

REGULAR CONCURRENT MEETING CITY COUNCIL/CRA/RCFC

**Council Chambers
3121 Gold Canal Drive, Rancho Cordova, California**

Monday, November 21, 2005

5:30 p.m. – Regular Meeting

AGENDA



Ken Cooley, Mayor

Robert J. McGarvey, Vice Mayor

Linda Budge, Council Member

David M. Sander, Council Member

Dan Skoglund, Council Member

MAKING YOUR POINT – MAKING IT COUNT

Government decision-making takes time—time for public input, time for analysis, and time for weighing both sides of the issue before making an informed decision.

People sometimes complain that the process takes too long, delay progress, costs extra money and is frustrating for discussion participants. Others say that the process doesn't give people enough time to comment and that decisions are made too quickly without enough consideration for all sides of the issue.

The foundation for democracy in America is our constitutional right to tell our elected leaders what we think about issues that affect us. This right is enjoyed by all citizens, regardless of education, background, or experience. Rancho Cordova leaders welcome you to public meetings and encourage you to participate in discussions that affect you.

The way you present your message at the podium can help or hurt your ability to persuade your audience. It can either facilitate or obstruct the public participation process. Whether you are an experienced public speaker or speaking at the podium for the first time, it may be helpful to remember these public meeting tips:

- Identify your main points. Writing them down will help you organize your thoughts and remember them when you're at the podium.
- Check your facts. Accuracy improves your credibility and helps you make a positive impression.
- Handouts summarizing your position may be distributed to policy makers and staff before or after your presentation. Busy leaders appreciate clear, concise information (one or two pages) that helps them identify your key points and remember your presentation.
- Don't be nervous. If you are, don't apologize for it. Public Officials see many citizens who are nervous when speaking in front of an audience. It may help to take a deep breath and exhale slowly just before you approach the podium.
- As you begin to speak, state your name and address clearly for the record. If you represent a group or organization, please state that information as well.



- Make your position known at the beginning, then present supporting information. You will sound organized, which helps people to understand your position.
- Keep your presentation short and simple. Attention spans are brief and people will remember a short presentation better than they will one that rambles and includes too much information.
- Don't repeat yourself. It uses valuable time and people tune out when they hear the same thing over and over. If a previous speaker has already made the point you planned to make, simply refer to that speaker and emphasize your support for that position.
- Be cautious about using humor which is very subjective. While some may laugh, others may be offended.
- Persuade, don't badger your audience. Compelling presentations can be very persuasive to both policy makers and public meeting audiences; however, insulting or degrading language can make you appear belligerent, reducing your credibility as well as the power of your message.
- Close your comments with an action statement such as, "Adopt this resolution" or "I urge you to vote 'no' on this ordinance."

Rancho Cordova City leaders appreciate your interest in issues that affect the community. We hope these tips will help you prepare and present your remarks so they will be clear, concise, accurate and credible. If you follow these guidelines, your audience is likely to listen, pay attention, and maybe even agree with you!

Rancho Cordova City government is not the City Council, City staff or Rancho Cordova citizens – it's all of us working together to understand each others' opinions so we can make the best decisions for our community.

THANK YOU FOR PARTICIPATING!



**CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)**

**City Council Chambers
3121 Gold Canal Drive, Rancho Cordova**

**Monday, November 21, 2005
5:30 P.M. – Regular Meeting**

AGENDA

REGULAR CONCURRENT MEETING

Call to Order

Roll Call: Council Members Budge, McGarvey, Sander, Skoglund & Mayor Cooley

Metro Cable TV Telecast Announcement

Pledge of Allegiance

Invocation

1. Pastor Ron Johnson, Cordova Baptist Church, will give the invocation.

Presentations

2. Cordova Community Collaborative for Healthy Children Report Findings on Health & Wellness Task Force – Isabel Aguirre, Linda Lee and Shelly Blanchard
3. Sacramento Metro Fire District Presentation – Board President Greg Granados & Fire Chief Don Mette
4. Birthday Recognition for Council Member Sander *(cake will be served at the break).*

CONSENT CALENDAR – ROLL CALL VOTE

5. **Subject:** Minutes of City Council Meetings:
 - a. Regular Meeting of September 19, 2005
 - b. Regular Meeting of October 3, 2005**Recommendation:** Adopt Minutes.

6. **Subject:** Second Reading of Ordinance No. 22-2005 Regulating Commercial Solid Waste Collection, Transportation or Disposal and Establishing Commercial Solid Waste Collection Franchises
Recommendation: Waive second reading and adopt Ordinance No. 22-2005. **(Roll Call Vote)**
7. **Subject:** Second Reading of Ordinance No. 25-2005 Amending Rancho Cordova Municipal Code Section 16.18.401 Relating to the Identification of Public Nuisances
Recommendation: Waive second reading and adopt Ordinance No. 25-2005. **(Roll Call Vote)**
8. **Subject:** Second Reading of Ordinance No. 27-2005 Amending the City of Rancho Cordova Zoning Code Title 3, Chapter 5 (Residential Use Development Standards) Regarding Placement and Screening of Trash Containers and Mechanical Equipment for Residential Projects
Recommendation: Waive second reading and adopt Ordinance No. 27-2005. **(Roll Call Vote)**
9. **Subject:** Approving Redevelopment Project Area Legal Description and Map of Proposed Project Area Boundaries and Ratification of Certain Agency Actions
Recommendation: Adopt Resolution No. 146-2005.
10. **Subject:** Second Amendment to Existing Contract Between the City and Capitol City Tile & Marble for Ceramic Stone Tile Trade for the New City Hall
Recommendation: Approve contract amendment #2 to City and Capitol City Tile & Marble.
11. **Subject:** Third Amendment to Existing Contract Between the City and DPR Construction, Inc. for Construction Management Services for the New City Hall
Recommendation: Approve contract amendment #3 to DPR Construction, Inc.

CONSENT PUBLIC HEARING

12. **Subject:** Ordinance Amending Title I of the Rancho Cordova Zoning Code Regarding Illegal Uses
Recommendation: Waive first reading and introduce Ordinance No. 29-2005. **(Roll Call Vote)**

ORAL COMMUNICATIONS

13. Public Comment

Citizens wishing to address the Council/Redevelopment Agency for **any matter not on the agenda may do so at this time by completing and submitting a (blue) Speaker Card to the City Clerk. The Mayor will call you to the podium at this point on the agenda.** Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking immediate action on any unagendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

If you wish to be heard on a listed agenda item, please complete and submit a (blue) Speaker Card to the City Clerk and wait until the item is discussed. The Mayor will call you up to the podium to address the Council/Redevelopment Agency.

All speakers are encouraged to keep your comments to three minutes or less and to state your name and community of residence.

PUBLIC HEARINGS

14. **Subject:** Ordinance Amending Ordinance No. 18-2003 Changing the Functions of "Zoning Administrator" to "Planning Director" for Certain Administrative Approvals. The Planning Director Would be Able to Approve Minor Projects With or Without the Hearings, as Provided in the Zoning Code (**Continued from November 7, 2005**)
Recommendation: Waive first reading and introduce Ordinance No. 28-2005. (**Roll Call Vote**)
15. **Subject:** An Ordinance to Approve a Development Agreement (DA) in Order to Comply With Certain Conditions of Approval for the Sunridge Park Phase II Project
Recommendation: Continue to December 19, 2005.

*** 7:30 P.M. - BREAK**

Birthday recognition for Council Member Sander *(cake will be served)*

REGULAR CALENDAR

CORRESPONDENCE

COUNCIL REPORTS

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

CITY MANAGER'S REPORT

CLOSED SESSION

ADJOURNMENT

UPCOMING MEETINGS	
<i>Tuesday, November 29, 2005</i>	<i>5:30 p.m. – Traffic Phasing Study & Development Sequence Study Session</i>
<i>Monday, December 5, 2005</i>	<i>5:30 p.m. – Regular Concurrent Meeting</i>
<i>Tuesday, December 13, 2005</i>	<i>5:30 p.m. – Form Based Code & Code Enforcement Study Session</i>
<i>Thursday, December 15, 2005</i>	<i>8:30-10:00 a.m. – Joint Study Session with Folsom Cordova Unified School District on Growth Issues Including Financing – Location Mills Station</i>
<i>Monday, December 19, 2005</i>	<i>5:30 p.m. – Regular Concurrent Meeting</i>

Tonight's meeting of the Rancho Cordova City Council/CRA/RCFC is being telecast on Metro Cable TV, Channel 14, the Government Affairs Channel on the Comcast, SureWest and Strategic Technologies Cable Systems, and will be shown in its entirety. Tune to Metro Cable Channel 14, for playback times. It will be webcast at www.sacmetroable.tv. The city does not control scheduling of this telecast and persons interested in watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 942-0255 or lhare@cityofranchocordova.org at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Carolyn Butler, Deputy City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the November 21, 2005 Regular Concurrent Meeting of the Rancho Cordova City Council/CRA/RCFC was posted on November 17, 2005 at the office of the City of Rancho Cordova, 3121 Gold Canal Drive, Rancho Cordova, California, 95670 and was available for public review at that location. The agenda is also available on the city web site at www.cityofranchocordova.org.

Signed this 17th day of November 2005 at Rancho Cordova, California.



Carolyn Butler, Deputy City Clerk



**JOINT STUDY SESSION
CITY COUNCIL/CRA & PLANNING COMMISSION
&
REGULAR CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)**

**City Council Chambers
3121 Gold Canal Drive, Rancho Cordova**

MINUTES

Monday, September 19, 2005

**4:00 P.M. – Study Session
5:30 P.M. – Regular Meeting**

JOINT STUDY SESSION – COUNCIL/CRA & PLANNING COMMISSION

Call to Order

Mayor Cooley called the study session to order at 4:07 p.m.

Present: Council Members Budge, McGarvey, Sander, Skoglund & Mayor Cooley
Planning Commissioners Burke, Moe, Savorn, Vance, Wentz

Absent: Commissioners Konarski, and Chair Smith

Staff Present: Haven, Meyer, Gaebler, Hare, Olea-Moger, Campbell, Carney

Public Comment

None

Study Session Item

Report on Redevelopment Project Area Survey – Overview Presentation by Libby Seifel, Seifel Consulting Inc. on Redevelopment Process and Practices.

ACTION: By consensus, Council Members and Commissioners concurred with the proposed project area designations as amended.

REGULAR CONCURRENT MEETING

Call to Order

Mayor Cooley called the meeting to order at 5:55 p.m. and announced the cablecast playback schedule.

Present: Council Members Budge, McGarvey, Sander, Skoglund & Mayor Cooley

Staff Present: Gaebler, Hare, Olea-Moger, Meyers, Junker, McMahon, Abhar, Campbell, Hersch, Haven, Trimberger

Pledge of Allegiance

Council Member Dan Skoglund led the Pledge of Allegiance.

Invocation

1. Pastor Jeff Koons, First Covenant Church, gave the invocation.

Presentations

2. Proclamation to Sacramento Public Library – October as “One Book Sacramento” Month
3. Sacramento Tree Foundation Presentation on Greenprint (Regional Urban Forest Initiative) by Executive Project Leader Rob Kerth*

*No representatives attended the meeting; this presentation may be rescheduled to a future meeting.

4. Lawsuit Abuse Awareness Week Proclamation
5. Police Department Update
6. Birthday Recognition for Council Member Skoglund (*cake will be served at the break*).

CONSENT CALENDAR – ROLL CALL VOTE

ACTION: Motion by Budge second by McGarvey and unanimously carried by roll call vote, the Consent Calendar was approved with the exception of Items #8 and #14 which were pulled for separate action.

7. **Subject:** Second Reading of Ordinance No. 15-2005 Amending the Zoning Code to Rezone Property from LC-Limited Commercial to GC-General Commercial on APN 058-0261-039 for the Project Known as For Folsom Lake Imports.
Recommendation: Waive second reading and adopt Ordinance No. 15-2005. **(Roll Call Vote)**
9. **Subject:** Second Reading of Ordinance No. 17-2005 Adding Chapter 10.70, “Street Racing,” to the Rancho Cordova Municipal Code
Recommendation: Waive second reading and adopt Ordinance No. 17-2005. **(Roll Call Vote)**
10. **Subject:** Second Reading of Ordinance No. 19-2005 Approving the Execution of Development Agreement for Capital Village Project.
Recommendation: Waive second reading and adopt Ordinance No. 19-2005. **(Roll Call Vote)**
11. **Subject:** Resolution of Support for Assembly Bill 1221 (Jones) Adding Two New Members to Existing Eleven-Member California Air Resources Board: An Expert Member on the Effects of

Green House Gases and Other Emissions on Climate Change; and a Sacramento-Area Air District Representative to Provide the Sacramento Region Representation on the Board

Recommendation: Adopt Resolution No. 120-2005 Supporting Assembly Bill 1221

12. **Subject:** Resolution of Intention to Amend the City's Contract with PERS to Provide Section 21354.5 (2.7% @ 55 Formula) for Local Miscellaneous Members and First Reading of Ordinance No. 20-2005 Approving the Contract.

Recommendation: Adopt Resolution No. 119-2005, waive first reading and introduce Ordinance No. 20-2005. **(Roll Call Vote)**

13. **Subject:** Resolution for Application Requesting the Sacramento Local Agency Formation Commission Commence Proceedings to Detach Incorporated Areas from County Service Area 10.

Recommendation: Adopt Resolution No. 116-2005.

The following Consent Calendar items were pulled for separate action:

8. **Subject:** Second Reading of Ordinance No. 16-2005 Drafting Design Guidelines and Corresponding Zoning Code Amendments.

Recommendation: Waive second reading and adopt Ordinance No. 16-2005. **(Roll Call Vote)**

ACTION: Motion by Budge second by Skoglund and unanimously carried by roll call vote, Council adopted Ordinance No. 16-2005 and directed staff to return with an amendment to the Ordinance at a future date to clarify Sections 305.13.1 and 305.13.2.

14. **Subject:** Resolution Continuing Current Service Charges Imposed by County Service Area 10 for Transportation Related Services and Authorizing the County of Sacramento to Collect the Same.

Recommendation: Adopt Resolution No. 117-2005.

ACTION: Motion by Budge second by Sander and unanimously carried, Council adopted Resolution No. 117-2005.

At this time, Council reordered the agenda to take Item No. 27 next.

27. **Subject:** School District Boundary Changes – Presentation from Folsom Cordova Unified School District Representatives – Board President Richard Shaw and Superintendent Patrick Godwin.

Recommendation: Receive report; no action required.

ACTION: No action taken/required.

ORAL COMMUNICATIONS

15. Public Comment

The following individuals addressed the Council:

Joe Farrelly, Sacramento County Department of Housing Assistance, to report on the use of Mather Community Campus as site to house hurricane evacuees.

At this time, Council took a brief recess. The full Council reconvened.

CONSENT PUBLIC HEARINGS

Mayor Cooley opened the consent public hearing. There were no speakers. Mayor Cooley closed the consent public hearing.

ACTION: Motion by Budge second by Sander and unanimously carried, Council adopted Urgency Resolution No. 118-2005.

16. **Subject:** Resolution to Extend Interim Traffic Impact Mitigation Fee

Recommendation: Adopt Resolution No. 118-2005 extending Urgency Resolution No. 92-2005 establishing an Interim Traffic Impact Mitigation Fee for 30 days.

PUBLIC HEARINGS

17. **Subject:** North Douglas Village 6–RC-05-165 – Design Review: (Appealed to September 19, 2005 Regular City Council Meeting for Possible Reconsideration of Design Details) Applicant is requesting Design Review for 75+/- residential units within the RD-7 (Residential) zoning of the North Douglas Subdivision within the Sunridge Specific Plan

Recommendation: Adopt Resolution No. 114-2005 approving the Design Review for North Douglas Village 6, Project No. RC-05-165, subject to the Findings, attached Design Review Package and Conditions of Approval.

Mayor Cooley opened the public hearing. The following individual addressed the Council on this item:

Lonnie Ellison, KB Homes, to respond to any questions about the project.

Mayor Cooley closed the public hearing.

ACTION: Motion by Skoglund second by Sander and unanimously carried, Council adopted Resolution No., 114-2005.

18. **Subject:** Laureate at Kavala Ranch –RC-05-165 – Design Review: (Appealed to September 19, 2005 Regular City Council Meeting for Possible Reconsideration of Design Details) Applicant is requesting Design Review for 94 residential units within the Village of the Anatolia III Subdivision in the Sunridge Specific Plan

Recommendation: Adopt Resolution No. 115-2005 approving the Design Review for Laureate at Kavala Ranch (Anatolia III, Village 18), subject to the findings, attached Design Review Package and Conditions of Approval.

Mayor Cooley opened the public hearing. The following individuals addressed the Council on this item.

Project Applicant Mark Bleth to respond to any questions about the project.

Mayor Cooley closed the public hearing.

ACTION: Motion by Budge second by McGarvey and unanimously carried, Council adopted Resolution No. 115-2005 subject to the applicant working with staff on enhanced design detailing on the elevations to the Italianate-style plans 1 and 4.

19. **Subject:** Summerset Condominiums RC-04-143 Tentative Subdivision Map, Special Development Permit and Design Review Located at Corner of Zinfandel and Vehicle Drive: Tentative Subdivision Map and Design Review for a 34unit condominium complex consisting of four buildings and enclosed parking garages. Special Development Permit to allow for reductions in setbacks **(continued from August 1, 2005)**

Recommendation: Table the item and re-notice the public hearing when the project is ready for Council review.

Mayor Cooley opened the public hearing. There were no speakers. Mayor Cooley closed the public hearing.

ACTION: By consensus, the item was tabled.

20. **Subject:** Splash & Dash Carwash RC-05-171-Design Review: The applicant has requested Design Review for a fully automatic carwash with self-serve vacuum/shampooers. The facility is approximately 3,790 sq. ft. and will include tile roof, painted stucco exterior, and exterior fountains. The lot size is approximately 1.2 acres

Recommendation: Adopt Resolution No. 113-2005 approving Design Review for Project No. RC-05-171 for the construction of the Splash & Dash Carwash located at 3050 Sunrise Blvd., subject to the Findings, Design Review Package, and Conditions of Approval.

Mayor Cooley opened the public hearing. The following individual addressed the Council on this item:

Jason Johnson, Splash and Dash LLC, to answer any questions.

Mayor Cooley closed the public hearing.

ACTION: Motion by Sander second by McGarvey and unanimously carried, Council adopted Resolution No. 113-2005.

21. **Subject:** Proposed Parks and Open Space Performance Standards

Recommendation: Table the item until such time as current efforts have been completed and the Draft Open Space Performance Standards are prepared for Council review.

Mayor Cooley opened the public hearing. There were no speakers. Mayor Cooley closed the public hearing.

ACTION: By consensus, the item was tabled.

22. **Subject:** Resolution Approving the Proposed Park Development Impact Fee Nexus Study Update for the Sunrise Douglas Community Plan and the Adoption of a New Fee Schedule for Parks **(continued from August 1, 2005 and September 6, 2005).**

Recommendation: Adopt Resolution No. 122-2005.

Mayor Cooley opened the public hearing. There were no speakers. Mayor Cooley closed the public hearing.

ACTION: Motion by Sander second by Budge and unanimously carried, Council adopted Resolution No. 122-2005.

REGULAR CALENDAR

23. **Subject:** Urgency Resolution Establishing Interim Park Development Impact Fees for Anatolia I, II, and Anatolia Commons in the Sunridge Specific Plan Effective Immediately.
Recommendation: Adopt Urgency Resolution No. 121-2005.

ACTION: Motion by Sander second by Budge and unanimously carried, Council adopted Urgency Resolution No. 121-2005.

At this point, Council reordered the agenda to consider Item #25 next.

25. **Subject:** Report of Resolution for Public Concern of Waste Collection Services Contract.
Recommendation: Receive report; no action required.

The following individual addressed the Council on this item:

Matt Cummings, Lincoln Village Homeowners Association, to suggest that notices on waste collection concerns be sent out to residents, in addition to owners, and to neighborhood associations in newsletters, on websites, etc.

ACTION: No action taken/required.

24. **Subject:** Stagger Inn Status Report
Recommendation: Receive report; no action required.

ACTION: No action taken/required.

26. **Subject:** Swainson's Hawk Mitigation Strategies. The City of Rancho Cordova is considering strategies to mitigate the impacts of urban development on Swainson's hawk, a state-listed endangered species. This item will include an update of current mitigation options and a review of options the City may wish to consider.
Recommendation: No formal action is requested on this item. Staff will request general direction from the City Council, possibly including adoption of an Interim Swainson's Hawk Mitigation Fee at a subsequent meeting.

The following individual addressed the Council on this item:

Ardie Zahedani, BIA, to support Planning Director Junker's comments that Rancho Cordova's habitats are significantly different from Elk Grove's or Sacramento County's and to encourage continued involvement of the development community in the establishment of the interim and permanent fees.

ACTION: Council, by consensus, directed staff to proceed with an interim ordinance and continue collaborative efforts with interested parties on a permanent ordinance.

28. **Subject:** Consider Providing Monetary Compensation to the Members of Planning Commission for Attendance at Regular Commission.
Recommendation: Waive first reading and introduce Ordinance No. 21-2005, thereby approving compensation for the Planning Commission. **(Roll Call Vote)**

ACTION: Motion by Budge second by Skoglund and unanimously carried by roll call vote, Council introduced Ordinance No. 21-2005.

COUNCIL REPORTS

Council Members reported on various meetings, invitations, and events since the last Council meeting.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None

CITY MANAGER'S REPORT

Public Works Director Cyrus Abhar outlined proposed discussion topics for the September 27th study session on water. Alternate study session dates discussed were October 17th or November 29th.

ADJOURNMENT

The meeting adjourned at 10:30 p.m.

Anna Olea-Moger, Assistant City Clerk



**REGULAR CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)**

**City Council Chambers
3121 Gold Canal Drive, Rancho Cordova**

MINUTES

**Monday, October 3, 2005
5:30 P.M. – Regular Meeting**

REGULAR MEETING

Call to Order

Mayor Cooley called the meeting to order at 5:38 p.m.

Present: Council Members Budge, McGarvey, Skoglund & Mayor Cooley; Council Member Sander joined the meeting at 7:10 p.m.

Staff Present: Gaebler, Hare, Lindgren, Abhar, Butler, Haven, Junker, Rocket, Sparkman

Pledge of Allegiance

Rob Kerth led the Pledge.

Invocation

1. Reverend Jim Boyd, Sun River Church, gave the invocation.

Presentations

2. Bonita Roznos, Campus Director, Rancho Cordova San Joaquin Valley College, gave a presentation on the College.
3. Ken Hough, Sacramento Area Council of Governments, presented a briefing on the Metropolitan Transportation Plan.
4. Executive Project Leader Rob Kerth gave a presentation on the Sacramento Tree Foundation Greenprint (Regional Urban Forest Initiative).

Council Member Budge requested that an item come back on the next agenda to take action to adopt a resolution in support of Greenprint and that Public Works Director Cyrus Abhar be the initial liaison to the Foundation.

Added Presentation:

Ross Johnson made a special presentation to the Council on behalf of his son Major Mark Johnson, of a flag flown during combat missions in Iraq. He expressed thanks for the on-going support of the City of Rancho Cordova. Mayor Cooley said the flag presented is going to fly over this building for a month and then the new City Hall in January.

CONSENT CALENDAR – ROLL CALL VOTE

ACTION: Motion by Budge second by Skoglund and carried by 4-0 roll call vote (Council Member Sander absent), the Consent Calendar was approved.

5. **Subject:** Second Reading of Ordinance No. 21-2005 Amending Rancho Cordova Municipal Code Chapter 2.30 Regarding Establishment and Functions of Planning Commission
Recommendation: Waive second reading and adopt Ordinance No. 21-2005. **(Roll Call Vote)**
6. **Subject:** Authorization to Waive Bid Requirements for Purchase of Animal Services Vehicles and Equipment
Recommendation: Adopt Resolution No. 123-2005 to waive the competitive bid process and authorize City staff to negotiate purchases of animal services vehicles and equipment.

ORAL COMMUNICATIONS

7. Public Comment

The following individuals addressed the Council:

- Walt Myers, addressed the Council as a resident of Rancho Cordova. He requested to know where he can find the costs and the completion date for the construction of City Hall. He requested that a Council Member call the County regarding graffiti abatement. Public Works Director Cyrus Abhar requested that individuals please call the Public Works Department regarding graffiti.
- Dick Shearly, addressed the Council as a resident of Rancho Cordova, regarding the lack of sidewalks on Chassella. He said he lives on Chassella between Pedro and Barbera.
- Dennis Dunn, addressed the Council as a resident of Rancho Cordova, about the Air Quality and Transportation Collaborative on which he served as a City representative.

PUBLIC HEARINGS

8. **Subject:** Proposed Transportation Impact Fee
Recommendation: Provide direction to staff as deemed appropriate.

Mayor Cooley opened the public hearing.

Speakers:

- Rex Albright, Chamber of Commerce Executive Director, addressed the Council and said they need to be careful in setting fees and take into consideration what the market will bear. He requested more time (two weeks) for completion of an economic strategy.
- Ardie Zahedahni, of the Building Industry Association, said the BIA feels rates should be uniform across the board.

Mayor Cooley closed the public hearing.

No action was requested or taken. This item is scheduled for the October 17 City Council meeting.

9. **Subject:** Adoption of the Preliminary Plan for the Proposed Rancho Cordova Redevelopment Project and Selection of the Project Area Boundary
Recommendation: Adopt Resolution No. 124-2005 approving the Preliminary Plan for the Proposed Rancho Cordova Redevelopment Project and selecting the proposed Project Area Boundary.

Mayor Cooley opened the public hearing. The following individual addressed the Council on this issue:

- Teresa, a resident of the Cordova Meadows area, asked whether homes on both sides of the street are included in the Plan. She also asked if there is a sunset date in the Plan. Jim Carney, Housing Consultant said that both sides of the street were included in the Plan.

Mayor Cooley closed the public hearing.

ACTION: Motion by Budge second by McGarvey and carried unanimously, the Council adopted Resolution No. 124-2005 approving the Preliminary Plan for the Proposed Rancho Cordova Redevelopment Project and selecting the proposed Project Area Boundary.

REGULAR CALENDAR

Mayor Cooley reordered the agenda to hear Item 11 before Item 10.

11. **Subject:** Sacramento County Needle Sales Program
Recommendation: Determine a City position in support or opposition of the Needle Sales Program.

Dr. Glenna Trochet addressed the Council in support of the Sacramento County Needle Sales Program.

Speakers:

- Rebecca Sloan and her son Zach addressed the Council in opposition to the Sacramento County Needle Sales Program unless an exchange program is a part of the program.

- Leslie Benson, a resident of Sacramento City and County, said she had Hepatitis C and was a recovered drug user. She said she was in support of the program.
- Lori Kennedy, a resident of Rancho Cordova, spoke in opposition to the program. She said her son picked up a dirty needle in Lincoln Village Park.
- Paul Laubacher., spoke in opposition to the program.
- Matt Cummings, of Rancho Cordova, spoke in opposition to the program.
- Carla Lowe, a resident of Carmichael, spoke in opposition to the program.
- Conrade Mayer, a resident of Rancho Cordova, said he opposed this program.

ACTION: Motion by Budge second by Skoglund and unanimously carried, the Council directed staff to communicate a clear message to the Sacramento County Board of Supervisors that the City doesn't wish to be a part of this demonstration program and encourages the Board of Supervisors to deny countywide participation; further, the City Council determined that if the Board approves the program, the City shall discourage any pharmacist in the City from participating by sending a letter communicating the City's disapproval of needle sales without a prescription.

Mayor Cooley said that any letter to the County should acknowledge the City's appreciation of Dr. Trochet's presentation to the Council.

10. **Subject:** Folsom Boulevard Revitalization – Review of Scope and Work Authorization
Recommendation: Authorize staff to proceed with Folsom Boulevard planning efforts with scope revisions as determined appropriate.

ACTION: Motion by Sander second by Budge and unanimously carried, the Council authorized staff to proceed with the Folsom Boulevard planning efforts with scope revisions as determined appropriate.

12. **Subject:** Presentation on South Sacramento County Habitat Conservation Plan
Recommendation: Provide direction to staff for continuing participation in the South Sacramento County Habitat Conservation Plan process; no action required.

Speakers:

- John Hopkins spoke in support of the staff recommendation and spoke about the goal of Regional 404 permitting.
- Ardie Zahedahni spoke in support of the staff recommendation.

ACTION: Motion by Budge second by McGarvey and unanimously carried, the Council approved the staff recommendation to continue participation in the South Sacramento County Habitat Conservation Plan process.

CORRESPONDENCE

None

COUNCIL REPORTS

None

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member Sander requested a comprehensive Code Enforcement Plan, which will include addressing excessive concrete in front yards.

CITY MANAGER'S REPORT

None

ADJOURNMENT

The meeting adjourned at 11:52 p.m.

Lillian E. Hare, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 22-2005

**AN ORDINANCE OF THE CITY OF RANCHO CORDOVA
REGULATING COMMERCIAL SOLID WASTE COLLECTION,
TRANSPORTATION OR DISPOSAL AND ESTABLISHING
COMMERCIAL SOLID WASTE COLLECTION FRANCHISES**

THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS
FOLLOWS:

Section 1. Purpose and Declarations.

A. It is hereby declared and determined that the business of collecting and subsequently transporting, transferring, disposing and/or recycling of commercial solid waste generated, kept or accumulated within in the incorporated limits of the City of Rancho Cordova affects the health, safety, public welfare and quality of life of the inhabitants of the City. The City further declares that the business of collecting and disposing of commercial solid waste is a public service and should be regulated by the City. The use of any public street or public property in connection with such business is of great concern to the City and should be regulated by the City. Therefore, it is the purpose of this ordinance to provide such regulation.

B. It is the further purpose of this ordinance to regulate such business in order to ensure its orderly operation, and to minimize the adverse effects it may have on the local environment. It is also the purpose of this part, aside and apart from regulation, to require compensation for the value of the franchise issued by the City.

C. It is the further purpose of this ordinance to provide for the uniform regulation of commercial solid waste collection, removal and transportation within the geographical area of the City.

D. The City hereby elects to have the grant of franchises governed by this ordinance, and any ordinances amendatory thereof, and these provisions shall constitute the exclusive procedure applicable to the granting of franchises for the conduct of the business of collecting, transporting or disposing of commercial solid waste.

E. If any portion of this Ordinance is for any reason held invalid or unconstitutional by any decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining part of this Ordinance.

Section 2. Definitions.

Unless the context otherwise requires, the definitions set forth in this section shall govern the interpretation of this Ordinance.

- A. "Administrator" means the Administrator of the City's Solid Waste Program. The City Council shall designate by resolution the Administrator.
- B. "City Council" means the City Council of the City of Rancho Cordova.
- C. "City Clerk" means the City Clerk of Rancho Cordova.
- D. "City Engineer" means the Engineer of the City of Rancho Cordova.
- E. "City Limits" means the territorial jurisdiction of the City.
- F. "Collection" means the act of collecting and removing solid waste at the place of waste generation.
- G. "Commercial solid waste" means solid waste generated by commercial and industrial sources and multi-family dwellings units as defined in subdivision (I) hereof.
- H. "County" means the County of Sacramento.
- I. "Franchise" means a Commercial Solid Waste Collection Franchise issued under the provisions of this Ordinance to engage in the business of collecting, removing and transporting solid waste generated by commercial, industrial, or multifamily dwelling units within the City.
- J. "Franchisee" means a person or entity holding a Franchise issued pursuant to this Ordinance.
- K. "Materials recovery facility or MRF" means a permitted solid waste facility where solid waste or recyclable materials are sorted, or separated, by hand or by use of machinery, for the purposes of recycling or composting. This definition shall apply only within the framework of materials recovery facility services and reporting of this Ordinance.
- L. "Multi-family dwelling units" means five or more residential dwelling units located on a single parcel of land.
- M. "Person" means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.
- N. "Police Chief" means the Chief of Police of the City of Rancho Cordova.

O. "Recycling" means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place. Recycling does not include transformation as defined in Public Resources Code Section 40201.

P. "Recycling facilities" means those facilities or operations that receive, process, and transfer to market recyclable materials that have been source separated from the solid waste stream.

Q. "Recyclable material" or "recyclables" means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place, and that are not landfilled.

R. "Removal" means the act of taking solid wastes from the place of waste generation.

S. "Rubbish" means non-putrescible solid wastes such as ashes, paper, cardboard, tin cans, yard waste, wood, glass, bedding, crockery, plastics, rubber by-products and litter.

T. "Solid waste" means all putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, , discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. Solid waste does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with section 25800) of Division 20 of the Health and Safety Code or medical waste. Solid waste does not include recyclable materials set out for separate collection for the purposes of recycling, and that are not land filled.

U. "SWA" means the Sacramento Regional Solid Waste Authority.

V. "Treated medical waste" means medical waste as defined in subsection (a) of Health and Safety Code Section 25023.5.

Section 3. Collection or Transportation Prohibited.

Except as authorized by Section 5 hereof, it shall be unlawful for any person to engage in the business of collecting, removing or transporting, or otherwise organize, direct or sponsor the collection, removal or transportation of, commercial solid waste within the City without possessing a valid Franchise granted by the City.

Section 4. Franchise Requirement.

It is unlawful for any person to engage in the business of collecting, transporting or disposing of commercial solid waste kept, accumulated or generated in the City unless:

- A. A franchise therefore has first been granted pursuant to the provisions of this ordinance and such franchise is in full force and effect; and
- B. A written franchise agreement therefore has been executed between such person and the City and such agreement is in full force and effect.

Section 5. Exempt Collection or Transportation.

The following persons shall be authorized to organize, direct or sponsor the collection, removal or transportation of commercial solid waste within the City, or collect, remove or transport such solid waste, without a Franchise:

- A. The United States, State of California, a city, a special district or other local public agency, or any employee or member of the Armed Forces thereof, when collecting or transporting solid waste produced by operation of the public entity under a system of solid waste collection and transportation operated and maintained by the public agency;
- B. The owner, operator or occupant or employee of a farm or ranch consisting of five acres or more, when transporting for off-site disposal solid waste accumulated as a result of operation of the farm or ranch;
- C. An owner or occupant of a residential unit, when collecting or transporting rubbish, not containing garbage, from his or her residential premises to a lawful point of disposal;
- D. A residential construction contractor, commercial gardener or those engaged in the business of cleaning residential or commercial properties and employees thereof, when collecting or transporting rubbish consisting of by-products of the services provided to a lawful disposal location;
- E. A person or employee thereof, when collecting or transporting dead animals, bones, meat scraps or food waste resulting from food processing plants for tallow or fertilizer, or other waste material to be used as raw material in manufacturing, or solid waste that is collected without charging a fee to the customer for purposes of salvage, provided that such persons shall reuse or recycle or cause to be reused or recycled all materials collected, and shall not transport or arrange for the transport of any collected materials to a disposal site; and

F. An operator or employee thereof of one or more industrial plants which are under single ownership, when collecting or transporting wastes which cannot be handled by standard solid waste collection equipment or which involve significant health, operating or handling hazards, including but not limited to, rice hulls, tomato pulp, chemical residues, explosives, and other toxic, noxious or hazardous substances, provided that all such wastes shall be deposited at an appropriate disposal area permitted pursuant to California State Solid or Hazardous Waste Management Standards.

G. Construction and demolition waste or debris removed from a premise by a licensed demolition or construction contractor using its own employees and its own or rented equipment as an incidental part of a total service offered by that contractor rather than as a hauling service.

H. Hazardous waste, medical waste and designated waste regardless of its source.

I. By-products of sewage treatment, including sludge, sludge ash, grit, and screenings.

J. Residue or non-processable waste from a solid waste management facility, including material recovery, composting, and transformation facilities.

K. Waste generated by municipal corporations and other governmental agencies using their own vehicles engaged in the collection, transportation, or disposal of solid waste within the City.

Section 6. City Council Authority to Grant Franchise.

A. The City Council may and is hereby empowered to grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial solid waste kept, accumulated or generated in the City.

B. The City Council may grant a franchise to an applicant based on compliance with this ordinance. Any grant of a franchise by the City Council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations as the City Council deems necessary to protect the public health, safety, or welfare.

C. The City Council hereby empowers and grants to the Administrator the authority to administer and negotiate non-substantive changes to the franchise agreements. The City Council may delegate authority by resolution to the Administrator to administer, negotiate and execute franchise agreements.

Section 7. Franchise Terms and Conditions.

A. All franchises shall be subject to the terms and conditions specified in this ordinance, in the Franchise Agreement and in all other applicable federal, state and local laws and regulations.

B. In granting any franchise, the City Council may prescribe such other additional terms and conditions, not in conflict with this ordinance, as in the judgment of the City Council are in the public interest.

C. Each Franchisee shall provide commercial solid waste collection, removal, recycling, and transportation services consistent with the provisions of this Ordinance, the terms and conditions of the Franchise issued to the Franchisee, and any applicable Federal, State, or local statute, ordinance, rule or regulation.

D. Each Franchisee shall provide services without undue interruptions caused by mechanical failures or other inadequacies of equipment and shall utilize equipment in quantities and of an age and quality adequate for the provisions of reliable service and to provide preventive and repair maintenance of such equipment sufficient to ensure reliability.

Section 8. Application for Franchise.

A. All applications for franchises pursuant to this Ordinance shall be in writing and shall be filed with the Administrator.

B. Each application for a franchise shall be submitted by the Applicant on a form provided by the Administrator. The application shall include all attachments required by the Administrator. At a minimum, the application shall contain the following information:

1. Identification.

- (a) The name and address of the Applicant.
- (b) Business Address and telephone number of the Applicant.
- (c) Address where all vehicles and operating equipment used within the City will be kept.
- (d) If the applicant is a partnership, the Applicant shall include the name and address of each partner, general, limited or otherwise, owning more than ten percent (10%) ownership in the partnership and their percentage of ownership.
- (e) If the applicant is a corporation, the application shall state the names and addresses of the corporation's directors, date and place of incorporation, main offices, major stockholders and associates,

and the names and addresses of the parent and subsidiary companies.

- (f) If the applicant is an affiliate or a franchised operation of another corporation (not to be confused in this instance with a solid waste franchisee of the City), the applicant shall list the names and addresses of the parent or subsidiary companies, together with a description of their business interests and/or ownership.
- (g) If the applicant is a joint venture or other combination of persons and corporations identify separately the names and addresses of each member of the joint venture or combined effort, together with their percentage interest.

2. Business Operations. The names of the executive, operational and financial managers to be used in connection with the solid waste collection services, together with documentation that such persons and the applicant have sufficient experience in solid waste handling to perform solid waste collection services in the City.

- (a) Attestation that books and accounts of all revenue and income arising out of its operations will be kept in a manner that conforms to Generally Accepted Accounting Principals.
- (b) A statement that the applicant shall obtain insurance prior to commencing business subject to the franchise agreement.
- (c) A statement that the applicant shall maintain and report on a timely basis all operational information and data elements reasonably required by the City to comply with its reporting requirements such as those established under AB 939, and as defined in the franchise agreement.
- (d) A complete listing and explanation of any civil or criminal rulings or judgments in excess of five thousand dollars (\$5,000), or convictions against applicant, any of applicant's partners, major stockholders, corporate directors or parent or subsidiary companies, occurring within the last five (5) years. Applicants that are subject to the periodic reporting requirements of Section 13(a) of the Securities Exchange Act, may, in lieu of the information required by Section 8.B.(2)(d), submit the information reported pursuant to 17 CFR §§ 229.103 (Legal proceedings) and 229.403 (Security ownership of certain beneficial owners and management) on the most recent form 10-K filed by the Applicant with the Securities and Exchange Commission.

3. Facilities and Equipment.
 - (a) A description of all vehicles and equipment that the applicant owns, has control of, or intends to acquire for the collection, transportation, or disposal of commercial waste in the City and which are subject to the provisions of the franchise agreement. A statement as to whether said vehicles and equipment are self-unloading and equipped with audible automatic back-up warning devices. The minimum vehicle description for existing vehicles shall include Vehicle Identification Number (VIN) and license plate number.
 - (b) Evidence demonstrating that the applicant owns or will have access to suitable facilities for keeping vehicles and equipment clean and in good repair, and that the applicant owns or will have access to reasonable office and billing facilities.
 - (c) Evidence demonstrating that the applicant owns or will have the legally enforceable right to use at least two collection vehicles, the bodies of which are closed, leak resistant, and constructed for the purpose of solid waste collection, transportation, and disposal. In the alternative, for the purposes of this provision, an applicant may demonstrate by the evidence that they service and transport open-top roll-off boxes for the collection, transportation, and disposal of non-putrescible waste and/or roll-off compaction boxes which are closed, leak resistance, and are constructed for the purpose of solid waste collection, transportation, and disposal.
4. Financial Resources. Applicant shall provide proof satisfactory to the Administrator that the applicant has adequate financial resources to conduct commercial solid waste collection services.
5. Diversion Plans. Each Franchisee shall submit a Diversion Plan with their Franchise Application. The Diversion Plan shall provide a detailed description of how the Franchisee intends to divert recyclable materials from commercial solid waste in order to assist the City in meeting the City's AB 939 reporting requirements.
6. Application for Police Chief Review.
 - (a) The City may request that the Police Chief review each franchise application prior to the City issuing a Franchise. The Administrator may refer all franchise applications or renewals pursuant to this Ordinance to the Police Chief who, in conjunction with City staff, shall make such investigation of the applicant as the Police Chief deems necessary in order to determine whether the applicant's

character or the business responsibility of the firm the applicant represents is satisfactory. The requirements of this section apply to all pending or future applications or proposals for issuance or renewal of such Franchise pursuant to this Ordinance. The Police Chief's investigation may include, but is not limited to, obtaining the fingerprints and a photograph of the applicant, or any other person connected with the firm which the applicant represents, and the obtaining of reports from the state and federal law enforcement agencies and reports from any other appropriate sources.

- (b) If requested to review an application, the Police Chief shall evaluate each franchise application or proposal to determine whether the operation of the business which the applicant or party submitting the proposal represents would involve an unreasonable risk to the health, safety or general welfare of the public. In making such a determination the Police Chief shall consider the character of the applicant or party submitting the proposal and each director, officer, manager and other person who exercises policy control over the operations of the applicant or proponent, the business responsibility of the firm which the applicant or party submitting the proposal represents, and the manner in which the firm intends to conduct its business.
- (c) The Police Chief shall notify the Administrator of the results of the investigation conducted pursuant to this section. If the Police Chief recommends disapproval of the application or proposal, the reasons for disapproval shall be specified in writing. The Police Chief shall forward a copy of the statement of reasons to the Administrator and shall provide a copy to the applicant or party submitting the application.

7 Other.

- (a) Any other evidence that demonstrates that the applicant is able to render collection and subsequent transportation, and/or disposal services in accordance with applicable federal, state and local statutes.
- (b) Such additional information as may be reasonably requested by the Administrator.
- (c) During the application or proposal period and during the full term of any Franchise all information contained in the franchise application shall be kept up-to-date by the applicant who shall file a new verified statement within forty-eight (48) hours of any change indicating in detail the nature of any change in the information.

C. The application shall be signed by the person applying for the solid waste collection franchise or, in the case of a partnership or corporation, by a person authorized to bind the partnership or corporation.

Section 9. Franchise Application Review Process.

A. The City Council may award franchises for the collection of commercial solid waste within the City to applicants meeting all of the qualifications of this Ordinance.

B. Applicants may submit their completed application for a franchise, as provided in Section 8, to the Administrator for review and consideration at any time. The Administrator shall review such submittals and either make a recommendation to the City Council to award such franchise, or notify applicant of denial, within sixty (60) days of receiving a completed application.

C. The Administrator shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests; and
3. The completeness, accuracy, and validity of the application.

The Administrator shall also have the authority to verify independently any and all statements made and implied in the application. The Administrator may also request clarification from applicant of any or all elements of the submitted application.

D. After the sixty (60) day review period, the Administrator shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the City Council that a franchise be awarded.

E. Upon concurrence with a positive recommendation, the City Council will award the franchise or will delegate authority to the Administrator to award the franchise within a reasonable period of time. The Administrator will notify applicant in writing of an award.

Section 10. Appeal Upon Denial of Award.

A. Within thirty (30) days of written notification of award denial or within sixty (60) days of Administrator's failure to act on the franchise application, applicant has the right to meet with the Administrator to review the items cited in the written notice and provide any additional evidence to support an award. Within fifteen (15) days of such meeting, the Administrator will make a final, written determination of the application, based on the reviews of additional evidence, together with the original application. Administrator will send a copy of all final, written determinations, including reasons for denial, if any, to both applicant and the City Council.

B. Applicant may, within ten (10) days after receiving the Administrator's final denial, request a public hearing before the City Council by submitting to the City Clerk a written petition for an appeal hearing. If a public hearing is requested, the City Clerk shall set the matter for hearing at the next regularly scheduled City Council meeting or any later date as agreed upon by the applicant and Clerk of the City Council. At such hearing, applicant may present evidence in writing and through testimony of its employees and others relevant to the application. During such hearing, the City Council may demand from the applicant such additional information as the City Council may deem relevant and necessary. Standard rules of evidence are not in effect at such public hearing, and the applicant shall have the burden of proof to show facts demonstrating that the applicant does in fact meet the requirements of this ordinance. Any hearing may be continued or adjourned to a stated time and place without the giving of further notice. The City Council will provide applicant with a written explanation of its determination on the application within thirty (30) days of such hearing. The City Council's decision is final.

C. If the term of an applicant's existing franchise expires while the application is under City review, the City Council or the Administrator may administratively extend the term for such period of time as is required to complete the appeal process.

Section 11. Awarding of Franchise.

A. A franchise shall become effective only once the applicant and the City have signed a written agreement, and upon applicant's satisfying all of the requirements and conditions set forth in both this ordinance and the franchise agreement.

B. The franchisee must provide to the City copies of all required certificates of insurance, and copies of all required truck inspection forms as enumerated in the franchise agreement and this ordinance. Should franchisee fail to maintain all such insurance and bonding requirements, uninterrupted for the term of the agreement, the City will immediately suspend or terminate the franchise.

C. If the franchisee's description of vehicles and equipment, as required under Section 8, has changed between the application date and the effective date of the

franchise agreement, franchisee must submit to Administrator an amended description, including all identification elements required under Section 8, prior to commencing services authorized in the agreement.

Section 12. Requirements for Franchise Effectiveness.

A franchise granted pursuant to this part shall not become effective unless and until all of the following requirements have been satisfied:

- A. The ordinance granting the franchise is effective.
- B. The applicant and the City have executed a franchise agreement.
- C. Within twenty days from the date of adoption of the ordinance granting the franchise, or delegating authority to the Administrator to grant the franchise, the applicant to whom a franchise has been granted has filed with the City Clerk evidence of compliance with the insurance requirements specified in the franchise agreement.

Section 13. Reserved.

Section 14. Termination or Suspension of Franchise.

- A. All franchises granted pursuant to this ordinance shall terminate on December 31, 2006. The franchise may be terminated for cause prior to that date. The City and the Franchisee may also enter into an agreement to terminate the franchise prior to that date.
- B. The City Council shall have the right to terminate any franchise granted pursuant to this Ordinance if the City Council finds, after a public hearing following not less than fourteen days written notice to the franchisee, that:
 - 1. The grantee has failed to comply with, or to do anything required of the grantee by, applicable provisions of this Ordinance, provisions of the ordinance granting the franchise, or provisions of the franchise agreement; or
 - 2. Any provision of this part becomes or is declared to be invalid and the City Council expressly finds that such provision constitutes a material consideration to the grant or continuation of such franchise.
- C. Any franchise granted pursuant to this part shall automatically be suspended whenever the Franchisee:

1. Fails to keep in full force and effect the insurance required by the franchise agreement; or
2. Fails to keep in full force and effect any applicable licenses or permits required by federal, state or local law. The suspension shall remain in effect until the Franchisee provides documentation satisfactory to the Administrator verifying that the reason for the suspension specified above no longer exists.

D. The Administrator may suspend any franchise granted under this part if the Franchisee fails to submit timely reports as described in Section 19 within fifteen days after written notice from the Administrator that a report is delinquent. The suspension shall remain in effect for the period specified in the Administrator's notice unless the suspension is reversed or modified by the Administrator or, upon appeal by the franchisee, by the City Council.

E. In the event the franchise granted pursuant to this part is terminated, the Franchisee shall have no right or authority to engage in commercial solid waste collection, transportation or disposal operations in the City unless and until a subsequent commercial solid waste collection franchise is granted to the Franchisee. Nothing herein shall require the City to grant any subsequent franchise to the Franchisee.

F. In the event the franchise granted pursuant to this part is suspended, the Franchisee shall have no right or authority to engage in commercial solid waste collection, transportation or disposal operations in the City during the period of suspension.

G. In the event any franchise granted pursuant to this part is terminated under subsection A. above, then within the time period specified by the City Council, the Franchisee shall:

1. Remove all of the Franchisee's, and any subcontractor's, solid waste containers from all service locations where services have been provided pursuant to such franchise; and
2. Properly dispose of any and all solid wastes in the containers at the time of removal.

H. If the Franchisee fails to remove any solid waste container or to properly dispose of any solid waste in any container within the time specified in subsection F above, the City may remove the container and/or dispose of the solid waste therein and may charge the Franchisee for the City's costs. The Franchisee shall pay to the City all of the costs incurred by the City in such removal and/or disposal within ten days of the date of the City's invoice for such costs.

I. The City recognizes that the SWA is currently in the process of revising SWA Ordinance 14 and the Commercial Solid Waste and Recyclables Collection Franchise Agreement that collectively regulate the SWA Franchisees operating in the SWA region. The City also recognizes that many of the City Franchisees are also SWA Franchisees. Finally, the City recognizes that there is a benefit to a similar Ordinance and Franchise Agreement in the City and the SWA region. Therefore, at such time as the SWA adopts a new Ordinance and executes new Franchises, the City will review the documents. If the City determines that it is in the City's best interest to do so, the City may, at its sole discretion, terminate all Franchises executed pursuant to this Ordinance with ninety (90) days written notice to the Franchisees and execute new Franchises that are functionally similar to the new SWA Franchise. The actions and determinations of the City under the terms thereof shall be final, conclusive and binding on all parties.

Section 15. Franchise Transfer or Assignment.

Any franchise granted pursuant to this part is a privilege to be held in trust by the original Franchisee. A franchisee shall not sell, lease, transfer, assign or otherwise dispose of, either in whole or in part, whether by forced sale, merger, consolidation, bankruptcy, reorganization under bankruptcy laws or otherwise, a franchise issued pursuant to this Ordinance without the prior consent of the City Council. Any such consent of the City Council shall be subject to such terms and conditions as may be prescribed by the City Council. This restriction includes the transfer of ownership of the franchise, or a majority of the ownership or control of the franchisee, or the conveyance of a majority of the franchisee's stock to a new controlling interest. Franchises shall become void upon the abandonment of same by franchisee.

Section 16. Franchise Fees.

A. Each person engaging in the business of collecting, transporting or disposing of commercial solid waste kept, accumulated or generated in the City shall pay a franchise fee to the City. The City Council shall set the franchise fee by resolution.

B. Franchise fees shall be payable on a monthly basis, and shall be due and payable on the first day of the second month immediately following the month in which collection services were provided. Each payment shall be calculated in accordance with the provisions of this Ordinance.

C. The required franchise fee shall be paid to the Administrator. Each payment shall be accompanied by a written statement, verified by the person making the payment, or a duly authorized representative of the person, showing the calculation of the franchise fee payable in such form and detail as the Administrator may require and such other information as the Administrator may determine is material to a determination of the amount due.

D. No statement filed under this section shall be conclusive as to the matters set forth in such statement, nor shall the filing of such statement preclude the City from collecting by appropriate action the sum that is actually due and payable.

E. The payment of franchise fees to the City pursuant to this part shall be in addition to any license fee or business tax prescribed by any local jurisdictions for the same period.

F. If franchise fees are not paid by the Franchisee at the times required by this Section, then in addition to the franchise fees, the Franchisee shall pay a late payment charge in an amount equal to two percent (2%) of the franchise fee that is due plus interest equal to one and one-half (1½%) for each month in which the franchise fee was not timely paid.

G. Commercial solid waste franchise fees shall be payable on all gross collection revenues collected by a Franchisee from its commercial solid waste collection customers located within the City. The franchise fee shall be calculated based on gross collection revenues prior to Franchisee imposing the franchise fee on its customers. Franchisees shall also pay Franchise fees on revenues received from federal and state governments.

H. Franchise fees shall be payable by any person providing commercial solid waste services within the City after the effective date of this ordinance, even where no franchise has been granted.

Section 17. Reserved.

Section 18. Franchise Operations.

A. All new customer agreements executed after the effective date of the franchise must contain clauses that automatically terminate such customer agreements in the event that the Franchise or Franchise Agreement is terminated. Upon termination of any franchise, franchisee is required to notify all its customers in writing with thirty (30) days of such termination.

B. Franchisee must offer recycling services to each of its customers or provide its customers with a list of companies who provide recycling services in the area.

C. The agreement shall provide for the requirements relating to the frequency and hours of collection, the size, placement and care of the containers, and special collections.

Section 19. Reporting Requirements.

A. The Franchisee shall file with the Administrator a quarterly report of the quantities of commercial solid waste collected, transported, diverted, and/or disposed. Such report shall be in such form and detail as required by the Administrator. Specifically, the report shall contain the following information:

1. The commercial solid waste tonnage collected and removed within the City during the previous quarter;
2. The commercial solid waste tonnage collected and removed during the previous quarter within the City that was diverted and the location of the facility where such solid waste was diverted;
3. The commercial solid waste tonnage collected and removed within the City that was disposed of during the previous quarter and the location of the disposal facility where the disposal of such waste occurred; and

B. Franchisees may use information supplied by certified MRFs to meet the requirements of this section.

C. All Franchisees shall maintain quarterly records, on forms prescribed by either the Administrator, containing such information as may be required pertaining to the number and types of accounts served by the Franchisee. This information shall be provided to the Administrator upon request.

D. A Franchisee's failure to file the reports required by this section shall constitute cause for termination or suspension of its Franchise pursuant to Section 14 hereof.

E. To the extent permitted by the California Public Records Act, any reports, plans, and information required by this Ordinance or the Franchise Agreement shall be deemed confidential and shall not be subject to public disclosure except for each Franchisee's aggregate totals.

F. If the quarterly report required under subsection A is not filed by the due date specified in the franchise agreement, the report shall be deemed delinquent, and the Franchisee shall pay to the City a delinquent report charge in the amount of fifty dollars. If the report remains delinquent for more than fifteen days, the Franchisee shall pay to the City a delinquent report charge in the amount of one hundred dollars. Such delinquent report charge shall be in addition to any franchise fees or other charges payable by the Franchisee for the same period of time.

Section 20. Recycling Facility Reporting Requirements.

A. All recycling facilities within the City shall provide semi-annual written reports to the Administrator, due 45 days after the close of the six-month reporting period, and including the following information for the previous six months:

1. The total aggregate tonnage of recyclable material received from generators located within the City;
2. The aggregate tonnage of recyclable material received from waste management and recycling operations in the City;
3. The aggregate tonnage of recyclable material received from Franchises operating within the City; and
4. The total aggregate amount of residuals generated at the facility and disposed of at a permitted solid waste disposal facility, expressed as a percentage of total tonnage received.

B. To the extent permitted by the California Public Records Act, any report or other information required by this Ordinance shall be deemed confidential and shall not be subject to public disclosure except for aggregate totals for all facilities.

C. Recycling facilities receiving only scrap metals, agricultural waste, inert materials, and/or discarded, whitecoated, major appliances, that are not normally disposed of and thus cannot be counted towards the State's diversion requirements, are exempt from the reporting requirements of this Ordinance.

Section 21. Restrictions on Franchisees.

The following restrictions shall be applicable to Franchisees:

- A. Except to meet the two-truck requirement of Section 8(B)(3)(c), no Franchisee shall, by contract, subcontract, or otherwise, share with another Franchisee any office space associated with operations under a Franchise.
- B. No Franchisee by contract, express understanding or indirectly, shall, in cooperation with another Franchisee, divide, segregate or apportion any territory within the City for the purpose of restricting competition within a particular territory.
- C. No Franchisee shall, directly or indirectly, enter into any contract, express understanding or other transaction with another Franchisee for the purpose of fixing customer rates or charges or otherwise maintaining rates or charges at a particular level.

D. No Franchisee or any director, officer, partner, joint venturer, sole proprietor or corporate owner thereof, shall be a controlling shareholder of, be a partner, joint venturer or sole proprietor, owner any other interest in or be employed by another Franchisee. No Franchisee which is owned in whole or in part by a corporation shall be effectively controlled by a person or entity by virtue of that person or entity's ownership of shares in the corporation, if the same person or entity otherwise controls another Franchisee. The sole remedy for violation of the provisions of this subparagraph shall be revocation or refusal to renew a Franchise.

E. Each Franchisee shall provide to the Administrator such information as the Administrator determines is reasonably necessary to facilitate effective administration of the Franchise under the provisions of this Ordinance. Diversion information may be provided consistent with the framework for materials recovery facility (MRF) services and reporting of Section 19.

F. Notwithstanding any other provisions of this Ordinance, it shall be allowable for a Franchisee having an interest in a materials recovery facility (MRF) to provide a reporting service, a solid waste processing service, and/or a recyclables processing service to another Franchisee consistent with the framework for MRF services and reporting of Section 19.

Section 22. Medical Waste.

A. Franchisees shall not be required to divert treated medical waste.

B. All franchisees shall nevertheless on a quarterly basis report to the Administrator all combined or separately collected treated medical waste tonnage disposed of during the previous quarter by disposal location. The Franchisee may rely on and use guidelines, forms and other appropriate material to assist franchisees in preparing such reports developed by the WRMD. A franchisee's failure to file the required treated medical waste disposal reports shall constitute cause for termination or suspension of its franchise pursuant to Section 14 hereof.

C. No treated medical waste from commercial solid waste generators shall be delivered by a permittee to a materials recovery facility for the purpose of recycling.

Section 23. Inspection Authority.

A. Each Franchisee shall at all times maintain accurate and complete accounts of all revenues and income arising out of its operations under the franchise granted pursuant to this Ordinance; all solid waste collected, transported and/or disposed of; the source of such solid waste; and the final destination of such solid waste. Franchisee's books, accounts and records reasonably necessary for the enforcement of this Ordinance and the franchise agreement shall be made available for inspection,

examination and audit during normal business hours by authorized officers, employees and agents of the City. The City shall give written notice at least three (3) days prior to any inspection, audit or examination of these records.

B. Where the Administrator determines that an audit is necessary, Franchisees shall be responsible for reimbursement of audit costs, including any City staff or Consultant services, to perform audits of accounts of all Franchisee revenues and income arising out of operations under the franchise granted pursuant to this Ordinance.

Section 24. Enforcement.

Except as otherwise expressly provided, the provisions of this Ordinance shall be administered and enforced within the City by the Administrator or other staff and enforcement officials designated by the Administrator.

Section 25. Abatement Proceedings.

Any operation or activity contrary to the provisions of this Ordinance or a Franchise Agreement, including the terms and conditions of any Franchise, is unlawful and shall constitute a public nuisance. The Administrator is authorized to commence in the name of the City actions or proceedings to abate and enjoin any such operation or activity.

Section 26. Notices.

A. Whenever a provision of this Ordinance authorizes or requires a public hearing to be conducted by the City Council, notice of the time, date, place and purpose of the hearing shall be published at least once not later than ten (10) calendar days in advance of the date of such hearing in a newspaper of general circulation which is published within the City, and shall be served upon each Franchisee who is affected by such hearing.

B. Any written notice or other communication to a Franchisee which is authorized or required by this Ordinance shall be deemed served and effective for all purposes when deposited in the United States mail, postage prepaid, and addressed to the latest address of the Franchisee shown on the in the City records pertaining to the Franchise.

Section 27. On-Site Storage.

Every owner of any multiple family dwelling units and every owner, operator or keeper of any business with a fixed location in the City which generates solid waste and/or recyclable materials shall provide and at all times keep within an enclosure, or conveniently located near an enclosure or building, water-tight containers for solid

waste and suitable containers for recyclable materials, and shall cause to be deposited in such containers, and not elsewhere, all solid waste and/or recyclable materials which accumulates on the premises. The containers shall have tightly fitted covers and shall not leak or permit the escape of odors. Notwithstanding the requirements of this section, generators shall not be required to set out or store recyclable materials together with solid waste and generators shall be allowed to appropriately store recyclable materials for collection separate from solid waste. It shall be unlawful for any person to fail to comply with the requirements of this section. Containers shall be clearly identified with the name of the Franchisee.

Section 28. Signs.

Each Franchisee shall have permanently displayed in a prominent place on the exterior of each truck utilized in the collection, removal or transportation of commercial solid waste under its Franchise a sign which contains such information as is required by regulation of the City Engineer adopted pursuant to the provisions of the California Code of Regulations, Title 14, section 17344.

Section 29. Office Required.

Every Franchisee shall at all times maintain a central office within the City, or within the metropolitan area immediately adjacent to the City, where the agent, servant or representative of the Franchisee can be reached by telephone 9:00 a.m. through 5:00 p.m., Mondays through Fridays, legal holidays excepted. Such office shall have a local telephone number so that customers served by the Franchisee may contact the Franchisee without the necessity of making a long distance telephone call.

Section 30. Solid Waste Disposal Restrictions.

A. It shall be unlawful for any Franchisee to do any of the following:

1. To operate or have an interest in a solid waste disposal site, other than a transfer, receiving and/or processing station, within the City;
2. To operate a solid waste disposal area in the City; or
3. To dump any solid waste upon, or permit the same to fall upon, any property, road or highway other than the areas designated by this Ordinance for the disposal or dumping of solid waste.

Section 31. Use of Containers.

No person other than a customer who has contracted for service with a Franchisee, or a person with such customer's consent, shall deposit solid waste into a commercial solid waste bin, drop box or compactor placed in the City by a Franchisee for the purpose of receiving solid waste.

Section 32. Commercial Solid Waste and Recyclables Ownership.

Commercial solid waste and recyclables lawfully deposited in bins, drop-boxes or other containers used by a Franchisee for collection for either disposal or recycling shall become the property of the Franchisee upon its deposit in any such container.

Section 33. Indemnification.

Each Franchisee must agree to defend, with counsel to be agreed upon by both parties, indemnify, and hold harmless, City and its agents, officers, servants, and employees, from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to City employees, agents, or officers which arise from, or are connected with, or are caused or claimed to be caused by acts or omissions of franchisee, or their agents, officers or employees, in the performance of the nonexclusive franchise agreement, or in performing the work or services therein, and all costs and expenses of investigating and defending against same; provided, however, that franchisee's duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of the City, its agents, officers, or employees. This indemnification requirement shall be included in every Franchise Agreement.

Section 34. Insurance.

A. Each franchisee shall maintain, at its own expense, insurance coverages, as provided in the franchise agreement or as established from time to time by the Administrator. All such insurance shall remain in effect, uninterrupted, through the term of the franchise agreement.

B. Minimum insurance coverage shall include the following items, in amounts to be determined by the Administrator: Comprehensive General Liability and Insurance Services Office covering Broad Form Comprehensive General Liability Automobile Liability; Worker's Compensation insurance as required by the Labor Code of the State of California and Employers Liability insurance.

C. The City and each member agency, and in their capacities as such, their officers, agents and employees shall be named as primary insureds in such policies. All such policies shall contain a provision requiring that written notice be mailed to the City by the insurer not less than thirty days in advance of the cancellation, modification or reduction

of the insurance, or failure to renew such insurance, whether by the insurer or insured, and whether for non-payment of premium or otherwise. Certificates of insurance shall be filed with the Administrator prior to the issuance of any Franchise.

D. Any act, omission or circumstance which results in the holder of a Franchise being out of compliance with the requirements of this section during the term of the Franchise shall constitute grounds for the immediate suspension of the Franchise, without advance notice or hearing, pending re-establishment of compliance by the Franchisee with the requirements hereof.

Section 35. Rules and Regulations.

A. The collection and subsequent transportation and disposal of commercial solid waste within the City is under the supervision of the Administrator who shall have the power to promulgate rules and regulations regulating such collection and subsequent transportation and disposal, including but not limited to:

1. Commercial solid waste generation, storage, recycling, recovery, accumulation, collection, removal, transportation and disposal;
2. The manner in which commercial solid waste collection and recycling services are provided;
3. Types of commercial solid waste and recycling containers and vehicles used therefore;
4. The operation and maintenance of sanitary methods of commercial solid waste disposal;
5. Reporting requirements for recycling facilities.

B. A copy of said rules and regulations and all amendments thereto shall be sent by registered or certified mail, postage prepaid, to all affected franchisees addressed to their last place of business. To the extent not otherwise provided by law, it shall be unlawful for a franchisee to collect and subsequently transport or dispose of commercial solid waste contrary to any regulation, order, permit or requirement promulgated by the Administrator.

C. All such rules and regulations shall be consistent with the provisions of this Ordinance and shall be effective on the thirtieth (30th) day following the filing of any such rules and regulations with the City Clerk.

D. Any person who asserts that he or she is aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the City Clerk. The notice of appeal shall

specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the City Clerk shall schedule the appeal for a public hearing by the City Council, notice of which shall be given in the manner prescribed by Section 26 hereof. At the conclusion of the public hearing, the City Council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The City Council's determination in this regard shall be final.

E. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the City Council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision that rescinds or modifies the regulation shall apply prospectively.

F. It shall be unlawful and constitute a violation of this Ordinance for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this section.

Section 36. Vehicle Inspection and Tags.

A. All vehicles and other equipment used in the collection and subsequent transportation, and disposal of commercial solid waste in the City shall be inspected as often as the Administrator deems necessary and at such times and places as shall be designated by said Administrator. No vehicle shall be used in the collection and subsequent transportation, and/or disposal of commercial solid waste within the City unless it carries a current, unrevoked tag or decal issued by the City authorizing such activity. The Administrator shall provide for each vehicle operated by franchisee, a durable tag or decal upon payment of the applicable fee. Such tag or decal shall be securely fastened and maintained by the franchisee on each vehicle so as to be clearly visible. The Administrator may suspend the tag or decal of any vehicle that fails to meet the requirements of this section, and such vehicle shall not be used for the collection and subsequent transportation or disposal of refuse until the tag or decal has been reinstated by the Administrator. In the event any vehicle fails to meet the requirements of this Section, or in the event any vehicle becomes temporarily or permanently inoperable or unavailable, the franchisee may transfer said vehicle's tag or decal to another vehicle to be operated by franchisee, which vehicle has passed inspection and does meet the requirements of this section. The Franchisee must notify the Administrator of any changes to its vehicles or tags.

B. All trucks and containers used in the collection, removal, transportation or storage of commercial solid waste in the City shall be subject to inspection by the City Engineer for the purpose of determining whether or not the trucks and containers comply with California Code of Regulations, Title 14, section 17341 through 17345.

Section 37. Vehicle Requirements.

- A. The bodies of vehicles used in the collection, removal or transportation of commercial solid waste in the City shall have beds of metal or other impervious material which can be cleaned, and shall otherwise be of a type approved by the City Engineer Department adopted pursuant to the California Code of Regulations, Title 14, section 17341.
- B. The City Engineer shall be authorized to issue administrative regulations pertaining to specifications for vehicles and containers, the cleansing and disinfecting thereof, and other sanitary measures in connection therewith.

Section 38. Covered Load Requirement.

- A. All Franchisee vehicles and all privately owned or operated vehicles using solid waste disposal facilities in the City shall have their vehicle loads covered, with a tarp or equivalent cover, to ensure protection from littering during transportation from the origin of the trip to any waste disposal facility located in the City.
- B. All vehicles hauling materials with the load originating in the City to a waste disposal facility located outside of the City shall have their loads "covered" while in transit within the City.
- C. Every permitted or non-permitted waste disposal facility located within the City shall post signs notifying the public that it is illegal to haul uncovered loads to the facility. These facilities shall cooperate with the City enforcement staff by providing covered load education and promotion information to their customers to help assure the effectiveness of this Ordinance.

Section 39. Rights Reserved to City.

In addition to all other rights reserved to the City under this Ordinance, the following shall apply:

- A. There is hereby reserved to the City every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful ordinance or resolution of the City, whether enacted before or after the effective date of this Ordinance.
- B. Neither the granting of any franchise nor any provision of any franchise shall constitute a waiver of or a bar to the exercise of any governmental right or power of the City.

C. The Franchisee shall have no recourse whatsoever against the City, its officers, employees or agents or any of the City member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this Ordinance or of any franchise issued under this Ordinance or because of the enforcement of this Ordinance.

D. There is hereby expressly reserved to the City the power and authority to amend any section of this Ordinance so as to require additional or greater standards on the part of the Franchisee and the power and authority to increase the franchise fees to be paid by the Franchisee pursuant to Section 16.

Section 40. Other Franchise Provisions.

A. The City Council may expand or contract the scope of franchise agreements over time due to changes in law or interpretations of law.

B. The Administrator shall have the right to inspect franchisee's records for purposes of determining AB 939 and other reporting requirements. The Administrator may also inspect franchisee's records to determine proper calculation and payment of franchise fees. The Administrator will provide franchisee with at least three (3) days advanced written notice of its intent to inspect any of franchisee's records.

C. The Administrator retains the right to terminate or suspend the agreement, as provided in the agreement.

Section 41. Criminal Penalties for Violations.

The following criminal penalties apply to violations of this Ordinance.

A. **Violation as Misdemeanor.** Unless otherwise specified by this Ordinance, violations of the provisions of this Ordinance or failure to comply with any of its requirements, including violations of terms and conditions established in connection with franchisees issued pursuant to this Ordinance, shall constitute a misdemeanor.

B. **Penalty for Misdemeanor.** Unless otherwise specified in this Ordinance, any person, whether as principal, agent, employee or otherwise, who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six (6) months in the County Jail, or by both such fine and imprisonment. Each day such violation continues shall be considered a separate offense. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, civil penalties, or other charges payable to the City by a Franchisee for the same period of time or for the same violations.

C. **Violation as Infraction.** Unless otherwise specified by this Ordinance, the following violations by a Franchisee are infractions.

1. **Delinquent Payment of Franchise Fee.** A delinquent payment of a franchise fee that is not received by the City before the first day of the month following the due date established under Section 16, subsection B, is a violation and a separate violation for every month the payment remains delinquent thereafter.
2. **Delinquent Payment of Franchise Fee Late Charge.** A delinquent payment of a late payment charge and/or interest charges for a late franchise fee payment (under Section 16, subsection F) that is not received by the City before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.
3. **Delinquent Payment of Late Report Charge.** A delinquent payment of a late charge for a delinquent quarterly report of diversion (under Section 19, subsection F) that is not received before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.
4. **Delinquent Payment of Audit Fee.** A delinquent payment of an Audit Fee (under Section 23, subsection B) that is not received by the City before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.
5. **Delinquent Diversion Report.** A delinquent quarterly report of diversion (under Section 19) that is not received by the City before the first day of the third month following the end of the quarter reporting is a violation and a separate violation for every month the report remains delinquent thereafter.
6. **Incomplete Diversion Report.** If a quarterly report of diversion (under Section 19) that is received by the City is incomplete, the inadequacy must be remedied or corrected by the Franchisee before the first day of the third month following the end of the quarter or it is a violation and a separate violation for every month the report remains incomplete thereafter. A complete quarterly report of diversion includes all information as may be required by the Administrator. Partial quarterly reports of diversion will be considered incomplete.

D. **Penalty for Infraction.** Unless otherwise specified by this Ordinance, an infraction is punishable by a fine not exceeding two hundred dollars (\$200) for a first violation of any offense under subsection C within the preceding twelve-month period; a fine of five hundred dollars (\$500) for a second violation of the same offense under

subsection C within the preceding twelve-month period; and a fine of one thousand dollars (\$1,000) for each additional violation of the same offense under subsection C within the preceding twelve-month period. The Administrator or the City Attorney shall also have the discretion to elevate any infraction under subsection C to a misdemeanor, punishable under subsection B. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the City by a Franchisee for the same period of time or for the same violation.

E. Separate Remedies. Each civil, criminal, or administrative civil penalty imposed pursuant to this Ordinance for any separate violation shall be separate, and in addition to, any other provision of law and does not supersede or limit any and all other legal remedies and penalties, civil, administrative or criminal which may be applicable under other laws.

Section 42. Civil Penalties for Violations.

The following administrative civil penalties apply to violations of this Ordinance:

A. Administrative Civil Penalties. In addition to any other remedies provided by this Ordinance, any person who violates any provision of this Ordinance, shall be liable for an administrative civil penalty to be imposed by the Administrator. The amount of the penalty shall not be more than one thousand dollars (\$1,000) for each day of violation. Any person, who knowingly violates any provision of this Ordinance, after reasonable notice of the violation, is liable for an administrative civil penalty of not more than one thousand dollars (\$1,000) for each day of violation. In determining the civil, criminal, and administrative civil penalties imposed pursuant to this Ordinance, all relevant circumstances shall be considered, including but not limited to, the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, the frequency of past violations, and the corrective action, if any, taken by the violator.

B. Administrative Civil Penalty Procedure

1. **Notice of Violation.** The Administrator shall notify the violator in writing of the time within an alleged violation must be remedied or corrected. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.
2. **Notice of Penalty and Opportunity for Hearing.** Notice of any administrative civil penalty shall set forth the alleged acts or failures to act that constitute a basis for liability and the amount of the proposed administrative civil penalty. The notice of administrative civil penalty shall be served by personal service or certified mail and shall inform the person so served that the administrative civil penalty imposed may be administratively reviewed by a City designated Hearing Officer before it is

enforced if a request for hearing is timely filed. The notice shall also specify the procedure for requesting a hearing before the Hearing Officer.

3. **Administrative Review.** If a person desires administrative review of the administrative civil penalty imposed by the Administrator, it shall request a hearing by timely filing a written request pursuant to the provisions of Section 45 of this Ordinance. The written request for an appeal must be accompanied by an administrative hearing fee, as established by the City Council of Directors of City. Any such appeal shall be in writing, shall state the specific reasons therefore and grounds asserted for relief, and shall be filed with the Administrator not later than fifteen (15) calendar days after the date of service of any such decision. A hearing shall be conducted by the Hearing Officer pursuant to Section 46 of this Ordinance unless the person has waived the right to a hearing or has entered into a settlement agreement with the Administrator. A person waives the right to a hearing by so stating in writing or by failure to file with the Administrator a written request for hearing within fifteen (15) days after service of the notice of opportunity for hearing.
4. **Effective Date.** Where the person has waived the right to a hearing or where the person has entered into a settlement agreement, the administrative civil penalty shall not be subject to review by any court, the Hearing Authority, or any other agency and shall be effective 15 days after notice of the penalty is served. Where a hearing has been held, the penalty shall be effective 20 days after the decision of the Hearing Authority becomes final.
5. **Judicial Review.** The manner of contesting the final order of the Hearing Officer concerning any administrative civil penalty is governed by Government Code Section 53069.4, or any successor provision thereto. Service of the notice of appeal authorized by Government Code Section 53069.4 upon the City shall be by service upon the City Clerk.
6. **Payment of Costs of Enforcement/Collection.** In addition to any penalty, sanction, fine or imprisonment, each person who violates this Ordinance, shall be required to pay any and all expenses of enforcement including costs necessary to bring the person into compliance with this Ordinance. In addition to all remedies contained herein, City may pursue all reasonable and legal means in collecting those sums authorized and due.
7. **Collection.** Payment of the penalty shall be made within 30 days from when the penalty became effective. In addition to all remedies herein contained, the City may pursue all reasonable and legal means in collecting administrative civil penalties.

Section 43. Settlement Process.

The Administrator may adopt a written settlement agreement process for the settlement of violations of this Ordinance, which shall take into consideration the penalty factors set forth in Section 42.

Section 44. Hearing Officer.

Whenever the term "Hearing Officer" is utilized in this Ordinance, it shall be deemed to refer to one or more persons assigned the responsibility of conducting a hearing by the Administrator. The Administrator shall be authorized to assign hearing responsibilities from time to time to either:

- A. City officials and staff whom the Administrator finds are qualified by training and experience to conduct such hearings; or
- B. Administrative law judges assigned to the State of California Office of Administrative Hearings. The Administrator is hereby authorized to contract in the name of the City for the retention of hearing services at rates which do not exceed financial limitations established by the City's annual budget.

Section 45. Appeals.

Any decision of the Administrator may be appealed to a Hearing Officer appointed by the Administrator. Any such appeal shall be in writing, shall state the specific reasons therefore and grounds asserted for relief, and shall be filed with the Administrator not later than fifteen (15) days after the date of service of any such decision. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which complaint is made shall be deemed to have been waived.

Section 46. Appeal Hearing.

- A. Not later than thirty (30) days following the date of filing an appeal within the time and in the manner prescribed by Section 45, the Hearing Officer shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be mailed to the appellant not later than ten (10) days preceding the date of the hearing.
- B. The provisions of the California Administrative Procedure Act (commencing at Section 11500 of the Government Code) shall not be applicable to such hearings; nor shall formal rules of evidence in civil or criminal judicial proceedings be so applicable. Testimony shall be given under oath, and the parties to the hearing shall have the right to cross-examine witnesses. Any relevant evidence shall be admitted if it is the type of

evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Hearsay evidence may be admitted for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.

1. Record. A record of the entire hearing proceedings shall be made by either a certified court reporter or tape recorder operated by the Hearing Officer. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefore. Such fees may be established and revised from time-to-time by the City Council.
2. Scope. Only those matters or issues specifically raised by the appellant(s) in the written appeal shall be considered in the hearing on appeal.
3. Oaths and Certification. The Hearing Officer has the power to administer oaths and affirmations and to certify official acts.
4. Oral evidence. Oral evidence shall only be taken on oath or affirmation.
5. Rights of Parties. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues of the hearing even though the matter was not raised in the direct examination, to impeach any witness regardless of which party first called him or her to testify, to present rebuttal evidence and to represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so. No appellant shall be required to testify without his or her consent.
6. At the conclusion of the hearing, the Hearing Authority shall prepare a written decision that either grants or conditionally grants or denies the appeal, and contains findings of fact and conclusions. Notice of the written decision, including a copy thereof, shall be filed with the Administrator and served not later than thirty (30) days following the date on which the hearing is closed on the appellant and on other persons who appeared at the hearing and requested a copy. Service shall be by personal delivery or certified mail.

C. City and appellant shall jointly pay for the costs of the hearing.

Section 47. Effective Immediately.

Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Grapevine Independent, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its inception.

ADOPTED, THIS 21st day of November, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

658345

CITY OF RANCHO CORDOVA

ORDINANCE NO. 25-2005

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
RANCHO CORDOVA AMENDING RANCHO CORDOVA
MUNICIPAL CODE SECTION 16.18.401 RELATING
TO THE IDENTIFICATION OF PUBLIC NUISANCES**

WHEREAS, the City Council finds and declares that run down or neglected properties are a major cause and source of blight in both residential and nonresidential neighborhoods, especially when the owner of the property fails to actively maintain and manage the property to ensure that it does not become a liability to the neighborhood; and

WHEREAS, the City Council finds and declares that it is a responsibility of property ownership to prevent owned property from becoming a burden to the neighborhood and community and a threat to the public health, safety or welfare; and

WHEREAS, the City Council finds and declares that run down or neglected properties can discourage economic development, retard appreciation of property values, damage the aesthetic value of neighborhoods or surrounding areas, and otherwise create conditions that are injurious to the health, safety and welfare of the public; and

WHEREAS, the City Council finds and declares that one run down or neglected property can be the core and cause of spreading blight; and

WHEREAS, the City Council finds and declares that vacant buildings often attract transients and criminals, including drug users; and

WHEREAS, the City Council finds and declares that the use of vacant buildings by transients and criminals, who frequently employ primitive cooking or heating methods, creates a risk of fire for the vacant building and adjacent properties; and

WHEREAS, the City Council finds that Section 16.18.401 of the Rancho Cordova Municipal Code addresses and identifies property related nuisances in Rancho Cordova and makes it a violation for any person owning, leasing, occupying or having charge or possession of any property in the City to maintain the property in a manner that constitutes a public nuisance or violation of the Municipal Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 16.18.401 of the Rancho Cordova Municipal Code is hereby amended by adding the following subsections to read as follows:

"j. The maintenance or keeping of the premises in a neglected, run down or improperly maintained condition, which creates or promotes a condition that is injurious to the health, safety and/or general welfare of the public, or which is readily visible from any public right-of-way or adjacent parcel of property and which constitutes visual blight or reduces the aesthetic appearance of the neighborhood or is offensive to the senses or is detrimental to nearby property or property values. The provisions of this section are intended to apply to the exterior and interior of buildings or other structures on the premises and any fixtures thereto. Conditions in violation of this provision shall include, but will not be limited to: untended vegetation or landscaping; broken doors, windows or other fixtures; the accumulation of junk, rubbish and debris; and buildings, fences or other structures that are cracked, leaning, fallen, decayed, deteriorated or defaced.

k. The maintenance or keeping of any vacant or unoccupied building in an unsecured condition. Conditions in violation of this provision shall include, but not be limited, broken exterior doors or windows, or the absence of locks or other security devices on exterior doors or windows.

l. The maintenance or accumulation on the premises of any junk, rubbish, debris, vegetation or other condition that impedes or impairs access to, or the use of, any public right-of-way or traffic control device.

m. The maintenance or keeping of any commercial signage in a neglected, run down or improperly maintained condition, which creates or promotes a condition that is injurious to the health, safety and/or general welfare of the public, or which is readily visible from any public right-of-way or adjacent parcel of property and which constitutes visual blight or reduces the aesthetic appearance of the neighborhood or is offensive to the senses or is detrimental to nearby property or property values.

n. The maintenance or keeping of any commercial parking lot or sidewalk, which is open to use by the public, in a neglected, run down or improperly maintained condition, which creates or promotes a condition that is injurious to the health, safety and/or general welfare of the public, or which is readily visible from any public right-of-way or adjacent parcel of property and which constitutes visual blight or reduces the aesthetic appearance of the neighborhood or is offensive to the senses or is detrimental to nearby property or property values.

o. The maintenance or keeping of any parking lot or sidewalk open for common use in a multi-family housing complex in a neglected, run down or improperly maintained condition, which creates or promotes a condition that is injurious to the health, safety and/or general welfare of the public, or which is readily visible from any public right-of-way or adjacent parcel of property and which constitutes visual blight or reduces the aesthetic appearance of the neighborhood or is offensive to the senses or is detrimental to nearby property or property values.

p. The maintenance or keeping of clotheslines or clothes hanging in front yards, sideyards, porches or balconies, and visible from the a public right-of-way adjacent to or across from, the front yard.”

SECTION 2: Severability

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

SECTION 3: Effective Date and Publication

Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Grapevine Independent, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with California Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

* * * * *

PASSED AND ADOPTED this 21st day of November, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

MAYOR

ATTEST:

CITY CLERK

785736_1

CITY OF RANCHO CORDOVA

ORDINANCE NO. 27-2005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AMENDING THE CITY OF RANCHO CORDOVA ZONING CODE TITLE 3, CHAPTER 5 (RESIDENTIAL USE DEVELOPMENT STANDARDS) REGARDING PLACEMENT AND SCREENING OF TRASH CONTAINERS AND MECHANICAL EQUIPMENT FOR RESIDENTIAL PROJECTS

THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN
AS FOLLOWS:

SECTION 1: Purpose and Authority

The purpose of this Ordinance is to amend the City of Rancho Cordova Zoning Code to refine placement and screening provisions for trash containers and mechanical equipment in residential projects.

SECTION 2: Findings

CEQA

Finding: The amendment to the Rancho Cordova Zoning Code for design flexibility is exempt from the California Environmental Quality Act under CEQA Guideline Section 15061.

Evidence: The proposed amendments to the residential development standards does not have the potential to degrade the quality of the environment. The proposed amendments for design flexibility do not negatively impact the environment because its purpose is to enhance the aesthetic quality of the environment. The proposed changes do not change the allowed use of a property governed by the underlying zoning district regulations.

Zoning Amendment

Finding: The proposed zoning amendment is consistent with the General Plan.

Finding: There is little or no probability of substantial detriment to or interference with the future adopted General Plan if the proposed action is ultimately inconsistent with the General Plan.

Evidence: The amendments to the Zoning Code relate to the establishment of design regulations in keeping with the City's Interim General Plan. Specifically, this

ordinance is consistent with the Vision Book and Draft Land Use Map Book with regards to site planning and architectural quality.

Finding: The proposed use or action complies with all other applicable requirements of state law and local ordinances.

Evidence: The amendments to the Zoning Code regarding the placement and screening of trash containers and mechanical equipment do not conflict with any state law or local ordinance.

SECTION 3: Action

Section 3 includes the recommended changes to the Zoning Code. The text changes are identified as follows; the language that is added to the Zoning Code is underlined and the language to be removed is in strikethrough.

The City Council hereby establishes Section 305-09.6 of Title 3, Chapter 5, Article 1 applicable to single-family development as follows:

305-09.6 Storage and Screening of Trash and Recycle Containers

Residential trash receptacles (including recycling and green waste containers) shall not be stored within a required front or street side yard unless screened from view of the public right-of-way in one of the following ways:

- a) A solid fence not less than four feet in height;
- b) Landscape plantings that provide screening to a minimum of four feet in height;
- c) Other screening solution that meets the intent to screen containers from view of a public right-of-way

All Design Review applications for new single-family and multi-family residential projects shall include the location and planned screening for storage of required trash receptacles. Exceptions to fence height standards may be granted by the designated Design Review Approving Authority to ensure proper placement and screening of trash receptacles.

The City Council hereby amends Section 305.13.1 of Title 3, Chapter 5, Article 2 as follows:

305-13.1. Setback for Trash and Recycle Containers and Enclosures

All trash and recycle containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no taller than eight (8) feet, with an appropriate solid gate. The gate shall not be visible from the public

street and shall be constructed with metal posts to withstand heavy use. The enclosure shall be consistent in architecture with the project in which it is located. Enclosures for trash and recycling containers shall be located twenty-five (25) feet from any public street, fifteen (15) feet from the edge of pavement of a private street, and twenty five (25) feet from any residential zoned property line. Adequate access for refuse pick-up shall be provided.

The City Council hereby amends Section 305.13.2 of Title 3, Chapter 5, Article 2 as follows:

305-13.2. Setback for Air Conditioning and Mechanical Equipment

All equipment related to the air conditioning of buildings shall be located twenty-five (25) feet from a public street and twenty (20) feet from any property line. Equipment whether on the ground or a roof shall be screened from view of public right-of ways with a solid wood or masonry fence, landscaping, or a combination thereof. Screening shall be at least as tall as the equipment to be screened.

Section 4: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: CEQA Compliance

The City Council has determined that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), subject to Section 15061 of the CEQA Guidelines. Due to the nature of the proposed code revisions, there is no evidence that any impact to the environment would occur as a result of adoption of the Ordinance. Any environmental affects associated with adoption and implementation of the Ordinance would be beneficial in nature.

Section 7: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

PASSED AND ADOPTED this 21st day of November, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

MEMORANDUM

DATE: November 21, 2005

TO: Redevelopment Agency Board

FROM: Curt Haven
Director of Economic Development

**SUBJECT: REDEVELOPMENT PROJECT AREA LEGAL DESCRIPTION & MAP
OF PROPOSED PROJECT AREA BOUNDARIES & RATIFICATION OF
CERTAIN AGENCY ACTIONS**



RECOMMENDATION

Adopt Agency Resolution No. 146-2005 approving a Legal Description and Map of the Proposed Project Area Boundaries in the City of Rancho Cordova Community Redevelopment Agency Survey Area, ratifying certain actions of the CRA, and authorizing and directing transmittal of certain documents and information.

BACKGROUND

On December 6, 2004, the City Council formed the Redevelopment Agency (Ordinance No. 55-2004) in order to address areas in the City of Rancho Cordova (City) that appear to exhibit adverse physical and economic conditions. Redevelopment will provide financial resources to the City and its Redevelopment Agency (Agency) to assist in the revitalization of those areas and improve the image of the City.

Adoption of a Redevelopment Project Area establishes the Agency's ability to collect tax increment revenue which the City would not receive otherwise under the current revenue neutrality agreement with the County of Sacramento (County). Tax increment revenue would be used to support redevelopment activity, provide the Agency with funding to improve and revitalize commercial and residential areas, and support the production of affordable housing in the City.

On January 18, 2005, by Resolution No. 16-2005, the City Council designated a Survey Area which is contiguous with the City's Planning Area. Adoption of the Survey Area was the first step in the redevelopment process under the California Redevelopment Law (CRL). The adopted Survey Area allows for the greatest amount of flexibility as the Redevelopment Project Area must be within the boundary of the Survey Area.

On September 22, 2005, the Rancho Cordova Planning Commission approved the Rancho Cordova Redevelopment Preliminary Plan and Project Boundaries for the Rancho Cordova Redevelopment Project Area and authorized transmittal of the Preliminary Plan to the Agency. Following a noticed public hearing held on October 3, 2005, the Redevelopment Agency Board approved the Preliminary Plan but suggested

changes to the Project Area boundaries and directed the preparation of a map and legal description reflecting the proposed Project Area boundaries.

On November 7, 2005 the Redevelopment Agency Board approved the Project area Map and Project Area Legal description. It has since been brought to the attention of staff that the Mather Redevelopment Area Boundaries that were given to the City Engineer in October 2005 were incorrect. It is in the best interest of the Agency to make those two boundaries continuous. Attached is a corrected version of the Project Area Boundaries and Legal Description.

DISCUSSION

The next step in the Redevelopment Plan Adoption process is for the Redevelopment Agency to approve the corrected map and legal description for the proposed Project Area, and authorize the filing and transmittal of the proposed Project Area boundaries and a statement that a plan is being prepared for redevelopment of the Project Area to the State Board of Equalization, affecting taxing entities, and the County Auditor, Assessor and Tax Collector. The map and legal description of the proposed Project Area boundary are included as Exhibit A attached to Resolution No 146-2005. As required by the CRL, the boundary of the proposed Project Area must be within the boundary designated by the City Council as the Survey Area. The Project Area boundary may be reduced in size during the Plan Adoption process.

SUMMARY

Staff recommends that the Redevelopment Agency Board approve the legal description and map of the proposed Project Area, and authorize transmittal of documents required by CRL Section 33327 to the County Auditor/Assessor, State Board of Equalization and affected taxing entities.

Attachment: Agency Resolution No. 146-2005

CITY OF RANCHO CORDOVA

AGENCY RESOLUTION NO. 146-2005

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF RANCHO CORDOVA APPROVING A REVISED LEGAL
DESCRIPTION AND MAP OF THE PROPOSED PROJECT AREA**

WHEREAS, the Community Redevelopment Agency of the City of Rancho Cordova (the "**Agency**") is a duly constituted redevelopment agency, activated by Ordinance No. 55-2004 on December 6, 2004, under California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) and pursuant thereto is responsible for the administration of redevelopment activities within the City of Rancho Cordova; and

WHEREAS, pursuant to Sections 33310 and 33312 of the Community Redevelopment Law, on January 18, 2005, the Rancho Cordova City Council adopted Resolution No.16-2005 designating a survey area ("**Survey Area**") and directing staff to undertake an analysis and evaluation of physical and economic conditions in order to determine the feasibility of establishing a redevelopment project area within the Survey Area; and

WHEREAS, on September 22, 2005, the Rancho Cordova Planning Commission selected and designated boundaries of a proposed redevelopment project area (the "**Project Area**") within the Survey Area, approved a preliminary plan (the "**Preliminary Plan**") for the Project Area and submitted the Preliminary Plan to the Agency for consideration and approval; and

WHEREAS, on October 3, 2005, the Agency held a public hearing to consider the Preliminary Plan and the proposed Project Area boundaries, and at that hearing the Agency approved the Preliminary Plan and the proposed Project Area boundaries and directed staff to prepare a legal description and map of the proposed Project Area; and

WHEREAS, on November 7, 2005, the Agency approved a legal description and map of the proposed Project Area and authorized the transmittal of documents as required by law; and

WHEREAS, the Agency wishes to modify the legal description and map of the proposed Project Area to incorporate revised information regarding the boundaries of the Mather Field project area administered by the Sacramento Housing and Redevelopment Agency.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF RANCHO CORDOVA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Agency adopts and approves the boundaries of the proposed Project Area as described in the legal description and as shown on the map attached as Exhibit A to this Resolution.

Section 2. The Agency approves the amendment of the Preliminary Plan to include the map and legal description set forth in Exhibit A to this Resolution.

Section 3. The Agency authorizes and directs the Executive Director to file and transmit, or cause to be filed and transmitted, all information required to be provided pursuant to Community Redevelopment Law to affected taxing entities, the County Auditor, Assessor and Tax Collector, and the State Board of Equalization, including without limitation, the attached map and legal description of the proposed Project Area.

PASSED AND ADOPTED at a meeting of the Community Redevelopment Agency of the City of Rancho Cordova held on the 21st day of November, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Chairperson

ATTEST:

Lillian E. Hare, Secretary

Exhibit A

(Attach legal description and map.)

Exhibit A

(Attach legal description and map.)

EXHIBIT A**RANCHO CORDOVA REDEVELOPMENT PROJECT AREA
GEOGRAPHIC DESCRIPTION**

All that certain real property being a portion of that subdivision of Rancho Rio de los Americanos, as shown on that certain Plat entitled "Plat of Subdivision of the Rancho Rio de los Americanos", filed for record in Book 1 of Maps at Page 2, Sacramento County Records, and being further described as being situate within Townships 8 and 9 North, Range 6 East, Mount Diablo Base, City of Rancho Cordova, County of Sacramento, State of California. The Rancho Cordova Redevelopment Project Area consists of three areas as further described below:

REDEVELOPMENT AREA 1

Beginning at a point on the Southeasterly Right-of-Way line of Sunrise Boulevard, from which, the centerline intersection of Zinfandel Drive and Sunrise Boulevard bears approximately North 75° West a distance of 50 feet; thence from said **POINT OF BEGINNING**, the following arcs, courses and distances:

- L1) South 13°37'58" West a distance of 298.15 feet;
- L2) thence South 01°07'50" East a distance of 169.32 feet;
- L3) thence South 12°37'19" West a distance of 463.44 feet;
- L4) thence South 12°55'39" West a distance of 56.73 feet;
- L5) thence North 71°36'16" West a distance of 195.43 feet;
- L6) thence North 70°25'02" West a distance of 385.60 feet;
- L7) thence South 15°50'16" West a distance of 254.18 feet;
- C1) thence from a radial line which bears South 71°51'07" East, 476.57 feet along the arc of a non-tangent 543.62 foot radius curve to the right through a central angle of 50°13'42", subtended by a chord which bears South 43°15'45" West for a distance of 461.45 feet;
- L8) thence South 65°47'26" West a distance of 316.67 feet;
- L9) thence South 65°16'46" West a distance of 488.96 feet;
- L10) thence South 60°52'05" West a distance of 104.23 feet;
- L11) thence South 65°16'43" West a distance of 280.09 feet;
- C2) thence 15.73 feet along the arc of a tangent 54.96 foot radius curve to the left through a central angle of 16°23'39", subtended by a chord which bears South 57°04'54" West for a distance of 15.67 feet;
- L12) thence South 48°51'29" West a distance of 26.66 feet;
- C3) thence 15.76 feet along the arc of a tangent 54.42 foot radius curve to the right through a central angle of 16°35'28", subtended by a chord which bears South 57°09'13" West for a distance of 15.70 feet;

- L13) thence South 64°34'25" West a distance of 215.34 feet;
- L14) thence North 24°37'53" West a distance of 10.09 feet;
- L15) thence South 63°30'23" West a distance of 416.78 feet;
- L16) thence South 69°33'02" West a distance of 104.98 feet;
- C4) thence from a radial line which bears South 27°50'45" East, 164.45 feet
along the arc of a non-tangent 1428.31 foot radius curve to the right
through a central angle of 06°35'48", subtended by a chord which bears
South 65°27'09" West for a distance of 164.36 feet;
- L17) thence South 36°43'51" East a distance of 71.63 feet;
- L18) thence South 65°31'08" West a distance of 115.88 feet;
- L19) thence South 54°37'09" West a distance of 44.63 feet;
- L20) thence South 59°24'16" West a distance of 109.30 feet;
- L21) thence South 28°47'58" West a distance of 64.02 feet;
- L22) thence South 70°12'00" West a distance of 154.93 feet;
- L23) thence South 65°52'53" West a distance of 344.40 feet;
- L24) thence South 65°02'23" West a distance of 64.24 feet;
- L25) thence South 58°31'50" West a distance of 96.50 feet;
- L26) thence South 59°33'47" West a distance of 120.98 feet;
- L27) thence South 46°10'33" West a distance of 134.88 feet;
- L28) thence South 47°20'41" West a distance of 51.99 feet;
- L29) thence South 47°07'04" West a distance of 442.43 feet;
- L30) thence South 43°09'43" East a distance of 107.87 feet;
- L31) thence South 56°26'40" East a distance of 51.41 feet;
- L32) thence South 43°01'15" East a distance of 120.21 feet;
- L33) thence North 39°57'58" East a distance of 24.83 feet;
- L34) thence South 73°47'36" East a distance of 51.29 feet;
- L35) thence South 52°42'31" East a distance of 691.81 feet;
- L36) thence South 50°14'25" East a distance of 196.98 feet;
- L37) thence South 50°18'52" East a distance of 4.43 feet;
- L38) thence South 06°56'09" West a distance of 58.53 feet;
- L39) thence South 59°11'20" East a distance of 95.66 feet;
- L40) thence South 63°53'57" East a distance of 50.00 feet;
- C5) thence from a radial line which bears South 64°57'50" East, 37.62 feet
along the arc of a non-tangent 271.08 foot radius curve to the right through
a central angle of 07°57'04", subtended by a chord which bears South
29°00'42" West for a distance of 37.59 feet;
- L41) thence South 55°36'22" East a distance of 107.21 feet;
- L42) thence South 32°41'39" West a distance of 45.69 feet;
- L43) thence South 05°08'23" East a distance of 27.51 feet;
- L44) thence South 48°41'20" East a distance of 93.61 feet;
- L45) thence South 47°56'08" East a distance of 49.95 feet;
- C6) thence from a radial line which bears South 47°55'07" East, 61.21 feet
along the arc of a non-tangent 777.68 foot radius curve to the right through
a central angle of 04°30'36", subtended by a chord which bears South
44°20'11" West for a distance of 61.20 feet;
- L46) thence South 45°01'20" East a distance of 132.19 feet;

- L47) thence South 46°12'22" West a distance of 4.87 feet;
- L48) thence South 58°48'54" West a distance of 6.44 feet;
- L49) thence South 33°38'26" East a distance of 116.32 feet;
- C7) thence from a radial line which bears North 35°26'09" West, 209.66 feet along the arc of a non-tangent 1102.39 foot radius curve to the right through a central angle of 10°53'49", subtended by a chord which bears North 60°00'46" East for a distance of 209.35 feet;
- L50) thence North 58°22'45" East a distance of 91.59 feet;
- L51) thence North 56°57'00" East a distance of 80.08 feet;
- L52) thence North 56°57'53" East a distance of 191.73 feet;
- L53) thence North 64°25'52" East a distance of 92.29 feet;
- C8) thence 63.01 feet along the arc of a tangent 156.97 foot radius curve to the left through a central angle of 23°00'01", subtended by a chord which bears North 52°55'52" East for a distance of 62.59 feet;
- C9) thence 68.97 feet along the arc of a tangent 61.10 foot radius curve to the left through a central angle of 64°40'43", subtended by a chord which bears North 09°05'30" East for a distance of 65.37 feet;
- C10) thence from a radial line which bears South 72°49'52" West, 137.98 feet along the arc of a non-tangent 39.92 foot radius curve to the right through a central angle of 198°00'38", subtended by a chord which bears North 81°50'11" East for a distance of 78.87 feet;
- C11) thence 31.41 feet along the arc of a tangent 73.80 foot radius curve to the right through a central angle of 24°23'09", subtended by a chord which bears South 13°02'04" West for a distance of 31.17 feet;
- L54) thence South 69°20'37" East a distance of 106.44 feet;
- L55) thence North 14°36'58" East a distance of 92.06 feet;
- L56) thence South 29°17'53" East a distance of 79.54 feet;
- L57) thence South 11°30'09" West a distance of 760.79 feet;
- L58) thence North 56°57'12" East a distance of 435.05 feet;
- L59) thence North 11°49'42" East a distance of 788.94 feet;
- C12) thence 79.49 feet along the arc of a tangent 222.77 foot radius curve to the right through a central angle of 20°26'38", subtended by a chord which bears North 22°03'00" East for a distance of 79.07 feet;
- L60) thence North 30°45'08" East a distance of 156.50 feet;
- L61) thence North 30°34'37" East a distance of 202.48 feet;
- C13) thence 172.60 feet along the arc of a tangent 870.42 foot radius curve to the right through a central angle of 11°21'43", subtended by a chord which bears North 36°15'28" East for a distance of 172.32 feet;
- L62) thence North 40°38'43" East a distance of 209.60 feet;
- C14) thence 238.08 feet along the arc of a tangent 1056.35 foot radius curve to the right through a central angle of 12°54'47", subtended by a chord which bears North 47°06'07" East for a distance of 237.57 feet;
- C15) thence 235.56 feet along the arc of a tangent 528.06 foot radius curve to the right through a central angle of 25°33'33", subtended by a chord which bears North 66°20'17" East for a distance of 233.62 feet;

- C16) thence 152.55 feet along the arc of a tangent 345.76 foot radius curve to the right through a central angle of $25^{\circ}16'42''$, subtended by a chord which bears South $88^{\circ}14'35''$ East for a distance of 151.31 feet;
- L63) thence South $77^{\circ}12'33''$ East a distance of 259.63 feet;
- C17) thence 224.42 feet along the arc of a tangent 306.01 foot radius curve to the right through a central angle of $42^{\circ}01'08''$, subtended by a chord which bears South $56^{\circ}11'59''$ East for a distance of 219.42 feet;
- L64) thence North $61^{\circ}35'19''$ East a distance of 228.33 feet;
- L65) thence South $21^{\circ}41'30''$ East a distance of 210.81 feet;
- L66) thence South $31^{\circ}39'48''$ East a distance of 145.72 feet;
- L67) thence South $32^{\circ}26'04''$ East a distance of 130.72 feet;
- L68) thence South $57^{\circ}33'56''$ West a distance of 86.40 feet;
- L69) thence South $32^{\circ}44'35''$ East a distance of 104.01 feet;
- L70) thence North $57^{\circ}10'49''$ East a distance of 95.00 feet;
- L71) thence South $26^{\circ}09'31''$ East a distance of 392.62 feet;
- L72) thence South $32^{\circ}44'25''$ East a distance of 320.76 feet;
- L73) thence South $32^{\circ}44'25''$ East a distance of 110.01 feet;
- L74) thence South $32^{\circ}22'55''$ East a distance of 174.74 feet;
- C18) thence from a radial line which bears North $57^{\circ}55'45''$ East, 1336.84 feet along the arc of a non-tangent 2990.32 foot radius curve to the right through a central angle of $25^{\circ}36'52''$, subtended by a chord which bears South $19^{\circ}15'49''$ East for a distance of 1325.74 feet;
- L75) thence South $02^{\circ}35'35''$ East a distance of 589.18 feet;
- L76) thence South $85^{\circ}15'34''$ West a distance of 100.94 feet;
- C19) thence from a radial line which bears South $81^{\circ}40'54''$ East, 38.66 feet along the arc of a non-tangent 25.01 foot radius curve to the left through a central angle of $88^{\circ}34'08''$, subtended by a chord which bears North $35^{\circ}57'58''$ West for a distance of 34.93 feet;
- C20) thence from a radial line which bears North $01^{\circ}02'28''$ West, 431.67 feet along the arc of a non-tangent 763.70 foot radius curve to the left through a central angle of $32^{\circ}23'08''$, subtended by a chord which bears South $72^{\circ}45'58''$ West for a distance of 425.95 feet;
- C21) thence 122.42 feet along the arc of a tangent 1120.20 foot radius curve to the left through a central angle of $06^{\circ}15'42''$, subtended by a chord which bears South $53^{\circ}26'32''$ West for a distance of 122.36 feet;
- C22) thence 394.73 feet along the arc of a tangent 668.72 foot radius curve to the left through a central angle of $33^{\circ}49'13''$, subtended by a chord which bears South $33^{\circ}24'05''$ West for a distance of 389.02 feet;
- L77) thence South $16^{\circ}42'50''$ West a distance of 135.85 feet;
- C23) thence 322.15 feet along the arc of a tangent 635.93 foot radius curve to the right through a central angle of $29^{\circ}01'30''$, subtended by a chord which bears South $31^{\circ}13'35''$ West for a distance of 318.72 feet;
- C24) thence 252.73 feet along the arc of a tangent 495.39 foot radius curve to the right through a central angle of $29^{\circ}13'50''$, subtended by a chord which bears South $60^{\circ}21'14''$ West for a distance of 250.00 feet;

- C25) thence 174.04 feet along the arc of a tangent 914.75 foot radius curve to the right through a central angle of $10^{\circ}54'04''$, subtended by a chord which bears South $80^{\circ}25'11''$ West for a distance of 173.78 feet;
- C26) thence 108.78 feet along the arc of a tangent 2912.59 foot radius curve to the left through a central angle of $02^{\circ}08'24''$, subtended by a chord which bears South $84^{\circ}48'01''$ West for a distance of 108.78 feet;
- L78) thence North $01^{\circ}29'15''$ West a distance of 60.04 feet;
- C27) thence from a radial line which bears South $03^{\circ}50'50''$ East, 38.73 feet along the arc of a non-tangent 25.04 foot radius curve to the left through a central angle of $88^{\circ}36'18''$, subtended by a chord which bears North $41^{\circ}51'02''$ East for a distance of 34.98 feet;
- L79) thence North $02^{\circ}33'47''$ West a distance of 487.08 feet;
- C28) thence from a radial line which bears North $85^{\circ}29'41''$ East, 706.75 feet along the arc of a non-tangent 813.99 foot radius curve to the left through a central angle of $49^{\circ}44'51''$, subtended by a chord which bears North $29^{\circ}22'44''$ West for a distance of 684.76 feet;
- L80) thence North $56^{\circ}00'19''$ West a distance of 606.79 feet;
- C29) thence 43.03 feet along the arc of a tangent 25.01 foot radius curve to the left through a central angle of $98^{\circ}35'10''$, subtended by a chord which bears South $74^{\circ}42'06''$ West for a distance of 37.91 feet;
- C30) thence 135.03 feet along the arc of a tangent 519.80 foot radius curve to the left through a central angle of $14^{\circ}53'01''$, subtended by a chord which bears South $17^{\circ}58'00''$ West for a distance of 134.65 feet;
- C31) thence from a radial line which bears South $87^{\circ}02'53''$ East, 700.62 feet along the arc of a non-tangent 560.60 foot radius curve to the right through a central angle of $71^{\circ}36'25''$, subtended by a chord which bears South $38^{\circ}45'19''$ West for a distance of 655.90 feet;
- C32) thence 61.79 feet along the arc of a tangent 327.22 foot radius curve to the left through a central angle of $10^{\circ}49'13''$, subtended by a chord which bears South $69^{\circ}08'55''$ West for a distance of 61.70 feet;
- L81) thence North $15^{\circ}37'49''$ West a distance of 60.67 feet;
- C33) thence from a radial line which bears South $61^{\circ}31'25''$ West, 128.60 feet along the arc of a non-tangent 617.50 foot radius curve to the right through a central angle of $11^{\circ}55'56''$, subtended by a chord which bears North $22^{\circ}30'37''$ West for a distance of 128.37 feet;
- C34) thence 46.96 feet along the arc of a tangent 209.12 foot radius curve to the right through a central angle of $12^{\circ}52'02''$, subtended by a chord which bears North $10^{\circ}06'38''$ West for a distance of 46.86 feet;
- C35) thence 38.82 feet along the arc of a tangent 69305.69 foot radius curve to the left through a central angle of $00^{\circ}01'56''$, subtended by a chord which bears North $03^{\circ}41'35''$ West for a distance of 38.82 feet;
- C36) thence 266.94 feet along the arc of a tangent 242.49 foot radius curve to the left through a central angle of $63^{\circ}04'22''$, subtended by a chord which bears North $35^{\circ}14'44''$ West for a distance of 253.66 feet;
- L82) thence North $71^{\circ}22'40''$ West a distance of 227.79 feet;
- L83) thence North $16^{\circ}10'15''$ East a distance of 426.19 feet;

L84-L91) INTENTIONALLY OMITTED

- C155) thence from a radial line which bears South 73°49'21" East, 517.74 feet along the arc of a non-tangent 5067.74 foot radius curve to the left through a central angle of 05°51'13", subtended by a chord which bears North 13°15'03" East for a distance of 517.51 feet;
- L92) thence North 09°48'51" East a distance of 99.93 feet;
- L93) thence South 57°15'25" West a distance of 409.35 feet;
- C37) thence from a radial line which bears South 87°08'01" East, 2932.27 feet along the arc of a non-tangent 3289.60 foot radius curve to the right through a central angle of 51°04'20", subtended by a chord which bears South 28°24'09" West for a distance of 2836.16 feet;
- L94) thence South 51°12'35" West a distance of 253.51 feet;
- L95) thence South 53°17'14" West a distance of 301.55 feet;
- L96) thence South 57°29'48" West a distance of 540.66 feet;
- C38) thence 304.81 feet along the arc of a tangent 335.29 foot radius curve to the right through a central angle of 52°05'11", subtended by a chord which bears South 83°32'24" West for a distance of 294.42 feet;
- L97) thence North 73°16'21" West a distance of 183.47 feet;
- C39) thence 169.53 feet along the arc of a tangent 155.91 foot radius curve to the right through a central angle of 62°18'03", subtended by a chord which bears North 42°07'20" West for a distance of 161.30 feet;
- L98) thence South 69°04'03" West a distance of 177.53 feet;
- L99) thence South 01°16'57" West a distance of 103.64 feet;
- L100) thence South 00°32'23" East a distance of 311.59 feet;
- C40) thence from a radial line which bears South 89°35'18" East, 512.09 feet along the arc of a non-tangent 575.03 foot radius curve to the right through a central angle of 51°01'28", subtended by a chord which bears South 25°55'26" West for a distance of 495.34 feet;
- L101) thence South 48°36'48" West a distance of 69.13 feet;
- L102) thence South 49°42'02" West a distance of 170.12 feet;
- L103) thence South 50°20'58" West a distance of 133.87 feet;
- L104) thence South 50°52'52" West a distance of 136.31 feet;
- L105) thence South 51°20'00" West a distance of 673.94 feet;
- L106) thence South 53°16'14" West a distance of 70.91 feet;
- L107) thence South 61°19'42" West a distance of 35.28 feet;
- L108) thence South 56°25'27" West a distance of 70.51 feet;
- L109) thence South 51°58'39" West a distance of 43.25 feet;
- L110) thence South 51°55'40" West a distance of 797.61 feet;
- L111) thence South 49°27'32" West a distance of 112.07 feet;
- L112) thence South 45°24'42" West a distance of 85.60 feet;
- L113) thence South 46°14'05" West a distance of 47.58 feet;
- L114) thence South 50°46'26" West a distance of 62.41 feet;
- L115) thence South 51°43'26" West a distance of 178.39 feet;
- L116) thence South 51°54'25" West a distance of 450.93 feet;
- L117) thence South 52°00'21" West a distance of 1273.06 feet;

- L118) thence South 51°57'41" West a distance of 822.73 feet;
- L119) thence South 53°41'59" West a distance of 483.38 feet;
- L120) thence South 55°55'59" West a distance of 77.96 feet;
- L121) thence South 57°34'14" West a distance of 285.54 feet;
- L122) thence South 58°31'56" West a distance of 74.91 feet;
- L123) thence South 64°08'21" West a distance of 40.88 feet;
- C41) thence 253.66 feet along the arc of a tangent 508.13 foot radius curve to the right through a central angle of 28°36'08", subtended by a chord which bears South 78°26'25" West for a distance of 251.03 feet;
- L124) thence North 89°50'08" West a distance of 315.89 feet;
- C42) thence from a radial line which bears South 02°30'12" West, 687.95 feet along the arc of a non-tangent 447.90 foot radius curve to the right through a central angle of 88°00'15", subtended by a chord which bears North 43°29'40" West for a distance of 622.29 feet;
- L125) thence North 54°30'25" West a distance of 17.45 feet;
- L126) thence South 89°58'29" West a distance of 104.48 feet;
- L127) thence South 00°01'35" East a distance of 684.70 feet;
- C43) thence from a radial line which bears South 85°08'11" East, 124.63 feet along the arc of a non-tangent 772.68 foot radius curve to the right through a central angle of 09°14'29", subtended by a chord which bears South 09°29'03" West for a distance of 124.49 feet;
- L128) thence South 89°45'54" West a distance of 97.20 feet;
- L129) thence South 58°53'07" East a distance of 96.65 feet;
- L130) thence South 19°47'25" West a distance of 55.23 feet;
- C44) thence 222.79 feet along the arc of a tangent 779.40 foot radius curve to the left through a central angle of 16°22'39", subtended by a chord which bears South 11°36'06" West for a distance of 222.03 feet;
- L131) thence South 01°30'45" West a distance of 42.56 feet;
- L132) thence South 55°51'33" West a distance of 447.26 feet;
- L133) thence South 60°49'36" West a distance of 616.89 feet;
- L134) thence South 62°44'45" West a distance of 474.38 feet;
- L135) thence North 12°21'16" East a distance of 136.87 feet;
- L136) thence North 67°02'33" West a distance of 127.76 feet;
- L137) thence North 21°17'50" West a distance of 60.01 feet;
- L138) thence North 63°21'30" East a distance of 327.60 feet;
- C45) thence from a radial line which bears South 27°03'28" East, 133.90 feet along the arc of a non-tangent 227.78 foot radius curve to the left through a central angle of 33°40'54", subtended by a chord which bears North 46°06'05" East for a distance of 131.98 feet;
- L139) thence North 29°14'16" East a distance of 1320.41 feet;
- C46) thence from a radial line which bears South 60°42'41" East, 77.74 feet along the arc of a non-tangent 150.01 foot radius curve to the left through a central angle of 29°41'31", subtended by a chord which bears North 14°26'33" East for a distance of 76.87 feet;
- L140) thence North 00°20'44" West a distance of 480.69 feet;
- L141) thence North 89°52'01" West a distance of 545.85 feet;

- C47) thence from a radial line which bears North $02^{\circ}45'45''$ West, 505.47 feet along the arc of a non-tangent 333.45 foot radius curve to the left through a central angle of $86^{\circ}51'07''$, subtended by a chord which bears South $43^{\circ}48'42''$ West for a distance of 458.44 feet;
- L142) thence North $87^{\circ}02'54''$ West a distance of 49.97 feet;
- L143) thence South $00^{\circ}16'19''$ West a distance of 420.02 feet;
- L144) thence South $89^{\circ}16'55''$ West a distance of 283.44 feet;
- L145) thence South $01^{\circ}00'37''$ West a distance of 20.55 feet;
- L146) thence South $87^{\circ}10'13''$ West a distance of 383.23 feet;
- L147) thence South $04^{\circ}00'13''$ East a distance of 233.07 feet;
- L148) thence South $87^{\circ}09'54''$ West a distance of 342.95 feet;
- L149) thence South $03^{\circ}20'28''$ East a distance of 687.79 feet;
- L150) thence South $09^{\circ}23'22''$ East a distance of 225.04 feet;
- L151) thence South $10^{\circ}41'44''$ East a distance of 109.36 feet;
- L152) thence South $86^{\circ}29'45''$ West a distance of 116.71 feet;
- L153) thence South $03^{\circ}30'15''$ East a distance of 588.38 feet;
- L154) thence South $62^{\circ}19'09''$ West a distance of 1030.53 feet;
- L155) thence North $00^{\circ}04'06''$ West a distance of 974.35 feet;
- L156) thence North $02^{\circ}34'18''$ West a distance of 222.14 feet;
- L157) thence North $24^{\circ}05'27''$ West a distance of 60.82 feet;
- L158) thence North $02^{\circ}34'34''$ West a distance of 506.39 feet;
- L159) thence North $90^{\circ}00'00''$ West a distance of 426.97 feet;
- L160) thence South $06^{\circ}53'08''$ East a distance of 140.88 feet;
- L161) thence South $57^{\circ}23'06''$ West a distance of 404.46 feet;
- L162) thence South $34^{\circ}42'11''$ East a distance of 33.55 feet;
- L163) thence South $58^{\circ}10'48''$ West a distance of 700.45 feet;
- L164) thence North $00^{\circ}14'39''$ West a distance of 42.51 feet;
- L165) thence South $89^{\circ}42'46''$ West a distance of 159.03 feet;
- C48) thence from a radial line which bears North $72^{\circ}05'49''$ East, 55.37 feet along the arc of a non-tangent 162.30 foot radius curve to the right through a central angle of $19^{\circ}32'45''$, subtended by a chord which bears South $08^{\circ}07'48''$ East for a distance of 55.10 feet;
- L166) thence South $00^{\circ}17'16''$ East a distance of 598.66 feet;
- L167) thence South $89^{\circ}31'04''$ West a distance of 331.56 feet;
- L168) thence South $89^{\circ}31'41''$ West a distance of 110.00 feet;
- L169) thence South $89^{\circ}30'43''$ West a distance of 148.93 feet;
- C49) thence 18.53 feet along the arc of a tangent 32.02 foot radius curve to the left through a central angle of $33^{\circ}09'45''$, subtended by a chord which bears South $72^{\circ}55'50''$ West for a distance of 18.27 feet;
- C50) thence from a radial line which bears South $25^{\circ}33'39''$ East, 60.66 feet along the arc of a non-tangent 71.85 foot radius curve to the right through a central angle of $48^{\circ}22'14''$, subtended by a chord which bears South $88^{\circ}37'28''$ West for a distance of 58.87 feet;
- L170) thence South $40^{\circ}50'47''$ West a distance of 150.73 feet;
- L171) thence South $41^{\circ}42'22''$ West a distance of 14.27 feet;

- C51) thence from a radial line which bears South 47°23'58" East, 302.44 feet along the arc of a non-tangent 468.50 foot radius curve to the right through a central angle of 36°59'12", subtended by a chord which bears South 61°05'38" West for a distance of 297.21 feet;
- L172) thence North 89°46'43" West a distance of 384.54 feet;
- L173) thence South 00°13'19" West a distance of 1113.24 feet;
- L174) thence South 60°00'04" West a distance of 179.41 feet;
- L175) thence South 29°32'28" East a distance of 343.72 feet;
- L176) thence South 31°01'39" East a distance of 60.00 feet;
- L177) thence South 59°00'21" West a distance of 450.33 feet;
- C52) thence 262.92 feet along the arc of a tangent 446.52 foot radius curve to the right through a central angle of 33°44'13", subtended by a chord which bears South 75°52'28" West for a distance of 259.14 feet;
- L178) thence South 88°47'21" West a distance of 591.68 feet;
- C53) thence 39.15 feet along the arc of a tangent 25.00 foot radius curve to the left through a central angle of 89°44'36", subtended by a chord which bears South 43°55'03" West for a distance of 35.27 feet;
- L179) thence South 89°06'52" West a distance of 100.01 feet;
- L180) thence North 00°53'08" West a distance of 251.16 feet;
- C54) thence 97.59 feet along the arc of a tangent 1453.00 foot radius curve to the left through a central angle of 03°50'54", subtended by a chord which bears North 02°48'35" West for a distance of 97.58 feet;
- C55) thence 137.83 feet along the arc of a tangent 4180.06 foot radius curve to the left through a central angle of 01°53'21", subtended by a chord which bears North 05°40'43" West for a distance of 137.83 feet;
- L181) thence North 01°22'01" West a distance of 108.64 feet;
- L182) thence North 00°30'56" West a distance of 575.93 feet;
- L183) thence North 00°16'38" West a distance of 235.61 feet;
- L184) thence North 57°33'40" East a distance of 1866.68 feet;
- L185) thence North 57°14'46" East a distance of 2222.60 feet;
- L186) thence North 02°53'11" West a distance of 17.27 feet;
- L187) thence North 57°23'09" East a distance of 728.11 feet;
- L188) thence North 33°22'35" West a distance of 240.53 feet;
- L189) thence North 58°59'20" East a distance of 165.38 feet;
- L190) thence North 77°10'57" East a distance of 55.38 feet;
- L191) thence North 14°08'34" West a distance of 441.90 feet;
- L192) thence North 75°42'46" East a distance of 64.00 feet;
- L193) thence North 75°39'08" East a distance of 480.00 feet;
- L194) thence North 21°23'10" East a distance of 245.10 feet;
- L195) thence North 14°25'32" West a distance of 1023.47 feet;
- L196) thence North 76°39'58" East a distance of 170.66 feet;
- L197) thence North 12°47'31" West a distance of 29.96 feet;
- L198) thence South 77°05'56" West a distance of 6.66 feet;
- L199) thence North 12°06'14" West a distance of 141.04 feet;
- L200) thence North 14°47'02" East a distance of 44.46 feet;
- L201) thence North 08°43'03" East a distance of 66.00 feet;

- L202) thence North 26°06'16" East a distance of 183.43 feet;
- L203) thence North 33°51'06" East a distance of 142.62 feet;
- L204) thence South 53°54'40" East a distance of 37.22 feet;
- L205) thence North 34°32'30" East a distance of 116.33 feet;
- L206) thence North 35°26'50" East a distance of 40.00 feet;
- L207) thence North 34°52'51" East a distance of 105.46 feet;
- L208) thence North 54°11'35" West a distance of 76.20 feet;
- L209) thence North 27°33'45" East a distance of 50.29 feet;
- L210) thence South 74°55'07" East a distance of 24.10 feet;
- L211) thence North 29°20'04" East a distance of 58.37 feet;
- L212) thence North 07°37'11" East a distance of 92.66 feet;
- L213) thence North 09°45'04" East a distance of 52.00 feet;
- L214) thence North 08°53'48" East a distance of 119.52 feet;
- L215) thence North 20°03'47" East a distance of 13.31 feet;
- L216) thence North 27°37'41" East a distance of 54.16 feet;
- L217) thence North 08°43'28" West a distance of 79.57 feet;
- L218) thence South 83°59'59" West a distance of 17.23 feet;
- L219) thence North 04°43'09" West a distance of 41.99 feet;
- L220) thence North 05°21'31" West a distance of 69.85 feet;
- L221) thence North 11°28'02" West a distance of 67.27 feet;
- L222) thence North 09°35'53" West a distance of 65.43 feet;
- L223) thence North 68°18'39" East a distance of 96.11 feet;
- L224) thence North 22°49'45" West a distance of 67.91 feet;
- L225) thence North 26°15'02" West a distance of 82.68 feet;
- L226) thence North 26°40'58" West a distance of 102.58 feet;
- L227) thence North 65°06'48" East a distance of 52.02 feet;
- L228) thence North 63°15'37" East a distance of 31.90 feet;
- L229) thence South 26°19'59" East a distance of 8.01 feet;
- L230) thence North 63°14'57" East a distance of 40.02 feet;
- L231) thence North 26°22'48" West a distance of 10.03 feet;
- L232) thence North 63°14'35" East a distance of 241.99 feet;
- L233) thence North 73°44'28" East a distance of 266.53 feet;
- L234) thence North 75°11'33" East a distance of 301.06 feet;
- L235) thence North 74°59'04" East a distance of 54.00 feet;
- L236) thence South 14°51'14" East a distance of 163.86 feet;
- L237) thence South 14°53'15" East a distance of 66.87 feet;
- C56) thence from a radial line which bears South 72°19'44" West, 217.94 feet along the arc of a non-tangent 587.11 foot radius curve to the left through a central angle of 21°16'07", subtended by a chord which bears South 28°18'19" East for a distance of 216.69 feet;
- C57) thence 31.31 feet along the arc of a tangent 66.14 foot radius curve to the left through a central angle of 27°07'21", subtended by a chord which bears South 52°30'03" East for a distance of 31.02 feet;
- C58) thence 34.84 feet along the arc of a tangent 22.30 foot radius curve to the left through a central angle of 89°30'52", subtended by a chord which bears North 69°10'51" East for a distance of 31.41 feet;

- L238) thence South $68^{\circ}10'35''$ East a distance of 52.16 feet;
- C59) thence from a radial line which bears North $73^{\circ}01'38''$ West, 218.62 feet along the arc of a non-tangent 506.57 foot radius curve to the left through a central angle of $24^{\circ}43'36''$, subtended by a chord which bears South $04^{\circ}36'34''$ West for a distance of 216.92 feet;
- C60) thence 33.78 feet along the arc of a tangent 18.40 foot radius curve to the left through a central angle of $105^{\circ}11'47''$, subtended by a chord which bears South $60^{\circ}21'07''$ East for a distance of 29.23 feet;
- C61) thence 81.86 feet along the arc of a tangent 248.92 foot radius curve to the right through a central angle of $18^{\circ}50'30''$, subtended by a chord which bears North $76^{\circ}28'14''$ East for a distance of 81.49 feet;
- C62) thence from a radial line which bears North $09^{\circ}39'35''$ West, 189.03 feet along the arc of a non-tangent 603.31 foot radius curve to the right through a central angle of $17^{\circ}57'07''$, subtended by a chord which bears North $89^{\circ}18'58''$ East for a distance of 188.26 feet;
- C63) thence from a radial line which bears South $05^{\circ}25'30''$ West, 375.40 feet along the arc of a non-tangent 426.38 foot radius curve to the left through a central angle of $50^{\circ}26'42''$, subtended by a chord which bears North $70^{\circ}12'09''$ East for a distance of 363.39 feet;
- C64) thence 214.29 feet along the arc of a tangent 609.38 foot radius curve to the left through a central angle of $20^{\circ}08'53''$, subtended by a chord which bears North $34^{\circ}54'21''$ East for a distance of 213.19 feet;
- L239) thence South $69^{\circ}34'10''$ East a distance of 52.33 feet;
- L240) thence South $26^{\circ}45'29''$ West a distance of 19.24 feet;
- C65) thence 29.51 feet along the arc of a tangent 20.19 foot radius curve to the left through a central angle of $83^{\circ}45'22''$, subtended by a chord which bears South $15^{\circ}07'12''$ East for a distance of 26.96 feet;
- C66) thence 78.62 feet along the arc of a tangent 310.45 foot radius curve to the right through a central angle of $14^{\circ}30'34''$, subtended by a chord which bears South $49^{\circ}44'36''$ East for a distance of 78.41 feet;
- C67) thence 106.02 feet along the arc of a tangent 283.83 foot radius curve to the right through a central angle of $21^{\circ}24'04''$, subtended by a chord which bears South $31^{\circ}47'18''$ East for a distance of 105.40 feet;
- L241) thence South $24^{\circ}00'33''$ East a distance of 81.41 feet;
- L242) thence South $24^{\circ}01'18''$ East a distance of 160.34 feet;
- L243) thence North $66^{\circ}38'43''$ East a distance of 272.35 feet;
- L244) thence South $43^{\circ}52'13''$ East a distance of 18.20 feet;
- L245) thence North $88^{\circ}21'40''$ East a distance of 100.11 feet;
- L246) thence North $86^{\circ}33'36''$ East a distance of 41.99 feet;
- L247) thence South $03^{\circ}26'24''$ East a distance of 38.94 feet;
- L248) thence North $86^{\circ}42'06''$ East a distance of 209.76 feet;
- L249) thence North $87^{\circ}37'35''$ East a distance of 42.00 feet;
- L250) thence North $86^{\circ}41'40''$ East a distance of 209.94 feet;
- L251) thence North $03^{\circ}19'35''$ West a distance of 41.67 feet;
- L252) thence North $86^{\circ}33'01''$ East a distance of 50.02 feet;
- L253) thence North $86^{\circ}33'01''$ East a distance of 92.15 feet;

- L254) thence North 36°17'19" East a distance of 38.58 feet;
- L255) thence North 89°55'18" East a distance of 79.59 feet;
- L256) thence North 64°25'52" East a distance of 82.97 feet;
- L257) thence North 66°01'21" East a distance of 42.01 feet;
- L258) thence North 63°16'06" East a distance of 83.55 feet;
- L259) thence North 03°36'54" West a distance of 70.12 feet;
- L260) thence South 71°23'52" East a distance of 51.01 feet;
- L261) thence North 68°18'40" East a distance of 99.34 feet;
- L262) thence North 19°47'18" West a distance of 35.54 feet;
- L263) thence North 71°11'52" East a distance of 41.96 feet;
- L264) thence North 71°11'52" East a distance of 85.80 feet;
- L265) thence North 35°07'57" East a distance of 75.07 feet;
- L266) thence North 57°31'20" East a distance of 365.82 feet;
- L267) thence North 66°01'49" East a distance of 118.47 feet;
- L268) thence North 66°16'00" East a distance of 42.32 feet;
- L269) thence North 65°54'11" East a distance of 115.93 feet;
- L270) thence North 12°33'16" West a distance of 1059.11 feet;
- L271) thence North 09°21'50" West a distance of 59.03 feet;
- L272) thence North 40°53'40" West a distance of 73.74 feet;
- L273) thence South 48°44'14" West a distance of 152.55 feet;
- L274) thence South 51°32'49" West a distance of 78.44 feet;
- C68) thence from a radial line which bears South 30°43'26" East, 185.17 feet
along the arc of a non-tangent 232.80 foot radius curve to the right through
a central angle of 45°34'30", subtended by a chord which bears South
82°03'49" West for a distance of 180.33 feet;
- L275) thence North 67°49'51" West a distance of 76.55 feet;
- L276) thence North 65°36'05" West a distance of 90.90 feet;
- C69) thence 182.66 feet along the arc of a tangent 119.06 foot radius curve to
the left through a central angle of 87°54'01", subtended by a chord which
bears South 70°26'54" West for a distance of 165.26 feet;
- L277) thence South 25°51'39" West a distance of 396.92 feet;
- L278) thence South 33°35'33" West a distance of 76.84 feet;
- C70) thence from a radial line which bears South 47°34'54" East, 137.51 feet
along the arc of a non-tangent 248.50 foot radius curve to the right through
a central angle of 31°42'15", subtended by a chord which bears South
58°16'13" West for a distance of 135.76 feet;
- C71) thence 27.03 feet along the arc of a tangent 19.96 foot radius curve to the
left through a central angle of 77°35'38", subtended by a chord which
bears South 35°19'31" West for a distance of 25.01 feet;
- L279) thence South 86°42'26" West a distance of 50.01 feet;
- L280) thence North 03°19'06" West a distance of 306.52 feet;
- L281) thence North 03°19'08" West a distance of 82.01 feet;
- L282) thence North 03°19'06" West a distance of 220.40 feet;
- L283) thence North 03°19'08" West a distance of 82.01 feet;
- L284) thence North 03°18'38" West a distance of 165.69 feet;
- L285) thence South 81°27'39" West a distance of 456.68 feet;

L286) thence North 57°07'38" West a distance of 78.93 feet;
 L287) thence South 77°19'07" West a distance of 107.81 feet;
 L288) thence South 80°59'03" West a distance of 427.40 feet;
 L289) thence South 80°33'11" West a distance of 66.68 feet;
 L290) thence South 84°32'49" West a distance of 186.11 feet;
 L291) thence North 08°46'17" West a distance of 1311.92 feet;
 L292) thence North 81°28'32" East a distance of 378.97 feet;
 L293) thence North 19°08'58" West a distance of 152.58 feet;
 L294) thence North 47°05'42" West a distance of 381.39 feet;
 L295-L296) INTENTIONALLY OMITTED
 L297) thence North 30°17'52" West a distance of 1153.67 feet;
 L298) thence North 47°44'06" East a distance of 723.44 feet;
 L299) thence North 45°03'54" West a distance of 293.20 feet;
 L300) thence North 39°05'37" East a distance of 689.86 feet;
 L301) thence North 49°23'02" East a distance of 475.40 feet;
 L302) thence North 61°28'55" East a distance of 214.98 feet;
 L303) thence North 66°06'13" East a distance of 456.03 feet;
 L304) thence South 45°55'25" East a distance of 268.69 feet;
 L305) thence North 50°45'38" East a distance of 257.88 feet;
 L306) thence South 45°40'30" East a distance of 32.63 feet;
 L307) thence North 49°35'27" East a distance of 301.29 feet;
 L308) thence South 45°45'26" East a distance of 967.70 feet;
 L309) thence South 44°40'37" West a distance of 300.00 feet;
 L310) thence South 45°40'21" East a distance of 24.01 feet;
 L311) thence South 44°37'19" West a distance of 252.51 feet;
 L312) thence South 46°04'27" East a distance of 427.92 feet;
 L313) thence North 44°20'25" East a distance of 442.95 feet;
 L314) thence South 46°23'32" East a distance of 689.84 feet;
 L315) thence North 44°16'24" East a distance of 466.79 feet;
 L316) thence South 46°32'27" East a distance of 373.63 feet;
 L317) thence South 45°57'32" East a distance of 194.46 feet;
 L318) thence South 45°57'22" East a distance of 208.84 feet;
 L319) thence North 43°34'50" East a distance of 125.18 feet;
 L320) thence North 46°27'20" West a distance of 67.60 feet;
 L321) thence North 40°18'16" East a distance of 50.09 feet;
 L322) thence North 46°07'21" East a distance of 83.72 feet;
 L323) thence North 00°38'31" West a distance of 42.04 feet;
 L324) thence North 33°41'13" East a distance of 181.06 feet;
 L325) thence North 46°22'19" West a distance of 293.26 feet;
 L326) thence North 42°27'07" East a distance of 246.73 feet;
 L327) thence South 46°06'59" East a distance of 323.58 feet;
 L328) thence North 34°37'09" East a distance of 79.36 feet;
 L329) thence North 37°50'45" East a distance of 75.32 feet;
 L330) thence North 33°49'53" East a distance of 154.80 feet;
 L331) thence North 34°02'50" East a distance of 75.80 feet;
 L332) thence North 34°05'51" East a distance of 175.33 feet;

- L333) thence North 45°49'53" West a distance of 55.42 feet;
- L334) thence North 34°10'26" East a distance of 61.61 feet;
- L335) thence North 55°47'18" West a distance of 40.04 feet;
- L336) thence North 34°10'30" East a distance of 153.14 feet;
- C72) thence 20.60 feet along the arc of a tangent 24.96 foot radius curve to the left through a central angle of 47°16'36", subtended by a chord which bears North 10°32'13" East for a distance of 20.02 feet;
- C73) thence 92.94 feet along the arc of a tangent 40.02 foot radius curve to the right through a central angle of 133°03'46", subtended by a chord which bears North 53°25'48" East for a distance of 73.42 feet;
- L337) thence North 40°51'04" East a distance of 19.84 feet;
- L338) thence North 44°58'43" West a distance of 68.91 feet;
- L339) thence North 37°24'40" East a distance of 411.98 feet;
- L340) thence North 26°11'48" West a distance of 52.95 feet;
- L341) thence North 35°48'21" East a distance of 99.92 feet;
- L342) thence North 47°03'53" West a distance of 92.47 feet;
- L343) thence North 33°41'24" West a distance of 42.21 feet;
- L344) thence North 45°28'47" West a distance of 431.50 feet;
- L345) thence North 31°32'29" East a distance of 487.13 feet;
- L346) thence South 47°26'05" East a distance of 684.74 feet;
- L347) thence North 48°25'01" East a distance of 204.67 feet;
- L348) thence North 37°33'45" East a distance of 274.01 feet;
- L349) thence North 38°28'41" East a distance of 60.69 feet;
- L350) thence North 39°01'39" East a distance of 321.16 feet;
- L351) thence North 38°02'04" East a distance of 56.00 feet;
- L352) thence North 39°34'31" East a distance of 79.70 feet;
- L353) thence North 31°29'12" East a distance of 119.21 feet;
- L354) thence South 52°26'43" East a distance of 36.39 feet;
- L355) thence North 46°21'35" East a distance of 111.23 feet;
- C74) thence from a radial line which bears South 46°29'44" West, 99.65 feet along the arc of a non-tangent 578.35 foot radius curve to the right through a central angle of 09°52'18", subtended by a chord which bears North 38°34'07" West for a distance of 99.52 feet;
- C75) thence from a radial line which bears North 60°05'59" East, 185.72 feet along the arc of a non-tangent 489.00 foot radius curve to the left through a central angle of 21°45'39", subtended by a chord which bears North 40°46'50" West for a distance of 184.61 feet;
- L356) thence North 52°37'43" West a distance of 106.06 feet;
- L357) thence North 38°18'35" East a distance of 64.00 feet;
- L358) thence North 37°43'03" East a distance of 508.66 feet;
- L359) thence North 37°13'27" East a distance of 241.50 feet;
- L360) thence North 39°11'52" East a distance of 429.18 feet;
- L361) thence North 35°54'08" East a distance of 53.65 feet;
- L362) thence North 57°04'16" East a distance of 450.97 feet;
- L363) thence North 61°03'29" East a distance of 80.51 feet;

- C76) thence from a radial line which bears North $12^{\circ}07'09''$ East, 173.71 feet along the arc of a non-tangent 477.01 foot radius curve to the right through a central angle of $20^{\circ}51'52''$, subtended by a chord which bears South $67^{\circ}26'55''$ East for a distance of 172.75 feet;
- C77) thence 222.04 feet along the arc of a tangent 455.88 foot radius curve to the right through a central angle of $27^{\circ}54'25''$, subtended by a chord which bears South $43^{\circ}03'46''$ East for a distance of 219.85 feet;
- L364) thence North $59^{\circ}49'32''$ East a distance of 205.72 feet;
- L365) thence North $62^{\circ}48'36''$ East a distance of 56.47 feet;
- L366) thence North $65^{\circ}22'35''$ East a distance of 361.68 feet;
- L367) thence North $32^{\circ}38'00''$ West a distance of 155.32 feet;
- L368) thence South $66^{\circ}00'59''$ West a distance of 59.74 feet;
- L369) thence North $33^{\circ}11'05''$ West a distance of 54.69 feet;
- L370) thence North $31^{\circ}32'04''$ West a distance of 160.35 feet;
- L371) thence North $65^{\circ}49'43''$ East a distance of 10.09 feet;
- L372) thence North $24^{\circ}00'30''$ West a distance of 106.09 feet;
- L373) thence North $24^{\circ}47'45''$ West a distance of 42.00 feet;
- L374) thence North $23^{\circ}44'15''$ West a distance of 101.20 feet;
- L375) thence North $66^{\circ}22'14''$ East a distance of 1.90 feet;
- L376) thence North $25^{\circ}24'54''$ West a distance of 103.36 feet;
- L377) thence South $64^{\circ}39'25''$ West a distance of 28.32 feet;
- L378) thence North $24^{\circ}50'42''$ West a distance of 41.99 feet;
- L379) thence North $24^{\circ}50'42''$ West a distance of 76.68 feet;
- L380) thence North $49^{\circ}34'00''$ West a distance of 32.19 feet;
- L381) thence North $06^{\circ}34'15''$ East a distance of 35.79 feet;
- L382) thence North $26^{\circ}29'57''$ West a distance of 70.34 feet;
- L383) thence North $26^{\circ}46'52''$ West a distance of 60.00 feet;
- L384) thence North $63^{\circ}13'43''$ East a distance of 184.09 feet;
- L385) thence North $63^{\circ}12'59''$ East a distance of 72.35 feet;
- L386) thence South $25^{\circ}41'54''$ East a distance of 138.22 feet;
- L387) thence South $56^{\circ}49'03''$ East a distance of 34.04 feet;
- L388) thence South $06^{\circ}53'56''$ West a distance of 35.30 feet;
- L389) thence South $24^{\circ}01'25''$ East a distance of 76.03 feet;
- L390) thence South $25^{\circ}20'46''$ East a distance of 42.00 feet;
- L391) thence South $64^{\circ}39'14''$ West a distance of 29.28 feet;
- L392) thence South $24^{\circ}18'55''$ East a distance of 208.52 feet;
- L393) thence South $24^{\circ}05'17''$ East a distance of 42.00 feet;
- L394) thence South $24^{\circ}16'20''$ East a distance of 106.15 feet;
- L395) thence North $65^{\circ}47'14''$ East a distance of 25.27 feet;
- L396) thence South $24^{\circ}19'40''$ East a distance of 159.85 feet;
- L397) thence North $66^{\circ}01'17''$ East a distance of 85.70 feet;
- L398) thence South $37^{\circ}09'27''$ East a distance of 55.48 feet;
- L399) thence South $37^{\circ}09'16''$ East a distance of 154.70 feet;
- L400) thence North $65^{\circ}23'01''$ East a distance of 886.61 feet;
- L401) thence North $59^{\circ}49'55''$ East a distance of 54.16 feet;
- L402) thence South $24^{\circ}54'42''$ East a distance of 29.77 feet;

- L403) thence North $65^{\circ}15'38''$ East a distance of 126.18 feet;
- L404) thence North $49^{\circ}45'30''$ East a distance of 46.96 feet;
- L405) thence South $38^{\circ}31'49''$ East a distance of 175.36 feet;
- L406) thence North $81^{\circ}46'06''$ East a distance of 205.55 feet;
- L407) thence North $79^{\circ}05'00''$ East a distance of 82.86 feet;
- L408) thence North $77^{\circ}38'32''$ East a distance of 54.02 feet;
- C78) thence from a radial line which bears North $13^{\circ}12'27''$ West, 143.45 feet along the arc of a non-tangent 510.83 foot radius curve to the right through a central angle of $16^{\circ}05'22''$, subtended by a chord which bears North $84^{\circ}50'14''$ East for a distance of 142.98 feet;
- C79) thence 17.51 feet along the arc of a tangent 53.79 foot radius curve to the left through a central angle of $18^{\circ}39'16''$, subtended by a chord which bears North $83^{\circ}33'16''$ East for a distance of 17.43 feet;
- L409) thence North $79^{\circ}14'37''$ East a distance of 230.31 feet;
- L410) thence North $78^{\circ}57'48''$ East a distance of 2040.28 feet;
- C80) thence 40.10 feet along the arc of a tangent 25.25 foot radius curve to the left through a central angle of $90^{\circ}59'39''$, subtended by a chord which bears North $33^{\circ}27'58''$ East for a distance of 36.02 feet;
- C81) thence 87.74 feet along the arc of a tangent 881.13 foot radius curve to the right through a central angle of $05^{\circ}42'20''$, subtended by a chord which bears North $09^{\circ}10'41''$ West for a distance of 87.71 feet;
- L411) thence North $03^{\circ}15'51''$ East a distance of 101.21 feet;
- C82) thence 165.95 feet along the arc of a tangent 892.49 foot radius curve to the right through a central angle of $10^{\circ}39'13''$, subtended by a chord which bears North $08^{\circ}35'27''$ East for a distance of 165.71 feet;
- L412) thence North $14^{\circ}09'14''$ East a distance of 89.82 feet;
- L413) thence North $13^{\circ}40'58''$ East a distance of 99.74 feet;
- C83) thence 87.91 feet along the arc of a tangent 343.95 foot radius curve to the left through a central angle of $14^{\circ}38'36''$, subtended by a chord which bears North $06^{\circ}21'40''$ East for a distance of 87.67 feet;
- L414) thence North $01^{\circ}55'18''$ West a distance of 94.03 feet;
- L415) thence North $02^{\circ}55'30''$ West a distance of 187.51 feet;
- L416) thence North $02^{\circ}55'52''$ West a distance of 92.14 feet;
- L417) thence North $02^{\circ}41'44''$ West a distance of 176.48 feet;
- L418) thence North $03^{\circ}43'48''$ East a distance of 88.58 feet;
- C84) thence 179.95 feet along the arc of a tangent 429.25 foot radius curve to the right through a central angle of $24^{\circ}01'09''$, subtended by a chord which bears North $15^{\circ}44'22''$ East for a distance of 178.63 feet;
- L418a) thence North $27^{\circ}43'41''$ East a distance of 88.64 feet;
- C85) INTENTIONALLY OMITTED
- C86) thence 97.46 feet along the arc of a tangent 342.42 foot radius curve to the right through a central angle of $16^{\circ}18'27''$, subtended by a chord which bears North $35^{\circ}51'39''$ East for a distance of 97.13 feet;
- C87) thence 86.50 feet along the arc of a tangent 5395.65 foot radius curve to the right through a central angle of $00^{\circ}55'07''$, subtended by a chord which bears North $44^{\circ}28'25''$ East for a distance of 86.50 feet;

- C88) thence 164.75 feet along the arc of a tangent 457.39 foot radius curve to the right through a central angle of 20°38'16", subtended by a chord which bears North 55°15'07" East for a distance of 163.86 feet;
 - L419) thence North 60°22'19" East a distance of 99.19 feet;
 - L420) thence North 63°11'19" East a distance of 241.29 feet;
 - L421) thence North 78°16'11" East a distance of 97.87 feet;
 - C89) thence from a radial line which bears North 07°09'17" West, 214.21 feet along the arc of a non-tangent 611.82 foot radius curve to the right through a central angle of 20°03'39", subtended by a chord which bears South 87°07'28" East for a distance of 213.12 feet;
 - L422) thence South 77°04'19" East a distance of 98.17 feet;
 - L423) thence South 79°10'19" East a distance of 137.37 feet;
 - L424) thence South 07°16'04" West a distance of 154.11 feet;
 - L425) thence South 13°18'21" West a distance of 59.37 feet;
 - L426) thence South 18°00'50" West a distance of 181.30 feet;
 - L427) thence South 14°36'50" West a distance of 86.62 feet;
 - L428) thence South 75°06'20" West a distance of 11.33 feet;
 - L429) thence South 13°06'20" West a distance of 1273.15 feet;
 - L430) thence South 13°31'33" West a distance of 141.24 feet;
 - L431) thence South 13°37'56" West a distance of 1056.12 feet;
- Containing 2534 acres of land, more or less.

REDEVELOPMENT AREA 2

Beginning at a point on the Westerly Right-of-Way line of Bradshaw Road, from which, the centerline intersection of Bradshaw Road and Lincoln Village Drive bears approximately North 43° East a distance of 68 feet; thence from said **POINT OF BEGINNING**, the following arcs, courses and distances:

- L722) thence North 01°03'55" West a distance of 420.02 feet;
- L723) thence North 89°07'35" East a distance of 28.00 feet;
- L724) thence North 01°03'55" West a distance of 38.18 feet;
- L725) thence South 89°50'25" West a distance of 25.00 feet;
- L726) thence North 01°03'55" West a distance of 40.51 feet;
- C115) thence 19.64 feet along the arc of a tangent 42.33 foot radius curve to the left through a central angle of 26°34'52", subtended by a chord which bears North 14°21'22" West for a distance of 19.46 feet;
- L727) thence North 27°38'48" West a distance of 32.66 feet;
- L728) thence North 00°59'12" West a distance of 99.77 feet;
- L729) thence North 03°11'14" West a distance of 101.23 feet;
- L730) thence North 09°41'16" West a distance of 47.89 feet;
- L731) thence North 88°54'10" East a distance of 82.21 feet;
- L732) thence North 88°54'10" East a distance of 35.96 feet;

- L733) thence North $16^{\circ}58'29''$ East a distance of 153.81 feet;
 C116) thence from a radial line which bears North $73^{\circ}02'16''$ West, 21.58 feet along the arc of a non-tangent 106.46 foot radius curve to the right through a central angle of $11^{\circ}36'43''$, subtended by a chord which bears North $22^{\circ}46'05''$ East for a distance of 21.54 feet;
- L734) thence North $28^{\circ}32'38''$ East a distance of 503.63 feet;
 C117) thence from a radial line which bears North $61^{\circ}27'09''$ West, 200.32 feet along the arc of a non-tangent 423.49 foot radius curve to the right through a central angle of $27^{\circ}06'07''$, subtended by a chord which bears North $42^{\circ}05'54''$ East for a distance of 198.46 feet;
- L735) thence North $54^{\circ}43'33''$ East a distance of 503.64 feet;
 L736) thence North $54^{\circ}42'57''$ East a distance of 260.89 feet;
 L737) thence North $55^{\circ}24'13''$ East a distance of 303.13 feet;
 L738) thence North $56^{\circ}12'28''$ East a distance of 118.53 feet;
 L739) thence North $56^{\circ}42'48''$ East a distance of 439.67 feet;
 L740) thence North $56^{\circ}42'41''$ East a distance of 345.81 feet;
 L741) thence North $56^{\circ}42'56''$ East a distance of 410.44 feet;
 L742) thence North $56^{\circ}42'41''$ East a distance of 341.39 feet;
 L743) thence North $56^{\circ}42'49''$ East a distance of 273.92 feet;
 L744) thence North $57^{\circ}37'44''$ East a distance of 249.79 feet;
 L745) thence North $59^{\circ}22'52''$ East a distance of 239.59 feet;
 L746) thence North $61^{\circ}52'52''$ East a distance of 548.14 feet;
 L747) thence North $62^{\circ}35'41''$ East a distance of 1263.47 feet;
 L748) thence North $62^{\circ}35'37''$ East a distance of 178.81 feet;
 L749) thence South $03^{\circ}30'36''$ East a distance of 548.18 feet;
 L750) thence South $85^{\circ}35'42''$ East a distance of 102.87 feet;
 C118) thence from a radial line which bears North $87^{\circ}35'51''$ West, 359.59 feet along the arc of a non-tangent 2476.11 foot radius curve to the right through a central angle of $08^{\circ}19'14''$, subtended by a chord which bears North $06^{\circ}33'47''$ East for a distance of 359.27 feet;
- C119) thence 123.97 feet along the arc of a tangent 1083.42 foot radius curve to the left through a central angle of $06^{\circ}33'23''$, subtended by a chord which bears North $07^{\circ}26'42''$ East for a distance of 123.91 feet;
- L751) thence North $04^{\circ}10'58''$ East a distance of 182.86 feet;
 L752) thence North $62^{\circ}35'37''$ East a distance of 1320.35 feet;
 C120) thence 87.14 feet along the arc of a tangent 777.95 foot radius curve to the right through a central angle of $06^{\circ}25'05''$, subtended by a chord which bears North $65^{\circ}48'10''$ East for a distance of 87.10 feet;
- L753) thence North $69^{\circ}01'03''$ East a distance of 1173.15 feet;
 C121) thence from a radial line which bears North $20^{\circ}58'08''$ West, 408.53 feet along the arc of a non-tangent 561.34 foot radius curve to the right through a central angle of $41^{\circ}41'56''$, subtended by a chord which bears North $89^{\circ}52'50''$ East for a distance of 399.58 feet;
- L754) thence South $69^{\circ}15'19''$ East a distance of 258.77 feet;
 C122) thence from a radial line which bears North $18^{\circ}02'00''$ East, 401.33 feet along the arc of a non-tangent 584.71 foot radius curve to the right through

- a central angle of $39^{\circ}19'34''$, subtended by a chord which bears South $52^{\circ}18'13''$ East for a distance of 393.50 feet;
- L755) thence South $39^{\circ}36'03''$ East a distance of 83.07 feet;
- L756) thence North $41^{\circ}46'18''$ East a distance of 43.69 feet;
- L757) thence South $41^{\circ}18'54''$ East a distance of 5.50 feet;
- L758) INTENTIONALLY OMITTED
- L759) thence North $59^{\circ}56'55''$ East a distance of 189.04 feet;
- L760) thence North $29^{\circ}17'15''$ West a distance of 22.52 feet;
- L761) thence North $59^{\circ}53'47''$ East a distance of 240.55 feet;
- C123) thence from a radial line which bears South $63^{\circ}19'18''$ West, 391.25 feet along the arc of a non-tangent 598.88 foot radius curve to the right through a central angle of $37^{\circ}25'53''$, subtended by a chord which bears North $07^{\circ}57'46''$ West for a distance of 384.33 feet;
- L762) thence North $79^{\circ}26'31''$ West a distance of 132.72 feet;
- L763) thence North $23^{\circ}45'49''$ East a distance of 193.01 feet;
- L764) thence North $23^{\circ}45'27''$ East a distance of 523.49 feet;
- L765) thence North $23^{\circ}45'48''$ East a distance of 147.23 feet;
- C124) thence from a radial line which bears North $66^{\circ}13'35''$ West, 270.12 feet along the arc of a non-tangent 1150.43 foot radius curve to the right through a central angle of $13^{\circ}27'10''$, subtended by a chord which bears North $30^{\circ}30'00''$ East for a distance of 269.50 feet;
- C125) thence 60.13 feet along the arc of a tangent 1141.55 foot radius curve to the right through a central angle of $03^{\circ}01'05''$, subtended by a chord which bears North $38^{\circ}44'07''$ East for a distance of 60.12 feet;
- C126) thence 80.17 feet along the arc of a tangent 1165.76 foot radius curve to the right through a central angle of $03^{\circ}56'25''$, subtended by a chord which bears North $42^{\circ}12'52''$ East for a distance of 80.15 feet;
- L766) thence North $50^{\circ}21'54''$ East a distance of 65.51 feet;
- L767) thence North $50^{\circ}54'30''$ East a distance of 607.47 feet;
- L768) thence North $51^{\circ}32'13''$ East a distance of 829.08 feet;
- L769) thence North $88^{\circ}34'15''$ East a distance of 72.65 feet;
- L770) thence North $56^{\circ}19'04''$ East a distance of 223.96 feet;
- L771) thence South $00^{\circ}40'23''$ East a distance of 86.37 feet;
- L772) thence South $00^{\circ}50'31''$ East a distance of 730.00 feet;
- L773) thence South $00^{\circ}43'08''$ East a distance of 1060.03 feet;
- L774) thence South $00^{\circ}51'10''$ East a distance of 852.41 feet;
- L775) thence North $90^{\circ}00'00''$ East a distance of 648.71 feet;
- L776) thence North $90^{\circ}00'00''$ East a distance of 57.99 feet;
- L777) thence South $00^{\circ}00'00''$ West a distance of 306.76 feet;
- C127) thence from a radial line which bears South $89^{\circ}59'06''$ West, 247.70 feet along the arc of a non-tangent 1002.31 foot radius curve to the left through a central angle of $14^{\circ}09'35''$, subtended by a chord which bears South $07^{\circ}05'41''$ East for a distance of 247.07 feet;
- L778) thence South $14^{\circ}12'13''$ East a distance of 171.64 feet;
- C128) thence from a radial line which bears South $75^{\circ}53'35''$ West, 39.03 feet along the arc of a non-tangent 24.95 foot radius curve to the left through a

- central angle of $89^{\circ}36'56''$, subtended by a chord which bears South $58^{\circ}54'53''$ East for a distance of 35.17 feet;
- L779) thence South $15^{\circ}06'53''$ East a distance of 112.53 feet;
- C129) thence from a radial line which bears South $13^{\circ}26'37''$ East, 270.46 feet along the arc of a non-tangent 2127.30 foot radius curve to the right through a central angle of $07^{\circ}17'04''$, subtended by a chord which bears South $80^{\circ}11'55''$ West for a distance of 270.28 feet;
- L780) thence South $89^{\circ}22'47''$ West a distance of 699.85 feet;
- L781-L785) INTENTIONALLY OMITTED
- L786) thence South $00^{\circ}50'43''$ East a distance of 1014.53 feet;
- L787) thence North $49^{\circ}02'25''$ West a distance of 258.29 feet;
- L788) thence North $44^{\circ}01'12''$ West a distance of 112.39 feet;
- L789) thence North $50^{\circ}20'00''$ West a distance of 939.90 feet;
- L790) thence South $89^{\circ}19'38''$ West a distance of 1454.24 feet;
- L791) thence North $00^{\circ}49'02''$ West a distance of 174.64 feet;
- C130-C131) INTENTIONALLY OMITTED
- C132) thence from a radial line which bears North $88^{\circ}56'09''$ East, 32.22 feet along the arc of a non-tangent 20.08 foot radius curve to the left through a central angle of $94^{\circ}56'26''$, subtended by a chord which bears South $47^{\circ}02'04''$ East for a distance of 28.87 feet;
- L792) thence South $86^{\circ}44'35''$ West a distance of 588.15 feet;
- L793) thence South $02^{\circ}27'49''$ East a distance of 70.68 feet;
- L794) thence South $85^{\circ}56'34''$ West a distance of 71.03 feet;
- L795) thence South $86^{\circ}35'40''$ West a distance of 122.03 feet;
- L796) thence South $85^{\circ}38'11''$ West a distance of 50.01 feet;
- L797) thence South $86^{\circ}31'27''$ West a distance of 105.81 feet;
- L798) thence South $02^{\circ}26'49''$ East a distance of 29.71 feet;
- L799) thence South $87^{\circ}21'46''$ West a distance of 225.27 feet;
- L800) thence South $67^{\circ}26'11''$ West a distance of 51.10 feet;
- L801) thence South $53^{\circ}51'23''$ West a distance of 382.02 feet;
- L802) thence South $80^{\circ}34'58''$ West a distance of 98.57 feet;
- L803) thence South $78^{\circ}46'09''$ West a distance of 39.91 feet;
- C133) thence from a radial line which bears South $77^{\circ}44'40''$ West, 36.15 feet along the arc of a non-tangent 254.60 foot radius curve to the right through a central angle of $08^{\circ}08'07''$, subtended by a chord which bears North $08^{\circ}11'16''$ West for a distance of 36.12 feet;
- L804) thence South $87^{\circ}36'01''$ West a distance of 101.28 feet;
- L805) thence South $02^{\circ}46'02''$ East a distance of 81.82 feet;
- L806) thence South $73^{\circ}12'28''$ West a distance of 29.98 feet;
- L807) thence South $37^{\circ}22'46''$ East a distance of 521.59 feet;
- L808) thence South $37^{\circ}22'56''$ East a distance of 92.41 feet;
- L809) thence South $31^{\circ}56'10''$ East a distance of 69.95 feet;
- L810) thence South $22^{\circ}07'53''$ East a distance of 169.41 feet;
- L811) thence South $87^{\circ}23'58''$ West a distance of 92.66 feet;
- L812) thence South $00^{\circ}00'00''$ West a distance of 120.65 feet;
- L813) thence South $06^{\circ}46'07''$ West a distance of 41.97 feet;

- C134) thence from a radial line which bears South 05°36'22" West, 99.20 feet along the arc of a non-tangent 274.76 foot radius curve to the right through a central angle of 20°41'12", subtended by a chord which bears North 74°03'02" West for a distance of 98.66 feet;
- L814) thence South 24°52'53" West a distance of 137.91 feet;
- L815) thence North 59°38'09" West a distance of 20.79 feet;
- L816) thence South 58°55'09" West a distance of 85.23 feet;
- L817) thence South 00°29'20" West a distance of 101.95 feet;
- L818) thence South 01°14'43" East a distance of 40.02 feet;
- L819) thence South 00°00'00" West a distance of 210.39 feet;
- L820) thence South 01°36'59" West a distance of 50.11 feet;
- L821) thence South 89°06'27" West a distance of 23.27 feet;
- L822) thence North 89°52'31" West a distance of 500.00 feet;
- L823) thence North 00°00'00" East a distance of 7.97 feet;
- L824) thence North 89°52'31" West a distance of 948.18 feet;
- L825) thence South 89°32'31" West a distance of 99.98 feet;
- L826) thence North 00°27'25" West a distance of 715.02 feet;
- L827) thence North 89°32'16" West a distance of 206.66 feet;
- L828) thence North 88°07'20" West a distance of 42.03 feet;
- L829) thence South 88°59'52" West a distance of 99.46 feet;
- L830) thence South 00°27'19" East a distance of 36.50 feet;
- L831) thence North 89°15'56" West a distance of 124.39 feet;
- L832) thence North 89°57'02" West a distance of 42.04 feet;
- L833) thence North 89°28'57" West a distance of 124.39 feet;
- L834) thence North 00°06'08" West a distance of 40.66 feet;
- L835) thence South 89°27'51" West a distance of 100.76 feet;
- L836) thence South 00°55'23" East a distance of 35.99 feet;
- L837) thence North 87°05'18" West a distance of 42.10 feet;
- L838) thence North 89°46'26" West a distance of 486.56 feet;
- L839) thence South 89°55'01" West a distance of 49.98 feet;
- L840) thence North 89°36'30" West a distance of 243.95 feet;
- L841) thence South 86°12'24" West a distance of 59.71 feet;
- L842) thence South 76°24'02" West a distance of 59.96 feet;
- L843) thence South 68°32'46" West a distance of 55.49 feet;
- L844) thence South 59°47'42" West a distance of 46.47 feet;
- L845) thence South 52°59'15" West a distance of 58.28 feet;
- L846) thence South 57°04'54" West a distance of 310.51 feet;
- L847) thence South 57°53'35" West a distance of 42.02 feet;
- L848) thence North 32°06'25" West a distance of 28.42 feet;
- L849) thence South 57°13'32" West a distance of 98.75 feet;
- L850) thence South 32°41'37" East a distance of 30.06 feet;
- L851) thence South 56°54'45" West a distance of 110.87 feet;
- L852) thence South 43°58'04" West a distance of 45.52 feet;
- L853) thence South 07°31'04" West a distance of 44.60 feet;
- L854) thence South 01°11'02" East a distance of 124.56 feet;
- L855) thence South 11°34'50" East a distance of 162.49 feet;

- L856) thence South $14^{\circ}10'40''$ West a distance of 124.44 feet;
 L857) thence South $02^{\circ}34'52''$ East a distance of 153.72 feet;
 L858) thence South $89^{\circ}37'41''$ West a distance of 5.58 feet;
 L859) thence South $22^{\circ}10'36''$ West a distance of 117.14 feet;
 L860) thence South $64^{\circ}11'08''$ East a distance of 54.43 feet;
 L861) thence South $25^{\circ}19'39''$ West a distance of 84.04 feet;
 C135) thence from a radial line which bears North $58^{\circ}12'53''$ West, 97.79 feet
 along the arc of a non-tangent 765.13 foot radius curve to the left through
 a central angle of $07^{\circ}19'22''$, subtended by a chord which bears South
 $28^{\circ}07'25''$ West for a distance of 97.72 feet;
 L862) thence North $64^{\circ}03'40''$ West a distance of 60.82 feet;
 L863) thence South $88^{\circ}43'18''$ West a distance of 115.35 feet;
 L864) thence South $00^{\circ}23'42''$ East a distance of 10.51 feet;
 L865) thence North $87^{\circ}05'14''$ West a distance of 129.81 feet;
 L866) thence South $81^{\circ}01'21''$ West a distance of 65.50 feet;
 L867) thence South $58^{\circ}37'06''$ West a distance of 65.63 feet;
 L868) thence North $88^{\circ}31'40''$ West a distance of 139.65 feet;
 L869) thence South $87^{\circ}19'41''$ West a distance of 123.61 feet;
 L870) thence South $80^{\circ}08'11''$ West a distance of 205.01 feet;
 L871) thence South $85^{\circ}28'27''$ West a distance of 60.17 feet;
 L872) thence North $89^{\circ}47'37''$ West a distance of 351.95 feet;
 L873) thence North $00^{\circ}02'47''$ East a distance of 44.83 feet;
 L874) thence South $74^{\circ}22'07''$ West a distance of 110.83 feet;
 C136) thence from a radial line which bears North $75^{\circ}34'58''$ East, 58.30 feet
 along the arc of a non-tangent 226.83 foot radius curve to the right through
 a central angle of $14^{\circ}43'34''$, subtended by a chord which bears South
 $07^{\circ}03'15''$ East for a distance of 58.14 feet;
 L875) thence South $00^{\circ}22'54''$ West a distance of 67.41 feet;
 L876) thence North $89^{\circ}12'34''$ West a distance of 97.05 feet;
 L877) thence South $55^{\circ}15'13''$ West a distance of 223.01 feet;
 L878) thence South $42^{\circ}12'57''$ West a distance of 70.17 feet;
 L879) thence South $22^{\circ}33'23''$ West a distance of 40.34 feet;
 L880) thence North $60^{\circ}01'33''$ West a distance of 46.06 feet;
 L881) thence South $31^{\circ}50'33''$ West a distance of 101.33 feet;
 L882) thence South $57^{\circ}10'30''$ East a distance of 30.62 feet;
 L883) thence South $51^{\circ}36'21''$ East a distance of 68.39 feet;
 L884) thence South $15^{\circ}16'10''$ East a distance of 25.32 feet;
 L885) thence North $88^{\circ}56'10''$ West a distance of 89.79 feet;
 L886) thence South $00^{\circ}59'31''$ East a distance of 104.68 feet;
 L887) thence South $89^{\circ}12'54''$ East a distance of 11.82 feet;
 L888) thence South $00^{\circ}00'00''$ West a distance of 39.99 feet;
 L889) thence South $00^{\circ}00'00''$ West a distance of 115.14 feet;
 L890) thence North $78^{\circ}53'51''$ East a distance of 31.43 feet;
 L891) thence South $00^{\circ}57'00''$ West a distance of 104.94 feet;
 L892) thence South $23^{\circ}30'07''$ East a distance of 25.17 feet;

- C137) thence from a radial line which bears North $24^{\circ}27'31''$ West, 87.67 feet along the arc of a non-tangent 268.82 foot radius curve to the right through a central angle of $18^{\circ}41'11''$, subtended by a chord which bears North $74^{\circ}53'05''$ East for a distance of 87.28 feet;
- L893) thence South $05^{\circ}29'04''$ West a distance of 51.19 feet;
- L894) thence South $00^{\circ}44'38''$ West a distance of 106.09 feet;
- L895) thence South $89^{\circ}18'46''$ East a distance of 277.96 feet;
- L896) thence South $89^{\circ}18'29''$ East a distance of 42.01 feet;
- L897) thence South $89^{\circ}18'57''$ East a distance of 373.33 feet;
- L898) thence South $88^{\circ}36'59''$ East a distance of 60.04 feet;
- L899) thence South $89^{\circ}57'34''$ East a distance of 512.87 feet;
- L900) thence South $00^{\circ}00'00''$ West a distance of 260.69 feet;
- L901) thence North $89^{\circ}55'47''$ East a distance of 88.69 feet;
- L902) thence South $89^{\circ}40'56''$ East a distance of 71.86 feet;
- L903) thence South $00^{\circ}19'04''$ West a distance of 23.63 feet;
- L904) thence South $89^{\circ}41'44''$ East a distance of 211.44 feet;
- L905) thence North $78^{\circ}53'14''$ East a distance of 318.16 feet;
- L906) thence North $86^{\circ}00'27''$ East a distance of 157.20 feet;
- L907) thence North $52^{\circ}17'40''$ East a distance of 169.95 feet;
- L908) thence North $62^{\circ}57'19''$ East a distance of 121.95 feet;
- L909) thence North $67^{\circ}29'16''$ East a distance of 198.59 feet;
- L910) thence North $21^{\circ}40'42''$ West a distance of 165.91 feet;
- L911) thence North $21^{\circ}40'10''$ West a distance of 163.52 feet;
- L912) thence North $22^{\circ}16'02''$ West a distance of 101.00 feet;
- L913) thence North $24^{\circ}38'37''$ West a distance of 62.84 feet;
- C138) thence 528.57 feet along the arc of a tangent 1612.58 foot radius curve to the left through a central angle of $18^{\circ}46'49''$, subtended by a chord which bears North $34^{\circ}02'01''$ West for a distance of 526.21 feet;
- L914) thence North $43^{\circ}04'45''$ West a distance of 28.36 feet;
- L915) thence North $53^{\circ}04'34''$ East a distance of 82.85 feet;
- L916) thence North $53^{\circ}21'52''$ East a distance of 141.82 feet;
- L917) thence North $54^{\circ}21'44''$ East a distance of 91.69 feet;
- L918) thence North $55^{\circ}26'08''$ East a distance of 162.71 feet;
- L919) thence North $56^{\circ}32'52''$ East a distance of 101.65 feet;
- L920) thence North $57^{\circ}19'47''$ East a distance of 76.81 feet;
- L921) thence South $18^{\circ}56'41''$ East a distance of 61.85 feet;
- L922) thence South $33^{\circ}02'16''$ East a distance of 643.69 feet;
- L923) thence North $59^{\circ}58'56''$ East a distance of 115.19 feet;
- L924) thence North $56^{\circ}42'46''$ East a distance of 50.00 feet;
- L925) thence South $33^{\circ}17'14''$ East a distance of 35.78 feet;
- L926) thence South $31^{\circ}42'23''$ East a distance of 20.62 feet;
- L927) thence North $56^{\circ}23'04''$ East a distance of 85.17 feet;
- L928) thence North $82^{\circ}20'44''$ East a distance of 185.84 feet;
- L929) thence North $44^{\circ}15'08''$ East a distance of 70.69 feet;
- L930) thence North $08^{\circ}43'53''$ West a distance of 85.47 feet;
- L931) thence North $19^{\circ}03'51''$ East a distance of 49.04 feet;

- L932) thence North 04°52'38" West a distance of 94.21 feet;
 L933) thence North 09°35'55" West a distance of 253.22 feet;
 L934) thence North 42°16'25" West a distance of 9.16 feet;
 L935) thence North 89°53'10" East a distance of 784.65 feet;
 L936) thence North 89°32'23" East a distance of 61.98 feet;
 L937) thence South 00°27'20" East a distance of 1334.96 feet;
 L938) thence South 01°12'45" East a distance of 150.73 feet;
 L939) thence South 00°27'18" East a distance of 529.52 feet;
 C139) thence 254.63 feet along the arc of a tangent 583.82 foot radius curve to
 the left through a central angle of 24°59'22", subtended by a chord which
 bears South 12°56'59" East for a distance of 252.62 feet;
 L940) thence South 69°44'36" West a distance of 90.13 feet;
 L941) thence South 00°00'00" West a distance of 42.55 feet;
 L942) thence South 61°11'29" West a distance of 127.93 feet;
 L943) thence North 90°00'00" West a distance of 153.20 feet;
 L944) thence South 76°18'50" West a distance of 77.66 feet;
 L945) thence North 50°01'04" West a distance of 112.81 feet;
 L946) thence North 63°54'03" West a distance of 51.82 feet;
 L947) thence North 47°07'24" West a distance of 96.84 feet;
 L948) thence North 33°46'38" East a distance of 52.80 feet;
 L949) thence North 10°49'25" East a distance of 51.92 feet;
 L950) thence North 00°00'00" East a distance of 387.65 feet;
 L951) thence North 90°00'00" West a distance of 105.54 feet;
 L952) thence South 00°17'02" East a distance of 28.13 feet;
 L953) thence North 88°24'45" West a distance of 50.03 feet;
 L954) thence South 89°31'46" West a distance of 653.04 feet;
 L955) thence South 61°52'56" West a distance of 40.02 feet;
 C140) thence from a radial line which bears South 61°30'11" West, 273.00 feet
 along the arc of a non-tangent 928.62 foot radius curve to the right through
 a central angle of 16°50'38", subtended by a chord which bears North
 20°04'30" West for a distance of 272.01 feet;
 L956) thence South 81°20'44" West a distance of 98.03 feet;
 L957) thence South 27°21'00" West a distance of 50.88 feet;
 L958) thence South 00°19'05" East a distance of 78.32 feet;
 L959) thence South 31°19'56" East a distance of 127.55 feet;
 L960) thence South 58°21'40" West a distance of 95.48 feet;
 L961) thence South 58°32'15" West a distance of 59.99 feet;
 L962) thence South 58°32'23" West a distance of 96.11 feet;
 L963) thence South 31°04'02" East a distance of 20.65 feet;
 L964) thence South 40°02'35" West a distance of 114.19 feet;
 L965) thence South 19°35'45" West a distance of 48.09 feet;
 L966) thence South 50°03'31" West a distance of 111.61 feet;
 L967) thence South 12°25'37" East a distance of 33.18 feet;
 L968) thence South 44°07'58" West a distance of 340.35 feet;
 L969) thence South 59°15'16" West a distance of 142.07 feet;
 L970) thence South 72°14'34" West a distance of 156.98 feet;

- L971) thence South 71°53'36" West a distance of 53.99 feet;
 - L972) thence South 71°52'58" West a distance of 179.84 feet;
 - L973) thence North 89°53'03" West a distance of 358.55 feet;
 - L974) thence North 01°21'13" West a distance of 52.17 feet;
 - L975) thence North 89°57'30" West a distance of 997.32 feet;
 - L976) thence North 89°57'56" West a distance of 60.27 feet;
 - L977) thence North 07°29'03" East a distance of 278.25 feet;
 - C141) thence 35.89 feet along the arc of a tangent 26.16 foot radius curve to the left through a central angle of 78°35'38", subtended by a chord which bears North 31°48'46" West for a distance of 33.14 feet;
 - C142) thence from a radial line which bears South 10°36'51" West, 113.51 feet along the arc of a non-tangent 678.86 foot radius curve to the right through a central angle of 09°34'50", subtended by a chord which bears North 74°35'44" West for a distance of 113.38 feet;
 - C143) thence 21.09 feet along the arc of a tangent 130.55 foot radius curve to the left through a central angle of 09°15'25", subtended by a chord which bears North 74°26'01" West for a distance of 21.07 feet;
 - C144) thence from a radial line which bears North 12°52'49" East, 160.54 feet along the arc of a non-tangent 1831.16 foot radius curve to the left through a central angle of 05°01'24", subtended by a chord which bears North 79°37'53" West for a distance of 160.49 feet;
 - L978) thence North 83°30'49" West a distance of 87.91 feet;
 - L979) thence North 86°13'13" West a distance of 108.31 feet;
 - L980) thence North 89°45'00" West a distance of 664.15 feet;
 - L981) thence South 88°56'05" West a distance of 125.58 feet;
- Containing 535 acres of land, more or less.

REDEVELOPMENT AREA 3

Beginning at a point on the North Right-of-Way line of Ambassador Drive, from which, the centerline intersection of Ambassador Drive and Forest Lake Drive bears approximately South 76° East a distance of 111 feet; thence from said **POINT OF BEGINNING**, the following arcs, courses and distances:

- L990) South 00°23'35" East a distance of 59.99 feet;
- L991) thence South 00°23'35" East a distance of 105.69 feet;
- L992) thence South 69°39'16" West a distance of 32.31 feet;
- L993) thence South 00°16'14" East a distance of 437.42 feet;
- L994) thence South 04°22'20" West a distance of 59.90 feet;
- L995) thence South 16°39'53" West a distance of 173.27 feet;
- L996) thence South 24°14'44" West a distance of 111.73 feet;
- L997) thence South 54°26'06" West a distance of 26.42 feet;
- L998) thence North 73°25'39" West a distance of 152.35 feet;

- L999) thence North 85°36'34" West a distance of 335.65 feet;
 - L1000) thence North 14°22'33" West a distance of 170.50 feet;
 - L1001) thence North 32°18'17" West a distance of 244.07 feet;
 - L1002) thence North 25°49'57" West a distance of 125.51 feet;
 - L1003) thence North 33°12'48" West a distance of 68.88 feet;
 - L1004) thence North 33°59'50" West a distance of 60.02 feet;
 - L1005) thence North 57°48'49" East a distance of 158.19 feet;
 - L1006) thence North 57°53'28" East a distance of 227.33 feet;
 - C152) thence from a radial line which bears North 30°22'07" West, 177.38 feet along the arc of a non-tangent 560.03 foot radius curve to the right through a central angle of 18°08'50", subtended by a chord which bears North 68°42'18" East for a distance of 176.64 feet;
 - C153) thence 105.05 feet along the arc of a tangent 834.94 foot radius curve to the right through a central angle of 07°12'33", subtended by a chord which bears North 81°22'59" East for a distance of 104.98 feet;
 - C154) thence 113.88 feet along the arc of a tangent 1675.75 foot radius curve to the right through a central angle of 03°53'37", subtended by a chord which bears North 86°56'04" East for a distance of 113.86 feet;
 - L1007) thence North 88°37'40" East a distance of 219.72 feet;
- Containing 15 acres of land, more or less.

EXCEPTING THEREFROM, the following 5 areas:

1: EXCEPTION AREA 1A

Beginning at a point on the Southerly Right-of-Way line Neiretto Court, from which, the centerline intersection of Chardonay Drive and Coloma Road bears approximately North 22° East a distance of 610 feet; thence from said **POINT OF BEGINNING**, the following arcs, courses and distances:

- L432) thence North 35°32'26" East a distance of 470.59 feet;
 - L433) thence South 55°22'46" East a distance of 212.94 feet;
 - L434) thence South 35°36'11" West a distance of 523.94 feet;
 - L435) thence South 73°15'33" West a distance of 186.09 feet;
 - L436) thence North 12°38'42" East a distance of 75.66 feet;
 - L437) thence North 55°28'34" West a distance of 69.06 feet;
 - L437a) thence North 35°32'26" East a distance of 128.65 feet;
- Containing 3 acres of land, more or less.

2: EXCEPTION AREA 1B

Beginning at a point on the Southwesterly Right-of-Way line of Belcan Drive, from which, the centerline intersection of Beclan Drive and Zinfandel Drive bears approximately North 45° West a distance of 137 feet; thence from said **POINT OF BEGINNING**, the following arcs, courses and distances:

- L438) thence South 32°47'03" East a distance of 58.50 feet;
- L439) thence North 51°17'35" East a distance of 281.73 feet;
- L440) thence South 35°14'01" East a distance of 30.97 feet;
- L441) thence South 25°33'17" East a distance of 92.84 feet;
- L442) thence South 36°30'23" East a distance of 246.73 feet;
- L443) thence North 50°17'19" East a distance of 93.14 feet;
- L444) thence North 53°10'16" East a distance of 30.29 feet;
- L445) thence North 39°21'25" East a distance of 164.71 feet;
- L446) thence North 48°38'33" East a distance of 161.75 feet;
- L447) thence North 29°59'57" West a distance of 110.40 feet;
- L448) thence North 57°03'52" East a distance of 304.57 feet;
- L449) thence North 58°42'30" East a distance of 283.44 feet;
- L450) thence South 30°40'03" East a distance of 114.19 feet;
- L451) thence South 28°18'33" East a distance of 50.06 feet;
- L452) thence South 31°56'48" East a distance of 101.44 feet;
- L453) thence South 13°38'14" West a distance of 47.96 feet;
- L454) thence South 30°43'06" East a distance of 807.20 feet;
- L455) thence South 58°45'28" West a distance of 368.33 feet;
- L456) thence South 58°45'04" West a distance of 367.21 feet;
- L457) thence South 60°04'24" West a distance of 79.33 feet;
- L458) thence South 29°24'34" East a distance of 28.42 feet;
- L459) thence South 27°47'47" East a distance of 128.24 feet;
- L460) thence South 55°30'59" West a distance of 103.06 feet;
- L461) thence South 33°25'45" East a distance of 57.37 feet;
- L462) thence South 57°23'23" West a distance of 161.60 feet;
- L463) thence South 32°32'27" East a distance of 73.17 feet;
- L464) thence South 57°19'37" West a distance of 108.16 feet;
- L465) thence South 32°31'03" East a distance of 84.50 feet;
- L466) thence South 56°32'18" West a distance of 50.02 feet;
- L467) thence South 56°32'18" West a distance of 100.83 feet;
- L468) thence North 32°24'44" West a distance of 5.41 feet;
- L469) thence South 59°09'16" West a distance of 135.72 feet;
- L470) thence South 53°47'29" West a distance of 42.09 feet;
- L471) thence South 57°09'58" West a distance of 274.46 feet;
- C90) thence from a radial line which bears South 59°10'18" West, 71.98 feet along the arc of a non-tangent 894.00 foot radius curve to the right through a central angle of 04°36'48", subtended by a chord which bears North 28°31'18" West for a distance of 71.96 feet;

- L471) thence South 61°16'22" West a distance of 44.01 feet;
- L472) thence South 61°20'59" West a distance of 141.20 feet;
- L473) thence North 28°00'06" West a distance of 20.69 feet;
- L474) thence North 09°29'42" West a distance of 240.14 feet;
- L475) thence North 19°02'43" West a distance of 225.91 feet;
- L476) thence North 33°46'20" West a distance of 160.97 feet;
- L477) thence North 32°46'56" West a distance of 140.83 feet;
- L478) thence North 32°47'51" West a distance of 40.01 feet;
- L479) thence North 32°47'23" West a distance of 192.54 feet;
- L480) thence North 16°34'31" West a distance of 182.94 feet;
- L481) thence North 00°03'22" West a distance of 185.38 feet;
- L482) thence North 19°13'54" East a distance of 126.09 feet;
- L483) thence North 22°09'00" East a distance of 60.85 feet;
- L484) thence North 01°01'21" West a distance of 71.08 feet;
- L485) thence North 43°22'30" East a distance of 65.97 feet;
- L486) thence North 36°52'12" East a distance of 52.01 feet;
- L487) thence North 39°31'44" East a distance of 76.87 feet;
- L488) thence North 43°46'45" East a distance of 67.36 feet;
- L489) thence South 51°57'11" East a distance of 1.06 feet;

Containing 55 acres of land, more or less.

3: EXCEPTION AREA 1C

Beginning at a point on the Southeasterly Right-of-Way line of Chassella Way, from which, the centerline intersection of Zinfandel Drive and Chassella Way bears approximately North 45° East a distance of 114 feet; thence from said **POINT OF BEGINNING**, the following arcs, courses and distances:

- L610) thence South 30°07'03" East a distance of 118.24 feet;
- L611) thence South 56°40'47" West a distance of 35.83 feet;
- L612) thence North 34°19'49" West a distance of 19.79 feet;
- L613) thence South 56°50'15" West a distance of 62.21 feet;
- L614) thence North 83°48'32" West a distance of 172.40 feet;
- L615) thence North 47°28'17" West a distance of 183.05 feet;
- L616) thence North 73°22'20" West a distance of 58.51 feet;
- L617) thence South 66°16'18" West a distance of 397.91 feet;
- L618) thence South 51°27'56" West a distance of 28.45 feet;
- L619) thence South 33°29'56" East a distance of 42.16 feet;
- L620) thence South 56°44'35" West a distance of 21.28 feet;
- L621) thence North 33°33'40" West a distance of 40.19 feet;
- L622) thence South 51°27'10" West a distance of 195.65 feet;
- L623) thence South 40°35'52" West a distance of 331.88 feet;
- L624) thence South 33°23'46" East a distance of 274.31 feet;
- L625) thence South 00°00'00" West a distance of 93.00 feet;

- L626) thence North $84^{\circ}26'25''$ West a distance of 126.06 feet;
 L627) thence North $82^{\circ}36'40''$ West a distance of 40.02 feet;
 C91) thence from a radial line which bears South $81^{\circ}53'19''$ East, 88.98 feet
 along the arc of a non-tangent 109.92 foot radius curve to the right through
 a central angle of $46^{\circ}22'47''$, subtended by a chord which bears South
 $31^{\circ}18'04''$ West for a distance of 86.57 feet;
 L508) thence North $34^{\circ}29'49''$ West a distance of 102.77 feet;
 L509) thence North $23^{\circ}53'45''$ West a distance of 63.35 feet;
 L510) thence North $32^{\circ}44'56''$ West a distance of 267.39 feet;
 L511) thence North $24^{\circ}30'01''$ West a distance of 109.77 feet;
 L512) thence North $11^{\circ}23'54''$ West a distance of 110.40 feet;
 L513) thence North $00^{\circ}34'36''$ East a distance of 54.00 feet;
 L514) thence North $88^{\circ}54'32''$ West a distance of 106.57 feet;
 L515) thence North $87^{\circ}40'54''$ West a distance of 60.03 feet;
 L516) thence South $00^{\circ}00'00''$ West a distance of 16.89 feet;
 C92) thence 34.97 feet along the arc of a tangent 20.22 foot radius curve to the
 right through a central angle of $99^{\circ}04'32''$, subtended by a chord which
 bears South $49^{\circ}32'16''$ West for a distance of 30.77 feet;
 C93) thence 97.60 feet along the arc of a tangent 124.30 foot radius curve to the
 right through a central angle of $44^{\circ}59'22''$, subtended by a chord which
 bears North $58^{\circ}25'47''$ West for a distance of 95.12 feet;
 L517) thence North $36^{\circ}40'57''$ West a distance of 217.20 feet;
 C94) thence 83.08 feet along the arc of a tangent 137.21 foot radius curve to the
 left through a central angle of $34^{\circ}41'32''$, subtended by a chord which
 bears North $54^{\circ}01'43''$ West for a distance of 81.82 feet;
 C95) thence 122.28 feet along the arc of a tangent 159.21 foot radius curve to
 the left through a central angle of $44^{\circ}00'29''$, subtended by a chord which
 bears South $86^{\circ}37'17''$ West for a distance of 119.30 feet;
 C96) thence 25.46 feet along the arc of a tangent 125.94 foot radius curve to the
 left through a central angle of $11^{\circ}34'57''$, subtended by a chord which
 bears South $58^{\circ}49'34''$ West for a distance of 25.42 feet;
 L518) thence South $56^{\circ}47'31''$ West a distance of 63.33 feet;
 C97) thence 33.53 feet along the arc of a tangent 25.04 foot radius curve to the
 right through a central angle of $76^{\circ}43'13''$, subtended by a chord which
 bears North $84^{\circ}50'53''$ West for a distance of 31.08 feet;
 L519) thence North $35^{\circ}45'47''$ West a distance of 72.80 feet;
 L520) thence South $55^{\circ}16'24''$ West a distance of 50.01 feet;
 L521) thence South $56^{\circ}01'00''$ West a distance of 115.87 feet;
 L522) thence North $34^{\circ}25'35''$ West a distance of 3.91 feet;
 L523) thence South $53^{\circ}52'36''$ West a distance of 111.27 feet;
 L524) thence South $55^{\circ}22'54''$ West a distance of 117.89 feet;
 L525) thence North $80^{\circ}32'45''$ West a distance of 42.58 feet;
 L526) thence South $10^{\circ}42'57''$ West a distance of 42.49 feet;
 L527) thence South $55^{\circ}18'43''$ West a distance of 74.45 feet;
 L528) thence South $54^{\circ}59'58''$ West a distance of 40.00 feet;
 L529) thence South $54^{\circ}07'44''$ West a distance of 106.45 feet;

- L530) thence South 34°38'01" East a distance of 21.36 feet;
- L531) thence South 37°33'20" West a distance of 96.92 feet;
- L532) thence South 43°05'45" West a distance of 40.10 feet;
- C98) thence from a radial line which bears South 39°08'33" West, 56.94 feet
along the arc of a non-tangent 369.07 foot radius curve to the left through
a central angle of 08°50'22", subtended by a chord which bears South
55°16'38" East for a distance of 56.88 feet;
- L533) thence South 30°07'26" West a distance of 116.19 feet;
- L534) thence North 77°36'33" West a distance of 53.88 feet;
- L535) thence North 34°33'06" West a distance of 628.29 feet;
- L536) thence North 23°33'42" East a distance of 26.29 feet;
- L537) thence North 55°03'14" West a distance of 96.30 feet;
- L538) thence North 34°35'07" East a distance of 151.83 feet;
- L539) thence North 34°24'59" East a distance of 273.61 feet;
- L540) thence North 34°24'42" East a distance of 196.37 feet;
- L541) thence North 31°31'31" East a distance of 97.66 feet;
- C99) thence from a radial line which bears South 64°21'33" East, 152.25 feet
along the arc of a non-tangent 476.40 foot radius curve to the left through
a central angle of 18°18'39", subtended by a chord which bears North
16°29'07" East for a distance of 151.60 feet;
- L542) thence North 47°33'50" West a distance of 56.72 feet;
- L543) thence North 34°52'02" West a distance of 197.67 feet;
- L544) thence North 10°02'08" East a distance of 61.36 feet;
- L545) thence North 33°27'19" East a distance of 245.35 feet;
- L546) thence North 72°05'09" East a distance of 182.87 feet;
- L547) thence North 35°27'30" East a distance of 574.96 feet;
- L548) thence North 73°45'45" East a distance of 73.23 feet;
- L549) thence North 73°46'14" East a distance of 51.22 feet;
- C100) thence from a radial line which bears North 86°05'20" East, 168.62 feet
along the arc of a non-tangent 970.52 foot radius curve to the left through
a central angle of 09°57'18", subtended by a chord which bears North
08°53'19" West for a distance of 168.41 feet;
- L550) thence North 16°13'35" West a distance of 79.18 feet;
- L551) thence South 73°46'37" West a distance of 89.21 feet;
- C101) thence 95.98 feet along the arc of a tangent 205.45 foot radius curve to the
right through a central angle of 26°46'01", subtended by a chord which
bears South 87°09'38" West for a distance of 95.11 feet;
- L552) thence North 12°02'12" East a distance of 92.46 feet;
- L553) thence North 58°40'05" East a distance of 122.88 feet;
- L554) thence North 27°47'20" East a distance of 195.05 feet;
- L555) thence North 33°54'46" East a distance of 1382.78 feet;
- L556) thence North 43°13'39" East a distance of 58.00 feet;
- L557) thence North 47°13'23" West a distance of 69.37 feet;
- L558) thence North 41°58'51" East a distance of 142.56 feet;
- L559) thence South 46°56'06" East a distance of 278.55 feet;
- L560) thence North 42°26'53" East a distance of 360.32 feet;

- L561) thence North 44°38'17" West a distance of 365.25 feet;
- L562) thence North 77°05'53" East a distance of 122.55 feet;
- L563) thence North 85°00'16" East a distance of 59.52 feet;
- C102) thence from a radial line which bears South 76°57'49" West, 19.20 feet
along the arc of a non-tangent 20.30 foot radius curve to the right through
a central angle of 54°11'58", subtended by a chord which bears North
14°03'49" East for a distance of 18.49 feet;
- L564) thence North 41°35'09" East a distance of 72.30 feet;
- C103) thence 31.90 feet along the arc of a tangent 20.02 foot radius curve to the
right through a central angle of 91°18'49", subtended by a chord which
bears North 87°14'33" East for a distance of 28.63 feet;
- L565) thence South 47°03'35" East a distance of 47.77 feet;
- L566) thence North 45°00'00" East a distance of 60.02 feet;
- L567) thence North 38°02'20" East a distance of 738.39 feet;
- L568) thence North 46°50'29" West a distance of 90.92 feet;
- L569) thence North 38°20'01" East a distance of 469.34 feet;
- L570) thence North 38°25'55" East a distance of 64.01 feet;
- L571) thence South 51°34'46" East a distance of 40.62 feet;
- L572) thence North 37°38'47" East a distance of 105.92 feet;
- L573) thence South 52°03'52" East a distance of 30.01 feet;
- L574) thence North 37°35'38" East a distance of 34.99 feet;
- L575) thence South 52°03'02" East a distance of 75.79 feet;
- L576) thence South 63°33'05" East a distance of 127.75 feet;
- L577) thence North 34°08'43" East a distance of 201.13 feet;
- L578) thence North 38°17'14" East a distance of 489.35 feet;
- L579) thence North 50°42'18" East a distance of 77.08 feet;
- L580) thence North 35°11'37" East a distance of 204.18 feet;
- L581) thence South 57°27'22" East a distance of 74.38 feet;
- L582) thence North 34°14'06" East a distance of 60.23 feet;
- L583) thence North 28°40'16" East a distance of 79.39 feet;
- L584) thence North 57°57'16" East a distance of 663.04 feet;
- L585) thence South 43°23'52" East a distance of 107.24 feet;
- L586) thence South 44°33'33" West a distance of 19.99 feet;
- C104) thence 230.82 feet along the arc of a tangent 432.48 foot radius curve to
the left through a central angle of 30°34'47", subtended by a chord which
bears South 29°16'10" West for a distance of 228.09 feet;
- L587) thence South 15°09'24" West a distance of 227.47 feet;
- L588) thence South 15°45'44" West a distance of 102.73 feet;
- L589) thence South 73°24'19" East a distance of 51.39 feet;
- C105) thence from a radial line which bears North 69°02'58" West, 36.22 feet
along the arc of a non-tangent 24.93 foot radius curve to the right through
a central angle of 83°13'49", subtended by a chord which bears North
62°33'56" East for a distance of 33.12 feet;
- L590) thence South 75°57'38" East a distance of 158.51 feet;
- L591) thence South 75°56'32" East a distance of 94.00 feet;

- C106) thence 178.52 feet along the arc of a tangent 1825.12 foot radius curve to the right through a central angle of $05^{\circ}36'15''$, subtended by a chord which bears South $73^{\circ}08'25''$ East for a distance of 178.45 feet;
- C107) thence 106.88 feet along the arc of a tangent 495.41 foot radius curve to the right through a central angle of $12^{\circ}21'41''$, subtended by a chord which bears South $64^{\circ}09'27''$ East for a distance of 106.67 feet;
- C108) thence 92.04 feet along the arc of a tangent 695.72 foot radius curve to the right through a central angle of $07^{\circ}34'49''$, subtended by a chord which bears South $54^{\circ}11'12''$ East for a distance of 91.98 feet;
- L592) thence North $23^{\circ}37'53''$ East a distance of 62.39 feet;
- L593) thence North $37^{\circ}48'11''$ East a distance of 129.08 feet;
- L594) thence South $43^{\circ}39'32''$ East a distance of 1185.82 feet;
- L595) thence South $60^{\circ}35'08''$ West a distance of 139.55 feet;
- L596) thence South $58^{\circ}36'53''$ West a distance of 59.99 feet;
- L597) thence South $58^{\circ}01'46''$ West a distance of 101.51 feet;
- L598) thence North $58^{\circ}41'08''$ West a distance of 32.50 feet;
- L599) thence South $65^{\circ}08'14''$ West a distance of 233.52 feet;
- L600) thence South $78^{\circ}04'55''$ West a distance of 65.64 feet;
- L601) thence South $24^{\circ}16'09''$ East a distance of 41.27 feet;
- L602) thence South $59^{\circ}29'35''$ West a distance of 169.99 feet;
- L603) thence South $58^{\circ}40'22''$ West a distance of 113.62 feet;
- L604) thence North $28^{\circ}17'37''$ West a distance of 58.57 feet;
- L605) thence South $55^{\circ}47'45''$ West a distance of 262.14 feet;
- L606) thence South $38^{\circ}07'03''$ West a distance of 76.56 feet;
- L607) thence South $47^{\circ}47'34''$ West a distance of 531.22 feet;
- L608) thence South $67^{\circ}41'40''$ West a distance of 68.08 feet;
- L609) thence South $67^{\circ}47'07''$ West a distance of 55.98 feet;
- C109) thence from a radial line which bears South $67^{\circ}19'44''$ West, 58.13 feet along the arc of a non-tangent 504.24 foot radius curve to the left through a central angle of $06^{\circ}36'17''$, subtended by a chord which bears South $25^{\circ}58'25''$ East for a distance of 58.09 feet;
- L610) thence South $60^{\circ}56'24''$ West a distance of 114.68 feet;
- L611) thence South $34^{\circ}00'29''$ West a distance of 68.82 feet;
- L612) thence South $46^{\circ}16'30''$ West a distance of 126.68 feet;
- L613) thence South $74^{\circ}37'25''$ West a distance of 54.13 feet;
- L614) thence South $40^{\circ}07'23''$ West a distance of 139.87 feet;
- L615) thence South $45^{\circ}16'48''$ West a distance of 131.14 feet;
- L616) thence South $46^{\circ}31'28''$ West a distance of 243.73 feet;
- L617) thence South $00^{\circ}36'14''$ West a distance of 30.95 feet;
- L618) thence South $47^{\circ}23'09''$ West a distance of 110.81 feet;
- L619) thence South $48^{\circ}16'39''$ West a distance of 54.24 feet;
- L620) thence South $46^{\circ}02'57''$ West a distance of 106.37 feet;
- L621) thence North $46^{\circ}54'00''$ West a distance of 5.41 feet;
- L622) thence South $41^{\circ}26'02''$ West a distance of 99.29 feet;
- L623) thence North $47^{\circ}02'43''$ West a distance of 175.94 feet;
- L624) thence South $37^{\circ}59'24''$ West a distance of 60.24 feet;

- L625) thence South 37°58'39" West a distance of 430.13 feet;
- L626) thence South 49°30'15" East a distance of 93.98 feet;
- L627) thence South 44°34'12" West a distance of 215.10 feet;
- L628) thence South 35°37'15" West a distance of 159.61 feet;
- L629) thence South 31°57'01" West a distance of 44.04 feet;
- L630) thence South 32°49'14" West a distance of 103.98 feet;
- L631) thence North 55°26'35" West a distance of 6.65 feet;
- L632) thence South 41°05'14" West a distance of 51.45 feet;
- L633) thence South 18°13'47" West a distance of 51.21 feet;
- L634) thence South 24°14'32" West a distance of 51.99 feet;
- L634a) thence South 17°44'20" West a distance of 82.08 feet;
- L635) thence South 49°06'25" West a distance of 161.38 feet;
- L636) thence South 69°00'04" East a distance of 77.37 feet;
- L637) thence South 04°07'49" West a distance of 106.18 feet;
- L638) thence North 87°06'55" West a distance of 64.81 feet;
- L639) thence South 00°22'26" East a distance of 49.98 feet;
- L640) thence South 00°00'00" West a distance of 73.25 feet;
- L641) thence South 19°26'16" West a distance of 161.07 feet;
- L642) thence North 86°23'53" East a distance of 60.57 feet;
- L643) thence South 18°56'50" East a distance of 84.61 feet;
- L644) thence South 11°59'03" East a distance of 99.66 feet;
- L645) thence South 09°11'13" East a distance of 83.08 feet;
- L646) thence South 19°05'42" West a distance of 102.48 feet;
- L647) thence South 55°27'29" East a distance of 159.54 feet;
- L648) thence South 31°47'07" East a distance of 65.02 feet;
- L649) thence South 29°45'03" East a distance of 44.04 feet;
- L650) thence South 33°07'40" East a distance of 201.80 feet;
- L651) thence South 31°33'28" East a distance of 122.92 feet;
- L652) thence South 11°16'34" East a distance of 144.20 feet;
- L653) thence South 04°40'25" East a distance of 181.93 feet;
- L654) thence South 01°18'03" West a distance of 76.64 feet;
- L655) thence South 52°54'08" East a distance of 58.34 feet;
- L656) thence South 31°54'12" East a distance of 81.88 feet;
- L657) thence South 30°03'30" East a distance of 46.02 feet;

Containing 341 acres of land, more or less.

5: EXCEPTION AREA 1D

Beginning at a point on the Northerly Right-of-Way line of Zinfandel Drive, from which, the centerline intersection of Zinfandel Drive and Bridlewood Drive bears approximately North 38° East a distance of 62 feet; thence from said **POINT OF BEGINNING**, the following arcs, courses and distances:

- L666) South 65°16'47" West a distance of 179.74 feet;
- L667) thence North 40°03'50" West a distance of 1214.86 feet;

- L668) thence North $39^{\circ}33'16''$ West a distance of 54.01 feet;
 L669) thence South $52^{\circ}48'55''$ West a distance of 21.11 feet;
 L670) thence South $60^{\circ}34'06''$ West a distance of 32.08 feet;
 C110) thence from a radial line which bears North $31^{\circ}27'14''$ West, 95.78 feet
 along the arc of a non-tangent 314.00 foot radius curve to the left through
 a central angle of $17^{\circ}28'40''$, subtended by a chord which bears South
 $49^{\circ}48'26''$ West for a distance of 95.41 feet;
 C111) thence 34.74 feet along the arc of a tangent 18.75 foot radius curve to the
 right through a central angle of $106^{\circ}10'59''$, subtended by a chord which
 bears North $85^{\circ}50'25''$ West for a distance of 29.98 feet;
 L671) thence North $35^{\circ}35'16''$ West a distance of 41.72 feet;
 L672) thence South $57^{\circ}00'54''$ West a distance of 50.00 feet;
 L673) thence South $57^{\circ}00'54''$ West a distance of 123.36 feet;
 L674) thence South $69^{\circ}45'18''$ West a distance of 30.48 feet;
 L675) thence South $36^{\circ}05'33''$ West a distance of 84.41 feet;
 L676) thence South $44^{\circ}57'55''$ West a distance of 84.47 feet;
 L677) thence South $58^{\circ}21'08''$ West a distance of 50.49 feet;
 L678) thence North $56^{\circ}20'42''$ West a distance of 163.76 feet;
 L679) thence North $31^{\circ}57'42''$ West a distance of 65.66 feet;
 L680) thence North $48^{\circ}23'31''$ West a distance of 68.01 feet;
 L681) thence North $45^{\circ}18'15''$ East a distance of 120.68 feet;
 L682) thence North $46^{\circ}06'58''$ East a distance of 41.99 feet;
 L683) thence North $43^{\circ}53'02''$ West a distance of 11.40 feet;
 L684) thence North $50^{\circ}05'11''$ East a distance of 152.62 feet;
 L685) thence North $15^{\circ}20'27''$ West a distance of 55.21 feet;
 L686) thence North $51^{\circ}11'27''$ East a distance of 117.16 feet;
 L687) thence North $49^{\circ}30'27''$ East a distance of 53.80 feet;
 C112) thence from a radial line which bears North $52^{\circ}04'14''$ East, 197.65 feet
 along the arc of a non-tangent 464.80 foot radius curve to the left through
 a central angle of $24^{\circ}21'52''$, subtended by a chord which bears North
 $50^{\circ}06'42''$ West for a distance of 196.16 feet;
 L688) thence North $62^{\circ}18'48''$ West a distance of 103.51 feet;
 L689) thence South $23^{\circ}17'08''$ West a distance of 50.15 feet;
 L690) thence South $27^{\circ}36'14''$ West a distance of 106.38 feet;
 L691) thence North $81^{\circ}03'02''$ West a distance of 51.25 feet;
 L692) thence South $18^{\circ}29'40''$ West a distance of 44.10 feet;
 L693) thence South $42^{\circ}54'47''$ West a distance of 60.52 feet;
 L694) thence South $37^{\circ}04'09''$ West a distance of 75.04 feet;
 L695) thence South $40^{\circ}27'42''$ West a distance of 67.69 feet;
 L696) thence South $47^{\circ}00'06''$ West a distance of 82.90 feet;
 L697) thence North $70^{\circ}19'08''$ West a distance of 76.41 feet;
 L698) thence North $47^{\circ}18'05''$ West a distance of 87.43 feet;
 L699) thence North $82^{\circ}46'40''$ West a distance of 100.61 feet;
 L700) thence South $70^{\circ}06'04''$ West a distance of 75.82 feet;
 L701) thence North $22^{\circ}25'34''$ West a distance of 95.67 feet;
 L702) thence North $22^{\circ}30'07''$ West a distance of 50.10 feet;

- L703) thence South 63°26'06" West a distance of 55.59 feet;
 - L704) thence South 59°59'19" West a distance of 23.19 feet;
 - L705) thence North 33°37'07" West a distance of 112.72 feet;
 - L706) thence South 64°01'20" West a distance of 14.23 feet;
 - L707) thence North 40°15'10" West a distance of 257.95 feet;
 - L708) thence North 64°01'01" East a distance of 154.78 feet;
 - L709) thence South 40°15'10" East a distance of 257.95 feet;
 - L710) thence North 64°00'59" East a distance of 260.33 feet;
 - L711) thence North 39°52'09" West a distance of 293.15 feet;
 - L712) thence North 64°10'43" East a distance of 525.71 feet;
 - L713) thence North 39°55'22" West a distance of 52.13 feet;
 - C113) thence from a radial line which bears North 19°53'33" West, 173.45 feet
along the arc of a non-tangent 847.24 foot radius curve to the right through
a central angle of 11°43'47", subtended by a chord which bears North
75°58'21" East for a distance of 173.15 feet;
 - L714) thence North 81°49'23" East a distance of 475.22 feet;
 - L715) thence North 86°03'59" East a distance of 129.44 feet;
 - L716) thence North 78°47'22" East a distance of 606.05 feet;
 - L717) thence South 10°12'16" East a distance of 434.32 feet;
 - L718) thence North 79°54'03" East a distance of 352.19 feet;
 - L719) thence South 11°55'50" East a distance of 1141.66 feet;
 - L720) thence South 69°32'49" East a distance of 552.60 feet;
 - C114) thence from a radial line which bears South 61°44'25" East, 273.39 feet
along the arc of a non-tangent 456.70 foot radius curve to the right through
a central angle of 34°17'54", subtended by a chord which bears South
45°24'32" West for a distance of 269.33 feet;
 - L727) thence South 65°18'32" West a distance of 595.27 feet;
- Containing 72 acres of land, more or less.

6: EXCEPTION AREA 2A

Beginning at a point on the Easterly Right-of-Way line of Old Placerville Road, from which, the centerline intersection of Rockingham Drive and Old Placerville Road bears approximately North 48° East a distance of 46 feet; thence from said **POINT OF BEGINNING**, the following arcs, courses and distances:

- L982) North 02°28'00" West a distance of 208.84 feet;
- C146) thence 337.75 feet along the arc of a tangent 461.78 foot radius curve to
the left through a central angle of 41°54'23", subtended by a chord which
bears North 23°25'11" West for a distance of 330.27 feet;
- L983) thence North 43°00'34" West a distance of 148.29 feet;

- C146) thence 312.01 feet along the arc of a tangent 414.00 foot radius curve to the right through a central angle of $43^{\circ}10'49''$, subtended by a chord which bears North $21^{\circ}25'09''$ West for a distance of 304.68 feet;
- L984) thence North $00^{\circ}09'35''$ East a distance of 52.04 feet;
- L985) thence North $69^{\circ}01'01''$ East a distance of 311.43 feet;
- C147) thence 364.85 feet along the arc of a tangent 501.05 foot radius curve to the right through a central angle of $41^{\circ}43'17''$, subtended by a chord which bears North $89^{\circ}52'40''$ East for a distance of 356.85 feet;
- L986) thence South $69^{\circ}15'19''$ East a distance of 258.77 feet;
- C148) thence 92.69 feet along the arc of a tangent 801.43 foot radius curve to the right through a central angle of $06^{\circ}37'35''$, subtended by a chord which bears South $65^{\circ}56'31''$ East for a distance of 92.64 feet;
- L987) thence South $00^{\circ}49'10''$ East a distance of 299.07 feet;
- C149) thence from a radial line which bears North $13^{\circ}38'51''$ West, 110.57 feet along the arc of a non-tangent 58.64 foot radius curve to the left through a central angle of $108^{\circ}02'14''$, subtended by a chord which bears South $22^{\circ}20'01''$ West for a distance of 94.90 feet;
- C150) thence from a radial line which bears North $51^{\circ}28'30''$ East, 38.04 feet along the arc of a non-tangent 59.05 foot radius curve to the right through a central angle of $36^{\circ}54'47''$, subtended by a chord which bears South $20^{\circ}04'07''$ East for a distance of 37.39 feet;
- L988) thence South $00^{\circ}49'31''$ East a distance of 462.94 feet;
- C151) thence from a radial line which bears North $89^{\circ}11'00''$ East, 30.59 feet along the arc of a non-tangent 20.01 foot radius curve to the right through a central angle of $87^{\circ}36'11''$, subtended by a chord which bears South $42^{\circ}59'06''$ West for a distance of 27.69 feet;
- L989) thence South $86^{\circ}44'37''$ West a distance of 591.46 feet;
- Containing 18 acres of land, more or less.

TOTAL ACREAGE:

1. Acreage for Redevelopment Area 1:	2,534 acres, more or less
Less Exception Area 1A:	3 acres, more or less
Less Exception Area 1B:	55 acres, more or less
Less Exception Area 1C:	341 acres, more or less
Less Exception Area 1D:	72 acres, more or less
<u>Net Acreage for Redevelopment Area 1:</u>	<u>2,063 acres, more or less</u>
1. Acreage for Redevelopment Area 2	535 acres, more or less
Less Exception Area 2A:	18 acres, more or less
<u>Net Acreage for Redevelopment Area 2:</u>	<u>517 acres, more or less</u>

1. Acreage for Redevelopment Area 3 15 acres, more or less

[No Exception Areas]

Net Acreage for Redevelopment Area 3: 15 acres, more or less

Total Net Acreage for Rancho Cordova

Redevelopment Project Area: 2,595 acres, more or less

END OF DESCRIPTION.

Douglas R. Owyang P.L.S. 6046

Expires June 30, 2007

PREPARED BY WOOD • RODGERS, INC.
SACRAMENTO, CALIFORNIA

GEO. REFERENCE SHEET 1

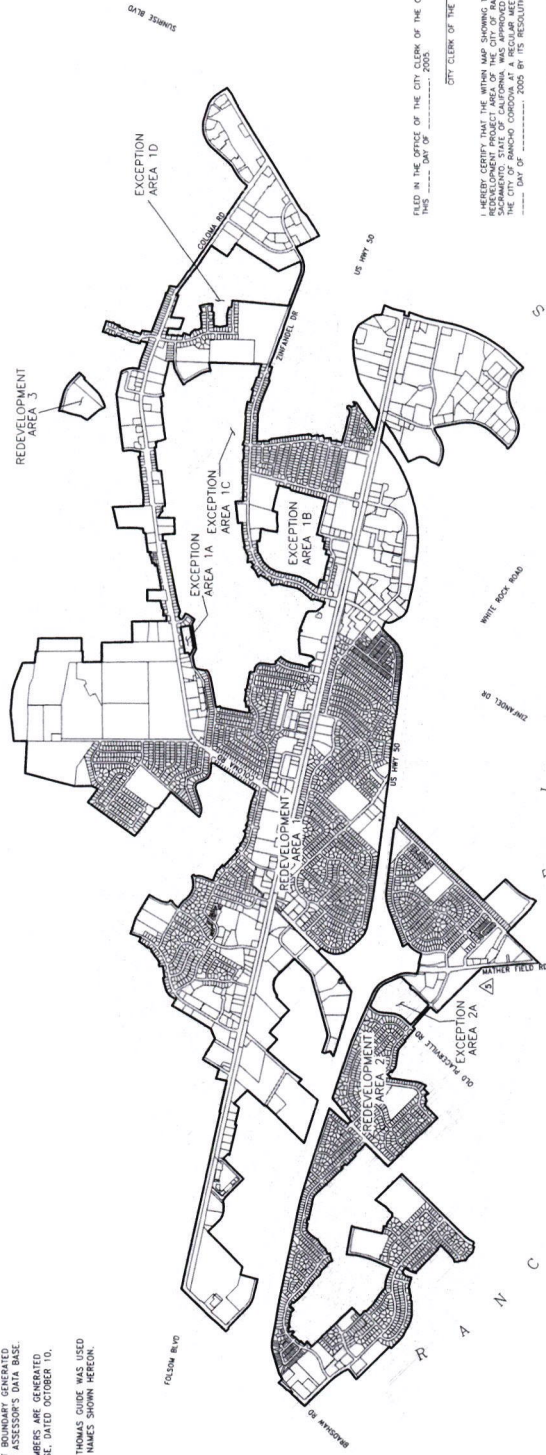
A PORTION OF RANCHO RIO DE LOS AMERICANOS AND SITUATE WITHIN PORTIONS OF TOWNSHIPS 6 AND 7 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE & MERIDIAN.

LEGEND

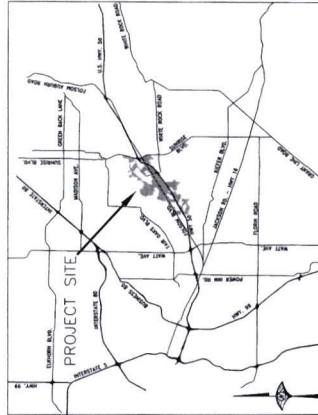
REDEVELOPMENT PROJECT AREA

NOTE:

1. REDEVELOPMENT DISTRICT BOUNDARY GENERATED FROM SACRAMENTO COUNTY ASSESSOR'S DATA BASE.
2. ASSESSOR'S PARCEL NUMBERS ARE GENERATED FROM THE ABOVE DATA BASE, DATED OCTOBER 10, 2005.
3. THE 2005 SACRAMENTO THOMAS GUIDE WAS USED TO DETERMINE THE STREET NAMES SHOWN HEREON.



VICINITY MAP



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF RANCHO CORDOVA
THIS _____ DAY OF _____ 2005.

CITY CLERK OF THE CITY OF RANCHO CORDOVA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE BOUNDARIES OF THE REDEVELOPMENT PROJECT AREA OF THE CITY OF RANCHO CORDOVA, COUNTY OF SACRAMENTO, CALIFORNIA, WAS PREPARED AND SUBMITTED TO THE CITY CLERK OF RANCHO CORDOVA AT A REGULAR MEETING HERETO HELD ON THE _____ DAY OF _____ 2005 BY ITS RESOLUTION NO. _____

CITY CLERK OF THE CITY OF RANCHO CORDOVA

FILED THIS _____ DAY OF _____ 2005, AT THE HOUR OF _____ O'CLOCK, _____ IN BOOK _____ OF MAPS OF ASSESSMENTS AND COMMUNITY DEVELOPMENT PROJECTS, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA AND AS INSTRUMENT NO. _____

RECORDER
COUNTY RECORDER
OF THE COUNTY OF SACRAMENTO
BY _____

REVISIONS

REVISION NO.	DATE REVISED
1	11/14/2005
2	10/28/2005
3	10/25/2005
4	10/16/2005
5	09/20/2005
6	09/28/2005

RANCHO CORDOVA REDEVELOPMENT PROJECT AREA

NOVEMBER 21, 2005

SHEET 1 OF 20

8092 003

WOOD-RODGERS
3301 J. St. Bldg. 100-B Tel. 916.341.7760
Sacramento, CA 95816 Fax. 916.341.7767

MEMORANDUM

DATE: November 21, 2005
TO: Mayor and Council Members
FROM: Winfred DeLeon, Principal Engineer/Architect



SUBJECT: **AMENDMENT #2 TO THE AGREEMENT BETWEEN CAPITOL CITY TILE & MARBLE AND THE CITY OF RANCHO CORDOVA FOR THE NEW CITY HALL PROJECT, CERAMIC / STONE TILE TRADE**

RECOMMENDATION

It is recommended that the subject contract amendment be awarded to **Capitol City Tile & Marble** in the amount of \$85,850. With this amendment, the current contract is in the amount of \$230,325. Contract Amendment #2 Agreement between the City of Rancho Cordova and Capitol City Tile & Marble is provided in **Attachment A**.

BACKGROUND

The work to be done on this contract amendment consists, in general, of furnishing all labor, materials, tools and equipment necessary to furnish and install complete the exterior masonry repair work. A detailed breakdown of the work provided for this amendment is in **Attachment A**.

Enclosure:

Attachment A: Agreement between Capitol City Tile & Marble and the City of Rancho Cordova

ATTACHMENT A

Amendment #2 Agreement between Capitol City Tile & Marble and the City of Rancho Cordova

**SECOND AMENDMENT TO THE CONSTRUCTION SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND CAPITOL CITY TILE & MARBLE**

This Second Amendment ("Amendment") to the Construction Services Agreement between the City of Rancho Cordova ("City") and Capitol City Tile & Marble ("Contractor") is made by and between the City and Contractor as of October 26, 2005. City and Contractor are hereinafter collectively referred to as the "parties".

RECITALS

WHEREAS, the parties entered into a Construction Services Agreement ("CSA") dated September 9, 2005, for the purpose of providing construction services for the City's Tenant Build Out of a new City Hall in Rancho Cordova, California (the "Project"); and

WHEREAS, the parties agree that changes to the Scope of Work and Payment provided for in the CSA (as those terms are defined in the CSA) are necessary in order to add building exterior masonry repair to scope.

NOW, THEREFORE, the parties hereto agree as follows:

AGREEMENT

1. Section 4 of the CSA, "Payment", is amended to read as "Two Hundred Thirty Thousand Three Hundred Twenty Five Dollars (\$230,325)." All other terms and conditions in Section 4 shall remain in full force and effect.
2. The documents titled "Amended – Compensation Schedule", attached hereto as Exhibit B, shall be added to Exhibit B of the CSA.
3. All other terms and conditions in the CSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.
4. The signatures of the parties to this Amendment may be executed and acknowledged on separate pages or in counterparts which, when attached to this Amendment, shall constitute this as one complete Amendment.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year first above written.

CITY OF RANCHO CORDOVA

Capitol City Tile & Marble

Ted Gaebler, City Manager


Signature

Attest:

Roger Leasure president
Printed Name, Title

Lillian Hare, City Clerk

Approved as to form:

Adam U. Lindgren
Assistant City Attorney

EXHIBIT B
AMENDED – COMPENSATION SCHEDULE

Description of Services	Total Cost
ADDED CONSTRUCTION SERVICES	
Add in the exterior masonry repair work to install expansion joints. Includes all lifts, ladders, and scaffolding required to complete the work. Remove damaged bricks as necessary. Install expansion joints as shown in the detail provided by CH&D as forwarded to Capitol City Tile on 10/5/05. Replace brick to match existing provided by H.C. Muddox as necessary. Reattach any existing undamaged bricks that come loose at area of expansion joints. Cut out old caulking as required. Includes furnishing and installing all caulking and sealants. Includes all material, fully burdened labor, equipment, and taxes necessary to complete the work. Responsible to properly dispose of all waste water associated with this scope of work. Debris bins to be provided by DPR Construction, Inc. for use by Capitol City Tile. Coordinate schedule for this work with DPR Construction, Inc. Responsible to protect from damage any existing finished materials already installed.	85,850
TOTAL COST FOR ADDED SERVICES PROVIDED	\$85,850

MEMORANDUM

DATE: November 21, 2005

TO: Mayor and Council Members

FROM: Winfred DeLeon, Principal Engineer/Architect *WDL*

SUBJECT: **AMENDMENT #3 TO THE AGREEMENT BETWEEN DPR CONSTRUCTION, INC. AND THE CITY OF RANCHO CORDOVA FOR THE NEW CITY HALL PROJECT, CONSTRUCTION MANAGEMENT SERVICES**



RECOMMENDATION

It is recommended that the subject contract amendment be awarded to **DPR Construction, Inc.** in the amount of \$60,960. With this amendment, the current contract is in the amount of \$511,811. Contract Amendment #3 Agreement between the City of Rancho Cordova and DPR Construction, Inc. is provided in **Attachment A**.

BACKGROUND

The work to be done on this contract amendment consists, in general, of furnishing all labor, materials, tools and equipment necessary to furnish added management and tracking for the current project along with the new Chamber of Commerce project. A detailed breakdown of the work provided for this amendment is in **Attachment A**.

Enclosure:

Attachment A: Agreement between DPR Construction, Inc. and the City of Rancho Cordova

ATTACHMENT A

**Amendment #3 Agreement between
DPR Construction, Inc. and the City of Rancho Cordova**

**THIRD AMENDMENT TO THE CONSTRUCTION MANAGEMENT SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND DPR CONSTRUCTION INC.**

This Third Amendment ("Amendment") to the Construction Management Services Agreement between the City of Rancho Cordova ("Owner") and DPR Construction, Inc. ("CM") is made by and between the Owner and CM as of October 26, 2005. Owner and CM are hereinafter collectively referred to as the "parties".

RECITALS

WHEREAS, the parties entered into a Construction Management Services Agreement ("CMSA") dated July 5, 2005, for the purpose of providing construction management services for the Owner's construction of a new City Hall in Rancho Cordova, California (the "Project"); and

WHEREAS, the parties agree that changes to the Basic Services and CM Compensation provided for in the CMSA (as those terms are defined in the CMSA) are necessary in order to reflect the need for the following additional construction management services: Management and tracking of changes and split bidding process.

NOW, THEREFORE, the parties hereto agree as follows:

AGREEMENT

1. ~~Article~~ 5.1 of the CMSA, "Contract Price for Basic Services". This amount shall now be amended to read as "Five Hundred Eleven Thousand Eight Hundred Eleven Dollars (\$511,811)." All other terms and conditions in Article 5.1 shall remain in full force and effect.
2. The documents titled, "Amended – General Conditions Items/Services", attached hereto as Exhibit A, shall be added to Exhibit A of the CMSA.
3. All other terms and conditions in the CMSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.
4. The signatures of the parties to this Amendment may be executed and acknowledged on separate pages or in counterparts which, when attached to this Amendment, shall constitute this as one complete Amendment.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year first above written.

CITY OF RANCHO CORDOVA

CONSTRUCTION MANAGER

Ted Gaebler, City Manager


Peggy Fischer, Project Manager
DPR Construction, Inc.

Attest:

Lillian Hare, City Clerk

Approved as to form:

Adam U. Lindgren
Assistant City Attorney

Staff Report



Date: November 21, 2005
To: Honorable Mayor and City Council
From: Joseph Chapman, City Attorney's Office
Subject: **ORDINANCE AMENDING TITLE I OF THE RANCHO CORDOVA ZONING CODE REGARDING ILLEGAL USES**

RECOMMENDATION

Hold public hearing, introduce the ordinance, waive the first reading and continue the ordinance to the City Council meeting on December 5, 2005, for adoption.

BACKGROUND

The attached ordinance amends Title 1 of the City's Zoning Code by adding section 101-14, which will specify that uses that are illegal under local, state, or federal law shall not be allowed.

This amendment will make it easier for City staff to address the permissibility of uses in situations where there may be a conflict between local, state or federal law. It will also provide the City with a clear regulatory basis for pursuing civil action in addition to criminal prosecution of illegal uses.

On November 10, the Planning Commission held a public hearing on the proposed ordinance and adopted PC Resolution 54-2004 determining that the amendment is consistent with the City's existing zoning laws and will help to ensure that the public health, safety and welfare are protected.

REQUESTED MOTION

"I move that the City Council introduce the ordinance, waive the first reading, and continue the ordinance to the December 5, 2005, City Council meeting for adoption."

ATTACHMENTS

1. Ordinance

CITY OF RANCHO CORDOVA

ORDINANCE NO. 29-2005

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF RANCHO CORDOVA AMENDING TITLE 1 OF
THE RANCHO CORDOVA ZONING CODE REGARDING ILLEGAL USES**

RECITALS

WHEREAS, the City Council finds that the addition of a specific zoning provision prohibiting illegal uses will make it easier for the City to address the permissibility of such uses in situations where there may be a conflict between local, state or federal law; and

WHEREAS, the City Council finds that the addition of a specific zoning provision prohibiting illegal uses will provide the City with a clear regulatory basis for pursuing civil action in addition to criminal prosecution of illegal uses; and

WHEREAS, this Ordinance is hereby found to be categorically exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3),

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS FOLLOWS:

SECTION 1. Title I of the Rancho Cordova Zoning Code regarding illegal uses is hereby amended by adding Section 101-14, "Illegal Uses" to read as follows:

"101-14 Illegal Uses.

No use that is illegal under local, state or federal law shall be allowed in any zone within the City."

SECTION 2: Effective Date and Publication

Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Grapevine Independent, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with California Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

* * * * *

PASSED AND ADOPTED this _____ day of _____, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

MAYOR

ATTEST:

CITY CLERK

This page was intentionally left blank.

MEMORANDUM

DATE: November 21, 2005
TO: The Mayor and City Council
FROM: Paul Junker, Planning Director
SUBJECT: Zoning Text Amendment - Planning Director Revisions



REQUEST

Staff is requesting language modifications to Rancho Cordova Zoning Code, replacing the term "Zoning Administrator" with the term "Planning Director" for certain administrative approvals. The Planning Director would be able to approve minor projects with or without the hearings, as provided in the Zoning Code. In addition, staff is requesting deletions of some irrelevant Zoning Code sections.

STAFF RECOMMENDATION

The Planning Commission recommends the City Council find language modifications and deletions exempt under Section 15061(b) (3) of the California Environmental Quality Act Guidelines, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and recommend the City Council adopt the draft Ordinance making certain language changes and deletions to the Zoning Code.

BACKGROUND

The City of Rancho Cordova adopted Sacramento County Zoning Code after incorporation in 2003. Throughout the Zoning Code, "Zoning Administrator" is listed as the authority to grant lesser use permits, minor variances and make other minor administrative approvals, such as issuance of permits for off-site signs, Christmas tree lots, and authorized to make decisions on minor planning matters. In Rancho Cordova, this role defaulted to the Planning Commission when the City Council established the Commission.

ANALYSIS

The proposed ordinance would change the term "Planning Commission" to "Planning Director" only in those selected sections of the Code. Authority would be transferred to the Planning Director for minor planning actions, and this change in authority would expedite minor approvals that would be delayed by scheduling before the Planning Commission. The draft ordinance is attached that identifies the areas of the Zoning Code where the change in terminology occurs. The deleted language is shown as strikeout and the new language is in parentheses. Additional modifications are proposed to eliminate certain provisions that do not apply to the City and they are shown as strikeout text.

The Planning Director is suggested to be granted authority for the following provisions:

PERMITS GENERALLY: SECTION 110-03: ADMINISTRATIVE REQUIREMENTS, WHEN REQUIRED

110-03 Administrative Requirements, When Required

For the purposes of this Article public hearings before the ~~Zoning Administrator~~ (**Planning Director**), Project Planning Commission, Board of Zoning Appeals, Policy Planning Commission and Board of Supervisors involving the following types of requests, shall be designated as Administrative Hearings.

110-06 Additional Hearing Procedures

The Policy Planning Commission, the Project Planning Commission and the ~~Zoning Administrator~~ (**Planning Director**) shall adopt by resolution hearing procedures and rules necessary to carry out business in an orderly and fair manner. The procedures and rules shall provide for, among other matters, the preparation and adoption of necessary findings. The procedures and rules shall be published as an appendix to this Code.

APPEALS: SECTION 115-30: APPEAL OF PLANNING DIRECTOR TO PLANNING COMMISSION

115-30. Appeals

Any person dissatisfied with an act or determination of the Project Planning Commission, the Policy Planning Commission, the Subdivision Review Committee, ~~Zoning Administrator~~ Chief Building Inspector, Planning Director, or the Secretary of the Planning Commission, relating to the provision of this Code may appeal such act or determination as provided in this Article, provided that when any determination made by the aforementioned is given in the form of a recommendation or report addressed to the Board of Supervisors, or such other commission, board or officer, no appeal may be taken; but any interested party, unless otherwise provided in this Code, shall be entitled to appear at the time of consideration of such recommendation or report and to be heard thereon.

RESIDENTIAL OPEN SPACE: SPECIAL CONDITIONS: SECTION 201-04 (36): WITHDRAWAL OF URBAN BEEKEEPING ON A RESIDENTIAL PROPERTY

201-04 Special Conditions- Agricultural & Residential Uses

(36) Allowed only if all conditions and requirements set forth in Section 305-220 are maintained. Urban beekeeping can be withdrawn from any parcel by action of the ~~Zoning Administrator~~ (**Planning Director**), pursuant to provisions of Title III, Chapter 5, Article 10.

COMMERCIAL USE TABLES: SPECIAL CONDITIONS: SECTION 225-14 (38): TEMPORARY CONCESSIONS

225-14 Special Conditions

(38) Permitted subject to approval by the ~~Zoning Administrator~~ (**Planning Director**) and the development standards in Section 315-02. (See definition 130-47.5.)

INDUSTRIAL USE TABLES: SPECIAL CONDITIONS: SECTION 230-13 (19)

230-13 Special Conditions

(19) Permitted subject to approval of the **Zoning Administrator (Planning Director)** and the standards in Section 315-02.

TITLE III: GENERAL PROVISION: ARTICLES 1, 4, & 5: REGULATIONS PERTAINING TO WALLS AND FENCES

301-02.1. Sales of Christmas Trees

Christmas trees may be sold as a temporary use in other than commercial or industrial zones upon securing approval of a temporary use permit from the **Zoning Administrator (Planning Director)** and subject to obtaining a general business license. The **Zoning Administrator (Planning Director)** shall specify the period of sale of the trees to be between Thanksgiving and December 25th, and the period permitted to clear the lot of all unsold trees, rubble and other evidence of the temporary use. Temporary signs are permitted, subject to provisions of Title III, Chapter 35, Article 2.1 for commercial and industrial zones and subject to approval by the **Zoning Administrator (Planning Director)** in all other zones.

301-54. Use of Commercial Coaches as Temporary Offices

A commercial coach may be used for a temporary office where such use is authorized in the Commercial Use Table, Section 225-11, or in the Industrial Use Table Section 230-11 of this Code and, further, provided a permit is secured from the Chief Building Inspector.

A commercial coach may be used for a temporary office in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the **Zoning Administrator (Planning Director)** and, further, provided that a permit is obtained from the Chief Building Inspector.

301-55. Use of Mobilehomes for Night Watchmen

A mobilehome may be used as a residence for a night watchman in any commercial or industrial zone where such use is incidental to a use permitted in said zone, provided a permit is secured from the Chief Building Inspector.

A mobilehome may be used as a residence for a night watchman in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the **Zoning Administrator (Planning Director)**, and further provided that a permit is obtained from the Chief Building Inspector. (Amended 3/24/99)

301-55.5. Commercial Coaches for Temporary Classrooms

Commercial coaches may be used as temporary classrooms for private schools in any zone where private schools are permitted, provided that a conditional use permit is obtained from the **Zoning Administrator (Planning Director)** and, further, provided that a permit is obtained from the Chief Building Inspector.

301-63.1. Height

(d) Fence height shall be measured from the highest elevation at the property line or at the finished grade of the rear or side yard setback, which ever is higher. If the fence exceeds eight (8) feet above the lower elevation and is adjacent to a single-family residential zone, a use permit from the **Zoning Administrator (Planning Director)** is required. (Amended 6/95) (Amended 3/24/99)

301-64. Deviations from Fence Requirements

Fences that deviate from the standards set forth in this article may be permitted, as a condition of approval when heard in conjunction with another request, or by a fence use permit approved by the **Zoning Administrator (Planning Director)**. Unless approved as a condition or in conjunction with another request walls or fences of sheet or corrugated iron, steel or aluminum, are prohibited with the exception of ornamental fences as provided for in Section 301-60 (a).

Barbed wire, concertina wire and electrical fences require a fence use permit approved by the **Zoning Administrator (Planning Director)**. When such a fence is located in the Agricultural zones or the Heavy Industrial zone (A-2) a fence use permit is not required, unless it is adjacent to a zone other than the agricultural zones or the M-2 zone. (Amended 6/95) (Amended 3/24/99)

RESIDENTIAL USE DEVELOPMENT STANDARDS: ARTICLES 1, 6, & 10

ARTICLE 1. SINGLE-FAMILY

305-09.5. Number of Kitchens

Any home developed pursuant to this chapter shall have no more than one (1) kitchen. For purposes of this section a kitchen is an area within a house that has an appliance(s) to cook food. Exceptions to this requirement may be granted by the **Zoning Administrator (Planning Director)** for residences of developmentally disabled persons. A public hearing for this exception is not required if the request submitted is in the form of **Zoning Administrator's (Planning Director)** Action applications, or may be approved in conjunction with a concurrent zoning entitlement application in public hearing by the final hearing authority.

ARTICLE 6. ACCESSORY STRUCTURES INCIDENTAL TO PRIMARY RESIDENTIAL DWELLINGS

305-82. General Regulations

Unless specifically provided in this Code, the following regulations shall pertain to all accessory structures listed in Section 305-80 constructed, enlarged, or otherwise modified after January 12, 1985.

- (b) Area. The total square footage of all accessory structures on a single parcel, except residential accessory dwellings and swimming pools, shall not exceed fifty percent (50) of the habitable floor area of the primary residential dwelling on the same parcel. Exceptions to this area requirement are subject to the issuance of a conditional use permit by the **Zoning Administrator (Planning Director)**.

ARTICLE 10: URBAN BEEKEEPING

305-221

Urban beekeeping privileges may be withdrawn from any property by written notification to the property owner by the **Sacramento County Zoning Administrator (Planning Director)**. Withdrawal must be done with cause, however, the cause need not be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. Any condition or combination of circumstances which, in the opinion of the **Zoning Administrator (Planning**

Director) jeopardizes endangers or otherwise constitute an actual, potential or perceived menace to public health or safety will constitute valid cause to withdraw license to keep bee colonies on the property. Such withdrawal may be appealed to the Board of Zoning Appeals. Once any property owner has been noticed of withdrawal of privilege to keep bee colony(s) on a particular property, such privilege may be reestablished only upon written request and approval of the **Zoning Administrator (Planning Director)**.

COMMERCIAL USES: ARTICLES 1 & 1.5

ARTICLE 1: DEVELOPMENT STANDARDS FOR TEMPORARY CONCESSIONS

315-02. Development Standards for Temporary Concessions

No temporary concession shall be installed, maintained, or operated in any zone unless the standards and requirements set forth in this Section are complied with and maintained. Temporary concessions are allowed only in specified commercial and industrial zones subject to the conditional approval of a temporary concession Use Permit by the **Zoning Administrator (Planning Director)**. Such temporary concession Use Permit shall include any conditions appropriate to assure compliance of the requirements of this section, shall include time limits as to when the temporary Use Permit is valid and may include additional conditions and requirements that are found appropriate to assure the use will not be detrimental to health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood.

ARTICLE 1.5: DEVELOPMENT STANDARDS FOR SEASONAL ROADSIDE CROP SALES

315-05 Development Standards for Seasonal Roadside Crops

(9) No food items shall be prepared and/or sold for immediate consumption on-site, excluding canned or bottled beverages. The **Zoning Administrator (Planning Director)** may grant approval of a Use Permit to prepare and sell foods for immediate consumption, however such sales are limited to the specific items considered and itemized on the Use Permit document.

OFF-STREET PARKING: ARTICLES 1 & 4

ARTICLE 1: GENERAL PROVISIONS

- (d) Request For Special Review Of Parking. Parking reductions exceeding the maximums specified in (a) through (c) above, or modifications of improvement requirements, may be granted by the Project Planning Commission, the Policy Planning Commission, the Board of Supervisors, or the **Zoning Administrator (Planning Director)** whenever such reduction or modification is considered in conjunction with a review of development plans by such Commission or Board, or is heard in conjunction with a rezoning, use permit, or variance by the appropriate authority; otherwise, such reduction or modification may be granted by the Project Planning Commission upon petition for a Special Review of parking by a project proponent. The project proponent shall submit with the request whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant a parking reduction, such as the multiple use of a parking area by uses having peak parking demands which occur at different times; floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed; or that other programs will be implemented by the developer or tenant(s) which will result in a demand for parking at the site which is less than would otherwise occur, such as the provision of monetary incentives to employees

who regularly utilize public transit or participate in a carpool or vanpool. The appropriate authority may require as a condition of approval of the parking reduction the recordation of agreements or covenants, prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

ARTICLE 4: IMPROVEMENT REQUIREMENTS FOR PARKING AREAS

330-92.5. Request for Special Review of Improvement Requirements for Parking Areas

Modifications of improvement requirements may be granted by the Project Planning Commission, the Policy Planning Commission, the Board of Supervisors, or the **Zoning Administrator (Planning Director)** whenever such a modification is considered in conjunction with a review of development plans by such Commission or Board, or is heard in conjunction with a rezoning, use permit, or variance by the appropriate authority; otherwise, such modification may be granted by the Project Planning Commission upon petition for a use permit for a Special Review of Improvement Requirements for Parking Areas by a project proponent. The project proponent shall submit, with the request, whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant improvement reduction, such as the multiple use of a parking area by uses in need of special open areas or needing special layout of all improvements to facilitate such multiple use. In no case may a parking reduction and development standards reduction be considered for the same parking facility. The appropriate authority shall require, as a condition of approval of the parking area improvement reduction, that evidence of long term agreement for joint use or multiple use be of record. This may either be in the form of recorded agreements or covenants.

SIGN REGULATIONS: GENERAL PROVISIONS, ARTICLE 1: SUBDIVISION SIGNS

ARTICLE 1: GENERAL PROVISIONS

335-04. Subdivision Signs

- (b) Directional Subdivision Signs. Temporary directional subdivision signs are permitted in any zone, except MP, BP, C-O and Special Sign Corridors, subject to the approval of a Temporary Sign Use Permit by the **Zoning Administrator (Planning Director)**
- (c) Subdivision Signs. Subdivision signs are permitted in any zone, subject to the approval of Temporary Sign Use Permit by the **Zoning Administrator (Planning Director)**
- (d) Regional Directional Subdivision Signs. Temporary multi-sectioned directional subdivision billboard-type signs are permitted in the Agricultural-Residential, Residential, M-1 and M-2 zones (except they are not permitted in the Special Sign Corridors), subject to the approval of a Temporary Use Permit by the **Zoning Administrator (Planning Director)**

335-09.5. Special Provision

- (h) Special advertising devices for grand openings of a business for a period not to exceed 30 days within the first 180 days of business, and for special sales events not exceeding one period of up to 30 days within a given year may be permitted subject to the approval of the **Zoning Administrator (Planning Director)** and be specifically listed in the temporary use permit.

335-11.1. Identification Signs

- (a) Identification signs for public and private schools, colleges, universities, and parks are authorized in any zone, provided:

(10) Signs exceeding size and height are permitted subject to issuance of a use permit by the **Zoning Administrator (Planning Director)** who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

- (c) Except as otherwise provided herein, signs identifying permitted uses in the Agricultural, Recreational, and Residential zones are permitted, provided:

(6) Signs exceeding size and height are permitted subject to issuance of a use permit by the **Zoning Administrator (Planning Director)** who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

- (e) Group directional identification off-site signs along primary highways and County roads, including Scenic Corridors, for the purpose of providing directions for recreational facilities within the Delta area when in the best interest of the general public to locate said recreational business is permitted subject to a use permit by the **Zoning Administrator (Planning Director)**. Sign copy shall be limited only to the names of the recreational business and directional information. The size and design must be appropriate for the area; and the **Zoning Administrator (Planning Director)** is to approve same including determination of height, setback, location, and illumination limited to spotlight.

The proposed ordinance also asks for deletions in the following areas:

TITLE I: GENERAL PROVISIONS, Chapter 10: SPECIAL PERMITS

Article 2: VARIANCES - Section 110-24 (a). Appropriate Authority Empowered to Grant Variances – Page I-37

(DELETE)

- ~~(a) Zoning Administrator. The Zoning Administrator shall be the appropriate authority to hear and decide all applications for variances, except as otherwise specified in this Article.~~

Article 3: CONDITIONAL USE PERMITS - Section 110-32 (d)(1). Appropriate Authority Empowered to Grant Use Permits – Page I-41

(DELETE)

- ~~(d) Zoning Administrator. The Zoning Administrator shall be the appropriate authority to hear and decide all applications for use permits for the following uses where an application therefore has not been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Project Planning Commission, or with an application to amend a community plan as provided in Title 21 of the Sacramento County Code:~~
- ~~(1) Those uses indicated on the Use Tables incorporated in Title II, Chapter 1, Article 1; Chapter 25, Article 2; and Chapter 30, Article 2 of this Code as requiring a use permit by the Zoning Administrator.~~

Article 5: EXCEPTIONS - Section 110-53 (a). Appropriate Authority Empowered to Grant Exceptions – Page I-46

(DELETE)

- ~~(a) Zoning Administrator. Zoning Administrator shall be the appropriate authority to hear and decide applications for exceptions whenever said applications are filed contemporaneously with an application which would normally be heard by the Zoning Administrator pursuant to the provisions of this Code.~~

Chapter 20: NONCONFORMING LOTS, USES, STRUCTURES AND SIGNS

Article 6: NONCONFORMING SIGNS - Section 120-52. Continuation – Page I-111

Except as otherwise provided in this Article, any sign lawfully in use on the effective date of this Code may continue to be used for a period of five (5) years. Any sign which becomes nonconforming because of an amendment of this Code may continue to be used for a period of five (5) years from the effective date of such amendment.

Exception: ~~Signs for nonconforming uses of land continuing beyond five (5) years under the provisions of Section 120-21. Limitation, and nonconforming use of building continued under the provisions of Section 120-40, which are now located in an Agricultural, Agricultural Residential, Residential, Interim Agricultural Holding, Interim Agricultural, Interim Estate, Interim Residential, or Interim Residential Townhouse zones, may have signs subject to a use permit by the Zoning Administrator.~~

TITLE III: USE REGULATIONS AND DEVELOPMENT STANDARDS

Chapter 1: GENERAL PROVISIONS - Article 10: URBAN BEEKEEPING

(DELETE) 305-223. — Bee Advisory Committee

~~The activities of bees may create a nuisance to other properties in the neighborhood. For this reason, this ordinance establishes Bee Advisory Committee to provide a source of expertise and a procedure for utilizing that source to enhance the education of beekeepers in general and to provide assistance to the County in mitigating nuisance problems that may occur.~~

~~(a) — Purpose of Bee Advisory Committee:~~

~~The purpose of the Bee Advisory Committee is educational and advisory only. Any official County actions shall be through the established authority of the Zoning Administrator with or without the recommendation of the Committee the Zoning Administrator may request the Committee to investigate any alleged nuisance situation, and with expressed permission of the beekeeper or other involved property owners may investigate, give advice and recommendation to the beekeeper and recommend appropriate actions to the Zoning Administrator.~~

~~(b) — Composition of the Bee Advisory Committee:~~

~~Zoning Administrator will initially appoint a volunteer chairperson who will then establish and maintain a list of volunteer members. Subsequently, the Committee may establish its own procedures for conducting activities including appointing a chairperson.~~

- ~~(d) — While recommendation made by the Committee need not be limited, the following are examples of actions that may be appropriate.~~

- ~~(1) — Requeening the colonies.~~
- ~~(2) — Replacement of colonies.~~
- ~~(3) — Design and placement of hives and watersource.~~
- ~~(4) — Removal of hives for specific period of time.~~
- ~~(5) — Baffling and shielding of hives or features to change flight patterns.~~

~~It is not the intent of this ordinance, that Committee be involved with any of the Zoning Administrators actions concerning health or safety issues as set forth in Section 305-221. Appropriate actions is those cases shall be based on the recommendations of medical doctors.~~

PUBLIC NOTICE

On September 30, 2005, a quarter page public hearing notice was published in the Grapevine Newspaper in order to satisfy the notice requirement for a city wide ordinance amendment. No comments have been received regarding the modifications.

PLANNING COMMISSION COMMENTS

This project was presented before the Planning Commission on October 13, 2005. Questions were asked about the about the role of a zoning administrator and if other municipalities employ a full-time administrator. It was explained that the role of a zoning administrator is assigned to a specific person who makes decisions on a case-by-case basis, in larger organizations, like the County or large cities, and most local jurisdictions do not employ Zoning Administrators.

CONCLUSION

The proposed modifications will eliminate code provisions that do not apply to the City of Rancho Cordova and shift authority to the Planning Director for minor planning actions. These changes will help to improve the readability of the Code and also expedite action on minor planning applications.

ENVIRONMENTAL ANALYSIS

Section 15061 of the California Environmental Quality Act Guidelines exempts projects, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. In this case, the role of authority is transferred from the Planning Commission to the Planning Director, but the process is not changed

FINANCIAL IMPLICATIONS TO CITY

There are no significant financial costs to the City.

RECOMMENDED MOTIONS

Move the City Council find the project Exempt under Section 15061(b) (3) of the California Environmental Quality Act Guidelines and Introduce and waive first reading of Ordinance No. 28-2005, thereby amending provisions of the Rancho Cordova Zoning Code as related to the duties of the Zoning Administrator and deleting the those referenced sections in the ordinance.

ATTACHMENTS

1. Ordinance 28-2005

CITY OF RANCHO CORDOVA**ORDINANCE NO. 28-2005****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AMENDING ORDINANCE 18-2003 CHANGING THE FUNCTIONS OF "ZONING ADMINISTRATOR" TO "PLANNING DIRECTOR" AND DELETIONS OF IRRELEVANT ZONING CODE.**

THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS FOLLOWS:

SECTION 1: Purpose and Authority

The purpose of this Ordinance is to amend Ordinance 18-2003 and make language modifications to Rancho Cordova Zoning Code, replacing "Zoning Administrator" with "Planning Director" for minor planning actions and delete sections that are not relevant to the City of Rancho Cordova.

SECTION 2: Findings and Determinations**A. CEQA**

Finding: The amendments to the City of Rancho Cordova Zoning Code are adequately addressed according to the California Environmental Quality Act.

Evidence: The amendment to the Rancho Cordova Municipal Code changing authority from Zoning Administrator to Planning Director and the deletions of irrelevant zoning code are exempt from the California Environmental Quality Act under CEQA Guideline Section 15061. The proposed amendment to change authority from zoning administrator to planning director and delete irrelevant Zoning Code is Categorically Exempt under Section 15061 of the California Environmental Quality Act Guidelines, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

B. Zoning Amendment

Finding: The proposed Code amendments are consistent with State law, the General Plan and the Rancho Cordova Community Plan. (Section 65860 of the Government Code)

Evidence: This ordinance is consistent with the State Law, the General Plan and the Rancho Cordova Community Plan. The zoning amendments will improve the safety, peace and public welfare. The changes will clarify ambiguities, delete sections that do not apply to the City in keeping with the Vision Book of the City of Rancho Cordova, serving as the Interim General Plan.

SECTION 3: Actions

A. Language and Authority Changes

Ordinance 18-2003 created a Planning Commission for the City of Rancho Cordova. Section 2.30.070 established the duties and functions of the Planning Commission. This ordinance assigned the duties and functions of "Zoning Administrator" to the Planning Commission. The amended ordinance changes "Zoning Administrator" to "Planning Director" in selected sections of the Code. Authority will be deferred from the Planning Commission to the Planning Director for minor planning actions.

B. Titles I, II, and III of the Rancho Cordova Municipal Code are hereby amended to read as:

PERMITS GENERALLY: SECTION 110-03: ADMINISTRATIVE REQUIREMENTS, WHEN REQUIRED

110-03 Administrative Requirements, When Required

For the purposes of this Article public hearings before the **Zoning Administrator (Planning Director)**, Project Planning Commission, Board of Zoning Appeals, Policy Planning Commission and Board of Supervisors involving the following types of requests, shall be designated as Administrative Hearings.

110-06 Additional Hearing Procedures

The Policy Planning Commission, the Project Planning Commission and the **Zoning Administrator (Planning Director)** shall adopt by resolution hearing procedures and rules necessary to carry out business in an orderly and fair manner. The procedures and rules shall provide for, among other matters, the preparation and adoption of necessary findings. The procedures and rules shall be published as an appendix to this Code.

APPEALS: SECTION 115-30: APPEAL OF PLANNING DIRECTOR TO PLANNING COMMISSION

115-30. Appeals

Any person dissatisfied with an act or determination of the Project Planning Commission, the Policy Planning Commission, the Subdivision Review Committee, **Zoning Administrator** Chief Building Inspector, Planning Director, or the Secretary of the Planning Commission, relating to the provision of this Code may appeal such act or determination as provided in this Article, provided that when any determination made by the aforementioned is given in the form of a recommendation or report addressed to the Board of Supervisors, or such other commission, board or officer, no appeal may be taken; but any interested party, unless otherwise provided in this Code, shall be entitled to appear at the time of consideration of such recommendation or report and to be heard thereon.

**RESIDENTIAL OPEN SPACE: SPECIAL CONDITIONS: SECTION 201-04 (36):
WITHDRAWAL OF URBAN BEEKEEPING ON A RESIDENTIAL PROPERTY**

201-04 Special Conditions- Agricultural & Residential Uses

(36) Allowed only if all conditions and requirements set forth in Section 305-220 are maintained. Urban beekeeping can be withdrawn from any parcel by action of the **Zoning Administrator (Planning Director)**, pursuant to provisions of Title III, Chapter 5, Article 10.

**COMMERCIAL USE TABLES: SPECIAL CONDITIONS: SECTION 225-14 (38):
TEMPORARY CONCESSIONS**

225-14 Special Conditions

(38) Permitted subject to approval by the **Zoning Administrator (Planning Director)** and the development standards in Section 315-02. (See definition 130-47.5.)

INDUSTRIAL USE TABLES: SPECIAL CONDITIONS: SECTION 230-13 (19)

230-13 Special Conditions

(19) Permitted subject to approval of the **Zoning Administrator (Planning Director)** and the standards in Section 315-02.

**TITLE III: GENERAL PROVISION: ARTICLES 1, 4, & 5: REGULATIONS PERTAINING
TO WALLS AND FENCES**

301-02.1. Sales of Christmas Trees

Christmas trees may be sold as a temporary use in other than commercial or industrial zones upon securing approval of a temporary use permit from the **Zoning Administrator (Planning Director)** and subject to obtaining a general business license. The **Zoning Administrator (Planning Director)** shall specify the period of sale of the trees to be between Thanksgiving and December 25th, and the period permitted to clear the lot of all unsold trees, rubble and other evidence of the temporary use. Temporary signs are permitted, subject to provisions of Title III, Chapter 35, Article 2.1 for commercial and industrial zones and subject to approval by the **Zoning Administrator (Planning Director)** in all other zones.

301-54. Use of Commercial Coaches as Temporary Offices

A commercial coach may be used for a temporary office where such use is authorized in the Commercial Use Table, Section 225-11, or in the Industrial Use Table Section 230-11 of this Code and, further, provided a permit is secured from the Chief Building Inspector.

A commercial coach may be used for a temporary office in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided

that a use permit is first obtained from the **Zoning Administrator (Planning Director)** and, further, provided that a permit is obtained from the Chief Building Inspector.

301-55. Use of Mobilehomes for Night Watchmen

A mobilehome may be used as a residence for a night watchman in any commercial or industrial zone where such use is incidental to a use permitted in said zone, provided a permit is secured from the Chief Building Inspector.

A mobilehome may be used as a residence for a night watchman in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the **Zoning Administrator (Planning Director)**, and further provided that a permit is obtained from the Chief Building Inspector. (Amended 3/24/99)

301-55.5. Commercial Coaches for Temporary Classrooms

Commercial coaches may be used as temporary classrooms for private schools in any zone where private schools are permitted, provided that a conditional use permit is obtained from the **Zoning Administrator (Planning Director)** and, further, provided that a permit is obtained from the Chief Building Inspector.

301-63.1. Height

(d) Fence height shall be measured from the highest elevation at the property line or at the finished grade of the rear or side yard setback, whichever is higher. If the fence exceeds eight (8) feet above the lower elevation and is adjacent to a single-family residential zone, a use permit from the **Zoning Administrator (Planning Director)** is required. (Amended 6/95) (Amended 3/24/99)

301-64. Deviations from Fence Requirements

Fences that deviate from the standards set forth in this article may be permitted, as a condition of approval when heard in conjunction with another request, or by a fence use permit approved by the **Zoning Administrator (Planning Director)**. Unless approved as a condition or in conjunction with another request walls or fences of sheet or corrugated iron, steel or aluminum, are prohibited with the exception of ornamental fences as provided for in Section 301-60 (a).

Barbed wire, concertina wire and electrical fences require a fence use permit approved by the **Zoning Administrator (Planning Director)**. When such a fence is located in the Agricultural zones or the Heavy Industrial zone (A-2) a fence use permit is not required, unless it is adjacent to a zone other than the agricultural zones or the M-2 zone. (Amended 6/95) (Amended 3/24/99)

RESIDENTIAL USE DEVELOPMENT STANDARDS: ARTICLES 1, 6, & 10

ARTICLE 1. SINGLE-FAMILY -

305-09.5. Number of Kitchens

Any home developed pursuant to this chapter shall have no more than one (1) kitchen. For purposes of this section a kitchen is an area within a house that has an appliance(s) to cook food. Exceptions to this requirement may be granted by the **Zoning Administrator (Planning Director)** for residences of developmentally disabled persons. A public hearing for this exception is not required if the request submitted is in the form of **Zoning Administrator's (Planning Director)** Action applications, or may be approved in conjunction with a concurrent zoning entitlement application in public hearing by the final hearing authority.

ARTICLE 6. ACCESSORY STRUCTURES INCIDENTAL TO PRIMARY RESIDENTIAL DWELLINGS

305-82. General Regulations

Unless specifically provided in this Code, the following regulations shall pertain to all accessory structures listed in Section 305-80 constructed, enlarged, or otherwise modified after January 12, 1985.

- (b) Area. The total square footage of all accessory structures on a single parcel, except residential accessory dwellings and swimming pools, shall not exceed fifty percent (50) of the habitable floor area of the primary residential dwelling on the same parcel. Exceptions to this area requirement are subject to the issuance of a conditional use permit by the **Zoning Administrator (Planning Director)**.

ARTICLE 10: URBAN BEEKEEPING

305-221

Urban beekeeping privileges may be withdrawn from any property by written notification to the property owner by the **Sacramento County Zoning Administrator (Planning Director)**. Withdrawal must be done with cause, however, the cause need not be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. Any condition or combination of circumstances which, in the opinion of the **Zoning Administrator (Planning Director)** jeopardizes endangers or otherwise constitute an actual, potential or perceived menace to public health or safety will constitute valid cause to withdraw license to keep bee colonies on the property. Such withdrawal may be appealed to the Board of Zoning Appeals. Once any property owner has been noticed of withdrawal of privilege to keep bee colony(s) on a particular property, such privilege may be reestablished only upon written request and approval of the **Zoning Administrator (Planning Director)**.

COMMERCIAL USES: ARTICLES 1 & 1.5

ARTICLE 1: DEVELOPMENT STANDARDS FOR TEMPORARY CONCESSIONS

315-02. Development Standards for Temporary Concessions

No temporary concession shall be installed, maintained, or operated in any zone unless the standards and requirements set forth in this Section are complied with and maintained. Temporary concessions are allowed only in specified commercial and

industrial zones subject to the conditional approval of a temporary concession Use Permit by the ~~Zoning Administrator~~ **(Planning Director)**. Such temporary concession Use Permit shall include any conditions appropriate to assure compliance of the requirements of this section, shall include time limits as to when the temporary Use Permit is valid and may include additional conditions and requirements that are found appropriate to assure the use will not be detrimental to health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood.

ARTICLE 1.5: DEVELOPMENT STANDARDS FOR SEASONAL ROADSIDE CROP SALES

315-05 Development Standards for Seasonal Roadside Crops

(9) No food items shall be prepared and/or sold for immediate consumption on-site, excluding canned or bottled beverages. The ~~Zoning Administrator~~ **(Planning Director)** may grant approval of a Use Permit to prepare and sell foods for immediate consumption, however such sales are limited to the specific items considered and itemized on the Use Permit document.

OFF-STREET PARKING: ARTICLES 1 & 4

ARTICLE 1: GENERAL PROVISIONS

330-07 Parking Reductions

- (d) Request For Special Review Of Parking. Parking reductions exceeding the maximums specified in (a) through (c) above, or modifications of improvement requirements, may be granted by the Project Planning Commission, the Policy Planning Commission, the Board of Supervisors, or the ~~Zoning Administrator~~ **(Planning Director)** whenever such reduction or modification is considered in conjunction with a review of development plans by such Commission or Board, or is heard in conjunction with a rezoning, use permit, or variance by the appropriate authority; otherwise, such reduction or modification may be granted by the Project Planning Commission upon petition for a Special Review of parking by a project proponent. The project proponent shall submit with the request whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant a parking reduction, such as the multiple use of a parking area by uses having peak parking demands which occur at different times; floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed; or that other programs will be implemented by the developer or tenant(s) which will result in a demand for parking at the site which is less than would otherwise occur, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a carpool or vanpool. The appropriate authority may require as a condition of approval of the parking reduction the recordation of agreements or covenants, prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

ARTICLE 4: IMPROVEMENT REQUIREMENTS FOR PARKING AREAS

330-92.5. Request for Special Review of Improvement Requirements

Modifications of improvement requirements may be granted by the Project Planning Commission, the Policy Planning Commission, the Board of Supervisors, or the **Zoning Administrator (Planning Director)** whenever such a modification is considered in conjunction with a review of development plans by such Commission or Board, or is heard in conjunction with a rezoning, use permit, or variance by the appropriate authority; otherwise, such modification may be granted by the Project Planning Commission upon petition for a use permit for a Special Review of Improvement Requirements for Parking Areas by a project proponent. The project proponent shall submit, with the request, whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant improvement reduction, such as the multiple use of a parking area by uses in need of special open areas or needing special layout of all improvements to facilitate such multiple use. In no case may a parking reduction and development standards reduction be considered for the same parking facility. The appropriate authority shall require, as a condition of approval of the parking area improvement reduction, that evidence of long term agreement for joint use or multiple use be of record. This may either be in the form of recorded agreements or covenants.

SIGN REGULATIONS: GENERAL PROVISIONS, ARTICLE 1: SUBDIVISION SIGNS

ARTICLE 1: GENERAL PROVISIONS

335-04. Subdivision Signs

- (b) Directional Subdivision Signs. Temporary directional subdivision signs are permitted in any zone, except MP, BP, C-O and Special Sign Corridors, subject to the approval of a Temporary Sign Use Permit by the **Zoning Administrator (Planning Director)**
- (c) Subdivision Signs. Subdivision signs are permitted in any zone, subject to the approval of Temporary Sign Use Permit by the **Zoning Administrator (Planning Director)**
- (d) Regional Directional Subdivision Signs. Temporary multi-sectioned directional subdivision billboard-type signs are permitted in the Agricultural-Residential, Residential, M-1 and M-2 zones (except they are not permitted in the Special Sign Corridors), subject to the approval of a Temporary Use Permit by the **Zoning Administrator (Planning Director)**

335-09.5. Special Provision

- (h) Special advertising devices for grand openings of a business for a period not to exceed 30 days within the first 180 days of business, and for special sales events not exceeding one period of up to 30 days within a given year may be permitted subject to the approval of the **Zoning Administrator (Planning Director)** and be specifically listed in the temporary use permit.

335-11.1. Identification Signs

- (a) Identification signs for public and private schools, colleges, universities, and parks are authorized in any zone, provided:

(10) Signs exceeding size and height are permitted subject to issuance of a use permit by the ~~Zoning Administrator~~ **(Planning Director)** who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

- (c) Except as otherwise provided herein, signs identifying permitted uses in the Agricultural, Recreational, and Residential zones are permitted, provided:

(6) Signs exceeding size and height are permitted subject to issuance of a use permit by the ~~Zoning Administrator~~ **(Planning Director)** who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

- (e) Group directional identification off-site signs along primary highways and County roads, including Scenic Corridors, for the purpose of providing directions for recreational facilities within the Delta area when in the best interest of the general public to locate said recreational business is permitted subject to a use permit by the ~~Zoning Administrator~~ **(Planning Director)**. Sign copy shall be limited only to the names of the recreational business and directional information. The size and design must be appropriate for the area; and the ~~Zoning Administrator~~ **(Planning Director)** is to approve same including determination of height, setback, location, and illumination limited to spotlight.

- C. The proposed ordinance makes certain deletions in the following areas:

TITLE I: GENERAL PROVISIONS, Chapter 10: SPECIAL PERMITS

Article 2: VARIANCES - Section 110-24 (a). Appropriate Authority Empowered to Grant Variances – Page I-37

(DELETE)

- ~~(a) Zoning Administrator. The Zoning Administrator shall be the appropriate authority to hear and decide all applications for variances, except as otherwise specified in this Article.~~

Article 3: CONDITIONAL USE PERMITS - Section 110-32 (d)(1). Appropriate Authority Empowered to Grant Use Permits – Page I-41

(DELETE)

- ~~(d) Zoning Administrator. The Zoning Administrator shall be the appropriate authority to hear and decide all applications for use permits for the following uses where an application therefore has not been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Project Planning Commission, or with an application to amend a community plan as provided in Title 21 of the Sacramento County Code:~~

- ~~(1) Those uses indicated on the Use Tables incorporated in Title II, Chapter 1, Article 1; Chapter 25, Article 2; and Chapter 30, Article 2 of this Code as requiring a use permit by the Zoning Administrator.~~

Article 5: EXCEPTIONS - Section 110-53 (a). Appropriate Authority Empowered to Grant Exceptions – Page I-46

(DELETE)

- ~~(a) Zoning Administrator. Zoning Administrator shall be the appropriate authority to hear and decide applications for exceptions whenever said applications are filed contemporaneously with an application which would normally be heard by the Zoning Administrator pursuant to the provisions of this Code.~~

Chapter 20: NONCONFORMING LOTS, USES, STRUCTURES AND SIGNS

Article 6: NONCONFORMING SIGNS - Section 120-52. Continuation – Page I-111

Except as otherwise provided in this Article, any sign lawfully in use on the effective date of this Code may continue to be used for a period of five (5) years. Any sign which becomes nonconforming because of an amendment of this Code may continue to be used for a period of five (5) years from the effective date of such amendment.

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~~It is not the intent of this ordinance, that Committee be involved with any of the Zoning Administrators actions concerning health or safety issues as set forth in Section 305-221. Appropriate actions is those cases shall be based on the recommendations of medical doctors.~~

Section 4: No Mandatory Duty of Care.

These ordinance amendments are not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability

If any provision of these ordinance amendments or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted these ordinance amendments irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Effective Date and Publication

Within fifteen (15) days from and after adoption, this Ordinance shall be published in accordance with California Government Code Section 36933 (a) and shall take effect and be enforced thirty (30) days after its adoption.

PASSED AND ADOPTED this _____ day , December, 2005 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

KEN COOLEY, MAYOR
CITY OF RANCHO CORDOVA

ATTEST:

ATTEST TO FORM:

LILLIAN HARE, CITY CLERK

STEVEN MYERS, CITY ATTORNEY

MEMORANDUM

DATE: November 21, 2005
TO: City Council
FROM: William Campbell, Project Planner
SUBJECT: SUNRIDGE PARK PHASE II SUBDIVISION -
DEVELOPMENT AGREEMENT



The Sunridge Park Phase II, Project No. RC-04-096, Development Agreement item was scheduled to be heard on November 21, 2005. At the time of staff report distribution, the Development Agreement had not been completed. Staff requests that the item be continued to the December 19, 2005 meeting.

The Rancho Cordova Health & Wellness Project

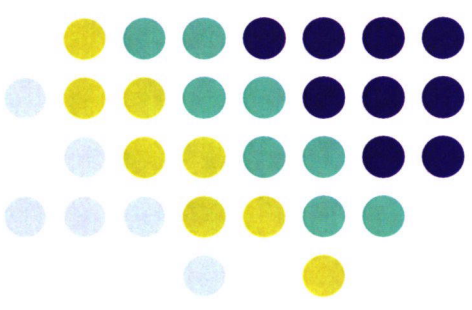
funded by The California Endowment



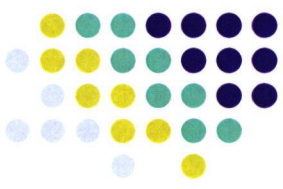
The Cordova Community Collaborative for Healthy Children & Families

a program of Folsom Cordova Schools Foundation

* Presenters: Isabel Aguirre, Linda Lee, and Shelly Blanchard



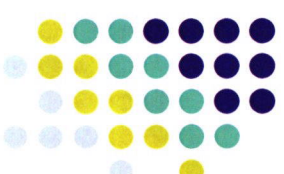
The Rancho Cordova Health & Wellness Project



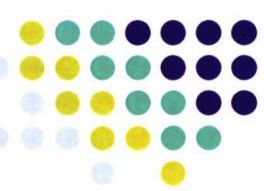
Purpose of the Project:

To engage the Rancho Cordova community in an examination of the access and barriers to health services for low-income and immigrant families in Rancho Cordova.

RCHWP: Task Force & Subcommittee members



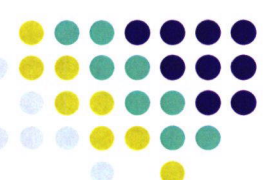
- Isabel Aguirre
- Narine Avagyan
- Shelly Blanchard
- Linda Burkholder, *Chair*
- Mary Ann Delleney
- Stephanie Hedeline
- Amy Hiramoto
- Sheila Holcomb
- Diane Keys
- Linda Lee, *staff*
- Judy Lewis
- Trish Lindvall
- Councilmember Bob McGarvey
- Shelly Pai
- Richard Pan, M.D.
- Thea Riley
- Alan Withers
- Donna Zick
- Angelique Zigabarra



The Rancho Cordova Health & Wellness Project

Project Activities include:

- Recruit a diverse Task Group, which includes low-income and immigrant residents
- Survey 250 low-income residents about their health care access
- Conduct 6 focus groups with community residents to discuss access, barriers, and solutions for local health services

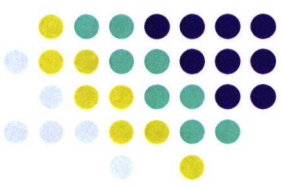


The Rancho Cordova Health & Wellness Project

Project Activities (continued)

- Once survey and focus group data has been collected, Task Force members will analyze the results and develop a report that documents the findings and includes recommendations for actions
- The report findings will be presented back to the Rancho Cordova City Council by May 2006
- The Task Force will also hold a report launch event to present findings to the community.

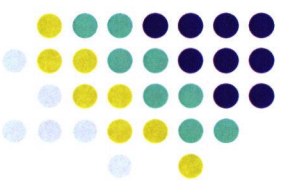
The Rancho Cordova Health & Wellness Project



Current Project Activities:

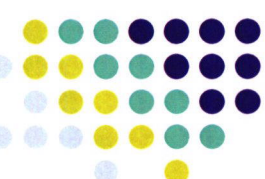
- Community survey is underway, and will reach 250 low-income or immigrant residents by the end of 2005.
- Community focus groups are being scheduled and will be completed by January 2006.

The Rancho Cordova Health & Wellness Project



How can people get involved?

- Serve on the Task Group or one of its committees
- Participate in the survey or focus groups
- Help families fill out the survey or help to facilitate the focus groups



The Rancho Cordova Health & Wellness Project

For more information, or to get involved, contact:

Linda Lee, Program Manager

Cordova Community Collaborative

a program of Folsom Cordova Schools Foundation

(916) 861-0611 x 153

llee@fcusd.k12.ca.us

State of the District

Don Mette, Fire Chief



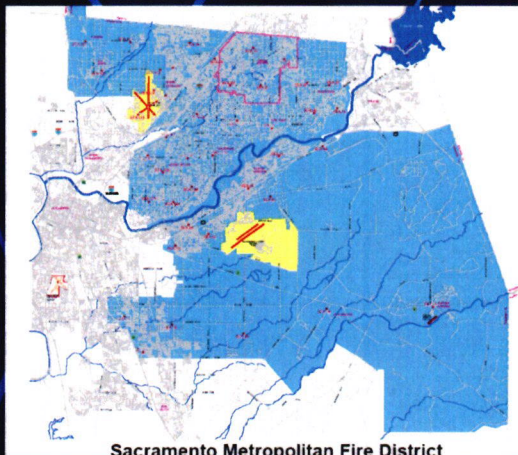
The Evolution of the Fire Service in Rancho Cordova

- Mills FD
1922-1959
- Mather Field FD
1918-1993
- Rancho Cordova FD
1959-1989
- Sacramento County FPD
1989-2000
- Sacramento Metropolitan FD
Formed 2000



Metro Fire

- Serves 600,000 Population
- 417 Square Mile Service Area
- 726 Authorized Staffing
- Currently Staff 41 Fire Stations & 2 Reserve Stations
- 38 Fire Engine Companies
- 6 Fire Truck Companies
- Firefighting & Search and Rescue Helicopter
- Ambulances
- 2 ARFF Companies at McClellan Park
- Urban Search And Rescue Team



SMFD is beginning the Commission on Fire Accreditation International: Accreditation Process

Emergency Response System Improvements

- Added Dedicated Rescue Company
- Added Ambulance Companies
- Added HazMat Company & Decon Unit
- Added Firefighters to Truck Companies
- Added Aviation Division
- Added Homeland Security: Intelligence, Training & Exercise Functions

Financial Perspective

- Operational Expenditures
 - 83.4% Wages & Benefits
 - 11.7% Services & Supplies
 - 1.9% Taxes, Licenses & Assessments
 - 3% Fixed Assets

Financial Perspective

- Recurring Revenues
 - 84.8% Taxes (Real Property Tax)
 - 4.3% Other Taxes
 - 8.4% Ambulance Transportation
 - 2.5% Miscellaneous Revenue

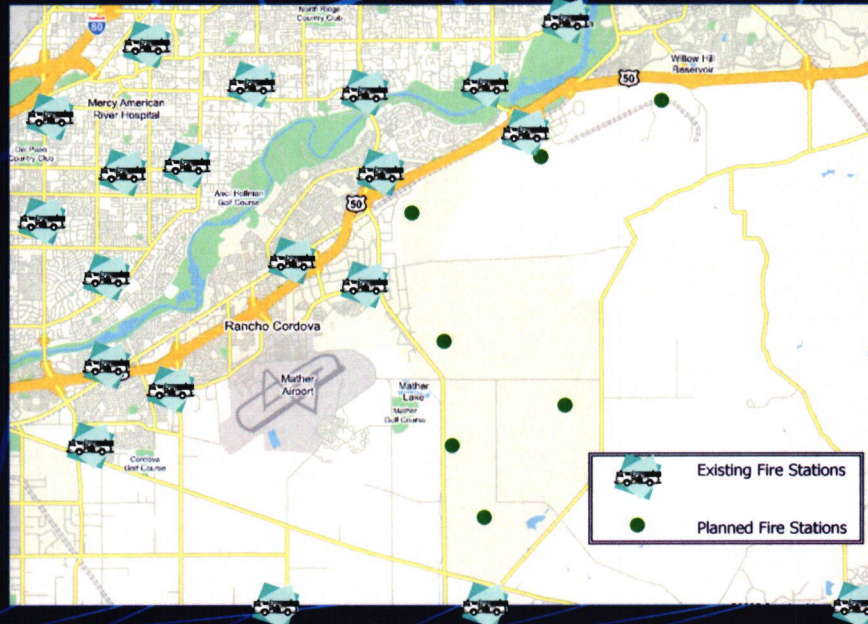
Financial Perspective

- Capital Improvement Program
 - Fire Facility Fee
 - New Construction Sq. Ft. Fee with Matching Sum from District Annual Revenues
 - Single-family residential \$0.56
 - Sprinklered Commercial \$0.75
 - Non-sprinklered Commercial \$0.95

Financial Perspective

- Risk Mitigation
 - Pension Obligation Bonds
 - Amortizes Retirement Benefits Liability Over 30 Years. SMFD Financial Repayment Policy Provides Repayment Within 20 Years.
 - Other Post Employment Benefits
 - aka – O.P.E.B.'s
 - Completed needs assessment and developing financing strategies to address the liability

Regional Fire, Rescue & EMS Resources



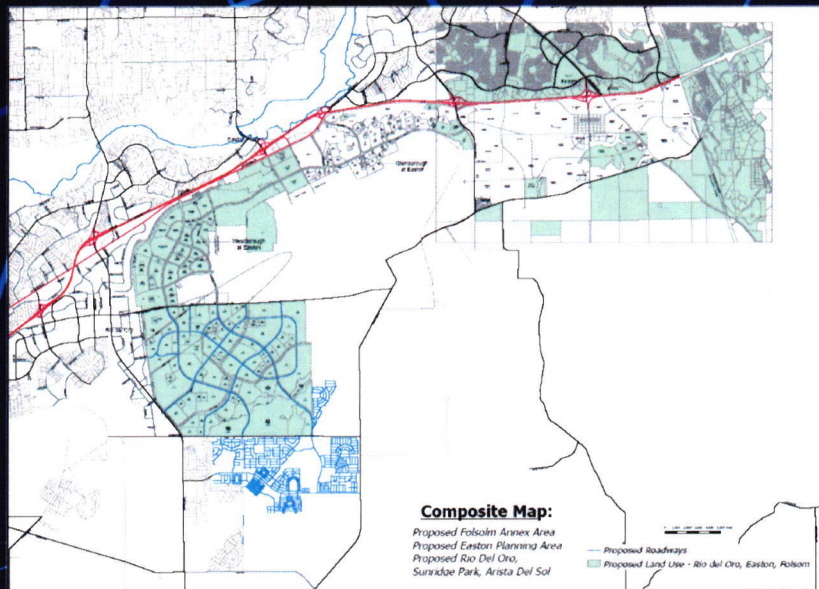
Specific Risks in the Rancho Cordova Region

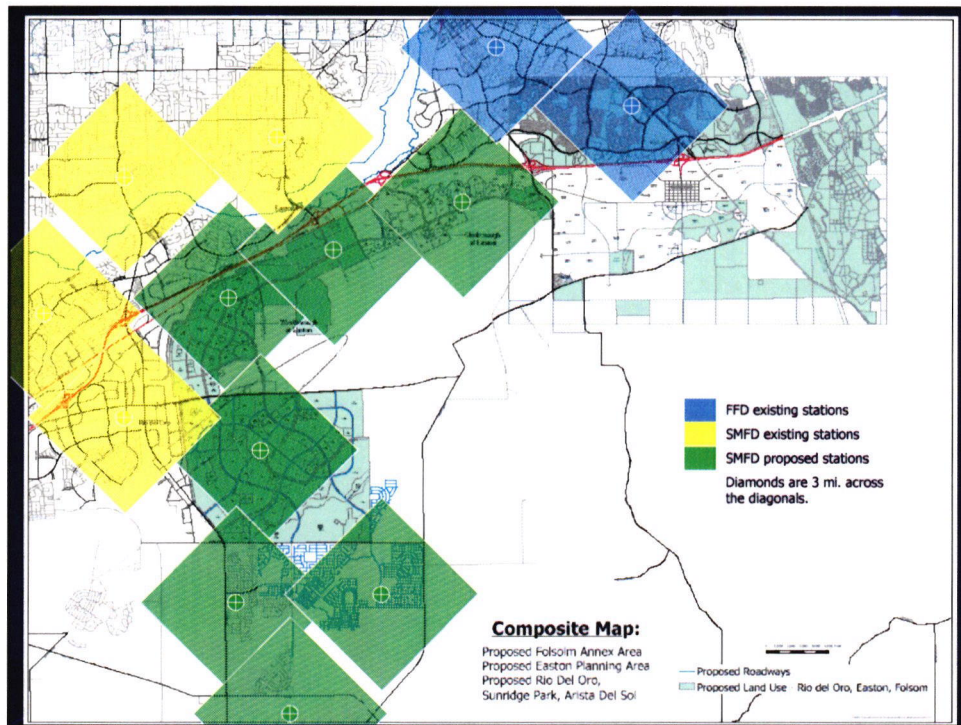
<u>Risks</u>	<u>Remedies</u>
American River Parkway	Water Rescue Teams Deployment of Grass Engines and Water tenders
Tank Farm	Annual Training Exercise at Site SUDS Unit
Hwy-50 Freeway Corridor	Variety of Resources Deployed Along Corridor
Expanding Residential and Commercial Development	Interim Fire, Rescue and EMS Service Until the Permanent Station is Built I Anatolia Strategic Plan for 7 Fire Stations to Service Area
Mather Airport	Remains Under County Department of Airports

Sunridge Development Looking North



Hwy-50 South Development



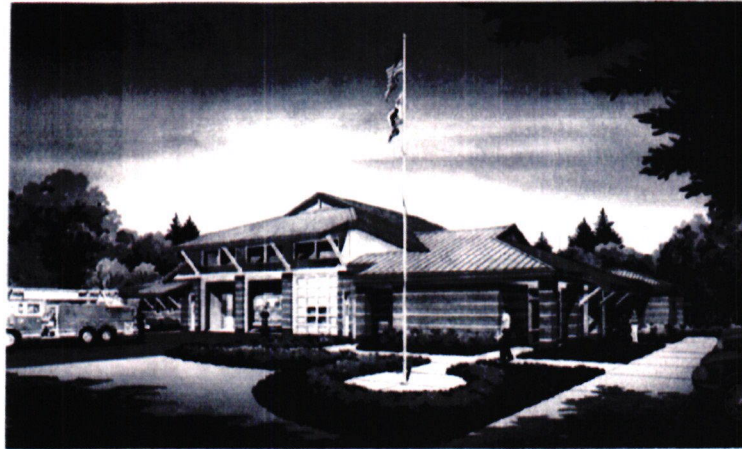


Fire Station Construction and Design

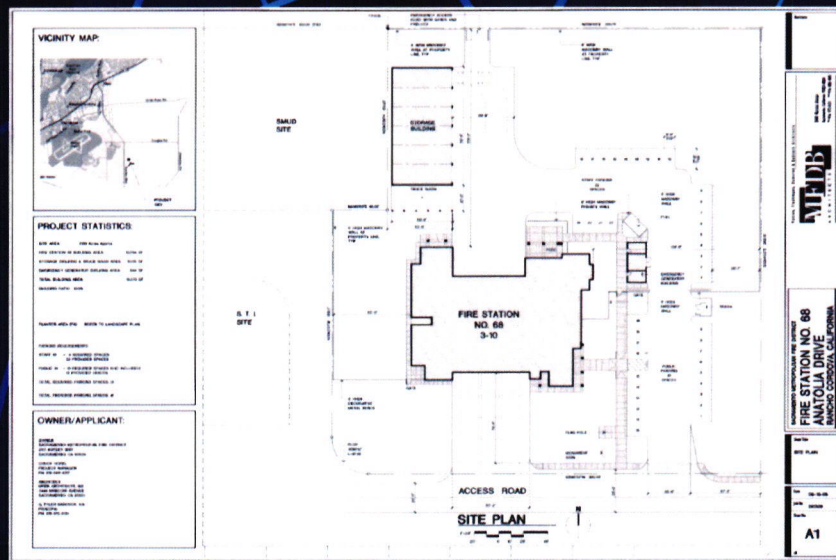


The Anatolia Fire Station

APN 067-0430-017 RANCHO CORDOVA, CA



The Anatolia Fire Station





Questions and Comments

Thank you!