agents and employees) from and against any and all claims, demands, liabilities, costs and expenses (including court costs and attorney's fees) resulting from or arising out of the performance of the Work by Subdivider or Subdivider's agents, representatives, contractors, subcontractors or employees.
23. **ENTIRE AGREEMENT.** This Agreement, including all documents incorporated herein by reference, comprises the entire integrated understanding between the parties concerning the improvements to be constructed for this Project. This Agreement supersedes all prior negotiations, representations, or agreements.
24. **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 Subdivider and the City. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

[remainder of this page intentionally left blank]

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF Contra Costa

On September 18, 2018 before me, Lisa McRae, Notary Public
(here insert name and title of the officer)

personally appeared Brian Olin,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature

(SEAL)




IN WITNESS WHEREOF the parties do hereby agree to the full performance of the terms set forth herein.

CITY OF TRACY,
a municipal corporation

SUBDIVIDER:
Lennar Homes of California, Inc.,
a California corporation

By: Robert Rickman
Title: MAYOR
Date: _____

By: 

Print Name: Brian Olin
Title: Vice President
Date: 9/18/2018

Attest:

By: Adrienne Richardson
Title: CITY CLERK
Date: _____

Approved As To Form:

By: Thomas Watson
Title: CITY ATTORNEY
Date: _____

EXHIBIT "A"

All that real property situate in the City of Tracy, County of San Joaquin, State of California, described as follows:

Lots 23 and 24 as shown on the map of Tract No. 3878, filed January 26, 2018, in Book 43 of Maps and Plats, at Page 17, Official Records of San Joaquin County.

EXHIBIT "B"

**Conditions of Approval for Tracy Hills Phase 1A
Small-Lot Vesting Tentative Subdivision Map
Application Number TSM13-0005
April 5, 2016**

Project: These Conditions of Approval shall apply to the small-lot Vesting Tentative Subdivision Map for Tracy Hills Phase 1A, Application Number TSM13-0005, including approximately 1,160 single-family residential lots, three park sites, a school site, and approximately 50 acres of commercial property.

Property: The property consists of approximately 417.6 acres located in the Tracy Hills Specific Plan Area, west of Corral Hollow Road, south of the California Aqueduct, and north of Interstate 580, Application Number TSM13-0005.

Community Facilities Districts: Certain conditions of approval herein involve the establishment of one or more Community Facilities Districts (CFDs) to implement the Project. The imposition of conditions requiring or involving the establishment of CFDs on the Property shall not limit the City from establishing additional CFDs over the Property, subject to an affirmative vote of the Property owner(s).

A. Definitions; Abbreviations.

The definitions in the City's zoning regulations (Tracy Municipal Code, Title 10, Chapter 10.08) and subdivision ordinance (Tracy Municipal Code, Title 12, Chapter 12.08) apply, and in addition:

1. "Applicant" means any person, or other legal entity, defined as a "Subdivider" by Section 12.08.010 of the City of Tracy Municipal Code.
2. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director, to perform the duties set forth here. (The Development Services Director is also referred to in the Tracy Municipal Code as the Development and Engineering Services Director.)
3. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Hills Specific Plan, the Tracy Municipal Code, ordinances, resolutions, written policies, written procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
4. "Conditions of Approval" or "Conditions" means these conditions of approval.

The following abbreviations may be used in these Conditions:

EIR	Environmental Impact Report	PI&RA	Park Improvement and Reimbursement Agreement
DIA	Deferred Improvement Agreement	PUE	Public Utility Easement
OIA	Offsite Improvement Agreement	TMC	Tracy Municipal Code

B. Planning Division Conditions of Approval

1. Compliance with laws. The Subdivider shall comply with all laws (federal, state, and local) related to the development of real property within the Project boundaries, including, but not limited to: the Planning and Zoning Law (Government Code sections 65000, et seq.), the Subdivision Map Act (Government Code sections 66410, et seq.), the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and the Guidelines for the California Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., "CEQA Guidelines").
2. City Regulations. Unless specifically modified by these Conditions of Approval, the Subdivider shall comply with all City Regulations.
3. Mitigation Measures. The Subdivider shall comply with all mitigation measures in the Final Subsequent Environmental Impact Report (EIR) for the Tracy Hills Specific Plan Project (State Clearinghouse No. 2013102053), which was certified by the City Council on April 5, 2016.
4. Notice of protest period. Pursuant to Government Code Section 66020, including Section 66020 (d)(1), the City HEREBY NOTIFIES the Subdivider that the 90-day approval period (in which the Subdivider may protest the imposition of any fees, dedications, reservations, or other exactions that are within the purview of the Mitigation Fee Act [Government Code section 66000 et seq.] ("Exactions") and imposed on this Project by these Conditions of Approval) shall begin on the date of the conditional approval of this Project. If the Subdivider fails to file a protest of the Exactions complying with all of the requirements of Government Code Section 66020 within this 90-day period, the Subdivider will be legally barred from later challenging any of the Exactions. The terms of this paragraph shall not affect any other deadlines or statutes of limitations set forth in the Mitigation Fee Act or other applicable law, or constitute a waiver of any affirmative defenses available to the City.
5. Conformance with Vesting Tentative Subdivision Map. All Final Maps shall be in substantial conformance with the approved Vesting Tentative Subdivision Map (Application Number TSM13-0005), which was date stamped as received by the Development Services Department on February

24, 2016, and approved by the City Council on April 5, 2016, unless modified by these Conditions.

6. Maintenance for Project Public Landscaping. Before approval of the first Final Map, the Subdivider shall assure that there will be sufficient funding for the ongoing costs related to public landscaping maintenance. Subdivider shall prepare public landscaping improvement plans and a public landscaping budget analysis (to be reviewed and approved by the City Public Works Director) to establish the scope of and cost estimates for public landscaping maintenance.

As used in these Conditions of Approval:

"Public landscaping maintenance costs" include but are not limited to all costs associated with the maintenance, operation, repair and replacement of public landscaping included in the Project. Labor costs shall be based upon and be paid at "prevailing wages," as that term is used in Section 1771 of the California Labor Code.

"Public landscaping" includes but is not limited to the following public areas and public improvements within or adjacent to the Project: public walls, special public amenities, ground cover, turf, shrubs, trees, irrigation systems, drainage and electrical systems, masonry walls or other fencing, entryway monuments or other ornamental structures, furniture, recreation equipment, hardscape and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, public parks and public open space areas. It does not include public streets and street sweeping, but may include street lights.

Before approval of the first Final Map, Subdivider shall enter into an agreement with the City, which shall be recorded against the entire Phase 1A property, which adopts and implements one or more of the following three options (a., b. or c.), subject to the approval of the Administrative Services Director:

- a. CFD or other funding mechanism. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall, at its expense, form a Community Facilities District (CFD) or establish another lawful funding mechanism that is reasonably acceptable to the City for the entire Project area for funding or performing the on-going maintenance of public landscaping. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the Property will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment. If funds are needed to pay for such public landscaping maintenance costs before collection of the first Special Services Tax (the "deficit"), then before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit to the CFD (by submittal to the City's Administrative Services Director) the amount of the deficit;

Or

- b. HOA and dormant CFD. If the HOA is the chosen funding mechanism, the Subdivider must do the following:
- (1) Form a Homeowner's Association (HOA) or other maintenance association, with CC&Rs reasonably acceptable to the City, to assume the obligation for the on-going maintenance of all public landscaping areas within the entire tentative subdivision map area;
 - (2) Cause the HOA to enter into an agreement with the City, in a form to be approved by the City and to be recorded concurrently with the first Final Map, setting forth, among other things, the required maintenance obligations, the standards of maintenance, and all other associated obligation(s) to ensure the long-term maintenance by the HOA of all public landscape areas within the entire tentative subdivision map area;
 - (3) For each Final Map, make and submit to the City, in a form reasonably acceptable to the City, an irrevocable offer of dedication of all public landscape areas within the Final Map area;
 - (4) Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), annex into a CFD in a "dormant" capacity, to be triggered if the HOA fails (as determined by the City in its sole and exclusive discretion) to perform the required level of public landscape maintenance. The dormant tax or assessment shall be disclosed to all homebuyers and non-residential property owners, even during the dormant period.

Or

- c. Direct funding. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full costs of public landscaping maintenance as identified by the approved landscaping budget analysis.
7. Maintenance for Public Landscaping for Major Program Roadways. Before approval of the first Final Map, the Subdivider shall assure that there will be sufficient funding to pay the Subdivider's proportionate share of the ongoing public landscaping maintenance costs associated with major program roadways, by entering into an agreement with the City, which shall be recorded against the entire Phase 1A property, which adopts and implements one of the following two options (a. or b.), subject to the approval of the Administrative Services Director:

- a. CFD. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), Subdivider shall, at its sole expense, form a Community Facilities District (CFD) for the entire Project area, for funding the Subdivider's proportionate share of the ongoing public landscaping maintenance costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the Property will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment. If funds are needed to pay for such public landscaping maintenance costs before collection of the first Special Services Tax (the "deficit"), then before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit to the CFD (by submittal to the City's Administrative Services Director) the amount of the deficit;

Or

- b. Direct Funding. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full costs of funding the Subdivider's proportionate share of the ongoing public landscaping maintenance costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan.

8. Land-Locked Parcels. No land-locked parcels shall result from this Vesting Tentative Subdivision Map, including but not limited to the parcels known as the Integral parcel (formerly the Ferry parcel) and the Sellick parcel.
 - a. With the approval of a Final Map that includes any lot or parcel adjacent to the Integral parcel (Assessor's Parcel Number 253-020-08, formerly the Ferry parcel), the Subdivider shall record an access easement between the public right-of-way and the Integral parcel, as shown on the Vesting Tentative Subdivision Map, to the satisfaction of the Development Services Director. The access easement shall have a minimum width of 20 feet and shall grant continuous access to and from the public right-of-way, across the Subdivider's property, for the benefit of the owner of the Integral parcel.
 - b. With the approval of a Final Map that includes any lot or parcel adjacent to the Sellick parcel (Assessor's Parcel Number 253-020-10), the Subdivider shall record an access easement between the public right-of-way and the Sellick parcel, as shown on the Vesting Tentative Subdivision Map, to the satisfaction of the Development Services Director. The access easement shall have a minimum width of 20 feet and shall grant continuous access to and from the public

right-of-way, across the Subdivider's property, for the benefit of the owner of the Sellick parcel.

9. Parks. Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates the following:
 - a. Within one year following final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the first neighborhood park shall be completed and accepted by the City. If the first neighborhood park is not completed and accepted by the City within one year following final inspection or occupancy of the first dwelling, no further building permits shall be issued until the first neighborhood park is completed and accepted by the City; and
 - b. Before final inspection or occupancy of the 750th dwelling, the second neighborhood park shall be completed and accepted by the City; and
 - c. Before final inspection or occupancy of the 1,000th dwelling, the third neighborhood park shall be completed and accepted by the City.

10. Conservation Easement. Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that before issuance of a building permit for the structure containing the 500th dwelling unit, the Subdivider shall plant trees in the 100-foot wide conservation easement adjacent to Interstate 580 and the Project, as described and depicted in Section 3.4.7 of the Tracy Hills Specific Plan (pages 3-49 to 3-54), to the satisfaction of the Development Services Director.

11. Community Gateway Icon. Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that before issuance of a building permit for the structure containing the 500th dwelling unit, the Subdivider shall construct the Community Gateway Icon, which is conceptually described and depicted in Section 3.4.5 of the Tracy Hills Specific Plan (page 3-34), to the satisfaction of the Development Services Director, based on substantial conformance with the Development Review approval by City Council. The Community Gateway Icon shall be located on a privately-owned parcel and be privately maintained. Prior to issuance of a building permit for the Community Gateway Icon, the Community Gateway Icon shall be subject to Development Review approval by City Council, as specified in Section 5.1.2 of the Tracy Hills Specific Plan (page 5-1).

12. Schools. Before issuance of a building permit for each new dwelling, the Subdivider shall document compliance with all applicable school mitigation requirements and provide to the City a certificate of compliance for such requirements from the Jefferson School District and Tracy Unified School District.

13. Public Services. Before approval of the first Final Map, the Subdivider shall do one of the following, subject to the approval of the Administrative Services Director:
 - a. CFD or other funding mechanism. The Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates that prior to issuance of a building permit (except for up to fifteen model homes), the Subdivider will form a Community Facilities District (CFD) or establish another lawful funding mechanism that is reasonably acceptable to the City for funding the on-going operational costs of providing Police services, Fire services, Public Works and other City services within the Project area. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment which, at the time of formation of the CFD, shall not exceed \$325 per unit per month; provided, however, that the City reserves the right to provide for escalation of the maximum special tax rate to a commercially reasonable rate determined by the City.

Or

 - b. Direct funding. The Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that prior to issuance of a building permit (except for up to fifteen model homes), the Subdivider will fund a fiscal impact study to be conducted and approved by the City to determine the long term on-going operational costs of providing Police services, Fire services, Public Works and other City services within the Project area, and deposit with the City an amount necessary, as reasonably determined by the City, to fund the full costs of funding the provision of Police services, Fire services, Public Works and other City services within the Project area in perpetuity as identified by the approved study.
14. Utilities in Roundabouts. All three roundabouts shown on the approved Vesting Tentative Subdivision Map for Tracy Hills Phase 1A shall be designed and constructed in such a manner that no utility lines intersect a 30-foot radius from the center of each roundabout in order to allow sufficient space for the planting and mature growth of the oak trees (three per roundabout), which are conceptually depicted in the Tracy Hills Specific Plan. The Subdivider shall submit Improvement Plans that demonstrate compliance with this condition, to the satisfaction of the Development Services Director.
15. Building and Fire. Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates the following, to the satisfaction of the Chief Building & Fire Code Official:

- a. Before issuance of any building permits, the Subdivider shall provide Fire Department access to the Property in compliance with all provisions of Section 503 of the California Fire Code, to the satisfaction of the Chief Building & Fire Code Official.
- b. Before issuance of any building permits (except for up to fifteen model homes), the Subdivider shall provide a fire protection water supply in compliance with all provisions of Section 507 of the California Fire Code, to the satisfaction of the Chief Building & Fire Code Official.
- c. Before issuance of any building permits for model homes, the Subdivider shall comply with the following requirements:
 - (1) In lieu of active hydrants onsite, a static water storage supply shall be provided in compliance with NFPA 1142, to the satisfaction of the Chief Building & Fire Code Official. The volume of water shall be based on the total cubic footage of all structures plus a 1.5 exposure coefficient.
 - (2) A separate static water supply shall be provided for each group of model homes throughout the subdivision, to the satisfaction of the Chief Building & Fire Code Official.
 - (3) Fire Department access to and from the static water supplies shall be provided, to the satisfaction of the Chief Building & Fire Code Official.
- d. Before issuance of the first building permit (except for up to fifteen model homes), the Subdivider shall construct an all-weather, emergency vehicle access to the westerly terminus of the Phase 1A Spine Road. The emergency vehicle access shall be available to Police, Fire, and other necessary and relevant emergency responders. The design, location, and maintenance of the access shall meet City standards, to the satisfaction of the Fire Chief. The access shall be continuously maintained by the Subdivider until permanent access is developed and accepted for maintenance by the City.
- e. Whenever 50 or more homes are under construction at the same time, the Subdivider shall provide an onsite trailer for the exclusive use of City inspection staff. The inspection trailer shall have a minimum size of 8' x 20' and be equipped with HVAC and basic furnishings, to the satisfaction of the Chief Building & Fire Code Official.

16. Phillips 66 Pipeline Easement. A Phillips 66 pipeline easement intersects the project site. Before approval of the first Final Map, the Subdivider shall submit a copy of the Phillips 66 pipeline easement to the Development Services Director and enter into an agreement with the City, which shall be recorded against the Property, which stipulates that before issuance of each building permit, the Subdivider shall clearly mark and label each plot plan with the location of the 5-foot minimum setback line from the edge of the Phillips 66 pipeline easement, if applicable, to the satisfaction of the Development Services Director.

C. Engineering Division Conditions of Approval

C.1. General Conditions

- C.1.1 Subdivider shall comply with the applicable requirements of the approved documents, technical analyses/reports prepared for the Project listed as follows:
- a) *Tracy Hills Specific Plan* approved by City Council by Resolution _____ dated _____ and any amendments thereto.
 - b) *Tracy Hills Specific Plan Recirculated Draft Subsequent Environmental Impact Report*, Volume I; Section 4.13-Traffic and Circulation, prepared by Kimley-Horn Associates, dated October 2015, and
Traffic Analysis of Tracy Hills Specific Plan Area- Phase 1a Residential Units and School Only Analysis, prepared by Kimley-Horn, Associates, dated April 27 2015. ("*Traffic Analysis*")
 - c) *Tracy Hills Phase 1A and 1B Sanitary Sewer Study Technical Memorandum* prepared by Ruggeri-Jensen-Azar, dated December 12, 2013 ("*Sanitary Sewer Study*") and reviewed by CH2M Hill.
 - d) *Tracy Hills Water Study Technical Memorandum* prepared by Ruggeri-Jensen-Azar, dated December 5, 2014 ("*Water Study*") and reviewed by West Yost Associates.
 - e) *Tracy Hills Storm Drainage Master Plan* prepared by Ruggeri-Jensen-Azar, dated November 2013 ("*Storm Drainage Master Plan*") and reviewed by Stormwater Consulting, Inc.
 - f) *Tier 2 Storm Drainage Study for Tracy Hills Phase 1A*, prepared by Ruggeri-Jensen-Azar, dated July 2015 ("*Tier 2 Storm Drainage Study*") and reviewed by Stormwater Consulting, Inc.
 - g) *Citywide Water System Master Plan* dated December 2012, prepared by West Yost Associates.
 - h) *Plan Line Study – Corral Hollow Road* prepared by Ruggeri-Jensen-Azar ("*Corral Hollow Road Plan Line*") reviewed by the City Engineer.

- i) *Any Finance Implementation Plan ("FIP")*, as described in Section 10.20.060(b)(3)(B) of the Tracy Municipal Code, that is approved by the City Council for the property described in the Tracy Hills Phase 1A Vesting Tentative Subdivision Map, Application No. TSM13-0005.
 - j) *Liquid Petroleum Pipeline Risk and California Aqueduct Flood Risk for the Proposed Tracy Hills School Site, Jefferson School District, City of Tracy, San Joaquin County, California* prepared by Wilson Geosciences, Inc. dated May 2013.
 - k) *Pipeline Safety Hazard Assessment, Tracy Hills Specific Plan* prepared by Place Works dated September 2014.
- C.1.2 Subdivider shall comply with the requirements of the Development Agreement, approved by City Council on _____, 2016, by Ordinance No. _____ (hereafter, the "Development Agreement"),
- C.1.3 Timing of Compliance: The Applicant shall satisfy each of the following conditions prior to filing the first Final Map unless a different time for compliance is specifically stated in these Conditions of Approval. Any condition requiring an improvement that has already been designed and completed under a City-approved improvement agreement may be considered satisfied at the discretion of the City Engineer.
- C.1.4 Maintenance for Major Program Roadways. Before approval of the first Final Map, the Subdivider shall assure that there will be sufficient funding to pay the Subdivider's proportionate share of the ongoing costs for maintenance of public landscaping, including urban forest, on major program roadways by entering into an agreement with the City, which shall be recorded against the entire Phase 1A property, which adopts and implements one of the following two options (a. or b.), subject to the approval of the Administrative Services Director:
- a. CFD. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), Subdivider shall, at its sole expense, form a Community Facilities District (CFD) for the entire Project area, for funding the Subdivider's proportionate share of the ongoing maintenance costs of public landscaping, including urban forest, on major program roadways identified in the Citywide Roadway and Transportation Master Plan. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the Property will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit to the CFD (by submittal to the City's Administrative Services Director) an amount equal to the first year's taxes, except for any portion of this

amount that has been previously collected by the special tax and already deposited in the CFD;

OR

- b. Direct Funding. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full costs of funding the Subdivider's proportionate share of the ongoing maintenance costs of public landscaping, including urban forest, on major program roadways identified in the Citywide Roadway and Transportation Master Plan.

C.2. Improvement Plans

C.2.1 General.

The Subdivider shall complete the Improvement Plans to comply with all applicable laws, including the City Regulations (defined above) and these Conditions of Approval. Improvement Plans shall contain the design, construction details and specifications of improvements that is/are required to serve the Project. The Improvement Plans shall be drawn on a 24" x 36" size 4-mil thick polyester film (mylar) and shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

C.2.2 Site Grading

C.2.2.1 Erosion Control

Improvement Plans shall specify the method of erosion control to be employed and materials to be used.

C.2.2.2 Grading and Drainage Plans

Submit a Grading and Drainage Plan prepared by a Registered Civil Engineer and accompanied by the Project's Geo-technical /Soils Engineering report. The report shall provide recommendations regarding adequacy of the site relative to the stability of soils such as soil types and classification, percolation rate, soil bearing capacity, highest observed ground water elevation, and others.

C.2.2.3

When the grade differential between the Project site and the adjacent property(s) exceeds 12 inches, a reinforced or masonry block wall, engineered slope, or engineered retaining wall is required for retaining soil. The Subdivider shall submit Retaining Wall Plans that includes the construction detail(s) and structural calculations of the

retaining wall or masonry wall for City's review and approval.

C.2.2.4 If an engineered slope is used to retain soil subject to approval by the City Engineer, a slope easement will be necessary from the adjacent property. The Subdivider shall obtain a slope easement from owner(s) of the adjacent and affected property(s) and show the slope easement on the Final Map.

C.2.2.5 If applicable, show all existing irrigation structure(s), channel(s) and pipe(s) that are to remain or relocated or to be removed, if any, after coordinating with the irrigation district or owner of the irrigation facilities. If there are irrigation facilities including tile drains, that are required to remain to serve existing adjacent agricultural uses, the Subdivider shall design, coordinate and construct required modifications to the facilities to the reasonable satisfaction of the owner of the irrigation facilities and the City.

C.2.3. Grading Permit

The City will not accept a grading permit application for the Project as complete until the Subdivider has provided all relevant documents related to the grading permit required by the City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer.

C.2.4. Storm Drainage

C.2.4.1 Site grading shall be designed such that the Project's storm drainage overland release point will be directed to an existing percolation retention pond, clean water pond, existing storm drainage easement or to public streets with a functional storm drainage system and that the storm drainage system within the public street has adequate capacity to drain storm water from the Property, proposed roadway, lot runoffs, landscaping, off-site flow-thru surface drainage, off-site Corral Hollow Road drainage improvements or private property subject to a drainage release.

C.2.4.2 All permanent underground storm drainage lines and structures to be maintained by the City shall be located within right-of-way to be dedicated to the City or within an easement. Interim facilities and storm drain lines and collection basins shall be maintained by the Subdivider.

Provide design and construction details for all storm water intercept points at Project boundary at I-580 showing adequate inlet structures, erosion control features, storm

drainage easements and connections to the proposed storm drainage facilities in Spine Road.

Prior to acceptance of storm drainage facilities for maintenance by the City, the Subdivider shall revise the locations of the 50' wide openings in the Conservation Easements to align with existing drainage routes and proposed storm drainage intercept points into the Project on-site storm drainage system.

C.2.4.3 Storm drainage plans are to be submitted with the required hydrologic and hydraulic calculations for the sizing of storm drainage pipe(s) and shall comply with Storm Drainage Master Plan, Tier 2 Storm Drainage Study and City Regulations.

C.2.4.4 Prior to acceptance of maintenance of any public facilities by the City, the Subdivider shall prepare and obtain approval from the Public Works Department of a maintenance plan for all temporary and permanent storm drainage facilities to be maintained by the Subdivider or the HOA. The maintenance plan shall show the phasing of roadway construction, mass grading, drainage facilities, including collection channels, erosion control and protection of the Phillips 66 pipeline during construction. A SWPPP may be used as the maintenance plan with approval by the City Engineer.

C.2.4.5 Storm water designs shall show facilities needed for the collection and channeling of surface water runoff, and off-site flow-thru surface water runoff to underground storm drainage facilities within Spine Road such as temporary drainage collection channels and sedimentation ponds. These improvements shall be shown on the Grading Plans and be approved by the City Engineer before the issuance of a Grading Permit.

C.2.4.6 Since the Project will construct a terminal retention basin, it has been determined that the Project will be exempt from the Post Construction Stormwater Quality Standards. However, should new Federal or State regulations come into effect during the buildout of the Project that would require future compliance, then the Project would not be exempted from those new requirements.

SWPPP's shall be implemented during project construction. In addition, the Project may implement stormwater control measures such as disconnected roof leaders, non-contiguous street sidewalks (providing landscape strips/parkways), tree planting in parkways and use of drought tolerant landscape with drip irrigation systems and "intelligent" controllers. Similarly, public

- education measures regarding the damaging effects of pollutants to water quality may also be implemented.
- C.2.4.7 All Storm Water structural and construction details that are not part of the City Standard Plans or City Design Standards shall be provided by the Subdivider and submitted to the City for approval as part of the improvement plans.
- C.2.4.8 Subdivider shall dedicate appropriate easements and execute a maintenance agreement with the City to address maintenance, liability, permit compliance, and related items for Parcel E, to be owned and maintained by the HOA while the storm drainage system (72" pipe and associated facilities) will be owned and maintained by the City.
- C.2.4.9 Subdivider shall coordinate with Police and Fire departments for safety measures to be incorporated in the improvement plans for the back alley/corridor shown as Parcel VV and Parcel XX which may include alley lighting and other improvements. These measures will be part of the improvement plans that include construction of facilities within these parcels.
- C.2.4.10 All storm drainage retention basins/facilities, including Percolation Basin D, shall be contained within storm drainage parcels suitable for dedication to the City of Tracy. This basin shall be provided with appropriate fencing with warning signs as approved by the City Engineer, access roadways to and from public roadways and access roadways into the ponds for maintenance purposes. All storm drainage inlets into this basin shall have inlet structures with design acceptable to the City of Tracy.
- C.2.4.11 Install a forebay in the bottom of RET D to collect and accumulate sediments and pollutants and facilitate future maintenance activities. The forebay shall be sized to hold 0.25 inches of runoff per impervious acre of the contributing watershed. Based on data regarding the storage requirements for RET D provided in the Tracy Hills Storm Drainage Master Plan and the Tier 2 Storm Drainage Study, the recommended volume for the forebay shall be 5 ac-ft. The forebay shall be linear and connect all three proposed pipe discharges into the basin. The forebay may be created by providing a berm (20-foot top width recommended) in the bottom of the basin. A stabilized spillway shall be provided across the berm to allow runoff entering the forebay to spill into the larger bottom area of the basin when the forebay storage exceeds 5 ac-ft. The spillway shall be sized to pass the

- 100-year combined peak inflow into the basin with freeboard.
- C.2.4.12 Fixed vertical sediment depth markers shall be installed near discharge points into the forebay for RET D to assist with measurements of sediment deposition over time and future assessments of the need for maintenance activities.
- C.2.4.13 All storm drainage facilities that run along the northerly boundary of Project, as part of the project on-site storm drainage collection system not located within Spine Road shall be located within a 20' wide utility maintenance easement. Subdivider shall provide access points for City maintenance vehicles.
- C.2.4.14 Subdivider shall show adequate detail of the common storm drainage/sanitary sewer easement between Court 3M and Court 5L, between Court 3M and Spine Road, and easement between Street 6K and Parcel J. Details should show the dimensions of this easement, that this easement will be paved, show clearances to existing 16" oil line, and whether this easement will be gated or fenced off. This information shall be shown on the project Improvement plans for the respective neighborhood, and shall be approved by the City Engineer before Improvement Plan approval.

C.2.5. Sanitary Sewer

- C.2.5.1 All sanitary sewer lines and associated improvements shall be designed and installed per the Sanitary Sewer Study and City Regulations. Before approval of Final Map(s) for the Project, Subdivider shall submit improvement plans and obtain approval for the plans for all on-site sewer improvements.
- C.2.5.2 As referenced in Conditions C.2.5. and C.2.6, the terms "Program Funded City CIP Costs" and "Non-Program Funded Subdivider CIP Costs" shall mean the following:
- Program Funded City CIP Costs - Costs applicable to CIP project if constructed by the City shall include costs of design, project management, program management, construction, inspection, construction management, contingencies and construction change orders as approved by the City.
- Non-Program Funded Subdivider CIP Costs - Costs applicable to CIP project if constructed by the Subdivider shall include costs of design, project management, construction, inspection, construction oversight by City, contingencies and construction change orders as approved by the City.

C.2.5.3 There is insufficient conveyance capacity in the City's wastewater conveyance system for Tracy Hills build-out ("Choke Points"). The Choke Points will be resolved in three phases of improvements. City is in the process of constructing Phase 1 Choke Points improvements. Upon completion of the Phase 1 Choke Points improvements, limited conveyance capacity will be available for the Project. The available capacity will be made available to new developments in the City including the Project as per the Development Agreement.

The City does not currently have adequate program funding to construct Phase 2 & 3 Choke Points Improvements, but anticipates it will have adequate funding to construct the improvements by the time they are needed. If the City does not have adequate funding to construct the improvements by the time the improvements are needed to serve the Project, the Subdivider may pre-pay sewer fees in an amount equal to the funding needed to fund Phase 2 & 3 Choke Points improvements, subject to reimbursement from appropriate available program funds. The additional capacity available after completion of these improvements will be available to serve new developments including this Project, until the downstream capacity of the wastewater collection system is used and further improvements are triggered.

C.2.5.4 The Subdivider shall pay for the design and construction of the Sanitary Sewer Pump Station (SSPS) with sufficient capacity to service the Project, Phase 1B, Phase 2-4 and Phase 5B. This Pump Station shall be constructed on Subdivider's land to be dedicated by Subdivider, as approved and required by the City, and shall convey sewage through underground force main sewer pipes from the SSPS to Corral Hollow Road. The Non-Program Funded Subdivider CIP Costs for construction of this pump station and force main, as determined by the City, shall be borne by the Subdivider. Upon satisfactory completion of the SSPS improvements, as determined by City, the City will accept the land dedication and SSPS improvements for maintenance.

C.2.5.5 The Subdivider shall pay for all design costs incurred by the City and its consultant(s) for the sanitary sewer force main and the sanitary sewer gravity line from the SSPS to Node 1W near W. Linne Road (as shown in Wastewater Master Plan) per the improvement plans prepared by CH2M Hill and approved by the City ("Off-site Sewer Line Improvements"). After approval of the design by the City, the Subdivider shall pay for the City CIP Costs for the SSPS and Off-site Sewer Line Improvements (unless the

Subdivider opts to construct these improvements as described below). If the Subdivider does not elect to construct the Off-site Sewer Line Improvements in accordance with this condition of approval, the Subdivider shall pay to the City all related City CIP Costs either before approval of the first Final Map within the Project, or within 15 days from the date of written notice from the City that the project is ready for bid, whichever is earlier. Upon receipt of the funds, City will proceed with bidding of the project. In the event the responsive bid as determined by the City is higher than the funding provided by the Subdivider, the Subdivider shall promptly provide additional funding.

For the underground crossings of the sewer line at Delta Mendota Canal and California Aqueduct ("Crossing Improvements"), permits from appropriate regulating agencies will be required. The Subdivider may opt to construct the Crossing Improvements in full compliance with the permit requirements and subject to Subdivider's posting security as required by TMC section 12.36.080 and executing an Offsite Improvement Agreement approved by the City which, among other things, provides for Subdivider to fully indemnify City against any and all claims and liabilities that may arise from the construction of the Crossing Improvements.

In the event the Subdivider opts to construct the sanitary sewer improvements listed in Condition C.2.5.4 and C.2.5.5, the Subdivider shall enter into an improvement agreement (Offsite Improvement Agreement or OIA) and post improvement security in the amounts and form required by TMC section 12.36.080 and as required by these Conditions of Approval. The Subdivider shall submit the signed and notarized OIA with the necessary improvement security before approval of the first Final Map within the Project. These improvements are not included in the Fee Program and no fee credits or reimbursements will be applicable.

- C.2.5.6 Sanitary sewer improvements north of WWMP Node 1W up to the current terminus of the City's sanitary sewer line in Corral Hollow Road are required to be completed prior to final inspection or occupancy of first residential or commercial building within the Project, excluding Model Homes. These are program-funded improvements under a Capital improvement Project (CIP). However, City will not have collected sufficient program fees to construct this Project. As such, Subdivider shall deposit total Program Funded City CIP Costs of this CIP to the City at least 18

months prior to the occupancy of any residential or commercial buildings within the Project

Upon receipt of the funds, City will proceed with bidding of the project. In the event the responsive bid as determined by the City is higher than the funding provided by the Subdivider, the Subdivider shall promptly provide additional funding sufficient to make up the difference.

If Subdivider opts to construct this sewer line, the Subdivider shall enter into an Offsite Improvement Agreement and post improvement securities in accordance with TMC Section 12.36.080.

- C.2.5.7 No final inspection of any residential building will be performed or certificate of occupancy for commercial building will be issued, with the exception of Model Homes, until the improvements listed in Conditions C.2.5.4 through C.2.5.6 are completed and functional, as determined by the City Engineer.
- C.2.5.8 The Subdivider is hereby notified that the City has limited wastewater treatment capacity in the City's Wastewater Treatment Plant until current and future expansion capital improvement projects are completed and operational. As of January 2015, the City had an unused capacity of approximately 4200 EDU's within its wastewater treatment plant available to new development within the City on a first-come-first-served basis. These EDU's are currently available to serve the proposed project, but as other development projects within the City come forward and building permits are issued, this remaining capacity will be reduced.
- C.2.5.9 Prior to the City's approval of the first Final Map within Project, the Subdivider shall dedicate to the City utility maintenance easements necessary for all sanitary sewer lines (gravity or force mains). All requirements relating to the access and maintenance by the Utilities Department and Public Works Department shall be incorporated into the improvement plans.
- C.2.5.10 Subdivider is to coordinate with Utilities Department and Public Works Department for providing access to Sanitary Sewer Pump Station during the initial phases of construction when public streets are in construction.

C.2.6. Water Distribution System

- C.2.6.1 All potable water lines and associated improvements as identified in the Water Study (Water Line Improvements)

shall be designed and installed per City Regulations.

- C.2.6.2 During the construction phases of the Project, the Subdivider shall be responsible for providing water infrastructure (temporary or permanent) capable of delivering adequate fire flows and pressure appropriate to the various stages of construction and as approved by the City of Tracy Fire Code Official.
- C.2.6.3 Prior to approval of each Final Map, the Subdivider shall submit calculations and improvement plans as required by the Fire Department and the City Engineer, and obtain a letter from the Fire Code Official that the fire flow parameters per Tracy Design Standards Section 6.02 are met for the phased construction of water lines to the satisfaction of the City of Tracy Fire Code Official.
- C.2.6.4 The Subdivider shall complete design and construction of an at-grade water storage tank with a holding capacity of at least 3.5 MG (million gallons) and a booster pump station equipped with pumps that meets required domestic water and fire demand pumping capacity. These improvements are required to be complete, in place and operational before the final inspection of the 301st residential building within the Project.

All costs related to the design and construction of the water tank are the responsibility of the Subdivider. Before approval of first Final Map within the Project, the Subdivider shall execute a Deferred Improvement Agreement (DIA) to address timing, scope of work and funding responsibilities.

- C.2.6.5 In order to serve the Project, prior to final building inspection of the 301st residential building, or prior to completion of the at-grade water storage tank, the Subdivider shall provide for the design and construction of a remote pressure sensing station to be located near the residential units to transmit pressure data from the distribution system back to the pump controls at the City's John Jones Water Treatment Plant ("JJWTP"). This temporary remote pressure sensing station shall be funded and maintained by the Subdivider.

The Subdivider shall enter into a DIA, to guarantee removal of the remote pressure sensing station when the at-grade storage tank, and pump station are constructed and operational. Costs of installation of the remote pressure sensing station are not eligible for fee credits or reimbursements. The DIA will also include any

modifications required at the JJWTP until the at-grade storage tank and pump station are constructed and operational.

This requirement shall not apply if the at-grade water tank and pump station are constructed prior to final building inspection or occupancy for the first residential or commercial building excluding model homes within the Project.

- C.2.6.6 The Project will require completion of construction of Tracy Hills Booster Pump Station at JJWTP before any water services can be provided by the City to serve the Project. This pump station and associated work ("JJWTP Improvements") shown in the approved improvement plans titled "Tracy Hills Booster Pump Station at JJWTP" prepared by West Yost Associates ("JJWTP Improvement Plans") is a Capital Improvement Project, and the entire cost of this CIP (except the cost of the 20-inch diameter City Side Zone 3 Water Line as shown in the JJWTP Improvement Plans) is the responsibility of the Subdivider.

The Subdivider has the option to pay to the City full cost of this CIP project (as provided above) or enter into an agreement with the City (which shall be approved by the City) for paying portions of the CIP cost at major milestones. Any overruns in costs as listed in Condition C.2.5.2 will be the responsibility of the Subdivider. The Subdivider shall be eligible to receive reimbursements for the cost of the 20-inch diameter City Side Zone 3 Water Line if the Subdivider pays for its installation. The timing of reimbursement, if from the City, will be addressed in the agreement specified above.

- C.2.6.7 If the at-grade storage tank and booster pump station is not completed before final inspection of the structure that is the subject of the 100th building permit and subsequently before final inspection of 150th, 200th, and 250th building permits, the Subdivider shall demonstrate to the satisfaction of the City Engineer and Fire Code Official that required domestic and fire flow and water pressure are met by performing flow and pressure field tests.
- C.2.6.8 The onsite Recycled Water Transmission mains are required to serve the Project. As part of the onsite improvements for the Project, the Subdivider shall install an 8-in Recycled Water main with the Spine Road improvements

Initially, the 8-in Recycled Water Main will be connected to a potable water supply (with a stub in place to future recycled water) as approved by the City until the program backbone Recycled Water facilities are in place. Once the Recycled Water system network is online the 8-in Recycled Water distribution main will be disconnected from the Potable Water system and connected to the Recycled Water System as part of the Recycled Water Project by the City.

- C.2.6.9 Prior to final inspection of the first residential building (excluding model homes), or issuance of certificate of occupancy for the first commercial building within the Project, the water line from the JJWTP to Corral Hollow Road and from Corral Hollow Road to the Project ("Offsite Water Line Improvements") per the approved improvement plans titled "Corral Hollow Road Utility Improvements – Water and Sewer Pipelines" prepared by CH2MHill ("Offsite Water Line Improvement Plans") must be constructed and operational.

The Subdivider can either have the City construct these improvements by depositing with the City an amount equaling the estimated Non-Program Subdivider CIP Costs or opt to construct the improvements.

For the crossings of the water line at Delta Mendota Canal and California Aqueduct ("Crossing Improvements"), permits from appropriate regulating agencies will be required. The City Subdivider may opt, to construct the Crossing Improvements in full compliance with the permit requirements and subject to Subdivider's posting improvement security as required by TMC section 12.36.080 and executing an Offsite Improvement Agreement approved by the City which, among other things, provides for Subdivider to fully indemnify City against any and all claims and liabilities that may arise from the construction of the Crossing Improvements.

If the City constructs the Crossing Improvements, the Subdivider shall pay to the City for City CIP Costs either before approval of the first Final Map within the Project, or within 15 days from the date of written notice from the City that the project is ready for bid, whichever is earlier. Upon receipt of the funds, City will proceed with bidding of the project. In the event the responsive bid as determined by the City is higher than the funding provided by the Subdivider, the Subdivider shall promptly provide additional funding sufficient to make up the difference.

If the Subdivider either constructs or pays for installation by the City, the 20-inch diameter City Side Zone 3 Water Line (shown as "Zone 3-C CL 20" Pipeline on the Offsite Water Line Improvement Plans), the Subdivider shall be eligible to receive reimbursements for the cost of the 20" City Side Zone 3 Water Line. The amount and timing of reimbursement, if from the City, will be addressed in the agreement specified above.

In the event a portion of the "Zone 3-TH" CL Pipeline as shown on the Offsite Water Line Improvement Plans will be installed by a third party other than the City, the Subdivider shall pay the party that will install the "Zone 3-TH" CL Pipeline the cost of the pipeline prior to beginning of construction. The Subdivider shall provide to the City documentation of payment in full for the cost of the "Zone 3-TH" CL Pipeline prior to final inspection of the first building constructed within the Project.

- C.2.6.10 In the event the Subdivider opts to construct the Off-site Water Line Improvements, the Subdivider shall enter into an OIA with the City and post improvement security in the amounts and form in accordance with section 12.36.080 of the TMC, and as required by these Conditions, prior to the approval of the first final map of any residential neighborhood, or issuance of building permit for the first commercial building, whichever occurs first. The Subdivider shall submit the signed and notarized OIA with the necessary improvement security, before starting the installation of water lines.
- C.2.6.11 Any public improvements required to be installed within the jurisdiction of the San Joaquin County (County) will require Subdivider to obtain an encroachment permit from the County. The Subdivider shall pay all permit and inspection fees associated with the construction of improvements within the County.
- C.2.6.12 For all program and non-program Off-site Water Line Improvements that the Subdivider opts to construct, the Subdivider shall be responsible for notifying residents, business owner(s) and users, regarding construction work that involves traffic re-routing or other traffic related and access impacts to the existing residents and businesses. The Subdivider shall deliver the written notice, after approval by the City Engineer, to the affected residents or business owner(s) at least 72 hours before start of work. Before starting the work described in this section, the

Subdivider shall submit a Work Plan acceptable to the City that demonstrates that there will be no interruptions to the water supply, and a Traffic Control Plan to be used during the installation of the offsite water mains and connections. These plans and their costs are the sole responsibility of the Subdivider.

- C.2.6.13 Domestic and Irrigation Water Services – The HOA will be responsible for the repair and maintenance of all valves, fittings on services related to all street right-of-way landscaping, and for all parcels to be owned by HOA and all HOA easements.
- C.2.6.14 Where pressures at individual water services will be 80 psi or more, the Subdivider shall provide pressure reducing valves at the location approved by the City Engineer. The design operation of the individual pressure reducing valves for services shall be subject to approval by the Building Official.
- C.2.6.15 Fire Service Line – The Subdivider shall design and install fire hydrants at the locations approved by the City's Fire Safety Officer and Chief Building Official. Before the approval of the Improvement Plans, the Subdivider shall obtain written approval from the City's Fire Safety Officer and Chief Building Official, for the design, location and construction details of the fire service connections to the Project, and for the location and spacing of fire hydrants that are to be installed to serve the Project.
- C.2.6.16 In the event any additional right-of-ways and easements (temporary and/or permanent) including construction easements are required for program and non-program water and sewer line improvements, the Subdivider shall acquire such right(s)-of-way and easement(s), at the sub divider's sole cost and expense, prior to start of construction whether the Subdivider opts to construct such improvements or not.

Costs of right(s)-of-way and easement(s) acquisition for non-program improvements are not eligible for fee credits or reimbursements. Subdivider shall be eligible for fee credits and reimbursement for program improvements as provided in the City Regulations.

If required, the Subdivider may request the City to exercise its condemnation/ eminent domain powers for acquisition of right-of-way and easements. All costs of any condemnation process shall be paid for by the Subdivider.

C.2.7. Street Improvements

C.2.7.1 Subdivider is required to design and construct roadway and underground utility improvements to serve the Project, as identified in the sections applicable to Phase 1A of the Final Subsequent EIR for the Tracy Hills Specific Plan Project ("EIR") and these Conditions of Approval. All improvements shall comply with City Regulations, and Tracy Hills Design Standards. Such improvements shall include, but are not limited to, roadways, water supply system, sewer system, storm drainage systems, curb and gutter, sidewalks, street lighting system, traffic signals, ITS systems, pavement and crosswalk striping, bicycle lanes and trails, roadway signage and street signs, median islands, turn lanes, landscaping, and all necessary related improvements as required by the City. Timing of completion of street improvements shall comply with these Conditions of Approval and as outlined in the Mitigation Measures listed in the EIR.

C.2.7.2 Corral Hollow Road Right of Way

Per the Citywide Roadway & Transportation Master Plan (CRTMP) that was adopted by City Council on November 26, 2012, pursuant to Resolution 2012-240, amended on November 19, 2013, Corral Hollow Road will be a 4-lane major arterial street with a raised median, sidewalks, bicycle facilities and landscaping, and depicted Corral Hollow Road Plan Line.

The Corral Hollow Road Plan Line established the amount of right-of-way to be dedicated from the Project along Corral Hollow Road. The Subdivider shall dedicate all rights-of-way necessary for the widening of Corral Hollow Road along the entire frontage of the Property on Corral Hollow Road to the project boundary along I-580. The dedication shall include Caltrans Right of Way and City of Tracy requirements that satisfies the roadway cross section shown on the Corral Hollow Road Plan Line, including a future westbound loop on-ramp at the interchange. The Subdivider shall also dedicate right-of-way for construction of intersection improvements with a traffic signal at Spine Road / Corral Hollow Road, for Phase 1A and project buildout requirements, including all turn lanes.

The Subdivider shall be eligible for fee Credits and/or reimbursements for right-of-way dedication beyond Project's frontage obligation per the CRTMP requirements.

C.2.7.3 Corral Hollow Road Improvements (Project Frontage)

The Subdivider shall design and construct the Corral Hollow Road Improvements in accordance with the Traffic Analysis, Corral Hollow Road Plan Line and City Regulations.

Prior to issuance of final inspection or occupancy of Model Homes and residential units the Subdivider shall complete substantial portion of the Corral Hollow Road Improvements to provide adequate and safe traffic conditions on Corral Hollow Road to the satisfaction of the City Engineer. The improvements will include, but are not limited to, construction of, at a minimum, one southbound through lane, one southbound right-turn lane at Spine Road, one northbound through lane, one northbound left-turn lane at Spine Road, temporary concrete median island, including tapers, asphalt concrete pavement, water main, fire hydrants, storm drain lines, catch basins, traffic signal, pavement markings and striping, traffic signage, street lighting, roadway section construction and/or replacement, asphalt concrete overlay (where required), pavement transitions and other street and utilities improvements that are required to serve the Project based on the phasing plan approved by the City Engineer. Roadway design shall conform to STAA truck traffic requirements and Caltrans requirements.

Subdivider shall prepare improvement plans for Corral Hollow Road Improvements and obtain approval by the City Engineer before approval of the first Final Map within the Project.

Fee Credits and/or reimbursements for eligible costs of improvements beyond Project's frontage obligation per the CRTMP, will be determined based on the improvement plans to be approved by the City Engineer. Interim improvements are not eligible for fee credits or reimbursements and are the sole responsibility of the Subdivider.

- C.2.7.4 In order to guarantee completion of the Corral Hollow Road Improvements, the Subdivider shall enter into an improvement agreement (SIA or OIA) and post an improvement security in the amounts and form in accordance with section 12.36.080 of the TMC and as required by these Conditions of Approval. The Subdivider shall submit the signed and notarized OIA with the necessary improvement security before approval of the first Final Map within the Project.
- C.2.7.5 For any Corral Hollow Road Improvements considered frontage improvements (such as Subdivider's Frontage Obligation per the CRMP and landscape improvements behind the curb) and improvements within Caltrans right-of-way at I-580/Corral Hollow Road interchange that are not constructed or security posted with OIA at the time of

approval of the first Final Map, the Subdivider shall enter into a DIA with the City.

The Subdivider shall submit the signed and notarized DIA before approval of the first Final Map within the Project. The Subdivider shall post improvement security in the amounts and form in accordance with TMC section 12.36.080 at the times specified in the DIA.

C.2.7.6 Traffic Control Plan - Before starting any work within City's right-of-way on Corral Hollow Road, the Subdivider shall submit a Traffic Control Plan for each phase of work, to show the method and type of construction signs to be used for regulating traffic at the work areas within these streets. The Traffic Control Plan shall be prepared by a Civil Engineer or Traffic Engineer licensed to practice in the State of California. Subdivider shall comply with Caltrans requirements and standards for any work conducted within Caltrans ROW.

C.2.7.7 The Subdivider shall design and construct Corral Hollow Road Improvements to meet the applicable requirements of the latest edition of the California Department of Transportation Highway Design Manual (CHDM) and the California Manual of Uniform Traffic Control Devices (MUTCD), the Applicable Law, and these Conditions of Approval.

C.2.7.8 The Tracy Hills Specific Plan EIR ("EIR") identifies the Project's traffic impacts that are to be mitigated by the Subdivider. The mitigation measures are summarized in Table 4.13-68, Transportation & Circulation EIR Mitigation Matrix, and are included herein by reference. Subdivider shall comply with the applicable mitigation measures as outlined in the EIR. Following is a list of traffic improvements for Phase 1A from the mitigation measures included with implementation requirements.

a) Corral Hollow Road/ I-580 EB Ramps (Mitigation Measure 4.13-14a, Intersection #1)

Prior to final inspection of the building that will generate 196 (cumulative) peak hour trips from the Project, the Subdivider shall install an all-way stop controlled intersection as an interim improvement. In order to guarantee timely installation of the stop signs, prior to final inspection of building generating 100 peak hour trips, the Subdivider shall obtain an encroachment permit from Caltrans. The installation of stop signs shall be included in the Deferred Improvement Agreement.

Prior to final inspection of a building that will generate 832 (cumulative) peak hour trips from the Project, the

Subdivider shall install a traffic signal at the intersection. In order to guarantee timely installation of the traffic signal, prior to final inspection of building generating 700 peak hour trips, the Subdivider shall obtain an encroachment permit from Caltrans. The installation of traffic signal shall be included in the Deferred Improvement Agreement.

The Subdivider shall, in collaboration with the City Engineer and Caltrans, commence with an encroachment permit application process to install the all-way stop sign and signal not later than ninety (90) calendar days following approval of the Vesting Tentative Map by the City of Tracy. If the Subdivider / City is unable to obtain required permits from Caltrans, City shall issue building permits beyond the above-mentioned limits, provided that the Subdivider has, to the reasonable satisfaction of the City Engineer, diligently pursued its efforts to obtain the required permits and collaborated closely with City staff in this effort.

The Subdivider shall submit a trip generation calculation with each building permit application or Final Map approval as directed by the City Engineer.

Any improvements installed that will be part of the Traffic Impact Fee Program (Fee Program) will be eligible for fee credits in accordance with City Regulations and the Development Agreement. The installation of traffic improvements at these locations will require Caltrans approval and an Encroachment permit from Caltrans.

b) Traffic Signal at Spine Road /Corral Hollow Road (Mitigation Measure 4.13-14a, Intersection #3)

A traffic signal at Spine Road / Corral Hollow Road shall be installed and made operational before final inspection of first building within the Project. The Subdivider shall provide improvement plans that show the design and construction details of the traffic signal and all associated intersection improvements such as turn lanes, signage and striping, traffic controller and power supply cabinet, traffic detecting loops and video camera for traffic monitoring, fiber optic traffic signal interconnect system and other improvements reasonably determined by the City Engineer to be necessary to operate a signalized intersection. The improvement plans shall be submitted prior to approval of the first final map (residential or commercial).

The traffic signal at Spine Road/ Corral Hollow Road is not included in the Fee Program, and hence the Subdivider shall pay for costs of design and construction of the traffic signal improvements.

c) Traffic Signal at Corral Hollow Road / Linne Road
(Mitigation Measure 4.13-14a, Intersection #4)

The Subdivider shall design and install a traffic signal at the intersection that will have interconnect with the railroad crossing controller. These improvements will require UPRR and CA PUC approval

Prior to final inspection of a building that will generate 396 (cumulative) peak hour trips from the Project, the Subdivider shall install a traffic signal at the intersection. In order to guarantee timely installation of the traffic signal, prior to final inspection of building generating 300 peak hour trips, the Subdivider shall obtain an encroachment permit / agreement from UPRR. The installation of the traffic signal shall be included in the Deferred Improvement Agreement.

The Subdivider shall, in collaboration with the City Engineer and UPRR / CA PUC, commence an engineering design process for the traffic signal improvements not later than ninety (90) calendar days following approval of this Vesting Tentative Map by the City of Tracy. If the Subdivider is unable to obtain required permits from UPRR / CA PUC, City shall issue building permits beyond the above-mentioned limits, provided that the Subdivider has, to the reasonable satisfaction of the City Engineer, diligently pursued its efforts to obtain the required permits and collaborated closely with City staff in this effort.

The Subdivider shall submit a trip generation calculation with each building permit application or Final Map approval as directed by the City Engineer.

Any improvements installed that will be part of the Traffic Impact Fee Program (Fee Program) will be eligible for fee credits in accordance with City Regulations and the Development Agreement.

d) Intersection Improvements at Tracy Boulevard /
Linne Road (Mitigation Measure 4.13-14a, Intersection #5):

The Subdivider shall reconstruct the eastbound approach to an eastbound left turn lane and eastbound through lane, and the westbound approach to a westbound right turn lane and a westbound through lane

Prior to final inspection of a building that will generate 469 (cumulative) peak hour trips from the Project, the Subdivider shall install intersection improvements as identified in the EIR. In order to guarantee timely installation of said improvements, prior to final inspection of building generating 400 peak hour trips, the Subdivider shall submit improvement plans and obtain approval by the City

Engineer. The Intersection Improvements shall be included in the Deferred Improvement Agreement.

The Subdivider shall, in collaboration with the City Engineer and UPRR / CA PUC (if required), commence with an engineering design process for the intersection not later than ninety (90) calendar days following approval of the Vesting Tentative Map by the City of Tracy. If the Subdivider is unable to obtain required permits from UPRR / CA PUC, City shall issue building permits beyond the above-mentioned limits, provided that the Subdivider has, to the reasonable satisfaction of the City Engineer, diligently pursued its efforts to obtain the required permits and collaborated closely with City staff in this effort. The Subdivider shall submit a trip generation calculation with each building permit application or Final Map approval as directed by the City Engineer.

Alternatively, with the approval of the City Engineer, the Subdivider may install a traffic signal interconnected with the controller at the railroad crossing, which installation would be subject to approval by the City Engineer.

Any improvements installed that will be part of the ultimate (program) improvements may be eligible for fee credits in accordance with City Regulations and the Development Agreement.

e) Overlay Corral Hollow Road between I-580 and Linne Road (Mitigation Measure 4.13-14b)

Before final inspection or occupancy of the first building (excluding the Model Homes) within the Project, the Subdivider shall overlay the existing two lanes on Corral Hollow Road between I-580 right-of-way and railroad right-of-way including 100 feet of the easterly leg of Linne Road. The Subdivider shall provide improvement plans that show the design and construction details of the overlay improvements and shall commence with the improvement plans following approval of the Vesting Tentative Map. The improvement plans shall be approved prior to approval of the first final map (residential or commercial). The Overlay Improvements shall be included in the Off-site Improvement Agreement.

No fee credits or reimbursements shall be applicable for these improvements.

f) Interim / Permanent School Site and roadways (Mitigation Measures 4.13-15d, 4.13-15e and 4.13-15f)

The Subdivider shall provide roadways to the school that meet acceptable on and off-site storage for drop-off/pickup queuing, safety considerations, vehicular circulation, and bike and pedestrian access, per the City Standard Plans and Vesting Tentative Map.

Prior to approval of the Vesting Tentative Map, or when the first student from Phase 1a attends either Tracy Hills Elementary School or Tom Hawkins Elementary School or the new school located within the Project (Phase 1a) commences design, the Subdivider shall demonstrate that the following planning and design considerations are addressed to the satisfaction of the City Engineer:

- School driveways are located directly opposite proposed streets entering the residential neighborhood to maximize traffic and student safety.
- 10' concrete Pedestrian and bicycle paths, sidewalks, and crosswalks are provided.
- A Safe Routes to School Program (SRTS) is initiated in coordination with the School District for the Phase 1a school site. The SRTS Program shall be funded and developed by the Subdivider. The SRTS Program shall be developed when the School District applies for an Encroachment Permit from the City.
- The Subdivider shall fund the development of a Traffic Management Plan to the satisfaction of the City Engineer, the Police Department, and the Jefferson School District for the interim conditions when additional traffic would be generated to the interim school adjacent to the Tracy Hills Elementary School. The Traffic Management Plan shall be implemented when the temporary school building opens up for attendance and the first student from Tracy Hills attends the school(s).

g) Traffic Signal at Lammers Road / Old Schulte Road (Mitigation Measure 4.13-5a, Intersection #10)

The City has established a CIP Project for this interim improvement and partial funds have already been collected from other development projects as fair share payments and these other development projects funded the addition of the northbound left-turn lane only. The Applicant shall pay a proportionate share for the interim capacity improvements. These fees will be payable at the final inspection of the first building for the Project.

h) Traffic Signal at Internal Intersection at Business Park Main Driveway and Spine Road (Mitigation Measure 4.14-5a, Intersection #23)

A traffic signal at the Business Park Main Driveway and Spine Road shall be installed and made operational before issuance of Certificate of Occupancy for the first commercial building permit for within the Project. The Subdivider shall provide improvement plans that show the design and construction details of the traffic signal and all associated intersection improvements such as turn lanes, signage and striping, traffic controller and power supply cabinet, traffic detecting loops and video camera for traffic monitoring, fiber optic traffic signal interconnect system and other improvements reasonably determined by the City Engineer to be necessary to operate a signalized intersection. The improvement plans shall be submitted prior to issuance of a building permit for the first commercial building within the Project. The installation of the traffic signal shall be included in the Deferred Improvement Agreement.

C.2.7.9 As the properties north of the Project along Corral Hollow Road develop, City will install fiber-optic lines to connect signals on Corral Hollow Road. In the interim, at the time of installation of traffic signals at Corral Hollow Road / Spine Road and other traffic signals with the Project, the Subdivider shall provide a functional communication system acceptable to the City Engineer, to connect the City's Traffic Control Management Center (TCMC) located at the City Hall to the traffic signals that will be constructed with this Project. Any required improvements at the TCMC to facilitate communications in the interim condition that is not part of the Master Plan Facilities, shall be installed at Subdivider's cost, and no fee credits or reimbursements will be applicable.

C.2.7.10 Bus shelter and turnout on Corral Hollow Road and Spine Road: The bus shelters and turnouts on Spine Road shall be constructed as part of the Spine Road Improvements. Bus turnouts and shelters on Spine Road shall be located at the two fire turnouts on Spine Road. The City will provide the construction details and materials specifications of the bus shelter. Timing of construction of bus shelters will be determined in the future based on the extension of TRACER's Fixed Route to serve the Project. In order to assure completion of construction of the bus shelters, the Subdivider may either enter into a DIA with security, or pay to the City the estimated cost for two bus shelters on Spine Road, and one bus shelter on Corral Hollow Road at the time of approval of the first Final Map within the Project.

C.2.7.11 Encroachment Permit. Before starting any work to be performed and improvements to be constructed within City's right-of-way, the Subdivider shall obtain an Encroachment Permit from the City. The Subdivider or its authorized representative shall submit all documents that are required to process the Encroachment Permit including but not limited to, approved Improvement Plans, Traffic Control Plan that is prepared by and signed and stamped by a Civil Engineer or Traffic Engineer registered to practice in the State of California, payment of engineering review fees, copy of the Contractor's license, Contractor's Tracy business license, and certificate of insurance naming the City of Tracy as additional insured or as a certificate holder.

C.2.7.12 Dead-End Streets. A standard barricade and guardrail with appropriate traffic sign will be required at street ends. Alternatively, turnarounds meeting the requirements of Fire Department shall be provided at these dead-end streets.

C.2.7.13 Spine Road and Other In-tract Streets. The Subdivider shall dedicate all rights-of-way that are necessary to construct Spine Road and all the in-tract streets based on their respective cross sections shown on the Vesting Tentative Subdivision Map with the Final Map for the respective phase. The width of travel lanes, street median, landscaping strip and sidewalk shall be in accordance with the Vesting Tentative Subdivision Map.

Design and construction details of the in-tract streets such as asphalt concrete pavement, curb, gutter, sidewalk, street light, water main, fire hydrant, landscaping with automatic irrigation system, storm drain, catch basin and drop inlets, sanitary sewer main and lateral, water main, individual water service and meter, pavement marking and striping, traffic sign, driveway, handicap ramp and other street improvements shall comply with City Regulations and shall be shown on the Improvement Plans.

C.2.7.14 The Subdivider shall construct an all-whether, emergency vehicle access as required in Planning Division's Conditions.

The Subdivider and City shall enter into an EVA Agreement prior to the start of construction. This agreement will address access across private properties and maintenance responsibilities. The Subdivider shall submit improvement plans for any improvements required by the Police and Fire Departments, and agencies having jurisdiction. The Subdivider shall obtain any permits and/or easements that may be required for construction

and use of the EVA. Required improvements may include but not limited to addition of gates with optical opening devices, turnouts, and gates at the California Aqueduct.

- C.2.7.15 The Subdivider shall execute Grant of Easement documents for the Emergency Vehicle Access Easement at the time of approval of the first Final Map.
- C.2.7.16 Prior to final inspection or certificate of occupancy for the 289th residential unit within the Project, a fire station and all related equipment shall be constructed and operational to serve Tracy Hills in accordance with the Citywide Public Safety Master Plan.
- C.2.7.17 All intersections shall be designed to accommodate fire truck movements as required by the Fire Department.
- C.2.7.18 Subdivider must provide and verify sight distances, where applicable, with regard to reverse lots and fence placements as required by the City Engineer.

C.2.8 Mini/Neighborhood and Community Parks

- C.2.8.1 The Subdivider shall offer for dedication Parcels "A", "B" and "C" for park purposes on the Final Map that corresponds to the timing of completion of respective parks as identified in Planning's Conditions. The Subdivider shall design and construct the neighborhood park improvements consistent with the Tracy Hills Specific Plan and City Regulations. The Subdivider shall be eligible for neighborhood/mini park fee credits in accordance with the PI&RA and Title 13 of the TMC.
- C.2.8.2 The Subdivider shall submit park improvement plans, signed and notarized improvement agreement ("Park Improvement and Reimbursement Agreement" or "PI&RA"), and Improvement Security in the amount and type specified in the City Regulations at the time of approval of the Final Map that corresponds to the timing of completion of the neighborhood park improvements specified in Planning Division's Conditions of Approval.
- C.2.8.3 Before issuance of the first residential building permit (excluding model homes), the Subdivider shall submit park design alternatives for review by the City to determine the Phillips 66 pipeline impacts and overall grading over the future construction and use of Parks 1 & 2. The Subdivider's design engineer will be responsible for providing grading designs that will demonstrate that the proposed mass grading will facilitate park improvements construction without the requirement of major regrading or retaining walls.

C.2.9. Public Utility Easements

C.2.9.1 Undergrounding of Overhead Utilities. The existing overhead lines and poles shall be removed from the Project specifically along the west side of Corral Hollow Road. The Subdivider shall abandon any easements associated with these overhead lines that are no longer needed.

C.2.9.2 All private utility services to serve the Project such as electric, telephone and cable TV to the building must be installed underground, within right-of-way or a dedicated Public Utility Easement (PUE) and at the location approved by the City and the respective owner(s) of the utilities.

The Subdivider shall submit improvement plans for the installation of electric, gas, telephone and TV cable lines that are to be installed under the sidewalk or within the PUE. Underground utility conduits may be installed under the sidewalks, and underground boxes and structures may be located in the landscaped parkway next to the curb. All above-ground boxes and facilities shall be behind the sidewalk and within the PUE. Pop-outs to provide additional width of PUE where required to accommodate larger above-ground structures will be permitted subject to review and approval by Public Works Director and the City Engineer. Before approval of the first Final Map, the Subdivider shall complete the necessary coordination work with the respective owner(s) of the utilities to for approval.

C.2.9.3 Public Utility Easements on sideyard lots shall be adjusted in final neighborhood designs based on actual joint trench design requirements.

C.2.10 Phillip 66 Oil Pipeline Easement and Facilities

C.2.10.1 Prior to beginning of grading operations that may impact the existing Phillips 66 underground facilities within the Project, the Subdivider shall obtain signatures on the improvement plans by Phillips 66. Grading and improvement plans affecting Phillips 66 facilities shall comply with the applicable version of Phillip 66 Pipeline Encroachment Design and Construction Specifications. The Improvement plans shall contain an approval block for Phillip 66 indicating their approval of such designs.

C.2.10.2 Before the approval of the park improvement plans, the Subdivider shall submit evidence of approval of the park

plans by Phillips 66 for the proposed park improvements consistent with the Parks Master Plan and as approved by the City. Subdivider shall provide a grading plan and profiles showing cut/fill sections over the Phillips 66 pipelines within proposed park areas.

The Subdivider shall be responsible for design and construction of surface water drainage facilities within the Phillip 66 Oil Line Easement. All surface water within this easement shall be collected and channeled to the public storm drainage system within public roadways.

- C.2.10.3 The Subdivider shall notify in writing the future buyers of lots about the existing Philips 66 easement and any requirements /restrictions relating to the existence of the easement. The Disclosure Statement(s) shall be made part of the Sale Deeds and recorded in compliance with the applicable law.

C.3. Final Map

The City will not approve any Final Map until the Subdivider demonstrates, to the satisfaction of the City Engineer, that all the requirements set forth in these Conditions of Approval are completed, including, but not limited to the following:

- C.3.1 Subdivider has submitted one reproducible (mylar) copy of the approved tentative subdivision map for the Project after Subdivider's receipt of a notification of approval of the Tentative Subdivision Map. The signature of the owner of the Property on the Tentative Subdivision Map shall indicate the owner's consent to the preparation of the Tentative Subdivision Map and the proposed subdivision of the Property.
- C.3.2 Each Final Map is prepared in accordance with the applicable requirements of the Tracy Municipal Code, these Conditions of Approval, all other applicable City Regulations, and in substantial conformance with the Tentative Subdivision Map.
- C.3.3 Each Final Map includes and shows offer(s) of dedication of all right(s)-of-way and/or temporary or permanent easement(s) required by the Improvement Plans and Final Map, in accordance with City Regulations and these Conditions. If construction easement(s) is/are shown, it/they shall indicate the termination date of the construction easement(s).
- C.3.4 Horizontal and vertical control for the Project shall be based upon the City of Tracy coordinate system and at least three 2nd order Class 1 control points establishing the "Basis of Bearing" and shown as such on the Final Map. The Final Map shall also identify surveyed ties from

two of the horizontal control points to a minimum of two separate points adjacent to or within the Property described by the Final Map.

C.3.5 Subdivider has submitted a signed and stamped Engineer's Estimate that show construction cost of subdivision improvements that are described in Conditions C.2 above plus 10% for construction contingencies.

C.3.6 Subdivision Improvement Agreement. Before the City's approval of any Final Map, the Subdivider shall execute a Subdivision Improvement Agreement (for the public facilities required to serve the real property described by the Final Map), and post all required improvement security in accordance with City Regulations.

Phasing Plan and Deferred Improvement Agreement- Prior to Subdivider's submittal to the City of the first Final Map for City approval, Subdivider shall submit for the City Engineer's review and reasonable approval a phasing plan for the submittal of all Final Maps to be filed for this Vesting Tentative Subdivision Map. The phasing plan may be subject to subsequent modifications based on market conditions, the rate of development, and Subdivider's disposition of the parcels created by the Final Maps. Prior to the City's approval of the first final map within the Project, the Subdivider shall execute a Deferred Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all remaining public facilities (to the extent the public facilities are not included in the Subdivision Improvement Agreement) which are required by these Conditions of Approval. The Deferred Improvement Agreement shall identify timing requirements for construction of all remaining public facilities, in conformance with the phasing plan submitted by the Subdivider and approved by the City Engineer.

C.3.7 Improvement Security. The Subdivider shall provide improvement security for all public facilities, as required by Subdivision Improvement Agreement or Offsite Improvement Agreement. The form of the improvement security may be a surety bond, letter of credit or other form in accordance with City Regulations. The amount of the improvement security shall be as follows:

C.3.7.1 Faithful Performance (100% of the estimated cost of constructing the public facilities),

C.3.7.2 Labor & Material (100% of the estimated cost of constructing the public facilities), and

C.3.7.3 Warranty (10% of the estimated cost of constructing the public facilities)

C.3.7.4 Monumentation (\$750 multiplied by the total number of street centerline monuments that are shown on the Final Map)

- C.3.8 Subdivider has paid engineering review fees including improvement plan checking, final map review, agreement processing, and all other fees required by these Conditions of Approval and City Regulations.
- C.3.9 Subdivider has submitted technical or materials specifications, cost estimate, and technical reports related to the design of improvements that are shown on the Improvement Plans and as required by these Conditions.
- C.3.10 Subdivider has submitted hydrologic and storm drainage calculations for the design and sizing of in-tract storm drainage pipes located within the Project.
- C.3.11 Subdivider has submitted signed and stamped Improvement Plans as required in Condition C.2 above.

C.4. Grading and Encroachment Permit

No applications for grading and encroachment permits will be accepted by the City as complete until the Subdivider has provided all documents required by these Conditions and City Regulations, to the reasonable satisfaction of the City Engineer, including, but not limited to, the following:

- C.4.1 Grading and Drainage Plans prepared on a 24" x 36" size polyester film (mylar). Grading and Drainage Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil Engineer.
- C.4.2 Payment of the applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.
- C.4.3 Three sets of the Storm Water Pollution Prevention Plan (SWPPP) identical to the reports submitted to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB including a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID). After the completion of the Project, the Subdivider is responsible for filing the Notice of Termination (NOT) required by SWQCB, and shall provide the City, a copy of the completed Notice of Termination.
- C.4.4 Cost of preparing the SWPPP, NOI and NOT including the annual storm drainage fees and the filing fees of the NOI and NOT shall be paid by the Subdivider. The Subdivider shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the Storm Water Regulations adopted by the City in 2008 and any subsequent amendment(s), and the City Regulations.

- C.4.5 Two sets of the Project's Geotechnical Report signed and stamped by a licensed Geo-technical Engineer licensed to practice in the State of California. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, percolation rate, roadway section construction recommendations and elevation of the highest observed groundwater level.
- C.4.6 A copy of the Approved Fugitive Dust and Emissions Control Plan that meets San Joaquin Valley Air Pollution Control District (SJVAPCD) as required in Mitigation Monitoring and Reporting Program of the Tracy Hills Specific Plan Final Environmental Impact Report (TH-EIR).
- C.4.7 Two sets of Hydrologic and Storm Drainage Calculations for the design of the on-site storm drainage system and for determining the size of the project's storm drainage connection.
- C.4.8 Reasonable written permission from irrigation district or affected owner(s), if applicable as required in Condition C.2.2.5, above. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Subdivider.
- C.4.9 Written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), if applicable. All existing on-site wells, if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Subdivider shall be responsible for all costs associated with the abandonment or removal of the existing well(s) including the cost of permit(s) and inspection.
- C.4.10 Improvement Plans prepared on a 24" x 36" size 4-mil thick polyester film (mylar) that incorporate all the requirements described in these Conditions of Approval. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.
- C.4.11 Two sets of structural calculations for drainage structures and retaining walls within street right-of-way and retention basins signed and stamped by a Structural Engineer licensed in the State of California.
- C.4.12 Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans.
- C.4.13 Signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, to guarantee completion of the identified public improvements that are necessary to serve the Project as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with Section 12.36.080 of the Tracy Municipal Code (TMC), and the OIA.
- C.4.14 Signed and notarized Deferred Improvement Agreement (DIA) and Improvement Security, to allow deferment of completion of

improvements as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with the DIA and Section 12.36.080 of the TMC, or pursuant to the terms of the Development Agreement, as appropriate.

- C.4.15 Check payment for the applicable engineering review fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable fees as required by these Conditions of Approval. The engineering review fees will be calculated based on the fee rate adopted by the City Council on April 15, 2014, per Resolution 2014-059.
- C.4.16 Traffic Control Plan for each phase signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.
- C.4.17 As required per Mitigation Measure 4.8-2a of the EIR, the Subdivider shall submit, prior to issuance of grading permits, a Phase II ESA focused on soil sampling and/or soil vapor sampling conducted near the location of the underground crude oil pipelines, as determined by a qualified Phase II/Site Characterization specialist.
- C.4.18 As required per Mitigation Measure 4.8-2b of the EIR, prior to issuance of grading permits, the Subdivider shall work with Conoco Phillips to implement and observe a site damage prevention plan to the satisfaction of the City of Tracy Engineering Division.

C.5. Building Permit

The City will not approve any building permit within the Project boundaries until a Final Map is approved by the City Council and it is recorded at the San Joaquin County Recorder's Office, and the Subdivider demonstrates, to the reasonable satisfaction of the City Engineer, compliance with all the required Conditions including, but not limited to, the following, except that the timing of payment of fees shall be as approved in the Development Agreement:

- C.5.1 Check payment of the applicable City Wide Roadway and Traffic, Water, Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities, and Park Development Impact Fees (adopted by Resolution 2014-010) as these relate to the Project and as required by these Conditions of Approval.
- C.5.2 Check payment of applicable Regional Transportation Impact Fees (RTIF) as required in the Mitigation Monitoring and Reporting Program of the Final Environmental Impact Report and these Conditions of Approval.
- C.5.3 Check payment of any applicable Agricultural Conversion or Mitigation Fee as required in Chapter 13.28 of the Tracy Municipal Code and the Mitigation Monitoring and Reporting Program of Tracy Hills Final Environmental Impact Report and these Conditions of Approval.

- C.5.4 Payment of the San Joaquin County Facilities Fees as required in Chapter 13.24 of the TMC.
- C.5.6 The Project developer(s) shall be required to pay the Transportation Impact Fee established pursuant to the written Agreement by and between the City of Tracy, LTA, the Sierra Club, the County of Alameda, and the City of Livermore to the City of Tracy prior to issuance of building permits for any residential portion of the Project. Said condition shall be incorporated into any development agreement or similar agreement if entered into by the developer and the City of Tracy. Said condition shall constitute the only regional traffic impact fee charged against the Project.

C.6. Final Building Inspection

The City will not perform final building inspection until after the Subdivider provides documentation which demonstrates, to the reasonable satisfaction of the City Engineer, that:

- C.6.1 The Subdivider has completed construction of all public facilities required to serve the building for which a certificate of occupancy is requested or a final building inspection has to be performed unless otherwise defined herein. Unless specifically provided in these Conditions, or the City Regulations, the Subdivider shall take all actions necessary to construct all public facilities required to serve the Project, and the Subdivider shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).
- C.6.2 The Subdivider shall pay a fair share towards the cost of constructing the interim improvements at the Lammers Road/Old Schulte Road intersection, as determined by the City Engineer.

C.7. Temporary or Final Building Certificate of Occupancy

No Final Building Inspection shall be performed or a Temporary or Final Building Certificate of Occupancy will be issued by the City until after the Subdivider provides reasonable documentation which demonstrates, to the satisfaction of the City Engineer, that:

- C.7.1 The Subdivider has satisfied all the requirements set forth in these Conditions of Approval.
- C.7.2 The Subdivider has completed construction of all required public facilities for the building for which a certificate of occupancy is requested, unless otherwise defined herein. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Subdivider shall use diligent and good faith efforts in taking all actions necessary to construct all public facilities

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

C.8. Acceptance of Public Improvements

Public improvements will not be considered for City Council's acceptance until after the Subdivider demonstrates to the reasonable satisfaction of the City Engineer, completion of the following:

- C.8.1 All the public improvements shown on the Improvement Plans are completed and all the deficiencies listed in the deficiency report prepared by the assigned Engineering Inspector are all corrected.
- C.8.2 Subdivider has completed the 90-day public landscaping maintenance period.
- C.8.3 Subdivider has submitted Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Subdivider, the City shall temporarily release the originals of the Improvement Plans to the Subdivider so that the Subdivider will be able to document revisions to show the "As Built" configuration of all improvements.
- C.8.4 Signed and notarized Grant Deed(s) with legal description(s) and plat maps for the offer of dedication of right-of-way, and Grant of Easements as required per these Conditions of Approval and City Regulations, or dedications shown on the Final Map.

C.9. Release of Improvement Security

City will release Improvement Security(s) to the Subdivider after City Council's acceptance of public improvements, both on-site and off-site, in accordance with TMC section 12.36.080, upon written request and submittal of the recorded Notice of Completion.

C.10. Special Conditions

- C.10.1. All streets and utilities improvements within City's right-of-way shall be designed and constructed in accordance with City Regulations, except as otherwise specifically approved in the Tracy Hills Specific Plan.
- C.10.2. When street cuts are made for installation of utilities, the Subdivider is required to install 2 inches thick asphalt concrete overlay with reinforcing fabric at least 25 feet from all sides and for the entire length of the utility trench. A 2 inches deep grind on the existing asphalt concrete pavement will be required where the asphalt concrete overlay will be applied and shall be uniform thickness in

order to maintain current pavement grades, cross and longitudinal slopes. If the utility trench extends beyond the median island, the limit of asphalt concrete overlay shall be up to the lip of existing gutter located along that side of the street.

- C.10.3. All improvement plans shall contain a note stating that the Developer (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers. Any damaged, displaced, obliterated or lost monuments or survey markers shall be re-established or replaced by a licensed Land Surveyor at the Developer's (or Contractor's) sole expense. A corner record must be filed in accordance with the State law for any reset monuments (California Business and Professions Code Section 8871).
- C.10.4. Benefit District – The Subdivider may make a written request to the City for the formation of a Benefit District, before the approval of the final map and improvement plans for the public facility(s) considered to be oversized that benefits other property(s) or development(s). Reimbursement request(s) will be processed in accordance with TMC Chapter 12.60.
- C.10.5. Nothing contained in these Conditions shall be construed to permit any violation of City Regulations. Subject, however, to City Regulations, this Condition does not preclude the City from requiring pertinent revisions and additional requirements to the final map, improvement agreements, and improvement plans, before the City Engineer's signature on the final map and improvement plans, if the City Engineer finds it necessary due to public health and safety reasons. (Government Code section 66498.6.) The Subdivider shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.

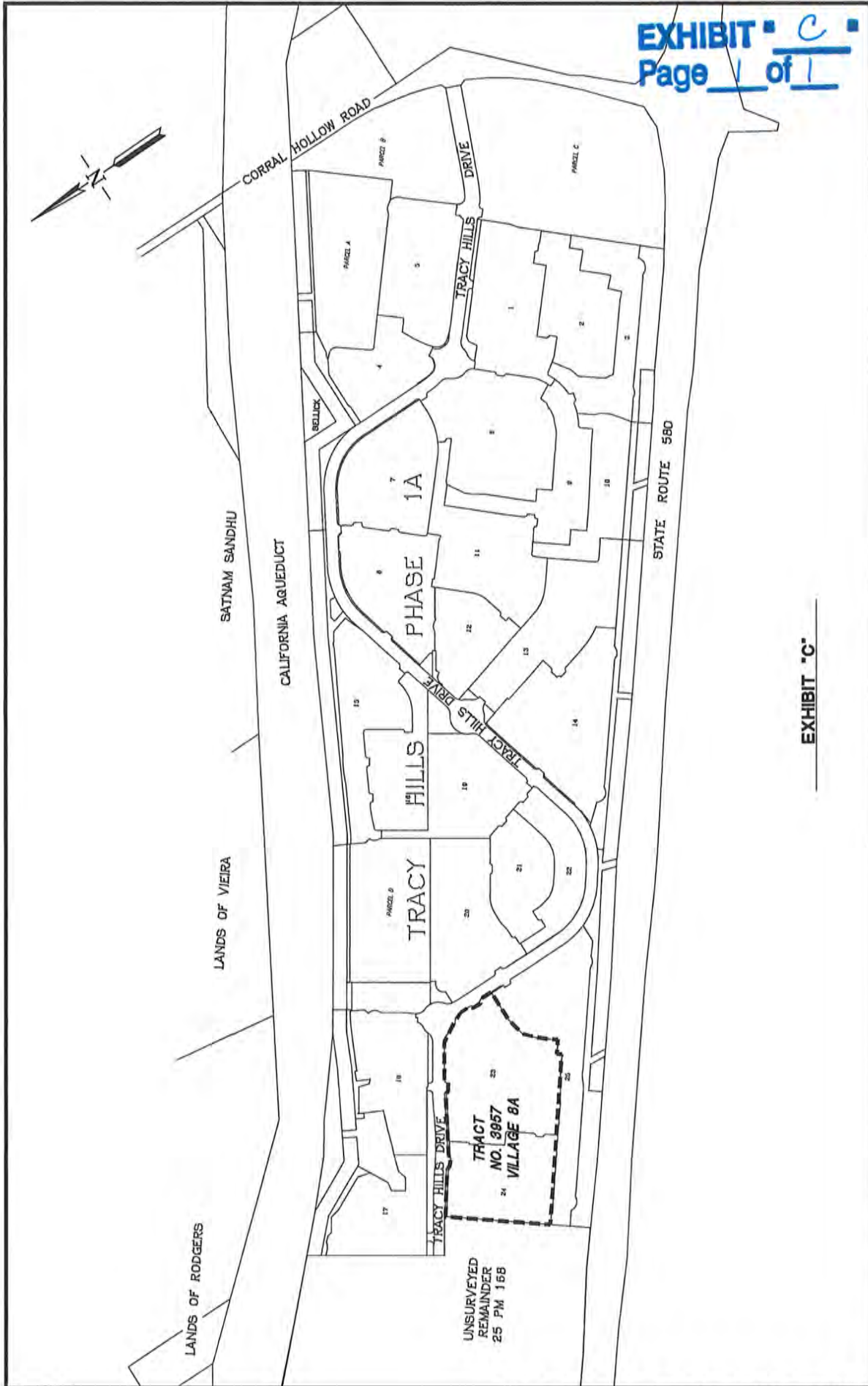


EXHIBIT "C"

RESOLUTION 2018-_____

APPROVING THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACY HILLS VILLAGE 8A, TRACT 3957

WHEREAS, A Small-Lot Vesting Tentative Subdivision Map for Tracy Hills Phase 1A, Tract 3788 (VTSM), with approximately 1,160 single-family residential lots, an approximately 50 acre mixed-use business park/commercial retail area, three public parks, school site, and numerous other HOA owned and maintained parcels, was approved by Tracy City Council on April 5, 2016, pursuant to Resolution No. 2016-066, and

WHEREAS, The Final Subdivision Map for Tract 3957, Tracy Hills Village 8A, consists of 71 single-family residential lots within the boundaries of the aforementioned approximately 1,160 lot Tracy Hills Phase 1A project, and

WHEREAS, The Conditions of Approval for the VTSM require the Subdivider to design and construct certain on-site improvements as a condition of approval of the Final Subdivision Map pursuant to the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards, and

WHEREAS, The Improvement Plans, Specifications, and Cost Estimates for the required improvements have been prepared on behalf of the Subdivider, and approved by the City Engineer, and

WHEREAS, The Subdivision Improvement Agreement (SIA) addresses construction of Moser Way, Wilkins Lane, Copley Drive, Greymont Drive, Sanderson Avenue, Zink House Drive, Carousel Avenue, Cameo Way, and Prospect Drive, and other in-tract improvements associated with the 71 lots that will be developed by the Subdivider as part of Tracy Hills Village 8A, and

WHEREAS, The Subdivider has executed the SIA and has posted the required securities to guarantee completion of the improvements, and

WHEREAS, Upon completion of all improvements, the City will accept the improvements and will accept all offers of dedication of public right-of-way, and

WHEREAS, The Developer will pay for the cost of engineering inspection and processing the agreement;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the Final Subdivision Map and Subdivision Improvement Agreement for Tract 3957, Tracy Hills Village 8A, and authorizes the City Clerk to file the SIA with the Office of the San Joaquin County Recorder.

* * * * *

The foregoing Resolution 2018-_____ was passed and adopted by the Tracy City Council on the 2nd day of October, 2018, by the following vote:

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

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 3

REQUEST

RECEIVE PRESENTATION FROM SAN JOAQUIN COUNTY'S PROGRAM ADMINISTRATOR FOR HOMELESS INITIATIVES, AND DISCUSS AND DETERMINE WHETHER TO DECLARE A SHELTER CRISIS PURSUANT TO GOVERNMENT CODE SECTION 8698.2 TO ESTABLISH ELIGIBILITY FOR HOMELESS EMERGENCY AID PROGRAM GRANT FUNDS AS REQUIRED BY SENATE BILL 850

EXECUTIVE SUMMARY

This item includes a presentation from Adam Cheshire, Program Administrator for Homeless Initiatives with the County of San Joaquin, and allows Council to discuss and determine whether to declare a "shelter crisis", pursuant to Government Code Section 8698.2, in order to make the City, and organizations within the City, eligible to receive one-time funding (allocated through Senate Bill 850) for emergency aid and related services for homeless people. Council previously considered whether to declare a shelter crisis at their September 4, 2018 meeting.

DISCUSSION

This staff report was originally presented to Council on September 4, 2018. At that meeting, Council chose not to declare an Emergency Homeless Shelter Crisis. On September 18, 2018, under Council Items, Council Member Ransom made a request to have Adam Cheshire, from San Joaquin County, provide Council with a presentation and County perspective regarding a reconsideration of declaring an Emergency Homeless Shelter Crisis for the City of Tracy. Council Member Young supported the request. This staff report requests Council discussion and direction regarding whether to declare an Emergency Homeless Shelter Crisis.

State Senate Bill 850, signed into law by Governor Brown in June 2018, created the Homeless Emergency Aid Program (HEAP), which includes \$500 million for distribution State-wide for services for homeless people. Based on the most recent (January 2017) Point-in-Time Count figures reported by the California Continuum of Care, San Joaquin County's allocation is \$7,148,364. The 2017 Local Point-in-Time Count found that 1,542 homeless persons reside within the County, including 567 unsheltered homeless persons. The 2017 Point-in-Time Count found that there are 90 unsheltered homeless persons residing in Tracy, which constitutes 16% of the total number of the County population of unsheltered homeless (Attachment A).

In order for a jurisdiction, or organization within a jurisdiction, to be eligible for HEAP funds, the jurisdiction must adopt a resolution declaring a "shelter crisis" pursuant to Government Code Section 8698.2. If the Tracy City Council makes such declaration, it could participate with San Joaquin County, other public agencies, and private organizations to prepare and submit an application to the State for qualified projects or programs. The San Joaquin County Board of Supervisors and the Stockton City Council adopted resolutions declaring a shelter crisis during their regular meetings on August 21,

2018. Lodi City Council adopted a resolution declaring a shelter crisis during their regular meeting on September 19, 2018.

According to Senate Bill 850, “program funds shall be expended on one-time uses that address homelessness, including but not limited to prevention, criminal justice diversion programs to homeless individuals with mental health needs, and emergency aid.” As published by the State Homeless Coordinating and Financing Council, “emergency aid” could include broad categories of uses, including but not limited to, “shelters, shelter beds, public toilets and shower facilities, tiny shed homes, etc.” The funds may be awarded to public agencies or to private non-profit entities to carry out eligible activities.

The California Homeless Coordinating and Financing Council recently released guidance documents outlining the process for HEAP grants (Attachment B). The State anticipated distributing funds as early as late October 2018.

A declaration of shelter crisis does not obligate the City to create an emergency shelter or provide additional services related to homelessness. However, if the City Council declares a shelter crisis, pursuant to Government Code Section 8698.2, the City “may allow persons unable to obtain housing to occupy designated public facilities [such as parks or certain vacant or underutilized public facilities] during the duration of the state of emergency” (Emphasis added).

STRATEGIC PLANS

The proposal is a routine item without direct connection to the City’s strategic plans.

FISCAL IMPACT

This agenda item will not require any specific expenditure of City funds.

RECOMMENDATION

Staff recommends that the City Council discuss and determine whether to adopt the attached resolution, declaring a shelter crisis pursuant to Government Code Section 8698.2 as required by Senate Bill 850.

Prepared by: Andrew Malik, Development Services Director

Reviewed by: Karin Schnaider, Finance Director
Midori Lichtwardt, Interim Assistant City Manager

Approved by: Randall Bradley, City Manager

ATTACHMENTS

Attachment A – 2017 Point in Time Homeless Count
Attachment B – HEAP Program Guidance from CHCFC

Attachment A

San Joaquin County Continuum of Care 2017 Point-in-Time Unsheltered Homeless Count Report

March 17, 2017

Prepared by:
Jon Mendelson
Ready to Work executive director

Special thanks to:
Central Valley Low Income Housing Corp.,
Community Development Department of San Joaquin County,
event hosts St. Mary's Dining Room, City of Lodi, City of Manteca,
Manteca Gospel Rescue Mission, New Heart Church of Tracy,
and all participants in the 2017 Point-in-Time Unsheltered Homeless Count

Executive Summary: The big takeaways

The San Joaquin County Continuum of Care undertook a count of the “unsheltered homeless”ⁱ persons within San Joaquin County borders during the final week of January 2017 as part of an overall assessment of homelessness within the county. The count of homeless individuals is a condition of San Joaquin County receiving Continuum of Care competitive grant funding to permanently house homeless households, and was conducted according to best practices and Housing and Urban Development Department guidelines. The most recent point-in-time unsheltered homeless count was conducted in January 2015.

The Continuum of Care partnered with San Joaquin County departments, cities, state agencies, law enforcement, policy makers, volunteers, and community-based organizationsⁱⁱ that provide emergency shelter, housing, food, and other support services to homeless individuals and families. Central Valley Low Income Housing Corp. and Ready to Work, in partnership with the San Joaquin County Community Development Department, assumed logistical responsibilities on behalf of the Continuum.

567 individual surveys were completed in San Joaquin County during the 2017 Point-in-Time Unsheltered Homeless Count. This marks a 6% increase in the county’s recorded unsheltered homeless population since 2015, when 535 individual surveys were completed.

Key findings were:

- 55% (311 homeless) of the unsheltered homeless was located in Stockton. The populations in other cities were: Lodi, 16% (88 homeless); Manteca, 14% (78 homeless); Tracy, 16% (90 homeless).
- 6% (32) of those surveyed were military veterans.
- 66% (374) of those surveyed self-reported being on the streets for more than one year; 21% (121) identified as “chronically homeless”ⁱⁱⁱ.
- 31% (176) self-reported having a mental health problem
- 45% (253) self-reported a problem with alcohol, an illegal substance, or both.
- 17% (94) of households self-reported cash income, whether it was earned, from disability payments, or Social Security. All households that reported income qualified as “extremely low income.”^{iv}

The surveys indicate that much of San Joaquin County’s unsheltered homeless population is entrenched in long-term homelessness; much of the population faces significant barriers to obtaining housing, including lack of income, lack of recent housing history, health problems that include mental health challenges, and issues with drugs and alcohol.

Meanwhile, there appears to be little room off the streets for the current unsheltered population. Data from the Homeless Management Information System indicates that many emergency homeless shelters routinely operate at or above capacity. Permanent housing programs for the homeless report continued struggles to find suitable housing for homeless households because of current market forces and limitations on who qualifies for those housing programs.

This suggests a successful approach to helping people off the streets should: Provide adequate emergency shelter capacity, including the ability to house populations that currently cannot be easily accommodated; Provide adequate permanent housing for those with no income or extremely low income; Provide adequate support services that address mental health, physical health, and substance use issues; Provide long-term support for those exiting long-term homelessness and entering

permanent housing; Provide adequate services and housing opportunities for those who cannot be assisted through existing programs by expanding existing programs or creating new programs.

Method: How the count was conducted, its advantages and shortcomings

The San Joaquin County Continuum of Care employed a census approach. The intent of the census was to count as many unsheltered homeless as possible through centralized events and outreach. Compared to past unsheltered point-in-time counts, the 2017 count was the most extensive, utilizing the most volunteers, agencies, and community-based organizations, as well as covering the largest geographical area through outreach. This improved community involvement could be partially or wholly responsible for the increase in the number of unsheltered homeless surveyed from 2015 to 2017.

Each individual counted answered a survey to determine homeless status, obtain demographic information, and prevent duplicative counts. Surveys were conducted by staff of homeless service providers, outreach workers, and volunteers trained to administer the surveys. Each survey in which an individual was identified as unsheltered homeless was entered into the Homeless Management Information System, which was used to ensure there were no duplicates in the count.

The census used several tactics to contact the unsheltered homeless. Unsheltered homeless people were encouraged to attend Homeless Connection events in the county's major cities — Lodi, Manteca, Stockton, and Tracy. These events provided food, links to shelter and housing resources, links to support services, medical care, pet care, and the chance to apply for state IDs. Mobile outreach teams were also dispatched to known encampment sites identified by homeless service organizations and local law enforcement agencies. Select churches and charitable organizations that have frequent contact with the homeless population also administered surveys to capture the homeless population.

However, the 2017 count failed to capture the entire homeless population in San Joaquin County. Many encampments visited by outreach workers revealed empty tents that were clearly being used by at least one occupant — an estimated 70 vacant tents alone were counted in the city of Stockton, which were not included in survey results.

Because of limited resources, the census did not concentrate on the cities of Ripon and Escalon, nor did it concentrate on unincorporated areas of the county that include large swaths of agricultural land and waterways that traditionally are home to relatively few unsheltered individuals. Large rainstorms and flooding the week prior to the count also disbanded several known encampments.

These limitations mean there are more unsheltered homeless individuals than were counted during the 2017 Point-in-Time Unsheltered Homeless Count.

Data: Numbers revealed by individual surveys of unsheltered homeless

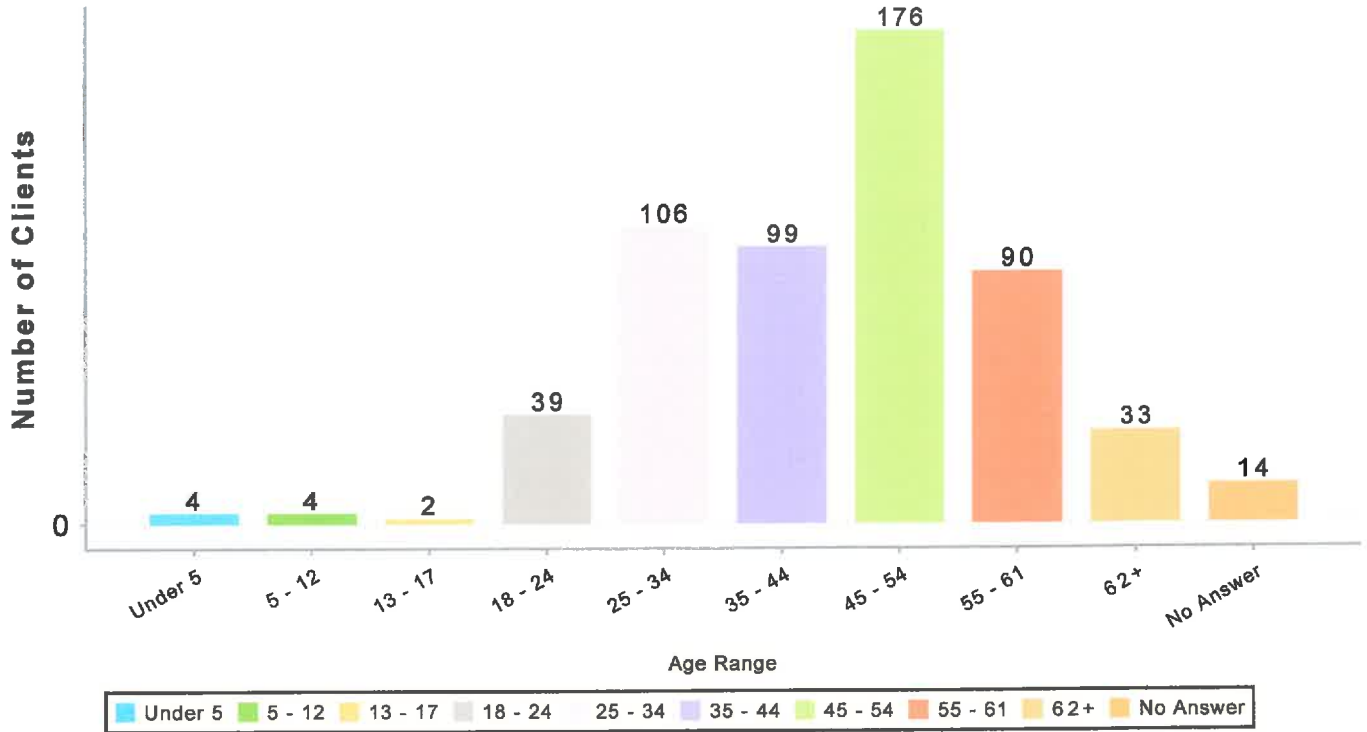
All data recorded is the result of survey questions answered by unsheltered homeless individuals on a particular day during the final week of January 2017. Some data categories reflect total households, and some reflect individuals.

Though the entire unsheltered homeless population in San Joaquin County was not captured by the census surveys, the resulting information is believed to be representative of the county's entire unsheltered homeless population.

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Client Age Range Chart

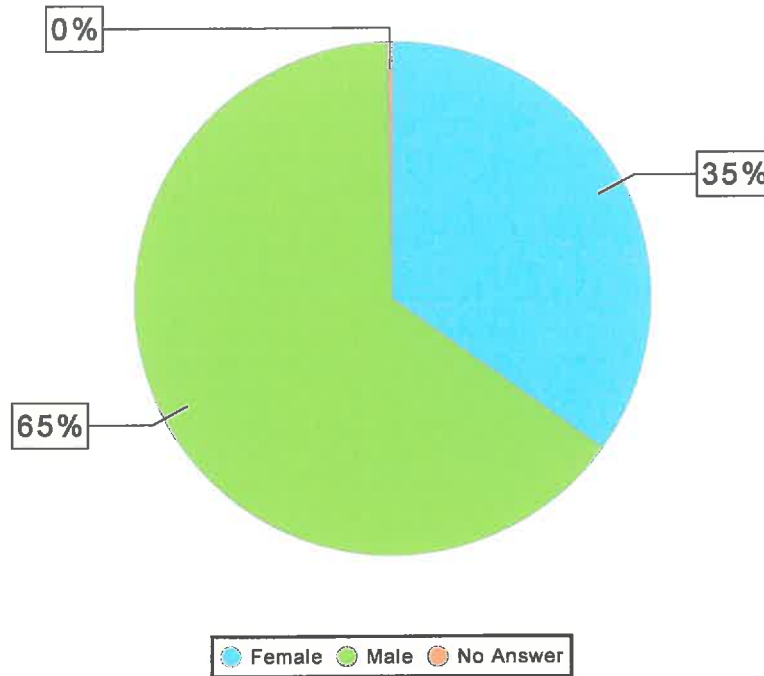


Age Range	# of Clients
Under 5	4
5 - 12	4
13 - 17	2
18 - 24	39
25 - 34	106
35 - 44	99
45 - 54	176
55 - 61	90
62+	33
No Answer	14
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Gender

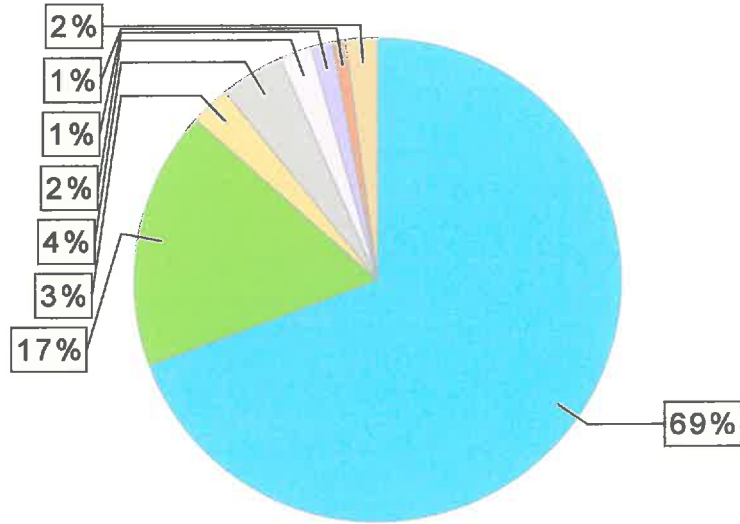


Gender	# of Clients
Female	198
Male	367
Transgender Male to Female	0
Transgender Female to Male	0
Doesn't identify as male, female, or transgender	0
Client doesn't know	0
Client refused	0
No Answer	2
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Race



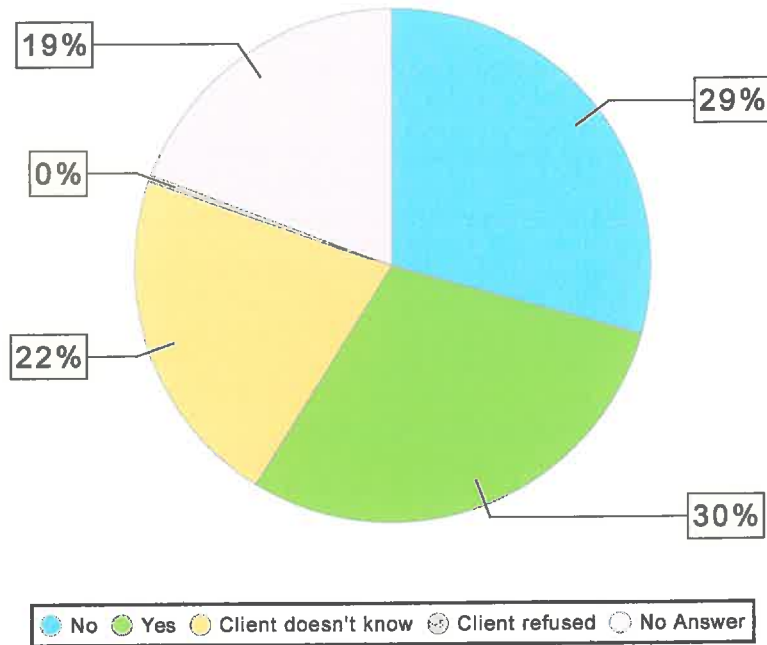
● White
 ● Black or African American
 ● Asian
 ● American Indian or Alaskan Native
 ● Multiple races
 ● Native Hawaiian or Other Pacific Islander
 ● Client Don't know / Refused
 ● No Answer

Race Demographic	# of Clients
White	393
Black or African American	98
Asian	15
American Indian or Alaskan Native	24
Multiple races	12
Native Hawaiian or Other Pacific Islander	8
Client Don't know / Refused	5
No Answer	12
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Disabled Demographic (Adults & HoHH) Chart

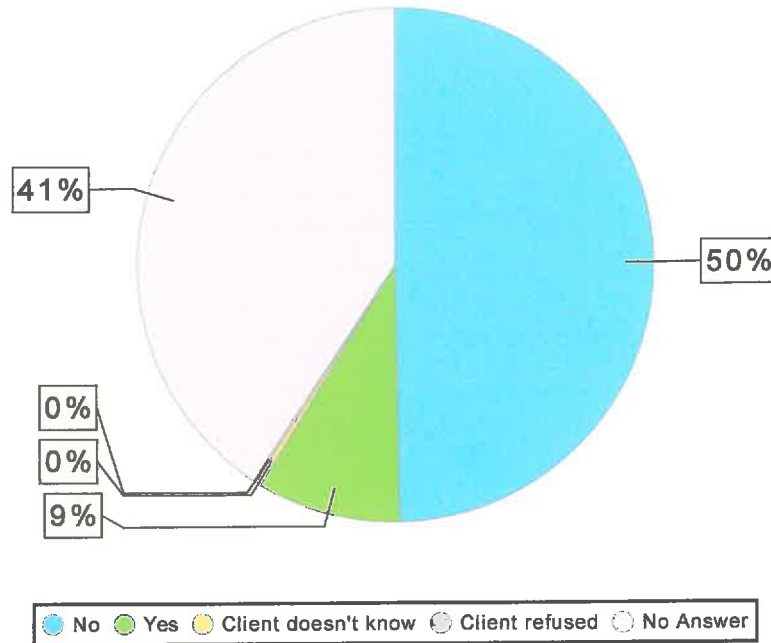


Disabled Demographic (Adults & HoHH)	# of Clients
No	162
Yes	163
Client doesn't know	119
Client refused	2
No Answer	106
Total:	552

Client Demographics Report

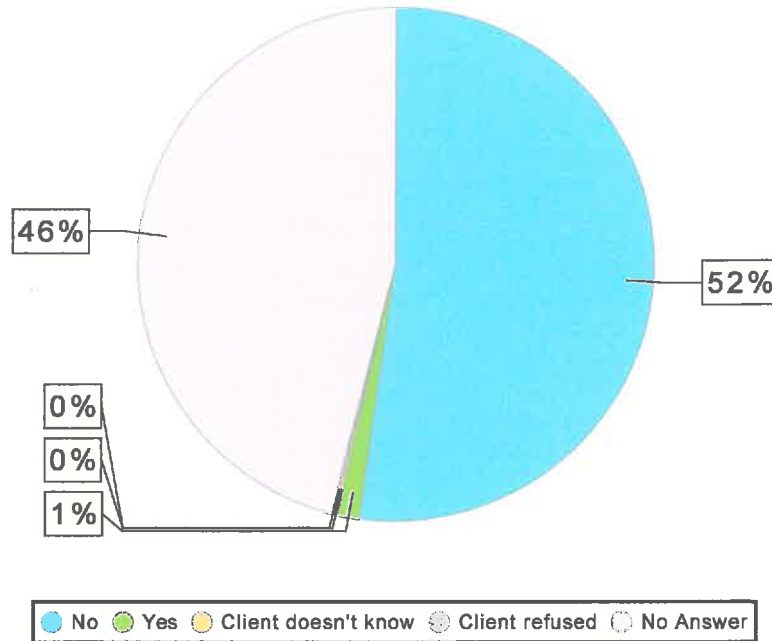
General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Physical Disability Chart



Physical Disability	# of Clients
No	282
Yes	51
Client doesn't know	2
Client refused	1
No Answer	231
Total:	567

Developmental Disability Chart

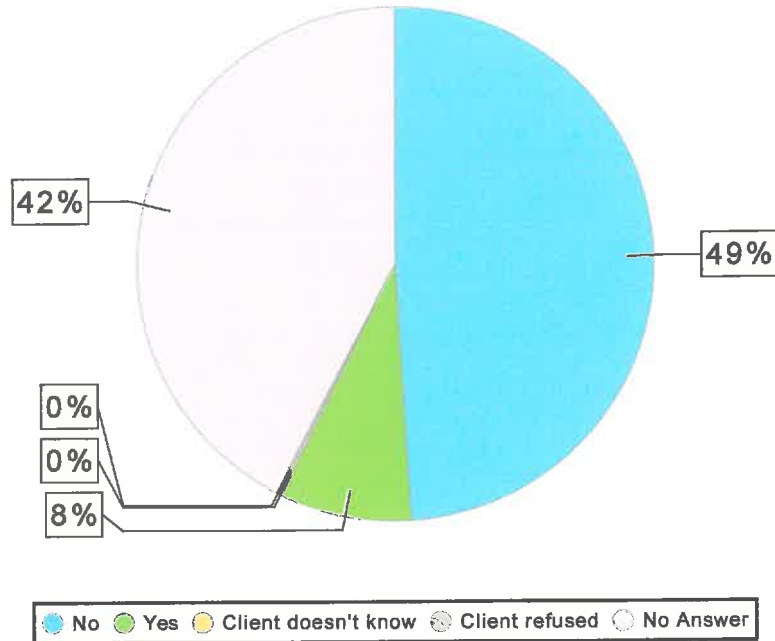


Developmental Disability	# of Clients
No	296
Yes	8
Client doesn't know	1
Client refused	1
No Answer	261
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Chronic Health Condition Chart

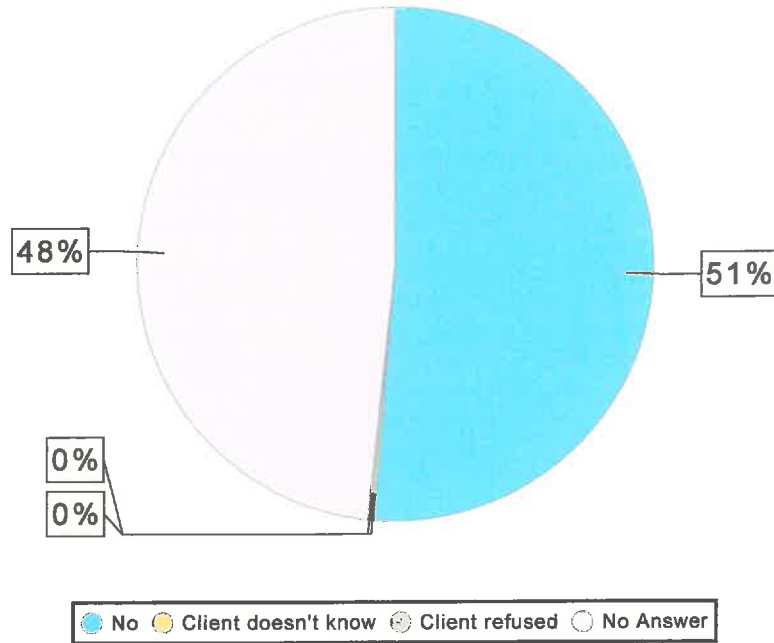


Chronic Health Condition	# of Clients
No	278
Yes	47
Client doesn't know	1
Client refused	1
No Answer	240
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

HIV/AIDS Chart

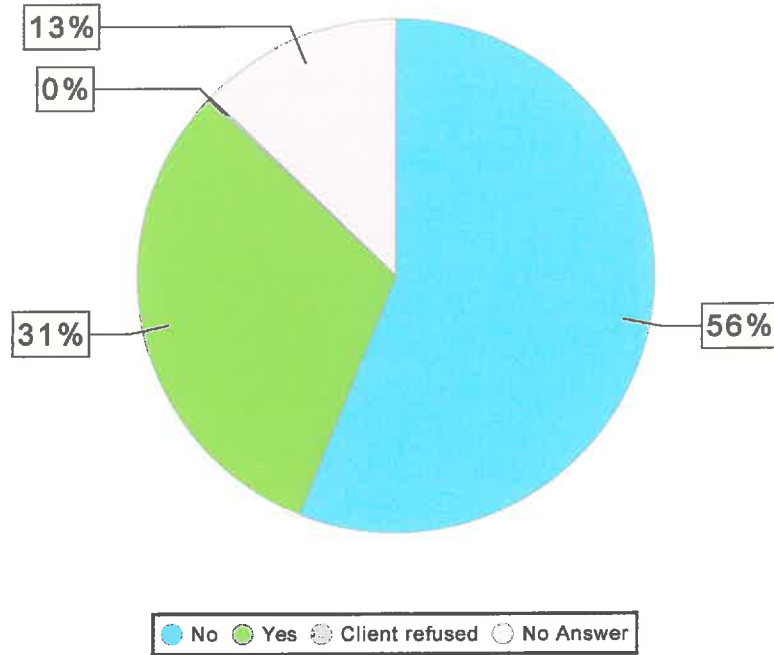


HIV/AIDS	# of Clients
No	291
Yes	0
Client doesn't know	1
Client refused	1
No Answer	274
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Mental Health Problem Chart

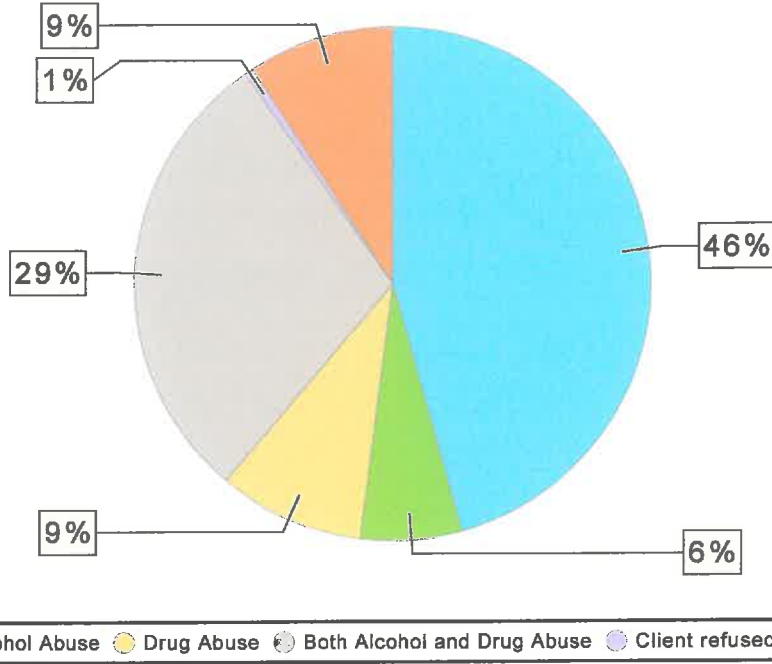


Mental Health Problem	# of Clients
No	318
Yes	176
Client doesn't know	0
Client refused	1
No Answer	72
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Substance Abuse Chart

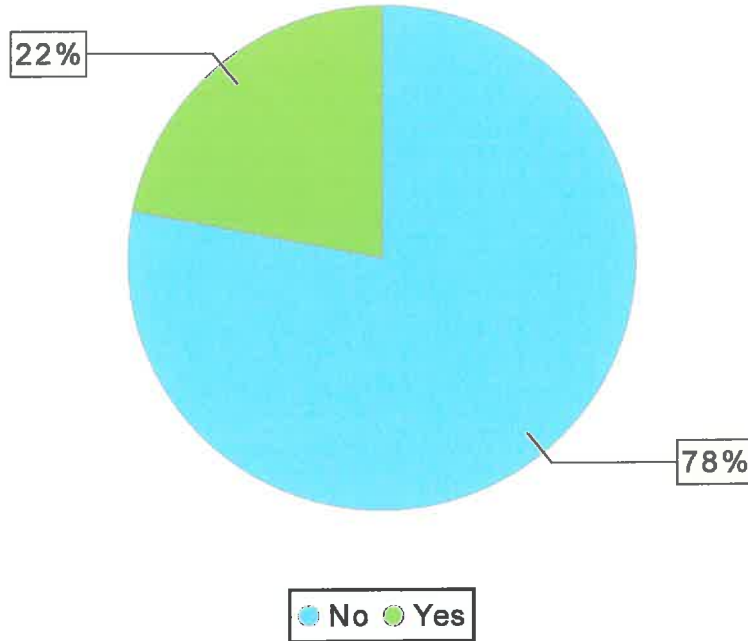


Substance Abuse	# of Clients
No	259
Alcohol Abuse	36
Drug Abuse	52
Both Alcohol and Drug Abuse	165
Client doesn't know	0
Client refused	3
No Answer	52
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Chronic Homeless Demographic (Adults & HoHH) Chart



Chronic Homeless (Adults & HoH)	# of Clients
No	431
Yes	121
Client Entering From the Streets, ES, or Safe Haven	# of Clients
No	0
Yes	0
Approximate Date Started	# of Clients
365 Days or More	318
Less Than 365 Days	197
Missing	37
Not applicable	0
Times Homeless in the Past Three Years	# of Clients
One Time	267
Two Times	78
Three Times	81
Four or more times	88

Client Demographics Report

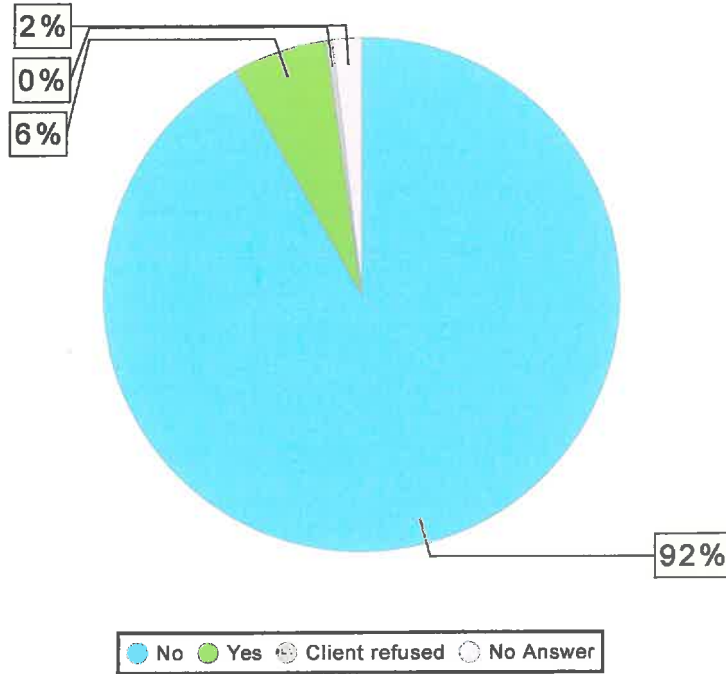
General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Times Homeless in the Past Three Years	# of Clients
Client doesn't know	7
Client refused	2
No Answer	29
Total Months Homeless in the Past Three years	# of Clients
One month (this time is the first month)	15
Two Months	7
Three Months	15
Four Months	11
Five Months	8
Six Months	26
Seven Months	12
Eight Months	8
Nine Months	8
Ten Months	13
Eleven Months	2
Twelve Months	9
More than 12 Months	374
Client doesn't know	8
Client refused	2
No Answer	34
Not Applicable	0
Total:	552

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Veteran Status - Adults Only

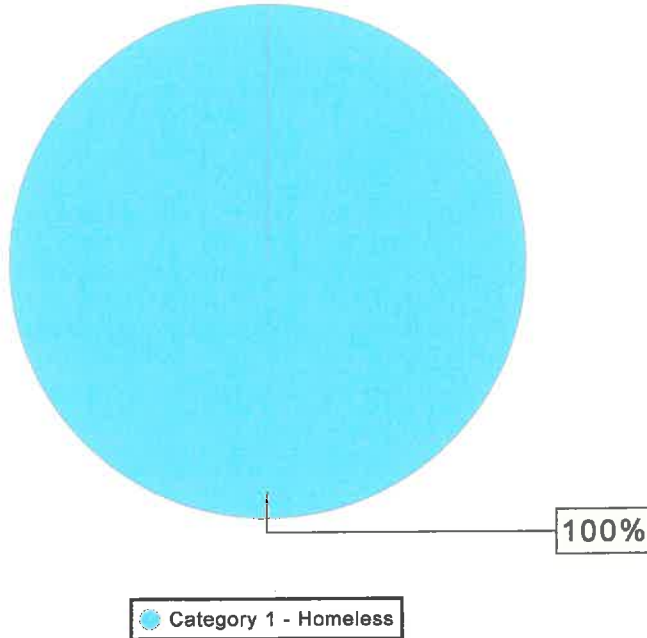


Veteran Demographic	# of Clients
No	499
Yes	32
Client doesn't know	0
Client refused	2
No Answer	10
Total:	543

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Housing Status Chart

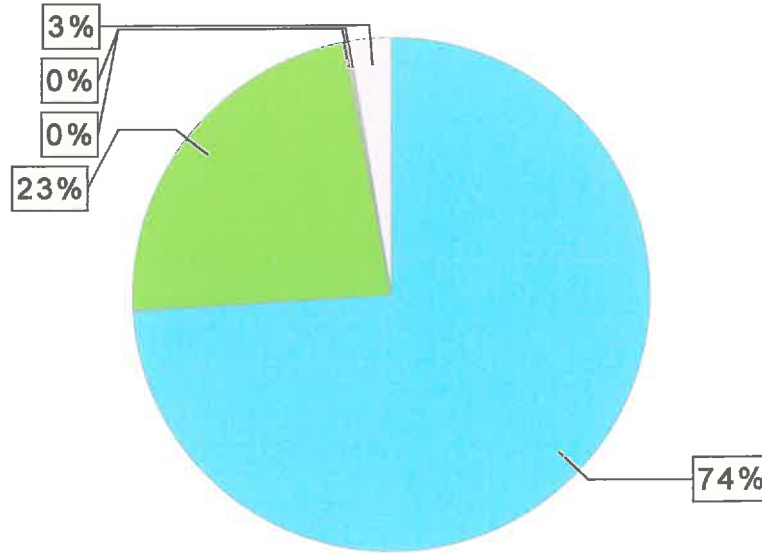


Housing Status Demographic	# of Clients
Category 1 - Homeless	567
Category 2 - At Imminent risk of losing housing	0
Category 3 - Homeless only under other federal statutes	0
Category 4 - Fleeing domestic violence	0
At-risk of homelessness	0
Stably housed	0
Client doesn't know	0
Client refused	0
No Answer	0
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Hispanic Ethnicity Demographic



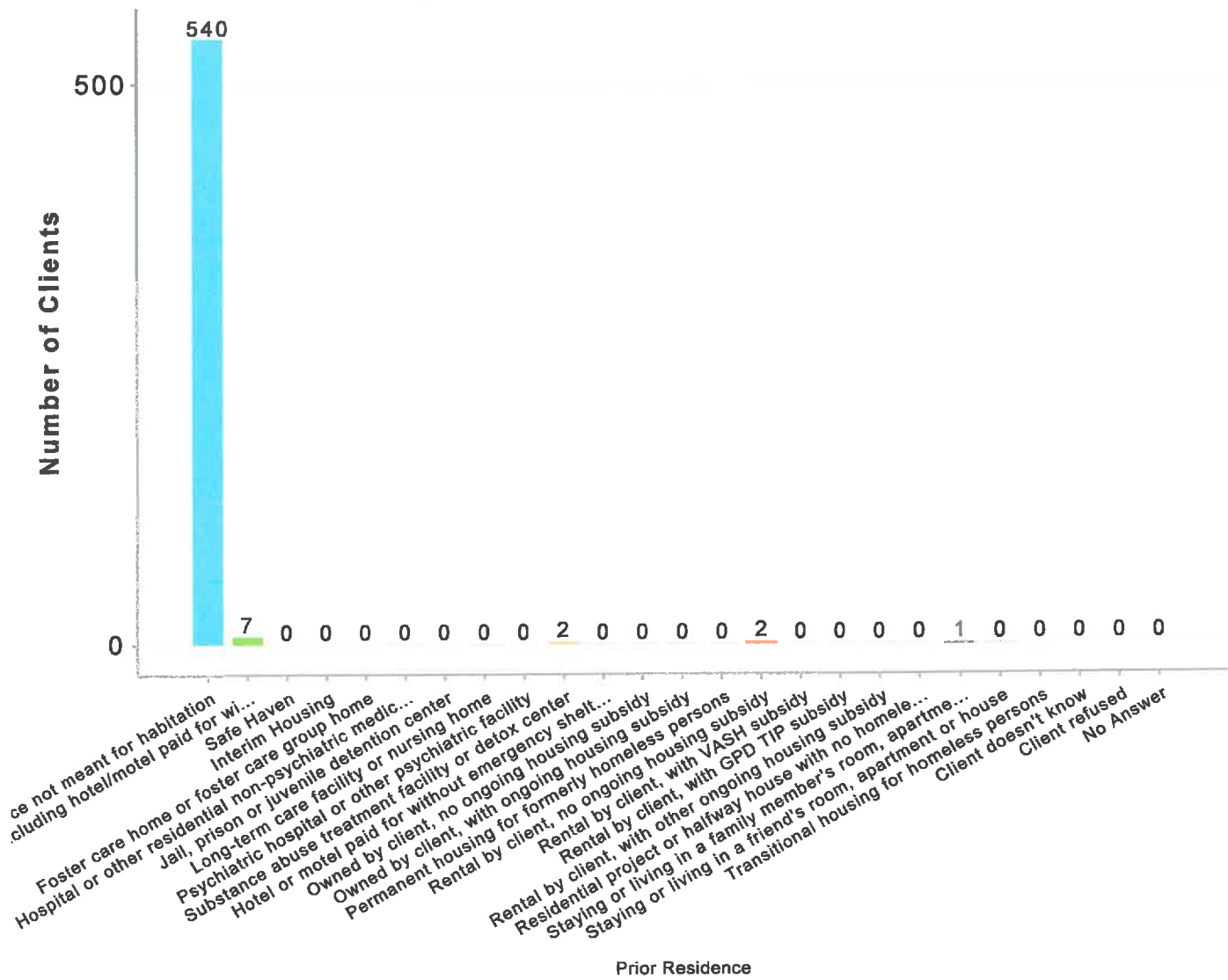
● Non-Hispanic/Non-Latino
 ● Hispanic/Latino
 ● Client doesn't know
 ● Client refused
 ● No Answer

Hispanic Ethnicity Demographic	# of Clients
Non-Hispanic/Non-Latino	420
Hispanic/Latino	130
Client doesn't know	1
Client refused	1
No Answer	15
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Prior Living Situation (Adults & HoHH) Chart



■ Place not meant for habitation	■ Emergency Shelter, including hotel/motel paid for with voucher	■ Safe Haven	■ Interim Housing
■ Foster care home or foster care group home	■ Hospital or other residential non-psychiatric medical facility		
■ Jail, prison or juvenile detention center	■ Long-term care facility or nursing home	■ Psychiatric hospital or other psychiatric facility	
■ Substance abuse treatment facility or detox center	■ Hotel or motel paid for without emergency shelter voucher		
■ Owned by client, no ongoing housing subsidy	■ Owned by client, with ongoing housing subsidy		
■ Permanent housing for formerly homeless persons	■ Rental by client, no ongoing housing subsidy		
■ Rental by client, with VASH subsidy	■ Rental by client, with GPD TIP subsidy	■ Rental by client, with other ongoing housing subsidy	
■ Residential project or halfway house with no homeless criteria	■ Staying or living in a family member's room, apartment or house		
■ Staying or living in a friend's room, apartment or house	■ Transitional housing for homeless persons	■ Client doesn't know	
■ Client refused	■ No Answer		

Client Demographics Report

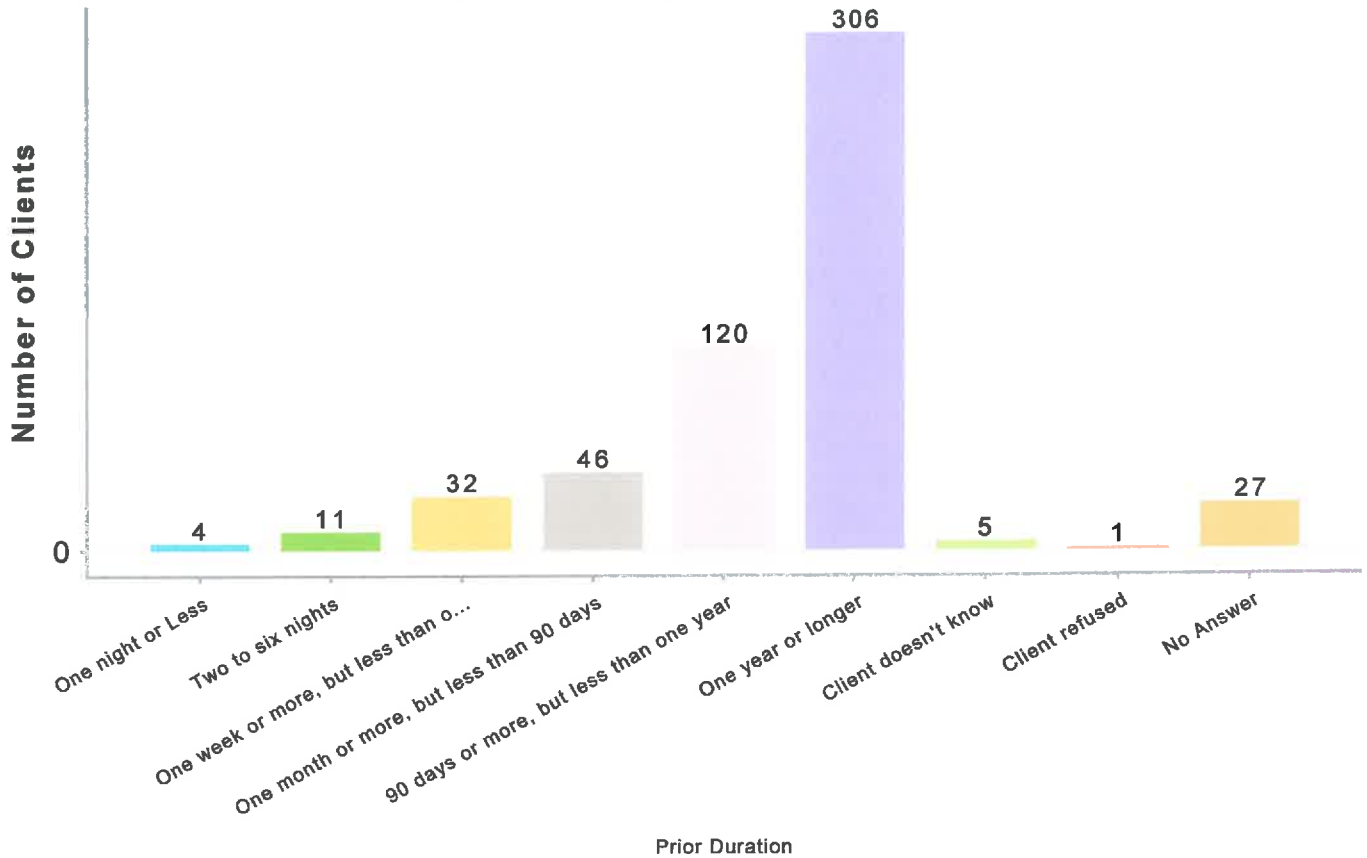
General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Prior Living Situation (Adults & HoHH)	# of Clients
Place not meant for habitation	540
Emergency Shelter, including hotel/motel paid for with voucher	7
Safe Haven	0
Interim Housing	0
Foster care home or foster care group home	0
Hospital or other residential non-psychiatric medical facility	0
Jail, prison or juvenile detention center	0
Long-term care facility or nursing home	0
Psychiatric hospital or other psychiatric facility	0
Substance abuse treatment facility or detox center	2
Hotel or motel paid for without emergency shelter voucher	0
Owned by client, no ongoing housing subsidy	0
Owned by client, with ongoing housing subsidy	0
Permanent housing for formerly homeless persons	0
Rental by client, no ongoing housing subsidy	2
Rental by client, with VASH subsidy	0
Rental by client, with GPD TIP subsidy	0
Rental by client, with other ongoing housing subsidy	0
Residential project or halfway house with no homeless criteria	0
Staying or living in a family member's room, apartment or house	1
Staying or living in a friend's room, apartment or house	0
Transitional housing for homeless persons	0
Client doesn't know	0
Client refused	0
No Answer	0
Total:	552

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Prior Living Duration (Adults & HoHH) Chart



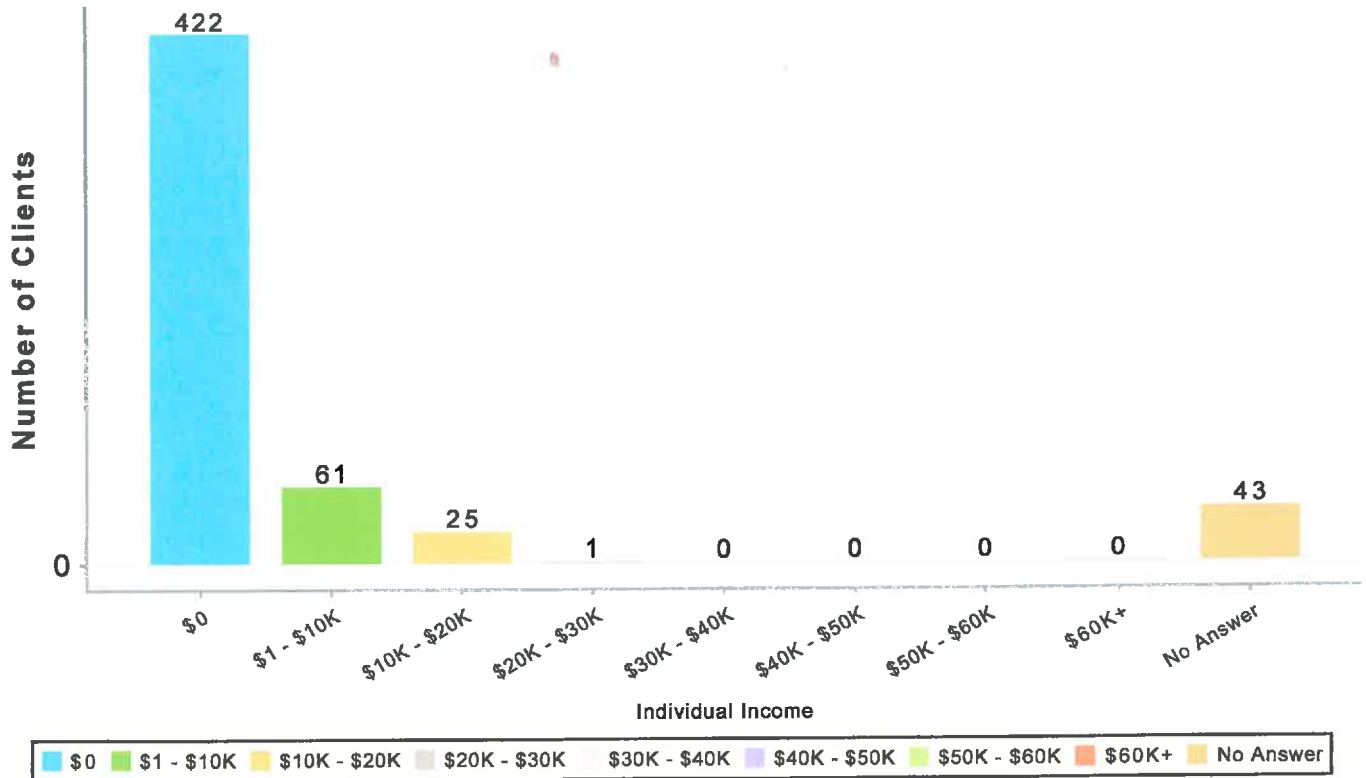
■ One night or Less
 ■ Two to six nights
 ■ One week or more, but less than one month
 ■ One month or more, but less than 90 days
 ■ 90 days or more, but less than one year
 ■ One year or longer
 ■ Client doesn't know
 ■ Client refused
 ■ No Answer

Prior Living Duration (Adults & HoHH)	# of Clients
One night or Less	4
Two to six nights	11
One week or more, but less than one month	32
One month or more, but less than 90 days	46
90 days or more, but less than one year	120
One year or longer	306
Client doesn't know	5
Client refused	1
No Answer	27
Total:	552

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Individual Income (Adults & HoHH) Chart

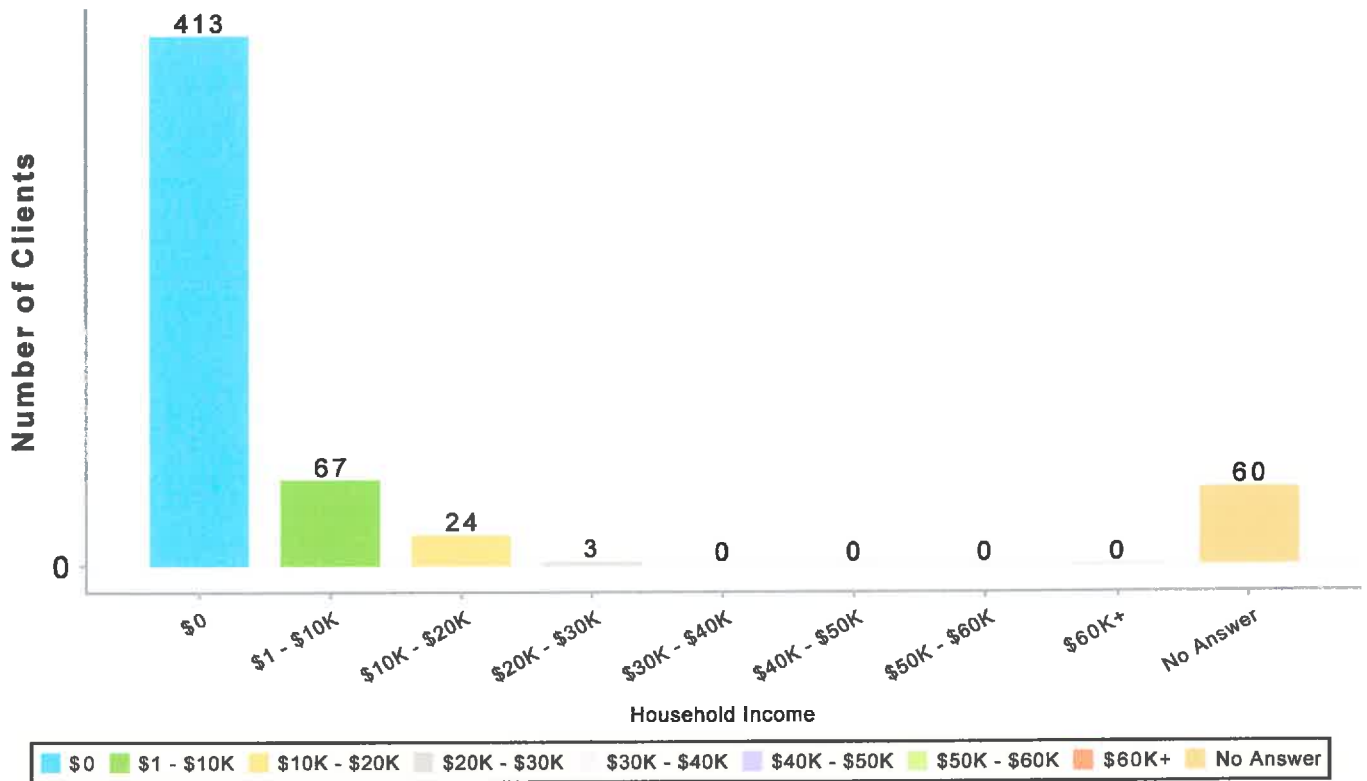


Individual Income (Adults & HoHH)	# of Clients
\$0	422
\$1 - \$10K	61
\$10K - \$20K	25
\$20K - \$30K	1
\$30K - \$40K	0
\$40K - \$50K	0
\$50K - \$60K	0
\$60K+	0
No Answer	43
Total:	552

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

Household Income Chart

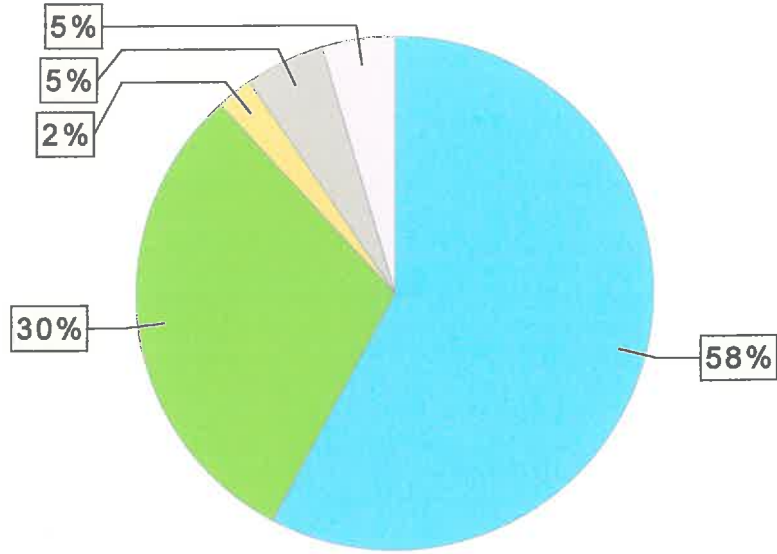


Household Income	# of Clients
\$0	413
\$1 - \$10K	67
\$10K - \$20K	24
\$20K - \$30K	3
\$30K - \$40K	0
\$40K - \$50K	0
\$50K - \$60K	0
\$60K+	0
No Answer	60
Total:	567

Client Demographics Report

General street outreach
 Date Range: 01/02/2017 AND 01/31/2017
 Housing: All
 Veteran: All
 Client Project Stays: All active

SSN Validity Chart



● Full SSN Reported
 ● Approximate or partial SSN reported
 ● Client doesn't know
 ● Client refused
 ● No Answer

SSN Validity	# of Clients
Full SSN Reported	328
Approximate or partial SSN reported	172
Client doesn't know	13
Client refused	28
No Answer	26
Total:	567

Client Demographics Report

General street outreach
Date Range: 01/02/2017 AND 01/31/2017
Housing: All
Veteran: All
Client Project Stays: All active

Programs

Street Outreach

Street Outreach

Other data points:

- 567 individual surveys were completed in San Joaquin County during the point-in-time count. Not all demographic categories add to 567, because answers in some categories were not recorded on all surveys.
- 55% (311) of the unsheltered homeless surveyed were in Stockton. Totals for the other cities in which surveys were administered are: Lodi, 16% (88); Manteca, 14% (78); Tracy, 16% (90).

Analysis: Comparing the 2017 count to previous counts

The 2017 Point-in-Time Unsheltered Homeless Count records a small increase in the unsheltered homeless population compared to the 2015 count. In 2017, 567 unsheltered homeless individuals were counted, while 535 were counted in 2015. There were 263 counted in 2013, and 247 counted in 2011. The rise between 2013 and 2015 is likely due to a substantially more robust count effort.

The increase from 2015 to 2017 could also be attributed to a more robust count effort. However, improved methods of identifying who meets the definition of “unsheltered homeless” could have offset the larger reach of the 2017 count, therefore indicating a true rise in the number of unsheltered homeless individuals San Joaquin County. It is not possible to accurately estimate to what extent these numbers are influenced by methodology alone.

As in previous counts, the 2017 count found that the highest concentration of unsheltered homeless in San Joaquin County live in Stockton. However, the percentage of unsheltered homeless in Stockton rose significantly from 2015 to 2017, from 43% of those counted to 55% of those counted. This suggests that more of the unsheltered homeless are gravitating to Stockton.

The numbers of unsheltered homeless in Lodi and Manteca were relatively unchanged from the 2015 count. Lodi’s numbers from 2015 to 2017 decreased by 2 people (91 to 89), while Manteca’s declined by 12 people (90 to 78). Tracy’s homeless population shrunk by 54 individuals (144 to 90). However, the dramatic decrease in Tracy could be attributable to improvements in how “unsheltered homeless” was determined in the Tracy count specifically, rather than revealing a true decrease in the number of unsheltered homeless individuals.

There were far fewer military veterans counted in 2017 than in 2015. The population shrunk from 13% of the counted unsheltered homeless in 2015 (61 veterans) to 6% in 2017 (32 veterans). The two years between counts has seen an increase in the availability of housing subsidies for unsheltered homeless veterans. This availability of resources could be the reason for the decline in unsheltered homeless veterans being counted in 2017.

The number of individuals reporting a mental health impairment rose from 23% (124) in 2015 to 31% (176) in 2017, indicating a significant percentage of those on the streets recognize they have a mental health problem.

Numbers comparing alcohol and substance use between the 2017 and 2015 surveys are not comparable, because the language of the survey was changed to provide more specific data regarding alcohol and substance use. However, the self-reported results of the 2017 survey, with 45% of respondents identifying an alcohol or substance use problem, is consistent with the anecdotal experience of outreach workers.

Conclusion: What to make of the 2017 Point-in-Time Unsheltered Homeless Count

The 2017 Point-in-Time Unsheltered Homeless Count demonstrates that homelessness remains a significant issue throughout San Joaquin County. Survey results indicate that most of the people on the streets have been there for more than one year, confirming anecdotal experience of service providers that those experiencing homelessness in San Joaquin County are often on the streets for long periods of time, which makes it more difficult for them to become housed.

Those on the streets face significant barriers to obtaining housing in addition to the length of time they have spent homeless. External barriers include the lack of emergency shelter space that will accommodate them, and a lack of housing that is affordable to those with no or extremely low income. Internal barriers include a lack of income, lack of recent rental and housing history, health problems that include mental health challenges, and issues with drugs and alcohol.

Furthermore, large segments of the population are not adequately served by existing resources. Federal and state programs that help house the homeless focus on military veterans, families with children, and the chronically homeless. As evidenced by the 2017 survey results, a significant majority of the unsheltered homeless population falls outside of those categories, making it even harder for the unsheltered homeless to obtain housing.

Even those who qualify for existing resources face difficulty in achieving housing stability, as those resources are limited. Emergency homeless shelters routinely operate at or above capacity, and there are no shelters for single individuals in Manteca or Tracy. Transitional housing programs for the homeless have seen their funding shrink or disappear altogether. Programs that help homeless households obtain permanent housing through federal funding are mostly restricted to serving families with children and those who are chronically homeless. Continued upward pressure on rents in San Joaquin County have priced out many households with limited income, including those who receive subsidies for their housing (this impacts not only homeless households, but lower income households in general).

The intractable nature of these housing barriers and the entrenched characteristics of homelessness revealed by the 2017 point-in-time count suggest that a comprehensive response to homelessness in San Joaquin County will require large investments in time, energy, and financial resources.

Local investments should focus on supplying housing that is affordable for those with no or extremely low income, increasing the supply of housing for those with limited incomes in general, providing support services to those who are homeless, continuing support services for those who are exiting homelessness, providing adequate shelter capacity and variety, broadening the population that can be served through existing programs, and expanding or creating new programs to address the gap in resources and services.

These conclusions agree with findings of the San Joaquin County Homelessness Task Force and best practices as described by the federal Housing and Urban Development Department and U.S. Interagency Council on Homelessness.

ⁱ **“Unsheltered homeless”**: A person who is living on the street, in a tent, in a vehicle, under an overpass or bridge, in a condemned building, or in another place unfit for human habitation. This term is defined by the federal department of Housing and Urban Development.

ⁱⁱ **Participating agencies include**: Allies-Soars, Behavioral Health Services of San Joaquin County, Calvary Church of Manteca, Catholic Charities, Central Valley Low Income Housing Corp., City of Lodi, City of Manteca, City of Stockton, Community Development Department of San Joaquin County, Community Medical Centers, Department of Motor Vehicles, Dignity Health, Gospel Center Rescue Mission, Haven of Peace, Hope Ministries, Helping Paws, Housing Authority of the County of San Joaquin, Human Services Agency of San Joaquin County, Lodi Police Department, Love Inc., Manteca Gospel Rescue Mission, Manteca Police Department, McHenry House Family Shelter, New Heart Church of Tracy, the Office of Assemblywoman Susan Eggman, the Office of State Sen. Cathleen Galgiani, P.A.T.H., Ready to Work, Salvation Army of Lodi, Sheriff’s Office of San Joaquin County, Stockton 209 Cares, St. Mary’s Dining Room, Stockton Police Department, Stockton Shelter for the Homeless, Tracy Community Connection Center, Tracy Interfaith Ministries, Tracy Police Department, Veterans Affairs Department, Westcare, Women’s Center-Youth & Family Services.

ⁱⁱⁱ **“Chronic homelessness”**: A condition in which a person has a diagnosed disabling condition (such as a physical disability, mental health disability, developmental disability, or substance abuse), **and** has been literally homeless continually for more than 12 months **or** has had at least four separate episodes of homelessness in the past three years that total more than 12 months. This term is defined by the federal department of Housing and Urban Development.

^{iv} **“Extremely low income”**: A household that earns less than 30% of the Area Median Income for its household size. This term is defined by the federal department of Housing and Urban Development.

HOMELESS EMERGENCY AID PROGRAM (HEAP)

Program Guidance



Edmund G. Brown Jr., Governor
Secretary Alexis Podesta, Council Chair
Ginny Puddefoot, Executive Officer

August 7, 2018



**Homeless Emergency Aid Program (HEAP) Grant
Program Guidance – August 2018**

The California Homeless Coordinating and Financing Council (HCFC) is pleased to announce the launch of the Homeless Emergency Aid Program (HEAP). HEAP is a \$500 million block grant program designed to provide direct assistance to cities and counties to address the homelessness crisis throughout California. HEAP is authorized by Senate Bill (SB) 850, which was signed into law by Governor Brown in June 2018. This overview provides a program timeline with key milestones and delineates when stakeholders may expect program deliverables.

Available Funding

HEAP funding is divided into three categories for distribution.

Category for Distribution	Funded Amount	Eligible Applicants
Continuum of Care – Based on Point in Time Count Ranges [SB 850: Section 2, Chapter 5, 50213 (a)]	\$250,000,000	Continuum of Care (CoC)
Continuum of Care – Based on Percent of Homeless Population [SB 850: Section 2, Chapter 5, 50213 (b)]	\$100,000,000	Continuum of Care (CoC)
City / City that is also a County – Based on Population [SB 850: Section 2, Chapter 5, 50213 (c)]	\$150,000,000	Large Cities (LCs) with a population over 330,000

Eligible Uses

HEAP funds are intended to provide funding to Continuums of Care (COCs) and large cities (LCs) with populations over 330,000, so they may provide immediate emergency assistance to people experiencing homelessness. Eligible uses include, but are not limited to the following:

- a. Homelessness prevention activities,
- b. Criminal justice diversion programs for homeless individuals with mental health needs,
- c. Establishing or expanding services meeting the needs of homeless youth or youth at risk of homelessness, and
- d. Emergency aid.

The parameters of the program are intentionally broad to allow local communities to be creative and craft programs that meet the specific needs they have identified. All activities must directly benefit the target population.

Expenditure Deadlines

The HEAP statute mandates that 50 percent of the awarded funds must be contractually obligated by January 1, 2020. Additionally, 100 percent of the funds must be expended by June 30, 2021. Unexpended funds must be returned to the Business, Consumer Services and Housing Agency (BCSH) and will revert to the General Fund. Finally, administrative costs are

capped at five percent of program funds, but this does not include staff costs directly related to carrying out program activities.

Eligible Applicants

For the HEAP program, an Administrative Entity (AE) is the CoC. The CoC is the eligible applicant for HEAP funding for the same geographic boundaries for which it administers federal Department of Housing and Urban Development CoC funds. LCs with populations over 330,000 are also eligible applicants. Please refer to the California Department of Finance [website](#) for population estimates. LC grant applicants will enter into a contract with BCSH and administer their own funds separately, however, they will still be expected to collaborate with their CoC.

Shelter Crisis Declaration

The shelter crisis declaration is required for all cities and counties within a CoC that wish to receive HEAP funds, except for CoCs with fewer than 1,000 homeless people, based on the 2017 Point in Time count. Each incorporated city must declare a shelter crisis pursuant to Chapter 7.8 (commencing with Section 8698) of Division 1 of Title 2 of the Government Code. Counties may declare a shelter crisis only for the unincorporated areas of the county. The declaration is a resolution that must be adopted by the governing body of a jurisdiction or jurisdictions within a CoC or LC. A sample resolution has been provided (see attachment A). If a CoC has fewer than 1,000 homeless people, they may submit with their application a waiver exempting all cities and the counties that are part of the CoC from declaring a shelter crisis.

Pre-Application Program Timeline

Beginning in early August, the HEAP team will begin the distribution of key program information and documents. These pre-application materials will help inform the local collaborative process and assist stakeholders as they plan their applications.

Program Guidance, Timeline, Sample Shelter Crisis Resolution, Funding Allocations	
August 3, 2018	The guidance document includes a program timeline, sample resolution and funding allocation spreadsheet.
HEAP Frequently Asked Questions	
August 10, 2018	The FAQs will be updated on a regular basis on the HCFC website: http://www.bcsb.ca.gov/hcfc/
Sample Application and Instructions	
August 17, 2018	An application map will be released in advance of the HEAP Notice of Funding Availability (NOFA). The map will track to the application. The map, once completed will make the application process seamless.
August 20, 2018	Application instructions will be distributed along with the sample application.
Workshops/Webinars - Application Training Documents	
August 13 – Ongoing	Outreach and technical assistance will be conducted by the HEAP team. A detailed schedule will be posted on the HCFC website at a later date.

Application Timeline

Applications will be accepted immediately upon release of the Round 1 Notice of Funding Availability (NOFA) beginning on September 5, 2018. The Round 2 NOFA is planned for release on February 15, 2019. If, after the second round of awards, not all funds have been

claimed by all administrative entities, the BCSH shall, no later than June 15, 2019, work with the Department of Finance to identify an appropriate allocation methodology for a third round of awards or determine if any unallocated funds should revert to the General Fund.

Round 1	
NOFA Release	September 5, 2018
Early Applications Reviews Start***	Starting in September 2018
Early Applications Awarded	Starting in September 2018
Early Distribution of Funds Begins	Starting in late October 2018
Round 1 Application Cut-off Date	No later than December 31, 2018
Standard Applications Awarded	No later than January 2019
Standard Distribution of Funds Begins	April 2019
Round 2	
NOFA Release	February 15, 2019
Early Applications Reviews Start***	Starting in February 2019
Early Applications Awarded	Starting in February 2019
Early Distribution of Funds Begins	Starting in late March 2019
Round 2 Application Cut-off Date	No later than April 30, 2019
Standard Applications Awarded	No later than May 2019
Standard Distribution of Funds Begins	July 2019

***The HEAP team, recognizing the urgent need in cities and counties, encourages early applications and will review applications, make award decisions, and disburse funds on a rolling basis, immediately upon receipt.

Application Process

HEAP applications will be received through an online portal, with supporting attachments submitted via email. There are separate applications for CoCs and LCs. The applicant (CoC or LC) must submit with the application proof that a resolution declaring a shelter crisis has been approved for all jurisdictions receiving funds. Applicants must conduct a local collaborative application process to determine how HEAP funds will be utilized in the CoC or LC. The submitting entity must also demonstrate coordination with stakeholders, including but not limited to, homeless service and housing providers, law enforcement, cities, and homeless advocates whose general service area falls within the CoC or LC. The CoC or LC in turn may make sub-awards to entities it determines are qualified to carry out the eligible activities and operate within areas with approved shelter crisis status.

Special Notes

Collaboration

CoCs and LCs must demonstrate that a local collaborative effort has been conducted prior to application submission. A collaborative process may include, but is not limited to, a public meeting, regional homeless taskforce meeting, letters of support with signatures of endorsement, an adopted homeless plan, and an adopted budget which includes HEAP funds. Proof of a public process may include sign-in sheets, meeting minutes, agendas, and public comment logs, among other items. It is important that a wide enough range of participants are consulted as part of this process. Participants should include representatives of local homeless

service provider entities, law enforcement, behavioral health, and city and county public officials.

Homeless Youth

The HEAP statute requires a minimum investment of five percent of all awards be set aside for emergency assistance for homeless youth. The HEAP team encourages and expects local CoCs and LCs to work with youth advocates and related stakeholders to consider the level of investment that makes sense for this most vulnerable segment of the target population.

Contact the Program

The HCFC will be providing ongoing technical assistance and training to support CoCs and LCs in successfully applying for and administering HEAP funds. Additional information regarding the HEAP program is available on the HCFC [website](#). To receive information releases regarding the HEAP program, please register for the program [listserv](#). If you have questions, please direct them to the HCFC inbox at HCFC@BCSH.ca.gov.

RESOLUTION 2018-_____

DECLARING A SHELTER CRISIS PURSUANT TO GOVERNMENT CODE SECTION 8698
ET SEQ. TO ESTABLISH ELIGIBILITY FOR HOMELESS EMERGENCY AID PROGRAM GRANT
FUNDS AS REQUIRED BY SENATE BILL 850

WHEREAS, This proposal was originally presented to Council on September 4, 2018, and Council chose not to declare an Emergency Homeless Shelter Crisis, and

WHEREAS, On September 18, 2018, under Council Items, Council Member Ransom made a request to have Adam Cheshire, from San Joaquin County, provide Council with a presentation and County perspective regarding a reconsideration of declaring an Emergency Homeless Shelter Crisis for the City of Tracy. Council Member Young supported the request, and

WHEREAS, California's Governor Edmund G. Brown, Jr. and the members of the California Legislature have recognized the urgent and immediate need for funding at the local level to combat homelessness, and

WHEREAS, The Governor and Legislature have provided funding to local governments under the Homeless Emergency Aid Program as part of Senate Bill 850 (SB 850) and the 2018-19 Budget Act (Chapter 48, Statutes of 2018), and

WHEREAS, The Governor and Legislature require jurisdictions seeking an allocation through the Homeless Emergency Aid Program to declare a Shelter Crisis pursuant to Government Code §8698.2, and

WHEREAS, The City's Police Department and Code Enforcement personnel have undertaken multiple efforts at the local level to combat homelessness, and

WHEREAS, Local organizations and stakeholders have also undertaken efforts to address homelessness in the City, and

WHEREAS, The City finds that 90 persons within the City of Tracy are homeless and living without shelter, and

WHEREAS, The City finds that the number of homeless is significant, and these persons are without the ability to obtain shelter, and

WHEREAS, The City of Tracy finds that the health and safety of unsheltered persons in the City is threatened by a lack of shelter, and

WHEREAS, The City affirms its commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our communities;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy declares that a shelter crisis pursuant to Government Code §8698.2 exists in the City of Tracy, and authorizes the City's participation in the Homeless Emergency Aid Program.

* * * * *

The foregoing Resolution 2018-_____ was passed and adopted by the Tracy City Council on the 2nd day of October, 2018, 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 APPROVE AN AMENDMENT TO THE CITYWIDE STORM DRAINAGE MASTER PLAN AND ADOPT STORM DRAINAGE IMPACT FEE STUDY AND NEW AND UPDATED FEES FOR THE EXPANDED NORTHEAST INDUSTRIAL AREA OF THE CITY

EXECUTIVE SUMMARY

The City Council adopted the Citywide Storm Drainage Master Plan (Master Plan) in April 2013 and Supplement No.1 to the Master Plan and Storm Drainage Development Impact Fees for New Impact Fee Areas in January 2014. The City has also adopted new and updated Storm Drainage Impact Fees for Northeast Industrial Specific Plan (NEI) Phase 1 and NEI Phase 2 on a number of occasions, with the last update occurring in April 2008. This item requests Council approval of Supplement No.2 to the Master Plan to update facilities in the NEI area and Eastside Industrial Area and related Storm Drainage Development Impact Fees and fee programs.

Approval of Supplement No.2 to the Citywide Storm Drainage Master Plan and its accompanying Storm Drainage Impact Fee Study will amend the Citywide Storm Drainage Master Plan and Storm Drainage Development Impact fees applicable to the City's northeast area. The updated impact fees have been prepared in accordance with AB1600, and the applicable findings are provided in the Storm Drainage Impact Fee Study for the Expanded NEI Area and Eastside Industrial Area.

DISCUSSION

Supplement No.2 to the Citywide Storm Drainage Master Plan will serve to redefine master plan storm drainage infrastructure for the northeast area of the City and consolidate and redefine the existing and new development constituents that will utilize the storm drainage infrastructure. This redefining process will serve to consolidate the existing Phase 1, Phase 2, and any Future Phases of the Northeast Industrial Impact Fee Area, the Eastside Industrial Impact Fee Area, and the Chrisman & East UR1 Impact Fee Area into two constituent areas (a new Expanded Northeast Impact Fee Area and a redefined Eastside Industrial Impact Fee Area).

The primary motivating factors for these updates include the following:

- 1) Re-locating the proposed location for Detention Basin NEI (DET NEI) from a parcel immediately adjacent to the south side of I-205 to a parcel on the south side of E. Pescadero Avenue to set it back from the I-205 corridor in this area.
- 2) Re-defining the remaining storm drainage infrastructure required to serve the northeast area of the City to reflect the new location of DET NEI.

- 3) Re-calculating certain costs and future permitting required to implement the storm drainage infrastructure plan and expediting the de-commissioning of several existing temporary retention basins in this area.
- 4) Re-calculating the Storm Drainage Development Impact Fees for this area to reflect the storm drainage infrastructure plan changes, bring the programs current with respect to the extent of new development areas that remain, and provide a consolidation of existing impact fee programs serving this area.

Proposed master plan storm drainage infrastructure changes associated with Supplement No.2 to the Citywide Storm Drainage Master Plan include the following:

- DET NEI has been relocated to the south side Pescadero Avenue, away from I-205.
- Outflow discharge from DET NEI has been increased from 10 cubic feet per second (cfs) to 16 cfs.
- Outflow alignment for DET NEI has been moved from Arbor Avenue to Pescadero Avenue.
- Pipe crossing of I-205 has been eliminated.
- Large culvert crossings of Pescadero Avenue and an irrigation district (ID) canal have been deleted.
- Storage volume for DET NEI has been reduced significantly.
- Undeveloped property to the north of DET NEI now will drain to DET 16, then to DET NEI.
- DET 16 discharge to DET NEI may now occur whenever needed.
- Storage volume for DET NEI has been reduced significantly.
- Storage volume for DET 16 has been increased slightly.
- Upstream DET E55 has been added.
- Outflow pipe from south area has been reduced from 60" storm drain pipe (SD) to 18" SD.
- Greenbelt parkways in Eastside Industrial have been deleted as they are not needed for drainage.
- 24" SD segment on south side of Home Depot warehouse has been deleted.
- DET 13 storage and outflow values have changed and outfall pipe sizes along Arbor Avenue have been reduced.

- Recently constructed facilities are now shown as “existing.”
- Impact Fee Areas have been consolidated.

Storm drainage planning information from the existing Citywide Storm Drainage Master Plan is shown for the northeast area on attached Attachment A. Proposed revisions to the master plan are shown on attached Attachment B.

New proposed Storm Drainage Development Impact Fees resulting from the above changes and comparisons with existing fees are provided in Tables 1, 2, 3, and 4 below and on the following page and the supporting documentation is included in the updated Storm Drainage Impact Fee Study for the Expanded NEI Area and Eastside Industrial prepared by Harris and Associates.

Table 1
Proposed Fee Summary by Drainage Area

DESCRIPTION	WATERSHED FEE AMOUNT	EASTSIDE CHANNEL FEE	TOTAL IMPACT FEE*
Expanded NEI Area (Northeast Area)			
Residential - Very Low Density	\$ 2,743.42	\$ 232.55	\$ 2,975.97
Residential - Low Density	\$ 1,843.29	\$ 213.82	\$ 2,057.11
Residential - Medium Density (attached 2-4)	\$ 1,127.42	\$ 142.18	\$ 1,269.60
Residential - High Density (attached 4+)	\$ 1,042.26	\$ 127.85	\$ 1,170.11
Industrial	\$ 30,946.60	\$ 3,908.24	\$ 34,854.84
Commercial / Retail	\$ 30,946.60	\$ 3,908.24	\$ 34,854.84
Public Facilities	\$ 20,631.07	\$ 2,605.62	\$ 23,236.69
New Eastside Industrial Area			
Industrial	\$ 39,641.04	\$ 3,908.24	\$ 43,549.28
Commercial / Retail	\$ 39,641.04	\$ 3,908.24	\$ 43,549.28

* Residential Fees are shown per dwelling unit, Non-residential Fees are shown per acre

Table 2
Non-Residential Fee Comparison by Drainage Area

DESCRIPTION	PREVIOUS FEE AMOUNT	NEW FEE AMOUNT*	DELTA	PERCENT CHANGE
Expanded NEI Area (Previously NEI)				
NEI Phase I Industrial**	\$ 31,939.00	\$34,854.84	\$ 2,915.84	9%
NEI Phase II Industrial**	\$ 36,097.00	\$34,854.84	\$ (1,242.16)	-3%
Expanded NEI Area (Previously East Chrisman and UR-1)				
Industrial	\$ 31,612.00	\$34,854.84	\$ 3,242.84	10%
Commercial / Retail	\$ 31,612.00	\$34,854.84	\$ 3,242.84	10%
Public Facilities	N/A	\$23,236.69	N/A	N/A
Expanded NEI Area (Previously Eastside Industrial)				
Industrial	\$ 53,958.00	\$34,854.84	\$ (19,103.16)	-35%
Eastside Industrial (Previously Eastside Industrial)				
Industrial	\$ 53,958.00	\$43,549.28	\$ (10,408.72)	-19%
Commercial / Retail	\$ 53,958.00	\$43,549.28	\$ (10,408.72)	-19%

* Non-residential Fees are shown per acre

** NEI Fees were reduced in 2012 due to the economic downturn

**Table 3
 Residential Fee Comparison by Drainage Area**

DESCRIPTION	PREVIOUS FEE AMOUNT	NEW FEE AMOUNT*	DELTA	PERCENT CHANGE
Expanded NEI Area (Previously East Chrisman and UR-1)				
Residential - Very Low Density	\$ 1,877.00	\$ 2,975.97	\$ 1,098.97	59%
Residential - Low Density	\$ 1,733.00	\$ 2,057.11	\$ 324.11	19%
Residential - Medium Density (attached 2-4)	\$ 1,152.00	\$ 1,269.60	\$ 117.60	10%
Residential - High Density (attached 4+)	\$ 1,028.00	\$ 1,170.11	\$ 142.11	14%

* Residential Fees are shown per dwelling unit

**Table 4
 Eastside Channel Impact Fee**

DESCRIPTION	IMPACT FEE*
Eastside Channel	
Residential - Very Low Density	\$ 232.55
Residential - Low Density	\$ 213.82
Residential - Medium Density (attached 2-4)	\$ 142.18
Residential - High Density (attached 4+)	\$ 127.85
Industrial	\$3,908.24
Office	\$3,908.24
Retail	\$3,908.24
Public Facilities	\$2,605.62

* Residential Fees are shown per dwelling unit, Non-residential Fees are shown per acre

FISCAL IMPACT

Development Impact Fees are paid by the developers to fund 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 of the infrastructure cost estimates.

STRATEGIC PLAN

This agenda item is consistent with the City Council's Economic Development Strategy, to ensure physical infrastructure necessary for development are constructed.

RECOMMENDATION

That City Council conduct the public hearing, take public testimony, adopt and approve by resolution:

1. Supplement No.2 to the Citywide Storm Drainage Master Plan, and

2. Storm Drainage Development Impact Fee Study for the Expanded Northeast Industrial Area and Eastside Industrial and new and updated Storm Drainage Fees for these areas as set forth therein.

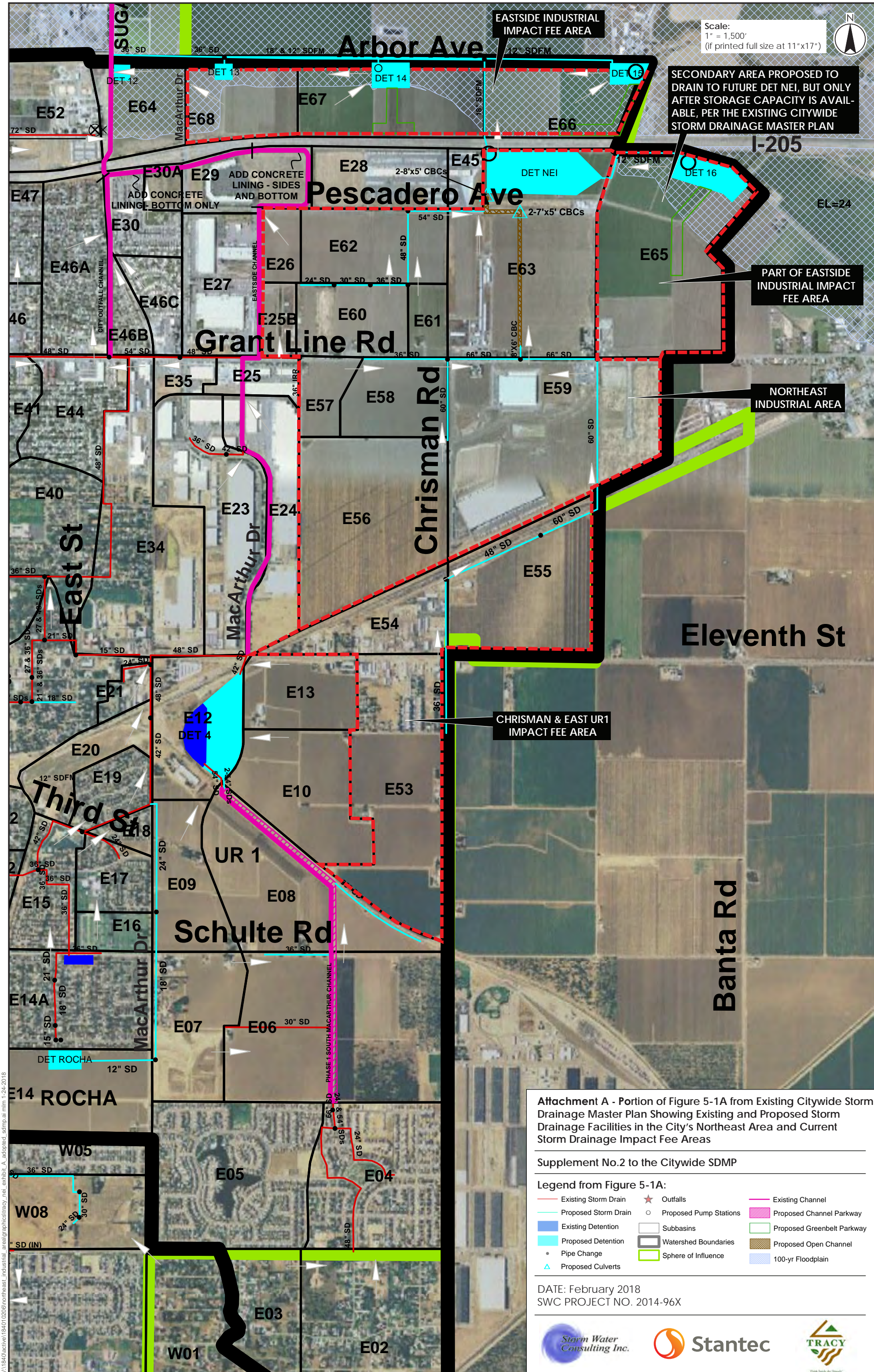
Prepared by: Robert Armijo, PE, City Engineer / Assistant Director of Development Services

Reviewed by: Andrew Malik, Development Services Director
Karin Schnaider, Finance Director
Midori Lichtwardt, Interim Assistant City Manager

Approved by: Randall Bradley, City Manager

ATTACHMENTS

- Attachment A – Existing Citywide Storm Drainage Master Plan Facilities – Northeast Area
- Attachment B – Proposed Revisions to the Existing Citywide Storm Drainage Master Plan
- Attachment C – Supplement No.2 to Citywide Storm Drainage Master Plan, Northeast Area of Sphere of Influence (Storm Water Consulting, Inc.)
- Attachment D – Storm Drainage Impact Fee Study, Expanded Northeast Industrial Area and Eastside Industrial (Harris & Associates)



Scale:
1" = 1,500'
(if printed full size at 11"x17")



SECONDARY AREA PROPOSED TO DRAIN TO FUTURE DET NEI, BUT ONLY AFTER STORAGE CAPACITY IS AVAILABLE, PER THE EXISTING CITYWIDE STORM DRAINAGE MASTER PLAN

PART OF EASTSIDE INDUSTRIAL IMPACT FEE AREA

NORTHEAST INDUSTRIAL AREA

CHRISMAN & EAST UR1 IMPACT FEE AREA

Attachment A - Portion of Figure 5-1A from Existing Citywide Storm Drainage Master Plan Showing Existing and Proposed Storm Drainage Facilities in the City's Northeast Area and Current Storm Drainage Impact Fee Areas

Supplement No.2 to the Citywide SDMP

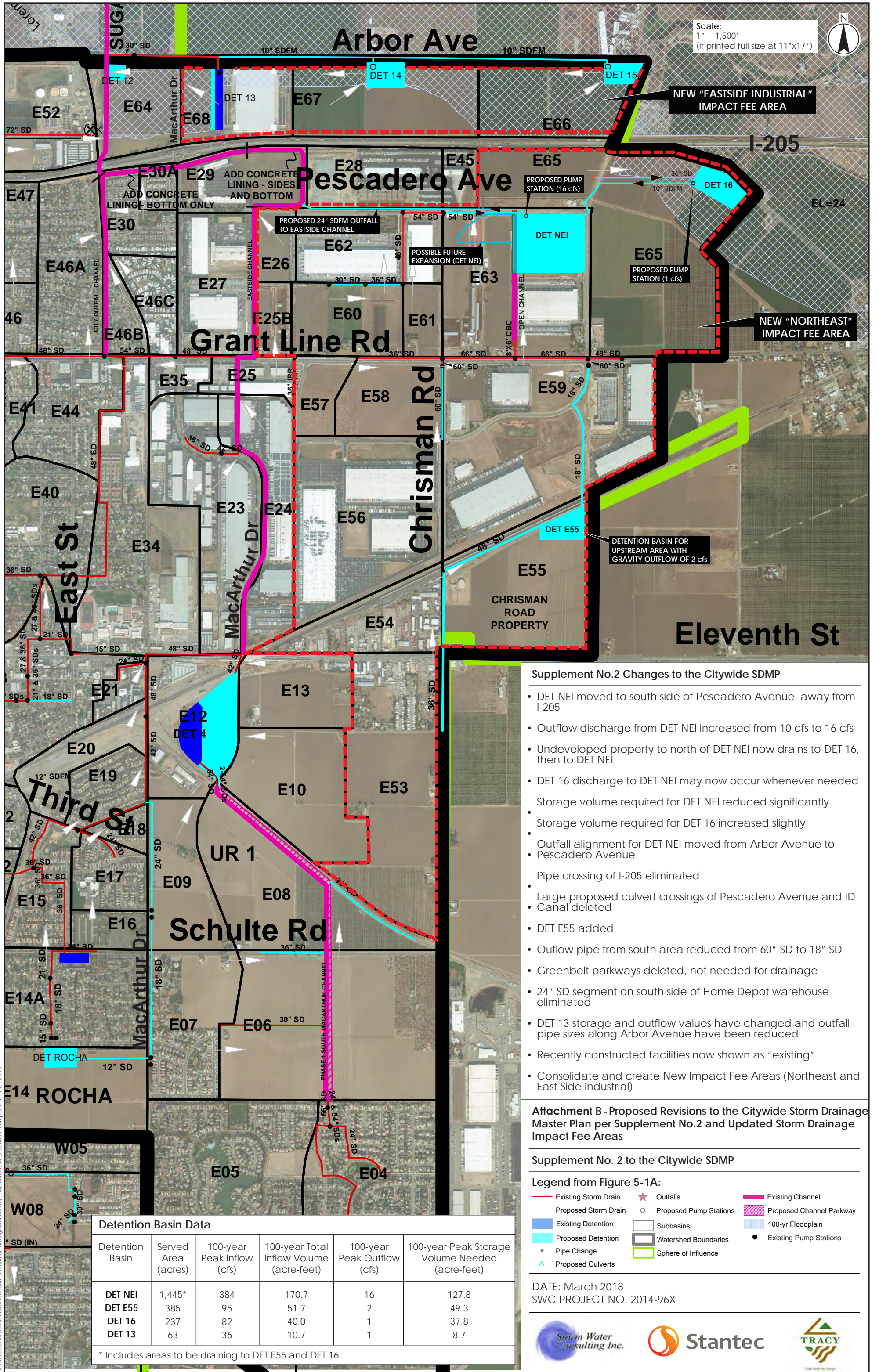
Legend from Figure 5-1A:

- Existing Storm Drain
- Proposed Storm Drain
- Existing Detention
- Proposed Detention
- Pipe Change
- Proposed Culverts
- Outfalls
- Proposed Pump Stations
- Subbasins
- Watershed Boundaries
- Sphere of Influence
- Existing Channel
- Proposed Channel Parkway
- Proposed Greenbelt Parkway
- Proposed Open Channel
- Proposed 100-yr Floodplain

DATE: February 2018
SWC PROJECT NO. 2014-96X



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- Supplement No.2 Changes to the Citywide SDMP**
- DET NEI moved to south side of Pescadero Avenue, away from I-205
 - Outflow discharge from DET NEI increased from 10 cfs to 16 cfs
 - Undeveloped property to north of DET NEI now drains to DET 16, then to DET NEI
 - DET 16 discharge to DET NEI may now occur whenever needed
 - Storage volume required for DET NEI reduced significantly
 - Storage volume required for DET 16 increased slightly
 - Outfall alignment for DET NEI moved from Arbor Avenue to Pescadero Avenue
 - Pipe crossing of I-205 eliminated
 - Large proposed culvert crossings of Pescadero Avenue and ID Canal deleted
 - DET E55 added
 - Outflow pipe from south area reduced from 60" SD to 18" SD
 - Greenbelt parkways deleted, not needed for drainage
 - 24" SD segment on south side of Home Depot warehouse eliminated
 - DET 13 storage and outflow values have changed and outfall pipe sizes along Arbor Avenue have been reduced
 - Recently constructed facilities now shown as "existing"
 - Consolidate and create New Impact Fee Areas (Northeast and East Side Industrial)

Attachment B - Proposed Revisions to the Citywide Storm Drainage Master Plan per Supplement No.2 and Updated Storm Drainage Impact Fee Areas

Supplement No. 2 to the Citywide SDMP

Legend from Figure 5-1A:

- Existing Storm Drain (Red line)
- Proposed Storm Drain (Cyan line)
- Existing Detention (Blue area)
- Proposed Detention (Light Blue area)
- DET ROCHA (Cyan area)
- Existing Channel (Pink line)
- Proposed Channel Parkway (Pink area)
- Outfalls (Red star)
- Proposed Pump Stations (Red circle)
- Subbasins (Black outline)
- Watershed Boundaries (Black outline)
- Sphere of Influence (Green outline)
- 100-yr Floodplain (Blue hatched area)
- Existing Pump Stations (Black circle)
- Pipe Change (Black dot)
- Proposed Culverts (Cyan triangle)

Detention Basin Data

Detention Basin	Served Area (acres)	100-year Peak Inflow (cfs)	100-year Total Inflow Volume (acre-feet)	100-year Peak Outflow (cfs)	100-year Peak Storage Volume Needed (acre-feet)
DET NEI	1,445*	384	170.7	16	127.8
DET E55	385	95	51.7	2	49.3
DET 16	237	82	40.0	1	37.8
DET 13	63	36	10.7	1	8.7

* Includes areas to be draining to DET E55 and DET 16

DATE: March 2018
 SWC PROJECT NO. 2014-96X



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**TECHNICAL MEMORANDUM (FINAL VERSION)**

Date: June 25, 2018

To: Robert Armijo, City Engineer

From: Jim Nelson

Subject: **Supplement No. 2 to Citywide Storm Drainage Master Plan
Northeast Area of Sphere of Influence**

SWC File: 2014-96X

This Technical Memorandum and its supporting exhibits, tables and attachments present Supplement No. 2 to the Citywide Storm Drainage Master Plan (SDMP) that was adopted by the Tracy City Council on April 16, 2013 by Resolution No. 2013-056. This supplement has been prepared to revise and update the storm drainage infrastructure plan for the northeast area of the City's Sphere of Influence; including the Northeast Industrial Area, the Eastside Industrial Area, and the Chrisman and East UR1 Area.

There are several motivating factors for revising and updating the storm drainage infrastructure plan for this area with some of the most important factors being:

- Moving the proposed location for Detention Basin NEI (DET NEI) from the contiguous south side of I-205 to a location further south (the south side of Pescadero Avenue) to set it back from the I-205 corridor in this area.
- Redefining the remaining storm drainage infrastructure required to serve this area and updating impact fees for all remaining new development constituents (impact fee analysis being provided concurrently by Harris & Associates).

Supplement No. 2 to Citywide Storm Drainage Master Plan (FINAL VERSION)

Northeast Area of Sphere of Influence

To: Robert Armijo, City Engineer

June 25, 2018

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- Improving opportunities to accelerate the construction of outfall measures that will serve this area to help facilitate the elimination of several existing temporary retention basins serving existing development and eliminate the need for temporary retention for several proposed development projects. Temporary retention basins have had widespread use as an interim storm drainage solution for existing and new development in this area of the City.

Proposed revisions and updates to the Citywide SDMP presented herein have been supported by additional hydrologic and hydraulic analyses, additional investigation of physical conditions and input from City staff.

Exhibit A is a portion of Figure 5-1A from the Citywide SDMP and depicts the area that needs to ultimately drain to DET NEI. The area to be served consists of the majority of the City's Northeast Industrial Area (excepting properties adjacent to the City's Eastside Channel that may discharge to the Eastside Channel directly), plus about 320 acres of land (including streets) located to the south of the Union Pacific Railroad that are topographically upslope from the Northeast Industrial Area (Citywide SDMP Sub-basins E53, E54, and E55), plus Sub-basin E65 to the east that is a part of the City's Eastside Industrial Area. In the Citywide SDMP, Sub-basin E65 is proposed to discharge to DET NEI via pumping from its own future detention basin (DET 16), but only after there is excess capacity available in DET NEI after a major storm. In the Citywide SDMP, DET NEI has been planned to provide *198 acre-feet* of storage volume and a constant pumped outflow discharge of *10 cubic feet per second (cfs)* under buildout conditions for the contributing area.

The site for DET NEI depicted in the Citywide SDMP is the topographic low point in the Northeast Industrial Area and is located between I-205 and Pescadero Avenue on the north and south, and existing Paradise Road and the existing Yellow Freight industrial development on the east and west. Adoption of Supplement No. 2 to the Citywide SDMP will move the planned DET NEI site to the south side of Pescadero Avenue in this general area (as shown on Exhibit B) and create a setback buffer of more than 1,000 feet between I-205 and DET NEI to minimize potential aesthetic issues for the City's I-205 corridor. This new location is upslope from the planned site

Supplement No. 2 to Citywide Storm Drainage Master Plan (FINAL VERSION)

Northeast Area of Sphere of Influence

To: Robert Armijo, City Engineer

June 25, 2018

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depicted in the Citywide SDMP and a different approach is now being recommended to drain the applicable properties on the north side of Pescadero Avenue when they are developed in the future. Other properties within the Northeast Industrial Area and Sub-basins E53, E54, and E55 will still be able to drain by gravity to the new proposed site for DET NEI.

The land needed for the substantial majority of the new proposed location of DET NEI is owned by Prologis, who is a landowner/developer that is considering constructing the functional components of DET NEI (pump station, outfall pipe and majority of detention storage) if an arrangement with the City may be successfully negotiated. This would facilitate the decommissioning of several existing temporary retention basins that have been serving existing industrial development projects in the Northeast Industrial Area in the absence of a terminal detention basin and outfall. Some of the existing temporary retention basins have also recently been relocated to the newly proposed DET NEI site.

Other measures are also being recommended herein to reduce the storage volume and land acquisition requirements associated with the new proposed location of DET NEI and to improve the efficiency, ease of construction and function of existing and planned drainage facilities that will serve this overall area. These measures are depicted and listed on Exhibit B and include the following:

- The proposed pump outflow capacity for DET NEI is recommended to be increased from *10 cfs* to *16 cfs*.
- The alignment for the outfall storm drainage force main (SDFM) that will deliver storm water stored in DET NEI to the City's Eastside Channel is recommended to be changed from Arbor Avenue (north of I-205) to Pescadero Avenue (south of I-205). Attributes of this revised alignment include: a) the length of the outfall force main will be considerably shortened, b) there will be significantly fewer utility conflicts to be encountered along a Pescadero Avenue alignment when compared to an Arbor Avenue alignment, c) there will be no expensive new jack & bore pipeline crossings required

Supplement No. 2 to Citywide Storm Drainage Master Plan (FINAL VERSION)

Northeast Area of Sphere of Influence

To: Robert Armijo, City Engineer

June 25, 2018

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underneath I-205, d) there is no longer a need for a second storm drain force main to be installed in Arbor Avenue to the north, and e) the change in alignment and discharge will have a negligible impact on Eastside Channel water surface elevations during the 100-year 24-hour storm.

- The City's open channel constructed with the Grant Line Road Widening Project to the south a few years ago will discharge directly to DET NEI and won't require expensive culvert crossings of Pescadero Avenue or the Pescadero Reclamation District (ID) Canal to the north.
- An upstream detention basin (shown as DET E55 on Exhibit B) is proposed to be added at the northeast corner of the City's Chrisman Road property in Sub-basin E55, south of the Union Pacific Railroad. DET E55 would not need to be constructed until upstream drainage from Sub-basins E53, E54, and E55 is proposed to be discharged to storm drainage facilities in the Northeast Industrial Area. DET E55 is recommended to have a storage volume of *49.3 acre-feet* with a gravity outlet having a maximum discharge of *2 cfs*. This will reduce the storage volume required for DET NEI by about *49 acre-feet*, and is an important part of making the new proposed site for DET NEI feasible. There will be opportunities to have a large part of DET E55 serve as a joint-use facility, if desired, by incorporating differential grading and tiering into its design in the future.
- The future 60" SD outfall pipe extending north to Grant Line Road from Sub-basin E55 shown in the Citywide SDMP is proposed to be downsized to an 18" SD to account for the reduction in peak discharge attributable to DET E55.
- The properties on the north side of Pescadero Avenue within the Northeast Industrial Area (the site for DET NEI shown in the Citywide SDMP) are now proposed to drain to the east to future DET 16 (within the Eastside Industrial Area), which will be topographically lower than these properties.

Supplement No. 2 to Citywide Storm Drainage Master Plan (FINAL VERSION)

Northeast Area of Sphere of Influence

To: Robert Armijo, City Engineer

June 25, 2018

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- DET 16 will drain to DET NEI via pumping as proposed in the Citywide SDMP. However, instead of holding storm water until DET NEI has drained after storms, DET 16 will have *1 cfs* of DET NEI's outflow capacity allocated to it and its pump may operate continuously during and after storms. The storage volume required for DET 16 is *37.8 acre-feet*, which is an increase of only 3.8 acre-feet of storage when compared with the Citywide SDMP requirements and results from the accommodation of inflow from the properties on the north side of Pescadero Avenue in the Northeast Industrial Area.
- A proposed 24" SD segment shown along the west portion of the south limit of Sub-basin E62 in the Citywide SDMP is no longer needed and has been deleted.
- Proposed greenbelt parkways in this area have been deleted, as they are not required for drainage.
- The storage volume requirement for DET NEI has been reduced from *198 acre-feet* to *127.8 acre-feet*. The majority of this storage volume will be provided within the primary area shown on Exhibit B, within undeveloped property currently owned by Prologis. The possible future expansion area shown for DET NEI on Exhibit B occupies a portion of the contiguous Silva Dairy property to the west and is not likely to be needed until such time as the existing Silva Dairy becomes redeveloped. If groundwater allows DET NEI to be deepened in the primary area shown on Exhibit B, the future expansion area may not be needed.

Also included in this Supplement No. 2 are minor changes to the size, configuration and outflow rate recently implemented for existing DET 13 and its outfall on Arbor Avenue as a part of the DCT development project (M2 Parcel).

This Supplement No. 2 to the Citywide SDMP also includes Opinions of Probable Cost (OPCs) for storm drainage infrastructure that remains to be built to serve these affected areas of the City's Sphere of Influence. Separate

Supplement No. 2 to Citywide Storm Drainage Master Plan (FINAL VERSION)

Northeast Area of Sphere of Influence

To: Robert Armijo, City Engineer

June 25, 2018

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OPCs have been prepared for the areas that will ultimately drain to the new proposed location for DET NEI (Table 1) and for the Eastside Industrial Area properties residing north of I-205 (Table 2). These OPCs have been incorporated into a concurrent impact fee analyses performed by Harris & Associates, and the existing storm drainage impact fee programs serving the overall area are proposed to be consolidated into the Northeast Area and revised Eastside Industrial Area impact fee areas depicted on Exhibit B.

Listings of participating properties in the affected areas and applicable Assessors' Record Maps depicting them are provided in the Attachment to this Supplement No. 2 to the Citywide SDMP.

Exhibits:

Exhibit A – Portion of Figure 5-1A from Existing Citywide Storm Drainage Master Plan Showing Existing and Proposed Storm Drainage Facilities in the City's Northeast Area and Current Storm Drainage Impact Fee Areas

Exhibit B – Proposed Revisions to the Citywide Storm Drainage Master Plan per Supplement No. 2 and Updated Storm Drainage Impact Fee Areas

Tables:

Table 1 – Opinion of Probable Cost for Unbuilt Storm Drainage Infrastructure Serving Areas Draining to Proposed DET NEI per Supplement No. 2 to the Citywide SDMP (Northeast Area)

Table 2 – Opinion of Probable Cost for Unbuilt Storm Drainage Infrastructure Serving Eastside Industrial Properties on the North Side of I-205 per Supplement No. 2 to the Citywide SDMP (New East Side Industrial Area)

Attachment:

Listings of Participating Properties, Assessors' Record Maps

Supplement No. 2 to Citywide Storm Drainage Master Plan (FINAL VERSION)

Northeast Area of Sphere of Influence

To: Robert Armijo, City Engineer

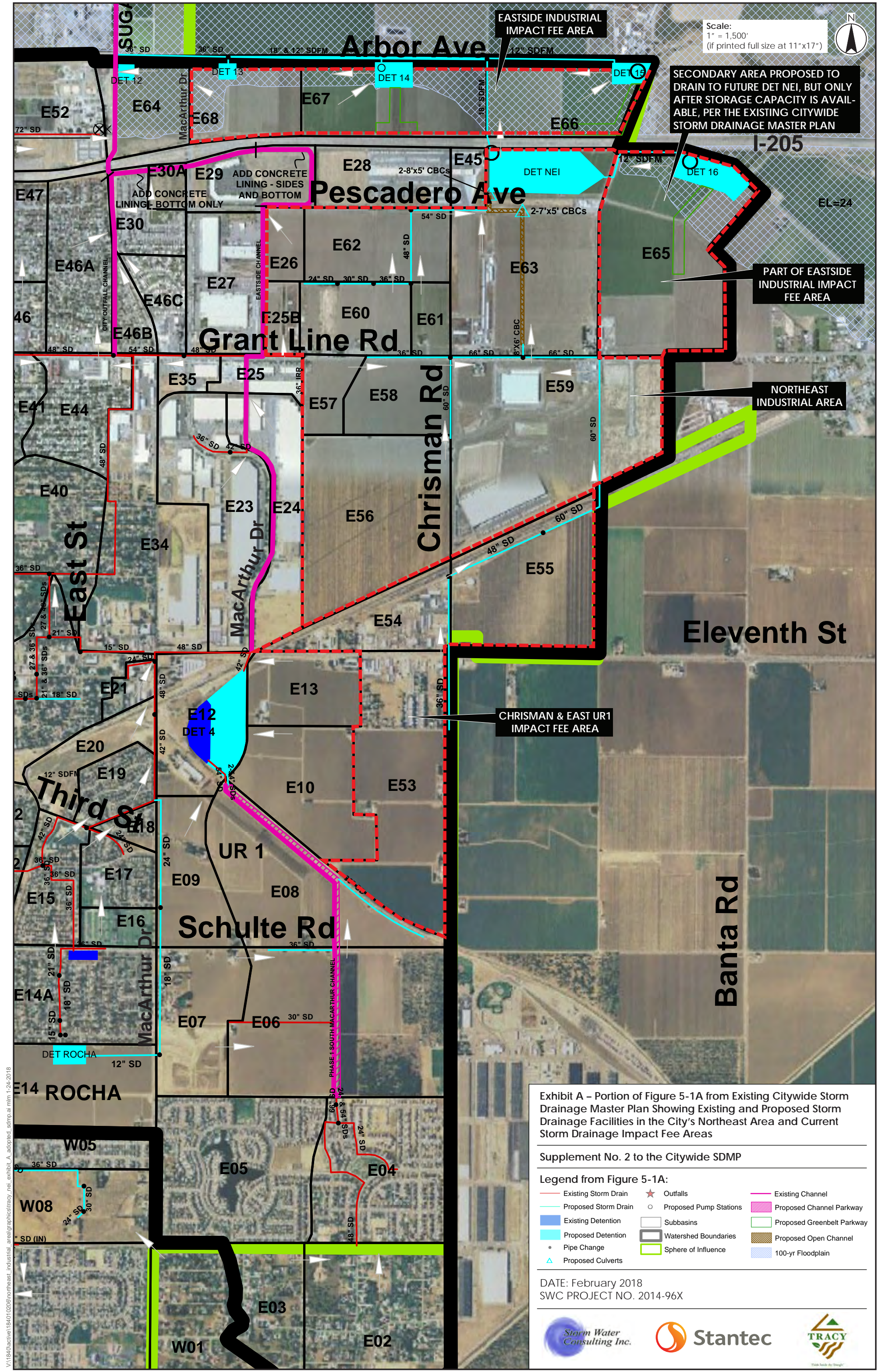
June 25, 2018

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James H. Nelson

Cc: Andrew Malik, City of Tracy
Bill Dean, City of Tracy
Al Gali, City of Tracy
Nanda Gottiparthi, SNG Associates
Alison Bouley, Harris & Associates
Sarah McIlroy, Stantec



Scale:
1" = 1,500'
(if printed full size at 11"x17")



SECONDARY AREA PROPOSED TO DRAIN TO FUTURE DET NEI, BUT ONLY AFTER STORAGE CAPACITY IS AVAILABLE, PER THE EXISTING CITYWIDE STORM DRAINAGE MASTER PLAN

PART OF EASTSIDE INDUSTRIAL IMPACT FEE AREA

NORTHEAST INDUSTRIAL AREA

CHRISMAN & EAST UR1 IMPACT FEE AREA

Exhibit A – Portion of Figure 5-1A from Existing Citywide Storm Drainage Master Plan Showing Existing and Proposed Storm Drainage Facilities in the City's Northeast Area and Current Storm Drainage Impact Fee Areas

Supplement No. 2 to the Citywide SDMP

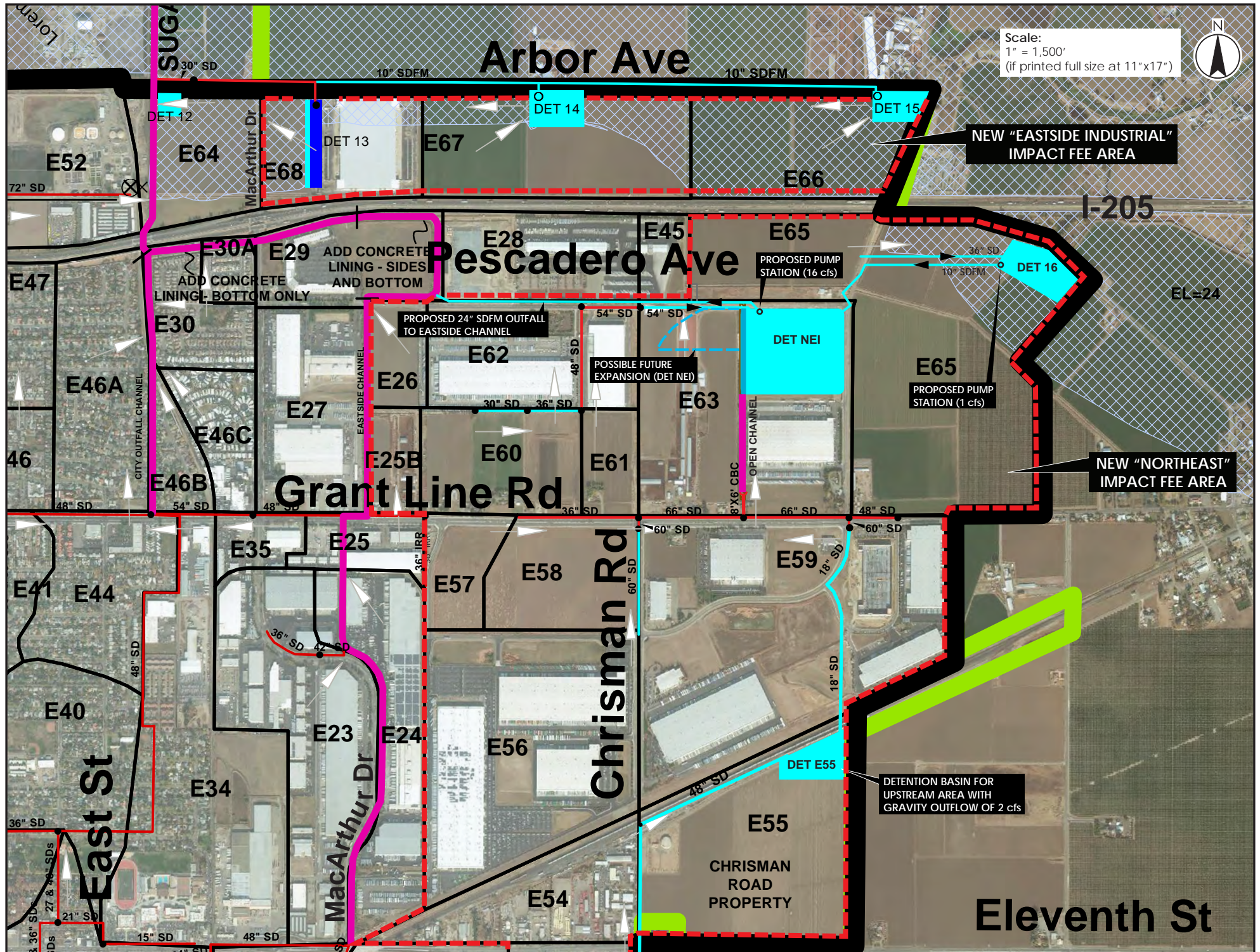
Legend from Figure 5-1A:

- Existing Storm Drain
- Proposed Storm Drain
- Existing Detention
- Proposed Detention
- Pipe Change
- Proposed Culverts
- Outfalls
- Proposed Pump Stations
- Subbasins
- Watershed Boundaries
- Sphere of Influence
- Existing Channel
- Proposed Channel Parkway
- Proposed Greenbelt Parkway
- Proposed Open Channel
- Proposed 100-yr Floodplain

DATE: February 2018
SWC PROJECT NO. 2014-96X



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Scale:
1" = 1,500'
(if printed full size at 11"x17")



NEW "EASTSIDE INDUSTRIAL" IMPACT FEE AREA

I-205

ADD CONCRETE LINING - SIDES AND BOTTOM
ADD CONCRETE LINING - BOTTOM ONLY

PROPOSED 24" SDFM OUTFALL TO EASTSIDE CHANNEL

PROPOSED PUMP STATION (16 cfs)

DET NEI

PROPOSED PUMP STATION (1 cfs)

NEW "NORTHEAST" IMPACT FEE AREA

Grant Line Rd

Chrisman Rd

Eleventh St

Supplement No. 2 Changes to the Citywide SDMP

- DET NEI moved to south side of Pescadero Avenue, away from I-205
- Outflow discharge from DET NEI increased from 10 cfs to 16 cfs
- Undeveloped property to north of DET NEI now drains to DET 16, then to DET NEI
- DET 16 discharge to DET NEI may now occur whenever needed
- Storage volume required for DET NEI reduced significantly
- Storage volume required for DET 16 increased slightly
- Outfall alignment for DET NEI moved from Arbor Avenue to Pescadero Avenue
- Pipe crossing of I-205 eliminated
- Large proposed culvert crossings of Pescadero Avenue and ID Canal deleted
- DET E55 added
- Outflow pipe from south area reduced from 60" SD to 18" SD
- Greenbelt parkways deleted, not needed for drainage
- 24" SD segment on south side of Home Depot warehouse eliminated
- DET 13 storage and outflow values have changed and outfall pipe sizes along Arbor Avenue have been reduced
- Recently constructed facilities now shown as "existing"
- Consolidate and create New Impact Fee Areas (Northeast and East Side Industrial)

Exhibit B - Proposed Revisions to the Citywide Storm Drainage Master Plan per Supplement No.2 and Updated Storm Drainage Impact Fee Areas

Supplement No. 2 to the Citywide SDMP

Legend from Figure 5-1A:

- Existing Storm Drain
- Proposed Storm Drain
- Existing Detention
- Proposed Detention
- DET ROCHA
- W05
- W08
- Existing Channel
- Proposed Channel Parkway
- 100-yr Floodplain
- Outfalls
- Proposed Pump Stations
- Subbasins
- Watershed Boundaries
- Sphere of Influence
- Existing Pump Stations
- Pipe Change
- Proposed Culverts

Detention Basin Data

Detention Basin	Served Area (acres)	100-year Peak Inflow (cfs)	100-year Total Inflow Volume (acre-feet)	100-year Peak Outflow (cfs)	100-year Peak Storage Volume Needed (acre-feet)
DET NEI	1,445*	384	170.7	16	127.8
DET E55	385	95	51.7	2	49.3
DET 16	237	82	40.0	1	37.8
DET 13	63	36	10.7	1	8.7

* Includes areas to be draining to DET E55 and DET 16

DATE: March 2018
SWC PROJECT NO. 2014-96X



V:\1840\active\18401\0206\northeast_industrial_area\tracy_nei_exhibit_b_proposed_sdmpl.mxd 1-24-2018

Table 1

Opinion of Probable Cost for Storm Drainage Infrastructure - Total Unbuilt As Of Feb. 2018
Storm Drainage Infrastructure Serving Areas Draining to Proposed DET NEI per Supplement No. 2 to the Citywide
SDMP (Northeast Area)

DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
Northeast Area				
Construction of Major Facilities				
DET NEI (128 AF, plus 22 AF add'l excavation)	150	AF	\$ 16,000	\$ 2,400,000
DET 16 (38 AF, PLUS 10 AF add'l excavation)	48	AF	\$ 16,000	\$ 768,000
DET E55 (49 AF, plus 15 AF add'l excavation)	64	AF	\$ 16,000	\$ 1,024,000
DET NEI Pump Station (16.0 cfs capacity)	1	LS	\$ 1,500,000	\$ 1,500,000
DET 16 Pump Station (1.0 cfs capacity)	1	LS	\$ 350,000	\$ 350,000
Construction of Storm Drains				
10" SDFM (Outfall DET 16 to DET NEI)	2,500	LF	\$ 100	\$ 250,000
24" SDFM (Outfall DET NEI to Eastside Channel)	4,100	LF	\$ 150	\$ 615,000
18" SD (DET 55 to Grant Line Road)	2,700	LF	\$ 100	\$ 270,000
18" SD (Bore & Jack, Crossing of UPRR North of DET E55)	200	LF	\$ 600	\$ 120,000
30" SD (South Side Home Depot, deep trenching required)	660	LF	\$ 300	\$ 198,000
36" SD (South Side Home Depot, deep trenching required)	660	LF	\$ 500	\$ 330,000
36" SD (South Side I-205, Paradise Road to DET 16)	1,700	LF	\$ 300	\$ 510,000
36" SD (Chrisman Road, South of UPRR)	2,800	LF	\$ 300	\$ 840,000
48" SD (South Side UPRR, Chrisman to DET E55)	2,100	LF	\$ 400	\$ 840,000
54" SD (Pescadero Ave., East Side Home Depot to DET NEI)	1,500	LF	\$ 450	\$ 675,000
60" SD (Chrisman Road, Paradise Road to Grant Line Road)	1,300	LF	\$ 550	\$ 715,000
Other Items				
Dewatering	1	LS	\$ 1,500,000	\$ 1,500,000
Access Roadways (30"/36" SDs South Side Home Depot)	1,320	LF	\$ 110	\$ 145,200
UPTC Crossing Agreement	1	EA	\$ 5,000	\$ 5,000
Subtotal of Construction				\$ 13,055,200
Design & Planning @ 10% of Construction Subtotal				\$ 1,305,520
Construction Management @ 10% of Construction Subtotal				\$ 1,305,520
General Contingency @ 15% of Construction Subtotal				\$ 1,958,280
Program Administration @ 5% of Construction Subtotal				\$ 652,760
Land Acquisition				
DET NEI	33.0	AC	\$ 150,000	\$ 4,950,000
DET NEI (Possible Future Expansion)	7.0	AC	\$ 150,000	\$ 1,050,000
DET 16	12.0	AC	\$ 150,000	\$ 1,800,000
DET E55	12.0	AC	\$ 150,000	\$ 1,800,000
10" SDFM/36" SD Easement (Paradise Road to DET 16)	0.7	AC	\$ 50,000	\$ 35,000
18" SD Easement (DET E55 to Grant Line Road)	1.2	AC	\$ 50,000	\$ 60,000
30" SD Easement (South Side Home Depot)	0.3	AC	\$ 50,000	\$ 15,000
36" SD Easement (South Side Home Depot)	0.3	AC	\$ 50,000	\$ 15,000
Subtotal of Land Acquisition				\$ 9,725,000
TOTAL ESTIMATED COST				\$ 28,002,280
Credit for 1547 E. Grant Line Road Storm Drainage Impact Fees and Developer Credit*				\$ (682,242)
TOTAL NET COST FOR NEW PROGRAM STORM DRAINAGE INFRASTRUCTURE				\$ 27,320,038

* Developer Credit = \$547,484 for installing 36" SD and related improvements; costs are included in Total Estimated Cost above.

Table 2

Opinion of Probable Cost for Storm Drainage Infrastructure - Total Unbuilt As Of Feb. 2018
Storm Drainage Infrastructure Serving Eastside Industrial Properties on the North Side of I-205 per Supplement No. 2
to the Citywide SDMP (New East Side Industrial Area)

DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
<i>New East Side Industrial Area</i>				
Construction of Major Facilities				
DET 13 Expansion (4 add'l AF, plus 1 AF add'l excavation)	5	AF	\$ 16,000	\$ 80,000
DET 14 (16 AF, plus 6 AF add'l excavation)	22	AF	\$ 16,000	\$ 352,000
DET 15 (13 AF, plus 5 AF add'l excavation)	18	AF	\$ 16,000	\$ 288,000
DET 14 Pump Station (1.0 cfs capacity)	1	LS	\$ 350,000	\$ 350,000
DET 15 Pump Station (1.0 cfs capacity)	1	LS	\$ 350,000	\$ 350,000
Construction of Storm Drains				
10" SDFM (Arbor Ave., DET 15 to Existing Stub at DET 13)	7,000	LF	\$ 100	\$ 700,000
Other Items				
Dewatering	1	LS	\$ 1,000,000	\$ 1,000,000
Subtotal of Construction				\$ 3,120,000
Design & Planning @ 10% of Construction Subtotal				\$ 312,000
Construction Management @ 10% of Construction Subtotal				\$ 312,000
General Contingency @ 15% of Construction Subtotal				\$ 468,000
Program Administration @ 5% of Construction Subtotal				\$ 156,000
Land Acquisition				
DET 13 Expansion	2.2	AC	\$ 150,000	\$ 330,000
DET 14	7.0	AC	\$ 150,000	\$ 1,050,000
DET 15	6.0	AC	\$ 150,000	\$ 900,000
Subtotal of Land Acquisition				\$ 2,280,000
TOTAL ESTIMATED COST				\$ 6,648,000

**Supplement No. 2 to the Citywide
Storm Drainage Master Plan (SDMP)**

ATTACHMENT

Listing of Participating Properties and Assessors' Record Maps

Attachment - Supplement No. 2 to Citywide SDMP

Assessor Parcel #	Listed Acreage	Notes
<u>NEI Properties</u>		
213-06-12	42.42	Future Chrisman Road Impacts
213-06-13	9.78	Future Chrisman Road Impacts
213-07-13	0.84	
213-07-17	2.27	
213-07-18	0.53	
213-07-19	0.72	
213-07-20	18.88	
213-07-22	9.74	McLaughlin
213-07-28	9.07	
213-07-29	0.66	
213-07-39	11.41	
213-07-40	18.90	Tracy Warehouse
213-07-41	6.32	
213-07-44	1.62	
213-07-48	5.34	Future Chrisman Road Impacts
213-07-49	33.86	Future Chrisman Road Impacts
213-07-52	1.01	
213-07-53	1.00	
213-07-74	5.35	Existing Retention Basin
213-07-80	11.30	
213-07-81	35.89	McLaughlin
213-07-83	4.73	
213-07-84	2.94	
213-07-85	18.59	Future Chrisman Road Impacts
213-07-87	16.72	
250-02-80	5.80	Existing Retention Basin
250-02-81	10.08	Existing Retention Basin
250-02-86	5.00	Existing Retention Basin
250-02-93	75.14	Rocha
250-02-94	0.98	
250-03-10	9.28	
250-03-19	6.35	Building 17
250-03-24	10.48	
250-03-25	10.51	Building 17
250-03-28	12.59	
250-03-30	2.17	Existing Retention Basin
250-28-13	17.62	Building 18
250-28-15	27.19	Building 17
Total Acreage	463.08	

Eastside Industrial Properties South of I-205

213-17-14	22.17
213-17-24	31.67
213-17-25	11.70
213-17-26	3.24
213-17-27	122.39
Total Acreage	191.17

Eastside Industrial Properties North of I-205

213-06-02	14.16
213-06-04	39.56
213-06-08	1.01
213-06-09	19.78
213-06-10	19.78
213-06-11	39.79
213-06-17	16.02
213-06-18	2.57
213-06-21	1.00
213-06-22	38.89
213-06-23	1.58
213-06-24	1.58
213-06-25	1.58
Total Acreage	197.29

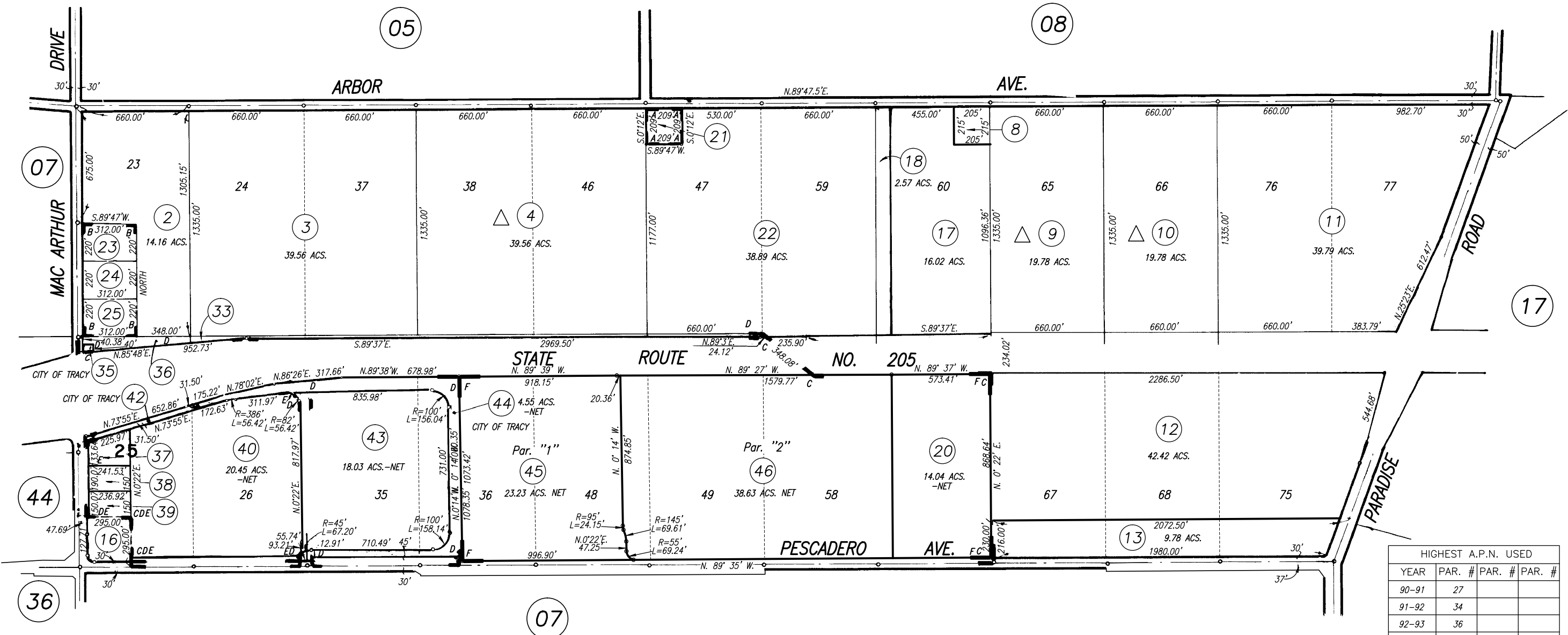
Chrisman and East UR-1 Area

250-03-06	56.06	City Chrisman Road Property
230-03-07	56.62	City Chrisman Road Property
Subtotal	112.68	
250-14-02, 03, 04	0.67	Industrial, North Side Eleventh Street
250-14-05	0.86	Industrial, North Side Eleventh Street
250-14-06	1.41	Industrial, North Side Eleventh Street
250-14-07	3.07	Industrial, North Side Eleventh Street
250-14-08	2.47	Industrial, North Side Eleventh Street
250-14-09	2.36	Industrial, North Side Eleventh Street
250-14-10	4.65	Industrial, North Side Eleventh Street
250-14-11	4.91	Industrial, North Side Eleventh Street
250-14-12	7.20	Industrial, North Side Eleventh Street
250-14-13	2.17	Industrial, North Side Eleventh Street
250-14-14	7.53	Industrial, North Side Eleventh Street
250-14-15	1.29	Industrial, North Side Eleventh Street
250-14-16	0.79	Industrial, North Side Eleventh Street
250-14-17	1.29	Commercial, North Side Eleventh Street
Subtotal	40.67	
250-15-01 thru 04, 07 thru 10, 14 thru 20, and 45 thru 47	20.2	Industrial, South Side of Eleventh Street
250-15-21 thru 25, and 27 thru 44	24.7	Residential (Medium), South of Eleventh Street
250-16-09	0.80	East UR-1
250-16-11	46.78	East UR-1
250-16-12	1.18	East UR-1
250-18-02	20.78	East UR-1
250-18-03	5.68	East UR-1
250-18-04	5.16	East UR-1
250-18-05	1.01	East UR-1
250-18-06	1	East UR-1
250-18-07	17.71	East UR-1
250-18-08	20.36	East UR-1
Subtotal - East UR-1	120.46	

POR. PESCADERO COLONY, UNIT NO. 1

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213-06



- R. M. Bk. 10 Pg. 044
- A- P. M. Bk. 13 Pg. 017
- B- R. S. Bk. 23 Pg. 109
- C- R. S. Bk. 31 Pg. 020
- D- P. M. Bk. 17 Pg. 107
- E- P. M. Bk. 19 Pg. 141
- F- P. M. Bk. 26 Pg. 078

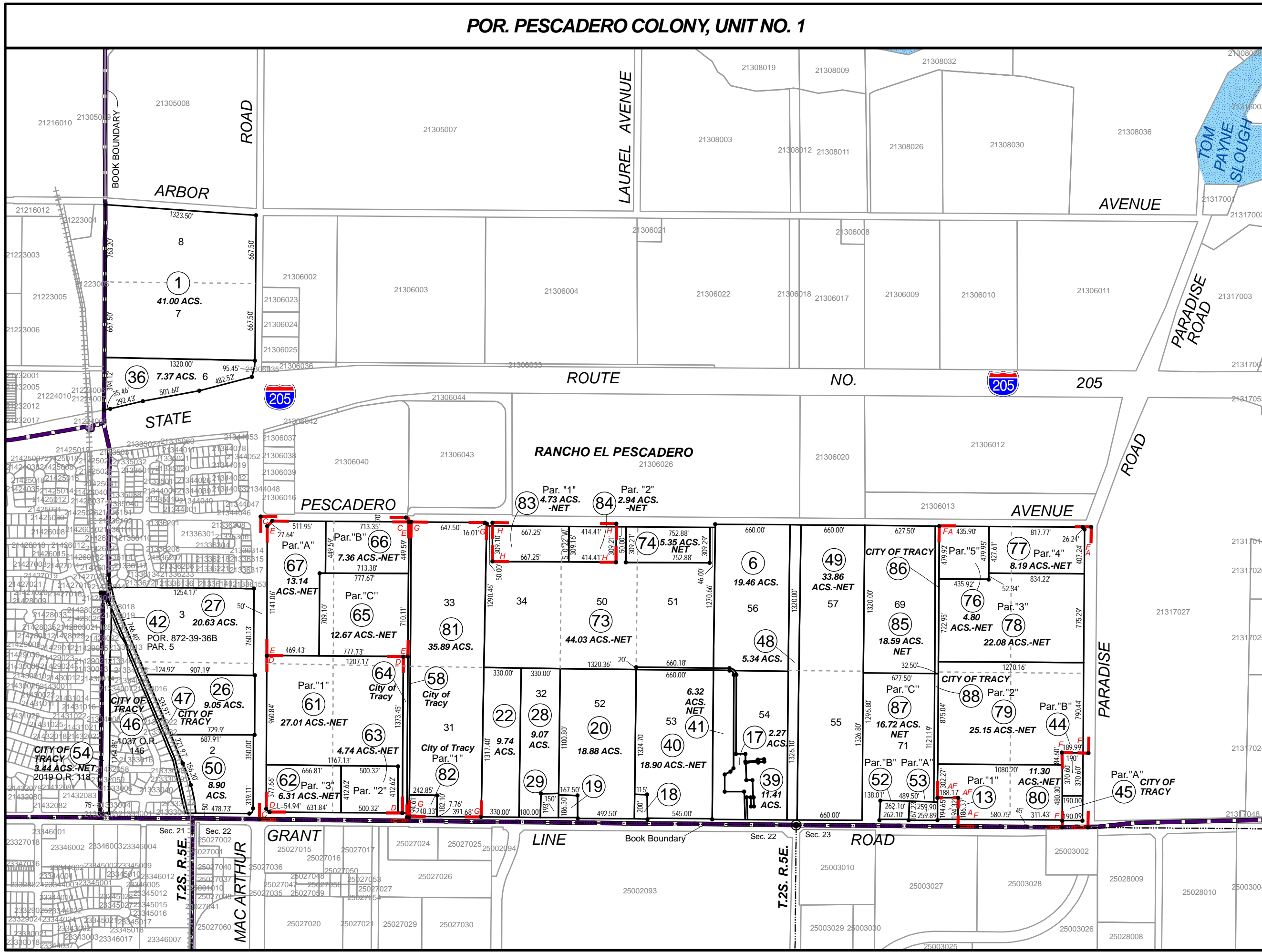
NOTE: Assessor's Parcel Numbers Shown in Circles.
Assessor's Block Numbers Shown in Ellipses.

HIGHEST A.P.N. USED			
YEAR	PAR. #	PAR. #	PAR. #
90-91	27		
91-92	34		
92-93	36		
95-96	40		
96-97	42		
02-03	44		
18-19	46		

Assessor's Map Bk.213 Pg.06
County of San Joaquin, Calif.

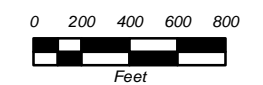
POR. PESCADERO COLONY, UNIT NO. 1

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213-07

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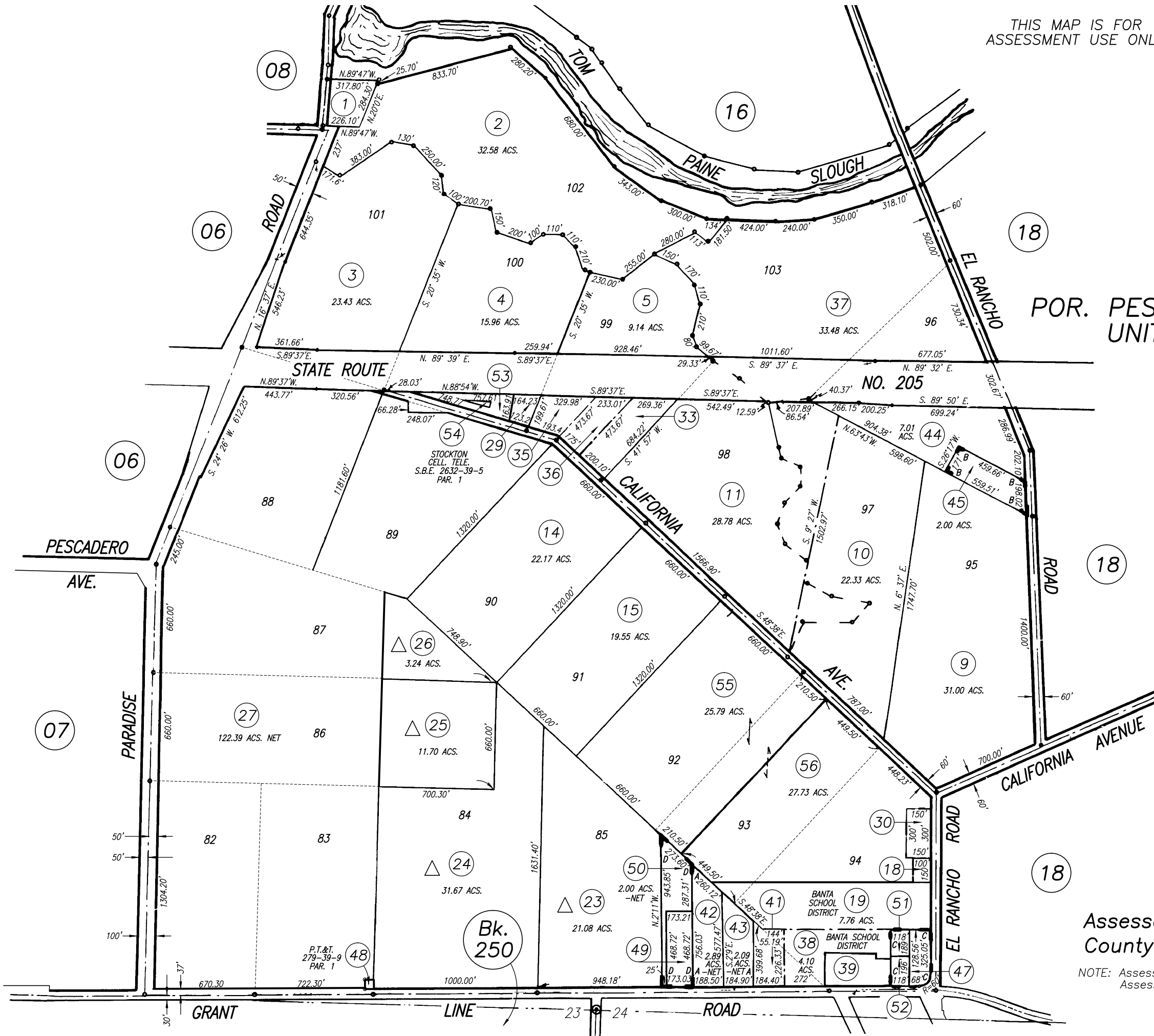
⓪ Assessor's Parcel Numbers
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 Book Page Parcel Number

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 A-P.M. Bk. 08 Pg. 013
 B-P.M. Bk. 09 Pg. 095
 C-P.M. Bk. 16 Pg. 046
 D-P.M. Bk. 18 Pg. 065
 E-P.M. Bk. 22 Pg. 056
 F-P.M. Bk. 24 Pg. 195
 G-P.M. Bk. 25 Pg. 125
 H-P.M. Bk. 25 Pg. 136

HIGHEST A.P.N. USED		
YEAR	PAR. #	PAR. #
08-09	72	
09-10	75	
11-12	80	
12-13	82	
14-15	84	
15-16	88	

BK. 213 PG. 07
 County of San Joaquin, CA

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POR. PESCADERO COLONY, UNIT NO. 1

- △ - WILLIAMSON ACT PARCELS
- R. M. Bk. 10 Pg. 044
- A - P. M. Bk. 02 Pg. 127
- B - P. M. Bk. 02 Pg. 171
- C - R. S. Bk. 30 Pg. 059
- C - P. M. Bk. 05 Pg. 007
- D - P. M. Bk. 07 Pg. 171

HIGHEST A.P.N. USED			
YEAR	PAR. #	PAR. #	PAR. #
80-81	50		
89-90	52		
91-92	54		
98-99	56		

Assessor's Map Bk.213 Pg.17
County of San Joaquin, Calif.

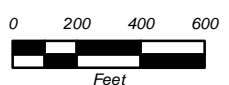
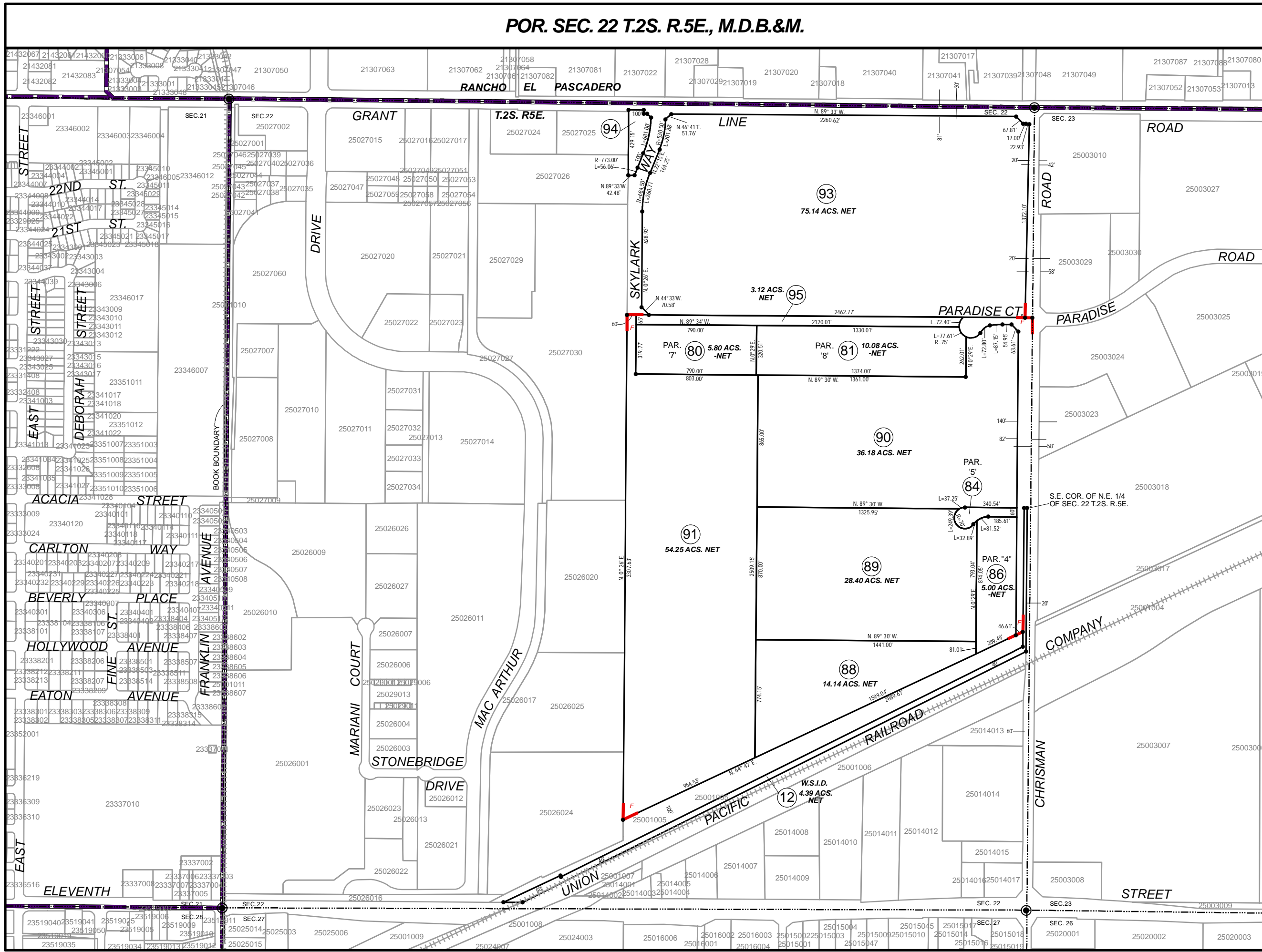
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Assessor's Block Numbers Shown in Ellipses.

POR. SEC. 22 T.2S. R.5E., M.D.B.&M.

250-02

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LEGEND:

- ⓪ Assessor's Parcel Numbers
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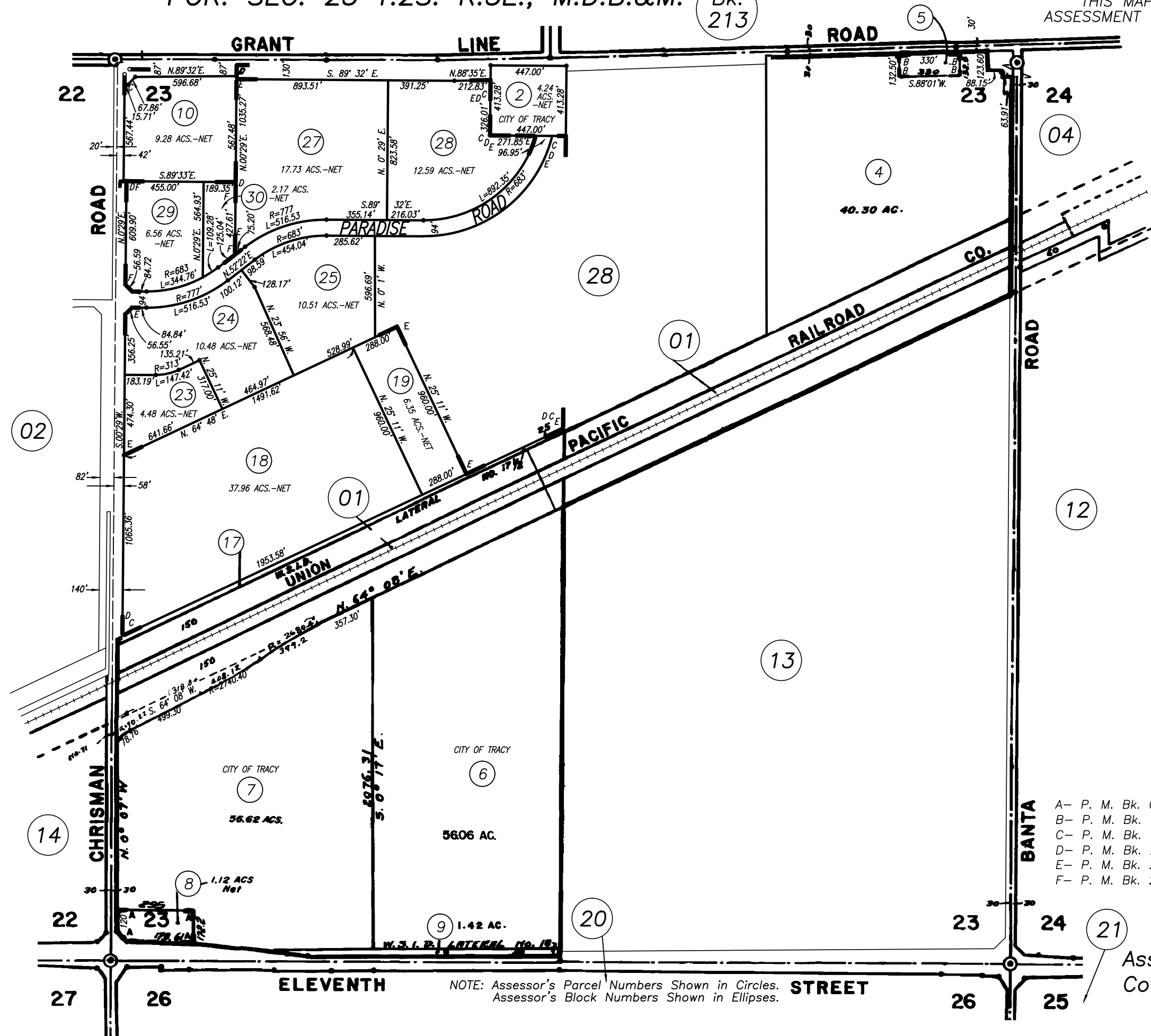
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- E - P.M. Bk. 20 Pg. 152
- C - P.M. Bk. 18 Pg. 002
- B - P.M. Bk. 17 Pg. 165
- A - P.M. Bk. 16 Pg. 172

NOTE: W.S.I.D. = WEST SIDE IRRIGATION DISTRICT

HIGHEST A.P.N. USED		
YEAR	PAR. #	PAR. #
01-02	78	
11-12	87	
13-14	91	93
15-16	95	

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County of San Joaquin, CA

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△ - Williamson Act Parcels

HIGHEST A.P.N. USED			
YEAR	PAR. #	PAR. #	PAR. #
89-90	9		
90-91	11		
03-04	17		
04-05	20	22	
06-07	28		
08-09	30		

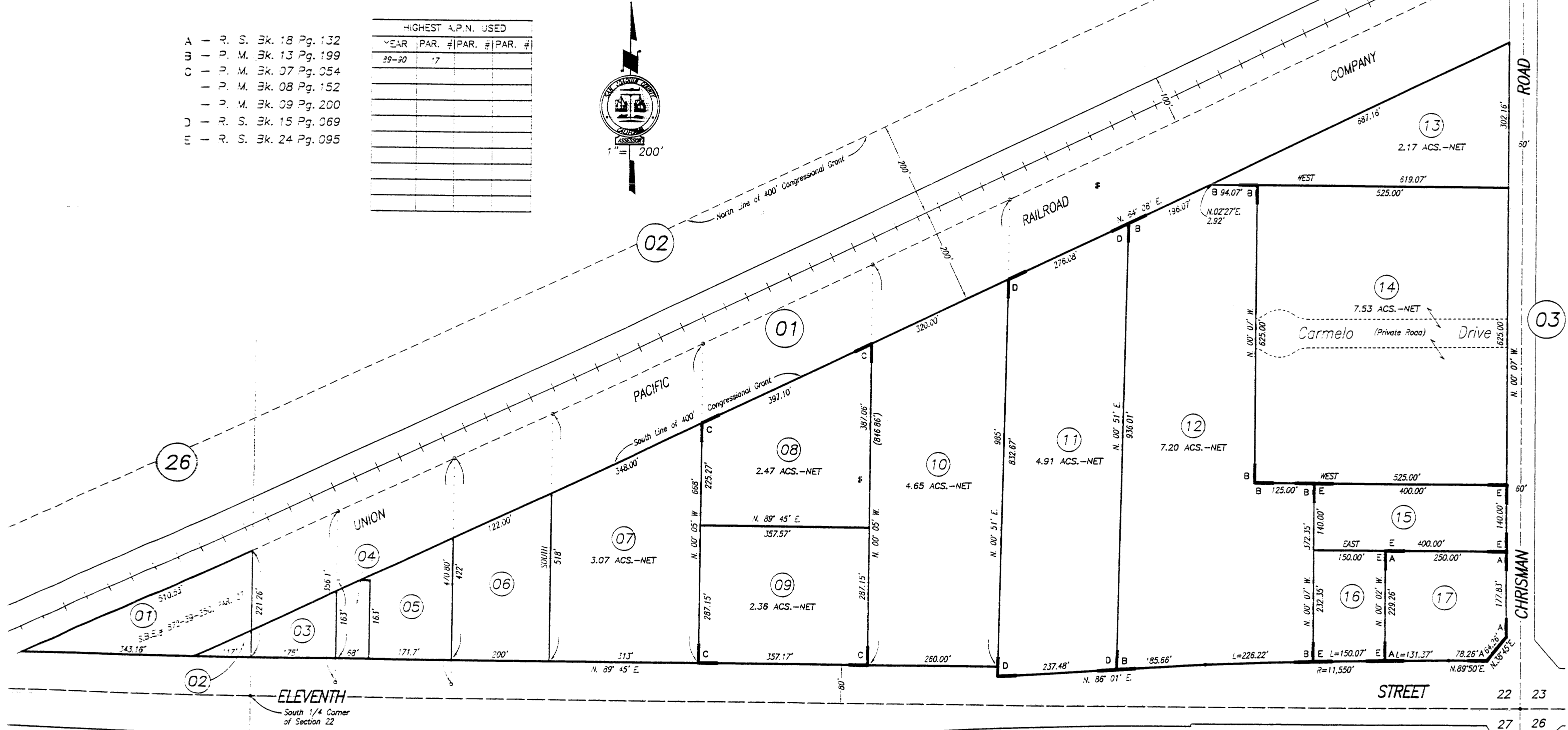
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- B- P. M. Bk. 15 Pg. 057
- C- P. M. Bk. 16 Pg. 086
- D- P. M. Bk. 22 Pg. 117
- E- P. M. Bk. 23 Pg. 101
- F- P. M. Bk. 23 Pg. 132

CITY OF TRACY
Assessor's Map Bk.250 Pg.03
County of San Joaquin, Calif.

NOTE: Assessor's Parcel Numbers Shown in Circles.
Assessor's Block Numbers Shown in Ellipses.

- A - R. S. Bk. 18 Pg. 132
- B - P. M. Bk. 13 Pg. 199
- C - P. M. Bk. 07 Pg. 054
- P. M. Bk. 08 Pg. 152
- P. M. Bk. 09 Pg. 200
- D - R. S. Bk. 15 Pg. 069
- E - R. S. Bk. 24 Pg. 095

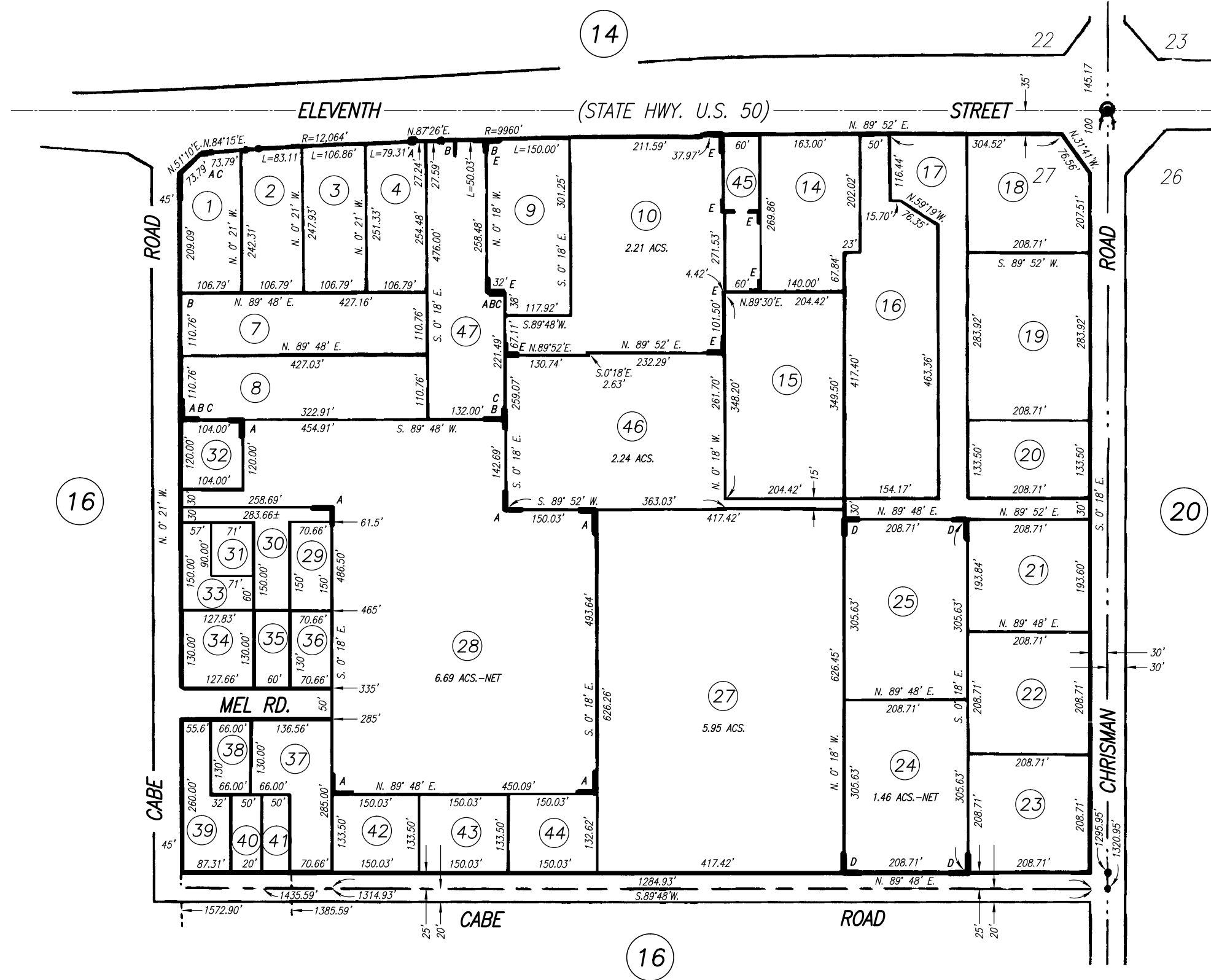
HIGHEST A.P.N. USED			
YEAR	PAR. #	PAR. #	PAR. #
39-30	17		



CITY OF TRACY
 Assessor's Map Bk. 250 Pg. 14
 County of San Joaquin, Calif.

NOTE: Assessor's Parcel Numbers Shown in Circles
 Assessor's Block Numbers Shown in Ellipses

01-02



HIGHEST A.P.N. USED			
YEAR	PAR. #	PAR. #	PAR. #
89-90	45		
91-92	46		
02-03	47		

E - R. S. Bk. 21 Pg. 083
 D - P. M. Bk. 09 Pg. 145
 C - P. M. Bk. 04 Pg. 154
 B - P. M. Bk. 05 Pg. 162
 A - P. M. Bk. 03 Pg. 149

NOTE: Assessor's Parcel Numbers Shown in Circles.
 Assessor's Block Numbers Shown in Ellipses.

14

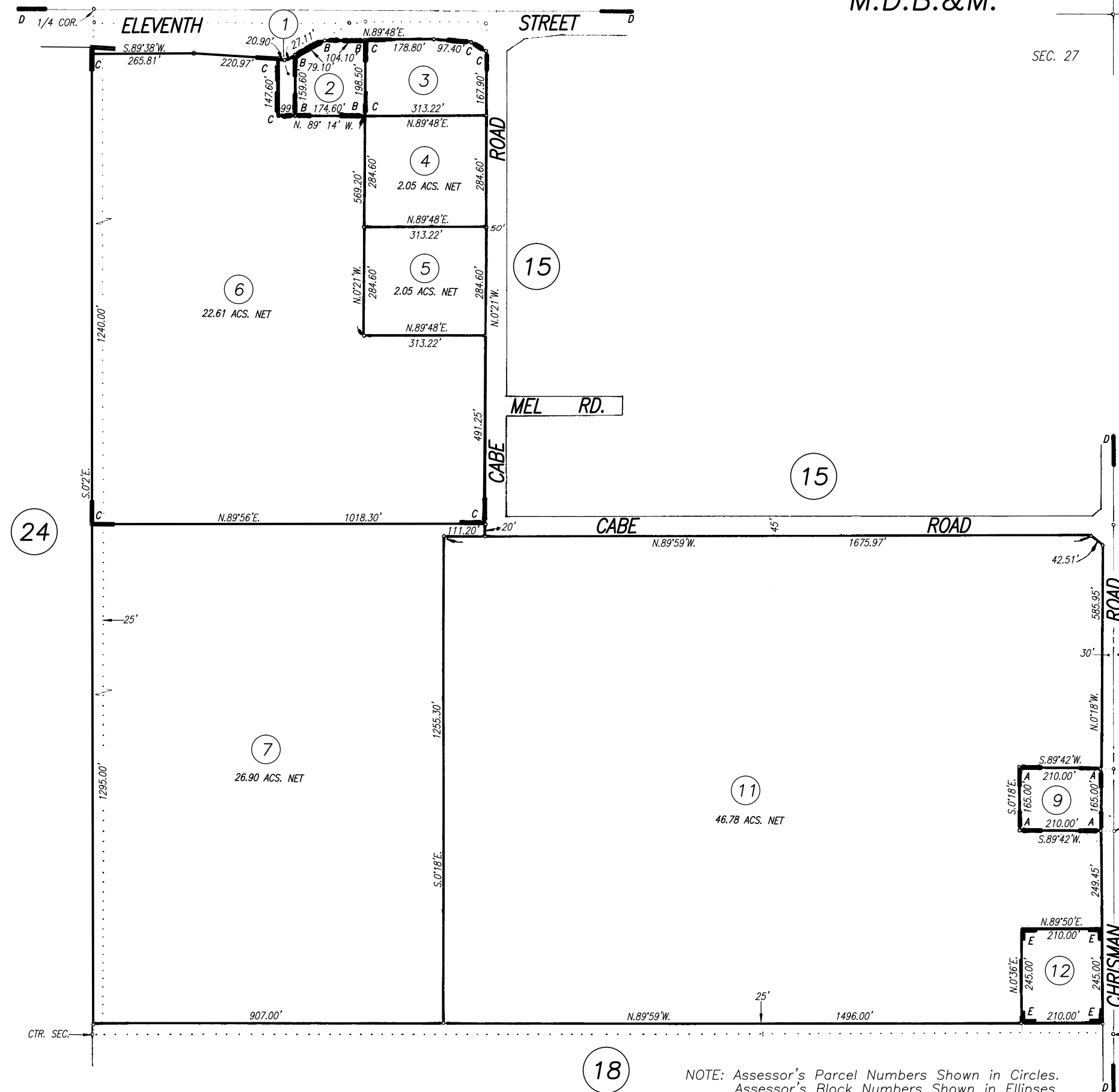
POR. N.E. 1/4 SEC. 27 T.2S. R.5E.,
M.D.B.&M.

SEC. 22
SEC. 27

SEC. 23
SEC. 26

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250-16



- E - R. S. Bk. 32 Pg. 108
- D - R. S. Bk. 29 Pg. 159
- C - P. M. Bk. 07 Pg. 112
- B - R. S. Bk. 19 Pg. 074
- A - R. S. Bk. 14 Pg. 069

△ - WILLIAMSON ACT PARCELS

HIGHEST A.P.N. USED			
YEAR	PAR. #	PAR. #	PAR. #
89-90	10		
93-94	12		

PT. BEARS 3,161.90'
FROM S.E. COR. SEC. 27

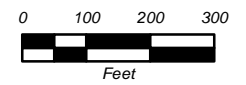
18

NOTE: Assessor's Parcel Numbers Shown in Circles.
Assessor's Block Numbers Shown in Ellipses.

POR. EAST 1/2 OF SEC. 27 T.2S. R.5E., M.D.B.&M.

250-18

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LEGEND:

- ⓪ Assessor's Parcel Numbers
- 00000000
Book Page Parcel Number

- A- R.S. Bk. 11 Pg. 003
P.M. Bk. 13 Pg. 165
- B- R.S. Bk. 21 Pg. 004
- C- R.S. Bk. 29 Pg. 159
- D- P.M. Bk. 16 Pg. 042
- E- P.M. Bk. 18 Pg. 188
- F- R.S. Bk. 21 Pg. 004

NOTE: W.S.I.D. STANDS FOR WEST SIDE IRRIGATION DISTRICT

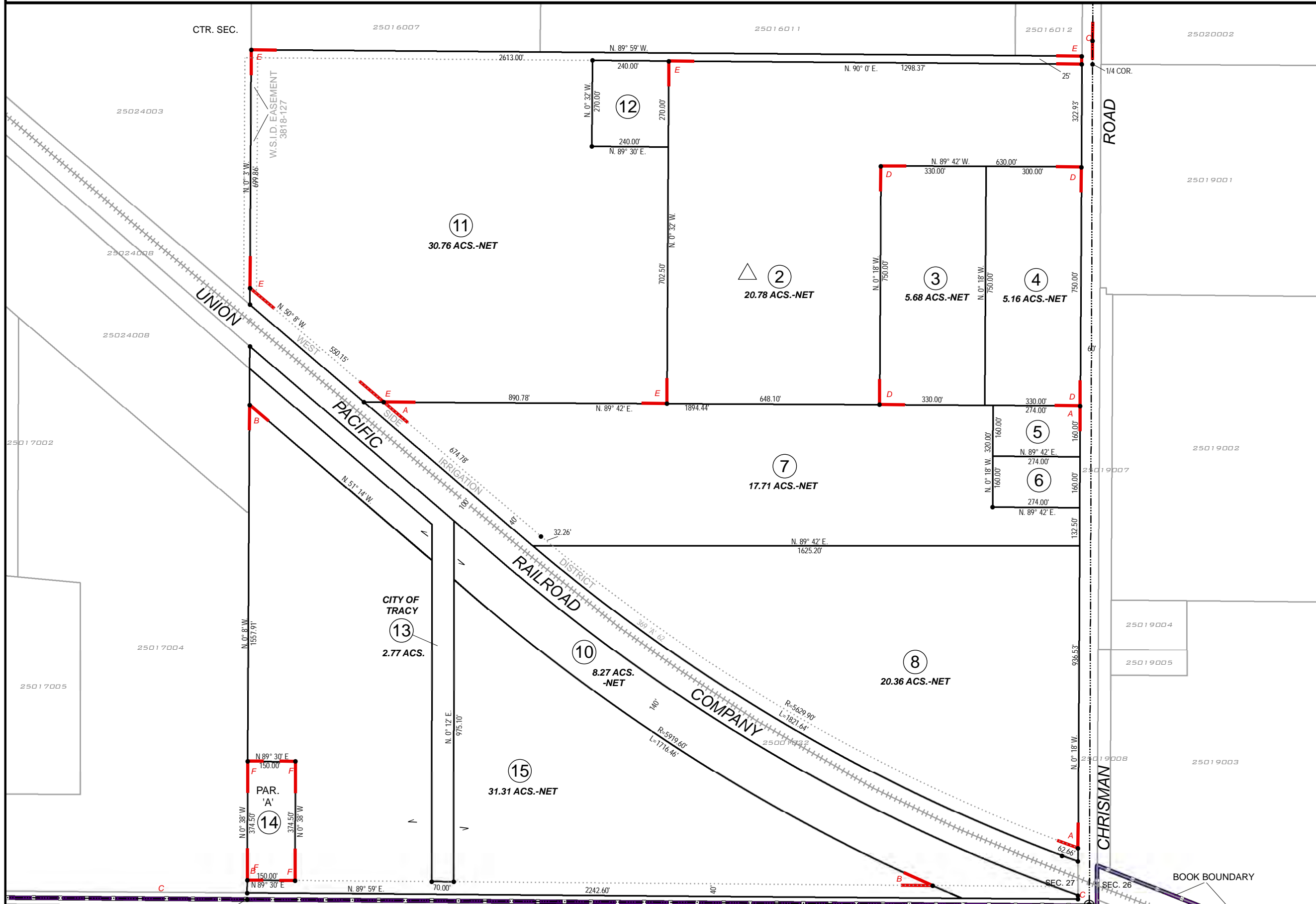
△ -Williamson Act Parcel

HIGHEST A.P.N. USED		
YEAR	PAR. #	PAR. #
89-90	9	
91-92	10	
93-94	12	
15-16	13	
16-17	15	

BK. 250 PG. 18
County of San Joaquin, CA

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SCHULTE ROAD, SEC. 27, SEC. 26, SEC. 34, SEC. 35, BOOK BOUNDARY

**FOR ASSESSMENT
PURPOSES ONLY**

A - CHABOT COMMERCE CENTER

POR. OF SEC. 23 T.2S. R.5E., M.D.B.&M.

250-28

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MAPPING/GIS
0 75 150 225 300
Feet

LEGEND

Example of a Standard Assessors Parcel Number (APN)

000-000-00
Book Page Parcel Number

R.M. = Recorded Subdivision Map

P.M. = Recorded Parcel Map

R.S. = Recorded Survey Map

Williamson Act Parcel

Assessors Book Boundary

A - R.M. Bk. 38 Pg. 070

SAN JOAQUIN COUNTY
ASSESSORS PARCEL
NUMBER ISSUED PER
ROLL YEAR

ROLL	PAR. #	PAR. #
04-05	09	-
06-07	10	-
18-19	15	

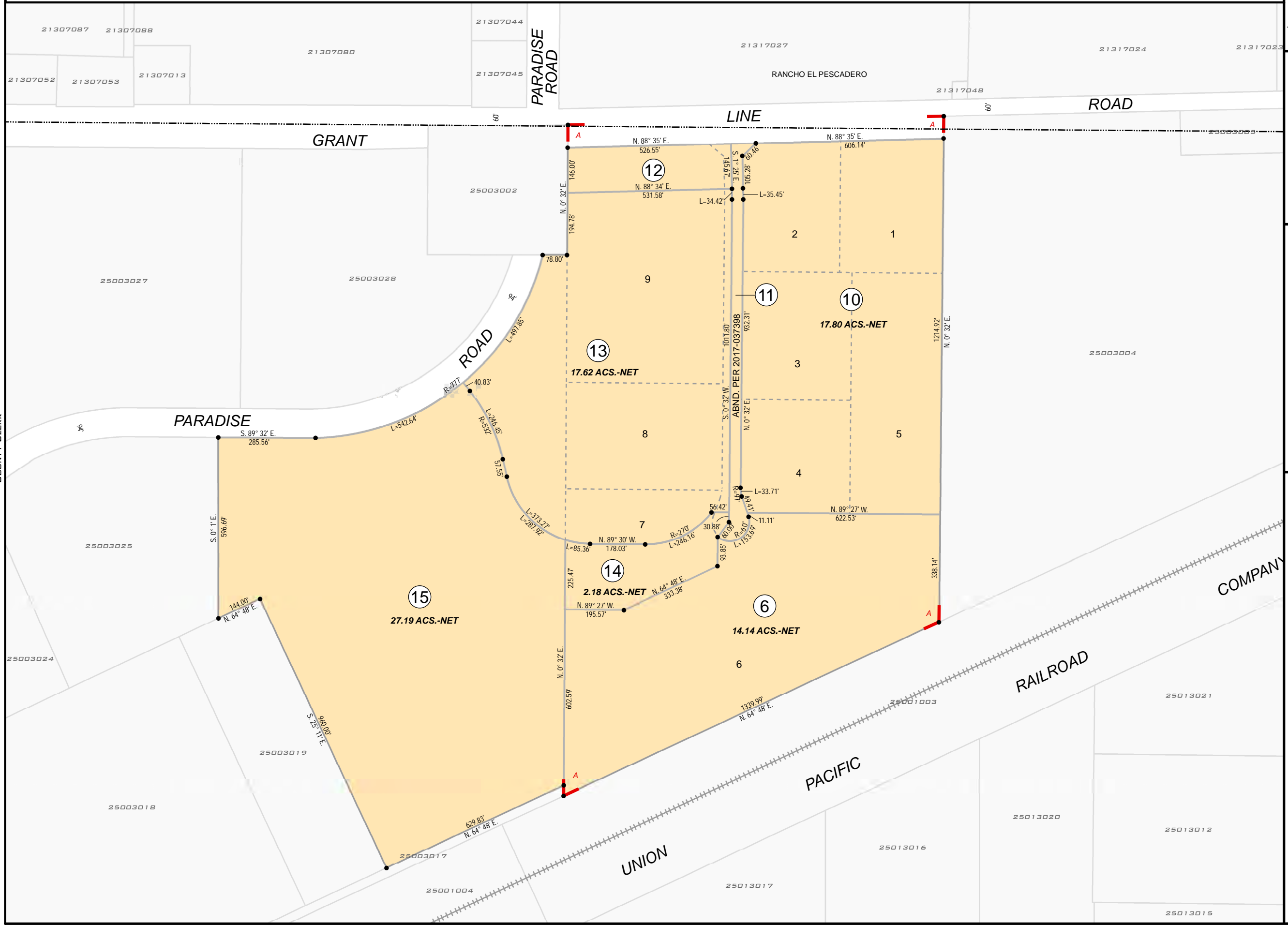
BK. 250 PG. 28
COUNTY OF
SAN JOAQUIN, CA

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**COUNTY OF SAN JOAQUIN,
OFFICE OF THE ASSESSOR**



STEVE J. BESTOLARIDES
COUNTY ASSESSOR, RECORDER/
COUNTY CLERK





Harris & Associates



Storm Drainage Impact Fee Study Expanded Northeast Industrial Area and Eastside Industrial

For the
City of Tracy
San Joaquin County, California

July 2018

City of Tracy
Storm Drainage Impact Fee Study Expanded
NEI Area and Eastside Industrial



Harris & Associates

Executive Summary

The City of Tracy (City), like most communities in California, has adopted development impact fees for storm drainage to promote the idea that “growth pays for growth”. The Mitigation Fee Act of 1987 (commonly referred to as AB1600) sets forth the findings an agency must make in the adoption of its fee program as well as the ongoing reporting requirements.

Harris in conjunction with Storm Water Consulting were tasked to review the Storm Drainage Fees for the northeast area of the City’s Sphere of Influence with the intention of updating the development impact fee areas and the storm drainage fees development in these areas would be responsible for. This review and subsequent update were completed with the following goals in mind:

- Redefining the remaining Storm Drainage Infrastructure in these areas
- Improving the opportunities to accelerate the construction of outfall measures that will serve each planning area

The following figures illustrate the proposed fee updates for each planning area and provides a comparison of the proposed fees to the fees currently being collected.

Figure 1
Proposed Fee Summary by Drainage Area

DESCRIPTION	WATERSHED FEE AMOUNT	EASTSIDE CHANNEL FEE	TOTAL IMPACT FEE*
Expanded NEI Area			
Residential - Very Low Density	\$ 2,743.42	\$ 232.55	\$ 2,975.97
Residential - Low Density	\$ 1,843.29	\$ 213.82	\$ 2,057.11
Residential - Medium Density (attached 2-4)	\$ 1,127.42	\$ 142.18	\$ 1,269.60
Residential - High Density (attached 4+)	\$ 1,042.26	\$ 127.85	\$ 1,170.11
Industrial	\$ 30,946.60	\$ 3,908.24	\$ 34,854.84
Commercial / Retail	\$ 30,946.60	\$ 3,908.24	\$ 34,854.84
Public Facilities	\$ 20,631.07	\$ 2,605.62	\$ 23,236.69
New Eastside Industrial Area			
Industrial	\$ 39,641.04	\$ 3,908.24	\$ 43,549.28
Commercial / Retail	\$ 39,641.04	\$ 3,908.24	\$ 43,549.28

* Residential Fees are shown per dwelling unit, Non-residential Fees are shown per acre



Figure 2
Non-Residential Fee Comparison by Drainage Area

DESCRIPTION	PREVIOUS FEE AMOUNT	NEW FEE AMOUNT*	DELTA	PERCENT CHANGE
Expanded NEI Area (Previously NEI)				
NEI Phase I Industrial**	\$ 31,939.00	\$34,854.84	\$ 2,915.84	9%
NEI Phase II Industrial**	\$ 36,097.00	\$34,854.84	\$ (1,242.16)	-3%
Expanded NEI Area (Previously East Chrisman and UR-1)				
Industrial	\$ 31,612.00	\$34,854.84	\$ 3,242.84	10%
Commercial / Retail	\$ 31,612.00	\$34,854.84	\$ 3,242.84	10%
Public Facilities	N/A	\$23,236.69	N/A	N/A
Expanded NEI Area (Previously Eastside Industrial)				
Industrial	\$ 53,958.00	\$34,854.84	\$ (19,103.16)	-35%
Eastside Industrial (Previously Eastside Industrial)				
Industrial	\$ 53,958.00	\$43,549.28	\$ (10,408.72)	-19%
Commercial / Retail	\$ 53,958.00	\$43,549.28	\$ (10,408.72)	-19%

* Non-residential Fees are shown per acre

** NEI Fees were reduced in 2012 due to the economic downturn

Figure 3
Residential Fee Comparison by Drainage Area

DESCRIPTION	PREVIOUS FEE AMOUNT	NEW FEE AMOUNT*	DELTA	PERCENT CHANGE
Expanded NEI Area (Previously East Chrisman and UR-1)				
Residential - Very Low Density	\$ 1,877.00	\$ 2,975.97	\$ 1,098.97	59%
Residential - Low Density	\$ 1,733.00	\$ 2,057.11	\$ 324.11	19%
Residential - Medium Density (attached 2-4)	\$ 1,152.00	\$ 1,269.60	\$ 117.60	10%
Residential - High Density (attached 4+)	\$ 1,028.00	\$ 1,170.11	\$ 142.11	14%

* Residential Fees are shown per dwelling unit

It is recommended that the City adopt the proposed fees in a timely manner to successfully fund the storm drainage infrastructure required to serve the planning areas in the northeast are of the City's Sphere of influence. A comprehensive analysis and the required AB1600 findings are detailed in subsequent report sections.



Introduction

This impact fee analysis report has been prepared for Supplement No. 2 to the Citywide Storm Drainage Master Plan for the northeast area of the City's Sphere of Influence; including the Northeast Industrial (NEI) Area, the Eastside Industrial Area, and the Chrisman and East UR1 Area. It addresses program storm drainage infrastructure requirements to serve new development in these areas and also addresses the storm drainage impact fees required to utilize existing storm drainage outfall facilities.

The City adopted the City of Tracy Citywide Storm Drainage Master Plan (SDMP) on April 16, 2013 by resolution 2013-056, as well as the City of Tracy Citywide Storm Drainage Master Plan Impact Fee Analysis and Supplement No. 1 for New Impact Fee Program Areas on January 7, 2014 by Resolution 2014-10. At this time, Storm Water Consulting Inc. has prepared Supplement No. 2 to Citywide Storm Drainage Master Plan Northeast Area of Sphere of Influence (SDMP Update). The SDMP Update revises the facilities and the drainage sheds on the Northeast Side of town. As a result of this update, new impact fees are being calculated for the following areas:

- Northeast Industrial Drainage Shed
- Eastside Industrial Drainage Shed
- Chrisman and East UR1 Drainage Shed.

The development areas included in the Citywide Storm Drainage Master Plan, with the exception of those listed above, are not affected by this impact fee analysis.

Program Storm Drainage Areas

Fee area boundaries for the Northeast Industrial Area, the Eastside Industrial Area and Chrisman and East UR1 areas have been revised by Supplement No. 2 to the Citywide Storm Drainage Master Plan. A need for revised impact fees for these fee areas is the result of various factors. Some of these main factors are:

- The relocation of Detention Basin NEI (DET NEI) to the south side of Pescadero Avenue to set it back from the I-205 corridor
- Redefining the remaining storm drainage infrastructure required to serve the respective fee areas
- Improving the opportunities to accelerate the construction of outfall measures that will serve each planning area in order to facilitate the elimination of several existing temporary retention basins.

The boundaries of these revised planning areas are defined as follows:

Expanded Northeast Industrial Area

The expanded Northeast Industrial Area established by Supplement No. 2 to the Citywide Storm Drainage Master Plan is comprised of the original Northeast Industrial Area outlined in the NEI Specific Plan, the entirety of the Chrisman and East UR1 area as detailed in the SDMP and the portion of the



Eastside Industrial Area south of I-205. These sub-basins are identified in Exhibit B as E10, E13, E53 – E63, and E65.

Eastside Industrial Area

The Revised Eastside Industrial Area established by Supplement No. 2 to the Citywide Storm Drainage Master Plan consists of the parcels identified as being in the Eastside Industrial Area in the SDMP located directly north of I-205. These sub-basins are identified in Exhibit B as E66 – E68.

Program Storm Drainage Infrastructure

The alterations to the boundaries of the storm drainage planning areas resulted from an analysis of the storm drainage infrastructure on the Northeast Side of Tracy. Storm Water Consulting, Inc. through hydrologic and hydraulic technical evaluations determined the quantities and rates of runoff that will be created by new development within the program areas. Based on this analysis, storm drainage infrastructure has been recommended to mitigate these impacts. This infrastructure for each planning area established by Supplement No. 2 to the Citywide Storm Drainage Master Plan is summarized below.

Expanded Northeast Industrial Area Storm Drainage Infrastructure

The program storm drainage facilities designed to serve the Northeast Industrial Area were previously described in the *City of Tracy Storm Drainage Analysis for Northeast Industrial Area*. Supplement No. 2 to the Citywide Storm Drainage Master Plan incorporates NEI into the Citywide Storm Drainage Master Plan and subsequently expands the boundaries to include portions of the Eastside Industrial Area, as well as the Chrisman and East UR1 Area. Expansion of the NEI Fee Area alters the infrastructure required to serve these areas. These infrastructure modifications, detailed in Supplement No. 2 to the Citywide Storm Drainage Master Plan, are shown in Exhibit B and are summarized below:

- The proposed detention basin, DET NEI, has been relocated from its previously planned location to the south side of Pescadero Avenue away from I-205 view corridor and the outflow discharge has been increased from 10 cubic feet per second (cfs) to 16 cfs. The storage capacity of this detention Basin has been reduced from 198 acre-feet to 127.8 acre-feet with a possible expansion to the west at such a time as the existing Silva Dairy redevelops.
- A proposed 18 inch outfall storm drainage force main from DET NEI to the City's Eastside channel has upsized to a 24 inch force main and has been relocated south from Arbor Avenue to Pescadero Avenue eliminating the need to bore and jack across I-205.
- Large culvert crossings of Pescadero Avenue and Pescadero Reclamation District (ID) Canal have been deleted.
- Greenbelt parkways are no longer required to facilitate the mitigation of storm water runoff and have been removed from the Storm Drainage Master Plan in this area and subsequently from this fee analysis.
- DET E55 was added to accommodate the relocation of DET NEI and will have a storage volume of 49.3 acre-feet with a gravity outlet having a maximum discharge of 2 cfs.



- The 60 inch storm drainage outflow pipe from the south area was reduced to 18 inch and a proposed 24 inch storm drainage segment on the south side of a section of the Home Depot Warehouse was eliminated from the Storm Drainage Master Plan.

Revised Eastside Industrial Area Storm Drainage Infrastructure

The program storm drainage facilities proposed to serve the Revised Eastside Industrial Area, which for the purposes of this report only includes properties north of I-205 are shown in Exhibit B. The following changes are being proposed as part of this amendment:

- Undeveloped properties north of Pescadero Avenue and south of I-205 that previously drained to DET NEI will now drain to DET 16.
- DET 16, located at the northeast corner of sub-basin E65, now has approximately 1 cfs of DET NEI's outflow capacity allocated to it and will continuously pump stormwater during and after storm events.
- DET 16 total storage volume has been increased by 3.8 acre-feet to accommodate the increased drainage from the properties located in the NEI area north of Pescadero Avenue.
- DET 13 storage and outflow requirements have been change to 8.7 acre-feet and 1 cfs, respectively, with the DCT development, and outfall pipe sizes along Arbor avenue have been reduced.

Opinion of Probable Cost

Overview

This section details the Opinions of Probable Cost for the storm drainage infrastructure that will serve the two fee areas that are being reassessed in this fee analysis. These costs are taken from Supplement No. 2 to Citywide Storm Drainage Master Plan prepared by Storm Water Consulting Inc.

Cost Estimating Considerations

Soft costs accounted for in all opinions of probable cost are as follows:

- Design and Planning – 10% of construction costs
- Construction Management – 10% of construction costs
- General Contingency – 15% of construction costs
- Program Administration – 5% of construction costs

It is important to note, that the infrastructure detailed in these tables is not forecasted to develop in the near future nor will the projects be constructed simultaneously. As the construction date for each facility is unknown at this point in time, it is critical that these cost estimates be updated by annually by the Engineering News Record San Francisco Construction Cost Index or a similar index as adopted by City Council. Annual updates ensure that the cost estimates are continually relevant to the anticipated construction cost.

City of Tracy

Storm Drainage Impact Fee Study Expanded NEI Area and Eastside Industrial



Harris & Associates

Infrastructure Costs by Fee Area

Expanded Northeast Industrial Area

Table 1 details the opinion of probable cost for the remaining facilities in the Expanded Northeast Industrial Area. The NEI Phase 1 and Phase 2 fund balances are subtracted from the estimated costs for the Expanded Northeast Industrial Area. In addition, the developer at 1547 E. Grant Line Road is in the process of entering into an agreement with the City of Tracy to build the 36 inch line on the south side of the Home Depot Property as part of their project. The developer will receive fee credits for completing this line. Since this land is not included in remaining development, this credit is shown at the bottom of the table and is removed from the cost that future developers must fund. The remaining cost that must be funded from future development is shown in Table 1.

Revised Eastside Industrial Area

Table 2 details the opinion of probable cost for the remaining facilities in the Eastside Industrial Area. The developer of the M2 Parcel of the I-205 Specific Plan, located in sub-basin E68, recently completed construction of DET 13, a 10 inch force main and a 30 inch outfall line to the eastside channel as part of their project. The developer received a fee credit of approximately \$1,623,250 for completing these projects as detailed in the M2 finance plan adopted on November 17, 2015 by Resolution 2015-190. Since these projects have already been constructed and the credits have been issued, this land is not included in the remaining development. The remaining costs to be funded from future development is shown in Table 2.

City of Tracy
 Storm Drainage Impact Fee Study Expanded
 NEI Area and Eastside Industrial



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Table 1
 Opinion of Probable Cost for Drainage Infrastructure - Total Unbuilt As Of Jan. 2018
 Updated NEI - Expanded Area (Including Infrastructure for Areas Draining to DETs E55 and 16)

DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
EXPANDED NEI IMPACT FEE AREA				
Construction of Major Facilities				
DET NEI (128 AF, plus 22 AF add'l excavation)	150	AF	\$ 16,000	\$ 2,400,000
DET 16 (38 AF, PLUS 10 AF add'l excavation)	48	AF	\$ 16,000	\$ 768,000
DET E55 (49 AF, plus 15 AF add'l excavation)	64	AF	\$ 16,000	\$ 1,024,000
DET NEI Pump Station (16.0 cfs capacity)	1	LS	\$ 1,500,000	\$ 1,500,000
DET 16 Pump Station (1.0 cfs capacity)	1	LS	\$ 350,000	\$ 350,000
Construction of Storm Drains				
10" SDFM (Outfall DET 16 to DET NEI)	2,500	LF	\$ 100	\$ 250,000
24" SDFM (Outfall DET NEI to Eastside Channel)	4,100	LF	\$ 150	\$ 615,000
18" SD (DET 55 to Grant Line Road)	2,700	LF	\$ 100	\$ 270,000
18" SD (Bore & Jack, Crossing of UPRR North of DET E55)	200	LF	\$ 600	\$ 120,000
30" SD (South Side Home Depot, deep trenching required)	660	LF	\$ 300	\$ 198,000
36" SD (South Side Home Depot, deep trenching required)	660	LF	\$ 500	\$ 330,000
36" SD (South Side I-205, Paradise Road to DET 16)	1,700	LF	\$ 300	\$ 510,000
36" SD (Chrisman Road, South of UPRR)	2,800	LF	\$ 300	\$ 840,000
48" SD (South Side UPRR, Chrisman to DET E55)	2,100	LF	\$ 400	\$ 840,000
54" SD (Pescadero Ave., East Side Home Depot to DET NEI)	1,500	LF	\$ 450	\$ 675,000
60" SD (Chrisman Road, Paradise Road to Grant Line Road)	1,300	LF	\$ 550	\$ 715,000
Other Items				
Dewatering	1	LS	\$ 1,500,000	\$ 1,500,000
Access Roadways (30"/36" SDs South Side Home Depot)	1,320	LF	\$ 110	\$ 145,200
UPTC Crossing Agreement	1	EA	\$ 5,000	\$ 5,000
Subtotal of Construction				\$ 13,055,200
Design & Planning @ 10% of Construction Subtotal				\$ 1,305,520
Construction Management @ 10% of Construction Subtotal				\$ 1,305,520
General Contingency @ 15% of Construction Subtotal				\$ 1,958,280
Program Administration @ 5% of Construction Subtotal				\$ 652,760
Land Acquisition				
DET NEI	33.0	AC	\$ 150,000	\$ 4,950,000
DET NEI (Possible Future Expansion)	7.0	AC	\$ 150,000	\$ 1,050,000
DET 16	12.0	AC	\$ 150,000	\$ 1,800,000
DET E55	12.0	AC	\$ 150,000	\$ 1,800,000
10" SDFM/36" SD Easement (Paradise Road to DET 16)	0.7	AC	\$ 50,000	\$ 35,000
18" SD Easement (DET E55 to Grant Line Road)	1.2	AC	\$ 50,000	\$ 60,000
30" SD Easement (South Side Home Depot)	0.3	AC	\$ 50,000	\$ 15,000
36" SD Easement (South Side Home Depot)	0.3	AC	\$ 50,000	\$ 15,000
Subtotal of Land Acquisition				\$ 9,725,000
TOTAL ESTIMATED COST				\$ 28,002,280
Credit for NEI Phase 1 and 2 Storm Drainage Fund Balance				\$ (5,593,927)
Credit for 1547 E. Grant Line Road Storm Drainage Impact Fees and Developer Credit*				\$ (682,242)
TOTAL NET COST FOR NEW PROGRAM STORM DRAINAGE INFRASTRUCTURE				\$ 21,726,111

* Project at 1547 E. Grant Line Road already under agreement. This amount represents the total of their fees and credits for storm drainage under that agreement.

City of Tracy
Storm Drainage Impact Fee Study Expanded
NEI Area and Eastside Industrial



Harris & Associates

Table 2
Opinion of Probable Cost for Drainage Infrastructure - Total Unbuilt As Of Jan. 2018
Revised Eastside Industrial (Properties on the North Side of I-205, Only)

DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
EXPANDED NEI IMPACT FEE AREA				
Construction of Major Facilities				
DET 13 Expansion (4 add'l AF, plus 1 AF add'l excavation)	5	AF	\$ 16,000	\$ 80,000
DET 14 (16 AF, plus 6 AF add'l excavation)	22	AF	\$ 16,000	\$ 352,000
DET 15 (13 AF, plus 5 AF add'l excavation)	18	AF	\$ 16,000	\$ 288,000
DET 14 Pump Station (1.0 cfs capacity)	1	LS	\$ 350,000	\$ 350,000
DET 15 Pump Station (1.0 cfs capacity)	1	LS	\$ 350,000	\$ 350,000
Construction of Storm Drains				
10" SDFM (Arbor Ave., DET 15 to Existing Stub at DET 13)	7,000	LF	\$ 100	\$ 700,000
Other Items				
Dewatering	1	LS	\$ 1,000,000	\$ 1,000,000
Subtotal of Construction				\$ 3,120,000
Design & Planning @ 10% of Construction Subtotal				\$ 312,000
Construction Management @ 10% of Construction Subtotal				\$ 312,000
General Contingency @ 15% of Construction Subtotal				\$ 468,000
Program Administration @ 5% of Construction Subtotal				\$ 156,000
Land Acquisition				
DET 13 Expansion	2.2	AC	\$ 150,000	\$ 330,000
DET 14	7.0	AC	\$ 150,000	\$ 1,050,000
DET 15	6.0	AC	\$ 150,000	\$ 900,000
Subtotal of Land Acquisition				\$ 2,280,000
TOTAL ESTIMATED COST				\$ 6,648,000

Storm Drainage Impact Fees

Overview

New development within the Expanded Northeast Industrial Area and the Revised Eastside Industrial will fund the storm drainage infrastructure detailed in the Opinions of Probable costs shown in Table 1 and Table 2.

Fee Methodology

There are several methodologies that can be used to determine the impact fees for new development. The applicability of these methodologies is primarily based on the type of infrastructure or facility that an impact fee is being calculated for and the technical documentation that is available to support the establishment of the fee.

For the purposed of this fee analysis, a Plan-Based fee methodology was used for calculating the storm drainage impact fees and is consistent with the methodology utilized in the *2013 Impact Fee Analysis for New Impact Fee Program Areas* prepared by Stantec.

The methodology used in calculating the fees is shown below:



1. The gross acreage for each remaining property in the basin was determined and is shown in Exhibit C.
2. The gross areas for each proposed land use category within the impact fee program area were divided by the total gross area of undeveloped land to yield a proportional land use area percentage.
3. In order to establish an equitable fee structure, the land use area percentages were then weighted according to their assigned percent impervious values. The percent impervious values used in the analysis were the values established under the assumption that new development would utilize onsite storm water control measures as prescribed per the City's Multi-Agency Post-Construction Stormwater Standards Manual.
4. Each land use is then assigned a proportional funding responsibility (share of the costs) by dividing their impervious area by the total impervious area.
5. The total fee responsibility for each land use category is then determined by multiplying the proportional funding responsibility percentages by the total infrastructure cost for the impact fee program area.
6. The total funding responsibility for each land use category is then divided by the net acreage to calculate the impact fee for each land use category on a per acre basis.
7. For residential land uses, the impact fee per acre is then converted to a fee per dwelling unit using density assumptions.

Table 3 and 4 details the storm drainage impact fees by planning area and subsequently by land use that were derived using the preceding methodology.

City of Tracy
 Storm Drainage Impact Fee Study Expanded
 NEI Area and Eastside Industrial



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Table 3
 City of Tracy
 Storm Drainage Impact Fees (Expanded NEI Area, with Chrisman & East UR-1 and Eastside Industrial Area Portion South of I-205)

Impact Fee Program Area	Total Infrastructure Cost*	Land Use Category	Gross Acreage by Land Use Category	Proportional Land Use Area Within Impact Fee Program Area	Percent Impervious	Proportional Funding Factor (Land Use % times % Impervious)	Proportional Funding Responsibility (Funding Factor % of Total)	Total Fee Responsibility	Net Acreage by Land Use Category (Gross Acreage X 85%)	Impact Fee (Per Acre)	Residential Dwelling Units	Impact Fee (Per Dwelling Unit)
Expanded NEI with Chrisman & East UR-1 and Eastside Industrial Area Portion South of I-205	\$ 21,726,111	Residential - Very Low Density	59.45	6.11%	6%	0.0037	0.8%	\$ 164,605	50.53062338	\$ 3,257.54	60	\$ 2,743.42
		Residential - Low Density	46.93	4.82%	16%	0.0077	1.6%	\$ 346,538	39.8925974	\$ 8,686.77	188	\$ 1,843.29
		Residential - Medium Density (attached 2-4)	34.87	3.58%	22%	0.0079	1.6%	\$ 354,010	29.6383961	\$ 11,944.30	314	\$ 1,127.42
		Residential - High Density (Attached 4+)	3.91	0.40%	41%	0.0016	0.3%	\$ 74,000	3.324383117	\$ 22,259.84	71	\$ 1,042.26
		Industrial / Commercial**	715.12	73.50%	57%	0.4189	86.6%	\$ 18,810,955	607.852	\$ 30,946.60	N/A	N/A
		Public Facilities	112.88	11.58%	38%	0.0440	9.1%	\$ 1,976,003	96.778	\$ 20,631.07	N/A	N/A
		Total	972.96	100.00%		0.4839	100.0%	\$ 21,726,111	827.016			

* Includes only unbuilt items as of January 2018.

** Acreage includes 61 acres from Chrisman & East UR-1, 463 undeveloped acres from NEI and 191 acres from Eastside Industrial. 1547 E. Grant Line Road not included.

Table 4
 City of Tracy
 Storm Drainage Impact Fees (Updated East Side Industrial Area, Consisting of Undeveloped Properties North of I-205, Only)

Impact Fee Program Area	Total Infrastructure Cost*	Land Use Category	Gross Acreage by Land Use Category	Proportional Land Use Area Within Impact Fee Program Area	Percent Impervious	Proportional Funding Factor (Land Use % times % Impervious)	Proportional Funding Responsibility (Funding Factor % of Total)	Total Fee Responsibility	Net Acreage by Land Use Category (Gross Acreage X 85%)	Impact Fee (Per Acre)	Residential Dwelling Units	Impact Fee (Per Dwelling Unit)
East Side Industrial	\$ 6,648,000	Industrial	192	97.31%	57%	0.5547	97.3%	\$ 6,469,417	163.2	\$ 39,641.04	N/A	N/A
		Commercial / Retail	5.3	2.69%	57%	0.0153	2.7%	\$ 178,583	4.505	\$ 39,641.04	N/A	N/A
		Total	197.30	100.00%		0.5700	\$ 6,648,000	167.705				

* Includes only unbuilt items as of January 2018.



In addition to the impact fees by planning area, each development project is responsible for their fair share of the Eastside Channel’s expansion. These fees are detailed in Table 5 by land use and have been escalated by ENR CCI from the fees shown in the *City of Tracy Citywide Storm Drainage Master Plan Impact Fee Analysis* dated November 2012.

Table 5
Eastside Channel Impact Fee

DESCRIPTION	IMPACT FEE*
Eastside Channel	
Residential - Very Low Density	\$ 232.55
Residential - Low Density	\$ 213.82
Residential - Medium Density (attached 2-4)	\$ 142.18
Residential - High Density (attached 4+)	\$ 127.85
Industrial	\$3,908.24
Office	\$3,908.24
Retail	\$3,908.24
Public Facilities	\$2,605.63

* Residential Fees are shown per dwelling unit, Non-residential Fees are shown per acre

AB 1600 Findings

This section provides the nexus findings for establishing and/or revising development impact fees for storm drainage pursuant to Assembly Bill (AB) 1600.

AB 1600, which was enacted by the State of California in 1987, created the Mitigation Fee Act – Section 66000 et seq. of the Government Code. The Mitigation Fee Act requires that all public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. These requirements are as follows:

1. Identification of the purpose of the fee.
2. Identification of how the fee will be used.
3. Determination of how there is a reasonable relationship between the fee’s use and the type of development projects on which the fee is imposed.
4. Determination of how there is a reasonable relationship between the need for the public storm drainage facilities and the type of development projects on which the fee is imposed.
5. Determination of how there is a reasonable relationship between the amount of the fee and the cost of the public storm drainage facilities (or portion of facilities) attributable to new development.



These required findings are made below.

Requirement #1: Identify the purpose of the fee.

New development increases the impervious area and generates the need for additional storm drainage facilities to convey storm water runoff into the City's system. These storm drainage facilities are required in order to provide adequate drainage to all parcels in the Expanded NEI and Revised Eastside Industrial Areas. The purpose of the storm drainage impact fee is to provide a source of funding and to ensure that each development shares equally in the cost of the localized storm drainage infrastructure identified in the City of Tracy Supplement No. 2 to the Citywide Storm Drainage Master Plan. These facilities are illustrated in Exhibit B and the opinions of probable costs are summarized in Tables 1 and 2.

Requirement #2: Identify the use to which the fee will be put.

The storm drainage impact fee will be used to construct the necessary program storm drainage collection facilities per Supplement No. 2 to Citywide Storm Drainage Master. These facilities include underground storm drains, detention basins and appurtenant improvements as summarized in Tables 1 and 2 and illustrated in Exhibit B.

Requirement #3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New development within the Expanded NEI and Revised Eastside Industrial areas will increase the impervious area which generates additional storm water runoff and the associated need for storm drainage facilities within the respective program areas. Impact Fees are calculated based on the impervious area generated by each land use. This methodology ensures the fees are directly related to the impact created by the new development.

Requirement #4: Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

Each new development will generate additional runoff in the Expanded NEI Area and revised Eastside Industrial Area as defined in the Storm Drainage Master Plan and Supplement No. 2. Hydrologic and hydraulic modeling was performed by Storm Water Consulting Inc., to determine the volume and rate of runoff production for each type of new development within the Expanded NEI and Revised Eastside Industrial areas. The results of this modeling was utilized to develop the recommended storm drainage infrastructure summarized in Tables 1 and 2. Each new development will pay for their fair share of the required storm drainage infrastructure based on their impervious area.

Requirement #5: Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The opinions of probable cost for the required storm drainage collection facilities depicted in Tables 1 and 2 are spread to each land use within the Expanded NEI and Revised Eastside Industrial Areas based on a net acreage and dwelling unit basis determined by impervious area. This calculation is shown in Tables 3



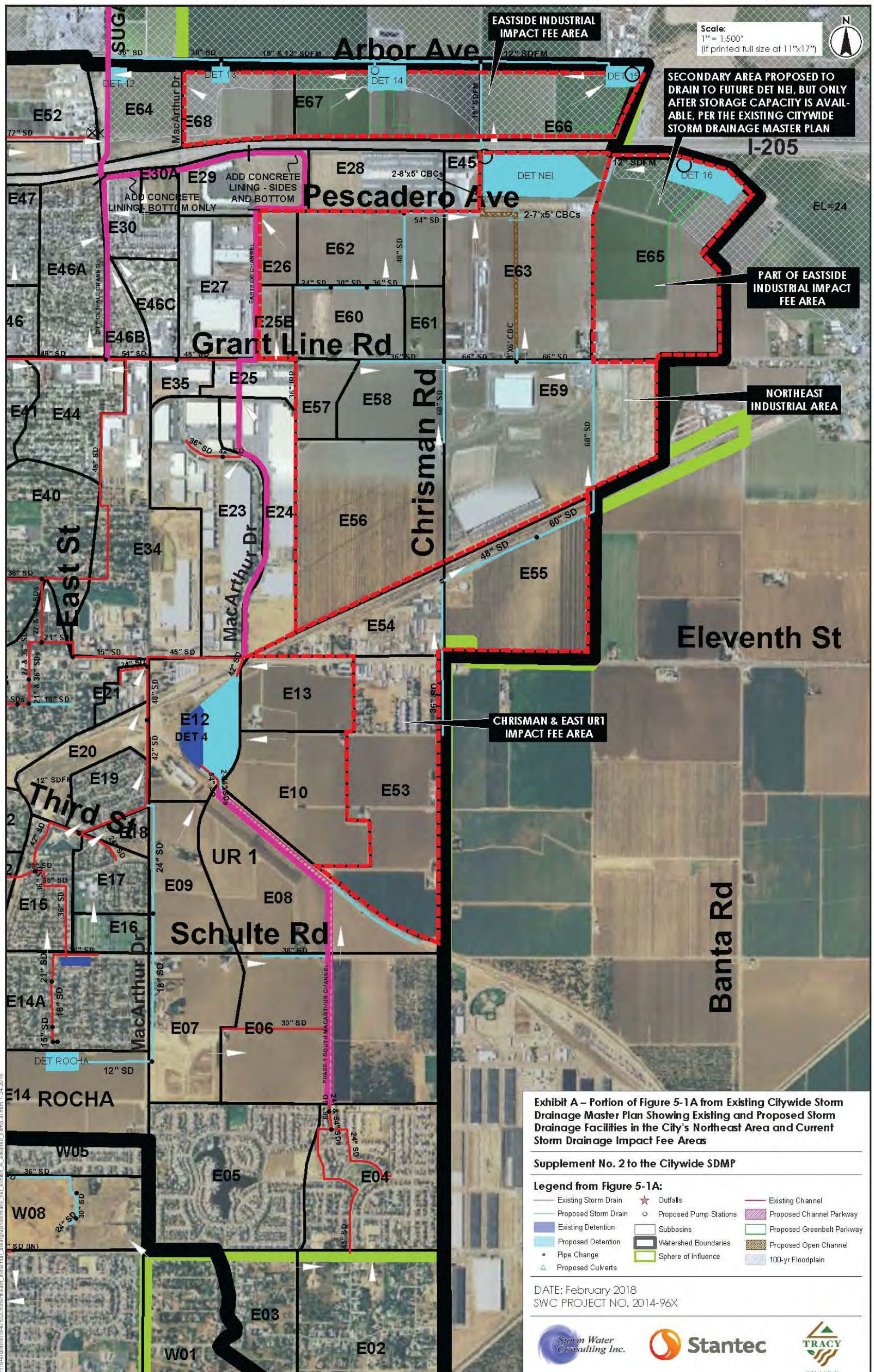
and 4. The costs included in these estimates were derived from actual bids and completed construction costs from prior storm drainage improvement projects. New development projects will be required to fund their fair share of the required storm drainage infrastructure based on the increased impervious area created by each new development by calculating fees based on impervious area, each development pays their fair share of the required infrastructure.

Exhibits

Exhibit A: Portion of Figure 5-1A from Existing Citywide Storm Drainage Master Plan Showing Existing and Proposed Storm Drainage Facilities in the City's Northeast Area

Exhibit B: Proposed Revisions to the Citywide Storm Drainage Master Plan per Supplement No. 2

Exhibit C: "Undeveloped" Parcel Listing and Acreages (as of 1-10-18)



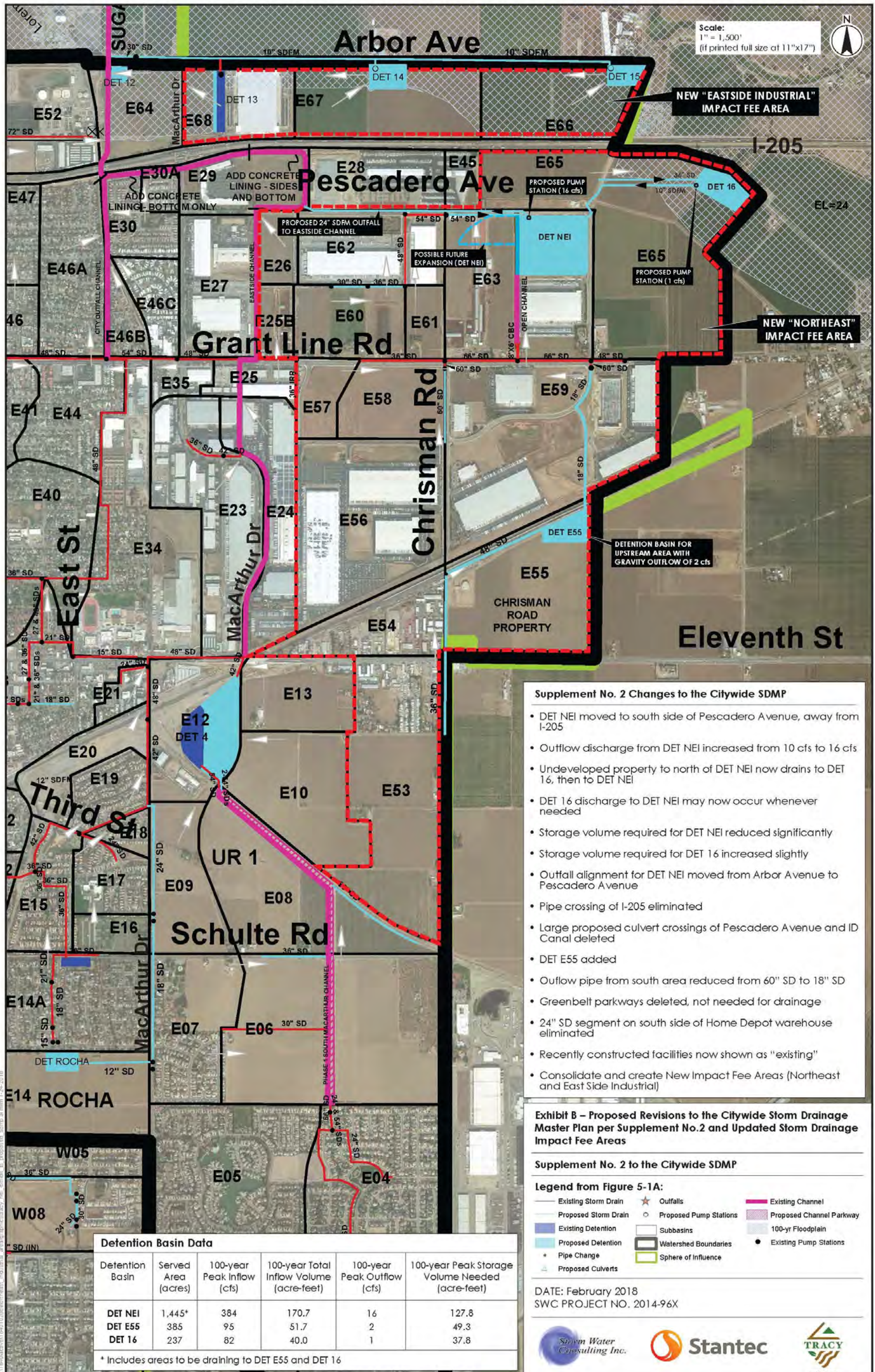




Exhibit C

**Chrisman and East UR-1 "Undeveloped" Parcel Listing and Acreages
 (as of 1-10-2018) - Part of NEI Expanded Area**

Assessor Parcel #	Listed Acreage	Notes
250-03-06	56.06	City Chrisman Road Property
230-03-07	56.62	City Chrisman Road Property
Subtotal Acreage	112.68	
250-14-02, 03, 04	0.67	Industrial, North Side Eleventh Street
250-14-05	0.86	Industrial, North Side Eleventh Street
250-14-06	1.41	Industrial, North Side Eleventh Street
250-14-07	3.07	Industrial, North Side Eleventh Street
250-14-08	2.47	Industrial, North Side Eleventh Street
250-14-09	2.36	Industrial, North Side Eleventh Street
250-14-10	4.65	Industrial, North Side Eleventh Street
250-14-11	4.91	Industrial, North Side Eleventh Street
250-14-12	7.20	Industrial, North Side Eleventh Street
250-14-13	2.17	Industrial, North Side Eleventh Street
250-14-14	7.53	Industrial, North Side Eleventh Street
250-14-15	1.29	Industrial, North Side Eleventh Street
250-14-16	0.79	Industrial, North Side Eleventh Street
250-14-17	1.29	Commercial, North Side Eleventh Street
Subtotal Acreage	40.67	
250-15-01 thru 04, 07 thru 10, 14 thru 20, and 45 thru 47	20.20	Industrial, South Side Eleventh Street
250-15-21 thru 25, and 27 thru 44	24.70	Residential (Medium), South of Eleventh Street
Subtotal Acreage	44.90	
250-16-09	0.80	East UR-1
250-16-11	46.78	East UR-1
250-16-12	1.18	East UR-1
250-18-02	20.78	East UR-1
250-18-03	5.68	East UR-1
250-18-04	5.16	East UR-1
250-18-05	1.01	East UR-1
250-18-06	1.00	East UR-1
250-18-07	17.71	East UR-1
250-18-08	20.36	East UR-1
Subtotal Acreage	120.46	
85% Total Acreage	270.90	Reduction for land allocated to streets, etc.



Exhibit C

**Eastside Industrial South of I-205 "Undeveloped" Parcel Listing and Acreages
 (as of 1-10-2018) - Part of NEI Expanded Area**

Assessor Parcel #	Listed Acreage	Notes
213-17-14	22.17	
213-17-24	31.67	
213-17-25	11.70	
213-17-26	3.24	
213-17-27	122.39	
Subtotal Acreage	191.17	
85% Total Acreage	162.49	Reduction for land allocated to streets, etc.

**Eastside Industrial North of I-205 "Undeveloped" Parcel Listing and Acreages
 (as of 1-10-2018)**

Assessor Parcel #	Listed Acreage	Notes
213-06-02	14.16	
213-06-04	39.56	
213-06-08	1.01	
213-06-09	19.78	
213-06-10	19.78	
213-06-11	39.79	
213-06-17	16.02	
213-06-18	2.57	
213-06-21	1.00	
213-06-22	38.89	
213-06-23	1.58	
213-06-24	1.58	
213-06-25	1.58	
Subtotal Acreage	197.29	
85% Total Acreage	167.69	Reduction for land allocated to streets, etc.



Exhibit C
Chrisman and East UR-1 "Undeveloped" Parcel Listing and Acreages
(as of 1-10-2018) - Part of NEI Expanded Area

Assessor Parcel #	Listed Acreage	Notes
250-03-06	56.06	City Chrisman Road Property
230-03-07	56.62	City Chrisman Road Property
Subtotal Acreage	112.68	
250-14-02, 03, 04	0.67	Industrial, North Side Eleventh Street
250-14-05	0.86	Industrial, North Side Eleventh Street
250-14-06	1.41	Industrial, North Side Eleventh Street
250-14-07	3.07	Industrial, North Side Eleventh Street
250-14-08	2.47	Industrial, North Side Eleventh Street
250-14-09	2.36	Industrial, North Side Eleventh Street
250-14-10	4.65	Industrial, North Side Eleventh Street
250-14-11	4.91	Industrial, North Side Eleventh Street
250-14-12	7.20	Industrial, North Side Eleventh Street
250-14-13	2.17	Industrial, North Side Eleventh Street
250-14-14	7.53	Industrial, North Side Eleventh Street
250-14-15	1.29	Industrial, North Side Eleventh Street
250-14-16	0.79	Industrial, North Side Eleventh Street
250-14-17	1.29	Commercial, North Side Eleventh Street
Subtotal Acreage	40.67	
250-15-01 thru 04, 07 thru 10, 14 thru 20, and 45 thru 47	20.20	Industrial, South Side Eleventh Street
250-15-21 thru 25, and 27 thru 44	24.70	Residential (Medium), South of Eleventh Street
Subtotal Acreage	44.90	
250-16-09	0.80	East UR-1
250-16-11	46.78	East UR-1
250-16-12	1.18	East UR-1
250-18-02	20.78	East UR-1
250-18-03	5.68	East UR-1
250-18-04	5.16	East UR-1
250-18-05	1.01	East UR-1
250-18-06	1.00	East UR-1
250-18-07	17.71	East UR-1
250-18-08	20.36	East UR-1
Subtotal Acreage	120.46	
85% Total Acreage	270.90	Reduction for land allocated to streets, etc.

RESOLUTION 2018-_____

APPROVING SUPPLEMENT NO.2 OF THE CITYWIDE STORM DRAINAGE MASTER PLAN

WHEREAS, The City adopted the Citywide Storm Drainage Master Plan (Master Plan), as approved by City Council Resolution No. 2013-056, on April 16, 2013, and

WHEREAS, The City adopted Supplement No.1 of Master Plan, as approved by City Council Resolution No. 2014-009, on January 7, 2014, and

WHEREAS, It is in the City's interest to update the Master Plan as indicated in Supplement No.2, including moving the proposed location of future Detention Basin NEI (DET NEI) from the contiguous south side of I-205 to a location further south to set it back from the I-205 corridor and revise and update other related drainage facilities in the City's northeast area;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves Supplement No.2 of the Citywide Storm Drainage Master Plan.

* * * * *

The foregoing Resolution 2018-_____ was passed and adopted by the Tracy City Council on the 2nd day of October 2018, by the following vote:

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

MAYOR

ATTEST:

CITY CLERK

RESOLUTION 2018-_____

ADOPTING THE STORM DRAINAGE IMPACT FEE STUDY FOR THE EXPANDED NORTHEAST INDUSTRIAL AREA AND EASTSIDE INDUSTRIAL AREA AND APPROVING THE ESTABLISHMENT OF NEW AND UPDATED STORM DRAINAGE DEVELOPMENT IMPACT FEES FOR THESE AREAS

WHEREAS, The City adopted the Citywide Storm Drainage Master Plan (Master Plan), as approved by City Council Resolution No. 2013-056, on April 16, 2013, and

WHEREAS, The City adopted Supplement No.1 of the Citywide Storm Drainage Master Plan, as approved by City Council Resolution No. 2014-009, on January 7, 2014, and

WHEREAS, The City adopted Supplement No.2 of the Citywide Storm Drainage Master Plan that revised master planned storm drainage infrastructure proposed to serve the northeast area of the, by City Council Resolution 2018-_____, on October 2, 2018, and

WHEREAS, The City's consultant prepared a technical study for Supplement No.2 of the Citywide Storm Drainage Master Plan that includes an estimate of the reasonable cost to provide the storm drainage infrastructure for the northeast area of the City, 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 City's consultant completed a "Storm Drainage Impact Fee Study for the Expanded Northeast Industrial Area and Eastside Industrial" consistent with the adopted Citywide Storm Drainage Master Plan, as supplemented, which meets Mitigation Fee Act Requirements, and

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

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby adopts the Storm Drainage Impact Fee Study for the Expanded Northeast Industrial Area and Eastside Industrial Area and new and updated Storm Drainage Impact Fees for these areas.

* * * * *

The foregoing Resolution 2018-_____ was passed and adopted by the Tracy City Council on the 2nd day of October 2018, by the following vote:

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

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 5

REQUEST

APPROVE THE RENAMING OF SIXTH STREET PLAZA TO FRONT STREET PLAZA

EXECUTIVE SUMMARY

The City Parks and Recreation Department received a request from the West Side Pioneer Association (Tracy Historical Museum) to rename the Sixth Street Plaza to Front Street Plaza. The Parks and Community Services Commission reviewed the request and has made a formal recommendation to the City Council to approve the renaming of the Sixth Street Plaza to Front Street Plaza.

DISCUSSION

On August 24, 2017, the City Parks and Recreation Department received a single request from the Tracy Historical Museum to rename the Sixth Street Plaza, located at 6th Street and Central Avenue, to Front Street Plaza. The Tracy Historical Museum made this request to recognize the historical significance of the area, originally named Front Street, when the street 'fronted' the rail lines and now known as 6th Street.

Per Council Policy G-13, park names should reflect both the current and past heritage and historical significance of the community that it now serves and strong consideration should be given to:

- Any relevant California history that is part of the Tracy Community.

Procedures outlined in Council Policy G-13 state the Parks and Community Services Commission is responsible for the initial review and evaluation of naming requests for Parks and Recreation facilities. At its regular meeting on October 5, 2017, the Parks and Community Services Commission reviewed the request, made a formal recommendation to Council for the approval of renaming the Sixth Street Plaza to Front Street Plaza, and requested to table the discussion regarding funding options for the cost of the monument and signage to a later time.

The West Side Pioneer Association has offered to work with City staff on the design and location of the monument. Once a concept is finalized, staff will return through the Parks Commission to Council for final approval of the monument and any related fiscal impacts.

STRATEGIC PLAN

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

FISCAL IMPACT

There are no fiscal impacts at this time. There may be an impact in the future, depending on the cost of the plaza monument.

RECOMMENDATION

Staff recommends the City Council consider the recommendation by the Parks and Community Services Commission to approve the renaming of the Sixth Street Plaza to Front Street Plaza.

Prepared by: Brian MacDonald, Parks & Recreation Director

Reviewed by: Karin Schnaider, Finance Director
Midori Lichtwardt, Interim Assistant City Manager

Approved by: Randall Bradley, City Manager

ATTACHMENTS

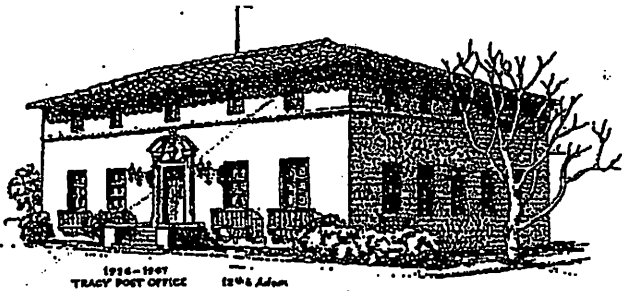
Attachment A – Letter of Request to Rename Sixth Street Plaza

Tracy Historical Museum

1141 Adam Street, Tracy, CA 95376

P. O. Box 117, Tracy, CA 95378-0117

(209) 832-7278



August 24, 2017

The Honorable Mayor Robert Rickman

Tracy City Council

333 City Center Plaza

Tracy, California 95376

Dear Sirs:

The West Side Pioneer Association/Tracy Historical Museum would like to make a recommendation to the Council and related entities for naming the downtown 6th Street area. Our Historic Landmark Committee recently met to consider such recommendations.

Keeping with the historic background of Tracy and the area in question, the committee unanimously decided the name to forward to you should be "Front Street Plaza." Front Street was the originally used name for what is now 6th Street, when the street 'fronted' on the rail lines. We feel that is the most appropriate designation for a truly historically part of our city.

Thank you for allowing the WSPA/Tracy Historical Museum to propose an option to this process.

Gratefully submitted,

John McVey

President, West Side Pioneer Association/Tracy Historical Museum

cc: Tracy Arts Council

Parks & Recreation Department

RESOLUTION _____

APPROVING THE RENAMING OF SIXTH STREET PLAZA TO FRONT STREET PLAZA

WHEREAS, The City owns a parcel of land, located at 6th Street and Central Avenue, known as the Sixth Street Plaza, and

WHEREAS, The City Parks and Recreation Department received a request from the Tracy Historical Museum to rename the Sixth Street Plaza to Front Street Plaza, and

WHEREAS, The request meets criteria outlined in the City of Tracy’s Council Policy G-13 for Naming Public Buildings, Parks and Facilities, and

WHEREAS, The Parks and Community Services Commission reviewed the request at its regular meeting on October 5, 2017, and made a formal recommendation to Council for the approval of the renaming of the Sixth Street Plaza to Front Street Plaza and return at a later time to review the design and recommend funding options for the cost of a monument, and

WHEREAS, Staff recommends the City Council consider the recommendation by the Parks and Community Services Commission;

NOW, THEREFORE, BE IT RESOLVED, That the City Council hereby approves the renaming of the Sixth Street Plaza to Front Street Plaza.

* * * * *

The foregoing Resolution 2018-_____ was passed and adopted by the City Council of the City of Tracy on the 2nd day of October, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

MAYOR

ATTEST:

CITY CLERK

AGENDA ITEM 6

REQUEST

APPROVE FINANCING PLAN FOR THE CONSTRUCTION OF FIRE STATIONS 94, 95, 97, AND 99; ADOPT POLICY FOR INTERFUND LOANS; AND APPROVE INTERFUND LOANS FROM THE GENERAL FUND AND INTERNAL SERVICES-EQUIPMENT REPLACEMENT FUND TO THE MASTER PLAN-PUBLIC SAFETY (FIRE) FUND

EXECUTIVE SUMMARY

The South San Joaquin County Fire Authority (SSJCFA) has adopted a Standards of Cover Study that identified the addition of two new stations and the relocation to two existing station to meet the population and call demands for the City and Rural District areas. While the City has adopted fees through the Master Plan-Public Safety (FIRE) fees to fund the design construction and equipment of these stations, those fees are assumed to be collected over the next 10-20 years. As a result, the fees collected and/or advanced from the developers are insufficient for current construction needs. Staff is requesting approval a financial plan for the fire stations, which includes the Interfund Loans from the General Fund and the Internal Services-Equipment Replacement fund to the Master Plan-Public Safety (FIRE) fund, including the terms of the repayment.

Staff is asking for approval of an Interfund Loan Policy in conjunction with this request.

DISCUSSION

Since 1999, the City has provided fire protection services in coordination with the Tracy Rural Fire Protection (Rural District) through a joint powers authority (JPA) formed by agreement. From 1999 until July 1, 2018, that JPA was the South County Fire Authority (SCFA). The SCFA has dissolved and now the City and Rural District are Member Agencies of the South San Joaquin County Fire Authority (SSJCFA). The SSJCFA provides fire protection and emergency medical services within City limits, as well as, those areas within the Rural District's jurisdiction.

The SCFA commissioned a Standards of Cover Study ("SOC Study") completed by Citygate Associates, LLC (March 2017) which recommended modifying the placement of fire stations throughout the City and Rural District's boundaries in order to meet response time standards in light of growth and development patterns. In June 2017, Council accepted the Study and its recommendations.

In addition to the SOC Study, the City's General Plan contains guidance and policies regarding the provision of fire protection and emergency medical services. The General Plan includes objectives to ensure that adequate related facilities to meet future growth are provided and funded (Objective PF-1.1, P1). The Objective also requires that the City updates the master plans and development impact fees on a regular basis; including the establishment of a citywide Community Facilities District that facilitates the funding of public facilities and public services in perpetuity by new development by

establishing an annual tax. The City's General Plan policies promote coordination between land use planning and fire protection (Objective PF-1.2).

In 2013, the City Council adopted the "Citywide Public Safety Master Plan." This plan created the nexus for development impact fees to mitigate the impact of new development on public safety facilities (Public Safety Fees). These impact fees are collected from all new development at building permit issuance or another date as agreed to by the City; including areas annexed into the City, but not detached from the Rural District. These "overlapping areas" remain under the District's service area. Fire Stations within overlapping areas of the City and District are owned and operated by the District in accordance with the SSJCFA JPA Agreement. Per the agreement, the District is responsible for funding the operations, equipment, and maintenance of these stations. One of the unique characteristics of the Public Safety Impact Fee is that after a certain population density, a fire station must be in place to meet increased demands. As a result, the City has typically entered into development agreements that require that developers advance to the City the full cost of the construction. However, the fee is calculated over a larger geographical area that may take several years (20 plus years) before the total fees are collected from all developers. This time lag creates a structural deficit that must be addressed in the short-term through the advancement of City funds (loans between funds), which requires that the City have a plan or policy in place to address the repayment of these advances over time as discussed further below.

Proposed Financing Plan

Station 94 (IPC)

Station 94 is a pre-existing station located at W. Schulte Road owned and operated by the Rural District that will be relocated north of its current location to optimally serve the Prologis International Park of Commerce (IPC) and the Patterson Pass Business Park under the new standards of coverage contained in the Study. Prologis has agreed to advance their payment of Public Safety Fees for this project of \$4.25M. The estimated total cost of construction is \$5M. The difference between the fees and construction costs should come from contributions from the Rural District related to the prior coverage assumption of the existing fire station. Design and construction is estimated to start in 2019 and is expected to take two years to complete. The existing Station 94 will remain open during this period. Once open, the apparatus and equipment from the existing station would move over from the current station.

Station 95 (Tracy Hills)

Station 95 is a new station located within Tracy Hills north of I-580 that will be owned and operated by the Rural District. This station will cover the south developing area of the City. Tracy Hills will advance \$5.5M of their Master Plan Safety Fees to design and construct the building. The total cost of Station 95 is estimated at \$6.6, which includes the purchase of new apparatus and equipment for this station. The purchase of the apparatus will be funded through an advance (loan) from the City's Equipment fund and repaid from future Master Plan Public Safety Fees from development. Design of Station 95 has been completed and is under review. Construction is estimated to start 2021 and is expected to take one year to complete. This timeline will require an amendment to the Tracy Station 95 Fire Station First Implementation Agreement; staff will return to Council on a later date with that item.

Station 97 (Valpico)

Station 97 is a preexisting station located on Central Avenue, but is planned to be relocated along Valpico Road, south east of its current location. It will be owned and operated by the City. The relocation of Station 97 will better serve development to the south as well as existing rural areas currently within the Rural Fire District. The City has collected \$4.5M in Public Safety Fees from various core areas of the City. The estimated total cost of land and construction is \$5.5M. The delta between the fees and construction costs will come from contributions from the City's General Fund related to the prior coverage assumption of the existing fire station. Design and construction is estimated to start in 2019 and is expected to take two years to complete. The existing Station 97 will remain open during this period. Once open, the apparatus and equipment from the existing station would move over from the current station. Staff has considered the sale of the existing station as part of the City's contribution to funding Station 97.

Station 99 (Ellis/Avenues at Valpico)

Station 99 is a new station located near Ellis and the proposed development of the Avenues that will be owned and operated by the Rural District. This station will cover the middle developing area of the City's sphere of influence, west of Coral Hollow and east of Lammers Road. The total cost of Station 95 is estimated at \$6.6M, which includes the purchase of new apparatus and equipment for this station. The City has entered into an agreement for the developer of Ellis and Avenues to advance \$1.1M in Public Safety fees and the remaining fees will be collected from various developments located within the geographical area of coverage under a long horizon period. The purchase of the apparatus will be funded through an advance (loan) from the City's Equipment fund and repaid from future Master Plan Public Safety Fees from development. Design and construction is estimated to start in 2019 and is expected to take two years to complete.

Unlike Station 94 and Station 95, Station 99 has various parcels and property owners only some of which are currently under development. The expected timeline for development of this geographical area is 10-20 years. However, based upon the SOC Study, sufficient development has occurred to trigger the need to construct the fire station. To proceed with the construction, staff is recommending an advance from the General Fund fees using Public Benefit fees to cover the construction cost and repay the General Fund from Master Plan Public Safety impact fees received as the area is developed.

As a General Fund revenue, Public Benefit fees are paid by developers in conjunction with a development agreement, but whose purpose is discretionary to the City Council. The City is expected to collect \$5M in Public Benefit fees from Tracy Hills within the next 24 months in accordance with their development agreement. Although these fees are discretionary to the City Council, Tracy Hills would prefer that the fees are used for a public facility improvement. This intention allows Tracy Hills to request reimbursement through their Community Facilities District (CFD). Previously, the City Council discussed various community parks as potential recipients of these fees; including improvements to either of the two Tracy Hills' community parks. However, no formal City Council action was taken. Tracy Hills recognizes that the community parks in their Specific Plan have a 10-20 year horizon. Staff recommends earmarking the repayment of the General Fund Public Benefit fees for use in the City's community parks, including Tracy Hills's parks, as a pay-as-you-go funding option. By using the General Fund monies for Station 99,

Tracy Hill's meets the requirement for the CFD reimbursement. In addition, the expected repayment of these fees through Public Safety fees aligns with the timeline of the Tracy Hills' community parks' improvements.

Interfund Loan Policy and Prioritization of Reimbursement of City funds

In recent discussions between staff and developers regarding impact fee advances and reimbursement agreements, it was noted that the City would benefit from adopting a policy on Interfund Loans and the prioritized repayments. In some areas, both the developer and/or the City have advanced payment, as well as developer reimbursement agreements, to allow for the acceleration of infrastructure improvements. This has occurred in accelerated construction of roadways, utilities, City Hall and now, fire stations. Given that many of the City's advances are tied to utilities, developer impact fees, or various taxes that may impact a fiduciary duty to the rate or taxpayers, staff has recommended adopting a policy that prioritizes repaying the City's advances first over other advances. This has been incorporated into an Interfund Loan Policy that has been presented for City Council consideration (Attachment A). This universal policy would be the benchmark for all discussions with developers and would encourage consistency in fund advances and developer reimbursement agreements.

Interfund Loan for Construction of Tracy Rural Fire Stations

Three of the four fire stations discussed above will be located within the Tracy Rural Fire District boundaries (Station 94, 95, and 99) and; therefore, will be owned and operated by the District in accordance with the SCFA dissolution agreement. Per Section 4.b. of the agreement, for fire stations in overlapping jurisdiction areas, the City and the Rural District "agree that the Rural District shall own and operate all fire stations that are currently located or will be located in overlapping jurisdictions areas. If District ceases to operate a Fire Station the Fire Station will revert back to City at no cost.

As previously stated, the City has adopted fees, "Citywide Public Safety Master Plan," which created the nexus for development impact fees for public safety facilities. Funds for future infrastructure will be generated from impact fees as indicated in the Citywide Public Safety Master Plan, collected by the City and passed through to the Rural District that are attributable to mitigating the impact of new development on fire facilities located in the overlapping areas. As a result, the City is expected to transfer the Public Safety Fees collected for the three stations as outlined above in the financing plan to the Rural District.

The timeline for the City's Master Plans is a rolling 30-year update. At least every five years, the Development Services Department is required to update the fees to reflect the infrastructure that was built or needs to be built and apportions that to the potential development within the City's sphere of influence. The stations listed above are part of that rolling 30-year timeline, but their service levels are in demand today. As a result, these areas will generate credits and reimbursements in Master Plan Public Safety Fees over that similar timeline. As an example, Tracy Hills will construct a fire station in 2021, which is 2 years into their Specific Plan build out. However, the Specific Plan build out timeline is 10-20 years. Those credits will be tied to future fees until they net to zero at full build out.

However, even with the advances from the developers, because the assumption for collection of the fees is over a long time horizon, there remains a funding shortfall. Staff

has proposed an interfund loan in the funding plan and has proposed the following terms.

1. Loan from Internal Services-Equipment Replacement Fund (reserves) to Master Plan-Public Safety (FIRE)
 - a. Loan is only for the purchase of apparatus and equipment for Station 95 and Station 99; not to exceed \$2,000,000
 - b. Interest rate is 1.5% as of 6/30/18 and are assumed for full term.
 - c. The period term is 20 years and payments will be interest only with principal payments each 4th fiscal year until repaid in full. It is understood that repayments will be made using transfers identified in the amortization schedule.
 - d. Repayment amount in any year may be changed by approval of the City Council or may be accelerated per the Interfund Loan Policy based upon developer fees collected in the Master Plan-Public Safety (FIRE) Fund.
 - e. The Internal Service-Equipment Replacement takes first position and shall hold this position on funds collected over all other expenses until fully repaid.
 - f. The Master Plan-Public Safety (FIRE) will be updated to reflect the actual costs and interest payments until loan is fully repaid.

2. Loan from General Fund (Public Benefit Fee) to Master Plan-Public Safety (FIRE)
 - a. Loan is for the construction of Station 99; not to exceed \$5,000,000; Station 95, 94, and 97 may use any unused portion of the not to exceed \$5,000,000 original loan, if needed, without further City Council approval.
 - b. Interest rate is 1.5% as of 6/30/18 and are assumed for full term.
 - c. The period term is 20 years and payments will be interest only with principal payments each 4th fiscal year until repaid in full. It is understood that repayments will be made using transfers identified in the amortization schedule.
 - d. Repayment amount in any year may be changed by approval of the City Council or may be accelerated per the Interfund Loan Policy based upon developer fees collected in the Master Plan-Public Safety (FIRE) Fund.
 - e. The General Fund takes second position and shall hold this position on funds collected over all other expenses until fully repaid.
 - f. The Master Plan-Public Safety (FIRE) will be updated to reflect the actual costs and interest payments until loan is fully repaid.
 - g. The repayment of the \$5,000,000 to the General Fund will be earmarked for City community park improvements, including Tracy Hills' two community parks.

STRATEGIC PLAN

This agenda item supports Goal 2 and Objective 2.C of the Governance strategic priority:

Goal 2.Ensure Continued Fiscal Sustainability through Financial and Budgetary Stewardship

FISCAL IMPACT

Station	Estimated Cost of Station	Estimated Cost of Equipment	Total Cost	Developer Advances	Other Fees Collected	Future Developer Fees	Start	Complete
Station 94	5,000,000	-	5,000,000	4,250,000	-	(750,000)	2019	2021
Station 95	5,600,000	1,000,000	6,600,000	5,500,000		(1,100,000)	2021	2022
Station 97	5,500,000	-	5,500,000		4,500,000	(1,000,000)	2019	2021
Station 99	5,500,000	1,000,000	6,500,000	1,100,000	250,000	(5,150,000)	2019	2021
	<u>21,600,000</u>	<u>2,000,000</u>	<u>23,600,000</u>	<u>10,850,000</u>	<u>4,750,000</u>	<u>(8,000,000)</u>		
General Fund Advance (interfund loan)						5,000,000		
Equipment Fund Advance (interfund loan)						2,000,000		
Local Contribution (Rural and City)						<u>1,000,000</u>		

RECOMMENDATION

1. Approve the Financing Plan for the construction of Stations 94, 95, 97, and 99; and the purchase of apparatus and equipment for Stations 95 and 99.
2. Approve Interfund Loan Policy for the City of Tracy.
3. Approve Interfund Loan from the General Fund and Internal Service-Equipment Replacement Fund to the Tracy Master Plan-Public Safety (FIRE) and approve the terms and amortization schedule to repay these Interfund Loans.

Prepared by: Karin Schnaider, Finance Director

Reviewed by: Midori Lichtwardt, Interim Assistant City Manager
 Thomas Watson, City Attorney

Approved by: Randall Bradley, City Manager

ATTACHMENTS:

- Attachment A – Finance Planning for Fire Stations
- Attachment B – Interfund Loan Policy
- Attachment C – Interfund Loan from Equipment Replacement Fund to TIMP Public Safety (Fire)

FINANCING PLAN FOR FIRE STATIONS
CITY COUNCIL MEETING 10/02/2018

Station	Estimated Cost of Station	Estimated Cost of Equipment	Total Cost	Developer Advances	Other Fees Collected	Future Developer Fees	Start	Complete
Station 94	5,000,000	-	5,000,000	4,250,000	-	(750,000)	2019	2021
Station 95	5,600,000	1,000,000	6,600,000	5,500,000		(1,100,000)	2021	2022
Station 97	5,500,000	-	5,500,000		4,500,000	(1,000,000)	2019	2021
Station 99	5,500,000	1,000,000	6,500,000	1,100,000	250,000	(5,150,000)	2019	2021
	<u>21,600,000</u>	<u>2,000,000</u>	<u>23,600,000</u>	<u>10,850,000</u>	<u>4,750,000</u>	<u>(8,000,000)</u>		
General Fund Advance (interfund loan)						5,000,000		
Equipment Fund Advance (interfund loan)						2,000,000		
Local Contribution (Rural and City)						<u>1,000,000</u>		
Funding Plan						-		

CITY OF TRACY
ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

SUBJECT: INTERFUND LOAN POLICY

DATE ISSUED: October 2, 2018

SECTION: I

SECTION 1: PURPOSE

The purpose of this policy is to establish guidelines and administrative procedures to be followed regarding borrowing between funds (interfund loans) of the City of Tracy (City).

SECTION 2: POLICY

The City's Interfund Loan Policy documents the methods and requirements used by the City to demonstrate prudent financial management over interfund loans. The Policy requires either City Council or City Manager approval of interfund loans, except for short-term loans required for fiscal year-end Generally Accepted Accounting Principle (GAAP) presentation of the City's financial statements. Loans approved by the City Manager will be reported to the City Council after each year's annual audit.

A. Types of Interfund Loans

1. **Interfund Transfers – (CITY COUNCIL APPROVAL REQUIRED)** are a permanent transfer of cash from one City Fund to another City Fund. An example of an interfund transfer is a transfer of cash from the City's General Fund to the City's Fleet Replacement Fund. Interfund transfers always require City Council approval regardless of amount and are typically approved through the annual budget adoption or by resolution.
2. **Due To/From (CITY MANAGER APPROVAL REQUIRED)** are the most common interfund loans and involve temporary loans on the City's Financial Statements. These interfund loans are used for Funds that have a negative cash balance due to a delay in receiving revenue. For example, the City's Gas Tax does not receive all sales tax revenue until two months after the end of the fiscal year. If this delay causes a negative cash position in the General Fund, GAAP requires a temporary influx of cash to eliminate the Gas Tax Fund's negative cash position. The City Manager shall authorize these temporary loans and the Finance Director shall provide the City Council a summary of these temporary loans after completion of the City's audited financial statements. This is a non-appropriation item as the City's Budget is not impacted. All Due To/From balances must be scheduled for repayment in the next fiscal year (within 12 months).
3. **Advance To/From (CITY MANAGER APPROVAL REQUIRED)** are interfund loans used when a cash loan is required for more than one year (12 months), but less than two years (24 months). These interfund loans are required for funds that have a

negative cash position and which current revenue is not expected to be sufficient to remove the negative cash position. The City Manager shall authorize these temporary loans and the Finance Director shall provide the City Council a summary of these temporary loans after completion of the City's audited financial statements. This report to City Council will provide history of each advance and an estimated date for repayment. This is a non-appropriation item as the City's Budget is not impacted. Funds advancing cash to other City Funds will be credited with a rate of interest equal to the rate of return experienced by the City's Treasury Pool. Conversely, Funds receiving cash from other City Funds will pay interest at a rate equal to the rate of return experienced by the City's Treasury Pool.

The following lending fund eligibility requirements are applicable to Due To/From and Advance To/From interfund loan Types (2 and 3 above). All interfund loans requiring an eligible lending fund not listed below must be approved by City Council:

<u>Eligible Lending Fund</u>	<u>Eligible Borrowing Fund</u>	<u>Interfund Loans Allowed</u>
General Fund	All Funds	Due To/From and Advance To/From
Internal Services Funds	All Funds (requires nexus to use)	Due To/From and Advance To/From
General Fund-Capital Improvements Fund	Capital Projects Funds	Due To/From
Development Impact Fee Funds	Development Impact Fee Funds (requires similar intended purpose)	Due To/From and Advance To/From
Utilities	Development Impact Fee Funds (requires similar intended purpose)	Due To/From and Advance To/From

4. Interfund Loans Payable/Receivable (CITY COUNCIL APPROVAL REQUIRED)

may be required in situations where the City has the ability to internally finance a project that will be paid back over multiple years. For example, the City may decide to internally finance a capital project that has a repayment plan over multiple years. Terms of an interfund loan payable/receivable (e.g., interest rate, term of the loan, identification of lending Fund) would be approved by City Council via Resolution.

In determining the best candidate to fund the Interfund Loans, Finance staff should analyze - and the City Council should consider - the following:

- a. the remaining source fund balance after the loan;
- b. the reliability or volatility of the source fund's revenue stream;
- c. plans for the use of the monies in the source fund over the term of the loan;
- d. any risks if the loaned funds are needed before the end of the loan term;
- e. any legal or contractual restrictions on the use of monies in the source fund; and
- f. existing and/or recurring financial obligations of the source fund over the term of the loan.

With specific regard to the Utilities (Water, Wastewater), Finance notes the Mitigation Fee Act places significant restrictions on the use of fees paid for water/wastewater connection. Any interfund loans funded from such fees must indicate the public improvement on which the moneys will be expended, the date on which the loan will be repaid, and the rate of the interest the fund will receive on the loan. (Gov't Code § 66013.)

Additionally, the Mitigation Fee Act and Proposition 218 both prohibit the charging of fees in amounts that exceed the cost of providing the fee-related service. To the extent such fee revenues are being considered as a funding source for the interfund loan, the City may be vulnerable to challenges under the Mitigation Fee Act and Proposition 218. The fact that there are sufficient "unencumbered" fee revenues to fund a substantial long-term loan, with not detriment to the projects or purposes for which these fees are charged, suggests the City's fees are excessive. Assuming an appropriate source fund is located, anticipated General Fund revenues should be scrutinized to determine the feasibility of repayment, and a specific revenue stream should be identified as the source of repayment.

Finally, the interfund loan should include – at the very least – the following terms:

- a. an interest rate that is at least equal to the investment earning the source fund would have earned absent the loan;
- b. a specific amortization schedule cumulating in a balloon payment (if necessary); the specific revenue stream pledged towards the repayment; and
- c. any balance must be due and payable if needed by the source fund.

SECTION 3: PROHIBITED USES

Interfund loans will not be used to solve ongoing structural budget issues nor will they hinder the accomplishment of any function or project for which the lending Fund was established.

SECTION 4: PRIORITIZATION OF REPAYMENT

If the City Council approves the interfund loan, the following findings should be made (assuming information provided by staff supports them): full repayment of the interfund loan over the 20 year term is likely; repayment is the top priority of the receiving fund; internal controls have been implemented to monitor the repayment; the City Council has considered other matters bearing on the appropriateness of the interfund loan. In some instances where the source of the interfund loan is from more than one resource, the loan must specify the prioritization of the repayment from the receiving funds to the source fund. In all cases, the City's resources should be prioritized over all other repayments. Consideration of order should be given to the most restrictive sources to least restrictive sources. For example, Utilities are considered a highly restrictive source and should be repaid over General Fund, which is the least restrictive. In the event that the receiving fund has accumulated available resources in advance of the repayment terms, staff should accelerate the repayment so as to repay the loan obligations before new operating or capital demands are considered.

Fire Station Funding
Interfund Loan from Equipment Replacement Fund to TIMP Public Safety (Fire)

Annual Interest Rate	1.50%
Years	20
Payments Per Year	1
Amount	\$ 2,000,000.00

Payment Number	Payment	Principal	Interest	Balance
1	(\$30,000.00)	\$0.00	(\$30,000.00)	\$ 2,000,000.00
2	(\$28,702.63)	\$0.00	(\$28,702.63)	\$ 2,000,000.00
3	(\$27,385.80)	\$0.00	(\$27,385.80)	\$ 2,000,000.00
4	(\$426,049.21)	(\$400,000.00)	(\$26,049.21)	\$ 1,600,000.00
5	(\$24,692.58)	\$0.00	(\$24,692.58)	\$ 1,600,000.00
6	(\$23,315.59)	\$0.00	(\$23,315.59)	\$ 1,600,000.00
7	(\$21,917.95)	\$0.00	(\$21,917.95)	\$ 1,600,000.00
8	(\$420,499.35)	(\$400,000.00)	(\$20,499.35)	\$ 1,200,000.00
9	(\$19,059.47)	\$0.00	(\$19,059.47)	\$ 1,200,000.00
10	(\$17,597.99)	\$0.00	(\$17,597.99)	\$ 1,200,000.00
11	(\$16,114.59)	\$0.00	(\$16,114.59)	\$ 1,200,000.00
12	(\$414,608.93)	(\$400,000.00)	(\$14,608.93)	\$ 800,000.00
13	(\$13,080.70)	\$0.00	(\$13,080.70)	\$ 800,000.00
14	(\$11,529.53)	\$0.00	(\$11,529.53)	\$ 800,000.00
15	(\$9,955.11)	\$0.00	(\$9,955.11)	\$ 800,000.00
16	(\$408,357.06)	(\$400,000.00)	(\$8,357.06)	\$ 400,000.00
17	(\$6,735.04)	\$0.00	(\$6,735.04)	\$ 400,000.00
18	(\$5,088.70)	\$0.00	(\$5,088.70)	\$ 400,000.00
19	(\$3,417.66)	\$0.00	(\$3,417.66)	\$ 400,000.00
20	(\$401,721.55)	(\$400,000.00)	(\$1,721.55)	\$ -

Note: The above repayment schedule uses the following terms:

- a. Loan is only for the purchase of apparatus and equipment for Station 95 and Station 99; not to exceed \$2,000,000
- b. Interest rate is 1.5% as of 6/30/18 and are assumed for full term.
- c. The period term is 20 years and payments will be interest only with principal payments each 4th fiscal year until repaid in full. It is understood that repayments will be made using transfers identified in the amortization schedule.
- d. Repayment amount in any year may be changed by approval of the City Council or may be accelerated per the Interfund Loan Policy based upon developer fees collected in the Master Plan-Public Safety (FIRE) Fund.
- e. The Internal Service-Equipment Replacement takes first position and shall hold this position on funds collected over all other expenses until fully repaid.
- f. The Master Plan-Public Safety (FIRE) will be updated to reflect the actual costs and interest payments until loan is fully repaid.

Fire Station Funding
Interfund Loan from General Fund to TIMP Public Safety (Fire)

Annual Interest Rate 1.50%
 Years 20
 Payments Per Year 1
 Amount \$ 5,000,000.00

Payment Number	Payment	Principal	Interest	Balance
1	(\$75,000.00)	0	(\$75,000.00)	\$ 5,000,000.00
2	(\$71,756.57)	0	(\$71,756.57)	\$ 5,000,000.00
3	(\$68,464.49)	0	(\$68,464.49)	\$ 5,000,000.00
4	(\$1,065,123.03)	(\$1,000,000.00)	(\$65,123.03)	\$ 4,000,000.00
5	(\$61,731.44)	0	(\$61,731.44)	\$ 4,000,000.00
6	(\$58,288.98)	0	(\$58,288.98)	\$ 4,000,000.00
7	(\$54,794.89)	0	(\$54,794.89)	\$ 4,000,000.00
8	(\$1,051,248.38)	(\$1,000,000.00)	(\$51,248.38)	\$ 3,000,000.00
9	(\$47,648.68)	0	(\$47,648.68)	\$ 3,000,000.00
10	(\$43,994.97)	0	(\$43,994.97)	\$ 3,000,000.00
11	(\$40,286.47)	0	(\$40,286.47)	\$ 3,000,000.00
12	(\$1,036,522.34)	(\$1,000,000.00)	(\$36,522.34)	\$ 2,000,000.00
13	(\$32,701.74)	0	(\$32,701.74)	\$ 2,000,000.00
14	(\$28,823.84)	0	(\$28,823.84)	\$ 2,000,000.00
15	(\$24,887.76)	0	(\$24,887.76)	\$ 2,000,000.00
16	(\$1,020,892.65)	(\$1,000,000.00)	(\$20,892.65)	\$ 1,000,000.00
17	(\$16,837.61)	0	(\$16,837.61)	\$ 1,000,000.00
18	(\$12,721.74)	0	(\$12,721.74)	\$ 1,000,000.00
19	(\$8,544.14)	0	(\$8,544.14)	\$ 1,000,000.00
20	(\$1,004,303.87)	(\$1,000,000.00)	(\$4,303.87)	\$ -

Note: The above repayment schedule uses the following terms:

- a. Loan is for the construction Station 99; not to exceed \$5,000,000; Station 95, 94, and 97 may use any unused portion of the not to exceed \$5,000,000 original loan, if needed, without further City Council approval.
- b. Interest rate is 1.5% as of 6/30/18 and are assumed for full term.
- c. The period term is 20 years and payments will be interest only with principal payments each 4th fiscal year until repaid in full. It is understood that repayments will be made using transfers identified in the amortization schedule.
- d. Repayment amount in any year may be changed by approval of the City Council or may be accelerated per the Interfund Loan Policy based upon developer fees collected in the Master Plan-Public Safety (FIRE) Fund.
- e. The General Fund takes second position and shall hold this position on funds collected over all other expenses until fully repaid.
- f. The Master Plan-Public Safety (FIRE) will be updated to reflect the actual costs and interest payment until loan is fully repaid.
- g. The repayment of the \$5,000,000 to the General Fund will be earmarked for City community park improvements, including Tracy Hills two community parks.

RESOLUTION _____

APPROVE FINANCING PLAN FOR THE CONSTRUCTION OF FIRE STATIONS 94, 95, 97, AND 99; AND THE PURCHASE OF APPARATUS AND EQUIPMENT FOR STATION 95 AND 99

WHEREAS, The City of Tracy adopted the Standards of Cover Study (“SOC Study”) completed by Citygate Associates, LLC (2017), which recommended modifying the placement of fire stations throughout the City and Rural District’s boundaries in order to meet response time standards in light of growth and development patterns, and

WHEREAS, The City’s General Plan includes objectives to ensure that adequate related facilities to meet future growth are provided and funded, and

WHEREAS, The population density and Standard’s of Cover Study often require the acceleration of fire station construction in advance of all fees needed to cover the full cost of the construction and equipment, and

WHEREAS, The City and Rural District desire to construct four fire stations, Stations 94, 95, 97, and 99;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the financing plan for design and construction of Station 94, Station 95, Station 97, and Station 99 found in Attachment A; and

BE IT FURTHER RESOLVED, That the City Council of the City of Tracy authorizes the financing plan for the purchase of apparatus and equipment for Station 95 and Station 99 found in Attachment A.

The foregoing Resolution _____ was passed and adopted by the Tracy City Council on the 2nd day of October, 2018, by the following vote:

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

Mayor

ATTEST

City Clerk

FINANCING PLAN FOR FIRE STATIONS
CITY COUNCIL MEETING 10/02/2018

Station	Estimated Cost of Station	Estimated Cost of Equipment	Total Cost	Developer Advances	Other Fees Collected	Future Developer Fees	<i>Start</i>	<i>Complete</i>
Station 94	5,000,000	-	5,000,000	4,250,000	-	(750,000)	2019	2021
Station 95	5,600,000	1,000,000	6,600,000	5,500,000		(1,100,000)	2021	2022
Station 97	5,500,000	-	5,500,000		4,500,000	(1,000,000)	2019	2021
Station 99	5,500,000	1,000,000	6,500,000	1,100,000	250,000	(5,150,000)	2019	2021
	<u>21,600,000</u>	<u>2,000,000</u>	<u>23,600,000</u>	<u>10,850,000</u>	<u>4,750,000</u>	<u>(8,000,000)</u>		
General Fund Advance (interfund loan)						5,000,000		
Equipment Fund Advance (interfund loan)						2,000,000		
Local Contribution (Rural and City)						<u>1,000,000</u>		
Funding Plan						-		

RESOLUTION _____

APPROVE POLICY FOR INTERFUND LOANS

WHEREAS, The City of Tracy desires to have policy to establish guidelines and administrative procedures to be followed regarding borrowing between funds (interfund loans), and

WHEREAS, The City's Interfund Loan Policy documents the methods and requirements used by the City to demonstrate prudent financial management over interfund loans, and

WHEREAS, The policy defines Interfund transfers as a permanent transfer of cash from one City Fund to another City Fund approved by the City Council, and

WHEREAS, The policy defines Due To/Due From loans as a temporary, less than 12 months, transfers of cash from one City Fund to another City Fund, which may be approved by the City Manager, and

WHEREAS, The policy defines Advance To/Advance From loans as a temporary, more than 12 months and less than 24 months, transfers of cash from one City Fund to another City Fund, which may be approved by the City Manager, and

WHEREAS, The policy defines Interfund Loan as a long-term loan, more than 24 months and less than 20 years, transfers of cash from one City Fund to another City Fund, which may be approved by the City Council;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby adopts the Interfund Loan Policy (Attachment A) which requires either City Council or City Manger approval of Interfund Loans, except for short-term loans required for fiscal year-end Generally Accepted Accounting Principle (GAAP) presentation of the City's financial statements.

The foregoing Resolution _____ was passed and adopted by the Tracy City Council on the 2nd day of October, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Mayor

ATTEST

City Clerk

CITY OF TRACY
ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

SUBJECT: INTERFUND LOAN POLICY

DATE ISSUED: October 2, 2018

SECTION: I

SECTION 1: PURPOSE

The purpose of this policy is to establish guidelines and administrative procedures to be followed regarding borrowing between funds (interfund loans) of the City of Tracy (City).

SECTION 2: POLICY

The City's Interfund Loan Policy documents the methods and requirements used by the City to demonstrate prudent financial management over interfund loans. The Policy requires either City Council or City Manager approval of interfund loans, except for short-term loans required for fiscal year-end Generally Accepted Accounting Principle (GAAP) presentation of the City's financial statements. Loans approved by the City Manager will be reported to the City Council after each year's annual audit.

A. Types of Interfund Loans

1. **Interfund Transfers – (CITY COUNCIL APPROVAL REQUIRED)** are a permanent transfer of cash from one City Fund to another City Fund. An example of an interfund transfer is a transfer of cash from the City's General Fund to the City's Fleet Replacement Fund. Interfund transfers always require City Council approval regardless of amount and are typically approved through the annual budget adoption or by resolution.
2. **Due To/From (CITY MANAGER APPROVAL REQUIRED)** are the most common interfund loans and involve temporary loans on the City's Financial Statements. These interfund loans are used for Funds that have a negative cash balance due to a delay in receiving revenue. For example, the City's Gas Tax does not receive all sales tax revenue until two months after the end of the fiscal year. If this delay causes a negative cash position in the General Fund, GAAP requires a temporary influx of cash to eliminate the Gas Tax Fund's negative cash position. The City Manager shall authorize these temporary loans and the Finance Director shall provide the City Council a summary of these temporary loans after completion of the City's audited financial statements. This is a non-appropriation item as the City's Budget is not impacted. All Due To/From balances must be scheduled for repayment in the next fiscal year (within 12 months).
3. **Advance To/From (CITY MANAGER APPROVAL REQUIRED)** are interfund loans used when a cash loan is required for more than one year (12 months), but less than two years (24 months). These interfund loans are required for funds that have a

negative cash position and which current revenue is not expected to be sufficient to remove the negative cash position. The City Manager shall authorize these temporary loans and the Finance Director shall provide the City Council a summary of these temporary loans after completion of the City's audited financial statements. This report to City Council will provide history of each advance and an estimated date for repayment. This is a non-appropriation item as the City's Budget is not impacted. Funds advancing cash to other City Funds will be credited with a rate of interest equal to the rate of return experienced by the City's Treasury Pool. Conversely, Funds receiving cash from other City Funds will pay interest at a rate equal to the rate of return experienced by the City's Treasury Pool.

The following lending fund eligibility requirements are applicable to Due To/From and Advance To/From interfund loan Types (2 and 3 above). All interfund loans requiring an eligible lending fund not listed below must be approved by City Council:

<u>Eligible Lending Fund</u>	<u>Eligible Borrowing Fund</u>	<u>Interfund Loans Allowed</u>
General Fund	All Funds	Due To/From and Advance To/From
Internal Services Funds	All Funds (requires nexus to use)	Due To/From and Advance To/From
General Fund-Capital Improvements Fund	Capital Projects Funds	Due To/From
Development Impact Fee Funds	Development Impact Fee Funds (requires similar intended purpose)	Due To/From and Advance To/From
Utilities	Development Impact Fee Funds (requires similar intended purpose)	Due To/From and Advance To/From

4. Interfund Loans Payable/Receivable (CITY COUNCIL APPROVAL REQUIRED)

may be required in situations where the City has the ability to internally finance a project that will be paid back over multiple years. For example, the City may decide to internally finance a capital project that has a repayment plan over multiple years. Terms of an interfund loan payable/receivable (e.g., interest rate, term of the loan, identification of lending Fund) would be approved by City Council via Resolution.

In determining the best candidate to fund the Interfund Loans, Finance staff should analyze - and the City Council should consider - the following:

- a. the remaining source fund balance after the loan;
- b. the reliability or volatility of the source fund's revenue stream;
- c. plans for the use of the monies in the source fund over the term of the loan;
- d. any risks if the loaned funds are needed before the end of the loan term;
- e. any legal or contractual restrictions on the use of monies in the source fund; and
- f. existing and/or recurring financial obligations of the source fund over the term of the loan.

With specific regard to the Utilities (Water, Wastewater), Finance notes the Mitigation Fee Act places significant restrictions on the use of fees paid for water/wastewater connection. Any interfund loans funded from such fees must indicate the public improvement on which the moneys will be expended, the date on which the loan will be repaid, and the rate of the interest the fund will receive on the loan. (Gov't Code § 66013.)

Additionally, the Mitigation Fee Act and Proposition 218 both prohibit the charging of fees in amounts that exceed the cost of providing the fee-related service. To the extent such fee revenues are being considered as a funding source for the interfund loan, the City may be vulnerable to challenges under the Mitigation Fee Act and Proposition 218. The fact that there are sufficient "unencumbered" fee revenues to fund a substantial long-term loan, with not detriment to the projects or purposes for which these fees are charged, suggests the City's fees are excessive. Assuming an appropriate source fund is located, anticipated General Fund revenues should be scrutinized to determine the feasibility of repayment, and a specific revenue stream should be identified as the source of repayment.

Finally, the interfund loan should include – at the very least – the following terms:

- a. an interest rate that is at least equal to the investment earning the source fund would have earned absent the loan;
- b. a specific amortization schedule cumulating in a balloon payment (if necessary); the specific revenue stream pledged towards the repayment; and
- c. any balance must be due and payable if needed by the source fund.

SECTION 3: PROHIBITED USES

Interfund loans will not be used to solve ongoing structural budget issues nor will they hinder the accomplishment of any function or project for which the lending Fund was established.

SECTION 4: PRIORITIZATION OF REPAYMENT

If the City Council approves the interfund loan, the following findings should be made (assuming information provided by staff supports them): full repayment of the interfund loan over the 20 year term is likely; repayment is the top priority of the receiving fund; internal controls have been implemented to monitor the repayment; the City Council has considered other matters bearing on the appropriateness of the interfund loan. In some instances where the source of the interfund loan is from more than one resource, the loan must specify the prioritization of the repayment from the receiving funds to the source fund. In all cases, the City's resources should be prioritized over all other repayments. Consideration of order should be given to the most restrictive sources to least restrictive sources. For example, Utilities are considered a highly restrictive source and should be repaid over General Fund, which is the least restrictive. In the event that the receiving fund has accumulated available resources in advance of the repayment terms, staff should accelerate the repayment so as to repay the loan obligations before new operating or capital demands are considered.

RESOLUTION _____

APPROVE INTERFUND LOANS FROM THE GENERAL FUND AND INTERNAL SERVICES-EQUIPMENT REPLACEMENT FUND TO THE TRACY MASTER PLAN-PUBLIC SAFETY (FIRE) AND APPROVE THE TERMS AND AMORTIZATION SCHEDULE TO REPAY THE INTERFUND LOANS

WHEREAS, The City of Tracy has a policy that establishes guidelines and administrative procedures to be followed regarding borrowing between funds (interfund loans), and

WHEREAS, The City of Tracy has approved a financing plan for the construction of four fire stations over the next four years, and

WHEREAS, The City of Tracy has approved a financing plan for the purchase of fire equipment for two new fire stations over the next four years, and

WHEREAS, The City of Tracy has adopted Master Plan-Public Safety (FIRE) fees to provide funding for the new fires stations and their equipment, and

WHEREAS, The City's Master Plan-Public Safety (FIRE) fees are projected over a long, time horizon and are expected not to be fully realized for more than 10 years, and

WHEREAS, The City's General Fund has a one-time revenue source resulting from a Public Benefit Fee paid by Tracy Hills that may be used to advance funds to the Master Plan-Public Safety (FIRE) fees for the construction of Station 99, and

WHEREAS, The Public Benefit Fee was financed by the City's \$32,625,000 Improvement Area No. 1 of the City of Tracy Community Facilities District No. 2016-1 (Tracy Hills) Special Tax Bonds, Series 2018 (the "2018 Tracy Hills CFD Bonds");

WHEREAS, The Tracy Hills developer desires that the funds are repaid to the General Fund and earmarked for future community parks improvements, including the two community parks within Tracy Hills; and

WHEREAS, The City's Internal Services-Equipment Replacement fund has sufficient reserves to advance funds to the Master Plan-Public Safety (FIRE) for the purchase of fire equipment in Station 95 and Station 99 (Attachment A);

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the City Council of the City of Tracy hereby approves the Interfund Loans from the Internal Services-Equipment Replacement Fund (reserves) and the General Fund (Public Benefit Fee) to the Master Plan-Public Safety (FIRE) Fund as described below.
 - A. Loan from Internal Services-Equipment Replacement Fund to Master Plan-Public Safety (FIRE)
 1. Loan is only for the purchase of apparatus and equipment for Station 95 and Station 99; not to exceed \$2,000,000
 - a. Interest rate is 1.5% as of 6/30/18 and are assumed for full term.

- b. The period term is 20 years and payments will be interest only with principal payments each 4th fiscal year until repaid in full. Interest and principal payments are recorded June 30th of each fiscal year. It is understood that repayments will be made using transfers identified in the amortization schedule.
- c. Repayment amount in any year may be changed by approval of the City Council or may be accelerated per the Interfund Loan Policy based upon developer fees collected in the Master Plan-Public Safety (FIRE) Fund.
- d. The Internal Service-Equipment Replacement takes first position and shall hold this position on funds collected over all other expenses until fully repaid.
- e. The Master Plan-Public Safety (FIRE) will be updated to reflect the actual costs and interest payments until loan is fully repaid.

B. That the City Council of the City of Tracy hereby approves an Interfund Loan from Internal Services-Equipment Replacement Fund to Master Plan-Public Safety (FIRE)

- 2. Loan is for the construction Station 99; not to exceed \$5,000,000; Station 95, 94, and 97 may use any unused portion of the not to exceed \$5,000,000 original loan, if needed, without further City Council approval.
 - a. Interest rate is 1.5% as of 6/30/18 and are assumed for full term.
 - b. The period term is 20 years and payments will be interest only with principal payments each 4th fiscal year until repaid in full. Interest and principal payments are recorded June 30th of each fiscal year. It is understood that repayments will be made using transfers identified in the amortization schedule.
 - c. Repayment amount in any year may be changed by approval of the City Council or may be accelerated per the Interfund Loan Policy based upon developer fees collected in the Master Plan-Public Safety (FIRE) Fund.
 - d. The General Fund takes second position and shall hold this position on funds collected over all other expenses until fully repaid.
 - e. The Master Plan-Public Safety (FIRE) will be updated to reflect the actual costs and interest payments until loan is fully repaid.
 - f. The repayment of the \$5,000,000 to the General Fund will be earmarked for City community park improvements, including Tracy Hills two community parks.

- 2. This Interfund Loan results in an expenditure of the General Fund-Public Benefit Fee and proceeds of the 2018 Tracy Hills CFD Bonds on design and construction of Fire Station 99 and/or Station 95, 94, and 97, if needed, with an estimated useful life of five years or longer.

* * * * *

The foregoing Resolution _____ was passed and adopted by the Tracy City Council on the 2nd day of October, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Mayor

ATTEST

City Clerk

Fire Station Funding
Interfund Loan from Equipment Replacement Fund to TIMP Public Safety (Fire)

Annual Interest Rate 1.50%
Years 20
Payments Per Year 1
Amount \$ 2,000,000.00

Payment Number	Payment	Principal	Interest	Balance
1	(\$30,000.00)	\$0.00	(\$30,000.00)	\$ 2,000,000.00
2	(\$28,702.63)	\$0.00	(\$28,702.63)	\$ 2,000,000.00
3	(\$27,385.80)	\$0.00	(\$27,385.80)	\$ 2,000,000.00
4	(\$426,049.21)	(\$400,000.00)	(\$26,049.21)	\$ 1,600,000.00
5	(\$24,692.58)	\$0.00	(\$24,692.58)	\$ 1,600,000.00
6	(\$23,315.59)	\$0.00	(\$23,315.59)	\$ 1,600,000.00
7	(\$21,917.95)	\$0.00	(\$21,917.95)	\$ 1,600,000.00
8	(\$420,499.35)	(\$400,000.00)	(\$20,499.35)	\$ 1,200,000.00
9	(\$19,059.47)	\$0.00	(\$19,059.47)	\$ 1,200,000.00
10	(\$17,597.99)	\$0.00	(\$17,597.99)	\$ 1,200,000.00
11	(\$16,114.59)	\$0.00	(\$16,114.59)	\$ 1,200,000.00
12	(\$414,608.93)	(\$400,000.00)	(\$14,608.93)	\$ 800,000.00
13	(\$13,080.70)	\$0.00	(\$13,080.70)	\$ 800,000.00
14	(\$11,529.53)	\$0.00	(\$11,529.53)	\$ 800,000.00
15	(\$9,955.11)	\$0.00	(\$9,955.11)	\$ 800,000.00
16	(\$408,357.06)	(\$400,000.00)	(\$8,357.06)	\$ 400,000.00
17	(\$6,735.04)	\$0.00	(\$6,735.04)	\$ 400,000.00
18	(\$5,088.70)	\$0.00	(\$5,088.70)	\$ 400,000.00
19	(\$3,417.66)	\$0.00	(\$3,417.66)	\$ 400,000.00
20	(\$401,721.55)	(\$400,000.00)	(\$1,721.55)	\$ -

Note: The above repayment schedule uses the following terms:

- a. Loan is only for the purchase of apparatus and equipment for Station 95 and Station 99; not to exceed \$2,000,000
- b. Interest rate is 1.5% as of 6/30/18 and are assumed for full term.
- c. The period term is 20 years and payments will be interest only with principal payments each 4th fiscal year until repaid in full. It is understood that repayments will be made using transfers identified in the amortization schedule.
- d. Repayment amount in any year may be changed by approval of the City Council or may be accelerated per the Interfund Loan Policy based upon developer fees collected in the Master Plan-Public Safety (FIRE) Fund.
- e. The Internal Service-Equipment Replacement takes first position and shall hold this position on funds collected over all other expenses until fully repaid.
- f. The Master Plan-Public Safety (FIRE) will be updated to reflect the actual costs and interest payments until loan is fully repaid.

Fire Station Funding
Interfund Loan from General Fund to TIMP Public Safety (Fire)

Annual Interest Rate 1.50%
 Years 20
 Payments Per Year 1
 Amount \$ 5,000,000.00

Payment Number	Payment	Principal	Interest	Balance
1	(\$75,000.00)	0	(\$75,000.00)	\$ 5,000,000.00
2	(\$71,756.57)	0	(\$71,756.57)	\$ 5,000,000.00
3	(\$68,464.49)	0	(\$68,464.49)	\$ 5,000,000.00
4	(\$1,065,123.03)	(\$1,000,000.00)	(\$65,123.03)	\$ 4,000,000.00
5	(\$61,731.44)	0	(\$61,731.44)	\$ 4,000,000.00
6	(\$58,288.98)	0	(\$58,288.98)	\$ 4,000,000.00
7	(\$54,794.89)	0	(\$54,794.89)	\$ 4,000,000.00
8	(\$1,051,248.38)	(\$1,000,000.00)	(\$51,248.38)	\$ 3,000,000.00
9	(\$47,648.68)	0	(\$47,648.68)	\$ 3,000,000.00
10	(\$43,994.97)	0	(\$43,994.97)	\$ 3,000,000.00
11	(\$40,286.47)	0	(\$40,286.47)	\$ 3,000,000.00
12	(\$1,036,522.34)	(\$1,000,000.00)	(\$36,522.34)	\$ 2,000,000.00
13	(\$32,701.74)	0	(\$32,701.74)	\$ 2,000,000.00
14	(\$28,823.84)	0	(\$28,823.84)	\$ 2,000,000.00
15	(\$24,887.76)	0	(\$24,887.76)	\$ 2,000,000.00
16	(\$1,020,892.65)	(\$1,000,000.00)	(\$20,892.65)	\$ 1,000,000.00
17	(\$16,837.61)	0	(\$16,837.61)	\$ 1,000,000.00
18	(\$12,721.74)	0	(\$12,721.74)	\$ 1,000,000.00
19	(\$8,544.14)	0	(\$8,544.14)	\$ 1,000,000.00
20	(\$1,004,303.87)	(\$1,000,000.00)	(\$4,303.87)	\$ -

Note: The above repayment schedule uses the following terms:

- a. Loan is for the construction Station 99; not to exceed \$5,000,000; Station 95, 94, and 97 may use any unused portion of the not to exceed \$5,000,000 original loan, if needed, without further City Council approval.
- b. Interest rate is 1.5% as of 6/30/18 and are assumed for full term.
- c. The period term is 20 years and payments will be interest only with principal payments each 4th fiscal year until repaid in full. It is understood that repayments will be made using transfers identified in the amortization schedule.
- d. Repayment amount in any year may be changed by approval of the City Council or may be accelerated per the Interfund Loan Policy based upon developer fees collected in the Master Plan-Public Safety (FIRE) Fund.
- e. The General Fund takes second position and shall hold this position on funds collected over all other expenses until fully repaid.
- f. The Master Plan-Public Safety (FIRE) will be updated to reflect the actual costs and interest payment until loan is fully repaid.
- g. The repayment of the \$5,000,000 to the General Fund will be earmarked for City community park improvements, including Tracy Hills two community parks.