CITY OF RANCHO CORDOVA
CALIFORNIA
Incorporated 2003

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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Tuesday, January 16, 2007

4:00 P.M. – Study Session
American River North Community Room

5:30 P.M. – Regular Meeting
David B. Roberts Council Chambers

AGENDA

STUDY SESSION

Call to Order

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

Public Comment

At a study session or special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any unagendized item.

Study Session Item

1. **Subject:** Sunrise/Chrysanthy Shopping Center RC-06-254, Housing Development Discussion and Preservation of Multi-Family Suitable Sites
   Recommendation: Review materials and alternatives related to the rezoning of existing RD-20 residential land to commercial within this portion of the SunRidge Specific Plan and provide land use policy direction. Staff has prepared four alternative land use scenarios and will address major policy issues within this presentation.
   Result of Recommended Action: Direction provided by the Council will allow staff to move forward with project processing. No formal project action is required on this item.
   Staff Report: Reed Flory, Housing Services Administrator & Anne Hersch, Planning Department
   Advances Goals: 1, 6, 7 and 8

Note: *Time listed on the agenda is approximate and for convenience only

ADJOURNMENT OF STUDY SESSION

REGULAR MEETING – CALL TO ORDER

Call to Order

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

Metro Cable TV Telecast Announcement

Pledge of Allegiance

Invocation

2. Pastor Jessie Smith, First Covenant Church of Sacramento, will give the invocation.

Presentation(s)

3. Introduction of new City Employees
4. Cordova Community Council 2006 Christmas Light Winner Recognitions

ORAL COMMUNICATIONS

5. **Public Comment**

   Citizens wishing to address the Council for any matter on the Consent Calendar or not on the agenda may do so at this time by completing and submitting a (blue) Speaker Card to the City Clerk. **For items on the agenda, speakers will be called up to the podium by the Mayor at the point on the agenda when the item will be heard.** Speakers are encouraged to keep comments to three minutes or less and to state name and community of residence.

   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.

CONSENT CALENDAR ITEMS – ROLL CALL VOTE

6. **Subject:** Minutes of City Council Meetings:
   a. Special and Regular Meeting of November 6, 2006
   b. Special Meeting of November 28, 2006

   Recommendation: Adopt Minutes.

7. **Subject:** Ordinance Amending Chapter 16.18 "Nuisance Code" Section 16.18.205 (f) of the Rancho Cordova Municipal Code relating to Administrative Citations.
   Recommendation: Waive second reading and adopt Ordinance No. 60-2006. **(Roll Call Vote)**
   Result of Recommended Action: Adoption of this Ordinance will provide step-by-step guidelines for designated staff to issue administrative citations for violations of the City

Code. The Ordinance will also establish fines associated with the citations and hearing procedures for all citation challenges.
Staff Report: Curt Haven, Economic Development Department & Kerry Simpson, Neighborhood Services Division
Advances Goals: 1, 5, 6, 8, 10, and 13
Fosters Strong Neighborhood Interest

8. **Subject:** Ordinance Adopting Title 8, "Animals", Regarding the Regulations and Functions of Animal Services and Establishment of Fees Associated with Licensing and Field Services.
Recommendation: Waive second reading and adopt Ordinance No. 61-2006. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this Ordinance will establish regulations and functions pertaining to Animal Services and establish fees associated with licensing, impoundment of non-spayed or un-neutered dogs or cats, and field services.
Staff Report: Curt Haven, Economic Development Department & Michael Rodriquez, Animal Services Division
Advances Goals: 1, 4, 6, 8, 10, and 13
Fosters Strong Neighborhood Interest

9. **Subject:** Ordinance Amending Chapter 5.50, "Cable Television Ordinance" of the Rancho Cordova Municipal Code **(Continued from December 18)**.
Recommendation: Continue consideration of Ordinance No. 59-2006 to a date uncertain.
Result of Recommended Action: Continuation of this item will allow staff to prepare a response to questions raised by the City Council at its December 18, 2006 meeting. Staff will bring the ordinance back for consideration once it has concluded research into the questions raised by the Council.
Staff Report: Joe Chapman, City Attorney's Office
Advances Goals: 3 and 10

10. **Subject:** Resolution Authorizing the City Manager to Execute a Construction Services Agreement Between the City of Rancho Cordova and Coast Landscape Management, in the amount of $106,955 per year.
Recommendation: Adopt Resolution No. 01-2007.
Result of Recommended Action: The City Manager will enter into a three-term agreement with Coast Landscape Management for maintenance of existing public street landscaping. City of Rancho Cordova Citywide Landscape and Lighting District 2005-1 funds will be used to support the project.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 1, 8 and 11
Fosters Strong Neighborhood Interest

11. **Subject:** Approval of Measure A Transportation Expenditure Plans.
Recommendation: That Council:
    a) Approve the FY 2006/2007 Supplemental Allocation to the FY 2006/2007 Expenditure Plan allocating Measure A revenues to City programs and maintenance, and direct staff to submit the plan to the STA; and
    b) Approve the FY 2006/2007 Expenditure Plan Reallocation Request and direct staff to submit the plan to the STA; and
    c) Approve the FY 2007/2008 Expenditure Plan allocating Measure A revenues to City transportation projects, programs and maintenance, and direct staff to submit the plan to the Sacramento Transportation Authority (STA).

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Result of Recommended Action: Approval of the Measure A Transportation Expenditure Plans will allocate funding to City projects and programs and allow the City to expend Measure A Sales Tax revenues. Upon approval, the recommended Expenditure Plans will be submitted to STA for review and final approval by the STA Board.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goal: 2
Fosters Strong Neighborhood Interest

12. **Subject:** Approval of New Measure A Capital Allocations and Expenditures.
Recommendation: The Council:
a) Approve the 2006 series of revenue anticipation note allocations in the amount of $848,720 to the Folsom Boulevard Beautification: Bradshaw to Sunrise Project from the Sacramento Transportation Authority (STA) 2006 Bonds; and
b) Approve the 2006 series of revenue anticipation note allocations in the amount of $318,270 to the Sunrise Boulevard: Gold Country to Jackson Road Project from the STA 2006 Bonds.
Result of Recommended Action: Approval of New Measure A Capital allocations will allocate funding to City projects and allow the City to expend anticipated Measure A sales tax revenues from New Measure A. The advancement of these funds will allow the City to deliver projects that are needed sooner than the availability of New Measure A funds.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goal: 2
Fosters Strong Neighborhood Interest

13. **Subject:** Resolution Approving Subdivision No. RC-05-148 Final Map of Ellenwood Commons and Execute Subdivision Improvement Agreement Consisting of One (1) Proposed Lot, Located on the South Side of Ellenwood Avenue Approximately 120 Feet West of Misty Morning Circle.
Recommendation: Adopt Resolution No. 06-2007.
Result of Recommended Action: Approval of this recommended action will result in the City entering into a Subdivision Improvement Agreement guaranteeing the construction of driveways and utilities with Parkcrest Development Corporation and the recording of the final subdivision map creating one (1) new lot for the development of 28 single family unit condominiums.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 4 and 7

14. **Subject:** Resolution Approving Subdivision No. RC-04-123.3 Final Map of Capital Village Phase III and Execute Subdivision Improvement Agreement Consisting of 240 Proposed Lots, Located on the Southeast Corner of Zinfandel Drive and International Drive.
Recommendation: Adopt Resolution No. 07-2007.
Result of Recommended Action: Approval of this recommended action will result in the City entering into a Subdivision Improvement Agreement guaranteeing the construction of public roads and utilities with Beazer Homes Holdings, a Delaware Corporation and the recording of the final subdivision map creating 240 new residentially zoned lots.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 4 and 7

15. **Subject:** Approval of Parcel Map Titled Subdivision No. RC-06-257 "Being a Subdivision of Parcel "B" as Described in that Certain Lot Line Adjustment Recorded in Book 20060912 at Page 1047 in the Office of the Sacramento County Recorder" Also Known as ANKAA Parcel

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B Tentative Parcel Map located along the southeast corner of Armstrong Avenue and Whitehead Street in Mather Special Planning Area.
Recommendation: Approve.
Result of Recommended Action: Approval will result in the recording of the final parcel map creating two (2) industrial/business/commercial zoned parcels.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 4 and 7

16. **Subject:** Resolution Authorizing a Consultant Service Agreement with EDAW, Inc. for the Preparation of the Suncreek Specific Plan EIR/EIS, in the amount of $1,071,300.00.
Recommendation: Adopt Resolution No. 02-2007.
Result of Recommended Action: Adoption of the resolution will authorize the City Manager to execute a contract with EDAW, Inc. for the preparation of an Environmental Impact Report for the Suncreek Specific Plan.
Staff Report: Paul Junker, Planning Department
Advances Goals: 2, 7 and 8

17. **Subject:** Local Labor Relations Rules for City of Rancho Cordova
Recommendation: Adopt Resolution No. 195-2006.
Result of Recommended Action: This Employer-Employee Relations Resolution ("EERR") is intended to implement the local rules of the City of Rancho Cordova, as permitted by the Meyers Milias Brown Act.
Staff Report: Adam Lindgren, City Attorney's Office & Lisa Brown, Human Resources Department
Advances Goals: 3 and 11

18. **Subject:** Resolutions Authorizing the Refinancing of City Hall.
Recommendation: That Council:
    a) Adopt City Council Resolution No. 09-2007 Authorizing the Execution and Delivery of Not to Exceed $22,750,000 Refunding Certificates of Participation, Authorizing and Directing Execution of Related Lease Financing Documents, Trust Agreement and Certificate Purchase Agreement, Approving Official Statement and Authorizing Official Actions; and
    b) Adopt Rancho Cordova Financing Corporation Resolution No. 10-2007 Authorizing the Execution and Delivery of Not to Exceed $22,750,000 Refunding Certificates of Participation, Authorizing and Directing Execution of Related Lease Financing Documents, Approving Official Statement and Authorizing Official Actions.

    Result of Recommended Action: Adoption of the resolutions will provide authorization to refund a portion of the existing nontaxable City Hall financing with a taxable bond issue which will allow the City to rent 2701 Prospect Park Drive and portions of 2729 Prospect park Drive to non-public tenants.
    Staff Report: Sandy Salerno, Finance Department
    Advances Goal: 11

19. **Subject:** Capital Village Commercial (Zinfandel Drive, Between Data Drive & International Drive) – Project No. RC-05-193 – Chili's Restaurant Request for Amendment to COA's to Allow a Larger Sign. **(Continued from December 18, 2006 - Public Hearing Closed)**
Recommendation: Adopt Resolution No. 03-2007.
Result of Recommended Action: Approval will amend the conditions of approval to allow the sign package being prepared for the Capital Village Commercial Project to include provisions for a four-foot, three-inch (4'3") fiberglass pepper on the Chili's front building

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façade. The limitation established by project approval limits the sign of this type to a maximum of three feet in height.
Staff Report: Jeffrey Beiswenger, Planning Department
Advances Goals: 1, 5 and 9

20. **Subject:** Endorsement Letter to the American Quarter Midget Association in Support of Its Proposal to Host the 2008 Western Grand Nationals in Rancho Cordova in July 2008
Recommendation: Approve
Result of Recommended Action: City Council provides its written endorsement for Association's proposal to host event in Rancho Cordova.
Staff Report: None
Advances Goals: 1, 13

CONSENT PUBLIC HEARING ITEMS

21. **Subject:** Ordinance Approving the Development Agreement Amendment for Village 23 of Anatolia III, Centex Homes.
Recommendation: Waive first reading and introduce Ordinance No. 02-2007. **(Roll Call Vote)**
Result of Recommended Action: This ordinance will amend the previously approved Development Agreement for Village 23 of Anatolia III, adopted by Ordinance No. 15-2006 in April, 2006. The amendment is necessary to correct the conditions of the Development Agreement regarding model home construction, clarifying the project description and vesting rights.
Staff Report: William Campbell, Planning Department
Advances Goals: 2 and 7

22. **Subject:** Resolution Authorizing the Utilization of State of California's Citizens Option for Public Safety Program Funds (COPS).
Recommendation: Adopt Resolution No. 05-2007.
Result of Recommended Action: This action will authorize the utilization of funds available from the State Supplemental Law Enforcement Fund (SLESF) under that fund's "State Citizen's Option for Public Safety Program" (COPS) program in the amount of $100,000 and reauthorize $83,834 of COPS funds available from FY 2005-2006 complying with Government Code 30061 providing for an adopted plan for the expenditure of SLESF funds.
Staff Report: Sandy Salerno, Finance Department
Advances Goals: 4, 6 and 11
Fosters Strong Neighborhood Interest

PUBLIC HEARING ITEMS

None

*7:30 P.M. - BREAK

REGULAR CALENDAR ITEMS

23. **Subject:** Smart Growth Leadership Institute Presentation. William Fulton and Benjamin dela Peña of the Smart Growth Leadership Institute Will Present the Results of a Smart

Growth Policy and Code Audit Completed on the Rancho Cordova General Plan, Rio del Oro Specific Plan and Folsom Boulevard Specific Plan.
Recommendation: Consider the results of the smart growth audit and provide direction to City staff regarding the implementation of smart growth concepts in existing and subsequent planning efforts.
Result of Recommended Action: Based on Council direction, staff will continue to implement smart growth principles in existing and future specific plan documents, the Rancho Cordova Zoning Code, and other City documents.
Staff Report: Jeffrey Beiswenger, Planning Department
Advances Goals: 1, 5, 7, 8, 9 and 13
Fosters Strong Neighborhood Interest

24. **Subject:** Anatolia Marketplace, Southeast Corner of Sunrise Boulevard and Douglas Road, Design Review, Conditional Use Permit and Options for Sunrise Pedestrian Crossings. **(Continued from December 18, 2006 - Public Hearing Closed).**
Recommendation: Adopt Resolution No. 199-2006.
Result of Recommended Action: Approval would provide design review and conditional use permit entitlements needed to construct a 125,529 square foot shopping center on approximately 14.7 acres with a grocery store, gas station with a carwash, fast-food restaurant with a drive-thru, and 5 multi-tenant retail buildings. The applicant is requesting conditional use permits to allow the construction of a gas station and to allow additional building height. Council action will resolve issues associated with the proposed grade-separated pedestrian crossing at Sunrise Boulevard and Douglas Road.
Staff Report: Jeffrey Beiswenger, Planning Department
Advances Goals: 1, 2, 6, 8 and 13

25. **Subject:** Urgency Ordinance Establishing a Temporary Moratorium on the Establishment of New Recycling Businesses, Check Cashing Businesses, Pawn Shops, Resale Shops, Smoke Shops, and Tattoo Parlors Pending the Review and Possible Amendment of Zoning Regulations Applicable to such Businesses.
Recommendation: Adopt Urgency Ordinance No. 01-2007 **(Roll Call Vote)**
Result of Recommended Action: This ordinance will establish a temporary moratorium on the establishment or expansion of recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, and tattoo parlors. This moratorium is needed in order to conduct a study on how to best address the current imminent threats to public safety, health, and welfare resulting from these types of businesses.
Staff Report: Joe Chapman, City Attorney's Office
Advances Goals: 1, 5, 6, 8, 10 and 13
Fosters Strong Neighborhood Interest

CITY MANAGER'S REPORT

Economic Development Department Update: Code Enforcement/Neighborhood Services

CORRESPONDENCE

COUNCIL REPORTS

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURN TO CLOSED SESSION

Closed Session Item

26. Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b): (1 potential case)

OPEN SESSION – REPORT FROM CLOSED SESSION

Closed Session Report

27. The City Attorney will report on action taken in Closed Session

ADJOURNMENT

ADDITIONAL INFORMATION

The agenda items are accessible on the City's website at www.cityofranchocordova.org on Thursdays prior to the Regular City Council Meeting.

CITYWIDE GOALS - (Adopted March 20, 2006)	
1.	Foster a Positive Image of Rancho Cordova
13.	Continue To Provide Regional Leadership
2.	Improve Transportation & Connectivity
12.	Establish Logical (City) Boundaries
3.	Champion Employee Development & High Performance Work Environment
11.	Practice Sound Fiscal Management
4.	Ensure the Availability of the Best Public Services in the Region
10.	Foster Responsible Citizenship
5.	Establish a Vibrant Downtown
9.	Drive Diverse Economic Opportunities
6.	Ensure a Safe Community
8.	Sustain a Livable Community
7.	Improve the Quality of Housing In Rancho Cordova

UPCOMING MEETINGS	
Monday, January 22, 2007 and Tuesday, January 23, 2007	***8:00 a.m. to 5:00 p.m. Special Meeting for Annual Council / Management Staff Learning Retreat***
Monday, January 29, 2007	***5:30 p.m. Special Jt. Meeting w/Cordova Recreation and Parks District***
Tuesday, January 30, 2007	***5:30 p.m. Tentative American River Parkway Joint Meeting with City of Rancho Cordova, City of Sacramento, and Sacramento County***

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UPCOMING MEETINGS	
Monday, February 5, 2007	***4:00 p.m. Study Session on Traffic Threshold Policy Discussion 5:30 p.m. Regular Meeting***
Monday, February 13, 2007	***9:00 a.m. to 1:30 p.m. Special Meeting on First Annual Corporate Review***
Monday, February 20, 2007	***5:30 p.m. Regular Meeting***
Monday, February 27, 2007	***5:30 p.m. Work Session on Legislative Program***

If you have any technical questions related to the agenda items, please contact the appropriate department as follows:

DEPARTMENTAL GENERAL TELEPHONE NUMBERS	
Building Department	(916) 851-8760
Finance Department	(916) 851-8730
Planning Department	(916) 851-8750
Public Works Department	(916) 851-8710
Redevelopment & Economic Development Department	(916) 851-8780

The Rancho Cordova City Council/CRA/RCFC will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, SureWest and Strategic Technologies Cable Systems. Tune to Metro Cable Channel 14, for playback times. A VHS copy is also available for check out from any library branch. 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) 851-8720 or amoger@cityofranchocordova.org at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Anna Olea-Moger, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the January 16, 2007 Special and Regular Meeting of the Rancho Cordova City Council/CRA/RCFC was posted and available for review on January 11, 2007 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city web site at www.cityofranchocordova.org.

Signed this 11th day of January 2007 at Rancho Cordova, California.

Anna Olea-Moger

Anna Olea-Moger, CMC, City Clerk

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MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Reed Flory, Housing Services Administrator
Anne Hersch, Assistant Planner

SUBJECT: **SUNRISE/CHRYSANTHY SHOPPING CENTER RC-06-254, HOUSING DEVELOPMENT DISCUSSION AND PRESERVATION OF MULTI-FAMILY SUITABLE SITES**

RECOMMENDATION

Review materials and alternatives presented by staff and provide policy direction towards the development of this portion of the SunRidge Specific Plan (SRSP). No formal project action is required on this item.

RESULT OF RECOMMENDED ACTION

The City Council policy direction will allow the developer and staff to proceed with the land plan for this portion of the Specific Plan.

BACKGROUND

On August 31, 2006, the City of Rancho Cordova received an application on behalf of AKT Development for a proposed shopping center at the southeast corner of Sunrise Boulevard and Chrysanthy Boulevard in Anatolia II. The project site includes 11.13 acres designated as commercial in the Specific Plan and approximately 5.67 acres of vacant land zoned as RD-20.

Adjacent and south of the project site is a 2.98 acre site that Metro Fire acquired for a new fire station (currently zoned RD-20 - see Figure 1). While Metro Fire is currently constructing a temporary station on this site, the District has determined that the permanent fire station will be located on an alternative site elsewhere in the SRSP, leaving the long term use of this land undetermined.

Based upon numerous factors, including the Fire District's plans to abandon the current station site, the adoption of the General Plan and the addition of the Housing Services Administrator, staff is seeking general direction from the Council to guide land uses in this portion of the SRSP. Specifically, staff will request direction on whether some or all of the existing 8.65 acres of RD-20 land should be retained for housing purposes.

At this time, staff considers the RD-20 land adjacent to the proposed shopping center to be a viable and important opportunity for multi-family housing, although 8.65 acres exceeds the typical size for high density housing as desired by the City. Based on best practices, a high

density housing site of 4.5 net acres is desirable from an urban planning perspective and from a development feasibility perspective.

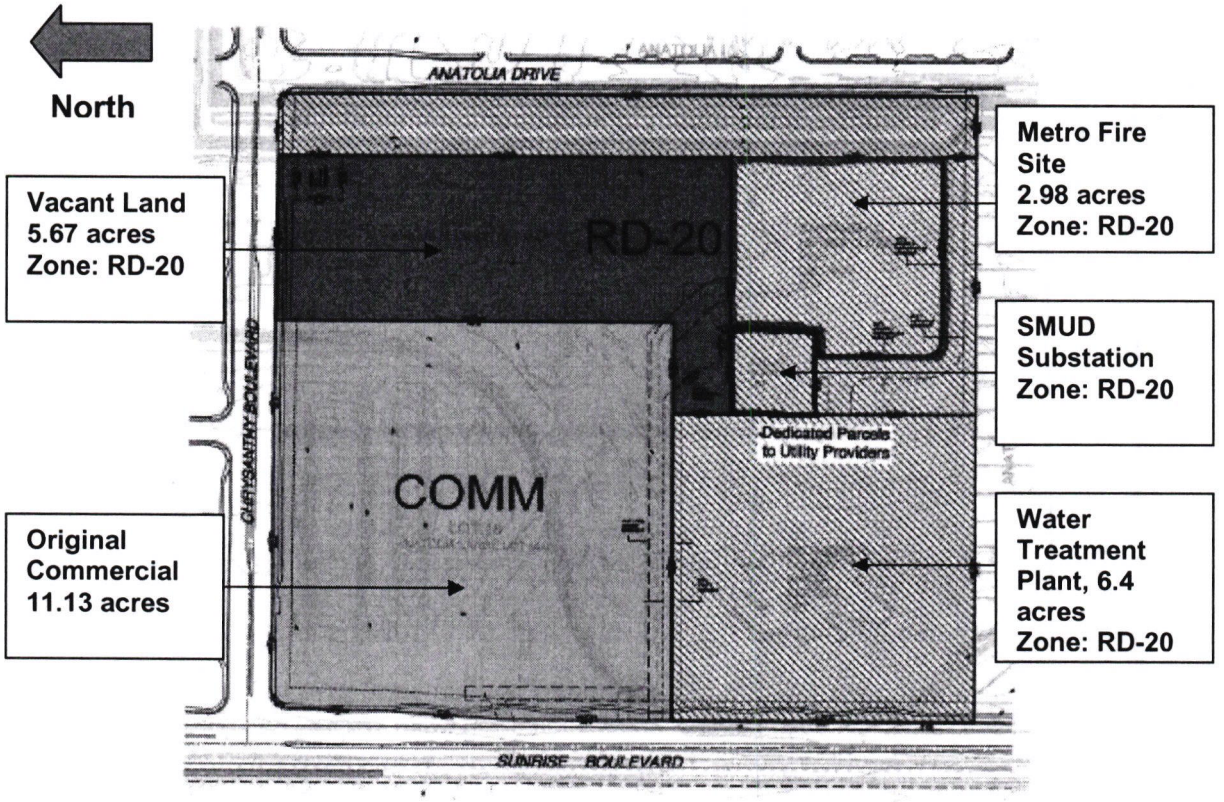


Figure 1. Current Zoning Designations

ORIGINAL SUNRIDGE SPECIFIC PLAN APPROVALS

The SRSP was approved by Sacramento County prior to incorporation of the City. The SRSP originally designated forty-five (45) acres out 1,772 acres for RD-20 development. This would have allowed for approximately 737 dwelling units and accounted for 7.45% of total dwelling unit counts in SRSP. Table 2 shows the originally proposed land use and unit counts for the SRSP and the reducing affect of the proposed rezone on the only remaining RD-20 site.

Table 2. Land Use & Units Counts Before and After Rezone

	RD-20 Zoning	% of Overall Land Development	Unit Count	% of Overall Unit Count for SRSP
Original SRSP	45 acres	2.50%	737 units	7.45%
Total for SRSP	1772 Acres		9,337 units*	
Current Site	8.65 acres	0.49%	142 units	1.7%
After Proposed Project Rezone	2.98 acres	0.17%	?	?

* The total projected unit count has been reduced, due to wetland preserves that had not been factored into the original plan.

Within the original project approval, the County required the 45 acres of RD-20 zoned land to meet a portion of the County's housing obligation and to provide varied housing opportunities within the SRSP. Unfortunately, locations for numerous public facilities required to serve the SRSP were not identified and as a result, RD-20 lands have been converted to various public uses, including water treatment, electrical service and drainage facilities. In each case, the location of the facility was negotiated by the developer and the City was not able to exercise substantial control to preserve the RD-20 land or to secure alternative RD-20 sites.

The site under discussion represented 15 of those original 45 acres. The water treatment facilities, originally planned to be outside the City limits, further reduced the subject 15 acre site to its current size of approximately 8.6 acres. The 8.6 acre site represents the last parcel of RD-20 zoned land available for development in the SRSP. Additionally, due to its proximity to future shopping, parks, schools and public transportation, the RD-20 site in question is well suited for multifamily development. The Housing Services Administrator has contacted apartment developers and believes that a smaller size 4.5 acre net buildable site is feasible and would be compatible within the surrounding development.

Housing Element

The Government Code requires that a city's Housing Element identify its housing needs. The element shall also "identify adequate sites for housing, including rental housing, factory-built housing and mobile homes, and shall make adequate provision for the existing and projected needs of all economic segments of the community." For a city the size of Rancho Cordova (pop.: approx. 60,000), "adequate provisions" for lower income households is defined to involve vacant sites "... allowing at least 20 units to the acre."

The city has adopted the following Housing Policies and actions that support a range of housing sizes and types throughout the City:

- **Policy H.1.2 -** Maintain adequate sites that support a range of housing types appropriate for the City's housing needs, taking into account employment projections, household growth, and the City's share of regional housing needs.

- **Action H.1.2.1 –** Residential development projects of 100 gross acres or more shall include a minimum of five percent of the total developable residential project acreage for residential uses of 20 units per acre or higher and five percent for residential uses of ten units per acre or higher.

- **Action H.1.2.2 -** Annually review the amount of land zoned for various residential uses in conjunction with the amount and type of housing produced in the previous year to determine if changes in zoning may be needed to meet City housing needs. Such zoning changes will be adopted annually, if needed.

- **Policy H.1.5** – Promote higher density housing in close proximity to transit, employment, and appropriate services, such as transit-oriented development.

The challenge of providing housing opportunities to the lower income workforce in the City of Rancho Cordova is considerable and growing. At this point, the City has made adequate

provisions for existing and projected housing needs through the identification of properly zoned and vacant sites. The development of these vacant sites has been rapid and has not resulted in multifamily rental opportunities. Any further erosion in available RD-20 zoned acreage in the newly developing area may constrain the City's ability to adequately respond to the housing needs of our community and complicate performance reporting. Additionally, this RD-20 site was not originally included in the summary of vacant and appropriately zoned sites found in the Housing Element. Its preservation will mitigate some of the impact of the loss of other proposed sites.

SACOG Regional Housing Needs Allocation (RHNA)

The City of Rancho Cordova's 2000-2007 Regional Housing Needs Allocation (RHNA) requires the city to allocate enough vacant land to accommodate 966 households of very low and low income. Incomes for these households (family of four) currently ranges from $19,600 to $52,299. Renting is most frequently the only option available to this income segment. In order to demonstrate the City's ability to accommodate this housing need, the City's Housing Element described existing vacant residential and commercial sites throughout the city that would accommodate multifamily units. Of those sites described in the Housing Element as vacant and appropriate for multi-family sites, approximately 66% of the acreage representing 53% of the projected units has now been developed. No multi-family products have been developed on these vacant sites.

SACOG is currently developing methodology for the next RHNA cycle (2006 – 2013). It is expected the City of Rancho Cordova's allocation will more than double, calling even more attention to any vacant RD-20 zoned sites.

ANALYSIS

Staff has identified four alternatives for the Council to review. The four alternatives are the result of concerns cited by Planning staff and the Housing Services Administrator and provide multiple opportunities for residential and commercial development in the City. Alternatives 1 & 2 preserve some portion of RD-20 zoning and promote MDR development. In addition, these alternatives have the potential for integrated mixed-use development. Alternatives 3 & 4 preserve commercial development and also promote expanded opportunities. Direction provided by the Council will allow staff to move forward with project processing.

Alternative 1: Preservation of all RD-20 Zoned Land

Alternative 1 preserves the 8.65 acres of RD-20 designated land. This creates a much larger site for MDR development and creates a potential for mixed-use development. This alternative reduces the size of the proposed commercial project, allows the city to meet affordable housing needs, provides MDR housing in SRSP, and preserves the status quo.

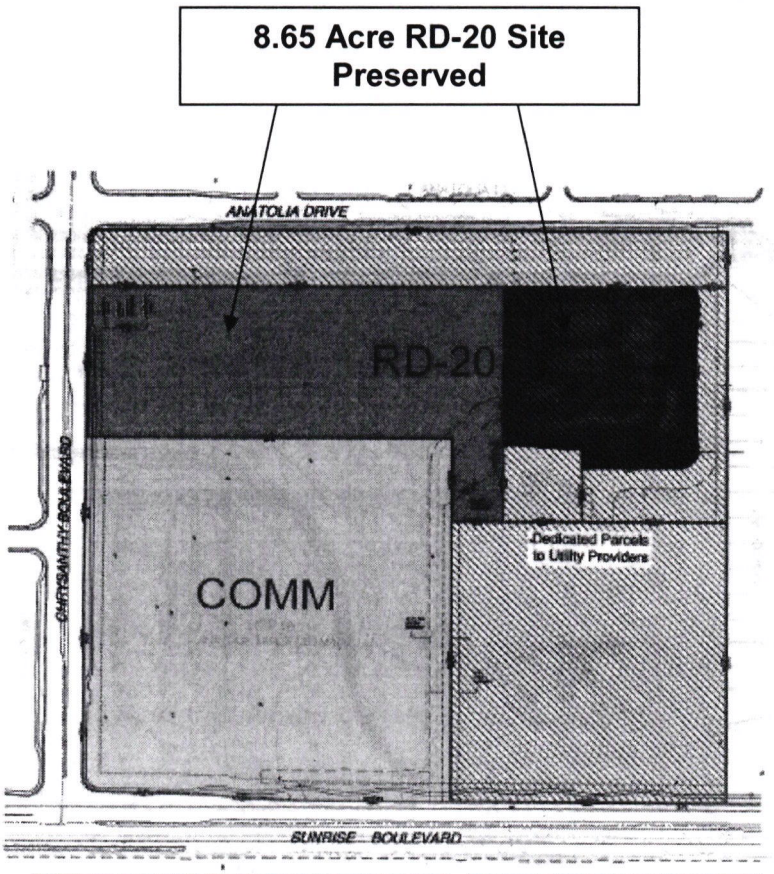


Figure 2. Preservation of all RD-20 land

Alternative 2: Provide a 4.5 acre site for MDR Development

This alternative rezones 4.15 acres of RD-20 to Commercial and maintains a 4.5 acre residential site. While this reduces the existing RD-20, it provides a viable, MDR site in SRSP and expands the available commercial land. Similar to Alternative 1, there is opportunity for a mixed-use development. The Housing Services Administrator identified 4.5 acres as a desirable site size that fits well within the surrounding area. In addition, Alternative 2 is consistent with the City's Housing Element. Figure 3 shows the proposed 4.5 acre site.

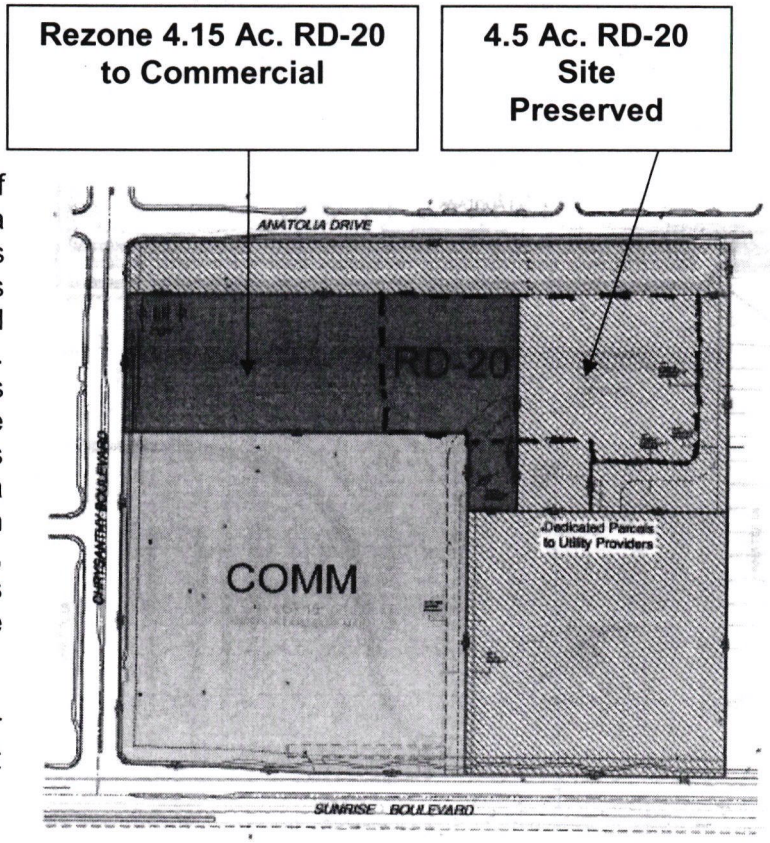
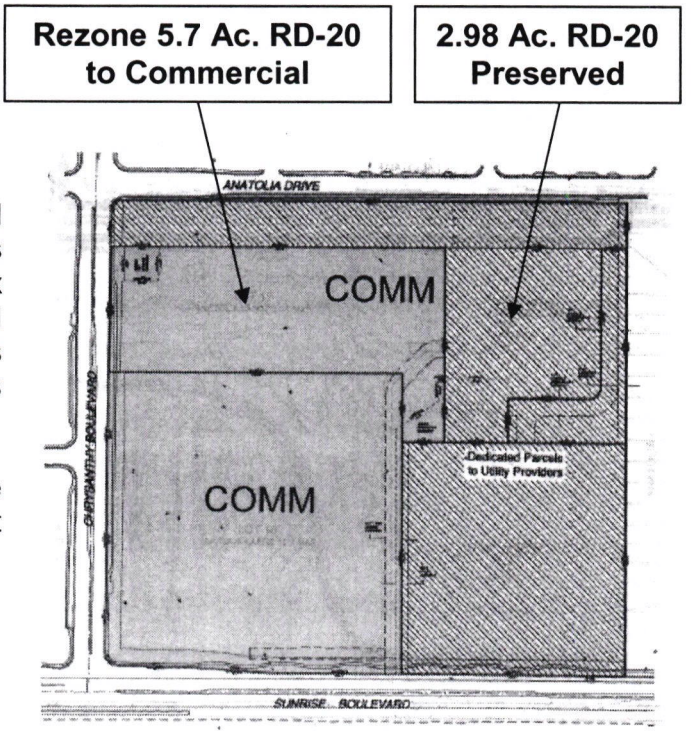


Figure 3. 4.5 Acre Site for MDR Development

Alternative 3: Approve Commercial Zoning as Proposed

Approving the commercial as proposed would allow the project to move forward as proposed with minimal changes. A big-box home improvement store and individual pad sites would be developed on site as proposed by the applicant. Figure 4 shows the commercial site as proposed.

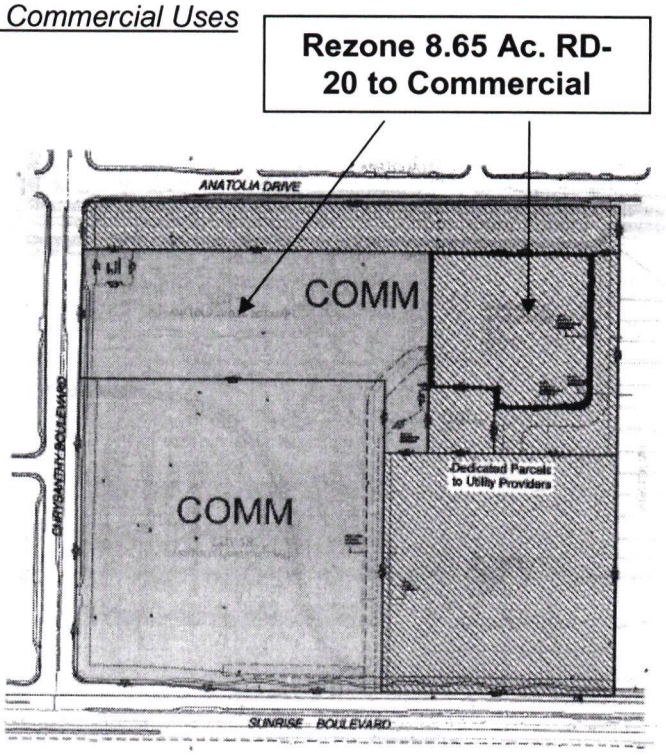
Figure 4. Rezone to Commercial Site as Proposed by Applicant



Alternative 4: Rezone Entire RD-20 Land for Commercial Uses

If the 5.67 acre site is rezoned for commercial development, the remaining 2.9 acre RD-20 site would not support a future MDR due to size. As such, the former Fire Station site would be better utilized as a site for private day care or medical/professional offices and should be rezoned to commercial, thus eliminating the RD-20 zoning designation. Figure 5 shows the alternative with the entire site rezoned.

Figure 5. Rezone all RD-20 for Commercial Uses



CONCLUSION

Staff has identified key issues for which Council direction is requested. There are four policy alternatives for the City Council to consider:

1. Preserve the existing 9.85 acres for multi-family development resulting in no change to the Specific Plan.
2. Preserve a 4.5 acre site per the Housing Director's request and convert approximately 4.4 acres to Commercial.
3. Convert the 5.98 acres of RD-20 to Commercial as requested by the developer, leaving approximately 2.9 acres of RD-20.
4. Convert 5.98 acre site and 2.9 acre site to Commercial zoning designation, removing RD-20.

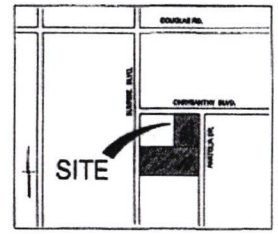
ATTACHMENT(S)

1. Rezone Exhibit as provided by applicant

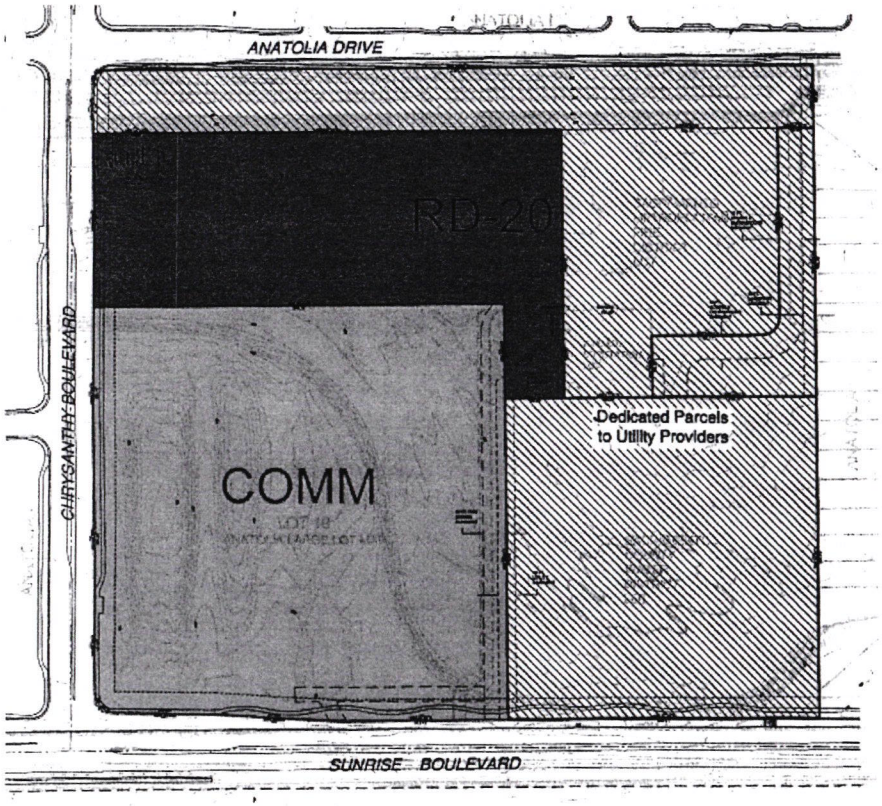
GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, AND REZONE EXHIBIT

Anatolia Lot 17

LOT 17 OF SUBDIVISION NO. 01-0385.0
"LARGE LOT MAP OF ANATOLIA", BOOK 316 OF MAPS, MAP NO. 8

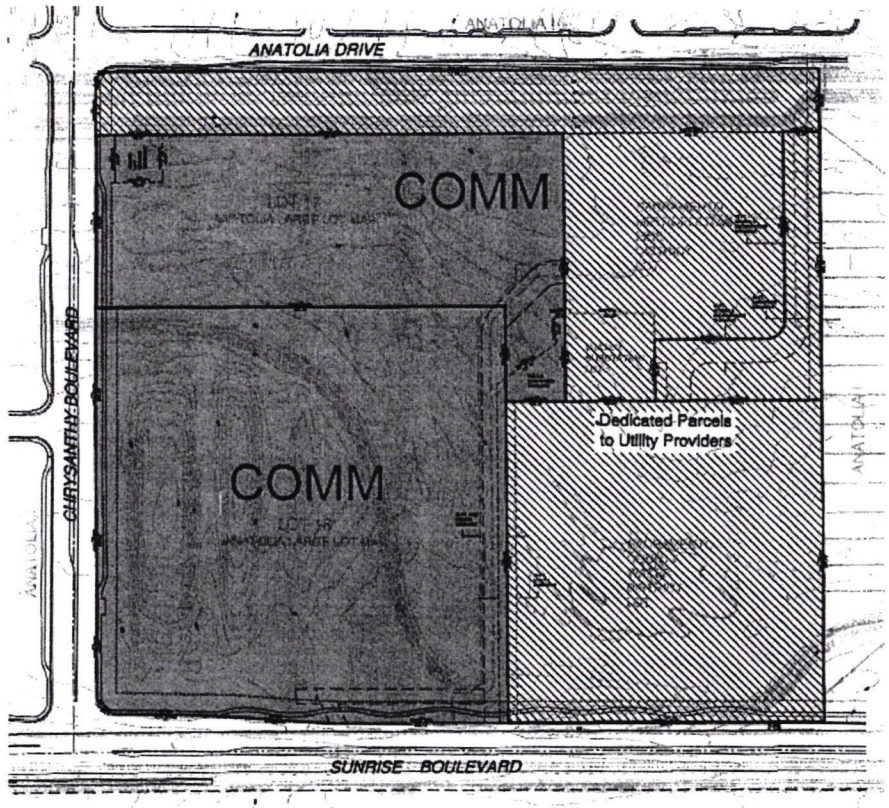


VICINITY MAP
NO SCALE



EXISTING ZONING SCALE: 1"= 100'

- ..... COMMERCIAL ZONING
- ..... RD-20 ZONING
- ..... UTILITY PROVIDER PARCELS



PROPOSED ZONING SCALE: 1"= 100'

- ..... COMMERCIAL ZONING
- ..... RD-20 ZONING
- ..... UTILITY PROVIDER PARCELS

Peabody Engineering
1709 Alhambra Blvd., Suite 102
Sacramento, CA. 95816
(916) 731-8099 office (916) 731-8098 fax

Attachment 1

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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, November 6, 2006
4:00 P.M. – Study Session
5:30 P.M. – Regular Meeting

MINUTES

STUDY SESSION

Call to Order

Mayor McGarvey called the study session to order in the American River Room at 4:10 p.m.

Roll Call

Present: Council Members Budge, Cooley, Skoglund, Sander, and McGarvey
Staff Present: Androlowicz, Lehr, Snyder, Salerno, Miller, Chinn, Gaebler, Beiswenger, and Haven

Public Comment

There were no comments from the public.

Study Session Item

1. **Subject:** The Future of Library Services in Rancho Cordova.
   Recommendation: Receive and discuss information about various aspects of future library services in Rancho Cordova.
   Result of Recommended Action: Staff will receive guidance needed to proceed with various issues concerning library services in Rancho Cordova, which are:
   a) Sacramento Public Library Authority's draft Facilities Master Plan;
   b) Revised Joint Powers Agreement with neighboring jurisdictions for county-wide library services;
   c) Possible opening of a new Civic Center library branch on city hall property; and
   d) Proposal of a joint-use library at the planned Mather-Morrison school site.
   Staff Report: Stephanie Snyder and Alexandra Miller, City Manager's Department
   Advances Goals: 4, 8, 11, and 13

AGENDA ITEM # 6

ACTION: No action taken; discussion item only.

ADJOURNMENT OF STUDY SESSION

Mayor McGarvey adjourned the Study Session at 5:34 p.m., and announced Council would take a brief recess before convening the regular meeting.

REGULAR MEETING – CALL TO ORDER

Call to Order

Mayor McGarvey called the regular meeting to order in the David B. Council Chambers at 6:00 p.m. and announced the cablecast playback schedule.

Roll Call

Present: Council Members Budge, Cooley, Skoglund, Sander, and McGarvey
Staff Present: Androlowicz, Lehr, Olea-Moger, Junker, Haven, Meeks, Sanchez, Lindgren, Gaebler, Chapman, Abhar, Campbell, Chinn, Snyder, Hersch, Beiswenger, and Thornberry

Pledge of Allegiance

Mayor McGarvey led the pledge.

Invocation

2. Akira Sebe, Sacramento Gedatsu Church, gave the invocation

Presentation(s)

3. Proclamation for National Families Week.
4. Proclamation for Veterans' Day.
5. Highway 50 Corridor Study Presentation given by Rex Albright, President CEO of the Rancho Cordova Chamber of Commerce.
6. Sacramento Metropolitan Chamber Study Mission Report given by Dave Butler, Senior Vice President Regional Policy and Economic Development

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ORAL COMMUNICATIONS

7. **Public Comment**

The following individuals addressed the Council:

- Bruce Risley, Tom Jeske, and Mike O'Brien on Rancho Cordova Community Clean-Up Day.
- Patricia Owens on rent stabilization ordinance.
- Dotty Burnett on rent stabilization ordinance.

CONSENT CALENDAR ITEMS

ACTION: Motion by Budge second by Skoglund and unanimously carried, the Consent Calendar was approved.

8. **Subject:** Minutes of City Council Meetings:
   a. Regular Meeting of September 5, 2006
   b. Regular Meeting of September 18, 2006
   c. Special Meeting of September 26, 2006

   Recommendation: Adopt Minutes.

9. **Subject:** Quarterly Treasurer's Report.
   Recommendation: Receive and file report.
   Result of Recommended Action: This report is intended to provide the City Council with information concerning the City's investment portfolio. This report will meet requirements as provided by state law.
   Staff Report: Bill Thomas, Finance Department
   Advance Goal: 11

10. **Subject:** Approval of Parcel Map Titled "A Subdivision of Parcel 3 as Shown on That Parcel Map Recorded in Book 118 of Parcel Maps, at Page 24, Subdivision No. RC-06-228" Also Known as 10670 & 10680 White Rock Road, Located Along the South Side of White Rock Road Approximately 235 Feet West of Quality Drive.
    Recommendation: Approve parcel map.
    Result of Recommended Action: Approval of this recommended action will result in the recording of the final parcel map creating 2 industrial/business/commercial zoned parcels.
    Staff Report: Cyrus Abhar, Public Works Department
    Advance Goal: 4

11. **Subject:** Resolution Approving Second Amendment to Agreement for Legal Services Between the City and Meyers Nave.
    Recommendation: Adopt Resolution 184-2006 to:
    a) Promote Adam U. Lindgren, a principal in the firm of Meyers Nave, from Assistant City Attorney to City Attorney for the City;
    b) Retain Steven R. Meyers, a principal in the firm of Meyers Nave, in his current capacity as General Counsel for the Community Redevelopment Agency of the City of Rancho Cordova;
    c) Appoint Steven R. Meyers as Special Counsel for the City;
    d) Appoint Joseph J. Chapman and Jose M. Sanchez, associates in the firm of Meyers Nave as Deputy City Attorneys; and
    e) Update the compensation paragraph to add a Consumer Price Index adjustment to Meyers Nave's rates effective July 1, 2007

    Result of Recommended Action: Adoption of resolution will confirm Council direction following the City Attorney's performance review on October 12, 2006.
    Staff Report: Ted Gaebler, City Manager's Office
    Advances Goals: 1 through 13

12. **Subject:** Resolution Authorizing City Manager to Execute Contract with Wood Rodgers, Inc. in the Amount not to exceed $700,000.00 for Engineering Design Services for the International Drive Extension Project Which will Extend International Drive to Intersect with

Sunrise Boulevard from its Current Terminus at Kilgore Road including construction of a new bridge over Folsom South Canal.
Recommendation: Adopt Resolution No. 179-2006.
Result of Recommended Action: The recommended action will allow the City Manager to execute a contract for consultant services with Wood Rodgers, Inc. for engineering design work and documentation support for the preparation of construction plans and specifications for the International Drive Extension Project which will include a six-lane roadway, and will include a new bridge over the Folsom South Canal in the eastern portion of the project area. The project will also include signalization of the intersections of International Drive/Kilgore Road and International Drive/Sunrise Blvd/Monier Circle. Funding for the engineering design services will be provided from the Transportation Impact Fees Fund.
Staff Report: Cyrus Abhar, Public Works Department
Advance Goal: 2

13. **Subject:** Resolution Authorizing City Manager to execute the Sunrise Douglas Community Plan Development Impact Fee Program Credit/Reimbursement Agreement with Lennar Renaissance, Inc. and Cordova Recreation and Park District for the Anatolia III Park Improvements.
Recommendation: Adopt Resolution No. 172-2006.
Result of Recommended Action: Approval will allow Developer to proceed with community park improvements and receive fee credits and reimbursements for the constructed park facilities.
Staff Report: Joe Chinn, City Manager's Office
Advances Goals: 1, 7, and 12

CONSENT PUBLIC HEARING ITEMS

ACTION: Motion by Budge second by Sander and unanimously carried, the Consent Public Hearing Items were approved, except for Items #14 and #15 which were pulled for separate action.

16. **Subject:** Resolution Approving Parlin Commerce Center RC-06-241 Design Review at the South East Corner of White Rock Road and Fitzgerald Road.
Recommendation: Adopt Resolution 183-2006.
Result of Recommended Action: Approval will allow for the remodel of an existing industrial/office building on the southeast corner of White Rock Road and Fitzgerald Road. The existing landscape planters will be replanted to complement the building's remodel.
Staff Report: Bill Campbell, Planning Department
Advances Goals: 1 and 8

17. **Subject:** Elections on the Proposition of Amending the Rate and Method of Apportionment and Authorized Facility and Resources for CFD's 2004-1 and 2005-1. **(Continued from July 5, July 17, August 7, September 5, September 18).**
Recommendation: Continue the public hearing item to the November 20, 2006 regular meeting.
Result of Recommended Action: No action to be taken.
Staff Report: Bill Thomas, Finance Department
Advances Goals: 5, 7, and 10

The following item was pulled for separate discussion:

14. **Subject:** Resolution Approving Tri Tool Facility RC-06-243 Design Review at the North West corner of Security Park Drive and Quicksilver Drive.
Recommendation: Adopt Resolution 181-2006.
Result of Recommended Action: Approval will allow the applicant to apply for permits to construct the industrial facility and related site improvements.
Staff Report: Jeffrey Beiswenger and Alison Thornberry, Planning Department
Advances Goals: 1 and 9

ACTION: Motion by Sander second by Cooley and unanimously carried, Council adopted Resolution No. 181-2006 with the following change:

An evergreen screen shall be required along the western edge of the Tri Tool site to visually screen the site from view of the future Rio del Oro residential community on the opposite side of the planned wetland preserve.

The following item was pulled for separate discussion:

15. **Subject:** Resolution Approving Goddard School RC-06-246 Design Review and Tentative Parcel Map located at South of Intersection of Zinfandel Drive and Bear Hollow Drive.
Recommendation: Adopt Resolution 182-2006.
Result of Recommended Action: Action will approve the following:
a) A Tentative Parcel Map dividing one parcel into two for a future office building; and
b) Design Review for a private daycare facility
Approval of Design Review will allow for the construction of an 8,000 sq. ft. building to serve as a private child daycare facility for ages six weeks to six years. This facility will be adjacent to Navigator Elementary School and a residential neighborhood in the Villages of Zinfandel on Bear Hollow Drive.
Staff Report: Anne Hersch, Planning Department
Advances Goals: 1, 6, and 8

ACTION: Motion by Sander second by Budge and unanimously carried, Council adopted Resolution No. 182-2006.

REGULAR CALENDAR ITEM

Mayor McGarvey reordered the agenda to take Item #18a next.

18a. **Subject:** Plan for Joint Coordination between the City and Folsom Cordova Unified School District for Oversight on New Bond Funds.
Recommendation: Approve plan for partnership between agencies to ensure effective and efficient use of funds approved for revitalizing Rancho Cordova schools.
Result of Recommended Action: The public will have participation and greater confidence in the expenditure of new bond monies, and Citywide goals are fostered as school revitalization positively impacts and enhances older neighborhoods.
Staff Report: Vice Mayor David Sander and Council Member Ken Cooley
Advances Goals: 1, 4, 6, 7, 8, 10, and 11

ACTION: Motion by Cooley second by Sander and unanimously carried, Council approved the plan for joint coordination between the City and Folsom Cordova Unified School District for oversight on new bond funds.

PUBLIC HEARING ITEM

18. **Subject:** Urgency Ordinance for Rezoning of Folsom Boulevard and Sunrise Boulevard South Areas.
Recommendation: Adopt Urgency Ordinance No. 57-2006. **(Roll Call and four-fifth's Vote Required)**
Result of Recommended Action: Rezoning of the property within the Folsom Boulevard and Sunrise Boulevard South project area will result in the implementation of the General Plan vision, goals, policies, and land use designations. The expedition of the rezoning in these vital areas of the City will allow for the transformation and revitalization in advance of a comprehensive zoning code update without changing the way existing business operate. Finally, this City-initiated rezoning will save individual property owners time and money as they will not have to apply for a rezoning to develop or redevelop their parcels consistent with the City's vision
Staff Report: Paul Junker, Planning Department
Advances Goals: 1, 5, 8, 9, and 11

ACTION: Motion by McGarvey second by Budge and unanimously carried by roll call vote, Council adopted Urgency Ordinance No. 57-2006.

REGULAR CALENDAR ITEMS

AT THIS POINT Council took a brief recess. The full Council reconvened.

19. **Subject:** Ordinance Amending Chapter 4.22., "Cardrooms" of the Rancho Cordova Municipal Code. **(Continued from October 2)**
Recommendation: Waive the first reading, and introduce Ordinance No. 56-2006. **(Roll Call Vote)**
Result of Recommended Action: Passage of this ordinance will eliminate a two-year local residency/business requirement for cardroom license applicants and extend the sunset provision of the City's Cardroom Ordinance, which is currently set to expire at the end of 2006.
Staff Report: Joseph Chapman, City Attorney's Office
Advances Goals: 1, 8, and 10

Mayor McGarvey opened the public comment period. The following individuals addressed the Council on Item #19.

- Mike Owen in support of the item.
- Sidney Kanazawa in support of the item.
- Bruce Risley in opposition of the item.
- Robert Harris in opposition of the item.
- Rex Albright in opposition of the item.

Mayor McGarvey closed the public comment period for Item #19.

ACTION: Motion by Budge second by Cooley and unanimously carried by roll call vote, Council approved the recommendation.

20. **Subject:** Urgency Moratorium Ordinance Pertaining to Cardrooms.
Recommendation: Adopt Urgency Ordinance No. 58-2006. **(Roll Call and four-fifth's Vote Required)**
Result of Recommended Action: A 45-day Moratorium prohibiting any uses that may be in conflict with a contemplated zoning proposal will be established.
Staff Report: Joseph Chapman, City Attorney's Office
Advances Goals: 1, 8, and 10

Mayor McGarvey opened the public comment period. The following individuals addressed the Council on Item #20.

- Bruce Risley in opposition of the item.
- Robert Harris in opposition of the item.
- Rex Albright in opposition of the item.
- Sidney Kanazawa in support of the item.

Mayor McGarvey closed the public comment period for Item #20.

ACTION: Motion by Budge second by Cooley and unanimously carried by roll call vote, Council adopted Urgency Ordinance No. 58-2006.

21. **Subject:** Unaudited Financial Report June 30, 2006.
Recommendation: Receive and file report.
Result of Recommended Action: Council Members and members of the community will be informed of the City's financial status.
Staff Report: Sandy Salerno, Acting Administrative Services Director
Advance Goal: 11

ACTION: No action taken; Discussion item only.

CORRESPONDENCE

Council Members reported on various correspondence since last meeting

COUNCIL REPORTS

None

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Vice-Mayor Sander requested staff pursue the City's official representation on the Mather Redevelopment Area Committee with the Sacramento Housing and Redevelopment Agency (SHRA).

CITY MANAGER'S REPORT

The City Manager reported on:

- City Hall holiday picture date of November 7th at 2:45 p.m.
- City Hall holiday card list sent for editing
- City and County 2x2 list of items being refined and to be presented to Council within a 30-day timeline.
- Two-day Council/Staff retreat scheduled for January.

ADJOURNMENT

Mayor McGarvey adjourned the meeting at 10:13 pm.

_____

Anna Olea-Moger, CMC, City Clerk

CITY COUNCIL SPECIAL MEETING
American River North Community Room
2729 Prospect Park Drive, Rancho Cordova

Tuesday, November 28, 2006
5:30 p.m. - Work Session

MINUTES

WORK SESSION

Call to Order

Mayor McGarvey called the study session to order in the American River Room at 5:46 p.m.

Present: Council Members, Budge, Cooley, Skoglund (arrived at 6:13), Sander, and Mayor McGarvey
Staff Present: Olea-Moger, Androlowicz, Junker, Thomas, Abhar, Lindgren, Lopez, Gaebler, Chinn, Snyder, Haven

Oral Communications

1. None

Work Session Item

2. **Subject:** SACOG 2035 Metropolitan Transportation Plan.
   Recommendation: City and SACOG staff will present the anticipated schedule for the development of the Region's Long Range Transportation Plan and City staff will describe our approach for fulfilling SACOG's "Call for Projects" as part of the regional plan development. Guidance and discussion on the City's approach to the "Call for Projects" will be requested.
   Result of Recommended Action: A plan for Rancho Cordova's participation in regional transportation plan development will be detailed and an understanding of critical decision points will be identified. Staff will also seek direction for the list of nomination projects for inclusion in the Metropolitan Transportation Plan (MTP).
   Staff Report: Cyrus Abhar, Public Works Department
   Advances Goals: 2 and 10

ACTION: No action taken; discussion item only.

ADJOURNMENT

Mayor McGarvey adjourned the meeting at 7:35 p.m.

_____
Anna Olea-Moger, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 60-2006

AN ORDINANCE OF THE CITY COUNCIL AMENDING RANCHO CORDOVA MUNICIPAL CODE CHAPTER 16.18, SECTION 16.18.205(f), RELATING TO ADMINISTRATIVE CITATIONS

WHEREAS, upon incorporation, the City of Rancho Cordova adopted by reference Sacramento County Code Chapter 16.18, "Nuisance Code"; and

WHEREAS, on September 20, 2004, the City adopted Ordinance 50-2004 amending the chapter; and

WHEREAS, currently Code Section 16.18.205(f) does allow for administrative citations, however, this Ordinance will set out specific procedures explaining how administrative citations are administered, making the process more efficient and effective; and

WHEREAS, administrative citations can be utilized for zoning violations, property maintenance issues, signage, substandard housing violations, and any other violation of the City Code; and

WHEREAS, setting procedures for the imposition of administrative citations will allow the City to easily and quickly resolve many ongoing public nuisances administratively rather than pursuing criminal remedies.

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

Section 1. Rancho Cordova Municipal Code Chapter 16.18, "Nuisance Code," Section 16.18.205(f), "Violations and Penalties," is hereby amended to read as follows:

"f. Administrative Citations.

1. Applicability. This section provides for administrative citations, which are in addition to all other legal remedies, criminal or civil, which the City may pursue to address a violation of this Code. Use of this section is at the sole discretion of the City. This section is authorized under Government Code Section 53069.4 and 36901.

The procedures in this section shall not be used to enforce a continuing violation regarding building, plumbing, electrical, or other similar structural or zoning issues, without first allowing the person in violation a reasonable time to correct the violation, consistent with the procedures set forth in Section 16.18.205(f)(2) below.

2. Continuing Violations of Building and Zoning Issues. If a violation is a continuing one and pertains to a building, plumbing, electrical, or other structural or zoning issue that does not create an immediate danger to health or safety, the City shall provide a reasonable period of time for the responsible person to correct or otherwise remedy the violation before the imposition of an administrative citation or penalty.

3. Administrative Citation.

A. Authority. Whenever an Enforcement Officer determines that a violation of any of the provisions of any of the ordinances of the City has occurred, the Enforcement Officer has the authority to issue an administrative citation to the person responsible for the violation.

B. Contents of Citation. Each administrative citation shall contain the following information:

i. The date of the violation.

ii. The address or a definite description of the location where the violation occurred.

iii. The section of the Code violated and a description of the violation.

iv. The amount of the fine for the code violation.

v. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid.

vi. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation.

vii. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained.

viii. The name and signature of the citing Enforcement Officer. In the case of a continuing violation involving building, plumbing electrical, or other similar structural or zoning issues identified under Section 16.18.205(f)(2), the administrative citation shall also have attached a copy of the prior notice that was sent to the responsible party.

C. Delivery of Citation. The administrative citation shall be delivered personally or sent by certified mail to the person responsible for the violation.

D. Dismissal of Citation. At any time before the hearing, if the Enforcement Officer determines that there was no violation as charged in the administrative citation or that the citation should be dismissed in the interest of justice, the Enforcement Officer shall dismiss the administrative citation, cancel the hearing, and refund any administrative citation fine.

4. Amount of Fine.

A. Maximum Amount of Fine. The maximum amount of the fine imposed for each code violation under this section is as follows:

i. One hundred dollars ($100.00) per day for a first violation;

ii. Two hundred dollars ($200.00) per day for a second violation of the same ordinance within one year; and

iii. Five hundred dollars ($500.00) per day for each additional violation of the same ordinance within one year.

B. Additional Amounts. Administrative costs, interest, late payment charges, costs of compliance reinspections, and collection costs are in addition to the fine. These include:

i. Administrative costs: based on time spent by Code Enforcement staff, supervisors and City Attorney's office, at the full cost hourly rate of each employee, including salary, benefits and overhead.

ii. Late payment charges: due at the rate of 10 percent per month.

iii. Compliance reinspections: based on staff time at the full cost hourly rate.

iv. Collection costs: actual collection costs.

C. Discretion of Enforcement Officer or Hearing Officer – Factors in Establishing Fine. In determining the amount of the fine and additional amounts, the Enforcement Officer or hearing officer has the discretion to set the fine lower than the maximum amount, or to reduce the additional costs, based on any or all of the following factors:

i. The duration of the violation;

ii. The frequency, recurrence and number of violations, related or unrelated, by the same violator;

iii. The seriousness of the violation;

iv. The good faith efforts of the violator to come into compliance;

v. The economic impact of the fine on the violator;

vi. The impact of the violation on the community; and

vii. Such other factors as justice requires.

5. Payment of the Fine.

A. Due Date. The fine shall be paid to the City within 30 days from the date of the administrative citation. The city may suspend the imposition of fines for any period of time during which the violator has filed for necessary permits, and such permits are required to achieve compliance,

and the permit applications are actively pending before the appropriate governmental agency.

B. Refund. The City shall refund a fine paid if the hearing officer determines, after a hearing held under Section 16.18.205(f)(8), that the person charged in the citation was not responsible for the violation or that there was no violation as charged.

C. Further Violations Not Excused. Payment of a fine under this section shall not excuse or discharge any continuation or repeated occurrence of the code violation.

6. Hearing Request.

A. Hearing Request. A person who receives an administrative citation may contest the citation on the basis that there was no violation of the Code or that he or she is not the responsible party. To contest the citation, the person shall submit a request for hearing form to the City within 30 days from the date of the administrative citation. Directions on how to obtain the request form will be provided on the administrative citation. The completed request must be submitted together with an advance deposit of the fine.

B. Notice of Hearing. The person requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.

C. Additional Reports. If the Enforcement Officer submits an additional written report concerning the administrative citation to the hearing officer for consideration at the hearing, then a copy of this report also shall be provided to the person requesting the hearing at least five (5) days before the date of the hearing.

7. Hearing Officer. Pursuant to Section 16.18.204, a Hearing Officer will be assigned the responsibility of conducting a hearing by the City Manager. The City Manager shall be authorized to assign hearing responsibilities from time to time to any person or persons, qualified by training or experience, who the City Manager may appoint, employ or who are retained by contract to conduct such hearings.

8. Hearing Procedure.

A. Setting the Hearing. A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the Enforcement Officer submits a written report concerning the citation to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing.

No hearing shall be held unless the fine has been deposited in advance, under Section 16.18.205(f)(6)(A).

B. Failure to Appear. The failure of the person requesting the hearing to appear at the hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.

C. At the Hearing. The administrative citation and any additional report submitted by the Enforcement Officer shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.

D. Continuances. The hearing officer may continue the hearing and may request additional information from the Enforcement Officer or the person receiving the citation before issuing the decision.

9. Hearing Officer's Decision.

A. Decision. After considering the testimony and evidence presented at the nearing, the hearing officer shall issue a written decision to uphold, dismiss or modify the administrative citation. The hearing officer shall state the reasons for the decision and shall send a copy of the decision to the person that requested the hearing and to the Enforcement Officer. The decision of the hearing officer is final, and may not be appealed.

B. Status of Fine. If the citation is upheld, then the fine amount on deposit with the City shall be retained by the City.

If the citation is dismissed, the City shall promptly refund the amount of any fine deposited, together with interest at the average rate earned on the City's portfolio for the period of time that the fine was held by the City.

10. Late Payment Charges. A person who fails to pay to the City the fine imposed under this section on or before the date that fine is due is also liable for the payment of the applicable late payment charges set forth in Section 16.18.205(f)(6)(B).

11. Recovery of Administrative Citation Fines and Costs.

A. Costs of Securing Payment. A person who fails to pay any fine or other charges owed to the City under this Section is liable in any action brought by the City for all costs incurred in securing payment of the delinquent amount, including but not limited to administrative costs and attorney's fees. Such collection costs are in addition to any fines, interest, and late charges.

B. Other Costs. In addition to the administrative citation fine, the City may collect its administrative costs, interest, late payment charges, costs of compliance reinspections, and collection costs.

C. Collection. The City may collect any past due administrative citation fine and other costs and charges by any available legal means, including without limitation placing a lien on the property.

12. Right to Judicial Review. A person aggrieved by the hearing officer's decision on an administrative citation may obtain review of the decision by filing a lawsuit with the Superior Court in Sacramento County within 20 days after service of the final decision in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

13. Notices.

A. Method of Service. The administrative citation and all notices required to be given by this section shall be served on the responsible party either by personal service, by first class mail, or by certified mail, return receipt requested.

B. Real Property. When real property is involved in the violation, the original notice, the administrative citation and all notices required to be given by this section shall be served on the responsible party and, if different, to the property owner at the address as shown on the last equalized County assessment roll. If personal service or service by mail on the property owner is unsuccessful, a copy of each notice and the citation shall be conspicuously posted at the property which is the subject of the violation. The City may, in its discretion, also serve notice on a tenant, a mortgagor or any other person having an interest in the property.

C. Failure to Receive Notice. The failure of a person to receive a required notice shall not affect the validity of any proceedings taken under this section."

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 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 by the City Council of the City of Rancho Cordova this 16th day of January 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO: 61-2006

AN ORDINANCE OF THE CITY COUNCIL OF REPEALING TITLE 8, ANIMALS, OF THE RANCHO CORDOVA MUNICIPAL CODE AND ADOPTING TITLE 8, ANIMALS, REGARDING THE ESTABLISHMENT AND FUNCTIONS OF ANIMAL SERVICES AND FEES ASSOCIATED WITH LICENSING AND FIELD SERVICES

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

SECTION 1. Repealing Title 8 of Rancho Cordova Municipal Code.

The City Council hereby repeals Title 8, Animals, of the Rancho Cordova Municipal Code in its entirety.

SECTION 2. Adoption of Title 8, Animals.

The City Council hereby adopts Title 8, Animals, to read as follows:

"TITLE 8, ANIMALS

Chapter 8.01 DEFINITIONS

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8.01.020 Impoundment
8.01.030 Licensing Authority
8.01.040 Owner
8.01.050 Person
8.01.060 Rabies Vaccination
8.01.070 Veterinarian
8.01.080 Guide Dog
8.01.090 Signal Dog
8.01.100 Service Dog

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8.02.030 Regulations
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8.02.060 Animal Services Duties

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8.05.060 Carcass Delivery

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8.06.010 License – Required
8.06.020 License - Renewal or Suspension
8.06.030 License – Tags
8.06.040 License – Rabies Vaccination Certificate Required
8.06.050 Exemption – Guide Dogs, Signal Dogs, and Service Dogs
8.06.060 Exemption – Licensed Under Another Jurisdiction
8.06.070 Exemption – Medical Treatment
8.06.080 Exemption – Government Ownerships
8.06.090 Licensing – Dangerous Animal
8.06.100 Licenses Fees

Chapter 8.07 VICIOUS ANIMALS

8.07.010 Investigation
8.07.020 Impoundment Authorized – Vicious Animals

Chapter 8.08 IMPOUNDMENT

8.08.010 Impoundment Authorized Upon Reasonable Cause
8.08.020 Fine for Impounded Non-spayed or Un-neutered Dog
8.08.030 Equipment to Impound Authorized

Chapter 8.09 PROCEDURAL PROVISIONS

8.09.010 Notice of Hearing
8.09.020 Hearing Officer
8.09.030 Hearing Procedure
8.09.040 Hearing Officers Decision
8.09.050 Right to Judicial Review

Chapter 8.10 RECOVERY OF FINES AND COSTS

8.10.010 Costs of Securing Payment
8.10.020 Other Costs
8.10.030 Collection

Chapter 8.01 DEFINITIONS

The words and terms used in this chapter shall have the meaning stated as set forth in this Section, unless the meaning is clearly intended to be otherwise.

8.01.010 Animal Services. Animal Services means that division of the City government which is specifically charged with the regulation of animals and the enforcement of laws dealing with animals within the incorporated area of the City of Rancho Cordova.

8.01.020 Impoundment. "Impoundment" means the taking and holding of an animal by an Animal Services officer.

8.01.030 Licensing Authority. "Licensing Authority" means the City Clerk or such other City official or department designated by resolution of the City Council.

8.01.040 Owner. "Owner" means a person, who owns, possesses harbors or controls an animal for fifteen (15) or more consecutive days, except a veterinarian or an operator of a kennel or a pet shop engaged in the regular practice of this business as such.

8.01.050 Person. "Person" means one or more human beings and all fictional entities such as corporations, estates, associations, partnerships and trusts.

8.01.060 Rabies Vaccination. "Rabies vaccination" means the inoculation of an animal with a rabies vaccine approved by and in the manner prescribed by the California State Department of Public Health.

8.01.070 Veterinarian. "Veterinarian" means a person licensed to practice veterinary medicine in the state.

8.01.080 Guide Dog. "Guide Dog" means any guide dog or seeing-eye dog which was trained by a person licensed under the provisions of the Business and Professions Code or as defined in the regulations implementing Title III of the Americans with Disabilities Act of 1990.

8.01.090 Signal Dog. "Signal Dog" means any dog trained to alert a deaf person, or person whose hearing is impaired to intruders or sounds.

8.01.100 Service Dog. "Service Dog" means any dog individually trained to the requirements of the individual including but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items.

A "service dog" is also any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, or any dog approved by the manager of Animal Services, which he/she believes to come within the definitions listed, after consultation with knowledgeable professionals.

Chapter 8.02 ANIMAL SERVICES

8.02.010 Purpose.

This Title establishes regulations for the formation, function, and penalties associated with Animal Services.

8.02.020 Animal Services.

Animal Services shall be administered by the Neighborhood Services Supervisor. For purposes of this title, any reference to the Neighborhood Services Supervisor shall include his or her designees.

8.02.030 Regulations.

The City Council may establish by resolution, regulations for the administration and implementation of this Title which may include a schedule of fees for licenses and for services provided in accordance with this Title. A copy of the regulations established by resolution of the City Council shall be filed with the City Clerk and posted at City Hall.

8.02.040 Animal Services Records.

The Neighborhood Services Supervisor shall keep records concerning the operation of Animal Services as prescribed by regulations established pursuant to all state and City laws and City policies.

8.02.050 Information on Animal Care.

The Neighborhood Services Supervisor is authorized to make available and/or distribute to the people of the City brochures and information pertaining to care and control of animals.

8.02.060 Animal Services Duties.

Animal Services is primarily responsible for the enforcement and administration of this chapter. The duties shall include but not be limited to the following:

(A) To keep such records as may be required by the City Council.

(B) To take up and impound animals when authorized by City Code.

(C) To remove and dispose of the carcass of any animal found on any public highway, street, alley, or any other public place in the incorporated area of the City.

(D) To quarantine animals and to cooperate with the local health officer.

(E) To administer licensing programs as delegated by the Licensing Authority.

(F) To educate the community on the importance of spaying and neutering and promote responsible pet ownership.

Chapter 8.03 GENERAL PROVISIONS

8.03.010 Animal Restraint.

(A) No owner of any animal, wild or domestic, except the domestic cat, shall permit or suffer the animal to:

(1) Be off a leash or be restrained by a leash which is more than eight feet in length. An animal need not be on a leash while it is on the premises of its owner nor while on other private property with consent of the owner. This subsection shall apply to all areas of the City unless clearly designated as areas where leashes are not required.

(2) Enter upon private property without consent of the private property's owner.

(3) Habitually make loud noises. For purposes of this Chapter, an animal is habitually making loud noises if its conduct results in the owner receiving two or more notices from Animal Services of such behavior within a 30 day period.

(4) Act in such other manner so as to constitute a public nuisance.

(B) Nothing in this section shall prohibit the use of animals on school property for teaching, use for the blind, or other school purposes when permitted by school officials, or require a person to keep any animal in his possession on a leash if, at the time, the animal is restrained in a vehicle or cage.

8.03.020 Abandonment Unlawful.

It is unlawful for any person to abandon any animal whether dead or alive.

8.03.030 Dead Animal Disposal.

The owner of a dead animal shall, within a reasonable time, provide for the disposal in a manner approved by the Animal Services Officer or the disposition of the carcass in a safe and sanitary manner. The owner may request the Animals Services Officer to dispose of the animal at a fee fixed by resolution of the City Council. The Animal Services Officer shall be responsible for disposal of all dead animals whose ownership cannot be established.

8.03.040 Epidemic – Rules Enforcement.

It shall be the duty of the Animal Services Officer to comply with all directives of the health officer in the enforcement of the rules and regulations. The rules and regulations, when adopted, shall become and thereafter be a part of this chapter.

8.03.050 Field Service Charges.

Animal Services will impose a fee, as set by resolution of the City Council, for all field services.

8.03.060 Amendment of Fees.

The City Council may amend by resolution all fees under this Title.

Chapter 8.04 ENFORCEMENT

8.04.010 Generally.

The Neighborhood Services Supervisor and such authorized officers are empowered, and it shall be his or her duty, to enforce the provisions of this title.

To the extent authorized by law, an Animal Services officer may enter, at reasonable times, upon and inspect any premises where any animal is kept or harbored when such entry is necessary to enforce the provisions of this title.

8.04.020 Authority to Pursue and Enter Private Property.

Any person charged with the duty to enforce this chapter who is in pursuit of an animal, shall have the authority to go upon the property of the owner or other person, in order to impound such animal; provided, however, he shall not enter a dwelling without a search warrant and he shall exercise reasonable care to avoid causing damage to the property.

8.04.030 Firearms Authorized.

The Neighborhood Services Supervisor and such authorized officers as he or she may specifically designate in writing are authorized to carry weapons when acting in the course and scope of their employment pursuant to and in accordance with Section 12031 of the Penal Code of the State of California.

8.04.040 Authority to Arrest and Issue Notices to Appear.

Pursuant to the provisions of California Penal Code Section 836.5, the Neighborhood Services Supervisor and such authorized officers, are authorized to arrest without a warrant and issue a written notice to appear whenever any such person has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his or her presence which is a violation of this chapter or a violation of any other ordinance or statute which he or she has the duty to enforce.

8.04.50 Violations and Penalties.

Any violation of this Title shall be declared a public nuisance and subject to such penalties as provided in Chapter 16.18 of this Code.

Chapter 8.05 RABIES

8.05.010 Vaccination – Required.

Every dog and cat shall have a medically current vaccination with an anti-rabies vaccine approved by the Health Department of the state. The vaccination shall be administered by a veterinarian or as provided through City recognized clinics, and a certificate of vaccination shall be issued to the owner. The certificate of rabies vaccination which accompanies the license application shall be valid if in compliance with the following immunization schedule:

Primary Immunization - Primary immunization shall be defined as the initial inoculation of an approved canine rabies vaccine administered to young dogs and cats at the age of four months.

8.05.020 Vaccination – Exemption.

Notwithstanding the provisions, no dog or cat need be vaccinated for rabies where a licensed veterinarian has certified that the vaccination would endanger the dog or cat's health, and the health officer endorses on the certificate his approval. The certificate must bear the date of issuance and must be renewed each year.

8.05.030 Animal Bite – Victim Report.

Any person or parent or guardian of such person, or an owner of an animal, bitten or scratched by an animal of a species subject to rabies shall immediately report such incident to the Animal Service Officer.

8.05.040 Animal Bite – Medical Report.

Every veterinarian and every person providing professional medical treatment for animal bite by an animal of a species subject to rabies shall immediately notify Animal Services whenever rabies is suspected.

8.05.050 Quarantine.

(A) The Animal Services Officer shall assure that all animals falling into the following categories are isolated or quarantined at the place and under the conditions prescribed by the health officer and pertinent state laws and regulations.

(1) Known rabid animals;

(2) Suspected rabid animals;

(3) Animals that have bitten a human or otherwise exposed a human to rabies;

(4) Animals of a species subject to rabies, which have been bitten by a known rabid or suspected rabid animal or have come in close contact with a rabid or suspected rabid animal.

(B) It is unlawful for the owner or keeper of an animal to violate any of the conditions of isolation or quarantine prescribed by the health officer.

8.05.060 Carcass Delivery.

Upon the death of any rabid animal, clinically suspected rabid animal, or animal which has bitten or otherwise exposed a human to rabies, the Animal Services Officer shall obtain and turn over to the health officer the carcass of such animal or an adequate specimen thereof.

Chapter 8.06 LICENSING

8.06.010 License – Required.

Every person who owns, possesses, harbors or controls any dog or cat shall obtain a license before the dog or cat reaches the age of four months. Within thirty days after any unlicensed

dog or cat over the age of four months is acquired or brought into the City, its owner shall obtain a license.

8.06.020 License - Renewal or Suspension.

Whenever provision is made in this Chapter for a license, such license shall be renewed annually thereafter or at the next succeeding regular renewal date and annually thereafter as provided by the licensing authority. The Neighborhood Services Supervisor may revoke or suspend a license whenever such action is necessary to protect the public health and safety, or to accomplish the purposes of this Title.

8.06.030 License – Tags.

The licensing authority shall issue, upon proper application and payment of license fees, a serially numbered license tag stamped with the name of the City. The owner shall provide a dog with a suitable collar or other device to which the license tag shall be attached. The Neighborhood Services Supervisor shall keep a copy of the application or other records sufficient to establish the identity of the person that owns or harbors the dog.

8.06.040 License - Rabies Vaccination Certificate Required.

Each application for a dog license shall be on a form furnished by the licensing authority. An application for a license shall not be accepted unless a valid certificate of rabies vaccination by a licensed veterinarian covering the license period accompanies the application.

8.06.050 Exemption – Guide Dogs, Signal Dogs, and Service Dogs.

Guide dogs, signal dogs, and service dogs as defined in this ordinance, with a current rabies vaccination, shall be licensed without charges.

8.06.060 Exemption – Licensed Under Another Jurisdiction.

A dog brought into the City which has a current license in another County or City within the state shall not be subject to licensing provisions of this section for so long as the license would be current and valid at its place of issuance or for one year, whichever is the lesser period.

8.06.070 Exemption – Medical Treatment.

Dogs brought into the City for the exclusive purpose of receiving medical care and in the custody of a licensed veterinarian need not be licensed.

8.06.080 Exemption – Government Ownership.

Dogs owned by the City or other public agency shall be licensed without charge.

8.06.090 Licensing – Dangerous Animal.

(A) No person shall possess any animal not commonly kept or raised in the City as a domesticated animal and which is or may be, in the opinion of the Neighborhood Services Supervisor, dangerous to the health and safety of any person, without first obtaining a license for the possession of the animal.

(B) If the possession of the animal does not violate any federal or state law or zoning ordinance, a dangerous animal license may be issued.

(C) Each application for a dangerous animal license shall be upon a form furnished by the licensing authority.

(D) All licenses issued under this chapter shall be kept posted in a conspicuous place on the premises where the animal resides.

(E) Upon filing an application for an original, or a renewal of a dangerous animal license, the licensing authority shall issue such license, only after certification by the Neighborhood Services Supervisor that:

(1) The keeping of a dangerous animal for which the license is requested, and at the place set forth in the application, will not violate any law or regulation;

(2) The keeping of the dangerous animal will not endanger the health, peace, or safety of the community;

(3) The premises where the dangerous animal or animals are to be kept are clean, safe, and sanitary and that the animals will not be subjected to suffering, cruelty, or abuse; and

(4) The applicant has not had a similar license revoked within one year prior to the application.

(F) Any license issued for a dangerous animal may be subject to such additional conditions as may be required by the Neighborhood Services Supervisor.

(G) A license shall not be issued, or if issued, shall be revoked, where, in the opinion of the Neighborhood Services Supervisor, the possession of the dangerous animal will endanger the health and safety of one or more persons.

(H) In the event that a license is denied or revoked, the owner shall, within the time designated and under the conditions required by the Neighborhood Services Supervisor, dispose of the unlicensed animal.

8.06.100 License Fees.

Every person required to obtain a license for a dog or a cat under this Title, will be subject to licensing fees as set by resolution of the City Council.

Chapter 8.07 VICIOUS ANIMALS

8.07.010 Investigation.

Whenever an animal suspected of being vicious is reported, the Neighborhood Services Supervisor shall investigate the circumstances and if he or she finds that the animal shows a propensity to attack, bite, scratch, or harass people or other animals without provocation, he shall notify the owner in writing, stating all the facts and circumstances. He or she may order that the animal be kept within a substantial enclosure, securely leashed or otherwise controlled.

If the owner cannot provide restraint, the animal shall be temporarily impounded at the expense of the owner.

8.07.020 Impoundment Authorized – Vicious Animals.

If upon receiving written notification the owner fails to restrain or control a vicious animal, as ordered, the owner is in violation of this Title and the Neighborhood Services Supervisor is empowered to seize and impound or destroy the animal pursuant to a court order.

Chapter 8.08 IMPOUNDMENT

8.08.010 Impoundment Authorized Upon Reasonable Cause.

Any animal which the Animal Services officer has reasonable cause to believe is engaged in activities, or existing in a condition prohibited by this chapter, shall be impounded.

8.08.020 Fine for Impounded Non-spayed or Un-neutered Dog or Cat.

The owner of a non-spayed or un-neutered dog or cat that is impounded by Animal Services shall be fined thirty-five dollars ($35) on the first occurrence, fifty dollars ($50) on the second occurrence, and one hundred dollars ($100) for the third or subsequent occurrence. These fines are for unaltered impounded dogs and cats only, and are not in lieu of any fines or impound fees imposed by the Sacramento SPCA.

An Animal Services Officer, Humane Officer, Police Officer, Peace Officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided above. The fines shall be paid to the City Animal Services agency and shall be collected at the City Animal Services agency. Any funds collected under this section shall be expended for the purpose of humane education, programs for low cost spaying and neutering of dogs or cats, and any additional costs incurred by the City Animal Services agency or Sacramento SPCA in the administration of requirements of this section. This section is adopted pursuant to Section 30804.7 and 31751.7 of the California Food and Agriculture Code.

8.08.030 Equipment to Impound Authorized

Any person charged with the duty to enforce this chapter may use any humane equipment or device necessary to take up and impound an animal.

Chapter 8.09 PROCEDURAL PROVISIONS

8.09.010 Notice of Hearing.

(A) Notice of the right to appeal any violation issued by Animal Services shall be issued in person or mailed through the U.S. postal service. To contest the violation, the person shall submit a request for hearing form to the City within 30 days from the date of the notice of violation. Directions on how to obtain the request form will be provided on the notice. The completed request must be submitted together with an advance deposit of any fine or fee associated with the violation.

(B) The person requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.

(C) If the Animal Services Officer submits an additional written report concerning the violation to the hearing officer for consideration at the hearing, then a copy of this report also shall be provided to the person requesting the hearing at least five (5) days before the date of the hearing.

8.09.020 Hearing Officer.

A Hearing Officer will be assigned the responsibility of conducting a hearing by the City Manager. The City Manager shall be authorized to assign hearing responsibilities from time to time to any person or persons, qualified by training or experience, who the City Manager may appoint, employ or who are retained by contract to conduct such hearings.

8.09.030 Hearing Procedure.

(A) Setting the Hearing. A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the Animal Services Officer submits a written report concerning the citation to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing. No hearing shall be held unless the fine has been deposited in advance, under Section 8.09.010(a).

(B) Failure to Appear. The failure of the person requesting the hearing to appear at the hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.

(C) At the Hearing. The administrative citation and any additional report submitted by the Animal Services Officer shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.

(D) Continuances. The hearing officer may continue the hearing and may request additional information from the Animal Services Officer or the person receiving the citation before issuing the decision.

8.09.040 Hearing Officer's Decision.

(A) Decision. After considering the testimony and evidence presented at the nearing, the hearing officer shall issue a written decision to uphold, dismiss or modify the administrative citation. The hearing officer shall state the reasons for the decision and shall send a copy of the decision to the person that requested the hearing and to the Animal Services Officer. The decision of the hearing officer is final, and may not be appealed.

(B) Status of Fine. If the citation is upheld, then the fine amount on deposit with the City shall be retained by the City.

If the citation is dismissed, the City shall promptly refund the amount of any fine deposited, together with interest at the average rate earned on the City's portfolio for the period of time that the fine was held by the City.

8.09.050 Right to Judicial Review.

A person aggrieved by the hearing officer's decision on an administrative citation may obtain review of the decision by filing a petition for review with the Superior Court in Sacramento County within 20 days after service of the final decision in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

Chapter 8.09 RECOVERY OF FINES AND COSTS

8.10.010 Costs of Securing Payment.

A person who fails to pay any fine or other charges owed to the City under this Section is liable in any action brought by the City for all costs incurred in securing payment of the delinquent amount, including but not limited to administrative costs and attorney's fees. Such collection costs are in addition to any fines, interest, and late charges.

8.10.020 Other Costs.

In addition to any violation fine, the City may collect its administrative costs, interest, late payment charges, costs of compliance reinspections, and collection costs.

(A) Administrative costs: based on time spent by Code Enforcement staff, supervisors and City Attorney's office, at the full cost hourly rate of each employee, including salary, benefits and overhead.

(B) A person who fails to pay to the City the fine imposed under this section on or before the date that fine is due is also liable for the late payment charges due at the rate of 10 percent per month.

(C) Compliance reinspections: based on staff time at the full cost hourly rate.

(D) Collection costs: actual collection costs.

8.10.030 Collection.

The City may collect any past due fines and other costs and charges by any available legal means.

Section 3. 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 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 4. 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 by the City Council of the City of Rancho Cordova this 16th day of January 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Joseph Chapman, Deputy City Attorney

SUBJECT: **AN ORDINANCE AMENDING RANCHO CORDOVA MUNICIPAL CODE CHAPTER 5.50, "CABLE TELEVISION ORDINANCE"**

RECOMMENDATION

Continue Consideration of Ordinance 59-2006 to a date uncertain.

RESULT OF RECOMMENDED ACTION

Continuation of this item will allow staff to adequately prepare a response to questions raised by the City Council at its December 18, 2006, meeting regarding the ordinance. Staff will bring the ordinance back for consideration once staff has concluded its research into the questions raised by the Council.

BACKGROUND

On December 18, 2006, Ordinance 59-2006 was brought before the City Council for consideration and introduction. Ordinance 59-2006 proposes to make changes to the City's Code relating to the Sacramento Metropolitan Cable Commission. The changes address the timing of meetings held by the Commission and the dissolution of the Commission. The proposed changes have been requested by the Cable Commission.

At its December 18 discussion on the ordinance, the City Council directed staff to research additional information concerning the City's continued participation in the Cable Commission as well as cable franchising options the City may have should it decide to leave the Cable Commission. Staff is still in the process of researching this information. As a result, staff is requesting that the Council continue this item to a date uncertain so that staff can adequately research and prepare a response for the Council.

MOTION

"I move that the City Council continue Ordinance No. 59-2006 of the City of Rancho Cordova to a date uncertain."

AGENDA ITEM # 9

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **RESOLUTION NO. 01-2007 AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION SERVICES AGREEMENT BETWEEN CITY OF RANCHO CORDOVA AND COAST LANDSCAPE MANAGEMENT**

RECOMMENDATION

City Council adopt Resolution No. 01-2007 authorizing the City Manager to enter into a three term construction services agreement with Coast Landscape Management for maintenance of existing public street landscaping (**Attachment 1**).

RESULT OF RECOMMENDED ACTION

The City Manager will enter into a three term Construction Services Agreement with Coast Landscape Management for maintenance of existing public street landscaping. City of Rancho Cordova Citywide Landscape and Lighting District 2005-1 funds will be used to support the project.

BACKGROUND

Landscaping on various public streets in Rancho Cordova is currently being maintained by Sacramento County. **Attachment 2** shows the landscaped areas by color coding to depict the various funding sources for maintenance. The source of funding for the landscaped areas shown in red and blue are from Measure A maintenance funds, and the landscaped areas shown in purple is from assessments in Landscape & Lighting District No. 2005-1 (LLD 2005-1).

The County's' landscape maintenance contract for the areas funded by LLD 2005-1 expires on January 31, 2007. The service area descriptions and work areas are identified as Capital Center II, California Jazz, Capital Center II (Zinfandel Extension) and Ellenwood. Coast Landscape Management is the current contractor. The City is taking responsibility for maintenance of this public street landscaping concurrent with the expiration of the landscape maintenance contract by entering into a new contract with Coast Landscape Management. County contracts for the additional areas of work will expire in 2008. City staff will solicit bids for the work and return to Council for contract award.

Sacramento County bid the landscape maintenance work for those areas on behalf of Rancho Cordova. The bid number was RFB 6907 (**Attachment 3**). The bids for those areas funded by LLD 2005-1 were for three separate one year terms. The award of the second and third year term is subject to approval by the Public Works Director and

funding of the work by the City. Nine bids were publicly opened on November 22, 2006. Coast Landscape Management was the low bidder with a Base Bid Grand Total of $108,900 for the three year term (**Attachment 4**)

Coast Landscape Management bid $1,945 per month equaling $23,340 for term one, $24,300 for term two and $25,260 for term three. A $36,000 amount was included in all bids for Unscheduled work during the three year term. Unscheduled work is only performed when specifically directed by the City. An example of work to be paid from the Unscheduled bid item is replacement of plantings due to vandalism or disease.

Staff and Coast Landscape Management have agreed to begin term one on February 1, 2007 and end eleven months later on December 31, 2007 with the succeeding two terms being from January 1 to December 31. The eleven month term one would be in the amount of $21,395. The overall contract would be for $106,955. Maintaining a December 31 contract expiration enables,

a. The contractor to prepare their bid during the time of year there is less work demand,
b. The City to request bids when there are fewer competitive bids available for contractors resulting in lower bids, and
c. Funding to be established by the Landscape and Lighting District No. 2005-1 prior to the bid process.

It is recommended the City Council adopt the attached resolution authorizing the City Manager to enter into a Construction Services Agreement with Coast Landscape Management for landscape maintenance within public streets beginning February 1, 2007 and ending December 31, 2009.

FUNDING

The agreement is funded by City of Rancho Cordova Citywide Landscape and Lighting District 2005-1 budget assessment for Contract Maintenance in the amount of $37,000. $21,295 of the budget will be used to fund this agreements Scheduled work. A maximum amount of $15,705 could be used for this contracts unscheduled work. Terms two and three would be funded by annual assessments within Citywide Landscape and Lighting District 2005-1.

ATTACHMENTS

1. Resolution No. 01-2007
2. Service location map and area descriptions
3. Sacramento County RFB 6907
4. RFB 6907 bid spread sheet

CITY OF RANCHO CORDOVA

RESOLUTION NO. 01-2007

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE TERM CONSTRUCTION SERVICES AGREEMENT BETWEEN THE CITY OF RANCHO CORDOVA AND COAST LANDSCAPE MANAGEMENT FOR MAINTENANCE OF EXISTING PUBLIC STREET LANDSCAPING

WHEREAS, the City of Rancho Cordova has caused plans and specifications for landscape maintenance of existing landscaping on City of Rancho Cordova public streets; and

WHEREAS, Coast Landscape Management, in response to such Notice, submitted to the City of Rancho Cordova within the time specified in said Notice, and in the manner provided for therein, a sealed bid for the work specified in said plans and specifications, which said bid and proposal, and other bids and proposals submitted in response to said Notice, the City opened publicly and canvassed in the manner provided by law; and

WHEREAS, Coast Landscape Management, was the lowest responsible bidder for the performance of said work; and

WHEREAS, Funding for this agreement with Coast Landscape Management is provided by City of Rancho Cordova Citywide Landscape and Lighting District 2005-1;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA that the Council authorizes the City Manager to enter into a Construction Services Agreement for landscape maintenance with Coast Landscape Management for three terms in the amount of $106,955.

PASSED AND ADOPTED by the City Council of on the 16th day of January, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

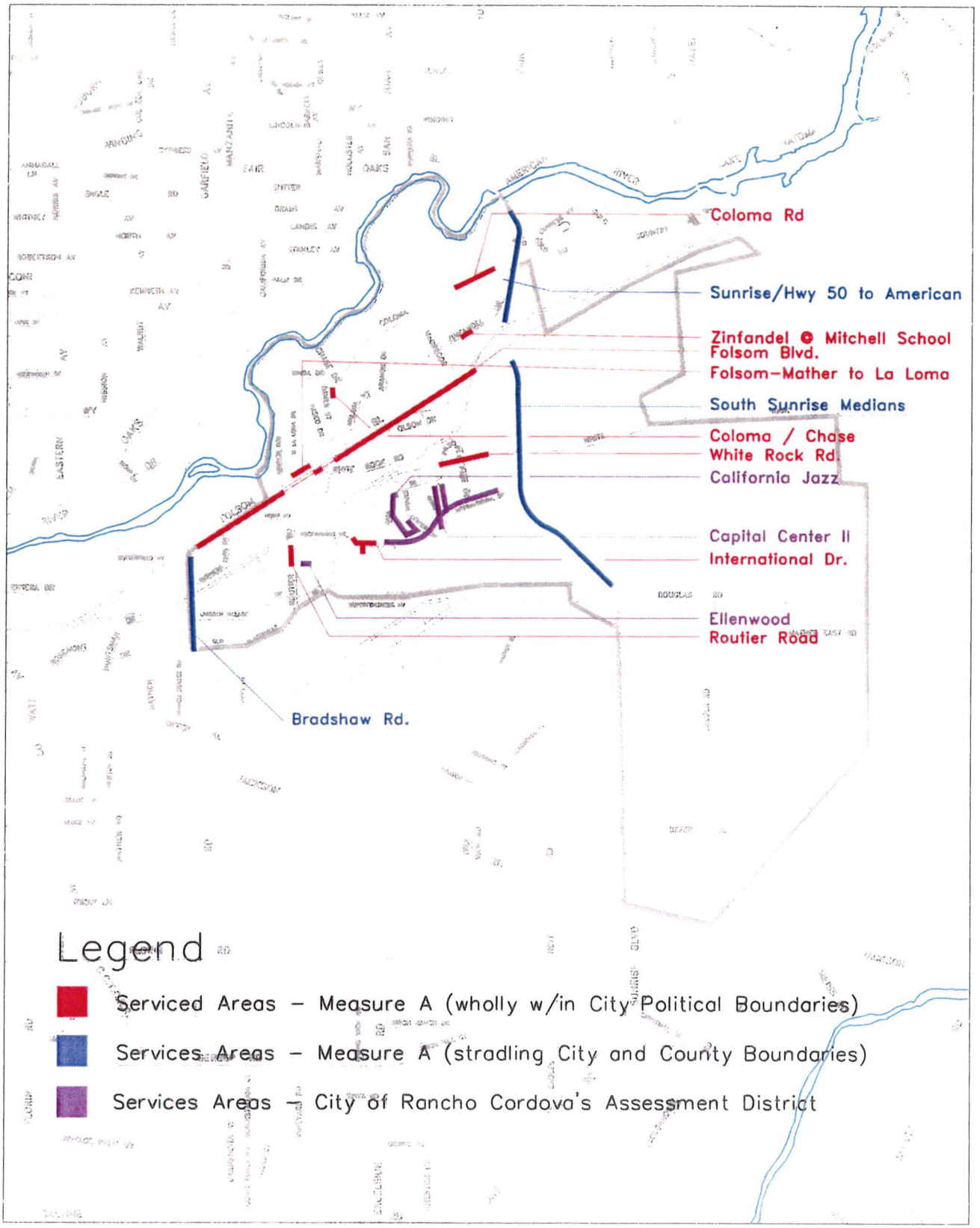
_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

ATTACHMENT 2

Service Location Map



Contract Landscape Maintenance
Service Area Descriptions
April 2006

Rancho Cordova District Locations:

Ellenwood: Frontage landscape south side of Ellenwood Drive from west of Misty Morning Circle to east of Misty Morning Circle. APN #s 077-0370-098-0000, 077-0370-099-0000, 077-0370-100-0000

California Jazz: Frontages on all sides of California Jazz subdivision. Landscaping on the west side of Capital Center Dr. from International Dr. north to the apartment complex; Landscaping on the north side International Dr. from Capital Center Dr. to Reserve Dr.; Landscaping on the east side Reserve Dr. from International Dr. to Data Dr.; Landscaping on the south side of Data Dr. from Reserve Dr. to the apartment complex just east of Reserve Dr. APN #s, 072-1340-077-0000, 072-1340-076-0000, 072-1340-075-0000, 072-1350-081-0000

Capitol Center II: Frontage and median landscape on Zinfandel Drive between Data Dr. and International Dr., west frontage on Zinfandel Dr. south of International Dr. to Villages of Zinfandel. Medians landscape on International Drive between Kilgore Rd. and just west of Data Drive.

	A	B	C	D	E
2	**Zone #5**	51001 Cap Ctr	1802851		275040, 275044, 275046, 275047, 275048
3			38743530		
4			38743521		
5			38743526		
6			38743525		
7		54002 Calif. Jazz	70006481		411760-2
8		54003 Zinfandel Extension	POC owned by Zinfandel Evergreen (see site info sheet)		
9		54004 Ellenwood	46811431		05-0017566-6
10					

ATTACHMENT 3

REQUEST FOR BID - THIS IS NOT AN ORDER RETURN ORIGINAL-KEEP ONE COPY

	COUNTY OF SACRAMENTO	ISSUE DATE	**NOVEMBER 7, 2006**
	CONTRACT & PURCHASING SERVICES DIVISION, DEPARTMENT OF GENERAL SERVICES 10545 ARMSTRONG AVENUE, MATHER, CA 95655 (916) 876-6360	BID NUMBER	**RFB 6907**
V E N D O R		RETURN YOUR BID IN ENVELOPE, SEALED AND CLEARLY MARKED ON OUTSIDE WITH BID NUMBER AND DATE SHOWN BELOW TO: CONTRACT & PURCHASING SERVICES DIVISION, 10545 ARMSTRONG AVENUE, MATHER, CA 95655 **BIDS WILL NOT BE ACCEPTED AFTER 3:00 P.M. ON: NOVEMBER 22, 2006**	
		FOR ADDITIONAL INFORMATION CONTACT	
		BUYER	KIAUNA NORMAN
		PHONE	(916) 876-6382

SERVICE LOCATION REQUIREMENT	SERVICE TO BE PERFORMED
SEE ATTACHED	SEE ATTACHED

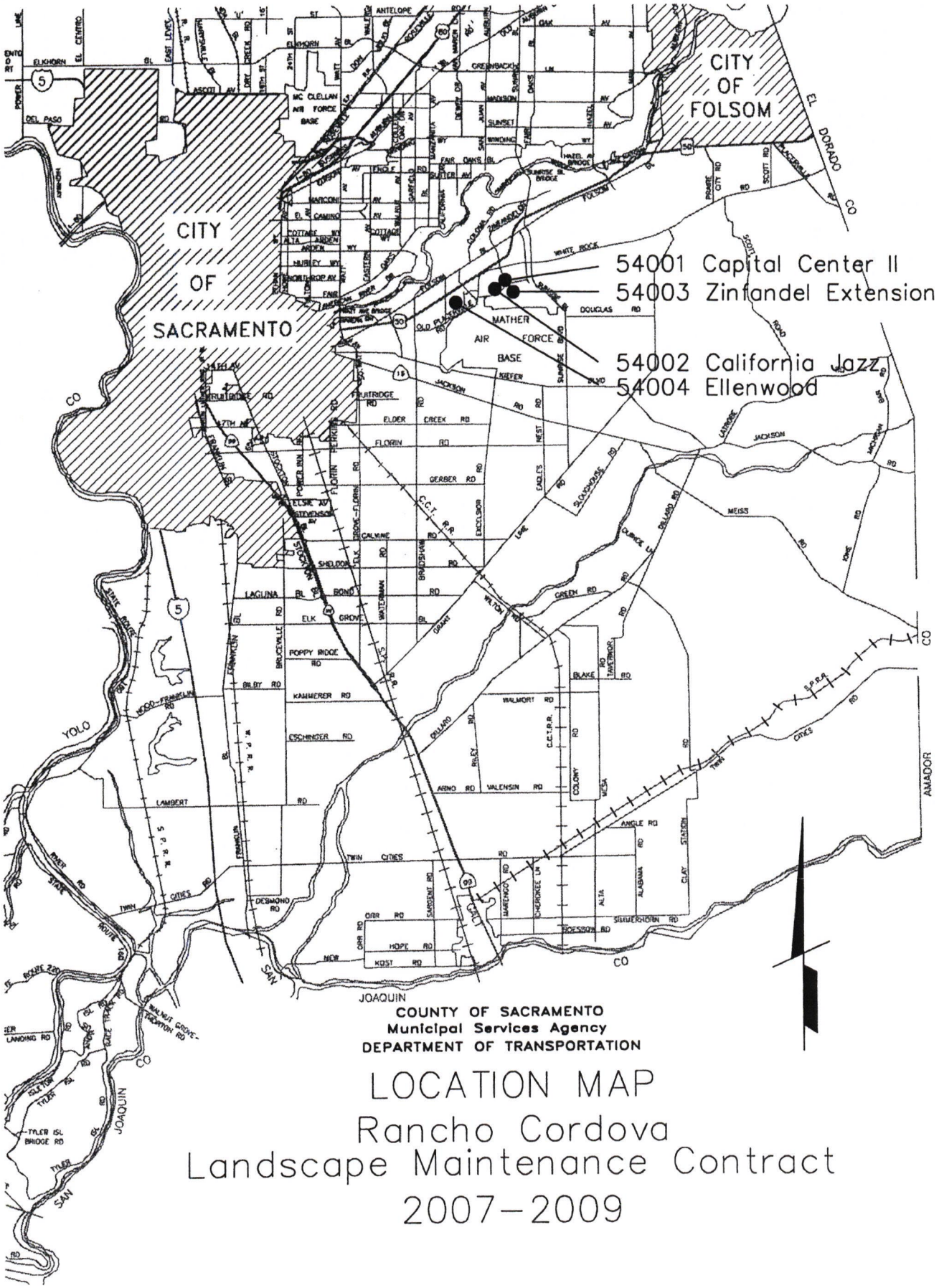
FAILURE TO SIGN THIS SECTION WILL DISQUALIFY YOUR RESPONSE

THE UNDERSIGNED OFFERS AND AGREES TO FURNISH THE ARTICLES AND/OR SERVICES LISTED IN THIS DOCUMENT AT THE PRICES AND TERMS STATED, SUBJECT TO THE GENERAL CONDITIONS OF THIS REQUEST FOR BID:

FIRM NAME	
SIGNATURE	
PRINTED NAME	
FEDERAL TAX IDENTIFICATION NUMBER	
DATE / PHONE	
EMAIL ADDRESS / FAX	

COMMODITY TITLE: Rancho Cordova Landscape Maintenance Contract 2007-2009

THIS REQUEST FOR BID IS NOT AN ORDER. THE PURPOSE OF THIS RFB IS TO SOLICIT BIDS FOR THE PURPOSE OF ESTABLISHING A CONTRACT OR CONTRACTS COVERING THE COUNTY OF SACRAMENTO'S LANDSCAPE MAINTENANCE REQUIREMENTS PER THE FOLLOWING TERMS, CONDITIONS AND SPECIFICATIONS.



COUNTY OF SACRAMENTO
Municipal Services Agency
DEPARTMENT OF TRANSPORTATION

LOCATION MAP
Rancho Cordova
Landscape Maintenance Contract
2007–2009

ATTACHMENT 4

RFB6907
Rancho Cordova
Landscape Maintenance 07-09

Base Bid Grand Total*	Crossroads Diversified Services	Roush Landscape Services	Moodey Incorporated	TruGreen Landcare	Innovative Maintenance Solutions	Coast Landscape Management	California Landscape	Thompson Landscaping
54001								
A. First Term	$ 41,226.00	$ 17,952.00	$ 62,040.00	$ 49,905.60	$ 32,880.00	$ 13,104.00	$ 17,760.00	$ 5,424.00
B. Second Term	$ 42,050.52	$ 17,952.00	$ 62,040.00	$ 50,903.76	$ 33,696.00	$ 13,632.00	$ 18,120.00	$ 6,624.00
C. Third Term	$ 42,891.48	$ 17,952.00	$ 64,200.00	$ 51,921.84	$ 34,536.00	$ 14,172.00	$ 18,468.00	$ 7,824.00
54002								
A. First Term	$ 8,016.12	$ 5,400.00	$ 15,240.00	$ 9,469.20	$ 10,980.00	$ 6,996.00	$ 7,068.00	$ 5,424.00
B. Second Term	$ 8,176.45	$ 5,400.00	$ 15,240.00	$ 9,658.56	$ 11,256.00	$ 7,284.00	$ 7,200.00	$ 6,624.00
C. Third Term	$ 8,339.88	$ 5,400.00	$ 15,780.00	$ 9,851.76	$ 11,532.00	$ 7,572.00	$ 7,344.00	$ 7,824.00
54003								
A. First Term	$ 6,298.32	$ 5,400.00	$ 10,200.00	$ 7,416.00	$ 5,640.00	$ 1,716.00	$ 3,624.00	$ 5,424.00
B. Second Term	$ 6,424.20	$ 5,400.00	$ 10,200.00	$ 7,564.32	$ 5,772.00	$ 1,788.00	$ 3,696.00	$ 6,624.00
C. Third Term	$ 6,552.72	$ 5,400.00	$ 10,560.00	$ 7,715.64	$ 5,916.00	$ 1,860.00	$ 3,768.00	$ 7,824.00
54004								
A. First Term	$ 1,717.92	$ 3,000.00	$ 2,700.00	$ 2,304.00	$ 3,420.00	$ 1,524.00	$ 2,844.00	$ 5,424.00
B. Second Term	$ 1,752.24	$ 3,000.00	$ 2,700.00	$ 2,350.08	$ 3,504.00	$ 1,596.00	$ 2,892.00	$ 6,624.00
C. Third Term	$ 1,787.28	$ 3,000.00	$ 2,700.00	$ 2,397.12	$ 3,588.00	$ 1,656.00	$ 2,952.00	$ 7,824.00
Unscheduled	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 36,000.00
Base Bid Grand Total*	$211,233.13	$131,256.00	$309,600.00	$247,457.88	$198,720.00	$108,900.00	$131,736.00	$115,488.00

*Base Bid Grand Total Includes pricing for three annual terms + unscheduled (extra) work

Unscheduled (Extra) Work Schedule	Crossroads Diversified Services	Roush Landscape Services	Moodey Incorporated	TruGreen Landcare	Innovative Maintenance Solutions	Coast Landscape Management	California Landscape	California Landscape
1	0.014	0.008	0.250	0.035	0.030	0.020	0.030	0.300
2	0.014	0.005	0.010	0.690	0.025	0.017	0.020	0.250
3	34.000	35.000	38.000	60.000	40.000	65.000	47.000	65.000
4	27.000	25.000	32.000	40.000	28.000	65.000	28.000	50.000
5	122.000	115.000	125.000	115.000	125.000	190.000	142.000	85.000
6	29.000	45.000	45.000	45.000	50.000	75.000	50.000	55.000
7	29.000	45.000	35.000	35.000	45.000	44.000	29.000	30.000
8	9.500	30.000	14.000	12.000	15.000	22.500	13.000	20.000
9	58.000	25.000	38.000	42.000	32.000	61.000	35.000	50.000
10	0.950	1.030	1.250	1.000	1.450	0.380	0.500	1.200
11	38.500	19.490	26.000	18.000	19.000	27.210	23.000	20.000
12	43.000	22.400	28.000	25.000	24.000	30.190	26.000	32.000
13	49.510	23.000	33.000	40.000	24.000	36.000	31.000	45.000
14	56.500	33.000	57.000	70.000	37.000	42.000	48.000	55.000
15	75.000	20.950	33.000	40.000	37.000	34.000	43.000	45.000
16	34.500	5.400	12.000	18.000	7.250	12.000	8.000	9.000
17	35.000	3.000	12.000	18.000	3.600	11.000	5.000	3.000
18	14.850	12.000	24.000	35.000	3.600	10.000	40.000	3.000
19	15.000	1.500	22.000	30.000	3.600	9.000	40.000	3.000
20	15.000	12.000	14.000	18.000	3.600	25.000	27.000	20.000
21	0.200	3.000	7.000	6.000	2.100	0.980	2.000	10.000
22	13.000	44.000	35.000	65.000	103.000	325.000	21.000	250.000
23	14.000	45.000	18.000	85.000	35.000	395.000	23.000	250.000
24	87.000	105.000	120.000	125.000	93.000	75.000	83.000	100.000
25	15.000	40.000	50.000	125.000	50.000	45.000	64.000	55.000
26	90.000	110.000	145.000	225.000	90.000	65.000	112.000	120.000
27	110.000	140.000	200.000	255.000	130.000	96.500	177.000	150.000
28	125.000	180.000	250.000	315.000	160.000	130.000	204.000	200.000
29	5.000	10.000	4.500	5.000	6.500	1.750	5.000	5.000
30	7.000	16.000	4.500	25.000	8.500	4.250	16.000	50.000
31	10.000	60.000	14.000	X	24.000	18.000	25.000	30.000
32	40.000	60.000	100.000	100.000	82.000	85.000	87.000	65.000
33	40.000	60.000	100.000	110.000	109.000	135.000	97.000	120.000
34	11.550	18.000	32.000	18.000	16.000	24.000	22.000	20.000
35	15.750	14.000	45.000	22.000	20.000	16.000	23.000	20.000
36	8.000	2.000	3.000	6.000	4.500	4.000	3.000	5.500

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **APPROVAL OF MEASURE A TRANSPORTATION EXPENDITURE PLANS**

RECOMMENDATION

1. Approve the FY2006/2007 Supplemental Allocation to the FY2006/2007 Expenditure Plan (**Attachment 1**) allocating Measure A revenues to City programs and maintenance, and direct staff to submit the plan to the STA.

2. Approve the FY2006/2007 Expenditure Plan Reallocation Request (**Attachment 2**), and direct staff to submit the plan to the STA.

3. Approve the FY2007/2008 Expenditure Plan (**Attachment 3**) allocating Measure A revenues to City transportation projects, programs and maintenance, and direct staff to submit the plan to the Sacramento Transportation Authority (STA).

RESULT OF RECOMMENDED ACTION

Approval of the Measure A Transportation Expenditure Plans will allocate funding to City projects and programs and allow the City to expend Measure A Sales Tax revenues. Upon approval, the recommended Expenditure Plans will be submitted to STA for review and final approval by the STA Board.

BACKGROUND

FY2006/2007 Supplemental Allocation to the FY2006/2007 Expenditure Plan

STA received the final FY2005/2006 revenue from the State in June which exceeded the revenue projections by $5,069,536. The reserve funds held at STA are a little over $8 million. In preparation of the current Measure A expiring and the implementation of the New Measure A effective April 2009, STA has begun distributing portions of the reserve balances to be allocated to current projects.

In October 2006, the STA Board approved distribution of $2.5 million from the reserve fund. The excess revenue received and the distribution of the reserve funds total $7,569,536. The STA Board approved the FY2006/2007 Supplemental Allocation. The City's portion of the supplemental allocation is $106,073 in Construction funds and $84,859 in Maintenance funds. Additionally, interest is earned by each entity with funds

held at STA. The City earned $81,085 which is included in the FY2006/2007 Supplemental Allocation to the FY2006/2007 Expenditure Plan (**Attachment 1**) totaling $272,017. The plan recommends the Construction funds be allocated to contingency and the Maintenance funds be allocated to the Roadway Maintenance Program.

FY2006/2007 Expenditure Plan Reallocation Request

Reallocation requests are used to adjust previously programmed funds allocated from STA to the Measure A entity through Expenditure Plans. These requests do not include new funds or additional allocations. These requests are administrative in nature and ensure funds can be reprogrammed or shifted when necessary. Periodically staff will need to submit reallocation requests to the STA Board to report canceled programs and shifts in project or program funding. A few examples of funding shifts would be a project is canceled or completed under budget and the remaining funds need to be reallocated to another project, when a project is fully funded with local funds and the City receives a grant for a portion of the project, when an existing project or program needs additional funding, or when City priorities change and funding needs to be shifted amongst projects. The flexibility to shift or reprogram funds is very important to a new and growing City and allows staff to fully leverage existing and future local funds to deliver as many projects as possible. The attached FY2006/2007 Expenditure Plan Reallocation Request (**Attachment 2**) allocates $72,975 from Measure A Contingency held at STA to various transportation projects. Additionally, the request shifts funds from canceled programs to current projects and programs.

FY2007/2008 Expenditure Plan

On October 12, 2006, the STA Governing Board approved the Measure A Sales Tax revenue estimates for FY 2007/2008. The STA Administrative Code and the Measure A Transportation Expenditure Agreement require Measure A entities to submit expenditure plans detailing how the funds will be allocated. The STA reviews the submittals for conformance with the Countywide Transportation Expenditure Plan (CTEP). Expenditure Plans are presented to the STA Board for final approval in May 2007. Funding from the FY 2007/2008 allocation will be available for expenditure July 1, 2007.

The total Measure A revenue estimate for FY2007/2008 is $117,019,250, which reflects a growth rate of 4.95% over FY2006/2007. Based on the voter-approved Measure A distribution formula, the City's total allocation is $2,923,445, including $1,624,136 for road construction projects and programs and $1,299,309 for roadway maintenance. The FY2007/2008 Expenditure Plan is attached to this report as **Attachment 3.** In addition to the FY2007/2008 construction allocation, $85,864 is being programmed from contingency funds held at STA.

Attachment 4 provides specific project or program descriptions and the allocation amounts for each plan described above.

The following summarizes staff recommendation allocating Measure A revenues to specific transportation projects and programs.

Local Transportation Construction Projects and Annual Transportation Programs: Local transportation construction project allocations are project specific and are based on

FY2006/2007 total project cost estimates and funding needs for FY2007/2008. Annual programs have been established to provide funding for improvements in various locations throughout the City including bikeways, pedestrian, elderly and disabled, neighborhood traffic management, and traffic safety. All programs included in the requests have received Measure A allocations regionally and locally in previous years. A new traffic signal located at Data Drive and International Drive is proposed via a CTEP amendment **(Attachment 5)**. All specific projects and programs are consistent with the CTEP.

Local Transportation Maintenance Program: The attached FY2006/2007 Supplemental Allocation Plan adds $125,402 to roadway maintenance for the current fiscal year. The FY2007/2008 Expenditure Plan allocates $1,299,309 for next fiscal year's road maintenance. A description of the maintenance activities funded by Measure A is provided in **Attachment 6**.

ATTACHMENT(S)

1. FY2006/2007 Measure A Supplemental Allocation Request (Attachment 1)
2. FY2006/2007 Measure A Reallocation Request (Attachment 2)
3. FY2007/2008 Measure A Allocation Request (Attachment 3)
4. Annual Transportation Programs (Attachment 4)
5. CTEP Amendment - Data Drive and International Drive Traffic Signal (Attachment 5)
6. Transportation Maintenance Programs (Attachment 6)

City of Rancho Cordova
Supplemental Allocation to the Measure A Expenditure Plan
FY2006/2007

Construction		
STA Allocation - Measure A Construction	$	106,073
STA Allocation - Measure A Construction Interest	$	40,542
Total Supplemental Allocation - Construction	**$**	**146,615**
City Project/Program		
ROW & Contingency	**$**	**146,615**

Maintenance		
STA Allocation - Measure A Maintenance	$	84,859
STA Allocation - Measure A Maintenance Interest	$	40,543
Total Supplemental Allocation - Maintenance	**$**	**125,402**
City Project/Program		
Transportation Maintenance Program	**$**	**125,402**

City of Rancho Cordova
Reallocation Request for February 8, 2007

Transfer From				Transfer To			
Year	Project/Program	Amount	Total From	Year	Project/Program	Amount	Total To
FY04/05	School Crossing Guard	$ 25,000		FY05/06	Elderly & Disabled Access Improvements	$ 7,977	
				FY06/07	Neighborhood Traffic Management Program	$ 14,598	
				FY06/07	Safety Improvements	$ 2,425	
			$ 25,000				**$ 25,000**
FY04/05	Speed Control Program	$ 109,600		FY06/07	Safety Improvements	$ 17,575	
				FY06/07	Pedestrian Improvements	$ 50,000	
				FY06/07	Bikeway Improvements	$ 40,000	
				FY06/07	Traffic Signal Program	$ 2,025	
			$ 109,600				**$ 109,600**
FY05/06	Traffic Signal - Coloma/Cordova	$ 4,898		FY04/05	Traffic Signal Kilgore/Trade Center	$ 4,898	
			$ 4,898				**$ 4,898**
FY04/05	ROW / Contingency	$ 72,975		FY06/07	Traffic Signal Program	$ 72,975	
			$ 72,975				**$ 72,975**
	Total		**$ 212,473**		**Total**		**$ 212,473**

Attachment 2

City of Rancho Cordova
Measure A Expenditure Plan
FY2007/2008

Construction	
STA Allocation - Measure A Construction	**$ 1,624,136**
City Project/Program	
Streetscape Program	$ 660,000
Bikeway Improvements - Various Locations	$ 100,000
Elderly and Disabled Access Improvements - Various Locations	$ 100,000
Pedestrian Safety Improvements - Various Locations	$ 100,000
Street Safety Improvements - Various Locations	$ 150,000
Neighborhood Traffic Management Program	$ 100,000
Transportation Master Plan	$ 100,000
Traffic Signal Program - Various Locations	$ 400,000
ROW & Contingency	$ (85,864)
	$ 1,624,136
Maintenance	
STA Allocation - Measure A Maintenance	**$ 1,299,309**
City Project/Program	
Transportation Maintenance Program	**$ 1,299,309**

Annual Transportation Programs (Construction)

Program Name	Description	Supplemental Allocation to the FY2006/2007 Expenditure Plan	FY2006/2007 Expenditure Plan Reallocation Request	2007-2008 Measure A Expenditure Plan
Streetscape Improvements - Various Locations	This Citywide program designs and constructs streetscape improvements include frontage landscaping with some curb, gutter and sidewalk improvements, median improvements with landscaping and hardscaping, irrigation and some pedestrian improvements.	$ -	$ -	$ 660,000
Bikeway Improvements	This Citywide program implements bikeways at locations specified in the Bikeway Master Plan and the County project priority list for pedestrian walkways and bikeways. Projects consist primarily of sliver widening, overlays, signage and striping required to provide bikeways.	$ -	$ 40,000	$ 100,000
Elderly and Disabled Program	This Citywide program provides for the construction of handicapped-accessible ramps, the installation of audible pedestrian devices, and other amenities at various locations, to provide safe access for the elderly and disabled. Project selection and prioritization is determined in cooperation with the Advisory Committee for Persons with Disabilities.	$ -	$ 7,977	$ 100,000
Pedestrian Safety Improvements Various Locations	This Citywide program provides for Pedestrian Master Plan/ADA Transition Plan Development and for the construction of new sidewalks, curbs, and gutters at various sites; construct asphalt walkways; install pedestrian signals, safety lighting facilities, warning signage, and pedestrian push buttons identified in the Plans.	$ -	$ 50,000	$ 100,000
Safety Improvements	This Citywide program provides for the installation of miscellaneous safety improvements in various locations, including flashing beacons, guardrails, median channelization, and various signing and striping based on traffic engineering warrants.	$ -	$ 20,000	$ 150,000
Neighborhood Traffic Management Program	This Citywide program provides for development and implementation of the City's Neighborhood Traffic Management Program. Implementation of this program will include installation of various traffic calming measures to reduce speeds at various locations throughout the City. The candidate sites will be identified using the criteria that will be developed and established as part of the Neighborhood Traffic Management Program.	$ -	$ 14,598	$ 100,000
Traffic Signal Program Various Locations	This program provides for the design and construction of new traffic signals at locations identified on the City project priority list for traffic signals, and upgrades and modifications to existing traffic signals, including Fiber Optic Networking. New signals are only part of this program after they have been added to the CTEP via a CTEP amendment. A proposed CTEP amendment has been submitted for the Data Drive and International Drive Traffic Signal.	$ -	$ 75,000	$ 400,000
Transportation Master Plan Program	This program implements concepts set forth in the City's General Plan Circulation Element. This includes detail roadway sizing, implements the Transit Master Plan, provides for the development of the Bicycle, Pedestrian and ITS Master Plans, and coordinates with other regional planning efforts initiated by SACOG and the 50 Mobility Corridor Coalition.	$ -	$ -	$ 100,000
ROW / Contingency	These funds are reserved at STA for cost overruns and federal and state grant match requirements.	$ 146,615	$ (72,975)	$ (85,864)
FY04/05 Programs	Reallocation of funds from canceled programs (School Crossing Guard and Speed Control Program).	$ -	$ (134,600)	$ -
	Totals	**$ 146,615**	**$ -**	**$ 1,624,136**

CTEP Amendment

Data Drive and International Drive Traffic Signal

There is a need for increased traffic safety and improved traffic circulation at the intersection of Data Drive and International Drive due to increased traffic volumes on International Drive. Since the original measure did not include a traffic signal at this location, this project requires an amendment into the CTEP.

There is no impact to the completion of existing projects in the CTEP.

Upon approval of the CTEP amendment, this project will be eligible for Measure A Construction funds as a listed traffic signal.

2007-2008 MEASURE A EXPENDITURE REQUEST

Transportation Maintenance Programs

The Measure A Transportation Expenditure Agreement requires that 28 percent of the annual sales tax revenue distributions for public transit and public roadways be allocated for maintenance of existing local streets, roads and highways. The Measure A Maintenance Programs includes the following maintenance activities:

- AC Overlays
- Chip Seal
- Crack Sealing
- Curb and Gutter Repair/Replacement
- Fence Repair
- Fixed Bridge Maintenance
- Graffiti Removal
- Guardrail Repair
- Landscape Maintenance
- Leaf Pickup
- Mechanical Ditch Cleaning
- Miscellaneous Maintenance Activities
- Pavement Survey
- Paving
- Roadside Mowing
- Roadside Shoulder Grading
- Roadside Spraying
- Sidewalk Repair/Replacement
- Slurry Seal Program
- Street Sign Program
- Sweeping
- Trash Cleanup
- Tree Trimming

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **APPROVAL OF NEW MEASURE A CAPITAL ALLOCATIONS AND EXPENDITURES**

RECOMMENDATION

1. Approve the 2006 series of revenue anticipation note allocation in the amount of $848,720 to the Folsom Boulevard Beautification: Bradshaw to Sunrise project from the Sacramento Transportation Authority (STA) 2006 Bonds.

2. Approve the 2006 series of revenue anticipation note allocation in the amount of $318,270 to the Sunrise Boulevard: Gold Country to Jackson Road project from the STA 2006 Bonds.

RESULT OF RECOMMENDED ACTION

Approval of New Measure A Capital allocations will allocate funding to City projects and allow the City to expend anticipated Measure A Sales Tax revenues from New Measure A. The advancement of these funds will allow the City to deliver projects that are needed sooner then the availability of New Measure A funds.

BACKGROUND

The New Measure A sales tax was approved by the voters in November 2004 and will replace the existing Measure A in April 2009. The STA Board has approved the New Measure A Plan of Finance which calls for accelerated allocation of $89,649,531 of sales tax revenues to 11 capital projects in six local jurisdictions for FY2006/2007. The City will be delivering two of the eleven projects and will receive a total of $1,166,990 from the 2006 bonds. In October 2006, the STA Board approved the issuance of the 2006 Series A & B Notes.

The Folsom Boulevard Beautification: Bradshaw to Sunrise project funding will continue the improvements along Folsom Boulevard. The current Phase of the project is from Mather Field Road from US-50 to Mills Station Road and on Folsom Boulevard from Coloma Road to Cordova Lane. The next phase of the project will be designed in the next few months and the Measure A funds will be leveraged against the $6.6 million in Federal earmarks awarded to the City in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

AGENDA ITEM #12

The Sunrise Boulevard: Gold Country to Jackson Road project consists of multiple phases that will widen Sunrise Boulevard to six lanes from Sunrise Park Drive to Jackson Highway. Phase one completed the widening and minor improvements from Sunrise Park Drive to Douglas Boulevard. Phases two and three are under construction by developers and will widen Sunrise Boulevard to five lanes from Douglas Boulevard to Kiefer Boulevard. Phase four is currently in designed by the City and will the roadway to four lanes from Kiefer Boulevard to Jackson Highway. Future phases will complete the widening to six lanes from Douglas Boulevard to Jackson Highway, and construct intersection improvements at Sunrise Boulevard and Jackson Highway including a bridge over the Folsom South Canal.

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **RESOLUTION NO. 06-2007 APPROVING SUBDIVISION NO. RC-05-148 FINAL MAP OF ELLENWOOD COMMONS AND EXECUTE SUBDIVISION IMPROVEMENT AGREEMENT**

RECOMMENDATION

Submitted herewith for approval is **Resolution No. 06-2007 (Attachment 1)** approving the subdivision titled "Final Map of Ellenwood Commons", consisting of 1 proposed lot, located on the south side of Ellenwood Avenue approximately 120 feet west of Misty Morning Circle.

RESULT OF RECOMMENDED ACTION

Approval of this recommended action will result in the city entering into a Subdivision Improvement Agreement **(Exhibit A)** guaranteeing the construction of drive ways and utilities with Parkcrest Development Corporation and the recording of the final subdivision map creating 1 new lot for the development of 28 single family unit condominiums.

BACKGROUND

The final map has been examined and checked for compliance with Title 22 of the City code and the California State map Act. The City Planning Commission approved the Tentative Map on May 26, 2005. This project received a Design Review Approval by the City Council on July 19, 2004. The initial building design remained unchanged upon the approval of the tentative map. A development agreement with the city for this project was adopted by Ordinance No. 21-2006 on September 5, 2006. A vicinity map **(Attachment 2)** and copy of the final map **(Attachment 3)** are included with this letter.

Roads are not offered for dedication. Drive ways, the necessary drainage and water facilities, street lighting and sewers in accordance with city requirements are satisfactorily provided for by Bond No. CWS70472 with Western Insurance Company in the amount of $65,800.00. Bond No. CWS70472 with Western

Insurance Company in the amount of $32,900.00 guarantees the labor and material.

There are no delinquent taxes against the property and the Tax Collector has so certified. The 2007/2008 estimated taxes have been secured with the Sacramento County Tax Collector.

Wong and Associates has waived the requirement for a bond to guarantee payment for setting the survey monuments with the subdivision. The soil report requirement has been prepared by Raney Geotechnical.

ATTACHMENTS

1. Resolution No. 06-2007 including **(Exhibit A)** Subdivision Improvement Agreement
2. Vicinity Map
3. 8 ½ X 11 Copy Of Final Map

CITY OF RANCHO CORDOVA

RESOLUTION NO. 06-2007

A RESOLUTION OF THE CITY COUNCIL APPROVING THE SUBDIVISION MAP OF SUBDIVISION NO. RC-05-148 FINAL MAP OF ELLENWOOD COMMONS

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the City Council resolves to execute a Subdivision Improvement Agreement (Exhibit A) on behalf of the City in connection with **Parkcrest Development Corporation, a California Corporation** and the subdivision designated as **Subdivision No. RC-05-148 Final Map of Ellenwood Commons** in the form hereto attached, and for all matters incidental thereto, and to do and perform everything necessary to carry out the purpose of this resolution.

PASSED AND ADOPTED by the City Council of on the 16th day of January, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC., City Clerk

Exhibit A

Contract No. 01-2007

SUBDIVISION IMPROVEMENT AGREEMENT

THIS AGREEMENT entered into this _____ day of _____ by and between the City of Rancho Cordova, (hereinafter "City"), and **Parkcrest Development Corporation, a California Corporation** (hereinafter "Principal").

RECITALS

WHEREAS, Section 66462 of the Government Code provides that if the work of improvement required therein is not completed prior to the acceptance of a final subdivision map, the owner of the subdivision may enter into an agreement with the City to perform the work of improvement as required by said sections in consideration of the acceptance of said final subdivision map by the City; and

WHEREAS, Section 66499 of the Government Code requires that said Agreement be secured by a surety bond or by an instrument of credit issued by a financial institution subject to regulation by the State or federal governments or by a cash deposit; and

WHEREAS, Section 66499.3 establishes the types and amount of security to guarantee the performance of any such improvement agreement; and

WHEREAS, City and Principal desire to enter into an improvement agreement as authorized by the Subdivision Map Act under the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual promises, conditions and covenants hereinafter set forth, City and Principal agree as follows:

1. **Incorporation of Recitals.** The foregoing recitals are hereby incorporated by reference.

2. **Findings and Conditions of Subdivision Map.** Principal recognizes that approval of his subdivision was subject to the

findings and conditions attached to such approval and hereby acknowledges and agrees to be bound by such findings and conditions.

3. City Approval of Subdivision Map. City agrees to approve the final map of the subdivision presented to it by Principal and designated **Ellenwood Commons, Subdivision No. RC-05-148**, and to accept on behalf of the public all lands, rights of way and easements therein offered in dedication, in accordance with the conditions hereinafter set forth.

4. Completion of Improvements. In consideration of such approval, Principal agrees to complete the work of improvement required for said subdivision in accordance with the requirements of the Rancho Cordova City Code and such standard specifications created by applicable City ordinances or resolutions which are in effect at the time of the installation of said improvements. The work required may lie within or outside the subdivision and must be completed within **24** months of the date of this agreement.

5. Payment For Services. Principal further agrees to promptly pay, when due, all costs for plan checking, inspection services and material testing performed by City pursuant to the requirements of Sections 12.03.210 et. seq. of the Rancho Cordova City Code.

6. Park Renovation Fee. Principal acknowledges that the City has adopted a fee for the purpose of renovating existing parks in the amount of $733 per single family lot within the Final Map ("Park Renovation Fee"). Principal acknowledges and agrees that such fee will be paid prior to the issuance of a building permit for the respective lot.

7. Acceptance of Improvements. Upon satisfactory completion of all public improvements in accordance with standard specifications created by City ordinances or resolutions which are in effect at the time of the installation of said improvements, City agrees to accept for maintenance the work of improvement within the dedicated parcels shown on said final

subdivision map, and any off site easements granted, subject to the provisions of paragraph 8 hereof.

8. Notice of Commencement of Work. Principal shall notify the City Engineer in writing of the commencement of the work of improvements.

9. Correction of Defects. Principal agrees to remedy any defects in the improvement arising from faulty or defective construction of said improvements occurring within twelve months after acceptance thereof by City.

10. Indemnity. Principal shall indemnify and hold harmless City from any and all loss, damage or liability arising out of or resulting from Principal's performance or non-performance of his duties and obligations under this Agreement, or from the negligent act or omission of himself, his agents, servants and employees. Principal shall, at his own cost and expense, defend any and all actions, suits, or legal proceedings arising out of or resulting from the performance or nonperformance of this Agreement, that may be brought or instituted against the City, its officers and employees, on any such claim or demand, and pay or satisfy any judgment that may be rendered against the City in any such action, suit or legal proceedings, or result thereof, regardless whether caused in part by a party indemnified hereunder.

11. Extension of Completion Date. If the construction of the work or improvement should be delayed without fault of Principal, the time for completion thereof may be extended by City for such period of time as City may deem reasonable.

12. Improvement Security. (a) Principal shall obtain and furnish to City an improvement security consisting of a surety bond in favor of City, issued by a corporate surety authorized to do business in the State of California, and in form approved by City, securing the faithful performance by Principal of the work of improvement required, and also securing the payment of the costs and interest, if any, due under Sections 12.030.210 et seq.

of the Rancho Cordova City Code, as provided in Paragraph 5 herein and an additional bond issued by a corporate surety authorized to do business in the State of California, in the amount of not less than 50 percent of the total estimated cost of the improvement, securing payment to contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials for the improvement.

(b) In lieu of said corporate surety bonds, Principal may furnish an improvement security consisting of a letter of credit, certificate of deposit, or similar instrument of credit, in form satisfactory to City, issued by a financial institution subject to regulation by the State or Federal government, pledging that the funds necessary to meet the performance required herein are on deposit, and guaranteed for payment on demand. Said letter of credit, certificate of deposit, or similar instrument of credit shall provide that the funds designated therein shall become trust funds for the purposes set forth in said instrument.

(c) The failure of Principal to commence the required work of improvements, or to complete the same within the time required after commencement thereof, shall entitle City to the full payment of the security, or so much thereof as may be necessary to complete the required work of improvement. The amount of the surety bond for faithful performance shall be in the sum of **$65,800.00**. The amount of the surety bond for the payment of the claims of the contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials for the improvement shall be at least 50 percent of the above amount. The letter of credit, certificate of deposit or similar instrument of credit, or cash deposit for faithful performance, shall be in the above amount plus an additional 50 percent for the purposes set forth herein.

13. <u>Improvement Security As Condition Precedent</u>. The furnishing of the improvement security by Principal as required by paragraph 11 hereof shall be a condition precedent to

acceptance by City of the above described real property and the performance by the City of the covenants herein on its part to be performed.

14. Inspection of Work In Progress. (a) Principal may request The City Engineer to inspect the work as it progresses. If the work performed is found to be in accordance with the requirements of City, it may be accepted as it progresses and a partial refund of the cash deposit, or a release pro tanto of the faithful performance bond, letter of credit, certificate of deposit or similar instrument of credit shall be made in a sum in the same ratio to the total deposit as the work accepted bears to the total work to be done. No refund in excess of 85 percent of the total amount of the improvement security for faithful performance shall be made until all the work has been completed and accepted.

(b) The determination of the Administrator of Public Works of City as to the amount of work done, and the amount of refund or partial release pro tanto, shall be final and conclusive. When the work of improvement is accepted, 10 percent of the improvement security shall be retained to guarantee faithful performance of the provisions of paragraph 8 of this Agreement.

(c) Improvement security given to secure payment to contractor, his subcontractors and to persons renting equipment or furnishing labor or materials for the work of improvement may, six months after completion and acceptance of the work, be reduced to an amount not less than the total of all claims on which an action has been filed, and notice thereof given in writing to City, and if there are no actions filed, such improvement security may be released in full.

15. Execution By Real Party In Interest. Where title to the subdivision property is held by the record owner thereof under a holding Agreement, this Agreement and the bond given pursuant thereto must be executed by the real party or parties in interest.

16. Waiver of Civil Code Section 2819. Any extension of time hereunder shall not operate to release the surety on the bond filed pursuant to this Agreement. In this connection the surety waives the provisions of Section 2819 of the Civil Code of the State of California.

17. City Construction of Improvements. In the event that all or any portion of the works of improvement contemplated herein are proposed to be constructed by street improvement proceedings under the control of City, the undertaking of such proceedings shall in no way relieve Principal of any duties under this Agreement, except where all of the works of improvement that are required under this Agreement have in fact been constructed and accepted by City.

18. Interest. Interest shall accrue at the highest rate permitted by law on all sums from the date payment is due under the terms of this agreement and the sum due is certain or reasonably capable of being made certain.

19. Attorneys' Fees. In the event that it is necessary for the City to enforce the obligations secured by the improvement security furnished pursuant to Paragraph 11 hereof, the City shall be entitled to recover its costs and reasonable expenses and fees, including reasonable attorneys' fees, as provided for in Government Code Section 66499.4.

20. Amendments. This Agreement may be modified or amended, or any of its provisions waived, only by a subsequent written agreement executed by the parties hereto.

21. Entire Agreement. This Agreement and any attachments hereto constitute the sole, final, complete, exclusive and integrated expression and statement of the terms and conditions of this Agreement among the parties hereto concerning the subject matter addressed herein, and supercedes all prior negotiations, representations or agreements, oral or written, that may be related to the subject matter of this Agreement.

22. Construction and Interpretation. It is agreed and

acknowledged by the Principal that the provisions of this Agreement have been arrived at through negotiation, and that the Principal has had a full and fair opportunity to revise the provisions of this Agreement and to have such provisions reviewed by legal counsel. Therefore, the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not apply in construing or interpreting this Agreement.

23. Successors and Assigns. This Agreement shall bind and inure to the benefit of the respective successors and assigns of the parties hereto.

24. Time. Time is of the essence in the performance of each and every term of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CITY OF RANCHO CORDOVA

By_____
MAYOR

CITY(SEAL)

ATTEST:_____
Clerk of the City Council

PRINCIPAL :
PARKCREST DEVELOPMENT CORPORATION
A California Corporation

_____

Print Name : Robert S. Park

Title : President

State of California }
} ss.
County of Sacramento }

on April 19, 2006 before me, D. Desrosiers
Notary Public, personally appeared: Robert S. Park

☑ Personally known to me; or ☐ proved to me on the basis of satisfactory evidence; to be the person(s) whose name(s) IS/ARE subscribed to the within instrument, and acknowledged to me that HE/SHE/THEY executed the same in HIS/HER/THEIR authorized capacity(ies), and that HIS/HER/THEIR signature(s) on the instrument the person or entity upon behalf of which person(s) acted, executed the instrument.

WITNESS my hand and official seal

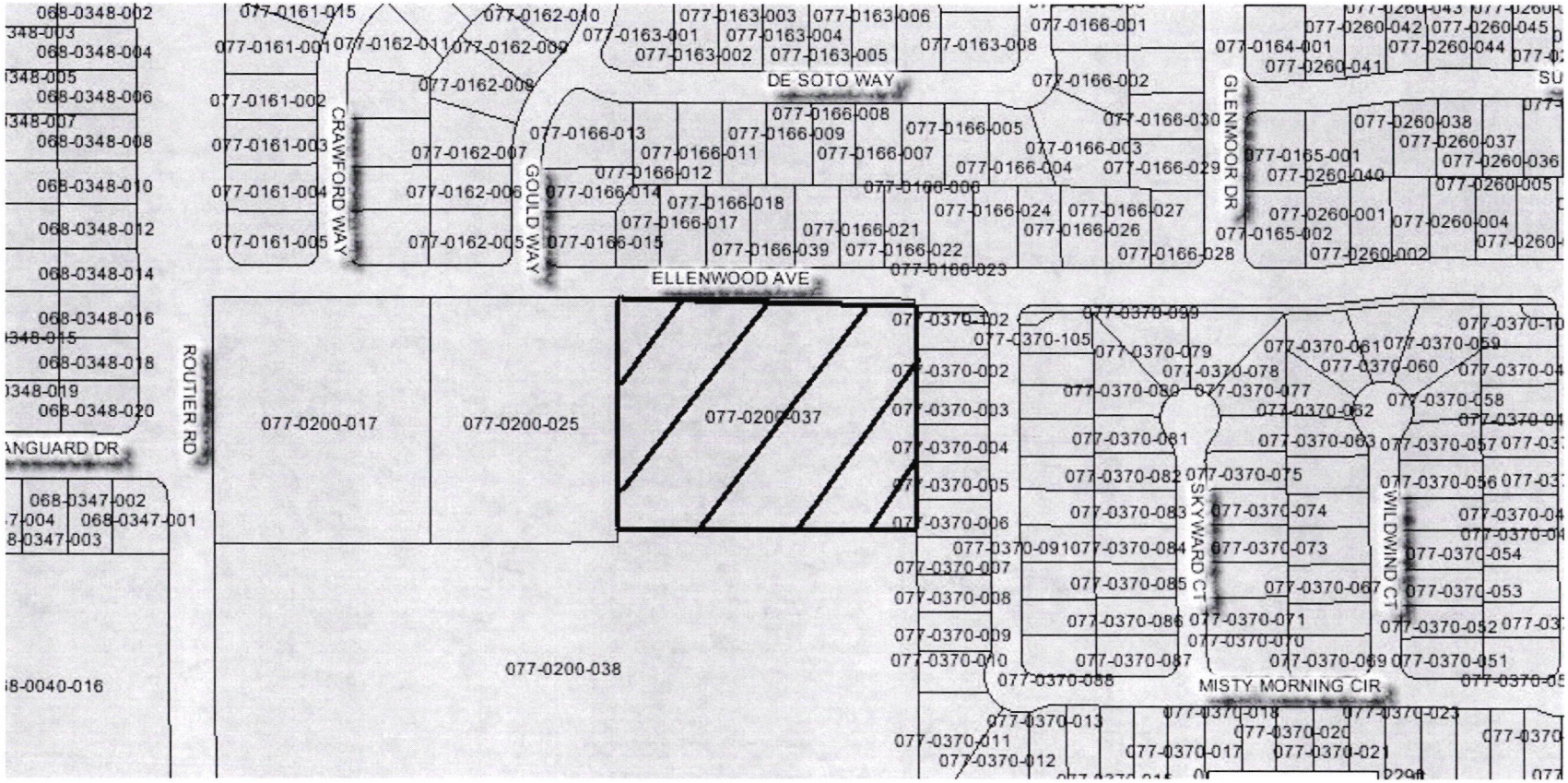
Notary Public

This area for official notary seal

D. DESROSIERS
COMM. # 1412732
NOTARY PUBLIC • CALIFORNIA
SACRAMENTO COUNTY
Comm. Exp. APRIL 21, 2007

ELLENWOOD COMMONS – RC-05-148

VICINITY MAP



ATTACHMENT 2

Attachment 3

FINAL MAP
OF
ELLENWOOD COMMONS
SUBDIVISION NO. RC-05-148
PARCEL 2 FILED IN BOOK 96 OF PARCEL MAPS, AT PAGE 27

CITY OF RANCHO CORDOVA, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

JUNE, 2006 SCALE: NONE

SHEET 1 OF 2

WONG & ASSOCIATES
ENGINEERING • SURVEYING • LAND PLANNING
10089 FOLSOM BOULEVARD, SUITE A
RANCHO CORDOVA, CALIFORNIA 95670
TEL: (916) 361-6926 FAX: (916) 361-6931

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY CONSENTS TO THE PREPARATION AND RECORDATION OF THIS FINAL MAP AND OFFER FOR DEDICATION AND DO HEREBY DEDICATE TO ANY AND ALL PUBLIC USES THE AVENUE SHOWN HEREON AND OFFERS FOR DEDICATION AND DOES HEREBY DEDICATE TO SPECIFIC PURPOSES THE FOLLOWING:

1) EASEMENTS FOR PLANTING AND MAINTAINING TREES, ELECTROLIERS, TRAFFIC CONTROL DEVICES, WATER AND GAS PIPES, AND FOR OVERHEAD AND UNDERGROUND WIRES AND CONDUITS FOR ELECTRIC, TELEVISION AND TELEPHONE SERVICES, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO, ON, OVER, UNDER AND ACROSS STRIPS OF LAND 12.5 FEET IN WIDTH LYING CONTIGUOUS TO THE PRIVATE ROAD SHOWN HEREON AND DESIGNATED "PUBLIC UTILITY EASEMENT".

2) AN EASEMENT FOR CONSTRUCTING AND MAINTAINING CENTRALIZED MAIL DELIVERY BOXES, PEDESTALS, AND SLABS, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO INCLUDING PEDESTRIAN ACCESS FOR DELIVERY AND RECEIPT OF MAIL ON, OVER, UNDER AND ACROSS STRIPS OF LAND FIVE FEET IN WIDTH, LYING CONTIGUOUS TO THE PUBLIC AVENUE SHOWN HEREON.

PARKCREST DEVELOPMENT CORPORATION, A CALIFORNIA CORPORATION

BY: _____ BY: _____

NOTARY STATEMENT

STATE OF CALIFORNIA
COUNTY OF Sacramento

ON Apr. 19, 2006, BEFORE ME D. Desrosiers

A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED Robert S. Park

PERSONALLY KNOWN TO ME OR [ ] PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND: Commission no. 1412732

SIGNATURE D. Desrosiers PRINTED NAME

MY PRINCIPAL PLACE OF BUSINESS IS Sacramento COUNTY
MY COMMISSION EXPIRES 4/21/2007

TRUSTEE'S STATEMENT

FIRST AMERICAN TITLE COMPANY, TRUSTEE UNDER DEED OF TRUST RECORDED JUNE 24, 2005 IN BOOK 20050624, PAGE 2146, OF OFFICIAL RECORDS OF SACRAMENTO COUNTY, STATE OF CALIFORNIA, HEREIN CONSENTS TO THE RECORDATION OF THIS FINAL MAP.

BY: _____ BY: _____
D. Desrosiers, Asst. Vice President

NOTARY STATEMENT

STATE OF CALIFORNIA
COUNTY OF Sacramento

ON April 19, 2006, BEFORE ME Carole Fujisaki

A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED D. Desrosiers

PERSONALLY KNOWN TO ME OR [ ] PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND: Commission # 1364469

SIGNATURE Carole Fujisaki PRINTED NAME Carole Fujisaki

MY PRINCIPAL PLACE OF BUSINESS IS Sacramento COUNTY
MY COMMISSION EXPIRES July 12, 2006

CITY CLERK'S STATEMENT

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HAS APPROVED THIS FINAL MAP AND HAS ACCEPTED ON BEHALF OF THE PUBLIC ALL LANDS, EASEMENTS AND RIGHT-OF-WAY SHOWN AS AVENUE HEREON TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO, SUBJECT TO THE IMPROVEMENT THEREOF.

_____ _____
DATE CITY CLERK
CITY OF RANCHO CORDOVA

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF ROBERT PARK IN JANUARY, 2005. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE APRIL 2007, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

_____
GARY TIMOTHY WONG, L. S. 5035

LICENSED LAND SURVEYOR
GARY TIMOTHY WONG
No. 5035
Expires
12-31-07
STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP OF ELLENWOOD COMMONS AND FIND IT TO BE SUBSTANTIALLY THE SAME AS THE TENTATIVE MAP APPROVED BY THE CITY PLANNING COMMISSION, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ALL APPLICABLE CITY ORDINANCES HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT SAID FINALN MAP IS TECHNICALLY CORRECT.

_____ _____
DATE CITY ENGINEER
CYRUS E. ABHAR, L.S. 7723
EXIRATION DATE: 12/21/2007

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 20 ___, AT _____ __ M IN BOOK _____ OF MAPS, AT PAGE _____ AT THE REQUEST OF WONG & ASSOCIATES. TITLE TO THE LAND INCLUDED IN THIS SUBDIVISION MAP BEING VESTED AS PER CERTIFICATE NO. _____ ON FILE AT THIS

_____
COUNTY RECORDER

BY: _____
DEPUTY

JOB NO. 2004-065

Attachment 3

FINAL MAP
OF
ELLENWOOD COMMONS
SUBDIVISION NO. RC-05-148
PARCEL 2 FILED IN BOOK 96 OF PARCEL MAPS, AT PAGE 27

CITY OF RANCHO CORDOVA, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

JUNE, 2006 SCALE: 1" = 40'

SHEET 2 OF 2

WONG & ASSOCIATES

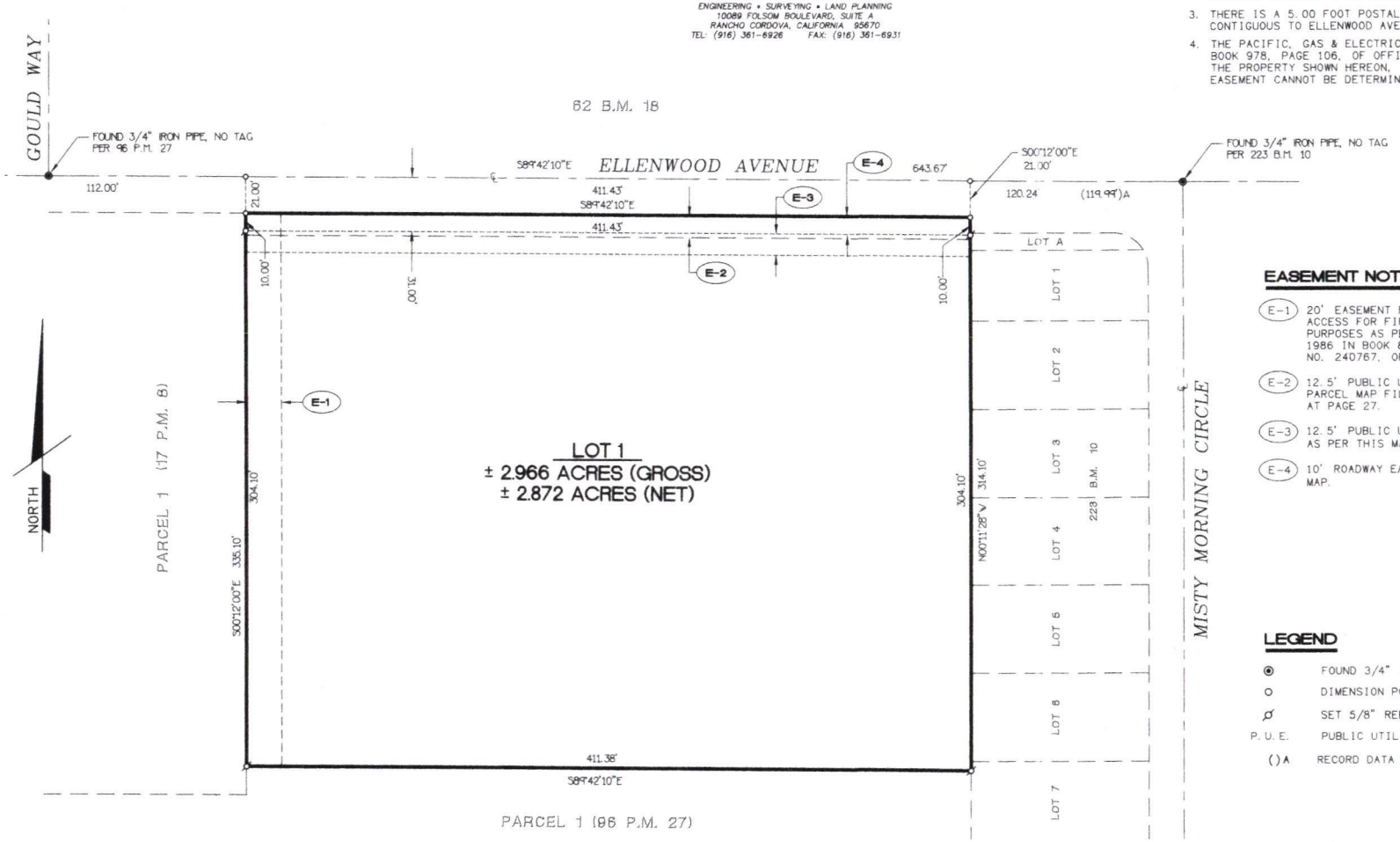
ENGINEERING • SURVEYING • LAND PLANNING
10089 FOLSOM BOULEVARD, SUITE A
RANCHO CORDOVA, CALIFORNIA 95670
TEL: (916) 361-6926 FAX: (916) 361-6931

BASIS OF BEARING

THE BEARINGS ON THIS MAP ARE BASED ON THE FOUND MONUMENTS ON THE CENTERLINE OF ELLENWOOD AVENUE PER 96 P.M. AND 223 B.M. 10; THAT BEARING BEING S 89° 42' 10" E.

NOTES

1. TOTAL AREA FOR THIS SUBDIVISION IS ± 2.966 ACRES, CONSISTING OF ONE LOT.
2. A PRELIMINARY SOILS REPORT PREPARED BY RANEY GEOTECHNICAL, FILE NO. 1754-005, DATED AUGUST 5, 2002. A COPY OF THIS REPORT IS AVAILABLE FOR PUBLIC INSPECTION AT THE CITY OF RANCHO CORDOVA BUILDING INSPECTION DEPARTMENT.
3. THERE IS A 5.00 FOOT POSTAL EASEMENT CONTIGUOUS TO ELLENWOOD AVENUE.
4. THE PACIFIC, GAS & ELECTRIC EASEMENT FILED IN BOOK 978, PAGE 106, OF OFFICIAL RECORDS, AFFECTING THE PROPERTY SHOWN HEREON, THE LOCATION OF SAID EASEMENT CANNOT BE DETERMINED.



EASEMENT NOTES

- (E-1) 20' EASEMENT FOR INGRESS, EGRESS, EMERGENCY ACCESS FOR FIRE PROTECTION AND INCIDENTAL PURPOSES AS PER DOCUMENT RECORDED NOVEMBER 10, 1986 IN BOOK 861110 AT PAGE 1629, INSTRUMENT NO. 240767, OF OFFICIAL RECORDS.
- (E-2) 12.5' PUBLIC UTILITY EASEMENT AS PER THE PARCEL MAP FILED IN BOOK 96 OF PARCEL MAPS AT PAGE 27.
- (E-3) 12.5' PUBLIC UTILITY EASEMENT TO BE DEDICATED AS PER THIS MAP.
- (E-4) 10' ROADWAY EASEMENT TO BE DEDICATED PER THIS MAP.

LEGEND

◉	FOUND 3/4" IRON PIPE, NO TAG
o	DIMENSION POINT
⌀	SET 5/8" REBAR W/TAG L.S. 5035
P.U.E.	PUBLIC UTILITY EASEMENT
( )A	RECORD DATA PER 223 B.M. 10

JOB NO. 2004-065

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **RESOLUTION NO. 07-2007 APPROVING SUBDIVISION NO. RC-04-123.3 FINAL MAP OF CAPITAL VILLAGE PHASE III AND EXECUTE SUBDIVISION IMPROVEMENT AGREEMENT**

RECOMMENDATION

Submitted herewith for approval is **Resolution No. 07-2007 (Attachment 1)** approving the subdivision titled "Final Map of Capital Village Phase III", consisting of 240 proposed lots, located on the southeast corner of Zinfandel Drive and International Drive.

RESULT OF RECOMMENDED ACTION

Approval of this recommended action will result in the city entering into a Subdivision Improvement Agreement **(Exhibit A)** guaranteeing the construction of public roads and utilities with Beazer Homes Holdings., a Delaware Corporation and the recording of the final subdivision map creating 240 new residentially zoned lots.

BACKGROUND

The map has been examined and checked for compliance with Title 22 of the City code and the California State map Act. The City Council approved the Tentative Map on March 21, 2005. A vicinity map **(Attachment 2)** and copy of the final map **(Attachment 3)** are included with this letter.

Roads are offered for dedication. Public streets, the necessary drainage and water facilities, street lighting and sewers in accordance with city requirements are satisfactorily provided for by Bond No. SU5021443 with Arch Insurance Company in the amount of $5,902,585.00. Bond No. SU5021443 with Arch Insurance Company in the amount of $2,951,292.00 guarantees the labor and material.

AGENDA ITEM # 14

MRO Engineers has waived the requirement for a bond to guarantee payment for setting the survey monuments with the subdivision. The soil report requirement has been prepared by Wallace-Kuhl & Associates.

ATTACHMENTS

1. Resolution No. 07-2007 including **(Exhibit A)** Subdivision Improvement Agreement
2. Vicinity Map
3. 8 ½ X 11 Copy Of Final Map

CITY OF RANCHO CORDOVA

RESOLUTION NO. 07-2007

A RESOLUTION OF THE CITY COUNCIL APPROVING THE SUBDIVISION MAP OF SUBDIVISION NO. RC-04-123.3 FINAL MAP OF CAPITAL VILLAGE PHASE III

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the City Council resolves to execute a Subdivision Improvement Agreement (Exhibit A) on behalf of the City in connection with **Beazer Homes Holdings Corp., a Delaware Corporation** and the subdivision designated as **Subdivision No. RC-04-123.3 Final Map of Capital Village Phase III** in the form hereto attached, and for all matters incidental thereto, and to do and perform everything necessary to carry out the purpose of this resolution.

PASSED AND ADOPTED by the City Council of on the ____th day of _____, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC., City Clerk

Exhibit A

Contract No. 02-2007

SUBDIVISION IMPROVEMENT AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2006, by and between the City of Rancho Cordova, (hereinafter "City"), and Beazer Homes Holdings Corp, a Delaware Corporation (hereafter designated as "Developer").

RECITALS

WHEREAS, Section 66462 of the Government Code provides that if the work of improvement required therein is not completed prior to the acceptance of a final subdivision map, the owner of the subdivision may enter into an agreement with the City to perform the work of improvement as required by said sections in consideration of the acceptance of said final subdivision map by the City; and

WHEREAS, Section 66499 of the Government Code requires that said Agreement be secured by a surety bond or by an instrument of credit issued by a financial institution subject to regulation by the State or federal governments or by a cash deposit; and

WHEREAS, Section 66499.3 establishes the types and amount of security to guarantee the performance of any such improvement agreement; and

WHEREAS, City and Principal desire to enter into an improvement agreement as authorized by the Subdivision Map Act under the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual promises, conditions and covenants hereinafter set forth, City and Principal agree as follows:

1. **Incorporation of Recitals.** The foregoing recitals are hereby incorporated by reference.

2. **Findings and Conditions of Subdivision Map.** Principal recognizes that approval of his subdivision was subject to the findings and conditions attached to such approval and hereby acknowledges and agrees to be bound by such findings and conditions.

3. **City Approval of Subdivision Map.** City agrees to approve the final map of the subdivision presented to it by Developer and Principal and designated **Capital Village Phase III, RC-04-123.3** and to accept on behalf of the public all lands, rights of way and easements therein offered in dedication, in accordance with the conditions hereinafter set forth.

4. **Completion of Improvements.** In consideration of such approval, Principal agrees to complete the work of improvement required for said subdivision in accordance with the requirements of the Rancho Cordova City Code and such standard specifications created by applicable City ordinances or resolutions which are in effect at the time of the installation of said improvements. The work required may lie within or outside the subdivision and must be completed within **24** months of the date of this agreement.

5. **Payment For Services.** Principal further agrees to promptly pay, when due, all costs for plan checking, inspection services and material testing performed by City pursuant to the requirements of Sections 12.03.210 et. seq. of the Rancho Cordova City Code.

6. **Park Renovation Fee.** Principal acknowledges that the City has adopted a fee for the purpose of renovating existing parks in the amount of $733 per single family lot within the Final Map ("Park Renovation Fee"). Principal acknowledges and agrees that such fee will be paid prior to the issuance of a building permit for the respective lot.

7. **Acceptance of Improvements.** Upon satisfactory completion of all public improvements in accordance with standard specifications created by City ordinances or resolutions which are in effect at the time of the installation of said

improvements, City agrees to accept for maintenance the work of improvement within the dedicated parcels shown on said final subdivision map, and any off site easements granted, subject to the provisions of paragraph 8 hereof.

8. Notice of Commencement of Work. Principal shall notify the City Engineer in writing of the commencement of the work of improvements.

9. Correction of Defects. Principal agrees to remedy any defects in the improvement arising from faulty or defective construction of said improvements occurring within twelve months after acceptance thereof by City.

10. Indemnity. Principal shall indemnify and hold harmless City from any and all loss, damage or liability arising out of or resulting from Principal's performance or non-performance of his duties and obligations under this Agreement, or from the negligent act or omission of himself, his agents, servants and employees. Principal shall, at his own cost and expense, defend any and all actions, suits, or legal proceedings arising out of or resulting from the performance or nonperformance of this Agreement, that may be brought or instituted against the City, its officers and employees, on any such claim or demand, and pay or satisfy any judgment that may be rendered against the City in any such action, suit or legal proceedings, or result thereof, regardless whether caused in part by a party indemnified hereunder.

11. Extension of Completion Date. If the construction of the work or improvement should be delayed without fault of Principal, the time for completion thereof may be extended by City for such period of time as City may deem reasonable.

12. Improvement Security. (a) Principal shall obtain and furnish to City an improvement security consisting of a surety bond in favor of City, issued by a corporate surety authorized to do business in the State of California, and in form approved by City, securing the faithful performance by Principal of the work

of improvement required, and also securing the payment of the costs and interest, if any, due under Sections 12.030.210 et seq. of the Rancho Cordova City Code, as provided in Paragraph 5 herein and an additional bond issued by a corporate surety authorized to do business in the State of California, in the amount of not less than 50 percent of the total estimated cost of the improvement, securing payment to contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials for the improvement.

(b) In lieu of said corporate surety bonds, Principal may furnish an improvement security consisting of a letter of credit, certificate of deposit, or similar instrument of credit, in form satisfactory to City, issued by a financial institution subject to regulation by the State or Federal government, pledging that the funds necessary to meet the performance required herein are on deposit, and guaranteed for payment on demand. Said letter of credit, certificate of deposit, or similar instrument of credit shall provide that the funds designated therein shall become trust funds for the purposes set forth in said instrument.

(c) The failure of Principal to commence the required work of improvements, or to complete the same within the time required after commencement thereof, shall entitle City to the full payment of the security, or so much thereof as may be necessary to complete the required work of improvement. The amount of the surety bond for faithful performance shall be in the sum of **$5,902,585.00**. The amount of the surety bond for the payment of the claims of the contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials for the improvement shall be at least 50 percent of the above amount. The letter of credit, certificate of deposit or similar instrument of credit, or cash deposit for faithful performance, shall be in the above amount plus an additional 50 percent for the purposes set forth herein.

13. Improvement Security As Condition Precedent. The furnishing of the improvement security by Principal as required by paragraph 11 hereof shall be a condition precedent to acceptance by City of the above described real property and the performance by the City of the covenants herein on its part to be performed.

14. Inspection of Work In Progress. (a) Principal may request The City Engineer to inspect the work as it progresses. If the work performed is found to be in accordance with the requirements of City, it may be accepted as it progresses and a partial refund of the cash deposit, or a release pro tanto of the faithful performance bond, letter of credit, certificate of deposit or similar instrument of credit shall be made in a sum in the same ratio to the total deposit as the work accepted bears to the total work to be done. No refund in excess of 85 percent of the total amount of the improvement security for faithful performance shall be made until all the work has been completed and accepted.

(b) The determination of the Administrator of Public Works of City as to the amount of work done, and the amount of refund or partial release pro tanto, shall be final and conclusive. When the work of improvement is accepted, 10 percent of the improvement security shall be retained to guarantee faithful performance of the provisions of paragraph 8 of this Agreement.

(c) Improvement security given to secure payment to contractor, his subcontractors and to persons renting equipment or furnishing labor or materials for the work of improvement may, six months after completion and acceptance of the work, be reduced to an amount not less than the total of all claims on which an action has been filed, and notice thereof given in writing to City, and if there are no actions filed, such improvement security may be released in full.

15. **Execution By Real Party In Interest.** Where title to the subdivision property is held by the record owner thereof under a holding Agreement, this Agreement and the bond given pursuant thereto must be executed by the real party or parties in interest.

16. **Waiver of Civil Code Section 2819.** Any extension of time hereunder shall not operate to release the surety on the bond filed pursuant to this Agreement. In this connection the surety waives the provisions of Section 2819 of the Civil Code of the State of California.

17. **City Construction of Improvements.** In the event that all or any portion of the works of improvement contemplated herein are proposed to be constructed by street improvement proceedings under the control of City, the undertaking of such proceedings shall in no way relieve Principal of any duties under this Agreement, except where all of the works of improvement that are required under this Agreement have in fact been constructed and accepted by City.

18. **Interest.** Interest shall accrue at the highest rate permitted by law on all sums from the date payment is due under the terms of this agreement and the sum due is certain or reasonably capable of being made certain.

19. **Attorneys' Fees.** In the event that it is necessary for the City to enforce the obligations secured by the improvement security furnished pursuant to Paragraph 11 hereof, the City shall be entitled to recover its costs and reasonable expenses and fees, including reasonable attorneys' fees, as provided for in Government Code Section 66499.4.

20. **Amendments.** This Agreement may be modified or amended, or any of its provisions waived, only by a subsequent written agreement executed by the parties hereto.

21. **Entire Agreement.** This Agreement and any attachments hereto constitute the sole, final, complete, exclusive and

integrated expression and statement of the terms and conditions of this Agreement among the parties hereto concerning the subject matter addressed herein, and supercedes all prior negotiations, representations or agreements, oral or written, that may be related to the subject matter of this Agreement.

22. Construction and Interpretation. It is agreed and acknowledged by the Principal that the provisions of this Agreement have been arrived at through negotiation, and that the Principal has had a full and fair opportunity to revise the provisions of this Agreement and to have such provisions reviewed by legal counsel. Therefore, the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not apply in construing or interpreting this Agreement.

23. Successors and Assigns. This Agreement shall bind and inure to the benefit of the respective successors and assigns of the parties hereto.

24. Time. Time is of the essence in the performance of each and every term of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CITY OF RANCHO CORDOVA

By_____
MAYOR

CITY(SEAL)

ATTEST:_____

Clerk of the City Council

By _____
Developer

Beazer Homes Holdings Corp, a Delaware corporation

STATE OF CALIFORNIA }
} ss.
COUNTY ~~OF~~ } See attached

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Placer

On Oct. 4, 2006 (Date) before me, Marie M. Hong, Notary Public — (Name and Title of Officer (e.g., "Jane Doe, Notary Public"))

personally appeared Stan Samiec (Name(s) of Signer(s))

☒ personally known to me

☐ ~~(or proved to me on the basis of satisfactory evidence)~~

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

WITNESS my hand and official seal.

MARIE M. HONG
Commission # 1653442
Notary Public - California
Placer County
My Comm. Expires Apr 6, 2010

Place Notary Seal Above

Marie M Hong
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Subdivision Improvement Agreement (Capital Village Ph. 3)

Document Date: _____ Number of Pages: 8

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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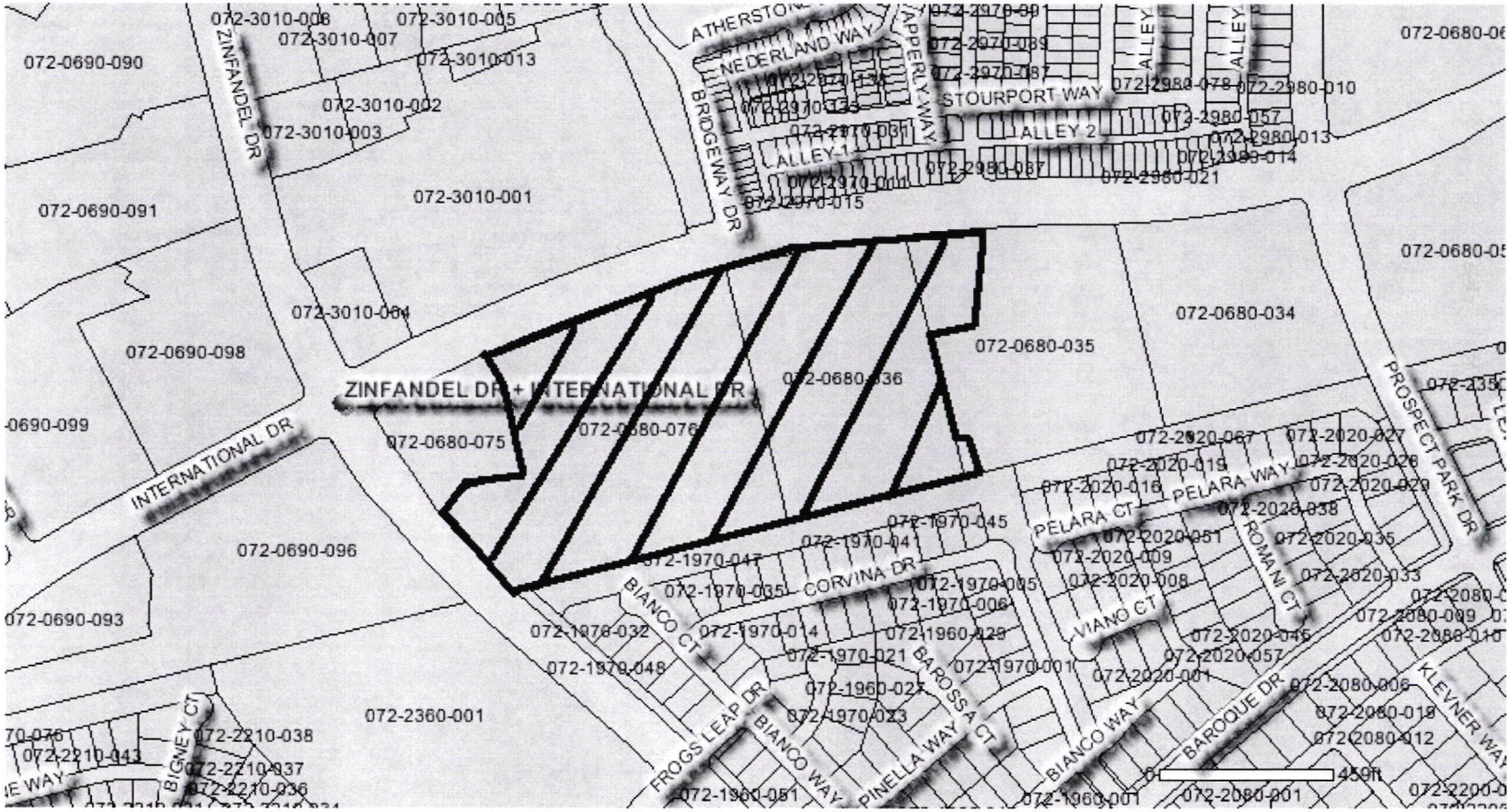
CAPITAL VILLAGE PHASE III – RC-04-123.3

VICINITY MAP



ATTACHMENT 2

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY CONSENTS TO THE PREPARATION AND RECORDATION OF THIS FINAL MAP AND OFFERS FOR DEDICATION AND DOES HEREBY DEDICATE TO ANY AND ALL PUBLIC USES THE PUBLIC WAYS, DRIVES, ALLEYS AND AISLES SHOWN HEREON AND ALSO OFFERS FOR DEDICATION AND DOES HEREBY DEDICATE TO SPECIFIC PURPOSES THE FOLLOWING:

1) EASEMENT FOR PLANTING AND MAINTAINING TREES, ELECTROLIERS, TRAFFIC CONTROL DEVICES, WATER AND GAS PIPES, AND FOR OVERHEAD AND UNDERGROUND WIRES AND CONDUITS FOR ELECTRIC, TELEVISION AND TELEPHONE SERVICES, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO, ON, OVER, UNDER AND ACROSS STRIPS OF LANDS 22.00' FEET IN WIDTH 10.00' FEET IN WIDTH AND VARYING FEET IN WIDTH LYING CONTIGUOUS TO THE PUBLIC WAYS, AND DRIVES SHOWN HEREON AND DESIGNATED "PUBLIC UTILITY EASEMENT," (PUE).

2) EASEMENT FOR PLANTING AND MAINTAINING TREES, ELECTROLIERS, TRAFFIC CONTROL DEVICES, WATER AND GAS PIPES, AND FOR OVERHEAD AND UNDERGROUND WIRES AND CONDUITS FOR ELECTRIC, TELEVISION AND TELEPHONE SERVICES, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO, ON, OVER, UNDER AND ACROSS STRIPS OF LANDS 4.0 FEET IN WIDTH LYING CONTIGUOUS TO ALLEYS AND AISLES SHOWN HEREON AND DESIGNATED "PUBLIC UTILITY EASEMENT." (PUE)

3) EASEMENT FOR CONSTRUCTING AND MAINTAINING CENTRALIZED MAIL DELIVERY BOXES, PEDESTALS, AND SLABS, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO INCLUDING PEDESTRIAN ACCESS FOR DELIVERY AND RECEIPT OF MAIL ON, OVER, UNDER AND ACROSS STRIPS OF LAND
5.00' FEET IN WIDTH LYING CONTIGUOUS TO THE PUBLIC WAYS, AND DRIVES SHOWN HEREON.

4) EASEMENT FOR LANDSCAPING AND ALL APPURTENANCES APPERTAINING THERETO LYING ON, OVER AND ACROSS STRIPS OF LAND SHOWN HEREON AND DESIGNATED "LANDSCAPING EASEMENT,"(LE) SAID STRIPS TO BE KEPT OPEN AND FREE FROM BUILDINGS.

5) RIGHTS OF WAY AND EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF A PEDESTRIAN WALKWAY, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO ON, OVER, UNDER AND ACROSS THOSE STRIPS OF LAND SHOWN HEREON AND DESIGNATED "PEDESTRIAN EASEMENT "(PE)

6) RIGHTS OF WAY AND EASEMENTS FOR INSTALLATION AND MAINTENANCE OF WATER, GAS, AND DRAINAGE PIPES, AND FOR POLES AND OVERHEAD AND UNDERGROUND WIRES AND CONDUITS FOR ELECTRICAL, TELEVISION AND TELEPHONE SERVICES, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO ON, OVER, UNDER AND ACROSS LOTS AaA, CcC, DdD, EeE, Mm, Nn, Oo, Pp, Qq, Tt, Uu, Vv, Ww AND Zz AS SHOWN HEREON AND LABELED "PUBLIC UTILITY EASEMENT" (P.U.E.)

HEARTHSTONE MULTI-ASSET ENTITY B, L.P.,
a California limited partnership

By: HHPH GP, LLC,
a California limited liability company
General Partner

By: Hearthstone, Inc.,
a California corporation
Manager

By: _____
Tracy F. Carver

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO } ss

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

WITNESS MY HAND AND OFFICIAL SEAL

_____
SIGNATURE PRINTED NAME

MY PRINCIPAL PLACE OF BUSINESS IS _____

MY COMMISSION EXPIRES _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MRO ENGINEERS ON MARCH OF 2005. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP; THAT THE MONUMENTS WILL BE OF THE CHARACTER AND WILL OCCUPY THE POSITIONS INDICATED AND WILL BE SET BY APRIL, 2007, AND THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATE: _____ _____
TOM O. MORROW,
LICENSE EXPIRES 6-30-07

CITY ENGINEER STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF CAPITAL VILLAGE PHASE III AND FIND IT TO BE SUBSTANTIALLY THE SAME AS THE TENTATIVE MAP APPROVED BY THE CITY OF RANCHO CORDOVA, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AN ALL APPLICABLE COUNTY ORDINANCES HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATE _____ _____
CYRUS E. ABHAR L.S. 7723/R.C.E. 45424
CITY ENGINEER

CITY CLERK'S STATEMENT

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HAS APPROVED THIS FINAL MAP AND HAS ACCEPTED ON BEHALF OF CITY COUNCIL ALL LANDS, EASEMENTS AND RIGHT-OF-WAYS SHOWN HEREON AS THE PUBLIC WAYS, DRIVES, ALLEYS AND AISLES TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO, SUBJECT TO THE IMPROVEMENT THEREOF.

DATE: _____ _____
CITY CLERK
CITY OF RANCHO CORDOVA

RECORDER'S STATEMENT

ACCEPTED FOR RECORD AND FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK _____ OF MAPS, AT PAGE _____, THIS _____ DAY OF _____, 2006, AT _____ HOURS, _____ MINUTES, _____.M., TITLE TO THE LAND INCLUDED IN THIS SUBDIVISION BEING VESTED AS PER. CERTIFICATE NO. _____ ON FILE IN THIS OFFICE.

_____ DOCUMENT NO. _____
RECORDER OF SACRAMENTO COUNTY
STATE OF CALIFORNIA

BY: _____ FEE: $ _____

CAPITAL VILLAGE
PHASE III

SUBDIVISION NO.RC-04-123.3

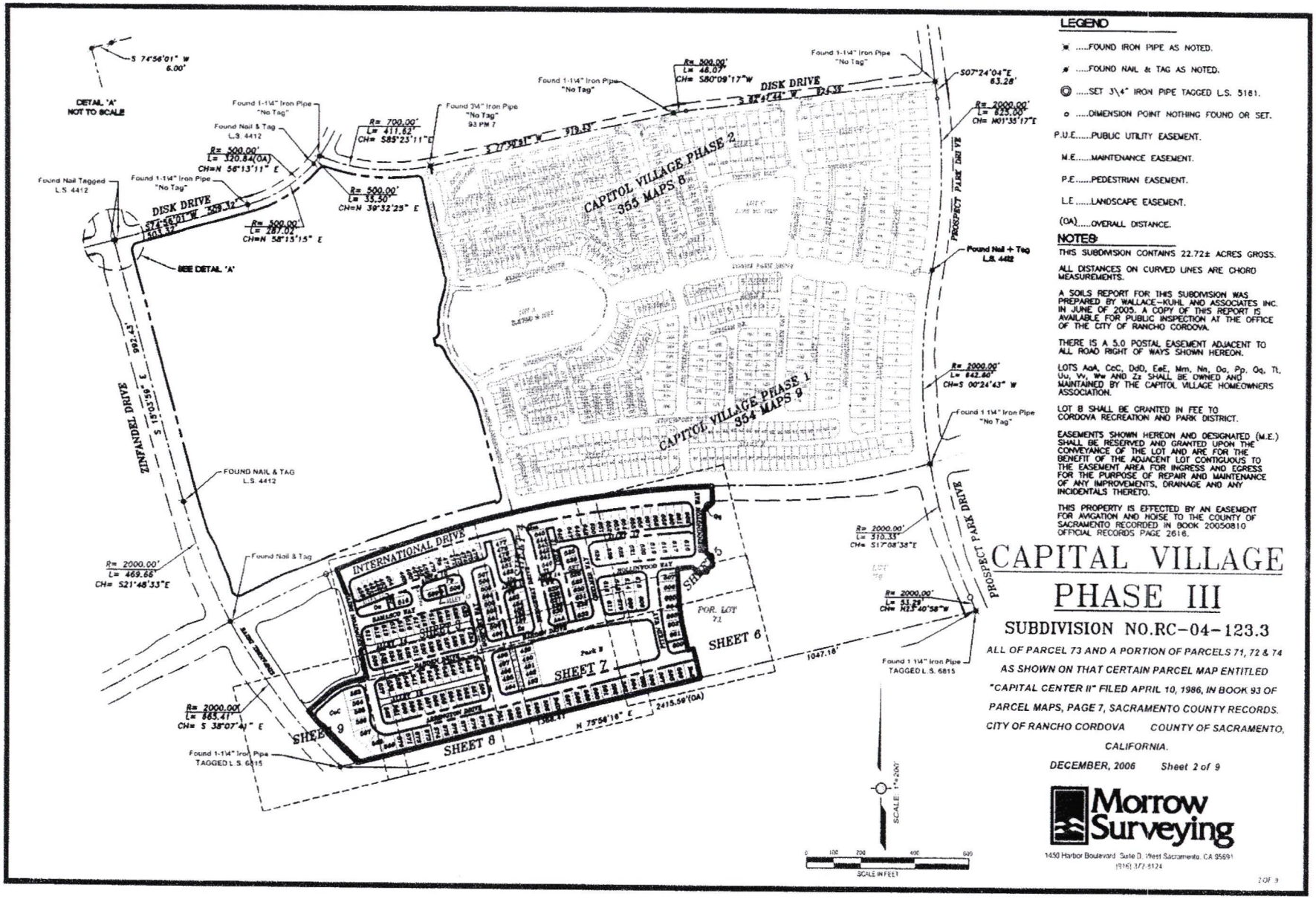
ALL OF PARCEL 73 AND A PORTION OF PARCELS 71, 72 & 74 AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "CAPITAL CENTER II" FILED APRIL 10, 1986, IN BOOK 93 OF PARCEL MAPS, PAGE 7, SACRAMENTO COUNTY RECORDS.

CITY OF RANCHO CORDOVA COUNTY OF SACRAMENTO, CALIFORNIA.

DECEMBER, 2006 Sheet 1 of 9

Morrow Surveying
1450 Harbor Boulevard Suite D West Sacramento, CA 95691
(916) 372-8124

Attachment 3



LEGEND

- ⊠ .....FOUND IRON PIPE AS NOTED.
- ⊛ .....FOUND NAIL & TAG AS NOTED.
- ◎ .....SET 3\4" IRON PIPE TAGGED L.S. 5181.
- o .....DIMENSION POINT NOTHING FOUND OR SET.

P.U.E.....PUBLIC UTILITY EASEMENT.

M.E.....MAINTENANCE EASEMENT.

P.E.....PEDESTRIAN EASEMENT.

L.E.....LANDSCAPE EASEMENT.

(OA).....OVERALL DISTANCE.

NOTES

THIS SUBDIVISION CONTAINS 22.72± ACRES GROSS.

ALL DISTANCES ON CURVED LINES ARE CHORD MEASUREMENTS.

A SOILS REPORT FOR THIS SUBDIVISION WAS PREPARED BY WALLACE-KUHL AND ASSOCIATES INC. IN JUNE OF 2005. A COPY OF THIS REPORT IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE CITY OF RANCHO CORDOVA.

THERE IS A 5.0 POSTAL EASEMENT ADJACENT TO ALL ROAD RIGHT OF WAYS SHOWN HEREON.

LOTS AoA, CoC, DdD, EaE, Mm, Nn, Oo, Pp, Qq, Tt, Uu, Vv, Ww AND Zz SHALL BE OWNED AND MAINTAINED BY THE CAPITOL VILLAGE HOMEOWNERS ASSOCIATION.

LOT B SHALL BE GRANTED IN FEE TO CORDOVA RECREATION AND PARK DISTRICT.

EASEMENTS SHOWN HEREON AND DESIGNATED (M.E.) SHALL BE RESERVED AND GRANTED UPON THE CONVEYANCE OF THE LOT AND ARE FOR THE BENEFIT OF THE ADJACENT LOT CONTIGUOUS TO THE EASEMENT AREA FOR INGRESS AND EGRESS FOR THE PURPOSE OF REPAIR AND MAINTENANCE OF ANY IMPROVEMENTS, DRAINAGE AND ANY INCIDENTALS THERETO.

THIS PROPERTY IS EFFECTED BY AN EASEMENT FOR AVIGATION AND NOISE TO THE COUNTY OF SACRAMENTO RECORDED IN BOOK 20050810 OFFICIAL RECORDS PAGE 2616.

CAPITAL VILLAGE PHASE III

SUBDIVISION NO.RC-04-123.3

ALL OF PARCEL 73 AND A PORTION OF PARCELS 71, 72 & 74 AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "CAPITAL CENTER II" FILED APRIL 10, 1986, IN BOOK 93 OF PARCEL MAPS, PAGE 7, SACRAMENTO COUNTY RECORDS. CITY OF RANCHO CORDOVA COUNTY OF SACRAMENTO, CALIFORNIA.

DECEMBER, 2006 *Sheet 2 of 9*

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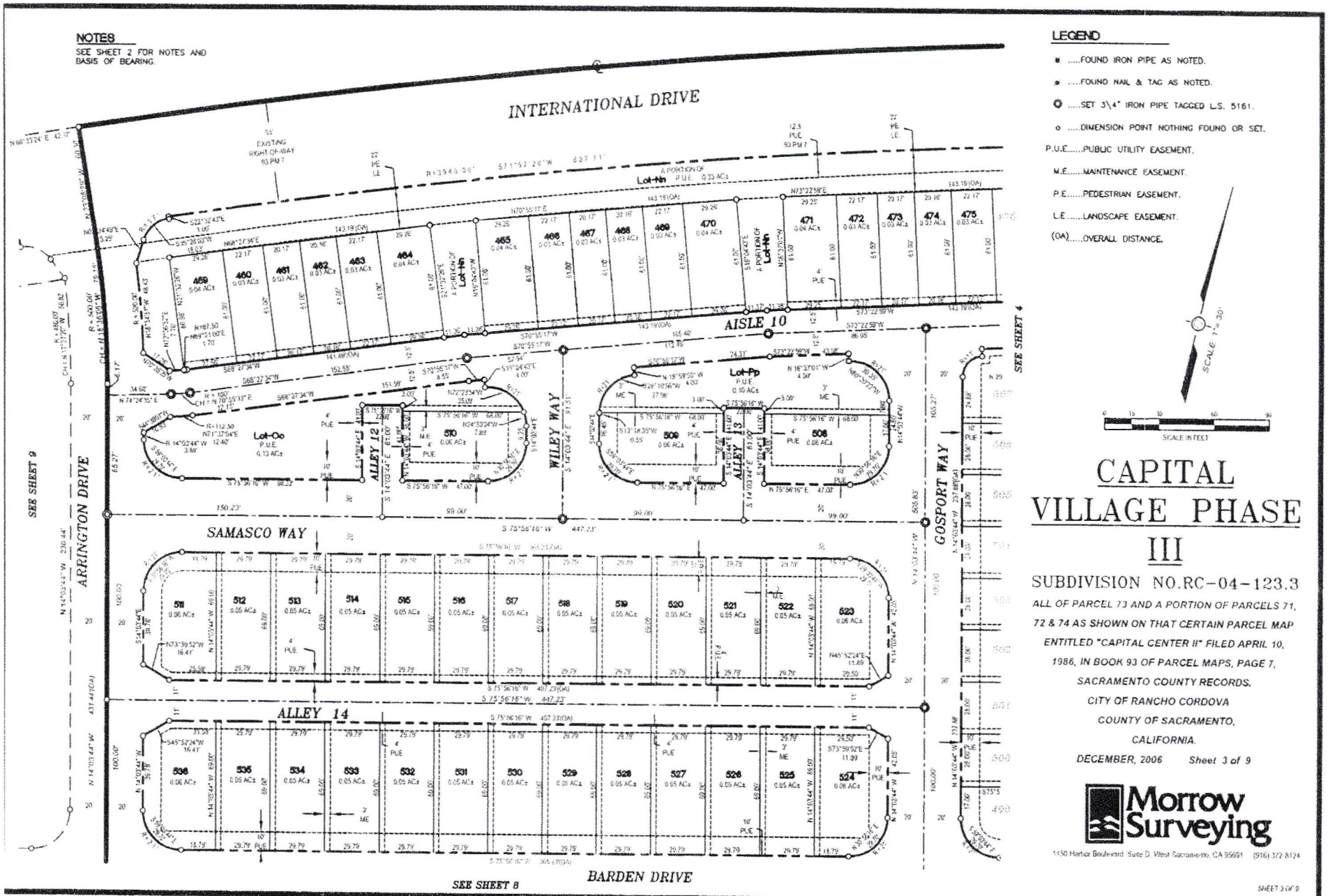

CAPITAL VILLAGE PHASE III

SUBDIVISION NO.RC-04-123.3

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CITY OF RANCHO CORDOVA

COUNTY OF SACRAMENTO,

CALIFORNIA.

DECEMBER, 2006 *Sheet 3 of 9*

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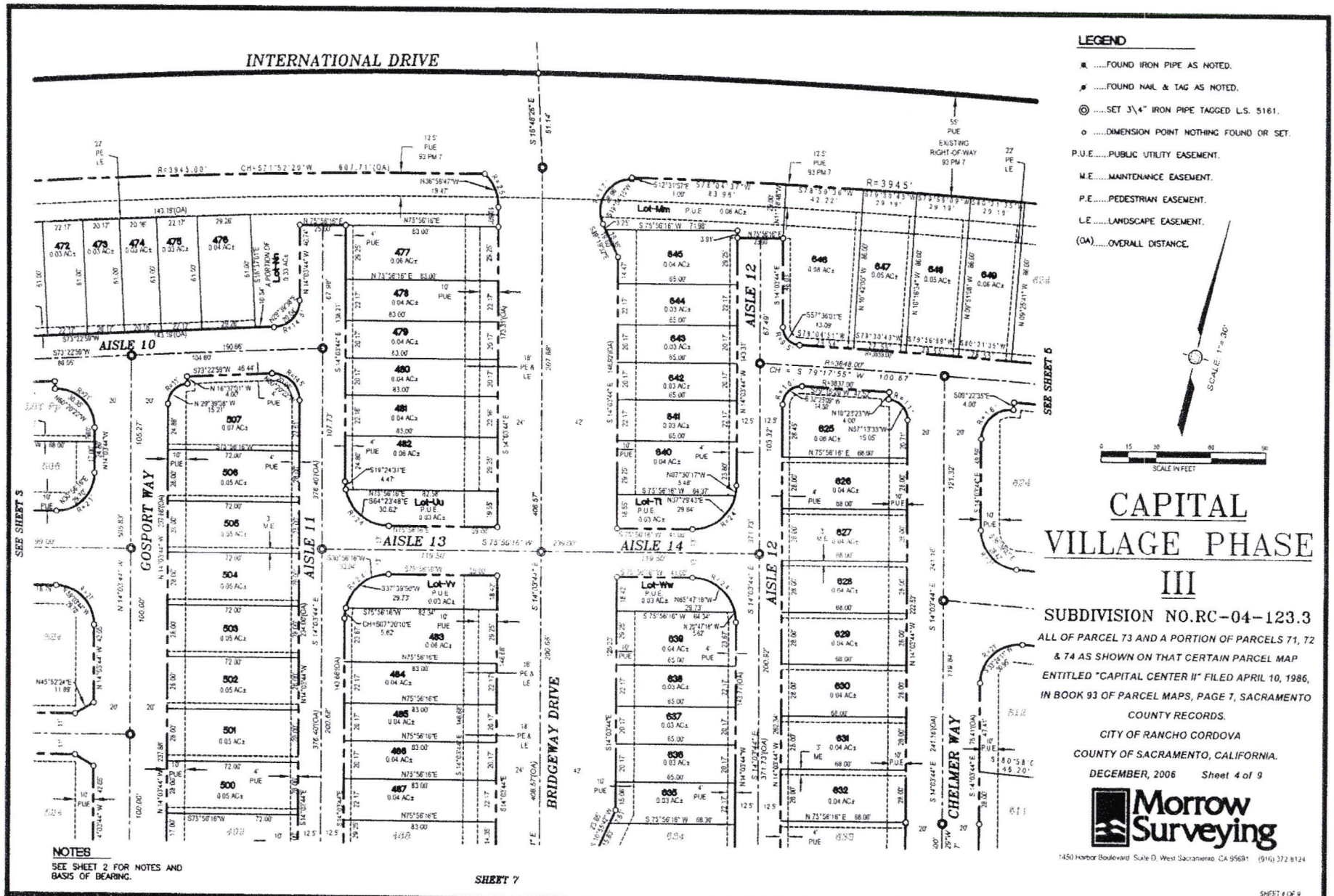
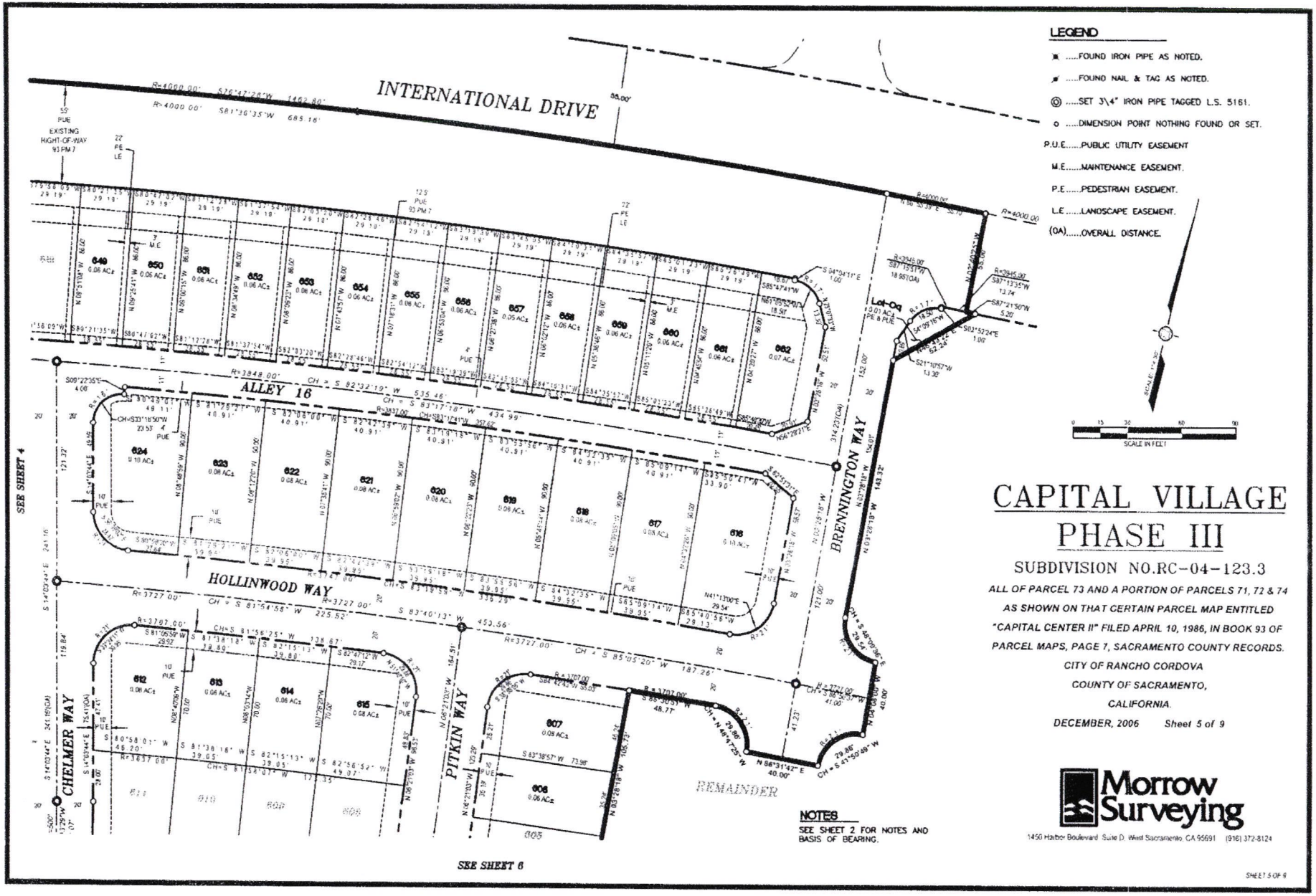

INTERNATIONAL DRIVE
AISLE 10
AISLE 11
AISLE 12
AISLE 13
AISLE 14
GOSPORT WAY
BRIDGEWAY DRIVE
CHELMER WAY
SEE SHEET 3
SEE SHEET 5
LEGEND
.....FOUND IRON PIPE AS NOTED.
.....FOUND NAIL & TAG AS NOTED.
.....SET 3\4" IRON PIPE TAGGED L.S. 5161.
.....DIMENSION POINT NOTHING FOUND OR SET.
P.U.E.....PUBLIC UTILITY EASEMENT.
M.E.....MAINTENANCE EASEMENT.
P.E.....PEDESTRIAN EASEMENT.
L.E.....LANDSCAPE EASEMENT.
(OA).....OVERALL DISTANCE.
SCALE 1"= 30'
SCALE IN FEET
CAPITAL VILLAGE PHASE III
SUBDIVISION NO.RC-04-123.3
ALL OF PARCEL 73 AND A PORTION OF PARCELS 71, 72 & 74 AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "CAPITAL CENTER II" FILED APRIL 10, 1986, IN BOOK 93 OF PARCEL MAPS, PAGE 7, SACRAMENTO COUNTY RECORDS.
CITY OF RANCHO CORDOVA
COUNTY OF SACRAMENTO, CALIFORNIA.
DECEMBER, 2006 Sheet 4 of 9
Morrow Surveying
1450 Harbor Boulevard Suite D, West Sacramento, CA 95691 (916) 372 8124
NOTES
SEE SHEET 2 FOR NOTES AND BASIS OF BEARING.
SHEET 7
SHEET 4 OF 9



CAPITAL VILLAGE
PHASE III

SUBDIVISION NO.RC-04-123.3

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CITY OF RANCHO CORDOVA

COUNTY OF SACRAMENTO,

CALIFORNIA.

DECEMBER, 2006 *Sheet 5 of 9*

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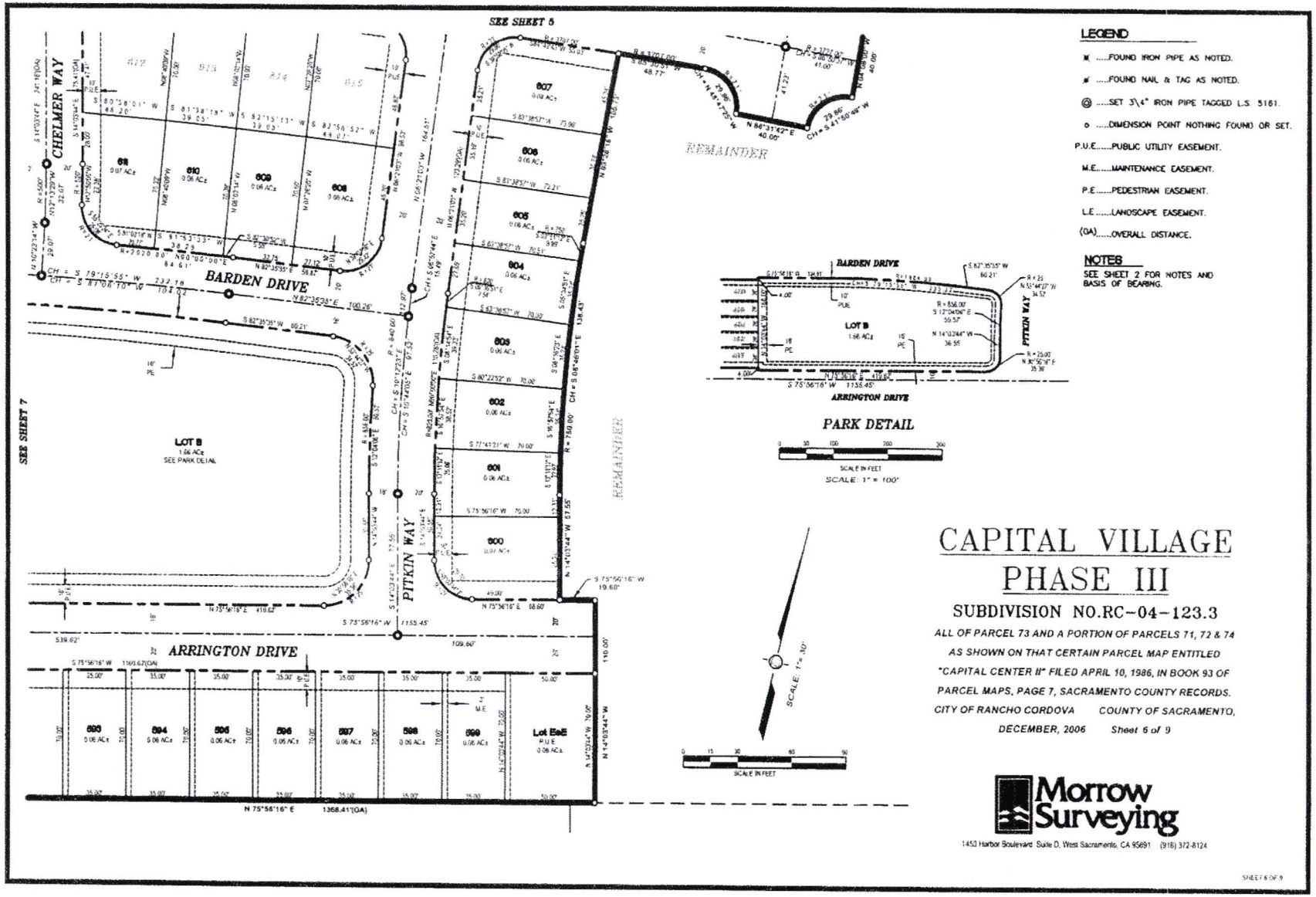

LEGEND

- ⊠ .....FOUND IRON PIPE AS NOTED.
- ⊠ .....FOUND NAIL & TAG AS NOTED.
- ◎ .....SET 3\4" IRON PIPE TAGGED L.S. 5161.
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P.U.E.....PUBLIC UTILITY EASEMENT.
M.E.....MAINTENANCE EASEMENT.
P.E.....PEDESTRIAN EASEMENT.
L.E.....LANDSCAPE EASEMENT.
(OA).....OVERALL DISTANCE.

NOTES

SEE SHEET 2 FOR NOTES AND BASIS OF BEARING.

CAPITAL VILLAGE PHASE III

SUBDIVISION NO.RC-04-123.3

ALL OF PARCEL 73 AND A PORTION OF PARCELS 71, 72 & 74 AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "CAPITAL CENTER II" FILED APRIL 10, 1986, IN BOOK 93 OF PARCEL MAPS, PAGE 7, SACRAMENTO COUNTY RECORDS.

CITY OF RANCHO CORDOVA COUNTY OF SACRAMENTO,

DECEMBER, 2006 Sheet 6 of 9

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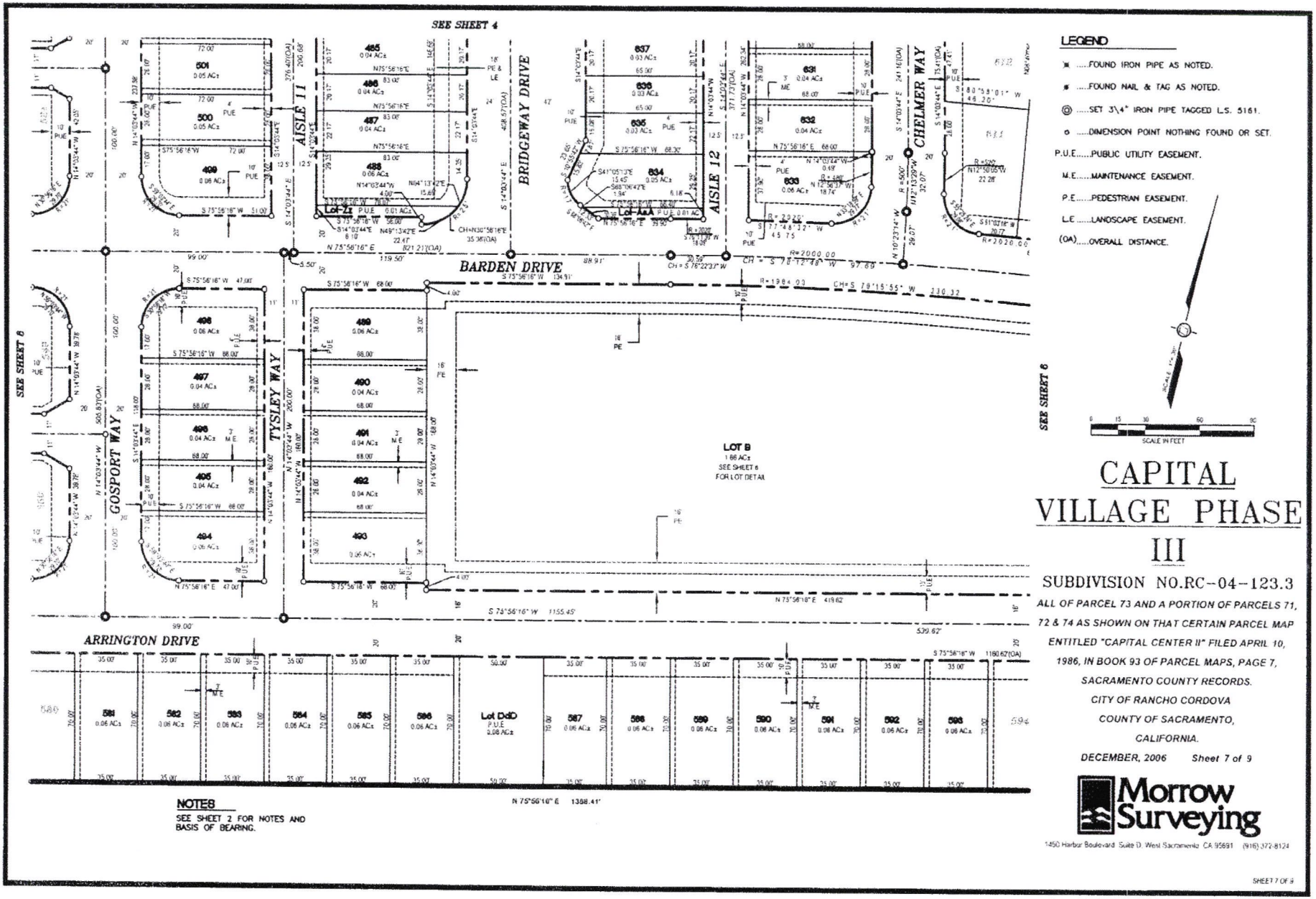

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(OA).....OVERALL DISTANCE.

CAPITAL VILLAGE PHASE III

SUBDIVISION NO.RC-04-123.3

ALL OF PARCEL 73 AND A PORTION OF PARCELS 71, 72 & 74 AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "CAPITAL CENTER II" FILED APRIL 10, 1986, IN BOOK 93 OF PARCEL MAPS, PAGE 7, SACRAMENTO COUNTY RECORDS.

CITY OF RANCHO CORDOVA

COUNTY OF SACRAMENTO,

CALIFORNIA.

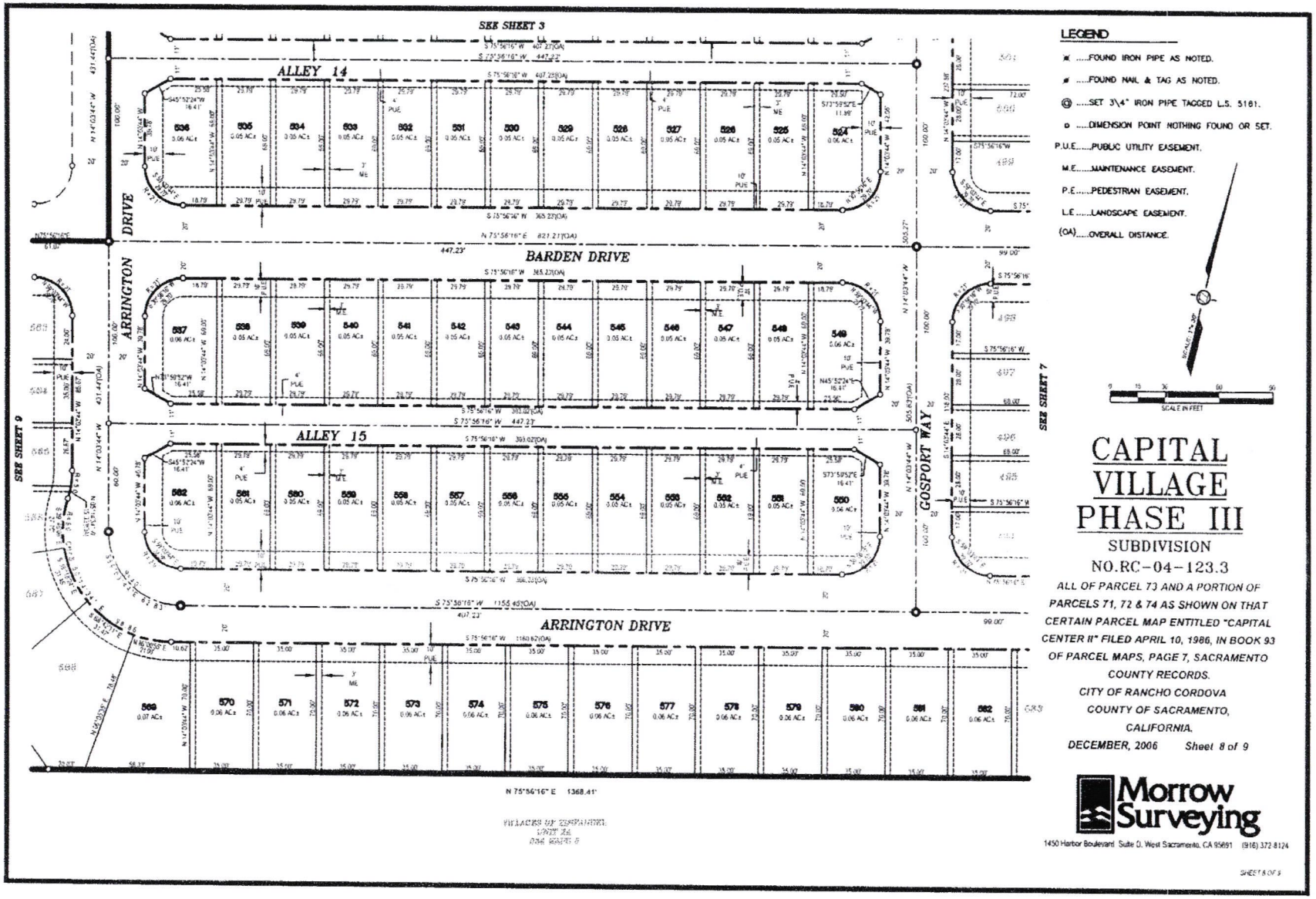
DECEMBER, 2006 *Sheet 7 of 9*

NOTES

SEE SHEET 2 FOR NOTES AND BASIS OF BEARING.

Morrow Surveying

1450 Harbor Boulevard Suite D West Sacramento CA 95691 (916) 372-8124



LEGEND

- ⊠ .....FOUND IRON PIPE AS NOTED.
- ⊠ .....FOUND NAIL & TAG AS NOTED.
- ◎ .....SET 3\4" IRON PIPE TAGGED L.S. 5161.
- ⊙ .....DIMENSION POINT NOTHING FOUND OR SET.

P.U.E.....PUBLIC UTILITY EASEMENT.
M.E.....MAINTENANCE EASEMENT.
P.E.....PEDESTRIAN EASEMENT.
L.E.....LANDSCAPE EASEMENT.
(OA).....OVERALL DISTANCE.

SCALE IN FEET

CAPITAL VILLAGE PHASE III

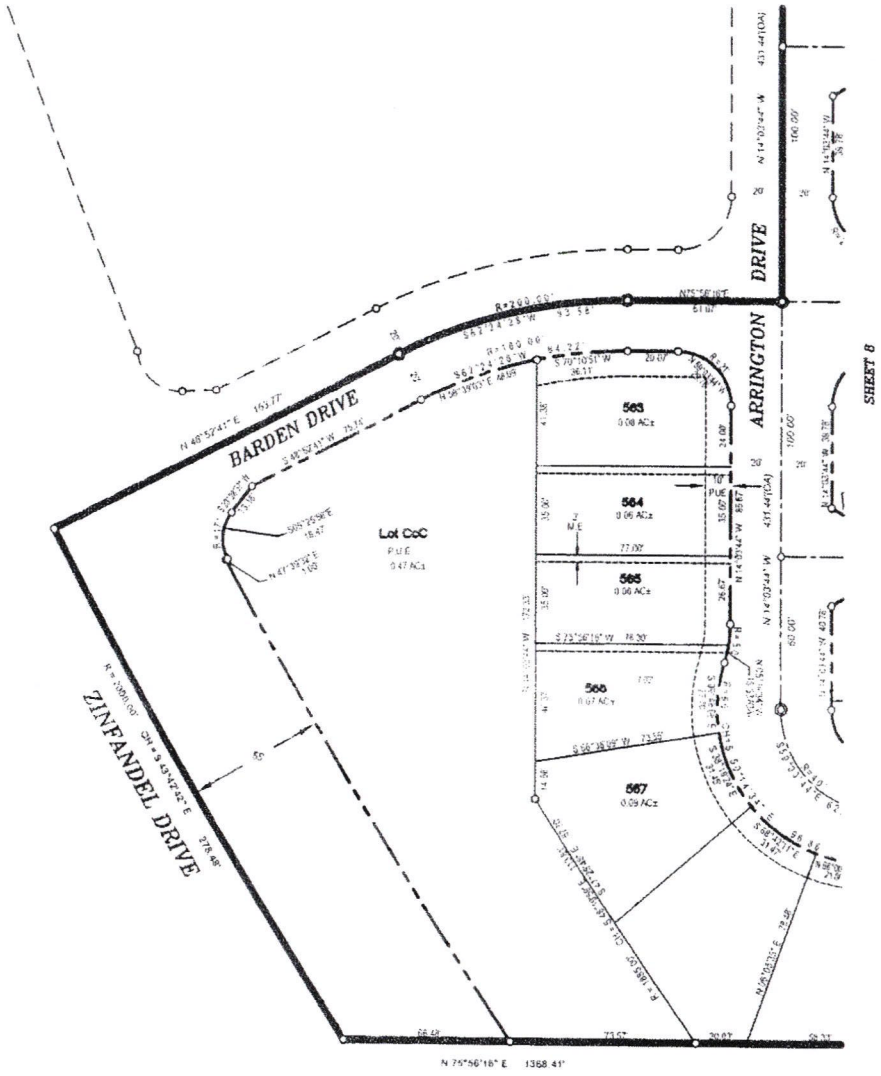
SUBDIVISION NO.RC-04-123.3

ALL OF PARCEL 73 AND A PORTION OF PARCELS 71, 72 & 74 AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "CAPITAL CENTER II" FILED APRIL 10, 1986, IN BOOK 93 OF PARCEL MAPS, PAGE 7, SACRAMENTO COUNTY RECORDS.

CITY OF RANCHO CORDOVA
COUNTY OF SACRAMENTO,
CALIFORNIA.

DECEMBER, 2006 *Sheet 8 of 9*

Morrow Surveying
1450 Harbor Boulevard Suite D, West Sacramento, CA 95691 (916) 372-8124


BARDEN DRIVE
ARRINGTON DRIVE
ZINFANDEL DRIVE
SHEET 8
563
0.06 AC±
564
0.06 AC±
565
0.06 AC±
566
0.07 AC±
567
0.09 AC±
Lot CoC
P.U.E.
0.47 AC±
P.U.E.
M.E.
N 48°57'41" E 153.77'
N 75°56'18" E 1368.41'
N 14°03'44" W 433.44'(OA)
N 14°03'44" W 100.00'
N 14°03'44" W 60.00'
S 75°56'18" W 76.30'
S 56°38'55" W 73.55'
N 75°56'18" E 278.48'
R=200.00'
R=180.00'
R=15.00'
R=20.00'
N 75°56'18" E 51.07'
S 70°10'51" W 36.11'
S 56°12'24" E 48.09'
S 48°58'41" W 75.15'
S 56°12'24" E 18.47'
N 47°39'36" E 1.00'
N 14°03'44" W 172.33'
N 14°03'44" W 433.44'(OA)
N 14°03'44" W 43.78'
S 56°38'55" W 73.55'
S 56°38'55" E 21.67'
S 56°38'55" E 73.55'
N 75°56'18" E 59.77'
N 75°56'18" E 20.07'
N 75°56'18" E 73.55'
N 75°56'18" E 56.48'
N 14°03'44" W 36.78'
N 14°03'44" W 36.78'
S 56°12'24" E 18.47'
S 56°12'24" E 18.47'
S 56°12'24" E 18.47

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **APPROVAL OF PARCEL MAP TITLED SUBDIVISION NO. RC-06-257 "BEING A SUBDIVISION OF PARCEL "B" AS DESCRIBED IN THAT CERTAIN LOT LINE ADJUSTMENT RECORDED IN BOOK 20060912 AT PAGE 1047 IN THE OFFICE OF THE SACRAMENTO COUNTY RECORDER" ALSO KNOWN AS "ANKAA PARCEL B TENTATIVE PARCEL MAP"**

RECOMMENDATION

Submitted herewith for approval is the parcel map Subdivision No. RC-06-257 "Being a Subdivision of Parcel "B" as Described in that Certain Lot Line Adjustment Recorded in Book 20060912 at page 1047 in the Office of the Sacramento County Recorder" also known as ANKAA Parcel B Tentative Parcel Map, located along the southeast corner of Armstrong Avenue and Whitehead Street in Mather Special Planning area.

RESULT OF RECOMMENDED ACTION

Approval of this recommended action will result in the recording of the final parcel map creating 2 industrial/business/commercial zoned parcels.

BACKGROUND

The map has been examined and checked for compliance with Title 22 of the City code and the California State map Act. The City Planning Commission approved the Tentative Map on December 14, 2006. A vicinity map **(Attachment 1)** and copy of the final map **(Attachment 2)** are included with this letter.

ATTACHMENTS:

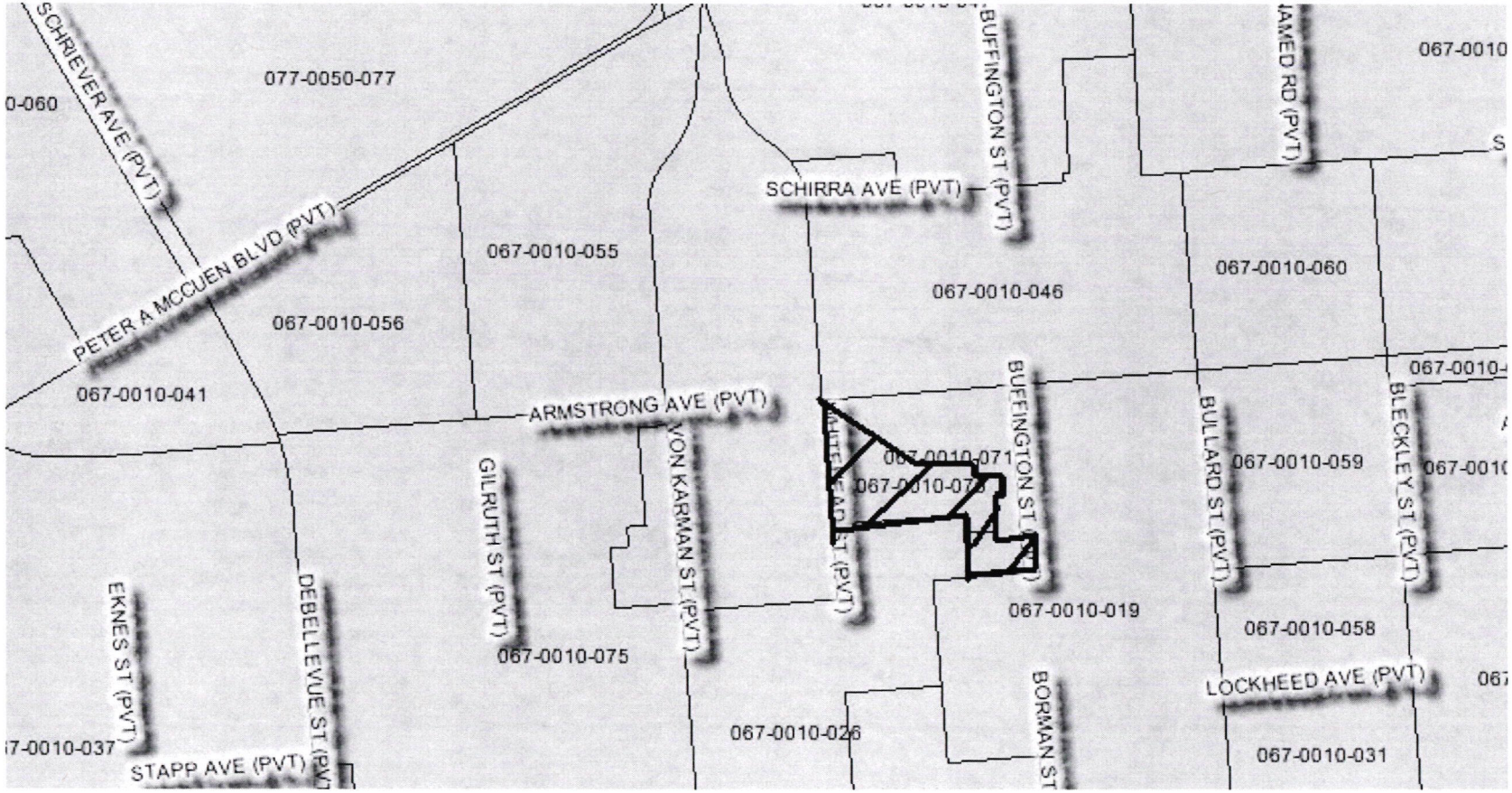
1 - Vicinity Map
2 - 8 ½ X 11 Copy Of Final Map

AGENDA ITEM # 15

Attachment 1

AANKA PARCEL MAP – RC-06-257

VICINITY MAP



Attachment 2

PARCEL MAP

BEING A SUBDIVISION OF PARCEL "B" AS DESCRIBED IN THAT CERTAIN LOT LINE ADJUSTMENT RECORDED IN BOOK 20060912 AT PAGE 1047 IN THE OFFICE OF THE SACRAMENTO COUNTY RECORDER
CITY OF RANCHO CORDOVA CALIFORNIA
CUNNINGHAM ENGINEERING
DECEMBER 2006
SHEET 1 OF 2

OWNERS STATEMENT:

WE, THE UNDERSIGNED, BEING THE PARTIES HAVING RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE EXTERIOR BOUNDARIES OF THIS PARCEL MAP DO HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS MAP FOR RECORD.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THEIR NAMES TO BE SUBSCRIBED ON THIS _____ DAY OF _____, 20___.

ANKAA GROUP, LLC, a limited liability company

BY: _____
KEVIN L. WILCOX MEMBER

BY: _____
DANIEL L. ERIKSSON MEMBER

BY: _____
LINDA M. JOHNSON MEMBER

NOTARY ACKNOWLEDGMENT:

STATE OF _____)

COUNTY OF _____)

ON _____ BEFORE ME, _____
(here insert name and title of the officer)

PERSONALLY APPEARED _____

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/ HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ (Seal)

NOTARY ACKNOWLEDGMENT:

STATE OF _____)

COUNTY OF _____)

ON _____ BEFORE ME, _____
(here insert name and title of the officer)

PERSONALLY APPEARED _____

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/ HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ (Seal)

NOTARY ACKNOWLEDGMENT:

STATE OF _____)

COUNTY OF _____)

ON _____ BEFORE ME, _____
(here insert name and title of the officer)

PERSONALLY APPEARED _____

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/ HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____ (Seal)

ENGINEER'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND WAS COMPILED FROM RECORD DATA IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF ANKAA GROUP, LLC ON AUGUST 30, 2006. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

_____
CHARLES W. CUNNINGHAM
P.E. NO. C30339



CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS PARCEL MAP AND FIND IT TO BE SUBSTANTIALLY THE SAME AS THE APPROVED TENTATIVE MAP APPROVED BY THE CITY COUNSEL OF THE CITY OF RANCHO CORDOVA AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ALL APPLICABLE CITY ORDINANCES HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

_____ _____
DATE CYRUS E. ABHAR L.S. 7712-R.C.E. 45424
CITY ENGINEER

CITY CLERK'S STATEMENT:

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HAS APPROVED THIS PARCEL MAP.

_____ _____
DATE CITY CLERK
CITY OF RANCHO CORDOVA

RECORDER'S STATEMENT:

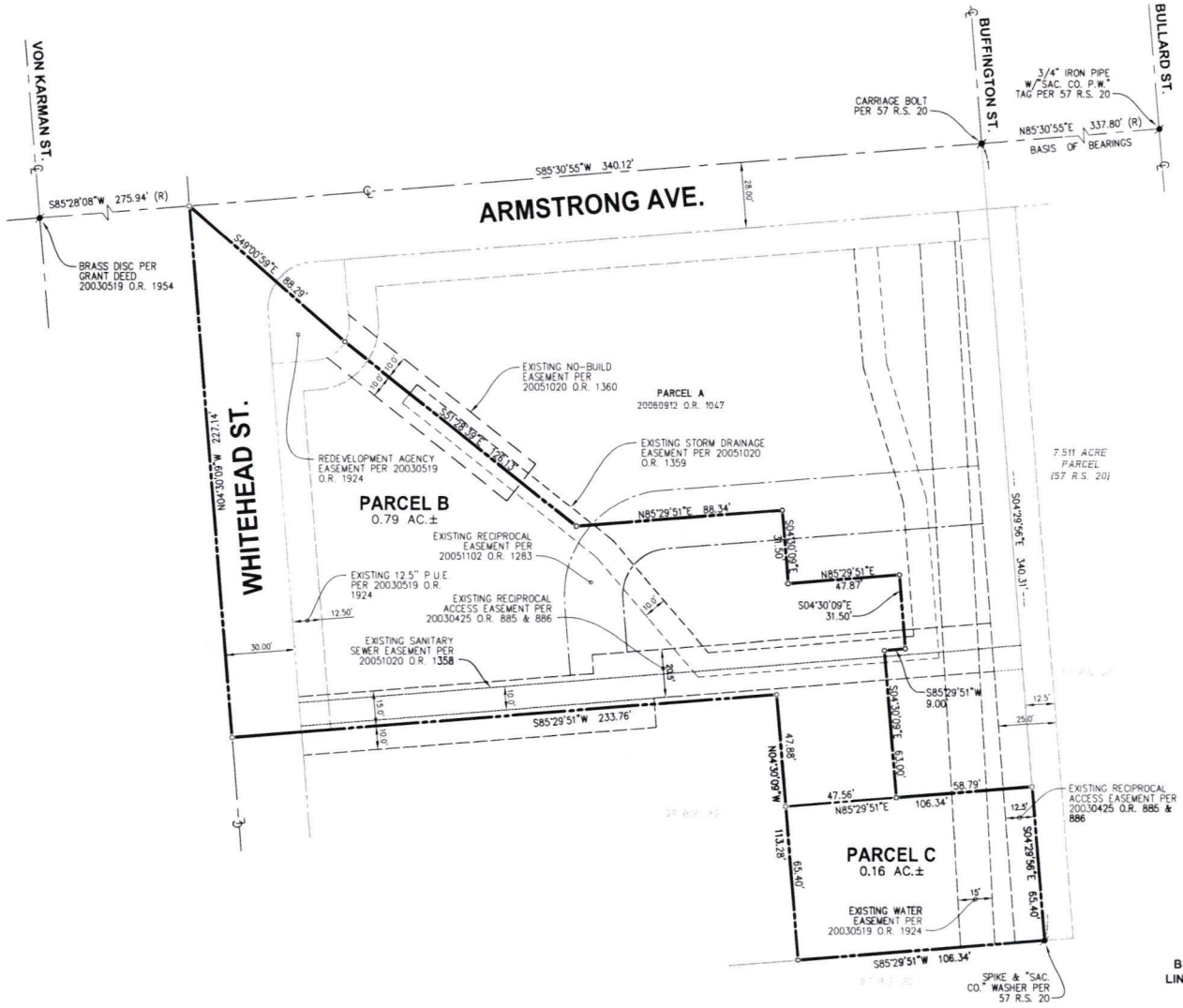
FILED THIS _____ DAY OF _____, 20___, AT _____ _M IN BOOK _____ OF PARCEL MAPS, AT PAGE _____ AT THE REQUEST OF _____. TITLE TO THE LAND INCLUDED IN THIS SUBDIVISION BEING VESTED AS PER CERTIFICATE NO. _____ ON FILE IN THIS OFFICE.

MARK NORRIS
COUNTY RECORDER

BY: _____
COUNTY RECORDER DEPUTY

DOCUMENT NO.: _____
FEE: _____

65720



LEGEND:

- ● FOUND MONUMENT AS DESCRIBED
- ○ DIMENSION POINT – NOTHING FOUND OR SET

NOTES:

1. THE SUM OF THE PARTS OF A LINE MAY NOT BE EQUAL TO THE WHOLE LENGTH DUE TO ROUNDING OF DISTANCES.
2. RECIPROCAL ACCESS, PARKING AND APPLICABLE UTILITY EASEMENTS BETWEEN PARCELS SHOWN HEREON SHALL BE GRANTED/RESERVED PRIOR TO THE SALE AND/OR RECONVEYANCE OF SAID PARCELS.

PARCEL MAP

BEING A SUBDIVISION OF PARCEL "B" AS DESCRIBED IN THAT CERTAIN LOT LINE ADJUSTMENT RECORDED IN BOOK 20060912 AT PAGE 1047 IN THE OFFICE OF THE SACRAMENTO COUNTY RECORDER

CITY OF RANCHO CORDOVA CALIFORNIA

CUNNINGHAM ENGINEERING

DECEMBER 2006 SCALE: 1" = 30'

SHEET 2 OF 2

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Paul Junker, Planning Director PJ

SUBJECT: RESOLUTION AUTHORIZING A CONSULTANT SERVICE AGREEMENT WITH EDAW, INC. FOR THE PREPARATION OF THE SUNCREEK SPECIFIC PLAN EIR

RECOMMENDATION

Adopt Resolution No. 02-2007

RESULT OF RECOMMENDED ACTION

Adoption of the resolution will authorize the City Manager to execute a contract with EDAW, Inc. for the preparation of an Environmental Impact Report for the Suncreek Specific Plan EIR.

BACKGROUND

The Suncreek project (RC-03-029) will entitle 1,253 acres of land within the City limits of Rancho Cordova located south of Douglas Rd., east of Sunrise Blvd. and west of Grantline Rd. As proposed the project could include: 5,256 dwelling units, 116 acres of parks, 71 acres of open space (including paseos, parkways, trails, and retention areas, 114 acres for schools including three elementary school sites).

The project will require the preparation of a Specific Plan document, rezone, design review and tentative subdivision maps entitlements.

Before these various entitlements can be approved and construction of the project begun, it is necessary to conduct an environmental review of the project in accordance with the California Environmental Quality Act (CEQA).

The City issued an RFP for preparation of the EIR. Based on review of the proposals submitted by City staff and input from the project applicant, EDAW, Inc. was determined as the most appropriate firm to prepare the EIR.

Financial Impacts

EDAW's total estimated cost for preparing the EIR is $1,071,300. The attached resolution will authorize the City Manager to execute a contract with EDAW, Inc. for that amount.

AGENDA ITEM #16

Funding for the preparation of the EIR will be provided by the project applicant and will not involve the City's general fund.

REQUESTED MOTION

"I move that the City Council adopt the resolution authorizing the City Manager to execute a consultant services agreement with EDAW, Inc. for the preparation of the Suncreek Specific Plan EIR.

ATTACHMENTS

1. Resolution No. 02-2007 including Contract 86-2006 (Exhibit 1) with Proposed Work Program (Exhibit A) and Cost Estimate Worksheets (Exhibit B)

CITY OF RANCHO CORDOVA

RESOLUTION NO. 02-2007

A RESOLUTION OF THE CITY COUNCIL OF RANCHO CORDOVA AUTHORIZING THE EXECUTION OF A CONSULTANT SERVICES AGREEMENT BETWEEN EDAW, INC. AND THE CITY OF RANCHO CORDOVA FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE SUNCREEK SPECIFIC PLAN EIR

WHEREAS, the City of Rancho Cordova ("City") has determined that the preparation of an environmental impact report ("EIR") for the Suncreek Specific Plan EIR ("Project"; RC-03-029) is necessary in order to comply with the requirements of the California Environmental Quality Act ("CEQA"); and

WHEREAS, the City solicited proposals from environmental consultant firms for the preparation of an EIR for the Project; and

WHEREAS, following review of the proposals received, EDAW, Inc. ("Consultant") was determined to be the most appropriate consultant firm to prepare the EIR for the Project; and

WHEREAS, funding for preparation of the EIR shall be provided by the project applicant and shall not use money from the City's general fund.

NOW, THEREFORE, BE IT RESOLVED the City Council hereby authorizes the City Manager to execute a consultant services agreement between EDAW, Inc. and the City of Rancho Cordova, which shall be in a form approved by the City Attorney, and which shall be for an amount not to exceed One Million Seventy One Thousand Three Hundred Dollars ($1,071,300.00).

PASSED AND ADOPTED by the City Council on the 16th day of January, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF RANCHO CORDOVA AND EDAW, Inc.

THIS AGREEMENT for consulting services is made by and between the City of Rancho Cordova ("City") and EDAW, Inc. ("Consultant") as of July 10, 2006.

Section 1. **SERVICES**. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 **Term of Services.** The term of this Agreement shall begin on the date first noted above and shall end on September 10, 2007, the date of completion specified in Exhibit A, and Consultant shall complete the work described in Exhibit A prior to that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.

1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in a substantial, first-class manner and shall conform to the standards of quality normally observed by a person practicing in Consultant's profession.

1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.2 above and to satisfy Consultant's obligations hereunder.

Section 2. **COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed $1,071,300.00 notwithstanding any contrary indications that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Consultant's proposal, attached as Exhibit B, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 **Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder, as well as a separate notice when the total number of hours of work by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
- The Consultant's signature.

2.2 **Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 **Final Payment.** City shall pay the last 10% of the total sum due pursuant to this Agreement within sixty (60) days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 **Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement,

unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

2.5 **Hourly Fees.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the fee schedule set forth in Exhibit B.

2.6 **Reimbursable Expenses.** Reimbursable expenses, if any, are set forth Exhibit B, and shall not exceed eight hundred, nine thousand six hundred and eighty dollars ($809,680). Expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.

2.7 **Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.8 **Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.

2.9 **Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. INSURANCE REQUIREMENTS. Before beginning any work under this Agreement, Consultant, at its own cost and expense, shall procure "occurrence coverage" insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the

subcontractor(s) and provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution.

4.1 **Workers' Compensation.** Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than ONE MILLION DOLLARS ($1,000,000.00) per accident. In the alternative, Consultant may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the Contract Administrator. The insurer, if insurance is provided, or the Consultant, if a program of self-insurance is provided, shall waive all rights of subrogation against the City and its officers, officials, employees, and agents and employees under contract with the City, for loss arising from work performed under this Agreement.

An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Consultant shall notify City within 14 days of notification from Consultant's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

4.2 **Commercial General and Automobile Liability Insurance.**

4.2.1 **General requirements.** Consultant, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS ($1,000,000.00) per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

4.2.2 **Minimum scope of coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 or GL 0002 (most recent editions) covering comprehensive General Liability and Insurance Services Office form number GL 0404 covering Broad Form Comprehensive General Liability. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (ed. 12/90) Code 8 and 9. No endorsement shall be attached limiting the coverage.

4.2.3 **Additional requirements.** Each of the following shall be included in the insurance coverage or added as an endorsement to the policy:

a. City and its officers, employees, agents and employees under contract with the City shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Consultant, including the insured's general supervision of Consultant; products and completed operations of Consultant; premises owned, occupied, or used by Consultant; and automobiles owned, leased, or used by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to City or its officers, employees, agents and/or employees under contract with the City.

b. The insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

c. An endorsement must state that coverage is primary insurance with respect to the City and its officers, officials, employees and agents and employees under contract with the City, and that no insurance or self-insurance maintained by the City shall be called upon to contribute to a loss under the coverage.

d. Any failure of Consultant to comply with reporting provisions of the policy shall not affect coverage provided to City and its officers, employees, agents, agents and employees under contract with the City.

e. An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Consultant shall notify City within 14 days of notification from Consultant's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

4.3 **Professional Liability Insurance.** Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than ONE MILLION DOLLARS ($1,000,000) covering the licensed professionals' errors and omissions.

4.3.1 Any deductible or self-insured retention shall not exceed $150,000 per claim.

4.3.2 An endorsement shall state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

4.3.3 The following provisions shall apply if the professional liability coverages are written on a claims-made form:

a. The retroactive date of the policy must be shown and must be before the date of the Agreement.

b. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must provide extended reporting coverage for a minimum of five years after completion of the Agreement or the work. The City shall have the right to exercise, at the Consultant's sole cost and expense, any extended reporting provisions of the policy, if the Consultant cancels or does not renew the coverage.

d. A copy of the claim reporting requirements must be submitted to the City prior to the commencement of any work under this Agreement.

4.4 All Policies Requirements.

4.4.1 Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.2 Verification of coverage. Prior to beginning any work under this Agreement, Consultant shall furnish City with certificates of insurance and with original endorsements effecting coverage required herein. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

4.4.3 Subcontractors. Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

4.4.4 Variation. The City may approve a variation in the foregoing insurance requirements, upon a determination that the coverages, scope, limits, and forms of such insurance are either not commercially available, or that the City's interests are otherwise fully protected.

4.4.5 Deductibles and Self-Insured Retentions. Consultant shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.

During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Consultant may increase such deductibles or self-insured retentions with respect to City, its officers, employees, agents and employees under contract with the City. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Consultant procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

4.4.6 **Notice of Reduction in Coverage.** In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, Consultant shall provide written notice to City at Consultant's earliest possible opportunity and in no case later than five days after Consultant is notified of the change in coverage.

4.5 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES. Consultant shall indemnify, defend with counsel selected by the City, and hold harmless the City and its officials, officers, employees, agents and employees under contract with the City from and against any and all losses, liability, claims, suits, actions, damages, and causes of action arising out of any personal injury, bodily injury, loss of life, or damage to property, or any violation of any federal, state, or municipal law or ordinance, to the extent caused by the willful misconduct or negligent acts or omissions of Consultant or its employees, subcontractors, or agents, by acts for which they could be held strictly liable, or by the quality or character of their work. The foregoing obligation of Consultant shall not apply when (1) the injury, loss of life, damage to property, or violation of law arises from the negligence or willful misconduct of the City or its officers, employees, agents and employees under contract with the City and (2) the actions of Consultant or its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law. It is understood that the duty of Consultant to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Consultant from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause

shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Consultant acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Section 6. STATUS OF CONSULTANT.

6.1 **Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

6.2 **Consultant No Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 **Governing Law.** The laws of the State of California shall govern this Agreement.

7.2 **Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.

7.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 **Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

Consultant may cancel this Agreement upon 30 days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 **Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.

8.3 **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant.

Consultant may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.4 **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

8.5 **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:

8.5.1 Immediately terminate the Agreement;

8.5.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.5.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

8.5.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 **Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

9.3 **Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS ($10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

10.1 **Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Sacramento or in the United States District Court for the Eastern District of California.

10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 **No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

10.6 **Use of Recycled Products.** Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code §1090 *et.seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

10.8 **Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 **Contract Administration.** This Agreement shall be administered by Planning Director ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

10.10 **Notices.**

Any written notice to Consultant shall be sent to:
EDAW, Inc.
Attn: Francine Dunn
2022 J Street
Sacramento, CA 95814

Any written notice to City shall be sent to:
City of Rancho Cordova
Attn: Planning Director
2729 Prospect Park Drive
Rancho Cordova, CA 95670

10.11 **Professional Seal.** Where applicable in the determination of the contract administrator, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation. The stamp/seal shall be in a block entitled "Seal and Signature of Registered Professional with report/design responsibility," as in the following example.

Seal and Signature of Registered Professional with report/design responsibility.

10.12 **Integration.** This Agreement, including the scope of work attached hereto and incorporated herein as Exhibit A, and the compensation schedule attached hereto and incorporated herein as Exhibit B, represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

CITY OF RANCHO CORDOVA

Ted Gaebler,
City Manager

Date

Attest:

Anna Olea-Moger, City Clerk

Date

Approved as to Form:

Adam Lindgren, City Attorney

Date

Document1

CONSULTANT

Gary Jakobs, Vice President

Date

EXHIBIT A

SCOPE OF SERVICES

Please see Attachment.

approach and work plan

OVERALL APPROACH

This work plan addresses preparation of a joint EIR/EIS. The work program may need to be refined and modified if separate CEQA and NEPA processes are pursued, if the project changes substantially, or new scope issues arise.

The California Code of Regulations (CCR), Title 14, Div. 6, Ch. 3 (State CEQA Guidelines) contain a separate section for projects that are also subject to NEPA. A project that is subject to CEQA will also be subject to NEPA when it is jointly carried out by a federal agency; requires a federal discretionary permit, entitlement, or authorization.

When a project is subject to both CEQA and NEPA, state and local agencies are encouraged to cooperate with federal agencies, to the fullest extent possible, through such measures as joint planning, research, hearings, and preparation of environmental documents (14 CCR Section 15226).

If a lead agency (i.e., City of Rancho Cordova) finds that an EIS for a project would not be prepared by the federal agency by the time the City need to consider an EIR, the Lead Agency should try to prepare a combined EIR/EIS. To avoid the need for the federal agency to prepare a separate document for the same project, the Lead Agency must involve the federal agency in the preparation of the joint document. This involvement is necessary because federal law generally prohibits a federal agency from using an EIR prepared by a state agency unless the federal agency was involved in the preparation of the document.

State and local agencies are encouraged to use NEPA documents to replace CEQA documents if the NEPA process is proceeding faster than the CEQA process and the NEPA document complies with CEQA (14 CCR Section 15221). There is no provision in NEPA that authorizes a federal agency to use a CEQA document to comply with NEPA. Federal agencies typically use a CEQA document as important background information to prepare NEPA documents. To ensure that the procedural requirements of NEPA are met, the federal agency, in using a CEQA document for NEPA compliance should ensure that the record shows that there was independent review of the CEQA document and that the federal agency is preparing its own NEPA document based on the CEQA document.

However, it is encouraged to prepare a joint EIR/EIS (14 CCR Section 15222). The two laws essentially establish similar processes (Refer to Exhibit 5-1 on the following page.). If separate CEQA and NEPA documents are prepared, however, construction and implementation of the proposed project will be limited. The project cannot be constructed or implemented without CEQA compliance. If CEQA compliance occurs faster than NEPA compliance, those portions of the project requiring federal discretionary approval, permit, and authorization cannot be implemented, which in the case of the project would limit project implementation (i.e., where wetlands and federally endangered species occur). However, with CEQA compliance, the project could obtain land use entitlements.

For purposes of this work plan, it is assumed that a joint EIR/EIS will be prepared. The City of Rancho Cordova will serve as the state lead agency under CEQA and USACE Sacramento District, will serve as the federal lead agency under NEPA.

Additionally, because the CEQA and NEPA processes are somewhat different with regard to procedural and content requirements (Exhibit 5-2), the agencies should agree at the outset to apply whichever requirements are the most stringent.

JOINT EIR/EIS APPROACH

Although EIRs and EISs are similar in content, procedure, and decision-making, they also have their nuances, as illustrated in Exhibits 5-1 and 5-2. EDAW understands these nuances and how to mesh CEQA and NEPA requirements into a joint EIR/EIS. The following summarizes EDAW's approach on the merging of EIR and EIS contents for the proposed project into the joint document so that the document satisfies both CEQA and NEPA requirements. To provide consistency for the City and USACE, EDAW proposes to utilize, where applicable, the same format, organization, and level of

Exhibit 5-1. EIRs and EISs: Process

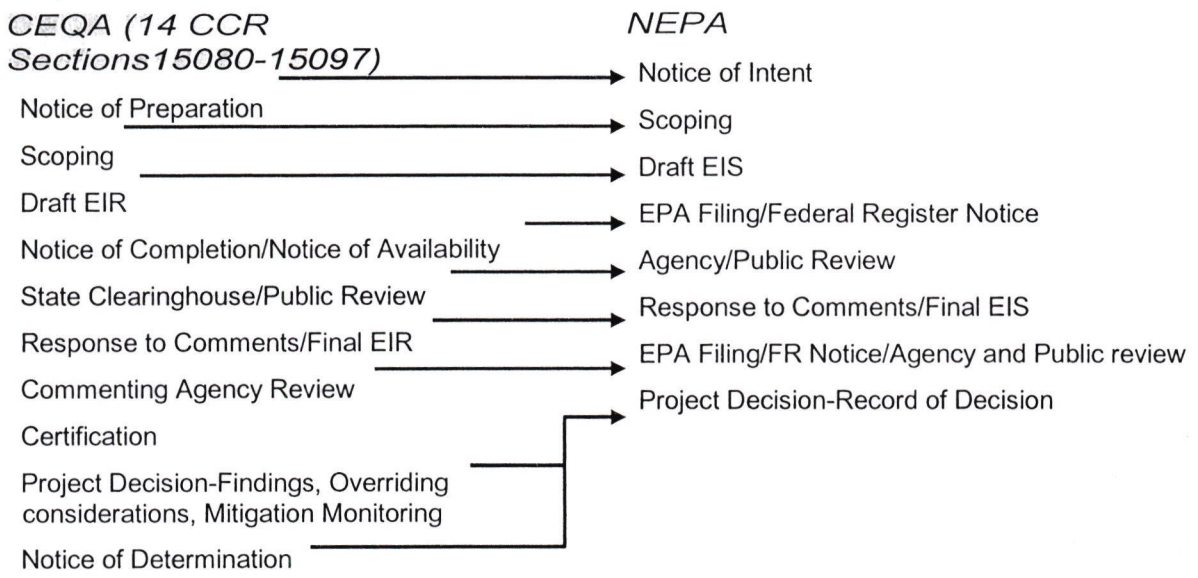
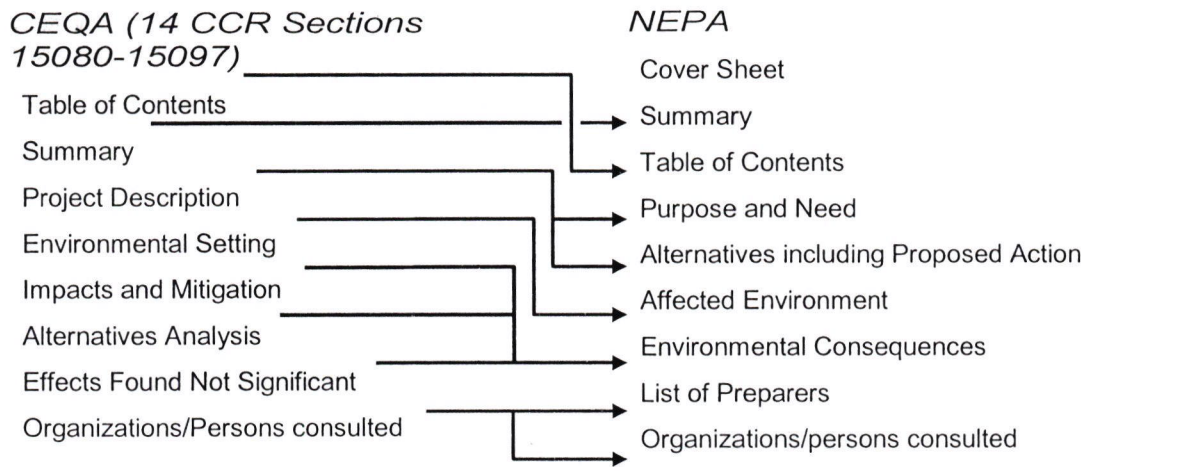


Exhibit 5-2. EIRs and EISs: Content Requirements



detail for the SunCreek Specific Plan EIR/EIS as used in the Rio del Oro Specific Plan EIR/EIS.

Cover Page

The Cover Page is a NEPA requirement only. EDAW will prepare the Cover Page according to NEPA format, but will add the State Clearinghouse Number (to be assigned from NOP response). The Cover Page will also list the following required items:

- Lead and responsible/cooperating agencies
- Title and location of proposed action (i.e., proposed project in terms of CEQA)
- Contact information
- Abstract
- Dates to receive comments

Table of Contents

Both CEQA and NEPA require a Table of Contents that will include the following items:

- List of major sections and topical areas

- List of tables/exhibits
- List of technical appendices

Summary

Both CEQA (14 CCR Section 15123) and NEPA require a Summary and will contain the following per CEQA and NEPA regulations. The format can be a challenge due to NEPA requirements for equal-weight alternatives analysis:

- Summary description of proposed project/proposed action
- Proposed mitigation and alternatives to reduce/avoid each significant effect (CEQA requirement; covers NEPA requirement to stress major conclusions)
- Areas of controversy raised by agencies and public
- Issues to be resolved including choice among alternatives and (per CEQA) whether/how to mitigate significant effects
- Summary table listing impact conclusions, significance before and after mitigation, and list of mitigation measures

Project Description

CEQA (14 CCR Section 15124) and NEPA require the following (EDAW will predominantly follow the NEPA format because there are substantive requirements not in CEQA that apply to NEPA. EDAW will also split the Project Description into two chapters: Introduction and Statement of Purpose and Need, and Alternatives):

- Introduction and Statement of Purpose and Need
  - Describe underlying need for proposed action (per NEPA).
  - Describe the project history and planning context.
  - Identify a clear project purpose (one for the City of Rancho Cordova and one for USACE). It is important to distinguish two project purposes because the City/applicant and USACE each view the project purpose from the purview of their responsibilities.
  - Discuss project needs and objectives (per CEQA) (note, the project objectives are a key component of CEQA; they frame the criteria for developing and considering alternatives).
  - Describe the intended use and type of EIR/EIS, as required by 14 CCR Section 15124(d) of the State CEQA Guidelines and Council on Environmental Quality (CEQ), including a list of responsible and other agencies expected to use the EIR/EIS in decision making and a list of approvals for which the EIR/EIS will be used.
  - Describe the scope and focus of the EIR/EIS The EIR/EIS will also include the NOP, NOI, and comment letters received in an appendix, along with an explanation of those issues raised that were not considered in the EIR/EIS.
  - List the agency roles and responsibilities, including a listing of regulatory requirements, permits, and approvals.
  - Describe the organization of the EIS/EIR.
  - List documents relied on in preparation of the EIR/EIS.
  - List standard terminology, acronyms, and abbreviations.
- Alternatives
  - Describe "all reasonable alternatives" including the No-Action (i.e., no development) (equivalent to CEQA No-Project), Project/No Permit (i.e., no 404 permit to satisfy USACE NEPA requirements), and alternatives not within lead agency's jurisdiction. CEQA requires the consideration of a "reasonable range of alternatives", including "No Project", which are capable of meeting project objectives.
  - Describe alternatives, including rationale for their selection for consideration. Describe the CEQA/NEPA requirements for evaluation of alternatives, including screening criteria.
  - Describe screening criteria developed to assess the feasibility of the alternatives considered, but eliminated, as well as those selected for analysis.
  - Describe proposed project/action completely and thoroughly, including a list of permitting actions required.
  - Describe regional and local setting.
  - Describe project background and history.
  - Describe project characteristics, including on- and off-site components; on- and off-site infrastructure support required to serve the project; timing, and any other information relevant to an understanding of the project.
  - Construction schedule and phasing (if phasing is applicable).

CEQA (14 CCR Section 15126.6) and NEPA require preparation of an Alternatives analysis, however, there are differences between CEQA and NEPA. CEQA requires a focus on the project with a comparative analysis of alternatives, whereas NEPA requires an equal level of detail analysis of alternatives, therefore, EDAW will:

- Conduct equal level of analysis of up to five alternatives, to meet the requirements of NEPA. EDAW will analyze the proposed project, no project/no development, project/no permit, biological impact minimization, and the agency conceptual strategy.
- Conduct a qualitative analysis of the Sacramento Area Council of Governments "Blueprint" (high density) alternative and an off-site alternative.
- Add a discussion in the Alternatives chapter of the other alternatives considered but rejected from further consideration, including those alternatives considered in previous documents (i.e., Sunrise Douglas Community Plan EIR, SunRidge Specific Plan EIR). The rationale for rejection of alternatives will be documented.

Other CEQA considerations that will be addressed in the Alternatives chapter, include:

- Consideration of a No-Project Alternative
- Focus on alternatives capable of avoiding significant effects
- Consideration if alternatives meet project objectives
- Feasibility of alternatives
- Consideration of feasible and meaningful alternative locations
- Identification of an "environmentally superior alternative"

Environmental Setting

CEQA requires preparation of an "Environmental Setting" section (14 CCR Section 15125), whereas NEPA requires preparation of an "Affected Environment" section. This section will:

- Describe physical conditions in place at the time of NOP (by environmental topic)
- Serve as the "baseline" for assessing impacts
- Serve as the discussion of the No Project/Action (i.e., No Development) Alternative

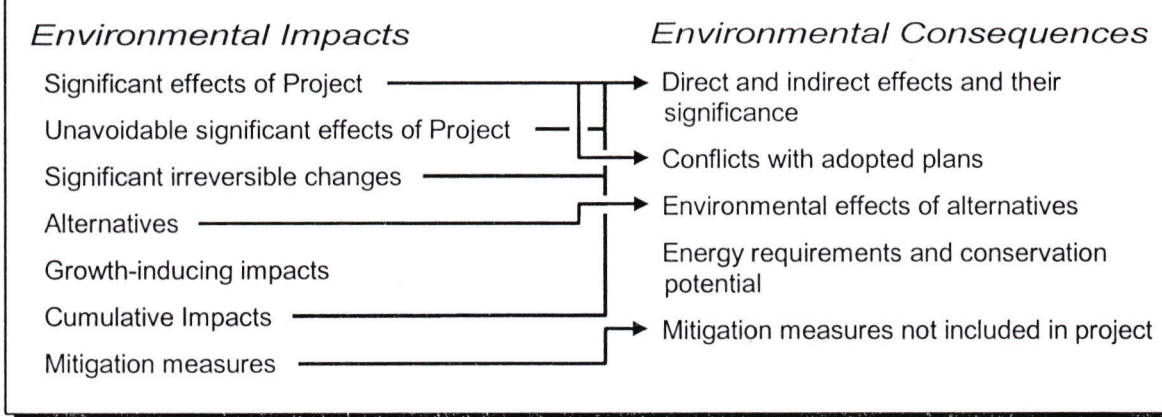
Environmental Impacts and Mitigation

CEQA (14 CCR Section 15126) requires an analysis of "Environmental Impacts", whereas NEPA requires an analysis of "Environmental Consequences." Exhibit 5-3 below illustrates the comparison of the contents of the "Environmental Impacts" section under CEQA compared to the "Environmental Consequences" section under NEPA and how they interrelate.

EDAW will prepare one chapter that contains the following to satisfy both CEQA and NEPA requirements and will provide a:

- Description of environmental setting (affected environment, see above) for each issue area.
- Description of regulatory setting.
- Listing of significance thresholds, as required by CEQA. These will in large part be based on Initial Study questions in CEQA Guidelines Appendix G,

Exhibit 5-3. Joint EIR/EIS: Merging Contents
Environmental Impacts and Mitigation
CEQA (14 CCR Section 15126) and NEPA Require



although other sources will be used where more pertinent. A discussion will be added or expanded to provide a clear description of how significance is determined using these thresholds.

- Description of approach and methodology to impact analysis.
- Evaluation of impacts against significance thresholds and identify significance for each alternative, including No-Project/No-Action (i.e., No Development) and Project/No Permit.
- Evaluation of impacts of the alternatives compared to the proposed project/action.
- Recommend mitigation measures to avoid or reduce impacts to below significant levels, where feasible and available.
- Develop performance standards (as mitigation) to be incorporated into and adopted as part of the SunCreek Specific Plan.
- Provide a brief discussion identifying why the identified mitigation measures mitigate the impact to less-than-significant or why the impact is not mitigatable.
- Describe residual impacts following mitigation implementation.

Other Mandated Sections

EDAW will prepare separate chapters to cover the following mandated issue areas under either CEQA or NEPA:

- Growth-inducing impacts
- Significant irreversible and irretrievable commitment of resources
- Cumulative impacts
- Relationship between short-term use of the environment and maintenance and enhancement of long-term productivity
- Significant and unavoidable effects

Noticing Requirements

Because both CEQA and NEPA have specific noticing requirements, EDAW will follow both noticing requirements, as summarized below. In some instances, EDAW will be responsible for preparing particular notices and in others, either the City or USACE will be responsible for preparing and publishing the notices (if they choose). EDAW will work with the City and USACE to ensure that the proper notices are prepared and posted. Refer to "Overall Work Plan" below for EDAW's role in preparation of notices vs. the City and/or USACE.

CEQA	NEPA
Notice of Preparation to prepare EIR: 30 days (certified mail to responsible agencies)	Notice of Intent to prepare an EIS (publication in the Federal Register): timing unspecified
Notice of Completion/Notice of Availability of Draft EIR: 45 days-noticing involves one of the following: • Publication in newspaper • Posting on/near property • Direct mail to adjacent owners	Notice of Availability of Draft EIS (publication in the Federal Register and distribution to those who have requested copies of the Draft EIS): 45 days noticing allowable under NEPA.
Notice of Determination (project approved): • County clerk and State Office of Planning and Research • 30-day statute of limitations	Adoption of Final EIS (publication in the Federal Register)
	Record of Decision (Publication in the Federal Register): minimum 30 days after Final EIR published but up to discretion of federal lead and pending resolution of ESA Section 7

OVERALL WORK PLAN

The proposed scope of work that follows has been organized into major tasks which can easily be converted to a schedule of work tasks that would trigger payment of the work completed, if desired by the City.

EDAW has reviewed the following technical data, exhibits, and reports to develop the following work plan and approach to meet City, USACE, and regulatory agency scrutiny:

- Preliminary Project Description, SunCreek RFP (City of Rancho Cordova, July 2005)
- Land Use and Circulation Maps (Wade & Associates, 2006)
- Draft Land Use Table with acreage, dwelling units, and parkland assessment for each parcel (Wade & Associates, March 2006)

- Ownership Exhibit
- Sunrise-Douglas Community Plan (Sacramento County, July 2002)
- Sunrise-Douglas Community Plan/SunRidge Specific Plan EIR (Sacramento County, July 2002)
- CEQA Findings of Fact and Statement of Overriding Considerations, Sunrise Douglas Community Plan/SunRidge Specific Plan EIR (Sacramento County, July 2002)
- Review Draft Sunrise Douglas 2 Specific Plan (March 1999)
- First Administrative Review Draft Sunrise Douglas 2 Specific Plan (October 2003)
- Administrative Review Draft Sunrise Douglas 2 Specific Plan (January 2004)

- Drainage Facilities Plan, Sunrise Douglas 2 (MHM, June 2003)
- Draft Master Drainage Study, Sunrise Douglas 2 (MHM, June 2003)
- SunCreek Storm Drainage Master Plan, Phase I, Detention Basin Sizing (MHM, February 2006)
- Preliminary Executive Summary, Sunrise Douglas 2 Public Facilities Financing Plan (EPS, February 2004)
- Draft Sanitary Sewer Facilities Plan, Sunrise Douglas 2 (MHM, June 2003)
- Draft Sanitary Sewer Facilities Plan, SunCreek (MHM, February 2006)
- Environmental Site Assessment, Sunrise Douglas 2 (Wallace-Kuhl, July 1999)
- Draft Water Facilities Plan, Sunrise Douglas 2 (MHM, July 2003)
- Draft Transportation Analysis, Sunrise Douglas II (November 2004)
- Final Transportation Analysis, Sunrise Douglas II (January 2004)
- Biological Resources Assessment, Sunrise Douglas 2 (Foothill and Associates, April 2004)
- Orcutt Grass Survey, Sunrise Douglas 2 (Foothill and Associates, September 2003)
- Cultural Resources Assessment, Sunrise Douglas 2 (Peak and Associates, May 1999)
- Draft EIR/EIS Sunrise Douglas Property (USACE and Sacramento County, December 1990)
- Final EIR/EIS Sunrise Douglas Property (USACE and Sacramento County, January 1992)
- GIS data showing location and extend of mapped wetlands at the project site (Foothill Associates 2005, 2006)
- SunCreek Specific Plan Area, Wetlands Composite Map (Foothill Associates, 2006)
- A Conceptual-Level Strategy for Avoiding, Minimizing, & Preserving Aquatic Resource Habitat in the Sunrise-Douglas Community Plan Area [Agency Conceptual Strategy Map] (March 2004)

These technical reports, data, and exhibits will also be used, along with supplemental information (if needed), and agency coordination to assist in the formulation of impacts and mitigation measures. Impacts will also be identified based on the significance criteria established by CEQA (Appendix G of the State CEQA Guidelines), Lead Agency Practice, and regulatory requirements.

Task A: Initiate Project and Review Data

Purpose

To reach consensus and common understanding on process, lines of communication, points of contact, format and content, strategy, and direction, including a thorough understanding of the proposed project.

Approach

1. Attend orientation meetings with the City of Rancho Cordova and USACE staffs (EDAW principal-in-charge, project manager, and/or assistant project manager and/or subconsultants or technical representatives, if necessary) to review the proposed scope of work and agree on the preferred direction of the CEQA and NEPA strategies. Discuss and agree on document format and content, roles and responsibilities, process, and schedule. Meetings may also involve other federal agencies such as the U.S. Fish and Wildlife Service (USFWS) and U.S. Environmental Protection Agency (EPA). Meetings are included under Task L.

2. Receive any additional existing and new reference and research materials related to the project, project site, and vicinity that were not received previously, including base maps (preferably in CADD or GIS), aerial photographs, and any environmental or engineering studies; distribute, as appropriate, to project team members.

3. Discuss key issues that could present the need for data collection or updates or supplements to previous technical reports prepared by the project applicants. It is assumed that any supplemental technical information will be obtained by the project applicant's consultants.

4. Discuss process for the formulation of project alternatives. Discuss, develop, and agree to conceptual range of alternatives and project purpose.

5. Discuss content of the project description, to ensure that all parties are in agreement with the approach.

6, Prepare technical "sufficiency" review of the project applicant's technical studies. EDAW technical specialists will thoroughly review all relevant technical studies prepared by the applicant's consultants for sufficiency to prepare a legally defensible EIR/EIS. Where technical data are not adequate to adequately assess the project impacts, EDAW will prepare a "sufficiency" memo and submit it to the City and USACE (for biological resources) requesting that the project applicant's consultants provide supplemental technical information. It is assumed that EDAW will be able to obtain all supplemental information. If additional data collection are required and not supplied by the project applicant, EDAW can obtain it, but would require a contract amendment.

7. Discuss protocol and procedure for receiving rights of entry for obtaining access to the site for reconnaissance surveys.

8. Prepare Statement of Responsibilities for USACE, EDAW, and applicant's signature (USACE requirement) and potentially revise work plan accordingly.

9. Prepare project management work plan (USACE requirement).

10. Obtain project description information, maps, and project background/history from project applicant.

11. Prepare draft project history/background for applicant and agency review and comment. Project history/background will be incorporated into the EIR/EIS.

TASK A SUMMARY

Products:	Meeting minutes and/or action items resulting from the orientation meetings
	Sufficiency memo outlining areas where supplemental technical data are required by the project applicant's consultants
	Prepare Statement of Responsibilities (USACE requirement) and possibly revise Approach and Work Plan (i.e., Scope of Work in support of USACE Statement of Responsibilities
	Project management work program (USACE requirement)
	Project purpose and listing of conceptual alternatives to be included in EIR/EIS
	Draft project background/history
Meetings:	Orientation meetings with City and USACE staffs (as well as USFWS and EPA staffs), to be attended by principal-in-charge, project manager, and/or assistant project manager, subconsultant, or technical representatives, if necessary (see Task L)
	Orientation meetings with the project applicant to obtain project understanding, maps, and project background/history

Task B: Prepare Project Description (Statement of Purpose and Need and Alternatives) and Develop EIR/EIS Outline and Format

Purpose

To ensure agreement between all parties (City, USACE, project applicant, and the EDAW Team) on the project description and EIR/EIS outline and format.

Approach

1. Prepare the project description (proposed action) chapters of the EIR/EIS (Statement of Purpose and Need and Alternatives chapters). The contents of these chapters are described above under "Project Description". EDAW will prepare a preliminary draft "Project Description" and submit it to the City, USACE, and Applicant Team for review and comment and to identify data gaps. Two iterations of the draft Project Description will be prepared for internal review and comment prior to commencing the impact analysis.

   EDAW has spent approximately 8 months participating in project coordination meetings with the City, USACE, USWFS, EPA, and project applicant defining the level of detail and content of the project description, identifying data needs, coordinating land use and circulation map needs with the applicant's land use planner, defining the

range of alternatives with the federal agencies, consulting with federal agencies on the Agency Conceptual Strategy map, obtaining project history/background, and resolving discrepancies in the proposed wetland preserve compared to the Agency Conceptual Strategy..

EDAW will not complete the impact analysis until the City, USACE, and Project Applicant have approved the project description. It is assumed that all necessary engineering and mapping will be accomplished by the project applicant to support a project description that is acceptable to the City and USACE. Although EDAW will not commence the impact analysis until a complete project description has been approved by the City and USACE, EDAW will commence work on the EIR/EIS that is not dependent on the project description, land use map, or formulations of the alternatives (i.e., preparation of the "Affected Environment" section). Once the impact analysis is initiated, revisions to the project that result in substantial changes to the impact analysis will require a contract modification.

2. EDAW will attend monthly project coordination meetings with the City, USACE, USFWS, EPA, and/or Applicant Team to define the proposed action and alternatives; develop project purpose and objectives, define the alternatives to the proposed action, and discuss the cumulative baseline. Meetings are included under Task L.

3. EDAW will meet with Sacramento County to define the Off-site Alternative (which is expected to be "considered and rejected" based on feasibility issues), coordinate with the City and Fehr & Peers to define the other alternatives, and coordinate with the USACE, City, and Applicant Team to define the alternatives that minimize wetland impacts. EDAW will assist in the development of screening criteria.

4. EDAW will track and coordinate project description information needs, including mapping needs.

5. EDAW will provide the EIR/EIS outline and format example to the City and USACE (using the most stringent requirements) to ensure that the EIR/EIS is structured to meet the City's and USACE's needs; allow the City and USACE to approve the project and provide entitlements and authorizations, and to meet regulatory agency scrutiny. EDAW has also resolved the EIR/EIS outline, content, and structure of a joint EIR/EIS with the City and USACE for a specific plan project. EDAW will utilize the Rio del Oro EIR/EIS outline and structure for the SunCreek Specific Plan EIR/EIS.

TASK B SUMMARY

Products:	Two reiterations of the draft project description (Statement of Purpose and Need and Alternatives, Including the Project Action) chapters of the administrative draft EIR/EIS
	Project description needs matrix
	EIR/EIS outline and format example
Meetings:	Attendance by project manager and assistant project manager at monthly project coordination meetings to define the proposed action and alternatives, including project description review meetings with City and USACE staffs (see Task L)

Task C: Facilitate and Attend Scoping Meetings and Prepare Scoping Report

Purpose

To complete CEQA noticing requirements, evaluate and remove from further consideration environmental topics with less-than-significant impacts, and solicit input from regulatory agencies and the public to provide Rancho Cordova residents, agencies, and organizations with an early opportunity to voice their concerns and ensure that the environmental analysis addresses all relevant topics and issues.

Approach

1. It is assumed that the City will prepare and distribute an Initial Study/Notice of Preparation (IS/NOP) and the USACE (or potentially EDAW) will prepare and publish the Notice of Intent (NOI) in the Federal Register. EDAW will review NOP and NOI comments, as well as any letters of protest received on the Project Applicant's 404 permit application and consider relevant environmental issues in the EIR/EIS.

2. EDAW will assist the City and USACE in holding one joint City/federal scoping meeting for the project. EDAW will help facilitate the meetings on behalf of the USACE (USACE requirement), including summarizing the environmental review process and describing the proposed project. Large-scale exhibits will be provided, as necessary, to graphically present the environmental review process and illustrate the project. EDAW will attend up to two scoping meeting coordination meetings (included as part of the monthly project coordination meetings) with the City and/or USACE and two scoping meetings, included under Task L. Input

provided by the public at the scoping meeting will be documented and considered in the impact analysis of the EIR/EIS, as appropriate. It is assumed that the City will arrange for a court reporter, if desired. The information obtained from the scoping task will be entered into a database (as required by the USACE) and summarized in a scoping report. All comments in response to the NOP, NOI, and the scoping meetings will be provided in an appendix to the EIR/EIS.

TASK C SUMMARY	
Products:	Presentation graphics and handout materials
	Draft scoping report (five copies)
	Final scoping report (five copies)
	Public comment database (USACE required)
Meetings:	Two scoping meeting coordination meetings
	One scoping meeting (facilitation and attendance)

Task D: Prepare First Administrative Draft EIR/EIS

Purpose

After the CEQA and NEPA approach and strategy have been determined and agreed to by the City and USACE and the City and USACE have approved the draft project description, EDAW will prepare an administrative draft EIR/EIS that analyzes all potentially significant impacts associated with implementing the project.

Refer to "Joint EIR/EIS Approach" above for how EDAW envisions meshing CEQA requirements with NEPA requirements into the joint document. The following is the draft outline (subject to City and USACE approval) of the EIR/EIS which will include all of the content requirements identified above plus some additional clarification of contents.

Approach

The following lists and supplements/provides further clarification of the content requirements identified above under "Joint EIR/EIS Approach."

USACE has requested that the "Alternatives" and "Biological Resources" sections be submitted when completed to facilitate USACE review. Other than the submittal of these two sections, EDAW, at the City's direction will compile one complete administrative draft EIR/EIS. A partial administrative draft EIR/EIS will not be assembled.

For cost efficiency, the administrative draft EIR/EIS deliverable will not include the technical appendices.

1. Cover Page

2. Table of Contents

3. Summary
Because this chapter summarizes the contents of the draft EIR/EIS, preparing it while the remainder of the document is still being revised and subject to City and USACE review is inefficient. For this reason, the chapter will be available to the City and USACE for review as part of the screen-check draft EIR/EIS (Task F).

4. Introduction and Statement of Purpose and Need
The "Introduction" and Statement of Purpose and Need will form Chapter 1 of the EIR/EIS. Refer to the "Project Description" prepared under Task B. This chapter will be revised as necessary under this task.

5. Alternatives
The "Alternatives" will constitute Chapter 2 of the EIR/EIS. The project description prepared under Task B and approved by the City and USACE will be revised as necessary under this task.

EDAW will assist in the definition of the alternatives to the proposed action in consultation with the City and USACE and will lead the development of alternatives screening criteria. Once defined and approved by the USACE and City, EDAW will complete an equal level of detail analysis (in compliance with NEPA) of up to five alternatives:

- No Project/No Action (i.e., no development)
- Proposed Project (project application)
- Agency Conceptual Strategy
- Biological Impact Minimization
- Project/No Permit

In addition to the alternatives described above, the following alternatives will be discussed at a qualitative level:

- SACOG Blueprint
- Off-Site

It is assumed that the Project Applicant's attorney will prepare the 404(b)(1) Alternatives analysis. EDAW will integrate the results of the 404(b)(1) alternatives analysis into the NEPA alternatives. EDAW will participate, at the USACE's request in meetings associated with the development of the 404(b)(1) alternatives. The alternatives analysis will be used by the USACE to meet the requirements of both NEPA and the 404(b)(1) Guidelines. The 404(b)(1) alternatives analysis will include both off-site alternatives to avoid impacts to the

aquatic environment, although the NEPA EIS will only analyze qualitatively one off-site alternative. While the Applicant Team would submit a report that demonstrates its choice for the least environmentally damaging practicable alternative, the USACE will exercise its independent judgment on the issue. Per direction from USACE, the 404(b)(1) Alternatives analysis will not be incorporated into the EIR/EIS appendix.

A screening level analysis of a potential off-site alternative will be conducted. It is assumed that a site within the Sacramento County Urban Services Boundary will be used for the Off-site Alternative. Screening level analysis of an off-site alternative would include database and record searches and review of aerial photography. Reconnaissance surveys will be conducted if the site is accessible. However, it is highly likely that EDAW will not have rights of entry and therefore, will perform reconnaissance surveys from nearby roadways, if possible. No field surveys are proposed for the screening level analysis. If additional surveying or technical studies are required, the scope of work would need to be adjusted accordingly, resulting in a contract amendment.

The alternatives to the proposed project/action will be developed in consultation with the City and USACE, with input from Fehr & Peers (traffic) and the project applicant's biological resources consultant, as necessary.

Changes to the proposed project, additional alternatives added, or substantive refinements to the alternatives as a result of the impact analysis or comments received by the City, USACE, other federal agencies, or project applicant will require a contract modification.

6. Environmental Setting, Impacts, and Mitigation Measures

The "Affected Environment, Environmental Consequences, and Mitigation Measures" will constitute Chapter 3 of the EIR/EIS. Using existing information and, when necessary, new analysis, EDAW will prepare the "Environmental Setting [i.e., Affected Environment], Impacts [i.e., Environmental Consequences], and Mitigation Measures" chapter (exact name of chapter will be determined during Task B when the EIR/EIS outline and format are presented and approved (with input from) by the City and USACE. It is anticipated that the following issues (which will be comprised of separate sections within Chapter 3) will be addressed in the EIR/EIS in an equal level of detail for each project alternative, except for the Off-site and SACOG Blueprint alternatives:

- Land Use
- Population, Employment, and Housing
- Environmental Justice
- Hydrology, Drainage, and Water Quality
- Utilities and Service Systems (water supply, wastewater, electricity, natural gas, and communications)
- Public Services (law enforcement, fire protection, schools, and solid waste)
- Geology, Soils, and Mineral Resources
- Cultural Resources
- Biological Resources (botanical, wildlife, and wetland resources)
- Visual Resources
- Parks and Recreation
- Traffic and Transportation
- Air Quality
- Noise

This list may be reduced or expanded following consultation with the City and USACE and from the results of scoping.

a. Land Use. The land use consistency analysis will assess the consistency of the project with adopted plans and policies aimed at reducing or eliminating environmental impacts, including the City of Rancho Cordova General Plan (City General Plan) and Zoning Ordinance. The analysis will assess the effects of the project on the character of the project study area and compatibility with the existing and planned land use patterns. Existing land uses in the immediate vicinity of the project will be described from existing information, where available. This section also will address the conversion of undeveloped land to mixed-use development. An exhibit showing existing land uses will be presented in the EIR/EIS.

An assessment of the consistency each issue area presented in the EIR/EIS (i.e., transportation, air quality, noise, etc.) with the City General Plan and policies is assumed to be prepared by the City and provided to EDAW to be incorporated into the EIR/EIS appendix.

b. Population, Employment, and Housing. The population, housing, and employment analysis will include a review of the City's housing goals and policies as reflected in the City General Plan; potential changes in population, housing, and employment characteristics resulting from the project; and the potential for secondary environmental impacts from those changes. The population analysis will compare the amount and type of growth anticipated under the project with estimates

contained in the City General Plan, the U.S. Census Bureau, and other adopted planning documents, including SACOG projections. Based on review comments on the EIR/EIS for Rio del Oro, a jobs/housing balance analysis will not be conducted.

c. Environmental Justice. "Environmental justice" refers to the fair and equitable treatment of individuals regardless of race, ethnicity, or income level, in the development and implementation of environmental management policies and actions. In February 1994, President Clinton issued Executive Order (EO) 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations." The objective of this EO is to require each federal agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low income populations ("Environmental Justice: Guidance Under the National Environmental Policy Act," Council on Environmental Quality, December 10, 1997). The EO was accompanied by a memorandum that emphasized the importance of NEPA as a means for implementing environmental justice principles. The memorandum directs federal agencies to analyze the environmental effects, including human health, social, and economic concerns, of their actions where such analysis is required by NEPA. Executive Order 12898 gave agencies authority to consider environmental effects on low-income and minority populations. It also directs agencies to collect and evaluate data on the comparative health and environmental risks borne by low-income and minority populations, and to remove barriers to participation by such populations in the review of agency documents, public hearings, and other public participation activities.

Specifically, the president's memorandum directs federal agencies to undertake three actions:

1. Analyze environmental effects, including human health, economic, and social effects, of federal actions, including effects on minority communities and low-income communities, when such analysis is required by NEPA.

2. Develop mitigation measures outlined or analyzed in EAs, EISs, or RODs, whenever feasible, which address significant and adverse environmental effects of proposed actions on minority communities and low-income communities.

3. Provide opportunities for community input in the NEPA process, including identifying potential effects and mitigation measures in consultation with affected communities and improving accessibility of public meetings, official documents, and notices to affected communities.

For the environmental justice section of the EIR/EIS, EDAW will:

- Describe the potentially affected public.
- Describe the proposed action and alternatives.
- Describe the baseline conditions, relevant human environment and area of influence.
- Identify the full range of probable social impacts that will be addressed based on existing socioeconomic data.
- Project the estimated effects.
- Determine the significance of the social impacts identified (important to try to predict effects).
- Estimate subsequent impacts, and indirect, or cumulative impacts.
- Recommend new or modified alternatives and qualitatively estimate their effects or consequences.
- Develop mitigation measures for any unavoidable adverse effects, and if needed, monitor the affected community(s). The shape, size, and character of the environments vary.
- Determine if the proposed action could result in a violation of Federal, State, Indian tribal, or local law.

Overall, the purpose the environmental justice analysis includes developing the area of potential effect, drawing the sociological profile of the affected communities, determining if the project would unduly impact disadvantaged communities or is likely to adversely change the character of the community. The analysis will rely strongly on U.S. Census data.

d. Hydrology and Water Quality: EDAW will prepare a hydrology, drainage, and water quality impact assessment that focuses on five main water resource topics, including:

1. Short-term temporary construction-related effects on hydrology and water quality;

2. long-term operations-related water quality;

3. permanent changes to stormwater drainage and/or flooding;

4. operations-related impacts to groundwater conditions (assuming groundwater is used for municipal or landscaping supplies); and

5. cumulative on-site and off-site hydrology and water quality impacts.

The environmental setting will describe existing drainage and water quality conditions of the project study area based on existing information. Applicable federal, state, and local regulations for stormwater drainage, grading and erosion control, and other water quality protection procedures will be described, and where necessary, additional feasible mitigation measures will be identified if found to be necessary.

The impact analysis of hydrologic and water quality resource topics will generally be qualitative based on existing information; quantitative information and analyses will be provided where information is available. Specific water resources issues that are anticipated to be of interest to responsible agencies and other stakeholders will be addressed in the impact analysis and include, but are not limited to:

- Stormwater drainage runoff effects to Laguna Creek, the Laguna Creek Watershed, and communities located downstream of the property;
- Consistency with County NPDES Stormwater Management Program for stormwater drainage and water quality treatment;
- Off-site water quality effects associated with construction and long-term urban development; and
- The effect of impervious services on groundwater recharge.

Executive Order 11988 on floodplain management provides guidance for the protection of natural floodplain values and of life and property. To comply with the requirements of CEQA and NEPA, the potential effects of the proposed project on flooding will be evaluated.

For the purpose of technical analyses to be conducted and completion of this scope of work, EDAW assumes that:

- EDAW will not conduct any additional hydrologic or water quality field data collection for the project.
- The setting and analysis of hydrologic and water quality impacts will be based on existing information to the extent possible including the Drainage Facilities Plan, Sunrise Douglas 2 (MHM, June 2003); the Draft Master Drainage Study, Sunrise Douglas 2 (MHM, June 2003); the SunCreek Storm Drainage Master Plan, Phase I, Detention Basin Sizing (MHM, February 2006); the Wallace Kuhl Associates Preliminary Phase I Environmental Site Assessment for the Sunrise Douglas 2 Specific Plan Area, the Sunrise Douglas Community Plan/SunRidge Specific Plan, the Sunrise Douglas 2 (SunCreek) Water Supply Assessment, the Amended Water Supply Assessment to be prepared by EDAW (see Item 17, Amended Water Supply Assessment below), and other readily available information (e.g., floodplain data, resource agency reports).
- The project applicant will provide relevant water quality data that has been conducted on surface drainages within the project study area.
- No substantive changes to the drainage plan will be made by the project applicant once the impact analysis has been commenced.
- No supplemental drainage studies will be conducted.
- A Stormwater Pollution Prevention Plan (SWPPP) in support of an NPDES permit will likely not be available for incorporation into the EIR/EIS.
- No groundwater studies will be conducted.

e. Utilities and Service Systems, Public Services, and Parks and Recreation. The utilities and service systems will address water supply (see Task F below), wastewater, electricity, natural gas, and communications. The public services section will address law enforcement, fire protection, schools, and solid waste. Parks and recreation will be discussed in the parks and recreation section. EDAW will contact each of the affected public service providers to obtain relevant baseline and regulatory information, and solicit input on potential impacts. Project-related demand for facilities and services will be estimated and compared against existing capacity and proposed future capacity associated with the project (e.g., potential construction of on-site parks, fire stations, schools, etc.). Service demand will be determined using population projections and land use information provided by the project applicant. Impacts will be based on whether any new facilities would be needed and if construction of such facilities could generate significant impacts. The public services section will also discuss the potential impacts of any required annexation of services. Off-site facility needs will also be analyzed. It is assumed that the off-site facility locations and impacts are covered in separate CEQA documents. However, if they are not, a qualitative impact analysis will be conducted. However, this scope of work does not include biological or cultural resource surveys of the off-site improvements. It is assumed that the applicant's consultants will provide this

information, as needed, or that EDAW's scope and contract would be modified.

f. Water Supply and Availability. Water supply and availability will be incorporated into the "Utilities and Service Systems" section of the EIR/EIS. EDAW will prepare the water supply section of the EIR/EIS, which will evaluate the project's water supply demand against known available water supplies and will determine proposed environmental impacts associated with the provision of a reliable source of water to the project area including direct impacts associated with water supply infrastructure. In addition to evaluating the effects of associated construction or facility upgrades in terms of water supply infrastructure, the EIR/EIS will also address potential effects of associated water supply-related actions, such as the approval/adoption of permits, public facilities financing plan, and/or development agreements.

The project is nearly 1,253 acres in size and would include approximately 5,043 residential units (both single-family and multi-family) at an average density of approximately 8.8 dwelling units per acres (du/ac) on a total of approximately 608 acres. Four residential land-use classifications, including Low Density Residential, Medium Density Residential, Compact Density Residential, and High Density Residential are proposed, ranging from 6 to 20 du/ac.

Commercial-mixed use, parks, open space, wetland preserve and almost 115 acres designated for school uses are also proposed. These uses will require potable domestic water (i.e., drinking and bathing) and additional water for landscape irrigation.

Because the project proposes construction of over 500 residential housing units, the project is subject to the provisions of Senate Bill (SB) 610 (Water Code Section 10910 et. Seq., Chapter 643, Statutes of 2001). Requirements include the documentation and provision of written verification that sufficient water supplies are available to meet the project's projected water demands during normal, single-dry, and multiple-dry water years over a 20-year projection, which includes consideration of cumulative development.

The City, Sacramento County Water Agency (SCWA), and the project applicant are responsible for providing this verification in the form of a Water Supply Assessment (WSA). It is EDAW's understanding that a WSA has already been prepared and certified for the project.

SWCA recently adopted their 2005 Urban Water Management Plan (UWMP) as well as their Zone 40 Water Supply Master Plan (SWMP). These two documents address water supply planning issues in the project area and were not relied upon when the initial WSA was prepared. EDAW will prepare an amended WSA that incorporates the new information. The steps associated with preparing the WSA are discussed below under item 17, Amended Water Supply Assessment.

EDAW staff will incorporate information and findings from the Amended WSA into the water supply section of the EIR/EIS, EDAW will review the WSA to ensure that a thorough, complete, and technically accurate analysis has been conducted. EDAW will advise the City of any identified data gaps, or if there is a need for additional analysis beyond what was completed in the WSA.

For purposes of this scope of work, 30 hours of senior water resources management staff has been allocated for this effort. Our senior management staff are knowledgeable of regional and local water issues. EDAW's work on Zone 40 WSMP EIR, Sacramento Area Water Forum Water Plan EIR, the Sunrise Douglas Community Plan/SunRidge Specific Plan, the Rio del Oro Specific Plan EIR/EIS, and the Water Supply Evaluation for the City General Plan EIR collectively form a sound platform of relevant experience to draw from.

EDAW will prepare the water supply section of the EIR/EIS. EDAW's analysis of water supply and availability will partially rely on other supporting technical studies that have previously been prepared for the project, including the 2005 Zone 40 WSMP, 2005 SCWA UWMP, Water Supply Evaluation for the City of Rancho Cordova General Plan, water master plans, associated drainage and groundwater impact studies, and water facility studies.

g. Geology, Soils, and Mineral Resources and Paleontological Resources. For the geology, soils, and mineral resources section, EDAW will assess the potential for impacts associated with soil and geological conditions at the project site. This section will focus on geotechnical hazards, seismicity of the area, potential for liquefaction and subsidence, the erodibility of the site's soils, soil stability characteristics, and shrink/swell potential of site soils, as applicable. EDAW will also assess potential impacts to economically valuable mineral resources that may be present at the project site. EDAW is assuming that a geotechnical report will be prepared by the project applicant and that the analysis will be based on existing documentation. The geotechnical report will be of particular importance for the assessment of mineral resources. No fieldwork or geotechnical engineering

analysis is included. Mitigation measures will be presented for any significant or potentially significant impacts identified in the earth resources analysis based primarily on recommendations in the geotechnical and soils reports.

Based on a review of geological maps, the project site is located within the Laguna Formation, which is not known to contain significant fossil deposits. Thus, EDAW will not prepare a paleontological resources analysis as part of the EIR/EIS.

h. Cultural Resources. EDAW will complete the following tasks to provide the necessary information and assessment of potential project-related impacts to support the EIS/EIR and agency decisions under NEPA, CEQA, and Section 106 of the National Historic Preservation Act (NHPA).

- *Background Research.* Peak & Associates prepared a Cultural Resource Assessment Report for the project site in 1999. EDAW has conducted a brief review of these documents, and concluded that additional work is required. EDAW will perform the additional work described below
- *Area of Potential Effects Map.* A large-scale map depicting the proposed development, waters of the U.S., and known cultural resources within the project area will be prepared in accordance with Section 106 of the NHPA and codified in Title 36 Code of Federal Regulations (CFR) Part 800.4(a)(1). The APE map will be submitted to the USACE for review prior to transmittal to the Office of Historic Preservation (OHP) for concurrence as part of the Section 106 consultation process. It is also assumed that the APE map will be approved by the City prior to transmittal to OHP.
- *Native American Consultation.* The Peak report states that some Native American contact was conducted, and that a response was received from one individual. However, as there is no documentation of the effort in the report (such as a letter to the Native American Heritage Commission [NAHC]), and since that effort was six years ago, EDAW will update the Native American contact process. A letter will be sent to the NAHC asking for a new list of individuals or groups with potential knowledge of the project area. Contact letters will then be sent to each of the individuals noted by the NAHC. A maximum of two follow-up telephone calls will be made to the individuals that do not respond in writing to the contact letter. The results of this contact program will be incorporated in the EIS/EIR being prepared for the project. It is assumed that the City will comply with the requirements of Senate Bill 18.
- *Background Research.* Like the Native American contact program, the background research is also six years old. An updated record search will be performed at the North Central Information Center to determine whether any new information has been submitted to that repository.
- *Reporting.* For the EIR/EIS, EDAW will compile a complete environmental setting section and a concise description of potential project-related impacts. Significance criteria and measures needed to avoid or reduce significant impacts to historic or prehistoric resources in compliance with NEPA, CEQA, and Section 106 of the NHPA will be developed and presented for inclusion in the EIS/EIR.

  In accordance with the State CEQA Guidelines, EDAW will outline procedures to be undertaken in the event that buried archaeological materials (e.g., bone, flaked stone, structural remains, historic refuse) are encountered during project construction. This is a particularly sensitive issue for this project due to the extensive areas that are now covered in dredge tailings, precluding a reasonable opportunity to identify resources that may be buried beneath these features. The discovery procedures hinge on the protection of discovered materials until they can be assessed by a professional archaeologist and treated in accordance with their potential significance.
- *Additional Tasks Not Included.* If requested, senior cultural resources staff from EDAW would be available to assist with the evaluation and/or treatment of cultural resources and in the Section 106 compliance process, but would require a modification to the contract. This assistance could be in the form of strategic guidance, or in the preparation of supporting documents (e.g., draft Programmatic Agreement, Memorandum of Agreement, Historic Properties Treatment Plan, Cultural Resources Management Plan, etc.) that may be necessary to complete the Section 106 process. In particular, close coordination with the City and USACE may be needed to evaluate the timing of the Section 106 process relative to the NEPA document and Record of Decision to be issued by USACE.

i. Biological Resources. EDAW biologists will base the analysis of impacts on biological resources resulting from the proposed project on a thorough review and analysis

of previously completed documents that address the biological resources of the project site. This will include a review of the following:

- Biological Resources Assessment, Sunrise Douglas 2 (Foothill and Associates, April 2004)
- Orcutt Grass Survey, Sunrise Douglas 2 (Foothill and Associates, September 2003)
- GIS data showing location and extend of mapped wetlands at the project site (Foothill Associates 2005, 2006)
- SunCreek Specific Plan Area, Wetlands Composite Map (Foothill Associates, 2006)
- A Conceptual-Level Strategy for Avoiding, Minimizing, & Preserving Aquatic Resource Habitat in the Sunrise-Douglas Community Plan Area [Agency Conceptual Strategy Map] (March 2004)

EDAW will search statewide databases that include specific information on previously documented special-status species occurrences on or near the project site, including the California Department of Fish and Game (DFG), California Natural Diversity Database (CNDDB), and the California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants for information on previously documented local occurrences of special-status plants.

For biological resources, the EIR/EIS will include a project-level analysis of potential impacts for the entire 1,253-acre project site. An EDAW botanist and wildlife biologist will conduct a two-day reconnaissance-level survey of the 1,253-acre project site. The purpose of the site visit will be to characterize and map and describe common and sensitive biological resources present and to verify information in the Foothill and Associates biological resources assessment report. The potential presence of any plant, animal, or habitat considered sensitive, threatened, endangered, or otherwise unique by the USFWS, DFG, or CNPS will be evaluated.

It is assumed that the proposed approach for collecting and analyzing baseline information on biological resources will meet USACE requirements. Additional requirements (not included) or substantial revisions to the habitat assessment could result in a contract modification. EDAW will, however, submit an outline of the proposed approach to USACE prior to completion of the assessment.

Based on biological resources assessment previously conducted at the project site, sensitive biological resources known to occur on the project site include jurisdictional waters of the United States, including wetlands; known or potential occurrences of special-status plants; known occurrences and potential habitat for special-status reptiles and amphibians; potential foraging habitat for Swainson's hawk; and potential nesting and foraging habitat for Cooper's hawk, western burrowing owl, white-tailed kite, and other raptors.

This scope of work assumes that the biological surveys for sensitive biological resources completed to date will be sufficient for the purposes of the EIR/EIS. If it is determined at a latter date that focused surveys must be conducted, EDAW is prepared and qualified to conduct those surveys as an amendment to this scope of work, upon the request of the City if desired.

After completing the review of existing biological resources information and the reconnaissance surveys, the biological resources chapter of the EIR/EIS will be prepared. The section will provide a summary of biological resources on the project site, including descriptions of plant communities present, the associated plant and wildlife species, and sensitive biological resources known to or with the potential to occur on the project site. An exhibit will also be provided, depicting the locations of known occurrences of special-status species, areas of suitable habitat for special-status species, and sensitive habitats on the project site. A habitat map of the site will also be included in the chapter.

The biological resources section will also include a regulatory setting element, summarizing all relevant federal, state, and local laws and regulations that apply to the protection of biological resources on the project site. This section will set the framework for analyzing potential impacts to biological resources. The regulatory setting section will also define the thresholds of significance for impacts to biological resources based on State CEQA Guidelines and federal Endangered Species Act (ESA) compliance, as well as on USACE NEPA guidelines.

The EIR/EIS will provide a detailed analysis of all potentially significant direct, indirect, and cumulative impacts of the proposed project and alternatives to biological resources. Proposed habitat removal or alteration will be quantified by habitat type. The project has been designed to be consistent with the Conceptual-level Strategy for Avoiding, Minimizing, & Preserving Aquatic Resource Habitat in the Sunrise Douglas Community Plan Area developed by USACE, USFWS, and EPA. To comply with the habitat preservation principals and standards outlined in the conceptual strategy, the Specific Plan designates 222.5 acres of the site for a wetland preserve and an additional 20 acres as a

wetland preserve/bike path corridor. The analysis will include an evaluation of the consistency of the Specific Plan with the conceptual strategy as well as a discussion of potential adverse effects on the current hydrology that supports vernal pools and other wetland habitats in the proposed preserve area.

To compare impacts of each alternative on biological resources, impact tables depicting acreages of habitat type disturbed, and supporting habitat map overlays will be prepared for each alternative, including the off-site alternative (where data are available).

The potential need for incidental take authorization and consultation under Section 7 of the Endangered Species Act will be discussed. The USACE permit process for wetland fills will also be discussed.

EDAW understands that regulatory authorization from USACE, DFG, USFWS, and possibly other state, federal, and local agencies with jurisdiction over biological resources on the project site will be needed before the proposed project could be implemented. It is also assumed that the project applicant will obtain all permits and perform formal consultation.

Feasible measures to avoid and/or minimize potentially significant impacts resulting from implementation of the proposed project will be recommended in the EIR/EIS. Unavoidable adverse impacts will be identified, if applicable. All mitigation measures will be designed in conformance with resource agency and City requirements.

d. Visual Resources. EDAW will evaluate the potential for the urbanization of the project site to gradually eliminate views of expanses of open space that are currently seen from adjacent roadways. A reconnaissance level site visit will be conducted to evaluate the visual character of the project site and surrounding areas and to take photographs to be included in the EIR/EIS. It is assumed that visual photosimulations are not necessary. If the City or USACE determines that photosimulations should be prepared, EDAW can produce them. However, they are not included in this scope of work at this time. The effect of the change in the visual character of the project study area from rural open space to urban uses will be evaluated and any scenic resources (riparian woodland, drainages, trees) that could potentially be damaged will be identified. EDAW assumes that the project applicant will provide a tree inventory on the numbers of trees on site. EDAW also assumes that the project applicant will provide tree removal estimates. The character of the urban design of the proposed project will be evaluated with respect to ability to enhance the visual quality of the City and the visual experience of those visiting or residing in the immediate area. If available from the project applicant, architectural renderings and landscaping plans will be used to provide design elements that would aid in the analysis. EDAW will compare the design standards in the proposed specific plan to the performance standards in the City General Plan. If design standards are not provided as part of the specific plan, EDAW will develop performance standards to be incorporated and adopted as part of the specific plan that include architectural style and design, landscaping, lighting, visual buffers, tree retention, sustainability guidelines, building height, and other performance relevant performance standards to avoid or reduce visual impacts to less-than-significant levels. EDAW will coordinate these performance standards with the City to ensure consistency with any design guidelines or other performance standards developed as part of the City's General Plan.

EDAW will evaluate the potential for lighted commercial and recreational areas within the project and traffic generated by the project to result in light and glare effects to residential properties that will be located both within and adjacent (future) to the project study area. The potential for project lighting to increase ambient light levels causing diminished or obscured views of nighttime skies will also be analyzed. EDAW will compare the lighting standards in the proposed specific plan to the performance standards in the City General Plan. If design standards are not provided as part of the specific plan, EDAW will provide performance standards as mitigation to be incorporated into the EIR/EIS and specific plan.

j. Public Health and Hazards. EDAW will prepare a hazards and hazardous materials section for the EIR/EIS. A Phase I Environmental Site Assessment (ESA) was prepared by Wallace Kuhl and Associates in July 1999. This report will serve as the basis for this section of the EIR/EIS. Additional site reconnaissance, interviews, and a review of current federal, state, and county regulatory agency lists indicating known hazardous material related instances will be conducted as deemed appropriate.

The Phase I ESAconcluded that "hazmat-related conditions relative to the agency-listed facilities can change with the passage of time, particularly as regards identified groundwater contaminant plumes and the pending hydrogeologic characterization that must occur at Sacramento Rendering in connection with UST (Underground Storage Tank) removal. We recommend that appropriate policy and planning mitigations be built into the Sunrise Douglas 2 (SunCreek) Specific Plan so as to minimize potential impacts on human health and the

environment, in the event that neighborhood ground water contaminant plumes might migrate to beneath the subject property".

EDAW will include in the EIR/EIS a separate map showing the location of significant hazardous conditions on the property, if any are present. Also included in the EIR/EIS will be a discussion of hazardous materials issues related to adjoining properties and any potential effects these properties may have on the proposed project. Ongoing remedial efforts, including groundwater concerns in the area will be discussed. However, it is not anticipated, based on our current understanding and a review of the Phase I ESA prepared for the project, that contamination issues and ground water concerns in the area related to aerospace research and development will significantly impact the project site. Should information become available that suggests an updated Phase I is required, or that Environmental Data Resources (EDR) maps and reports are required, EDAW has the capability and experience to advise the City and project applicant accordingly. However, this additional effort would be outside the scope of this contract.

Other potential hazards associated with the project include flooding, seismic events, asbestos, and fire. These will be addressed in the Hydrology, Drainage, and Water Quality; Geology, Soils, and Mineral Resources; Utilities and Service Systems, and Public Services sections of the EIR/EIS.

k. Traffic and Transportation. Fehr & Peers has been identified as the traffic consultant for this project. See "Subconsultants' Approach and Work Program" below, for information regarding the scope of work associated with the transportation and circulation analysis.

l. Air Quality. Current regional and local air quality conditions in the vicinity of the project site will be described. Meteorological conditions in the vicinity of the project site that could affect air pollutant dispersal or transport will be described, if needed. However, field monitoring of meteorology and pollutant emissions is not included. The local topographic effects on pollutant dispersal will be discussed. Applicable air quality regulatory framework, standards, and significance thresholds will also be addressed.

Short-term and long-term air quality impacts will be assessed for the project and up to four alternatives at an equal level of detail. Short-term and long-term impacts will be analyzed, as described below.

The air quality impact analysis will include a general discussion of potential temporary, short-term (i.e., construction) air pollutant effects. Projected construction emissions will be estimated based on construction data (e.g., assumed duration of construction, project phasing, amount of land to be disturbed/graded, types of equipment to be used, number of construction employees) to be provided by the City or project applicant. Construction emissions of nitrogen oxide (NO_x) and particulate matter less than 10 microns in diameter (PM_{10}) will be assessed in compliance with the most recent Sacramento Metropolitan Air Quality Management District (SMAQMD) guidelines and significance thresholds. For purposes of this scope, it is assumed that the proposed project would not fall below the PM_{10}, screening levels for construction projects and thus more complex dispersion modeling (ISC3) would be required. As a result, the project-level analysis for project construction will include modeling PM_{10} to determine compliance with the newly adopted PM_{10} emission concentration and substantial contribution thresholds. In addition, an off-site construction mitigation fee, effective as of October 2005, will be calculated and the amount incorporated into the EIR/EIS where construction impacts remain significant after the application of off-site mitigation.

Long-term (i.e., operational) regional air pollutant emissions, including stationary, area, and mobile source emissions, will be assessed. Regional mobile source emissions will be estimated based on trip generation data to be provided by Fehr & Peers from the traffic analysis prepared for this project. The California Air Resources Board (CARB)-approved URBEMIS2002 and EMFAC2002 (BURDEN2002) computer models will be used to estimate regional criteria pollutant emissions associated with the proposed project. These modeled emissions will be assessed in compliance with the SMAQMD mass emission thresholds for ozone precursors. To determine compliance with the newly adopted emission concentration and substantial contribution thresholds, operational emissions will be further analyzed using the SMAQMD Guide to Air Quality Assessment and/or more detailed modeling. Emissions of potentially odorous and/or toxic air contaminants and resultant impacts to nearby sensitive land uses will be qualitatively discussed. For the purpose of this scope of work, it is assumed that the City or project applicant will provide EDAW with a copy of the SMAQMD-approved long-term mitigation plan (AQ-15) to be incorporated into the EIR/EIS.

Local mobile source carbon monoxide (CO) concentrations will be assessed using the SMAQMD recommended screening techniques. Where a more detailed analysis is needed, the CARB-approved CALINE4 model will be used. Local mobile source CO

concentrations are typically quantified for congested areas (i.e., level of service [LOS] E or worse) with high background CO concentrations. Air quality conditions at signalized intersections will be modeled for P.M. peak-hour traffic for the existing, existing plus project, and cumulative-plus-project scenarios (totaling up to 30 model runs for each project alternative) to determine the potential for localized "hot spots." Intersection LOS and P.M. peak-traffic hour traffic volumes are to be provided by Fehr & Peers from the traffic analysis prepared for this project. Modeled CO concentrations at sensitive receptors will be compared with state and federal 1- and 8-hour ambient air quality standards to determine impact significance.

Total regional operational emissions of criteria pollutants will be compared with applicable SMAQMD significance thresholds. For purposes of this scope, it is assumed that the proposed project would be consistent the emissions budgets contained in regional air quality attainment plans, such that extensive consultation with SMAQMD and SACOG staff would not be required. A federal General Conformity determination is not included in this scope; however, it can be added after further information and strategy on the environmental compliance document(s) are determined. This scope of work, however, does include EDAW consulting with City and USACE staffs and identifying the level of effort needed to make a federal General Conformity determination and to assist with strategy, issue resolution, and problem-solving. Mitigation measures will be included for any potentially significant or significant impacts.

Please note: Any revisions to the traffic report, subsequent to completion of any air quality modeling, may require additional effort currently not accounted for in this scope of work, and therefore, would require a contract amendment.

m. Noise. The EIR/EIS will include a description of the existing noise environment on and in the vicinity of the project site, based on existing environmental documentation and on-site reconnaissance data. If available from existing sources/documentation, noise contour maps associated with nearby major noise sources that could potentially affect the project site, including Mather Field, will be incorporated in the EIR/EIS. As part of a site reconnaissance, EDAW will conduct up to a total of 8 short-term (i.e., 15 minute) daytime noise measurements at various locations on and in the vicinity of the proposed project site to document ambient noise levels. If possible, at least one of the measurements will be planned to coincide with any rocket testing activities at Aerojet (if such activities are continuing). Relevant background information, including noise fundamentals, descriptors, and applicable federal, state, and local regulatory framework, will be described in the EIR/EIS.

Short-term and long-term noise impacts will be assessed for the proposed project and five alternatives at an equal level of detail. Short-term and long-term impacts will be analyzed, as described below.

To assess potential temporary, short-term (i.e., construction) noise impacts, sensitive receptors and their relative exposure (considering topographic barriers and distance) will be identified. Noise levels of specific construction equipment will be determined and resultant noise levels at those receptors (at given distances from the source) will be calculated. Predicted noise levels will be compared with applicable state and local standards.

To assess potential long-term (i.e., operational) noise impacts, EDAW will conduct traffic noise modeling based on average daily traffic (ADT) volumes to be provided by Fehr & Peers from the traffic analysis prepared for this project. The FHWA roadway noise prediction model will be used to determine roadway traffic noise levels (in day-night noise level/community noise equivalent level [Ldn/CNEL]) for the existing, existing-plus-project, and cumulative-plus-project scenarios, for up to ten roadway segments. Modeled traffic noise levels and distances to noise contours for the modeled scenarios will be summarized in the EIR/EIS.

The assessment of long-term noise impacts will include an analysis of stationary source noise impacts associated with the project, as well as potential noise impacts to the site associated with nearby noise sources, including ongoing Aerojet activities and Mather Field. This analysis will include an evaluation of the potential for existing stationary noise sources to affect proposed on-site land uses and of the potential for proposed on-site noise-generating land uses to affect both on-site and off-site receptors. Analysis of nearby noise sources and potential impacts to the project site will be based on existing environmental documentation and data obtained from the noise monitoring survey. For purposes of this scope, it is assumed that CNEL noise contour maps for Mather Field would be available from the County, such that detailed noise modeling of aircraft operations at this facility would not be required. Based on discussions with Mather Field personnel, Single-Event noise contour maps associated with air craft over flights have not been prepared for this facility. Consequently, the assessment of aircraft noise will be based on a qualitative discussion of predicted single-event noise levels (SEL) associated with aircraft over flights, based on a review of current and projected Mather Field flight paths in relation to the project site, existing SEL data from similar aircraft

operations, as well as any measurement data obtained during the site reconnaissance. Modeling of aircraft noise is not included in this scope. The significance of long-term noise impacts will be determined based on applicable state and local standards.

The EIR/EIS will assess the exposure of sensitive receptors to or generation of excessive groundborne vibration or noise levels from project implementation (e.g., use of heavy-duty construction equipment). The analysis will be based on documented source-specific vibration levels and standard modeling procedures.

Mitigation measures will be developed for significant and potentially significant noise impacts.

Please note: Any revisions to the traffic report, subsequent to completion of any noise modeling, may require additional effort currently not accounted for in this scope of work, and therefore, would require a contract amendment.

n. Land Use Policy Consistency Analysis Appendix (Optional). If desired by the City, EDAW can assess the proposed project's consistency with all adopted plans and policies (in addition to environmental goals). The assessment would be conducted for each issue area and assembled into an appendix. If the City prefers, it can assess the project's consistency with adopted plans and policies and assemble the appendix for use in the EIR/EIS. For this scope of work, however, it is assumed that the City will prepare the land use policy consistency analysis and submitted to EDAW for inclusion in the EIR/EIS appendix.

8. Growth-Inducing Impacts
In accordance with Section 15126.2(d) of the State CEQA Guidelines and NEPA, EDAW will prepare a chapter that evaluates the potential growth-inducing impacts of the project. Potential sources of growth inducement and their impacts, such as removal of obstacles to growth, will be analyzed qualitatively to the extent they are applicable. "Growth-Inducing Impacts" will be included as a separate section within Chapter 4 of the EIR/EIS, "Other Statutory Requirements."

9. Irreversible and Irretrievable Commitment of Resources
NEPA requires that environmental analysis include identification of "...any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented." Irreversible and irretrievable resource commitments are related to the use of nonrenewable resources and the effects this use could have on future generations. Irreversible effects primarily result from the use or destruction of a specific resource (e.g., energy and minerals) that cannot be replaced within a reasonable timeframe. Irretrievable resource commitments involve the loss in value of an affected resource that cannot be restored as a result of the action (e.g., extinction of a threatened or endangered species or the disturbance of a cultural resource). "Irreversible and Irretrievable Commitment of Resources" will be included as a separate section within Chapter 4 of the EIR/EIS, "Other Statutory Requirements."

10. Relationship between Short-term Use of the Environment and the Maintenance and Enhancement of Long-Term Productivity
Effect on resources are often characterized with respect to their being of short-term or long-term duration. NEPA requires that the EIS include a discussion of short- and long-term impacts. Impacts that occur over a period of 5 years or less result from short-term uses of the resources in an area most often associated with construction. Long-term effects relate to the maintenance and enhancement of long-term productivity—in particular, the consistency of the project with long-term economic, social, regional, and local planning objectives. Long-term uses affect an area for a period of more than 5 years. These impacts may lead to permanent resource degradation or loss. "Relationship between Short-Term Use of the Environment and the Maintenance and Enhancement of Long-Term Productivity" will be included as a separate section within Chapter 4 of the EIR/EIS, "Other Statutory Requirements."

11. Significant and Unavoidable Impacts.
EDAW will summarize significant and unavoidable adverse impacts associated with the project, consistent with NEPA and State CEQA Guidelines Sections 15126.2(b) and (c). Included in the discussion will be any impacts that can be partially mitigated, but not to a level that is less than significant. Any mitigation measures eliminated from consideration because of new impacts associated with their implementation also will be discussed. "Unavoidable Adverse Effects" will be included as a separate section within Chapter 4 of the EIR/EIS, "Other Statutory Requirements."

12. Cumulative Impacts
As required by USACE, EDAW will prepare a cumulative impact analysis at the end of each issue area in the "Affected Environment, Environmental Consequences, and Mitigation Measures" chapter. The "Cumulative Impact Methodology, Contributing Projects, List of Related Projects, and Cumulative Context" will be a separate section within Chapter 4, "Other Statutory Requirements." However, EDAW will prepare a separate

section consistent with Section 15130 of the State CEQA Guidelines and NEPA that defines what constitutes a cumulative impact under CEQA, provide a summary of the projects that are contributing to cumulative impacts, provides the cumulative context, and lists related projects. The analysis will be based on the City General Plan.

13. Organizations and Persons Consulted
The "Organizations and Persons Consulted" will constitute Chapter 5 of the EIR/EIS and will contain a list of all agencies, organizations, and persons consulted to prepare the EIR/EIS.

14. Report Preparers
The "Report Preparers" will constitute Chapter 6 of the EIR/EIS and will acknowledge all preparers of the EIR/EIS, including their role and years of experience (per NEPA)

15. References
The "References" will constitute Chapter 7 of the EIR/EIS and will cite all documents, reports, data, and persons contacted to prepare the EIR/EIS.

16. Other EIR/EIS Required Items

The draft EIR/EIS will also contain the following:

- Index (per NEPA) (note: the Index will not be prepared until the public draft EIR/EIS is ready to be reproduced because the Index is dependent on page numbering)
- Technical Appendices (that support the EIR/EIS analysis) (note: for cost efficiency, the Technical Appendices will not be reproduced until the screencheck draft EIR/EIS)

17. Amended Water Supply Assessment

EDAW will prepare an Amended WSA pursuant to SB 610 (Water Code Section 10910 et. seq., Chapter 643, Statutes of 2001) (Water Code) for the proposed project. The Amended WSA will be included as an appendix to the public draft EIR/EIS. EDAW assumes that an amended WSA will meet SWCA's needs. If a new WSA is requested, EDAW will re-evaluate the scope and level of effort required. The additional effort may or may not require a contract amendment.

The City identified SCWA as the water purveyor for the proposed project. It is EDAW's understanding that a WSA has already been prepared and certified for the proposed project. SCWA recently adopted their 2005 UWMP as well as their Zone 40 WSMP. These two documents address water supply planning issues in the project area and were not relied upon when the initial WSA was prepared. EDAW will prepare an Amended WSA that incorporates the new information.

a. Collect Data. EDAW will review information from the City and SCWA necessary to prepare the Amended WSA. The information will include the SCWA's 2005 UWMP, the project description for the SunCreek Specific Plan EIR/EIS, and a WSMP (if available) or a comparable engineering report that substantiates the basis for the projected water demands for the project. Included in this information will be a description of SCWA water entitlements and contracts, and project site design characteristics (i.e., existing water demands at the project site, existing/proposed water facilities and pipelines that currently service and or will service the proposed project). Maps will be used from the existing reports which show SCWA's water service area and major water supply facilities. Project site maps will also be collected showing the project site location/boundaries and existing water pipelines and groundwater wells which service and/or will service the project.

b. Document Supply and Demand. Existing and future SCWA water demands will be identified in 5-year increments over the next 20 years based on information in the UWMP and WSMP.

Existing and future SCWA water supplies will be identified by supply source. Because groundwater is the source of supply for SCWA, the Amended WSA will contain additional information pursuant to the Water Code.

The Amended WSA will:

- identify whether a groundwater management plan for the basin has been adopted;
- show the location of groundwater wells within the basin;
- identify other groundwater producers dependant on the groundwater supplies in the basin; and
- analyze the location, amount, and sufficiency of groundwater that is projected to be pumped by SCWA.

Single- and multiple-dry-year existing and future SCWA water supplies will be documented in 5-year increments over the next 20 years based on information contained within the UWMP.

Projected water demands will be calculated in 5-year increments over the next 20 years.

Tables and exhibits will be prepared presenting the above groundwater data and water supply and demand information.

c. Conduct Water Supply Analysis. EDAW will compare SCWA water supply and demand with and without the project to determine if adequate water supplies will be available to serve the project in 5-year increments over the next 20 years. Tables will be prepared presenting this information.

EDAW will compare water supply and demand during single- and multiple-dry years with and without the proposed project to determine if adequate water supplies will be available during the drought years to serve the project.

Conclusions will be provided as to the adequacy of SCWA water supplies to serve existing water demands in addition to the proposed project in the future during normal-, dry- and multiple-dry years.

EDAW will rely on the recently prepared Water Supply Evaluation for the City of Rancho Cordova General Plan that addresses future water supplies and possible sources of future supply in the event the Amended WSA determines that there are not adequate water supplies to serve the project.

d. Prepare Draft Amended Water Supply Assessment. EDAW will prepare up to two drafts of the Amended WSA and provide both City and SCWA staff with three copies for review and comment.

e. Prepare Final Amended Water Supply Assessment. EDAW will incorporate City and SCWA staff comments on the draft Amended WSA, provide three copies to the City and six copies to SCWA. The final Amended WSA will be included as a technical appendix to the draft EIR/EIS.

f. Attend Meetings/ConferenceCalls. EDAW will attend up to two meetings with SCWA/City staff to review comments, as well as participate in telephone conference calls.

g. Assumptions. The following assumptions were made in preparing the work plan for the Amended WSA:

- All information necessary to determine existing and future SCWA and City water supply and demand is readily available and either will be provided to EDAW by the City or SCWA (i.e. SCWA's 2005 UWMP, SCWA Zone 40 WSMP, Groundwater Management Plan, Water Facilities Mater Plan for the proposed project). The development of new estimates of existing SCWA water supply and demand, and new projections of future SCWA water supply and demand will not be required.
- SCWA's UWMP is up to date (adopted in 2005).
- Information required to analyze the groundwater basin is available in either the UWMP, the Groundwater Management Plan, or other planning studies that would be readily available to EDAW.
- The groundwater basin from which SCWA pumps is not an adjudicated groundwater basin, and is not in a state of overdraft. Projected increases in groundwater extractions by SCWA and others will not lead to a condition of overdraft.
- No additional groundwater wells will be developed, or capital works projects constructed (other than those projects that have been discussed in existing water supply planning documents) for the distribution of the water necessary to meet the needs of the project.
- No additional hydraulic or hydrologic analysis is required.
- EDAW will attend up to 2 meetings with SWCA to discuss the Amended WSA.
- Up to two reiterations of the Amended WSA are assumed.

18. Biological Assessment

a. Field Reconnaissance and Literature Review. A field visit will be conducted to assess the potential for the project to result in take of federally- and state-listed species. Information regarding the status of listed species in the project vicinity will be compiled and reviewed. It is assumed that with implementation of take avoidance and minimization measures, it would be possible to avoid direct take of state-listed species. Therefore, this work plan does not include consultation and permitting under the California Endangered Species Act (CESA). The potential for the project to result in direct take of state-listed species will be evaluated as part of this task. If deemed necessary, CESA permitting could be provided under a contact amendment.

b. Initial Consultation. Pursuant to the Federal Endangered Species Act, the USFWS and National Oceanic and Atmospheric Administration (NOAA) Fisheries have authority over projects that may affect the continued existence of federally listed species. Because the project would require a Section 404 permit form USACE, a Section 7 consultation with USFWS and NMFS will be required. EDAW biologists will consult with USFWS regarding potential effects to species that are

federally listed or proposed for listing as Threatened or Endangered and species considered as Candidates for listing. This initial consultation will include discussion of the anticipated approach for the overall process and will provide the opportunity for agency feedback regarding preliminary conclusions. It is assumed that species regulated by NOAA Fisheries do not occur in the vicinity of the project area and that such initial consultation with them would not be necessary.

c. Preparation of the Biological Assessment. A Biological Assessment (BA) will be prepared in accordance with USFWS guidelines. The BA will include a summary of consultation to date, description of the proposed action, an account of each species addressed, an assessment of project effects, a description of measures to minimize and compensate for potential effects, and an effect determination for each species. Based on EDAW's current understanding, species anticipated to be addressed in the BA include Sacramento Orcutt grass, slender Orcutt grass, giant garter snake, California tiger salamander, and vernal pool crustaceans (e.g., vernal pool fairy shrimp and vernal pool tadpole shrimp). It is assumed that compensation for unavoidable adverse effects to vernal pool crustaceans would be provided through participation in an established mitigation bank and that development of a mitigation plan for inclusion in the BA will not be required. If development of a mitigation plan is required, it could be provided as an amendment to this scope of work and contract.

One BA would be prepared, but would summarize the effects of all affected properties. USFWS has indicated that one Biological Opinion for all five properties will be issued.

d. Formal Section 7 Consultation. After submittal of the BA, formal Section 7 consultation will be initiated by USACE. Effort required to complete the formal consultation period can vary greatly, depending on a number of factors, such as the extent of potential effects, proposed mitigation, and USFWS staff assigned to the project. It is assumed that the mitigation strategy for impact to vernal pool crustaceans (i.e., participation in a mitigation bank) will be supported by USFWS staff and that completion of the consultation could occur within a reasonable timeframe and with limited negotiation. If the consultation process becomes more complicated than anticipated, additional effort may be required and could be provided as an amendment to the contract.

19. Monthly Coordination Meetings.
EDAW will participate in monthly project coordination meetings, as described in Task L with City and USACE (and potentially USFWS and EPA, as needed) during preparation of the administrative draft EIR/EIS to allow the City/USACE to provide input on the preliminary results of the administrative draft EIR/EIS analysis and guidance on critical issues that may require resolution during development of the administrative draft EIR/EIS. This task also includes bi-monthly telephone calls/meetings with the project applicant to provide schedule updates and project status reports.

18. Submit first administrative draft EIR/EIS to the City and USACE for review and comment.

TASK D SUMMARY	
Products:	Ten copies of the first administrative draft EIR/EIS
	Bi-monthly project/schedule status reports
Meetings:	Participate in monthly project coordination meetings on administrative draft EIR/EIS status meeting to be attended by the project manager and/or assistant project manager and principal-in-charge and subconsultants if necessary (see Task L)
	Participate in up to two meetings with SWCA to discuss the Amended WSA

Task E: Prepare Second Administrative Draft EIR/EIS

Purpose

Ensure that comments received from City and USACE staffs (and project applicant if desired by City/USACE) have been adequately and thoroughly addressed, EDAW will prepare a second administrative draft EIR/EIS with tracked changes for easy reference to revisions.

Approach

1. Coordinate with the City's staff, which will assemble City and applicant comments on, and suggested revisions to, the administrative draft EIR/EIS and coordinate with USACE staff which will assemble USACE comments on the EIR/EIR. Two sets of unified comments will be provided to EDAW (one from the City/applicant and one from USACE).

2. Attend one meeting with City and USACE staffs to discuss comments on the first administrative draft EIR/EIS.

3. Complete revisions to the first administrative draft EIR/EIS in accordance with review comments. The second administrative draft EIR/EIS will be submitted with tracked changes so that City and USACE can easily track changes resulting from review comments on the first administrative draft

EIR/EIS. Revisions will be prepared in conformance with the scope of work.

4. Submit a second administrative draft EIR/EIS to the City and USACE for final review. Consistent with State CEQA Guidelines Section 15123 and NEPA, an executive summary will be prepared and presented in the screencheck draft EIR/EIS that presents the significance conclusions of the EIR/EIS using clear and simple language easily understood by the public. A summary table will identify each impact presented in the analysis, identify the level of impact before mitigation, describe mitigation measures when applicable, and, for those impacts requiring mitigation, identify the level of impact following implementation of mitigation.

TASK E SUMMARY	
Products:	Ten copies of the second administrative draft EIR/EIS (with tracked changes)
Meetings:	One meeting to review comments on the first administrative draft EIR/EIS to be attended by the project manager and assistant project manager

Task F: Prepare Screencheck Draft EIR/EIS

Purpose

To demonstrate that all changes and corrections required by the City and USACE have been made to the EIR/EIS and that the formal draft EIR/EIS is ready for public release.

Approach

1. Coordinate with the City's staff, which will assemble City/applicant comments on, and suggested revisions to, the second administrative draft EIR/EIS and coordinate with USACE staff which will assemble USACE comments on the EIR/EIR. Two sets of unified comments will be provided to EDAW (one from the City/applicant and one from USACE).

2. Attend one meeting with City and USACE staffs to discuss comments on the second administrative draft EIR/EIS, if needed.

3. Complete revisions to the second administrative draft EIR/EIS in accordance with review comments. Revisions will be prepared in conformance with the scope of work.

4. Submit a screencheck draft EIR/EIS to the City and USACE for final review. Consistent with State CEQA Guidelines Section 15123 and CEQ, a summary will be prepared and presented in the screencheck draft EIR/EIS that presents the significance conclusions of the EIR/EIS using clear and simple language easily understood by the public. A summary table will identify each impact presented in the analysis, identify the level of impact before mitigation, describe mitigation measures when applicable, and, for those impacts requiring mitigation, identify the level of impact following implementation of mitigation.

TASK F SUMMARY	
Products:	Five copies of the screencheck draft EIR/EIS, including the Summary
Meetings:	One review meeting with the City and USACE, to be attended by the project manager, if needed

Task G: Prepare Draft EIR/EIS

Purpose

To distribute a draft EIR/EIS for public review and comment.

Approach

1. Coordinate with City and USACE staffs, which will assemble comments on, and suggested revisions to, the screencheck draft EIR/EIS. One set of unified comments from the City/applicant and one set of unified comments from USACE will be provided to EDAW.

2. Complete revisions to the draft EIR/EIS in accordance with review comments. Revisions will be prepared in conformance with the scope of work.

3. Reproduce the draft EIR/EIS for submittal to the City for distribution to the public. EDAW also will provide the City and USACE with an electronic copy of the draft EIR/EIS on CD for posting on the City's website.

4. Prepare Notice of Availability for review and comment by the City and USACE and submit it to the State Clearinghouse and all other appropriate recipients, including entities required to receive notices under NEPA. PDF copies of all notices will be submitted to the City for posting on the City's website. It is assumed that USACE will publish the required NEPA EIS availability notices.

TASK G SUMMARY	
Products:	Seventy-five copies and a CD with an electronic copy of the draft EIR/EIS
	Draft and final Notice of Availability
	PDF copies of all notices for posting on the City's website

Task H: Prepare Administrative Final EIR/EIS and Responses to Draft EIR/EIS Comments

Purpose

To prepare an administrative final EIR/EIS with written responses to comments received on the draft EIR/EIS that raise significant environmental issues and submit the document for City and USACE staff review after the close of the public comment period. The final EIR/EIS will incorporate the draft EIR/EIS by reference. It will document all changes made to the draft report, but it is assumed that the draft EIR/EIS will not be reproduced as part of the final report.

Approach

1. Coordinate with City staff, who will assemble all public comments received on the draft EIR/EIS.

2. Attend one meeting with City and USACE staffs to review written comments on the draft EIR/EIS and comments from public meetings and hearings, and develop a general framework and strategy for preparing responses and to receive guidance and input from the City and USACE on the final EIR/EIS.

3. Confirm or refine the final EIR/EIS work program. EDAW will review all comments received on the draft EIR/EIS and determine the level of effort required to respond to comments. It may be possible that a confirmation or refinement to the final EIR/EIS scope of work is required.

4. Submit the administrative final EIR/EIS with draft responses to comments for City and USACE review. Responses that are within this scope and budget consist of explanations, elaborations, or clarifications of the data contained in the draft EIR/EIS. A reasonable budget has been assumed to prepare responses (see budget). However, as the City is aware, there is always uncertainty regarding the extent of the comments provided. For the purposes of this scope of work, a reasonable number of hours of technical staff effort have been allocated to respond to comments. Per the City, it is assumed that only one administrative final EIR/EIS will be prepared.

TASK H SUMMARY	
Products:	Ten copies of the complete administrative final EIR/EIS
Meetings:	One review meeting with the City and USACE, to be attended by the project manager and the assistant project manager

Task I: Prepare Screencheck Final EIR/EIS

Purpose

To demonstrate that all changes and corrections required by the City and USACE have been made to the EIR/EIS and that the formal final EIR/EIS is ready for public release.

Approach

1. Coordinate with City and USACE staffs, which will assemble City/applicant and USACE comments on, and suggested revisions to, the administrative final EIR/EIS. One set of unified comments will be provided to EDAW from the City/applicant and one set from USACE.

2. Complete revisions to the administrative final EIR/EIS in accordance with review comments. Revisions will be prepared in conformance with the scope of work.

3. Submit a screencheck final EIR/EIS to the City and USACE for final review.

TASK I SUMMARY	
Products:	Ten copies of the screencheck final EIR/EIS
Meetings:	One administrative EIR/EIR review meeting to be attended by the project manager and assistant project manager, if needed

Task J: Prepare Final EIR/EIS

Purpose

To distribute a final EIR/EIS that responds to all significant environmental issues raised during the public review and comment period.

Approach

1. Coordinate with City and USACE staffs, which will assemble City/applicant and USACE comments on, and suggested revisions to, the screencheck final EIR/EIS. One set of unified comments will be

provided to EDAW from the City/applicant and one set from USACE.

2. Prepare and reproduce the final EIR/EIS for submittal to the City for its distribution to affected agencies and the public. In addition, EDAW will provide the City and USACE with a copy of the final EIR/EIS on CD in a format that the City and USACE can post on its website.

3. Prepare CEQA Notice of Determination and submit it to the State Clearinghouse and prepare EIS final adoption notice (per NEPA). It is assumed that EDAW will prepare the draft and final notices and submit the notice to the State Clearinghouse, but that the USACE will publish the notice in the Federal Register.

4. The final EIR/EIS will include a final Mitigation Monitoring Reporting Plan (MMRP) as an appendix. See Task K.

TASK J SUMMARY

Products: Seventy-five copies and a version on CD that can be posted on the City's website.

Draft and final Notice of Determination and EIS adoption notice

PDF copies of all notices for posting on the City's website

Task K: Prepare Mitigation Monitoring and Reporting Program

Purpose

To prepare an MMRP that complies with CEQA requirements and meets the City's needs, goals, and objectives.

Approach

1. Prepare the draft MMRP concurrently with preparation of the final EIR/EIS. The MMRP will be designed to ensure compliance with adopted mitigation requirements during project implementation. In coordination with City and USACE staffs, EDAW will prepare the MMRP for mitigation measures that address significant impacts or are adopted as conditions of approval.

2. Design the program to fit into City and USACE format requirements and existing entitlement and project review processes. The MMRP is proposed to include the following components:

   - introduction and purpose of the program,
   - roles and responsibilities,
   - monitoring and reporting procedures, and
   - master mitigation matrix.

   Coordinate with City and USACE staffs to refine the MMRP content and format before preparing the draft MMRP.

3. After review and comment on the draft MMRP (during review and comment on the administrative final EIR/EIS), revise the MMRP according to the comments provided and submit the final MMRP as part of the final EIR/EIS.

TASK K SUMMARY

Products: Revised draft MMRP

Final MMRP, to be provided as an appendix to the final EIR/EIS

Task L: Attend Meetings and Public Hearings

Approach

1. Participate in monthly project coordination meetings with City and USACE staffs. Staff from USFWS and EPA may also be present during some of the project coordination meetings.

2. An EDAW botanist/wetland ecologist and wildlife biologist will be available to attend up to two project team meetings (with the City and/or USACE), as necessary, to address potential effects on biological resources resulting from project implementation.

3. An EDAW cultural resources specialist will be available to attend one meeting with resource agencies on behalf of the USACE (per USACE).

4. Attend two public hearings on the draft EIR/EIS and two on the final EIR/EIS certification/project decision. For purposes of this work program and cost estimate, it is assumed that the principal-in-charge and project manager or project manager/assistant project manager will attend the hearings.

5. Facilitate public meetings on behalf of the USACE (per USACE's direction) and conduct presentations, as required, regarding the EIR/EIS process and findings, and be available to answer questions that may arise at public hearings or meetings.

6. Prepare presentation graphics and handout materials regarding the EIR/EIS process and findings, if needed.

Additional meetings can be attended on a time-and-materials basis, if needed.

TASK L SUMMARY	
Products:	Presentation graphics and handout materials
Meetings:	Attend monthly project coordination meetings with City and USACE staffs (14 meetings)
	Two biological resources coordination meetings with City, USACE, and/or other resource agencies to be attended by the technical specialist, technical leader, and either the project manager or the principal-in-charge
	One cultural resources coordination meeting with City, USACE, and/or other resource agencies to be attended by the technical specialist, technical leader, and either the project manager or the principal-in-charge
	Four public hearings (2 before the Planning Commission and 2 before the City Council) to be attended by the principal-in-charge and/or project manager and assistant project manager

Task M: Project Communications and Coordination

Purpose

To ensure smooth processing of the CEQA and NEPA processes, maintain schedule integrity, and assist the City in coordination and facilitation of the NEPA process.

If desired by the City, EDAW is available serve as the NEPA facilitator/coordinator on behalf of USACE. For purposes of this scope of work and cost estimate, this task is shown as an optional task.

Approach

1. Participate in monthly project coordination meetings with City and USACE staffs (see Task L above).
2. Attend to details regarding EIR/EIS preparation and compliance with CEQA and NEPA.
3. Coordinate with City, USACE, USFWS, EPA, and applicable regulatory agencies to satisfy agency scrutiny.
4. Assist the City in facilitating and coordinating the NEPA process. However, it is assumed for purposes of this work plan that the project applicant would participate in all formal agency consultation with USACE and other federal regulatory agencies.
5. Meeting scheduling, facilitation, preparation, and minutes, as requested by the City and/or USACE.
6. Budget and schedule tracking.
7.. Project progress reports.
8. Day-to-day point of contact and internal/subconsultant team coordination.
9. Coordinate information needs, data tracking, etc. with the City, USACE, and Applicant Team.
10. Coordinate project description/mapping needs with project applicant and applicant's consultants.
11. Serve as NEPA facilitator/coordinator on behalf of the USACE (optional task). For purposes of estimating the budget for project management and coordination (not including elevated and extensive assistance to the USACE regarding NEPA coordination), we have assumed approximately 14 hours per week for 60 weeks for the project manager, 8 hours per week for 60 weeks for the assistant project manager, and 2 hours per week for 60 weeks for the principal-in-charge. This budget is based on a 14-month proposed schedule. The budget assumptions reflecting EDAW's lead role in NEPA facilitation and coordination on behalf of the USACE is shown as an optional task. However, schedule delays could affect the allotted project communications and coordination time and may be subject to contract modification. The optional line item in the budget includes 568 additional project manager hours. These hours would be used to serve as extension of USACE staff, if required.

TASK M SUMMARY	
Products:	A high-quality, comprehensive, legally defensible EIR/EIS; good understanding of the proposed project and environmental protection measures; and good relations and understanding with the City, USACE, USFWS, EPA, and regulating agencies.
Meetings:	Monthly and included in appropriate tasks.

SUBCONSULTANTS' APPROACH AND WORK PROGRAM

Fehr & Peers Associates, Inc., Transportation Consultants

Fehr & Peers' completed a traffic impact study in 2004 for the Sunrise/Douglas 2 project (now referred to as SunCreek) in coordination with the Sacramento County Department of Transportation (DOT). Since the incorporation of the City of Rancho Cordova, several EIRs have been initiated, all of which have substantially different assumption sets than those assumed in the 2004 traffic impact study.

Fehr & Peers' scope of work below reflects a considerable amount of new and more detailed analysis of the SunCreek project to determine the specific impacts and mitigation measures according to the most current land use and roadway network assumption sets. Based on the new set of assumptions, Fehr & Peers will analyze the traffic operations for following facilities:

- Relevant mainline segments and freeway ramps of U.S. Highway 50 (U.S. 50)
- Study intersection locations during A.M. and P.M. peak hours
- Relevant roadway segments

The analysis will include an update to the current traffic model developed for the Rio del Oro Specific Plan project, the City of Rancho Cordova's General Plan, and the Preserve project to incorporate the most current Year 2030 development assumptions.

Fehr & Peers will complete the tasks for this project described in the scope of work below. The reuse of relevant data and analysis previously conducted for this project and other projects in the region is accounted for in the scope.

Data Collection and Model Input

Fehr & Peers will collect available data for use in the analysis of existing, base year, and cumulative (Year 2030) conditions. The project study area is anticipated to extend just north of U.S. 50, Grant Line Road on the south and east, and Excelsior Road to the west. Data requirements within the project study area are listed below:

- Existing and planned roadway geometrics and traffic controls
- Existing and planned transit service and facility descriptions
- Existing and planned park-and-ride lots
- Location of existing and planned bicycle and pedestrian facilities
- Proposed project land uses
- Proposed project transportation networks

Traffic counts collected in 2003 and 2004 as part of the Sunrise/Douglas 2 and Rio del Oro traffic studies will be used for this study at the majority of the locations listed under Existing Conditions Analysis (below) since no appreciable development has been occupied since the time of the counts. Updated daily roadway traffic counts will be conducted on a total of 10 segments to verify that no significant changes in traffic counts have occurred.

One site visit will be conducted to verify existing lane configurations and traffic control devices.

Existing Conditions Analysis

For the existing conditions analysis, the following intersections, roadways, and freeway segments will be analyzed:

Intersections

1. State Route (SR) 16/Excelsior Road
2. SR 16/Eagles Nest Road
3. SR 16/Sunrise Boulevard
4. SR 16/Grant Line Road
5. Florin Road/Sunrise Boulevard
6. Grant Line Road/Sunrise Boulevard
7. Grant Line Road/Kiefer Boulevard
8. Douglas Road/Grant Line Road
9. Douglas Road/Sunrise Boulevard
10. Mather Field Road/Folsom Boulevard
11. Mather Field Road/U.S. 50 Westbound Ramps
12. Mather Field Road/U.S. 50 Eastbound Ramps
13. Mather Field Road/International Drive
14. Zinfandel Drive/International Drive
15. Zinfandel Drive/White Rock Road
16. Zinfandel Drive/U.S. 50 Eastbound Ramps
17. Zinfandel Drive/U.S. 50 Westbound Ramps
18. Sunrise Boulevard/White Rock Road
19. Sunrise Boulevard/Folsom Boulevard
20. Sunrise Boulevard/U.S. 50 Eastbound Ramps
21. Sunrise Boulevard/U.S. 50 Westbound Ramps
22. Sunrise Boulevard/Zinfandel Drive
23. Hazel Avenue/Folsom Boulevard
24. Hazel Avenue/U.S. 50 Eastbound Ramps
25. Hazel Avenue/U.S. 50 Westbound Ramps
26. White Rock Road/Grant Line Road
27. White Rock Road/Kilgore Road
28. Hazel Avenue/Gold Country Boulevard

Roadways

1. SR 16 – Excelsior Road to Eagles Nest Road
2. SR 16 – Sunrise Boulevard to Grant Line Road
3. Kiefer Boulevard – Grant Line Road to SR 16
4. Mather Boulevard – Femoyer Street to Douglas Road
5. Douglas Road – Mather Boulevard to Sunrise Boulevard
6. Douglas Road – Sunrise Boulevard to Grant Line Road
7. International Drive – South White Rock Road to Zinfandel Drive

8. International Drive – Zinfandel Drive to Kilgore Road
9. White Rock Road – Zinfandel Drive to Sunrise Boulevard
10. White Rock Road – Sunrise Boulevard to Grant Line Road
11. Folsom Boulevard – Zinfandel Drive to Sunrise Boulevard
12. Folsom Boulevard – Sunrise Boulevard to Hazel Avenue
13. Mather Field Road – Folsom Boulevard to U.S. 50 Westbound Ramps
14. Mather Field Road – U.S. 50 Eastbound Ramps to International Drive
15. Zinfandel Drive – Folsom Boulevard to U.S. 50 Westbound Ramps
16. Zinfandel Drive – U.S. 50 Eastbound Ramps to White Rock Road
17. Zinfandel Drive – White Rock Road to International Drive
18. Sunrise Boulevard – Gold Country Boulevard to Coloma Road
19. Sunrise Boulevard – Coloma Road to U.S. 50 Westbound Ramps
20. Sunrise Boulevard – U.S. 50 Eastbound Ramps to Folsom Boulevard
21. Sunrise Boulevard – Folsom Boulevard to White Rock Road
22. Sunrise Boulevard – White Rock Road to Douglas Road
23. Sunrise Boulevard – Douglas Road to SR 16
24. Sunrise Boulevard – SR 16 to Grant Line Road
25. Hazel Avenue – U.S. 50 Westbound Ramps to Winding Way
26. Grant Line Road – White Rock Road to Douglas Road
27. Grant Line Road –Douglas Road to SR 16
28. Grant Line Road – SR 16 to Sunrise Boulevard

U.S. 50 Mainline Segments

1. U.S. 50 – Mather Field Road to Zinfandel Boulevard
2. U.S. 50 – Zinfandel Boulevard to Sunrise Boulevard
3. U.S. 50 – Sunrise Boulevard to Hazel Avenue
4. U.S. 50 – Hazel Avenue to Folsom Boulevard

U.S. 50 Merge/Diverge/Weave Analyses

1. U.S. 50/Mather Field Road Interchange
2. U.S. 50/Zinfandel Boulevard Interchange
3. U.S. 50/Sunrise Boulevard Interchange
4. U.S. 50/Rancho Cordova Parkway Interchange
5. U.S. 50/Hazel Avenue Interchange

Fehr & Peers recommends that traffic operations at the study intersections be analyzed using the methodologies contained in the Highway Capacity Manual (Transportation Research Board, 2000). Roadway segments will be analyzed by comparing volumes to capacities consistent with capacities presented in the Rancho Cordova General Plan EIR. Analysis results will include daily levels of service for the study roadway segments and A.M. and P.M. peak hour levels of service for the study intersections.

Several intersections currently operate over capacity including the Sunrise Boulevard/U.S. 50 Eastbound Ramps and the Sunrise Boulevard/Zinfandel Drive intersections during the P.M. peak hour. The methodologies described above do not accurately measure traffic operations at intersections where the demand volume exceeds the intersection capacity. Existing conditions analysis will be verified with field observations, and project impacts at these locations will be qualitatively discussed.

The freeway ramp junction merge/diverge analyses will be conducted using the methodologies contained in the Highway Capacity Manual, 2000. Freeway ramp weaving analyses will be evaluated using the Leisch methodology.

Travel Demand Forecasts

Fehr & Peers will update its previous travel demand forecasting model prepared for the Rio del Oro EIR/EIS, Preserve EIR, and Rancho Cordova General Plan EIR to develop cumulative Year 2030 traffic volume forecasts for the study intersections and roadway segments listed above using the most current land use information prepared for the City of Rancho Cordova's General Plan. Please note that the U.S. 50 TAC has recently developed a forecasting model for use in prioritizing improvements through the U.S. 50 corridor between the Sacramento city limit line and El Dorado County. Fehr & Peers can use this model to develop forecasts for this assessment (consistent with our methodology for the proposed Easton Specific Plan project). However, the U.S. 50 TAC model was not developed by Fehr & Peers nor has Fehr & Peers determined that it satisfies requirements under CEQA/NEPA. If the City directs Fehr & Peers to use this alternative model, it will be up to the model developer to defend the assumptions within the model and ensure that it satisfies CEQA/NEPA requirements.

Year 2030 roadway network assumptions will be consistent with those assumed in the Rio del Oro traffic analysis, which consists of the City's Capital Improvement Program (CIP) roadway network within the City limits and Metropolitan Transportation Plan (MTP) 2025 roadway improvements outside the City limits.

The raw traffic model volumes will be adjusted to account for model error using an adjustment procedure such as the difference method, which adds the increment of growth between the future year (2030) and base year (2004) traffic models to the existing counts. The model will be used to generate A.M. peak hour and P.M. peak hour intersection and daily roadway segment traffic forecasts under the scenarios listed below:

- Base year conditions
- Base year with project conditions
- 2030 no project conditions
- 2030 plus project conditions

Base year conditions will include existing traffic levels combined with traffic from nearby approved projects (with tentative map approval), roadway improvements that are currently under construction, and other development in the SunRidge Specific Plan Area totaling 6,500 units. Although this scenario is unrealistic (more roadway improvements will be required to support 6,500 dwelling units in the SunRidge Specific Plan Area), it is a very conservative assumption that will be performed to satisfy CEQA/NEPA requirements and be consistent with other EIRs being prepared in the study area.

The Year 2030 analyses completed for the Rio del Oro and Preserve projects will be updated to incorporate the most current land use projections developed as part of the City's General Plan.

Traffic Impact Analysis

The traffic impact analysis will include the following scenarios.

- Existing Conditions
- Base year conditions
- Base year with project conditions
- Cumulative (year 2030) no project conditions
- Cumulative (year 2030) with project conditions

Fehr & Peers will analyze the study locations identified in Task 2.0 plus the following additional locations created with the implementation of the proposed project or surrounding projects:

Additional Base Year Intersections

1. Sunrise Boulevard/Kiefer Boulevard
2. Douglas Road/Eagles Nest Road
3. Sunrise Boulevard/International Drive

Additional Base Year Roadway Segments

1. Douglas Road – Sunrise Boulevard to Jaeger Road
2. Douglas Road – Americanos Boulevard to Grant Line Road
3. Sunrise Boulevard – Douglas Road to Kiefer Boulevard
4. Sunrise Boulevard – Kiefer Boulevard to SR 16

Additional Cumulative (Year 2030) Intersections

1. Rancho Cordova Parkway/White Rock Road
2. Rancho Cordova Parkway/Easton Valley Parkway
3. Rancho Cordova Parkway/U.S. 50 Eastbound Ramps
4. Rancho Cordova Parkway/U.S. 50 Westbound Ramps
5. Rancho Cordova Parkway/White Rock Road
6. Americanos Boulevard/White Rock Road
7. Douglas Road/Jaeger Road
8. Douglas Road/Americanos Boulevard
9. Chrysanthy Boulevard/Sunrise Boulevard
10. Chrysanthy Boulevard/Jaeger Road
11. Chrysanthy Boulevard/Americanos Boulevard
12. Kiefer Boulevard/Jaeger Road

Additional Cumulative Year Roadway Segments

1. Folsom Boulevard – Sunrise Boulevard to Hazel Avenue
2. Douglas Road – Jaeger Road to Americanos Boulevard
3. Chrysanthy Boulevard – Sunrise Boulevard to Jaeger Road
4. Chrysanthy Boulevard – Jaeger Road to Americanos Boulevard
5. Kiefer Boulevard – Eagles Nest Road to Sunrise Boulevard
6. Kiefer Boulevard – Sunrise Boulevard to Jaeger Road

7. Eagles Nest Road – Mather Boulevard to Douglas Road
8. Eagles Nest Road – Douglas Road to Kiefer Boulevard
9. Eagles Nest Road – Kiefer Boulevard to SR 16
10. Sunrise Boulevard – Douglas Road to Chrysanthy Boulevard
11. Sunrise Boulevard – Chrysanthy Boulevard to Kiefer Boulevard
12. Sunrise Boulevard – Kiefer Boulevard to SR 16
13. Rancho Cordova Parkway – U.S. 50 to Americanos Boulevard
14. Rancho Cordova Parkway – Americanos Boulevard to White Rock Road
15. Jaeger Road – White Rock Road to Douglas Road
16. Jaeger Road – Douglas Road to Chrysanthy Boulevard
17. Jaeger Road – Chrysanthy Boulevard to Kiefer Boulevard
18. Americanos Boulevard – Rancho Cordova Parkway to White Rock Road
19. Americanos Boulevard – White Rock Road to Douglas Boulevard
20. Americanos Boulevard – Douglas Boulevard to Chrysanthy Boulevard

Additional Cumulative Segments of U.S. 50

1. U.S. 50 – Sunrise Boulevard to Rancho Cordova Parkway
2. U.S. 50 – Rancho Cordova Parkway to Hazel Avenue

Additional Cumulative Merge/Diverge/Weave Analyses

1. U.S. 50/Rancho Cordova Parkway Interchange

For significant impacts, Fehr & Peers will recommend improvements to reduce the impact to a less-than-significant level.

The analysis results will contain A.M. and P.M. peak hour levels of service for intersections and daily roadway levels of service for roadway segments along with a complete discussion of the trip generation, distribution, and assignment assumptions used in the analysis. Impacts will be identified by comparing the analysis results to the significance criteria developed ofr previous studies in the area and identified for this study. For significant impacts, we will propose mitigation measures to improve the level of significance, which may include widening roadway segments and/or intersections. Each mitigation measure will identify the specific action necessary, phasing (when it should be implemented), responsibility for implementation, and expected level of significance after mitigation.

In addition to intersections and roadway/freeway segment traffic operations, we will also evaluate the effect of the project on transit, bicycle, and pedestrian facilities using the significance criteria. For significant impacts, Fehr & Peers will propose mitigation measures to improve conditions for transit riders, bicyclists, and pedestrians.

Fehr & Peers will also provide a qualitative discussion of potential vehicular, pedestrian, and/or bicycle safety issues.

Alternatives Evaluation

The following alternative will be evaluated at an equal level of detail in the EIR/EIS:

- Proposed Project
- Agency Conceptual Strategy
- Biological Impact Minimization
- No Project/No Development
- Project/No Permit (although analysis will be at a qualitative level per USACE direction)

In addition to the alternatives described above, the following alternatives will be discussed from a qualitative level as to the potential impacts they may have to the transportation system:

- SACOG Blueprint
- Off-Site

Documentation

Fehr & Peers will prepare a magnetic media copy and a camera-ready hard copy of the transportation impact section for the administrative draft EIR/EIS and draft EIR/EIS. Fehr and Peers has budgeted up to 24 hours to respond to comments on the administrative draft EIR/EIS. A letter response to comments on the draft EIR/EIS will be provided for the final EIR/EIS after receiving a numbered list of comments. Fehr & Peers has budgeted up to 16 hours of staff time to respond to comments on the draft EIR/EIS, but will inform the City of the hours necessary after receiving the numbered list of comments. Fehr & Peers will not proceed with responses until receiving written authorization to proceed.

Meetings

Fehr & Peers will attend up to ten meetings (40 hours of total staff time) at the City's direction during the course of the study. Additional meetings can be attended on a time-and-materials basis.

EXHIBIT B

COMPENSATION SCHEDULE

Please see Attachment.

11-Jul-06

EDAW INC • City of Rancho Cordova SunCreek Specific Plan EIR/EIS

8/2/2006

EDAW TASKS	Project Manager	Principal-in-Charge	Env. Analyst	Env. Analyst/Biolog	Sr. Wildlife Bio	Sr. Botanist	Senior Air/Noise	Air/Noise	Hydro/ WQ	Hydro/ WQ/WR	Sr. Water Res.	Water Res.	Cultural Resources	Tech Editor Doc Coord	Graphics/ GIS	Word Processing	Admin Support	Total Hours	Total Dollars
Rate/Hour	$165	$195	$100	$85	$125	$120	$120	$105	$120	$95	$185	$120	$100	$85	$85	$75	$65		
A. Initiate Project and Review Data	24	4	40		10	16	8		8		8	28	4		16		4	170	$20,690
B. Prepare Project Description (Proposed Action and Purpose and Need and Alternatives) and Develop EIR/EIS Outline and Format	40	4	16	8	2	2	2			2	2	2	2		36		2	120	$14,580
C. Coordinate Scoping Meetings and Prepare Scoping Report	12	2	20	8										4	16	16		78	$7,950
Scoping Meetings (1)	8	8	8															24	$3,680
D. Prepare First Administrative Draft EIR/EIS		12																	
1. Cover Page	3	1													8		24	44	$4,580
2. Table of Contents	1													6		2		12	$1,350
3. Summary	2													6		2		9	$825
4. Introduction and Statement of Purpose and Need	8	1	24											16		8		26	$2,290
5. Alternatives	32	6	80		10	16								2	8	4		47	$5,065
7. Affected Environment, Environmental Consequences, and Mitigation														4	64	16		228	$24,600
a. Land Use	6	1	8	35												180		180	$13,500
b. Population, Employment, and Housing	4	1	8	20										2	16			68	$6,490
c. Environmental Justice	2	1	3	15										2	4			39	$3,865
d. Hydrology, Drainage, and Water Quality	4	2							28	16				2	4			27	$2,610
e. Utilities and Service Systems, Public Services, and Parks and Recreation	8	2	4	105										4	8			62	$6,950
f. Water Supply and Availability	10	5								30	15	30		2	4			125	$11,545
g. Geology, Soils, and Mineral Resources	2	1	12											5	5			100	$12,700
h. Cultural Resources	2	1	2											2	4			21	$2,235
i. Biological Resources	6	2	4		90	160							50	2	4			61	$6,235
j. Visual Resources	4	1	4	24										2	32			296	$35,120
k. Public Health and Hazards	2	1	20						15					2	12			47	$4,485
l. Traffic and Transportation	16	4	4	55										2	16			56	$5,855
m. Air Quality	16	2	4				50	200						2	4			85	$9,005
n. Noise	8	2	4				40	190						2	8			282	$31,280
8. Affected Environment, Environmental Consequences, and Mitigation														2	16			262	$28,390
a. Cumulative Impacts	8	4	40	8	2	4	8	16		4			2			180		180	$13,500
b. Growth-Inducing Impacts	8	2	24											4	16	10		126	$13,180
c. Significant Irreversible and Irretrievable Commitment of Resources/Changes of Relationship Between Short-Term Use of the Environment and Maintenance and Enhancement of Long-Term Productivity	8	2		8										4		4		42	$4,750
d. Significant and Unavoidable Effects	4	1	2											4		4		26	$3,030
11. Effects Found Not to be Significant	4	1		2										8		4		19	$2,035
12. List of Agencies, Organizations, Persons Consulted	1													6		4		17	$1,835
13. Report Preparers	1													8		4		13	$1,145
14. References	1													12		4		17	$1,485
15. Index	1													24		4		29	$2,505
16. Technical Appendices	2			12										12		4		17	$1,485
17. Amended Water Supply Assessment	16	8	8						80		30				8	4		26	$2,330
18. Biological Assessment	8			122	5	5								16	20	32		210	$25,610
Subtotal	198	64	255	406	107	185	98	406	123	50	45	30	52	8	32	4		184	$16,615
E. Prepare Second Draft EIR/EIS	40	12	60	40	20	20	4	8		8		12	8	173	293	474	24	2983	$308,480
F. Prepare Screen Check Draft EIR/EIS	8	4	24											24	24	40	8	328	$35,160
G. Prepare Draft EIR/EIS	4	2	12											8		24	6	74	$7,370
H. Prepare Administrative Final EIR/EIS and Responses to Comments	40	20	40	40	20	20	8	24		24	8	32	8	8		16	2	44	$4,260
I. Prepare Screen Check Final EIR/EIS	12	6	24											24	16	80	16	420	$45,120
J. Prepare Final EIR/EIS	4	2	16											8	8	24	6	88	$9,100
K. Prepare Mitigation Monitoring and Reporting Program	4	1	16											8	4	16	2	52	$5,000
L. Attend Meetings and Public Hearings														4		24	2	51	$4,725
Project Initiation Meetings	8	4	4												80		4	84	$7,060
Monthly Project Coordination Meetings (14)	56	20	40															16	$2,500
Biology Meetings (2)	6	3			6	6												116	$17,140
Cultural Resources Meetings (1)																		21	$3,045
Public Hearings and Meetings (2-Planning Com, 2-City Council)	16	16	16										4					4	$400
Meetings Subtotal	86	43	60	0	6	6	0	0	0	0	0	0	4	0	80	0	4	48	$7,360
M. Project Communications and Coordination	840	124	480														24	1468	$212,340
Total EDAW Labor Hours	**1320**	**296**	**1071**	**502**	**165**	**249**	**120**	**438**	**131**	**84**	**63**	**104**	**78**	**261**	**493**	**714**	**100**	**6189**	
Total EDAW Labor Dollars	**$217,800**	**$57,720**	**$107,100**	**$42,670**	**$20,625**	**$29,880**	**$14,400**	**$45,990**	**$15,720**	**$7,980**	**$11,655**	**$12,480**	**$7,800**	**$22,185**	**$41,905**	**$53,550**	**$6,500**		**$715,960**
Optional Task: NEPA Coordination + Facilitation HOURS	568																	568	
Optional Task: NEPA Coordination + Facilitation COST	$93,720																		$93,720
Total EDAW Labor Hours with Optional NEPA Task	**1,888**	**296**	**1,071**	**502**	**165**	**249**	**120**	**438**	**131**	**84**	**63**	**104**	**78**	**261**	**493**	**714**	**100**	**6,757**	
Total EDAW Labor Dollars with Optional NEPA Task	**$311,520**	**$57,720**	**$107,100**	**$42,670**	**$20,625**	**$29,880**	**$14,400**	**$45,990**	**$15,720**	**$7,980**	**$11,655**	**$12,480**	**$7,800**	**$22,185**	**$41,905**	**$53,550**	**$6,500**		**$809,680**

DIRECT COSTS		
	Total EDAW Labor Dollars (from Page 1)	$715,960
1. Subconsultant-Fehr and Peer (Traffic and Transportation)		$155,000
2. Printing: (rounded to nearest whole $)		
Draft Scoping Report: 5 copies, $10 each	$50	
Final Scoping Report: 10 copies, $10 each	$100	
Draft Notices	$5	
Final Notices	$5	
First ADEIR/EIS: 10 copies, 500 pages (w/o apps), $50 each	$500	
Second ADEIR/EIS: 10 copies	$500	
Screen-check DEIR/EIS: 10 cc, 1000 pp (w/ apps), $50 ea volume (two volumes)	$1,000	
DEIR/EIS: 75 copies, 600 pages (with apps), $30 each	$2,250	
DEIR/EIS Computer Disk: 1 CD, $5	$5	
AFEIR/EIS: 5 copies, 250 pages, $50 each	$250	
Screen-check FEIR/EIS: 5 copies, 250 pages, $50 each	$250	
FEIR/EIS: 75 copies, 250 pages, $50 each	$3,750	
FEIR/EIS Computer Disk: 1 CD, $5	$5	
		$8,670
3. Other Reproduction		$1,700
4. Mileage/Parking		$2,000
5. Per Diem and Other Meals		$800
6. Maps/Supplies/Photos/GPS		$550
7. Postage/Delivery		$550
8. Cultural Resources Records Search		$200
9. Admin. Fee for Subconsultants (10%)		$15,500
Total Direct Costs		**$184,970**
Costs expended through July 7, 2006		$76,650
TOTAL ESTIMATED FEE		**$977,580**

TOTAL ESTIMATED FEE WITH OPTIONAL NEPA TASK	$1,071,300

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Adam Lindgren, City Attorney
Lisa Brown, Human Resources Analyst

SUBJECT: **LOCAL LABOR RELATIONS RULES FOR CITY OF RANCHO CORDOVA**

RECOMMENDATION

Adopt Resolution No. 195-2006 establishing the City's Employer-Employee Relations Policy.

RESULT OF RECOMMENDED ACTION

Local government agencies are subject to the Meyers-Milias-Brown Act ("MMBA"), California Government Code sections 3500, et seq., with respect to employer-employee relations. The MMBA provides that local agencies may adopt reasonable rules for the administration of employer-employee relations under the MMBA. This Employer-Employee Relations ("EERR") Resolution No. 195-2006 is intended to implement the local rules of the City of Rancho Cordova, as permitted by the MMBA

BACKGROUND

The Meyers-Milias-Brown Act (MMBA) contains the statutory scheme governing labor relations between public employees and public employers. The MMBA grants employees the right to organize, or not to organize, and establishes various rules relating to the labor-management relationship. The MMBA establishes general rights and obligations only, and **permits local agencies to establish their own** specific procedures. Specifically, the MMBA authorizes local agencies to adopt reasonable rules and regulations. Commonly, local agencies exercise this rule making authority by adopting an Employer-Employee Relations Resolution. .Attached is the Employer-Employee Relations Resolution No. 195-2006 for the City Council's

The proposed resolution outlines employee and management rights, describes the process for creating a representative unit via a petition and election process, and also articulates the process for modifying a recognized employee organization.

Though the City of Rancho Cordova does not currently have any unions or bargaining units, this policy clarifies the process if employees seek to organize in the future. The City works hard to maintain a collaborative atmosphere regarding employee relations

AGENDA ITEM #17

balancing rewarding and retaining quality employees with the City's long-term fiscal health.

Approval of this revised policy will provide a clear process and procedure for communication with any employee organizations. Staff recommends approval of Resolution No.195-2006.

ATTACHMENT

Resolution No. 195-2006

CITY OF RANCHO CORDOVA

RESOLUTION NO. 195-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA APPROVING EMPLOYER-EMPLOYEE RELATIONS

WHEREAS, the City is committed to ensuring that all employees receive fair and competitive compensation packages, and to becoming one of the best places to work in the State of California; and

WHEREAS, all employees are encouraged to provide suggestions and feedback on improving the work experience in the City; and

WHEREAS, the City desires to adopt reasonable rules and regulations for the administration of employer-employee relations pursuant to the Meyers-Milias-Brown Act ("MMBA"), California Government Code sections 3500, *et seq.*;

NOW, THEREFORE, BE IT RESOLVED that the City hereby adopts these policies governing employer-employee relations pursuant to the MMBA:

1. Purpose: The purpose of this Resolution is to implement the City's rules and regulations governing labor relations pursuant to section 3507 of the California Government Code. This Resolution supersedes all previous employer-employee resolutions and any other written policies that conflict with this Resolution.

2. Definitions: As used in this Resolution, the following terms are defined as follows:

a. "Agency shop" means an arrangement requiring employees to pay dues, or a fee, to the recognized employee organization.

b. "Bargaining Unit" means a unit of employee classifications and/or positions established by the City Manager.

c. "Certify" means the process by which the City formally acknowledges an employee organization as the exclusive representative of a bargaining unit.

d. "Confidential Employee" means an employee who, as determined by the City Manager, is privy to information that could affect employer-employee relations.

e. "City" refers to the City of Rancho Cordova and, where appropriate, the City Council or any duly authorized City representative.

f. "Day" means calendar day unless expressly stated otherwise.

g. "Employee" means any person employed by the City, and specifically excludes elected officials.

h. "Employee Organization" means any organization which includes employees of the City, and which as one of its primary purposes representing such employees in their labor relations with the City.

i. "Grievance" means an allegation that the City: (1) has violated a specific provision of this resolution; or (2) has applied the resolution in a manner that violates an applicable law.

j. "Impasse" means a deadlock in negotiations concerning matters within the scope of representation.

k. "Management employee" means any employee who, as determined by the City Manager, has significant responsibilities for formulating or administering City policies and programs, including but not limited to department and division heads.

l. "Memorandum of Understanding" (or "MOU") means a written agreement between the City and the recognized employee representative regarding wages, hours and working conditions within the scope of representation. MOUs shall not be valid or enforceable unless and until approved by the City Manager.

m. "Notice" means depositing the information at issue, properly addressed with correct postage for first class delivery, in a United States Postal Service ("USPS") facility. Unless otherwise specified in this resolution, or otherwise agreed between the affected parties in writing, notice shall be complete upon deposit in a USPS mail box or facility.

n. "Professional employee" means an employee who, as determined by the City Manager, is assigned to work requiring specialized knowledge and skills attained through a course of prolonged and specialized education, including, but not limited to, attorneys, physicians, registered nurses, engineers, architects, teachers, and various types of physical, chemical, and biological scientists.

o. "Question Concerning Representation" (or "QCR") means a bonafide issue whether the employees in a bargaining unit continue to desire representation by the current recognized employee representative.

p. "Recognized Employee Representative" means an employee organization which has been formally recognized by the City as the exclusive representative of a bargaining unit or units for purposes of meeting and conferring on matters within the scope of representation under the MMBA.

q. "Scope of representation" shall include all matters relating to employment conditions and employer-employee relations, including, but not limited to, wages, hours, and other terms of conditions of employment; provided, however, that the scope of representation shall not include consideration of the merits, necessity, or organization of any service or activity provided by law or executive order, or any other matter excluded by applicable case law or statute.

r. "Supervisory employee" means any employee who, as determined by the City Manager, has authority to exercise independent judgment to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or having the responsibility to direct them, or to adjust their grievances, or effectively to recommend any of

such actions if the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

3. Delegation of Authority: The City Council hereby delegates to the City Manager all duties and responsibilities with respect to the MMBA, except as specifically and expressly reserved to the City Council herein.

4. City Management Rights

Unless specifically in conflict with any MOU, all management rights shall remain vested exclusively with the City. City management rights include but are not limited to:

a. The right to determine the mission of its agencies, departments, institutions, boards and commissions;

b. The right of full and exclusive control of the management of the City; supervision of all operations; determinations of methods, means, location and assignments of performing all work; and the composition, assignment, direction, location and determination of the size and mission of the work force;

c. The right to determine the work to be done by employees, including establishment of service levels, appropriate staffing and the allocation of funds for any position(s) within the City;

d. The right to review and inspect, without notice, all City-owned facilities, including without limitation desktop computers, work areas and desks, email, computer storage drives, voicemail systems and filing cabinets and systems;

e. The right to change or introduce different, new or improved operations, technologies, methods or means regarding any City work, and to contract out for work;

f. The right to establish and modify qualifications for employment, including without limitation the right to establish or modify the content of any job classification, job description or job announcement, and to determine and modify minimum qualifications for any job;

g. The right to establish and enforce employee performance standards;

h. The right to schedule and assign work, make reassignments and assign overtime work;

i. The right to hire, fire, promote, reassign, transfer, release, discipline, layoff, terminate, demote, suspend or reduce in step or grade, all employees;

j. The right to establish and modify bargaining units;

k. The right to reorganize the City, including changing the composition of, or eliminating, departments or work functions, and establishing funding priorities for certain work;

l. The right to inquire and investigate regarding complaints or concerns about employee performance deficiencies or misconduct of any sort, including the right to

require employees to appear, respond truthfully and cooperate in good faith regarding any City investigation;

m. The right to maintain orderly, effective and efficient operations;

n. The right to publish its views and to distribute appropriate information, concerning any labor relations issue, including any effort to organize City employees;

o. The right to correct misstatements and other inaccurate information disseminated by third parties concerning the City's labor relations and any aspect thereof; and

p. The right to take any appropriate lawful measures to ensure the best delivery of municipal services to the public in response to any work stoppage, including without limitation: (a) altering work schedules or locations to ensure coverage; (b) investigating absences to ensure no violation of city policies.

5. Employee Rights

Unless specifically in conflict with a MOU, all employees shall enjoy the following rights:

a. The right to form, join and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations;

b. The right to refuse to join or participate in the activities of employee organizations, and to represent themselves individually in their employment relations with the City; and

c. The right to be free from interference, intimidation, restraint, coercion, or discrimination because of exercising rights specified in the MMBA and in this EERR.

6. Bargaining Units

The City Manager shall have the management discretion to form and define reasonable bargaining units, and to modify bargaining units based on the procedures specified in this resolution. The City Manager may consider, but shall not be bound by, labor relations criteria considered under federal authorities such as the National Labor Relations Act. In exercising discretion regarding bargaining unit composition, including initial formation and subsequent modification, the City Manager shall consider the following criteria:

a. Community of interest among employees, and avoiding actual or potential conflicts of interest within the bargaining unit;

b. Historical relationships including the organizational structure and collective bargaining;

c. The effective delivery of services;

d. The application and consistency of wage, hour and benefit packages (including retirement benefits) within the bargaining unit;

e. Specific legal requirements, such as the rights of public safety and professional employees to form their own bargaining units;

f. Employee rights to freely choose labor representatives according to their preference; and

g. The interest of broad-based units, composed of the largest number of employees having a reasonable community of interest.

The City Manager may weigh these criteria in his/her discretion in order to carry out the City's mission consistently with the MMBA.

7. Certification as Exclusive Bargaining Representative

a. Elements of Petition:

An employee organization seeking recognition as an exclusive representative of a bargaining unit shall file with the City Manager a written petition for certification, which shall include:

(1) The complete name and street address of the organization;

(2) The names, titles, mailing addresses, email addresses and telephone numbers of the organization's officers;

(3) The names, addresses and telephone numbers of those persons who are authorized to represent the organization;

(4) The name(s) and address(es) (including email) where notices from the City to the organization may be sent;

(5) A statement that the organization has no restriction on membership and does not discriminate based on race, color, creed, national origin, sex, age, disability, sexual orientation or political affiliation.

(6) A statement that the primary purpose of the organization is to represent employees in the City on matters concerning wages, hours and other terms and conditions of employment.

(7) A statement whether the organization is affiliated in any manner, directly or indirectly, with another organization (for example as a local or chapter of a national or international parent union), and, if so, the name and address of the affiliated organization.

(8) Copies of the employee organization's constitution and by laws, accompanied by a statement of authenticity.

(9) If proposing to represent a bargaining unit, a specific list of those classifications which the employee organization proposes to represent.

(10) Authorization cards demonstrating support for the petition, signed by thirty percent (30%) or more of the employees within the bargaining unit (or proposed bargaining

unit), that are dated within the three (3) months preceding the submitting date of the petition, and which appear authentic and otherwise appropriate to the satisfaction of the City Manager.

(11) A request that the City Manager certify the petitioner as the exclusive bargaining representative for those employees in the bargaining unit(s) at issue.

b. Response to Petition:

At some reasonable time after receiving a petition (usually within sixty days), the City Manager shall determine whether the petition contains the necessary elements demonstrating the requisite showing of interest, and whether the petition otherwise appears proper under this EERR and the MMBA. If the petition is defective in some respect, the City Manager may reject and return it, with a brief explanation. Alternatively, the City Manager may retain the petition, and permit the petitioner to cure the deficiencies promptly.

c. Notice

After the City Manager determines that a petition meets the requirements under this resolution, the City Manager shall so notify the petitioner, and also provide notice that a petition has been filed to: (1) all employees in the bargaining unit at issue; and (2) all recognized employee organizations..

d. Elections

Elections shall be conducted in accordance with the provisions of section 8 herein.

e. Certification

The City Manager shall provide notice of the election outcome to all affected employee organizations.. For petitions to certify, the City Manager shall certify the prevailing organization, if any, as the exclusive bargaining representative for the bargaining unit(s) at issue.

8. Elections

The following procedures are applicable to elections, except as specified herein:

a. Elections will be conducted by the City Manager. Alternatively, the City Manager has the discretion to appoint another City official, or third party or agency, to conduct any election. The City Manager may take reasonable measures, not in conflict with this resolution or applicable law, to ensure the integrity of elections.

b. The City Manager has the discretion to refer the election matter at issue to the Public Employee Relations Board ("PERB") or the California State Mediation and Conciliation Service for handling. If an election is referred to PERB, rules and regulations adopted by PERB governing the type of election at issue shall apply.

c. In order for an election to be held, petitions to certify or decertify a recognized bargaining representative, or to rescind an agency shop provision, must be accompanied by authorization cards showing that the petition at issue is supported by thirty percent (30%) or more of the employees in the bargaining unit (or proposed bargaining unit).

d. Challenges to certification petitions may be initiated by other employee organizations providing: (1) the challenging organization provides the information contained in section 7.a (1) – (9) of this resolution; (2) the challenging organization produces cards demonstrating that at least ten percent (10%) of employees in the bargaining unit subject to the petition support the challenge; and (3) the challenge must be initiated within thirty (30) days after the City gives notice of a petition for certification. If the challenging organization meets these requirements, the challenging organization will also be included in the election.

e. The City Manager shall exercise his/her discretion to verify the authenticity of cards and signatures.

f. Elections will be conducted by secret ballot. Over fifty percent (50%) of the employees in the bargaining unit must participate in the election in order for the election to be certified. Elections will be determined by majority vote of those employees casting votes.

g. Ballots shall contain the choice "no representation." If the choice "no representation" wins the most votes, the City will not process an election covering the same employees for a period of twelve (12) months following the election.

h. If no representative receives a majority of the votes cast, the City Manager shall conduct a runoff election between the two (2) choices receiving the most votes.

i. Costs of elections shall be borne equally among the City and the employee organizations appearing on the ballot.

j. Elections concerning the proposed decertification of an exclusive bargaining representative may be held no sooner than twelve (12) months following the date the City certified and recognized the bargaining representative as the exclusive bargaining representative for the bargaining unit(s) at issue.

k. No more than one vote to rescind an agency shop agreement may be taken during the life of a MOU which provides for agency shop.

l. The City shall recognize the alternative means of union recognition as required by the MMBA, California Government Code section 3507.1. Any petition, authorization card or union membership card circulated pursuant to section 3507.1 must not contain misleading information, and must provide the following information: (1) the right to join, or not to join, employee organizations as described in section 3502 of the MMBA; and (2) a statement whether the employee signing the petition or card is foregoing the right to an election to determine union representation.

m. The filing of a charge with the Public Employment Relations Board ("PERB"), or initiating any other legal challenge, shall not automatically "block" or otherwise cause a delay in the processing of an election. It shall be in the discretion of the City Manager as to whether an election shall be delayed, considering all of the circumstances.

9. Policy Re Unlawful Activities

The City prohibits harassment of its employees. Union organizers may not solicit or disrupt City employees while they are working. Further, no employee shall be harassed by any

person or entity involved in organizing efforts. Any employee suffering from harassment is encouraged to notify the City Manager. The City shall take appropriate steps to protect private personnel information from third parties, and shall not release home addresses, telephone numbers and other personal information protected by the right of privacy to third parties absent: (a) a signed release by the employee; or (b) other lawful process, such as a subpoena.

10. Bargaining Unit Modifications

Bargaining unit modifications may be initiated by: (a) the City; (b) a group of employees; or (c) a recognized employee representative.

a. City initiated unit modifications: The City may initiate a modification of its unit structure, including the creation of new units, or the reallocation of classifications from one bargaining unit to another bargaining unit. The City shall provide notice to all affected employee organizations, and to each employee who may be affected by the proposed change. Before implementing any modification or reallocation, the City shall provide the opportunity to meet and confer, to the extent required by law, with affected, recognized employee representatives.

b. Employee and union initiated modifications: An employee, group of employees or a recognized employee organization may request that a unit be modified, or that one or more classifications be reallocated to a new or existing bargaining unit. The City shall provide notice to all affected employee organizations upon receipt of such a request. The request must be accompanied by authorization cards, dated no later than six months earlier than the request, showing that over fifty percent (50%) of the employees in the new proposed unit, or thirty percent (30%) of the employees in the classification(s) proposed to be reallocated to another bargaining unit, support the request.

(i) The City Manager may exercise discretion to deny the request in the event the criteria listed in section 6 of this resolution suggest to the City Manager that the modification or reallocation is inappropriate. The City Manager shall provide notice of the rejection to all recognized employee representatives promptly after such determination.

(ii) If the City Manager determines that the modification or reallocation is consistent with the criteria listed in section 6, the City Manager shall further process the request. If the City Manager determines that a new unit or reallocation is appropriate, the City Manager shall provide notice to all recognized employee representatives in the City. If no protest is filed within thirty (30) days, the City Manager shall promptly reassign affected classifications to the new unit, or reallocate the classifications to an existing bargaining unit. In the event of an assignment to a newly created bargaining unit, the City Manager shall also notify the employees of their rights under this resolution, including the right to select a representative of their choice for the purpose of meeting and conferring with the City regarding wages, hours and working conditions under the MMBA.

(iii) Within thirty (30) days of notice regarding the City Manager's determination to modify a bargaining unit, or reallocate classifications, an affected recognized employee representative may submit a protest to the Manager's office. The protest must include the following in order to be considered: (a) the name, address and telephone number of the protesting representative; (b) the facts and arguments supporting the protest; and (c) the proposed resolution. Upon receipt of a protest, the City Manager shall meet with affected parties in his / her discretion, and to the extent required by law. If there is no resolution, the dispute shall be submitted to mediation. After mediation, the City Manager may reassign or

reallocate the classifications at issue, and inform the employees of their rights under this resolution.

c. Timing: Unless required by law, unit modifications or reallocations initiated by an employee or union may not be initiated sooner than twelve (12) months following the date of any memorandum of understanding which covers the classifications proposed to be reallocated or moved from the bargaining unit.

d. Terms and Conditions After Modification: An employee, or group of employees, who are subject to a change in representation (because of an election, unit modification, decertification or otherwise) shall continue to receive the compensation to which they were subject at the time of the change, until the compensation is changed by agreement or other lawful process under the MMBA.

11. Rights and Responsibilities

a. Meet and Confer:

An exclusive bargaining representative shall have the right to meet and confer in good faith with authorized representatives of the City regarding wages, hours and working conditions within the scope of representation. If an agreement is reached, the parties shall prepare a written MOU, which shall not be binding, and present it to the City Manager. If the City Manager approves the written MOU, it shall become binding on the parties. The City is under no obligation to meet and confer with an employee organization, unless it has been certified as a recognized employee representative.

b. Multi-Unit Bargaining:

With respect to benefit and other compensation plans that cover more than one bargaining unit, the City in its discretion may conduct consolidated meet and confer sessions among all of the affected bargaining units.

c. Questions Concerning Representation:

In the event a question concerning representation arises during the course of MOU negotiations, the City may suspend negotiations until the question is resolved. In this event, all parties shall make best efforts to resolve the QCR as soon as possible. The parties will resume negotiations as soon as the QCR is resolved.

d. Current Information:

Recognized employee representatives have the responsibility to inform the City Manager, in writing, of any changes in the information specified in section 7.a (1) – (8). There shall be no relief from time limits imposed by this resolution because of an employee representative's failure to keep the City apprised of current information required under this resolution.

e. Release Time:

During the period of meet and confer regarding a memoranda of understanding, recognized employee representatives shall be entitled to a limited number of representatives

who may receive paid release time during the period when negotiations are occurring at the table. The precise number shall be subject to the City's approval at the outset of negotiations. Employee representatives shall cooperate with the City on a reasonable schedule, and the employees released for negotiations shall notify their supervisors, obtain their consent and ensure that the dates scheduled for negotiations do not adversely affect City operations. Release time may not be authorized for activities such as soliciting membership, campaigning for office or other political activity, organizing efforts, or for any other purpose not authorized by this resolution or a MOU.

Conducting union or political activities, including organizing activities, while on City time or premises is strictly prohibited unless specifically authorized by this EERR or a MOU.

f. City Resources:

Use of City resources, including without limitation stationery, computers, phone systems, mail, copy machines and fax machines, for anything other than City business is prohibited. Usage of City facilities is subject to the express approval by the City Manager, or his/her designee.

e. Dues and Other Authorized Payroll Deductions:

Recognized employee representatives may sponsor payroll deduction programs for membership dues, charitable causes and benefit premiums and contributions. In order to participate, each affected employee must submit a written authorization on a form approved by the City Manager. Deductions shall comport with City administrative procedures.

12. Impasse Resolution Procedures

If impasse is reached during negotiations concerning a memorandum of understanding, either party may declare an impasse. The party initiating impasse must send written notice containing the following elements: (a) a list of all issues in dispute; (b) the party's position regarding each issue; (c) a written description containing the party's last, best and final offer on each issue; and (d) a list of all issues on which there is a tentative agreement.

After an impasse notice is sent, the parties shall convene at a mutually convenient time thereafter in order to clarify the issues in dispute, and to make another effort to resolve disputed issues.

If either party makes a last, best and final offer on a package settlement of wages, hours and working conditions, the other party must present the package to its principals. Thus, the City must present any last, best and final offer to the City Manager, and the Union must present any last, best and final offer to its membership. After consideration of a last, best and final offer, a party must provide feedback to the other party as to whether the offer is accepted, or rejected.

After a final meeting, either party may request that the dispute be submitted to mediation. The costs of mediation shall be borne equally. Mediation shall be conducted by a mutually agreed upon mediator, or a mediator supplied by the California State Mediation and Conciliation service. Mediation shall be confidential. The mediation shall not make public recommendations or issue any decision concerning the issues.

If the matter is not resolved after mediation, or if one party refuses to mediate, the disputes shall be resolved by the City Manager. The City Manager may utilize any appropriate procedure in order to hear and resolve the impasse. The City Manager's decision shall be final.

This section shall not apply to economic disputes involving employees governed by different and lawful impasse resolution procedures imposed by applicable statute.

This section shall not cover day-to-day meet and confer subjects; rather, this impasse resolution procedure is intended to apply only to comprehensive memoranda of understanding containing economic provisions.

13. Agency Shop

Agency shop arrangements between the City and any exclusively recognized employee organization shall be made in accordance with the MMBA, as amended, and other applicable laws.

14. Grievance Procedure

As a condition precedent to initiating a legal or other administrative challenge involving any aspect of this resolution, a party must initiate and exhaust the grievance procedure specified in this resolution.

a. The grievance must be initiated within ten (10) working days of the facts giving rise to the grievance, and must be submitted to the City Manager's office.

b. Grievances must be in writing and allege the following: (a) the City has violated a specific provision of this resolution; or (2) the resolution has been applied in a manner that violates an applicable law. Grievances must contain the specific facts upon which they are based.

c. The City Manager will review the grievance and shall serve notice of a written response within ten (10) working days of receipt of the grievance.

d. No other City grievance procedure may be used for matters within the scope of this grievance procedure.

14. Miscellaneous Provisions

a. Savings and Separability: This resolution is intended to comport with all applicable state and federal laws, and it should be interpreted and applied to harmonize with all such law, reserving the broadest legal measure of authority to the City. In the event a court of competent jurisdiction determines that some provision is inconsistent with applicable and binding law, then that provision shall be severed and all remaining portions of the resolution shall continue in full force and effect. Upon request by the City, a recognized bargaining representative will meet and consult with the City promptly upon request in an effort to resolve any amendments that are necessary or advisable in light of changes to existing law, or interpretations of the law that impact this resolution.

b. Anti-Discrimination: The City is committed to ensuring that its workplaces are free from discrimination and harassment made unlawful pursuant to Title VII of the Civil Rights Act, as amended, the Fair Employment and Housing Act, and other state and federal laws

regarding discrimination. This resolution shall be interpreted to comply with such laws. All labor agreements adopted pursuant to the MMBA and this resolution shall be interpreted to comply with such laws.

c. Superseding Effect: This resolution shall supersede and supplant all prior employer-employee relations.

PASSED AND ADOPTED by the City Council of on the 16th day of January, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

MEMORANDUM

DATE: January 16, 2007

TO: Mayor and Council Members; RCFC Board of Directors

FROM: Sandy Salerno, Interim Finance Director

SUBJECT: **RESOLUTIONS AUTHORIZING THE REFINANCING OF CITY HALL**

RECOMMENDATION

City Council adopt Resolution 09-2007.
Rancho Cordova Financing Corporation adopt Resolution 10-2007.

RESULT OF RECOMMENDED ACTIONS

The adoption of these resolutions will approve the documents necessary to accomplish the refinancing of the City Hall property acquisition, which is being undertaken primarily to facilitate the lease of space in the buildings to non-governmental users.

BACKGROUND

The Council and Financing Corporation's actions tonight will approve the documents necessary to accomplish the refinancing of the City Hall property acquisition, which is being undertaken primarily to facilitate the lease of space in the buildings to non-governmental users. Since the original financing obligations ("Certificates of Participation") were issued as tax-exempt, the use of the building is essentially limited to governmental users. In the refinancing, we will reissue the obligations as tax-exempt in part and taxable in part, so that a certain percentage of the floor space in the buildings can be leased to private entitles. The structure for the refinancing is through reissuance of Certificates of Participation. Under a Certificates of Participation issue, investors purchase the right to receive payments made by the City under a Lease Agreement under which the City leases the property from the Rancho Cordova Financing Corporation, which was formed prior to the closing date of the original financing.

The percentage of the Certificates of Participation ("COPs") being issued on a taxable basis corresponds with the percentage of the City Hall facility which will be leased to private entities. Based on calculations reviewed by City Staff, the Underwriter and Tax Counsel the City anticipates refunding slightly more than

38% of the COPs on a taxable basis. The balance will be refunded by tax-exempt COPs.

The Council action requested at this time approves the documents which have been prepared to complete the refinancing: the Site Lease, which provides for the lease from the City to the Corporation of the City Hall parcels to be financed; the Lease Agreement, which provides for the lease back to the City from the Corporation; the Assignment Agreement, under which the Corporation's rights to the Lease Payments are assigned over to a trustee; the Trust Agreement, under which the trustee receives the Lease Payments and pays amounts over to investors; the Preliminary Official Statement, which describes to potential purchasers of the Certificates the nature of the Certificates and their security; and finally, the Certificate Purchase Agreement, under which the City agrees to sell the Certificates to the City's selected underwriter. The details of these documents will be finalized prior to the sale date and provisions may be added or modified to reflect bond insurance and/or ratings, which the underwriter is currently evaluating for feasibility on behalf of the City. Jones Hall will serve as Special Counsel for the financing and Piper Jaffray & Co. will serve as Underwriter.

FINANCIAL IMPACT:

As was the case in the original financing, the Lease payments are payable from any legally available funds of the City, but are in consideration for use of the Leased Property in that particular year. As with any other lease, if the City does not have use of the project for a period of time (e.g. due to flooding or earthquake damage), its payments are abated until use is restored. The California courts have held that this type of mechanism is not debt, and therefore it is not subject to Constitutional debt limits. In this structure no deed of trust is given as security for the obligation, and in the event of default the Trustee can either sue each year for the lease payment which is due or take action to cancel the lease with the City and relet the property.

The taxable Certificates of Participation will carry a higher interest rate than would be assigned to tax-exempt debt issues. This in combination with the additional costs required to restructure the outstanding Certificates will result in annual debt service on the restructured Certificates of Participation which is higher than the current outstanding Certificates. However, through the restructuring the City will now be able to sublease certain portions of the Facility to private entities. The lease revenue the City expects to collect from the private entities is anticipated to be in excess to the additional increase in debt service due to restructuring the Certificates of Participation.

ATTACHMENT(S)

1. City of Rancho Cordova Resolution No. 09-2007
2. Rancho Cordova Financing Corporation Resolution No. 10-2007

CITY OF RANCHO CORDOVA

RESOLUTION NO. 09-2007

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF NOT TO EXCEED $22,750,000 REFUNDING CERTIFICATES OF PARTICIPATION, AUTHORIZING AND DIRECTING EXECUTION OF RELATED LEASE FINANCING DOCUMENTS, TRUST AGREEMENT AND CERTIFICATE PURCHASE AGREEMENT, APPROVING OFFICIAL STATEMENT AND AUTHORIZING OFFICIAL ACTIONS

RESOLVED, by the City of Rancho Cordova, California (the "City"), as follows:

WHEREAS, in 2005 the City entered into a lease financing transaction with the Rancho Cordova Financing Corporation (the "Corporation") to finance the acquisition by the City of real property improved with two office buildings located at 2701-2729 Prospect Park Drive in the City (the "Project"), one of which currently includes the City's City Hall facility, whereby the City leased the property to the Corporation as provided in a Site Lease and subleased the property back from the Corporation under a Lease Agreement dated as of June 1, 2005 (the "2005 Lease Agreement") between the City and the Corporation; and

WHEREAS, in connection with the 2005 Lease Agreement, the Corporation assigned and transfered certain of its rights under the 2005 Lease Agreement to a financing trustee and, in consideration of such assignment and the execution of a Trust Agreement dated as of June 1, 2005 (the "2005 Trust Agreement") among the City, the Corporation and Wells Fargo Bank, National Association (the "Trustee"), the City caused the Trustee to execute and deliver 2005 Certificates of Participation (City Hall Facility Acquisition Project) in the aggregate principal amount of $20,545,000 (the "2005 Certificates"), each evidencing a direct, undivided fractional interest in the lease payments to be paid by the City pursuant to the 2005 Lease Agreement; and

WHEREAS, the City has determined that it is in the best financial interests of the City at this time to provide for the refunding of the 2005 Certificates and the refinancing of the 2005 Lease Agreement to facilitate the leasing of portions of the Project to non-governmental users; and

WHEREAS, in order to provide funds for such purpose, the City desires to lease the Project (also, the "Leased Premises"), to the Rancho Cordova Financing Corporation as provided in a Site Lease, as defined herein, and has further agreed to sublease the Leased Premises back from the Corporation pursuant to a Lease Agreement, as defined herein, expected to be dated as of January 1, 2007, by and between the Corporation as sublessor and the City as sublessee (the "Lease Agreement"); and

WHEREAS, the City proposes to assign and transfer certain of its rights under the Lease Agreement to a financing trustee and, in consideration of such assignment and the execution of a Trust Agreement expected to be dated as of January 1, 2007 among the City, the Corporation and a trustee to be designated by the City (the "Trustee"), the City desires the Trustee to execute and deliver Refunding Certificates of Participation (City Hall Facility Acquisition Project), Series 2007A and Taxable Series 2007B in the aggregate principal amount of not to exceed $22,750,000 (the "2007A Certificates," "2007B Certificates" and together, the

"Certificates"), each evidencing a direct, undivided fractional interest in the lease payments to be paid by the City pursuant to the Lease Agreement; and

WHEREAS, for purposes of the sale of the Certificates, Disclosure Counsel, as hereinafter defined, has caused to be prepared an Official Statement describing the Certificates, the preliminary form of which is on file with the City Clerk and the Members of the City Council, with the aid of their staff, have undertaken such review of the Official Statement as hereinafter described as is necessary to assure proper disclosure of all material facts relating to the Certificates that are within the personal knowledge of Council members and the staff.

NOW, THEREFORE, it is hereby ORDERED as follows:

Section 1. Execution and Delivery of Certificates. The City hereby authorizes the execution and delivery of the Certificates, representing the right to receive lease payments under the Lease Agreement (as described below), in the aggregate principal amount of not to exceed $22,750,000, and the execution and delivery of the following agreements (collectively, the "Agreements"):

(a) the Site and Facility Lease expected to be dated as of January 1, 2007 (the "Site Lease") between the City, as lessor, and the Corporation, as lessee;

(b) the Lease Agreement; and

(c) the Trust Agreement.

The City hereby approves and separately authorizes the City Manager or the Assistant City Manager (each, an "Authorized Officer") to execute the Agreements, and the City Clerk is hereby authorized and directed, if required, to attest and affix the seal of the City to said Agreements, in substantially the forms on file with the City Clerk, together with any changes therein or additions thereto deemed advisable by the Authorized Officers, whose execution thereof shall be conclusive evidence of approval of any such additions and changes. Such changes or additions may include, but is not limited to, providing that payment of the Certificates be insured by a financial guaranty policy from a bond insurance company, if in the judgment of the City Manager or the Assistant City Manager such insurance is in the best interest of the City. The allocation of the authorized aggregate par amount among the 2007A Certificates and 2007B Certificates shall be in such amounts as an Authorized Officer deems appropriate and necessary to obtain the purpose of the refunding.

Section 2. Sale of Certificates. The Council hereby approves the sale of the Certificates by negotiation with Piper Jaffray & Co., as Underwriter (the "Underwriter"), pursuant to the Purchase Contract, by and between the City and the Underwriter, in substantially the form on file with the City Clerk, together with any changes therein or additions thereto approved by the Authorized Officers, whose execution thereof shall be conclusive evidence of approval of any such additions and changes. The Purchase Contract shall be executed in the name and on behalf of the City by an Authorized Officer, each of whom are hereby separately authorized and directed to execute and deliver said form of Purchase Contract on behalf of the City upon submission of a proposal by the Underwriter to purchase the Certificates, which proposal is acceptable to the Authorized Officers. The Underwriter's discount for the 2007A Certificates shall not exceed 0.65% of the par amount thereof, and the Underwriter's discount for the 2007B Certificates shall not exceed 0.8% of the par amount thereof, both exclusive of any original issue discount and bond insurance premium, and the interest rate on the Certificates shall not exceed 5.95% for the 2007A Certificates shall not exceed 6.95% for the 2007B Certificates.

Section 3. Official Statement. The City hereby approves, and hereby deems nearly final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, the preliminary Official Statement describing the Certificates, in the form on file with the Assistant City Manager. The Underwriter is hereby authorized to distribute the Official Statement in connection with the sale of the Certificates. The Authorized Officers, each acting alone, are hereby authorized and directed to (a) execute and deliver to the purchaser of the Certificates a certificate deeming the preliminary Official Statement to be nearly final as of its date, (b) approve any changes in or additions to cause such Preliminary Official Statement to be put in final form, and (c) execute said final Official Statement for and in the name and on behalf of the City.

Section 4. Appointment of Special Counsel and Disclosure Counsel. Jones Hall, A Professional Law Corporation, is hereby appointed special counsel and disclosure counsel in connection with issuance of the Certificates and the Authorized Officers, each acting alone, are hereby authorized to execute agreements for services with said firm relating to the Certificates.

Section 5. Official Actions. The Mayor, the City Manager, the Assistant City Manager, the Administrative Services Director, the City Clerk and all other officers of the City are each authorized and directed in the name and on behalf of the City to make any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents (including specifically a continuing disclosure undertaking), which they or any of them might deem necessary or appropriate in order to consummate any of the transactions contemplated by the documents approved pursuant to this Resolution. Whenever in this resolution any officer of the City is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer shall be absent or unavailable.

Section 6. Effective Date. This resolution shall take effect from and after the date of approval and adoption thereof.

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Rancho Cordova, California, at a regularly scheduled meeting thereof, held on the 16th day of January, 2007, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

RANCHO CORDOVA FINANCING CORPORATION

RESOLUTION NO. 10-2007

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF NOT TO EXCEED $22,750,000 MILLION OF REFUNDING CERTIFICATES OF PARTICIPATION, AUTHORIZING AND DIRECTING EXECUTION OF RELATED LEASE FINANCING DOCUMENTS, APPROVING OFFICIAL STATEMENT AND AUTHORIZING OFFICIAL ACTIONS

RESOLVED, by the Rancho Cordova Financing Corporation (the "Corporation"), as follows:

WHEREAS, the Corporation has been formed to, among other things, assist the City of Rancho Cordova (the "City") in financing public property and public facilities necessary or desirable to meet the needs of the City and the citizens of the City; and

WHEREAS, in 2005 the Rancho Cordova Financing Corporation (the "Corporation") and the City entered into a lease financing transaction to finance the acquisition by the City of real property improved with two office buildings located at 2701-2729 Prospect Park Drive in the City (the "Project), one of which currently includes the City's City Hall facility, whereby the City leased the property to the Corporation as provided in a Site Lease and subleased the property back from the Corporation under a Lease Agreement dated as of June 1, 2005 (the "2005 Lease Agreement") between the City and the Corporation; and

WHEREAS, in connection with the 2005 Lease Agreement, the Corporation assigned and transferred certain of its rights under the 2005 Lease Agreement to a financing trustee and, in consideration of such assignment and the execution of a Trust Agreement dated as of June 1, 2005 (the "2005 Trust Agreement") among the City, the Corporation and Wells Fargo Bank, National Association (the "Trustee"), the City caused the Trustee to execute and deliver 2005 Certificates of Participation (City Hall Facility Acquisition Project) in the aggregate principal amount of $20,545,000 (the "2005 Certificates"), each evidencing a direct, undivided fractional interest in the lease payments to be paid by the City pursuant to the 2005 Lease Agreement; and

WHEREAS, the City and the Corporation have determined that it is in the best financial interests of the City at this time to provide for the refunding of the 2005 Certificates and corresponding refinancing of the 2005 Lease Agreement, to facilitate the leasing of portions of the Project to non-governmental users; and

WHEREAS, in order to provide funds for such purpose, desires to lease the Project (also, the "Leased Premises"), to the Corporation as provided in a Site Lease, as defined herein, and has further agreed to sublease the Leased Premises back from the Corporation pursuant to a Lease Agreement, as defined herein, expected to be dated as of January 1, 2007, by and between the Corporation as sublessor and the City as sublessee (the "Lease Agreement"); and

WHEREAS, the City proposes to assign and transfer certain of its rights under the Lease Agreement to a financing trustee and, in consideration of such assignment and the execution of a Trust Agreement expected to be dated as of January 1, 2007 among the City, the Corporation and a trustee to be designated by the City (the "Trustee"), the City desires the Trustee to execute and deliver Refunding Certificates of Participation (City Hall Facility Acquisition Project)

Series 2007A and Taxable Series 2007B in the aggregate principal amount of not to exceed $22,750,000 (the "Certificates"), each evidencing a direct, undivided fractional interest in the lease payments to be paid by the City pursuant to the Lease Agreement.

WHEREAS, for purposes of the sale of the Certificates, the City has caused to be prepared an Official Statement describing the Certificates, the preliminary form of which has been reviewed by City staff as is necessary to assure proper disclosure of all material facts relating to the Certificates.

NOW, THEREFORE, it is hereby ORDERED as follows:

Section 1. Execution and Delivery of Certificates. The Corporation hereby authorizes the execution and delivery of the Certificates, representing the right to receive lease payments under the Lease Agreement, in the aggregate principal amount of not to exceed $22,750,000 and the execution and delivery of the following agreements (collectively, the "Agreements") :

(a) the Site and Facility Lease expected to be dated as of January 1, 2007 (the "Site Lease") between the City, as lessor, and the Corporation, as lessee;

(b) the Lease Agreement;

(c) the Assignment Agreement expected to be dated as of January 1, 2007, by and between the Trustee and the Corporation; and

(d) the Trust Agreement; and

(e) the Escrow Agreement expected to be dated as of January 1, 2007, by and between the Trustee and the Corporation.

The Corporation hereby approves and separately authorizes the Chairman, the Executive Director or the Treasurer to execute the Agreements, and the Secretary is hereby authorized and directed, if required, to attest to said Agreements, in substantially the forms on file with the Secretary, together with any changes therein or additions thereto deemed advisable by such officer, whose execution thereof shall be conclusive evidence of approval of any such additions and changes. Such changes or additions may include, but is not limited to, providing that payment of the Certificates be insured by a financial guaranty policy from a bond insurance company, if in the judgment of the Chairman, the Executive Director or the Treasurer such insurance is in the best interest of the City.

Section 2. Official Statement. The Corporation hereby approves, and hereby deems nearly final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, the preliminary Official Statement describing the Certificates, in the form on file with the Secretary. The Underwriter is hereby authorized to distribute the Official Statement in connection with the sale of the Certificates. The Chairman, the Executive Director or the Treasurer is hereby authorized and directed to (a) execute and deliver to the purchaser of the Certificates a certificate deeming the preliminary Official Statement to be nearly final as of its date, (b) approve any changes in or additions to cause such Preliminary Official Statement to be put in final form, and (c) execute said final Official Statement for and in the name and on behalf of the Corporation.

Section 3. Official Actions. The Chairman, the Executive Director, the Treasurer, the Secretary and other officials of the Corporation are hereby authorized and directed to execute such other agreements, documents and certificates as may be necessary to effect the purposes of this resolution and the transaction herein contemplated. Whenever in this resolution any

officer of the Corporation is authorized to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer shall be absent or unavailable.

Section 4. Effective Date. This resolution shall take effect from and after the date of approval and adoption thereof.

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Rancho Cordova Financing Corporation, at a regularly scheduled meeting thereof, held on the 16th day of January, 2007, by the following vote of the Board of Directors:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, President
Rancho Cordova Financing Corporation

ATTEST:

_____
Anna Olea-Moger, Secretary
Rancho Cordova Financing Corporation

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Jeffrey S. Beiswenger, AICP, Senior Planner PJS

SUBJECT: **RESOLUTION TO AMEND A CONDITION OF APPROVAL TO ALLOW A LARGER SIGN FOR THE CHILI'S RESTAURANT IN THE CAPITAL VILLAGE COMMERCIAL PROJECT (ZINFANDEL DRIVE, BETWEEN DATA DRIVE AND INTERNATIONAL DRIVE) PROJECT NO. RC-05-193**

RECOMMENDATION

Adopt the attached Resolution amending the Conditions of Approval for the Capital Village Commercial Project to allow a larger sign on the Chili's front building façade.

RESULT OF RECOMMENDED ACTION

Approval will allow the sign package being prepared for the Capital Village Commercial Project to include provisions for a four-foot, three-inch (4'-3") fiberglass pepper on the Chili's front building façade. The limitation established by project approval limits the sign of this type to a maximum of three feet in height.

BACKGROUND

On October 2, 2006, the City Council approved the Capital Village Commercial project. As part of this approval, the Council conditionally approved the applicant's sign package subject to required changes to the document, including a 3'-0" limit to the height of a fiberglass chili pepper sign on the façade of the proposed Chili's restaurant. The applicant is now requesting a 4'-3" tall pepper.

The City Council discussed this issue at the December 18, 2006 meeting and determined that the applicant's proposal was consistent with the approved design of the Capital Village Commercial project and directed staff to draft a resolution that would change the conditions of approval to allow the installation of a 4'-3" tall fiberglass pepper on the façade of the Chili's restaurant.

The applicant is in the process of preparing a sign package for the project and the 4'-3" fiberglass pepper would be included as part of that document. Once the sign package is approved by the Planning Director, the applicant may apply for sign permits for the project.

ATTACHMENTS

1. Resolution 03-2007 including sign package (Exhibit A) and Conditions of Approval (Exhibit B)
2. 500' Radius Map and Labels

AGENDA ITEM #19

CITY OF RANCHO CORDOVA

RESOLUTION NO. 03-2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AMENDING A CONDITION OF APPROVAL RELATED TO SIGNAGE FOR THE CAPITAL VILLAGE COMMERCIAL PROJECT NO. RC-05-193 FOR ASSESSOR PARCEL NUMBERS 072-068-0010, 0011, 0012, 0013, 0014 and 0038

WHEREAS, DSL Services Company (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Commercial Design Review and received approval on October 2, 2006 based on certain Conditions of Approval; and

WHEREAS, the Applicant submitted a subsequent request to amend a Condition of Approval related to project signage to allow a sign for the Chili's restaurant to be four feet, three inches in height; and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, this amendment is exempt from further review under the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council considered the Applicant's request at a duly published public hearing on December 18, 2006 and received a staff report and public testimony at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

Approves the amendment to the Capital Village Commercial Project, Conditions of Approval (Exhibit B) to allow whimsical signs of up to four feet, three inches in height on building facades, similar to the fiberglass Chili Pepper on the Chili's restaurant façade (Exhibit A) subject to the following:

Finding: The project was reviewed per the Rancho Cordova Design Guidelines and approved based on this review. The Sign Package was considered as part of design review and was approved subject to Conditions of Approval. Changes to the Conditions of Approval must be consistent with the design of the project.

Evidence. The proposed change to the Capital Village project's conditions of approval is consistent with the design of the project. The change will allow a whimsical sign on the Chili's restaurant façade in the shape of a 4'-3" tall red chili pepper. The changes to the conditions of approval will allow this sign and other whimsical signs proposed for the project if approved by the Planning Director and determined to be consistent with the design of building architecture.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on this 16th day of January, 2007 by the following vote.

AYES:

NOES:

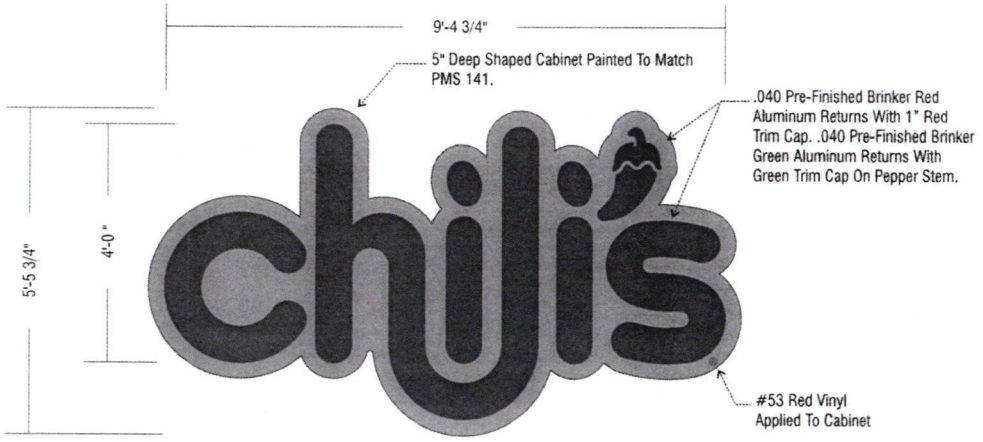
ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk



SIGN TYPE A

PLEX FACE L.E.D. CHANNEL LETTER SET

C-47-LED-WS — 46.76 TOTAL SQUARE FEET

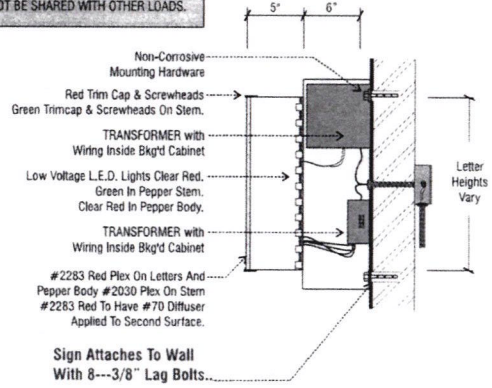
SCALE: 1/2" = 1'-0" — ONE (1) SET REQ'D

ELECTRICAL REQUIREMENTS

Total: 2.0 Amps

(1) 120V 20A Circuit Required.

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS.

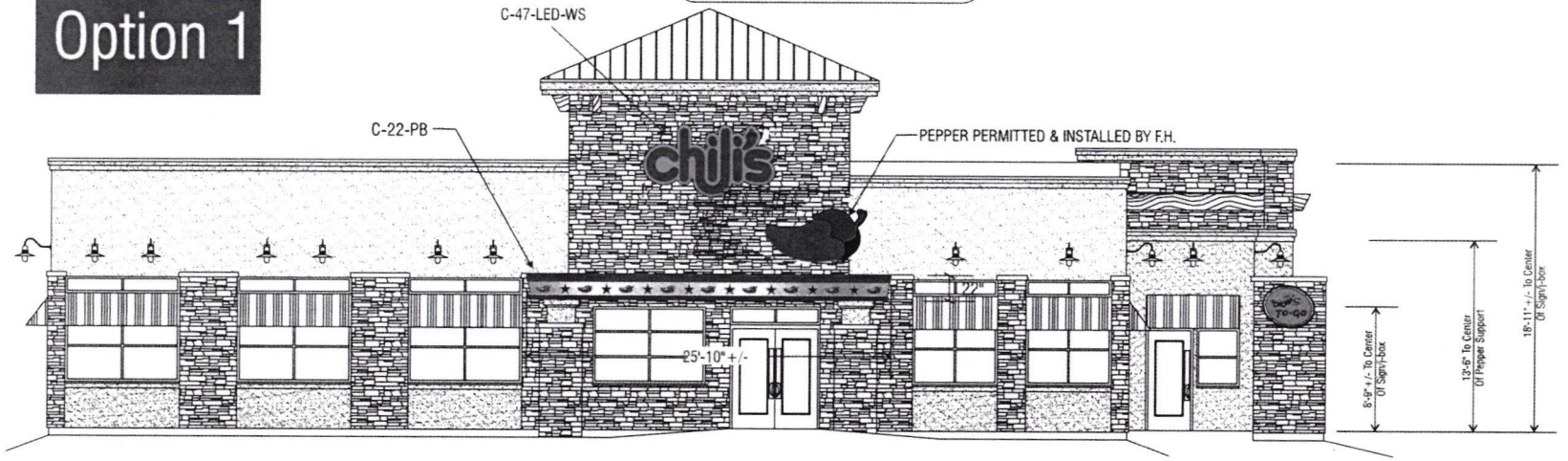


SECTION DETAIL

SCALE: 1½" = 1'-0"

Installers: Do not take direction from Brinker on-site operations. Please call your contact at Federal Heath Sign Company (800-527-9495) with any questions on signage placement or if you have been asked to modify the signage installation in any way that is different from what is shown on the approved Federal Heath drawing.

Option 1



FRONT ELEVATION

Scale: 1/8" = 1'-0"

FEDERAL HEATH SIGN COMPANY
www.FederalHeath.com
2300 North Highway 121
Euless, Texas 76039
(817) 685-9077 (800) 527-9495
Fax (817) 685-9103

Other Office Locations:
Oceanside - Las Vegas - Detroit
Willowbrook - Jacksonville
Houston - San Antonio - Corpus Christi
Milwaukee - Indianapolis - Atlanta
Tampa - Daytona Beach

Building Quality Signage For American Business

Revisions:
1 Updated Elevations, Pepper And Jo Go Sign 09 06 06 AF
2 Updated Pepper's Location On 'F' Elevation 09 26 06 AF
3 Updated Front Elevation Sign With Option 'B' 10 31 06 AF
4
5
6
7

Account Rep: J. Dunavan

Project Manager: Jon Breed

Drawn By: Alan Pennington

Project / Location:

chili's

Store #1324
Capital Village
Rancho Cordova, Ca

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent.

Job Number:

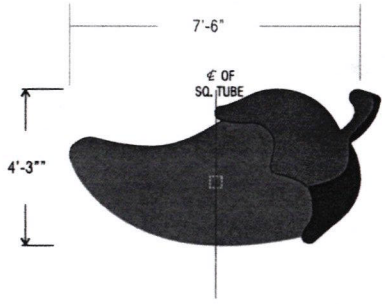
Part Number:

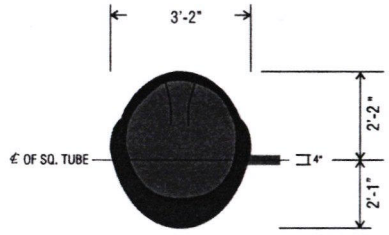
Date: 08 31 06

Sheet Number: 1 Of 6

Design Number: 23-60551R3

Exhibit A





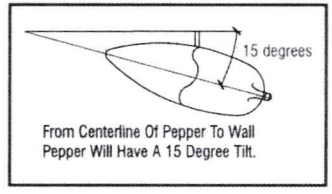
SIGN TYPE B

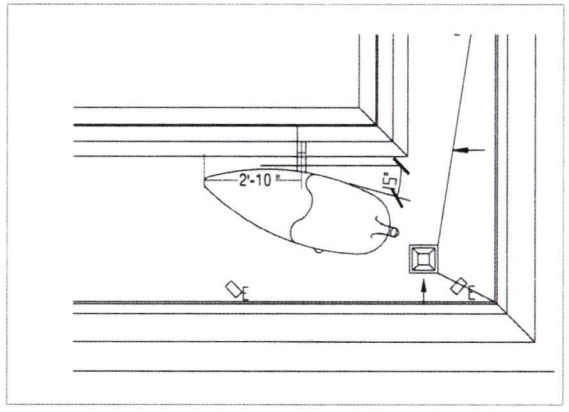
SMALL 3D PROTO 14 S/P FIBERGLASS PEPPER

NTS

AREA OF PEPPER MEASURES 32.48 SQUARE FEET.
WEIGHT: 130 LBS.

END VIEW





FEDERAL HEATH
SIGN COMPANY
www.FederalHeath.com
2300 North Highway 121
Euless, Texas 76039
(817) 685-9077 (800) 527-9495
Fax (817) 685-9103

Other Office Locations:
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Willowbrook - Jacksonville
Houston - San Antonio - Corpus Christi
Milwaukee - Indianapolis - Atlanta
Tampa - Daytona Beach

Building Quality Signage For American Business

Revisions:
1 Updated Elevations, Project Area, 30 Sq Sign 09.26.06 AP
2 Updated Pepper's Dis.tance On F. Elevation 09.26.06 AP
3 Updated Front Elevation Sign With Option "B" 10.11.06 AP
4
5
6
7

Account Rep: **J. Dunavan**

Project Manager: **Jon Breed**

Drawn By: **Alan Pennington**

Project / Location:

chili's

Store #1324
Capital Village
Rancho Cordova, Ca

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC. or its authorized agent.

Job Number:

Part Number:

Date: **08 31 06**

Sheet Number: **2** Of **6**

Design Number: **23-60551R3**

Conditions of Approval

RC 05-193, Capital Village Commercial

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
1.	This approval is for entitlements for a commercial shopping center with 307,464 square feet on 27.4 net acres, including: Tentative Parcel Map for thirteen parcels (final revision 5-31-06) and Preliminary Site Plan (dated 5-23-06), and Commercial Design Review (dated October 2, 2006). The project shall be constructed in substantial compliance with these documents.	On-Going	Planning	
2.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning	
3.	The Tentative Parcel Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved per Government Code Section 66452.6(e).	Three years, commencing with date of City Council Approval	Planning	
4.	The Applicant shall implement the Conditions of Approval related to the commercial development approved as part of the original Capital Village entitlements (project 04-123). If a conflict exists between the Conditions for project 04-123 and the Conditions for project 05-193, the Conditions for 05-193 shall prevail.	On-Going	Planning and referenced agencies	
5.	The Application shall implement the Mitigation Measures contained within the Final Supplemental Mitigated Negative Declaration dated June 2006.	On-Going	Planning and referenced agencies	

Exhibit B

Conditions of Approval

RC 05-193, Capital Village Commercial

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
6.	Repair all damage to the existing road system attributed to the construction of the project, as determined by the Public Works Director.	On-Going	Public Works	

	Prior to Issuance of Grading or Improvement Plan Approval			
7.	The residential and commercial portions of the project are required to pay a combined off-site mitigation fee to SMAQMD in order to reduce operational related emissions to a less than significant level (since the residential developer paid $137,036 to SMAQMD on April 1, 2005, the commercial developer must pay the remainder value of the final calculated fee). The final amount of the fee is to be negotiated between the project applicant and SMAQMD based on the City approved Air Quality Mitigation Plan. ***Mitigation Measure***	Prior to Grading Permit	Planning and SMAQMD	
8.	Applicant shall pay any outstanding staff costs associated with the preparation and processing of the Tentative Parcel Map, Site Plan, Design Review package and related documents.	Prior to Improvement Plan approval or Grading Permit	Planning	
9.	All access points into the commercial site shall be approved by the Public Work Department and shall meet the following criteria unless otherwise approved by the City: • Access points on International Drive will be right-in/right-out only. • With the exception of the Main Street signal, no additional access points shall be permitted along Zinfandel Drive.	Prior to Improvement Plan approval	Public Works	

Conditions of Approval

RC 05-193, Capital Village Commercial

	• Mid-block left turn access to or from International Drive or Zinfandel Drive shall not be permitted. Left turn movement shall occur to or from International and Zinfandel Drive at signalized intersections.			
10.	A copy of the road maintenance agreement shall be provided to the Fire District with the site improvement or Civil Engineering drawings upon submittal for review. If the roadway agreement is not provided with the site improvement or civil engineering drawings, it shall be presented to the Fire District prior to the issuance of any construction permit.	Prior to Improvement Plan approval or Grading Permit	Metro Fire	
11.	Plans shall be submitted to the fire prevention bureau showing hydrant locations for review and approval prior to construction. Fire hydrant details and fire department notes shall be shown on the site plans or improvement drawings.	Prior to Improvement Plan approval	Metro Fire	
12.	Applicant shall show truck routes on improvement plans and verify adequate geometry utilizing AutoTurn or equivalent method.	Prior to Improvement Plan approval	Public Works	
13.	A tree removal and protection plan shall be provided for the Zinfandel frontage. A tree survey shall be provided with the size and species noted. The plan shall indicate which trees are to be removed and which will remain as part of the landscape plan. Existing trees shall remain where compatible with landscape plan.	Prior to Improvement Plan approval	Planning	
	Prior to Final Map			
14.	Reciprocal access and roadway maintenance agreements shall be provided for the interior roadways of the proposed complex/subdivision. The roadway maintenance and reciprocal access agreements shall be recorded with the Public Recorders Office having jurisdiction and shall provide for the following:	Prior to Final Map	Public Works / Metro Fire	

	• Provisions for the necessary repair and maintenance of the roadway surface. • Removal of vegetation overgrowing the roadway and infringing on the roadway clear vertical height of thirteen feet six inches (13'6") and/or width of twenty feet (20'). • Provisions for the maintenance, repair, and/or replacement of NO PARKING-FIRE LANE signage or striping. • Provisions for the necessary repair and maintenance of vehicle and pedestrian access gates and opening systems • Unrestricted use of and access to the roadways covered by the agreements. • Provisions for the control of vehicle parking in prohibited areas and a mechanism for the removal of vehicles illegally parked.			
15.	Dedicate a standard 12.5 foot Public Utility Easement for underground facilities and appurtenances adjacent to all public ways.	Prior to final map	Public Works	
	Prior to Issuance of Building Permits			
16.	Applicant shall submit a comprehensive sign package for all signs to be used on the property for approval by the Planning Director. The sign document shall include the following: • Clarify property owner, landlord, tenant and City enforcement authority. • Correct internal inconsistencies within the document. • No monument signs over 8'-0" in height shall be permitted. All monument signs shall contain a Capital Village moniker. • A directory sign type shall be designed to match the building architecture, other site plan elements, and shall include a "Capital Village" moniker. • The maximum sign size on Major Tenant buildings (e.g. Chili's) shall be reduced to reflect a pedestrian-friendly scale. • Whimsical building mounted signs may be permitted in addition to	Prior to first sign permit issuance	Planning	

Conditions of Approval

RC 05-193, Capital Village Commercial

	allowed signage if approved by the Planning Director and determined to be consistent with project architecture, so long as signs do not exceed 4'-3" in height (e.g. ~~T~~ the fabricated "pepper" on the Chili façade) ~~shall not exceed 3'-0" in height~~. • A typical blade sign design shall be developed that includes a decorative attachment to the building facades and shall be designed to be compatible with architecture. In addition to those listed above, the Planning Director may require that the sign package contain additional components if deemed necessary to implement the City design approval.			
17.	On site fire protection devices, hydrants, and adequate water supply shall be installed and approved by the Metro Fire, prior to combustible materials stored on site. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the route of the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of commercial developments with an area per building not exceeding 3,600 square feet is 1,500 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for a two-hour duration. Foundation only permits are allowed without this condition being met, but all fire protection requirements shall be met prior to storage of combustible materials or the construction of vertical building elements.	Prior to Building Permits (except for foundation only)	Metro Fire	
18.	Provide access roadways with all weather driving surfaces of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radii of 25 feet inside and 50 feet outside dimension. The access roadways shall be capable of supporting the imposed loading of fire apparatus and shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building.	Prior to Issuance of Building Permit (except for foundation only)	Metro Fire	

Conditions of Approval

RC 05-193, Capital Village Commercial

	Foundation only permits are allowed without this condition being met, but all fire protection requirements shall be met prior to storage of combustible materials or the construction of vertical building elements.			
19.	To fulfill its traffic impact fee obligation, the Landowner shall pay transportation impact fees at the rate of $12.83 per square foot prior to the issuance of a building permit. The fee shall be annually adjusted in March of each year using the adjustment factor contained in Chapter 16.84.130 of Ordinance No. 33-2005 for the Citywide Transportation Impact Fee.	Prior to Issuance or related Building Permit	Public Works	
20.	Building designs shall be consistent with approved design review documents, with the following stipulations: • Final designs shall be reviewed during plan check to ensure consistency with design approvals. Changes to building materials and architectural design are permitted at the discretion of the Planning Director, if changes will provide a greater diversity of building materials or enhancements to building design. • Tinted windows that do not allow visibility into buildings from the public sidewalk and/or parking areas are prohibited. • Windows and doors shall be installed as indicated on design approval documents for individual tenant spaces but may be added to any façade to improve pedestrian access and visibility. Under no circumstances shall window areas on facades facing public streets be removed or reduced in size from that shown on the design approval documents.	Prior to Building Permit	Planning	
21.	The applicant agrees to assist the City in the establishment of the Rancho Cordova Downtown Business Improvement District (BID) by: contributing $40,000 towards the establishment of the BID; and entering into an agreement with the City to participate in BID once established and paying the related assessments.	Prior to Building Permit	Economic Development	

Conditions of Approval

RC 05-193, Capital Village Commercial

	Prior to Final Inspection / Occupancy Permits			
22.	The developer shall submit complete final landscape and hardscape plans for review and approval, with the following information and specifications: • Detailed plant material and irrigation plans for review and approval. • Landscaping materials and placement shall follow crime prevention principles. • Planters along Main Street shall be a minimum of 6'-0" in width. • Shift Building F and Building G a minimum of 4'-0" to the north to create a minimum 24'-0" of sidewalk adjacent to Main Street. • Final locations and plans for kiosks, trellises, column features, benches, signs and other hardscape elements.	Prior to First Final Inspection	Planning / Police	
23.	The applicant shall design, obtain necessary approvals for, construct, install, and dedicate to the City a traffic signal at the intersection of the proposed roadway located at the proposed entry on Zinfandel Drive ("Main Street"), between Data Drive and International Drive, to the satisfaction of Public Works and consistent with project approvals. Prior to the final inspection of the 501st residential dwelling unit or the first commercial structure, whichever comes first, the applicant shall enter into construction contracts and commence actual physical construction of said improvements.	Prior to the final inspection / occupancy of the 501st residential unit or the first commercial structure, whichever comes first	Public Works	
24.	The project proponent shall construct a 7-foot tall noise barrier along the rear of the primary anchor truck delivery and loading dock area with the proposed commercial use area. This barrier shall be constructed of concrete masonry materials or other materials determined appropriate by the City (wood is prohibited). Load dock usage shall be limited to daytime hours (7 A.M. to 10 P.M.) ***Mitigation Measure***	Prior to final inspection of Major 1	Planning	

Conditions of Approval

RC 05-193, Capital Village Commercial

25.	The project proponent shall construct the following parapet walls for sound mitigation, as follows: • Major 2 and Major 3. Construct a 2-foot tall parapet along the east rooflines of the retail buildings. • Major 1. Construct a 6-foot tall parapet along the east and south rooflines of the building. • Major 4. Construct a 3-foot tall parapet adjacent to the proposed residential uses. As an alternative to these parapets, a more detailed HVAC analysis may be performed when HVAC plans become available. At that time, the building parapet heights may be re-evaluated, at the City's discretion. Regardless, all HVAC mechanical equipment shall be shielded from sight by rooftop parapets. ***Mitigation Measure***	Prior to final inspection of applicable building	Planning	
26.	Install public street improvements, including but not limited to sidewalk and landscape improvements along the property right-of-way pursuant to project approvals to the satisfaction of the City.	Prior to final inspection	Planning / Public Works	
27.	The project proponent shall replace perimeter light poles and related equipment along International Drive, Zinfandel Drive and Data Drive as required by COA # 79 adopted March, 2005 as part of the Capital Village entitlements.	Prior to first final inspection	Planning / Public Works	
28.	The applicant shall install transit shelters at all existing and proposed stops as required by COA # 80 adopted March, 2005 as part of the Capital Village entitlements.	Prior to first final inspection	Planning / Public Works / Regional Transit	
29.	The project proponent shall demonstrate that the bridge design is consistent with the architecture and site planning of the Main Street commercial area prior to final inspection of any Main Street buildings.	Prior to final inspection of any Main Street building	Planning/Metro Fire/Public Works	

Conditions of Approval

RC 05-193, Capital Village Commercial

30.	The project proponent shall enter into an agreement with the City to allow the use of Main Street, including the sidewalk and plaza area on both sides for periodic and seasonal event. At a minimum the agreement shall include provisions for the following: • The ability to close off a portion of Main Street as needed for events. • Needed facilities will remain operational and available for events (electrical outlets on light poles, hose bibs, sewer clean-outs) • Weekly farmer's market (during spring and summer months). • Seasonal events such as (but not limited to) holiday celebration, and 4th of July celebration. • Combined events with the park district held in the park on the opposite side of the bridge.	Prior to final inspection of Major 1, Building E, or Building K	City Manager/ Planning	
31.	As specified in the Capital Village, Residential COA/MMRP approvals and Capital Village Final Supplemental MND the following intersection improvements shall be completed by the project proponent or others: • Zinfandel Drive/Data Drive • Zinfandel Drive/White Rock Road • Data Drive/Disc Drive • Kilgore Road/White Rock Road ***Mitigation Measure***	Prior to final inspection	Public Works	
32.	The project proponent for the commercial portion of the project shall pay their "fair share" to construct an additional northbound right turn lane at the intersection of Prospect Park Drive, Data Drive, and White Rock Road. The amount of the "fair share" payment is $30,000 in addition to the Traffic Impact Fee. ***Mitigation Measure***	Prior to final inspection	Public Works	
33.	The project proponent for the commercial portion of the project shall pay	Prior to final	Public Works	

	their "fair share" to construct an additional northbound through lane for the intersection of Zinfandel Drive and Folsom Boulevard. This would result in two protected left turn lanes, two through lanes, and an exclusive right turn lane for the northbound portion of the intersection. The amount of the "fair share" payment is $120,000 in addition to the Traffic Impact Fee. ***Mitigation Measure***	inspection		
34.	The developer shall obtain building permits and complete exterior improvements on all Main Street buildings (Building A, B, E, F, G, and K) prior to the issuance of the first occupancy permit for any of these buildings.	Prior to final inspection of first building on Main Street	Planning	
35.	Sign permits shall be obtained from the building department prior to occupancy of the related tenant and shall be determined to be in compliance with an adopted sign review package for the Capital Village Commercial project.	Prior to occupancy of related tenant space	Building / Planning	
36.	The applicant shall submit truck routing plan for access to Major 1, Major 2 and Major 3 that does not use internal residential streets. The diagram shall be submitted for review and approval by the Planning Director and Public Works Director.	Prior to occupancy of Major 1,2 or 3	Planning / Public Works	
37.	Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than six (6) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background. Where multiple occupancies are serviced by vehicular access to the rear of the building via any driveway, alleyway, or parking lot the numbers or addresses shall be displayed on the rear of the building.	Prior to occupancy of related building	Planning / Metro Fire	
38.	All structures proposed for this project shall be equipped with an	Prior to	Metro Fire	

Conditions of Approval

RC 05-193, Capital Village Commercial

	approved automatic fire sprinkler system. The automatic fire sprinkler system shall be designed to NFPA 13 standards.	occupancy of related building		
39.	Approved fire hydrants shall be spaced at 300-foot intervals along the route of the interior access roadway. The fire hydrants shall be capable of supplying a minimum fire flow of 1,500 gallons per minute at 20 pounds per square inch of pressure.	Prior to final inspection	Metro Fire	
40.	Traffic calming measures, speed bumps, humps, etc. shall not be installed in fire apparatus access roadways.	Prior to final inspection	Metro Fire	
41.	Bicycle parking facilities shall be provided on-site as shown on the approval document and in compliance with the Air Quality Mitigation Plan. Each parcel shall be inspected for compliance prior to final inspection / occupancy. A minimum of two bicycle racks shall be installed to close to each building entrance and shall be installed a minimum of 2.5 feet from walls and other obstructions (to allow room for bicycle to fit). Rack shall be moved if incorrectly placed.	Prior to Final Inspection / Occupancy	Planning	
42.	Storage of materials on the perimeter of buildings and outside identified loading areas is strictly prohibited unless approved through the design review process or allowed with a temporary use permit. A note shall be added to final approval documents.	Prior to Final Inspection	Planning	
43.	Final design for light standards for parking areas and along Main Street shall be submitted for review and approval by the Planning Director, shall be installed as indicated on design approvals, and shall meet the following requirements: • If a concrete base is used, it shall be composed of exposed aggregate concrete or another decorative finish as approved by the Planning Director. • Light standards along Main Street shall have operational electrical outlets for seasonal lights (at top) and for seasonal events (at bottom) and shall have banner poles.	Prior to First Final Inspection	Planning	

Conditions of Approval

RC 05-193, Capital Village Commercial

44.	The east end of Main Street shall be equipped with the following to accommodate periodic and seasonal events: • Electrical outlets • Hose bibs • Sewer clean-outs	Prior to First Final Inspection of Major 1, Building K, Building E	Planning / Public Works	
45.	The applicant shall install Kiosks as require by COA # 72 adopted March, 2005 as part of the Capital Village entitlements. Kiosk design shall be submitted to the Planning Director for review and approval and shall match building architecture and site plan elements.	Prior to Final Inspection of First Commercial Building	Planning	
46.	The installation of security gates is regulated by the Sacramento County Fire Code, emergency access gates and barrier requirements. All proposed vehicle and pedestrian access gate installations shall be in full compliance with this regulation. Gates and fencing shall not be installed without plan review and approval by the Fire District. A gate shall be provided at the entrance to the rear loading area of the Major 1 facility. This shall provide a physical as well as a visual screen.	Prior to Final Inspection	Metro Fire/ Planning	
47.	Trellis features provided in parking lots shall be designed to match building architecture. Final design shall be submitted to the Planning Director for review and approval and shall be consistent with building architecture and other landscape plan elements.	Prior to Final Inspection	Planning	
48.	Entry column feature as provided in the landscape plan and located at the Main Street entrance shall be redesigned to match building architecture and other site plan elements and shall include a "Capital Village" moniker. The final design shall be submitted to the Planning Director for review and approval.	Prior to Final Inspection	Planning	
49.	All vendor carts and outdoor storage of materials shall require a	Prior to Final	Planning	

Conditions of Approval

RC 05-193, Capital Village Commercial

	temporary use permit. Tenants shall be notified of this condition prior to occupancy of buildings. Seasonal displays and the outdoor storage of materials are strictly prohibited on the north wall of Major 1 along Main Street.	Inspection		
50.	A shopping cart management plan shall be provided for each major building to the Planning Director for review and approval prior to occupancy of Major 1, 2, 3 or 4.	Prior to Final Inspection of related building	Planning	
51.	Each structure shall be constructed according to the approved elevations and plans. Each building shall be inspected for compliance by the Planning Director prior to final inspection / occupancy.	Prior to Final Inspection / Occupancy of each building	Planning	
52.	Final landscape plans for each parcel shall be reviewed by the Director of Planning to insure consistency with proposed plans.	Prior to Final Inspection / Occupancy	Planning	
53.	All public improvements shall be reviewed and accepted by Public Works.	Prior to Final Inspection and Occupancy of first unit	Public Works	

Attachment 2



NORTH

0 75 150 300
SCALE IN FEET

500 FT. RADIUS MAP

APN 072-0680-010, 011, 012, 013 & 014

August 27, 2005

072-0680-010
John Arrillaga Survivors
Trust/ETAL
2560 Mission College Blvd
Santa Clara, CA 95054

072-0650-025
Lexington Lion Rancho
Cordova LP
1 Penn Plz 4015
New York, NY 10119

072-0690-064
One Capital Center
1201 K St. 1840
Sacramento, CA 95814

072-0690-098
ZH 44 Incorporated/XXI
Evergreen
1755 Creekside Oaks Dr. 2
Sacramento, CA 95833

072-0650-021
SMUD
P.O. Box 15830
Sacramento, CA 95813

072-0680-051
Catlin Benjamin S/ETAL
13573 Romany Dr.
PCFC Palisades, CA 90272

072-0690-089
Altair Holding Company
3333 Quality Dr.
Rancho Cordova, CA 95670

RSC Engineering Inc.
2270 Douglas Blvd. Ste 205
Roseville, CA 95661

072-0650-023
EDS Realty Corp.
5400 Legacy Dr. PPT
Plano, TX 75024

072-0680-052
Cordova LLC
P.O. Box 2818
Alpharetta, GA 30023

072-0690-096
Salvatore A Rubino
Declaration of Trust/ETAL
P.O. Box 5699
San Jose, CA 95150

APN 072-0680-010, 011, 012, 013 and 014

APN	NAME	ADDRESS	CITY	ST	ZIP
072-0680-010	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-011	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-012	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-013	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-014	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0650-021	S M U D	P O BX 15830	SACRAMENTO	CA	95813
072-0650-023	E D S REALTY CORP	5400 LEGACY DR PPT	PLANO	TX	75024
072-0650-025	LEXINGTON LION RANCHO CORDOVA LP	1 PENN PLZ 4015	NEW YORK	NY	10119
072-0650-026	E D S REALTY CORPORATION	5400 LEGACY DR PPT	PLANO	TX	75024
072-0680-015	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-016	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-017	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-035	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-036	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-037	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-038	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-051	CATLIN BENJAMIN S/ETAL	13573 ROMANY DR	PCFC PALISADES	CA	90272
072-0680-052	CORDOVA LLC	PO BOX 2818	ALPHARETTA	GA	30023
072-0690-064	ONE CAPITAL CENTER	1201 K ST 1840	SACRAMENTO	CA	95814
072-0690-089	ALTAIR HOLDING COMPANY	3333 QUALITY DR	RANCHO CORDOVA	CA	95670
072-0690-090	ALTAIR HOLDING COMPANY	3333 QUALITY DR	RANCHO CORDOVA	CA	95670
072-0690-091	ALTAIR HOLDING COMPANY	3333 QUALITY DR	RANCHO CORDOVA	CA	95670
072-0690-096	SALVATORE A RUBINO DECLARATION OF TRUST/ETAL	PO BOX 5699	SAN JOSE	CA	95150
072-0690-098	ZH 44 INCORPORATED/XXI EVERGREEN	1755 CREEKSIDE OAKS DR 2	SACRAMENTO	CA	95833
072-0690-099	ALTAIR HOLDING COMPANY	3333 QUALITY DR	RANCHO CORDOVA	CA	95670
	RSC ENGINEERING INC	2270 DOUGLAS BL STE 205	ROSEVILLE	CA	95661

CITY OF RANCHO CORDOVA
CALIFORNIA
Incorporated 2003

David Sander
Mayor

Linda Budge
Vice Mayor

Ken Cooley
Council Member

Robert McGarvey
Council Member

Dan Skoglund
Council Member

Draft Proposed Letter of Endorsement

January 17, 2007

Quarter Midgets of America
Board of Directors
4910 16th Street
Speedway, IN 46224

Dear Board of Directors & Regional Directors:

Re: 2008 Grand Nationals

The City of Rancho Cordova is pleased to learn of the efforts of the American Quarter Midget Association ("AQMA") to bring the 2008 Western Grand Nationals to their deserving racetrack. AQMA has successfully hosted the Western Grand Nationals in 1994, 1997 and 2004.

The City of Rancho Cordova has made several positive changes since incorporation in 2003 with improved restaurants and hotel properties that can support any number of quarter midget racecar drivers and their families competing in your event. In March of 2006, we sponsored an air show at Mather Air Force Base featuring the Blue Angels. As many as 120,000 people attended over a two-day period. We filled 600 hotel room and provided food and other amenities as needed. I am pleased to state that the County and our City are very supportive of high profile events.

Our region is also fortunate to have many recreational opportunities that can support young competitors when spending time away from the sport. Our local malls, Water Park, the American River Parkway, and local train museum can entertain drivers of all ages.

On behalf of the entire City Council, the City of Rancho Cordova wholeheartedly endorses the American Quarter Midget Association's effort to seek hosting of the 2008 Western Grand Nationals at this year's 2007 National Meeting in Las Vegas.

Sincerely,

David M. Sander, Mayor

AGENDA ITEM # 20

CITY OF RANCHO CORDOVA
CALIFORNIA
Incorporated 2003

Draft Proposed Letter of Endorsement

David Sander
Mayor

Linda Budge
Vice Mayor

Ken Cooley
Council Member

Robert McGarvey
Council Member

Dan Skoglund
Council Member

January 17, 2007

Quarter Midgets of America
Board of Directors
4910 16th Street
Speedway, IN 46224

Dear Board of Directors & Regional Directors:

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On behalf of the entire City Council, the City of Rancho Cordova wholeheartedly endorses the American Quarter Midget Association's effort to seek hosting of the 2008 Western Grand Nationals at this year's 2007 National Meeting in Las Vegas.

Sincerely,

David M. Sander, Mayor

Kim Oliver ask 1/10/2007

From: Linda Budge [lnbg@comcast.net]
Sent: Wednesday, December 27, 2006 11:23 AM
To: Anna Moger
Cc: Brenda Lehr; tjbick@pacbell.net; Mayor David Sander; Kim Oliver
Subject: Re: AQMA Support Item on Council Agenda

thanks for following up, Anna.

Anna Moger wrote:

> Brenda,
> Please add to the City Council agenda for its meeting of January 16th the following item on the Consent Calendar:
>
> - Approval of endorsement letter to the American Quarter Midget Association in support of its proposal to host the 2008 Western Grand Nationals in Rancho Cordova in July 2008.
>
> Tom,
> You will have an opportunity to address the Council on this item under Public Comment. Looking through all the materials you provided, it seemed a letter of endorsement/support was the format you desired (as opposed to a proclamation) to submit with your proposal package you need by February 2007. The letter will be signed by Mayor Sander on behalf of the entire Council. If you would prefer a proclamation, let me know, and we can convert the letter into that format and have the Mayor officially present it to you at the meeting under Presentations.
>
> Thank you.
> Anna
>
> ***Anna Olea-Moger, CMC***
> ***City Clerk***
> ***City of Rancho Cordova***
> ***916-851-8722***

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.1.409 / Virus Database: 268.15.28/605 - Release Date: 12/27/2006

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: William Campbell, Principal Planner

SUBJECT: **ADOPTION OF AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT AMENDMENT FOR VILLAGE 23 OF ANATOLIA III, CENTEX HOMES**

RECOMMENDATION

Waive first reading and introduce Ordinance No. 02-2007, approving the Development Agreement Amendment for Village 23 of Anatolia III, as submitted.

RESULT OF RECOMMENDED ACTION

This ordinance will amend the previously approved Development Agreement for Village 23 of Anatolia III, adopted by Ordinance No. 15-2006 in April of 2006. The amendment is necessary to correct the conditions of the Development Agreement regarding model home construction, clarifying the project description and vesting rights.

BACKGROUND

On April 3, 2006, the City Council held a public hearing to discuss the amendment of traffic threshold phasing requirements applicable to the SunRidge Specific Plan Area. As was previously discussed, the County of Sacramento adopted the SunRidge Specific Plan (SRSP) in July of 2002. In addition to the adoption of the Specific Plan, the County also adopted Zoning Conditions, a Final EIR and a Master Mitigation Monitoring Reporting Program (MMRP). All of these documents incorporated a set of road improvements geared to the phasing of future projects. These road threshold improvements were metered to the recordation of lots at the final map recordation stage, in effect tying the amount of development to the construction or completion of the specific road improvements. The thresholds were enumerated in the Zoning Code provisions governing the SRSP, conditions of approval to an ordinance adopting the Zoning Map for the SRSP, and in the Master MMRP. All the projects within the SRSP are subject to these conditions, and projects that have been approved by either the County or the City have referenced those limits in the projects' Conditions of Approval.

Approximately a year ago, the City commissioned the preparation of the "Rancho Cordova Transportation Infrastructure Phasing Study" to test the assumptions and validity of the traffic thresholds. The City commissioned this study in part due to the development community reaching the early threshold limits of 2,000 units and not being able to build beyond 3,025 units due to delays in obtaining federal permits. Because of the delays to the construction of the listed streets, maintaining the current thresholds will significantly impact the course of development. The phasing study concluded the 2,000 unit threshold can be increased to 2,500 units, and the 3,025 unit threshold can be adjusted to 5,225 units, with some variation to the timing of

construction of certain roads improvements and identifying other road improvements that will increase the efficiency of the overall system.

In response to this new information, the City and the developers began a series of discussions to prioritize the needed road improvements and establish a list of those projects that would benefit from the adjusted thresholds. As a result of these discussions, an agreement between the developers and the City has been negotiated that will allow the development community to proceed with the construction of homes to the new threshold. In return, the development community has agreed to pay additional development fees to be collected by the City to fund the needed road improvements to carry the future traffic loads by the new developments. The agreement between the City and the participating developers was reflected in amendments to existing development agreements the City has with the participating developers, which were approved on April 17, 2006 pursuant to Ordinance No. 15-2006.

The Development Agreement Amendment for the Village 23 of Anatolia III Project was included among the Agreements approved by Ordinance No. 15-2006. After approval, it came to the City's attention that the Agreement contained some inaccurate references associated with the approved Development Agreement Amendment for the Villages 9 and 11 of Anatolia III Project, which is sometimes referred to as the Anatolia III interim detention basin. This Ordinance will approve the revised Agreement in order to correct the inaccurate references. The following is a list of changes that will be made to the Agreement:

1. RECITAL B: For purposes of this Amendment, the term "**Property**" shall refer to the portion of the Overall Property known as Village 23 at Anatolia III, as more particularly described on Exhibit A-1 and Exhibit A-2 attached hereto and incorporated herein by this reference.

2. SECTION 3: Vesting and Development Rights. Landowner shall have the vested right to develop the Project on the Property in accordance with the terms and conditions of the Agreement, as amended hereby, the Project Approvals, this Amendment, the Additional Project Approvals, and any amendment to any of them as shall, from time to time, be approved pursuant to the Agreement.

3. SECTION 4: Model Homes. City acknowledges and agrees that building permits may be issued for model homes within the Project immediately.

Deleted: and sometimes referred to as the Anatolia III interim detention basin

Deleted: Landowner shall be entitled to develop the Property and obtain final map(s) and building permits for 81 residential units for the Property regardless of the total number of building permits which have been issued within the City at such time that such final map is approved or such building permits are issued.

Deleted: upon the removal of existing drainage detention basins

RECOMMENDED MOTION

Move the City Council adopt Ordinance No. 02-2007 approving the Development Agreement Amendment for the Village 23 of Anatolia III, as submitted.

ATTACHMENTS

1. Ordinance No. 02-2007, approving the Development Agreement Amendment (Exhibit A) for Village 23 of Anatolia III.
2. 500' Radius Map and Labels

CITY OF RANCHO CORDOVA

ORDINANCE NO. 02-2007

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA APPROVING THE DEVELOPMENT AGREEMENT AMENDMENT FOR VILLAGE 23 OF ANATOLIA III, CENTEX HOMES

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

Section 1: **Recitals**

A. To strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Section 65864, et seq., of the Government Code (the "Development Agreement Statute"), which authorizes the City and any person having a legal or equitable interest in the real property to enter into a development agreement, establishing certain development rights in the Property which is the subject of the development project application.

B. The City has previously approved development agreements for the Village 23 of Anatolia III, which is located within the SunRidge Specific Plan Area ("SRSP Area").

C. Since the approval of the development agreement, the City has approved amendments of zoning conditions and mitigation requirements that change traffic phasing requirements applicable to all developments in the SRSP Area.

D. The City and various developers within the SRSP Area have discussed the changed traffic phasing requirements and have negotiated certain conditions that will allow some developers within the SRSP Area to move forward with the construction of model homes and foundations. In return, some developers have agreed to pay the City additional development fees per residential unit to be used for traffic and park improvements.

E. On March 30, 2006, the Planning Commission, as the planning agency for purposes of development agreement review, published and held a properly noticed public hearing pursuant to Government Code Section 65090 and recommended that the City Council approve the Development Agreement Amendments for the participating developers within the SRSP Area in connection with the implementation of the changed traffic phasing requirements and the additional development fees.

F. On April 3, 2006, the City Council, as the legislative body for purposes of development agreement approval, published and held a properly noticed public hearing pursuant to Government Code Section 65090 and considered all comments received in writing and all testimony received at the public hearing concerning the Development Agreement Amendments.

G. The Development Agreement Amendments between the City and the participating developers were approved by the City Council on April 17, 2006 pursuant to Ordinance 15-2006. The Development Agreement Amendment for the Village 23 of Anatolia III was included among the Agreements approved by Ordinance 15-2006.

H. After approval, it came to the City's attention that the Village 23 Development Agreement contained some inaccurate references associated with the approved Development Agreement for the Villages 9 and 11 of Anatolia III, which is commonly referred to as the Anatolia III interim detention basin.

I. Prior to execution, the Developer, Centex Homes, and the City wish to correct the inadvertent drafting errors included in the previously approved Development Agreement for the Village 23 of Anatolia III.

J. The Revised Development Agreement (hereinafter "Development Agreement Amendment") between the City of Rancho Cordova and Centex Homes has been presented to the City Council, a copy of which is attached hereto as Exhibit A.

K. On January 16, 2007, the City Council, as the legislative body for purposes of development agreement approval, once again published and held a properly noticed public hearing pursuant to Government Code Section 65090 and considered all comments received in writing and all testimony received at the public hearing regarding the Development Agreement Amendment.

L. In 2002, Sacramento County ("County"), certified as adequate and complete the Final EIR (the "EIR") for Sunridge Specific Plan and Zoning Ordinance for the Sunridge Park Project property.

M. Pursuant to the California Environmental Quality Act, the City has previously performed Initial Studies and issued Mitigated Negative Declarations for the Anatolia III, Sunridge Park I & II, and North Douglas Tentative Subdivision Maps, which concluded that: (a) the Anatolia III, Sunridge Park I & II, and North Douglas Projects will not have a significant impact on the environment due to the mitigation measures adopted by the City and for the following reasons: i) they will not have the potential to degrade the quality of the environment or negatively impact fish or wildlife species, including plants, or damage archaeologically significant resources; ii) they will not result in considerable cumulative impacts on the environment; iii) they will not result in environmental effects that directly or indirectly cause substantial adverse effects on human beings; and iv) the environmental impacts of the projects have been reduced to a less than significant level; and (b) that the preparation of environmental impact reports pursuant to the Environmental Quality Act were not required.

N. The City has prepared and approved an Addendum to the EIR, which addresses the changes in the traffic phasing requirements for the SRSP. On the basis of the Addendum to the EIR and the whole record, there is no substantial evidence the amendment of the traffic phasing requirements will have a significant adverse impact on the environment that was not previously identified and addressed by the EIR.

O. The changes to the traffic phasing requirements of the SRSP are consistent with the General Plan. There is little or no probability that the changes to the traffic phasing requirements will be detrimental to or interfere with the implementation of the General.

Section 2: Findings and Determinations

Therefore, on the basis of the foregoing Recitals, which are incorporated herein, the City of Rancho Cordova's General Plan, the Sunridge Specific Plan, the County's EIR, the City's EIR

Addendum, and on the basis of the specific conclusions set forth below, the City Council finds and determines that:

A. The Development Agreement Amendment is consistent with the objectives, policies, general land uses and programs specified and contained in the City's General Plan, and in the Sunridge Specific Plan in that: (a) the Sunridge Specific Plan traffic phasing requirements were reflected in certain Zoning Ordinances adopted by the County, which were found consistent with the County's General Plan and the Sunridge Specific Plan; (b) the Rancho Cordova Transportation Infrastructure Phasing Study prepared by Fehr & Peers, and dated March 23, 2006, has found that the revised phasing of roadway improvements implements the intent of the prior Sunridge Specific Plan Zoning Ordinances, and is consistent with the Roadway System Map in the Circulation Plan, adopted as the City's Interim General Plan (Circulation Element) on May 16, 2005; (c) the projects remain consistent with the fiscal policies of the General Plan and the Sunridge Specific Plan with respect to provision of infrastructure and public services, and (d) the Development Agreement Amendment does not alter previous Development Agreement provisions relating to financing, construction and maintenance of public facilities, park development fees and similar provisions set forth in the Sunridge Specific Plan.

B. The Development Agreement Amendment does not alter the basis of previous findings in support of the original Development Agreement finding the project compatible with the uses authorized in, and the regulations prescribed for, the land use area in which the real property is located.

C. The Development Agreement Amendment is in conformity with public convenience; general welfare and good land use policies in that the Anatolia III Project will continue to implement land use guidelines set forth in the Sunridge Specific Plan and the General Plan, which have planned for residential uses at this location.

D. The Development Agreement Amendment will not be detrimental to the health, safety and general welfare in that the Anatolia III project will continue to proceed in accordance with all the programs and policies of the Sunridge Specific Plan. The impacts of the development on existing land uses, public services and the environment have been evaluated and mitigated through the CEQA compliance process.

E. The Development Agreement Amendment will not adversely affect the orderly development of property or the preservation of property values in that the project will be consistent with the General Plan and with the Sunridge Specific Plan.

F. The Development Agreement, as amended, is consistent with the provisions of Government Code Sections 65864 through 65869.5 in that it includes all the substantive elements and has been processed consistent with all the procedural requirements of Government Code Sections 65864 through 65869.5.

Section 3: **Approval**

The City Council hereby approves the Development Agreement Amendment (Exhibit A) and authorizes the City Manager to sign the Development Agreement Amendment.

Section 4: **Recordation**

Within ten (10) days after the Development Agreement Amendments are executed by the City Manager, the City Clerk shall submit the Agreement Amendments to the County Recorder for recordation.

Section 6: **Effective Date and Publication of Ordinance Summary**

This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk of the City of Rancho Cordova shall cause a summary of the Ordinance to be posted in accordance with Section 36933 of the Government Code of the State of California.

ADOPTED, THIS 5th day of February, 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

Exhibit A

OFFICIAL BUSINESS
Document entitled to free recording
Government Code Section 6103

RECORDING REQUESTED BY AND
WHEN RECORDED, MAIL TO:

City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
Attention: _____

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF RANCHO CORDOVA AND CENTEX HOMES RELATIVE TO VILLAGE 23 OF ANATOLIA III

This First Amendment to Development Agreement ("**Amendment**"), dated for reference purposes only as February 5, 2007 is entered into by and between the CITY OF RANCHO CORDOVA, a municipal corporation ("**City**"), and CENTEX HOMES, a Nevada general partnership ("**Landowner**"), who agree as follows:

RECITALS

A. City and Sunridge, LLC, a California limited liability company ("**Prior Owner**") entered into that certain Development Agreement dated November 20, 2003 ("**Agreement**") recorded on December 5, 2003, in the Office of the Sacramento County Recorder in Book 031205, page 1484, Official Records, which established certain development rights in certain real property located in the City of Rancho Cordova, California, as more particularly described therein (the "**Overall Property**").

B. For purposes of this Amendment, the term "**Property**" shall refer to the portion of the Overall Property known as Village 23 at Anatolia III, as more particularly described on Exhibit A-1 and Exhibit A-2 attached hereto and incorporated herein by this reference.

C. Prior Owner and Landowner entered into that certain Assignment and Assumption Agreement Relative to Anatolia III dated February 24, 2005, (the "**Assignment**") and recorded on February 28, 2005, in the Office of the Sacramento County Recorder in Book 200502-28, Page 1461, Official Records, pursuant to which Prior Owner assigned and Landowner assumed all of the right, title, interest, burdens and obligations of landowner under the Agreement with respect to the Property.

D. Pursuant to a separate agreement between Landowner and Sunridge-Anatolia LLC, a California limited liability company ("**Master Developer**"), Landowner is obligated to convey title to the Property to Master Developer at a future date. Master Developer is required pursuant to a park development agreement with the Cordova Recreation and Park District (the "**District**") to construct certain turn key park improvements for the Anatolia I and II projects located within the City, with the District being responsible for any cost overruns or shortfall for the construction of such improvements.

E. Landowner has caused Master Developer, as the owner of Anatolia IV, to become obligated to participate in paying the "new development fee," which shall be used by the City to fund certain roadway improvements and by the Park District to fund the shortfall for park improvements for the Anatolia I, II, III, and IV, Sunridge Park, and North Douglas projects located within the City (the "**Master Developer Funding Commitment**"). The Master Developer Funding Commitment shall be memorialized in that certain Development Agreement by and between the City of Rancho Cordova and Sunridge-Anatolia, LLC relative to Anatolia IV to be entered into concurrently herewith.

F. City has, in return for Landowner's obtaining the Master Developer Funding Commitment, amended certain zoning and map conditions affecting a portion of the Property to revise the roadway improvement phasing for the Sunridge Specific Plan.

G. City has prepared an addendum to the Sunrise Douglas Community Plan/Sunridge Specific Plan Final EIR, which addresses the implications under CEQA related to the amendment to the zoning and map conditions described above.

H. City and Landowner now desire to amend the Agreement as set forth in this Amendment.

I. Unless otherwise defined in this Amendment, all capitalized terms used in this Amendment shall have the same meaning as set forth in the Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereby agree to amend the Agreement as follows:

AGREEMENT

1. Additional Project Approvals. The following additional Project Approvals have been granted for the Property.

a. The Amendments to the Zoning Code, with respect to the Sunridge Specific Plan, as approved by the City on April 17, 2006, by City Ordinance Nos. 13-2006 and 14-2006 (the "**Zoning Code Amendments**").

b. The Amendment of the Map Conditions/Mitigation Monitoring Reporting Program for the Property as approved by the City on April 17, 2006, by City Resolution No. 32-2006 (the "**Map Condition Amendment**").

c. The Amendments to the Master Mitigation Monitoring Reporting Program as approved by the City on April 17, 2006, by Resolution No. 31-2006 (the "**Mitigation Monitoring Reporting Program**").

d. The Addendum to the Final EIR for the Sunridge Specific Plan and Zoning Ordinance (the "**EIR Addendum**"), dated April 3, 2006, addressing the revision of the roadway improvement phasing affecting the Property pursuant to the Map Condition Amendment as prepared by the City.

e. This Amendment, as adopted on _____, by City Ordinance No. 02-2007. (The Map Condition Amendment, the EIR Addendum, the Mitigation Monitoring Reporting Program, the Zoning Code Amendments, and the Amendment shall be sometimes collectively referenced herein as the "**Additional Project Approvals**.")

2. Consideration for Landowner's Obtaining the Master Developer's Funding Commitment. Landowner's delivery of the Master Developer's Funding Commitment is in consideration and in return of the City's willingness to approve and implement the Additional Project Approvals.

3. Vesting and Development Rights. Landowner shall have the vested right to develop the Project on the Property in accordance with the terms and conditions of the Agreement, as amended hereby, the Project Approvals, this Amendment, the Additional Project Approvals, and any amendment to any of them as shall, from time to time, be approved pursuant to the Agreement.

4. Model Homes. City acknowledges and agrees that building permits may be issued for model homes within the Project immediately.

5. Foundation Only Building Permits. City acknowledges and agrees that foundation only building permits may be issued for lots within the Project immediately, following Landowner's execution of the indemnification agreement attached hereto as Exhibit B. Landowner shall be responsible to pay City any administrative costs associated with the City's issuance of such foundation only building permits.

6. Production Homes. City acknowledges and agrees that building permits may be issued for production homes within the Project upon the approval and recordation of the Final Map, even if a permanent water supply has not been established; provided, however, that building permits shall not be issued until the Sacramento Metropolitan Fire District Fire Marshall confirms that the provision of a temporary water supply and any other applicable safety issues associated with such homes have been adequately addressed. In no event will occupancy permits be issued for any production homes and in no event will any production homes be occupied before paved access and permanent water supply requirements of the City have been satisfied.

7. Lot Sales. Marketing and sales of homes within the Project may commence upon the approval and recordation of the Final Map; provided, however that escrow shall not close on the sale of any home within the Project before paved access and permanent water supply requirements of the City have been satisfied with respect to such home.

8. Ratification. Except as modified by this Amendment, the Agreement is ratified, affirmed, in full force and effect, and incorporated herein by this reference.

9. Counterparts. This Amendment may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the City of Rancho Cordova, a municipal corporation, has authorized the execution of this Amendment in duplicate by its City Manager and attested to by its City Clerk under the authority of Ordinance No. 02-2007, adopted by the Council of the City on this ___ day of _____, 2007, and Landowner has caused this Amendment to be executed.

"CITY"

CITY OF RANCHO CORDOVA,
a municipal corporation

By:_____
Name:_____
Its:_____
Date:_____

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
Adam U. Lindgren
City Attorney

Date:_____

"LANDOWNER"

CENTEX HOMES,
a Nevada general partnership

By:_____
Name: _____
Its :_____
Date:_____

EXHIBIT LIST

Exhibit A-1	Legal Description of the Property
Exhibit A-2	Diagram of the Property
Exhibit B	Indemnification Agreement

EXHIBIT A-1

Legal Description of the Property

1143.083
3/23/06
CES

EXHIBIT "A-1"

DESCRIPTION OF
ANATOLIA III VILLAGE 23

All that certain real property situate in a portion of Section 20, Township 8 North, Range 7 East, Mount Diablo Meridian, City of Rancho Cordova, County of Sacramento, State of California, and being further described as being a portion of Anatolia III as described in the Certificate of Compliance entitled "Description of Anatolia III," filed for record in Book 20031218, at Page 1039, Official Records of Sacramento County said property being more particularly described as follows:

Commencing at a found two-and one-half inch (2-1/2") brass disk stamped LS 7944 marking the Southeast corner of said Section 20 as shown on that certain Final Map entitled "Anatolia III Village 24" filed for record in Book 332 of Maps, at Page 4, Sacramento County Records; thence along the East line of said Section 20, North 00°45'33" West a distance of 546.86 feet to the True Point of Beginning; thence from said **TRUE POINT OF BEGINNING** leaving said East line of Section 20 for the following thirty eight (38) arcs, courses and distances:

1. South 89°14'27" West a distance of 168.00 feet;
2. South 00°45'33" East a distance of 35.04 feet;
3. South 89°14'27" West a distance of 145.00 feet;
4. South 00°45'33" East a distance of 195.95 feet;
5. South 89°45'51" West a distance of 221.04 feet;
6. North 52°32'30" West a distance of 82.10 feet;
7. North 31°52'21" West a distance of 154.42 feet to a point of curvature;
8. from a radial line which bears South 31°52'21" East, 137.37 feet along the arc of a non-tangent 1056.00 foot radius curve to the right through a central angle of 07°27'12" to a point of reverse curvature;
9. 30.67 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°52'10";
10. South 22°17'20" East a distance of 6.00 feet;
11. South 67°42'40" West a distance of 40.00 feet;
12. North 22°17'20" West a distance of 6.00 feet to a point of curvature;
13. 30.67 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°52'10" to a point of reverse curvature;
14. 168.64 feet along the arc of a tangent 1056.00 foot radius curve to the right through a central angle of 09°08'59" to a point of reverse curvature;
15. 30.67 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°52'10";
16. South 08°52'41" East a distance of 6.00 feet;
17. South 81°07'19" West a distance of 40.00 feet;
18. North 08°52'41" West a distance of 6.00 feet to a point of curvature;
19. 30.67 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°52'10" to a point of reverse curvature;
20. 76.60 feet along the arc of a tangent 1056.00 foot radius curve to the right through a central angle of 04°09'21" to a point of reverse curvature;

21. 30.60 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°39'23";
22. South 89°45'07" West a distance of 48.00 feet to a point of curvature;
23. from a radial line which bears North 89°45'07" East, 30.60 feet along the arc of a non-tangent 20.00 foot radius curve to the left through a central angle of 87°39'23" to a point of reverse curvature;
24. 76.21 feet along the arc of a tangent 1056.00 foot radius curve to the right through a central angle of 04°08'07" to a point of reverse curvature;
25. 30.72 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 88°00'33";
26. South 08°13'18" West a distance of 6.00 feet;
27. North 81°46'42" West a distance of 40.00 feet;
28. North 08°13'18" East a distance of 6.00 feet to a point of reverse curvature;
29. 30.62 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°43'48" to a point of reverse curvature;
30. 173.11 feet along the arc of a tangent 1056.00 foot radius curve to the right through a central angle of 09°23'32" to a point of reverse curvature;
31. 30.67 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°52'10";
32. South 22°00'51" West a distance of 63.36 feet to a point of curvature;
33. 17.62 feet along the arc of a tangent 230.00 foot radius curve to the left through a central angle of 04°23'19";
34. North 72°22'27" West a distance of 171.38 feet;
35. North 29°20'02" East a distance of 56.94 feet;
36. North 57°54'01" West a distance of 110.61 feet;
37. North 49°01'45" West a distance of 44.90 feet; and
38. North 59°17'59" West a distance of 138.31 feet to an angle point in the East Boundary line of that certain Final Map entitled "Anatolia III Village 24" filed for record in Book 332 of Maps, at Page 4, Sacramento County Records.

Thence along the East Boundary line of said Anatolia III Village 24 for the following ten (10) arcs, courses and distances:

1. North 66°11'35" West a distance of 115.00 feet;
2. from a radial line which bears North 66°11'35" West, 57.14 feet along the arc of a non-tangent 475.00 foot radius curve to the right through a central angle of 06°53'34";
3. South 59°18'00" East a distance of 4.00 feet to a point of curvature;
4. from a radial line which bears North 59°18'00" West, 31.42 feet along the arc of a non-tangent 20.00 foot radius curve to the right through a central angle of 90°00'02";
5. South 59°17'59" East a distance of 7.00 feet;
6. North 30°42'01" East a distance of 40.00 feet;
7. North 59°17'59" West a distance of 14.00 feet to a point of curvature;
8. 31.42 feet along the arc of a tangent 20.00 foot radius curve to the right through a central angle of 90°00'00";
9. North 59°17'59" West a distance of 4.00 feet; and

10. North 30°42'01" East a distance of 85.00 feet to the South Boundary line of that certain Final Map entitled "Anatolia III Village 22" filed for record in Book 333 of Maps, at Page 9, Sacramento County Records;

Thence along said South and East Boundary lines of Anatolia III Village 22 for the following thirty nine (39) arcs courses and distances:

1. South 59°17'59" East a distance of 253.93 feet;
2. South 54°33'50" East a distance of 64.17 feet;
3. South 56°23'34" East a distance of 53.79 feet;
4. South 59°46'35" East a distance of 53.79 feet;
5. South 63°09'36" East a distance of 53.79 feet;
6. South 66°32'37" East a distance of 53.79 feet;
7. South 69°55'37" East a distance of 53.79 feet;
8. South 73°18'38" East a distance of 53.79 feet;
9. South 76°41'39" East a distance of 53.79 feet;
10. South 80°04'40" East a distance of 53.79 feet;
11. South 83°27'40" East a distance of 53.79 feet;
12. South 88°10'02" East a distance of 60.95 feet;
13. North 00°14'53" West a distance of 85.58 feet to a point of curvature;
14. 30.45 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°13'15" to a point of reverse curvature;
15. 10.51 feet along the arc of a tangent 805.00 foot radius curve to the right through a central angle of 00°44'53";
16. North 03°16'44" East a distance of 40.00 feet to a point of curvature;
17. from a radial line which bears South 03°16'44" West, 6.00 feet along the arc of a non-tangent 765.00 foot radius curve to the left through a central angle of 00°26'58" to a point of compound curvature;
18. 32.49 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 93°04'40";
19. North 00°14'53" West a distance of 85.66 feet;
20. North 89°45'07" East a distance of 40.00 feet;
21. North 86°38'35" East a distance of 60.69 feet;
22. North 80°16'24" East a distance of 58.64 feet;
23. North 75°05'49" East a distance of 58.65 feet;
24. North 70°11'38" East a distance of 54.27 feet;
25. North 65°30'03" East a distance of 53.82 feet;
26. North 60°49'39" East a distance of 53.82 feet;
27. North 56°09'15" East a distance of 53.82 feet;
28. North 51°28'51" East a distance of 53.82 feet;
29. North 46°48'27" East a distance of 53.82 feet;
30. North 42°08'03" East a distance of 53.82 feet;
31. North 37°27'39" East a distance of 53.82 feet;
32. North 32°47'15" East a distance of 53.82 feet;
33. North 28°06'51" East a distance of 53.82 feet;
34. North 23°26'27" East a distance of 53.82 feet;
35. North 18°46'03" East a distance of 53.82 feet;

36. North 14°06'27" East a distance of 58.66 feet;
37. North 08°25'05" East a distance of 57.39 feet;
38. North 02°31'56" East a distance of 59.81 feet; and
39. North 00°26'33" West a distance of 40.00 feet to a point on the South Boundary line of that certain Final Map entitled "Anatolia III Village 21" as filed for record in Book 332 of Maps, at Page 3, Sacramento County Records.

Thence along said South Boundary line of Anatolia III Village 21 for the following sixteen (16) arcs, courses and distances:

1. North 89°14'27" East a distance of 85.65 feet to a point of curvature;
2. 32.44 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 92°55'25" to a point of compound curvature;
3. 6.00 feet along the arc of a tangent 765.00 foot radius curve to the left through a central angle of 00°26'58";
4. North 85°52'03" East a distance of 40.00 feet to a point of curvature;
5. from a radial line which bears North 85°52'03" East, 10.30 feet along the arc of a non-tangent 805.00 foot radius curve to the right through a central angle of 00°43'59" to a point of reverse curvature;
6. 30.49 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 87°21'36";
7. North 89°14'27" East a distance of 171.88 feet to a point of curvature;
8. 31.42 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 90°00'00";
9. North 00°45'33" West a distance of 11.00 feet;
10. North 89°14'27" East a distance of 40.00 feet;
11. South 00°45'33" East a distance of 6.00 feet to a point of curvature;
12. 31.42 feet along the arc of a tangent 20.00 foot radius curve to the left through a central angle of 90°00'00";
13. North 89°14'27" East a distance of 74.00 feet;
14. North 67°26'22" East a distance of 5.39 feet to a point of curvature;
15. from a radial line which bears South 00°45'33" East, 39.27 feet along the arc of a non-tangent 25.00 foot radius curve to the left through a central angle of 90°00'00"; and
16. North 89°14'27" East a distance of 44.00 feet to the East line of said Section 20;

thence along said East line of Section 20, South 00°45'33" East a distance of 908.12 feet to the Point of Beginning.

Containing 24.652 acres of land, more or less.

See Exhibit A-2, plat to accompany description, attached hereto and made a part hereof.

The **Basis of Bearings** for this description is the California State Plane Coordinate System, Zone 2, Nad 83, Epoch Date 1997.30, as measured between NGS Station "G 1414," 1st order, and NGS station "Sheldon," 1st order. Said bearing is North 72°44'09" East. Distances shown are ground based.

1143.083
3/23/06
CES

This legal description is valid for a Development Agreement, Zoning Ordinance and Mitigation Monitoring and Reporting Program (MMRP) only and not intended to circumvent the Subdivision Map Act and shall not be used for sale, lease or finance. Any conveyance must comply with the Subdivision Map Act and local ordinances.

Craig E. Spiess P.L.S. 7944
Expires December 31, 2007

Date:_____

PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA

EXHIBIT A-2

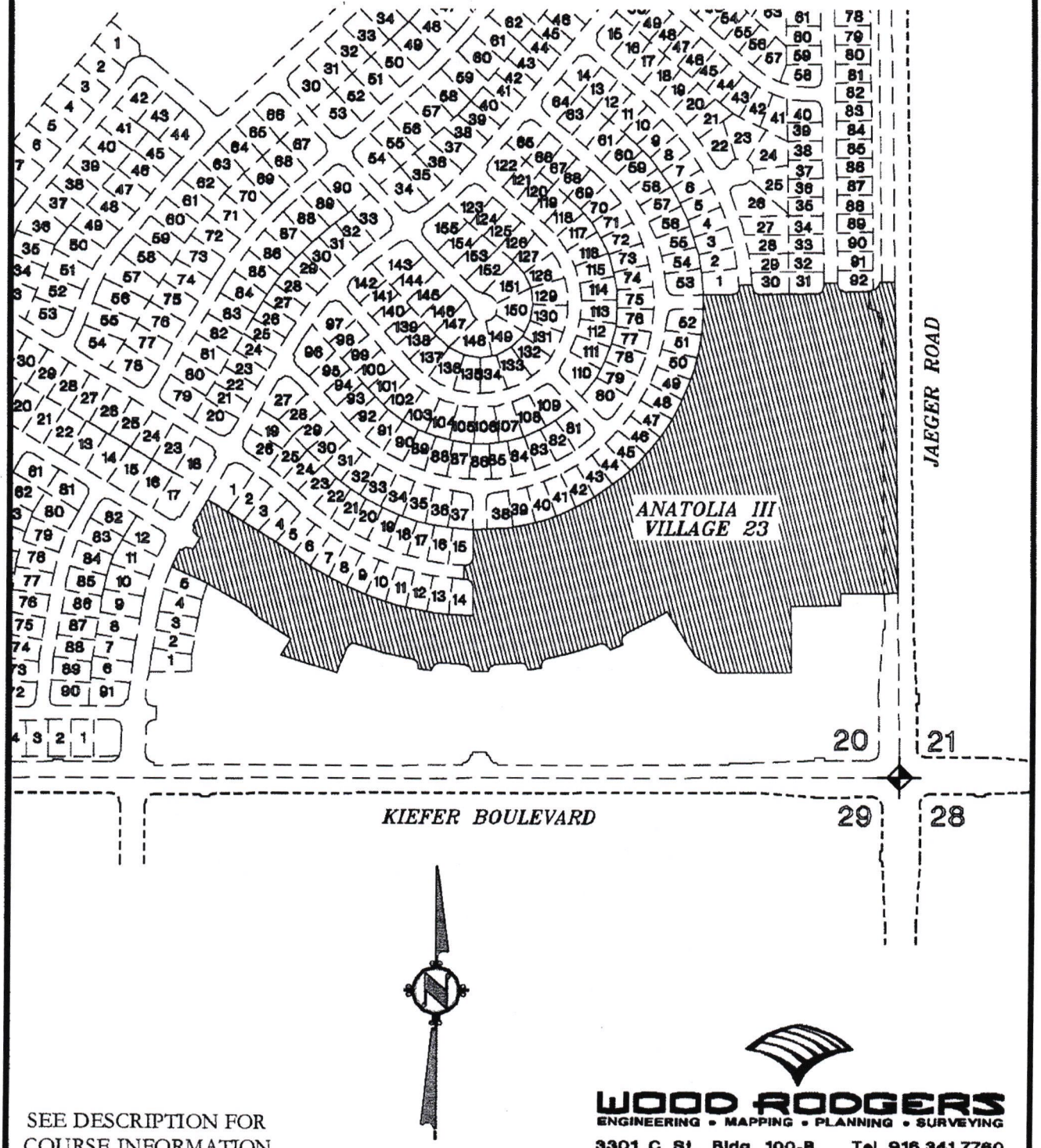
Diagram of the Property

EXHIBIT A-2

PLAT TO ACCOMPANY
DESCRIPTION

ANATOLIA III VILLAGE 23
SECTION 20, T.8 N., R.7 E., M.D.M.

CITY OF RANCHO CORDOVA
COUNTY OF SACRAMENTO STATE OF CALIFORNIA



SEE DESCRIPTION FOR
COURSE INFORMATION

SCALE: 1"=400'

WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING
3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

EXHIBIT B

Indemnification Agreement

City of RANCHO CORDOVA
BUILDING & SAFETY DEPARTMENT

2729 Prospect Park Drive, Rancho Cordova, CA, 95670
(916) 851-8760 Fax: (916) 851-8762 www.cityofranchocordova.org

Production Home Declaration for Foundation Only Permit

Legal Subdivision Name: _____

Project Address: _____

Project APN: _____

Project Lot Number: _____ Plan Number: _____

Case Number: _____

1. Limits of work for a foundation only permit for this project:

   A "Foundation Only" Permit allows underground site work, including underground electrical, plumbing, and mechanical, and the placement of concrete foundations and on-grade slabs. Inspection requests shall be restricted to Footing/Foundation and Gravel/Slab only.

   Construction may not continue beyond that work. No connection may be made to public water or sewer systems until the system is approved.

   In addition to the documentation required for production home permit applications, please provide the following items for a foundation only permit:

   - ☐ Storm Water Pollution Prevention Program (SWPPP) approval
   - ☐ Executed Early Building Permit Agreement
   - ☐ 11" x 17" floor plan
   - ☐ Hold Harmless and Indemnity Agreement
   - ☐ Written approval from Sacramento County Metropolitan Fire District for the intended scope of foundation only work

2. I/we understand construction on the above project must commence within 180 days of permit issuance. If work is not commenced or if work is suspended or abandoned at any time for a period of 90 days, the permit will expire and become null and void.
3. I/we understand that issuance of this foundation only permit does not extend the primary plan check application, which expires 360 days after application.
4. I/we further understand that upon issuance of this foundation only permit, I/we may proceed at my/our own risk without assurance that the primary permit for the entire project will be granted.
5. If it should be determined subsequently by the City that changes in the design are necessary after commencement of work authorized by this permit, I/we assume full responsibility and all risk of loss that may result by reason of such changes. I/we agree that the building/structure shall conform to the approved final plans without regard to the stage of completion.
6. I/we understand that no foundation only permit will be issued until the master plan review and the design review are approved for the homes being considered.

7. I/we further understand that no combustible materials, other than concrete formwork are allowed on site. City will issue a citation for any combustible materials stored on site.
8. I/we further understand that full-size, substantial street signs shall be installed and maintained.
9. I/we further understand that paved access to the site shall be provided and maintained in at least two locations approved by SMFPD.
10. I/we further understand that Foundation Only fees, consistent with city ordinance will be submitted in the amount of $75.00 plus 4% of the total permit fee.
11. I/we further understand that applications shall be made concurrently for full permit and foundation only permits and all fees for the foundation only and full permits shall be due prior to issuance of the foundation only permit.
12. I/we further understand that no homes shall be sold until after full permits are issued.
13. I/we further understand that no other permit applications or appeals for continuance of work shall be made to the city until water is available.

I/we certify that I/we have read, understand, and agree to the above conditions.

Owner _____ Date _____ Phone _____

Contractor _____ Date _____ Phone _____

B&SD Approval _____ Date _____ Phone _____

SWPPP Approval _____ Date _____ Phone _____

Make one copy for each of the following:
Owner – Office File – Permit Supervisor

City of RANCHO CORDOVA
BUILDING & SAFETY DEPARTMENT

2729 Prospect Park Drive, Rancho Cordova, CA, 95670
(916) 851-8760 Fax: (916) 851-8762 www.cityofranchocordova.org

HOLD HARMLESS AND INDEMNITY AGREEMENT

THE CITY OF RANCHO CORDOVA, ITS OFFICERS, AGENTS, SERVANTS, AND EMPLOYEES:

REF: APN:_____

APN:_____

APN:_____

We do hereby declare and acknowledge that we are the owners of the real property located at

1. _____ (Street Address) _____ (City and Zip Code)

2. _____ (Street Address) _____ (City and Zip Code)

3. _____ (Street Address) _____ (City and Zip Code)

We do further declare that we are about to construct a _____ (Description)

on the property described above.

We do further declare that we understand and acknowledge that if we are allowed to proceed with the proposed construction, it is at our own risk. We do understand and agree that the City of Rancho Cordova, its agents, employees, officers, and servants shall not bear the cost, or any part thereof, for the removal or replacement of the construction in the event that final approvals are not obtained. We do further agree and promise to indemnify and hold harmless the City of Rancho Cordova, its officers, agents, servants, and employees from any and all costs, liability, damages, and expenses, including attorney fees, claimed by anyone as the result of the removal or replacement of said construction.

Dated: _____

_____
Signature

Notarized:

_____
Print Name

_____
Signature

_____
Print Name

City of RANCHO CORDOVA
BUILDING & SAFETY DEPARTMENT

2729 Prospect Park Drive, Rancho Cordova, CA, 95670
(916) 851-8760 Fax: (916) 851-8762 www.cityofranchocordova.org

Early Building Permit Agreement

I understand that the City of Rancho Cordova is allowing:

_____

(Developer)

to process permits and begin construction prior to all street work being completed in:

_____

(Legal Subdivision Name)

My participation in this program obligates me to certain regulations and responsibilities, as follows:

1. Any conditions required by the fire district will be satisfied.
2. Water hookups will not be allowed until the water company serving the area has accepted the water system. If the water system is to become owned by Sacramento County, that acceptance must be given by Construction Management.
3. Sewer hookups will not be allowed until Construction Management has tested and accepted the sewer system.
4. No building will be occupied prior to obtaining a preliminary acceptance of the entire subdivision by Construction Management;
5. No building will be occupied until the Building & Safety Department has approved the building for occupancy.
6. All building pads will be certified by the Owner's Engineer prior to the issuance of the building permits.
7. Building setbacks and side property lines will be staked by Owner's engineer prior to the foundation inspections.
8. Approval must be obtained by the City Storm Water Pollution Prevention Program (S.W.P.P.P.)

I understand that violation of the above regulations may result in termination of the Early Building Permit program and a stop Work Order will be imposed.

_____ _____

Construction Management Approval | Developer's Signature

_____ _____

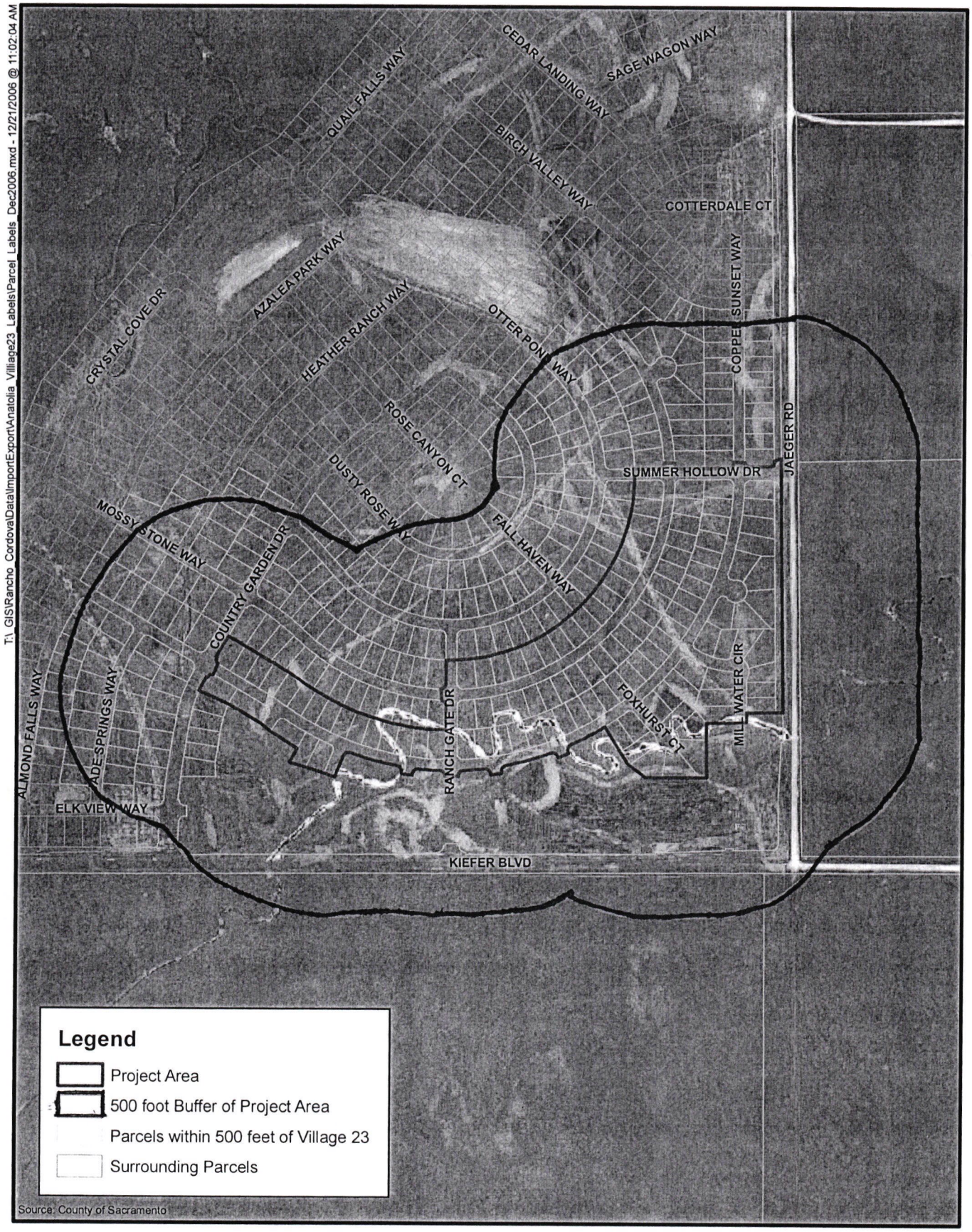
Building & Safety Department Approval | Address

_____ _____

Fire District Approval | City, State, Zip Code

_____ _____ _____

S.W.P.P.P. Approval | Phone Number | Date



City of Rancho Cordova
Planning Department

0 250 500 Feet

N

Anatolia III Village 23
500 foot buffer

INVESTEK PROPERTIES COMPANY
LLC/ETAL
PO BOX 586
BURLINGAME, CA, 94011

LENNAR RENAISSANCE INC
1075 CREEKSIDE RIDGE DR
Roseville, CA 95678

JTS COMMUNITIES
400 WATT AVE
SACRAMENTO, CA 95864

CORINTHIAN HOMES (ANATOLIA) LP
9848 BUSINESS PARK DR H
Sacramento, CA 95827

CENTEX HOMES
3700 DOUGLAS BL 150
Roseville, CA 95661

TIESSEN-WAEGELL FAMILY LTD
PARTNERSHIP/ETAL
7351 EAGLES NEST RD
Sacramento, CA 95830

SHALAKO INVESTORS
11290 PYRITES WY 100
Gold River, CA 95630

MEMORANDUM

DATE: January 15, 2007

TO: Honorable Mayor and Council Members

FROM: Sandy Salerno, Interim Finance Director

SUBJECT: **RESOLUTION AUTHORIZING THE UTILIZATION OF STATE OF CALIFORNIA'S CITIZENS OPTION FOR PUBLIC SAFETY PROGRAM FUNDS (COPS)**

RECOMMENDATION

Adopt Resolution No. authorizing the utilization of funds available from the State Supplemental Law Enforcement Fund (SLESF) under that fund's "State Citizen's Option for Public Safety Program" (COPS) program in the amount of $100,000 and reauthorization of $83,834 of COPS funds available from FY 2005-2006.

RESULT OF RECOMMENDED ACTION

This action will provide an additional budget appropriation of $183,834 for the FY 2006-07 Police Department budget and comply with Government Code 30061 providing for an adopted plan for the expenditure of SLESF funds.

BACKGROUND

The State of California budget for FY 2006-07 includes appropriations for the State Supplemental Services Fund for distribution to cities and counties to support jails, criminal prosecution and front-line law enforcement operations and services. These funds are limited as follows:

• In the cases of cities, these funds must be used exclusively to fund front- line police operations and services in accordance with a written request from the Police Chief.

• For both county and cities, these funds must supplement existing services and cannot be used to supplant existing funding for current law enforcement services.

Government Code Section 30061 mandates that cities develop a plan for the expenditures of SLESF funds and that the City Council approve such expenditures as a separate matter (apart from the normal budget process). The funding for the City is $100,000. In addition, the Police Department has carryover

funds of $ 83,834 from FY 2005-06 that requires re-appropriation. The Police Department has requested that these funds be used for "one-time" purchases which are outlined in the attached memo from Lt. Joe Doupe.

ATTACHMENT(S)

1. Memo from Lt. Joe Doupe
2. Resolution No. 05-2007

RANCHO CORDOVA POLICE DEPARTMENT

Memorandum

December 12, 2006

To : SANDY SALERNO
Finance Director, City of Rancho Cordova

From : LIEUTENANT JOE DOUPE
Assistant Chief of Police, Rancho Cordova Police Department

Subject : **CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) PROGRAM**

The Rancho Cordova Police Department is recommending the following expenditures for the FY 06/07 COPS funding, in addition to the remaining funds from FY 05/06:

NIK Drug Testing Kits	$ 26,000.00
Rechargeable spotlights	$ 3,700.00
Crime Prevention	
Promotional supplies	$11,000.00
Presentation computer & projector	$ 6,500.00
Secure storage sheds for equipment	$ 7,000.00
Police Officer trading cards	$ 7,000.00
Crime Prevention robot w/car	$12,000.00
Crime Prevention robot	$12,000.00
Crime Prevention costume	$ 8,000.00
Digital cameras for all officers	$18,300.00
3 pair Binoculars	$ 1,800.00
2 pair Night Vision Binoculars	$ 6,000.00
9 hand held spotlights	$ 2,000.00
GPS Tracking System	$ 3,800.00
"Stop Sticks" for patrol cars	$14,500.00
ETS units (5)	$29,000.00

The remaining $15,234.42 will be utilized for facility and equipment upgrades at the new Police Services Building.

cc: Reuben Meeks, Chief of Police
Sandy Salerno, Finance Director
File

CITY OF RANCHO CORDOVA

RESOLUTION NO. 05-2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA TO UTILIZE THE STATE CITIZEN'S OPTION FOR PUBLIC SAFETY PROGRAM FUNDS (COPS)

WHEREAS, under the State Supplemental Law Enforcement Services Fund (SLESF), the state appropriated funding for local law enforcement operations and services for Fiscal Year 2006-07; and

WHEREAS, Rancho Cordova's portion of the SLESF funding is $100,000; and

WHEREAS, Rancho Cordova has remaining $83,834 in SLESF funding from FY 2005-06 that has not been expended and

WHEREAS, the City Council, at a public hearing held on January 15, 2007 considered these written requests separate and apart from the process applicable to propose allocations of the City's General Fund.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rancho Cordova hereby accepts the grant for the State's Citizen's Option for Public Safety Funding and increases the Fiscal Year 2006-07 Police Grants Fund revenue and expense budget by $100,000 for the Fiscal Year 2006-07 funds and $83,384 for the remainder of the Fiscal Year 2005 -06 funds.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rancho Cordova, held on the 16TH day of January 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Paul Junker, Planning Director PJJ
Cyrus Abhar, Public Works Director

SUBJECT: **ANATOLIA MARKETPLACE – DR AND CUP – OPTIONS FOR SUNRISE PEDESTRIAN CROSSINGS**

PROPERTY OWNER:	**APPLICANT/DEVELOPER:**
Anatolia LLC Contact: Mark Enes 7700 College Town Drive, Suite 101 Sacramento, CA 95826	Rauschenbach, Marvelli & Becker Contact: Mark Marvelli 2277 Watt Avenue, 2nd Floor Sacramento, CA 95825

PROJECT: Anatolia Marketplace – Design Review and Conditional Use Permit
FILE: RC-06-222
LOCATION: Southeast Corner of Sunrise Boulevard and Douglas Road
APN: 067-0460-001
PLANNER: Jeffrey S. Beiswenger, AICP, Senior Planner

RECOMMENDATION

Planning Commission recommends that the City Council determine that the project is consistent with the SunRidge Specific Plan EIR and Anatolia MND and adopt Resolution 199-2006 approving commercial design review and conditional use permits, subject to the findings, attached Design Package (Exhibit A), and Conditions of Approval (Exhibit B).

RESULT OF RECOMMENDED ACTION

Approval would provide design review and conditional use permit entitlements needed to construct a 125,529 square foot shopping center on approximately 14.7 acres with a grocery store, gas station with a carwash, fast-food restaurant with a drive-thru, and 5 multi-tenant retail buildings. The applicant is requesting conditional use permits to allow the construction of a gas station and to allow additional building height.

RECOMMENDATION ON GRADE SEPARATED CROSSING

During the initial Council review of this project, a single issue was the focus of much discussion and required further analysis – the condition requiring an easement for a grade separated crossing. This report provides staff's analysis of this issue and results in the following recommendation.

AGENDA ITEM # 24

Staff recommends that the City Council approve the Planning Commission's recommendation to require easements for a future pedestrian over-crossing at the intersection of Sunrise Boulevard and Douglas Road. This recommendation is based on the following key points:

1. Sunrise Boulevard and Douglas Road will essentially prohibit at-grade pedestrian circulation based on well documented patterns of pedestrian activity.
2. This intersection is a high activity center and the over-crossing would link many uses, including homes, shopping, recreational centers and transit facilities.
3. This intersection is uniquely suited to provide a highly convenient pedestrian crossing due to existing grade elevations.
4. Failure to provide a usable and convenient grade separated crossing at this intersection will place pedestrians at risk and negatively impact vehicle traffic flow.
5. With careful design, this over-crossing would mark the Sunrise Douglas intersection as an urban center and a gateway to the Sunrise Douglas community.

Additional information on these key points is provided within this report. The findings of this report are based on staff analysis and technical support of consulting engineers.

BACKGROUND

On July 31, 2006, recognizing the high traffic volumes of Sunrise Boulevard and Douglas Road, the Council conducted a study session to consider strategies to improve pedestrian circulation in the Sunrise Douglas community. At this work session, staff presented the option of redesigning key intersections to include more pedestrian amenities that would enhance at-grade pedestrian circulation. These changes would have resulted in additional expense and delay in the construction of key intersections and the Council made the decision at this meeting to not require the redesign of these intersections. However, Council comments were received that the intersection of Sunrise and Douglas should be considered for a grade separated crossing.

On November 9, 2006 the Planning Commission reviewed the Anatolia Marketplace project and recommended approval of the project to the City Council. The Commission's recommendations included a condition of approval requiring pedestrian easements for grade-separated pedestrian over-crossings at the intersection of Sunrise Boulevard and Douglas Road. Funding for the design and construction of the over-crossing would be provided through the City's capital improvement program.

On December 18, 2006, the City Council held a public hearing to consider the design review entitlement for the Anatolia Marketplace shopping center project proposed on the southeast corner of Sunrise Boulevard and Douglas Road. The discussion was continued to the January 16, 2007 City Council meeting with direction to staff to research pedestrian crossing options in the vicinity of the project. As written, the condition of approval would require that the pedestrian easements be recorded prior to building permit. City staff is prepared to assist with completing a schematic design of the pedestrian over-crossings in order to expedite recordation of the easements.

BASIC CONCEPTS OF PEDESTRIAN CIRCULATION

1. Safe and convenient pedestrian routes encourage walking, a smart growth principal embraced by the City and the General Plan.

2. Ideally, a community circulation system would be designed to avoid the need for grade separated crossings. However, Sunrise Boulevard intersections are not designed to support pedestrian crossings.

3. Grade separated crossings must be well designed and convenient to the pedestrian and bicyclist to support and promote usage.

4. Historic circulation planning in Sacramento County has relied upon "super arterials" with very high traffic volumes. Where such roadways essentially eliminate all pedestrian activity, grade separated crossings can offer an attractive option to pedestrians.

5. While at grade pedestrian crossing can occur at major intersections, the perception of risk will cause community members to drive themselves or their children to nearby destinations that could otherwise be reached by walking or bicycle.

BENEFITS OF GRADE SEPARATED CROSSINGS

1. The Rancho Cordova General Plan calls for grade separated pedestrian crossings at several locations in the City to create a walkable and bicycle friendly community. Several crossings of Sunrise Boulevard are designated in the General Plan.

2. At grade pedestrian crossings can impact the flow of vehicles on major roadways, sometimes resulting in vehicle-pedestrian accidents. Grade separated crossings minimize or eliminate this conflict.

3. High speed and high volume roadways create barriers within the community, cutting off neighborhoods and barring movement of pedestrians and bicyclists. Well designed grade separated crossings can bridge the divide created by large roads.

BENEFITS OF CROSSING AT SUNRISE AND DOUGLAS

1. Connect SunRidge residents to the Safeway shopping center, Mather Regional Park, the Folsom South Canal bicycle trail and major employment centers without having to interface with traffic.

2. Safe pedestrian crossing of Douglas Road near the intersection of Sunrise, allowing pedestrians and bicyclists to reach destinations within Rio del Oro such as retail centers, town centers and regional trails connecting to the American River.

3. Direct access to the plaza at the Anatolia Marketplace between buildings six and seven that takes advantage of existing topography to ease pedestrian access.

4. Create a prominent gateway to the Sunrise Douglas community. The over-crossing could be constructed as an attractive facility that marks the intersection of Sunrise and Douglas as an urban center and contributes to a sense of place.

RELATIONSHIP TO ANATOLIA MARKETPLACE

1. The Anatolia Marketplace project serves as a gateway to the SunRidge area – a predominately single family residential area. The Anatolia Marketplace will provide commercial establishments for this new residential community.

2. The combination of the Anatolia Marketplace and the Safeway shopping center across Sunrise Boulevard will be among the most active destinations in the Sunrise Douglas

community, with up to 30,000 or more residents utilizing these centers at build out of the community.

3. The Anatolia Marketplace shopping center is a well designed project with excellent internal pedestrian circulation and good sidewalk connections to the adjacent public sidewalk system. However, this environment needs to be extended across Sunrise Boulevard and Douglas Road to be complete.

CROSSING ALTERNATIVES ANALYSIS

During its December 18, 2006 discussion, the City Council directed staff to explore various crossing solutions and to analyze the feasibility of the crossing alternatives. Within this analysis staff considered three configurations of grade separated crossings and completed preliminary feasibility analysis for each alternative, with the following results.

1. Sunrise at Douglas - Elevated Crossings

A combined Sunrise and Douglas elevated crossing with two separate bridges could be provided at the intersection of Sunrise Boulevard and Douglas Road. This would utilize the advantage of substantial grade change in this location.

Staff has completed a preliminary feasibility analysis and has determined that:

- Traffic sight lines are adequate in all directions to maintain safe stopping distances.
- This alternative will not require major signal modifications.
- ADA requirements can be met. A structure can be fitted within the available area after a reasonable amount of additional Right of Way or easement is secured.
- Designing the public sidewalk system to elevate the pedestrians above grade prior to reaching the intersection will reduce the tendency to jay-walk.
- By utilizing the natural grade of this location, the pedestrian approaches would be gradual and would avoid switchbacks and other inconvenient approaches.
- This location has the unique potential to cross both Sunrise and Douglas at a single location.

2. Sunrise at Herodian – Elevated Crossing

A grade separated over-crossing could also be designed for the intersection of Sunrise Boulevard and Herodian without sight line impacts or unusual structural issues. However, since this intersection does not have a significant grade change a pedestrian would be required to elevate 18 to 20 feet above the sidewalk to utilize the over-crossing requiring 360 to 400 feet of ramps. The street crossing distance is less than 90 feet in this location, suggesting that some pedestrians would prefer to cross at-grade. The perceived length or inconvenience of these ramps could be reduced by providing stairs for able-bodied persons, starting ramps well in advance of the intersection.

Elevators provide an alternative to ramps. However, staff has significant reservations over the cost of constructing and operating elevators, potential vandalism and whether elevators would be perceived as convenient in the generally suburban setting of Sunrise Douglas.

3. *Sunrise at Herodian – Pedestrian under-crossing*

Another option for crossing Sunrise at Herodian is with a pedestrian underpass. The City conducted initial feasibility analysis of an underpass at this intersection. While determined to be feasible, this option is likely the most expensive to construct and would require revisions to the Anatolia Marketplace in order to create an attractive and convenient pedestrian route. Key considerations of this alternative include:

- Under-crossings create real and perceived issues of safety. Design must be well executed to create an under-crossing that "feels" safe.
- Depth below grade should be minimized, natural light should be utilized when possible, and width should be as great as possible to improve the perception of safety.
- The landing area prior to entering the underpass should be as large as possible on both sides. The design should include a plaza areas integrated to the shopping centers.
- A pedestrian easement will be needed to access this plaza and adequately design an underpass at this location. The "down ramps" will need to start well in advance of the intersection on both Herodian and Sunrise.

CITY COUNCIL QUESTIONS AND CONCERNS

The City Council raised the following questions and concerns regarding a pedestrian over-crossing of Sunrise Boulevard.

Will a pedestrian over-crossing block the view of the traffic signal?

Staff has conducted an analysis of the sight line concerns and has determined that an over-crossing can be designed that will provide visibility of the traffic signals. As the over-crossing design is refined, many small design options that can enhance signal light visibility.

Can we place the structure and ramps needed for the over-crossing completely within the existing landscape easement?

While the over-crossing could be placed entirely within the landscape easement, such a configuration would significantly reduce the pedestrian convenience of the structure and would have no direct connection to the Anatolia Marketplace. In fact, the majority of the structure would be in the landscape easement or public right-of-way.

Is an elevator feasible as a way of accessing a pedestrian over-crossing?

Elevators are rarely used for facilities of this type due to the expense of construction and maintenance. Stairs would be needed in addition to elevators.

Will the project be delayed?

Staff is confident that the location of a pedestrian easement can be determined within a short time period and recorded. It is unlikely that identification and recordation of the easement would delay issuance or building permits.

How will this impact the shopping center on the west side of Sunrise (Safeway)?

The southwest corner of Sunrise and Douglas is proposed for a Safeway shopping center with a gas station on the corner. The project received design review approval in early 2004 (prior to General Plan adoption) but the applicant has not applied for building permits. As approved, the design of the shopping center and the adjacent public streets can accommodate the structure and ramps needed for a pedestrian over-crossing. Both Sunrise and Douglas have wide landscape easements that can be used. Similar to the Anatolia Marketplace site, the corner of the Safeway site is elevated above street grade (approximately six feet), which allows the corner to be designed to accommodate a pedestrian over-crossing. Staff has discussed the pedestrian over-crossing with the applicants of the Safeway shopping center.

RECOMMENDED MOTIONS

"I move that the City Council determine that the Anatolia Marketplace project is consistent with the Sunridge Specific Plan EIR and the Anatolia MND, and recommend that the City Council adopt Resolution 199-2006 approving commercial design review for the Anatolia Marketplace project, Conditional Use Permits for a gas station and for additional building height subject to the design package and Conditions of Approval."

ATTACHMENTS

1. Resolution 199-2006, including design package (Exhibit A) and Conditions of Approval (Exhibit B)
2. 500' Radius Map and Labels

CITY OF RANCHO CORDOVA

RESOLUTION NO. 199-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA APPROVING COMMERCIAL DESIGN REVIEW AND CONDITIONAL USE PERMIT APPROVAL FOR ASSESSOR PARCEL NUMBER 067-0460-001 FOR THE ANATOLIA MARKETPLACE PROJECT NO. RC-06-222, SUBJECT TO THE FINDINGS AND CONDITIONS OF APPROVAL

WHEREAS, Anatolia LLC (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Commercial Design Review and Conditional Use Permit; and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, the project has been previously assessed in the SunRidge Specific Plan (SRSP) EIR and the Mitigated Negative Declaration (MND) for the Anatolia project, according to California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the City Council considered the Applicant's request at a duly published public hearing on January 16, 2007 and received a staff report and public testimony at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

Approve Commercial Design Review and Conditional Use Permits subject to the following findings:

1. CEQA

   Finding: The project has been reviewed and is in accordance with the Guidelines of the California Environmental Quality Act.

   Evidence: The County of Sacramento adopted the SunRidge Specific Plan (SRSP) in July of 2002. A parcel on the southeast corner of Sunrise Boulevard and Douglas Road was included in the Plan and designated for Shopping Center (SC). The cumulative development impacts of the SRSP were addressed in the EIR for the Specific Plan and the adopted Mitigated Monitoring Reporting Program will be implemented for this project. The proposal does not raise any new environmental issues and has been determined to be consistent with the previous environmental assessments.

2. CONDITIONAL USE PERMIT (gas station)

   Finding: The establishment, maintenance and operation of the use, building, or structure applied for will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be

detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Evidence: The proposed gas station and convenience store are compatible with the proposed shopping center use and will not negatively impact adjacent properties or the public in general. Current California rules and regulations require new storage tanks to be placed in concrete vaults thereby eliminating hydrocarbon leaks. The traffic and noise from this use will not be significantly greater than the shopping center itself and the orientation of the gasoline pump islands reduces any potential noise and light impacts on adjacent properties.

3. CONDITIONAL USE PERMIT (Building 1, height)

Finding: Section 315-44 of the zoning code limits the building height to a maximum of 24 feet when within 100 feet of residential development. An exception to the 24 foot building height limit is permitted with the issuance of a Conditional Use Permit after consideration of the following:

a. The uses of contiguous parcels.
b. The topography of the parcel and all contiguous parcels.
c. The height and number of stories of structures and buildings on contiguous parcels.
d. The distance of the buildable area of the parcel from buildings on contiguous parcels.
e. The beneficial or harmful effect of a higher building on existing terrain or vegetation.
f. The opportunity for a higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas.
g. The impact of the structure on traffic circulation.

Evidence: All of the above factors have been considered and the additional building height will not have a negative impact on adjacent properties.

a. The backyards of two-story residential homes are adjacent to Building 1 of the project site. The backyards are located on the opposite side of a sound wall and screened by landscaping. The roof line of Building 1 is mostly below twenty-eight feet in height which will not exceed the height of the neighboring residential homes. This additional height is necessary to provide screening of roof-top equipment. The roof peaks are significant architectural element of the building architecture and provide a more interesting and varied façade than would result from a building limited to a 24 foot height.
b. The terrain of Building 1 is slightly lower in elevation than the neighboring residential homes reducing the apparent height of Building 1.
c. Building 1 is one-story but has additional building height to provide additional ceiling height inside the stores, room for mechanical equipment and screening of roof-top equipment. The additional height will improve the ability to screen equipment.
d. The neighboring residential buildings will be a minimum of 15 feet from the property line and Building 1 is 60 feet from the property line. Therefore, the separation between Building 1 and the closest residential

home will be 75 feet. A masonry wall and landscaping separates the two properties.

e. The terrain has been graded flat at the location of Building 1 and starts to slope downward towards the northwest and there is no existing vegetation. New planting will be provided along the property line between the residential and commercial use.
f. The additional building height for Building 1 is for architectural enhancement purposes and will not result in two-story structures that could overlook into yards. The additional height allows key elements of the French Provincial architectural style characterized by steep roof pitches and gables. The additional building height also allows screening of roof-top equipment.
g. The additional building height will not result in additional square footage and does not have an impact on traffic circulation.

4. DESIGN REVIEW

Finding: The project was reviewed for compliance with the City Design Guidelines. The following Design Concepts apply:

a. High quality building designs that consist of durable and maintainable materials and that provide diversity to the community.
b. Building designs that maintain human scale and interest.
c. Use of an architectural style and or/theme for new non-residential development that is consistent for building elevations of a single structure or consistent among all buildings within an integrated development.
d. Design of buildings or structures that are sensitive to the neighborhood character with regard to scale, architectural style, use of materials and bulk.
e. Interesting and attractive architecture which includes varied relief of the facade elements and detailed articulation of the building features.
f. Incorporate quality site design, including landscaping, signage and other elements of site design.

Evidence: The project design meets the City design guidelines, as follows:

a. High quality materials are used for the buildings and site plan amenities. The buildings have been designed in a French Provincial style that will be unique for the area.
b. The main building mass is well articulated and the height of the structure varies in height, with tower features emphasizing corners and entries of buildings. Considerable detail has been exercised in the design of the buildings, pedestrian amenities, trellis features and connection with the open common areas of the shopping center.
c. One of the unique features of the pedestrian plaza is key pedestrian entrance plazas to the site creating linkages to the surrounding community.
d. The proposed project is internally focused, but pedestrian connections are provided. The designs of buildings are sensitive to surrounding properties with varied roof forms and design details that fit in with surrounding residential architecture.
e. The building walls are composed of various materials and the parapets are staggered in height to give the building mass greater articulation. The new buildings use additional height to shield roof-top equipment providing sound attenuation and visual screening.

f. The landscaping and perimeter fence details have been designed to provide sufficient depth and height to protect the adjoining residential from noise and light/glare of the building.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on this 16th day of January, 2007.

AYES:

NOES:

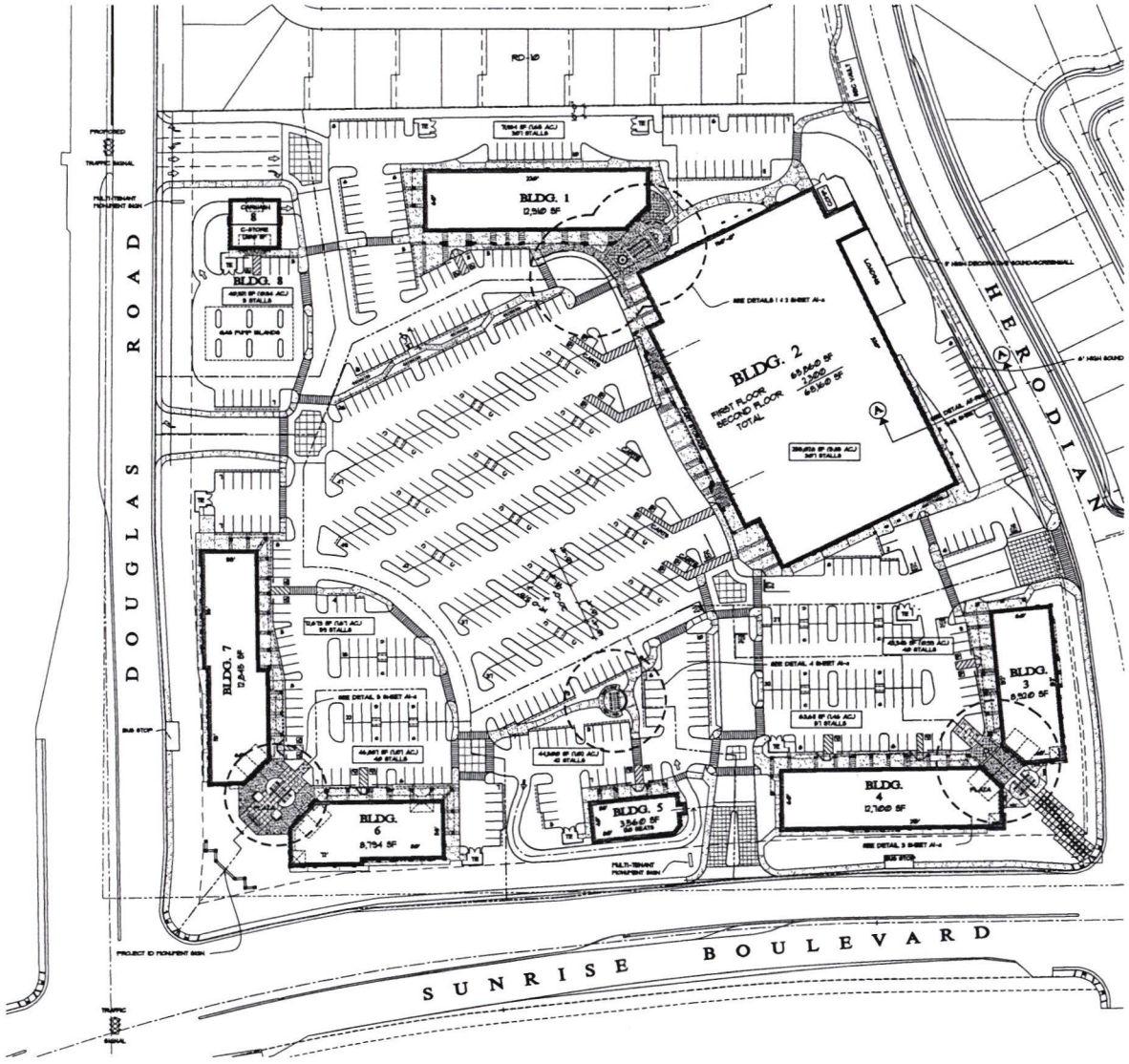
ABSENT:

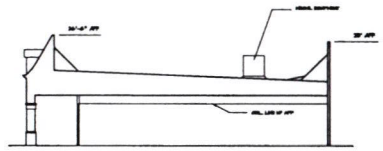
ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, City Clerk





TYPICAL BLDG. SECTION

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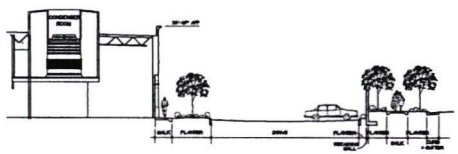

SECTION (A)-(A)

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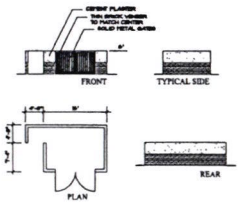


TRASH ENCLOSURE DETAILS

NOT TO SCALE

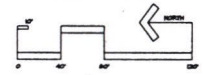
ANATOLIA MARKETPLACE

RANCHO CORDOVA, CALIFORNIA

STATISTICS

BLDG.1	2,560 SF
BLDG. 2	64,344.0
BLDG.3	8,520
BLDG. 4	12,100
BLDG. 6	8,754
BLDG. 7	2,240
BLDG. 8	1,200
TOTAL	125,525 SF
PARKING REQUIRED @ 4.0 / 1,000 SF =	946 STALLS
BLDG. 5 (REST.)	120 SEATS
PARKING REQUIRED @ 1 / 3 SEATS =	40 STALLS
TOTAL PARKING REQUIRED	645 STALLS
TOTAL PARKING PROPOSED	646 STALLS

SITE PLAN



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Date	3.31.04	A1
Drawn	PVH	
Revised	4.14.04 5.10.04	of

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2277 Watt Ave. • Second Floor • Sacramento, CA 95825
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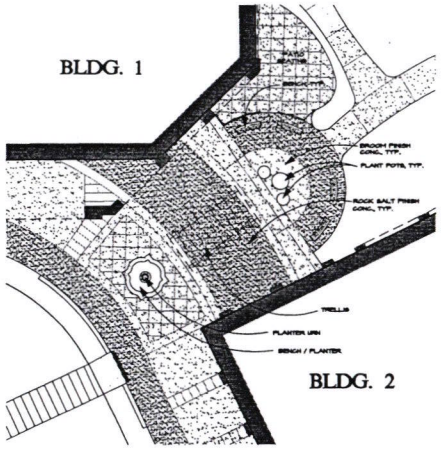
Exhibit A



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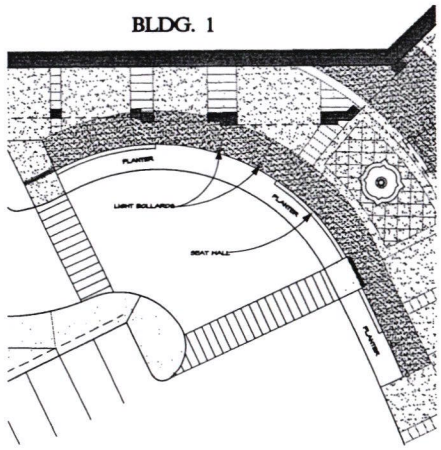

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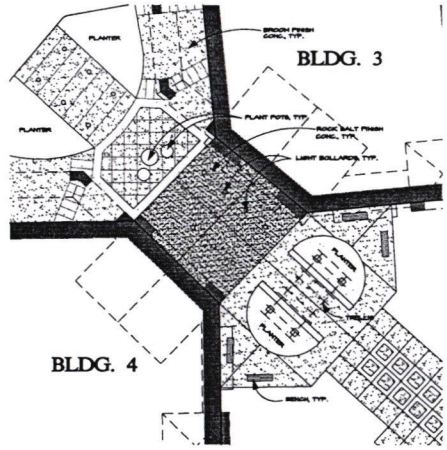

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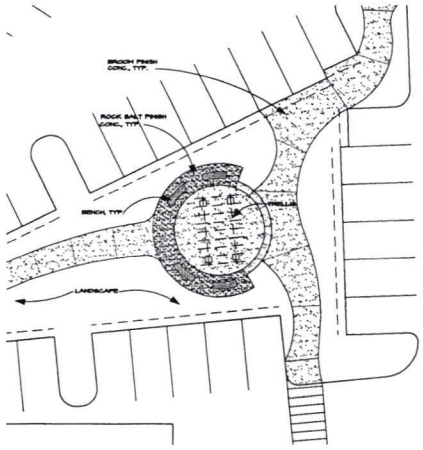

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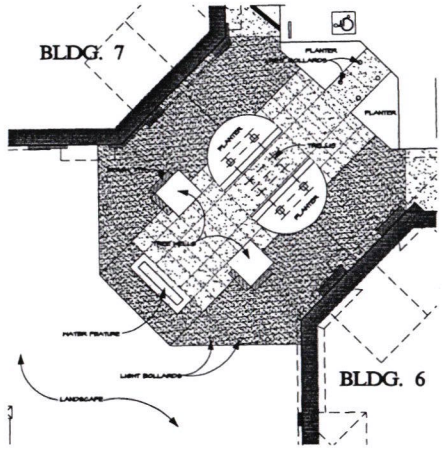

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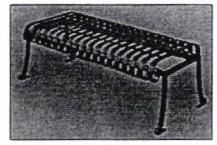


BOWERY BACKLESS BENCH

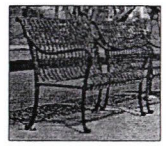


EXTERIOR LIGHTING (TYPICAL)

MANUFACTURER: VISIONAIRE LIGHTING
PRODUCT: SANTA ROSA (SRL-1) ON WALL MOUNTED DECORATIVE ARM (VA1B)-BLACK (BK)



BOWERY ASH/TRASH RECEPTACLE
* COLOR = SEMI-GLOSS BLACK

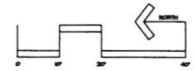


BOWERY BENCH

SITE FURNISHING BY CANTERBURY INTERNATIONAL
NOT TO SCALE

ANATOLIA MARKETPLACE
RANCHO CORDOVA, CALIFORNIA

PLAZA FOCUS PLAN



Job Number A02-05
Date 3.8.04
Drawn PJH
Revised 10.20.05

Sheet A1-a of

Rauschenbach Marvelli Becker architects
2277 Watt Ave.•Second Floor•Sacramento, CA 95825
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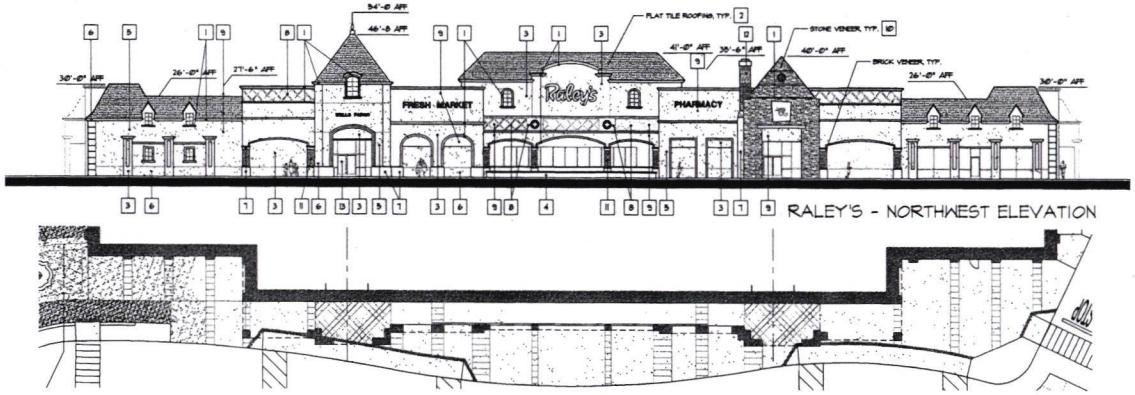
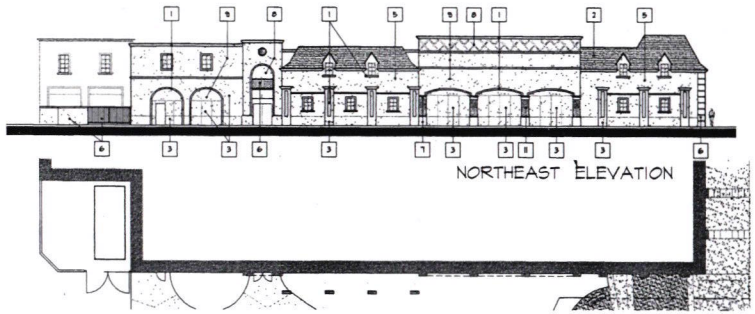
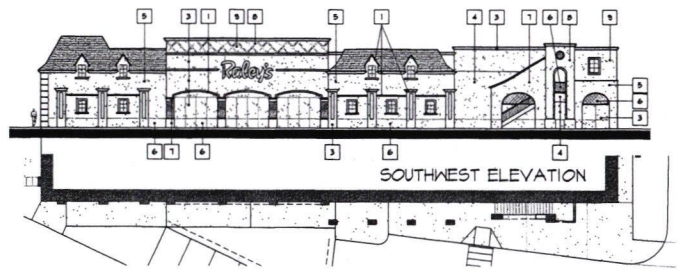


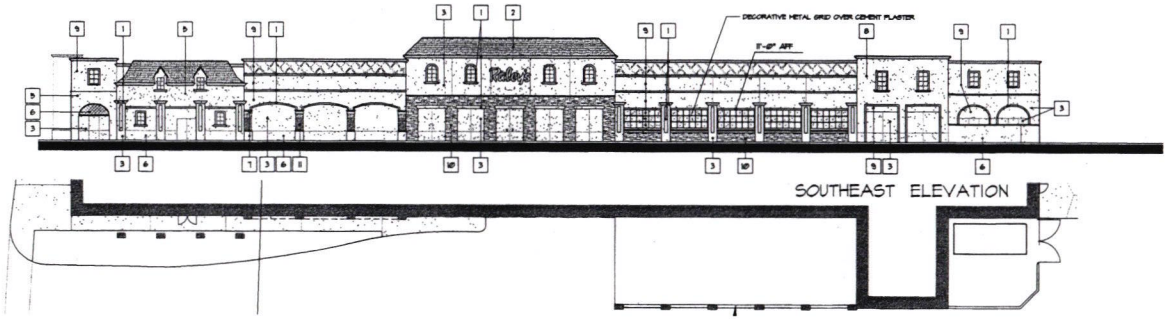
RALEY'S - NORTHWEST ELEVATION



NORTHEAST ELEVATION



SOUTHWEST ELEVATION



SOUTHEAST ELEVATION

MATERIALS/COLOR SCHEDULE

1	CORNICE, TRIMS -	"ICI PAINTS" 3083 BONE WHITE RM
2	FLAT ROOF TILE -	"EAGLE ROOFING TILE" AMERICAN HEIRLOOM LEHIGH BLEND "SHE 8"/24"
3	CEMENT PLASTER -	"ICI PAINTS" 554 BRAZIL NUT
4	CEMENT PLASTER -	"ICI PAINTS" 3083 BONE WHITE RM
5	CEMENT PLASTER -	"ICI PAINTS" 631 FOSSIL GREY
6	CEMENT PLASTER -	"ICI PAINTS" 627 TOASTY GREY
7	CEMENT PLASTER, COLUMN CAP & BASE -	"ICI PAINTS" 156 BASIC BEIGE
8	CEMENT PLASTER & ACCENTS -	"ICI PAINTS" 484 ABBEY CREAM
9	CEMENT PLASTER -	"ICI PAINTS" 2008 LIGHT NAVAJO
10	STONE VENEER -	"CULTURED STONE" BROWN COBBLEFIELD (CBV-2021) STANDARD 1/2" MORTAR JOINT
11	THIN BRICK VENEER - AT COLUMNS	"H.C. MUDDOX" PLACER ANTIQUE
12	THIN BRICK VENEER - AT CHIMNEY	"H.C. MUDDOX" CAROB "437
13	STOREFRONT FRAMES -	WHITE ANODIZED ALUMINUM



MANUFACTURER: VISIONAIRE LIGHTING
PRODUCT: SANTA ROSA (SRL-1) ON WALL MOUNTED DECORATIVE ARM (VA115)-BLACK (BK)

EXTERIOR LIGHTING
(TYPICAL)

PRELIMINARY ELEVATIONS

SCALE 1/16" = 1'-0"

BUILDING 2

ANATOLIA MARKETPLACE

RANCHO CORDOVA, CALIFORNIA

Job Number ____ Sheet
Date ____
Drawn ____
Revised ____ of A2

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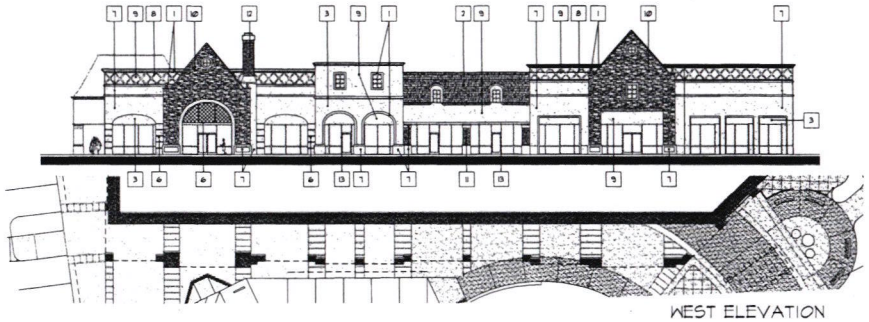
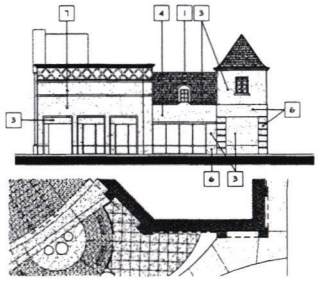
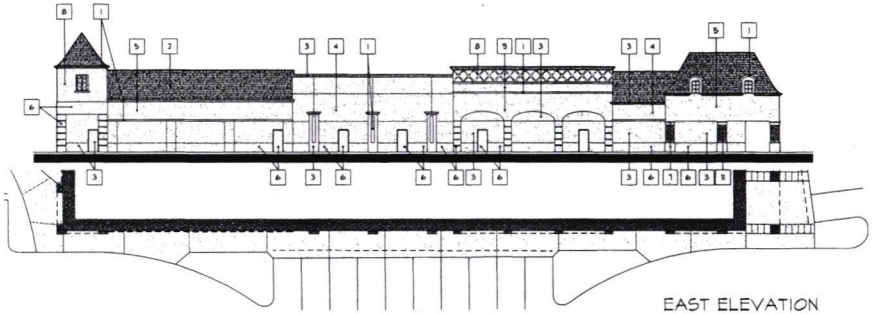


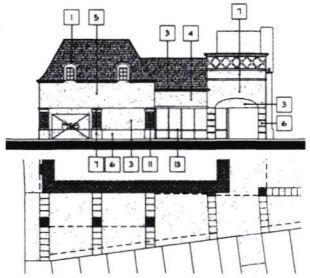
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



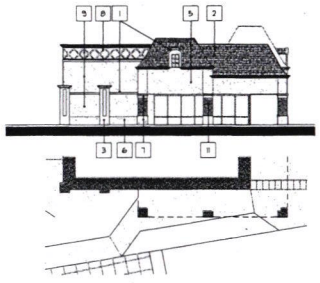
MANUFACTURER: VISIONAIRE LIGHTING
PRODUCT: SANTA ROSA (SRL-1) ON WALL MOUNTED DECORATIVE ARM (VA115)-BLACK (BK)

EXTERIOR LIGHTING
(TYPICAL)

MATERIALS/COLOR SCHEDULE

1	CORNICE, TRIMS -	"ICI PAINTS" 3083 BONE WHITE RM
2	FLAT ROOF TILE -	"EAGLE ROOFING TILE" AMERICAN HEIRLOOM LEHIGH BLEND "SHE 8104"
3	CEMENT PLASTER -	"ICI PAINTS" 554 BRAZIL NUT
4	CEMENT PLASTER -	"ICI PAINTS" 3083 BONE WHITE RM
5	CEMENT PLASTER -	"ICI PAINTS" 631 FOSSIL GREY
6	CEMENT PLASTER -	"ICI PAINTS" 627 TOASTY GREY
7	CEMENT PLASTER, COLUMN CAP + BASE -	"ICI PAINTS" 156 BASIC BEIGE
8	CEMENT PLASTER + ACCENTS -	"ICI PAINTS" 484 ABBEY CREAM
9	CEMENT PLASTER -	"ICI PAINTS" 3088 LIGHT NAVAJO
10	STONE VENEER -	"CULTURED STONE" BROWN COBBLEFIELD (CSV-3201) STANDARD 1/2" MORTAR JOINT
11	THIN BRICK VENEER - AT COLUMNS	"H.C. MUDDOX" PLACER ANTIQUE
12	THIN BRICK VENEER - AT CHIMNEY	"H.C. MUDDOX" CAROB "437
13	STOREFRONT FRAMES -	WHITE ANODIZED ALUMINUM

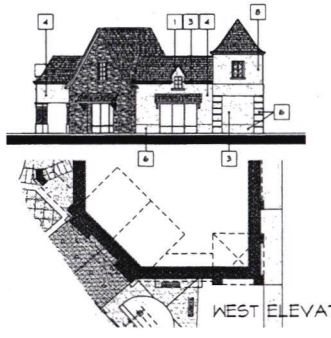
BUILDING 1



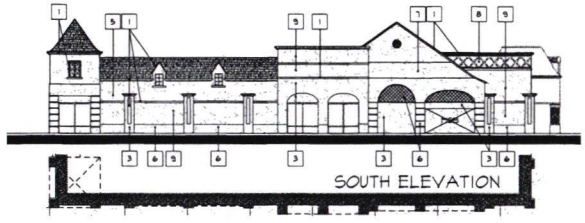
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

BUILDING 3

PRELIMINARY ELEVATIONS

SCALE 1/16" = 1'-0"

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Date [illegible]
Drawn [illegible]
Revised [illegible] of A3

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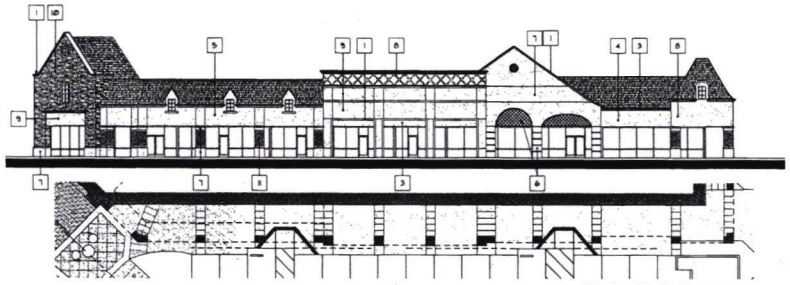
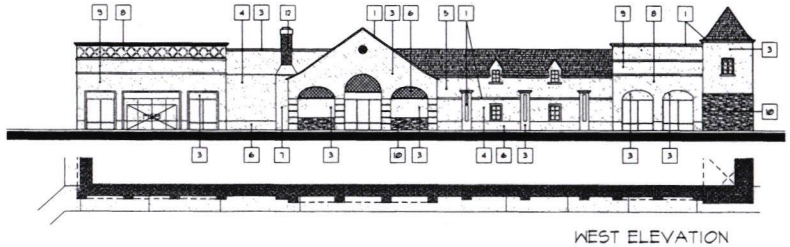
(916)488-8500 FAX(916)488-8566

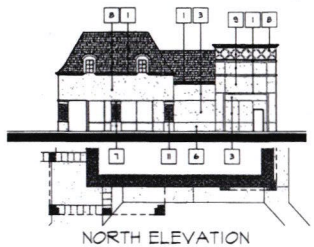
ANATOLIA MARKETPLACE

RANCHO CORDOVA, CALIFORNIA





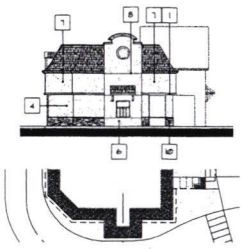




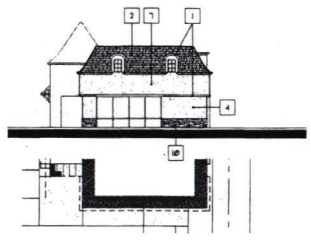
BUILDING 4

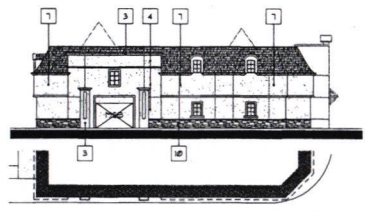
MATERIALS/COLOR SCHEDULE

1	CORNICE, TRIMS -	"ICI PAINTS" 2007 BONE WHITE RT
2	FLAT ROOF TILE -	"EAGLE ROOFING TILE" AMERICAN HEIRLOOM LEHIGH BLEND "SHE 8764"
3	CEMENT PLASTER -	"ICI PAINTS" 554 BRAZIL NUT
4	CEMENT PLASTER -	"ICI PAINTS" 2007 BONE WHITE RT
5	CEMENT PLASTER -	"ICI PAINTS" 637 FOSSIL GREY
6	CEMENT PLASTER -	"ICI PAINTS" 671 TOASTY GREY
7	CEMENT PLASTER COLUMN CAP + BASE -	"ICI PAINTS" 756 BASIC BEIGE
8	CEMENT PLASTER + ACCENTS -	"ICI PAINTS" 484 ABBEY CREAM
9	CEMENT PLASTER -	"ICI PAINTS" 2008 LIGHT NAVAJO
10	STONE VENEER -	"CULTURED STONE" BROWN COBBLEFIELD (CSV-2611) STANDARD 1/2" MORTAR JOINT
11	THIN BRICK VENEER - AT COLUMNS	"H.C. MUDDOX" PLACER ANTIQUE
12	THIN BRICK VENEER - AT CHIMNEY	"H.C. MUDDOX" CAROB 1431
13	STOREFRONT FRAMES -	WHITE ANODIZED ALUMINUM







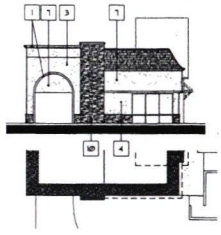


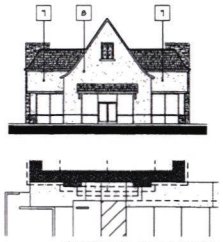
BUILDING 5

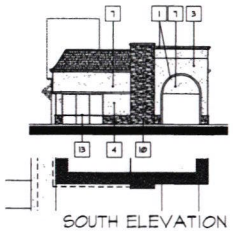


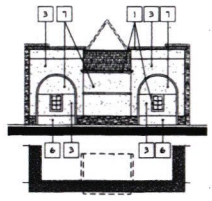
MANUFACTURER: VISIONAIRE LIGHTING
PRODUCT: SANTA ROSA (SRL-1) ON WALL MOUNTED DECORATIVE ARM (VAII5)-BLACK (BK)

EXTERIOR LIGHTING
(TYPICAL)









CARWASH/C-STORE

ANATOLIA MARKETPLACE
RANCHO CORDOVA, CALIFORNIA

PRELIMINARY ELEVATIONS

SCALE 1/16" = 1'-0"

Job Number _____ Sheet
Date _____ A4
Drawn _____
Revised _____ of

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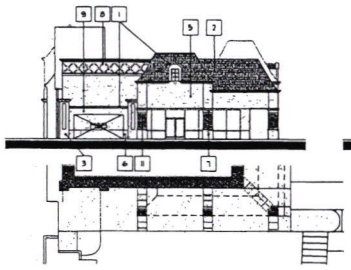
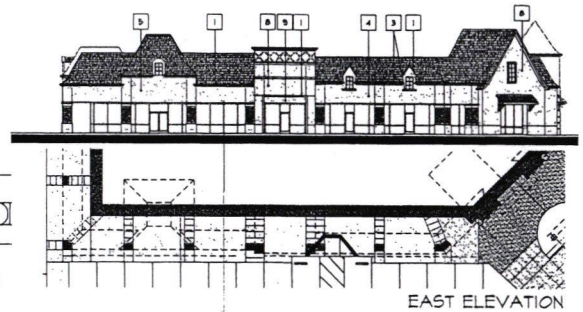
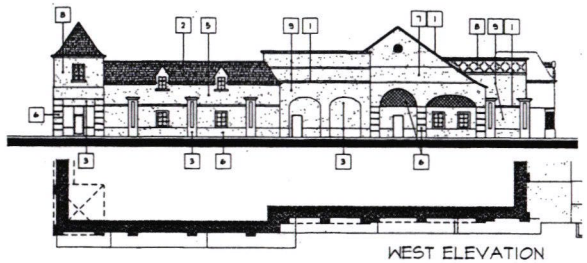


SOUTH ELEVATION



EAST ELEVATION

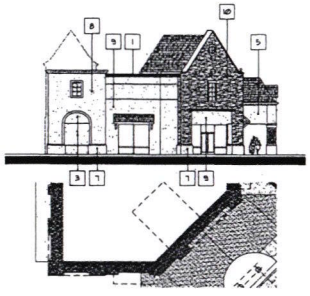


WEST ELEVATION



NORTH ELEVATION

BUILDING 6



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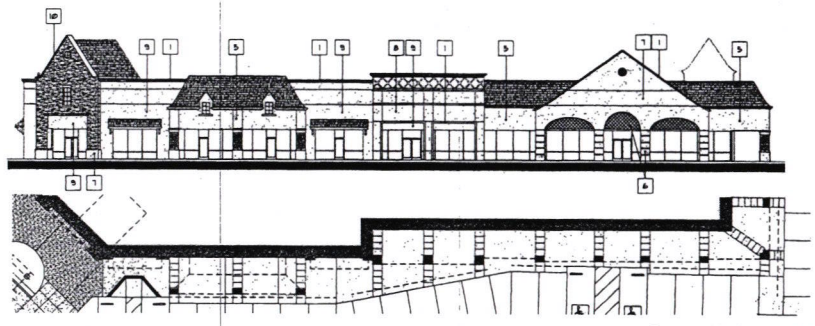
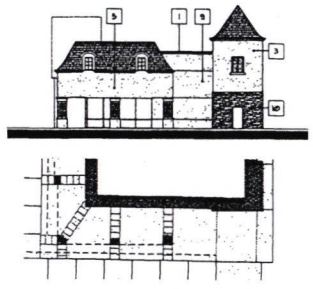


SOUTH ELEVATION

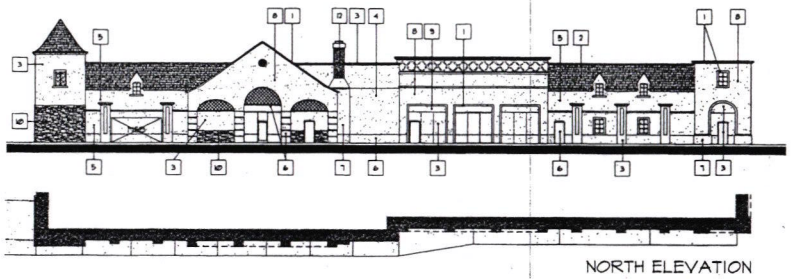


EAST ELEVATION

BUILDING 7

MATERIALS/COLOR SCHEDULE

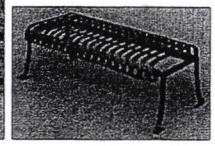
1	CORNICE, TRIMS -	"ICI PAINTS" 2882 BONE WHITE RM
2	FLAT ROOF TILE -	"EAGLE ROOFING TILE" AMERICAN HEIRLOOM LEHIGH BLEND "SHE 8'184"
3	CEMENT PLASTER -	"ICI PAINTS" 554 BRAZIL NUT
4	CEMENT PLASTER -	"ICI PAINTS" 2882 BONE WHITE RM
5	CEMENT PLASTER -	"ICI PAINTS" 631 FOSSIL GREY
6	CEMENT PLASTER -	"ICI PAINTS" 671 TOASTY GREY
7	CEMENT PLASTER COLUMN CAP & BASE -	"ICI PAINTS" 796 BASIC BEIGE
8	CEMENT PLASTER & ACCENTS -	"ICI PAINTS" 484 ABBEY CREAM
9	CEMENT PLASTER -	"ICI PAINTS" 2888 LIGHT NAVAJO
10	STONE VENEER -	"CULTURED STONE" BROWN COBBLEFIELD (CSV-2872) STANDARD 1/2" MORTAR JOINT
11	THIN BRICK VENEER - AT COLUMNS	"H.C. MUDDOX" PLACER ANTIQUE
12	THIN BRICK VENEER - AT CHIMNEY	"H.C. MUDDOX" CAROB 1431
13	STOREFRONT FRAMES -	WHITE ANODIZED ALUMINUM



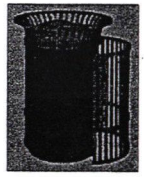
NORTH ELEVATION



BOWERY BENCH



BOWERY BACKLESS BENCH



BOWERY ASH/TRASH RECEPTACLE

* COLOR = SEMI-GLOSS BLACK

SITE FURNISHING BY CANTERBURY INTERNATIONAL
NOT TO SCALE



EXTERIOR LIGHTING
(TYPICAL)

MANUFACTURER: VISIONAIRE LIGHTING
PRODUCT: SANTA ROSA (SRL-1) ON WALL MOUNTED DECORATIVE ARM (VA115)-BLACK (BK)

PRELIMINARY ELEVATIONS

SCALE 1/16" = 1'-0"

Job Number [illegible] Sheet A5
Date [illegible]
Drawn [illegible]
Revised [illegible] of

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architects
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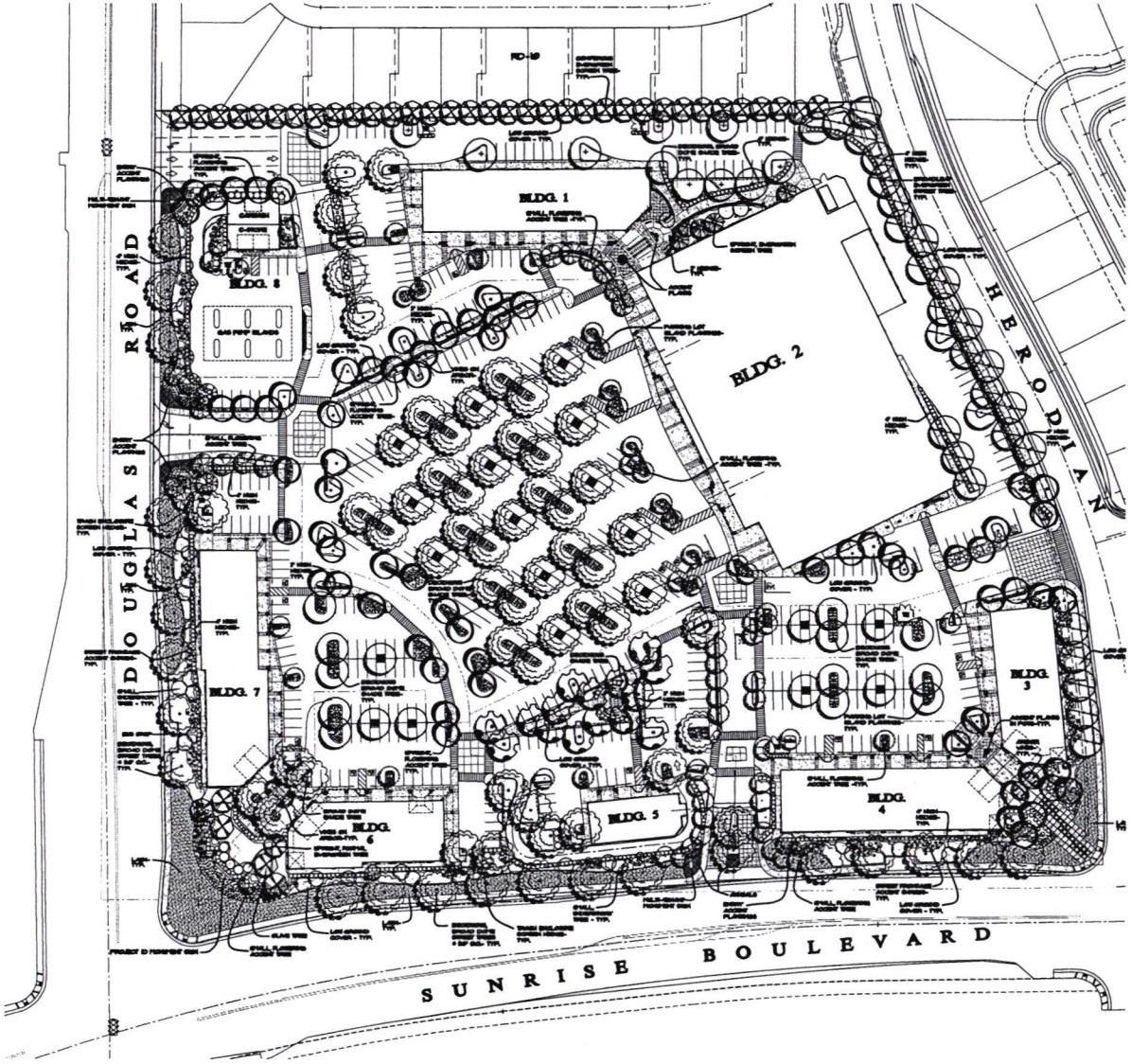
ANATOLIA MARKETPLACE

RANCHO CORDOVA, CALIFORNIA



ANATOLIA MARKETPLACE

RANCHO CORDOVA, CALIFORNIA

PRELIMINARY TREE LIST

SYMBOL	CONTAINER SIZE	BOTANICAL NAME / COMMON NAME
	TREES	
	15 GALLON	PLATANUS ACERIFOLIA 'COLUMBIA' - LONDON PLANE TREE
	15 GALLON	PRUNUS CERASIFERA 'KRAUTER VESUVIUS' - PURPLE LEAF PLUM
	15 GALLON	LAGERSTROEMIA X FAURIEI 'TUSCARORA' - CRAPE MYRTLE
	15 GALLON	PISTACIA CHINENSIS - CHINESE PISTACHE
	15 GALLON	PYRUS CALLERYANA 'REDSPIRE' - REDSPIRE PEAR
	15 GALLON	MAGNOLIA GRANDIFLORA 'SAMUEL SOMMER' - SOUTHERN MAGNOLIA
	15 GALLON	SEQUOIA SEMPERVIRENS 'SANTA CRUZ' - COAST REDWOOD
	24" BOX	OLEA EUROPAEA 'SWAN HILL' - COMMON OLIVE
	15 GALLON	LAURUS NOBILIS - GREEK LAUREL
	15 GALLON	ACER RUBRUM 'COLUMNAR GLORY' - RED MAPLE
	15 GALLON	CERCIS CANADENSIS 'FOREST PANSY' - EASTERN REDBUD
	15 GALLON	CUPRESSUS SEMPERVIRENS - ITALIAN CYPRESS

SHRUBS, GROUND COVERS & VINES

PROJECT ENTRIES, PLAZAS & STREET CORNER ACCENT PLANTINGS

	SIZE	BOTANICAL / COMMON NAME
	48" BOX	ARBUTUS 'MARINA' - STRAWBERRY TREE
	5 GALLON	PHORMIUM TENAX 'MAROON' - PURPLE NEW ZEALAND FLAX
	5 GALLON	PHORMIUM TENAX 'YELLOW WAVE' - YELLOW NEW ZEALAND FLAX
	5 GALLON	LANTANA CAMARA 'NEW GOLD' - LANTANA
	5 GALLON	PENNISETUM SETACEUM 'RUBRUM' - RED FOUNTAIN GRASS
	5 GALLON	HESPERALOE PARVIFLORA - RED YUCCA

LOW GROUND COVERS

	1 GALLON	ROSMARINUS 'MAJORCA PINK' - UPRIGHT ROSEMARY
	1 GALLON	PITTOSPORUM 'WHEELERI' - PITTOSPORUM
	1 GALLON	TRACHELOSPERMUM JASMINOIDES - STAR JASMINE
	1 GALLON	ZAUSCHNERIA 'EPRIC CANYON' - EPRIC CANYON ZAUSCHNERIA
	1 GALLON	GAZANIA RIGENS 'LEUCOLAENA' - TRAILING GAZANIA

LAWN

	SOD	LAWN - TURF TYPE HYBRID BERMUDA

PARKING LOT ISLAND PLANTINGS

	5 GALLON	PHORMIUM 'YELLOW WAVE' - HYBRID NEW ZEALAND FLAX
	1 GALLON	PHORMIUM TENAX 'MAROON' - HYBRID NEW ZEALAND FLAX
	5 GALLON	ARCTOSTAPHYLOS 'EMERALD MOUND' - EMERALD MOUND MANZANITA
	5 GALLON	TULBAGHIA VIOLACEA 'VARIEGATA' - SOCIETY GARLIC
	5 GALLON	BERBERIS THUNBERGII 'CRIMSON PYGMY' - JAPANESE BARBERRY

2' HIGH HEDGE

	5 GALLON	BERBERIS THUNBERGII 'CRIMSON PYGMY' - JAPANESE BARBERRY

4' HIGH HEDGE

	5 GALLON	VIBURNUM TINUS 'SPRING BOUQUET' - SPRING BOUQUET LAURUSTINUS

TRASH ENCLOSURE SCREEN HEDGE

	5 GALLON	RHAPHIOLEPIS INDICA 'SPRINGTIME' - INDIA HAWTHORN

TRASH ENCLOSURE VINES

	5 GALLON	FICUS PUMILA - CREEPING FIG

ARBOR VINES

	5 GALLON	WISTERIA SINENSIS - CHINESE WISTERIA

STREET FRONTAGE ACCENT SHRUBS

	5 GALLON	PHORMIUM TENAX 'YELLOW WAVE' - NEW ZEALAND FLAX HYBRID
	5 GALLON	PHORMIUM TENAX 'MAROON' - NEW ZEALAND FLAX HYBRID
	5 GALLON	GREVILLEA NOELLII 'LITTLE JOY' - GREVILLEA

SUNRISE & DOUGLAS STREET CORNER ACCENT SHRUBS

	1 GALLON	ROSMARINUS 'MAJORCA PINK' - UPRIGHT ROSEMARY
	5 GALLON	PHORMIUM TENAX 'YELLOW WAVE' - NEW ZEALAND FLAX HYBRID
	5 GALLON	LANTANA CAMARA 'NEW GOLD' - LANTANA
	5 GALLON	PENNISETUM SETACEUM 'RUBRUM' - RED FOUNTAIN GRASS
	5 GALLON	HESPERALOE PARVIFLORA - RED YUCCA

NOTES:

1. ALL PLANTS SHALL BE SERVED WITH AN AUTOMATIC IRRIGATION SYSTEM.
2. LANDSCAPE SHALL BE DESIGNED & INSTALLED PER CITY OF RANCHO CORDOVA ORDINANCES.

PARKING LOT SHADE CALCULATIONS

PRELIMINARY LANDSCAPE PLAN

Job Number A02-05 Sheet
Date 3.30.01
Drawn PVH
Revised [illegible] of L1

Rauschenbach Martelli Becker architects

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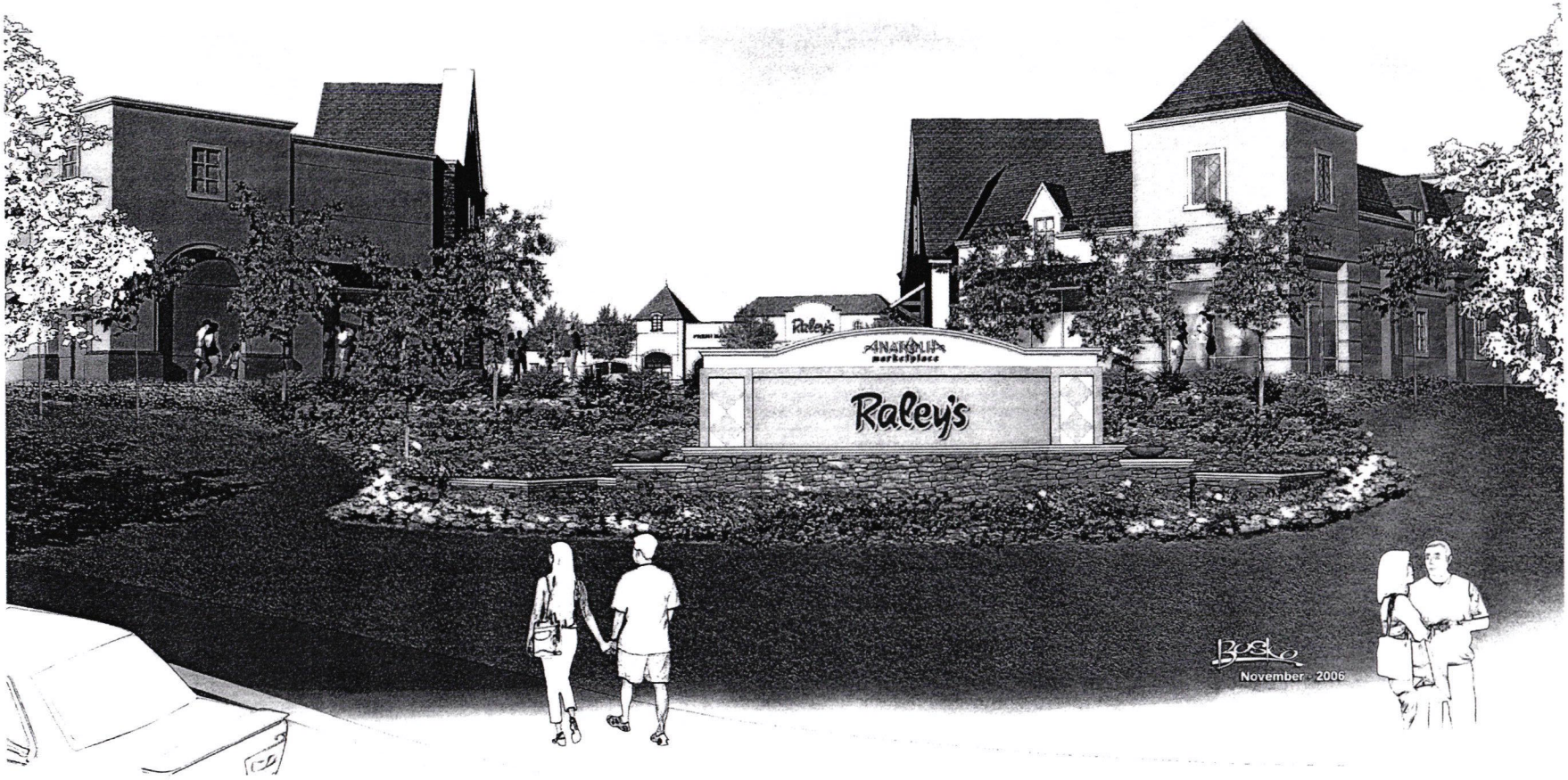

Corner of Sunrise & Douglas

Anatolia Marketplace

Sunrise Blvd. & Douglas Road
Rancho Cordova, CA

A02.136 11.30.06

Rauschenbach
Marvelli
Becker
architects

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Raley's

Anatolia Marketplace

Sunrise Blvd. & Douglas Road
Rancho Cordova, CA

A02.136 11.28.06

Rauschenbach
Marvelli
Becker
architects

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Shops

Anatolia Marketplace ■ *Sunrise Blvd. & Douglas Road Rancho Cordova, CA*

A02.136 12.1.06

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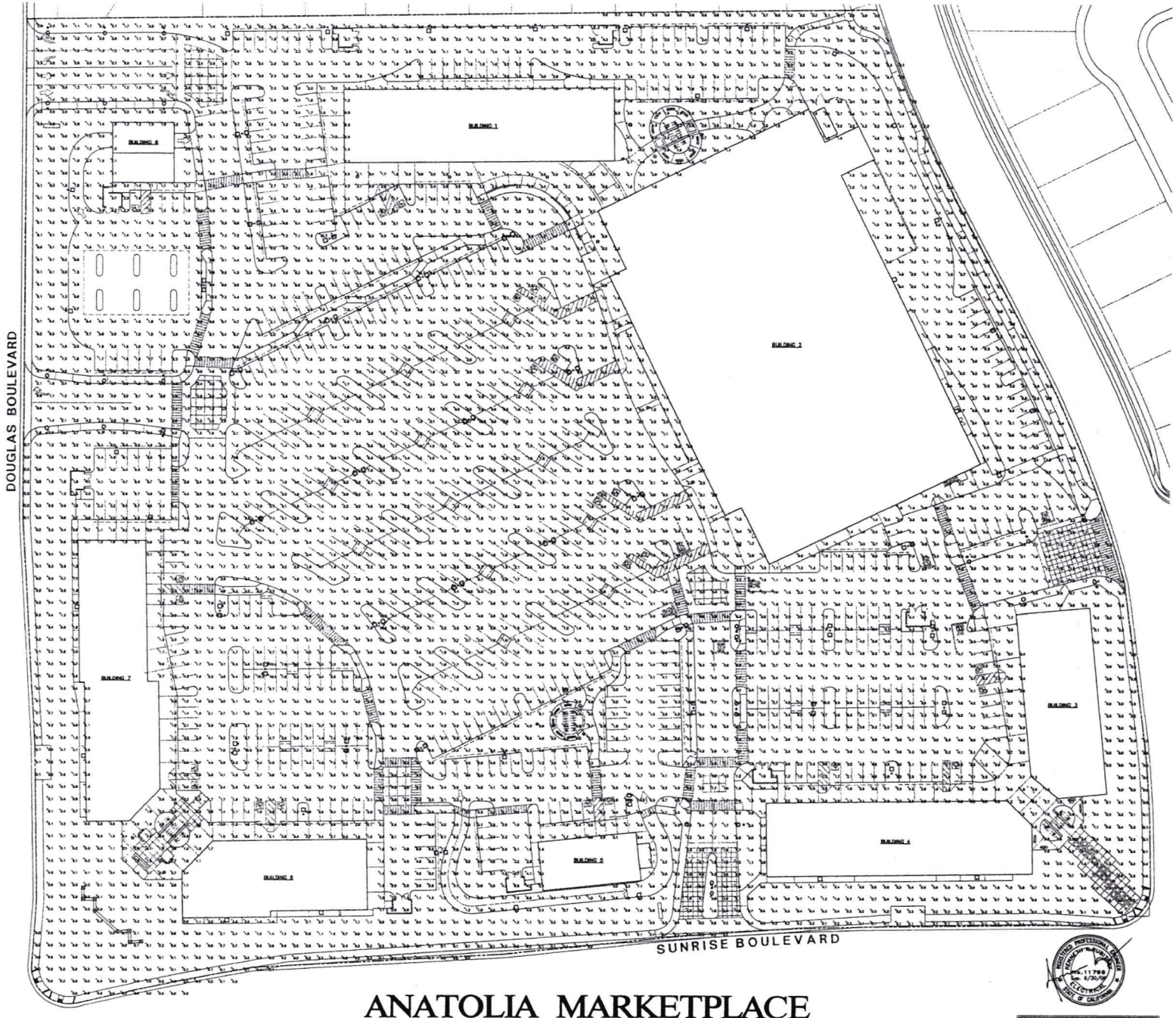

ANATOLIA MARKETPLACE

RANCHO CORDOVA, CALIFORNIA

SITE PHOTOMETRIC PLAN

NORTH

0 40' 80' 120'

Job Number	5353	Sheet PT1
Date	03-01-06	
Drawn	BS	
Revised		of

Rauschenbach Marvelli Becker architects

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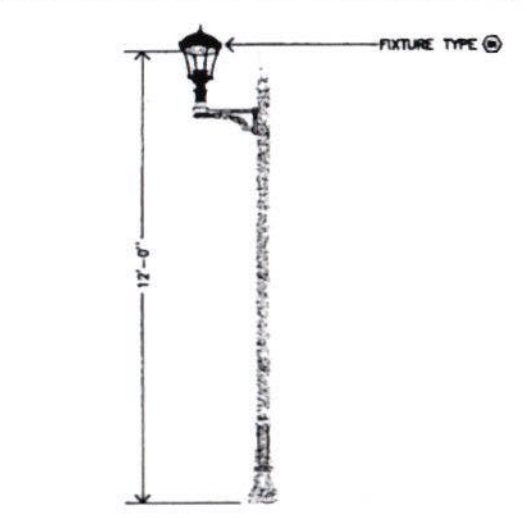
KEN RUBITSKY & ASSOC. CONSULTING ELECTRICAL ENGINEERS



1/PT2 **POLE FIXTURE DETAIL**
NO SCALE



2/PT2 **POLE FIXTURE DETAIL**
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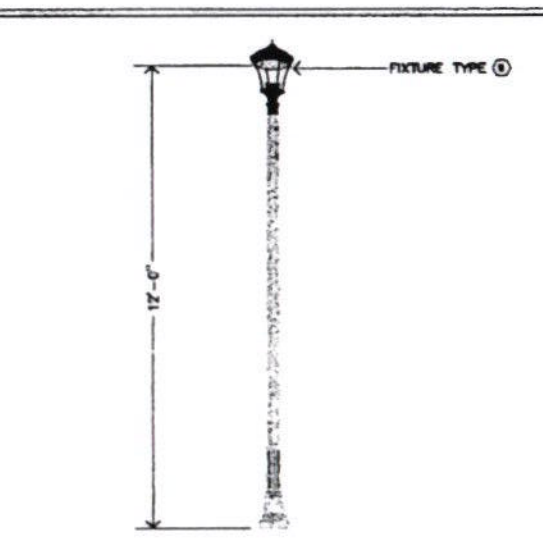

3/PT2 **POLE FIXTURE DETAIL**
NO SCALE

LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
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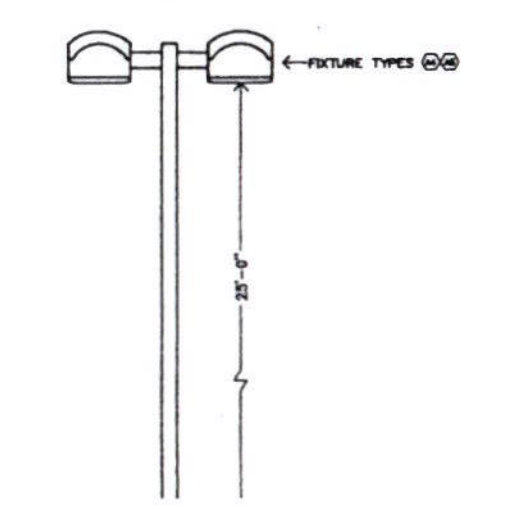
□ •	1-2 (B)	8	WIDELITE SALM-400-2H	CLEAR FLAT GLASS LENS	ONE 400W METAL HALIDE	SALM400H.IES	40000	0.74	460
□ •	1-3 (B)	1	WIDELITE SALM-400-3H	CLEAR FLAT GLASS LENS	ONE 400W METAL HALIDE	SALM400H.IES	40000	0.74	461
□ •	1-4 (B)	16	WIDELITE SALM-400-4H	CLEAR FLAT GLASS LENS	ONE 400W METAL HALIDE	SALM400H.IES	40000	0.74	461
□-□	2-4 (B)	14	WIDELITE SALM-400-4H	CLEAR FLAT GLASS LENS	ONE 400W METAL HALIDE	SALM400H.IES	40000	0.74	922
□-□	3-4R (B)	16	WIDELITE SALM-400-4H	CLEAR FLAT GLASS LENS OPTICS ROTATED 90 DEGREES AND 180 DEGREES OUT	ONE 400W METAL HALIDE	SALM400H.IES	40000	0.74	922
○	B6 (B)	22	PROV-H6	WITH SMOOTH AND HAMMERTONE SPECULAR REFLECTORS AND CLEAR FLAT GLASS LENS	ONE 100 WATT MH ED-17 LAMP	PROV-H6.IES	8800	0.74	142
○ •	B1-4 (B)	18	PROV-H4	WITH SMOOTH AND HAMMERTONE SPECULAR REFLECTORS AND CLEAR FLAT GLASS LENS	ONE 100 WATT MH ED-17 LAMP	PROV-H4.IES	8800	0.74	142
•-•	B2-6 (B)	3	PROV-H6	WITH SMOOTH AND HAMMERTONE SPECULAR REFLECTORS AND CLEAR FLAT GLASS LENS	TWO 100 WATT MH ED-17 LAMP	PROV-H6.IES	8800	0.74	284



4/PT2 **POLE FIXTURE DETAIL**
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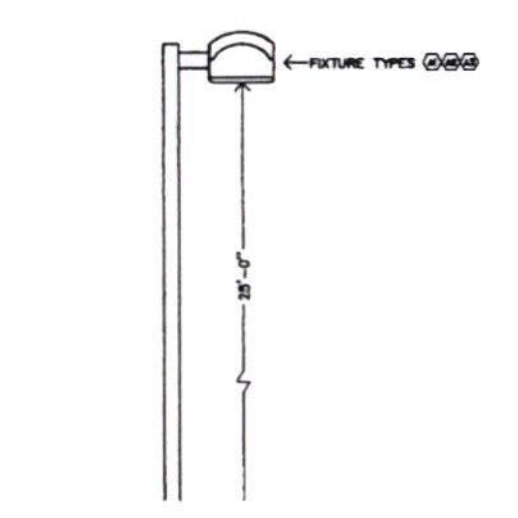

5/PT2 **POLE FIXTURE DETAIL**
NO SCALE

LUMINAIRE LOCATIONS

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6	SW-WT	[illegible]	[illegible]	16.0	16.0	180.0	0.0	[illegible]	[illegible]	0.0
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37	B1-4	[illegible]	[illegible]	12.0	12.0	180.0	0.0	[illegible]	[illegible]	0.0
38	B6	[illegible]	[illegible]	12.0	12.0	180.0	0.0	[illegible]	[illegible]	0.0
39	B6	[illegible]	[illegible]	12.0	12.0	180.0	0.0	[illegible]	[illegible]	0.0
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41	B6	[illegible]	[illegible]	12.0	12.0	244.8	0.0	[illegible]	[illegible]	0.0
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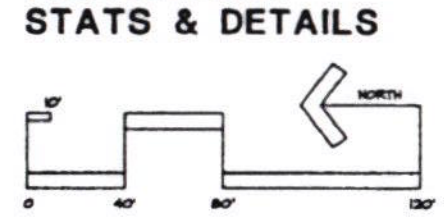
106	3-4R	[illegible]	[illegible]	26.0	25.0	0.0	0.0			

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	2.8 fc	11.2 fc	0.0 fc	N/A	N/A

ANATOLIA MARKETPLACE
RANCHO CORDOVA, CALIFORNIA

PHOTOMETRIC
STATS & DETAILS



REGISTERED PROFESSIONAL ENGINEER
KENNETH R. RUBITSKY
No. 11798
Exp. 9/30/0[illegible]
ELECTRICAL
STATE OF CALIFORNIA

KEN RUBITSKY & ASSOC.
CONSULTING ELECTRICAL ENGINEERS

Job Number	5203	Sheet	
Date	02-01-06		PT2
Drawn	RS		
Revised		of	

Rauschenbach
Marvelli
Becker
architects

2277 Watt Ave.•Second Floor•Sacramento, CA 95825
(916)488-8500 FAX(916)488-8566

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
1.	This approval is for the design review of the shopping center on the southeast corner of Sunrise Blvd and Douglas Road. The project consists of 125,529 sf of retail commercial space on 14.7 acres. The main anchor of the center is a grocery store, a gas station, a fast food restaurant pad and five multi-tenant buildings. The applicant is also requesting a conditional use permit to allow the construction of the gas station and a conditional use permit to allow a building within 100 feet of residential property to exceed 24 feet in height. The project shall be constructed in substantial compliance with the approved design package dated January 16, 2007.	On-Going	Planning	
2.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning	
3.	Implement applicable mitigation measures from the MMRP for the SunRidge Specific Plan EIR.	On-Going	Planning	
	Prior to approval of improvement plans			
4.	Applicant shall photo-document the condition of adjacent streets and sidewalks to the satisfaction of the Public Works Department. Applicant shall be responsible for all damage to City streets associated with construction of the project.	Prior to improvement plan	Public Works	

Exhibit B

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
5.	Enter into a frontage agreement for construction of public improvements to the satisfaction of the Public Works Department.	Prior to improvement plan	Public Works	
6.	The District's turning radii of 25-feet inside and 50-feet outside does not appear to be met in the current design of the site plan. Please ensure that the site plan meets the District's turning standard.	Prior to improvement plan	Metro Fire	
7.	A copy of the road maintenance agreement shall be provided to the Fire District with the site improvement or Civil Engineering drawings upon submittal for review. If the roadway agreement is not provided with the site improvement or civil engineering drawings, it shall be presented to the Fire District prior to the issuance of any CORs (Certificates of Release) or construction permit cards.	Prior to improvement plan	Metro Fire	
	Prior to Issuance of Building Permits			
8.	Property Owner/Applicant shall provide a funding mechanism for maintenance of frontage and median landscaping, not otherwise maintained by Property Owner/Applicant, by annexation to the City Landscape Maintenance Community Facilities District. All costs associated with the annexation shall be borne by the Property Owner/Applicant.	Prior to Building Permits	Public Works	
9.	Property Owner/Applicant shall provide a funding mechanism for maintenance services for all new public improvements associated with the project including but not limited to dedicated mandatory open space and performance based open space, streets, bridges/culverts, traffic signals, traffic signs, striping and legends, ITS operations, and street lights. This may be accomplished through annexation to the City Road	Prior to Building Permits	Public Works	

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	Maintenance Assessment District. All costs associated with the annexation shall be borne by the Property Owner/Applicant.			
10.	Applicant shall submit public improvement plans to the satisfaction of the Public Works Department. Public improvement plans shall include, but shall not be limited to, necessary driveways, signals, striping, signage, etc. Specific improvements shall include: • The Sunrise access point shall be right in/out only. • A signalized intersection on Douglas Road shall not be permitted. The western Douglas access point shall be right in/out only. The eastern Douglas access point shall be right in/out and left in only. Left out access to Douglas shall not be permitted. • One access point from Herodian Drive shall be allowed. Public improvement plans shall clearly delineate all transitions to existing improvements. All improvements to be designed and constructed to satisfaction of Public Works Department. Improvements that require additional right-of-way shall not require relocation of buildings or parking spaces.	Prior to Building Permits	Public Works	
11.	Fire department connections (FDCs) shall be located on the address side of the building and within forty-feet (40') of a fire hydrant. The FDC and the fire hydrant shall be located on the same side of the fire apparatus access roadway and at least forty-feet from any openings from the building they serve. The plans currently show the FDCs for buildings 1 and 2 in the rear; this is not acceptable.	Prior to Building Permits	Metro Fire District	
12.	Reciprocal access and roadway maintenance agreements shall be provided for the interior roadways of the proposed complex. The	Prior to Building Permits	Metro Fire District	

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	roadway maintenance and reciprocal access agreements shall be recorded with the Public Recorders Office having jurisdiction and shall provide for the following: A. Provisions for the necessary repair and maintenance of the roadway surface. B. Removal of vegetation overgrowing the roadway and infringing on the roadway clear vertical height of thirteen feet six inches (13'6") and/or width of twenty feet (20'). C. Provisions for the maintenance, repair, and/or replacement of NO PARKING-FIRE LANE signage or striping. D. Provisions for the necessary repair and maintenance of vehicle and pedestrian access gates and opening systems. E. Unrestricted use of and access to the roadways covered by the agreements. F. Provisions for the control of vehicle parking in prohibited areas and a mechanism for the removal of vehicles illegally parked.			
13.	Development plans shall be reviewed for architectural and site plan consistency with the approved plans by the Planning Director. Any significant change to the development may require review and approval by the City, at the Planning Director's discretion.	Prior to Building Permits	Planning	
14.	Prior to the issuance of any sign permit, the applicant shall submit a sign program for the shopping center that complies with the Rancho Cordova zoning code. Note that the property is subject to the requirements of the Sunrise Special Sign Corridor.	Prior to Building Permits	Planning	

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
15.	Final landscape plans shall be reviewed and approved prior to building permit for consistency with City water conservation requirements and to ensure that appropriate plant materials are utilized.	Prior to Building Permits	Planning	
16.	Developer shall pay any City adopted impact fee that is applicable, at the time of building permit issuance.	Prior to Building Permits	Planning	
17.	Grocery store applicant shall implement a shopping cart program, which may include but is not limited to electronic or mechanical devices that will restrict the removal of shopping carts from the site and provide convenient cart storage areas on site, to be approved by the Planning Director.	Prior to Building Permits of the grocery pad	Planning	
18.	Project proponent shall provide bicycle parking plan for review and approval by the Planning Director that is consistent with the Rancho Cordova Zoning Code and provide bike parking near building entrances.	Prior to Building Permit	Planning	
19.	CSD-1 shall review and approve the project sewer system plan prior to issuance of building permits that meets the following: • Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction. • Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system. • In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required. Off-site sewer lines may be required. An on-site collection system will also be required for all	Prior to Building Permit	CSD-1	

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	pipes carrying waste from two or more buildings or sewage sources and shall consist of 8-inch (min.) pipes in public easements. • Sewer easements will be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the District Engineer. CSD-1 will provide maintenance only in public right-of ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance. • CSD-1 requires their sewers be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to final approval of improvement plans, the applicant shall prepare and submit a utility plan that will demonstrate that this condition is met. All structures along on-site easements shall have a minimum 10-foot setback so that CSD-1 can properly maintain sewer services. • The trunk and collector sewer system for the project will not be accepted for maintenance, and building occupancy will not be granted until the downstream sewer system serving the project is also accepted for maintenance.			
20.	The project proponent shall complete a noise analysis as required by the MMRP for the SunRidge Specific Plan EIR. If minor design changes to the site plan or building design are required as a result of this analysis, the changes shall be reviewed and approved by the Planning Director prior to Building Permit.	Prior to Building Permit	Planning	
21.	The project shall submit schematic plans showing pedestrian and bicycle access from the intersection of Sunrise Boulevard and Douglas Road to the plaza at the corner of the site between Building 6 and	Prior to First Building Permit	Public Works	

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	Building 7. The plans shall meet ADA requirements and submitted to the Public Work director for review and approval prior to building permit. The access (e.g. ramps, railing, etc.) shall be constructed prior to final inspection/occupancy.			
22.	The project proponent shall grant easements as required to facilitate construction and permanent use of the pedestrian/bicycle ramps and pedestrian over-crossings, and to provide future access to the pedestrian over-crossings of Sunrise Boulevard and Douglas Road. Easements shall be recorded prior to building permit or as approved by the Public Works Director.	Prior to Building Permit	Public Works	
	Prior to Occupancy Permits			
23.	Construct the buildings and install final site landscaping, hardscape elements, plaza designs, bike parking, etc. according to the approved plans and receive approval by the Planning Director. Provisions for the on-going maintenance of the public right of way improvements shall be in place.	Prior to Final Inspection	Planning	
24.	Obtain appropriate permits from Public Works and provide adequate drain facilities into the established flood control system, in accordance with the Sacramento County Improvement Standards.	Prior to Final Inspection	Public Works / Water Resources	
25.	The installation of approved traffic control equipment may be required on all signal lights installed or modified as a part of this project to allow emergency fire apparatus to activate the traffic signal.	Prior to Final Inspection	Metro Fire	
26.	Approved numbers or addresses shall be placed on all new or existing	Prior to Final	Metro Fire	

		Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
	buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than twelve (12) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background. Where multiple occupancies are serviced by vehicular access to the rear of the building via any driveway, alleyway, or parking lot the numbers or addresses shall be displayed on the rear of the building.	Inspection		
27.	Project lighting shall not result in glare onto adjacent properties. Lighting fixtures shall be designed and equipped to direct light downward.	Prior to Final Inspection	Planning	
	Conditional Use Permit Condition			
28.	At the time of occupancy of the gasoline station, the following conditions shall apply to its operation: • No amplified sound or music shall be permitted at any time. • No roof mounted advertising shall be permitted on the canopy (over the gasoline pumps) or the retail building. • The lighting from the canopy or the retail building shall not spill onto adjacent property or result in glare that is visible from adjacent residential properties.	Prior to Final Inspection of the gasoline station	Planning	

Advisory Comments

The following comments are advisory and contain recommendations for improving the design of the project to accomplish public safety goals and should be incorporated where practical if they do not conflict with the approved site plan or building design.

Police Department Advisories

1. OVERALL SITE COMMENTS AND CONDITIONS

   a) Parking areas should be laid out to allow a high degree of observation. Close-in employee parking for people working late should be provided adjacent to the entrances.

   b) Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along fence and property lines and in any other locations where the applicant wishes to restrict sitting, loitering, or cutting through landscaped areas.

   c) All curbs shall be vertical in design. Rounded curbs shall be avoided whenever possible.

   d) The Police Department does not suggest that a pay phone be installed on the premises. If a pay phone should be installed, it will make outgoing calls only, and not accept incoming calls.

   e) The use of window signs shall not exceed the limits prescribed in the zoning ordinance and signs shall not be installed in such a fashion that visibility of the service counter is impaired for passing police patrol units as well as customers and passersby. Natural surveillance and visibility is an important consideration in projects of this size.

   f) All private walking paths and sidewalks shall incorporate exposed aggregate or other rough-surface materials to discourage skateboarding on the property.

   g) The perimeter of the site shall be fenced during construction, and security lighting and patrols shall be employed as necessary.

2. LIGHTING

a) Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with metal halide lighting with sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of business darkness and provide a safe, secure environment for all persons, property, and vehicles on site. Such lighting shall be equipped with vandal resistant covers. A lighting level of one foot-candle minimum, maintained at ground level is required.

b) All exterior doors shall be provided with their own light source and shall be adequately illuminated at all hours to make clearly visible the presence of any person on or about the premises and provide adequate illumination for persons exiting the building.

c) The premises, while open or closed for business after dark, must be sufficiently lighted by use of interior night-lights.

d) Exterior door, perimeter, canopy, and parking area lights shall be controlled by photocell and shall be left on during hours of darkness or diminished lighting.

e) Security personnel should be provided to monitor activity 24 hours, 7 days per week, including during time of construction.

f) External lighting requirements should consider general lighting level of one foot-candle minimum maintained at ground level for medium use facilities, utilizing High Intensity Discharge fixtures with vandal-resistant covers. This shall be consistent throughout the property, including loading zones and driveways on the rear of the building.

3. PHYSICAL SECURITY

a) The jamb on all aluminum frame swinging doors shall be so constructed or protected to withstand 1600 lbs. of pressure in both a vertical distance of three (3) inches and a horizontal distance of one (1) inch each side of the strike.

b) Glass doors shall be secured with a deadbolt lock with minimum throw of one (1) inch. The outside ring should be free moving and case hardened.

c) All hatchway openings on the roof of any building shall be secured as follows:
   i) If the hatchway is of wooden material, it shall be covered on the outside with at least 16 gauge sheet steel or its equivalent attached with screws.

ii) The hatchway shall be secured from the inside with a slide bar or slide bolts. The use of crossbar or padlock must be approved by the Fire Marshall.

iii) Outside hinges on all hatchway openings shall be provided with nonremovable pins when using pin type hinges.

4. FAST FOOD RESTAURANT

a) Should a fast-food restaurant be located at this site, all items listed above shall apply.

b) The drive through service window and order and payment windows shall be equipped with at least two locking points.

c) The restaurant shall institute a policy, and clearly sign post the drive through window, to indicate no walkup service shall be provided.

5. CONVENIENCE STORE AND GAS STATION

a) All items listed above shall apply to the convenience store and gas station.

b) Should the convenience store apply for and be granted a permit to sell alcoholic beverages, the coolers storing these items shall be equipped with locks to allow for locking of those coolers between the hours of 2 A.M. and 6 A.M.

c) All development requirements as stated in City of Rancho Cordova Zoning Code Article 3, section 315-15 shall apply to this project.

d) The cashier booth shall be located in the front of the store, situated in plain view from the front windows. This allows for maximum visibility to the regular traffic flow of the business.

e) The entire front of the convenience store shall be constructed of windows, to allow maximum visibility to all business aspects of the project. The lack of windows currently on the north side of the property does not allow for sufficient visibility to the exit of the car wash, or other activities that might occur on that area of the building.

f) Misc. Security Measures

i) The cashier area shall be equipped with either a CCTV camera system with recording and playback capability or a 35mm demand camera to discourage criminal acts and aid in criminal apprehension. The recorder should be housed in a secure room away from the cash register area.

ii) Lotto, ATM, & other machines shall not block primary visibility into the convenience store.

iii) For the security of employees as well as the machines, they shall be placed against a wall not constructed of glass.

iv) A public address system shall be installed specifically to disperse loiters, however may also be used for general business practices.

v) Theft of Alcoholic Beverages

aa) The Police Department will require that alcoholic beverage coolers be locked at 2:00 am to prevent thefts and attempts to purchase after 2:00 am. There shall be no "warm shelves" containing alcohol.

bb) The applicant shall adopt a "no loitering" policy. Signage shall be posted on the property to discourage loitering and alcohol consumption in the parking lot, citing the authority of the penal code section regarding trespassing, and municipal code sections. The applicant should institute a day time policy to limit the numbers of students allowed in the store at any given time and control students queuing outside awaiting entry in an orderly fashion. A lot of potential loitering problems will be minimized by an active concerned attitude projected by store personnel. If loitering does become a problem on the site, the Police Department will reserve the right to require a security guard on site during periods of peak activity, if necessary.

CSD-1 Advisories

1. Any use of CSD-1 sewer easements, which is not compatible or interferes with the construction, reconstruction, operation, maintenance, or repair of the District's sanitary sewer(s), shall not be allowed. Each proposed use shall be reviewed and approved in writing by the District Engineer prior to the use of the easement by the Grantor. This includes landscaping.

2. If a lifting and/or pumping station is required to serve this project, the applicant shall submit a Hazardous Materials Plan (HMP) to CSD-1. The HMP shall satisfy state and CSD-1 requirements, and shall be approved by CSD-1 prior to the acceptance of the facility.

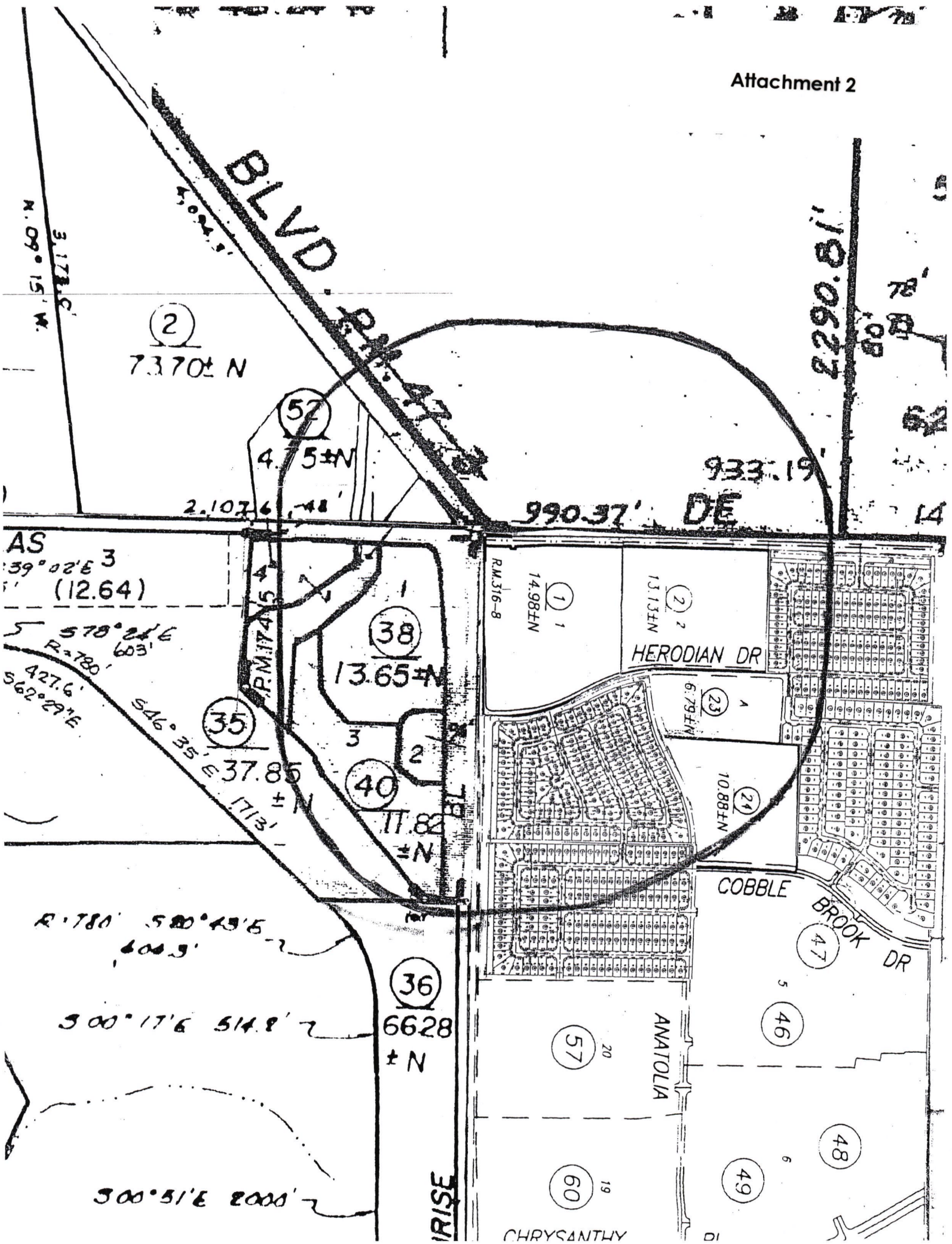
3. If a lifting and/or pumping station is required to serve this project, the applicant shall install all necessary infrastructures (electrical power and wiring, telemetry, piping, manholes, wells, gates, etc.) for the complete operation of the facility at full development and final maximum service capacity as identified in applicable approved sewer studies. The only exception to this requirement is the pump size, which shall be installed in accordance with initial designed service capacity.

4. If interim sewer infrastructure (such as sewer pipes, manholes, and lifting and/or pumping stations) is required to serve this project, the applicant shall be responsible for the cost to CSD-1, to decommission, and abandon such interim sewer infrastructure. The mechanism to capture these costs shall be approved and accepted by CSD-1 prior to recordation of the Final Map or approval of the Improvement Plans for plan check to CSD-1, which ever comes first.

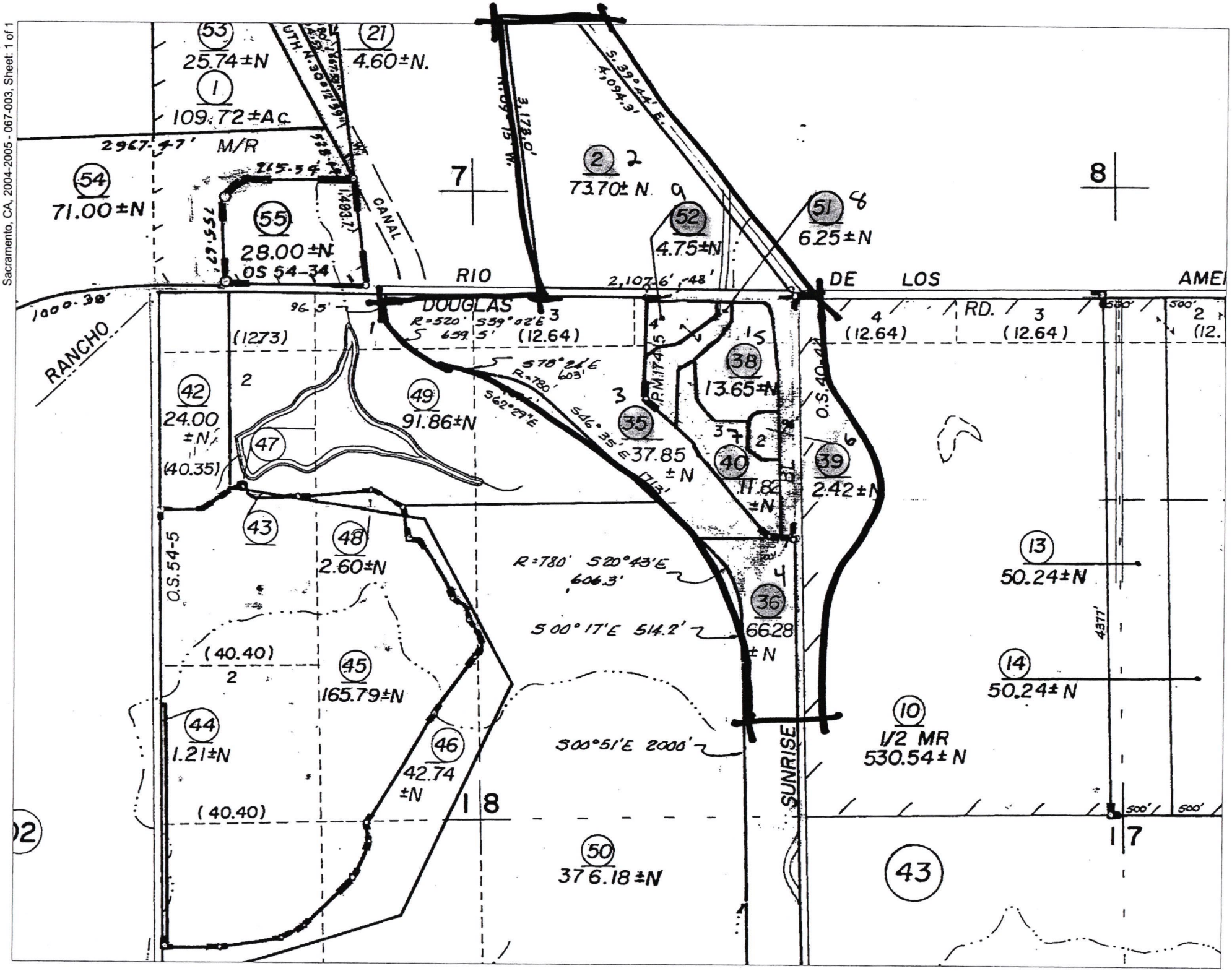
5. Developing this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

6. The service station (car wash) use proposed under the subject application constitutes a potential industrial waste discharge. Applicant should contact Waste Water Source Control at (916) 875-6470 for additional industrial waste discharge concerns.

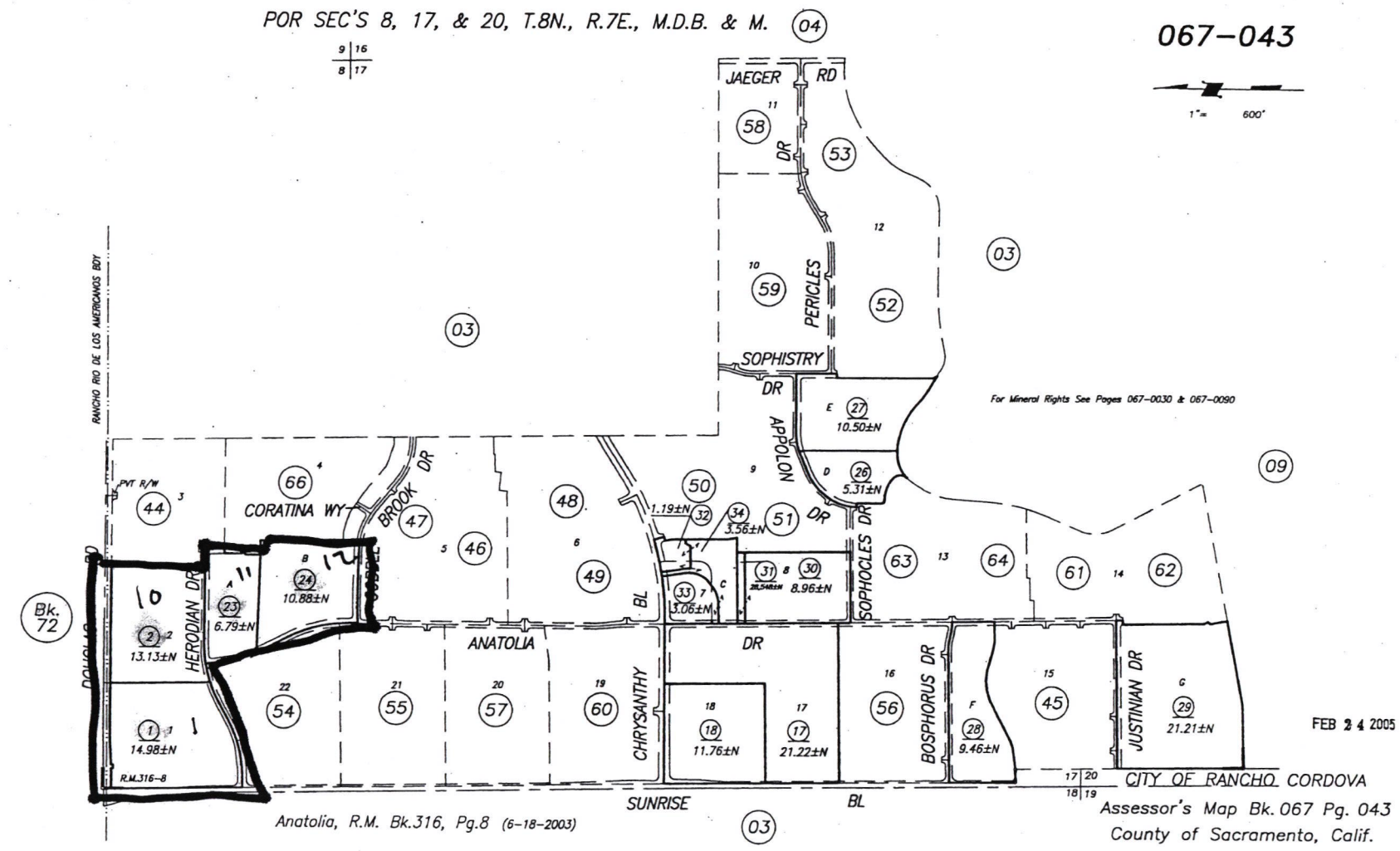
Attachment 2



Sacramento, CA, 2004-2005 - 067-003, Sheet: 1 of 1



Sacramento, CA, 2004-2005 - 067-043, Sheet: 1 of 1

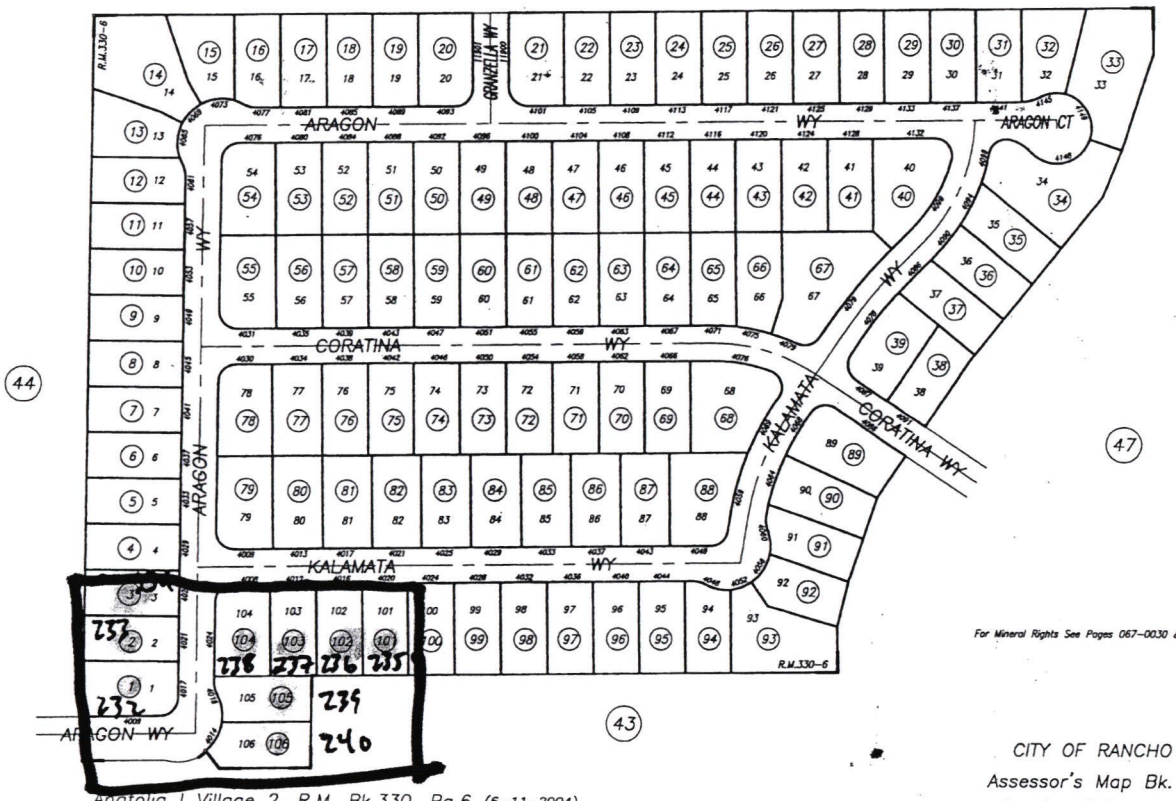


Sacramento, CA, 2004-2005 - 067-066, Sheet: 1 of 1

03

POR. SEC. 8 & 17 T.8N., R.7E., M.D.B. & M.

067–066



For Mineral Rights See Pages 067–0030 & 067–0090

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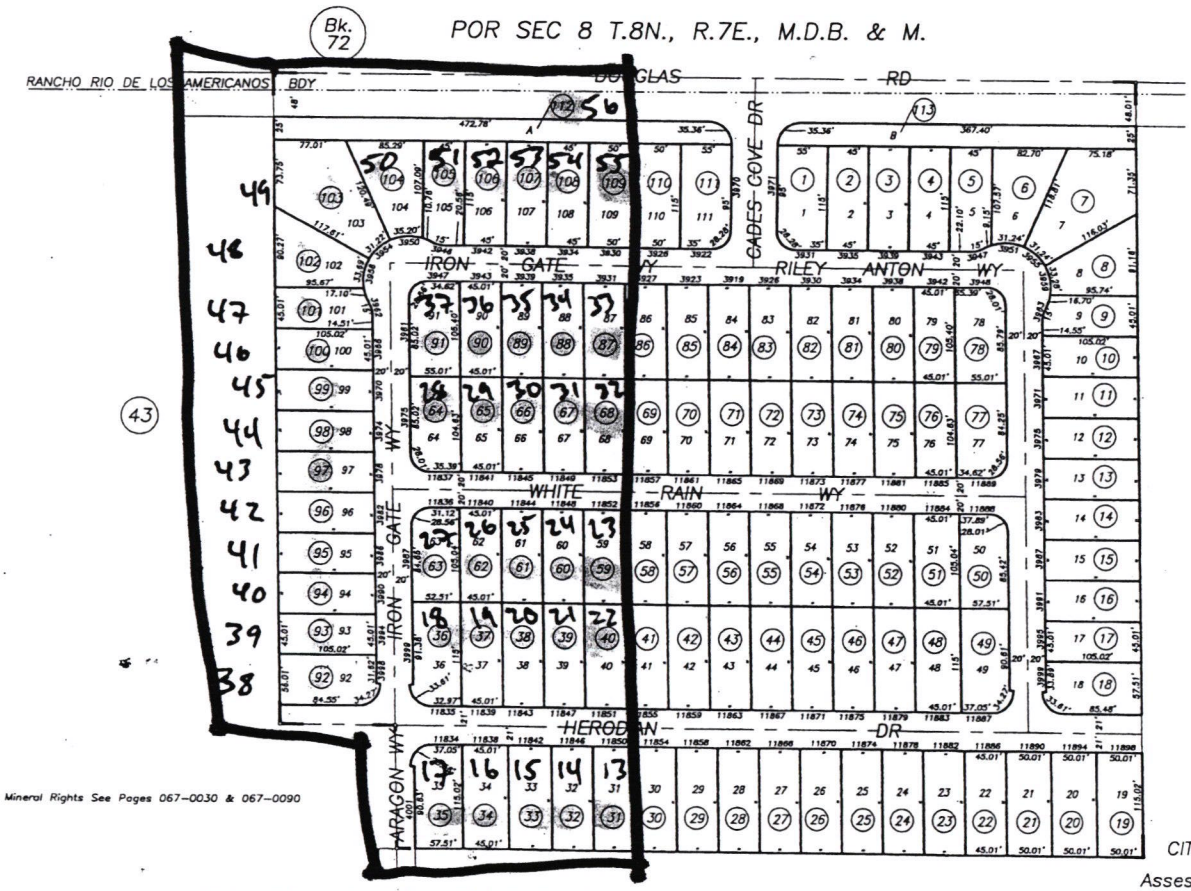
CITY OF RANCHO CORDOVA
Assessor's Map Bk. 067 Pg. 066
County of Sacramento, Calif.

Anatolia I Village 2, R.M. Bk.330, Pg.6 (6–11–2004)

Sacramento, CA, 2004-2005 - 067-044, Sheet: 1 of 1



067-044

1" = 100'

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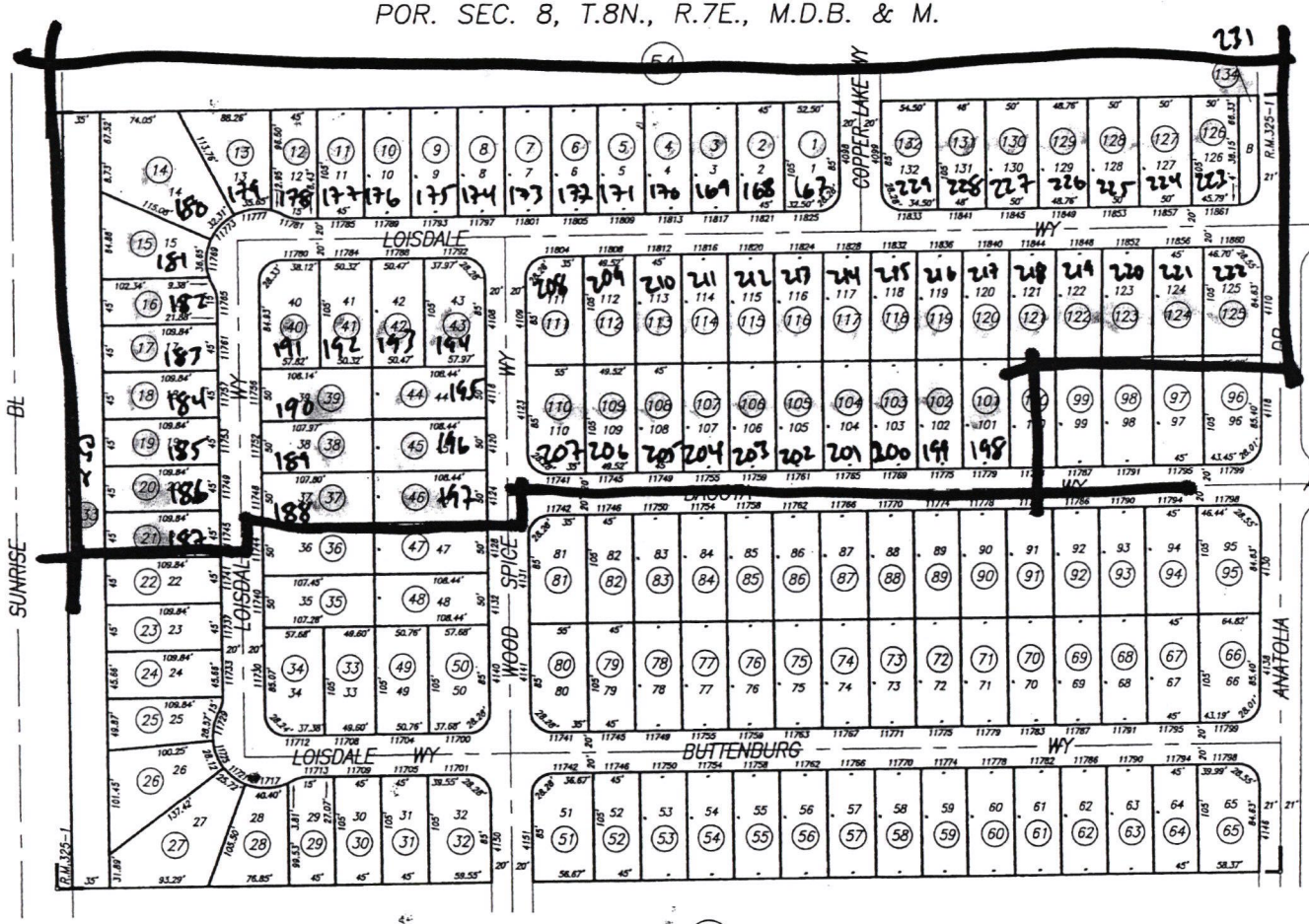
County of Sacramento, Calif.

Anatolia I Village 1, R.M. Bk.324 Pg.7 (1-22-2004)

Sacramento, CA, 2004-2005 - 067-055, Sheet: 1 of 1

POR. SEC. 8, T.8N., R.7E., M.D.B. & M.

067–055



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Anatolia I Village 7, R.M. Bk.325, Pg.1 (1–26–2004)

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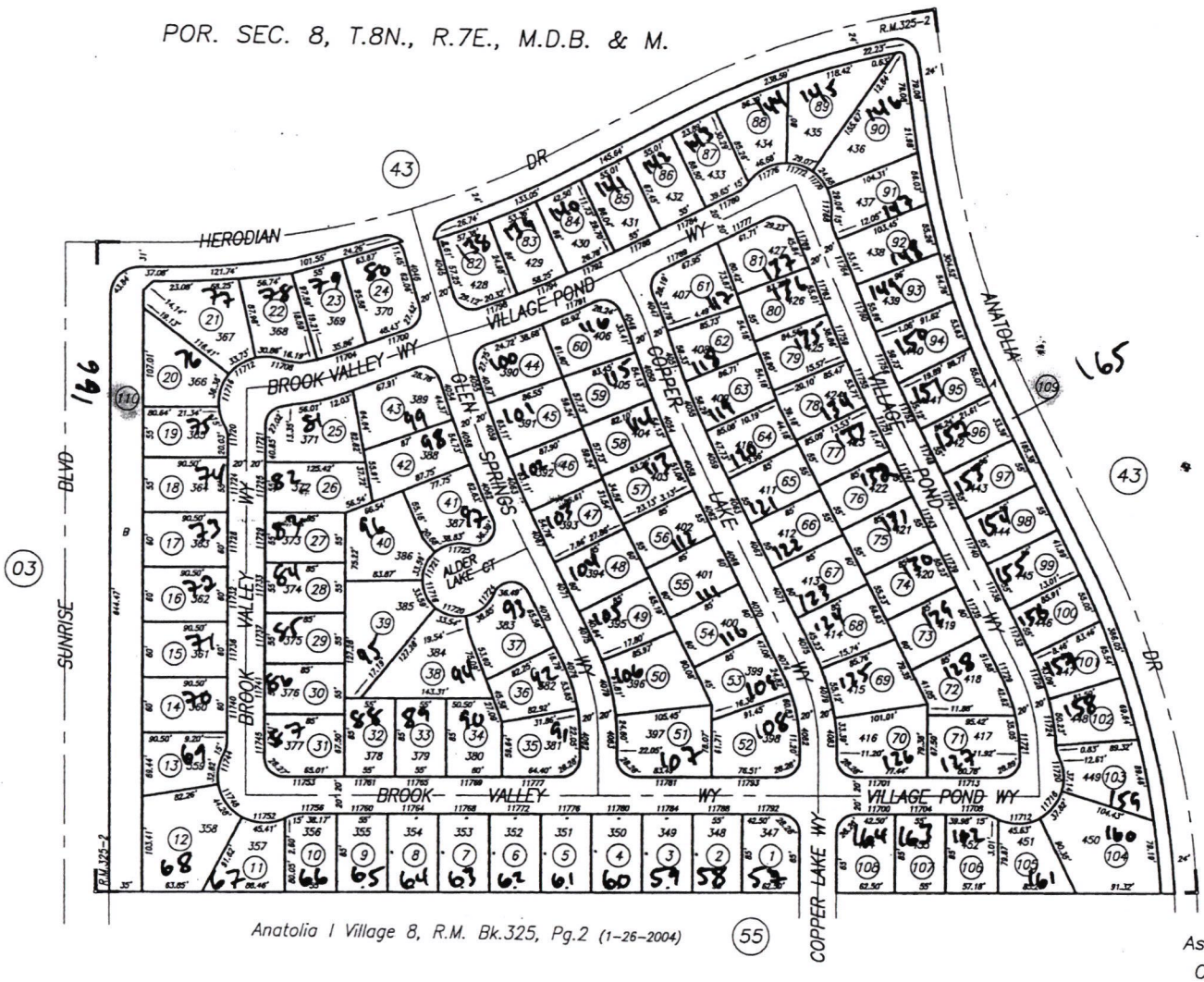
County of Sacramento, Calif.

Sacramento, CA, 2004-2005 - 067-054, Sheet: 1 of 1

POR. SEC. 8, T.8N., R.7E., M.D.B. & M.



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All

1" = 100'

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Anatolia I Village 8, R.M. Bk.325, Pg.2 (1-26-2004)

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Mather Redevelopment Project 06-222

1. 067-0430-001-0000
Akt & Markos Kounalakis
7700 College Town Dr Ste 101
Sacramento Ca 95826

2. 067-0030-002-0000
Cordova Recreation & Park District
Rancho Cordova Ca 95670

3. 067-0030-035-0000
United States Of America
Douglas Rd
Mather Ca 95655

4. 067-0030-036-0000
United States Of America
Sunrise Bl
Mather Ca 95655

5. 067-0030-038-0000
Donahue Schriber
555 Capitol Mall Fl 9th
Sacramento Ca 95814

6. 067-0030-039-0000
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Roseville Ca 95661

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Sacramento Ca 95826

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Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Adam U. Lindgren, City Attorney
Joe Chapman, Deputy City Attorney

SUBJECT: **URGENCY ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF NEW RECYCLING BUSINESSES, CHECK CASHING BUSINESSES, PAWN SHOPS, RESALE SHOPS, SMOKE SHOPS, AND TATTOO PARLORS PENDING THE REVIEW AND POSSIBLE AMENDMENT OF ZONING REGULATIONS APPLICABLE TO SUCH BUSINESSES, TO BECOME EFFECTIVE IMMEDIATELY.**

RECOMMENDATION

Approve Ordinance No. 01-2007, establishing a temporary moratorium on the establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, and tattoo parlors.

RESULT OF RECOMMENDED ACTION

Adoption of this Ordinance will establish a 45-day temporary moratorium on the establishment or expansion of recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, and tattoo parlors. This moratorium is needed in order to conduct a study on how to best address the current imminent threats to public safety, health, and welfare resulting from these types of businesses.

BACKGROUND

Upon incorporation, the City adopted many provisions of the Sacramento County Code and all Titles of the Sacramento County Zoning Code. An inherent problem in adopting County regulations drafted to serve the needs of the County is that some or all of those regulations are inadequate to meet the particular needs of the City and need to be amended. The City has recently gone a long way in resolving this problem by adopting the City's own General Plan on June 26, 2006, pursuant to Resolution 117-2006. The City must now take the next step and adopt its own Zoning Code.

The City has established thirteen goals, including "Ensure a safe community," "Sustain a livable community," "Foster a positive image of Rancho Cordova," "Establish a vibrant downtown," and "Foster responsible citizenship." The goals reflect the values, aspirations and commitments of the Council and staff for the City. To help achieve the goals, in January, Mayor Sander announced the "Strong Neighborhoods Program"

aimed at improving the quality of life in existing areas of the City. It has become clear to City staff that the City's current regulations of a variety of uses do not support the City's goals and programs. Recycling, check cashing, pawn shops, resale shops, smoke shops, and tattoo parlors all are currently subject to regulations that need to be updated because, the current laws regarding these uses actually results in a variety of harmful impacts on the community.

Establishment of Moratorium

Pursuant to Government Code Section 65858, the City may establish a moratorium prohibiting any uses that may be in conflict with a contemplated zoning proposal that the legislative body or the planning department is considering or studying or intends to study within a reasonable time. The City may adopt a moratorium on an urgency basis provided that the City finds that there exists a threat to the public health, safety and welfare.

Recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, and tattoo parlors as presently regulated pose a risk to the public health, safety and welfare. Staff has repeatedly received complaints from concerned residents regarding these businesses. These businesses have resulted in harmful effects on the community, including but lot limited to drinking in public, loitering, drug sales, prostitution, burglaries and robberies, littering, attraction of vagrants, aesthetically unappealing premises, lowering of surrounding property values, increase of public nuisances and an increase of other criminal activity.

Staff Recommendation

In order to ensure that the City's zoning provisions are adequate and that recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, and tattoo parlors will be located and regulated in a manner that protects the public and satisfies the policies, goals and objectives of the new General Plan, staff recommends that the Council direct the Planning Department to review the current zoning provisions and consider whether they are adequate to meet the needs of the City or should be amended in light of the new General Plan.

Additionally, to ensure that future businesses of these types are located properly so as to protect the public, health, safety and welfare, staff recommends that the Council place a moratorium on the approval or issuance of use permits, variances, building permits, or any other applicable entitlement for use, including but not limited to the issuance of business licenses, for the operation of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, and tattoo parlors. This moratorium would not apply to the renewal of a business license for an existing business of these types in the City provided that the renewal seeks to maintain the business in its current location.

Pursuant to Government Code Section 65858, the City may establish an initial 45-day moratorium prohibiting any uses that may be in conflict with a contemplated zoning proposal that the legislative body or the planning department is considering or studying or intends to study within a reasonable time. Adoption of a moratorium requires at least a four-fifths vote of the Council.

Moratoriums may be extended for up to 22 additional months provided that a current and immediate threat to the public safety, health and welfare still exists. However, it is Staff's opinion that the review and possible adoption of new zoning regulations can occur within the next 90-120 days and Staff would endeavor to meet that timeframe.

REQUESTED MOTION

"I move that the City Council: 1. Adopt Urgency Ordinance No. 01-2007 making findings and establishing a moratorium on the establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, and tattoo parlors pending the review and possible amendment of zoning regulations applicable to these types of businesses; and 2. Direct the Planning Department to review the current zoning provisions and consider whether they are adequate to meet the needs of the City or should be amended in light of the new General Plan."

ATTACHMENT

Ordinance No. 01-2007, establishing a temporary moratorium on the establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, and tattoo parlors.

CITY OF RANCHO CORDOVA

ORDINANCE NO. 01-2007

AN URGENCY ORDINANCE OF THE CITY OF RANCHO CORDOVA ESTABLISHING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF NEW RECYCLING BUSINESSES, CHECK CASHING BUSINESSES, PAWN SHOPS, RESALE SHOPS, SMOKE SHOPS, AND TATTOO PARLORS PENDING THE REVIEW AND POSSIBLE AMENDMENT OF ZONING REGULATIONS APPLICABLE TO SUCH BUSINESSES, TO BECOME EFFECTIVE IMMEDIATELY

RECITALS

WHEREAS, the City of Rancho Cordova ("City") was incorporated on July 1, 2003; and

WHEREAS, in adopting laws and regulations during the first year of incorporation, the City has relied heavily upon the laws and regulations adopted by the County of Sacramento, which were applicable to the area of the City prior to incorporation; and

WHEREAS, pursuant to Ordinance No. 20-2003 and Ordinance No. 21-2003, the City adopted by reference certain provisions of the Sacramento County Code and all Titles of the Sacramento County Zoning Code; and

WHEREAS, the Rancho Cordova City Council ("City Council") finds that one problem inherent in adopting County regulations drafted to serve the needs of the County is that some or all of those adopted regulations may prove to be inadequate to meet the needs of the City and may need to be amended in order to better reflect and serve the needs of the City; and

WHEREAS, the transition of Rancho Cordova from unincorporated area of the County to incorporated City dictates that the City Council address its regulation of recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, tattoo parlors, or businesses offering related services so as to ensure that following said transition, the City's zoning regulations become effective in minimizing the cumulative impacts and harmful effects of such businesses within the City; and

WHEREAS, the City recognizes and intends to follow all state regulations regarding the location of recycling centers; and

WHEREAS, the current Zoning Code contains no protection against the harmful effects on City residents resulting from the above mentioned businesses; and

WHEREAS, on June 26, 2006, the City Council adopted Resolution 117-2006 approving and establishing a new General Plan. The General Plan sets forth the long-term planning goals and policies of the City, establishes a future vision for the City, and sets forth the ground rules that guide development within the City; and

WHEREAS, the City is now, and will be in the future, taking steps to update its zoning laws in order to ensure that the City's zoning laws are consistent with the goals, policies and standards set forth in the new General Plan; and

WHEREAS, currently Title II, Chapter 25, Article 2, titled, "Commercial Use Tables," and Chapter 30, Article 2, "Industrial Use Table," of the City's current zoning regulations, which were adopted by reference by the City of Rancho Cordova from the County of Sacramento, Recycling Centers are allowed in Industrial Office Park Zones (M-1 and M-2 zones), Shopping Center Zones, Limited Commercial Zones, General Commercial Zones, Auto Commercial Zones, and Highway Travel Commercial Zones. Chapter 25 allows recycling collection points in the same zones as Recycling Centers, and in addition allows recycling collection points in Business and Professional Office Zones and Commercial Recreation Zones conditionally allows Recycling Centers, subject to a Conditional Use Permit; and

WHEREAS, pursuant to Title II, Chapter 25, Article 2 allows Pawn Shops in the Limited Commercial Zones and General Commercial Zones; and allows Tattoo Parlors in General Commercial Zones and Limited Commercial Zones conditionally allows tattoo parlors, subject to the issuance of a Conditional Use Permit; and

WHEREAS, check cashing businesses, resale shops, and smoke shops are not specifically addressed under current City zoning regulations.

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

Section 1. Recitals adopted

The foregoing recitals are true and correct and made a part of this ordinance.

Section 2. Moratorium

The moratorium established by Urgency Ordinance 01-2007 is for 45 days

A. Scope.

No application for the approval of licenses or permits for the establishment, expansion, or relocation of recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, tattoo parlors, or businesses offering related services shall be approved during the moratorium period. This moratorium shall not apply to the renewal of a business license for existing businesses of these types in the City provided the renewal seeks to maintain the business in its existing location.

B. Applicability.

This Ordinance shall apply to all applications for the establishment, relocation, issuance of businesses licenses, and issuance of building permits of new and for the expansion of the following types of businesses:

1. Recycling Business (minor): For the purpose of this Ordinance, recycling businesses shall mean any businesses whose primary purpose is to purchase empty aluminum beverage containers, bimetal beverage containers, glass beverage containers, plastic beverage containers, or any other beverage containers, including any one or more of those beverage containers, which have a refund value, established pursuant to Division 12.1 of the Public Resources Code.

2. Check Cashing Businesses: For purposes of this Ordinance, Check Cashing Businesses shall mean any establishment whose primary purpose is to provide check cashing services.

3. Pawn Shops: As specified in City Code Section 4.30010, Pawn Shop shall mean any room, store, building or other place in which the business of pawnbrokering, or the business of lending money upon person property, pawns or pledges; or the business of purchasing articles from vendors or their assignees at prices agreed upon at or before the time of such purchase, is engaged in, carried on or conducted.

4. Resale Shops: Also known as "Second Hand Stores" are defined for purposes of this Ordinance, as those establishments whose primary purpose is to receive and sort clothing and/or consumer products for resale, or to resale clothing and/or consumer products, including but limited to, "Thrift Stores," "Salvation Army" stores, "Good Will" stores, and consignment stores.

5. Smoke Shops: Also known as "head shops" or "smoking paraphernalia establishments" are defined as those establishments that either: (1) devote more than fifteen percent (15%) of their total floor space to smoking or tobacco paraphernalia, or (2) devote more than a two foot by four-foot (two feet in depth maximum) section of shelf space for display for sale and sale of smoking or tobacco paraphernalia.

6. Tattoo Parlors: For purposes of this Ordinance, a tattoo parlor shall mean any establishment that engages in the business of tattooing and/or branding human beings.

C. Findings.

This Ordinance is declared to be an urgency Ordinance as defined under California Government Code section 65858. This Ordinance is deemed necessary for the following reasons:

1. The purpose of this Ordinance is to protect the public safety, health and welfare from the current and immediate threats posed by the issuance of licenses and permits for the operation of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, tattoo parlors, or businesses offering related services.

2. The City Council finds that these uses as currently regulated are not specifically prohibited or regulated in areas adjacent to schools, public parks, public libraries or designated redevelopment areas in the City. Thus, as applications for business licenses are submitted to the City, there is no determination as to whether such potential uses are consistent with the purpose and intent of the City's Zoning Code and General Plan.

3. The City Council finds that, in general, these types of businesses, as presently regulated, have resulted in serious harmful effects, including but not limited to drinking in public, loitering, drug sales, prostitution, burglaries and robberies, littering, attraction of vagrants, aesthetically unappealing premises, lowering of surrounding property values, increase of public nuisances, and an increase of other criminal activity.

4. The City Council finds that recycling businesses pose a threat to the public health, safety, and welfare because they attract vagrants, provide a source of revenue and a location for conducting the purchase of drugs and the solicitation of prostitution, attract public nuisances such as littering and the abandonment of shopping carts around the businesses, attract the consumption of alcoholic beverages in public and loitering, decreas surrounding property values, create undesirable foul odors that can be smelled by the surrounding establishments and residential units, and increase the possibility of robberies and burglaries due to the cash oriented operations and low security of recycling businesses.

5. The City Council finds that check cashing establishments in other cities result in many negative impacts as those caused by recycling businesses because they provide a source of cash by the cashing of checks or issuing of small loans that are sometimes used to buy illegal drugs, alcohol, or illegal services.

6. The City Council finds that pawn shops also result in similar negative impacts as those caused by recycling businesses and check cashing businesses. Pawn shops additionally create the incentives for burglaries and robberies by offering a market for stolen merchandise.

7. The City Council finds that smoke shops promote the illegal consumption and purchase of illegal drugs by children and minors by increasing their exposure to tobacco paraphernalia that may be used for other drugs, contribute to high concentrations of illegal drug-related uses in certain neighborhoods, and adversely affect the City's economic vitality.

8. The City Council finds that the operating of resale shops in the City often result in after hours illegal dumping outside of these businesses, mostly of items that are not in resale condition, and invites scavengers to go through the illegally dumped items.

9. The City Council concludes that tattoo parlors, and the rest of the identified uses in this ordinance pose current immediate threats to the public welfare by creating aesthetically unappealing premises, lowering of surrounding property values, decreasing the City's economic vitality, and resulting in a conflict with General Plan goals and objectives.

10. The City has received several complaints from residents regarding the above mentioned harmful effects associated with these types of establishments, and there is an expectation that additional inquiries and complaints will occur in the future.

11. The City has concluded that the best method of protecting the public safety, health, and welfare is to adopt regulations concerning the operation of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, tattoo parlors, or businesses offering related services.

12. The City finds that absent the adoption of this urgency ordinance, the existence of such harmful conditions could cause the City to approve the establishment of one of the above mentioned type of businesses, which in turn would result in an increase in the identified harmful effects.

13. The City Council finds that it is necessary to ensure that these types of businesses are properly located within the City, both to protect the public health, safety and welfare, and to ensure that these businesses are located in a manner that is consistent with the standards, goals and policies of the City's new General Plan; and

14. The City Council finds that it is necessary and desirable to have the Planning Department review and consider the possible adoption of new zoning standards regulating these types of businesses in the City in order to ensure the protection of the public health, safety and welfare, and to ensure that the locations for these types of businesses are established in a manner that is consistent with the standards, goals and policies of the City's General Plan.

15. The City Council recognizes and intends to abide by all applicable state regulations regarding the location of recycling centers to better serve its residents. The City intends to work with the Department of Conservation, Division of Recycling to create proper regulations and conditions regarding recycling businesses.

16. On the basis of the foregoing findings, the City Council finds that issuing entitlements for the establishment of new, or the expansion or relocating of existing, recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, tattoo parlors, or businesses offering related services prior to the completion of the Planning Department's review poses a current and immediate threat to the public health, safety and welfare and, in accordance with California Government Code section 65858, which justifies the adoption of an urgency ordinance establishing a moratorium on the approval and issuance of business licenses and other entitlements for these types of businesses in the City.

Section 3. Compliance with California Environmental Quality Act

The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly; it prevents changes in the environment pending the completion of the contemplated Zoning Code review.

Section 4. Severability

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 5. Effective Date

Within fifteen (15) days after adoption, this Ordinance shall be published once in the Grapevine Independent, or the Sacramento Bee, 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 16hth day of January, 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
David M. Sander, Mayor

ATTEST:

_____
Anna Olea-Moger, CMC, City Clerk

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

FROM: Jeffrey S. Beiswenger, AICP, Senior Planner JSB

SUBJECT: **SMART GROWTH LEADERSHIP INSTITUTE PRESENTATION**

RECOMMENDATION

Consider the results of the smart growth audit and provide direction to city staff regarding the implementation of smart growth concepts into existing and subsequent planning efforts. William Fulton and Benjamin dela Peña of the Smart Growth Leadership Institute will present the results of a smart growth policy and code audit completed of the Rancho Cordova General Plan, Rio del Oro Specific Plan and Folsom Boulevard Specific Plan.

RESULT OF RECOMMENDED ACTION

Based on Council direction staff will finalize the Smart Growth policy and code audit document and continue to implement smart growth principles in existing and future specific plan documents, the Rancho Cordova zoning code and implement City documents related to the built environment.

BACKGROUND

The City of Rancho Cordova was selected by the Smart Growth Leadership Institute (SGLI) to participate in a project called, "Making Smart Growth Work: Streamlining Development and Regulatory Reform." Bill Fulton was assigned to work with City staff on an audit of policy and code documents to help measure the effectiveness of smart growth implementation.

The purpose of the audit is to evaluate the ability of Rancho Cordova policy and implementation documents to apply smart growth principles. When applied in a comprehensive fashion, these principles can lead to a more livable community, focused on compact, human-scale, mixed-use development. Smart growth is intended to create vibrant places for people to interact with the built environment and encourage multiple transportation options with facilities for automobiles, transit, bicycles and pedestrians. This is contrary to the established pattern of low-density development, auto-oriented design, homogenous land use patterns, streets designed primarily to accommodate vehicle speed and volume, and deficient facilities for other transportation modes (walking, bicycling and using transit).

AGENDA ITEM #23

The General Plan is built around the implementation of ten smart growth principles (slightly different from the SGLI Smart Growth Principles). The audit assesses the ability of the General Plan to implement these principles and look at ways to develop effective implementation strategies. In addition to the General Plan, the audit also takes a close look at the draft Folsom Boulevard Specific Plan and draft Rio del Oro Specific Plan to assess the ability of these documents to help implement the General Plan's smart growth policy framework.

About SGLI

The smart growth audit is a tool developed by the Smart Growth Leadership Institute (SGLI) and part of a program funded by the U.S. Environmental Protection Agency. SGLI selected Rancho Cordova as part of its smart growth self-assessment program since the City is newly incorporated, has expressed an interest in implementing smart growth and transforming the existing sprawl pattern of development. The City has been asked by SGLI to use the policy and code audit tools to evaluate the new General Plan, implementation strategies and documents.

The work done by Rancho Cordova will help SGLI shape a National Smart Growth Implementation Kit. Bill Fulton, a well known university lecturer, consultant and author of Guide to California Planning has been assigned by SGLI to work with the City on the audit. SGLI has provided two audit tools to the City:

1. Smart Growth Policy Audit. The General Plan has been evaluated and implementation strategies that will best implement smart growth principles have been identified. Rancho Cordova is in a unique position since it has several implementation documents now in process (e.g. specific plan documents, parks and open space performance standards, streetscape standards). The policy audit helps identify more effective implementation strategies for these documents.

2. Smart Growth Code Audit. This tool has been used to evaluate Specific Plan documents now being written, specifically the Folsom Boulevard Specific Plan and the Rio del Oro Specific Plan. The evaluation of these documents will have a secondary benefit of helping to identify effective code provisions that can be incorporated into a future zoning code document. The City hopes to replace the current zoning code that it adopted from Sacramento County, within the next year.

NEXT STEPS

Over the next month, City staff will continue to work with the SGLI to complete the Rancho Cordova, Smart Growth Policy and Code Audit documents. As part of this work, staff will develop a detailed set of recommendations for smart growth implementation that will help guide the development of existing and future implementation documents, including specific plans, the zoning code, public improvements and other documents related to the built environment of the City.

ATTACHMENTS

1. Smart Growth Leadership Institute award letter
2. Rancho Cordova, Smart Growth Audit, Draft Document

SMART GROWTH
LEADERSHIP INSTITUTE
A project of Smart Growth America

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December 16, 2005

Mr. Jeffrey Beiswenger, AICP
Senior Planner, Planning Department
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova CA 95670

Dear Jeffrey,

I am pleased to announce that the Smart Growth Leadership Institute team has selected your community, the City of Rancho Cordova, to receive Technical Assistance from the Institute in 2006 as a part of a project called, "***Making Smart Growth Work: Streamlining Development and Regulatory Reform***."

The Smart Growth Leadership Institute, a project of Smart Growth America, was created by former Maryland Governor Parris N. Glendening to help state and local elected, civic and business leaders design and implement effective smart growth strategies. "***Making Smart Growth Work***" is a four-year project, funded by the U.S. Environmental Protection Agency, that seeks to identify and eliminate the regulatory barriers that prevent towns and cities from building walkable, livable, and sustainable, communities. The program provides communities with the expertise they need (in policy, planning, development and design) to gauge whether their current policy and regulatory frameworks, their approval or review processes or design standards encourage and support smart growth.

The program helps to identify problematic policies; reconcile codes and regulations; manage changes in development practice; and, build the community support needed to encourage smart growth and create better communities for the future. Your community's selection and participation in this program will help us to shape a National Smart Growth Implementation Kit.

As with previous years, the communities who applied were all very deserving but limited budgets and logistics prevented us from working with more than a set number. Apart from the City of Rancho Cordova, we have also selected to work with the following communities in 2006:

Self-Assessment (Policy and Code Audit) Communities:

- **Denver, Colorado**
- **Traverse City and Grand Traverse County, Michigan**

Strategic Assessment and Smart Growth Scorecard Communities:

- **Columbia, Missouri**
- **Newton County, Georgia**
- **City of Central, Louisiana**

As one of our self-assessment communities, we will provide you with the latest draft of our Policy and Code and Zoning Tools as well as a set of instructions to help you understand the audit process and the use of the tools to review your community's ordinances and regulations.

The Team Leader assigned to your project will contact you soon to discuss the scope of the Technical Assistance we will be extending to your community and to explain the Self-Assessment process.

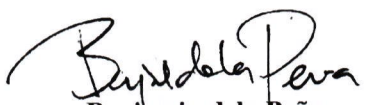
Our Team Leader will also work with you to draft the Statement of Work (SOW) that will outline the services SGLI will provide and the elements of the final report your community will receive from our program.

Bill Fulton will lead the SGLI Team assigned to the City of Rancho Cordova.

We will also soon send you a press release that you may use to announce your inclusion in SGLI's national program.

Again, on behalf of our entire team, congratulations! We look forward to working with you and your community. Please feel free to contact me should you have any questions or clarifications.

Sincerely yours,



Benjamin dela Peña
Associate Director for Implementation
Smart Growth Leadership Institute

Further Note:

The Smart Growth Leadership Institute is a non-profit organization and our Technical Assistance program is funded largely by a limited grant from the federal government. We extend the Technical Assistance as a free service to our project communities but we are constantly looking for ways to stretch our funding so we may provide more services to even more communities. We will be asking your community to extend matching funds for the Technical Assistance (Bill Fulton will discuss this further with you). The amount a community extends is variable and is decided upon by our client communities based on each their own resources. The matching funds we receive help to defray our expenses and allow us to extend our services to other communities.

About Bill Fulton

Bill Fulton holds a Master of Arts degree in Journalism/Public Affairs and in Urban Planning. He has extensive experience both as a university lecturer, teaching classes at USC, the University of California-Santa Barbara, California Polytechnic Institute-Pomona, and the University of California -Davis Extension. He has also serves as a land use and urban policy consultant to a wide variety of government agencies, think tanks, universities, and private clients through Solimar Research Group, which he founded.

Bill is author of Guide to California Planning, The Regional City, The Reluctant Metropolis, and is founder, editor, and publisher of California Planning and Development Report, a widely read and highly respected monthly newsletter.

Rancho Cordova, Smart Growth Audit

General Plan, Folsom Boulevard Specific Plan, and Rio del Oro Specific Plan

Draft January 16, 2007

DRAFT

Project Team

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Alexandra Miller, Management Assistant

Smart Growth Leadership Institute
William Fulton
Benjamin dela Peña

SMART GROWTH
LEADERSHIP INSTITUTE
A project of Smart Growth America

CITY OF RANCHO CORDOVA
CALIFORNIA
Incorporated 2003

Executive Summary

The purpose of this audit is to evaluate the ability of Rancho Cordova policy and implementation documents to apply smart growth principles. When applied in a comprehensive fashion, these principles can lead to a more livable community, focused on compact, human-scale, mixed-use development. Smart growth is intended to create vibrant places for people to interact with the built environment and encourage multiple transportation options with facilities for automobiles, transit, bicycles and pedestrians. This is contrary to the established pattern of low-density development, auto-oriented design, homogenous land use patterns, streets designed primarily to accommodate vehicle speed and volume, and deficient facilities for other transportation modes (walking, bicycling and using transit).

The City of Rancho Cordova incorporated in 2003 and adopted its first General Plan in June 2006. The General Plan is built around the implementation of ten smart growth principles. The audit assesses the ability of the General Plan to implement these principles and look at ways to develop effective implementation strategies. In addition to the General Plan, the audit also takes a close look at the draft Folsom Boulevard Specific Plan and draft Rio del Oro Specific Plan to assess the ability of these documents to help implement the General Plan's smart growth policy framework.

About SGLI

The smart growth audit is a tool developed by the Smart Growth Leadership Institute (SGLI) and part of a program funded by the U.S. Environmental Protection Agency. SGLI selected Rancho Cordova as part of its smart growth self-assessment program since the City is newly incorporated, has expressed an interest in implementing smart growth and transforming the existing sprawl pattern of development. The City has been asked by SGLI to use the policy and code audit tools to evaluate the new General Plan, implementation strategies and documents.

The work done by Rancho Cordova will help SGLI shape a National Smart Growth Implementation Kit. Bill Fulton, well known university lecturer, consultant and author of Guide to California Planning has been assigned by SGLI to work with the City on the audit. SGLI has provided two audit tools to the City:

1. Smart Growth Policy Audit. The General Plan has been evaluated and implementation strategies that will best implement smart growth principles have been identified. Rancho Cordova is in a unique position since it has several implementation documents now in process (e.g. specific plan documents, parks and open space performance standards, streetscape standards). The policy audit helps identify more effective implementation strategies for these documents.

2. Smart Growth Code Audit. This tool has been used to evaluate Specific Plan documents now being written, specifically the Folsom Boulevard Specific Plan (FBSP) and the Rio del Oro Specific Plan (ROSP). The evaluation of these documents will have a secondary benefit of helping to identify effective code provisions that can be incorporated into a

future zoning code document. The City hopes to replace the current zoning code that it adopted from Sacramento County, within the next two years.

Rancho Cordova, General Plan - Policy Audit Summary

The General Plan is built around smart growth: balanced land use, transportation choices, housing choices, integrated (mixed) land uses, compact urban development, walkable neighborhoods, preservation/integration of natural resources, quality design/sense of place, regeneration/infill. The General Plan also supports the concept of community "building blocks" establishing a pattern of neighborhoods, villages, and districts tied together with a system of roadways, open space, parks, regional trails and natural resources and focused around centers of activity. Overall, the General Plan performs well in the Smart Growth audit as follows:

- Clearly identifies the Smart Growth principles and proposes implementation throughout the document.
- Promotes the concept of community building blocks supporting interconnected neighborhoods, mix of land uses, integration of natural resources and an open space network.
- Establishes a variety of mixed use districts and integrate employment, residential and commercial land uses.
- Support a more effective use of transit, including transit oriented development around the Folsom Boulevard light rail stations.

The audit reveals some areas where the General Plan could be improved to more effectively implement Smart Growth Principles:

- Additional tools could be provided for the implementation of transit oriented development. General policies are provided and light rail stations are identified, but specific strategies to encourage TOD are not provided.
- Affordable housing could be addressed in more detail. Tools and strategies to encourage affordable housing are largely missing from the General Plan.

A useful tool to implement the General Plan is the Specific Plan. The Specific Plan is a common planning tool used in California for the systematic implementation of the General Plan and can effectively establish a link between implementing policies and development proposals in defined areas. Two very different Specific Plan documents were audited:

1. The Folsom Boulevard Specific Plan (FBSP) is a land use plan intended to help create redevelopment and infill opportunities along the city's primary commercial corridor.

2. The Rio del Oro Specific Plan (RDOSP) is a land use regulatory document that guides future development in a 3,828 acre "greenfield" area.

This audit provides some useful insights into the effectiveness of the Specific Plan and related documents toward the implementation of the General Plan's smart growth principles. The audit

is particularly useful since it covers a broad spectrum of implementation techniques for a redevelopment area (FBSP) and a new city expansion area or greenfield area (RDOSP).

Folsom Boulevard Specific Plan (FBSP) – Code Audit Summary

The FBSP is a land use plan for a mostly built-out area along the city's primary commercial corridor. This corridor serves as the primary east-west highway for the Sacramento region prior to the construction of Highway 50. The corridor has significant potential since it has a preponderance of underutilized land, multiple light-rail transit stops, easy access to a major freeway, and proximity to a major employment center. The FBSP is part of an overall City strategy to reinvent the Folsom Boulevard corridor from an existing and well entrenched pattern of low density strip shopping malls, fragmented land use pattern, some dilapidated buildings and a transportation system that accommodates the automobile at the expense of other modes.

The document is primarily a "carrot" approach. Existing uses are allowed to continue indefinitely, but new options are provided when a property redevelops. The document introduces a number of new mixed-use districts. More residential use is called for along the corridor. The document introduces the concept of "pulse-points" that encourage development to concentrate around light rail stations, primary intersection and other focal areas.

Rio del Oro Specific Plan (RDOSP) – Code Audit Summary

The RDOSP implements many of the smart growth principles introduced in the General Plan. Strengths of the document include requirements for connectivity, provisions for pedestrian and bicycle access, and planned transit lanes on arterials.

Land use districts in RDOSP call for a fairly low density of development which may not be high enough to support transit. Parking space requirements are very high – comparable to current zoning code, which is in part responsible for the low density development pattern of the existing community. No specific provisions are provided for mixed-use or live-work areas. In many respects the RDOSP looks like it will result in high quality suburban development pattern, but may lack certain characteristics that could result in a more vibrant urban form. Tighter standards on neighborhood design, effective street standards, solid guidelines for mixed-use districts to allow a combination of commercial and residential uses, and specific provisions and incentives for transit-oriented development would strengthen the plan.

Baseline Development Patterns

The City recently adopted a slogan, "City Life Reinvented" – signifying a desire to create a more vibrant, interesting and urban community. The City of Rancho Cordova incorporated in 2003 in part to establish local control over land use decisions. The General Plan signifies a new direction for the community of Rancho Cordova. The existing pattern of development along Folsom Boulevard and in new development areas should be considered a baseline from which the City hopes to improve on. The city hopes to recognize the strengths and weaknesses of this baseline and make incremental improvements towards a "smarter" development pattern.

Existing Folsom Boulevard

Before the construction of Highway 50, Folsom Boulevard was the main east-west route in the Sacramento region. Folsom Boulevard is now the place most associated with Rancho Cordova and the gateway to many of its neighborhoods. The boulevard is a long eleven mile linear corridor featuring nine light rail stops (in the Rancho Cordova sphere of influence). About half of Folsom Boulevard, 4.5 miles is currently in the City, with a potential to incorporate more land in the future. Four light rail stops are in Rancho Cordova and a future stop is proposed just north of the City's Westborough planning area.

The Folsom Boulevard corridor is an entrenched pattern of low density strip shopping malls, fragmented land use pattern, some dilapidated buildings and transportation system that accommodate the automobile at the expense of other modes. The corridor has followed the development pattern typical of many suburban communities developed during the post World War II period. As currently designed Folsom Boulevard fails to take full advantage of its positive attributes and has the following characteristics that run counter to Smart Growth principles:

- Development along the corridor is designed to primarily accommodate the automobile. Located at the core of the community many residents walk, bike and use transit along the corridor, but the automobile is accommodated at the expense of these modes.

- Land uses are highly segregated isolating different land use from one another and isolating single family neighborhoods from higher density housing, commercial, and business park development. The corridor has not had the zoning to allow mixed use development.

- Despite the location of multiple transit stops, the transportation system is designed primarily for the automobile with wide streets, narrow or missing bike lanes, and missing or narrow sidewalks. Walking, riding a bike or using transit can be an uncomfortable experience.

- Commercial development follows the typical linear "strip-commercial" pattern with low density shopping centers with large fields of parking, limited landscaping and limited connections to adjacent neighborhoods.

- Light rail stations are under utilized and typically isolated from neighboring commercial buildings by parking lots, busy and difficult to cross streets, walls and fences.

The City's vision is to change Folsom Boulevard into the centerpiece of Downtown Rancho Cordova with a more urban landscape, multi-story buildings, sidewalk cafes and public squares. The goal is to make Folsom Boulevard a place where people want to walk and allow pedestrians to take advantage of light rail. FBSP designates "pulse points" or centers of activity at intersections, light rails stops. More housing and office will be accommodated.. The FBSP will encourage a nodal pattern of development focused around "pulse points," which is more supportive of an urban city form than the current liner "strip" development.

Greenfield Development – The SunRidge Pattern

When it incorporated the City inherited a developing area four miles south of the established Rancho Cordova community called SunRidge. This area is a fairly typical modern California suburban development with large high quality single family homes on small lots. This area also provides an excellent example of what the development pattern would likely look like without regulatory intervention to implement smart growth principles. Rio del Oro lies just north of SunRidge and the regulatory framework developed for this area is intended to implement smart growth principles. The SunRidge Plan does incorporate some positive elements:

- Provides a framework for national home-builder to construct high quality, large single family homes on compact lots that are desired by the marketplace.

- Organizes subdivisions around the neighborhood unit principle with the intent of maintaining a reasonable walking distance between homes, schools, park and local retail establishments.

- Distributes school, park and commercial sites in a nodal pattern to avoid commercial strip development.

- Provides a modified grid street system to provide a network of arterials, collector and local roads.

More recent developments in this area have improved the level of site design through the implementation of the Rancho Cordova Design Guidelines. The guidelines have helped:

- Incorporate a more highly developed open space network to provide a regional trail system for pedestrians and bicycles.

- Improve site design of residential and commercial properties, with pedestrian connections, more appropriately located buildings and improved interface with public streets.

The SunRidge area falls short of smart growth principles, by:

- Facilitating a monotonous pattern of fairly low density single family development. The density is low (mostly five dwelling units per acre) and not high enough to support transit, significant commercial development or mixed-use development.

- Creating a highly fragmented development pattern with disconnected neighborhoods (e.g. high sound walls separate neighborhoods from one another, streets don't connect to adjacent neighborhoods, etc.).

- A connected street grid is not provided. A key to creating walkable neighborhoods is to provide short blocks and a grid of connected streets that: unite neighborhoods; allow kids to walk safely to school and parks; and accommodate shorter local pedestrian, bicycle and vehicular trips.

- Almost complete lack of moderate density or high density housing. Over 95% of the land area designated for residential development is composed of a fairly low homogenous density of five dwelling units with small pockets of development at ten dwelling units per acre. Most of land originally designated for higher density residential development (20 dwelling units per acre) has been used for other purposes (a water tower, a fire station, wetland mitigation).

- The SunRidge area establishes the fundamental pattern of a disconnected, vehicular-oriented, low density development which creates obstacles for creating a "smart growth" community anywhere south of Douglas Road.

While the SunRidge Specific Plan does have some positive elements, as a whole runs contrary to many of the smart growth principles and the City hopes to do a better job with Rio del Oro and subsequent Specific Plan projects.

Rio del Oro – Implementing Smart Growth in Greenfield Development

The Rio del Oro Specific Plan defines policies, land uses and regulations for a 3,828 acres on the east side of Rancho Cordova, south of White Rock Road. This is a greenfield site since it is mostly vacant land and provide the City with a "blank slate" to implement smart growth principles. The policy statements in the Rio del Oro document are supportive of smart growth, as follows:

- Calls for an integrated mixed use community with neighborhood and mixed-use centers that are conveniently located. The specific plan calls for a mixture of adjacent, mostly single use zoning districts that will provide a good proximity of land uses.

- Identifies diversity in housing stock including a wide range in housing types and accommodate a wide range of income groups from executive housing to affordable housing.

- Specifies that the community should be walkable, built to a human scale and tied together with a regional trail system. An open space network provides internal connections, as well as connections to the surrounding community.

- Provides an internal circulation system that allows vehicular trips (and other modes) avoiding the exclusive use of major arterials for short internal trips. The plan identifies a major north-south transit route.

The RDOSP is designed to result in high quality but fairly typical suburban development. The RDOSP may fall short of some smart growth objectives, as follows:

- Land use districts in RDOSP call for a fairly low density of development (residential and commercial) which may not be high enough to support transit. Higher densities along transit corridors and/or focused higher density, mixed-use development at key focal points would make transit more practical.

- Development standards are not necessarily supportive of smart growth, particularly higher density development. For example, off-street parking requirements for commercial (4.5 spaces per 1000 square feet) will result in a fairly low density, suburban-style shopping centers.

- Few provisions are provided for mixed-use, live-work or transit oriented development districts. It appears that the majority of the proposed districts are single use zones. With the exception of the Village Commercial district (two, 10 acre sites), none of the commercial districts allow residential uses. However, single use commercial zones are dispersed throughout the Specific Plan area, at least allowing the opportunity for "horizontal mixed use."

Smart Growth Audit, Effectiveness of General Plan and Specific Plans

Is the City of Rancho Cordova poised to become a smart growth community?

The purpose of the following section is to determine whether Rancho Cordova is likely to become a smart growth community and identify addition steps the City should consider to improve future smart growth characteristics. The Smart Growth Leadership Institute (SGLI) has ten smart growth principles:

1. Provide a Variety of Transportation Choices.
2. Mix Land Uses.
3. Create a Range of Housing Opportunities and Choices.
4. Create Walkable Neighborhoods.
5. Encourage Community and Stakeholder Collaboration.
6. Foster Distinctive, Attractive Communities with a Strong Sense of Place.
7. Make Development Decisions Predictable, Fair, and Cost Effective.
8. Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas.
9. Strengthen and Direct Development Towards Existing Communities.
10. Adopt Compact Building Patterns and Efficient Infrastructure Design.

The following section summarizes how each principle is addressed (under the **Smart!** heading) by the General Plan (GP), Folsom Boulevard Specific Plan (FBSP) and Rio Del Oro Specific Plan (RDOSP) and methods to improve the documents (under the **How to Improve** heading).

The Smart Growth Leadership Institute (SGLI) provided the City with a policy audit tool to help assess the General Plan (see Appendix 1); and a code audit tool to help asses the FBSP (see Appendix 2) and RDOSP (see Appendix 3). The audit tool is composed of a series of matrices organized around each smart growth principle, with related methods to achieve smart growth identified by SGLI. City Staff has filled in these matrices based on a thorough review of each document.

Principle 1: Provide a Variety of Transportation Choices

The Rancho Cordova General Plan establishes the policy framework for a variety of transportation options: transit-oriented development (TOD) is promoted; more effective transportation linkages are called for; a pedestrian and bicycle network is mandated and a streetscape oriented to pedestrians is called for. The Folsom Boulevard and Rio del Oro specific plans also support a variety of transportation modes.

1- Smart!

- The GP and FBSP are supportive of transit-oriented development (TOD). The FBSP creates TOD land use categories and the promotes higher density land uses in proximity to transit.
- The GP seeks to improve the jobs-housing ratio by adding high quality housing close to employment areas (e.g. downtown) and along Folsom Boulevard. This is reinforced by the FBSP with the creation of new residential and mixed-use zoning districts along the

corridor. RDOSP also provided a diversity of land for housing and jobs in close proximity.

- The GP calls for the bicycle and pedestrian network to be dramatically improved, including improved connections to public transit systems and a comprehensive network of trails. The FBSP specifies that regional connections to the employment center across Highway 50 to the south should be improved. The RDOSP has an extensive network of regional trails planned and bike lanes are required along all major streets.
- Transit service will be enhanced as called for in the General Plan with upgrades to transit stops along Folsom Boulevard and TOD development. In the RDOSP a future transit lane has been reserved on Rancho Cordova Parkway – the primary north-south roadway through the project.

1- How to Improve

- The GP, FBSP and RDOSP all discuss transit from a policy perspective but a short on strategies for getting it done. Integrate TOD strategies into subsequent planning efforts and provide more details in how TODs can be created.
- Create incentives for denser, mixed use development (e.g. CDGB funds, improvement districts, TOD incentives, reduced fees, etc.)
- The circulation system in RDOSP favors vehicular modes. Strategies should be pursued to de-emphasize the need for cars for every trip, such as mandating: short blocks, pedestrian connections, continuous regional trail connections, continuous street grid, etc.
- Improve intersection design. The intersections in SunRidge are difficult for pedestrians to cross. The intersections in the RDOSP should focus on the pedestrian with median for pedestrian refuge, short crossing distances and other techniques to increase pedestrian safety
- Use lower parking ratios. For example, parking standards in RDOSP are designed to provide mostly off-street parking. For example, the required parking ratio for commercial development is 4.5 spaces per 1,000 feet. Reduce the parking requirement for mixed use projects and where shared parking, on-street parking and transit service is available.
- Amend RDOSP to allow mixed-use zoning districts.
- Provide more aggressive strategies for alternative modes of transportation (higher density requirements, dedication of vehicle lanes for transit use, fees to support transit, etc.).

Principle 2: Mix Land Uses

The GP encourages the mixing of land uses at the building, site, and neighborhood levels through the several of the City's smart growth principles and building blocks concepts of neighborhoods, villages, and districts. The FBSP establishes new mixed use zoning districts, identifies focused mixed-use areas along the boulevard. The RDOSP provides a mixture of land use zones in a mixed-use district concept that follow the General Plan's building blocks concept.

2- Smart!

- The GP is supportive of mixed use, including: the creation eight land use categories that permit mixed-use development; focusing mixed-use development in the urban core

(village and town centers); and giving preference to residential and commercial mixed-use development in underutilized and undeveloped areas.

- Mixed-use districts are created along FBSP as identified by the GP. The RDOSP does not use mixed-use district (except for one small district), but does establish a mixed-use district with a compatible mix of uses adjacent to one another.
- FBSP establishes development standards that are supportive of mixed-use area (e.g. reduced minimum parking requirements, increased building heights, minimum development requirements).
- FPSP create concept plans for "pulse-points" to specify how each area can be effectively developed.

2- How to Improve

- Amend the zoning code and RDOSP to include zones that permit mixed-use development and strengthen incentives for mixed-use development.
- Use form-based standards in the zoning code to encourage mixed-use development that is less focused on single-use districts.
- Add more mixed use districts to the RDOSP. Only two small Village Commercial (VC) district allow mixed-use.
- Require the integration of circulation systems on adjacent properties (vehicular and pedestrian) to create the opportunity for more internal walking trips.
- Integrate TOD strategies into subsequent planning efforts and provide more details in how TODs can be created.
- Use lower parking ratios to encourage mixed-use development. Lots of parking = low intensity development. Reduce the parking requirement for mixed use projects and where shared parking, on-street parking and transit service is available.

Principle 3: Create a Range of Housing Opportunities and Choices

The General Plan supports a broad range of housing opportunities and choices, requiring an adequate supply of housing for all residents, including those groups currently underserved by the City's existing housing stock – empty nesters, executives, seniors, singles, and single-parent households. A primary goal of FBSP is to increase the availability a high quality, higher density housing along the Folsom Boulevard corridor. RDOSP proposes a diverse mix of housing types and densities.

3- Smart!

- The GP's Housing Element seeks to increase homeownership and provide a sufficient supply of affordable housing. The plan promotes live-work units in areas of mixed-use and high density residential development and advocates the development of balanced, sustainable neighborhoods that provide a range of housing prices and rents.
- The FBSP rezones some property from commercial to residential along the corridor to provide redevelopment opportunities for higher density residential development.
- The RDOSP provides a variety of zoning districts that can accommodate different housing types at different density levels. The majority of land area (95.4%) for housing is reserved for single family residential (low and medium density), but higher density

categories are provided (4.6% of land area and 15% of estimated dwelling units). The maximum allow density is forty dwelling units per acre.

3- How to Improve

- Consider minimum density provisions density bonus provisions.
- Adjust fees to promote higher density infill development.
- Provide more land for higher density and/or mixed-use development in RDOSP and other new areas.
- Integrate affordable housing into new housing areas and avoid segregating neighborhoods by income.

Principle 4: Create Walkable Neighborhoods

The GP establishes the framework for providing bicycle and pedestrian-oriented neighborhoods by promoting a regional trail system, requiring bicycle and pedestrian facilities. Both FBSP and RDOSP are supportive of walkability principles.

4- Smart!

- GP policies promote sidewalks and pedestrian trails connecting activity centers, including commercial centers, parks, and other amenities, throughout the City. The FBSP identifies area where pedestrian improvement should be made as development occurs, including techniques such as building placement and sidewalk improvements. The RDOSP identifies a network of regional trails and requires sidewalks along all streets.
- The GP encourages the design of roadways and streetscapes to be pedestrian friendly. Folsom Boulevard is undergoing a series of streetscape improvements to enhance the pedestrian environment. The RDOSP has a related set of design guidelines that promote a quality pedestrian environment.
- The GP and FBSP are supportive of transit-oriented development (TOD). The FBSP creates TOD land use categories which promotes walkable neighborhood close to transit stops. .
- The GP calls for the pedestrian network to be dramatically improved, including improved connections to public transit systems, a comprehensive network of trails and sidewalk connections along streets and within projects. Design standards within FBSP, RDOSP and other City standards support pedestrian enhancements.

4- How to Improve

- The GP, FBSP and RDOSP should provide more details regarding walkability principles and the implications of land use decisions on walkability (e.g. block size, integration of land uses, etc.).
- Adopt street standards that allow narrower streets designed for lower vehicle speeds.
- Specify that standards to encourage walkability should be implemented by the Streetscape Masterplan (e.g. pedestrian crossings, techniques to reduce vehicle speed, standards for pedestrian facilities, techniques to improve pedestrian safety).
- Form-based code standards should be developed to improve the interface between private property development and the public streetscapes.

- Require a continuous pedestrian "grid" system throughout RDOSP to ensure that pedestrian can reach destination and avoid out-of-direction travel.
- The fatal flaw in creating a walkable community in Rancho Cordova is intersection design. Most intersections in the existing community are designed to maximize vehicular capacity and flow. Pedestrians and bicycles are an afterthought. New intersections in SunRidge have followed this same model. Design new intersections in RDOSP and other locations to give priority to the needs and safety of the pedestrian.

Principle 5: Encourage Community and Stakeholder Collaboration

The General Plan provides avenues for community and stakeholder collaboration, including policies advocate collaborating with a number of regional and local organizations, and non-profit business and merchant associations.

5-Smart!

- GP advocates collaborating with agencies to achieve smart growth objective. Key players in the effort are the Sacramento Council of Governments, and the Sacramento Regional Transit District, since both of these agencies are interest in implementing smart growth.
- The GP outlines efforts that will be undertaken in future planning efforts to achieve citizen participation, including: outreach, special workshops, advisory committees and public information efforts. The creation of the GP itself included a comprehensive outreach effort that incorporated all of these techniques.
- The development of FBSP and RDOSP has included a community outreach effort to help develop the plans.
- The City's web site does a good job of conveying information to the public.

5- How to Improve

- Consider an annual General Plan update that would include a widely advertised public workshop.
- The zoning code and other regulatory tools should be amended to be more accessible to the public and stakeholders. The current code is difficult to interpret and procedures are not clear. Procedures should be clarified and codes should be simplified.
- The City's web site should be continually updated and enhanced.

Principle 6: Foster Distinctive, Attractive Communities with a Strong Sense of Place

The GP includes policy language that supports creating a strong sense of place. The primary purpose of both the FBSP and RDOSP is to support this objective. New develop (e.g. SunRidge) utilizes sound-walls along major arterials and collectors. This create a monotonous "wall-scape" in this area.

6-Smart!

- GP policies address the need for the infusion of new development in established areas to improve the character of these neighborhoods. The FBSP is a critical component of this effort.
- The RDOSP has a companion set of design guidelines that will be adopted as part of the project that will ensure that projects developed within the specific plan will have a strong sense of place.
- The City has recently adopted Design Guidelines that apply to all new development in the community to improve functional and aesthetic characteristics of projects.

6- How to Improve

- Develop form-based standards for the zoning code, FBSP and RDOSP to ensure that new development is supportive of community character objectives.
- Continue to refine design guidelines as needed.
- Adopt streetscape standards to ensure that public improvements meet community character objectives and create an active street environment.
- Reduce the monotonous use of sound walls along major streets. Adopt standards for building orientation that encourage the front doors of buildings to face public streets.

Principle 7: Make Development Decisions Predictable, Fair, and Cost Effective

The plan contains provisions to encourage the collaboration between different decision-making bodies to make development decision more predictable. The plan also encourages the update of regulations and codes to make them more consistent and representative of the City's vision.

7-Smart!

- The GP provides the necessary policy framework and directs the zoning code, municipal code and other documents to be updated to implement community objectives.

7- How to Improve

- Add policy language in the General Plan that specifies financial incentives for smart growth projects.
- Write a new streamlined zoning code that has easy to understand procedures and requirements.
- Use administrative or streamlined review processes for desirable smart growth project that meet community objectives.

Principle 8: Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas

The GP has policies that support the preservation of open space, farmland, and critical environmental areas. The RDOSP protects a significant wetland complex and uses it as a significant project amenity.

8-Smart!

- GP mapping and policies transition to rural character at the edge.

- The Natural Resources Element regulates development in the City's environmentally sensitive areas.
- The Open Space, Parks, and Trails Element advocates identifying and preserving open space and proposes identifying an urban/agricultural buffer to preserve farmland.

8- How to Improve

- Adopt an Open Space Plan.
- Update the Tree Preservation Ordinance.
- Work with the County and neighboring jurisdictions on agriculture preservation policies.

Principle 9: Strengthen and Direct Development Towards Existing Communities

The GP plan directs development towards the existing communities by encouraging infill, establishing a redevelopment area, and creating a downtown district. The FBSP promotes strategies for infill including the creating of new mixed-use district and identifying areas for transit oriented development.

New development is significantly expanding the land area of the community. This expansion is occurring under Specific Plan documents, which are intended to avoid sprawl and keep new development organized and use land efficiently.

9- Smart!

- The GP gives priority to residential and mixed-use development on vacant or underutilized sites along urbanized portions of Folsom Boulevard, Olsen Drive, Sunrise Boulevard, Bradshaw Road, and Coloma Road.
- The GP encourages the development of infill projects, revitalization, and reuse of commercial areas and shopping centers and advocates creating incentives to make infill development desirable to potential developers.
- The GP adopts a phasing plan for the development of the City's infrastructure in a logical manner that supports infill development.

9- How to Improve

- Amend the zoning code to include incentives and standards to make infill development easier (e.g. reduced parking requirements).
- Prepare an Infill Masterplan.

Principle 10: Adopt Compact Building Patterns and Efficient Infrastructure Design

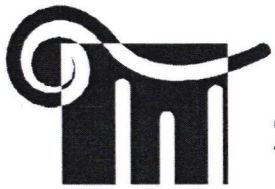
The GP promotes focusing development in established areas where possible (FBSP) and utilizing new expansion areas as effectively as possible (RDOSP).

10-Smart!

- GP policy language supports compact development and encourages amendments to the zoning code to include flexible parking standards, parking reductions, and shared parking in areas of higher density and intensity development.
- The GP gives priority to high density residential and mixed-use projects on vacant and underutilized sites in urbanized areas as represented by the FBSP and recommends the use of density bonuses and other incentives to create such development.
- The FBSP includes zoning provisions that will help create a more compact urban form, such as provision for reduced parking, FAR requirements. The FBSP introduces the concept of "pulse points" which encourage a compact urban form at key locations along the corridor. This concept is supported by zoning districts and standards.
- The RDOSP proposes a compact built form, avoiding a sprawling pattern of development. The RDOSP follows the GPs building block concept and encourages a variety of activity centers (neighborhood, village, regional).

10- How to Improve

- Integrate the adoption of compact building patterns and efficient infrastructure design into subsequent planning efforts.
- Amend the Zoning Code to include flexible parking standards and parking reductions.
- Work with the county and neighboring jurisdictions to limit urban sprawl outside the Rancho Cordova city limits and identify areas for agricultural protection.



SMART GROWTH
LEADERSHIP INSTITUTE

Policy Audit Tool

Rancho Cordova General Plan

SMART GROWTH TEMPLATE LOCAL PLAN LOCAL IMPLEMENTING CODE

Provide A Variety of Transportation Choices			
1	Encourage transit-oriented and transit friendly developments	The General Plan strongly encourages transit-oriented and transit friendly development. Provisions include updating the Zoning Code to include two transit-oriented development land use categories and describing how to site land uses in and around transit-oriented developments. [LU.1.5.1] Update the Zoning Code Text and Map to reflect new land use designations and distributions throughout the City as established by the General Plan (these new designations include the Local Transit-Oriented Development and Regional Transit-Oriented Development categories) [LU.1.6] Use the following standards in siting and designating new land uses within the City on the General Plan Land Use Map: ...Local transit-oriented development must be within one-quarter mile of a major transit stop,...,encourage employment in the urban transit-oriented development created along the transit route [LU.1.7] Promote higher density and intensity land uses that support transit within one-half mile of major transit stations. Development should be pedestrian- and transit-friendly with direct connections to transit. Large, expansive parking fields that separate the retail from the station are prohibited. [H.1.5] Promote higher density housing in close proximity to transit, employment, and appropriate services, such as transit-oriented development.	
2	Offer TOD-promoting incentives such as down payment assistance, reduced transit passes, and location efficient mortgages.	The Plan does not make specific mention of TOD-promoting incentives, but several provisions may help encourage such development. These include creating incentives for denser and more intense development in the Downtown and potentially coordinating with Regional Transit to provide incentives for living and working in Rancho Cordova. [ED.3.2.2] Create incentives for new development and redevelopment in the Downtown with increased density and intensity of development. [H.1.5.1] Coordinate with Regional Transit to provide any future incentives for living and working in same community.	
3	Grant density bonuses in transit or mixed use districts	The policies support the granting of density bonuses and other incentives to encourage increased development density and intensity, but generally do not direct the incentives towards transit or mixed use districts. Policies only specify providing such incentives in the Downtown and undefined "target areas." [LU.2.8.1] Amend the Zoning Code to include flexible parking standards and parking reductions to encourage compact development, shared parking, and higher density	

		projects in specified locations throughout the City. [UD.4.3.2] Provide incentives that allow for higher density and intensity of development, including how to streamline the permitting process. [ED.3.2.2] Create incentives for new development and redevelopment in the Downtown with increased density and intensity of development. [ED.6.3.3] Use density bonuses and other incentives to stimulate infill development in target areas.	
4	Address jobs and housing balance in the General Plan	The General Plan sufficiently addresses jobs and housing balance, making mention of the issue in the Land Use, Urban Design, and Housing elements. [LU.1.3] Maintain a strong jobs-housing ratio, with a diverse job base and corresponding housing stock, within the Planning Area. Improve the relationship and proximity of jobs to housing and commercial services. [UD.1.4] Design residential subdivisions with a mix of housing types and densities that satisfy a wide range of lifestyles and income levels. **[H.1] Balance Employment and Housing – Seek a balance of housing opportunities appropriate for the range of jobs available and planned in the City.**	
5	Link land use and transportation choices at the local and regional levels.	The Plan provides ample support for linking land use and transportation choices within the City. These provisions focus on describing the appropriate form that new development and redevelopment should take to encourage all kinds of transportation. The Plan places less emphasis on creating the linkage at the regional level. [LU.17] Promote higher density and intensity land uses that support transit within one-half mile of major transit stations. Development should be pedestrian- and transit-friendly with direct connections to transit. Large, expansive parking fields that separate the retail from the station are prohibited. [LU.2.4] Use Community Plans, Specific Plans, and development projects to promote pedestrian movement via direct, safe, and pleasant routes that connect destinations inside and outside the plan or project area. [UD.1.3] Design neighborhoods as walkable places, approximately 1/3 mile in radius, and connected to adjoining neighborhoods by trails, open spaces, and commercial activity nodes. [UD.1.7] Encourage the design of village and local town centers as pedestrian- and cyclist-friendly activity centers with successful public spaces. [ED.5.2] Encourage the development of pedestrian-oriented neighborhood retail and	

		office centers along Folsom Boulevard. **[C.2] Establish an extensive, world-class pedestrian and bicycle network that is a safe and attractive option for local and regional trips or recreation and that connects to the City's neighborhoods, parks and schools, employment areas, and retail centers.** [C.2.5.5] Coordinate City departments with stakeholders...in order to design, implement, and maintain the proposed bikeway system. [C.3.1.4] Ensure that transit service is provided in accordance with regional plans and policies, including identified transit improvements developed as part of the Sacramento County Mobility Study. [C.6.2.2] Work with SACOG to ensure that the Metropolitan Transportation Plan is coordinated with the City's Capital Improvement Plan to facilitate access to federal and state funds for circulation maintenance and improvements.	
6	Encourage public transit use by integrating multimodal use and connectivity (Park and Ride lots, transit centers, etc.)	The plan makes mention of integrating multimodal use and connectivity at transit stops, stations, terminals; carpool/vanpool park-and-ride lots, and activity centers. These provisions apply to existing developments, new developments, and redevelopments. [ED.3.2.3] Pursue the development of shared parking structures within the Downtown. [C.2.2] Require bicycle and pedestrian connections to public transit systems at stops, stations, and terminals; carpool/vanpool park-and-ride lots- and activity centers (e.g., schools, community centers, medical facilities, senior residences, parks, employment centers, high-density residential areas, commercial centers). [C.3.3.1] Require new development and redevelopment to include public transit stations, especially light rail stations, and to promote pedestrian activity and connection between public transit and retail, office, and residential uses.	
7	Plan or maintain high-occupancy vehicle (HOV) lanes	The General Plan makes no specific mention of maintaining high-occupancy vehicle lanes.	
8	Encourage the formation of vanpools and carpools	The polices do not specifically encourage the formation of vanpools and carpools, but make several allusions to the transportation mode. These include promoting carpool/vanpool park-and-ride lots, endorsing the use of employee shuttles, and generally emphasizing trip reduction programs and "demand management" strategies. [C.2.2] Require bicycle and pedestrian connections to public transit systems at stops, stations, and terminals; carpool/vanpool park-and-ride lots- and activity centers (e.g., schools, community centers, medical facilities, senior residences, parks, employment centers, high-density residential areas, commercial centers).	

		[C.1.9] In an effort to reduce automobile traffic and congestion and increase use of other travel models, support the use of trip reduction programs. [C.3.4] Promote the establishment and use of employee shuttles that help reduce trips on City roads. [AQ.3.4] Emphasize "demand management" strategies that seek to reduce single-occupant vehicle use in order to achieve state and federal air quality plan objectives.	
9	Provide transportation choices to densely populated areas as well as major employment centers	The General Plan supports the establishment of a pedestrian and bicycle network and transit system that connects all parts of the City. [UD.3.2] Create safe, inviting, and functional pedestrian and cyclist environments in commercial, office, and mixed-use projects. **[C.2] Establish an extensive, world-class pedestrian and bicycle network that is a safe and attractive option for local and regional trips or recreation and that connects to the City's neighborhoods, parks and schools, employment areas, and retail centers.** **[C.3] Establish a viable transit system that connects all parts of the City and links with regional destinations.** [AQ.3.1] Promote walking and bicycling as viable forms of transportation to services, shopping, and employment.	
10	Change roadway design standards to support transit and non-automotive modes.	The Plan makes few provisions for adapting roadway designs to support non-automotive modes. Policies include creating streetscape designs oriented towards pedestrians and bicyclists and providing on-street bicycle lanes wherever necessary to provide for interconnected routes. The General Plan is supportive of alternative modes, but street standards could be strengthened. [UD.1.3.1] Develop neighborhood street standards that promote walking and cycling to improve quality of life and transportation choices for residents. [UD.2.6] Create streetscape designs with themes that are oriented toward and inviting to pedestrians and cyclists and that are unique in character to a district, corridor, or area within the City. [C.1.1.1] Review and update the City's roadway cross-sections and design standards that implement the roadway types shown in the Circulation Plan. [C.2.6] Provide on-street bike lanes along all connector roadways and on local and major roadways when necessary to provide for interconnected routes. On-street bike routes may be provided on local, connector, and major roadways as deemed necessary by the City. [AQ.3.1.1] Facilitate street design that encourages biking and walking in both new and established areas.	

11	Locate new development, especially public, in areas supported by a balanced transportation network.	Policies provide some support for locating new development in areas supported by a balanced transportation network. These provisions focus on integrate transit facilities into new developments and locating businesses in proximity to multiple forms of transportation. The Plan does not explicitly support locating public uses near a balanced transportation network. [UD.3.2] Create safe, inviting, and functional pedestrian and cyclist environments in commercial, office, and mixed-use projects. [C.3.3] Promote the integration of transit facilities into new development. [AQ.2.1] Promote strategic land use patterns for businesses that reduce the number and length of motor vehicle trips and that encourage multiple forms of transportation for employees and patrons. [AQ.2.2] Encourage mixed-use developments that put residences in close proximity to services, employment, transit, schools, and civic facilities/services.	

SMART GROWTH TEMPLATE	LOCAL PLAN	LOCAL IMPLEMENTING CODE

		Mix Land Uses	
1	Designate appropriate areas for mixed-use developments	The General Plan sufficiently designates appropriate areas for mixed-use developments. [LU.1.3.2] Designate new and existing office developments as mixed-use to encourage the compatible integration of residential and commercial retail and service uses in proximity to jobs. [LU.2.6] Discourage the over concentration of retail shopping facilities in a single location in order to ensure neighborhood services are distributed and integrated into the City's neighborhoods and that market demand is met without diminish the viability of nearby commercial properties with the same customer base. [LU.4.4] Give priority to residential and mixed-use development on vacant or underutilized sites within existing urban areas that have infrastructure capacity available. [LU.4.6] Encourage the redevelopment and expansion of existing larger office uses to include a mix of uses. [LU.4.7] Allow additional mixed-use development in commercial parking areas/parking fields where there is a surplus of parking or where shared parking is feasible. [UD.1.5] Develop vibrant urban cores (village centers and local town centers) as the primary activity centers of each district within the City. [UD.2.5] Create Downtown Rancho Cordova as the center of the City linking all parts of the community together as a vibrant, rich mix of uses that attracts residents, workers, and visitors. [AQ.2.2] Encourage mixed-use developments that put residences in close proximity to	

		services, employment, transit, schools, and civic facilities/services.	
2	Encourage mixing of uses at building, site, and neighborhood levels	The Plan supports horizontally and vertically mixing uses at the building and site levels in village centers, town centers, transportation oriented developments, and higher density residential areas. The document also advocates horizontally mixing uses at the neighborhood level between mixed-use centers and the adjoining residential areas. [LU.2.2] Promote new development and redevelopment in accordance with the building blocks concepts of neighborhoods, villages, and districts. [UD.1.6] Promote increased compatibility, interdependence, and support between commercial and mixed-use centers and the surrounding residential neighborhoods. [UD.2.1] Require new development and redevelopment areas to be designed in accordance with the City's building blocks concept.	
3	Allow for home/office use in residential areas	Several policies support the inclusion of a mixed home/office use in residential areas. The Plan seeks to facilitate the inclusion of this use by updating the Zoning Code to mixed-use categories, but policies do not specifically mention home/office use. **[H.4] Encourage Housing Opportunities – Promote housing diversity through providing a range of high-quality housing choices for the community, including single-family homes, duplexes, townhomes/condominiums, live-work units, mixed-use, multi-family, executive housing, and mobile homes, that serve all households, ranging from the workforce to executives to seniors and other special needs groups.**	
4	Encourage residential uses in the downtown districts	The Plan generally supports developing residential uses in the Downtown. [UD.2.5] Create Downtown Rancho Cordova as the center of the City linking all parts of the community together as a vibrant, rich mix of uses that attracts residents, workers, and visitors.	

SMART GROWTH TEMPLATE LOCAL PLAN LOCAL IMPLEMENTING CODE

Create A Range of Housing Opportunities and Choices			
1	Allow for accessory housing within single-family residential zoning districts	The General Plan supports allowing accessory housing in single-family residential zones. [H.4.1.3] Allow secondary dwelling units by right in single-family residential zones. The City will promote its second unit standards by including information annually in The Grapevine Independent, publishing information on the City's web site to promote this option, and submitting press releases annually to local newspapers.	
2	Provide for a wide range of housing types	The Plan supports the provision of a wide range of housing types. Specifically, policies seek to maintain an adequate supply of housing types to meet employment projections,	

		household growth, and the City's share of regional housing needs and accommodate groups residing in the City, including executives, seniors, persons living with disabilities, large households, the homeless, single-parent households, empty-nesters, and single persons. [H.1.2] Maintain adequate sites that support a range of housing types appropriate for the City's housing needs, taking into account employment projections, household growth, and the City's share of regional housing needs. [H.1.3] Promote a broader range of housing for executives. [H.1.4] Ensure that an appropriate range of housing opportunities is available to accommodate both local and out-of-region executives. [H.1.5] Promote higher density housing in close proximity to transit, employment, and appropriate services, such as transit-oriented development. [H.2.9] The City will continue to implement the Zoning Code to provide for the development of manufactured homes with permanent foundations on individual lots and in manufactured home parks in all residential zoning districts. [H.4.2] Provide a range of senior housing opportunities, including senior developments with single-story homes, independent living, assisted living, skilled nursing, and shared housing, and pursue opportunities and funding to convert existing apartment complexes to senior facilities. [H.4.4] Provide housing for the special needs populations, including housing accessible for persons with disabilities, large households, the homeless, and single-parent households. [H.4.6] Ensure that housing appropriate for empty-nesters and single persons, such as townhomes or small lot, single-family homes, rather than large single-family homes, is developed.	
3	Meet housing needs for all income groups	Several Housing Element policies provide support for meeting the housing needs of all income groups. The Plan seeks the creation of a broad range of housing options throughout the City for all income levels, including moderate- and lower-income households and executives. [H.1.1.3] Create a broad range of options available throughout the City that will result in the production of housing available to all income levels and will result in the production of at least ten percent of housing in new neighborhoods being affordable to moderate- and lower-income households. [H.1.3] Promote a broader range of housing for executives. [H.1.4] Ensure that an appropriate range of housing opportunities is available to accommodate both local and out-of-region executives. [H.2.3.2] Actively pursue programs to increase homeownership in existing Rancho Cordova to a healthy balance more consistent with the State average. [H.2.6] Ensure that existing housing stock within the City is maintained and remains habitable in order to assist in meeting the housing needs of the community.	

		[H.2.7] Preserve housing units at risk of losing affordability status. [H.2.8] Encourage mobile home park maintenance and improvement, including conversion to resident ownership when appropriate. [H.3.2] Work with interested individuals, non-profit housing corporations, and for-profit developers to acquire rental housing projects in need of rehabilitation, and transfer ownership, when necessary, to maintain the affordability of the units to low-income households. **[H.5] Promote Homeownership – Substantially increase the rate of homeownership.** [H.7.3] Cooperate with affordable housing providers and provide regulatory and financial incentives to develop, acquire, rehabilitate, and/or manage housing affordable to very low-, low-, or moderate-income households.	
4	Allow live/work units	The General Plan supports the provision of a range of housing choices for the community, including the live-work units. **[H.4] Encourage Housing Opportunities – Promote housing diversity through providing a range of high-quality housing choices for the community, including single-family homes, duplexes, townhomes/condominiums, live-work units, mixed-use, multi-family, executive housing, and mobile homes, that serve all households, ranging from the workforce to executives to seniors and other special needs groups.**	
5	Meet or exceed the regional fairshare housing allocation for both market-rate and affordable housing	The General Plan requires the City to meet its share of regional housing needs. [H.1.2] Maintain adequate sites that support a range of housing types appropriate for the city's housing needs, taking into account employment projections, household growth, and the City's share of regional housing needs.	
6	Allow minimum lot-sizes low enough to accommodate all income groups	While only the Rural Residential and Estate Residential categories, the General Plan's two least dense residential categories, specify minimum lot-size values, all of the residential and mixed-use categories provide a range of maximum density values. This range of values is intended to accommodate the housing needs of all income groups. [LU.1.5] Maintain consistency between the land use categories of this General Plan and the City Zoning Code.	
7	Allow local zoning flexibility in housing sizes (smaller dwelling units)	The Plan's land use categories included a broad range of minimum and maximum densities, facilitating zoning flexibility in housing sizes.	
8	Encourage mixed income housing developments	The policies encourage mixed income housing development. Provisions support the design of neighborhoods that satisfy a wide range of income levels and that provide a range of housing prices and rents. [UD.1.4] Design residential subdivisions with a mix of housing types and densities that satisfy a wide range of lifestyles and income levels. [H.1.1.3] Create a broad range of options available throughout the City that will result in	

		the production of housing available to all income levels and will result in the production of at least ten percent of housing in new neighborhoods being affordable to moderate- and lower-income households. [H.4.1] Ensure that neighborhoods are developed in a balanced, sustainable manner, avoiding over-concentration of affordable housing or over-sized rental complexes and providing a range of housing prices and rents.	
9	Encourage traditional neighborhood residential patterns, such as diverse housing types- large family homes, cottages, boarding houses, duplexes and small apartments, in new ways such as town homes, condominiums and apartments	The General Plan encourages residential development in traditional and innovative patterns, while not directly mentioning this specific pattern. [LU.2.2] Promote new development and redevelopment in accordance with the building blocks concepts of neighborhoods, villages, and districts. H.4.6 – Ensure that housing appropriate for empty-nesters and single persons, such as townhouses or small lot, single-family homes, rather than large single-family homes, is developed.	
10	Encourage live-work homes, which need zones to permit businesses to operate from home, unlike "home occupations" must allow office use by non-residential employees and visitors, except retail, and include everything from professional to small manufacturing that can be located at home	While the Plan supports the development of live-work units, the document does not include direction for updating the Zoning Code to include provisions specific to developing such units.	

	SMART GROWTH TEMPLATE	LOCAL PLAN	LOCAL IMPLEMENTING CODE
	Create Walkable Neighborhoods		
1	Allow for reduction of street widths to promote walkability and bike friendliness	The Plan supports the development of neighborhood street standards and the creation of streetscape designs intended to promote walkability and bike friendliness, but does not suggest reducing street widths to accomplish this goal. [UD.1.2] Design residential subdivisions with a mix of housing types and densities that satisfy a wide range of lifestyles and income levels. [H.1.2] Maintain adequate sites that support a range of housing types appropriate for the city's housing needs, taking into account employment projects, household growth, and the City's share of regional housing needs.	
2	Adopt traffic-calming measures and pedestrian- controlled traffic signals to encourage bike and pedestrian friendliness	The General Plan offers good support for adopting measures to encourage bike and pedestrian friendliness. [UD.3.2.2] Amend the City's Street Design Standards to include design elements that establish priority for pedestrians at road and drive aisle crossings through pavement markings, differentiation in the pavement surface, and/or signage.	

		[UD.3.2.4] Prepare and adopt standards for cyclist-triggered lights that allow cyclists to move about the community efficiently. [C.1.2.2] Adopt, and update as necessary, a list of circulation improvements, including roadway improvements, pedestrian and bicycle facilities, and transit-related improvements, which the City will accept as offsets for congestion in accordance with this policy. [C.2.7] Require grade-separated crossings or enhanced at-grade crossing at key locations on the off-street trail system to maximize the safety and attractiveness of bicycling and walking routes. Locations for grade-separated crossings include Highway 50 in the vicinity of Olsen Drive, an additional crossing of Highway 50 generally west of Mather Field Road, and crossings associated with the Folsom South Canal. Additional grade-separated crossings will be identified in Greenfield areas of the City as new development in proposed. [C.2.8.2] Maintain roadways and bicycle-related facilities so they provide safe and comfortable conditions for the bike ride, including establishing a routine street sweeping program and maintaining lane striping for like lanes and routes. [C.2.8.4] Ensure traffic-calming projects are appropriate for bicycle and pedestrian users (e.g., address bulb-out or roundabout designs that push cyclists into traffic). [C.2.8.8] Improve pedestrian crossings in areas of high pedestrian activity where safety is an issue.	
3	Regulate curb cuts	None of the policies recommend regulating curb cuts.	
4	Require sidewalks on both sides of the street	The General Plan recommends approving sidewalks throughout the City. The standard is to have sidewalks on both sides.	
5	Connect sidewalks to amenities such as parks and open space	The Plan makes some provision for connecting sidewalks to amenities. Specially, the document supports the adoption of standards and guidelines for the development of interconnected walkways to plaza areas and outdoor spaces and requires bicycle and pedestrian connections to public transit systems. [UD.3.2.1] Prepare and adopt standards and guidelines for the development of interconnected walkways, pedestrian amenities (e.g. seating, lighting, signage, landscaping, plaza areas, outdoor spaces, and commuter amenities (e.g. covered bus stops) oriented toward the pedestrian user. [C.2.2] Require bicycle and pedestrian connections to public transit systems at stops, stations, and terminals; carpool/vanpool park-and-ride lots; and activity centers (e.g., schools, community centers, medical facilities, senior residences, parks, employment centers, high-density residential areas, commercial centers). [C.2.5.2] Coordinate the Bikeway Master Plan with the circulation-related components of the City Open Space Standards. [OSPT.2.1.5] Require all new development projects to provide a system of connected open space that includes greenway, trails, nodes, and green infrastructure (see City Open Space Standards), in proximity to all new residents.	

6	Establish a trail system or other non-motorized public access to amenities	The General Plan supports the creation of a pedestrian and bicycle trail system, but does not specify that the system provide access to specific amenities. [C.2.1] Create a system of on- and off-street trails and multi-use paths,..., that are used for walking and bicycling and that are attractive, natural, and safe transportation corridors. [C.1.6] Heavily discourage the use of cul-de-sacs on local roads, except where they are necessary due to site-specific concerns, such as habitat areas, that preclude construction of through routes. When cul-de-sacs are used, they should include bicycle and pedestrian connections to trail systems or adjacent major or connector streets. [C.2.6] Provide on-street bike lanes along all connector roadways and on local and major roadways when necessary to provide for interconnected routes. On-street bike routes may be provided on local, connector, and major roadways as deemed necessary by the City. [OSPT.2.1.5] Require all new development projects to provide a system of connected open space that includes greenway, trails, nodes, and green infrastructure (see City Open Space Standards), in proximity to all new residents. **[OSPT.3] Create a system of pedestrian and bicycle trails that maximize usage while providing places for walking and bicycling without conflicts with motor vehicles.** **[OSPT.4] Encourage public use of all trails and open space and promote public input in creating and maintaining these resources.**	

SMART GROWTH TEMPLATE	LOCAL PLAN	LOCAL IMPLEMENTING CODE

Encourage Community and Stakeholder Collaboration			
1	Support and implement incentives for adoption of comprehensive plans and Capital Improvement Plans prior to imposition of local land use regulations and controls.	Implementation Chapter The General Plan will be updated periodically to provide support for land use controls.	
2	Strengthen state, metro, and regional institutions to facilitate multi-jurisdictional decision making and problem solving.	The General Plan includes many policies intended to help strengthen state, metro, and regional institutions. [LU.3.3] Coordinate with regional planning agencies to set land use and environmental policies and cooperate in the implementation of programs consistent with General Plan policy. [LU.3.4] Participate in the Sacramento Area Council of Governments' regional planning programs and coordinate City plans and programs with those of the Council of Governments. [LU.3.7] Work with the Sacramento County Local Agency Formation Commission to	

		establish and update a Sphere of Influence that reflects the City's near-term goals for potential additions to the corporate boundaries. [ED.1.4] Support non-profit business and merchant associations with the goals of promoting a strong business base, encouraging joint marketing, and improving the City's business climate. These business and merchant associations may include the Rancho Cordova Chamber of Commerce, Rancho Cordova Regional Economic Development Corporation, the City's Economic Development Committee, the Sacramento Metropolitan Chamber of Commerce, and Sacramento Area Commerce and Trade Organization. [ED.2.3.2] Work with businesses, Regional Transit and other transit providers to locate appropriate uses near transit. [C.2.5.5] Coordinate City departments with stakeholders such as the County of Sacramento, Sacramento Area Council of Governments, Folsom South Canal Development Team, American River Parkway Committee, Cordova Recreation and Park District, Sacramento City/County Bicycle Advisory Committee, air quality agencies, Sacramento Regional Transit District, 50 Corridor Transportation Management Association, employers, residents, and cyclists in order to design, implement, and maintain the proposed bikeway system. [C.4.1.1] Work with the Sacramento County Airport System and the Airport Land Use Commission to improve operations at Mather Airport, consistent with the City's vision. [C.6.2.2] Work with SACOG to ensure that the Metropolitan Transportation Plan is coordinated with the City's Capital Improvement Plan to facilitate access to federal and state funds for circulation maintenance and improvements. [OSPT.3.2.1] Work cooperatively with Sacramento County to fund enhancements within the American River Parkway, consistent with the American River Parkway Plan.	
3	Provide a process for public participation in drafting and adopting the General Plan and supporting ordinances.	The General Plan's Introduction makes mention of the various kinds of public participation utilized to draft and adopt the Plan.	

SMART GROWTH TEMPLATE	LOCAL PLAN	LOCAL IMPLEMENTING CODE

Foster Distinctive, Attractive Communities with a Strong Sense of Place			
1	Public and private development should improve the character of existing neighborhoods, avoiding or removing factors that cause instability or create barriers, and enhancing the sense of neighborhood identity	The General Plan makes good provision for improving the character of existing neighborhoods and enhancing the sense of neighborhood identity. Policies include encouraging district themes and instilling new development and redevelopment with a unique design style. [LU.2.2] Promote new development and redevelopment in accordance with the building bocks concepts of neighborhoods, villages, and districts. [LU.4.1] Improve the character and quality of existing development through the	

		revitalization of blighted and underutilized development. [LU.4.2] Create redevelopment districts to enhance and improve areas of blight and deterioration. [UD.1.6] Promote increased compatibility, interdependence, and support between commercial and mixed-use centers and the surrounding residential neighborhoods. [UD.2.4] Encourage district themes (e.g. civic, cultural, natural, arts) that create a sense of place for each district and contribute to the overall character of the community. [UD.2.6] Create streetscape designs with themes that are oriented toward and inviting to pedestrians and cyclists and that are unique in character to a district, corridor, or area within the City. [UD.3.1] Instill new development and redevelopment with an architectural style that establishes unique project identity and precludes the creation of "Anytown USA" development.	
2	Neighborhoods should include places for interaction among residents, such as parks, community centers, schools, commercial areas, churches and other gathering places.	The Plan includes many provisions requiring that neighborhoods including places for interaction among residents, by defining how neighborhoods are put together and providing places for interaction (libraries, parks, schools). [LU.2.2] Promote new development and redevelopment in accordance with the building blocks concepts of neighborhoods, villages, and districts. [UD.1.5] Develop vibrant urban cores (village centers and local town centers) as the primary activity centers of each district within the City. [UD.2.5] Create Downtown Rancho Cordova as the center of the City linking all parts of the community together as a vibrant, rich mix of uses that attracts residents, workers, and visitors. [UD.3.3] Promote the incorporation of public spaces and pedestrian amenities into all commercial and mixed-use projects. [OSPT.1.1] Review all proposals for new residential development to ensure each project complies with the City's minimum standards for parkland dedication, and is consistent with Cordova Recreation and Park District goals. [OSPT.1.3] Encourage park development adjacent to school sites and promote joint use agreements between school and park districts. OSPT.2.1 – Review all proposals for new residential development to ensure compliance with the City's minimum open space standards. ISF.3.2.2 – Encourage the County to locate new libraries within Rancho Cordova accessible to pedestrians, bicycles, and public transit riders, in a highly visible location that is accessible to unaccompanied children. ISF.4.1 – Encourage school districts to locate and site facilities in a integrated manner with the rest of the community.	

SMART GROWTH TEMPLATE LOCAL PLAN LOCAL IMPLEMENTING CODE

Make Development Decisions Predictable, Fair, and Cost Effective			
1	Consistency between local government regulations, local actions and the comprehensive plan.	The Plan contains many provisions that strive to bring consistency to local government regulations, local actions and the comprehensive plan. These include updating the City's Municipal Code, Zoning Code, Development Standards, Design Guidelines, and other regulations to reflect the General Plan, creating new Community Plans, Specific Plans, a Bikeway Master Plan, and an Open Space Plan to fulfill the General Plan's vision, and collaborate with other communities and public entities to create and update regional plans. [LU.1.5] Maintain consistency between the land use categories of this General Plan and the City Zoning Code. [LU.2.1.1] Amend the Zoning Code and Citywide Design Guidelines to include the City's smart growth principles as appropriate. [LU.2.4] Use Community Plans, Specific Plans, and development projects to promote pedestrian movement via direct, safe, and pleasant routes that connect destinations inside and outside the plan or project area. [LU.3.3] Coordinate with regional planning agencies to set land use and environmental policies and cooperate in the implementation of programs consistent with General Plan policy. [LU.4.1.2] Study, create, and implement streetscape enhancement plans that become catalyst projects for the revitalization of blighted and underutilized development. [UD.1.1] All City codes and regulations shall reflect the City's vision for Urban Design. [UD.2.2.1] Amend the Zoning Code text and map to implement the new mixed-use designations in this General Plan. [UD.2.5.1] Prepare and adopt a Downtown Specific Plan that addresses the future uses, design standards, street design, and other characteristics of the built form. [ED.4.1.1] Implement the Rancho Cordova Redevelopment Plan. [C.2.5.1] Prepare and adopt a Bikeway Master Plan that sets forth a comprehensive bicycle system and support facilities over the next 20 years, as well as plans education, marketing, and enforcement programs. Identify detailed and ranked circulation improvements in the Master Plan, and update the plan every three or five years. [C.3.1.1] Create, implement, and update regularly a Transit Master Plan for Rancho	

		Cordova that identifies the type of system desired for the City. Transit routes should coincide with major destinations for employment and shopping, the location of major institutions, concentrations of multi-family housing, and other land uses likely to attract public transit ridership. Bus routes should follow major roads with service to residential neighborhoods from connector streets. [OSPT.3.1.1] Create and adopt a comprehensive Trails Master Plan that includes information on current resources and plans for future development, including designations locations and types of trails.	

SMART GROWTH TEMPLATE		LOCAL PLAN	LOCAL IMPLEMENTING CODE
Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas			
1	Establish guidelines to regulate development in critical areas such as wetlands, fish and wildlife conservation areas, frequently flooded areas, and geologically hazardous areas	The Plan's policies provide substantial support for establishing guidelines to regulate development in critical areas. Provisions include identifying critical areas and recommending the implementation of plans and practices in these areas. [OSPT.2.2] Create a plan for identifying and maintaining open space. [OSPT.2.3] Maximize the potential benefits of natural resource mitigation lands within urban development. [NR.1.1] Incorporate large and interconnected wildlife corridors in new development areas to provide ample space for animal movement. [NR.1.2.1] Establish a Swainson's Hawk Ordinance in coordination with the California Department of Fish and Game to help guide the process of mitigating for the loss of Swainson's hawk habitat. [NR.2.1] Require mitigation that provides for "no net loss" of wetland. [NR.2.2] Ensure that direct and indirect effects to wetland habitats are minimized by environmentally sensitive project siting and design, to the maximum extent feasible. [NR.3.2.1] Develop guidelines for channel creation or modification that will ensure channel meander, naturalized side slope, and varied channel bottom elevation are considered in design. [NR.3.2.2] Adopt and implement improvement standards for soft bottom channels. [NR.3.3] Encourage the creation of secondary flood control channels where the existing channel supports extensive riparian vegetation. [NR.3.4.1] Establish performance standards for natural resource preserves...	

		[NR.3.4.2] Establish standards that allow public access in the floodplain and buffers along creek corridors and preserves. Mitigation measures shall be incorporated into environmental documents and conditions of approval that require open-view fencing adjacent to preserves. [NR.3.4.3] Establish standards and/or guidelines for development adjoining wetland preserves or creeks to maximize visibility by designing the land plan with public streets on at least one side of the corridor or preserve with vertical curbs, gutters, footpath(s), street lighting, and post and cable barriers to prevent unauthorized vehicular entry into creek corridors and preserves. [NR.4.1.1] Adopt a Tree Preservation Ordinance to establish minimum requirements for preserving native trees and landmark trees in the City, including a definition of the size, species, and age requirements of landmark, oak, and other trees to be protected and/or replaced. [NR.4.1.2] Where feasible, require underground utility lines that are in close proximity to oaks and other landmark trees to be designed and installed to minimize impacts to trees. Work with the utility provider(s) to coordinate transmission line location and other potential impacts associated with the undergrounding of utilities. [NR.4.1.3] Establish development guidelines that require all oak habitat to be avoided to the maximum extent feasible. When avoidance is not possible, require mitigation efforts that result in preservation of in-kind habitat in the Planning Area. [NR.4.2.1] Create development guidelines to establish minimum planting standards and require appropriate tree species and planting densities within newly landscaped areas that are visible to or shared by the public. An adopted Tree List should be used as a guideline for all tree plantings within the City. [NR.4.2.2] Create development guidelines that address landscaping standards and that require appropriate tree species and densities in buffer areas. The guidelines should also ensure that medians will include native plantings and trees, and will be wide enough to support the long-term viability of the plantings. [NR.5.1.2] Require development project approvals to include a finding that all feasible and cost-effective options for conservation and water reuse are incorporated into project design. [NR.5.3] Protect surface and ground water from major sources of pollution, including hazardous materials contamination and urban runoff. [NR.5.4] Prevent contamination of the groundwater table and surface water, and remedy existing contamination to the extent practicable. [NR.5.5] Minimize erosion to stream channels resulting from new development in urban areas. [NR.5.5.4] Establish and require the use of best management practices to protect	

		receiving waters from the adverse effects of construction activities, sediment and urban runoff. [NR.6.1] Ensure that the environmental effects of mining and reclamation on aquifers, streams, scenic views, and surrounding residential uses are prevented or minimized. [S.1.3] Discourage the creation of new parcels when the presence of easements, floodplain, marsh, or riparian habitat, and/or other features would leave insufficient land to build and operate structures. This policy shall not apply to open space lots specifically created for dedication to the City or another appropriate party for habitat protection, flood control, drainage, or wetland maintenance.	
2	Establish codes to guide environmentally compatible development in coastal communities	This provision does not apply to Rancho Cordova.	
3	Establish mechanisms such as transfer of development rights (TDR) and financial incentives to protect, preserve, and maintain natural assets	The General Plan specifies but does not reference financial incentives to protect, preserve, and maintain natural assets. [NR.2.3] Work with private and non-profit conservation organizations to ensure competitive pricing for mitigation bank credits by allowing government agencies, non-profit organizations, and private landowners to establish vernal pool preserves, designate mitigation areas, create and restore vernal pools, and see credits to developers for off-site mitigation. [NR.4.3.2] Designate local funds to educate the public on tree planting and preservation.	
4	Establish open space and farmland protection programs	The General Plan supports the creation of a plan to protect open space, but does specifically advocate establishing a program to protect open space. [NR.1.2.1] Establish a Swainson's Hawk Ordinance in coordination with the California Department of Fish and Game to help guide the process of mitigating for the loss of Swainson's hawk habitat. [NR.2.1] Require mitigation that provides for "no net loss" of wetlands. [LU.1.4.5] Require an urban/agricultural buffer between development and existing agricultural uses. Design each buffer area to match the specific needs of each urban/agricultural interface, and to take into account the specific urban and agricultural uses. Buffers must be established through the use of combination of increased setbacks, roadways, barriers, landscaping or other appropriate methods to avoid conflicts. Development of this buffer must be done in consultation with Sacramento County and will not require the taking of existing agricultural land nor impede agricultural existing uses. [OSPT.1.1] Review all proposals for new residential development to ensure each project complies with the City's minimum standards for parkland dedication, and is consistent with Cordova Recreation and Park District goals.	

		[OSPT.2.2] Create a plan for identifying and maintaining open space.	

Strengthen and Direct Development Towards Existing Communities			
1	Promote brownfields redevelopment for housing and/or mixed-use	The General Plan does not address brownfield redevelopment. [LU.4.4] Give priority to residential and mixed-use development on vacant or underutilized sites within existing urban areas that have infrastructure capacity available. Currently targeted areas are some portions of Folsom Boulevard, Olsen Drive, Sunrise Boulevard, Bradshaw Road, and Coloma Road.	
2	Establish minimum clean-up standards associated with brownfield proposed land uses	The Plan does not clean-up standards associated with brownfield proposed land uses. [LU.2.1] Ensure future land use and growth within the Planning Area adheres to the City's nine smart growth principles, as described in this Element (Regeneration/Infill).	
3	Establish land use strategies and incentives for redevelopment of brownfields	No policies address land use strategies and incentives for redevelopment of brownfields. [LU.2.1] Ensure future land use and growth within the Planning Area adheres to the City's nine smart growth principles, as described in this Element (Regeneration/Infill).	
4	Establish regulations that promote greyfields redevelopment for housing and/or mixed-use	The General Plan encourages greyfield redevelopment, but does not establish regulations to accomplish this task. [LU.4.1.1] Encourage the upgrading, beautification, revitalization, infill development, and appropriate reuse of existing commercial areas and shopping centers.	
5	Establish an urban growth boundary	The Plan does not establish an urban growth boundary, but addresses other ways to attain measured outward growth. These include establishing and updating a Sphere of Influence reflective of additions to the corporate boundaries and transitioning downward the density and intensity of uses to create a visible City edge. [LU.3.7] Work with the Sacramento County Local Agency Formation Commission to establish and update a Sphere of Influence that reflects the City's near-term goals for potential additions to the corporate boundaries. [UD.2.3] Transition the density and intensity of uses from an urban to rural character with a clear City edge and establish a sense of entry and arrival to the City.	
6	Establish tax credits/incentives or other policies to encourage infill over greenfield development	The Plan supports the use of incentives to encourage infill development. In part, these efforts should be focused at pulse point activity centers along Folsom Boulevard. Infill properties do receive reduce fees in some cases. [ED.5.1.3] Discourage the underutilization of properties along Folsom Boulevard by offering incentives for redevelopment and intensification of uses and densities at key locations along the corridor to create the desired pulse points of activity and intensity. [ED.6.1] Provide support that makes it attractive and profitable for private sector developers to produce infill development. At the same time, encourage infill development that is attractive to potential residents and beneficial to existing	

		residents.	
7	Discourage sprawl generating subsidies (such as funds for suburban highway and road construction, water, and sewer facilities and service) in place of structured incentives for urban infill or TOD	The Plan does not have policies that specifically curtail sprawl. [C.5.1] Aggressively pursue State and federal funding to implement all aspects of the City's Circulation Plan. [ISF.2.1.2] Adopt a phasing plan for the development of public facilities in a logical manner that encourages the orderly development of roadways, water and sewer, and other public facilities. [ISF.2.1.3] Withhold public financing or assistance from projects that do not comply with the planned phasing of public facilities, and approve interim facilities only in special circumstances.	
8	Encourage regional tax sharing to discourage fiscalization of land use and destructive sales tax competition	No policies address regional tax sharing.	
9	Regulations that support land reuse and require new urban growth to be coordinated with provision of infrastructure capacity	The General Plan provides support for coordinating development with infrastructure capacity. Specifically, the Plan gives preference to residential and mixed-use development on vacant or underutilized sites that have infrastructure capacity available and promotes adopting infrastructure strategies that support infill development. [LU.4.4] Give priority to residential and mixed-use development on vacant or underutilized sites within existing urban areas that have infrastructure capacity available. [ED.6.2] Adopt infrastructure strategies that support development in infill areas.	
10	Favor the use of existing infrastructure over new and new development either is self-paying or consciously subsidized	The Plan requires that the cost of improvements be equitably distributed, but does not specify that new development be self-paying or consciously subsidized. In addition, the document does not make explicit provision for favoring the use of existing infrastructure over new. New development is required to pay for itself by City policy. [ISF.2.1] Ensure the development of public infrastructure that meet the long-term needs of residents and ensure infrastructure is available at the time such facilities are needed. [ISF.2.1.2] Adopt a phasing plan for the development of public facilities in a logical manner that encourages the orderly development of roadways, water and sewer, and other public facilities. [ISF.2.3] Ensure that adequate funding is available for all infrastructure and public facilities, and make certain that the cost of improvements is equitably distributed.	
11	Encourage infill development with specific zoning ordinances.	The General Plan supports enacting provisions in the Zoning Code that accommodate infill development. [ED.5.3.2] Encourage the use of mixed-use zoning categories, land use designations, transit-oriented developments, and districts along Folsom Boulevard consistent with the Folsom Boulevard Specific Plan.	

		[ED.6.3.2] Within the Zoning Code establish provisions that provide flexibility for infill site development.	

SMART GROWTH TEMPLATE LOCAL PLAN LOCAL IMPLEMENTING CODE

Adopt Compact Building Patterns and Efficient Infrastructure Design			
1	Allow for reduction in parking requirements in TODs	The General Plan provisions amending the Zoning Code to include parking reductions in targeted locations, but does not specify permitting a reduction in parking requirements in TODs. [LU.2.8.1] Amend the Zoning Code to include flexible parking standards and parking reductions to encourage compact development, shared parking, and higher density projects in specified locations throughout the City.	
2	Utilize the full development capacity (density or floor area ratio)	The Plan encourages higher density development. Table LU-1	
3	Reduce parking requirement or parking maximums	The General Plan proposes amending the Zoning Code to include parking reductions in specified locations, but does not propose maxiumums. [LU.2.8.1] Amend the Zoning Code to include flexible parking standards and parking reductions to encourage compact development, shared parking, and higher density projects in specified locations throughout the City.	
4	Provide for shared parking	Several policies support the provision of shared parking for select kinds of uses and locations. These include higher density and mixed-use developments and within the Downtown. [LU.2.8.1] Amend the Zoning Code to include flexible parking standards and parking reductions to encourage compact development, shared parking, and higher density projects in specified locations throughout the City. [LU.4.7] Allow additional mixed-use development in commercial parking areas/parking fields where there is a surplus of parking or where shared parking is feasible. [LU.4.8] Encourage parking in shared surface lots or parking structures or in off-site facilities to create a diversity of uses that transforms the site and the surrounding area into a positive, rich environment. [ED.3.2.3] Pursue the development of shared parking structures within the Downtown.	
5	Allow for conversion of existing underutilized and/or abandoned non-residential sites into housing and/or mixed-use developments	The Plan gives priority to residential and mixed-use development on vacant or underutilized sites and proposes developing guidelines for the adaptive reuse of buildings on infill sites into "live/work" studios. [LU.4.4] Give priority to residential and mixed-use development on vacant or underutilized sites within existing urban areas that have infrastructure capacity available… [ED.6.1.3] Develop guidelines for adaptive reuse of commercial, industrial, and office	

		buildings on infill sites, including using these buildings as "live/work" studios.	
6	Establish minimum densities for higher density development	The General Plan includes a minimum density value for each residential and mixed-use category. See Table LU-1	
7	Encourage reduced lot guidelines to encourage higher density	The Plan does not address reducing lot sizes, but controls development intensity with density requirements.	
8	Allow density bonuses along transit corridors	The General Plan does not specify allowing density bonuses along transit corridors, but proposes creating incentives, including density bonuses, to stimulate infill development in target areas, including the Downtown. [ED.3.2.2] Create incentives for new development and redevelopment in the Downtown with increased density and intensity of development. [ED.6.3.3] Use density bonuses and other incentives to stimulate infill development in target areas.	
9	Connect infrastructure decisions to land use planning	Several policies join infrastructure decisions with land use planning. These include ensuring that adequate infrastructure exists to meet the future needs of all residents, requiring all applications for annexations to include pre-zoning and a plan for infrastructure financing and phasing and improving existing infrastructure to meet the demands of infill projects. [UD.4.3.1] Remove barriers to infill projects by improving existing infrastructure to accommodate new development and increases in service demands. [ED.6.2] Adopt infrastructure strategies that support development in infill areas. [ISF.2.1] Ensure the development public infrastructure that meet the long-term needs of residents and ensure infrastructure is available at the time such facilities are needed.	

SMART GROWTH
LEADERSHIP INSTITUTE

Code and Zoning Audit Tool

Rancho Cordova, Folsom Boulevard Specific Plan

GENERAL INSTRUCTIONS:

To use this tool you will need copies of all the existing ordinances that enforce the codes and zoning regulations in your community. This is usually found in the following type of documents:

- Land Use codes
- Zoning Regulations
- Subdivision Regulations
- Overlay District Regulations
- Special Use District Regulations

Assemble all the pertinent documents, review this tool and then use it to look for sections in your local community regulations that apply to the areas this Audit Tool looks for.

ex: Check if any of the regulations address pedestrian crosswalks –and then compare these regulations to the sections in this tool.

The Code and Zoning Audit Tool is used in an iterative process. Take one section at a time and compare the guidelines with what is written in your local code and zoning regulations.

To achieve smart growth, communities should:

- **Foster "Walkable," Close-Knit Neighborhoods.** These places offer not just the opportunity to walk—sidewalks are a necessity—but something to walk to, whether it's the corner store, the transit stop or a school. A compact, walkable neighborhood contributes to peoples' sense of community because neighbors get to know each other, not just each other's cars.□□

- **Provide a Variety of Transportation Choices.** People can't get out of their cars unless we provide them with another way to get where they want to go. More communities need safe and reliable public transportation, sidewalks and bike paths.

A. Connectivity/Circulation

Codes and Zoning Regulations contribute to achieving the above goals as they shape the connectivity and circulation in our communities. Connectivity and Circulation are determined by regulations that shape the following dimensions:

1. **Alleyways**
2. **Bicycle and Multi-Use Trail Facilities**
3. **Parking Standards**
4. **Street Hierarchy**
5. **Street Pattern**
6. **Street Width**
7. **Streetscape Features**
8. **Transit Zones**

		Yes	No	Not Applicable	Findings	Suggested Standards
1.0 Alleyways						
1.10	Are alleyways allowed?			X	Not specifically referenced in this document, but allow by City standards	• Require alleys and limit number of curb cuts allowed on streets. • Use should dictate width. In commercial zones, alleys can function as drive aisles for off-street parking lots and as fire lanes.
1.20	Are there restrictions on their use?			X		
1.30	Are width standards established?			x		
2.0 Bicycle/Multi-use trail facilities						
2.10	Are bicycle lanes required?			X	Not specifically referenced in this document but required on Folsom Boulevard.	• Provide for a network of bicycle routes, lanes, or shared-use trails to promote bicycle use in all zones. • Retrofit bicycle lanes into roads by changing on-street parking configuration. • Require bike-parking facilities in commercial and industrial projects to encourage the use of bikes as alternative transportation. Provide for both short and secured long-term parking within convenient distances of building entrances, varying standards with use type.
2.20	Are bicycle lanes accommodated?			X	Provided for on Folsom Boulevard (not part of this document)	
2.30	Is bicycle parking required?	x			FBSP, Table 3, Vehicle and Bicycle Parking Standards for Mixed Use Zoning Districts, Page 36. Requires ratio specified per use type.	

		Yes	No	Not Applicable	Findings	Suggested Standards
2.0 Bicycle/Multi-use trail facilities (cont.)						
2.40	Are standards established for bicycle lane width?			X		• On new roads, a minimum lane width of 6' is suggested. A minimum width of 5' is suggested for retrofits. Where a shared lane for bikes and parking is provided, a minimum total lane width of 12' (7' for parking and 5' for bikes) is suggested. • Grade differences between gutter pans and street surface should be eliminated. Uniform, smooth surfaces should be specified.
2.50	Are standards established for bicycle lane surface?			X		
2.60	Are standards established for separation of bike lanes from motorized vehicle lanes?			X		
2.70	Is a multi-use trail provided for or planned?	x			New pedestrian/bicycle and/or transit trails to connect across Highway 50 are proposed. Big Idea Graphic on page 11, but this idea could use more definition in the document to clarify intent and provide more specifics.	

		Yes	No	Not Applicable	Findings	Suggested Standards
3.0 Parking Standards						
3.10	Is on street parking allowed?			x	Not part of FBSP. Not allowed on Folsom Boulevard but general allowed on side streets	• Among other benefits, on-street parking encourages pedestrian traffic, and can act as a buffer between pedestrians and moving vehicles. Design is important. • Avoid diagonal parking on streets with bike lanes or routes and on heavily traveled streets. • Shared parking should be encouraged. • Joint parking should be considered where conditions warrant. • Zone and use specific parking requirements should be established and should take transit facilities into consideration. • Reductions for transit availability should be allowed.
3.20	What relationship is dictated between parking spaces and the street?			x	Parking not used to "buffer" Folsom Boulevard traffic. Intentionally kept off street to ensure good vehicular traffic flow and avoid conflicts.	
3.30	Are there provisions for shared parking?	X			*Mixed Use Parking Reductions*, page 37. Allows for reductions if the peak parking times vary. No visitor parking for residential units if part of mixed use project	
3.40	Are there provisions for joint parking?	X				
3.50	What basis is used to establish parking requirements?	X			Land Use	
3.51	*District type?*	x			FBSP, page 36. Different parking requirements are provided for mixed-use zones in the FBSP. Existing parking requirements in zoning code do not allow for reductions for mixed use projects.	
3.52	*Building type?*		x			
3.53	*Use?*	x			Based on use type with mixed use zones	

		Yes	No	Not Applicable	Findings	Suggested Standards
3.0 Parking Standards *(cont.)*						
3.60	Are minimum requirements set?	X				
3.70	Are maximum requirements set?		X			
3.80	Are there provisions that allow reductions in requirements along transit routes?	X			FBSP, Mixed Use Parking Reductions, Page 37. Allows for 10% reduction for bus stop adjacency, 20% transit stop adjacency and 10% if within ¼ mile of transit (additive).	
3.90	Are reductions allowed in exchange for bike parking?		X		Bike parking is required	

		Yes	No	Not Applicable	Findings	Suggested Standards
4.0 Street Hierarchy						
4.1	What street hierarchy is in place?			X		• Divisions within categories will permit a finer grained street system (e.g. differentiate between various widths of arterials, major and minor collectors, commercial and residential local streets). • Use design speed standards to establish pedestrian and bicycle friendly environments. Designing streets for higher speeds encourages speeding even through lower speed limits are set and often necessitates retrofitting
4.11	Are design speed standards used?			X		
4.12	What standards are set for width, intersection and corner radii for neighborhood access streets?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
4.13	What standards are set for width, intersection and corner radii for neighborhood connector streets?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
4.0 Street hierarchy *(cont.)*						
4.14	What standards are set for width, intersection, and corner radii for regional access streets?			X		• Where wider streets are desired, require center medians to maintain a pedestrian-friendly environment. Consider using design speeds of 40 mph on major collectors and 30 mph on minor collector streets. Arterial design speeds should be no greater than 50 mph for 4- and 6-lane streets, and 45 mph for 2-lane streets.

		Yes	No	Not Applicable	Findings	Suggested Standards
5.0 Street Pattern						
5.10	What block lengths are dictated?	x			Concept plans (FBSP, after page 38) are provided in Specific Plan to encourage small, walkable blocks. Also, in a separate document (design guidelines) block size standards are established.	• Excessively long blocks discourage pedestrian traffic. Limit block perimeters (e.g. 1600 ft.). Limit block face lengths (e.g. 500 ft.) • Limit use of cul-de-sacs, and limit length (e.g. to 300') when they are allowed. Where allowed, consider requiring pedestrian and bicycle access between adjoining neighborhoods.
5.11	Do these differ by zone?	X			Varies based on concept plan.	
5.12	Are *cul-de-sacs* allowed?			x	Allowed in the City but not practical along Folsom Boulevard due to the urban nature of the development.	

		Yes	No	Not Applicable	Findings	Suggested Standards
5.20	Are there provisions to ensure street connectivity between neighborhoods?	x			Not specifically called for. Street system already in place between commercial corridor and neighboring residential neighborhoods (new connections not proposed. Concept plans for development along the corridor call for an improved grid network. New street connections across Highway 50 are also proposed.	• Require mid-block pedestrian passages in commercial and mixed-use zones (e.g. at 250' maximum intervals).

		Yes	No	Not Applicable	Findings	Suggested Standards
6.0 Street Width						
6.10	Do street width requirements vary by type of zone?			x		• Vary required Right of Way (R.O.W.) to reflect the nature of the district. • Major arterials - 110' with center median • Town center streets - 88' to 60' depending on whether center median, bike lanes, and/or angled parking are included in design. • Neighborhood streets - 50' to 60'.
	(identify zone here)					
	(identify zone here)					
	(identify zone here)					
7.0 Streetscape Features						
7.01	Are crosswalks allowed?			x	Required as part of street improvements	• Crosswalks should be allowed, and required on long blocks to provide access to commercial areas, schools, places of worship, transportation and recreation facilities. • Crosswalk signals increase pedestrian safety and encourage walking.
7.02	Are pedestrian controlled crosswalk signals required?			X	Not provided in the Specific Plan document, but plan for streetscape improvements call for crosswalk signals	

		Yes	No	Not Applicable	Findings	Suggested Standards
7.03	Is landscaping of medians or curbsides required?			x	Grant fund are being used and additional funds pursued for streetscape improvements	• Landscaping softens the street environment and makes it more attractive to pedestrians. • Sidewalks promote walking and contribute to pedestrian safety. • Sidewalks should be required in urban and suburban areas to provide for pedestrian safety. • Sidewalks should be provided on both sides of the street in commercial and industrial zones, and on at least one side of internal residential subdivision streets. • Sidewalk minimums should take into account the nature of the street and the anticipated volume of pedestrian traffic. • Pedestrian facilities should provide uninterrupted routes to public amenities such as parks, libraries, schools, etc.
7.11	Are sidewalks allowed?			X	Allowed, but not part of this document	
7.12	Are sidewalks required?			x	Required by not part of this document.	
7.13	Are sidewalks required on both sides of street?			x	Sidewalks are planned to be added and improved along Folsom Boulevard. Design Guidelines require sidewalks as part of street improvements.	
7.14	Is a minimum sidewalk width established?			x	Not part of this document, but specified in Street Standards.	
7.15	Is a maximum sidewalk width established?			X		
7.16	Do sidewalks provide access to amenities such as parks and open space?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
7.20	Are standards set for curb cut frequency?			X	Folsom Boulevard improvements will eliminate some curb cuts and add median to provide higher vehicular volume and create more opportunities for safe pedestrian crossings.	• Limiting curb cuts limits the potential conflict between pedestrians and vehicles, and increases pedestrian safety.
7.30	Are impervious surfaces minimized?			x	Although landscaping is required by code.	
7.40	Are provisions made for street lighting?			x		• Where street design speeds encourage speeding, traffic calming features should be allowed to create conditions conducive to walking and bicycling, and to discourage the routine use of local residential streets by through traffic.
7.50	Are provisions made for traffic calming?			x		
7.60x	Are different streetscape features applied to different districts (e.g. transit districts)?		x		This idea could be easily incorporated into the document. FBSP defines "Pulse - points" that could each be defined with more detail with different streetscape features.	

		Yes	No	Not Applicable	Findings	Suggested Standards
8.0 Transit Zones						
8.10	Are transit zones specifically established?	X			Mixed use districts established around transit stops. The concept of "Pulse Points" reinforces TOD areas.	
8.11	How is their location determined?	x			Proximity to light rail stations and proximity to "Pulse Points"	
8.12	Are park-and-ride facilities provided for?	x			Existing Park and Ride to remain.	
8.13	Is a nodal-approach or a systems-approach used (I.e. transit oriented development or transit corridors)?	x			Nodal approach. Commercial development and concept plan concentrated around transit stops	
8.14	Are HOV lanes in use or planned?			X		

To achieve smart growth, communities should:

- **Create a Range of Housing Opportunities and Choices.** Not everyone wants the same thing. Communities should offer a range of options: houses, condominiums, affordable homes for low income families, and "granny flats" for empty nesters.□□

B. Infrastructure

Smart growth means taking advantage of existing services and facilities to reduce the costs to community and ultimately to the taxpayers. It also means providing a range of choices in lot sizes so communities don't wind up with cookie-cutter developments.

Codes and Zoning Regulations contribute to achieving the above goals as they: shape the improvement of existing or provision of new water and sewage systems, schools and park facilities; and, open opportunities for a more diverse and interesting community.

9. Infrastructure and Services

10. Land Subdivision

		Yes	No	Not Applicable	Findings	Suggested Standards
9.0 Infrastructure and Services						
9.10	Are impact fees established for new development?			X		
9.11	Schools?			X		• Where impact fees are established, lower fees should apply where excess infrastructure capacity exists to encourage compact development.
9.12	Water?			X		
9.13	Sewers?			X		
9.14	Park facilities?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
9.20	Are differential impact fees established to encourage infill or brownfield development?			x	Not a part of this document, but lower fees are used for infill sites in the City.	• Infill and brownfield development should be encouraged in areas where unused public facility capacity exists. Fees in these areas should be lower than those imposed on greenfield developments. Differential impact fees are justified by the cost of providing increased capacity and concomitant service and maintenance costs to extensions.

		Yes	No	Not Applicable	Findings	Suggested Standards
10.0 Land Subdivision						
10.	Are a wide-range of lot sizes allowed within each zone?	X			No minimum lot size. Development controlled by density ranges.	• Establishing large minimum lot sizes effectively precludes a mix of housing types and affordability levels within neighborhoods. • Allowing a wide range of lot sizes permits a variety of housing type and range of affordability which facilitates residents' remaining in their neighborhoods as their needs and circumstances change (life cycle planning). • Dictating large minimum frontage requirements contributes to sprawl. Allowing various parcel configurations and clustering of structures promotes the efficient use of space and limits infrastructure requirements.
9.12	Are a wide range of lot sizes allowed within each subdivision?	X			Yes	
8.20	Are various parcel configurations allowed?	X			FBSP, Integrated Developments, page 16 defines how adjacent parcels in different zoning district could be combined to create mixed use developments in various configurations.	

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- **Create a Range of Housing Opportunities and Choices.** Not everyone wants the same thing. Communities should offer a range of options: houses, condominiums, affordable homes for low income families, and "granny flats" for empty nesters.□□

C. Zoning

Smart growth means taking advantage of existing services and facilities to reduce the costs to community and ultimately to the taxpayers. It also means providing a range of choices in lot sizes so communities don't wind up with cookie-cutter developments.

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11. Use (Zoning) Districts

		Yes	No	Not Applicable	Findings	Suggested Standards
11.0 Use (Zoning) Districts						
11.10	Is development allowed in floodplains?			X		
11.11	Under what conditions?			X		
11.21	Are minimum lot sizes established?		X			• Large minimum lot sizes discourage a mix of uses, and contribute to sprawling land use patterns.
11.22	Are maximum lot sizes established?		X			
11.23	Are small single-family lots permitted?	X				
11.24	Are Rural Residential, Residential Estate, or Suburban Residential lots of an acre or more allowed?		X		Low density zoning district are not provided in FBSP	

		Yes	No	Not Applicable	Findings	Suggested Standards
11.30	Are residential uses encouraged in the CBD or other business/commercial districts?	X			Residential allowed in all mixed use districts.	• Allowing a full mix of compatible development provides for round-the-clock use of the CBD and other business and commercial districts.
11.40	Are distinctions made between infill or brownfield and greenfield development?	X			FBSP is considered an infill/greyfield development area.	• Infill and brownfield development should be encouraged using mechanisms such as transferable density credits, streamlined permitting, reduced development fees.
11.50	Are density standards established?	X			Minimum and maximum density established	
11.60	Are second units allowed?	X				• Second units can provide affordable life-cycle housing options for extended families.
11.61	By right?	X				
11.62	By use permit?		X			
11.70	Are manufactured homes allowed in all zones?	X				• Manufactured housing can expand affordable housing options.

		Yes	No	Not Applicable	Findings	Suggested Standards
11.71	By right?	X				
11.72	By use permit?		X			
11.80	Are minimum residential square-footages established?		x			• Minimum residential square-footage requirements may preclude building affordable housing.
11.90	Is fast track permitting provided for accessory units?		X			

To achieve smart growth, communities should:

- **Create a Range of Housing Opportunities and Choices.** Not everyone wants the same thing. Communities should offer a range of options: houses, condominiums, affordable homes for low income families, and "granny flats" for empty nesters.□□

D. Special-Use Districts

Smart growth means taking advantage of existing services and facilities to reduce the costs to community and ultimately to the taxpayers. It also means providing a range of choices in lot sizes so communities don't wind up with cookie-cutter developments.

Codes and Zoning Regulations contribute to achieving the above goals as they: shape the improvement of existing or provision of new water and sewage systems, schools and park facilities; and, open opportunities for a more diverse and interesting community.

12. Mixed-Use Districts

13. Live-Work Districts

		Yes	No	Not Applicable	Findings	Suggested Standards
Special Use Districts						
	Mixed-Use Districts					
11.10	Are provisions made for Mixed-Use districts?	X			Mixed use districts and related development standards form the core of the FBSP documents. The standards are defined on page 15 to 38.	
11.11	Do set-back requirements severely limit lot usage?		X		Buildings are required to be close to the front property lines.	
11.12	Do Floor Area Ratios severely limit lot useage?		X		Minimum FARs are required and may limit some low density development from occurring.	
11.13	Are building frontage standards established?	X			Buildings are required to locate near front property line.	
11.14	Is vehicular and pedestrian connectivity to adjacent neighborhoods required?		X		Existing street connections are available. FBSP does not discuss this topic.	
11.15	Are density bonuses granted in mixed-use zones?		X		Higher density development is permitted without a density bonus.	

		Yes	No	Not Applicable	Findings	Suggested Standards
11.16	What parking standards apply?	x			FBSP provides parking standards for mixed use districts (page 36). Reduced parking allowed for mixed use situations	
11.16	Are parking standards customized for zone?	X				
11.16	How?	X			Mixed use district have special parking standards (FBSP, page 36)	
11.16	Are there provisions for shared parking?	X			Yes (FPSP, page 37)	
11.16	Is centralized parking allowed?	X			Allowed but not specified in Specific Plan	
11.17	What standards are set for development scale or design elements?	x			FBSP defines a Medium to Low Density Residential Transition for development adjacent to existing single family neighborhoods. Design Guidelines also require development scale and design.	
11.18	Do landscaping standards preclude efficient lot usage?		X			

		Yes	No	Not Applicable	Findings	Suggested Standards
11.19	Is private open space required?	x			FBSP encourages plazas at "Pulse Points" but this is not defined in detail and is not specifically required. City design guidelines require private open space.	
11.20	Is consideration given to open space connectivity?	X			FBSP reference connection across Highway 50, but this is not specifically defined or required.	
11.21	What uses are permitted in open space areas			x	Not specified	
11.21	By right?			X	Not specified	
11.21	By use permit?			X		
11.30	Are view corridors considered?		X			
11.40	Are provisions made for cluster development?		X			

		Yes	No	Not Applicable	Findings	Suggested Standards
11.50	Are compatibility standards established?	X			FBSP, Table 2, Allowed Uses, page 32. In use tables (Conditional Uses).	
11.51	For home occupation?	x				
11.52	For commercial ventures?	x				
11.53	Do safety codes (primarily fire codes) restrict or effectively disallow commercial or home occupation uses?		X			
11.54	Is consideration given to the zone's relationship to other zones?	X			FBSP, Integrated Developments, page 16 defines how adjacent parcels/zones can be combined into mixed use projects.	
11.55	Are restrictions placed on signage?			x	Not part of this document	
11.56	Are space ratios (e.g. residential square footage to work area) established?		X			

		Yes	No	Not Applicable	Findings	Suggested Standards
11.57	Is the number of employees per square foot of workspace regulated?		X			
11.58	Are there provisions for transitions between zones?	X			FBSP requires a transition between higher density development along Folsom Boulevard and adjacent residential neighborhoods.	
11.59	Are there provisions for design compatibility with adjacent structures?	X			City Design Guidelines require compatibility.	
11.60	Are there provisions for the preservation of historic structures?		X			
Live-Work Districts						
12.10	Are provisions made for Live-Work districts?			x	Live-work allowed as a permitted use in mixed use zones.	
12.20	Do set-back requirements severely limit lot usage?			X		
12.30	Do Floor Area Ratios severely limit lot usage?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
12.40	Are building frontage standards established?			X		
12.50	Is vehicular and pedestrian connectivity to adjacent neighborhoods required?			X		
12.60	Are density bonuses granted in mixed-use zones?			x		
12.70	What parking standards apply?			x		
12.71	Are parking standards customized for zone?			x		
12.72	How?			x		
12.73	Are there provisions for shared parking?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
12.74	Is centralized parking allowed?			x		
12.80	What standards are set for development scale or design elements?			x		

x

Planned Unit Development (PUD)

13.10	Are provisions made PUDs?			x		
13.20	Is block length regulated?			x		
13.21	Are vehicular or pedestrian connectivity to adjacent neighborhoods required?			x		
13.30	Are there set back requirements that effectively preclude certain uses?			x		
13.31	Are second units allowed?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
13.31	By right?			x		
13.31	By use permit?			x		
13.32	Are manufactured homes allowed?			x		
13.32	By right?			x		
13.32	By use permit?			x		
13.40	Are standards set for development scale or design elements?			x		
13.50	Is private open space required?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
13.51	Is consideration given to open space connectivity?			x		
13.60	Are provisions made for cluster development?			x		
13.70	Are home occupation or commercial ventures allowed in these zones?			x		
13.70	By right?			x		
13.70	By use permit?			x		
13.71	Are compatibility standards established for home occupation or commercial ventures?			x		
13.72	Do safety codes (primarily fire codes) restrict or effectively disallow commercial or home occupation uses?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
13.73	What parking standards apply to home occupation or commercial uses?			x		
13.73	Do parking standards effectively preclude home occupation or commercial use?			x		
13.80	Is consideration given to the zone's relationship to other zones?			x		
13.81	Are there requirements to provide a mix a housing affordable to all income levels within PUDs?			x		
Traditional Neighborhood Districts						
14.10	Are provisions made for Traditional Neighborhood districts (TND)?			x		
14.11	Are density standards established?			x		
14.20	Is block length regulated?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
14.21	Are vehicular or pedestrian connectivity to adjacent neighborhoods required?			x		
14.30	Are there set back requirements that effectively preclude certain uses?			x		
14.31	Are second units allowed?			x		
14.31	By right?			x		
14.31	By use permit?			x		
14.32	Are manufactured homes allowed?			x		
14.32	By right?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
14.32	By use permit?			x		
14.40	Are standards set for development scale or design elements?			x		
14.50	Is private open space required?			x		
14.51	Is consideration given to open space connectivity?			x		
14.60	Are provisions made for cluster development?			x		
14.70	Are home occupation or commercial ventures allowed in these zones?			x		
14.71	By right?			x		
14.71	By use permit?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
14.71	Are compatibility standards established for home occupation or commercial ventures?			x		
14.72	Do safety codes (primarily fire codes) restrict or effectively disallow commercial or home occupation uses?			x		
14.73	What parking standards apply to home occupation or commercial uses?			x		
14.73	Do parking standards effectively preclude home occupation or commercial use?			x		
14.80	Is consideration given to the zone's relationship to other zones?			x		
14.81	Are there provisions for transitioning neighborhoods from suburban standards to traditional neighborhood districts, mixed-use or live-work zones?			x		

		Yes	No	Not Applicable	Findings	Suggested Standards
14.82	Are there requirements to provide a mix a housing affordable to all income levels within TNDs?			x		

SMART GROWTH
LEADERSHIP INSTITUTE

Code and Zoning Audit Tool

Rancho Cordova, Rio del Oro Specific Plan

GENERAL INSTRUCTIONS:

To use this tool you will need copies of all the existing ordinances that enforce the codes and zoning regulations in your community. This is usually found in the following type of documents:

- Land Use codes
- Zoning Regulations
- Subdivision Regulations
- Overlay District Regulations
- Special Use District Regulations

Assemble all the pertinent documents, review this tool and then use it to look for sections in your local community regulations that apply to the areas this Audit Tool looks for.

ex: Check if any of the regulations address pedestrian crosswalks –and then compare these regulations to the sections in this tool.

The Code and Zoning Audit Tool is used in an iterative process. Take one section at a time and compare the guidelines with what is written in your local code and zoning regulations.

To achieve smart growth, communities should:

- **Foster "Walkable," Close-Knit Neighborhoods.** These places offer not just the opportunity to walk—sidewalks are a necessity—but something to walk to, whether it's the corner store, the transit stop or a school. A compact, walkable neighborhood contributes to peoples' sense of community because neighbors get to know each other, not just each other's cars.□□

- **Provide a Variety of Transportation Choices.** People can't get out of their cars unless we provide them with another way to get where they want to go. More communities need safe and reliable public transportation, sidewalks and bike paths.

A. Connectivity/Circulation

Codes and Zoning Regulations contribute to achieving the above goals as they shape the connectivity and circulation in our communities. Connectivity and Circulation are determined by regulations that shape the following dimensions:

1. **Alleyways**
2. **Bicycle and Multi-Use Trail Facilities**
3. **Parking Standards**
4. **Street Hierarchy**
5. **Street Pattern**
6. **Street Width**
7. **Streetscape Features**
8. **Transit Zones**

		Yes	No	Not Applicable	Findings	Suggested Standards
1.0 Alleyways						
1.10	Are alleyways allowed?	X			Allows alleys in med.-high density residential areas (RDODS 2.1)	• Require alleys and limit number of curb cuts allowed on streets. • Use should dictate width. In commercial zones, alleys can function as drive aisles for off-street parking lots and as fire lanes.
1.20	Are there restrictions on their use?			X	No specifics	
1.30	Are width standards established?		X			
2.0 Bicycle/Multi-use trail facilities						
2.10	Are bicycle lanes required?	X			Bicycle lanes specified on streets (RDODS 3.2); bicycle trail system (RDOSP 4.6.2 - 4.6.3)	• Provide for a network of bicycle routes, lanes, or shared-use trails to promote bicycle use in all zones. • Retrofit bicycle lanes into roads by changing on-street parking configuration. • Require bike-parking facilities in commercial and industrial projects to encourage the use of bikes as alternative transportation. Provide for both short and secured long-term parking within convenient distances of building entrances, varying standards with use type.
2.20	Are bicycle lanes accommodated?			X		
2.30	Is bicycle parking required?	X			All commercial centers shall be bicycle friendly; no specific bicycle parking requirements (RDODS 2.2)	
2.0 Bicycle/Multi-use trail facilities (cont.)						

		Yes	No	Not Applicable	Findings	Suggested Standards
2.40	Are standards established for bicycle lane width?	X			Specifically 4-foot lanes on arterials; 10-foot shared parking-bicycle on smaller streets(RDODS 3.2.1)	• On new roads, a minimum lane width of 6' is suggested. A minimum width of 5' is suggested for retrofits. Where a shared lane for bikes and parking is provided, a minimum total lane width of 12' (7' for parking and 5' for bikes) is suggested. • Grade differences between gutter pans and street surface should be eliminated. Uniform, smooth surfaces should be specified.
2.50	Are standards established for bicycle lane surface?		X			
2.60	Are standards established for separation of bike lanes from motorized vehicle lanes?	X			Class II bicycle lanes on arterials and collector streets delineated by signage and painted stripes (RDOSP 4.6.3)	
2.70	Is a multi-use trail provided for or planned?	X			Bicycle trail system (RDOSP 4.6.2)	
3.0 Parking Standards						
3.10	Is on street parking allowed?	X			Not allowed on higher capacity roads (collectors/arterials). Allowed in low-density res; specified areas in med-density res; guest parking allowed in high-density res (RDODS 2.1); parking not specified in RDOSP	• Among other benefits, on-street parking encourages pedestrian traffic, and can act as a buffer between pedestrians and moving vehicles. Design is important. • Avoid diagonal parking on streets with bike lanes or routes and on heavily traveled streets. • Shared parking should be encouraged. • Joint parking should be considered where conditions warrant
3.20	What relationship is dictated between parking spaces and the street?			X	Not specified	
3.30	Are there provisions for shared parking?	X			Encouraged, but not specified	

		Yes	No	Not Applicable	Findings	Suggested Standards
3.40	Are there provisions for joint parking?	X			Encouraged, but not specified	
3.50	What basis is used to establish parking requirements?					
3.51	*District type?*			X		
3.52	*Building type?*			X		
3.53	*Use?*	X			2-space min. parking requirement for low-med. density residential, less for high-density (RDODS 2.1) 3-space min per 1,000 sq. ft in business, industrial (RDODS 2.3); 4.5-space min for commercial/retail (RDODS 2.2)	
3.0 Parking Standards *(cont.)*						
3.60	Are minimum requirements set?	X			2-space min. parking requirement for low-med. density residential, less for high-density (RDODS 2.1) 3-space min per 1,000 sq. ft in business, industrial (RDODS 2.3); 4.5-space min for commercial/retail (RDODS 2.2)	
3.70	Are maximum requirements set?		X			
3.80	Are there provisions that allow reductions in requirements along transit routes?		X			

		Yes	No	Not Applicable	Findings	Suggested Standards
3.90	Are reductions allowed in exchange for bike parking?		X			
4.0 Street Hierarchy						
4.1	What street hierarchy is in place?	X			RDOSP 4.3	• Divisions within categories will permit a finer grained street system (e.g. differentiate between various widths of arterials, major and minor collectors, commercial and residential local streets). • Use design speed standards to establish pedestrian and bicycle friendly environments. Designing streets for higher speeds encourages speeding even through lower speed limits are set and often necessitates retrofitting traffic calming features
4.11	Are design speed standards used?		X		Traffic calming measures, but design speeds not specified (RDOSP 4.3.6)	
4.12	What standards are set for width, intersection and corner radii for neighborhood access streets?				42 feet wide collector parkways, 7-foot parking and on-street bike lane; 60-foot right-of-way; corner radii not specified (RDODS 3.2.1.5)	

		Yes	No	Not Applicable	Findings	Suggested Standards
4.13	What standards are set for width, intersection and corner radii for neighborhood connector streets?				60-foot right-of-way, 12 foot median, 10-foot parking and on-street bike lane; corner radii not specified (RDODS 3.2.1.4)	
4.0 Street hierarchy						
4.14	What standards are set for width, intersection, and corner radii for regional access streets?				6-lane thoroughfares and 4-lane arterials with 38-feet central medians to allow for future 11-foot bus lanes; 8-foot multi-use paths; intersection and corner radii not specified (RDODS 3.2.1.1 - 3.1.1.3)	• Where wider streets are desired, require center medians to maintain a pedestrian-friendly environment. Consider using design speeds of 40 mph on major collectors and 30 mph on minor collector streets. Arterial design speeds should be no greater than 50 mph for 4- and 6-lane streets, and 45 mph for 2-lane streets.
5.0 Street Pattern						
5.10	What block lengths are dictated?			X	Not specified. Rancho Cordova Guidelines place some limits on block length.	• Excessively long blocks discourage pedestrian traffic. Limit block perimeters (e.g. 1600 ft.). Limit block face lengths (e.g. 500 ft.)
5.11	Do these differ by zone?			X	Not specified	• Limit use of cul-de-sacs, and limit length (e.g. to 300') when they are allowed. Where allowed, consider

		Yes	No	Not Applicable	Findings	Suggested Standards
5.12	Are *cul-de-sacs* allowed?	X			Allowed. "Live-end" Cul-de-sacs referenced on page 46 of RDODS 3.1.2 to provide access to regional trail system.	
5.20	Are there provisions to ensure street connectivity between neighborhoods?	X			Pedestrian and bicycle trail provisions (RDOSP 4.6); access walkways between residences, open spaces, parks, schools, commercial centers; street patterns that allow for internal connections between neighborhoods (RDODS 3.3.2)	• Require mid-block pedestrian passages in commercial and mixed-use zones (e.g. at 250' maximum intervals).
6.0 Street Width						
6.10	Do street width requirements vary by type of zone?	X			Larger ROW on arterial, collector streets, smaller ROW in residential	• Vary required Right of Way (R.O.W.) to reflect the nature of the district.
	Major arterials				76′ - 98′ with 16′ center median	• Major arterials - 110' with center median
	Collector Parkways				60′ with 12′ median	• Town center streets - 88' to 60' depending on whether center median, bike lanes, and/or angled parking are included in design.
	Residential				32′ - 42′ with no median	• Neighborhood streets - 50' to 60'.
7.0 Streetscape Features						

		Yes	No	Not Applicable	Findings	Suggested Standards
7.01	Are crosswalks allowed?	X			Highly visible crosswalks at all intersections to allow pedestrians to cross safely at the shortest distance possible. A change of paving materials is encouraged to enhance safety, visibility, and aesthetics. (RDODS 3.2.4)	• Crosswalks should be allowed, and required on long blocks to provide access to commercial areas, schools, places of worship, transportation and recreation facilities. • Crosswalk signals increase pedestrian safety and encourage walking.
7.02	Are pedestrian controlled crosswalk signals required?		X			
7.03	Is landscaping of medians or curbsides required?	X			Landscaped corridors ranging from 30-40 feet required on thoroughfares and major arterials, 20-foot wide corridors on collector streets.	• Landscaping softens the street environment and makes it more attractive to pedestrians. • Sidewalks promote walking and contribute to pedestrian safety. • Sidewalks should be required in urban and suburban areas to provide for pedestrian safety. • Sidewalks should be provided on both sides of the street in commercial and industrial zones, and on at least one side of internal residential subdivision streets. • Sidewalk minimums should take into account the nature of the street and the anticipated volume of pedestrian traffic. • Pedestrian facilities should provide uninterrupted routes to public amenities such as
7.11	Are sidewalks allowed?	X				
7.12	Are sidewalks required?	X			5-foot wide attached or detached sidewalks along local streets, 6-foot wide detached sidewalks within landscape corridors along collector streets and 8-foot wide detached sidewalks along arterial and thoroughfare streets. (RDOSP 4.6.2)	
7.13	Are sidewalks required on both sides of street?	X			Indicated in diagrams, but not specified.	
7.14	Is a minimum sidewalk width established?	X			4' on residential 8' multi-use paths on collectors, arterials	

		Yes	No	Not Applicable	Findings	Suggested Standards
7.15	Is a maximum sidewalk width established?		X			
7.16	Do sidewalks provide access to amenities such as parks and open space?	X			Access from local town centers, schools, neighborhoods to parks and open space preserves provided via trails, paseos, or easements (RDODS 3.1)	
7.20	Are standards set for curb cut frequency?		X			• Limiting curb cuts limits the potential conflict between pedestrians and vehicles, and increases pedestrian safety.
7.30	Are impervious surfaces minimized?		X			
7.40	Are provisions made for street lighting?		X		No provisions made for street lighting.	• Where street design speeds encourage speeding, traffic calming features should be allowed to create conditions conducive to walking and bicycling, and to discourage the routine use of local residential streets by through traffic.
7.50	Are provisions made for traffic calming?	X			Applied where appropriate on local streets, including use of traffic circles, bulb outs, raised intersections (RDOSP 4.3.6)	
7.60	Are different streetscape features applied to different districts (e.g. transit districts)?	X			Different streetscapes, to an extent. All streets require 6' minimum parkways. Arterials and collectors have 12' to 16' medians. (RDODS 3.2.1)	
8.0 Transit Zones						

		Yes	No	Not Applicable	Findings	Suggested Standards
8.10	Are transit zones specifically established?		X			
8.11	How is their location determined?			X		
8.12	Are park-and-ride facilities provided for?		X		Not specified.	
8.13	Is a nodal-approach or a systems-approach used (I.e. transit oriented development or transit corridors)?		X		System approach is used. A primary transit corridor is defined. Transit centers are vaguely planned for Local Town Centers and Village Cores (RDOSP 3.2.1). A future BRT lane is designated on Rancho Cordova Parkway (formerly Jaeger road). The density planned along Rancho Cordova Parkway (mostly low density) is probably not high enough to support high volume transit service. The rule of thumb is that an average of ten du/acre is needed within ¼ mile to support a TOD and/or major transit stop.	
8.14	Are HOV lanes in use or planned?	X			Planning for 11' bus lanes on arterials (RDOSP 4.3.1; RDODS 3.2.1.2)	

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B. Infrastructure

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9. Infrastructure and Services

10. Land Subdivision

		Yes	No	Not Applicable	Findings	Suggested Standards
9.0 Infrastructure and Services						
9.10	Are impact fees established for new development?	X			Use of existing city-wide impact fees; provisions for future updates (RDOSP 8.5.1)	• Where impact fees are established, lower fees should apply where excess infrastructure capacity exists to encourage compact development.
9.11	Schools?	X			School district-established fees in accordance with state regulations to be used to construct school facilities (RDOSP 8.5.1)	
9.12	Water?	X			Direct developer/merchant builder financing may be used to contribute towards backbone improvements and facilities. (RDOSP 8.5.1)	
9.13	Sewers?	X			Direct developer/merchant builder financing may be used to contribute towards backbone improvements and facilities. (RDOSP 8.5.1)	
9.14	Park facilities?	X			Park fees charged on a per unit bases to fund construction, or developers can contribute improvements in-lieu of fees. (RDOSP 7.2.1)	

		Yes	No	Not Applicable	Findings	Suggested Standards
9.20	Are differential impact fees established to encourage infill or brownfield development?			X	Currently undeveloped area	• Infill and brownfield development should be encouraged in areas where unused public facility capacity exists. Fees in these areas should be lower than those imposed on greenfield developments. Differential impact fees are justified by the cost of providing increased capacity and concomitant service and maintenance costs to extensions.
10.0 Land Subdivision						
10.	Are a wide-range of lot sizes allowed within each zone?	X			For low-density residential, lot size requirements range from 5,000 to 10,000 minimum. The greatest variety is in the medium-density residential, with lot-size minimums ranging from 2,000 to 5,000 with detached housing and duet housing allowed. (RDODS 2.1)	• Establishing large minimum lot sizes effectively precludes a mix of housing types and affordability levels within neighborhoods. • Allowing a wide range of lot sizes permits a variety of housing type and range of affordability which facilitates residents' remaining in their neighborhoods as their needs and circumstances change
9.12	Are a wide range of lot sizes allowed within each subdivision?	X			See previous.	

		Yes	No	Not Applicable	Findings	Suggested Standards
8.20	Are various parcel configurations allowed?	X			As with the previous, the greatest variety of parcel configurations allowed are within the medium-density residential zones, which allow for alley-loading, zero lot line, zipper lots, and cluster housing. Low-density residential provides little variation. (RDODS 2.1)	

To achieve smart growth, communities should:

- **Create a Range of Housing Opportunities and Choices.** Not everyone wants the same thing. Communities should offer a range of options: houses, condominiums, affordable homes for low income families, and "granny flats" for empty nesters.□□

C. Zoning

Smart growth means taking advantage of existing services and facilities to reduce the costs to community and ultimately to the taxpayers. It also means providing a range of choices in lot sizes so communities don't wind up with cookie-cutter developments.

Codes and Zoning Regulations contribute to achieving the above goals as they: shape the improvement of existing or provision of new water and sewage systems, schools and park facilities; and, open opportunities for a more diverse and interesting community.

11. Use (Zoning) Districts

		Yes	No	Not Applicable	Findings	Suggested Standards
11.0 Use (Zoning) Districts						
11.10	Is development allowed in floodplains?		x		Site is partially in a 100-year floodplain that will be predominately placed in a wetland preserve; planning for construction of drainage channels, parkways, grading realignment, detention basins, site runoff towards the southwest corner of the site is planned (RDOSP 6.4.2)	
11.11	Under what conditions?				See previous.	
11.21	Are minimum lot sizes established?	X			For low-density residential, lot size requirements range from 5,000 to 10,000 minimum. The greatest variety is in the medium-density residential, with lot-size minimums ranging from 2,000 to 5,000 with detached housing and duet housing allowed. (RDODS 2.1)	• Large minimum lot sizes discourage a mix of uses, and contribute to sprawling land use patterns.
11.22	Are maximum lot sizes established?		X			
11.23	Are small single-family lots permitted?	X			Small single-family lots are permitted, with ranges anywhere from 2,000 to 10,000 minimum. (RDODS 2.1)	
11.24	Are Rural Residential, Residential Estate, or Suburban Residential lots of an acre or more allowed?		X			

		Yes	No	Not Applicable	Findings	Suggested Standards
11.30	Are residential uses encouraged in the CBD or other business/commercial districts?		X		High density residential uses allowed only in Village Centers; residential uses in Regional and Local Town Centers restricted due to provisions of Mather Field flight plan (RDODS 2.2)	• Allowing a full mix of compatible development provides for round-the-clock use of the CBD and other business and commercial districts.
11.40	Are distinctions made between infill or brownfield and greenfield development?			X		• Infill and brownfield development should be encouraged using mechanisms such as transferable density credits, streamlined permitting, reduced development fees.
11.50	Are density standards established?	X			Low-density residential: 1 - 6 du/ac Medium-density residential: 6 - 18 du/ac High-density residential: up to 40 du/acre (RDODS 2.1)	
11.60	Are second units allowed?	X			Accessory/in-law units, cottages and units above rear yard detached garages may be permitted subject defined standards in low density and small lot medium density residential.	• Second units can provide affordable life-cycle housing options for extended families.
11.61	By right?				Not specified - subject to Rancho Cordova Zoning Ordinance (RDOSP 8.2.1)	
11.62	By use permit?				Not specified	
11.70	Are manufactured homes allowed in all zones?			X	Not specified	• Manufactured housing can expand affordable housing options.

		Yes	No	Not Applicable	Findings	Suggested Standards
11.71	By right?			X		
11.72	By use permit?			X		
11.80	Are minimum residential square-footages established?		X			• Minimum residential square-footage requirements may preclude building affordable housing.
11.90	Is fast track permitting provided for accessory units?			X	Not specified	

To achieve smart growth, communities should:

- **Create a Range of Housing Opportunities and Choices.** Not everyone wants the same thing. Communities should offer a range of options: houses, condominiums, affordable homes for low income families, and "granny flats" for empty nesters.□□

D. Special-Use Districts

Smart growth means taking advantage of existing services and facilities to reduce the costs to community and ultimately to the taxpayers. It also means providing a range of choices in lot sizes so communities don't wind up with cookie-cutter developments.

Codes and Zoning Regulations contribute to achieving the above goals as they: shape the improvement of existing or provision of new water and sewage systems, schools and park facilities; and, open opportunities for a more diverse and interesting community.

12. Mixed-Use Districts

13. Live-Work Districts

		Yes	No	Not Applicable	Findings	Suggested Standards
Special Use Districts						
	Mixed-Use Districts					
11.10	Are provisions made for Mixed-Use districts?	X			Vague provisions are included. Village Commercial areas are designed as mixed-use commercial and high-density residential hubs, which may be second floor uses above the ground floor commercial shops or separate apartment or condo units integrated with the retail component (RDOSP 3.2.1)	
11.11	Do set-back requirements severely limit lot usage?			X	Not specified	
11.12	Do Floor Area Ratios severely limit lot useage?			X	Not specified	
11.13	Are building frontage standards established?			X	Not specified	
11.14	Is vehicular and pedestrian connectivity to adjacent neighborhoods required?			X	Not specified	
11.15	Are density bonuses granted in mixed-use zones?			X	Not specified	

		Yes	No	Not Applicable	Findings	Suggested Standards
11.16	What parking standards apply?			X	Not specified	
11.16	Are parking standards customized for zone?			X	Not specified	
11.16	How?			X	Not specified	
11.16	Are there provisions for shared parking?			X	Not specified	
11.16	Is centralized parking allowed?			X	Not specified	
11.17	What standards are set for development scale or design elements?			X	Not specified	
11.18	Do landscaping standards preclude efficient lot usage?			X	Not specified	

		Yes	No	Not Applicable	Findings	Suggested Standards
11.19	Is private open space required?			X	Not specified	
11.20	Is consideration given to open space connectivity?			X	Not specified	
11.21	What uses are permitted in open space areas			X	Not specified	
11.21	By right?			X	Not specified	
11.21	By use permit?			X	Not specified	
11.30	Are view corridors considered?			X	Not specified	
11.40	Are provisions made for cluster development?			X	Not specified	

		Yes	No	Not Applicable	Findings	Suggested Standards
11.50	Are compatibility standards established?			X	Not specified	
11.51	For home occupation?			X	Not specified	
11.52	For commercial ventures?			X	Not specified	
11.53	Do safety codes (primarily fire codes) restrict or effectively disallow commercial or home occupation uses?			X	Not specified	
11.54	Is consideration given to the zone's relationship to other zones?			X	Not specified	
11.55	Are restrictions placed on signage?			X	Not specified	
11.56	Are space ratios (e.g. residential square footage to work area) established?			X	Not specified	

		Yes	No	Not Applicable	Findings	Suggested Standards
11.57	Is the number of employees per square foot of workspace regulated?			X	Not specified	
11.58	Are there provisions for transitions between zones?			X	Not specified	
11.59	Are there provisions for design compatibility with adjacent structures?			X	Not specified	
11.60	Are there provisions for the preservation of historic structures?			X	Currently undeveloped	
Live-Work Districts						
12.10	Are provisions made for Live-Work districts?			X	Not specified anywhere in the document.	
12.20	Do set-back requirements severely limit lot usage?			X	Not specified	
12.30	Do Floor Area Ratios severely limit lot usage?			X	Not specified	

		Yes	No	Not Applicable	Findings	Suggested Standards
12.40	Are building frontage standards established?			X	Not specified	
12.50	Is vehicular and pedestrian connectivity to adjacent neighborhoods required?			X	Not specified	
12.60	Are density bonuses granted in mixed-use zones?			X	Not specified	
12.70	What parking standards apply?			X	Not specified	
12.71	Are parking standards customized for zone?			X	Not specified	
12.72	How?			X	Not specified	
12.73	Are there provisions for shared parking?			X	Not specified	

		Yes	No	Not Applicable	Findings	Suggested Standards
12.74	Is centralized parking allowed?			X	Not specified	
12.80	What standards are set for development scale or design elements?			X	Not specified	
Planned Unit Development (PUD)						
13.10	Are provisions made PUDs?			X		
13.20	Is block length regulated?			X		
13.21	Are vehicular or pedestrian connectivity to adjacent neighborhoods required?			X		
13.30	Are there set back requirements that effectively preclude certain uses?			X		
13.31	Are second units allowed?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
13.31	By right?			X		
13.31	By use permit?			X		
13.32	Are manufactured homes allowed?			X		
13.32	By right?			X		
13.32	By use permit?			X		
13.40	Are standards set for development scale or design elements?			X		
13.50	Is private open space required?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
13.51	Is consideration given to open space connectivity?			X		
13.60	Are provisions made for cluster development?			X		
13.70	Are home occupation or commercial ventures allowed in these zones?			X		
13.70	By right?			X		
13.70	By use permit?			X		
13.71	Are compatibility standards established for home occupation or commercial ventures?			X		
13.72	Do safety codes (primarily fire codes) restrict or effectively disallow commercial or home occupation uses?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
13.73	What parking standards apply to home occupation or commercial uses?			X		
13.73	Do parking standards effectively preclude home occupation or commercial use?			X		
13.80	Is consideration given to the zone's relationship to other zones?			X		
13.81	Are there requirements to provide a mix a housing affordable to all income levels within PUDs?			X		
Traditional Neighborhood Districts						
14.10	Are provisions made for Traditional Neighborhood districts (TND)?			X		
14.11	Are density standards established?			X		
14.20	Is block length regulated?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
14.21	Are vehicular or pedestrian connectivity to adjacent neighborhoods required?			X		
14.30	Are there set back requirements that effectively preclude certain uses?			X		
14.31	Are second units allowed?			X		
14.31	By right?			X		
14.31	By use permit?			X		
14.32	Are manufactured homes allowed?			X		
14.32	By right?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
14.32	By use permit?			X		
14.40	Are standards set for development scale or design elements?			X		
14.50	Is private open space required?			X		
14.51	Is consideration given to open space connectivity?			X		
14.60	Are provisions made for cluster development?			X		
14.70	Are home occupation or commercial ventures allowed in these zones?			X		
14.71	By right?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
14.71	By use permit?			X		
14.71	Are compatibility standards established for home occupation or commercial ventures?			X		
14.72	Do safety codes (primarily fire codes) restrict or effectively disallow commercial or home occupation uses?			X		
14.73	What parking standards apply to home occupation or commercial uses?			X		
14.73	Do parking standards effectively preclude home occupation or commercial use?			X		
14.80	Is consideration given to the zone's relationship to other zones?			X		

		Yes	No	Not Applicable	Findings	Suggested Standards
14.81	Are there provisions for transitioning neighborhoods from suburban standards to traditional neighborhood districts, mixed-use or live-work zones?			X		
14.82	Are there requirements to provide a mix a housing affordable to all income levels within TNDs?			X		

Agenda Item 7: Supplemental 2

Economic &
Planning Systems

Public Finance
Real Estate Economics
Regional Economics
Land Use Policy

MEMORANDUM

To: Blake Griffin, *AKT Development Corporation*

From: Amy Lapin

Subject: Annual Gross Sales Tax Revenue Estimates for Proposed Chrysanthy Boulevard Shopping Center in Rancho Cordova; EPS #16687

Date: January 11, 2007

AKT Development Corporation (Developer) retained Economic & Planning Systems, Inc., (EPS) to estimate sales tax revenue likely to be generated by the proposed retail center, Chrysanthy Boulevard Shopping Center, located in the City of Rancho Cordova (City), under two zoning scenarios. The purpose of this memorandum is to present the estimated annual gross sales tax revenue generated by the proposed retail center under two zoning scenarios and the methodology by which this revenue was estimated.

SUMMARY RESULTS

This analysis estimates annual gross sales tax revenue generated by the Chrysanthy Boulevard Shopping Center under two zoning scenarios. **Scenario #1** reflects the site's current zoning designations, whereas **Scenario #2** reflects revised zoning designations. The differences between these two zoning scenarios are summarized below.

Item	Scenario #1: Current Zoning	Scenario #2: Rezoned
Type of Retail	Neighborhood	Community
Anchor Tenant	Grocery Store	Home Impr. Store
Total Building Sq. Ft.	95,048	189,734
Total Annual Gross Sales Tax Revenue	$94,151	$486,315

SACRAMENTO
2150 River Plaza Drive, Suite 400
Sacramento, CA 95833
www.epsys.com
phone: 916-649-8010
fax: 916-649-2070

BERKELEY
phone: 510-841-9190
fax: 510-841-9208

DENVER
phone: 303-623-3557
fax: 303-623-9049

SCENARIO #1: CURRENT ZONING

Table 1 presents an estimate of annual gross sales tax revenue to the City from future new development of the Chrysanthy Boulevard Shopping Center under the current zoning scenario (**Scenario #1**). After the retail center is constructed and all tenants are open and operating, this analysis estimates new development will generate revenues of approximately $125,000 annually in constant 2006 dollars before applying the Property-Tax in-lieu of Sales Tax rate. After applying this rate, the retail center will generate annual gross sales tax revenues of $95,000. The differential of approximately $30,000 will be distributed to the City in the form of property tax revenue.

SCENARIO #2: REZONED

Table 2 presents an estimate of annual gross sales tax revenue to the City from future new development of the Chrysanthy Boulevard Shopping Center under the revised zoning scenario (**Scenario #2**). After the retail center is constructed and all tenants are open and operating, this analysis estimates new development will generate revenues of approximately $650,000 annually in constant 2006 dollars before applying the Property-Tax in-lieu of Sales Tax rate. After applying this rate, the retail center will generate annual gross sales tax revenues of $485,000. The differential of approximately $165,000 will be distributed to the City in the form of property tax revenue.

SALES TAX RATES

Annual gross sales tax revenue is based on the estimated annual gross taxable sales generated by the retail center and applicable sales tax rates for the City. The applicable sales tax rates are described as follows:

- **Bradley-Burns Uniform Local Sales Tax**. The City is allocated a full 1 percent of the Bradley-Burns Uniform Local Sales Tax; and
- **Property Tax in-lieu of Sales Tax**. This analysis incorporates the recent legislative updates of Senate Bill (SB) 1096 as amended by Assembly Bill (AB) 2115, which impact sales tax revenue streams to jurisdictions. As one of the provisions of SB 1096/AB 2115, ¼ of the 1 percent (25 percent) sales tax revenue distributed to jurisdictions is exchanged for an equal dollar amount of property tax revenue. After Fiscal Year (FY) 2004–05, jurisdictions will receive less sales tax revenue but will receive a dollar-for-dollar exchange in property tax revenue annually.

Please note that a Proposition 172 (Local Public Safety Protection and Improvement Act of 1993) half-cent sales tax rate is not applied. A city is ineligible to receive Proposition 172

revenues if it did not receive property tax or exist in 1980. The City was incorporated in 2003; therefore, it does not receive Proposition 172 revenues.

PROPOSED RETAIL CENTER

The Chrysanthy Boulevard Shopping Center is proposed for the southeast corner of Chrysanthy Boulevard and Sunrise Boulevard. Under the current zoning scenario, **Scenario #1**, the site will be anchored by a grocery store and will contain tenants including restaurants, a fuel station, and other daily-use services. **Scenario #1** reflects a local-serving neighborhood retail center with approximately 95,000 building square feet.

Scenario #2, the revised zoning scenario, reflects a retail center that would serve the broader surrounding community. The 190,000-building-square-foot center will accommodate a home improvement outlet and building space for other community-focused retail tenants.

SALES TAX ANALYSIS METHODOLOGY

This analysis estimates annual gross sales tax revenue for the City at buildout of the retail center. Estimating annual gross sales tax revenue requires first estimating gross annual taxable sales. **Table 3** and **Table 4** show the detailed methodology used to estimate gross annual taxable sales for **Scenario #1** and **Scenario #2**, respectively.

EPS estimated annual sales and taxable sales per square foot based on the tenant information provided by the Developer and shown in the Chrysanthy Boulevard Retail Center site plan dated January 24, 2006. For parcels that did not have identified tenants, this analysis is based on the assumption that each parcel will accommodate a neighborhood (**Scenario #1**) or community (**Scenario #2**) commercial tenant that sells a variety of goods. As such, median annual sales and taxable sales per square foot figures for this type of tenant are applied to these parcels. Actual taxable sales may differ from the estimates in this analysis based on the actual tenants of these parcels.

Please note that this analysis estimates *gross* annual sales tax revenue rather than *net* new annual sales tax revenue. This analysis is based on an assumed 100-percent capture rate before conducting a market study. A traditional analysis of sales tax revenue typically includes a percentage reduction to account for market characteristics and a shift of retail purchases from other retail outlets in a jurisdiction to the new retail development.

EPS looks forward to your review of this analysis. Should you have any questions or comments regarding this memorandum, please call (916) 649-8010.

Table 1
Rancho Cordova Retail Center Sales Tax Analysis
Estimated Annual Gross Sales Tax Revenue: Chrysanthy Blvd Shopping Center - Current Zoning (2006$)

Scenario #1: Current Zoning

Item	Source	Sales Tax Rate	Annual Total at Buildout (2006$)
Annual Gross Taxable Sales			
Chrysanthy Boulevard Shopping Center	Table 3		$12,553,472
Total Annual Gross Taxable Sales			**$12,553,472**
Annual Gross Sales Tax Revenue			
Bradley-Burns Sales Tax Rate [1]		1.0000%	
Estimated Proposition 172 Sales Tax Factor [2]		0.0000%	
Subtotal Estimated Local Sales Tax Rate		**1.0000%**	**$125,535**
Less Property Tax in Lieu of Sales Tax Rate (SB 1096/AB 2115) [3]		*-0.2500%*	
Total Annual Gross Sales Tax Revenue		***0.7500%***	**$94,151**

"sales_tax_chrys"

Source: EPS.

[1] The City of Rancho Cordova is allocated a full 1.0000% of the Uniform Local Sales Tax.
[2] Cities that received no property tax or did not exist in 1980 are ineligible for Proposition 172 revenues; Rancho Cordova incorporated in 2003 and is therefore ineligible to receive Prop. 172 revenue.
[3] Based on Senate Bill 1096 as amended by Assembly Bill 2115 which states 1/4 of the 1 percent sales tax revenue (.2500 percent) will be exchanged for an equal dollar amount of property tax revenue.

Table 2
Rancho Cordova Retail Center Sales Tax Analysis
Estimated Annual Gross Sales Tax Revenue: Chrysanthy Blvd Shopping Center - Rezoned (2006$)

Scenario #2: Rezoned

Item	Source	Sales Tax Rate	Annual Total at Buildout (2006$)
Annual Gross Taxable Sales			
Chrysanthy Boulevard Shopping Center	Table 4		$64,842,040
Total Annual Gross Taxable Sales			**$64,842,040**
Annual Gross Sales Tax Revenue			
Bradley-Burns Sales Tax Rate [1]		1.0000%	
Estimated Proposition 172 Sales Tax Factor [2]		0.0000%	
Subtotal Estimated Local Sales Tax Rate		**1.0000%**	**$648,420**
Less Property Tax in Lieu of Sales Tax Rate (SB 1096/AB 2115) [3]		*-0.2500%*	
Total Annual Gross Sales Tax Revenue		***0.7500%***	**$486,315**

"sales_tax_chrys2"

Source: EPS.

[1] The City of Rancho Cordova is allocated a full 1.0000% of the Uniform Local Sales Tax.
[2] Cities that received no property tax or did not exist in 1980 are ineligible for Proposition 172 revenues; Rancho Cordova incorporated in 2003 and is therefore ineligible to receive Prop. 172 revenue.
[3] Based on Senate Bill 1096 as amended by Assembly Bill 2115 which states 1/4 of the 1 percent sales tax revenue (.2500 percent) will be exchanged for an equal dollar amount of property tax revenue.

Table 3
Rancho Cordova Retail Center Sales Tax Analysis
Annual Gross Taxable Sales: Chrysanthy Blvd Shopping Center - Current Zoning (2006$)

Scenario #1: Current Zoning

Tenant Category	Leased Space (Sq. Ft.)	Annual Sales		Annual Taxable Sales			Capture Rate [2]	Total Gross Annual Taxable Sales
		Per Sq. Ft.	Total	Taxable Percentage [1]	Per Sq. Ft.	Total		
Major Anchors								
Supermarket	60,000	$349	$20,940,000	40%	$140	$8,376,000	100%	$8,376,000
Total Major Anchors	**60,000**	**$349**	**$20,940,000**	**40%**	**$140**	**$8,376,000**	**100%**	**$8,376,000**
In-Line and Pad Tenants								
Restaurant Without Liquor	3,200	$286	$915,200	100%	$286	$915,200	100%	$915,200
Fuel Station and Carwash	1,200	$1,355	$1,626,000	80%	$1,084	$1,300,800	100%	$1,300,800
Variety Neighborhood Commercial [3]	30,648	$128	$3,922,944	50%	$64	$1,961,472	100%	$1,961,472
Total In-Line and Pad Tenants	**35,048**	**$184**	**$6,464,144**	**50%**	**$119**	**$4,177,472**	**100%**	**$4,177,472**
Total All Tenants	**95,048**	**$288**	**$27,404,144**	**50%**	**$132**	**$12,553,472**	**100%**	**$12,553,472**

"chrysanthy"

Sources: 2006 Dollars & Cents of Shopping Centers, Table F, pages 176, 256, 258; and EPS.

[1] Represents estimated percentage of total sales which are subject to sales taxation.
[2] Represents the estimated capture rate of the retail center prior to conducting a market study. This analysis estimates gross annual taxable sales revenue; a traditional sales tax revenue analysis typically includes a percentage reduction based on market characteristics and capture rate to estimate net new taxable sales revenue.
[3] At the time of this analysis, specific tenants have not been identified. This analysis uses assumptions associated with general (variety) neighborhood commercial tenants to preliminarily estimate annual taxable sales.

Table 4
Rancho Cordova Retail Center Sales Tax Analysis
Annual Gross Taxable Sales: Chrysanthy Blvd Shopping Center - Rezoned (2006$)

Scenario #2: Rezoned

Tenant Category	Leased Space (Sq. Ft.)	Annual Sales		Annual Taxable Sales			Capture Rate [2]	Total Gross Annual Taxable Sales
		Per Sq. Ft.	Total	Taxable Percentage [1]	Per Sq. Ft.	Total		
Major Anchors								
Home Improvement Center [3]	163,333	$378	$61,730,286	N/A	$378	$61,730,286	100%	$61,730,286
Total Major Anchors	**163,333**	**$378**	**$61,730,286**	N/A	**$378**	**$61,730,286**	**100%**	**$61,730,286**
In-Line and Pad Tenants								
Variety Community Commercial [4]	26,401	$236	$6,223,508	50%	$118	$3,111,754	100%	$3,111,754
Total In-Line and Pad Tenants	**26,401**	**$236**	**$6,223,508**	**50%**	**$118**	**$3,111,754**	**100%**	**$3,111,754**
Total All Tenants	**189,734**	**$358**	**$67,953,794**	**50%**	**$342**	**$64,842,040**	**100%**	**$64,842,040**

"chrysanthy2"

Sources: 2006 Dollars & Cents of Shopping Centers page 256; The Home Depot; and EPS.

[1] Represents estimated percentage of total sales which are subject to sales taxation.
[2] Represents the estimated capture rate of the retail center prior to conducting a market study. This analysis estimates gross annual taxable sales revenue; a traditional sales tax revenue analysis typically includes a percentage reduction based on market characteristics and capture rate to estimate net new taxable sales revenue.
[3] Annual Taxable Sales revenue based on 2001 data and escalated to 2006 dollars; Annual Sales Revenue data not available.
[4] At the time of this analysis, specific tenents have not been identified. This analysis uses assumptions associated with general (variety) community commercial tenants to preliminarily estimate annual taxable sales.

Agenda Item 1:
Supplemental 1

kuchman

January 5, 2007

Blake Griffin
Griffin Commercial
7700 College Town Drive, Suite 111
Sacramento, California 95826

Re. Parcel 4
Chrysanthy Boulevard
Community of Anatolia
Rancho Cordova, California

Dear Blake,

I have been requested to review Parcel 4 located at the southwest corner of Crysanthy Blvd. and Anatolia Drive in the Anatolia Community of Rancho Cordova. The scope of my review is limited to consideration of this parcel as a viable location for multi-family apartment housing.

The following is my analysis:

At 5.665 net acres this is a rather small site to be developed for multi-family use. At its current zoning of 20-units per acre the site would support a maximum of only 113 dwelling units. Most real estate developers would prefer not to develop projects of less than about 160 apartment dwelling units.

At 160 to 200-units, projects become more viable. At that scale there becomes efficiency in the cost of overhead, labor and materials. A project of only 113-units would cost excessively more per-unit to construct.

Multi-family apartment projects are often eventually sold to institutional investors. However, institutional investors are typically not interested in projects of fewer than about 200-units. Because at 113-units the project would be too large to be affordable by a smaller private investor yet too small for institutional investors it would be difficult to ever sell a project with this number of dwelling units. Thus the true value of the project would be diminished.

The narrow and deep proportions of the site would make it difficult to site plan. A site that is difficult to site plan often results in a project that cannot attain its full

3001 J Street, Suite 300, Sacramento, California 95816 tel: 916 447 3436 fax: 916 447 3466 www.kuchman.com

potential density. To overcome a limited unit count often requires buildings of special configurations and often multiple building types, both of which would add significantly to the construction cost. Thus it would be difficult and possibly impossible to develop the true potential of the site as a multi-family apartment project in an efficient manner.

If you have any questions or wish to discuss this subject in more detail please do not hesitate to contact me.

Respectfully,

Bob Kuchman

Bob Kuchman AIA
Kuchman Architects pc
3001 J Street, Suite 300
Sacramento, CA 95816

City Mgr's Report:
Supplemental Report

Staff Report

Date: January 16, 2007

To: Honorable City Council

From: Joseph Chapman, Deputy City Attorney

Subject: Report Regarding Temporary Moratorium on the Establishment of New Sexually Oriented Businesses and the Expansion of Existing Sexually Oriented Businesses Pending the Review and Amendment of Zoning Regulations Applicable to Sexually Oriented Businesses

BACKGROUND

On February 22, 2005, the City Council adopted Ordinance No. 05-2005 imposing a 45-day moratorium on the establishment and expansion of sexually oriented businesses in the City. The moratorium was subsequently extended two more times and will expire on January 17, 2007. The purpose of the moratorium was to give the City additional time to consider input from local adult businesses as well as to give the City additional time to consider impacts on the proposed legislation that may occur as a result of the City's ongoing General Plan adoption process.

CITY ACTIVITIES

During the moratorium period, City staff met with and discussed the proposed legislation with representatives from the local sexually oriented businesses, and analyzed comments received.

The City also completed the draft and adoption of a General Plan in 2006. As the backbone of the City's planning and development, completion of the General Plan is critical in evaluating potential zoning changes. Potential impacts on adult business regulations were evaluated by staff as the General Plan process conducted.

This report constitutes the written report required by Government Code Section 65858(d).

MEMORANDUM

DATE: January 16, 2007

TO: Honorable Mayor and Council Members

CC: Ted Gaebler, City Manager

FROM: Adam U. Lindgren, City Attorney
Joe Chapman, Deputy City Attorney

SUBJECT: **Supplement to Agenda Item No. 25: Urgency Ordinance Establishing a Temporary Moratorium on the Establishment of New Recycling Businesses, Check Cashing Businesses, Pawn Shops, Resale Shops, Smoke Shops, and Tattoo Parlors Pending the Review and Possible Amendment of Zoning Regulations Applicable to such Businesses**

Staff recommends the attached version of the Urgency Ordinance for adoption.

After release of the agenda packet, Staff has determined that the 90-120 day timeframe given for the review and possible adoption of new zoning regulations, as mentioned in the Staff Report, is not accurate. Staff does not recommend setting a timeframe at this point. Staff will evaluate the uses addressed in the ordinance within the 45-day moratorium period.

The City Attorney's office has made the following changes clarifying the intent and purpose of the ordinance:

- Added the following recital on page 2:

  WHEREAS, the City Council held a hearing on January 16, 2007, and received a Staff Report and comments from Staff regarding the threats to the public safety, health and welfare posed by the specified uses.

- Section 2 (A) has been modified as follows:

  This moratorium shall apply to the establishment expansion, or relocation of recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, tattoo parlors, or businesses offering related services. This moratorium shall not apply to the renewal of a business license for existing businesses of these types in the City provided the renewal seeks to maintain the business in its existing location.

Deleted: No application for the approval of licenses or permits for

Deleted: shall be approved during the moratorium period.

AGENDA ITEM # 25

- Section 2 (B) has been modified as follows:

  This Ordinance shall apply to the following uses, and the establishment, relocation, and on the issuance of entitlements for such uses;

- Section 2 (C)(1) has been modified as follows:

  The purpose of this Ordinance is to protect the public safety, health and welfare from the current and immediate threats posed by the establishment of new and expansion of existing recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, tattoo parlors, or businesses offering related services.

- Section 2 (C)(16) has been modified as follows:

On the basis of the following findings, all evidence on the record including but not limited to testimony from the Staff Report and testimony given by Code Enforcement, the Police Department, and City Staff at the public hearing, the City Council finds that the establishment of new, or the expansion or relocating of existing, recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops, tattoo parlors, or businesses offering related services prior to the completion of the Planning Department's review poses a current and immediate threat to the public health, safety and welfare and, in accordance with California Government Code section 65858, which justifies the adoption of an urgency ordinance establishing a moratorium on the above specified uses in the City.

- Section 5 has been modified as follows to explain that this Ordinance shall become effective immediately upon adoption:

  This Ordinance shall become effective immediately upon adoption if adopted by at least four-fifths vote of the City Council and shall be in effect for forty-five days from the date of adoption unless extended by the City Council as provided for in the Government Code.

Deleted: all applications for the establishment, relocation, issuance of businesses licenses, and issuance of building permits entitlements of new and for the expansion of the following types of businesses:

Deleted: issuance of licenses and permits for the operation of new

Deleted: issuing entitlements for

Deleted: approval and issuance of business licenses and other entitlements for these types of businesses

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Deleted: Within fifteen (15) days after adoption, this Ordinance shall be published once in the Grapevine Independent, or the Sacramento Bee, 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.¶

ATTACHMENT

Updated Urgency Ordinance No. 01-2007.

927962_2

Submitted at 1/16/07 Meeting under Public Comment.

ALLIED WASTE SERVICES

January 15, 2007

Shelly Blanchard
The Grapevine Independent
3338 Mather Field Road
Rancho Cordova, CA 95742

Dear Ms. Blanchard:

An Editorial and letter in the January 12, 2007, Grapevine discussed difficulties that Janet Huddle experienced with the Christmas tree collection that Allied Waste Services provides to City of Rancho Cordova residents. We at Allied Waste Services extend our sincerest apologies for the inconvenience that Mrs. Huddle experienced and for incorrect information she received regarding Christmas tree collection in the City of Rancho Cordova.

The error occurred during a period of unusually high call volumes resulting from collection schedule changes made to accommodate the Christmas holiday. Because of the high call volume, all available customer service representatives were answering residential service calls to minimize wait times for our customers. Mrs. Huddle received incorrect information from a representative normally assigned to our commercial program. Regretfully, the representative confused the Rancho Cordova collection program with that of another community where we provide service and did not schedule the collection of the tree properly, causing a delay in the Christmas tree pickup. To prevent future occurrence of this nature, all of our customer service representatives are receiving additional training on the different programs we offer in the communities we serve in this area. Again, we sincerely apologize for the inconvenience this error caused.

Mrs. Huddle's letter also discussed her Boy Scout Troop's interest in Christmas tree collection. At Allied Waste Services, we recognize the importance of being good community partners, and the importance of assisting youth and other service organizations in the communities we serve. We have worked extensively with Boy Scout Troops around the area, by providing assistance with collection and recycling of Christmas trees making their fund raising activities much more successful. We would be pleased to work with Mrs. Huddle's Troop on a Christmas tree collection fund-raising event, and extend our most sincere invitation for Allied Waste Services to assist her Troop as we have with others.

Once again, we wish to extend our apologies to Mrs. Huddle and to any other customers that experienced any inconvenience, and to express our commitment to the residents of the City of Rancho Cordova.

Sincerely yours,

Keith Hester
General Manager
Allied Waste Services

3326 Fitzgerald Road
Rancho Cordova, CA 95742
916.631.0600 / FAX 916.631.3747
www.disposal.com