

**CONCURRENT MEETING
CITY COUNCIL/CRA/RCFC**

Monday, December 3, 2007

5:30 p.m. – Regular Meeting

AGENDA



David M. Sander, Mayor

Linda Budge, Vice Mayor

Ken Cooley, Council Member

Robert J. McGarvey, Council Member

Dan Skoglund, Council Member

MAKING YOUR POINT – MAKING IT COUNT

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

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

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

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

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



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

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

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

THANK YOU FOR PARTICIPATING!



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

**City Hall
2729 Prospect Park Drive, Rancho Cordova**

Monday, December 3, 2007

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

***Hilton Americas Houston, 1600 Lamar Street, Houston, Texas**

AGENDA

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Council Members *Cooley, Skoglund, McGarvey, Budge and Mayor Sander (*Council Member Cooley is out of town on employer business. He will join the meeting via teleconference from Houston, Texas)

2. METRO CABLE TV TELECAST ANNOUNCEMENT

The Mayor will announce the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor will call on someone in attendance to lead the Pledge.

4. INVOCATION

Pastor Josiah Watters, First Covenant Church, will give the invocation.

5. PRESENTATIONS

- 5.1. Certificate of Recognition to Cordova High School Art Teacher Kristy Kraushar, Region 3 Nominee for the California League of High Schools Educator of the Year Award.
- 5.2. Presentation by Economic Development Director Curt Haven on Rancho Cordova's Presence on Foreign Soil.
- 5.3. Presentation by Folsom Cordova Unified School District (FCUSD) Chief Financial Officer Debbie Bettencourt on Master Planning for School Facilities and Demonstration of Smart Classroom Board.
- 5.4. Presentation by the Rancho Cordova Chamber of Commerce.

6. 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.

7. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

- 7.1. **Subject:** Ordinance Amending Rancho Cordova Municipal Code Chapter 16.20, Updating the Chapter and Establishing a Rental Housing Inspection Program.
Recommendation: Waive second reading and adopt Ordinance No. 26-2007. (**Roll Call Vote**)
Result of Recommended Action: Adoption of this ordinance will update Chapter 16.20 of the City's Municipal Code, "Rancho Cordova Housing Code," and establish a Rental Housing Inspection Program. The purpose of this Program will be to ensure that all rental housing complies with State mandated minimum housing requirements.
Staff Report: Curt Haven and Kerry Simpson, Economic Development Department and Jose Sanchez, City Attorney's Office
Advances Goals: 1, 6, 7, 8, 10 and 13
Growing Strong Neighborhoods
- 7.2. **Subject:** Resolution Awarding Contract to Mark Thomas & Company for Engineering Services Associates with Phase 2 of the Folsom Boulevard Streetscape Enhancement Project in the amount of \$835,165.00. Subject to Satisfactory Pre-Award Audit of Mark Thomas & Company's Procedures by Caltrans and Subsequent Contract Modifications as may be Necessary to Satisfy Federal-aid Requirements.
Recommendation: Adopt Resolution No. 98-2007.
Result of Recommended Action: Upon adoption of this resolution and satisfactory completion of the Caltrans pre-award audit process, the City Manager will execute the contract with Mark Thomas & Company and the project team will move forward with preparing conceptual design alternatives for Phase 2 of the Folsom Boulevard Streetscape Enhancements Project.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 1, 2, 5, 8 and 9
- 7.3. **Subject:** Resolution Awarding Contract to Sunridge Anatolia LLC for Application of Contingency Funds for Infrastructure Improvements Associated with Anatolia I Major Roads Improvements in the amount of \$135,847.43.
Recommendation: Adopt Resolution No. 138-2007.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute a contract with Sunridge Anatolia, LLC for reimbursement of costs incurred through specific change orders for additional work requested by City staff.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 2 and 11

- 7.4. **Subject:** Resolution Awarding 2nd Amendment to the Credit/Reimbursement Agreement with Sunridge Anatolia LLC for Anatolia I Major Roads.
Recommendation: Adopt Resolution No. 139-2007
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute a first amendment to the Credit/Reimbursement Agreement with Sunridge Anatolia, LLC (the Developer) to allow the release of progress payments for costs covered by the agreement.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 2 and 11
- 7.5. **Subject:** Ordinance Amending Rancho Cordova Municipal Code Section 4.54.375(b), Relating to the Permitting and Sale of Fireworks in the City.
Recommendation: Waive first reading and introduce Ordinance No. 28-2007 (**Roll Call Vote**)
Result of Recommended Action: Adoption of this ordinance will clarify the requirements for organizations selling fireworks to submit a financial statement to the City demonstrating that the particular organization used the net proceeds from fireworks sales derived from its operations for non-profit charitable purposes only.
Staff Report: Adam Lindgren, City Attorney's Office
Advances Goal: 6
- 7.6. **Subject:** Resolution and Ordinances Adopting 2007 California Mandated Building Codes.
Recommendation: That Council:
1. Adopt Resolution No. 141-2007; and
2. Waive first reading and introduce Ordinance Nos. 29-2007, 30-2007, 31-2007, 32-2007, 33-2007, 34-2007 and 35-2007. (**Roll Call Vote**)
Result of Recommended Action: Adoption of the resolution and ordinances will bring the City's building codes current with state-mandated codes effective on January 1, 2008.
Staff Report: Adam Lindgren, City Attorney's Office and Tom Trimberger, Building & Safety Department
Advances Goal: 1, 6, 7, 8 and 10

8. CONSENT PUBLIC HEARING ITEMS – ROLL CALL VOTE

- 8.1. **Subject:** Resolution Approving Mills Shopping Center Pad E Design Review, Conditional Use Permit, and Non-Conforming Use Permit, Project No. RC-07-313, Located at 10359 Folsom Boulevard. (**Continued from November 19th**)
Recommendation: Adopt Resolution No. 133-2007.
Result of Recommended Action: Adoption of this resolution will approve the following entitlements:
1. Design Review for the renovation and addition to Pad E of the Mills Shopping Center;
2. Conditional Use Permit for a drive-up window and improvement of the commercial viability of the Mills Shopping Center; and
3. Non-conforming Use Permit (NUP) to allow for expansion of the commercial use in the Medium Density Residential Zone of the Folsom Boulevard Specific Plan (FBSP).
Pad E is one of the last buildings in the center to be renovated and its completion will complement the Folsom Boulevard corridor.
Staff Report: William Campbell, Planning Department
Advances Goals: 1 and 8

- 8.2. **Subject:** Urgency Resolution Extending the City's Authority to Continue Current Development Impact Fees for the Provision of Transportation Improvements.
Recommendation: Adopt Urgency Resolution No. 140-2007. **(Roll Call and 4/5ths Vote)**
Result of Recommended Action: Adoption of this urgency resolution will extend the authority to continue the current transportation impact fees on new development, as imposed by Resolution No. 127-2005, for thirty (30) days. These fees will be used to offset traffic impacts created by new development.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 2 and 11
- 8.3. **Subject:** Resolution Approving Sacramento County of Environmental Management Building, Project No. RC-07-310, Design Review, Located at the Southeast Corner of Armstrong Avenue and Bullard Street within the Mather Field Special Planning Area.
Recommendation: Adopt Resolution No. 143-2007.
Result of Recommended Action: The proposed project will continue to set the tone for future developments in the Campus District of the Mather Field Special Planning Area. Its scale and site layout will continue to promote the office campus, with convenient pedestrian paths linking the building to the parking fields and surrounding buildings. The architectural design blends the elements of glass, metal and concrete in a timeless form and will provide an attractive new home for a needed County agency.
Staff Report: William Campbell, Planning Department
Advances Goal: 1

9. PUBLIC HEARING ITEMS

- 9.1. **Subject:** Resolution and Ordinances Approving North Douglas II, Project No. RC-05-185, Rezone, Tentative Subdivision Map, Special Development Permit, and Development Agreement, Located within the North Grantline Planning Area of the Adopted General Plan, and Bordered by the North Douglas Subdivision to the South, West of Grant Line Road and South of Aerojet.
Recommendation: Council continue item to January 22, at the request of the applicant.
Result of Recommended Action: Adoption of the resolution and ordinances will allow for necessary road and trail connections to the surrounding developments, North Douglas to the south and a future adult only project to the north. It will also contribute to the ultimate construction of Douglas Road, linking Sunrise Boulevard to Grant Line Road. The project additionally provides for non-vehicular connections for pedestrians and bicycles within and to the exterior of the neighborhoods, and the project will also extend the connection to a very important wetland area through the Rio del Oro Specific Plan and projects to the east.
Staff Report: William Campbell, Planning Department
Advances Goal: 1

10. REGULAR CALENDAR ITEMS

- 10.1. **Subject:** Ordinance Amending the City's Codes in Preparation for Codification of the City's Municipal Code.
Recommendation: Waive first reading and introduce Ordinance No. 38-2007. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will make a substantial number of housekeeping changes to the City's codes, as adopted via adoption of

Sacramento County's provisions following incorporation. The housekeeping changes include cleaning up reference errors and eliminating unneeded provisions.

Staff Report: Anna Olea-Moger, City Clerk's Department and Joseph Chapman, City Attorney's Office

Advances Goal: 4

10.2. **Subject:** Selection of Mayor and Vice Mayor.

Recommendation: That Council selects its next Mayor and Vice Mayor.

Result of Recommended Action: That Council appoints its leadership officers, per Resolution No. 05-2004. The ceremonial seating of the new Mayor and new Vice Mayor will take place at the next Council Meeting on December 17th.

Staff Report: Anna Olea-Moger, City Clerk's Department

Advances Goal: 13

11. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

12. COUNCIL REPORTS

13. CITY MANAGER'S REPORT

14. CLOSED SESSION

Council will adjourn to Closed Session to discuss the following item:

Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(a). Name of Case: *California Native Plant Society v. City of Rancho Cordova et al.*; Case No. 06CS01311.

15. OPEN SESSION – REPORT FROM CLOSED SESSION

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

16. ADJOURNMENT

ADDITIONAL INFORMATION

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

CITYWIDE GOALS - (Adopted March 20, 2006)	
1.	Foster a Positive Image of Rancho Cordova
2.	Improve Transportation & Connectivity
3.	Champion Employee Development & High Performance Work Environment
4.	Ensure the Availability of the Best Public Services in the Region
5.	Establish a Vibrant Downtown
6.	Ensure a Safe Community
7.	Improve the Quality of Housing In Rancho Cordova
8.	Sustain a Livable Community

CITYWIDE GOALS - (Adopted March 20, 2006)	
9.	Drive Diverse Economic Opportunities
10.	Foster Responsible Citizenship
11.	Practice Sound Fiscal Management
12.	Establish Logical (City) Boundaries
13.	Continue To Provide Regional Leadership

UPCOMING MEETINGS	
<i>Monday, December 17, 2007</i>	<i>5:30 p.m. Regular Meeting</i>
<i>Monday, January 7, 2008</i>	<i>5:30 p.m. Regular Meeting - CANCELLED</i>
<i>Tuesday, January 22, 2008</i>	<i>4:00 p.m. Study Session TBD</i> <i>5:30 p.m. Regular Meeting</i>
<i>Monday, February 4, 2008</i>	<i>4:00 p.m. Study Session TBD</i> <i>5:30 p.m. Regular Meeting</i>
<i>Tuesday, February 12, 2008</i>	<i>5:30 p.m. Work Session – TENTATIVE</i>
<i>Tuesday, February 19, 2008</i>	<i>5:30 p.m. Regular Meeting</i>
<i>Tuesday, February 26, 2008</i>	<i>5:30 p.m. Work Session – TENTATIVE</i>

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

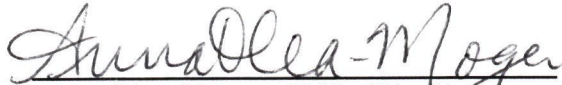
The Rancho Cordova City Council/CRA/RCFC will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, SureWest and Strategic Technologies Cable Systems. Closed Captioning will be available on the playback cablecast. Tune 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 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 December 3, 2007 Regular Meeting of the Rancho Cordova City Council/CRA/RCFC was posted and available for review on November 28, 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 28th day of November 2007 at Rancho Cordova, California.


Anna Olea-Moger, CMC, City Clerk

2007

NOTE: PROPOSED REGULAR CITY COUNCIL MEETING DATES ARE SCHEDULED ON THE 1ST AND 3RD MONDAY'S OF EACH MONTH, UNLESS WHEN FALLING ON A HOLIDAY, THE MEETING WILL BE SCHEDULED ON THE FOLLOWING TUESDAY (THESE DATES ARE SHADED GREY AND ARE SUBJECT TO CHANGE). REFER TO HOLIDAY SCHEDULES BELOW.

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NEW YEAR'S DAY (MON, JAN 1)
MARTIN LUTHER KING JR. DAY (MON, JAN 15)
PRESIDENT'S DAY (MON, FEB 19)
MEMORIAL DAY (MON, MAY 28)

2007 HOLIDAY SCHEDULE - CITY HALL CLOSED (SHOWN ITALICIZED)
INDEPENDENCE DAY (WED, JUL 4)
LABOR DAY (MON, SEP 3)
VETERAN'S DAY (MON, NOV 12)
THANKSGIVING DAY (THUR, NOV 22)

DAY AFTER THANKSGIVING (FRI, NOV 23)
CHRISTMAS EVE (MON, DEC 24)
CHRISTMAS DAY (TUE, DEC 25)

2008

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NEW YEAR'S DAY (TUES, JAN 1)
MARTIN LUTHER KING JR. DAY (MON, JAN 21)
PRESIDENT'S DAY (MON, FEB 18)
MEMORIAL DAY (MON, MAY 26)

2008 HOLIDAY SCHEDULE - CITY HALL CLOSED (SHOWN ITALICIZED)
INDEPENDENCE DAY (FRI, JUL 4)
LABOR DAY (MON, SEP 1)
VETERAN'S DAY (TUES, NOV 11)
THANKSGIVING DAY (THUR, NOV 27)

DAY AFTER THANKSGIVING (FRI, NOV 28)
CHRISTMAS EVE (WED, DEC 24)
CHRISTMAS DAY (THURS, DEC 25)

2009

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CITY OF RANCHO CORDOVA

ORDINANCE NO. 26-2007

**AN ORDINANCE OF THE CITY COUNCIL AMENDING RANCHO CORDOVA
MUNICIPAL CODE CHAPTER 16.20, UPDATING THE CHAPTER
AND ESTABLISHING A RENTAL HOUSING INSPECTION PROGRAM**

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

SECTION 1. Purpose and Declarations.

WHEREAS, it is imperative to establish enforceable minimum standards for residential rental property and to provide a program for enforcing these standards; and

WHEREAS, in adopting laws and regulations during the first year of incorporation, the City relied heavily upon the laws and regulations adopted by the County of Sacramento, which were applicable to the City prior to incorporation; and

WHEREAS, pursuant to Ordinance No. 20-2003 and Ordinance No. 21-2003, the City adopted by reference most of the County's Municipal Code, including Chapter 16.20, "Rancho Cordova Housing Code," establishing a Housing Code Enforcement Program; and

WHEREAS, due to the high cost of routine inspections of rental housing properties, the Housing Code Enforcement Program was established as a complaint based program. Chapter 16.20 did, however, note that routine inspections of rental housing may be incorporated in the future if the need was demonstrated; and

WHEREAS, the City has determined that a complaint based program alone cannot achieve the City's goal of improving the conditions of current rental housing in the City; and

WHEREAS, the City now wishes to include a Rental Housing Inspection Program to its Housing Code Enforcement Program in order to better deal with substandard housing in the City; and

WHEREAS, violators of the State Housing Law must bear the largest feasible share of the cost of a Rental Housing Inspection Program; and

WHEREAS, residential rental property owners derive a substantial benefit from such a program; and

WHEREAS, it is recognized that the majority of residential rental property owners comply with the State Law and other applicable laws and City Ordinances, and that only a relatively small percentage violate these laws. And while it is the intent of this Ordinance that this group of violators should pay for as much of the cost of the program as is practical and feasible, it is also recognized that the collection of enforcement fees and penalties from violators can be a protracted and costly process, and that reliance

thereupon as the sole source to fund such a program is inherently speculative and unrealistic. Therefore, while the primary source of revenue for this program is intended to come from the collection of enforcement fees and penalties from violators, the City intends to make up program cost deficiencies with the current Rental Housing Code Compliance Fee, grants, and other non-general fund monies. The reliance of such a program on the City's general fund for its costs of operation shall be minimized to the greatest extent possible.

NOW, THEREFORE, the City Council of the City of Rancho Cordova does hereby ordain as follows:

SECTION 2. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," section 16.20.010, "Purpose," is hereby amended to read as follows:

"16.20.010 Purpose.

- a. Unsafe housing is a community blight often associated with unlawful activity. While the cost of enforcement is significant, the result of failing to abate substandard housing has more adverse and far reaching consequences such as the loss of housing and displacement of individuals.
- b. The purpose of this Chapter is to proactively identify blighted and deteriorated rental housing stock and to ensure the rehabilitation and prevention of rental housing that does not meet applicable building code and housing code standards, City Municipal Code standards, or is not safe to occupy and further to preserve and enhance the quality of life for residents of the City living in rental property.
- c. It is important that the City not only enforce on a complaint initiated basis, but also conduct routine residential rental property inspections in order to better address and reduce substandard housing in the City. It is important to conduct routine inspections on residential rental property due to the inherent problems associated with property owners not living in the rental units.
- d. Having determined the appropriate level of service to be provided by a Housing Code Enforcement Program, it is also determined that those persons who violate the State Housing Law should bear the greatest practical share of the costs of operating such a program through payment of enforcement fees and penalties. However, the establishment of such a program requires revenue to fund its implementation costs and to fund the difference between the ongoing costs of such a program and the revenue collected from violators through enforcement fees and penalties. The source of this revenue must be reliable if such a program is to achieve its objectives. Collection of enforcement fees and penalties is inherently unreliable as a funding source, and therefore cannot be relied upon either to establish the initial operating revenue for such a program or to fully support its ongoing operational costs.
- e. It is therefore necessary to levy a Rental Housing Code Compliance Fee for the purpose of generating the revenue required to fund the implementation and

ongoing operating costs of such a program. The Rental Housing Code Compliance Fee may be adjusted annually, as necessary, for the purpose of ensuring adequate funding for the program. The Rental Housing Code Compliance Fee is a supplemental funding source for this program, intended to make up for any actual or forecast deficiencies in total program costs not generated from the collection of enforcement fees and penalties from violators.

- f. In the City of Rancho Cordova, substandard rental housing has caused health and safety risks to its occupants and those who reside in the surrounding neighborhood. Additionally, substandard rental housing has significantly contributed to neighborhood blight. As a result, substandard housing is a nuisance that threatens the health and welfare of many members of the community.
- g. To eliminate this nuisance it is imperative to establish enforceable minimum standards for residential buildings. The purpose of this Chapter is to establish such standards for maintaining all residential buildings in the City and thereby safeguard life, limb, health, property, safety, and welfare of the public."

SECTION 3. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," section 16.20.015, "Findings," is hereby amended to read as follows:

"16.20.015 Findings.

The City Council finds as follows:

- a. It is imperative to establish enforceable minimum standards for residential buildings and to provide a program for enforcing these standards which is self-supporting.
- b. Complaint-initiated enforcement actions combined with routine residential rental property inspections are necessary to provide the essential level of abatement of substandard housing conditions needed by this community.
- c. Violators of the State Housing Law must bear the largest feasible share of the cost of Housing Code enforcement.
- d. Rental property owners derive a substantial benefit from a Housing Code Compliance Program, and should therefore contribute to a portion of program costs.
- e. Residents of rental property also benefit from a Housing Code Enforcement Program, and should therefore contribute to program costs indirectly through the cost of renting such housing.
- f. It is necessary to establish an operating fund, which is separate from the City's general fund, for the purpose of implementing a Housing Code Enforcement Program and operating it on an ongoing basis. It is necessary that this source

of funds be predictable and reliable for the efficient and continued operation of such a program. The imposition of a Rental Housing Code Compliance Fee is an appropriate means to accomplish this purpose.

- g. It is recognized that the majority of rental housing property owners comply with the State Housing Law and applicable City Ordinances, and that only a relatively small percentage violate these laws. And while it is the intent of this Chapter that this group of violators should pay for as much of the cost of a Housing Code Enforcement Program as practical and feasible, it is also recognized that the collection of enforcement fees and penalties from violators can be a protracted and costly process, and that reliance thereupon as the sole source to fund such a program is inherently speculative and unrealistic. Therefore, while the primary source of revenue for this Housing Code Enforcement Program is intended to come from the collection of enforcement fees and penalties from violators, in their absence, the Rental Housing Code Compliance Fee is intended to make up program cost deficiencies. The reliance of such a program on the City's general fund for its cost of operation shall be minimized to the greatest extent possible.
- h. This Chapter satisfies the City's legal obligations under the State Housing Law."

SECTION 4. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," section 16.20.100, "Definitions," is hereby amended to read as follows:

"16.20.100 Definitions.

For purposes of this chapter, the following definitions shall apply:

- a. "Building" means a structure or part thereof.
- b. "Building Code" is the Uniform Building Code adopted pursuant to Chapter 16.04 of the Rancho Cordova Municipal Code.
- c. "Council" means the City Council of the City of Rancho Cordova.
- d. "Clerk" means the City Clerk of the City of Rancho Cordova, or his or her designated representative.
- e. "Complaint" means notification by any person, lodged with the Neighborhood Services Division, of a violation or a suspected violation of the Housing Code or this Chapter.
- f. "City" means the City of Rancho Cordova.
- g. "City Manager" means the City Manager of the City of Rancho Cordova, or his or her designated representatives.

- h. "Demolish" means to destroy a building and to remove all debris and waste materials from the lot on which the building stood.
- i. "Department" means the City's Neighborhood Services Division.
- j. "Director" means the Director of the City's Neighborhood Services Division, or his or her designated representatives.
- k. "Displaced" means if a tenant is ordered to move out of a rented dwelling unit or structure by an order to vacate issued by the County.
- l. "Dwelling" means any building or structure, or part thereof, used and occupied for human habitation, or intended to be so used, and includes any garages or other accessory buildings belonging thereto, including those which are rented or leased for any term or duration, type or tenure.
- m. "Dwelling Unit" means any room or group of rooms located within a dwelling and forming a single unit with the facilities which are used, or intended to be used, for living, sleeping, cooking, or eating.
- n. "Electrical Code" is the National Electrical Code as adopted and as modified by the City of Rancho Cordova Electrical Code set forth in Chapter 16.28 of the City of Rancho Cordova Municipal Code.
- o. "Enforcement" means diligent effort to secure compliance or abatement, including review of plans and permit applications, response to complaints, citation of violations, and other legal process. Except as otherwise provided in this Chapter, "enforcement" may, but need not, include inspections of existing buildings on which no complaint or permit application has been filed, in an effort to secure compliance as to such existing buildings.
- p. "Fire Code" is the Uniform Fire Code adopted pursuant to Chapter 17.04 of the City of Rancho Cordova Municipal Code.
- q. "Fiscal Year" means the year beginning July 1 and ending June 30.
- r. "Hearing Officer" means an active member of the Bar of the State of California, or any otherwise qualified individual or board, appointed by the City Manager to hear matters as provided for and described in this Chapter. The hearing officer shall also serve as the Housing Appeals Board as that term is used in the State Housing Law.
- s. "Housing Code" means this Chapter and includes the Building Code, the Electrical Code, the Mechanical Code, the Plumbing Code and the State Housing Law.

- t. "Inspection" means the act of examining areas within the exterior and interior of a residential rental unit for purposes of identifying compliance with State and local building and housing codes and regulations.
- u. "Landlord" or "Rental Owner" means an owner, lessor, or sublessor (including any person, firm, corporation, partnership, or other entity) who receives, or is entitled to receive, rent for the use of any dwelling, or the agent, representative, or successor of any of the foregoing.
- v. "Mechanical Code" is the Uniform Mechanical Code adopted pursuant to Chapter 16.32 of the Rancho Cordova Municipal Code.
- w. "Order to Vacate" is a written notice served by an authorized City official on the owner and posted on the affected property declaring that, due to failure to repair or maintain, the dwelling shall be vacated.
- x. "Occupant" means any person over one year of age living, sleeping, cooking, or eating in, or having actual possession of a dwelling unit.
- y. "Owner" means the owner of fee title to a dwelling unit.
- z. "Parties in interest" means all persons, businesses, partnerships, and corporations who have a mortgage or other interest of public record in a dwelling or dwelling unit, or who are in possession thereof.
- aa. "Plumbing Code" is the Uniform Plumbing Code adopted pursuant to Chapter 16.24 of the Rancho Cordova Municipal Code.
- bb. "Problem Properties Revolving Fund" means the fund established by this Chapter, of that name, which shall be maintained by the City of Rancho Cordova Finance Director either as an account or a fund, and may, for the purpose of accounting records, make any audits thereof and any reports or statements with respect thereto. All such records with respect to any such fund shall at all times be maintained in accordance with sound accounting practice.
- cc. "Program" means the Housing Code Enforcement Program created under this Chapter.
- dd. "Proof of Compliance" is documentation, on such form and in such manner as the Director may provide, that the deficiencies noted in the order or citation issued by the City have been corrected.
- ee. "Public record" means deeds, mortgages and other instruments of record relating to land titles and recorded by the Sacramento County Recorder.
- ff. "Reap" means the rent escrow account program provided by this Chapter.

- gg. "Reap Account" means the account established by this Chapter, of that name, which shall be established and maintained by the Finance Director of the City either as an account or a fund, and may, for the purpose of accounting records, make any audits thereof and any reports or statements with respect thereto. All such records with respect to any such fund shall at all times be maintained in accordance with sound accounting practices.
- hh. "Rental dwelling unit" means the dwelling unit rented for any tenure, type or price.
- ii. "Rental Housing Code Compliance Fee" means the fee assessed under this Chapter for each rental dwelling unit.
- jj. "Responsible Fire Chief" means the chief of the fire protection district, special district, or any other municipal or public corporation or district which is authorized by law to provide fire protection and prevention services at issue.
- kk. "State Housing Law" means Division 13, Part 1.5 of the Health and Safety Code (commencing at Section 17913) and Article 1 (commencing at Section 1) of Chapter 1, Title 25 of the California Code of Regulation.
- ll. "Substandard dwelling" has the same meaning as substandard building as set forth in Health and Safety Code Section 17920.3, or any successor statute.
- mm. "Tenant" means the individual or individuals occupying a rental dwelling unit.
- nn. "Untenantable Rental Dwelling Unit" or "Uninhabitable Rental Dwelling Unit" means a rental dwelling unit deemed untenantable for the purposes of this Chapter, if it, or the common area of the dwelling, structure, or premises in which it is located, is the subject of a Housing Code citation or order pursuant to this Chapter and substantially lacks any of the affirmative standard characteristics set forth in Civil Code Section 1941.1.
- oo. "Vacation Date" or "Vacate Date" means the date by which a tenant is required to vacate a rental dwelling unit, pursuant to an order by an authorized City official."

SECTION 5. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," section 16.20.400, "Notice and Order," is hereby amended to read as follows:

"16.20.400 Notice and Order.

- a. Commencement of Proceedings. Whenever the Director has inspected, or caused to be inspected any dwelling, and has determined that a violation of this Chapter exists, the same being declared to be a public nuisance, the Director shall institute any appropriate action or proceedings to abate the violation by

repair, rehabilitation, vacation or demolition of the building consistent with the procedures established herein or otherwise available by law.

- b. Notice and Order. The Director shall issue a notice and order directed to the owner(s) of the dwelling, as shown in the public record, and to all parties in interest. The notice and order shall contain:

1. Address. The street address and assessor's parcel number or such other legal description sufficient for identification of the premises upon which the dwelling is located.
2. Nature of Violation. A statement that the Director has found the dwelling, or portion thereof, to be substandard and a brief factual description of each and every condition found to render the dwelling, or portion thereof, substandard as defined in this Chapter. The Notice and Order shall contain the specific codes being violated.
3. Action Required. A statement of the action required to be taken as determined by the Director. The action required may advise as follows:
 - i. Repair. If the Director has determined that a dwelling must be repaired, then the Director shall order the dwelling or portion thereof to be repaired within such time as the Director determines is reasonable under all of the circumstances, including the purposes and intent for enactment of this Chapter.
 - ii. Choice between Repair and Demolition. The owner shall have the choice of repairing or demolishing. However, if the owner chooses to repair, the Director shall require that the building be brought into compliance with this Chapter according to a reasonable and feasible schedule for expeditious repair. If the owner chooses to demolish the dwelling, all required permits for demolition must be secured within thirty (30) days from the date of the order, and that the demolition be completed within such time as the Director determines is reasonable under all of the circumstances, including the purposes and intent for enactment of this Chapter. If the owner fails to make a timely choice, fails to repair on schedule, or selects an option which cannot be completed in a reasonable time as determined by the Director, for any reason, the City may itself institute abatement actions, including demolition, if it determines repair is not economically feasible and may thereafter seek to recover all costs thereby incurred from the owner which may become a lien against the subject property as a special assessment collectable in the same manner as City taxes.
 - iii. Vacation. If the Director has determined that the building, or portion thereof, is in such condition as to make it immediately

dangerous to the life, health, property or safety of its occupants, the public or adjacent property, the order shall require that the building, or portion thereof shall be vacated within a time certain from the date of the order as determined by the Director to be reasonable under all of the circumstances, including the safety of the occupants and the public, as well as the purposes and intent for enactment of this Chapter.

- iv. **Securing Against Entry.** If the building is to be vacated, the Director shall require that the building, or portion thereof, be boarded and fenced against entry as provided in Chapter 16.23. The latest specification for the boarding of vacant properties issued by the United States Department of Housing and Urban Development shall be followed, or such other similar plans and specifications for boarding vacant properties as may be promulgated by the State or Federal agencies and are designed to adequately protect against entry without creating any unreasonable risk to the life, health, property, safety, or welfare of the public.
 - v. **Eliminate Risk of Hazardous Material.** If, following an inspection of a building or any portion thereof, the Director determines, in writing, that there is reasonable cause to believe that because of the presence of friable asbestos or other hazardous material, there is a serious risk to the life, health, property, safety, or welfare of its occupants, the public, or the adjacent neighborhood, then the Director may order the owner of the building or the portion thereof to take all steps necessary to eliminate the risk within a time certain from the date of the order as determined by the Director to be reasonable under all of the circumstances, including the safety of the occupants and the public, as well as the purposes and intent for enactment of this Chapter. To confirm the elimination of the risk, the owner of the building, or portion thereof shall, at his or her expense and within the same time certain as established in the order, obtain the services of a qualified health professional acceptable to the Director to perform a comprehensive site assessment and prepare a written report to the Director detailing the absence of the risk.
- 4. **Time Requirement to Commence Required Work.** Statements advising that if any required repair or demolition work is not commenced within the time specified, the Director may, if warranted, order the building vacated and posted to prevent further occupancy until the work is completed, and may proceed to cause the work to be done and charge the costs thereof against the property or to its owner, or both.
 - 5. **Possible Sanctions for Non-Compliance.** Statement advising that if all required actions are not completed in accordance with the order, and in

compliance with the Housing Code, any or all of the following remedies may be employed:

- i. Assessment of reinspection fees as described in Article 11 hereof;
 - ii. Enjoin owner from collecting rents, encumbering or transferring the property;
 - iii. Assessment of all costs of enforcement and abatement as a lien against the property, including costs for: inspections, repair, boarding and fencing, vacation, demolition, appointment of a receiver, and all costs and fees of the receiver including the receivers power to encumber the property, relocating the occupants, and reasonable attorneys' fees and costs;
 - iv. Penalties including, but not limited to: civil contempt orders, civil penalties, criminal misdemeanor and/or infraction convictions including fines and jail time in certain instances;
 - v. Inability to deduct from state taxes, expenses for interest, taxes, depreciation or amortization associated with the building, pursuant to California Revenue and Taxation Code Section 17274(a); and
 - vi. Such other injunctive and legal relief as may be warranted under the particular circumstances presented.
6. Lien for All Costs of Abatement. Statement advising that upon completion of all repairs or demolition, the Director may present all costs of enforcement, including costs of repair or demolition ordered under this Chapter, to the City Council for review and confirmation and possible assessment as a lien against the subject property as provided under Section 16.20.750 of this Chapter concerning recovery of costs of repair or demolition.
- c. Service of Notice. The Notice and Order 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. Additionally, a copy of the notice and order shall be conspicuously posted at the property which is the subject of the violation. 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 6. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," is hereby amended by deleting sections 16.20.430 through 16.20.480 dealing with Administrative Hearings.

SECTION 7. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," section 16.20.560, "Appeal Hearings," is hereby amended to read as follows:

"16.20.560 Appeal Hearings.

- a. Appointment of Hearing Officers. The City Council shall appoint active members of the State Bar of California, or any otherwise qualified individual or board, to serve as hearing officers for appeals brought under this Chapter. The hearing officer appointed herein shall, where appropriate or necessary, serve as the Housing Appeals Board as that term is used in the State Housing Law.
- b. Processing of Appeal. Upon receipt of any appeal and appeal fee filed pursuant to this Article, the Clerk or the Neighborhood Services Division, shall immediately transmit a copy of the written appeal to a person appointed pursuant to this Article to serve as a hearing officer.
- c. Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving the copy of the written appeal, the following shall occur:
 1. Date. The hearing officer shall fix a date, time, and place for the hearing of the appeal. Such date shall be within fifteen (15) days of the filing of the appeal and payment of the appeal fee.
 2. Notice. At least five (5) days prior to the date of the hearing, the Neighborhood Services Division shall give written notice of the time and place of the hearing to each appellant by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, certified posted prepaid return receipt requested, addressed to each appellant at his or her address shown on the appeal. Notice shall be effective upon personal delivery or five (5) days after mailing.
- d. Subpoena. The hearing officer of the appeal for which the attendance of a witness is required may issue subpoenas and subpoenas duces tecum, and compensate persons subpoenaed.
 1. This power shall be exercised and enforced in the same manner as the similar power granted to the City Council in Chapter 3 (commencing with Section 37104) of Part 2, Division 3 of the Government Code; except that such power shall extend only to matters within this Chapter.
 2. Reasonable fees and expenses may be provided for by City Council resolution for any or all such witnesses regardless of which party subpoenaed them.
 3. Subpoenas shall be signed by the appropriate hearing officer. The issuance and service of any subpoena shall be obtained upon the filing of an affidavit therefore which states the name and address of the proposed

witness, the reasons for the needed testimony and the materiality thereof in detail to the issues involved. The issuance of a subpoena duces tecum shall be obtained upon the filing of an affidavit therefore which specifies the exact items sought to be produced, and the materiality thereof, in detail to the issues involved and state that the witness has the desired things in his or her possession or under his or her control. A subpoena need not be issued when the affidavit is defective in any particular manner.

4. Any person who refuses to attend any hearing or to produce material evidence in his or her possession, or under his or her control, as required without lawful excuse by any subpoena served upon such person as provided for therein, shall be guilty of a misdemeanor.
- e. Conduct Hearing. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Hearsay evidence may be admitted for purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now, or hereafter, recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.
 1. Record. A record of the entire hearing proceeding shall be made by either a certified court reporter or any other means of permanent recording determined to be appropriate by the hearing officer. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefore. Such fees may be established and revised from time-to-time by the City Council.
 2. Scope. Only those matters or issues specifically raised by the appellant(s) in the written appeal shall be considered in the hearing on appeal.
 3. Oaths and Certification. In any proceedings under this Chapter, the City Council or the hearing officer has the power to administer oaths and affirmations and to certify official acts.
 4. Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
 5. Rights of Parties. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues of the hearing even though the matter was not raised in the direct examination, to impeach any witness

regardless of which party first called him or her to testify, to present rebuttal evidence and to represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so. No appellant shall be required to testify without his or her consent.

6. Official Notice. Official notice of any facts which may be judicially noticed by the courts of this state may be taken in reaching a decision. The hearing officer may inspect any building or premises involved in the appeal during the course of the appeal process, provided that (1) notice of such inspection be given to the parties before the inspection is made, (2) the parties are given an opportunity to be present during the inspection, (3) and the hearing officer states for the record upon completion of the inspection the material facts observed and conclusions drawn therefrom. Each party shall then have the right to rebut or explain the matters so stated by the hearing officer.
- f. Decision. After considering the testimony and evidence presented at the hearing, the hearing officer shall issue a written decision. 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 by certified mail, postage prepaid, return receipt requested. The decision of the hearing officer shall contain findings of fact, a determination of the issues presented, and the requirements to be complied with. The decision of the hearing officer is final and may not be appealed.
- g. Stay of Order Pending Appeal. Except for vacation orders or emergency action required to protect the health and safety of the occupants or the public, enforcement of any notice and order, determination, or action of the Director issued under this Chapter shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.
- h. Right to Judicial Review. A person aggrieved by the Hearing Officer's decision may obtain review of the decision by filing a lawsuit with the Superior Court in Sacramento County within ninety (90) days after service of the final decision in accordance with the timelines and provisions set forth in California Code of Civil Procedure Section 1094.6."

SECTION 8. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," section 16.20.600, "Compliance," subsection (a) is hereby amended to read as follows:

"a. General. After any order of the hearing officer or the Director made pursuant to this Chapter becomes final, no person to whom any such order is directed shall fail, neglect or refuse to obey such order. Any such person who fails to comply with any such order may be charged with either an infraction or misdemeanor offense as provided in Section 16.18.205 of Chapter 16.18 of this Code."

SECTION 9. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," section 16.20.600, "Compliance," subsection (b) is hereby amended to read as follows:

"b. Failure to Obey. If, after any order of the hearing officer or the Director made pursuant to this Chapter has become final, the person(s) to whom such order is directed fails, neglects or refuses to obey such order, the Director may cause such person(s) to be prosecuted under this Code, or the Director may institute any appropriate action or proceeding to prevent, restrain, correct or abate the violation or nuisance."

SECTION 10. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," Article 9, "Rental Housing Code Compliance Fee Requirement," is hereby amended to read as follows:

"Article 9 Rental Housing Code Compliance Fee Requirement

16.20.900 Rental Housing Code Compliance Fee Requirement

No rental dwelling unit shall be occupied by a tenant unless there has been paid to the Department the annual Rental Housing Code Compliance Fee for such rental dwelling unit.

16.20.905 Payment of a Rental Housing Code Compliance Fee as a Condition to Rental

There is hereby established, levied, and imposed for each dwelling unit within the City which is operated as a rental dwelling unit, as defined by this Chapter, an annual Rental Housing Code Compliance Fee. For each such rental dwelling unit, the owner shall pay the Rental Housing Code Compliance Fee to the Finance Department in an amount established pursuant to this Chapter.

16.20.910 Rental Housing Code Compliance Fee

The Rental Housing Code Compliance Fee is payable annually at a time designated by the Finance Director.

16.20.915 Billing Procedure

a. The Rental Housing Code Compliance Fee shall be billed for the fiscal year period to the owner of record to be payable annually at a time designated by the Finance Director. All charges for the Rental Housing Code Compliance Fee shall be billed to the owner of record of any such parcel having "rental dwelling units," as shown upon the County Assessor's roll, to the successor in interest to such person, such person's designee, or to any person requesting that such charges be billed to him or her; but in all cases the owner shall be liable for the charges. The Rental Housing Code Compliance Fee may be billed directly by the Finance Department.

b. Adjustments to a Rental Housing Code Compliance Fee bill may be made when appropriate. Any amount paid in excess of the actual computed charge shall be refunded. Any deficiency in the amount paid against the actual computed charge shall be added to the charge for the succeeding billing. No deficiencies or refunds shall be made for a period of more than three years prior to the date that the Finance Department determines that a billing discrepancy exists. An application requesting an adjustment of billing and stating grounds for an adjustment of refund shall be made in writing to the Finance Department or the Department's designee.

16.20.950 Determination of Rental Housing Code Compliance Fee

The City Manager shall annually review the financial condition of the Program for the purpose of making a recommendation to the City Council as to whether the Rental Housing Code Compliance Fee should be adjusted for the next fiscal year, and if so, by what amount. This recommendation shall be presented to the City Council at the same time as the City Manager's annual evaluation of the Program. The City Manager shall take into consideration in this review and recommendation process the receipts deposited in the Housing Code Enforcement Fund during the preceding fiscal year from all sources, including, but not limited to, the Rental Housing Code Compliance Fees and recovered costs, fines, enforcement and penalties, and the present balance of the Fund in light of maintaining prudent reserves for the next fiscal year's operating expenses."

SECTION 11. Rancho Cordova Municipal Code Chapter 16.20, "Rancho Cordova Housing Code," is hereby amended by adding Article 12, "Rental Housing Inspection Program," to read as follows:

"Article 12 Rental Housing Inspection Program

16.20.1200 Periodic Inspections.

- a. The Director may periodically inspect residential rental property in the City. Entry for inspection shall be as a result of either consent or execution of a warrant secured pursuant to California Code of Civil Procedure Sections 1822.51 and 1822.52.
- b. If, upon the periodic inspection of a residential rental property, violations of applicable laws or ordinances are determined to exist, the Director shall enforce the violation pursuant to this Chapter.
- c. Tenants of residential rental property may request an inspection of their individual units in order to ensure that the property complies with applicable state law, the California Building Code, the Uniform Housing Code, the Uniform Code for the Abatement of Dangerous Buildings and the Rancho Cordova Municipal Code.

16.20.1205 Notification of Inspections; Inspection Procedure.

- a. A letter of intent to inspect a residential rental property shall be mailed to the Rental Owner or his/her designee stating the date and time of inspection. Additionally, a notice will be posted on the property. Such notification shall give a minimum of 14 days' notice and include a description of areas that will be inspected. However, the property may be inspected earlier upon consent of the Rental Owner or his/her designee.
- b. It shall be the responsibility of the Rental Owner to notify the individual tenants of the inspection and make every effort to facilitate access to the property to be inspected.
- c. Should an inspection need to be canceled or rescheduled, the Rental Owner or his/her designee shall be notified at least twenty-four (24) hours prior to the scheduled inspection date.
- d. In the event a Rental Owner, his/her designee or tenant in possession of the property to be inspected refuses access to said property, the City Attorney is authorized to obtain from a court of competent jurisdiction any warrant necessary to cause the inspection to take place.
- e. Formal Notice and Order. A formal report of the inspection results shall be mailed to the Rental Owner or his/her designee within ten (10) days of the completion of an inspection. Such formal report shall include the results of the inspection. If violations are present, the Director shall also mail and post a formal Notice and Order, pursuant to Section 16.20.400 of this Chapter, indicating the violations, proper remedy for violations, the scheduled reinspection date and time, and any reinspection fees and costs that have been assessed.
- f. Report of Inspection. Rental Owners shall provide the formal report of the inspection results, specified in Section 16.20.1205(e) above, to tenants upon tenants' request.
- g. Reinspections. Reinspections shall be conducted to verify that violations identified on the initial inspection have been corrected. The Rental Owner or his/her designee shall be responsible for scheduling required reinspections with their tenants pursuant to the date of reinspection listed on the Notice and Order. .
- h. New Violations. Violations that were not noted on the initial inspection report, but are discovered on the reinspection due to subsequent damage or deterioration shall be subject to correction.

16.20.1210 Exemptions

Newly Constructed Buildings. Newly constructed buildings shall be exempt from this Chapter for a period of five years. The exemption period shall begin to run on the date the Building Department issues a certificate of occupancy.

16.20.1215 Rental Housing Registration Requirement.

- a. Property Required to Register. Every residential rental property located within the City shall be registered. Rental Owners shall obtain registration forms from the Neighborhood Services office.
- b. Registration Information Required. The following information shall be included in every registration:
 - 1. Name and contact information of at least one property title owner;
 - 2. Name and contact information of property manager, if different from owner;
 - 3. Property address or addresses;
 - 4. Type of dwelling (i.e. single-family, duplex, apartment community)
 - 5. Number of residential rental units at each address listed;
 - 6. Number of buildings at each address listed; and
 - 7. Name, address and phone number to contact in case of emergency or for purposes of some necessary action by the City. The name or businesses identified as an emergency contact shall have the authority to act as the owner in cases of emergency or for purposes of allowing the Director to inspect the residential rental property and/or units within the property.
- c. Notification of any change to the information required by the registration form, such as a transfer of ownership or change in emergency contact information shall be required and submitted to the City in writing within sixty (60) calendar days of such change.
- d. Use of Registration Information. All information contained on the registration form shall only be used by the City for issues related to the condition and inspection of the rental property. The information shall not be used for public dissemination.

16.20.1220 Rental Housing Education.

- a. For rental housing properties with severe and/or repeat violations, as determined by the Director, the City shall require the residential Rental Owners and/or their property managers to attend a Rental Housing Management Education program.
- b. The education program shall include, but is not limited to, the following:
 - 1. The rights and responsibilities of residential Rental Owners, property managers, agents of owners and tenants;

2. Proper procedures for conducting interior and exterior rental property inspections;
 3. Rental property maintenance laws and regulations; and
 4. The City's Code Enforcement process.
- c. The Rental Housing Management Education program will be administered by the City or another qualified agency as determined by the City. Rental Housing Owners will be responsible for any fees associated with attending such classes.
 - d. Failure to attend required education program will result in a violation of this Chapter and subject to Section 16.20.220."

SECTION 12. 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 13. Effective Date.

Within fifteen (15) days after adoption, a Summary of 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 3RD day of December, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

**SUBJECT: FOLSOM BOULEVARD STREETScape ENHANCEMENTS PHASE 2
AWARD OF PROFESSIONAL ENGINEERING SERVICES CONTRACT**

RECOMMENDATION

Adopt **Resolution No. 98-2007** authorizing the City Manager to execute an Agreement with Mark Thomas & Company in the amount of \$835,165 for engineering services associated with Phase 2 of the Folsom Boulevard Streetscape Enhancement Project, subject to satisfactory pre-award audit of Mark Thomas & Company's procedures by Caltrans and subsequent contract modifications as may be necessary to satisfy Federal-aid requirements.

RESULT OF RECOMMENDED ACTION

Upon adoption of this resolution and satisfactory completion of the Caltrans pre-award audit process, the City Manager will execute the contract with Mark Thomas & Company and the project team will move forward with preparing conceptual design alternatives for Phase 2 of the Folsom Boulevard Streetscape Enhancements Project.

BACKGROUND

The revitalization of Folsom Boulevard has been a priority for the City of Rancho Cordova since its incorporation in 2003. A Draft Streetscape Master Plan for Folsom Boulevard was prepared in 2005. Based on that document and significant public input, the scope of the Phase 1 of the Folsom Boulevard Streetscape Enhancements Project was developed with project limits on Mather Field Road from US 50 to Mills Station Road, and on Folsom Boulevard between Coloma Road and Cordova Lane. The improvements for Phase 1 included landscaped medians, new traffic signals, and bicycle and pedestrian improvements.

The City has received two funding allocations through the Federal SAFETEA-LU transportation funding act earmarked for Phase 2 of the Folsom Boulevard Streetscape Enhancement project. The objective of these improvements is to create an attractive, vibrant corridor through enhanced safety, promoting transit and nonmotorized modes of travel. The improvements may include features such as undergrounding of overhead utilities, increased pedestrian and bicycle access, landscaping, and street furniture and will be designed to be consistent with Phase 1 improvements as well as the General Plan and the Folsom Boulevard Specific Plan.

Scope of Services

It is anticipated that the design of Phase 2 of the Folsom Boulevard Streetscape Enhancement Project will be prosecuted in two phases. Phase 2a will include preparation of conceptual

design alternatives, meetings with City Council and stakeholder groups to define the Phase 2 improvements, public outreach, preliminary engineering and utility coordination, determination of right-of-way needs, and preparation of 30% plans, specifications, and estimate. As a part of the preliminary engineering work, the consultant will coordinate with the various utility owners to assess the condition of existing water, storm, and sewer utilities to determine if additional capacity is required to accommodate changing land uses or if there are any deficiencies that need to be addressed prior to completing additional surface improvements.

Mark Thomas & Company was chosen for Phase 2a through an open and competitive selection process in accordance with Federal-aid requirements. On June 19, 2007, a Request for Qualifications (RFQ) for this project was published in the Grapevine, posted on the City's website, and also mailed to high-ranking firms listed on the City consultant roster. Through evaluation of the four proposals received, Mark Thomas & Company was chosen as the firm best suited for this project.

A separate contract will be needed for Phase 2b of the project which will consist of final design, right-of-way acquisition, permitting, and support through award of the construction contract.

Public Outreach

There has been a significant community outreach effort throughout development of the Streetscape Master Plan, the Folsom Boulevard Specific Plan, and Phase 1 of the Streetscape Enhancement project. It is anticipated that City staff and Mark Thomas & Company will meet several times with property owners and other community groups to provide information about the project, confirm community issues, and ensure ample opportunity for public feedback regarding the project design. Lucy & Company, a subconsultant to Mark Thomas & Company, will assist in this outreach effort. Lucy & Company previously facilitated community workshops for the Folsom Boulevard & Mather Field Road Streetscape Master Plan in 2003.

Project Funding

The total budget for this project is approximately \$7 million. The project is funded 80% by the Federal SAFETEA-LU High Priority Projects (HPP) Program with the 20% local matching dollars from Measure A (the Sacramento County ½-cent transportation sales tax). The funding for the Infrastructure Assessment Study estimated at \$10,000 will be from the Redevelopment Agency.

Next Phases of Work

With Council approval, preliminary design work (Phase 2a) will begin in January. It is estimated that this phase will take approximately nine months. Following this phase, Staff will return for authorization to award a contract for final design of the project (Phase 2b). The schedule for final design will be largely dependent upon the scope of the project as developed in Phase 2a; however Staff has established a tentative target date of mid-2009 for advertising for construction bids. Construction of this project is expected to take one to two construction seasons.

ATTACHMENT

Resolution 98-2007 including Exhibit A – Scope of Work & Cost Proposal

CITY OF RANCHO CORDOVA

RESOLUTION NO. 98-2007

**A RESOLUTION OF THE CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MARK THOMAS
AND COMPANY TO PERFORM ENGINEERING SERVICES ASSOCIATED WITH PHASE 2
OF THE FOLSOM BOULEVARD STREETScape ENHANCEMENT PROJECT**

WHEREAS, the City of Rancho Cordova wishes to contract with a professional engineering firm to provide preliminary design services for Phase 2 of the Folsom Boulevard Streetscape Enhancement Project; and

WHEREAS, the City of Rancho Cordova wishes to contract with Mark Thomas & Company for these services in an amount not to exceed \$835,165 (**Exhibit A**), subject to satisfactory pre-award audit by Caltrans of Mark Thomas & Company's procedures for compliance with FHWA Federal-aid requirements; and

WHEREAS, the cost of those services will exceed the maximum amount that the City Manager has authorization to approve; and

WHEREAS, the Council of the City of Rancho Cordova, in the 2007-2008 Adopted Budget has budgeted sufficient funds to cover the cost of this contract.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the Council authorizes the City Manager to execute a contract with Mark Thomas & Company, Consultant, in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of on the 3rd day of December, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

PROJECT UNDERSTANDING

The proposed improvements outlined in the Folsom Boulevard & Mather Field Road Streetscape Enhancement Master Plan create a comprehensive, multi-modal plan that will beautify the corridor and encourage future development in the area. The Master Plan also identifies a need for improving pedestrian, bicycle, and motorist safety as well as improving the connectivity from Folsom Boulevard to the Sacramento Regional Transit (RT) facilities.

Mark Thomas & Company, Inc. (MTCO) and our team will assist the City of Rancho Cordova to implement the next phase of improvements from the Master Plan. The Phase 2a scope include conceptual analysis of the entire project limits on Folsom Blvd from Bradshaw Road to Sunrise Blvd, and Mather Field Road from Folsom Blvd to Peter A. McCuen Blvd (Task 3.0), and then 30% plan development (Task 6.0) for just the Pulse Points defined below.

The Folsom Blvd Streetscape Project, as described in the Folsom Blvd & Mather Field Rd. Streetscape Master Plan, provides aesthetic enhancements to the segment of Folsom Blvd bounded by Bradshaw Rd on the west and Sunrise Blvd on the east. Phase 2a which is described in this scoping document will provide the specified enhancements to the five pulse point areas laid out in the Folsom Blvd Specific Plan. The five pulse point areas are described below and shown in the figure attached:

Pulse Point #1 extends from the first property to the west of Rod Beaudry Dr. east along Folsom Blvd. to Bravado Drive. This pulse point is centered on the intersection of Routier Rd., and the nearby Sacramento Regional Transit (SRT) station, and extends south down Routier Rd. and north along W. La Loma Dr.

Pulse Point #2 begins on the west end at La Loma Dr. and extends west along Folsom Blvd. to Dawes St. This pulse point is centered on the intersection of Mather Field Rd. and includes area south along Mather Field Rd and north on Paseo Dr as well as the nearby SRT station.

Pulse Point #3 is bounded by Dawes St. on the west end and extends east along Folsom Blvd to just west of Mills Park Dr. This pulse point is centered on the Coloma Rd intersection with Folsom Blvd. and the adjacent SRT Station.

Pulse Point #4 begins several hundred feet to the west of the Zinfandel Dr. intersections and runs east along Folsom Blvd. to the US50 overcrossing. The key features in this pulse point are the Zinfandel Dr. intersection and the two SRT stations that serve the local commercial areas.

Pulse Point #5 begins on the west end at the US50 overcrossing and extends east along Folsom Blvd. to roughly a quarter of a mile east of the Sunrise Blvd. This pulse point is centered around the Sunrise Blvd. intersection and the adjacent SRT station.

The Phase 2a improvements are outlined below in the Scope of Services.

SCOPE OF SERVICES

1.0 Project Management

1.1 Scoping Meeting - At the outset of the project, MTCO will meet with City Staff to review the contract and work program, refine task descriptions, prepare a project schedule, establish working procedures for contract administration, and identify and collect relevant reports and materials.

1.2 PDT Meetings (10 meetings) - MTCO to be responsible for monthly project development team meetings. MTCO will prepare and distribute agendas in coordination with the City Project Manager. MTCO will facilitate meetings, and prepare and distribute meeting minutes.

1.3 Prepare Monthly Progress Reports and CPM Schedule - MTCO will be responsible for preparation and maintenance of project schedule. MTCO will update schedules monthly, with critical path activities clearly shown for team review purposes.

1.4 Coordination with Subconsultants and Agencies - MTCO will coordinate with the Regional Transit, the Urban Land Institute and our subconsultants. Coordination will include exchanging information (CADD files, other proposed project plans and as-builts) to incorporate into the project plans.

1.5 SACOG Grant application- The City has prepared and submitted the pre-submittal letter to SACOG for the Community Design Funding Program to try to secure funding for the Folsom Blvd Complete Streets Project. SACOG responded with a letter on October 25, 2007 indicating that the City's project appears to be eligible for funding. A full application is due to SACOG on January 9, 2008 to be considered for funds. This task will assist the City with the preparation of this application. Tasks will include the following:

- The application format and contents will be as outlined in Section S of the 2007-09 SACOG Community Design Grant Program Complete Streets Program. The division of responsibility between the City and MTCO is shown below.
 - Cover Memo-by City
 - Signed Statement-prepared by MTCO/signed by City
 - Federal aid eligibility letter- by City
 - Project Summary Table #1- prepared by MTCO
 - Narrative Project-Description- By MTCO with input from City

- Project Maps/Graphics/Photos- By MTCO
 - Project Timeline- By MTCO
 - Project Budget- Table #2 – By MTCO with input from City
 - PLACE's output- Not required per SACOG letter
 - Related Materials- City and MTCO
 - Letters of support or commitment- by City
- MTCO proposes an initial meeting with the City to identify the location along Folsom Blvd. to include within the project application.
 - Once a site is defined, MTCO will prepare a draft application for review and comments by the City. The application for review will focus on SACOG Working Group's criteria as outlined in Section P. of the Program application along with project goals to match the SACOG Blueprint. Due to quick turnaround for this application, this application and exhibits will rely on preliminary work completed as a part of the draft Streetscape Master Plan. Upon receipt of comments, MTCO will prepare one original and nineteen copies of the entire application along with a PDF on CD for submittal to SACOG. The application will be submitted by the City to SACOG.
 - The need for a CMAQ air emissions benefit calculation will not be determined until it is found that the project may receive CMAQ funding. This work has not been included within this scope of work and if needed, we assume this would be handled by City Planning staff.

Deliverables Task 1: Agendas and Minutes for PDT Meetings

Monthly Progress Reports and CPM Schedule Updates

SACOG Grant Application

2.0 Data Collection – This task will create a set of base maps to use for the preliminary concept development as well as 30% plans. The data collection task also includes public outreach and utility coordination.

2.1 Base Maps - MTCO will work with the City to identify an appropriate set of maps for use in the planning process and preliminary design program. The City has provided the aerial mapping from the Phase 1 improvements which extend the entire length of the Folsom Blvd from Bradshaw to Sunrise and all along Mather Field Road. The provided mapping was created before 2000, there are key elements missing from the mapping such as RT double tracking, Sunrise grade separation, and a handful of developed properties adjacent to the corridor. We are providing a new task to refly the corridor and update the aerial mapping.

2.1.1 Control/Right of Way Mapping

2.1.1.A Acquire Record Mapping and Associated Documentation - MTCO will research record mapping and as-built documents at Sacramento County. In particular, MTCO will review available record of surveys, parcel maps, and final maps (subdivisions). This scope does not include ordering of title reports.

2.1.1.B Right of Way Retracement - MTCO will field tie roadway right of way/property boundaries concurrent with setting aerial control at the 5 pulse point locations. Work will include location of street monumentation and property corners, and field ties as appropriate. MTCO will use GPS surveys to tie control into 1983 California Coordinate System (CCS83). Vertical control will be based on most current County/City datum.

2.1.1.C Prepare Right of Way Base Maps - MTCO will prepare base maps showing compiled/reconciled record information for property lines including existing roadway control lines. This covers the parcels along Folsom Blvd and side streets within the Pulse Points.

2.1.2 Topographic Mapping - MTCO proposes to complete the base mapping by preparing new aerial mapping for the entire corridor.

2.1.2.A Aerial Photogrammetric Control Surveys - MTCO will perform GPS surveys with the most current County/City datum to provide control on the aerial panels requested by Radman Aerial Surveys. Work product will include field control diagram and coordinates for aerial panels.

2.1.2.B Aerial Photogrammetry - Radman Aerial Surveys will prepare digital photogrammetric mapping for the entire project site. Mapping products will include a new black and white aerial photograph in digital format, plus 1"=40' scale photogrammetric mapping in AutoCAD format. Layering conventions will be coordinated with City staff for consistency with standards.

2.1.2.C Rectified Color Aerial Photography (Provided by the City) - The City will provide digital photographs for the entire project site. This will include a new color aerial photograph in TIFF and SID format rectified to the state plane coordinate system.

2.1.2.D Supplemental Field Topography - MTCO will perform supplemental field surveys to accurately determine pavement and curb conforms. Roadway cross sections will be performed at 50-foot intervals for the 5 Pulse Points. MTCO will also survey surface visible evidence of underground utilities, invert elevations of accessible underground utilities, pavement crowns and cross slopes, driveways, trees over six feet D.B.H. (diameter at breast height), and other critical features necessary for preliminary design. This scope assumes a total of 13 days of field topo.

2.1.2.E Compile Base Maps - MTCO will compile and reconcile base mapping into a usable product. We will also prepare a supplemental map with air photo superimposed for use in public meetings and we will add property lines to the base mapping for identification of the parcels.

2.2 Public Meetings/Outreach – This task will build upon the outreach performed in earlier phases through project mailers to update the community. No additional formal workshops are proposed.

2.2.1 Stakeholder definition and mailings - The successful implementation of this project will depend on the short- and long-term support by key stakeholders, government representatives and community members. As with the Folsom Boulevard Streetscape master planning process, Lucy & Company will engage the community, agencies and stakeholders through creative public outreach. All outreach activities will be designed to help unearth the community's concerns and gain consensus on issues and proposed solutions. For this project, Lucy & Company recommends a public outreach program that includes:

- Updating the existing community, business and stakeholder database developed by Lucy & Company for the master planning process
- Developing two targeted postcard mailers to inform stakeholders of upcoming city council meetings featuring project-related open houses
- Attending two meetings to strategize public stakeholder involvement

2.2.2 Council Meeting Open House and Presentation (2 meetings) – The project team will organize displays and presentations to inform the City Council of the Phase 2a improvements. Prior to the regular council meetings we will have an open house describing the next set of proposed improvements. There will be opportunities to get comments from the public, but will not focus on information gathering and public input. Additionally a brief PowerPoint presentation will be created to inform the Council Members of the proposed improvements and get consensus before preliminary design activities.

2.2.3 Community Advisory Meeting (CAC Meeting) (3 meetings) – Community Advisory Committee meetings will be held regularly, probably either bi-monthly or quarterly. MTCO will work with city staff to ensure all groups and interested parties are appropriately represented. The intent of the CAC meetings is to seek input from key community representatives, and to develop a sense of trust between team members. For budgeting purposes, we currently assume that the Community Advisory Committee will hold up to three meetings during Phase 2a. A meeting calendar will be prepared and updated as necessary, and distributed to project team members. Meeting minutes will be taken and provided to Project Development Team members.

2.2.4 Property Owner Meeting – (10 meetings) – MTCO will meet with the business and property owners one-on-one to discuss their individual needs. This scope includes 10 one-on-one meetings.

2.3 Utility Mapping/Coordination – This task will research utilities within the Corridor, add them to the project base mapping and research the options for undergrounding the overhead lines.

2.3.1 Request Utility Base Mapping Information - MTCO will send air photo base maps with any known utility base information shown ("A" Plans) to utility providers with a brief explanation of the project. System mapping/facility confirmation will be requested for follow-up on conflict identification.

2.3.2 Research Franchise Agreements - MTCO will coordinate with utility providers on applicable franchise agreements (any current city agreements, prior County agreements if applicable).

2.3.3 Coordinate With Utility Regarding Feasibility of Undergrounding/Funding Sources - MTCO and our subconsultant Electrical Design Consultants will meet with utility providers (electrical, telephone, communication and cable) and Regional Transit to review feasibility of undergrounding their facilities. The review will include technical feasibility, anticipated costs (preliminary), potential funding sources (Rule 20A, etc.), plus available funds for the work. This research will be summarized in a memo and submitted to the city.

Deliverables Task 2: Base Mapping (city's color aerial photography overlaid with new photogrammetric mapping) with Preliminary Right of Way information

Meeting Display Materials and Meeting Summaries

Utility A Letters

Utility Undergrounding Feasibility Memo (5 copies)

3.0 Concepts and Alternatives Report – This phase will analyze the remaining improvements in the Master Plan and present alternatives for the Phase 2a improvements based on traffic patterns, aesthetic development, and the input from the public outreach in Task 2.2.

3.1 Transportation Concepts and Alternatives - The MTCO Team will outline concepts and alternatives for transportation opportunities.

3.1.1 Develop Transportation Concepts – Fehr and Peers (FPA) will analyze the traffic patterns and volumes at the Pulse Point locations to help establish guidelines for the preliminary design.

3.1.1.A Develop Transportation Access Strategies - FPA will assist the project team in refining the transportation strategies developed for the study corridor through the Folsom Boulevard and Mather Field Boulevard Streetscape Enhancement Master Plan and Draft Folsom Boulevard Specific Plan. We will assess the feasibility of new concepts and provide input on existing strategies and such as:

- Driveway access consolidation
- Roadway cross-section
- Medians and median breaks
- Intersection bulbouts
- Traffic control

We will also assist the project team in evaluating the pedestrian circulation patterns and facilities and recommend improvements to enhance pedestrian mobility. Our recommendations will identify enhancements to compliment the Specific Plan land use concept and will include the following:

- Urban-scale sidewalks adjacent to high density mixed use developments
- Mid-block pedestrian crossings
- Enhanced crosswalks at signalized intersections
- Increased connectivity to the existing and planned LRT stations

3.1.1.B Develop Traffic Forecasts - FPA will develop cumulative PM peak hour traffic forecasts for up to 15 intersections. We will confirm the preliminary study intersections (listed below) with City staff prior to developing the traffic forecasts.

1. Folsom Boulevard / Kilgore Road
2. Folsom Boulevard / McGregor Drive
3. Folsom Boulevard / Olson Drive/Cordova Lane
4. Folsom Boulevard / Don Juan Drive
5. Zinfandel Drive / Olson Drive*
6. Folsom Boulevard / Zinfandel Drive*
7. Folsom Boulevard / Mills Park Drive*
8. Folsom Boulevard / Coloma Road*
9. Folsom Boulevard / Dawes Street
10. Folsom Boulevard / Mather Field Road*

11. Mather Field Road / Mills Station Road
12. Folsom Boulevard / La Loma Drive
13. Folsom Boulevard / Routier Road*
14. Folsom Boulevard / Rod Beaudry Drive

FPA has existing traffic counts (Year 2006) at those intersections marked with an asterisk (*). FPA will need to conduct PM peak hour traffic counts at the remaining eight intersections and one new intersection.

The City's traffic model lacks sufficient detail to develop corridor-level turning movement forecasts at sufficient detail for refining the corridor access strategies (Task 3.1.1.A) or for sizing turn pocket storage lengths (Task 3.1.1.C). Therefore, we propose to add traffic analysis zone (TAZ) and roadway network detail as necessary to improve the assignment of traffic to the study corridor.

To accomplish this, we will conduct a static validation of the City's base year (2004) travel demand forecasting (TDF) model to ensure the model passes the fundamental validation tests required by Caltrans and FHWA. The validation tests will confirm that the City's TDF model passes the recommended values for correlation coefficient, percent of links within maximum allowed deviations, and percent root mean squared error.

Following the validation tests, we will add the increment in traffic growth between the base year and cumulative versions of the City's TDF model to the existing PM peak hour traffic volumes. We will use the resulting traffic forecasts for Task 3.1.1.C.

3.1.1.C Intersection Geometry and Turn Pocket Sizing - FPA will use the Syncho software program, which applies the HCM methodology, to evaluate cumulative PM peak hour traffic operations at up to 15 intersections. Based on the results from the traffic operations analyses, we will recommend changes to intersection lane configurations, turn pocket storage lengths, and intersection traffic controls.

3.1.2 Develop Preliminary Design Concepts - Based on transportation concepts identified in Task 3.1.1, MTCO will prepare conceptual improvement plans for pavement rehabilitation, sidewalk improvements, bike lane layout, raised median layout, and turn lane improvements. MTCO will develop the improvements in consultation with City staff and in coordination with aesthetic development. Concept plans will show directional arrows, dimensions for lane widths, proposed driveway access/consolidations, proposed cross median access points, and preliminary right of way needs. MTCO will prepare concept plans in draft and final forms.

3.1.3 Pedestrian Circulation - MTCO, with support from FPA, will evaluate pedestrian circulation and

access throughout the limits of the project. The evaluation will consider sidewalk widths, grades (longitudinal and cross slope) obstructions, and curb ramps. MTCO will prepare an ADA compliance inventory with suggestions for corrections.

3.2 Aesthetic Development – Aesthetic development of five ‘pulse points’ within the Plan area will be in concert with the Folsom Boulevard Specific Plan and Streetscape Enhancement Master Plan.

These ‘pulse points’ are generally shown on the attached Exhibit “A”. Specific pulse points can be negotiated if the City desires that different ones be studied.

3.2.1 Landscape Data Gathering and Document Review - The HLA team will gather existing background information, as it is available, from the City and its consultants. We anticipate reviewing the Folsom Boulevard Specific Plan, Folsom Boulevard/Mather Field Road Streetscape Enhancement Master Plan, and plan sheets prepared to date in addition to the following:

- Traffic reports
- Preliminary design data/guidelines
- Improvement Plans completed to date
- Mapping and aerial photographs
- Utility locations
- Soils reports
- Design standards, details, and specifications
- City and utility contacts
- Funding and permit information
- City contract documents

Using Base Information, HLA will walk the Plan area and photograph for reference. We will perform cursory site analysis using information gathered to refine base sheets and provide baseline information for subsequent 30% design improvements.

3.2.2 Streetscape Design Preparation - HLA will be responsible for development of aesthetic treatments for proposed intersection improvements. These treatments will include a combination of street and accent trees, median landscaping, special lighting fixtures, sidewalk/surface treatments, and corner treatments and

monuments.

We shall prepare exhibit boards showing areas for aesthetic enhancements (at the five pulse points along with improvements/repairs to side streets as needed); including paving materials for auto and pedestrian uses, wayfinding or signage guidelines, plant material selections (including street trees), street lighting, site furnishings such as benches, seatwalls, trash and recycling receptacles, banners or other street light appurtenances, etc., and civil improvements such as concrete curbs (colored, textured), drain grates, concealment of backflow devices and other valves, hydrant placement, etc.

3.2.3 Photosimulations – MTCO will create up to 5 photosimulations of the proposed improvements at the Pulse Points. The photosimulations will consist of an existing photo overlaid with a rendering of the proposed improvements to use on boards or mailers to present before and after conditions. We will work with the City to determine the exact location and view to be used in the photosimulations. As an optional task (not currently included), MTCO can expand on the modeling created for the photosimulations and create video animations of the proposed improvement for use on websites or public presentations.

3.3 Associated Signal/Lighting Improvements – Y&C Transportation Consultants (Y&C) will work with City staff to select a preferred decorative lighting pole and fixture alternative based on four alternatives recommended by Y&C. Once the preferred alternative is selected, Y&C will use GE ALADAN software to prepare lighting intensity analysis to determine light spacing, which will be used to prepare 30% lighting plans.

3.4 Infrastructure Assessment Report – MTCO, along with our subconsultant Kennedy Jenks Consultants (KJC), will provide the City with an assessment of the sewer, water and storm drain facilities within the project limits. The limits of the work are only along the Folsom Blvd. Corridor, not including Mather Field Road. This scope assumes we will meet with Sacramento County CSD, Golden State Water Company and Sacramento County Department of Water Resources. This task shall include the following:

3.4.1 Storm Drain Collection System

- Meetings with County Water Resources Department to discuss the storm drain facilities to determine the following:
 - The existing capacity for the systems within the project limits based on previously completed studies (no new studies are anticipated for the existing systems),
 - Proposed new storm drain infrastructure projects proposed,
 - Determine the latest existing conditions evaluation performed by the County, if available, and
 - Determine if there are facilities that are requiring maintenance or repairs on a regular basis and

locations of frequent flooding for drainage facilities.

- Using the utility mapping from the previously completed Streetscape Master Plan, MTCO will review and update the utility base mapping based on the research above. This will include obtaining system mapping along with a field review to visually verify the system locations.
- Using the proposed intensified land uses from the approved Specific Plan, MTCO will develop preliminary levels of increased need for storm drain infrastructure. We will meet with the County staff to review the growth assumptions from the increased development proposals to determine if additional infrastructure will be required. This task is not intended to develop new technical reports or detailed analysis of storm drain demands but only to develop approximate needs for new infrastructure. This task will help to develop costs associated with the increased development concepts to help prioritize this redevelopment.
- Develop a technical memo with storm drain exhibit showing existing facilities, proposed future facilities and required infrastructure for increased development.

3.4.2 Sewer Collection System -The objective of this task is to determine if the current collection system capacity will support the proposed change in land use and expected growth along this segment of Folsom Blvd.

- The sewer collection system trunk sewer running along Folsom Blvd. between Bradshaw Road and Folsom Blvd. and Sunrise Ave. and Folsom Blvd. is operated by County Sanitation District 1 (CSD-1). As part of the collection system capacity management, CSD-1 has installed a sewer collection system flowmeter network. The flowmeters are used to provide ongoing near realtime data on the collection system capacity. CSD-1 has developed a detailed hydraulic sewer model using InfoWorks™ CS published by Wallingford Software that models to 10-inch diameter collection system pipe. Their model covers the collection system trunk within this project. It is assumed that the CSD-1 model is calibrated for steady state and dynamic simulations.
- Kennedy/Jenks will review the current master plan and associated specific plans and will develop land area use collection system loading rates on an area basis. The land area use rates for the updated master plan will be documented in a draft Technical Memorandum 1 together with temporal data to show increased flow as a function of time for the Master Plan Update projected time line. This information will serve as the basis for hydraulic modeling and will be agreed upon early in the project by the City of Rancho Cordova, Mark Thomas & Co., and CSD-1. A final Technical Memorandum 1 will be issued after receiving comments.

- Kennedy/Jenks will meet with CSD-1 staff to review current flowmeter data most closely associated with the Folsom Blvd. trunk. Using the current flow data and CSD-1 staff experience, Kennedy/Jenks will also determine Influent and Inflow (I&I) peaking factors for this part of sewer collection system.
- Kennedy/Jenks will work closely with CSD-1 to develop up to four (4) model scenarios representing staged changes over time in land use area type as defined by the Master Plan Update. The model scenarios will be executed for the following conditions:
 - Average dry weather flow
 - Peak hour wet weather flow
 - If CSD-1 has developed a storm event collection system response correlation that applies to this stretch of the collection system then we will simulate a 100-year 24-hour storm event for each of the scenarios.
- A full collection system model will be conducted, which will require upstream and downstream flows to be simulated for each scenario. Kennedy/Jenks will use projected flows available from CSD-1 to simulate projected future flows into the collection system. CSD-1 will run the actual model scenarios based on the developed model scenarios. As the objective of this task is just to evaluate the capacity of the current sewer collection system no collection system recommendations to increase capacity will be made as they are not part of the scope of this project. The results of this analysis will determine if the existing sewer capacity is adequate or not to support changes in the proposed land use area.
- The model results will be documented in a Technical Memorandum 2 that will include:
 - the results of average dry weather flow and peak wet weather flow for the four scenarios
 - maps of the project area showing the area build out for each scenario
 - listing and maps showing the location of manholes where the model predicts that surcharging may occur (sewage flowing up into the manhole) and locations where there may be sanitary sewer overflows (SSO).
 - Kennedy/Jenks will conduct a meeting to discuss the sewer collection system model results with Mark Thomas staff.

3.4.3 Potable Water Distribution System-The objective of this task is to determine if there is sufficient potable water delivery capacity to support growth within the project over the timeline of the Master Plan

Update.

- The potable water distribution system serving the project area is operated by Golden State Water Co. As part of their distribution system management Golden State Water Co. is currently developing and calibrating a hydraulic model in Montgomery Watson Harza (MWH) H2ONet that will be completed in November 2007. It is assumed that their model will be fully developed and calibrated for steady state and extended period simulations. Therefore model scenarios should be executed with existing diurnal curves. A preliminary discussion with Scott Fort, District Engineering Manager for Golden State Water Co., indicates that Golden State Water Co. will develop and run the required model scenarios for the Master Plan Update. Therefore this proposal has been developed assuming that the amendment of the Golden State Water Co. hydraulic model will be performed by Golden State Water Co. staff using model scenarios developed by Kennedy/Jenks.
- Kennedy/Jenks will review the current master plan and associated specific plans and will develop land area use potable water demands on an area basis. The land area use rates for the updated master plan will be documented in a draft Technical Memorandum 3 together with temporal data to show potable water demand increases as a function of time for the Master Plan Update projected time line. In addition, Kennedy/Jenks will contact the local Fire department for allowable fire flows for each of the project areas based. This information will serve as the basis for hydraulic modeling and should be agreed upon early in the project. Comments from Mark Thomas & Co., City of Rancho Cordova, and Golden State Water Co. will be incorporated in a final Technical Memorandum 3.
- Kennedy/Jenks will meet with Golden State Water Co. staff to review operational data for the sections of the potable water distribution system within the project area. The review of operational data will include:
 - Existing water system map
 - Current improvement standards and planned system improvements
 - Existing water system problem areas and maintenance/repair history
 - History of water demands, maximum day and peak hour peaking factors
 - Water storage and supply (current and future projected limits)
 - Urban Water Management Plan
- Kennedy/Jenks will develop up to four (4) model scenarios demonstrating the project area from current conditions to full build out. Kennedy/Jenks will work closely with Golden State Water Co.

staff to develop and run up to four (4) hydraulic models under various conditions. Each hydraulic model scenario will be operated for the following conditions:

- Average water demand
 - Maximum day demand
 - Maximum day demand plus fire flow
 - Peak hour water demand
- As the objective of this task is only to assess the capacity of the potable water delivery to the project area, no recommendations will be made regarding changes to the water supply system capacity, if the capacity assessment of the current system is found to be deficient, as this is out of scope. Kennedy/Jenks will conduct a meeting with the City of Rancho Cordova, Mark Thomas & Co., and Golden State Water Co. to discuss the model results. The model results will be documented in a draft Technical Memorandum 4. Comments will be incorporated and a final Technical Memorandum 4 submitted.

3.5 Finalize Streetscape Master Plan – MTCO and HLA will work with City staff to incorporate the remaining comments on the draft Streetscape Master Plan. The work will include minor text changes, updating graphics based on the concepts developed in Task 3 and getting the document ready for City Council adoption. We will also increase the western limits of the plan to include Folsom Blvd to Bradshaw Rd. It is assumed that the City will provide all documents, exhibits and maps for the Streetscape Master Plan in an editable electronic format.

Deliverables Task 3: Traffic Analysis Memo (5 copies)

Concept Plan (10 copies)

Aesthetics Exhibit (2 copies)

Photosimulations (1 set of exhibits)

Lighting Analysis Plan (5 copies)

Infrastructure Assessment Report (with 4 Tech Memos) (5 copies)

Finalized Streetscape Master Plan (5 copies)

4.0 Environmental Review – The CEQA approvals for any future construction project will be covered under the final design contract. This task provides technical support to the City Planning Staff during the environmental process.

4.1 Environmental Support- MTCO will provide support for the environmental document to assist the City Planning Department staff (Planning) as described below:

- Prepare Project Description-MTCO will work with Planning to develop a detailed project description to include the limits of work (i.e.: along Folsom Blvd. between Bradshaw and Sunrise and the types of improvements (i.e.: roadway widening, utility relocation, new storm drain facilities, etc.). MTCO will provide the initial description for City review and will make one set of modifications.
- Review of Project Environmental Reports-MTCO will work with the City to provide a review of the administrative draft, final draft and final environmental documents. We will also be available to review the proposed mitigation measures prior to their adoption to insure they are easily implemented into the final designs.
- Project Exhibits- MTCO will be able to assist the City with project exhibits for the environmental documents. This task assumes that these exhibits would include overall project limits and brief description of the improvements. We assume exhibits from the Streetscape Master Plan would be used as a base and no additional exhibits will be required.

Deliverables Task 4: Project Description and Exhibits for Environmental Document.

5.0 Preliminary Design - The goal of this design project is to improve Folsom Boulevard and Mather Field Road within the Pulse Point areas by rehabilitating the roadway, addressing sidewalks/pedestrian safety and ADA compliance, improving traffic operations, and improving appearance. It is important that the project can be constructed at a reasonable cost and with minimal disruption to traffic and businesses.

Key Project Elements:

Based on discussions with City staff and our field reviews, we anticipate that the project will consist of the following elements/key issues to be addressed:

- Maintain two-through lanes in both directions.
- Maintain existing lane configurations
- Review possibility of including additional raised median/improved channelization.
- Provide enhanced aesthetics, including streetscape and landscape improvements
- Provide enhanced pedestrian circulation and safety (including ADA compliance)
- Construct an on-street bike lane (i.e. Class 2)

- Coordinate and consolidate, where appropriate, driveway locations with respect to property access and roadway safety and operations; balance these objects as possible.
- Provide for reasonable and safe accommodation of traffic (pedestrian and vehicular) during construction.

Prior to beginning 30% design plans, we propose to prepare striping plans for review and approval by the City

5.1 Striping Plans - MTCO will prepare striping base plans, drawn to a scale of 1" = 40' based on the earlier work done in Task 3.1. For the sake of clarity, the striping base plans shall show proposed edge of pavement, curb, gutter and sidewalk, and driveways, potential median locations, existing striping beyond the limits of new pavement or pavement overlay and existing edge of pavement beyond the limits of the project. Adjacent property ownership information will be included on the striping base plans. Existing striping (including pavement markings) in the vicinity of the project limits shall be indicated with screened line work and dimensioned from the street centerline. These plans will cover only the pulse point areas as described above.

Deliverables Task 5: Draft and Final Striping Plans (10 copies each submittal)

6.0 Preliminary Engineering - Based on the guidelines developed in the Master Plan and the conceptual engineering phases of work, MTCO, HLA, EDC and Y&C will prepare 30% completion plans. Plans for new or upgraded sewer and water facilities have not been included since the extent is not known until the assessment has been completed in Task 3.4.

6.1 30% Roadway Plans - The plan package will be submitted at the 30% stage of completion. The intent of first submittal is to define the project for review by City, and to allow for major comments prior to investment of significant design effort in design details. The approach will be to build upon the Striping Plans in Task 5.1 by adding plan information and additional detail sheets to bring the design along to be able to get realistic costs and verify constructability. The plans will be prepared in AutoCAD 2008 format. It is assumed that MTCO and team members will have access to all CADD files from the phase 1 project.

The proposed improvements will be based on the striping and cross section for each district that have been identified in the Phase 1 Work for the 5 Pulse Point Locations. The plans will show the following information:

- Horizontal alignment with bearing and distance information.
- Curve radii at side street end returns and at median left turn locations.
- Proposed curb ramp types and locations.
- Existing Right of Way.
- Proposed Right of Way, if necessary.

- Number and width of traveled lanes.
- Sidewalk, planter and bike lane widths.
- Proposed limits of special pavement and concrete treatments.
- Driveways.
- Drainage improvements as identified from Task 3.4 and 6.7.

The 30% Plans will be prepared on a plan/profile format at 1"=40' scale. Only existing centerline profile information will be included at this stage.

6.2 30% Traffic Signal/Lighting Improvements - Y&C will obtain AutoCAD base plans and as-built traffic signal and lighting plans from Mark Thomas & Company (MTCO). Y&C will also verify as-built signal and lighting plans in the field. Based on the obtained information and field review, Y&C will prepare traffic signal plan and cost estimates at 30% level for the intersections of Folsom Boulevard at the following streets:

- Routier Road-West La Loma Drive
- La Loma Drive
- Mather Field Road
- Coloma Road
- Zinfandel Road
- Don Juan Drive
- Olson Drive
- McGregor Drive
- Kilgore Road
- Sunrise Boulevard
- Sunrise Bikeway

The 30% traffic signal plans will include signal phase diagram, layout of signal poles and heads, controller location, and proposed service point. It does not include detector layout, equipment and conductor schedules. The 30% lighting plan includes layout of lighting pole and fixture only. No conduits, pull boxes, and wiring are included.

Y&C will submit draft 30% signal and lighting plans and cost estimate to the City of Rancho Cordova for review.

Comments by the City will be incorporated into updated 30% plans.

6.3 30% Landscape/Streetscape Plan - Based on concept development and preferred roadway alternative(s) completed in Task 3, HLA will prepare preliminary landscape, hardscape and construction detail plans and estimates to 30% completion. Plans are anticipated to include the following:

- Layout Plan for landscape enhancements/improvements;
- Grading Plan for corner treatments in concert with Civil Plans;
- Irrigation Plan for all planter areas;
- Planting Plan;
- Construction Details as necessary (prepared to City or County standards, depending on which apply);
- 30% Statement of Probable Construction Costs.

6.4 30% Utility Undergrounding Plans - MTCO take the lead on the utility undergrounding coordination. EDC will assist MTCO by attending utility meetings and providing design plans for the new underground joint trench to coordinate preliminary designs from the utility providers (electrical, telephone, and cable) to the utility. The designs will include technical feasibility, anticipated costs (preliminary), and anticipated design and construction schedule. In addition, EDC will review options to provide new underground service to the adjacent businesses from the joint trench.

6.5 Cost Estimates - Based on the work completed in Tasks 6.1 through 6.4, cost estimates will be prepared for work shown on the 30% plans to determine if the existing funding is adequate. Right of way valuation for acquisition will be obtained from one of the City's on-call Right of Way consultants.

6.6 Geotechnical/Pavement Design Report - Blackburn Consulting, Inc. (BCI) will prepare a geotechnical/pavement recommendations report. To prepare the report, BCI will perform the following tasks:

Project Coordination and Document Review - Review available site data that includes as-built roadway plans (provided by the client), topographic mapping, published geologic mapping and literature (USGS and CGS), and aerial photographs / historic topographic maps obtained by BCI for the Initial Site Assessment task.

Visual Pavement Assessment, Sample Collection, and Monument Review - BCI will perform a visual pavement evaluation that will describe the general pavement condition (i.e., poor, fair, and good) and identify individual areas/zones exhibiting severe pavement distress (e.g., rutting, alligator cracks, potholes, large

patches, etc.) that will require replacement. We will collect bulk soil samples from shallow (1 to 3 feet deep) test pits excavated with hand tools. The test pits will be spaced at 800 to 1,000 foot intervals along unpaved shoulders and in landscape areas.

BCI will visually review the locations proposed for new decorative monuments.

We will not drill any borings for this phase and we assume that the City will waive the encroachment permit fee to complete this work.

Laboratory Testing - BCI will perform laboratory R-value tests on bulk samples obtained from test pit locations:

Analysis and Geotechnical Report - BCI will perform preliminary engineering analysis for the following:

- New pavement design.
- Preliminary geotechnical criteria for new monument foundations.

BCI will prepare and submit a Geotechnical Report. The report will include our conclusions, recommendations for new pavement sections, and preliminary geotechnical criteria for new monument foundations. The report will contain:

- Scope of work
- Site description
- Project description
- Field exploration with test pit summary
- R-value tests
- Existing pavement surface conditions
- New pavement sections
- Preliminary geotechnical criteria for new monument foundations
- Vicinity map
- Site map showing test pit locations

BCI will submit a draft report for review. The final Geotechnical Report will incorporate the review comments as necessary.

- 6.7 Prepare Drainage Analysis Memo:** MTCO will conceptually analyze drainage effects of the proposed improvements. MTCO will evaluate the inlet and culvert capacity and calculate resulting spread widths for the widened roadway areas. Analysis of the entire drainage system including offsite hydrology analysis or calculations and storm drain trunk line capacity analysis are excluded and will not be provided. No formal report will be provided; this scope assumes a memorandum only summarizing the drainage analysis, proposed storm drain facilities and project costs.

Deliverables Task 6: Plan Package summarized below (10 - 11"x17" copies each submittal)

30% Cost Estimate

Geotechnical Report (5 copies)

Drainage Analysis Memo (5 copies)

30% Plans (approximate number of sheets):

Plan	Estimated Number of Sheets
Title Sheet	1
Survey Control Diagram	1
Details	5
Street Sections	5
Layout, Drainage and Utilities (Plan and Profile 1"=40')	15
Underground Joint Trench Plans and Details	8
Pavement Delineation /Signing (1"=40')	8
Landscaping/Irrigation Plans	15
Landscape Details	10
Signal Plans (1"=20) and (1"=40')	11
Lighting Plan (1"=40')	10
Total Estimated Roadway Plan Sheets	89 sheets

Assumptions/Exclusions

- City will provide electronic files of all previous work completed, including aerial mapping.
- City Right of Way consultants will provide land acquisition values for use in cost estimates.
- Detailed right of way delineation within the “pulse points” will be done; for the remaining project limits, approximate right of way and property lines will be developed using Assessors Parcel Maps and GIS Mapping.
- City will provide the following additional reports/information:
 - Final Specific Plan
 - Pedestrian Study
 - Streetscape Master Plan
 - Utility base mapping files
 - Phase 1 PS&E
 - Environmental Document from Specific Plan
- City will provide latest aerial photography.
- Review of hazardous materials has not been included within this scope.

COST PROPOSAL

CONTRACT No. Folsom Blvd Streetscape Project - Phase 2a
CONSULTANT Mark Thomas & Company, Inc.Date 11/21/07

DIRECT LABOR

Classification	Name	Range	Hours		Initial Hourly Rate	Total
Principal	Chris Rockway		258.0	@	\$ 102.00	\$ 26,316.00
Project Manager	Adrian Engel	51.26 - 62.00	656.0	@	\$ 51.70	\$ 33,915.20
Survey Manager	Albert De Leon	44.16 - 52.00	48.0	@	\$ 52.00	\$ 2,496.00
Project Surveyor	Matt Stringer	44.16 - 51.50	224.0	@	\$ 44.60	\$ 9,990.40
Sr. Design Engineer	Bill Shunk	32.10 - 39.75	816.0	@	\$ 36.86	\$ 30,077.76
Sr. Design Engineer	Phil Vulliet	32.10 - 39.75	608.0	@	\$ 34.94	\$ 21,243.52
Eng Technician	Trong Nguyen	26.78 - 29.69	312.0	@	\$ 28.58	\$ 8,916.96
Survey Technician	Ryan Michalak	29.70 - 35.30	218.0	@	\$ 29.69	\$ 6,472.42
CADD Technician	Janet Doty	29.70 - 35.30	432.0	@	\$ 30.27	\$ 13,076.64
Field Party Chief	Octavio Senda		274.0	@	\$ 35.12	\$ 9,622.88
Field Party Chainman	Thomas Garner		274.0	@	\$ 29.15	\$ 7,987.10
Field Party Chainman	William Jones		138.0	@	\$ 29.15	\$ 4,022.70
Admin Assist	Janet Cortez	15.94 - 25.76	124.0	@	\$ 22.01	\$ 2,729.24

4382.0

Subtotal Direct Labor Costs \$ 176,866.82
Anticipated Salary Increases (5% for one year) \$

Total Direct Labor Costs \$ 176,866.82

FRINGE BENEFITS

Fringe Benefits

Total Fringe Benefits \$ 69,296.42

INDIRECT COSTS

Overhead/General and Administrative

Total Indirect Costs \$ 179,643.63

FEE @ 10%

\$ 42,580.69

OTHER COSTS

Mileage
Reproductions Costs (out of office blue lines, xerox, binding)
Survey Supplies/Traffic Control
Mail & Delivery Services (California Overnight and Postage)\$ 500.00
\$ 4,000.00
\$ 2,500.00
\$ 500.00

Total Other Costs \$ 7,500.00

MTCO SUBTOTAL

475,888.00

SUBCONSULTANTS

Blackburn Consulting
Fehr & Peers
Y&C Transportation
HLA Group
Lucy & Co.
Kennedy Jenks
Electrical Design Cons.
Radman22,964.00
27,485.00
64,000.00
107,792.00
17,895.00
36,141.00
31,000.00
52,000.00

TOTAL COSTS

\$ 835,165.00

Form 10H
CONSULTANT COST PROPOSAL

COST PROPOSAL Rancho Cordova Folsom Blvd Mather Field Phase 2a
Geotechnical Report

CONTRACT No. Folsom Blvd Streetscape Project - Phase 2a
CONSULTANT Blackburn Consulting

Date 11/08/07

DIRECT LABOR

Classification	Name	Range	Hours	Initial Hourly Rate	Total
Sr. Project Manager (Overall)	RBL	43.00-65.00	20.0 @	\$ 45.03	\$ 900.60
Project Manager (Technical)	BBO	35.00-46.00	60.0 @	\$ 43.05	\$ 2,583.00
Project Engineer	JTF	25.00-32.00	60.0 @	\$ 30.05	\$ 1,803.00
Materials Test			0.0 @	\$ 0.00	\$ -
Utility Coordinator			0.0 @	\$ 0.00	\$ -
Surveyor Coordinator			0.0 @	\$ 0.00	\$ -
Surveyor			0.0 @	\$ 0.00	\$ -
2-Person Survey Crew			0.0 @	\$ 0.00	\$ -
CADD Operator	MDR	21.00-30.00	9.0 @	\$ 28.35	\$ 255.15
Admin Assist	JVW	15.00-27.00	2.0 @	\$ 15.00	\$ 30.00
Student Intern			0.0 @	\$ 0.00	\$ -

Subtotal Direct Labor Costs \$ 5,571.75

FRINGE BENEFITS		Total Direct Labor Costs	\$ 5,571.75
Fringe Benefits	Rate	Total	
	40.00%	\$ 2,228.70	
	Total Fringe Benefits		\$ 2,228.70

INDIRECT COSTS			
Overhead/General and Administrative	142.20%	\$ 7,923.03	
	Total Indirect Costs		\$ 7,923.03

FEE @ 10% \$ 1,572.35

OTHER COSTS

Mileage	\$ 168.00
Reproductions Costs (out of office blue lines, xerox, binding)	\$ 50.00
Permits	\$ -
Traffic Control	\$ -
Laboratory Analysis	\$ 5,400.00
Field Equipment	\$ -
Drilling Services	\$ -
Backhoe Services	\$ -
Mail & Delivery Services (Overnight and Postage)	\$ 50.00
Total Other Costs	\$ 5,668.00

TOTAL COSTS \$ 22,963.83

Form 10H
CONSULTANT COST PROPOSAL

COST PROPOSAL

CONTRACT No. Folsom Blvd Streetscape Project Phase 2a
CONSULTANT Fehr and Peers Associates

Date 11/21/07

DIRECT LABOR

Classification	Name	Range	Hours		Initial Hourly Rate	Total
Project Manager (Overall)	Alan Telford		16.0	@	\$ 95.19	\$ 1,523.04
Project Manager	Jeff Clark		40.0	@	\$ 57.69	\$ 2,307.60
Project Engineer	Aaron Hoyt		140.0	@	\$ 30.29	\$ 4,240.60
CADD Technician	Carrie Carsell		20.0	@	\$ 26.44	\$ 528.80
Admin Assist	Jesseka Larson		8.0	@	\$ 16.83	\$ 134.64

224.0
Subtotal Direct Labor Costs \$ 8,734.68
Anticipated Salary Increases (5% for one year) \$

Total Direct Labor Costs \$ 8,734.68

FRINGE BENEFITS

	Rate	Total
Fringe Benefits	52.38%	\$ 4,575.23
Total Fringe Benefits		\$ 4,575.23

INDIRECT COSTS

	Rate	Total
Overhead/General and Administrative	128.77%	\$ 11,247.65
Total Indirect Costs		\$ 11,247.65

FEE @ 10% \$ 2,455.76

OTHER COSTS

Mileage	\$ 72.00
Reproductions Costs (out of office blue lines, xerox, binding)	\$ 200.00
Photographic Film & Processing	\$
Mail & Delivery Services (California Overnight and Postage)	\$ 200.00
Total Other Costs	\$ 472.00

SUBCONSULTANTS

TOTAL COSTS \$ 27,485.31

COST PROPOSAL for Task 6.2 (Traffic Signal/Lighting Improvements)

CONTRACT No. Folsom Blvd Streetscape Project - Phase 2a
CONSULTANT Y&C Transportation Consultants, Inc.

Date 11/7/07

DIRECT LABOR

Classification	Name	Range	Hours	Initial Hourly Rate	Total
Engineer XII	Dan Yau	78 - 84	38.0 @	\$ 80.23	\$ 3,048.74
Engineer X	Kin Chan	65 - 72	150.0 @	\$ 69.23	\$ 10,384.50
Engineer III (staff)		31 - 35	0.0 @	\$ 33.00	\$ -
Engineer II (staff)		27 - 31	200.0 @	\$ 30.00	\$ 6,000.00
Engineer I (staff)		25 - 27	200.0 @	\$ 27.50	\$ 5,500.00
			0.0 @	\$ 0.00	\$ -
			0.0 @	\$ 0.00	\$ -
			0.0 @	\$ 0.00	\$ -
			0.0 @	\$ 0.00	\$ -
			0.0 @	\$ 0.00	\$ -
			0.0 @	\$ 0.00	\$ -
			0.0 @	\$ 0.00	\$ -

Subtotal Direct Labor Costs \$ 24,933.24
Anticipated Salary Increases \$ -

Total Direct Labor Costs \$ 24,933.24

FRINGE BENEFITS

Fringe Benefits

Rate	Total
40.00%	\$ 9,973.30

Total Fringe Benefits \$ 9,973.30

INDIRECT COSTS

Overhead/General and Administrative

90.00%	\$ 22,439.92
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Total Indirect Costs \$ 22,439.92

FEE @ 10% \$ 5,734.65

OTHER COSTS

Mileage	\$ 48.50
Reproductions Costs (out of office blue lines, xerox, binding)	\$ 500.00
Misc.	\$ 170.40
Mail & Delivery Services (California Overnight and Postage)	\$ 200.00
Total Other Costs	\$ 918.90

TOTAL COSTS \$ 64,000.00

Form 10H
CONSULTANT COST PROPOSAL

COST PROPOSAL

CONTRACT No. Folsom Blvd. Streetscape Project - Phase 2a
CONSULTANT The HLA Group, Landscape Architects & Planners, Inc.

Date ## 11/20/07

DIRECT LABOR

Classification	Name	Range	Hours	Initial Hourly Rate	Total
Principal	John Nicolaus		125.0 @	\$ 66.35	\$ 8,293.75
Sr. Associate			0.0 @	\$ 43.30	\$ -
Associate			0.0 @	\$ 34.62	\$ -
Project LS Architect	Susan Collopy		300.0 @	\$ 30.05	\$ 9,015.00
Job Captain	Bart van der Zeeuw		340.0 @	\$ 24.74	\$ 8,411.60
Sr. LS Designer	Enrica Vasta		360.0 @	\$ 21.00	\$ 7,560.00
Landscape Designer			0.0 @	\$ 24.03	\$ -
IT Mgr	Jim Keplinger		0.0 @	\$ 24.04	\$ -
IT Assist	Sharon Cunningham		12.0 @	\$ 21.15	\$ 253.80
Support Staff	Zina Davis		12.0 @	\$ 14.42	\$ 173.04
			0.0 @	\$ 0.00	\$ -
			0.0 @	\$ 0.00	\$ -

Subtotal Direct Labor Costs \$ 33,707.19
Anticipated Salary Increases (5% for one year) \$ 1,685.36

Total Direct Labor Costs		\$ 35,392.55
FRINGE BENEFITS	Rate	Total
Fringe Benefits	29.40%	\$ 10,405.41
Total Fringe Benefits		\$ 10,405.41

INDIRECT COSTS		
Overhead/General and Administrative	137.20%	\$ 48,558.58
Total Indirect Costs		\$ 48,558.58

FEE @ 10% \$ 9,435.65

OTHER COSTS

Mileage	\$ 50.00
Reproductions Costs (out of office blue lines, xerox, binding)	\$ 3,800.00
Photographic Film & Processing	\$ -
Mail & Delivery Services (California Overnight and Postage)	\$ 150.00
Total Other Costs	\$ 4,000.00

TOTAL COSTS \$ 107,792.19

COST PROPOSAL

CONTRACT No. Folsom Blvd Streetscape Project Phase 2a
CONSULTANT: Lucy & Company

Date 11/21/07

(Lucy and Company does not currently have an audited O/H rate. Therefore we've shown their billing rates.)

DIRECT LABOR

Classification	Name	Range	Hours		Billing Hourly Rate	Total
Principal			15.0	@	\$ 175.00	\$ 2,625.00
Project Manager			56.0	@	\$ 130.00	\$ 7,280.00
Outreach Specialist			60.0	@	\$ 100.00	\$ 6,000.00
Admin Assist			14.0	@	\$ 60.00	\$ 840.00

145.0
Subtotal Direct Labor Costs \$ 16,745.00
Anticipated Salary Increases (5% for one year) \$

Total Direct Labor Costs \$ 16,745.00

FRINGE BENEFITS

Fringe Benefits

	Rate	Total
	0.00%	\$ -

Total Fringe Benefits \$ -

INDIRECT COSTS

Overhead/General and Administrative

	Rate	Total
	0.00%	\$ -

Total Indirect Costs \$ -

FEE @ 0%

OTHER COSTS

Incidentals	\$ 1,150.00
Reproductions Costs (out of office blue lines, xerox, binding)	\$
Photographic Film & Processing	\$
Mail & Delivery Services (California Overnight and Postage)	\$
Total Other Costs	\$ 1,150.00

SUBCONSULTANTS

TOTAL COSTS \$ 17,895.00

COST PROPOSAL

CONTRACT No. Folsom Blvd Streetscape Project - Phase 2a
CONSULTANT Kennedy Jenks

Date 11/21/07

DIRECT LABOR

Classification	Name	Range	Hours		Initial Hourly Rate	Total
Project Manager (Overall)	David Balgobin	\$44-\$69	10.0	@	\$ 53.08	\$ 530.80
Project Manager QA	Alex Peterson	\$44-\$69	2.0	@	\$ 56.54	\$ 113.08
Project Manager QA	Tim Williams	\$57-\$85	3.0	@	\$ 69.23	\$ 207.69
Project Engineer	David Balgobin	\$44-\$69	44.0	@	\$ 53.08	\$ 2,335.52
Project Engineer	Tracie Mueller	\$35-\$73	92.0	@	\$ 41.11	\$ 3,782.12
Design Engineer	Patrick Johnston	\$39-\$74	36.0	@	\$ 38.08	\$ 1,370.88
Design Engineer	Sam Diaz	\$31-\$46	46.0	@	\$ 36.35	\$ 1,672.10
CADD Technician		\$16-\$32	16.0	@	\$ 21.90	\$ 350.40
Admin Assist		\$14-\$30	26.0	@	\$ 20.52	\$ 533.52

275.0

Subtotal Direct Labor Costs \$ 10,896.11
Anticipated Salary Increases (5% for one year) \$ -

Total Direct Labor Costs \$ 10,896.11

FRINGE BENEFITS

Fringe Benefits

Rate	Total
59.70%	\$ 6,504.98

Total Fringe Benefits \$ 6,504.98

INDIRECT COSTS

Overhead/General and Administrative

141.00%	\$ 15,363.52
---------	--------------

Total Indirect Costs \$ 15,363.52

FEE @ 10% \$ 3,276.46

OTHER COSTS

Mileage	\$ 50.00
Reproductions Costs (out of office blue lines, xerox, binding)	\$
Photographic Film & Processing	\$
Mail & Delivery Services (California Overnight and Postage)	\$ 50.00

Total Other Costs \$ 100.00

SUBCONSULTANTS

TOTAL COSTS \$ 36,141.06

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH SUNRIDGE ANATOLIA LLC FOR APPLICATION OF CONTINGENCY FUNDS FOR INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH ANATOLIA I MAJOR ROADS IMPROVEMENTS**

RECOMMENDATION

Adopt Resolution No. 138-2007.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to execute a contract with Sunridge Anatolia LLC for reimbursement of costs incurred through specific change orders for additional work requested by City staff.

BACKGROUND

Sunridge Anatolia LLC is constructing improvements along Sunrise Boulevard associated with the Anatolia I Major Roads improvement plans. During construction, City staff has requested certain additional work be performed which has resulted in the generation of specific change orders to the Developer. The work requested by City staff, including modifications of existing utilities and medians and pedestrian improvements, is over and above what is included in the improvement plans associated with existing credit/reimbursement agreements (Exhibit A of Contract No. 175-2007). The purpose entering into a new contract, as authorized to be executed by **Resolution No. 138- 2007 attached**, is to reimburse the developer for those costs associated with additional work.

FISCAL IMPACT

The total amount of the contract for reimbursement is \$135,847.43 and will be funded by contingency funds in the Sunrise Douglas Community Plan Development Impact Fee Program, Roadway Fund.

ATTACHMENT

Resolution No. 138-2007 including Exhibit A – Contract No. 175-2007

CITY OF RANCHO CORDOVA

RESOLUTION NO. 138-2007

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE EXECUTION OF A
REIMBURSEMENT AGREEMENT WITH SUNRIDGE ANATOLIA LLC FOR APPLICATION
OF CONTINGENCY FUNDS FOR INFRASTRUCTURE IMPROVEMENTS ASSOCIATED
WITH ANATOLIA I MAJOR ROADS IMPROVEMENT PLANS**

WHEREAS, Developer is developing Anatolia I, Anatolia II, Anatolia III, and Anatolia IV (the "Projects"), including backbone infrastructure that will serve the Project; and

WHEREAS, the City of Rancho Cordova staff have requested and authorized additional work be performed related to the construction activities associated with the Anatolia I Major Roads Improvement Plans; and

WHEREAS, the City wishes to enter into a reimbursement agreement for the payment of such additional work with contingency funds in the Sunrise Douglas Community Plan Development Impact Fee Program Roadway Fund; and

WHEREAS, such contract for payment will exceed the maximum amount that the City Manager has the authorization to approve.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA that the Council authorizes the City Manager to execute a contract with Sunridge Anatolia LLC, Developer, attached as **Exhibit A**, in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of on the 3rd day of December, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

**CITY OF RANCHO CORDOVA
SUNRISE DOUGLAS COMMUNITY PLAN
DEVELOPMENT IMPACT FEE PROGRAM
REIMBURSEMENT AGREEMENT**

**WITH SUNRIDGE ANATOLIA LLC FOR APPLICATION OF CONTINGENCY FUNDS
FOR INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH ANATOLIA I
MAJOR ROADS IMPROVEMENT PLANS**

This Reimbursement Agreement (the "Agreement") is entered into by and between the City of Rancho Cordova (hereinafter "City") and **Sunridge Anatolia LLC**, A California Limited Liability Company, and/or its successors in interest, (hereinafter "Developer") as of the ____ day of _____ 2007.

RECITALS

WHEREAS, Developer is developing Anatolia I, Anatolia II, Anatolia III, and Anatolia IV (the "Projects"), including backbone infrastructure that will serve the Project; and

WHEREAS, Developer is required, as a condition of development of the Project through Conditions for the Sunridge Specific Plan Area contained in Sacramento County Ordinance Nos. SZC 2002-0014 and SZC 2002-0015, to construct or cause to be constructed the facilities and improvements shown on **Figure 1** and described in **Exhibit A** hereto, which are included within or associated with the improvement plans titled **Anatolia I – Major Roads**, dated January 2005, (the "Facilities"); and

WHEREAS, on June 21, 2004, the City Council of Rancho Cordova adopted Ordinance No. 24-2004 which approved the Sunrise Douglas Community Plan Development Impact Fee Program (the "SDCP Fee Program"); implemented impact fees to pay for a variety of public facilities (the "SDCP Fees"), including the Facilities; and set forth policies associated with fee credits and reimbursements within the Sunrise Douglas Community Plan ("SDCP") area; and

WHEREAS, City has agreed to allow Developer to execute a contract to design and construct the Facilities; and

WHEREAS, City and Developer desire to enter into an agreement to provide additional contingency funds from the Fee Program to Developer for certain unforeseen additional costs associated with design and construction of the Facilities and to provide for allowable reimbursements by the City to Developer for the Facilities; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, City and Developer agree as follows:

Section 1. Construction of Facilities

Developer shall complete construction of the Facilities in accordance with the plans and specifications approved by City staff, the change orders for additional costs associated with the Facilities, and in accordance with City improvement standards and this Agreement. Developer understands and acknowledges that the terms and conditions contained in any contract that Developer has or may execute with any contractors or material suppliers regarding the construction of the Facilities have no force or effect upon this Agreement.

Section 2. Allowable Reimbursement

The City shall reimburse the Developer for all amounts spent, or authorized to be spent, in connection with the planning, financing, acquisition and development of a public facility or infrastructure including without limitation, the costs of land, construction and inspection, engineering, administration, and consulting fees (hereinafter the "Costs") associated with construction of the Facilities, up to an amount not to exceed **\$135,847.43** (hereinafter the "Approved Contingency Costs").

In order to secure final commitment for reimbursement, Developer shall provide the following items to the City in order for the City to determine the actual construction costs for the Facilities that qualify for reimbursement:

- (1) Copies of the original contract with the contractor and any change orders that have been agreed to by the Developer, contractor, and the City. The portion of each change order associated with the Facilities must be itemized separately;
- (2) Copies of all invoices, with unconditional lien releases, submitted by the contractor;
- (3) Copies of all checks issued by the Developer with related invoices indicated; and
- (4) A summary tabulation of all contractor invoices and Developer payments.

Section 3. Reimbursements

Pursuant to the terms of this agreement, reimbursement for the facilities in the amount authorized under Section 2 shall be paid upon the completion of and proof of payment for the facilities covered by this agreement. Notwithstanding the foregoing, the obligation arising from the agreement is not a debt of the City, nor a legal or equitable pledge, charge, lien, or encumbrance, upon any of its property, or upon any of its income, receipts, or revenues, and is payable only from the Development Fees deposited in the Sunrise Douglas Community Plan Roadway Fee.

Section 4. Inspection

City shall, at all times, upon reasonable advance notice, have access to the construction site during construction of the Facilities and Developer shall furnish City with all reasonable information necessary for ascertaining full knowledge of the Facilities with respect to the progress, workmanship, and character of materials and equipment used and employed in the work.

Whenever the contractors retained by Developer vary the normal period during which work or any portion of it is carried out on each day, Developer shall give timely notice to the City so that the City's representative may, if he or she wishes, be present to observe the work in progress. If Developer fails to give such timely notice, any work done in the absence of the City representative will be subject to rejection. Developer shall give timely notice to the City in advance of backfilling or otherwise covering any part of the work so that the City's representative may, if he or she wishes, observe the work before it is concealed.

Observation of the work by the City shall not relieve Developer of any of its obligations to complete construction in accordance with the plans and specifications approved by the City Engineer.

Section 5. Prevailing Wages

Pursuant to the provisions of Articles 1 and 2 of Chapter 1, Part 7, Division II of the Labor Code of the State of California, not less than the general prevailing rate of per diem wages, and not less than the general prevailing rate of per diem wages for holidays and overtime work, for each craft, classification or type of worker needed to execute the work contemplated under this Agreement shall be paid to all workers, laborers, and mechanics employed in the execution of said work by Developer's contractor, or by any subcontractor doing or contracting to do any part of said work. The appropriate determination of the Director of the California Department of Industrial Relations is filed with, and available for inspection at the office of, the City Clerk.

Developer shall require its contractor to post, at each jobsite, a copy of such prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations.

Section 6. Insurance

Developer shall require its contractor to carry and maintain during the life of this Agreement, such public liability, property damage and contractual liability, auto, Workers' Compensation and Builders' Risk Insurance as required by the improvement plan specifications for the Facilities. The contractor shall name the City as an additional insured.

Section 7. Acceptance and Conveyance of Facilities

Once Developer has completed construction of the Facilities and the Facilities are accepted and deemed satisfactory by the City, the Facilities automatically become the property of the City. Developer shall take any and all actions necessary to convey and vest full, complete and clear title in said Facilities to the City.

Section 8. Liens, Claims, and Encumbrances

Developer shall provide a written guarantee and assurance to the City that there are no liens, claims, or encumbrances on the Facilities prior to payment of reimbursements or granting of final fee credits by the City, together with unconditional final releases from all contractors and material suppliers, and with copies of invoices and corresponding Developer checks issued for all items for which credit/reimbursement is required under this Agreement. Notwithstanding any other provision or term of this Agreement, the City shall have no obligation to apply credits/reimbursements after final acceptances for the Facilities until Developer has cleared any and all liens, claims and encumbrances from said facility, and provided the required guarantee documentation, guarantee, and assurance in writing, to the satisfaction of the City.

Section 9. Delivery of As-Built Plans and Specifications

Prior to acceptance of the Facilities by City, Developer shall deliver to City copies of all as-built plans, specifications, operating manuals, service manuals, warranties and other documents relating to the design, construction, and operation of the Facilities described in this Agreement.

Section 10. Indemnification

The Developer, by execution of this Agreement, specifically agrees to assume the defense of, indemnify and hold harmless City and its elected representatives, officers, employees, agents and consultants (the "**Indemnitees**"), from and against all liabilities, actions, damages, claims, losses, or expenses of every type and description, including attorneys' and consultants' fees and expenses, (collectively, "**Liabilities**"), to which they may be subjected or put, by reason of or resulting from the design, construction, or installation of the Facilities, except to the extent the Liabilities arise from the sole negligence, active negligence, or willful misconduct of City and/or the Indemnitees. This indemnification shall extend to Liabilities occurring after this Agreement is terminated as well as while it is in force. Notwithstanding the foregoing, following the acceptance of the improvements by City, or if there is an applicable warranty, following the end of any applicable warranty period, the Developer shall not be obligated to indemnify the Indemnitees for Liabilities to the extent that such Liabilities arise from Indemnitees' active or passive negligence.

Section 11. Third Party Liability

City does not assume any liability, duty or obligation to Developer's contractors, subcontractors or agents by execution or performance of this Agreement and no contractors, subcontractors, agents or any parties are third party beneficiaries of this Agreement.

Section 12. Warranty

Developer hereby warrants the Facilities as to materials, design and workmanship and should any failure of the Facilities or any parts thereof occur within a period of one (1) year after final acceptance by City, Developer shall promptly cause the needed repairs to be made without any expense or cost to the City. Final acceptance shall be deemed to have occurred under this Agreement when the Facilities have been accepted by the City and may be placed into service. City shall provide written notification to Developer of final acceptance by the City.

City is hereby authorized to make repairs if Developer fails to make, or undertake with due diligence, the aforesaid repairs within twenty (20) days after it is given written notice of such failure. In case of emergency, where in the opinion of the City Engineer delay may cause serious hazard to the public, the necessary repairs may be made by the City without prior notice to Developer. In all cases of failure within the warranty period where the City has taken action in accordance with this paragraph, Developer shall reimburse City for any and all costs or expenses, direct or indirect, incurred by the City.

Section 13. Binding on Successors and Assigns

Each and every provision of this Agreement shall be binding upon and shall inure to the benefit of the respective successors and assigns of the parties hereto, in the same manner as if such parties had been expressly named herein.

Section 14. Attorney's Fees

If any suit, action or proceeding in law or equity is brought to enforce the provisions of this Agreement, the prevailing party shall be entitled to reasonable costs and attorneys' fees.

Section 15. Authority to Enter Into Agreement

Developer and City certify that they are legally empowered to enter into this Agreement.

Section 16. Notices

Any notices, requests, demands or other communications required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally (FedEx and similar services, each of which is hereinafter called an "Express Courier," shall be considered to be personal

service) or by telephone facsimile or other electronic transmission (provided that the sender of a telephone facsimile or other electronic transmission has received confirmation of successful transmission by the sending fax machine), and upon receipt, if mailed to the party to whom notice is to be given, by first-class mail, registered or certified, postage prepaid, return receipt requested, and properly addressed as follows:

If to City: City of Rancho Cordova
Attn: City Engineer
2729 Prospect Park Drive
Rancho Cordova, CA 95670
Telephone: (916) 851-8710
Facsimile: (916) 851-8787

If to Developer: Sunridge-Anatolia LLC
c/o AKT Development Corporation
Attn: Mark Enes
7700 College Town Drive, Suite 101
Sacramento, CA 95826
Telephone: (916) 383-2500
Facsimile: (916) 383-0552

Either party may change its mailing address at any time by giving written notice of such changes to the other party in the manner provided herein.

Section 17. Notice of Contractors

Developer shall provide a copy of this Agreement to any contractors, subcontractors, or other parties performing work on the Facilities, prior to commencement of construction by said party.

Section 18. Term

The term of this Agreement shall start on the day and year duly executed by all parties and shall remain in effect until all the terms and conditions contained in this Agreement have been satisfied.

Section 19. Severability

If any provision of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining portions hereof shall not in any way be affected or impaired thereby.

Section 20. Conflicts

This agreement is intended to implement and be consistent with the requirements of Ordinance No. 24-2004. The Ordinance provides that by entering into a reimbursement agreement, a property owner is not relieved of the obligation to pay the Development

Fees in the manner and amount specified in the Ordinance. Therefore, in the event of any conflicts between Ordinance 24-2004 and this Agreement, the requirements of the Ordinance shall prevail and control.

Section 21. Exhibits

The Exhibits attached hereto are hereby incorporated herein by this reference.

Section 22. Entire Agreement

This Agreement constitutes the entire understanding of the parties regarding the subject matter hereof. The Agreement may be amended only by writing executed by both parties.

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

CITY OF RANCHO CORDOVA,
a municipal corporation

By: _____
Ted Gaebler
City Manager

Dated: _____

ATTEST:

Anna Olea-Moger, City Clerk

Dated: _____

APPROVED AS TO FORM:

Adam U. Lindgren, City Attorney

Dated: _____

Sunridge-Anatolia, LLC, A California
Limited Liability Company

By: AKT Sunridge-Investors,
A California Limited Liability Company,
Manager

By: AKT Developemnt Corporation,
A California Corporation, Manager

By: _____
Mark Enes
Executive Vice President

Dated: _____

FIGURE 1
ANATOLIA I – Major Roads Contingency Funded Work

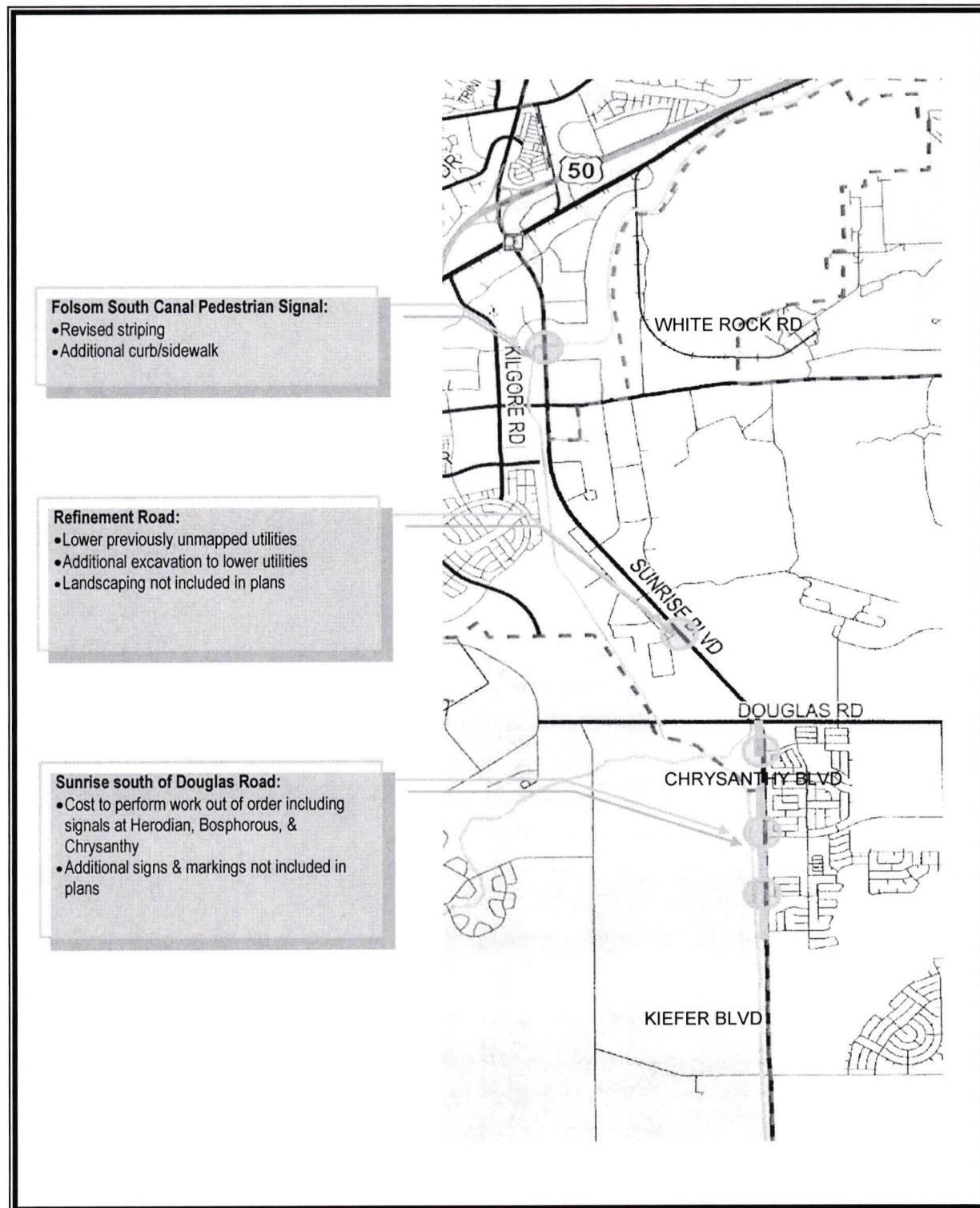


EXHIBIT A

**APPROVED CONTINGENCY FUNDING ASSOCIATED WITH
ANATOLIA I AND ANATOLIA III – MAJOR ROADS IMPROVEMENT PLANS**

Contingency Release associated with Anatolia I - Major Roads Improvement Project

Revised Striping at the pedestrian crossing	\$2,138.00
Removal of additional median north and south of Refinement Road	\$3,945.00
Lower all conduits in existing median north and south of Refinement Road	\$3,789.80
Cost to R&R additional 20' of curb/gutter/sidewalk on Sunrise for the Folsom South Canal pedestrian crossing	\$4,600.00
Additional costs to open up Herodian, Bosphorus & Chrysanthy intersections	\$26,000.00
New signs & striping changes, specialty signs at Sunrise & Douglas, Relocate signs on Sunrise	\$79,740.00
Landscaping of Sunrise median at Refinement with DG and cobble to match existing	<u>\$15,634.63</u>
	\$135,847.43

[1]The reimbursement payment (not to exceed \$135,847.43) will be applied in the form of a payment from the SDCP Roadway Fund upon completion of the work covered by the above change orders and proof of payment for that work.

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT TO
CREDIT/REIMBURSEMENT AGREEMENT WITH SUNRIDGE ANATOLIA
LLC FOR ANATOLIA I MAJOR ROADS

RECOMMENDATION

Adopt Resolution No. 139-2007.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to execute a first amendment to the Credit/Reimbursement Agreement with Sunridge Anatolia LLC (the Developer) to allow the release of progress payments for costs covered by the agreement.

BACKGROUND

Sunridge Anatolia LLC is constructing improvements along Sunrise Boulevard associated with the Anatolia I Major Roads improvement plans. On December 28, 2005, the City and Developer entered into a Credit/Reimbursement Agreement in the form of Contract No. 97-2005 which provided the terms of the credits and reimbursements for payment of the improvements being constructed by Developer. The language in the existing agreement allows the distribution of fee credits and/or commitment for reimbursement equal to eighty percent (80%) of the programmed costs of the facilities. This commitment has been met. The provisions also provide that the remaining twenty percent (20%) to be granted after final acceptance of the facility. This amendment allows flexibility in the distribution of the remaining reimbursement to provide an incentive for timely completion of construction of the project.

This Amendment, as authorized by **Resolution No. 139-2007 attached**, is necessary in order to authorize the Public Works Director, at his sole discretion, based upon project completion status and goals, to allow the release of progress payments to be made for up to a maximum of ten percent (10%) of the programmed costs covered by the Agreement.

FISCAL IMPACT

There is no fiscal impact of the amendment as it only pertains to the timing of the reimbursement. The reimbursement funding is already budgeted in the annual budget for payment this fiscal year.

ATTACHMENT

Resolution No. 139-2007 including Exhibit A – Contract No. 180-2007

AGENDA ITEM 7.4

CITY OF RANCHO CORDOVA

RESOLUTION NO. 139-2007

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO CITY OF
RANCHO CORDOVA SUNRISE DOUGLAS COMMUNITY PLAN DEVELOPMENT
IMPACT FEE PROGRAM CREDIT/REIMBURSEMENT AGREEMENT BETWEEN THE
CITY AND SUNRDIGE-ANATOLIA LLC FOR THE ANATOLIA I MAJOR ROADS**

WHEREAS, on December 28, 2005, the City and Developer entered into a Credit/Reimbursement Agreement (the "Agreement") establishing the method in which Developer would received credits and/or reimbursements for developing Anatolia I, Anatolia II, Anatolia III, and Anatolia IV (the "Projects"), including backbone infrastructure that will serve the Projects; and

WHEREAS, Developer was required, as a condition of development of the Projects through Conditions for the Sunridge Specific Plan Area contained in Sacramento County Ordinance Nos. SZC 2002-0014 and SZC 2002-0015, to construct or cause to be constructed certain facilities and improvements, which were included within the improvement plans titled Anatolia I – Major Roads, dated January 2005 (the "Facilities"); and

WHEREAS, on June 21, 2004, the City Council of Rancho Cordova adopted Ordinance No. 24-2004 which approved the Sunrise Douglas Community Plan Development Impact Fee Program (the "SDCP Fee Program"); implemented impact fees to pay for a variety of public facilities (the "SDCP Fees"), including the Facilities; and set forth policies associated with fee credits and reimbursements within the Sunrise Douglas Community Plan area; and

WHEREAS, the terms of the existing Agreement require that the project be completed and accepted before release of the remaining twenty percent (20%) of the programmed costs covered by the Agreement; and

WHEREAS, this Amendment is necessary in order to authorize the Public Works Director, at his sole discretion, based upon project completion status and goals, to allow the release of progress payments to be made for up to a maximum of ten percent (10%) of the programmed costs covered by the Agreement; and

WHEREAS, the release of the additional funds will facilitate the construction of the Facilities.

NOW THEREFORE, the City Council of the City of Rancho Cordova resolves as follows:

A. The City Manager or his designee is authorized to execute an Amendment to the Credit/Reimbursement Agreement between the City and Sunridge-Anatolia LLC for the Anatolia 1 - Major Roads, attached as **Exhibit A**, in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council on the 3rd day of December, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

**FIRST AMENDMENT TO CITY OF RANCHO CORDOVA SUNRISE DOUGLAS
COMMUNITY PLAN DEVELOPMENT IMPACT FEE PROGRAM
CREDIT/REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND
SUNRDIGE-ANATOLIA LLC FOR THE ANATOLIA I MAJOR ROADS**

This First Amendment to the Credit/Reimbursement Agreement (the "Amendment"), is entered into by and between the City of Rancho Cordova, a Municipal Corporation in the State of California, (hereinafter "City") and Sunridge-Anatolia LLC, a California Limited Liability Company, and /or its successors in interest, (hereinafter "Developer") as of the ____ day of _____ 2007.

RECITALS

WHEREAS, on December 28, 2005, the City and Developer entered into a Credit/Reimbursement Agreement (the "Agreement") establishing the method in which Developer would received credits and/or reimbursements for developing Anatolia I, Anatolia II, Anatolia III, and Anatolia IV (the "Projects"), including backbone infrastructure that will serve the Projects; and

WHEREAS, Developer was required, as a condition of development of the Projects through Conditions for the Sunridge Specific Plan Area contained in Sacramento County Ordinance Nos. SZC 2002-0014 and SZC 2002-0015, to construct or cause to be constructed certain facilities and improvements, which were included within the improvement plans titled Anatolia I – Major Roads, dated January 2005 (the "Facilities"); and

WHEREAS, on June 21, 2004, the City Council of Rancho Cordova adopted Ordinance No. 24-2004 which approved the Sunrise Douglas Community Plan Development Impact Fee Program (the "SDCP Fee Program"); implemented impact fees to pay for a variety of public facilities (the "SDCP Fees"), including the Facilities; and set forth policies associated with fee credits and reimbursements within the Sunrise Douglas Community Plan area; and

WHEREAS, the terms of the existing Agreement require that the project be completed and accepted before release of the remaining twenty percent (20%) of the programmed costs covered by the Agreement; and

WHEREAS, this Amendment will authorize the Public Works Director, at his sole discretion, based upon project completion status and goals, to allow the release of progress payments to be made for up to a maximum of ten percent (10%) of the programmed costs covered by the Agreement; and

WHEREAS, the release of the additional funds will facilitate the construction of the Facilities.

NOW, THEREFORE, in consideration of the mutual promises contained herein, City and Developer agree as follows:

1. Distribution of Fee Credits/Reimbursements.

The first paragraph of Section 7, titled "Distribution of Fee Credits/Reimbursements," of the Agreement is hereby amended to read as follows:

EXHIBIT A
CONTRACT NO. 180-2007

"Upon execution of this Agreement, the Developer shall receive fee credits and/or commitment for reimbursement equal to eighty percent (80%) of the Programmed Costs for the Facilities. Ten percent (10%) of the remaining Program Costs shall be credited or reimbursed to the Developer in the sole discretion of the Public Works Director. Such reimbursements shall only be in the way of progress payments. The other remaining ten percent (10%) of fee credits and/or commitment for reimbursement shall only be granted to Developer after the Facilities have been accepted by the City pursuant to the requirement set forth in this Agreement. Unless the City adjusts the Programmed Costs of the Facilities pursuant to Section 6 above, such remaining credit/reimbursement shall be equal to the lesser of (i) the actual construction cost of the Facilities less than eighty percent (80%) credit/reimbursement already granted to Developer, or (ii) the remaining twenty percent (20%) of the Programmed Costs."

IN WITNESS WHEREOF, the parties hereto have executed this Amendment the day and year set forth below.

CITY OF RANCHO CORDOVA,
a municipal corporation

Sunridge-Anatolia LLC, a California
Limited Liability Company

By: _____
Ted A. Gaebler, City Manager

By: AKT Sunridge-Anatolia Investors,
LLC, a California Limited Liability
Company, Manager

Date: _____

By: AKT Development Corporation, a
California Corporation, Manager

ATTEST:

Anna Olea-Moger, City Clerk
President

By: _____
Mark Enes, Executive Vice

Date: _____

Date: _____

APPROVED AS TO FORM:

Adam U. Lindgren, City Attorney

Date: _____

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: Adam U. Lindgren, City Attorney

SUBJECT: AN ORDINANCE AMENDING RANCHO CORDOVA MUNICIPAL CODE SECTION 4.54.375(b), RELATING TO THE PERMITTING AND SALE OF FIREWORKS IN THE CITY

RECOMMENDATION

Introduce and waive the first reading of Ordinance No. 28-2007 amending Section 4.54.375(b) of the City Municipal Code, relating to the permitting and sale of fireworks in the City.

RESULT OF RECOMMENDED ACTION

Adoption of this Ordinance will clarify the requirements for organizations selling fireworks to submit a financial statement to the City demonstrating that the particular organization used the net proceeds from fireworks sales derived from its operations for non-profit, charitable purposes only.

BACKGROUND

Upon incorporation, the City adopted by reference Sacramento County Code Title 4, Chapter 4.54, Article 7, "Fireworks," establishing regulations pertaining to the sale of fireworks in the City. On February 22, 2005, the City adopted Ordinance No. 4-2005 in order to clarify the Fireworks Article.

City staff now wishes to amend Section 4.54.375 pertaining to the submittal of financial statements by organizations which sold fireworks in the preceding year. The amendment will modify the submittal timing of financial statements to be consistent with the timing for new applications. Since the filing of a verified financial statement is a condition precedent to the granting of any subsequent permit to any organization, it is necessary to amend this section to clarify that such filing is due at the time the organizations submits an application for the new permit to sell fireworks.

Section 4.54.375(b) will be amended as follows:

"b. Each organization granted a permit must submit a verified financial statement to the City showing the total gross receipts, all expenses incurred and paid in connection with the purchase of fireworks and the sale thereof, and to whom and for what purpose the net proceeds were distributed. The financial statements shall be made on forms

furnished by the City or photocopied directly from the organization's financial report. Statements must be filed with the Finance Director no earlier than March 1st, nor later than the second Tuesday in April City no later than March 1 of the year after the year in which the permit was issued. Any organization which was granted a permit in the preceding year, and wishes to file an application for a new City business license to sell fireworks pursuant to this Chapter, shall include the verified financial statement required by this Section as part of the application. The filing of a verified financial statement is a condition precedent to the granting of any subsequent permit to any such organization."

FISCAL IMPACT

There is no Fiscal Impact associated with the proposed Ordinance.

MOTION

"I move that the City Council introduce and waive the first reading of Ordinance 28-2007."

ATTACHMENT

Ordinance No. 28-2007, Amending Rancho Cordova Municipal Code Section 4.54.375(b), Relating to the Permitting and Sale of Fireworks in the City.

CITY OF RANCHO CORDOVA

ORDINANCE NO. 28-2007

**AN ORDINANCE OF THE CITY COUNCIL AMENDING
RANCHO CORDOVA MUNICIPAL CODE SECTION 4.54.375(b), RELATING
TO THE PERMITTING AND SALE OF FIREWORKS IN THE CITY**

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

Section 1. Purpose and Declarations.

WHEREAS, upon incorporation, the City of Rancho Cordova adopted by reference Sacramento County Code Title 4, Chapter 4.54, Article 7, "Fireworks." This Article established regulations pertaining to the permitting and sale of fireworks in the City; and

WHEREAS, on February 22, 2005, the City adopted Ordinance No. 04-2005, amending Article 7 in order to clarify the regulations; and

WHEREAS, the City now wishes to once again modify the Article by amending Section 4.54.315(b) to further clarify the requirement for organizations selling fireworks to submit a financial statement.

Section 2. Amendment.

Rancho Cordova Municipal Code Title 4, Chapter 4.54, Article 7, "Fireworks," Section 4.54.375(b), "General Provisions," is hereby amended to read as follows:

"b. Each organization granted a permit must submit a verified financial statement to the City showing the total gross receipts, all expenses incurred and paid in connection with the purchase of fireworks and the sale thereof, and to whom and for what purpose the net proceeds were distributed. The financial statements shall be made on forms furnished by the City or photocopied directly from the organization's financial report. Statements must be filed with the Finance Director no earlier than March 1st, nor later than the second Tuesday in April of the year after the year in which the permit was issued. Any organization which was granted a permit in the preceding year, and wishes to file an application for a new City business license to sell fireworks pursuant to this Chapter, shall include the verified financial statement required by this Section as part of the application. The filing of a verified financial statement is a condition precedent to the granting of any subsequent permit to any such organization."

Section 3. Severability.

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance that can be given effect without the invalid provision and, to this end, the provisions of this Ordinance are severable. This City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

Section 4. Effective Date

Within fifteen (15) days after adoption, a Summary of 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 3rd day of December, 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: Thomas L. Trimberger, Chief Building Official
Joe Chapman, Deputy City Attorney

SUBJECT: ADOPTION OF LOCAL BUILDING CODES

RECOMMENDATION

1. Adopt Resolution 141-2007; and
2. Waive first reading and introduce Ordinances 29-2007 through 35-2007.

RESULT OF RECOMMENDED ACTION

The recommended actions will result in the City's building codes being updated to current industry best practices and to coincide with those mandated by the state of California.

BACKGROUND

Every three years, the California Building Standards Commission, along with other state agencies, reviews and amends Title 24 of the California Code of Regulations, a.k.a. the California Building Standards Code (the "CBSC"). The CBSC contains several codes – the California Building Code, California Electrical Code, etc. – that are applicable and enforceable at the local level. Once adopted by the state, local jurisdictions, such as the City, may amend the CBSC as necessary to account for local climatic, geological or topographical conditions.

This latest adoption by the California Building Standards Commission marks a landmark achievement by the state. After years of acrimony over model code publishers and control over the publications, this code brings California's Codes in line with the model codes used by rest of the country. We again will have current, state of the art codes. The Building and Fire Codes are promulgated and published by the International Code Conference (ICC), The Plumbing and Mechanical codes are promulgated and published by the International Association of Plumbing and Mechanical Officials, (IAPMO) and the Electrical code is promulgated and published by the National Fire Protection Association (NFPA).

This local adoption of codes serves two purposes. First, it clarifies code requirements locally where state application is absent or unclear. Secondly, it allows the City to make local amendments to state approved codes

Finally, although it is not a part of the CBSC, staff also recommends that the Council amend Chapter 16.36, "Swimming Pools," which adopts the 2006 edition of the Uniform Pool, Spa and Hot Tub Code.

FINDINGS AND FILING REQUIREMENTS

State Law requires that all local amendments to building standards in the California Building Standards Code be filed with the California Building Standards Commission. When filed, the amendments must be accompanied by local findings identifying the local climatic, geological or topographical conditions necessitating the changes. A Resolution of Findings is attached. The filing will be made subsequent to the Council's adoption of the attached ordinances and the Resolution of Findings.

AMENDMENT DRAFTING PROCESS

The attached draft ordinances contain local code amendments. These amendments were developed by comparison with local jurisdictions, and feedback from Building and Safety staff, local contractors, builders, designers and enforcement personnel. These amendments follow closely those in local jurisdictions of Sacramento County, the Cities of Davis, Elk Grove and West Sacramento.

The overall philosophy of the adoption has been to keep the mandatory code requirements to the minimum specified by model code organizations. These code organizations promulgate codes with many years of development, and tens of thousand of hours from professionals of many jurisdictions. Every aim was taken to avoid the addition of unnecessary restrictions.

Even though the goal was to minimize the amendments, several amendments have been made. Several are a result of coordination with local requirements by SMUD and/or Sacramento Metropolitan Fire District requirements. All modifications to building standards are connected to climactic, geographic and/or topographical findings as required by state regulation. All are continuations of existing practices and amendments from Sacramento County and surrounding jurisdictions.

See Attachment 1 for a brief description of each locally proposed amendment to a Building Standard.

PUBLIC HEARING

State law authorizes local jurisdictions to adopt codes by reference (Cal. Gov't Code sections 50022.2 et seq.). Government Code section 50022.3 requires that a public hearing on the proposed code adoptions be set after the first reading of the ordinances. If the first reading of the ordinances occurs tonight, a public hearing on this item will be scheduled for the December 17, City Council meeting.

FINANCIAL ANALYSIS

There is no significant financial impact on the City or on the public.

REQUESTED MOTION

"I move that the City Council adopt Resolution 141-2007, determining a need for local modifications to the California Building Standards Code, introduce Ordinances No. 29-2007, 30-2007, 31-2007, 32-2007, 33-2007, and 34-2007 amending Rancho Cordova Municipal Code Chapters 16.02, 16.04, 16.24, 16.28, 16.32, and 16.36, respectively, relating to the adoption by reference and modification of building standards codes, introduce Ordinance 35-2007 amending Rancho Cordova Municipal Code Chapter 17.04, "Fire Code," waive the first reading and continue the ordinances to the December 17, 2007, City Council meeting for adoption.

ATTACHMENTS

1. Descriptions of Local Amendments
2. Resolution 141-2007, Resolution of Findings
3. Ordinance 29-2007 Amending Chapter 16.02, "Uniform Administrative Code"
4. Ordinance 30-2007 Amending Chapter 16.04, "Building Code"
5. Ordinance 31-2007 Amending Chapter 16.24, "Plumbing Code"
6. Ordinance 32-2007 Amending Chapter 16.28, "Electrical Code"
7. Ordinance 33-2007 Amending Chapter 16.32, "Mechanical Code"
8. Ordinance 34-2007 Amending Chapter 16.36, "Swimming Pools"
9. Ordinance 35-2007 Amending Chapter 17.04, "Fire Code"

Uniform Administrative Code (Attachment 3):

Unlike the above codes, this is not a technical code. This code replaces the model administrative code provided in the Uniform Building Code. This code writes the rules and regulations for processing permits, collecting fees and gives rights and responsibilities to the Building Official to perform its duties. This code is not subject to California Building Standards Commission selection.	
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Building Code (Attachment 4):

• The 2007 California Building Code is adopted by reference.	
• This is an amendment which requires 4 inches of crushed rock beneath residential slab-on-grade construction. The model code allows sand or gravel under a slab, which does not provide adequate protection from moisture to come up through the slab. This region has high water tables and expansive soils and has areas which have experienced moisture and mold problems prior to the introduction of this amendment in past years.	1904.4

Plumbing Code (Attachment 5):

• The 2007 California Plumbing Code adopted by reference.	
• Administrative regulations for private sewage disposal systems. This administratively allows County Environmental Management to maintain regulatory authority over septic systems.	103.10
• Requirement for cathodic protection of buried metallic pipe. This area has certain locations which are highly corrosive to ferrous pipes. Experience has demonstrated premature failures in ferrous pipe.	313.5
• Requirements for plumbing fixtures. This table provides requirements for the number of plumbing fixtures required in restrooms for various occupancies. It replaces the requirements in the plumbing code, which have been found to be faulty and overly restrictive.	413.1
• This amendment requires that stands in residential garages be enclosed. This eliminates the use of this space for storage, which could be hazardous.	510.1
• This amendment administratively defines when the public sewer is available and limits the use of septic systems to coordinate with Improvement standards and Environmental management design standards.	713.4
• This amendment eliminates the use of copper tubing for gas piping. This product was introduced into the model code with this edition. The copper tubing is not allowed to be use based upon the makeup of the natural gas provided by P G and E.	1210.1
• This amendment administratively defines the rainfall design data for use in our geographic location.	D1

Electrical Code (Attachment 6):

• 2005 California Electrical Code adopted by reference.	
• This amendment administratively defines when a product is "approved"	90-5
• This amendment requires that common areas in buildings- Site lighting, parking lot lighting, lobbies, etc. be controlled from a house meter and not billed to a tenant.	210-25
• This amendment provides an additional level of safety for unprotected	230-28(a)

overhead service entrances.	
• This amendment limits the wiring methods for service entrance conductors to coordinate with SMUD requirements.	230-43
• This amendment limits the length of unprotected service entrance conductors. This is a safety issue for firefighters and those involved in building remodeling and construction.	230-70(d)
• This amendment requires a single main disconnect means. This allows firefighters to shut off the power to a building quickly and easily.	230-71
• This amendment provides for proper grounding in buildings. Many building are or will be retrofitted with non-metallic water services, which eliminates proper grounding through conventional means.	250-50
• This amendment limits the use of wiring methods in commercial buildings to methods that are listed and appropriate for its use ³ . It effectively eliminates "Romex" and "Knob and Tube" wiring in commercial buildings.	300-2(c).
• This amendment increases the depth of cover for an underground service to match SMUD requirements.	300-5(k).
• This amendment requires light fixtures to be independently supported in suspended ceilings. Unsupported light fixtures have been found to be a significant cause of injury and death in earthquakes. Rancho Cordova is a seismically active area and, as such, needs this added level of protection	410-16(c)
• This amendment administratively requires permitting and labeling of electrical signs. Electric signs are not appropriately covered by model code and are often installed with a lesser degree of electrical expertise. The labeling and permit requirements help maintain a more appropriate level of expertise and enforcement.	600-1(a) and (b)
• This requirement is an agreement with SMUD to allow for easy future installation of electric vehicle charging stations in new homes.	625-9(g)

Mechanical Code (Attachment 7):

• The 2007 California Mechanical Code adopted by reference.	
• No local amendments	308.1.

Swimming Pool Code (Attachment 8):

The 2000 Uniform Swimming Pool, Spa and Hot Tub Code is adopted by reference. This code is not subject to California Building Standards Commission selection.	
Basic requirements are continued to maintain consistency with other local jurisdictions.	16.36.130

Fire Code (Attachment 9):

The 2007 International Fire is adopted by reference.	
This amendment creates standards for the outside storage of pallets	315.3.3
This amendment amends the codes to allow for safe access roads for emergency equipment and personnel.	503.1.1
This amendment establishes standards for gates on emergency access roads.	503.6.1
This amendment establishes standards for address posting and illumination	505.
This amendment establishes standards for water supplies used for fire fighting	508

These amendment establish the standards for requiring automatic fire sprinklers and their features within buildings	903.1.1 903.2.7.1 903.3.7 903.6.1.1 903.6.1.2 903.6.1.3
This amendment establishes the standard for requiring foam fire protection systems	3404.2.9.1.1

CITY OF RANCHO CORDOVA

RESOLUTION NO. 141-2007

**A RESOLUTION OF THE CITY COUNCIL OF RANCHO CORDOVA
DETERMINING THE NEED FOR LOCAL MODIFICATIONS TO THE CALIFORNIA
BUILDING STANDARDS CODE**

RECITALS

WHEREAS, Title 24 of the California Code of Regulations, also known as the California Building Standards Code ("CBSC"), contains construction standards applicable to local jurisdictions throughout the state including the City of Rancho Cordova ("City"); and

WHEREAS, when reasonably necessary due to local climatic, geological, or topographical conditions, Health and Safety Code Sections 17958.5 and 18941.5 permit the City to establish more restrictive building standards than those set forth in the CBSC; and

WHEREAS, before making changes to the CBSC pursuant to Health and Safety Code Section 17958.5, Health and Safety Code Section 17958.7 requires the City to make express findings that such changes are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City is adopting local amendments to the following subcodes of the CBSC: the California Building Code, the California Plumbing Code, California Electrical Code and the California Fire Code;

WHEREAS, these local amendments have been evaluated and recognized by the City as tools for addressing problems with building construction in the City of Rancho Cordova, which are aimed at establishing and maintaining an environment that will afford the City a high level of fire and life safety to all those who work, live and play within the City's boundaries; and

WHEREAS, once adopted, the City is required to file its local amendments and findings with the California Building Standards Commission.

DECISION

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rancho Cordova hereby declares and finds the following:

A. The City, pursuant to the authority granted it under California Health and Safety Code Sections 17958.5 and 18941.5, has determined that there is a need to

establish building standards that are more restrictive than those adopted by the State of California and found in Title 24 and Title 25 of the California Code of Regulations. These new building standards have been determined by the City of Rancho Cordova to address the problems, concerns and future direction by which the City can establish and maintain an environment which will afford an appropriate level of fire and life safety to all who live and work within its boundary.

B. The City has determined that it is necessary to amend state building standards found in the following subcodes of the California Building Standards Code: the California Building Code, the California Plumbing Code, the California Electrical Code, and the California Fire Code. The City's amendments to these subcodes are set forth in Rancho Cordova Ordinances 30-2007, 31-2007, 32-2007, and 35-2007, respectively.

C. Under the provisions of Sections 17958.5 and 18941.5 of the Health and Safety Code, the amendment of state building standards at the local level must be reasonably necessary due to local climatic, topographical and/or geological conditions and the City must make express findings in this regard. The Council has determined that the following findings of fact address and present the local climatic, topographical, and/or geological conditions, which either singularly or in combination, have caused the aforementioned amendments to be adopted:

1. CLIMATIC

a. The Rancho Cordova area has extreme variations in weather patterns: summers are arid and hot, winters are cool to freezing, fall and spring can bring any combination of weather pattern together. As a result, the climate in the Rancho Cordova area can have a great influence on fire behavior and other major emergency events in the City.

b. The City of Rancho Cordova has a mix of urban and rural areas and is undergoing a tremendous amount of developmental and population growth. The population growth has impacted service levels causing a fiscal strain on emergency services and the result is increased response times. In addition, intensive use of land in urban areas means bigger buildings, which can also create complex problems for fire safety.

c. The doubling of average rainfall called an "El Nino" event has occurred from time to time and does cause the grass to mature and grow in excess of six feet high before it dries out. Ten square feet of this type of fuel is equivalent to the energy content of one gallon of gasoline. The building of homes within the weed covered rural areas and the existence of combustible weeds on vacant urban lots coupled with windy conditions creates a recipe for disaster.

d. Average yearly rainfall for the City is approximately 17.87 inches. This rainfall normally occurs from October to April. Low-level fog (tule fog) is present throughout the winter months, which brings visibility to almost zero feet. The fog delays emergency

responders and has caused numerous vehicle accidents including the December 11, 1997, Interstate 5 incident in Elk Grove which involved 36 vehicles and caused 31 casualties including 5 fatalities. The fog can also contribute to freezing and slick roadways.

e. During the summer months there is generally no measurable precipitation. Temperatures for this dry period range from 70 to 112 degrees F and are frequently accompanied by light to gusty Delta winds. The relative humidity during summer months ranges from 2 to 30 mmHG, which is arid. The City contains several areas of grasslands, which, in conjunction with the dry and windy conditions create a hazardous situation, which has led to extensive grass and brush fires in recent years. Development is extending from the urban core into the grass-covered areas. Wind-driven fires could and have led to serious consequences in similar areas of the state.

f. In the past, several consecutive years of drought conditions have occurred, thus reducing the available water supply. Ground water as well as surface supplies have been affected. The drought conditions have led to lower water tables, reduced fire flow testing, water contamination, water conservation efforts, and increased demands on water systems due to extreme population growth. These impacts have negatively impacted water use and availability for the fire service. The degradation of water systems reduces the quality of fixed fire protection as well as fire suppression activities. As an example, in 1998, the City of Sacramento lowered its static water pressure from 50 psi. to 30 psi. This change will make many fire protection systems ineffective and corrective measures such as adding pressure increasing booster pumps will be necessary at great cost to the community.

g. The City of Rancho Cordova is in an area with localized pockets of high water tables. Additionally, the semi-arid climate in Rancho Cordova receives 16.4 inches mean rainfall in the 9 months from October to April with an average of 40 days of fog. The combination of effects leaves hot, dry summers, and cool, damp winters. Either or both of these factors can cause prolonged soils saturation, which can cause an increased risk of moisture intrusion into homes.

2. TOPOGRAPHICAL

a. The City is bisected by numerous topographical features including a river, creeks, aqueducts, lakes, sloughs, natural parkways, open space, bridges/overpasses, freeways, railroad tracks, including light rail, drainage canals, and sprawling industrial facilities, such as Gencorp Aerojet and Mather Business Park. Traffic has to be channeled around several of these topographical features and limitations, which creates traffic congestion and delays emergency response. These features are located between many of the fire stations located within the City of Rancho Cordova. As a result of the OSHA "two in-two out" rule, which requires two fire fighters ready to make fire attack only when two others are present, it is imperative that no delays affect the timely response of the fire fighters.

b. Heavy traffic congestion on the City's major streets already acts as a barrier to timely response for fire and emergency vehicles. As a result of increased development, some roadways in the City are expected to have significantly increased traffic flow rates in the future. In the event of an accident or other emergency sections of the City could be isolated or response time could be sufficiently slowed so as to increase the risk of injury or damage.

c. Preservation of wetland areas, natural parkways, riparian corridors along rivers/streams, vernal pools, open space and endangered species habitat have all contributed to access problems as well as exemption from vegetation abatement programs. These situations, though very environmentally important, do increase the demands on the fire service due to the extreme fire hazard created by fuel loading and limited access.

d. Large areas of rural grasslands and rolling hills significantly increase response times to residential development in the City. Available infrastructure features, such as water supplies, do not provide sufficient fire flow in these areas. The rural geographical areas not yet provided with adequate fire protection are subject to a higher degree of risk without mitigating measures.

e. The City of Rancho Cordova is located within the Sacramento Valley. Summer weather conditions often create an inversion layer of high pressure which traps air pollution in the valley, and combines with the hot weather to create unhealthy effect of raising ozone levels. Automobile use has been found to be a major source of air pollution.

f. The City of Rancho Cordova contains several communities for which fire protection efforts are provided through "mutual aid" agreements allowing for each community to support each other. Although this system has its benefits, it can reduce fire station coverage during first and multiple response incidents. For example, a first alarm assignment draws two fire engines, one ladder truck and a water tender in a rural area emptying three fire stations. A home as little as 1,500 sq. ft can draw a second alarm assignment in some instances. This could take out of service as much as six fire stations. This situation would cause a "move-up" of other fire stations to cover the empty stations. Thus, up to 15 fire stations could ultimately be affected for a second alarm assignment/dispatch. If exacerbated by simultaneous calls/events, long term commitments to emergencies, station brown outs, out of service emergency vehicles, etc., extended response times will occur.

3. GEOLOGICAL

a. The Rancho Cordova Area is subject to ground tremors from seismic events as the City is in Seismic Zone 3. Water inundation has occurred in the portion that lay in river Delta areas. Intricate levee systems hold back a portion of the floodwater, however, development has moved into areas that have the potential for flooding.

b. The City of Rancho Cordova is in an area with localized pockets of clay and expansive soils. These soil conditions have been found to be a source of concern for footing and foundation design. Additionally, expansive soils can hold large amounts of moisture for extended periods of time. Either of these factors, or a combination of both has been found to create an increased risk of moisture intrusion under slabs in certain, common construction methods.

c. Rancho Cordova and its surrounding region contain many pockets of "hot" or corrosive soils. Galvanic corrosion is self-generating and occurs on the surface of a metal exposed to an electrolyte (such as moist, salt-laden soil). The action is similar to that which occurs in a wet, or dry, cell battery. Differences in electrical potential between locations on the surface of the metal (pipe) in contact with such soil may occur for a variety of reasons, including the joining of different metals (iron and copper or brass for example). This can be due to the characteristics of the soil in contact with the pipe surface, e.g., pH, soluble salt, oxygen and moisture content, soil resistivity, temperature and presence of certain bacteria. Any one or a combination of these factors may cause a small amount of electrical current to flow through the soil between areas on the pipe or metal surface. Where this current discharges into the soil from such an area, metal is removed from the pipe surface and corrosion occurs. Premature failure of buried metallic pipe due to galvanic action has been experienced in the Rancho Cordova area for decades.

d. The City of Rancho Cordova is served with natural gas by the Pacific Gas and Electric Company (PG&E). The gas provided from PG&E is obtained primarily from sources in the Western United States and Canada. According to the Copper Development Association, Copper and copper alloy tube (except tin-lined copper tube) should not be used if the gas contains more than an average of 0.3 grains of hydrogen sulfide per 100 standard cubic feet (scf) of gas (0.7 mg/100 L). PG&E cannot assure that its gas supplies meet this criterion. Excess hydrogen sulfide will cause corrosion of pipes as well as the creation of copper sulfides, which can cause failures in the appliances served.

e. The City of Rancho Cordova is situated in "Seismic Zone 3" as defined by the International Code Council. This area contains a higher risk of seismic activity than most areas in the country. Catastrophic earthquakes account for 60% of worldwide casualties associated with natural disasters. Economic damage from earthquakes is increasing, even in technologically advanced countries, as shown by the 1989 Loma Prieta, CA, (\$ 6 billion), 1994 Northridge, CA, (\$ 25 billion), and 1995 Kobe, Japan, (> \$ 100 billion) earthquakes. Additionally, a high degree of hazard to occupants has been found to occur from unsupported fixtures, appliances and appurtenances in ceilings. These fixtures, though small in size, have been found to create a significant hazard to occupants in the event of seismic activity.

D. Based upon the local climatic, topographical and geological conditions identified in Section C, the specific amendments identified in Rancho Cordova Ordinances 30-2007, 31-2007, 32-2007, and 35-2007 are found to be reasonable and necessary

modifications to the requirements established pursuant to Sections 17958.5 and 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence failures, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property and protection of the environment.

E. California Health and Safety Code Section 17958.7 requires that building standards modifications or change be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table identifies the sections of the California Building, Plumbing and Electrical Codes that have been amended by the City and the corresponding local climatic, geological and topographical conditions, as identified in Section C, that have necessitated the modification of the state's building standards.

California Building Code Section:	Local Condition
1910.1	1g,3b
California Plumbing Code Section:	
313.5	3b,3c
508.14	1a,1b,1c,1d,1e,1f,2a,2b,2c,2d,2f,3a
1210.1	3c,3d
California Electrical Code	
210.25(A)	1a,1b,1c,1d,1e,1f,2a,2b,2c,2d,2f,3a
225.22 (A) and (B)	1a, 1c, 1d, 1e, 2f, 3a, 3e
230.28(A)and (B)	1a,1b,1c,1d,1e,1f,2a,2b,2c,2d,2f,3a
230.43	1a,1b,1c,1d,1e,1f,2a,2b,2c,2d,2f,3a
230.70(D)	1a,1b,1c,1d,1e,1f,2a,2b,2c,2d,2f,3a
230.71	1a,1b,1c,1d,1e,1f,2a,2b,2c,2d,2f,3a
240.24(F)	1b, 2a, 2b,2f
250.50	3c
300.2(c)	1a,1b,1c,1d,1e,1f,2a,2b,2c,2d,2f,3a
300.5(L)	3e
410.16(C)	3e
625-.1(A)).	2e,3e
California Fire Code	
315.3.3	1a, 1b, 1c, 1d, 1e, 2a, 2b, 2c, 2d, 2f, 3e
503.6.1	1a, 1b, 1c, 1d, 2a, 2b, 2c, 2d, 2f, 3a, 3b, 3e
505	1a, 1b, 1c, 1d, 2a, 2b, 2c, 2d, 2f, 3a, 3b, 3e
508.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2e, 2f,3e
901.4.3.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e
903.1.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e
903.2.7.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e
903.3.7	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e

903.6.2	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e
903.4.4	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e
903.4.5	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e
3404.2.9.1.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e
B105.2	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f,3e

BE IT FURTHER RESOLVED that a copy of this Resolution and Rancho Cordova Ordinances 30-2007, 31-2007, 32-2007, and 35-2007 shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7, and that a copy of this Resolution and Rancho Cordova Ordinance 35-2007 shall also be filed with the California State Fire Marshals Office and the Department of Housing and Community Development.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on this 3rd day of December, 2007.

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 29-2007

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF RANCHO CORDOVA AMENDING RANCHO CORDOVA MUNICIPAL
CODE CHAPTER 16.02, "UNIFORM ADMINISTRATIVE CODE," WHICH ADOPTS
BY REFERENCE PORTIONS OF APPENDIX CHAPTER 1 OF THE 2007
CALIFORNIA BUILDING CODE

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

SECTION 1: Title 16, Chapter 16.02, "Uniform Administrative Code," is hereby
amended to read as follows:

"Administrative Code

- 16.02.010 Title.
- 16.02.020 Purpose.
- 16.02.030 Adoption of the Administrative Code.
- 16.02.040 Scope.
- 16.02.050 Definitions.
- 16.02.060 Amendments to the California Building Code.

16.02.010 Title.

These regulations shall be known and cited as the "Rancho Cordova Administrative Code."

16.02.020 Purpose.

The purpose of the Rancho Cordova Administrative Code is to provide for the uniform administration and enforcement of the Technical Codes adopted by this jurisdiction.

The purpose of the Rancho Cordova Administrative Code and the Technical Codes is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of the Rancho Cordova Administrative Code.

16.02.030 Adoption of the Administrative Code.

Sections 103 through 110.4 of Appendix Chapter 1 of the 2007 Edition of the California Building Code, Part 2, Title 24, of the California Code of Regulations are hereby adopted and incorporated by reference herein.

16.02.040 Scope.

The provisions of the Rancho Cordova Administrative Code shall serve as the administrative, organizational, and enforcement rules and regulations for the Technical Codes that regulate the site preparation and construction, alteration, moving, demolition, repair, use, and occupancy of buildings and structures including but not limited to docks, harbors, wharves, marinas, boathouses, signs, and building service equipment within this jurisdiction.

16.02.050 Definitions.

For the purposes of this Chapter, the following definitions shall apply:

A. "Building Official" is the officer or other designated authority charged with the administration and enforcement of the Rancho Cordova Administrative Code and the Technical Codes. The terms "Chief of the Building and Safety Department," "Building and Safety Department," "administrative authority," and "City" are to be considered synonymous respectively with the terms "Building Official" and "Building Department" as they appear in the Rancho Cordova Administrative Code or the Technical Codes.

B. "Building Service Equipment" refers to the plumbing, mechanical, and electrical equipment including piping, wiring, fixtures, and other accessories that provide sanitation, lighting, heating, ventilation, cooling, refrigeration, and fire fighting facilities essential for the habitable occupancy of the building or structure for its designated use and occupancy.

C. "Technical Codes" refers to the following Chapters of the Rancho Cordova Municipal Code containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use location, occupancy, and maintenance of all buildings and structures and building service equipment in this jurisdiction:

1. Chapter 16.04, "Building Code"
2. Chapter 16.24, "Plumbing Code"
3. Chapter 16.28, "Electrical Code"
4. Chapter 16.32, "Mechanical Code"
5. Chapter 16.36, "Swimming Pool Code"
6. Chapter 17.04, "Fire Code"

16.02.060 Amendments to the California Building Code.

Notwithstanding the provisions of Section 16.02.030, Sections 103 through 110.4 of Appendix Chapter 1 of the 2007 Edition of the California Building Code, Part 2, Title 24, of the California Code of Regulations are amended as follows:

A. Section 104.2.5.1 "Authority to disconnect utilities" is added to read as follows:

104.2.5.1 Authority to disconnect utilities. The Building Official or an authorized representative shall have the authority to disconnect any utility service or energy supplied to the building, structure, or building service equipment therein regulated by this Code or the Technical Codes when the building owner or occupant knowingly fails to comply with a notice or order, or in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall, whenever possible, notify the serving utility, and the owner and occupant of the building, structure, or building service equipment of the decision to disconnect prior to taking such action and shall notify such serving utility, owner, and occupant of the building, structure, or building service equipment, in writing, of such disconnection immediately thereafter.

B. Section 104.2.5.2 "Authority to condemn building service equipment" is added to read as follows:

104.2.5.2 Authority to condemn building service equipment. Whenever the Building Official ascertains that any building service equipment regulated in the Technical Codes has become hazardous to life, health, or property or becomes unsanitary, the Building Official shall order, in writing, that such equipment either be removed or restored to a safe or sanitary condition, whichever is appropriate. The written notice shall fix a time limit for compliance with such order. No person shall use or maintain defective building service equipment after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner, and occupant of such building, structure, or premises.

When any building service equipment is maintained in violation of the Technical Codes and in violation of any notice issued pursuant to the provisions of this section, the Building Official shall institute any appropriate action to prevent, restrain, correct, or abate the violation.

C. Section 104.2.5.3 "Connection after order to disconnect" is added to read as follows:

104.2.5.3 Connection after order to disconnect. No person shall make connections from any energy, fuel, or power supply nor supply energy or fuel to any building service equipment that has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

The Building Official shall have the right to withhold clearing building service equipment for hookup by the service agency if the owner or contractor refuses to comply with other ordinances affecting the structure as a whole.

D. Section 104.2.8.3 "Limits on repair for R-3 and U occupancies" is added to read as follows:

104.2.8.3 Limits on repair for R-3 and U occupancies. When the scope of work for R-3 and U Occupancies involves the removal or replacement of 50 percent or greater of the linear length of the walls of the building (exterior plus interior) within a one-year period, the project shall be considered new construction; and the entire building shall comply with all current codes.

E. Section 104.2.11 "Unsafe buildings, structures, or building service equipment" is added to read as follows:

104.2.11 Unsafe buildings, structures, or building service equipment. All buildings, structures, or building service equipment regulated by this Code and the technical codes which, after inspection by the administrative authority, are determined to be substandard and/or dangerous, shall be governed by Chapter 16.20 and Chapter 16.22 of the Rancho Cordova Code.

F. Section 105 "BOARD OF APPEALS" is amended to read as follows:

SECTION 105 - BOARD OF APPEALS

105.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the technical codes, there shall be and is hereby created a board of appeals.

105.2 Membership. The board shall consist of at least five and no more than seven members with a quorum being four members. The members of the board shall be appointed by the City Council.

Membership in the board shall be from individuals representing any of the following disciplines:

1. General contractor specializing in residential construction.
2. General contractor specializing in commercial construction.
3. Electrical contractor.
4. Mechanical contractor.
5. Plumbing contractor.
6. Electrical engineer.
7. Mechanical engineer.
8. Civil or structural engineer.
9. Architect.
10. Fire service representative.
11. Attorney.
12. Utility representative.
13. Public members-at-large.

No two members shall be of the same discipline listed above.

The board shall annually select a chairperson from its appointed members. The Chief Building Official shall be an ex-officio member and shall act as the secretary of the board of appeals.

105.3 Terms. Terms for members other than ex-officio or advisory of the board of appeals shall be for two years. Terms shall expire in alternate years. At initial formation, terms may be set for one or three years by the Building Official to create a staggering of terms expirations.

105.4 Vacancies. Vacancies shall be filled by appointment for the unexpired portion of the term.

105.6 Attendance. Any appointee member of the board of appeals who fails to attend three consecutive meetings of the board of appeals without notifying the secretary shall automatically lose membership thereon. It shall be the duty of the chairperson of the board of appeals to report to the City Council any appointee member who has failed to attend three consecutive meetings without such notification.

105.7 Secretary. The secretary shall have no vote except in the case of a tie vote.

105.8 Meetings. The board of appeals shall hold monthly meetings as needed.

105.9 Rules and Regulations. The board of appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official, with a copy to the applicant, and may recommend to the City Council such new legislation as is consistent therewith. Decisions and findings shall be filed in the office of the Building Official, for public inspection.

105.10 Granting Modifications. Whenever there are practical difficulties involved with carrying out the provisions of the Building, Electrical, Mechanical, Plumbing, and/or Swimming Pool codes of the City of Rancho Cordova, the board of appeals may grant modifications for individual cases, provided it is found that special circumstances make strict adherence to the code(s) impractical and that the modification is in conformity with the intent and purpose of the code(s) and that such modification does not reduce any fire protection requirements or any degree of structural integrity.

G. Section 106.1.1 "Certificate of Release" is added to read as follows:

106.1.1 Certificate of Release. Prior to issuance of a permit, a Certificate of Release shall be obtained from the fire protection district for the following:

1. Any new dwelling when there is no public water supply source with a distribution system conforming to City standards.
2. Any new dwelling, covered porch/patio, and attached garage 3,600 square feet or greater.

3. Any new dwelling with a private access road.

4. Where the furthest point of the habitable structure is more than 150 feet from the public road.

5. All commercial projects and multi-family dwellings.

H. Appendix 1, Section 105.2. "Building permits" is amended to read as follows:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

105.2 (A) Building Permits. A building permit shall not be required for:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over 6 feet height.
3. Oil derricks.
4. Retaining walls that:
 - a. are constructed of reinforced concrete or reinforced masonry and do not retain more than 36" of earth
 - b. Are constructed of pre-cast block retaining wall systems installed per the manufacturer's installation instructions and do not retain more than 36 inches of earth
 - c. Are constructed of decay resistant or treated wood and do not retain more than 24 inches of earth
 - d. Are covered under improvement plans prescribed in Chapter 12.03 of the Rancho Cordova code
 - e. Do not impound class I II or II liquids
 - f. Do not support surcharge loads.
5. Water tanks supported directly on grade if the capacity does not exceed 5000 gallons and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or store below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.

8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

105.2 (B) Electrical Permits. An Electrical permit shall not be required for:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Rancho Cordova Electrical Code.
2. Repair or replacement of fixed motors, transformers, or fixed approved appliances of the same type of rating in the same location within Group R, Division 3 Occupancies.
3. Temporary decorative lighting within Group R, Division 3 Occupancies.
4. Repair or replacement of current-carrying parts of any switch, contractor, or control device.
5. Reinstallation of attachment plug receptacles but not the outlets therefore.
6. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
7. Temporary wiring for experimental purposes in suitable experimental laboratories.
8. The wiring for temporary theater, motion picture, or television stage sets.
9. Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

10. Low-energy power, control, and signal circuits of Classes I and II as defined in the Rancho Cordova Electrical Code.

11. A permit shall not be required for the installation, alteration, or repair of electrical wiring, apparatus, or equipment or the generation, transmission, distribution, or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

105.2 (C) Mechanical Permits.

See the Rancho Cordova Mechanical Code for exempt work.

105.2 (D) Plumbing Permits.

See the Rancho Cordova Plumbing Code for exempt work.

105.2 (E)

105.2 (E) Sign permits. A sign permit shall not be required for the following:

1. The changing of the advertising copy or message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use of replaceable copy, electrical signs shall not be included in this exemption.
2. Painting, repainting, or cleaning of an advertising structure or the changing of the advertising copy or message thereon shall not be considered an erection or alteration that requires a sign permit unless a structural change is made.
3. Temporary signs:
 - (a) Real estate signs allowed per the Zoning Code of Rancho Cordova.
 - (b) Temporary construction signs, signs identifying architects, landscape architects, engineers, contractors, or builders provided the signs are located on the construction site and the signs do not exceed 4 square feet in area.
 - (c) Political, religious, and civic campaign signs.
 - (d) Promotional signs.
4. Signs identified by the Rancho Cordova Zoning Code as being exempt from the provisions of the Rancho Cordova Zoning Code.

I. Section 106.4.4. "Expiration" is amended to read as follows:

106.4.4 Expiration. Every permit issued by the Building Official under the provisions of the Technical Codes shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, the permit shall be renewed. The fee for renewal shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after the building or work has been suspended or abandoned or the permit has been expired for a period exceeding one year, the permittee shall pay a new full permit fee. Permits deemed to have been expired shall be subject to all permit related fee increases and new fees in effect at the time of permit renewal as applicable subject to the discretion of the Building Official.

Permits will be deemed to have expired if there has been no inspection of work within a 180 day period. When the work is not ready for a required inspection within 180 days of the last inspection, the permittee must request a progress inspection to keep the permit active.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than twice.

J. Section 107.2 "Permit Fees" is amended to read as follows:

107.2 Permit Fees. The fee for each permit shall be prescribed by ordinance or resolution of the City of Rancho Cordova.

The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, and any other permanent equipment.

K. Section 107.3 "Plan Review Fees" is amended to read as follows:

107.3 Plan Review Fees. When submittal documents are required by Section 106.3.2, a plan review fee shall be paid at the time of submitting the submittal documents for

plan review. Said plan review fee shall be prescribed by ordinance or resolution of the City of Rancho Cordova.

The plan review fees specified in this Section are separate fees from the permit fees specified in Section 107.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review, or when the project involves a deferred submittal item as defined in Section 106.3.4.2, an additional plan review fee shall be charged as prescribed by ordinance or resolution of the City of Rancho Cordova.

L. Section 107.4 "Expiration of Plan Review" is amended to read as follows:

107.4 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than twice. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

M. Section 107.5.2 "Fee" is amended to read as follows:

107.5.2 Fee. An investigation fee, in addition to the total permit fee, shall be collected whether or not a permit is then or subsequently issued, provided, however, that this provision shall not apply to emergency work when it is proved to the satisfaction of the administrative authority that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so; and, if there is an unreasonable delay in obtaining such permit, the investigation fee as herein provided shall be charged. The investigation fee shall be prescribed by ordinance or resolution of the City of Rancho Cordova. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this Code, the Technical Codes, or from any penalty prescribed by law.

N. Section 107.6 "Fee Refunds" is amended to read as follows:

107.6 Fee Refunds. The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refunding of not more than 40 percent of the total permit fee paid when no work has been done under a permit issued in accordance with this Code.

Where no plan review fee was required, the Building Official may authorize the refunding of not more than 80 percent of the total permit fee paid when no work has been done under a permit issued in accordance with this Code.

The Building Official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original applicant not later than 180 days after the date of fee payment.

O. Section 108.2 "Building Permit Job Folder" is amended to read as follows:

Section 108.2. Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted the building permit in a highly visible location on the job site so as to allow the Building Official to conveniently make the required entries thereon regarding inspection of the work. A copy of Part I and II of the permit, or a copy, and all correction notices must be kept with the building permit. This permit shall be maintained available by the permit holder until final approval has been granted by the Building Official.

P. Section 108.5.7.1 "Building service equipment" is added to read as follows:

108.5.7.1 Building service equipment. All building service equipment for which a permit is required by this Code shall be inspected by the Building Official. No portion of any building service equipment intended to be concealed by any permanent portion of the building shall be concealed until inspected and approved. When the installation of any building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the Technical Codes shall not be connected to the water, fuel, or power supply or sewer system until authorized by the Building Official.

Q. Section 108.5.7.2 "Operation of building service equipment" is added to read as follows:

108.5.7.2 Operation of building service equipment. The requirements of this section shall not be considered to prohibit the operation of any building service equipment installed to replace existing building service equipment serving an occupied portion of the building in the event a request for inspection of such building service equipment has been filed with the Building Official not more than 48 hours after such replacement work is completed and before any portion of such building service equipment is concealed by any permanent portion of the building.

R. Section 108.8 "Reinspections" is amended to read as follows:

108.8 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not completely ready or when previous corrections called for are not made; when the job address is not clearly posted and visible from the street or the front of the building; when there is a lack of access to the work to be inspected; when the building permit is not posted on the job site; when the approved plans are not readily available to the inspector; when Parts I and II of the permit, or a copy, and any previous correction notice(s) are not readily available with the building permit; and for deviating from plans requiring the approval of the Building Official.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is completely ready for such inspection.

To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay any reinspection fee prescribed by ordinance or resolution of the City of Rancho Cordova.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

S. Section 108.9 "Connection to Utilities" is added to read as follows:

108.9 Connection to Utilities.

108.9.1 Energy connections. No person shall make connections from a source of energy, fuel, or power to any building service equipment that is regulated by the Technical Codes and for which a permit is required by this Code until approved by the Building Official.

108.9.2 Temporary connections. The Building Official may authorize the temporary connection of the building service equipment to the source of energy, fuel, or power for the purpose of testing building service equipment or for use under a temporary Certificate of Occupancy.

T. Section 109.4.1 "Letter of completion" is added to read as follows:

109.4.1 Letter of completion. The Building Official may issue a letter of completion where the building is not going to be immediately occupied.

U. Section 109.7 "Certificate of Construction" is added to read as follows:

109.7 Certificate of Construction. The Building Official may issue a Certificate of Construction for projects where a building permit is not appropriate. Typical examples of such projects are structures constructed for Rancho Cordova where a building permit would not be issued but a plan review would be performed or a project not under

Rancho Cordova's jurisdiction but where inspection is to be conducted by the City on a contract.

V. Section 110 "Certificate of Occupancy" is modified to read as follows:

110.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of this code or other ordinances of the City of Rancho Cordova.

Exception: Certificates of Occupancy are not required for R 3 occupancies.

110.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building and safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number
2. The address of the structure
3. The name and address of the owner
4. A description of that portion of the structure for which the certificate is issued
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed property is classified.
6. The name of the building official
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provision of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. If an automatic fire sprinkler system is provided, whether the sprinkler system is required.

SECTION 2: Severability

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

SECTION 3: Effective Date and Publication

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

PASSED AND ADOPTED this _____ day of _____, 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. 30-2007

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF RANCHO CORDOVA AMENDING RANCHO CORDOVA MUNICIPAL
CODE CHAPTER 16.04, "BUILDING CODE," WHICH ADOPTS BY REFERENCE
THE 2007 CALIFORNIA BUILDING CODE, AND BY REFERENCE THE 2006
INTERNATIONAL BUILDING CODE

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

SECTION 1: Title 16, Chapter 16.04, "Building Code," is hereby amended to
read as follows:

"Building Code

- 16.04.010 Title.
- 16.04.020 Purpose.
- 16.04.030 Adoption of Building Codes.
- 16.04.040 Amendment of Adopted Codes.

16.04.010 Title.

This chapter shall be known and cited as the "Rancho Cordova Building Code."

16.04.020 Purpose.

The purpose of the Rancho Cordova Building Code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, use and occupancy, location and maintenance of all building and structures within this jurisdiction, and certain equipment specifically regulated herein.

16.04.030 Adoption of Building Codes.

The California Building Code, Part 2, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the International Building Code, 2006 Edition, as published by the International Code Council, and as referenced in and adopted pursuant to California State Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "IBC") and Appendix Chapter 1 (Administration) Sections 102-115.5, Appendix C (Agricultural

Buildings), and Appendix I (Patio Covers) (hereinafter referred to as the "Appendix"), are hereby adopted and incorporated by reference herein, excluding sections 103 through 110.2 of Appendix Chapter 1, which are adopted pursuant to Chapter 16.02 of the Rancho Cordova Municipal Code. Except as otherwise provided by this Chapter and Chapter 16.02 of the Rancho Cordova Municipal Code, all construction, alteration, moving, demolition, repair, and use of any building or structure within the City shall be made in conformance with the State Code and any rules and regulations promulgated pursuant thereto, including the IBC and the Appendix.

16.04.040 Amendment of Adopted Codes.

Notwithstanding the provisions of Section 16.04.030, the State Code, the IBC and Appendix are amended as follows:

A. Section 1900.4.4 "Minimum slab thickness" is amended to read as follows:

1910.1 Minimum slab thickness. The minimum thickness of concrete floor slabs supported directly on the ground shall not be less than 3 1/2 inches (89 mm). Groups R-1 and R-3 occupancies with concrete floors bearing on the ground shall have provided below the concrete floor a minimum of 4 inches of clean, well graded crushed rock or gravel 3/8 inch minimum to 1 1/2 inches maximum size."

SECTION 2: Severability

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

SECTION 3: Effective Date and Publication

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

PASSED AND ADOPTED this ____ day of _____, 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. 31-2007

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF RANCHO CORDOVA AMENDING RANCHO CORDOVA MUNICIPAL
CODE CHAPTER 16.24, "PLUMBING CODE," WHICH ADOPTS BY REFERENCE
THE 2007 CALIFORNIA PLUMBING CODE, AND BY REFERENCE THE 2006
UNIFORM PLUMBING CODE

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

SECTION 1: Title 16, Chapter 16.24, "Plumbing Code," is hereby amended to
read as follows:

"Plumbing Code

- 16.24.010 Title.
- 16.24.020 Purpose.
- 16.24.030 Adoption of Plumbing Codes.
- 16.24.040 Amendment of Adopted Codes.

16.24.010 Title.

This chapter shall be known and cited as the "Rancho Cordova Plumbing Code."

16.24.020 Purpose.

The purpose of the Rancho Cordova Plumbing Code is to provide minimum
requirements and standards for the protection of the public health, safety, and welfare.

16.24.030 Adoption of Plumbing Codes.

The California Plumbing Code, Part 5, Title 24 of the California Code of Regulations, a
portion of the California Building Standards Code, as defined in the California State
Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State
Code"), and any rules and regulations promulgated pursuant thereto including the
Uniform Plumbing Code, 2006 Edition, as published by the International Association of
Plumbing and Mechanical Officials, and as referenced in and adopted pursuant to
California State Health and Safety Code Sections 17922 and 18935 (hereinafter
referred to as the "UPC"), and Appendices Chapter 1, A, B, D, I and K (hereinafter
referred to as the "Appendix") are hereby adopted and incorporated by reference
herein. Except as otherwise provided by this Chapter and Chapter 16.02 of the Rancho
Cordova Municipal Code, all plumbing systems associated with construction, alteration,
moving, demolition, repair, and use of any building or structure within the City shall be

made in conformance with the State Code and any rules and regulations promulgated pursuant thereto, including the UPC and the Appendix.

16.24.040 Amendment of Adopted Codes.

Notwithstanding the provisions of Section 16.24.030, the State Code, the UPC and Appendix D are amended as follows:

A. 103.9 "Private Sewage Disposal Systems" is added to read as follows:

103.9 Private Sewage Disposal Systems. The installation of private sewage disposal systems is under the jurisdiction of the Environmental Health Division of the Sacramento County Environmental Management Department.

B. Section 313.5 is amended to read as follows:

313.5 Each system of buried ferrous piping used for either potable water or gas supply shall have a protective coating of an approved type, machine applied and conforming to recognized standards. Field wrapping shall provide equivalent protection and is restricted to those short sections and fittings necessarily stripped for threading.

All buried ferrous piping shall be provided with cathodic protection installed according to Table 3-3 of this Section and the following requirements:

1. Galvanic anodes for cathodic protection of ferrous piping shall be buried not less than 3 feet below grade and below the bottom of the pipe to be protected. They shall be not less than 4 feet horizontally from any buried metallic pipe. Before back filling, the anode shall be flooded with a minimum of 5 gallons of water.

When connected to the pipe being protected, less than 6 inches above grade, the anode shall be connected with a thermite weld. Connections 6 inches or more above grade may be made by the use of a listed mechanical clamp.

2. Water supply piping shall be isolated at the connection of the utility or private tap from the water main and at each building foundation line adjacent to the full-way shutoff valve.

3. Gas supply piping shall be isolated adjacent to each foundation line or at the appliance when located outside the building and from the serving gas supplier's service equipment.

4. Approved isolation fittings shall be located a minimum of 6 inches above grade, except that fitting at the water tap.

5. Any piping laid in the same trench with pipe requiring cathodic protection shall be separated laterally a minimum of 12 inches from the protected pipe, and piping installed

diagonally above the pipe requiring cathodic protection shall be separated vertically a minimum of 6 inches. All separations shall be maintained with clean earth in accordance with Section 315.0.

C. Table 3-3 is added to read as follows:

Table 3-3 ANODE SELECTION CHART Allowable length of coated and wrapped buried ferrous gas or water pipe for each size anode						
Anode Size	Pipe Size					
	1/2"	3/4" & 1"	1 1/4" & 1 1/2"	2"	3"	4"
1 lb. anode	50'	--	-	-	-	-
3 lb. anode	150'	100'	50'	50'	-	-
9 lb. anode	500'	200'	200'	150'	100'	100'
17 lb. anode	--	500'	350'	300'	250'	150'
32 lb. anode	--	--	500'	500'	450'	350'

D. Section 508.14(1) is amended to read as follows:

508.14 Installation in Residential Garages

(1) Gas utilization equipment in residential garages and in adjacent spaces that are open to the garage and are not part of the living space of the dwelling unit shall be installed so that all burners and burner-ignition devices are located not less than 18 inches (450 mm) above the floor unless listed as flammable vapor resistant. When such equipment is mounted on stands, such stands shall be enclosed.

E. Section 713.4 is amended to read as follows:

713.4 The public sewer may be considered as not being available when such public sewer is not available within 200 feet of the property line.

F. Section 1210.1 is amended to read as follows:

1210.1 All piping used for the installation, extension, alteration, or repair of any gas piping shall be standard weight wrought iron or steel (galvanized or black), or yellow brass (containing not more than seventy-five (75) percent copper). Approved PE pipe may be used in exterior buried piping systems.

G. Section D1 "Roof Drainage" of Appendix D, is amended to read as follows:

D1 Roof Drainage. Roof drains, leaders and rainwater piping shall be designed to carry away rainfall at the rate of at least 3 inches of rainfall per hour."

SECTION 2: Severability

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

SECTION 3: Effective Date and Publication

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

PASSED AND ADOPTED this _____ day of _____, 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. 32 - 2007

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF RANCHO CORDOVA AMENDING RANCHO CORDOVA MUNICIPAL
CODE CHAPTER 16.28, "ELECTRICAL CODE," WHICH ADOPTS BY REFERENCE
THE 2007 CALIFORNIA ELECTRICAL CODE, AND BY REFERENCE THE 2005
NATIONAL ELECTRICAL CODE

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

SECTION 1: Title 16, Chapter 16.28, "Electrical Code," is hereby amended to
read as follows:

"Electrical Code

- 16.28.010 Title.
- 16.28.020 Purpose.
- 16.28.030 Adoption of Electrical Codes.
- 16.28.040 Amendment of Adopted Codes.

16.28.010 Title.

This chapter shall be known and cited as the "Rancho Cordova Electrical Code."

16.28.020 Purpose.

The purpose of the Rancho Cordova Electrical Code is to provide minimum electrical system standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, installation, and quality of materials.

16.28.030 Adoption of Electrical Codes.

The California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the National Electrical Code, 2005 Edition (excluding Annex G), as published by the National Fire Protection Association, and as referenced in and adopted pursuant to California State Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "NEC") are hereby adopted and incorporated by reference herein. Except as otherwise provided by this Chapter and Chapter 16.02 of the Rancho Cordova Municipal Code, all electrical systems associated with construction, alteration, moving, demolition, repair, and use of any building or structure within the City shall be

made in conformance with the State Code and any rules and regulations promulgated pursuant thereto, including the NEC.

16.28.040 Amendment of Adopted Codes.

Notwithstanding the provisions of Section 16.28.030, the State Code and the NEC are amended as follows:

A. Article 210.25(A) is added to read as follows:

210.25(A) Branch Circuits Serving Common Use Areas. All circuits serving common use areas and public use areas shall be served from house service equipment. Where buildings are multi-metered, a separate meter for house equipment shall be required.

B Article 225.22(A) and (B) are added as follows:

225.22(A) Fences. Electrical equipment and conduit shall not be installed on any fence.

Exception:

Conduit and equipment shall be permitted on metallic and masonry fences when installed with a continuous support system.

225.22(B) Roofs. Raceways installed on or across roofs shall clear the roof a minimum of 1 ½" and be supported every 4' or less.

C Article 230.28(A) and (B) are added to read as follows:

230.28(A) Service Entrance or Load Centers located in walls or partitions. When overhead service entrance conductors are installed in walls or partitions, they shall be enclosed in rigid metal or intermediate metal conduit of 1 ½ inch minimum trade size.

230.28(B) Service Entrance method of attachment. No new or replacement overhead service drop shall be attached to the structure. The service mast shall be used as the support and shall be of 1 ½" rigid metal or intermediate metal conduit.

D. Article 230.43 is amended to read as follows:

230.43 Wiring Methods for 600 Volts, Nominal, or Less. Service entrance conductors shall be installed in accordance with the applicable requirements of this Code covering the wiring method used and shall be limited to the following methods:

- (1) Rigid nonmetallic conduit
- (2) Rigid metal conduit
- (3) Intermediate metal conduit
- (4) Auxiliary gutters
- (5) Bussways that have been approved by the Building Official

E. Article 230.70(D) is added to read as follows:

230.70(D) Ten Foot Limit for Service Raceway. Service entrance conductors shall not extend inside any building for more than ten feet to reach the disconnect or overcurrent protection device except when under a concrete floor.

F. Article 230.71 is amended to read as follows:

230.71 Service Switches. A single main disconnecting means shall be provided for each set of service entrance conductors, the service overcurrent device shall be an integral part of the disconnecting means. It shall be located at the nearest readily accessible location either outside of building or structure or inside nearest the point of entrance of the service conductors.

Exceptions:

1. A main disconnecting means shall not be required on Group R occupancies with not more than six dwelling units.
2. For fire pumps where a separate service is required.
3. For Emergency Electrical systems where a separate service is required.
4. Up to six switches or circuit breakers may be permitted provided not more than one is rated less than 2000 amperes, 600 volts, and all switches or circuit breakers are installed in a common enclosure or group of enclosures.
5. Up to six switches or circuit breakers may be permitted for unmanned cellular monopole sites not located in or on a building.

G. Article 240.24(F) is added as follows:

240.24(F) Prohibited Locations. Service equipment and panel boards shall not be located in clothes closets, broom closets, janitor's closets, bathrooms, storage rooms, or over or under stairways.

H. Article 250.50 is amended to read as follows:

250.50 Grounding Electrode System (Ufer Ground). A concrete encased electrode shall be used as the grounding electrode. The grounding electrode shall be encased for not less than 20 linear feet in a concrete foundation or footing, which is in direct contact with the earth. This electrode shall be sized in accordance with this code and, in no case, be less than No. 4 awg bare copper conductor, or ½ inch reinforcing steel rod. The electrode shall be so supported that it is below finished grade near the bottom of a trench and in no case less than 12 inches below finished grade and approximately 3 inches from the bottom or sides of the concrete. A point of connection shall be located that will make it readily accessible for inspection and testing purposes. An approved ground clamp or connector shall be used to connect the grounding electrode with a grounding conductor sized in accordance with this code. The use of reinforcing steel exposed to the elements is prohibited.

Exceptions:

- a. An 8 foot driven rod will be acceptable when complying with the installation of a grounding electrode at a separate building or structure.
- b. On service changes where the existing grounding electrode is a metal water pipe of at least 10 feet in length (shall be verified as such), it shall be supplemented by an additional electrode. An 8 foot minimum ground rod would be acceptable.

The interior metallic water and gas piping systems and metal frame of buildings shall be bonded in accordance with Table 250.66 of this Code.

Grounding electrode conductors shall be sized in accordance with Table 250.66.

The capacity rating for made electrodes shall be as follows:

- a) 200 amperes or less: a minimum of one reinforcing steel rod.
- b) From 201 amperes to 600 amperes, a minimum of 2 reinforcing steel rods installed a minimum of 90 degrees apart.
- c) Over 600 amperes: grounding electrodes shall be sized in accordance with Table 250.66.

2) Grounding electrode conductors shall be sized in accordance with Table 250.66.

I. Article 300.2(C) is added to read as follows:

300.2(C) Raceway Requirements. All occupancy groups shall have wiring installed in approved raceways or type MC cable. An approved MC cable stripper shall be used when installing the cable.

Exceptions:

1. Group R occupancies, other than hotels and motels.
2. Group U occupancies.
3. Recreation rooms associated with an R occupancy, other than hotels and motels and designed or intended for use by less than 100 persons, shall be wired using the same wiring methods required for the building of which they are a part.
4. Laundry rooms, associated with an R occupancy, other than hotels and motels, shall be wired using the same wiring methods required for the building of which they are a part.

J. Article 300.5(L) is added to read as follows:

300.5(L) Depth Requirement. All underground service entrance raceways shall be buried a minimum of 30 inches below grade unless located below a concrete building slab, in which case, the depth may be reduced to 12 inches below grade.

K. Article 410.16 (C) is amended to read as follows:

410.16(C) Suspended Ceilings. Lighting fixtures shall be supported independently of suspended ceiling framing members.

L. Article 600.1(A) and (B) are added to read as follows:

600.1(A) Electric Sign Installation. Electric signs shall be installed in accordance with the provisions of this Code pertaining to the installation of electric signs. The trademark, maker's name, approximate weight, voltage, amperage, Underwriters' label, and permit reference number, shall be permanently and conspicuously marked on the exterior of all electric signs.

600.1(B) Permit Required. An electrical permit shall be required for any of the following:

- A new electric sign installation with new branch wiring
- A new electrical sign installation with existing branch wiring
- A electric sign repair and reinstallation

M. Article 625.1(A) is added as follows:

625.1(A) Charging Circuit required for R.3 Occupancies.

Every new group R.3 occupancy building shall provide for a future electric vehicle charging circuit by providing a ¾ inch raceway or a 3.wire with ground NM or NMC cable rated at a minimum 40 ampere from the service panel to a 2.gang box located in the garage."

SECTION 2: Severability

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

SECTION 3: Effective Date and Publication

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

ATTACHMENT 6

PASSED AND ADOPTED this _____ day of _____, 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. 33-2007

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF RANCHO CORDOVA AMENDING RANCHO CORDOVA MUNICIPAL
CODE CHAPTER 16.32, "MECHANICAL CODE," WHICH ADOPTS BY REFERENCE
THE 2007 CALIFORNIA MECHANICAL CODE, AND BY REFERENCE THE 2006
UNIFORM MECHANICAL CODE

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

SECTION 1: Title 16, Chapter 16.32, "Mechanical Code," is hereby amended to
read as follows:

"Mechanical Code

- 16.32.010 Title.
- 16.32.020 Purpose.
- 16.32.030 Adoption of Mechanical Codes.

16.32.010 Title.

This chapter shall be known and cited as the "Rancho Cordova Mechanical Code."

16.32.020 Purpose.

The purpose of the Rancho Cordova Mechanical Code is to provide minimum system standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators, and other miscellaneous heat-producing appliances within this jurisdiction.

16.32.030 Adoption of Mechanical Codes.

The California Mechanical Code, Part 4, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code Section 18901 *et. seq.* (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the Uniform Mechanical Code, 2006 Edition, as published by the International Association of Plumbing and Mechanical Officials, and as referenced in and adopted pursuant to California State Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "UMC"), and Appendix Chapter 1 and Appendix A (hereinafter referred to as the "Appendix"), are hereby adopted and incorporated by reference

herein. Except as otherwise provided by this Chapter and Chapter 16.02 of the Rancho Cordova Code, all mechanical systems associated with construction, alteration, moving, demolition, repair, and use of any building or structure within the City shall be made in conformance with the State Code and any rules and regulations promulgated pursuant thereto, including the UMC and the Appendix.

SECTION 2: Severability

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

SECTION 3: Effective Date and Publication

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

PASSED AND ADOPTED this ____ day of _____, 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. 34-2007

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF RANCHO CORDOVA AMENDING RANCHO CORDOVA MUNICIPAL
CODE CHAPTER 16.36, "SWIMMING POOLS," WHICH ADOPTS BY REFERENCE
THE 2006 UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE

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

SECTION 1: Title 16, Chapter 16.36, Article 1, Section 16.36.130,
"Requirements," is hereby amended to read as follows:

"16.36.130 Requirements.

(a) **Outdoor Swimming Pool.** An outdoor swimming pool shall be provided with a barrier that once installed, shall be inspected and approved by the Building Official prior to filling the swimming pool with water. The barrier shall comply with each of the following:

1. The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4 inches when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than 45 inches apart between the tops of the horizontal members, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.

2. Openings in the barrier shall not allow passage of a 1 3/4-inch or greater diameter sphere.

Exceptions:

(i) When vertical spacing between such openings is 45 inches or more, the opening size may be increased such that the passage of a 4-inch or greater diameter sphere is not allowed.

(ii) For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased to a maximum 4 inches

when the distance between the tops of the horizontal members is 45 inches or more.

3. Chain link fences used as the barrier shall not be less than 11 gauge.
4. Solid barriers that do not have openings, such as masonry or stone walls, shall not contain indentations or protrusions except for tooled masonry joints.
5. Access gates shall comply with the requirements of Subdivisions 1 through 4 above. Pedestrian access gates shall be self-closing and have a self-latching device. Where the release mechanism of the latching device is located less than 54 inches from grade, (i) the release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate, and (ii) the gate and barrier shall have no opening greater than 1/2 inch within 18 inches of the release mechanism. Pedestrian gates shall swing away from the pool. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when the pool is not in use.
6. Where a wall of a Group R, Division 3 Occupancy dwelling unit serves as part of the barrier and contains door openings between the dwelling unit and the outdoor swimming pool, which provide direct access to the pool, a separation fence meeting the requirements of Subdivisions 1 through 5 above shall be provided.

Exception: An Approved Child Safety Device, as defined in Section 16.36.120(b), subject to a prior written determination by the Building Official that the degree of protection to small children afforded by such an Approved Device is equal to that provided by a separation fence meeting the requirements of Items 1 through 6 of Section 16.36.130.

7. Where an aboveground pool structure is used as a barrier, or where the barrier is mounted on the top of the pool structure and the means of access is a ladder or steps, then either (i) the ladder or steps shall be capable of being secured, locked, or removed to prevent access, or (ii) the ladder or steps shall be surrounded by a barrier that meets the requirements of Subdivisions 1 through 6 above. When the ladder or steps are secured, locked, or removed, any opening created shall be protected by a barrier complying with Subdivisions 1 through 6 above.

(b) **Indoor Swimming Pool.** For an indoor swimming pool, protection shall comply with the requirements of Subsection (a)(6) above.

(c) **Spas and Hot Tubs.** A spa or hot tub with a locking safety cover which complies with the ASTM Standard F 1346-91 shall not be required to provide other barriers. Where a locking safety cover is not provided, the spa or hot tub shall comply with the requirements of Subsection (a) above."

SECTION 2. Title 16, Chapter 16.36, Article 2, "Title, Scope and General," is hereby amended to read as follows:

"Article 2 Title, Scope and General

- 16.36.210 Swimming Pool, Spa & Hot Tub Code Adopted.
- 16.36.220 Short Title.
- 16.36.230 Purpose.
- 16.36.240 Scope.
- 16.36.250 Exceptions to Swimming Pool Locations.

16.36.210 Swimming Pool, Spa & Hot Tub Code Adopted.

The Uniform Swimming Pool, Spa and Hot Tub Code, 2006 Edition, and the standards cited in Table 1 thereof, hereafter collectively known as the "USPC," as published by the International Association of Plumbing and Mechanical Officials, is adopted as the Swimming Pool Code for the City of Rancho Cordova, with such revisions, exceptions, deletions, and additions approved by the City Council hereinafter set forth in this Chapter as exceptions to the USPC. Part I of the USPC is not adopted as part of the Rancho Cordova Swimming Pool Code. Except as otherwise provided by this Chapter and Chapter 16.02 of the Rancho Cordova Municipal Code, all construction, electrification and maintenance of swimming pools and barriers within the City shall be in conformance with State Codes and any rules and regulations promulgated pursuant thereto.

16.36.220 Short Title.

The Uniform Swimming Pool, Spa and Hot Tub Code, 2006 Edition, including the standards cited in Table 1 thereof, and the revisions, exceptions, deletions, and additions provided herein, shall be known and cited as the Rancho Cordova Swimming Pool Code.

16.36.230 Purpose.

The purpose of the Rancho Cordova Swimming Pool Code is to provide minimum requirements and standards for the protection of the public health, safety, and welfare

16.36.040 Scope.

The provisions of the Rancho Cordova Swimming Pool Code shall apply to the erection, installation, alteration, addition, repair, relocation, replacement, maintenance, or use of any swimming pool, spa, or hot tub plumbing system except as otherwise provided for in the Rancho Cordova Municipal Code or applicable state law.

16.36.250 Exceptions to Swimming Pool Locations.

The Chief Building Inspector may authorize the construction of a swimming pool, hot tub, spa, spa pool, or similar pools across a property line or in the rear yard or side yard of an adjacent lot or within the common area of a planned development, provided:

- a. The construction of the swimming pool, spa, spa pool, hot tub, or other pool and the location thereof have been previously approved by the Planning Department; or the locations of the swimming pool, spa, spa pool, hot tub, or other pool is specified on an approved tentative subdivision map.
- b. Easements have been recorded and reserved for the lot which specifically provide for the location and construction of the swimming pool, hot tub, spa, spa pool, or other pool and necessary appurtenances and which allow for the use and maintenance of the swimming pool, spa, spa pool, hot tub, and other pool and appurtenances.
- c. The easements, prior to the recordation thereof, have been approved by the City Attorney."

SECTION 3. Title 16, Chapter 16.36, Article 3, is hereby retitled, "Amendments to the 2006 Edition, Uniform Swimming Pool, Spa and Hot Tub Code

SECTION 4. Title 16, Chapter 16.36, Article 3, Section 16.36.310, "Chapter 3 Retitled," is hereby amended to read as follows:

"Section 16.36.310 Chapter 3 Retitled.

Chapter 3 of the Uniform Swimming Pool, Spa and Hot Tub Code, titled "General Requirements Public and Private Pools", shall be retitled in the Rancho Cordova Municipal Code to read "General Requirements--Private Pools".

SECTION 5. Severability

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

SECTION 6. Effective Date and Publication

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

PASSED AND ADOPTED this _____ day of _____, 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. 35-2007

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AMENDING RANCHO CORDOVA MUNICIPAL CODE CHAPTER 17.04, "FIRE
CODE," WHICH ADOPTS BY REFERENCE THE 2007 CALIFORNIA FIRE CODE,
AND BY REFERENCE THE 2006 INTERNATIONAL FIRE CODE**

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

SECTION 1: Title 17, Chapter 17.04, "Fire Code," is hereby amended to read as
follows:

"Fire Code

- 17.04.010 Adoption of Fire Codes.
- 17.04.020 Enforcement.
- 17.04.030 Definitions.
- 17.04.040 Modifications.
- 17.04.050 Appeals.
- 17.04.060 New Materials, Processes Or Occupancies Which May Require Permits.
- 17.04.070 Penalties.
- 17.04.080 Amendment of Adopted Codes
- 17.04.090 High Explosives
- 17.04.100 Public Safety 800 mhx Radio Building Amplification System
- 17.04.110 Flammable And Combustible Liquids and Liquefied Petroleum Gases
- 17.04.120 Structural Fires

17.04.010 Adoption of Fire Codes.

The California Fire Code, Part 9, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the International Fire Code, 2006 Edition, as published by the International Code Council, and as referenced in and adopted pursuant to California State Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "IFC"), and Appendices Chapter 1, B and C (hereinafter referred to as the "Appendix"), are hereby adopted and incorporated by reference herein. Except as otherwise provided by this Chapter and Chapter 16.02 of the Rancho Cordova Municipal Code, all construction, alteration, moving, demolition, repair, and use of any building or structure within the City shall be made in conformance with the State Code and any rules and regulations promulgated pursuant thereto, including the IFC and the Appendix. From the effective date of the ordinance establishing this Chapter, the provisions herein shall be controlling within the limits of the City of Rancho Cordova except that any inconsistent regulations and

ordinances relating to building standards contained in the State Code, IFC and the Appendix adopted pursuant to applicable law by the Sacramento Metropolitan Fire District shall be controlling within the City of Rancho Cordova if said regulation or ordinance has been ratified by the City in accordance with California Health and Safety Code section 13869.7.

17.04.020 Enforcement.

The Chief of the Sacramento Metropolitan Fire District or his/her designated representatives shall have authority to enforce this chapter and issue citations for violations.

17.04 030 Definitions.

A. Whenever the word "Fire Code" is used in this ordinance, it shall mean the State Code and IFC adopted by reference pursuant to Section 17.04.010.

B. Wherever the word "municipality" is used in the Fire Code, it shall mean the City of Rancho Cordova.

C. Wherever the words "Chief" or "Chief of the bureau of fire prevention" are used in this ordinance or the Fire Code, they shall mean the Chief of the Sacramento Metropolitan Fire District or his/her designated representatives.

17.04.040 Modifications.

The Chief may modify any of the provisions of the Fire Code upon application in writing by the owner or lessee, or his/her duly authorized agent, when the Chief determines there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief or his/her designated representative thereof shall be entered upon the records of the department and a signed copy shall be furnished by the applicant.

For the purposes of this section, the cost of compliance with the provisions of the Fire Code shall not constitute a practical difficulty.

17.04.050 Appeals.

Any person aggrieved by any decision or action of the Chief may appeal to the Board of Directors of Sacramento Metropolitan Fire District by filing a written notice of appeal with the Clerk of the Board of Directors within thirty (30) days from the date such decision or action was taken. The applicable rules and regulations regarding the appeals process and procedures for hearings shall be those of the Sacramento Metropolitan Fire District.

17.04.060 New Materials, Processes or Occupancies Which May Require Permits.

The Chief may appoint two members from his/her staff to act as a committee to determine and specify, after giving affected persons an opportunity to be heard at an office hearing, any new material, processes or occupancies, which shall require permits, in addition to those now enumerated in the code. The Chief or his/her designated representative shall post such list in a conspicuous place in his/her office, and distribute copies thereof to interested persons.

17.04.070 Penalties.

A. Any person who violates any of the provisions of this chapter and the code hereby adopted or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans thereunder, or who fails to comply with such an order as affirmed or modified by the City of Rancho Cordova or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation be guilty of an infraction, punishable by a fine not to exceed two hundred fifty dollars (\$250.00). Violation of Appendix Chapter 1, Section 109.2.2 Compliance with orders or notices, and Section 109.2.4 Unauthorized tampering, shall constitute a misdemeanor, and shall be punishable by a fine of one thousand dollars (\$1,000.00), or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all persons shall be required to correct or remedy such violation or defects within a reasonable time to be determined by the Chief on a case-by-case basis. When not otherwise specified each day or portion thereof during which any violation occurs or continues shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

17.04.080 Amendment of Adopted Code

Notwithstanding the provisions of Section 17.04.010, the State Code, the IFC and Appendix are amended as follows:

A. **Appendix Chapter 1** is amended as follows:

1. **SECTION 104 – GENERAL AUTHORITY AND RESPONSIBILITIES** is amended by adding subsection 104.7.2.1 to read as follows:

104.7.2.1 Contract Inspector. The Chief or his/her designated representatives may require the owner or the person in possession or control of the building or premises to provide, without charge to the fire department, a special inspector ("Contract Inspector"), when the department has no technical expertise available to conduct the required inspections.

The Contract Inspector shall be a qualified person who shall demonstrate his/her competence to the satisfaction of the Chief, for inspection of a particular type of construction, operations, fire extinguishing or detection system, or process.

Duties and responsibilities of the Contract Inspector shall include but not be limited to the following:

(a) The Contract Inspector shall observe the work assigned for conformance with the approved design drawings and specifications.

(b) The Contract Inspector shall furnish inspection reports to the Chief, building official, and other designated persons as required by the Chief. All discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority, Chief, and to the building official.

(c) The Contract Inspector shall submit a final signed report stating whether the work requiring inspection was, to the best of his/her knowledge, in conformance with the approved plans and specifications and the applicable workmanship provision of this code.

2. **SECTION 105 - PERMITS** is amended by amending subsection 105.2.2 and adding subsection 105.4.1.1 to read as follows:

105.2.2 Inspection Required. Before a permit is issued, the Chief may inspect and approve the receptacles, vehicles, buildings, devices, premises, storage space or areas to be used. Instances where laws or regulations are enforced by departments other than the fire department, joint approval shall be obtained from all departments concerned.

105.4.1.1 Plans. A minimum of two (2) copies of the complete plans, specifications, and information for new construction, remodeling, fill-in projects, or additions to buildings shall be submitted for review prior to construction to the Chief or his/her designated representatives having jurisdiction. Plan approval shall be required prior to issuance of a fire district Inspection Record Card for those instances where such card may be required.

3. **SECTION 106 – INSPECTIONS** is amended by adding subsections 106.2.1 and 106.2.2 to read as follows:

106.2.1 Administrative Costs. When a test or inspection is scheduled and the contractor fails to perform to the satisfaction of the authority having jurisdiction, the authority having jurisdiction may bill the contractor for actual time spent traveling to and from the test/inspection location and the time spent at the test/inspection site as well as administrative costs.

106.2.2 Inspection Record Card. Work requiring Fire Department approval may commence, but the person doing the work shall have posted or otherwise made available an inspection record card such as to allow the Chief to conveniently make the required entries thereon regarding inspection of the work. Work shall not be covered

until the required inspections are completed. This card shall remain posted or remain otherwise available by the permit holder until the Chief has granted final approval.

4. **SECTION 109 – VIOLATIONS** is amended by adding subsections 109.2.3.1 and 109.3.2 to read as follows:

109.2.3.1 Citations. The Chief, or his/her duly authorized representative, may issue citations for infractions or misdemeanor violations of this chapter pursuant to Section 13871 of the Health and Safety Code of the State of California and Chapter 5c (commencing with Section 853.6) of Title 3 of Part 2 of the Penal Code of the State of California.

109.3.2 Fire Code Bail Schedule.

SECTION	NATURE OFFENSE	OF	PC	MA	BAIL PA	NCA	TOTAL
109.2.2*	NC W/ORDERS OR NOTICE		X		\$1000	\$1700	\$2700
109.2.4*	UNAUTHORIZED TAMPERING		X		\$1000	\$1700	\$2700
ALL OTHER SECTIONS			X		\$100	\$170	\$270

* - MISDEMEANOR

PC - ELIGIBLE FOR PROOF OF CORRECTION

MA - MANDATORY APPEARANCE

PA - PENALTY ASSESSMENT

NCA - NIGHT COURT ASSESSMENT

NC - NONCOMPLIANCE

B. **SECTION 202 – GENERAL DEFINITIONS** is amended by adding or amending the following terms:

1. **ELECTRONIC MONITORING SYSTEM** shall mean an approved method to electronically detect and transmit to an approved alarm service provider's Type A (listed) Central Station, information indicating that the automatic fire sprinkler system or electronic fire detection system has been activated and shall have the ability to relay the alarm to the (a) Sacramento Regional Fire/EMS Communications Center; or (b) to the Sacramento International Airport Communication Center in an approved manner.

2. **FALSE ALARM** shall mean the giving, signaling or transmission to any public fire station or company or to any officer or employee thereof, whether by telephone, spoken word or otherwise, information to the effect that there is a fire, medical emergency, rescue request, or other need for emergency service at or near the place indicated by the person giving, signaling, or transmitting such information, and there is found to be no need for emergency services.

3. **QUALIFIED ATTENDANT** shall mean an individual that has been trained in the proper methods of the handling, storage and dispensing of any material, product or substance regulated by the code. These shall include, but not be limited to ammonia, chlorine, cryogenic fluids, flammable and combustible liquids and gases.

Said attendant must be able to demonstrate to the satisfaction of the Chief that he or she possesses adequate knowledge in the subject area.

C. **SECTION 315 – MISCELLANEOUS COMBUSTIBLE MATERIALS STORAGE** is amended as follows:

1. Subsection 315.3.3 "Outside Storage of pallets and other combustibles" is added to read as follows:

315.3.3 Outside Storage of pallets and other combustibles. The maximum single pile dimension for outside storage of pallets and other combustibles shall be 25ftx100ft or 2,500 sq. ft. The maximum pile height shall be 20 feet. Distance of piles to structures shall not be less than 10 feet.

D. **SECTION 401 - GENERAL** is amended as follows:

1. Subsection 401.3.1.1 "Cost Recovery" is added as follows:

401.3.1.1 Cost Recovery. All costs incurred by the fire department related to any response to a false alarm may be charged to that person causing the transmission of the false alarm, or to that person's firm or corporation.

E. **SECTION 503 - FIRE DEPARTMENT ACCESS ROADS** is amended as follows:

1. Subsection 503.1.1 "Buildings and facilities" is amended to read as follows:

503.1.1 Required Access. Fire apparatus access roads shall be provided in accordance with Sections 501 and 503 for every facility, building or portion of a building including residential subdivisions in excess of 40 dwelling units hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet (45 720mm) from fire apparatus access as measured by an approved route around the exterior of the building or facility. See also Section 504 for personnel access to buildings.

- EXCEPTIONS:**
1. When buildings are completely protected with an approved automatic fire sprinkler system, the provisions of Sections 503.1.1 and 503.2 may be modified by the Chief.
 2. When access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades or other similar conditions, the chief is authorized to require additional fire protection.

3. When there are not more than two Group R, Division 3, or Group U Occupancies, the requirements of Sections 503.1.1 and 503.2 may be modified by the chief.

More than one fire apparatus road shall be provided in residential subdivisions in excess of 40 dwelling units and/or when it is determined by the chief that access by a single road might be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

For high-piled combustible storage, see Section 2306.6

For required access during construction, alteration or demolition of a building, see Section 1410.1

2. Subsection 503.6.1, "Emergency access gates and barriers," is added to read as follows:

503.6.1 Emergency access gates and barriers. Where a new gate or barrier is installed on a fire access roadway, it shall be authorized by the Chief and meet the minimum requirements of the Sacramento County Emergency Access Gates and Barriers Standard. The Chief shall maintain a copy of said standard on file and available for public inspection. Private driveways on lightly traveled streets as determined by the City of Rancho Cordova serving one single-family residence may be exempt from the scope of this document. Approval of automatic gates or barriers is subject to the owner accepting responsibility for any future programming requirements by the authority having jurisdiction.

F. SECTION 505 - PREMISE IDENTIFICATION is amended as follows:

1. Subsection 505.1, "Address numbers" is amended to read as follows:

505.1 General. Approved numbers or addresses shall be placed prior to occupying on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. In setting requirements for addressing, the Chief may be guided by the standard published by the Rancho Cordova Building Department's, "Posting of Building Addresses".

2. Subsections 505.1.1, "Multiple tenant buildings" and 505.1.2, "Illumination" are added to read as follows:

505.1.1 Multiple tenant buildings. Multiple tenant spaces serviced by vehicular access to the rear through any driveway, alleyway, or parking lot shall have numbers or addresses placed prior to occupancy on all new and existing buildings as to be plainly visible and legible from the rear access way when deemed necessary by the Chief. Multiple tenant spaces serviced by rear access through a corridor, exit court, or exit

yard shall have approved numbers or addresses displayed on the rear of the tenant space, when deemed necessary by the Chief.

Multiple tenant spaces that front on interior walkways or pedestrian malls shall have approved numbers or addresses placed over the entrance door in all new and existing buildings. An illuminated annunciator or directory board shall be required at every entrance where deemed necessary by the Chief.

505.1.2 Illumination. Addressing shall be illuminated at night in all new buildings. Signs shall be internally or externally illuminated. When the luminance or the face of a sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles. Internally illuminated signs shall provide equivalent luminance.

G. SECTION 508 – FIRE PROTECTION WATER SUPPLIES is amended as follows:

1. Subsection 508.1, "Required Water Supply," is amended to read as follows:

508.1 Required Water Supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet (45 720 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief. See Section 508.5.

EXCEPTIONS:

1. Group R, Division 3 Occupancies provided with an automatic fire sprinkler system approved by the adopted NFPA Standard in areas not provided with a public water supply.
2. Group U Occupancies.
3. Water Supplies for Suburban and Rural Fire Fighting. Where the standards of this code cannot be met for development in rural areas, a fire sprinkler system or pressurized water system acceptable to the AHJ shall be acceptable to meet the water supplies required. Such proposals shall also be subject to the following:
 - a. The structure is beyond 3,000 (914 M) feet of any existing adequate sized water system. Structures within 3000 (914 M) feet of an existing adequate sized water system, but beyond a water purveyor service area, will be reviewed on an individual basis.
 - b. When public or private water becomes available, connection to such a system shall be required.

2. Subsection 508.5.5.1 "Vehicle parking" is added to read as follows:

508.5.5.1 Vehicle parking. It shall be an infraction to park, place or leave standing any unattended vehicle within 15 feet of any public or private fire hydrant along any public or private street or roadway.

EXCEPTION: If the vehicle is owned or operated by a fire department and clearly marked as a fire department vehicle.

H. **SECTION 901 – GENERAL** is amended as follows:

1. Subsection 901.4.3.1, "Fire appliances," is added to read as follows:

901.4.3.1 Fire appliances. The Chief shall designate the type and number of fire appliances to be installed and maintained in and upon all buildings and premises within his/her jurisdiction. This shall be done according to the relative severity of probable fire, including the rapidity with which it may spread. Such appliances shall be of a type suitable for the probable class of fire associated with such buildings or premises and shall have the prior approval of the Chief. Extinguishers shall be installed on the hangers or in the brackets supplied, or mounted in approved fire extinguisher cabinets unless the extinguishers are of the wheeled type.

2. Subsection 901.7.1.1 "System maintenance" is added to read as follows:

901.7.1.1 System maintenance. All individuals or companies installing, repairing, testing, servicing or maintaining sprinkler systems, fire hydrant systems, standpipes, fire alarm systems, portable fire extinguishes, smoke and heat ventilators, smoke-removal systems and other fire protection or extinguishing systems or appliances shall be a fire protection contractor or contractor licensed for said work by the State of California or have the appropriate license required by the California State Fire Marshal's Office or both.

The authority having jurisdiction shall be notified immediately when a fire protection or detection system or portion thereof is found inoperable.

The authority having jurisdiction shall be notified in writing within 72 hours by the person performing repairs, testing, or maintenance when a fire protection or detection system is not in compliance with applicable codes.

When changes involve shutting off water for a considerable number of sprinklers for more than 4 hours, temporary water supply connections shall be made to sprinkler systems so that reasonable protection can be maintained. Protection shall be restored each night in so far as possible. The Chief may require a fire watch while any system is inoperative.

When shorts, failures or other interruptions of service occur within a building's fire alarm system that connects to an approved alarm service provider's Type A (listed) Central Station or is a local alarm only, the Chief may require the system to be

disconnected or shunt out the private fire alarm system and/or circuit. When shorts, failures, or other interruption of service occur within a building's fire alarm system that connects to an approved alarm service provider's Type A (listed) Central Station, the Chief may require the system to be repaired and written notification to be provided to the Chief before he or she responds to alarms generated by the system.

Where alarm system(s) are wholly or partially out of service for more than 8 hours, the alarm company having responsibility shall notify the fire dispatch center.

I. SECTION 903 AUTOMATIC SPRINKLER SYSTEMS is amended as follows:

1. Subsection 903.1.1, "Alternative protection," is retitled "All Occupancies except Group R, Division 3 and Group U Occupancies" and amended to read as follows:

903.1.1 All Occupancies except Group R, Division 3 and Group U Occupancies. For all other occupancies, an automatic sprinkler system shall be installed and equipped with an electronic monitoring system as follows:

EXCEPTION: Non-combustible, detached canopies open on four sides not exceeding the basic allowable square footage in the California Building Code/International Building Code used exclusively for the parking or storage of private or pleasure vehicles and non-combustible storage (includes fuel islands).

1. In every story or basement of all buildings when the floor area exceeds 1,500 square feet (139.4 m²) and there is not provided at least 20 square feet (1.86 m²) of opening entirely above the adjoining ground level in each 50 lineal feet (15,240 mm) or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22,860 mm) from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

If any portion of a basement is located more than 75 feet (22 860 mm) from openings required in Section 903.1.1, the basement shall be provided with an approved automatic sprinkler system.

2. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.

3. In rooms where nitrate film is stored or handled. See also Section 306.2.

4. In protected combustible fiber storage vaults as defined in Chapter 2. See also Chapter 29.

5. In every new building where the total floor area exceeds 3,599 square feet (334.48 m²) or greater. See item #9 below. Nothing in this subsection shall preclude the use of fire resistive substitutions otherwise permitted under the Fire Code.

6. An automatic fire sprinkler system shall be installed in any portion of a building where there is a change of occupancy and the floor area of that portion of the building, which is changed, exceeds 3,599 square feet (334.48 m²).

7. An automatic fire sprinkler system shall be installed in every building when there is an addition to the floor area in existence on the effective date of this ordinance of 20 percent or more within a 12-month period and the aggregate floor area of the building exceeds 3,599 square feet (334.48 m²).

8. In existing buildings, other than one or two family dwelling units. An automatic fire sprinkler system shall be installed in any portion of an existing building, other than one or two-family dwelling units, where alterations or repairs within any 12-month period exceed fifty percent (50%) of the assessed value of the existing building or structure.

9. For the provisions of this section, two or more buildings existing entirely within the property lines of one parcel shall be considered a single building when exterior wall protection is not provided and the aggregate floor area exceeds 3,599 square feet (334.48 m²).

10. An automatic fire sprinkler system shall be installed in every new building of S-3 occupancy where the total floor area exceeds 2,999 sq ft. (278.72 M²) or greater.

11. For the provisions of this section, area separation walls shall not apply to eliminate the installation of a sprinkler system.

2. Subsection 903.2.7.1 "Group U Occupancies" is added as follows:

903.2.7.1 Group U Occupancies. Group U occupancies located within 6 feet (1828.8 mm) of sprinklered Group R Occupancy shall have fire sprinklers installed.

3. Subsection 903.3.7.1 "General" is added to read as follows:

903.3.7.1 General. Fire-extinguishing systems shall be installed in accordance with the Building Code and Section 903 and 904.

Fire hose threads used in connection with fire-extinguishing systems shall be National Standard hose thread or as approved.

The location of fire department hose connections shall be as approved by the Fire Chief.

In buildings used for high-piled combustible storage, fire protection shall be in accordance with Chapter 23.

When required by the Chief, approved signs shall identify the building(s) or portions of buildings served by a fire department connection.

When required by the Fire Chief fire pumps shall be automatic.

4. Subsection 903.4.4 "Valves" is added to read as follows:

903.4.4 Valves. When required by the Chief, valves controlling sprinkler systems shall be maintained in an open position by locking the valve open in an approved manner.

5. Subsection 903.4.5 "Fire control room" is added to read as follows:

903.4.5 Fire control room. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. Said room shall contain all system control valves, fire alarm control panels and other fire equipment required by the Chief. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room.

EXCEPTION: Group R, Division 3 Occupancies.

6. Subsection 903.6.2 "Existing sprinkler systems" is added to read as follows:

903.6.2 Existing sprinkler systems. All existing automatic sprinkler systems shall be monitored for water flow by an approved alarm service provider's Type A (listed) Central Station.

J. **SECTION 907 - FIRE ALARM AND DETECTION SYSTEMS** is amended as follows:

1. Subsection 907.1.1, "Construction documents," is amended to read as follows:

907.1.1 Construction Documents. Complete plans and specifications of fire alarm systems shall be submitted for review and approval prior to system installation. Plans and specifications shall include, but not be limited to, a floor plan, cross section detail, riser diagrams, location of all alarm-initiating and alarm-signaling devices, alarm control- and trouble-signaling equipment, annunciators, power connection, battery calculations, conductor type and sizes, voltage drop calculations; and manufacture

model numbers including cut sheets and listing information from a nationally recognized testing laboratory and the California State Fire Marshal's listing number(s).

All manual or automatic fire detection system plans and calculations or both shall bear the stamp of approval of a qualified registered professional engineer or fire alarm contractor (C-10), licensed for said work by the State of California. One copy may be retained by the Chief. Plans and specifications shall be provided at no cost to the Fire Department.

2. Subsection 907.15, "Monitoring," is amended to read as follows:

907.15 Monitoring. Required alarm systems shall be monitored by an approved alarm service provider's Type A (listed) Central Station as established by Sacramento Regional Fire/EMS Communication Center.

The Central Station monitoring company or approved Alarm Company shall notify the authority having jurisdiction in writing, within 72 hours, of systems that are found not to be in compliance with applicable codes.

Receipt of supervisory signals by the monitoring company require the dispatch of a runner or maintenance person (arrival time not to exceed 1 hour), unless the condition can be restored to normal through the subscriber's efforts.

3. Subsections 907.15.1, "Branch electrical circuits," 907.15.2, "Multi-building or zone monitoring," and 907.15.3, "Alarm transmission," are added to read as follows:

907.15.1 Branch electrical circuits. When providing a fire alarm circuit in a multiple occupancy type building (multiple metering), the circuit shall be energized from the house meter panel board.

When a separate source of power (i.e. emergency generator) is provided the fire alarm circuit shall be energized from the emergency panel board.

907.15.2 Multi-building or zone monitoring. When a Central Station is monitoring more than one zone or building with a single retransmitter, the Central Station shall identify the particular zone or building or both that is in alarm, where required by the Chief.

Fire Alarm Panels installed at the protected premise shall be capable of differentiating between signals, including water flow, manual, and automatic activating components and transmitting distinctive fire alarm, supervisory and trouble signals.

907.15.3 Alarm transmission. The activation of a fire sprinkler system, hood extinguishing system, special extinguishing system or a fire alarm/detection system shall cause the system to initiate a signal to the Central Station within 90 seconds. Retransmission from the Central Station to the Fire Dispatch Center shall not exceed 60 seconds.

EXCEPTION: Existing building without an alarm system which install hood extinguishing systems or special extinguishing systems need not be monitored.

4. Subsection 907.16, "Automatic dialing telephone devices," is amended to read as follows:

907.16.1 Automatic telephone dialing devices. Two separate telephone lines (numbers) shall be provided from the protected premises to the Central Station, which use Digital Alarm Communicator Transmitter (DACT). All costs regarding the installation, maintenance, and continuous operation of those lines shall be the responsibility of the building owner.

K. **SECTION 2211 - REPAIR GARAGES** is amended as follows:

1. Section 2211.7.2 "Gas Detection Systems" is amended to read as follows:

2211.7.2 Gas Detection Systems. Repair garages used for the repair of vehicles fueled by nonodorized gases, such as hydrogen, LPG and nonodorized LNG, shall be provided with an approved flammable gas detection system.

2. Section 2211.7.2.1 "System design" is amended to read as follows:

2211.7.2.1 System Design. The flammable gas detection system shall be calibrated to the types of fuels or gases used by the vehicles to be repaired. The gas detection system shall be designed to activate when the level of flammable gas exceeds 25 percent of the lower flammable limit (LFL). Gas detection shall also be provided in lubrication or chassis repair pits of repair garages used for repairing nonodorized LPG and LNG-fueled vehicles.

L. **SECTION 2703 – GENERAL REQUIREMENTS** is amended as follows:

1. Section 2703.10.3.7 "Parking and garaging" is added as follows:

2703.10.3.7 Parking and garaging. Vehicles containing hazardous materials in amounts that require placarding under state or federal law and possessing the physical hazards listed in Section 2701.2.2 shall not be left unattended on any residential street; nor in or within 500 feet of any residential area, apartment or hotel complex, educational, hospital or care facility at any time; or at any place that would, in the opinion of the Chief, present a life or safety hazard.

M. **SECTION 3308 - FIREWORKS DISPLAY** is amended as follows:

1. Section 3308.1 "General" is amended to read as follows:

3308.1 General. Fireworks and temporary storage, use and handling of pyrotechnic special effects material used in motion pictures, television, and theatrical and group entertainment productions shall be in accordance with this chapter and local and state regulations.

2. Section 3308.2 "Permit Application" is added to read as follows:

3308.2 Permit Application. Permits are required to conduct a fireworks display as required by local and state regulations. Permit application shall be made not less than 14 days prior to the scheduled date of the display. The permit application shall include a diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of buildings, highways and other lines of communication; the lines behind which the audiences will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. At the time of permit application, the Chief shall be consulted regarding requirements for standby personnel and fire apparatus.

3. Section 3308.3 "Sales" is added to read as follows:

3308.3 Sales. Permits are required for the sale and display of "Safe and Sane" approved fireworks as permitted and regulated by Title 4 of the Rancho Cordova Municipal Code.

4. Section 3308.4 "Storage" is added to read as follows:

3308.4 Storage. Storage of fireworks is prohibited except by special permits as required by local and state regulations.

5. Section 3308.5 "Pyrotechnic special effects material" is added to read as follows:

3308.5 Pyrotechnic special effects material. A permit is required to manufacture, compound, store or use pyrotechnic special effects material as required by local and state regulations. A permit for use shall be granted only to a licensed pyrotechnic operator.

6. Section 3308.6 "General" is added to read as follows:

3308.6 General. Storage, use and handling of fireworks shall be in accordance with local and state regulations.

7. Section 3308.7 "Seizure" is added to read as follows:

3308.7 Seizure. The Chief is authorized to seize, take, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of local, state, or federal regulations.

8. Section 3308.8 "General" is added to read as follows:

3308.8 General. Fireworks displays shall be in accordance with local and state regulations.

9. Section 3308.9 "General" is amended as follows:

3308.9 General. Temporary storage, use and handling of pyrotechnic special effects material used in motion picture, television, theatrical and group entertainment productions shall be in accordance with local and state regulations. Permanent storage of pyrotechnical special effects materials shall be in accordance with Section 3308.

N. **SECTION 3404 - STORAGE** is amended as follows:

1. Subsection 3404.2.14.1 "Removal" is amended by adding subsection 7 to read as follows:

7. Unless permitted by the Chief, tank(s) shall not be disassembled by any removal method at the site.

2. Section 3404.2.9.1.1 "Required Foam Fire Protection Systems" is amended to read as follows:

3404.2.9.1.1 Required foam fire protection systems. Foam fire protection shall be provided for above ground tanks, other than pressure tanks operating at or above 1 psig (6.89 kPa), when such tank, or group of tanks spaced less than 50 feet (15,240mm) apart measured shell to shell, has a liquid surface area in excess of 1,500 square feet (139.4 m²), and is:

1. Used for the storage of Class I or II Liquids,
2. Used for storage of crude oil,
3. Used for in-process products and is located within 100 feet (30,480 mm) of a fired still, heater, related fractioning or processing apparatus or similar device at a processing plant or petroleum refinery as herein defined, or
4. Considered by the Chief as presenting an unusual exposure hazard because of topographical conditions; nature of occupancy, proximity on the same or adjoining property, and height and character of liquids to be stored; and degree of private fire protection to be provided and facilities of the fire department to cope with flammable liquid fires.

O. **SECTION 3806 - DISPENSING AND OVERFILLING** is amended as follows:

Section 3806.4 "Tank Vehicle, Tank Car, and Pipelines" is added as follows:

3806.4 Tank Vehicle, Tank Car, and Pipelines. A qualified attendant shall be present at all times while a tank vehicle or tank car is discharging cargo. Whenever practicable, the tank vehicle or tank car shall be positioned so that the operating controls and the discharging end of the hose or hoses are both in view of the attendant.

P. **Appendix B** is amended as follows:

1. Subsection B105.2, "Buildings other than one- and two-family dwellings is amended to read as follows:

B105.2 Buildings other than One- and Two-Family Dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

EXCEPTION:

1. A reduction in required fire flow of up to 50 percent, as approved by the Chief, is allowed when the building is provided with an automatic sprinkler system approved pursuant to the adopted NFPA Standards. The resulting fire flow shall not be less than 1500 gallons per minute (5677.5 L/min.). Reduction of fire flow does not apply to number of fire hydrants required or duration of fire flow required.
2. A reduction in required fire flow of up to 75 percent, as approved by the Chief, for warehouse buildings of Type I, Type II, and Type III-N construction and provided with early suppression fast response fire sprinkler systems. Reduction of fire flow does not apply to number of fire hydrants required or duration of fire flow required.

Q. **Appendix C** is amended as follows:

1. **SECTION C104 - CONSIDERATION OF EXISTING FIRE HYDRANTS** is amended to read as follows:

C104.1 Existing fire hydrants on public streets are allowed to be considered as available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstructions of such roads.

C104.2 Existing single outlet 2 1/2 inch hydrants shall be changed to an approved steamer style hydrant, when a tentative subdivision or parcel map, merge of lots, change of use or change in intensity of use of an existing building, expansion of an existing structure, or construction increases the required fire flow.

C104.3 Where water main improvements are required to meet GPM flow and the existing water main has a single 2 1/2 inch outlet fire hydrant, an upgrade of hydrants will be required.

C104.4 Existing hydrants affected by right of way improvements shall be moved to an approved location at no cost to the fire authority.

2. **TABLE NO. C105.1, NUMBER AND DISTRIBUTION OF FIRE HYDRANTS** is amended to read as follows:

**TABLE NO. C105.1
NUMBER AND DISTRIBUTION OF FIRE HYDRANTS**

FIRE FLOW REQUIREMENT (gpm)	MINIMUM NO. OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS^{1,3,& 4} (Ft.)	MAXIMUM DISTANCE FROM HYDRANT TO ANY POINT ON STREET OR ROADWAY FRONTAGE³ (Ft.)
1750 or less	1	300	150
2000-2250	2	300	150
2500	3	300	150
3000	3	300	150
3500-4000	4	300	150
4500-5000	5	300	150
5500	6	300	150
6000	6	250	150
6500-7000	7	250	150
7500 or more	8 or more ²	200	120

¹Reduce by 150 feet for dead-end streets or roadways.

²One Hydrant for each 1000 gpm or fraction thereof.

³Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants should be provided at not less than 1000 foot (305 m) spacing to provide for transportation hazards. In addition, there shall be at least one hydrant at each intersection.

⁴Average spacing between hydrants may be extended to 500 feet on streets serving one and two family dwellings.

3. **SECTION C106, HYDRANT TYPE** is added to read as follows:

The Chief shall approve the type of fire hydrants to be installed in public right of way or on private property prior to any such installation.

4. **SECTION C107, HYDRANTS - BOTH SIDES OF A STREET** is added to read as follows:

Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:

1. Streets have median center dividers that make access to hydrants difficult, cause time delay, or create undue hazard or both.

2. When there are four or more lanes of traffic.

3. Width of street in excess of 88 feet.

4. The existing street being widened or having a raised median center divider in the future pursuant to the General Plan Roadway Improvement Plans for the County of Sacramento.

R. Appendix I, NATIONALLY RECOGNIZED STANDARDS OF GOOD PRACTICE is added to read as follows:

NATIONAL FIRE PROTECTION ASSOCIATION
Batterymarch Park, Quincy, MA 02269

All NFPA Standards shall be adopted except:

11C	13E	13R	297	473	550	902	1001	1002	1003	1021	1031
1033	1035	1041	1201	1221	1402	1404	1405	1410	1500	1561	1581
1901	1911	1914	1931	1932	1971	1975	1981	1982	1983	1999	1710
1720											

17.04.090 High Explosives.

In accordance with the provisions of Division 11, EXPLOSIVES, Part 1, HIGH EXPLOSIVES, of the California Health and Safety Code (Sections 12000, 12401), the Chief of Police shall have the primary responsibility for the enforcement of the provisions therein. Wherever there appears in the Fire Code any rule, regulation or provision that is in conflict with the Health and Safety Code, the Health and Safety Code such control.

17.04.100 Public Safety 800mhz Radio Building Amplification System.

All buildings or portions of building hereafter constructed shall provide for adequate emergency personnel radio communications by complying with the Public Safety 800 Mhz Radio Building Amplification System Installation and Testing Standard.

Exemption. This section shall not apply to buildings less than 5000 square feet or any R-3 occupancy.

17.04.110 Flammable and Combustible Liquids and Liquefied Petroleum Gases.

A. Applications for permits for the installation or modification of above ground tanks for the storage of flammable and combustible liquids shall be made to the Rancho Cordova Building Department, and the Sacramento Metropolitan Fire District. Files, records, and copies of all permits shall be kept in the Rancho Cordova Building Department and will be available on request. The Rancho Cordova Building Department shall instruct the applicant as to the necessity of also obtaining concurrent approval from the Sacramento Metropolitan Fire District for issuance of a permit.

B. In addition to any other applicable requirements, the installation or modification of underground tanks for the storage of hazardous materials, including flammable and combustible liquids, shall require valid permits from the Environmental Health Branch of Sacramento County and the Sacramento Metropolitan Fire District.

C. Applications for permits for the installation or modification of liquefied petroleum gases shall be made to the Rancho Cordova Building Department and the Sacramento Metropolitan Fire District, whose decisions shall be final.

17.04.120 Structural Fires.

The Chief shall notify all occupants or owners of structures, which have suffered damage by fire, that such structures or buildings must be inspected before any repairs thereto are made. A permit covering the structural, electrical and plumbing repairs shall be obtained from the Rancho Cordova Building Department. The Chief shall report all such structural fires to the Rancho Cordova Building Department on a form prescribed by the Building Department within twenty-four hours after the occurrence of such fire.

SECTION 2. Severability

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

SECTION 3. Effective Date and Publication

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

PASSED AND ADOPTED this _____ day of _____, 2007, by the following
vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

MEMORANDUM

DATE: December 3, 2007
TO: Honorable Mayor and Council Members
FROM: William Campbell, Principal Planner
SUBJECT: MILLS SHOPPING CENTER PAD E – NON-CONFORMING USE PERMIT, DESIGN REVIEW AND CONDITIONAL USE PERMIT

**OWNER:**

Lakha Investments – Sacramento, LLC
Premier Centers Management
D. Spector
500 108th Avenue NE, #2050
Bellevue, WA 98004

APPLICANT:

Rauschenbach, Marvelli, and Becker Architects
Mark Marvelli
2277 Watt Avenue, 2nd Floor
Sacramento, CA 95825

PROJECT: Mills Shopping Center Pad E - Non-conforming Use Permit, Design Review and Conditional Use Permit
FILE: RC-07-313
LOCATION: 10359 Folsom Blvd
APN: 076-0222-026
PLANNER: William Campbell, Principal Planner

RECOMMENDATION

The Planning Commission recommends the City Council find the project Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act and adopt Resolution No. 133-2007 approving the Non-Conforming Use Permit, the Design Review and the Conditional Use Permit for Project No. RC-07-313, subject to the findings, evidence, attached Design Package (Exhibit A) and the Conditions of Approval (Exhibit B).

RESULT OF RECOMMENDED ACTION

The approval of a Non-conforming Use Permit (NUP) to expand the commercial use in the Medium Density Residential Zone of the Folsom Boulevard Specific Plan (FBSP), the Design Review for the renovation and addition to Pad E of the Mills Shopping Center, and a Conditional Use Permit to allow a drive-up window for the new use will improve the commercial viability of the Mills Shopping Center. Pad E is one of the last buildings in the center to be renovated and its completion will complement the Folsom Blvd corridor.

The Mills Shopping Center consists of multiple subdivided lots with the main building spanning east to west and seven individual retail building pads facing the Folsom Boulevard right of way. Pad E is the last pad of the center to be remodeled. The pad is currently occupied by See's Candies in approximately 5,529 sf and the owner wishes to add approximately 1,600 sf to the rear of the building for a total floor area of 7,129 sf (see Figure 2). The building designs will complement the main shopping center, while including features that attempt to make each pad unique, such as public art, light fixtures, benches, trellises, and trash receptacles. Lastly, the Planning Commission has reviewed and recently recommended approval of the Design Review for the adjacent Pads A and B to the City Council, as the renovation of the shopping center progresses.



Pad E is proposed to contain a drive-up service window for the new tenant. The drive-thru stack lane and service window will be located on the north side of the building, away from Folsom Boulevard. A building entry and a pedestrian plaza will face Folsom Boulevard to create a more urban and pedestrian-friendly feel at the site as promoted in the Folsom Boulevard Specific Plan. The front plaza will feature a pedestrian portal/gateway, bike parking facilities and outdoor seating. These features will create the focal point for people on Folsom Blvd to enter the new building.

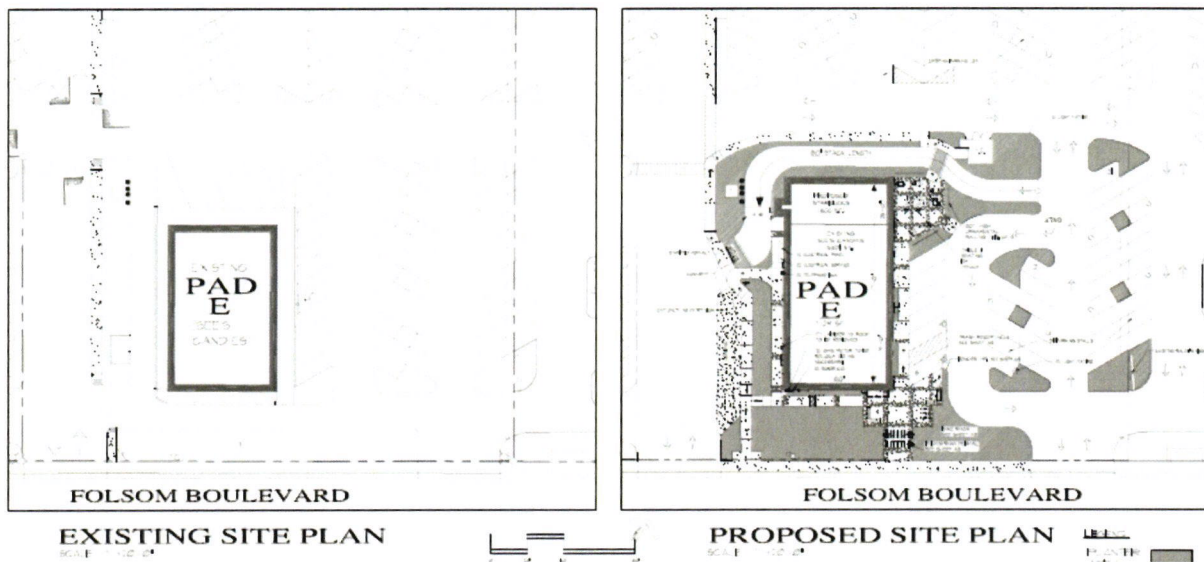
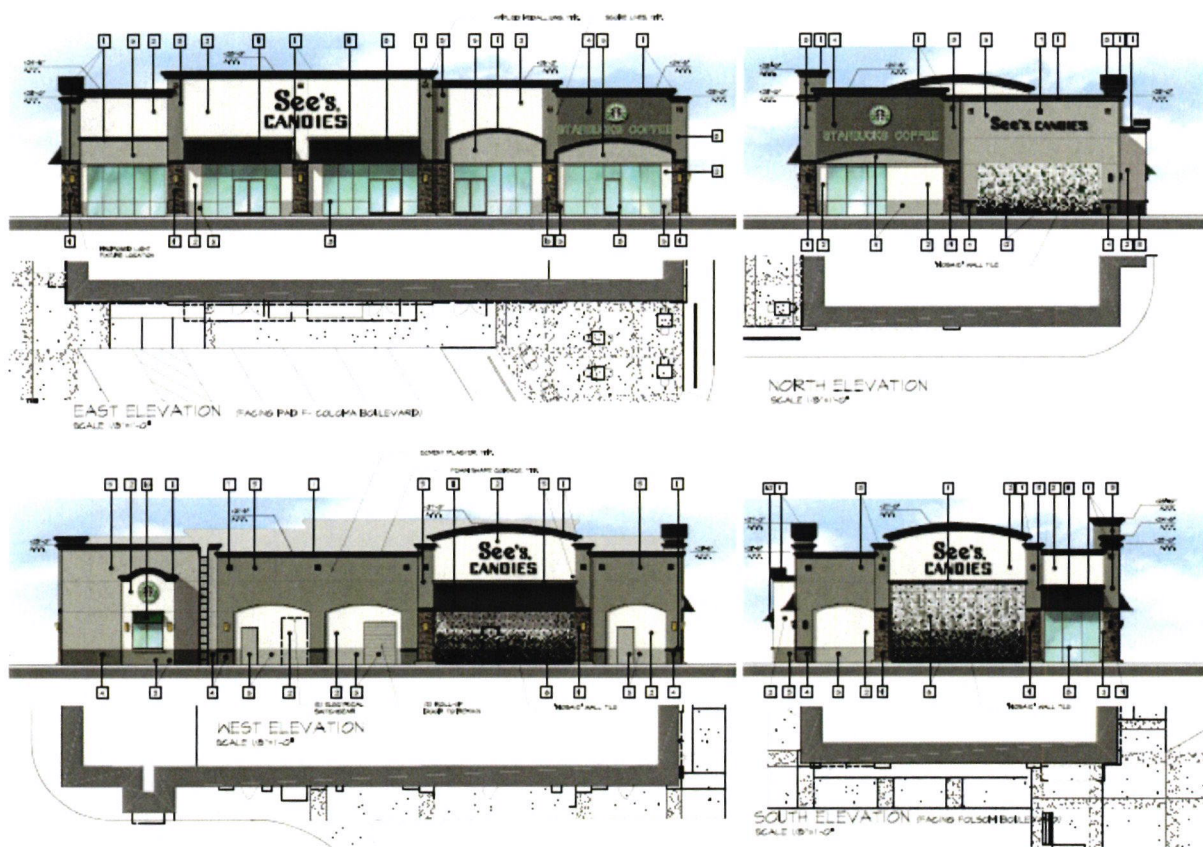


Figure 2. Existing and Proposed Site Plan



PAD E BUILDING

MILLS SHOPPING CENTER ■ RANCHO CORDOVA, CALIFORNIA

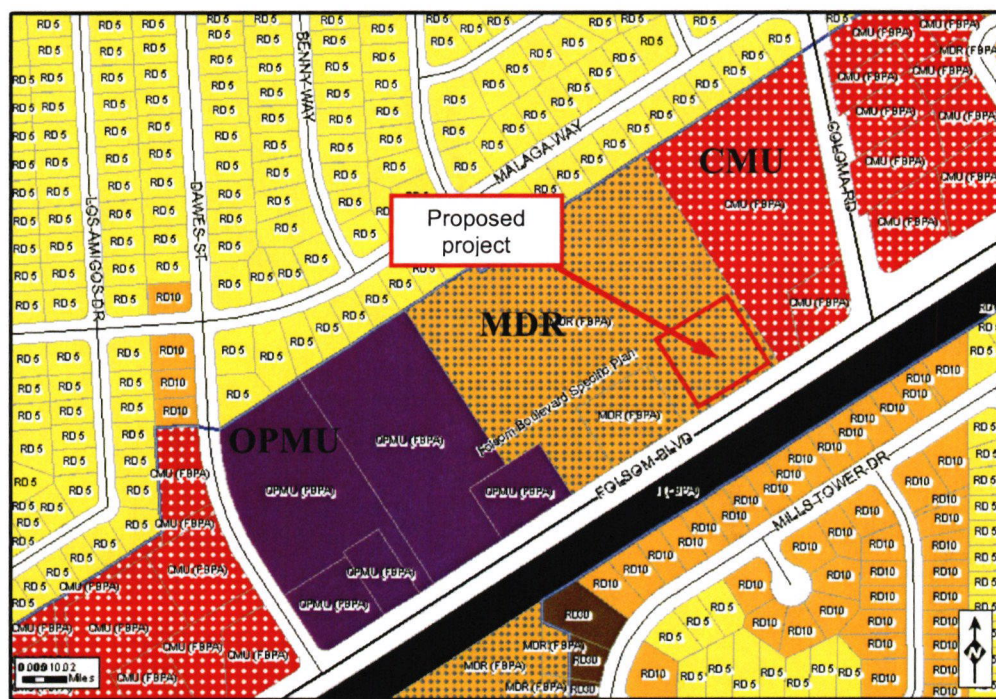
Figure 3. Pad E Building Elevations

The building (front) for See's will face Folsom Blvd and the eastern side of the building, towards the parking field. The architect was challenged to develop a new color scheme that respected the black and white color scheme of See's, while developing Pad E's identity from the other free standing pads along Folsom Blvd. The architect was successful in developing a black, gray and off-white scheme that See's could accept, allowing the new tenant to develop its own identity (see Figure 3). The design includes three mosaic murals that transition the black base tile, through the gray tone to the white tile at the top. These murals complement the use of the black, gray and off-white stucco colors used to break up the mass of the building.

The project includes new landscaping in the form of trees, shrubs, and ground cover within and around the parking lot area. Trellises with trumpet vines will accent blank areas on side and rear building facades. The drive aisle between the building and the street will be eliminated and replaced by landscaping along the street-side of the building, including accent trees, shrubs, flowering plants, and a plaza with benches, bicycle parking, a gateway, and public art. New pedestrian pathways linking the project site with Folsom Boulevard, with the adjacent building on Pad A, and with the main shopping center building are also proposed.

Specific Plan Consistency - Non-Conforming Use

The ultimate goal of the FBSP for this parcel and the others in the shopping center is to transition the commercial character of this "Strip Center" into an integrated mix of commercial, residential and office uses. The transition may take a number of years; however, the FBSP allows for certain modification and improvements to non-conforming buildings and uses in the short term. This project will need City approval of a Non-conforming Use Permit (NUP) for the remodel to occur, if not approved, the remodel would be limited to the See's store only. The proposed project pays attention to the existing form, massing, and articulation of the buildings within Mills Shopping Center and incrementally improves the quality of the shopping center; however, it is not consistent with the long term objectives to promote residential uses in the mixed use zone.



Zoning Consistency

A. Parking

The proposed project includes improvements to the parking lot adjacent to the renovated building. As part of a shopping center, the building will house general retail uses. Parking standards for mixed-use districts (section 240-11.4) and for the proposed project are shown in Table 1. No significant changes in the configuration of the parking lot to the east of the building are proposed and the provided parking inventory will continue to reflect commercial standards in place when the building was originally constructed.

	Retail/Service Parking Standard	Mills Pad E Existing	Mills Pad E Required/Provided
Vehicle			
Minimum	3.7 per 1000 sf	21	25/42
Bicycle			
Minimum	.3 per 1000 sf	N/A	2/3

Table 1. Parking Standards for Mills Pad E

Parking lots with 25-49 spaces shall include shade trees placed so as to cover a minimum of forty percent (40%) of the total parking area with tree canopies within fifteen years (section 330-94). The preliminary landscape plan for the proposed project states that fifty percent (50%) of the parking area will be shaded.

B. Trash Enclosures

The trash enclosure for the proposed project meets trash enclosure standards specified in Zoning Code section 315-50.

C. Signs

Sign permits must be obtained for any signs attached to the building. The location of signs attached to the building shall conform to the location shown on the approved elevations.

D. Drive-up Window Development Standards

Drive-up service uses require Conditional Use Permits in OPMU and CMU zones (section 240-11.3 Table VI). The drive-up window proposed for Mills Shopping Pad E satisfies the minimum design requirements for drive-up windows (section 315-22).

Planning Commission Discussion

The existing tenant has provided information to the Planning Commission contending a perceived safety issue with the proposed drive thru lane for Starbuck's, as presented in the staff report. See's has the right to express their concerns and staff anticipates that the Commission will hear from them during the public hearing. However, staff is compelled to address a couple of points raised by See's in an effort to clarify and provide some analysis of their alternatives.

The diagram on the next page (Figure 5) indicates the permitted turning movement for this portion of the Mills Shopping Center. Traffic flow from Folsom Blvd can only make right turns in and out at the eastern drive, wherein the western driveway permits right and left ingress and egress movement. Discussion with the in house traffic engineers indicated that this driveway

180' STACK LENGTH

PROPOSED STARBUCKS (800 S.F.)

EXISTING TREES & CANDIES (3324 S.F.)

(1) ELECTRICAL PANEL
(2) ELECTRICAL SERVICE
(3) TELEPHONE BOX

PAD E
7,129 S.F.

(4) LADDER TO ROOF TO BE REMOVED
(5) 6'x6' METER TO BE RELOCATED AS NECESSARY
(6) SLOPE 6:0

14'-0"

11'-9"

60'

14'-0"

23'-0"

EXISTING PARKING LOT

EXISTING LIGHT FIXTURE

21'

ATNO

TABLE & SEATING BY TENANT

TRASH RECEPTACLE SEE SHEET AS

BENCHES TYP. SEE SHEET AS

24' PARKING STALLS

EXISTING PALEY'S SIGN

EXISTING LIGHT FIXTURE

BIKE RACK SEE SHEET AS

PEDESTRIAN PORTAL SEE SHEET AS

STAMPED ASPHALT

CONCRETE

EXIT ONLY - NO ENTRY SIGN

FOLSOM BOULEVARD

North

See's has offered information in support of their congestion argument regarding a Starbucks operation in San Jose; however this material is not germane to Rancho Cordova. Staff believes it is an unfair comparison and out of context with the case in point. Our car stacking requirement is more restrictive than most jurisdictions and may be more restrictive than San Jose's. We have other drive thru operations in town that function in a similar condition and do not pose significant congestion to internal or external circulation. Our code also recognizes the need for a Use Permit, which gives the City an opportunity to re-examine the operations of a business and amend the conditions of a Use Permit, if the operation is creating a problem or

revoke the Use Permit if the problems with the operation can not be mitigated. Staff believes the existing site plan is acceptable and meets the intent of our Code.

CONCLUSION

The proposed elevation changes are well designed and will continue a much needed upgrade to the existing Mills Shopping Center. The design proposal includes a variety of architectural features, materials, colors, enhancement of the landscape and pedestrian amenities in the parking field, variations in the roof line and articulations to the façade in order to meet the intent of the City's Design Guidelines for commercial development. The proposed drive-up service window is located such that it will not interfere with circulation on adjacent public streets or in the parking lot serving the facility. Therefore, the Planning Commission is recommending approval to the City Council, based on the findings and evidence presented in the resolution.

FINANCIAL IMPLICATIONS TO CITY

There are no significant cost implications to the City for this development. The improvement of Mills Shopping Center will result in a newly attractive shopping area that will encourage people to stay and shop in Rancho Cordova and has the potential to increase sales tax revenues for the City.

ATTACHMENTS

1. Resolution 133-2007 including the Design Package (Exhibit A) consisting of building elevations, site plans, landscape plans and color elevations and the Conditions of Approval (Exhibit B)
2. Minutes of Meeting of the Planning Commission October 25, 2007
3. See's Candies Letter dated October 22, 2007
4. 500' Radius Map and Mailing List

CITY OF RANCHO CORDOVA

RESOLUTION NO. 133-2007

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING NON-CONFORMING USE PERMIT, DESIGN REVIEW AND
CONDITIONAL USE PERMIT FOR MILLS SHOPPING CENTER PAD E
PROJECT # RC-07-313**

WHEREAS, Rauschenbach, Marvelli, and Becker Architects (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Non-conforming Use Permit, Design Review and Conditional Use Permit for the remodel of a commercial building at 10359 Folsom Boulevard (Assessor's Parcel Number 076-0222-026); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, the project is Categorically Exempt from review under Section 15301, Existing Facilities, of the California Environmental Quality Act; and

WHEREAS, the City Council of the City of Rancho Cordova has conducted a properly noticed public hearing pursuant to Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AS FOLLOWS:

1. *That the project site was adequately analyzed according to the California Environmental Quality Act Guidelines.* Evidence: The project is categorically exempt under Section 15301 of the California Environmental Quality Act Guidelines. The proposed project is a remodel of an existing building, which involves no expansion of existing use.
2. The City will need to consider and determine if sufficient evidence is provided to support a Non-conforming Use Permit. The following information is provided to support the NUP:
 - a) *The establishment, maintenance or operation of the use expansion applied for will not, under the circumstances of the particular case be detrimental to the health, safety, peace, moral, comfort or general welfare of persons residing or working in the neighborhood.* Evidence: The proposed project is located within the Mills Shopping Center, which includes parcels within Medium Density Residential (MDR) and Commercial Mixed Use (CMU) zones in the Office Professional Mixed Use (OPMU) zone. The area behind the shopping center to the north is a single family residential neighborhood. Within the FBSP, Integrated Developments are recognized as projects that might consist of one or more mixed use zones, such as this case, and therefore uses are not restricted to the boundaries of their respective zones. In this case, the proposed project would be consistent within the CMU Zone, immediately east of the project. The use will not be detrimental to the area, since existing uses in the area are similar.
 - b) *The benefit to the public health, safety or welfare exceeds the detrimental inherent in the expansion of nonconformity.* Evidence: The remodel and additional building area will up-grade an existing use compatible with the newly renovated center design

and the new use will generate additional patronage to the center. The existing free standing pad would not be a suitable area for the introduction of residential, due to its close proximity to noise and traffic from Folsom Blvd.

- c) *The modified or expanded nonconforming structure or use would not be incompatible with reasonably foreseeable uses as allowed under the applicable zoning regulations.* Evidence: The shopping center has recently undergone a significant reface that would add approximately 10 years of commercial life to the center. At that time, the economics may allow portions of the center to be converted to accommodate residential/office/ commercial mixed use.
- d) *The modified or expanded nonconforming structure or use would be consistent with the General Plan.* Evidence: The General Plan and FBSP are internally consistent; therefore the phased transition from pure commercial to mixed residential use is allowed. The NUP is the mechanism available for existing commercial to remain operational, until such time the market conditions are right to convert to mixed residential and commercial uses.

3. The following Folsom Blvd Specific Plan goals are satisfied by the proposed project:

Land Use Goal LU.5 – Redevelop and regenerate existing areas of the City.

Analysis – The proposed project implements Action LU.5.1.1 by upgrading, beautifying and revitalizing an existing shopping center.

Urban Design Goal UD.4 – Ensure that projects are designed in keeping with the context of surrounding areas and overall community.

Analysis – The proposed project implements Action UD.4.4.2 by coordinating development activities over multiple sites to help create an integrated project with common design features. Figure 4 shows the design for improvements currently underway on the main shopping center.

Economic Development Goal ED.6 – Revitalize existing businesses and strengthen the commercial viability of new business along Folsom Boulevard.

Analysis – The proposed project implements Actions ED.6.1.1 and ED.6.1.2 because it is consistent with the FBSP (see below) and it will improve the viability, appearance, cleanliness, and accessibility of a commercial area along Folsom Boulevard.

Pedestrian, Transit & Bicycle Environment

- Improve the quality of the pedestrian and bicycle environment by providing wide sidewalks and planter strips along Folsom Boulevard and major intersecting streets.
- New developments should provide ground floor uses that are appealing to pedestrians through well-designed visibility and access.
- Provide streetscape or pedestrian amenities that contribute to the area's streetscape environment such as trees, bulb-outs, street furnishings, landscape elements, and public art.

Analysis – The proposed project includes a transparent storefront facing the street and internal walkways that define the pedestrian realm within the shopping center, improving visibility and access. The proposed plaza with public art, a pedestrian gateway, benches,

and landscaping and the addition of many shade trees will contribute to the area's streetscape environment.

Building Orientation & Placement

- Orient new development—including retail, office, and housing—toward streets, especially Folsom Boulevard and major cross streets.
- Guideline: storefronts should have a presence on the street and not be walled-off or oriented inward.

Analysis – The façade facing Folsom Boulevard has elements that will help in the future to orient the building towards the street. Large window areas will face Folsom Blvd, but at this time the current tenant will not be using this area for entry into the shop. See's will not be changing the internal floor plan. The window design will allow for a new entry for a future tenant. The same framing elements used on the front façade are used on the eastern elevation, adjacent to the parking lot. An entry trellis and small plaza will attract the pedestrian from Folsom Blvd into the stores and plazas and the decorative mosaics will further enhance the unique image of the building.

Building Setbacks & Frontage

- New retail and office buildings should have minimal setbacks from the street to improve the quality of the pedestrian environment.

Analysis – The existing building is set back approximately 35 feet from the right of way. The remodel will provide a landscaped plaza and a pedestrian gateway that will connect the site to the public sidewalk. The building addition and drive through lane are located to the rear of the existing building.

Parking Placement, Access & Design

- Locate parking away from street faces—i.e., towards the center of the block—behind, beside or under buildings, where possible.
- If parking must be located between the street and the building, screen the lot with structure and/or landscaping that includes pedestrian-oriented elements to separate the parking from the street.
- Development standards and guidelines: consolidate parking lots and reduce curb cuts to parking lots, require parking lot perimeter landscaping and screening, and require interior parking lot landscaping.

Analysis – The proposed project meets this guideline by placing vehicle parking to the side of the structure. The parking lot will be reconfigured to add landscape islands and plant various shrubs, flowers, and trees to provide shade and screening. The proposed drive through lane has been internalized within the parking field, does not wrap around the current building and has no exposure or frontage to Folsom Blvd.

4. Approve the Design Review, subject to the Design Package (**see Exhibit A**) and the Conditions of Approval (**see Exhibit B**); supported by the following:

- a) *The proposed project is consistent with the objectives of the General Plan and Community Plan, complies with applicable Zoning regulations, Specific Plan provisions, Special Planning Area provisions, and is consistent with the applicable "Guiding Principals" and "Design Concepts" in section 110-84. Evidence: The proposed project is consistent with the objectives of the General Plan and the Folsom Boulevard Specific Plan, as described in the previous sections of this report. The project will comply with*

all applicable Zoning regulations for commercial uses on Use parcels. The proposed use is permitted as part of the Mills Shopping Center integrated development and the proposed structure complies with the development regulations in Zoning Code sections 240-06.3 and 240-07.3. In addition, the trash enclosure meets the requirements in Zoning Code section 315-50.

The applicable "Guiding Principals" and "Design Concepts" in section 110-84 are further defined by the City of Rancho Cordova Design Guidelines and are satisfied by this project as described by the facts and findings discussed below.

- b) *The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.* Evidence: The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community. The quality of site planning is restricted because it is part of an existing, auto-oriented shopping center. The site planning for the original shopping center does not address the street and little can be accomplished through the renovation of this single building on Pad E. The proposed project mitigates these constraints through use of high-quality materials, screening of infrastructure facilities, and substantial improvements to the landscape design on the site.
 - c) *The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties.* Evidence: The character, scale, and quality of design for the proposed retail building are similar to that of nearby commercial buildings. Design review for other portions of Mills Shopping Center was completed under previous zoning regulations and the proposed project is designed to fit in with the previously approved improvements. The architecture complements the main shopping center building, currently under renovation.
 - d) *The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.* Evidence: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation. The project will actually remove conflicts by removing the drive aisle in front of Pad E, adding painted pedestrian pathways connecting to the adjacent commercial buildings, and adding a direct pedestrian connection between the public sidewalk and the building entry that passes through a plaza and a pedestrian portal element.
- 5 A use permit for drive-up windows shall not be approved unless the appropriate authority finds that:
- a) *The design and location of the facility and lane will not contribute to increased congestion on public or private streets adjacent to the subject property.* Evidence: The proposed project will not contribute to increased congestion on public or private streets adjacent to the subject property.
 - b) *The design and location of the facility and lane will not impede access to or exit from the parking lot serving the facility, nor impair normal circulation within the parking lot.* Evidence: The entrance to and the exit from the drive-up lane is located behind the building and will not impair circulation within the parking lot. The drive lane will not congest the parking field and is located to the rear of the existing structure.

ATTACHMENT 1

PASSED AND ADOPTED by the City Council of Rancho Cordova on the 3rd day of December, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

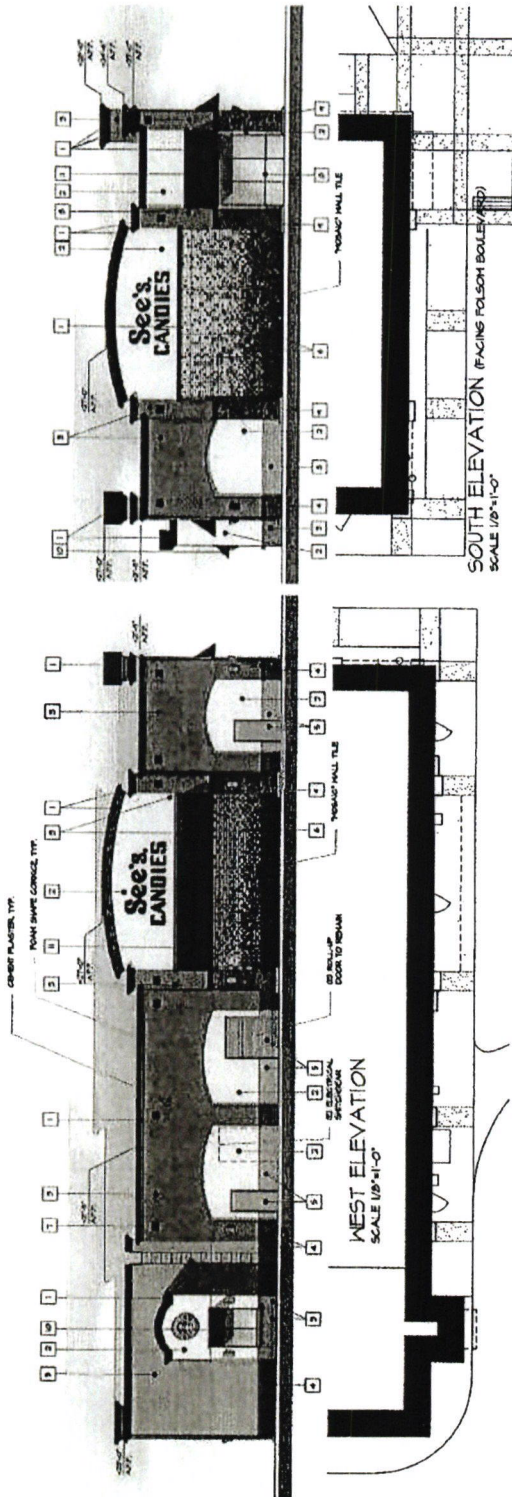
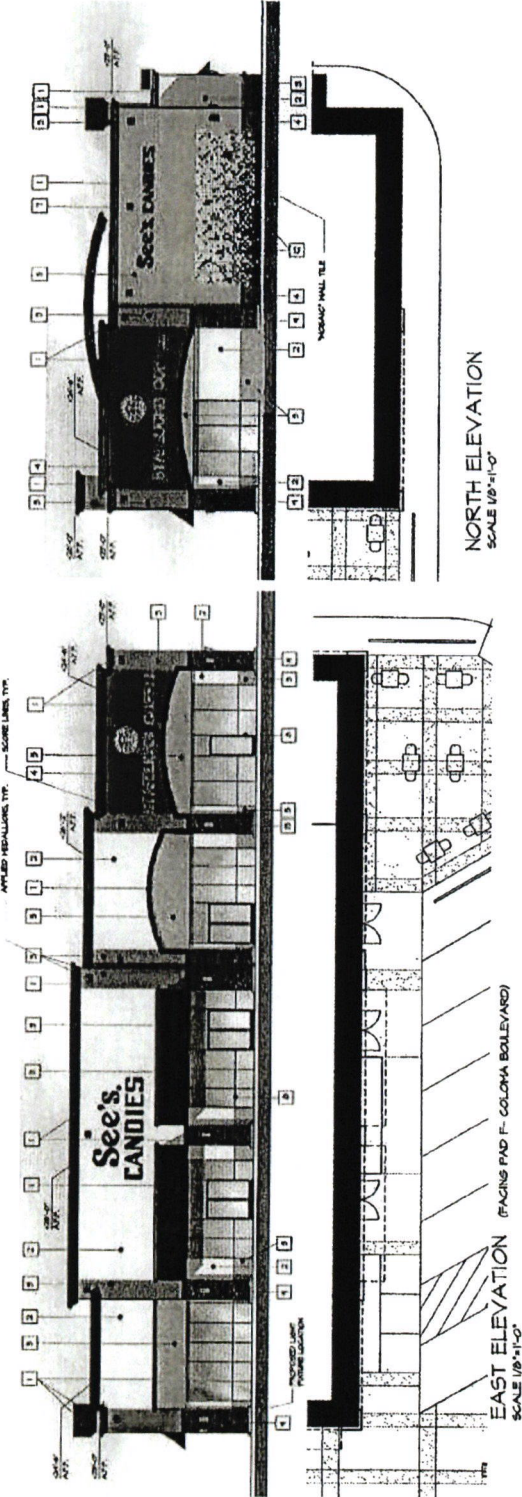
ATTEST:

Anna Olea-Moger, CMC, City Clerk

MATERIALS/COLOR SCHEDULE

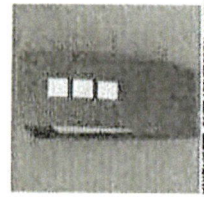
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NOTES:
1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.



PADE BUILDING

MILLS SHOPPING CENTER ■ RANCHO CORDOVA, CALIFORNIA

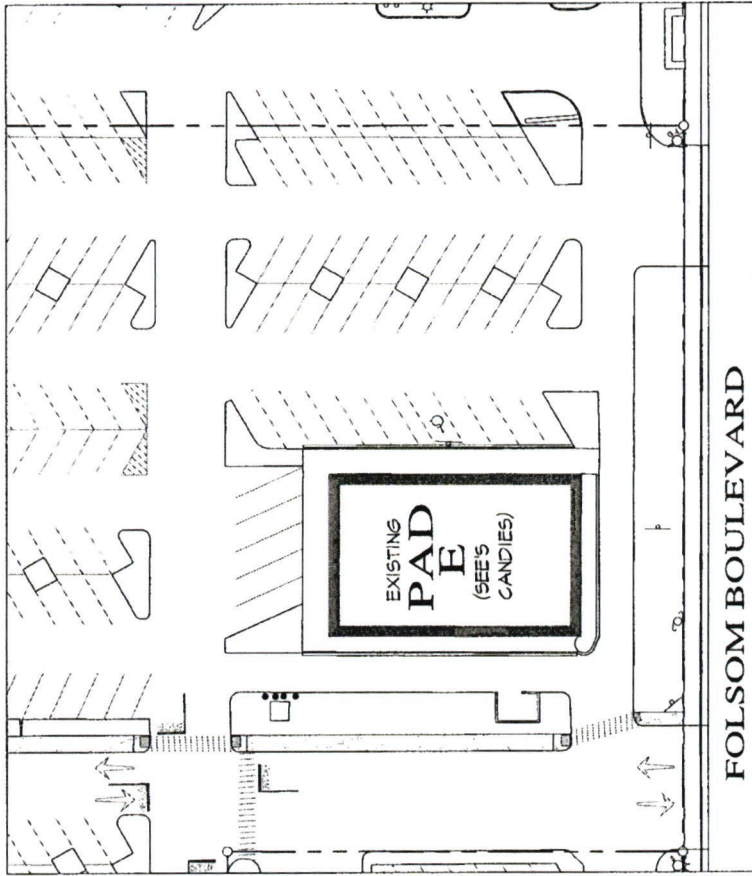


PRELIMINARY ELEVATIONS

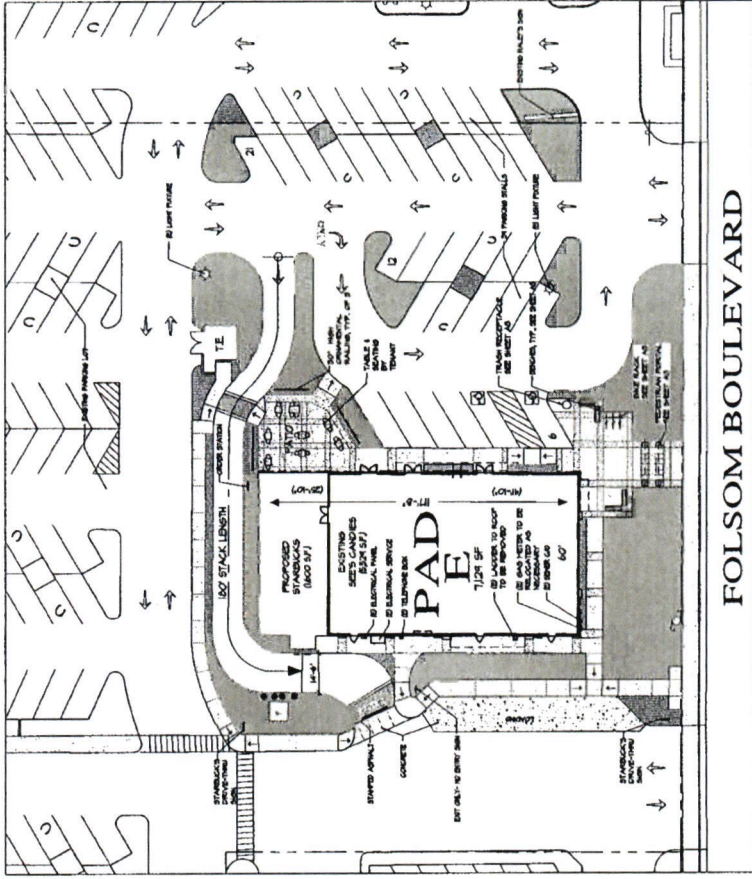
Job Number: 000000
Date: 09/00/00
Drawn: JES
Revised: 000000

Rauschenbach
Marrelli
Becker

2277 Watt Ave - Second Floor - Sacramento, CA 95825
916/488-8500 FAX/916/488-8556

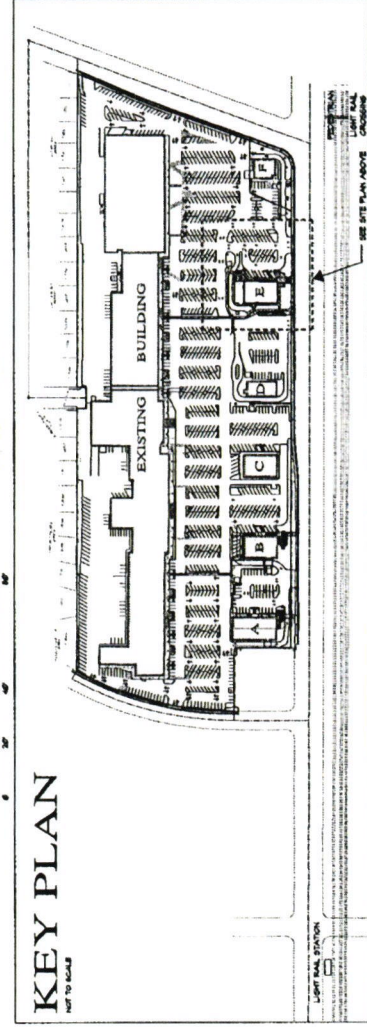


EXISTING SITE PLAN
SCALE 1" = 20'-0"



PROPOSED SITE PLAN
SCALE 1" = 20'-0"

KEY PLAN
NOT TO SCALE



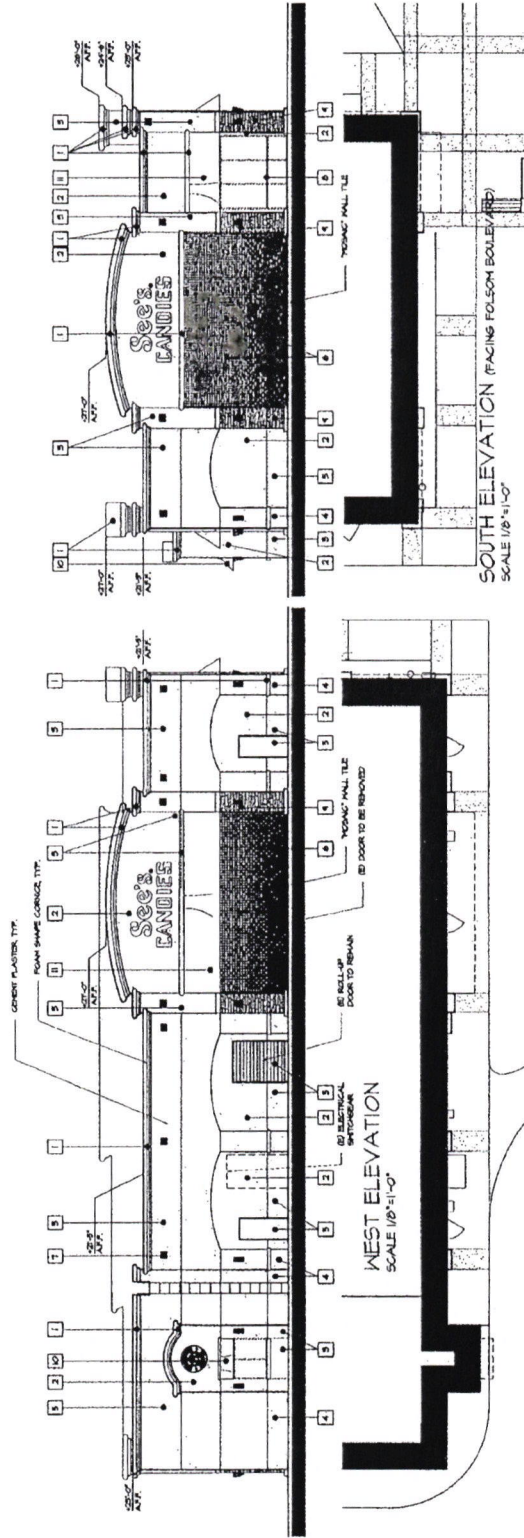
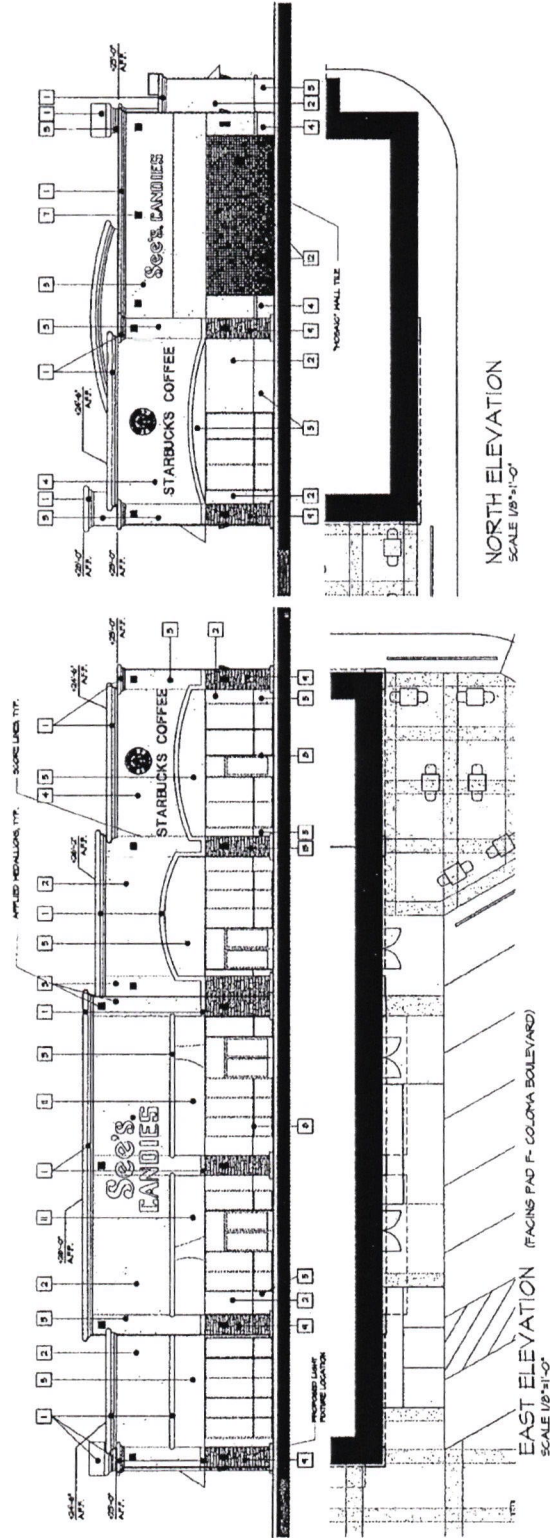
PAD E BUILDING

MILLS SHOPPING CENTER ■ RANCHO CORDOVA, CALIFORNIA

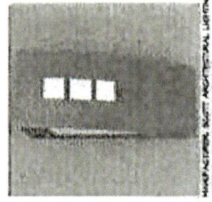
Job Number	2271	Sheet	A1
Date	08/04/00	Drawn	of
Revised		Revised	
Rauschenbach Marvelli Becker			
2271 Watt Ave - Second Floor - Sacramento, CA 95825 916/448-8500 FAX 916/448-8566			

MATERIALS/COLOR SCHEDULE	
1	GENERT PLASTER PAIN-PAINTED CORNICE
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*NOTE: ARCHITECT AND OWNER TO REVIEW AND APPROVE A SITE TEST AREA OF ONE SQUARE FOOT HEREIN PRIOR TO COMMENCEMENT OF PAINT APPLICATION.



PAD E BUILDING
MILLS SHOPPING CENTER ■ RANCHO CORDOVA, CALIFORNIA



PRELIMINARY
Building Lighting

PRELIMINARY ELEVATIONS

Job Number _____ Sheet
Date _____ Drawn _____
Revised _____ of

Rauscherbach
Marrelli
Becker
277 Watt Ave. Second Floor - Sacramento, CA 95825
916/488-5500 FAX/916/488-6568

EXHIBIT A

FAX (918) 488-8582

Conditions of Approval

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date & Signature)</u>
1.	The project shall be constructed in substantial compliance with the approved Design Review plans and elevations (Exhibit A) for remodel of Pad E Mills Shopping Center, including a drive-up teller component. APN: 076-0222-026	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	
	Prior to Issuance of Grading/Improvement Permits or Construction			
3.	Plans shall be submitted showing hydrant locations for review and approval prior to construction. Fire hydrant and fire department notes shall be shown on the site plans or improvement drawings.	Prior to improvement plan approval	Metro Fire District	
4.	Existing on-site trees shall be protected and preserved to the maximum extent feasible. Prior to the removal of any tree, the applicant shall submit to the City a Tree Removal Plan identifying each tree to be removed and the species, size, location, and relative health of each tree. Removal of trees on the project site shall be conducted pursuant to the City of Rancho Cordova Tree Preservation Ordinance. Removal of trees shall not occur until the Planning Department approves the Tree Removal Plan.	Prior to improvement plan approval	Planning	
5.	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 approval	Public Works	

EXHIBIT B

Conditions of Approval

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date & Signature)</u>
6.	Install any public improvements to the satisfaction of the Public Works Department.	Prior to improvement plan approval	Public Works	
7.	As-Built reproducible grading and improvement plans, as well as a compact disc containing said plans in AutoCAD and portable document format, shall be submitted and approved by the Public Works Department.	Prior to improvement plan approval	Public Works	
8.	All curbs shall be vertical in design. Rounded curbs shall be avoided whenever possible.	Prior to improvement plan approval	Public Works	
	Prior to Issuance of Building Permits			
9.	The buildings shall be reviewed for architectural consistency with the approved plans by the Planning Director.	Prior to Building Permit	Planning	
10.	The Applicant shall submit a final landscape plan for review and approval by the Planning Director. The landscape plan shall include: • Special or enhanced paving in the plaza and in the walkway surrounding the building. • Plant materials and irrigation system that meet water conservation requirements.	Prior to Building Permit	Planning	
11.	Install windows that allow views into and out of buildings with at least 80 percent light transmission on the east side.	Prior to Building Permit	Planning	
12.	On site fire protection devices, hydrants, and adequate water supply shall be installed and approved by the Metro Fire, prior to combustible materials being stored on site.	Prior to Building Permit	Metro Fire District	
13.	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 Permit	Public Works	

Conditions of Approval

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date & Signature)</u>
14.	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 the following: • Sidewalk panels along Folsom Blvd frontage with vertical offsets greater than ¼-inch shall be replaced to the nearest control joint. • Clearly delineate and provide for all transitions to existing improvements. All improvements to be designed and constructed to City standards and the satisfaction of the Public Works Department. Private improvements including, but not limited to, low walls shall not be constructed within public right-of-way.	Prior to Building Permit	Public Works	
	Prior to Occupancy Permit			
15.	An inspection of the finished building, colors, site amenities and parking lot improvements shall be conducted by the Planning Director. The trash enclosure shall be painted to match the palette of colors used for the building and all building and site improvements shall be in substantial conformance with the approved plans.	Prior to Occupancy	Planning	
16.	All landscaping shall be planted according to the approved landscape plans.	Prior to Occupancy	Planning	
17.	Bicycle racks shall be installed to the satisfaction of the Planning Director. The following guidelines shall be used: • Racks must be securely anchored. • A footprint 6 feet long by 2.5 feet wide must be provided. • There should be a minimum of 5.5 feet clear for pedestrian right-of-way outside the footprint. • Install bicycle racks at least 2.5 feet from walls and other obstructions and 4 feet from curb ramps and disabled parking.	Prior to Occupancy	Planning	

Conditions of Approval

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date & Signature)</u>
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. The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways. Traffic calming measures, speed bumps, humps, etc., shall not be installed in fire apparatus access roadways.	Prior to Final Inspection	Metro Fire District	
19.	Approved address numbers shall be placed on the 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.	Prior to Occupancy	Metro Fire District	

General Information and Compliance Items:

The following items are noted for the applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

Advisory Comments – Rancho Cordova Planning Department

1. The conditional use permit for the drive-up facility may be revoked if congestion attributable to the facility regularly occurs on public streets or within the parking lot, and the management cannot alleviate the situation.

Conditions of Approval

Advisory Comments - Metro Fire District

EXHIBIT B

1. Permits and/or fees are required for the following reviews: civil plans, architectural plans, fire sprinkler plans and fire alarm plans. Additional permits and fees may apply depending upon the scope of the project.
2. The installation of on-site or off-site fire protection equipment, including fire hydrants and water mains, shall meet the standards of the Metro Fire District and the water purveyor having jurisdiction.
3. The installation of addresses, landscaping, tree wells and/or traffic islands are subject to the standards outlined by the Metro Fire District.
4. Traffic calming measures, speed bumps, humps, etc. shall not be installed in fire apparatus access roadways.

Advisory Comments – Rancho Cordova Police Department

1. Overall Site Comments and Conditions:

- a. 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.
- b. A pay phone shall not be installed on the premises of this building pad. This does not preclude a pay phone on other pads or buildings within this shopping center.
- c. All private walking paths and sidewalks shall incorporate exposed aggregate or other rough-surface materials to discourage skateboarding on the property.

2. 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 (1) inch each side of the strike, so as to prevent violation 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. Outside hinges on all exterior doors shall be provided with nonremovable pins when pin-type hinges are used or shall be provided with hinge studs, to prevent removal of the door.

Conditions of Approval

EXHIBIT B

- d. 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 Fire Marshall must approve the use of crossbar or padlock.
 - iii. Outside hinges on all hatchway openings shall be provided with non-removable pins when using pin-type hinges.
- 3. 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. 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.

Advisory Comments – County Sanitation District 1 (CSD-1)

1. Developing this property may require the payment of sewer impact fees. Contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.
2. Sewer service shall continue to be provided by the existing sewer service lateral. Required modifications, if any, shall be to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to any on and off-site sewer construction.

CITY OF RANCHO CORDOVA

Minutes of Meeting of the Planning Commission
October 25, 20071. **CALL MEETING TO ORDER**

The meeting of the Planning Commission of the City of Rancho Cordova was held on Thursday, October 25, 2007 in the David B. Roberts Council Chambers located at 2729 Prospect Park Drive, Rancho Cordova, CA, 95670. Planning Commission Chair Troy Konarski called the meeting to order at 6:00 p.m.

Staff Present: Planning Director, Paul Junker; Principal Planner, William Campbell; Assistant Planner, Katja Irvin; Planning Commission Clerk, Charlene Fortunka

Roll Call:

Commissioners Present: Burke, Cummings, Konarski, Moe, Savorn, Smith, Vance
Commissioners Absent: NONE

- A. **Flag Salute** – Pledge of Allegiance was conducted.
- B. **Approval of Agenda** – The Planning Commission reviewed the agenda of the October 25, 2007 Meeting of the Planning Commission.

Action: Commissioner Vance moved, seconded by Commissioner Smith, to approve the agenda of the October 25, 2007 Planning Commission Meeting. Motion was approved unanimously.

- C. **Minutes** – The Planning Commission reviewed the minutes of the October 11, 2007 Meeting of the Planning Commission.

Action: Commissioner Vance moved, seconded by Commissioner Burke, to approve the minutes of the October 11, 2007 meeting. Motion was approved unanimously.

2. **PUBLIC COMMENT** – There were no public comments heard at this meeting on non-agenda items.

3. **PUBLIC HEARING**A. **Consideration of the Development Agreement Amendment for Montelena, RC-04-132**

Request: Applicant is requesting a development agreement amendment to change the legal description of the subject property.

Project Applicant: Centex Homes, 3700 Douglas Blvd, #150, Roseville, CA 95661

Project Location: APN: 067-0030-012, 013, 014, 015, 017, 018; Douglas Road and Jaeger Road.

Principal Planner William Campbell presented the staff report and recommended the Planning Commission forward a recommendation to the City Council to approve the amendment to the Montelena Development Agreement. Chair Konarski opened the public hearing.

The Commissioners had the following concerns and comments:

- Vance-The staff report explained that 50 acres of this property is being conveyed to the Sacramento Valley Conservancy and the Wildlife Heritage Foundation; who has control over that area? Campbell-That piece of property is deeded over to the Conservancy; they control the maintenance and authority to go into that area.
- Vance-Is the development agreement written in such a way that those parties cannot do anything with the property aside from a wetland preserve? Campbell-The area will remain a wetland in perpetuity.
- Cummings-Does approving this development agreement amendment lock the developer into a current building plan, preventing them from altering it at a future time? Campbell-This amendment clarifies the legal description of the wetland preserve. It does not change other terms of the development agreement.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion: Commissioner Vance moved, seconded by Commissioner Burke, to forward a recommendation to the City Council to approve the amendment to the Montelena Development Agreement.

Vote on the Motion:

AYES: Burke, Cummings, Konarski, Moe, Savorn, Smith, Vance
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains, 0 Absentees, the motion is hereby declared to be passed.

B. Consideration of the Conditional Use Permit for MetroPCS, RC-07-312

Request: The applicant is seeking approval for a Conditional Use Permit to collocate three (3) building façade mounted panel antennas and one (1) flat-panel microwave antenna at a centerline height of 104' on the exterior of the 120' tall "Security Park" building. The antennas will be located on the southeast corner and on the west and east building facades. Support equipment would be installed on the second floor of the building in an area adjacent to the equipment for existing Sprint Nextel and Verizon antennas.

Project Applicant: Metro PCS California, LLC, Ken Crouse, 785 Orchard Dr., #200, Folsom, CA 95630.

Project Location: APN: 072-0440-013; 3940 Security Park Drive

Assistant Planner Katja Irvin presented the staff report and recommended the Planning Commission determine the project Categorically Exempt under Section 15303, New Construction or Conversion of Small Structures, of the California Environmental Quality Act Guidelines, and adopt Resolution No. 111-2007 approving a Conditional Use Permit for MetroPCS Security Park, Project No. RC-07-312, subject to Project Plans and Conditions

of Approval. Chair Konarski opened the public hearing and took testimony from Ken Crouse, project applicant.

The Commissioners had the following concerns and comments:

- Burke-Will the antennas be the same color as the building? Crouse-Yes.
- Vance-Does the configuration of the antenna panels require them to be 24 inches away from the main structure? Crouse-The antennas themselves are mounted on a steel pipe. The requested 24 inch distance represents the absolute maximum.
- Cummings-What will happen with the permit approval if this building is ever replaced or rebuilt, or the tower is relocated? Would we need to review another entitlement? Junker-This approval would be for mounting equipment on this structure only, so any new towers that are built and antennas thereafter affixed would be subject to new review.
- Cummings-Where will the power supply be located? Crouse-Part of the network infrastructure are a series of radio cabinets that convert the radio signals into the signals that are transmitted through telephone lines; the radio equipment cabinets will be installed in tenant improvements on the second floor adjacent to the tenant improvements for previously approved wireless carriers.
- Cummings-Would you be able to expand this use to provide wireless internet? Crouse-The MetroPCS network will accommodate data uses, but one would need to be a MetroPCS customer and subscribe to a data package.
- Moe-Do you anticipate additional cellular antenna applications coming in for this building? Junker-This is a very accommodating location, so it is a possibility.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion: Commissioner Smith moved, seconded by Commissioner Cummings, to determine the project Categorically Exempt under Section 15303, New Construction or Conversion of Small Structures, of the California Environmental Quality Act Guidelines, and adopt Resolution No. 111-2007 approving a Conditional Use Permit for MetroPCS Security Park, Project No. RC-07-312, subject to Project Plans and Conditions of Approval.

Vote on the Motion:

AYES: Burke, Cummings, Konarski, Moe, Savorn, Smith, Vance
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains, 0 Absentees, the motion is hereby declared to be passed.

C. Consideration of the Non-conforming Use Permit, Design Review, and Conditional Use Permit for Mills Shopping Center, Pad E, RC-07-313

Request: The applicant is seeking approval of a Non-conforming Use Permit (NUP) to expand the commercial use in the Medium Density Residential Zone of the Folsom Boulevard Specific Plan (FBSP), Design Review for the renovation and addition to Pad E

of the Mills Shopping Center, and a Conditional Use Permit to allow a drive-up window for the new use, located at the rear of the existing building.

Project Applicant: Rauschenbach, Marvelli, and Becker Architects, Mark Marvelli, 2277 Watt Avenue, 2nd Floor, Sacramento, CA 95825

Project Location: APN: 076-0222-026; 10359 Folsom Blvd

Principal Planner William Campbell presented the staff report and recommended the Planning Commission forward a recommendation to the City Council to find the project Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act and adopt a resolution approving the Non-Conforming Use Permit, the Design Review and the Conditional Use Permit for Project No. RC-07-313, subject to the findings, evidence, Design Package and the Conditions of Approval. Chair Konarski opened the public hearing and took testimony from Mark Marvelli, Rauschenbach, Marvelli, and Becker Architects, and Dee Spector, Lakha Investments.

The Commissioners had the following concerns and comments:

- Cummings-Could you indicate on the site map where you envision the drive through ordering board being placed? Marvelli-That location has yet to be determined, but it is usually four to five cars back in the stack length.
- Cummings-Concerned with the east to west flow occurring just above the proposed stack-are you moving that flow north, or will it remain where it is? Marvelli-The traffic flow will be moved approximately 9 feet to the north, which may help calm traffic because the remainder of the center is fairly straight.
- Cummings-Was there ever a discussion of repositioning the building to keep the drive through as it currently is, and moving Starbuck's down and See's up? Marvelli-That discussion took place early on, but would have adversely impacted See's and so was not pursued.
- Cummings-Do you have any plans to screen the patio area off from the drive through lane? Marvelli-Screening will consist of open ornamental iron fencing and landscaping.
- Cummings-Consider planting something (star jasmine) to mitigate noise generated from cars idling in the drive through stack. Marvelli-There is a planter with shrubbery that separates the northern portion of the patio from the southern portion of the drive through. We have pretty much surrounded the plaza with shrubbery and plantings.
- Savorn-A Starbuck's in this location will greatly enhance the marketability of this whole center.
- Savorn-Did Starbuck's place any conditions or requirements on your project, without which they wouldn't consider coming into this pad location? Marvelli-Wasn't given any "must haves" for the design of the Starbuck's.
- Savorn-It seems like the drive through is being forced into this limited parking area, and if it were extricated, then the project might go through more smoothly. Marvelli-Unsure how Starbuck's would feel about moving into this location without a drive through. My original direction was that the Starbuck's would include a drive through.
- Burke- See's opens at 10 in the morning, while Starbuck's opens around 5 or 6 a.m.; their peak times of businesses shouldn't conflict. Marvelli-The morning is the peak time for the coffee drinking consumer. Starbuck's is busy to a certain extent throughout the day, but it is unlikely that the proposed drive through stacking would present a problem.
- Burke-Will there be stacking of loading trucks during peak seasons? Marvelli-We made sure that there was at least one loading spot and there is a roll up door for which we wanted to ensure accessibility.
- Burke-The nature of the presented stacking is a traffic calming measure. Marvelli-We are funneling people into more defined traffic ways where the stop signs will be more difficult to ignore.

ATTACHMENT 2

- Moe-What indicators will allow a passerby to know that there is a Starbucks in this location? Spector-There will be two signs advertising the presence of the Starbucks, one on Coloma and the other on Folsom Boulevard.
- Savorn-Did Starbucks give you any criteria that you had to meet? Spector-Square footage and the presence of a drive through.
- Savorn-See's has never addressed parking issues, but they are giving up 16 parking spaces for four. See's customers stop in, get what they want, and leave, whereas Starbucks' customers may remain in the shop for hours. Can't see this parking situation as an amenable situation for See's. Spector-Understands that See's is more of a warehouse facility that fills large scale orders than a retail facility for walk in customers.
- Burke-Did Starbucks look at other locations here? Spector-We looked at other possible locations for Starbucks in this shopping center, and they wanted to have a close proximity to the Raley's Store.
- Vance-Will there be an opening from See's Candy into Starbucks? Spector-The current configuration of the building would not allow that.
- Konarski-(Addressing the comparison that Kircher made between drive through operations in San Jose and Rancho Cordova) I would assume that the general population in San Jose is a little bit higher than in Rancho Cordova, so the drive through stacking issues you are concerned with, derived from San Jose examples, may not be applicable here.
- Cummings-Commends Kircher for See's commitment to the City.
- Cummings-Has there been any discussion of using signage to dedicate the four parking spaces in front of See's to their customers during normal business hours? Kircher-We don't typically ask for that.
- Cummings-Would it help appease your position if we discussed that? Kircher-Would need to relay that suggestion to the corporate office for discussion.
- Cummings-How would you redesign the stacking on this pad to be more effective and alleviate your concerns? Kircher-We have several proposals which would involve rerouting traffic, adjusting the direction of the traffic, infilling the path, etc. Our recommendations were rejected by the landlord.
- Cummings-Was there any discussion of placing the Starbucks on the south side and the See's to the north? Kircher-Uninvolved in that discussion if it took place.
- Cummings-The primary issue here appears to be getting customers their coffee while not disturbing See's operations.
- Moe-Implementing Commissioner Cummings' idea would eliminate the use of the roll up door on the west side of the building, if the Starbucks location were moved. Cummings-Perhaps move the roll up door. Kircher-That would need to be discussed with the landlord.
- Smith-The key issue here seems to be a difference of opinion between See's and staff on whether the drive through will present a problem or not. If we approve the current recommendation as presented by staff, we could see what happens; See's concerns could be unfounded.
- Konarski-Could we place a condition on the project requiring a reassessment to occur after a certain amount of time has elapsed? Campbell-The Planning Commission has crafted similar conditions on projects in the past, whereby an approved project could come back in for review.
- Burke-Where does your fear come from that pedestrians are going to get hit due to this drive through structure? Kircher-Our concern is the way the parking lot is configured, with the stacking up of cars and potential that pedestrian traffic will be increased in a location where vehicles are traveling at a high speed.
- Burke-There is constant pedestrian and vehicular traffic in the Mills Shopping Center for the other stores, probably at a higher rate than would occur for the See's and potential Starbucks; perhaps have painted walks or something similar.

ATTACHMENT 2

- Smith-Encouraged by the shopping center renovations, because there seems to be a focus on making the centers more pedestrian friendly and safer with stop signs, lane configurations, islands, etc. Feels these changes will address much of the concern that See's has noted. It is designed into a much safer place for pedestrians than it has been.
- Vance-It doesn't look like the parking lot configuration you (Kircher) proposed would accommodate fire trucks or other emergency vehicles coming down Folsom Blvd. Kircher-We are putting out a couple of possibilities, if the Fire Department has objections to it that would be the end of it; large trucks could use a different access point.
- Moe-Will the trucks typically have to enter the loading area and back into it? Kircher-Yes.
- Smith-How often are loading trucks using those areas? Kircher-Twice a week in a typical week, twice a day for a two week period for Christmas.
- Burke-Other businesses also pick up high quantities of chocolate, so there could be more than two trucks a day. Kircher-That is correct, but overall, the loading zone is sufficient for what we are discussing.
- Burke-Understands your concerns, but other departments will need to be consulted on the configurations and this project has been delayed as it is. How would you feel if the project goes through as presented? Kircher-Our Corporation wouldn't be particularly pleased with that prospect.
- Burke-How do you feel about having a condition placed on the project that it would be re-evaluated at a later date? Everyone's concerns are valid. Kircher-That could go a long way.
- Cummings-Perhaps go back to your company and talk about flipping the two businesses, maybe making some changes such as moving the roll up door. Kircher-There is a problem with that because we all want exposure on Folsom, and that would be a sticking point right in the beginning.
- Cummings-Everybody seems to know where your store is, it is so well known in the area. Kircher-It would substantially change the elevations, but I will broach that topic with the company.
- Cummings-Don't want to hold up the process, just want to make sure your issues are fully addressed. Maybe move the ordering station as far west as possible to still allow adequate time for the Starbuck's staff to prepare orders, and explore placing signs on the parking spaces dedicating them to See's customers.
- Burke-Could also consider making those spaces a loading zone for everyone.
- Vance-Moving the Starbuck's closer to Folsom wouldn't make sense for the drive through outlet. Marvelli-We would not be able to get the right vehicle stacking in moving Starbuck's to the south end of the building. There are serious problems with the two parking lot layouts See's proposed. The 180' stack we proposed will accommodate 9 vehicles, and the peak times for Starbuck's where there might be an impacted lane is in the morning and See's doesn't open until 10. We are ok with dedicating the four parking spaces to See's. If there is a condition placed on the project that the use permit could be revoked in 6 months, Starbuck's may not make the financial commitment to come to the pad.
- Konarski-If we do not place this condition and there is a major problem, would we still have the ability to reevaluate the project at a later point? Campbell-The nature of conditional use permit, there are findings in the provisions of the zoning code that if there is an immitigable problem, the Planning Commission could call the matter forward and could revoke the permit through a public hearing. Staff does not share the same concern that See's has. The positioning of the drive through meets the design standards. Changing part of the parking lot structure could severely disrupt the entire parking lot over a perceived safety hazard. We can effectively channel the traffic flow with directional signs.

ATTACHMENT 2

- Konarski-So you don't foresee the proposed stacking causing cars to line up south towards Folsom Blvd? Campbell-No.
- Smith-Inclined to think that the current design of the drive through would work, but the reassessment period could apply to redesigning the drive through if deemed necessary. Marvelli-If it is a matter of finding alternative methods in 6 or 12 months, there are a lot of ways to keep the traffic moving along, i.e. remote tellers with headsets.
- Cummings-Is it in our authority to create no stacking signs to prevent a line of cars if the stacking lane is filled? Campbell-There is a striping technique where the ground could be marked "Keep Clear".
- Cummings-(to Marvelli) How do you feel about installing a "Keep Clear" zone? Marvelli-We don't want to have people stack around somewhere else. Don't have a problem with it, but it's unnecessary.
- Cummings-How long is the stack length for the McDonald's drive through? Marvelli-They have a different double drive through, which may not be the same length. Campbell-Their initial lane was 180', but it was modified and flared out.
- Cummings-(to Kircher) What do you think of the "Keep Clear" idea? Kircher-If it would prevent people from stacking up and allow people to get through, it sounds ok.
- Burke-There were a lot of concerns for KFC that people would stack up in the lane, and there doesn't seem to be any problem at all. Striping would probably be the worst option, and it is unlikely that there will be a problem with the drive through.
- Moe-Would have preferred to have the drive through matter worked out prior to having the project coming before the Commission. Hesitant to move forward on this until the landlord and the tenant have come to more of an agreement. There is nothing about the traffic pattern, circulation, code requirements that are in dispute. Marvelli-We received four different layouts from See's that we don't feel work, and we passed along all of See's suggestions to the Planning Department. The proposal here tonight works and we are comfortable with it.
- Cummings-The buildings that we have seen so far from Mr. Marvelli have been exemplary; this project is changing the look of the shopping center and Folsom Boulevard in such a way that would facilitate businesses such as Starbuck's coming in.
- Moe-Personally thinks that it would be a very rare occasion that there would be more than 9 cars stacking beyond the lane. Having a "Keep Clear" lane would be unnecessary, and the cars would probably stack up somewhere else.
- Cummings-Made a motion for an amendment to recommend the proponent to build four freestanding signs in front of See's reserving the parking spaces for See's customers. There was no second.
- Cummings-Made a motion for an amendment to recommend a requirement for "Keep Clear" striping in a square shape at the opening of the drive through lane. There was no second.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion: Commissioner Savorn moved, seconded by Commissioner Smith, to forward a recommendation to the City Council to find the project Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act and adopt a resolution approving the Non-Conforming Use Permit, the Design Review and the Conditional Use Permit for Project No. RC-07-313, subject to the findings, evidence, Design Package and the Conditions of Approval.

Vote on the Motion:

AYES: Burke, Cummings, Konarski, Moe, Savorn, Smith, Vance

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains, 0 Absentees, the motion is hereby declared to be passed.

D. Consideration of the Design Review Amendment for Woodside Homes (Sunridge Park Villages 1, 7, 8, and 11) - RC-04-118 and RC-04-119

Request: Applicant is requesting an additional amendment to the Design Review for Villages 1, 7, 8, and 11 to add an elevation plan "D" to the A, B and C elevations.

Project Applicant: Woodside Homes, 111 Woodmere Dr, #190, Folsom, CA 95630

Project Location: APN: 067-0650-001, 004, 005, 007, 009, 010, 011, 014; South side of Douglas Road between Sunrise Blvd. and Grantline Road

Principal Planner William Campbell presented the staff report and recommended the Planning Commission approve Resolution 112-2007 amending the Design Review package for Sunridge Park, subject to the attached Design Review Package. Chair Konarski opened the public hearing and took testimony from Brian Cutting, Woodside Homes representative.

The Commissioners had the following concerns and comments:

- Cummings-Would you indicate on the site plan what area has already been developed? Campbell-Believes there are five builders in this area, with Woodside Homes as the predominant one. Cutting-The land development work has been completed, with the exception of a small portion of village 1 and village 4.
- Cummings-Would going to this smaller design drastically change what is already there? Campbell-No.
- Vance-You mentioned that the smaller homes are selling better; how would you describe the buyer? Cutting-The buyer runs the gamut, ranging from the first time home buyer to the empty nester.
- Moe-Is this south of Security Park? Campbell-Yes.
- Vance-What appeals to these buyers, is it the larger yard, smaller square footage of the home? Cutting-If I had to speculate, would say it is the smaller home, smaller square footage, and less maintenance.
- Cummings-Having dealt with the redesign of Capital Village, one issue that arose was approaching current residents and keeping them informed and involved in the process. Have you approached any of the current neighbors about the redesign? Cutting-Mailers were sent to residences within a 500' radius of the project area notifying them of this hearing. We are not proposing to change existing homes.
- Moe-Have some of the bigger homes in Village 8 been built, or is it empty? Cutting-There has been no construction. Campbell-If there were homes built in the south section of Village 8, we would not have supported this amendment, but since construction has not commenced, this is a good time to make a change.
- Moe-What is the price point difference between the Bella Brisas and the Vistas? Cutting-The beginning price point on the Bella Brisas is \$290,000, going up to \$370,000, whereas Vistas start at around 340,000.
- Burke-A good mix of housing options will bring in a diverse group of people.

ATTACHMENT 2

- Cummings-Where on the homes will the street numbers be located? Cutting-The street numbers will be located in the same place as detailed by the prior design review approval.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion: Commissioner Savorn moved, seconded by Commissioner Smith, to approve Resolution 112-2007 amending the Design Review package for Sunridge Park, subject to the Design Review Package.

Vote on the Motion:

AYES: Burke, Cummings, Konarski, Moe, Savorn, Smith, Vance
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains, 0 Absentees, the motion is hereby declared to be passed.

E. Consideration of the Design Review Amendment for WOODSIDE HOMES (SUNRIDGE PARK VILLAGE 8), RC-04-119

Request: Applicant is requesting an additional amendment to the Design Review for Village 8 to allow the total village to be built with the approved house plans in Villages 1 and 11 (Bella Brisas). The northern half of Village 8 had been previously approved by staff to build the Bella Brisas homes in May.

Project Applicant: Woodside Homes, 111 Woodmere Dr, #190, Folsom, CA 95630

Project Location: APN: 067-0650-001, 004, 005, 007, 009, 010, 011, 014; South side of Douglas Road between Sunrise Blvd. and Grantline Road

Principal Planner William Campbell presented the staff report and recommended the Planning Commission approve Resolution 113-2007 amending the Design Review package for Sunridge Park Village 8, subject to the Design Review Package. Chair Konarski opened the public hearing and took testimony from Brian Cutting, Woodside Homes representative.

The Commissioner's concerns and comments were addressed through the discussion of the previous item.

Action:

Motion: Commissioner Savorn moved, seconded by Commissioner Smith, to approve Resolution 113-2007 amending the Design Review package for Sunridge Park Village 8, subject to the Design Review Package.

Vote on the Motion:

AYES: Burke, Cummings, Konarski, Moe, Savorn, Smith, Vance
NOES: NONE

ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains, 0 Absentees, the motion is hereby declared to be passed.

4. REGULAR CALENDER

A. Planning Commission Training-General Plan Overview and Planning Commission Training and Discussion Topics

Planning Director Paul Junker and Associate Planner Christopher Jordan provided a training presentation on the recently adopted Rancho Cordova General Plan.

Following the General Plan training, the Planning Commission had the following comments:

- Burke-Didn't we just recently recommend denial of a project, and it came back for another hearing? Junker-There have been a couple of projects in the past where a recommendation for denial has occurred.
- Burke-Did these recommendations differ from staff's recommendation? Junker-Yes; particularly when staff has come forward with a recommendation of approval, or the Commission would like to change the action, it is important that we work together. We will need the chance to continue the item, so we can come forward with a modified resolution and set of findings. It is important that you provide us with the basis for your determination.
- Vance-As a Commission we rely a great deal upon staff for their research, detailed work, findings, and recommendation. We need to know if you highly recommend a project or have grave reservations. Junker-We do try to live up to that responsibility. At times there are judgment calls. Staff may look at a project from a technical perspective, and view a project as good, but the Commission uses their value systems and understanding of the community to provide us with a perspective that may differ.
- Burke-Staff is working for weeks and sometimes months on a project, and when we come in to review the project before a public hearing, we can bring in a different, fresh perspective.
- Burke-Folsom Blvd has a lot of circulation issues. Junker-There are a lot of pending changes coming to Folsom Blvd., where there will be less drive ways, less places to turn around, etc. As you review the Folsom Boulevard Specific Plan, you will need to think about how the specific plan is consistent with the General Plan.
- Cummings-Thanks staff for training on the General Plan; always looks for the design checklist for the commercial buildings. Often sees performances that are below staff's expectation, which by themselves would seem to indicate the Planning Department is against something. We really need to know when you have an issue with a project. Junker-Many of our design guidelines allow us flexibility, and allow us to take an overall view of the project. Staff can have varying degrees of support for a project, and a denial would be a last resort. Sometimes our language is neutral, which should be an indication that we are not strongly supporting a project as opposed to robust support.
- Konarski-Staff has done a good job of leading us in the right direction, particularly with the language used for the Lowe's project. Junker-We got the best looking Lowe's possible, but the final design of Capital Village was clearly a compromise.
- Burke-Sometimes the Commission does come up with a different viewpoint. We are all doing the best job that we can do to make this community better, and between all of us we have a lot to offer the City.

ATTACHMENT 2

- Cummings-The General Plan is not user friendly. How can we make this resident friendly, by developing software, adding charts/graphics, etc. to indicate how it relates to them? How can you make it easier for us to quickly locate specific sections that we need to look at? Junker-This is a document to guide a City; it is going to be a complex and rather technical document. We could take the time and distill down the most relevant points of each element, unsure what purpose we would be serving by doing that.
- Cummings-Would like to be able to explain how this document affects the resident and their neighborhood when places are being developed. Junker-That has to do more with zoning. The General Plan is guiding a myriad of efforts across the City, and there is no easy way to summarize all the various goals, policies, and actions of the General Plan.
- Smith-We have the interest that we do and the involvement that we do, because we have a longer term vision and we need that to inform how we want the community to look in 10 years down the road. There needs to be some mechanism that when the question does come up, we know how to explain to a resident who has concerns about the decisions that we have had an integral part in.
- Cummings-Challenge everyone to know that City residents do care and want to be here, and are interested and dedicated as we are. If we don't distill the General Plan down, perhaps we could do this with the zoning code so residents can understand it. Make these documents as transparent and understandable as possible so the average citizen can get involved.
- Smith-Found it encouraging that although a certain amount of interest with the development of the General Plan was anticipated, there wasn't the typical attrition, and interest and attendance remained high throughout the process.
- Savorn-Staff seemed to caution us that the Folsom Blvd Specific Plan will be altered; hopes that there will be major changes to the Folsom Boulevard Specific Plan. Junker-We are proposing changes through the Specific Plan that may meet with resistance from existing businesses (driveway closures, etc.) and the Commission should be prepared for that.

Discussion of Master List of Planning Commission Training and Discussion Topics:

- Cummings-Would like to go through the list over the next couple of years; particularly interested in numbers 11, 2, and 14; 18 is critical. Also interested in 26, 27, and 33.
- Junker-Would also like Department Directors to come in and discuss how their departments interact with the Planning Department and what input they provide during the entitlement process.
- Konarski-Encourages Commissioners to provide Paul with list of preferred topics. Junker-Would appreciate a top 10 unranked list.

5. COMMISSION REQUEST FOR FUTURE AGENDA ITEMS

The Commissioners had the following suggestions:

- NONE

6. STAFF/COMMISSION COMMENTS

The Commissioners had the following comments:

- Savorn-Would like to be kept apprised of future projects and statuses. Junker-Can apprise Commissioners of when the projects are coming to fruition.

ATTACHMENT 2

- Cummings-Will there be any tours calendared between now and the end of the year?
Junker-No, tours will not be scheduled until next year.

7. ADJOURNMENT

There being no further business before the Planning Commission, the meeting was adjourned at 9:15 p.m., October 25, 2007, to the next scheduled meeting.



Troy Konarski, Planning Commission Chair



Paul Junker, Planning Director

ATTEST:



Charlene Fortunka, Commission Clerk

CORPORATE OFFICE
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3423 SO. LA CIENEGA BLVD.
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October 22, 2007

CONSUMER AFFAIRS DEPT.
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LONG BEACH, CA 90809-3023
(800) 789-7337

MAIL ORDER DEPT.
P.O. Box 93025
LONG BEACH, CA 90809-3025
(800) 347-7337

QUANTITY DISCOUNT DEPT.
P.O. Box 93024
LONG BEACH, CA 90809-3024
(800) 877-7337

Planning Commission
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Re: Project: The Mills Shopping Center - Pad E
File: RC-07-313
Location: 10359 Folsom Blvd.

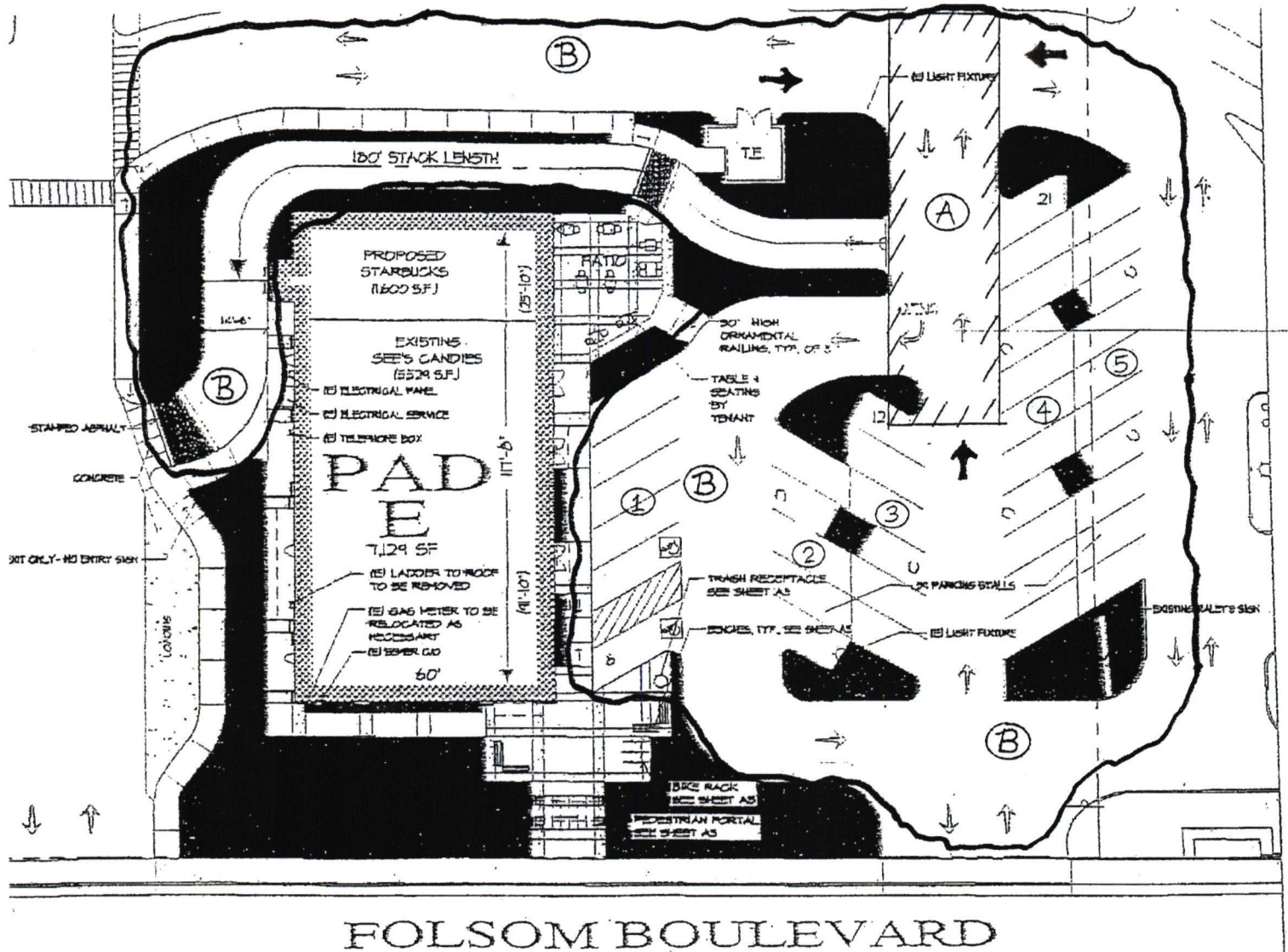
Dear Members of the Planning Commission;

See's Candies has been very pleased with our decision to relocate within the City of Rancho Cordova to the Mills Shopping Center. We believe we're an asset to the shopping center and to the City of Rancho Cordova as we have a strong retail presence here. We anticipate continuing to be successful at the Mills Shopping Center for a long time and for no less than our current lease period that extends thru the end of the year 2014. See's does not object in principle to the proposed new building elevations and many of the site improvements including the new landscaping and access for pedestrian and bicycle traffic.

But See's strongly disagrees with the Planning Commission Staff Report as it pertains to vehicular circulation on the site, congestion in the parking field, and access to or exit from the parking lot serving the facility. See's further believes its' customers will be inconvenienced trying to reach our place of business and those customers personal safety and welfare will be compromised as a result of the current site plan due to the placement of the proposed drive-thru lane. There is a likelihood customers parking in the lot will be required to cross on foot through a line of cars waiting to enter the Starbucks drive-thru. We anticipate injuries will result if this plan is approved in its' current form.

Please refer to the site plan enclosed as I detail how the site plan presented does not meet the requirements of Article 4: "Development Standards for Drive-up Windows and Remote Tellers", in Chapter 15 of the Rancho Cordova Zoning Code.

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Compromise®*
SINCE 1921



Section 315-21 states, "The design and location of the facility and lane will not impede access to or exit from the parking lot serving the facility, nor impair normal circulation within the parking lot". The section also states, "The design and location of the facility and lane will not contribute to increased congestion on public or private streets adjacent to the subject property." The Staff Report indicates none of these conditions will occur, but offers no specific details to support that claim.

The enclosed site plan shows all of the vehicles entering or exiting any portion of the site within the area marked "B" must at some point also pass thru the small portion of the site marked as "A". Area "A" has vehicles approaching from three different directions. Most of the vehicles must make at least one turn in order to exit from area "A". The majority of vehicles entering the drive-thru stack lane or the closest parking to both businesses (indicated as parking rows "1" and "2") must make two turns within area "A". In addition, the majority of vehicles must make those turns within area "A" in front of on coming traffic.

Parking rows "1" and "2" have only 9 regular parking stalls. The addition of row "3" increases the total parking spaces within close proximity to the building entrances to 15. These three rows of parking fall far short of the 26 spaces required. The additional rows "4" and "5" further removed from the building provide the spaces required under the parking standard, but forces our customers on foot to traverse the congested and dangerous traffic within area "A". This situation is detrimental to the safety, comfort, and general welfare of our customers and further discourages them from patronizing our business.

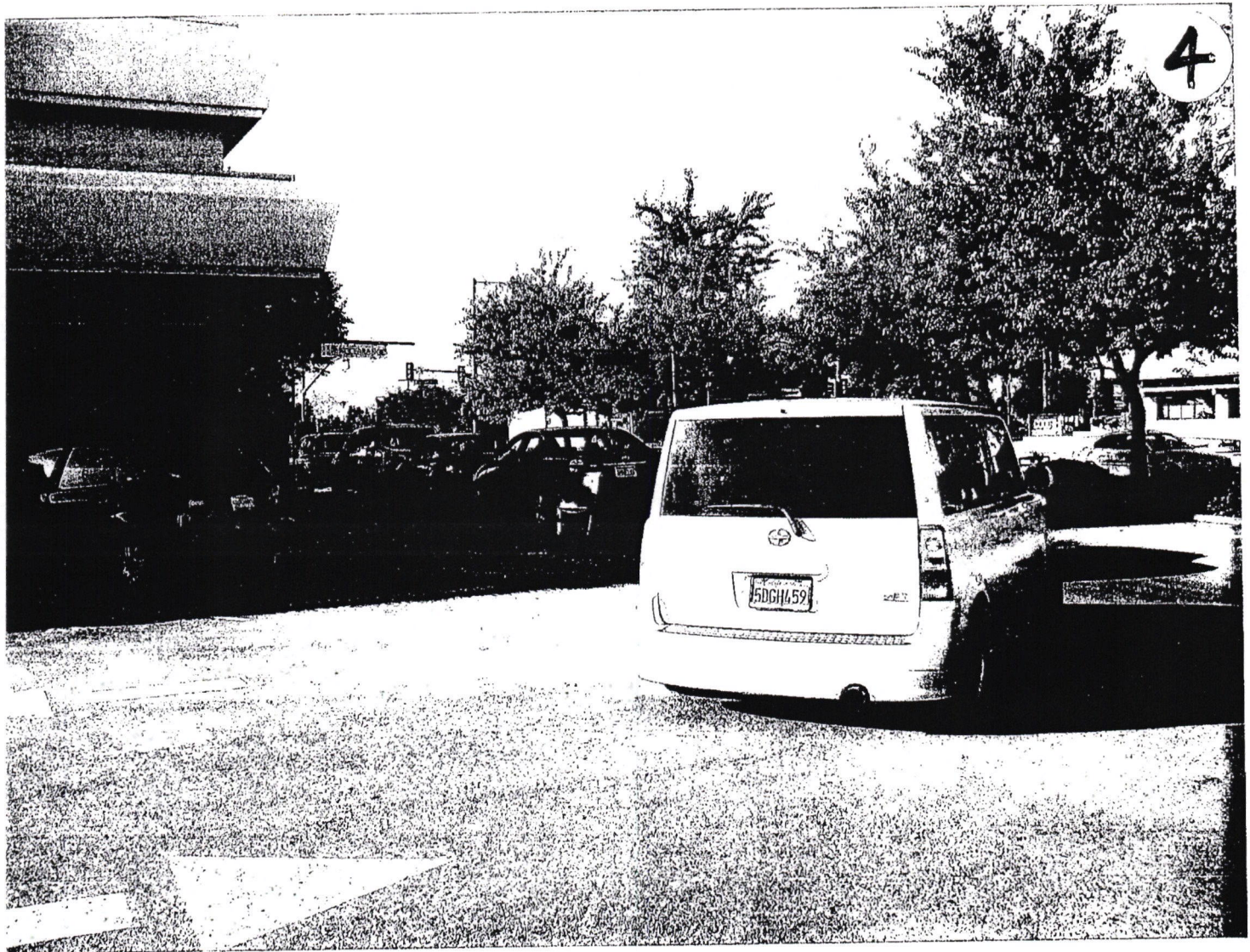
It's our understanding Starbucks has not provided any statistics on hourly vehicle visits or total visits at similar drive up windows operated by the company. But you will note the enclosed photos taken at one of the Starbucks drive-thru operations we recently surveyed. These photos are representative of the congestion that will most likely occur in area "A" depicted on the site plan. This Starbucks is located at Almaden and Blossom Hill in the Oakridge area of San Jose. The photos were taken at approximately 9:15 am on Thursday, October 11th. The photographer states, "The line was an average of 10 cars but it was hard to show in the photos". Please note the similarity of conditions in these photos to the site plan you are being asked to approve. The first photo shows a portion of the stack lane. The vehicle you can see at the front of the line has reached the menu board. The actual drive up window and additional vehicles are around the corner of the building. Please note the two SUV's that appear to be at the rear of the line in this photo. Photo number two shows the same two SUV's. The dark colored one is in the entry and driveway of a two-way traffic lane within the shopping center property. You can also see the red car between the trunk of the trees that is still out on the public street and is restricted from entering the shopping center grounds. Photo number 3 shows another group of cars at the same driveway to the center. The white SUV and the dark colored pick-up truck are different vehicles than the ones in the first two photos. Please note at the rear of the pick-up is the headlight of a silver/gray vehicle that is stopped on top of the sidewalk. Finally, photo number 4 shows a white vehicle stopped across a two-way



2







traffic lane as it attempts to make a left turn into the stacked up vehicles for Starbucks. You will note any vehicles trying to park at the Bank of America, similar to the red car in the photo, or drive to another portion of the center would be inhibited by the white vehicle. These photos are representative of the congestion and interference with normal traffic circulation that can result from a similar Starbucks drive-thru design. There's no evidence presented in the Staff Report to indicate similar traffic congestion will not occur at Mills Shopping Center with the proposed stack lane.

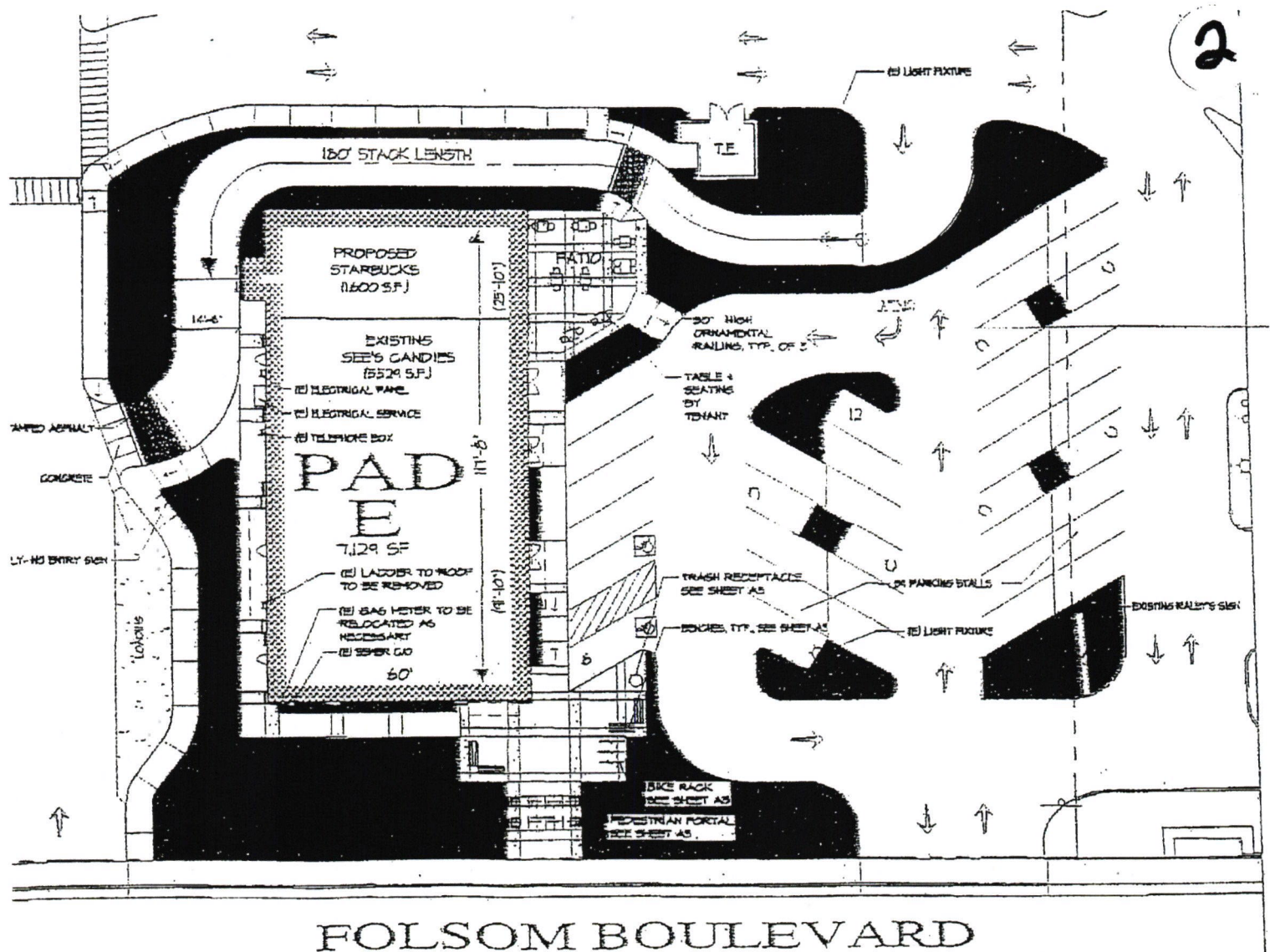
See's Candies believes the above traffic flow analysis along with the photo evidence demonstrates the site plan presented will result in gridlock. Potential gridlock cannot be avoided as long as the entrance to the drive-thru stack lane is in the same proximity as the entrance or exit for the majority of the on site parking. This situation can only result in increased congestion and impairment of normal circulation within the parking lot serving the facility. In addition, the site plan presented will endanger the safety, health, and welfare of our customers both on foot as well as when they are in their vehicles trying to traverse area "A".

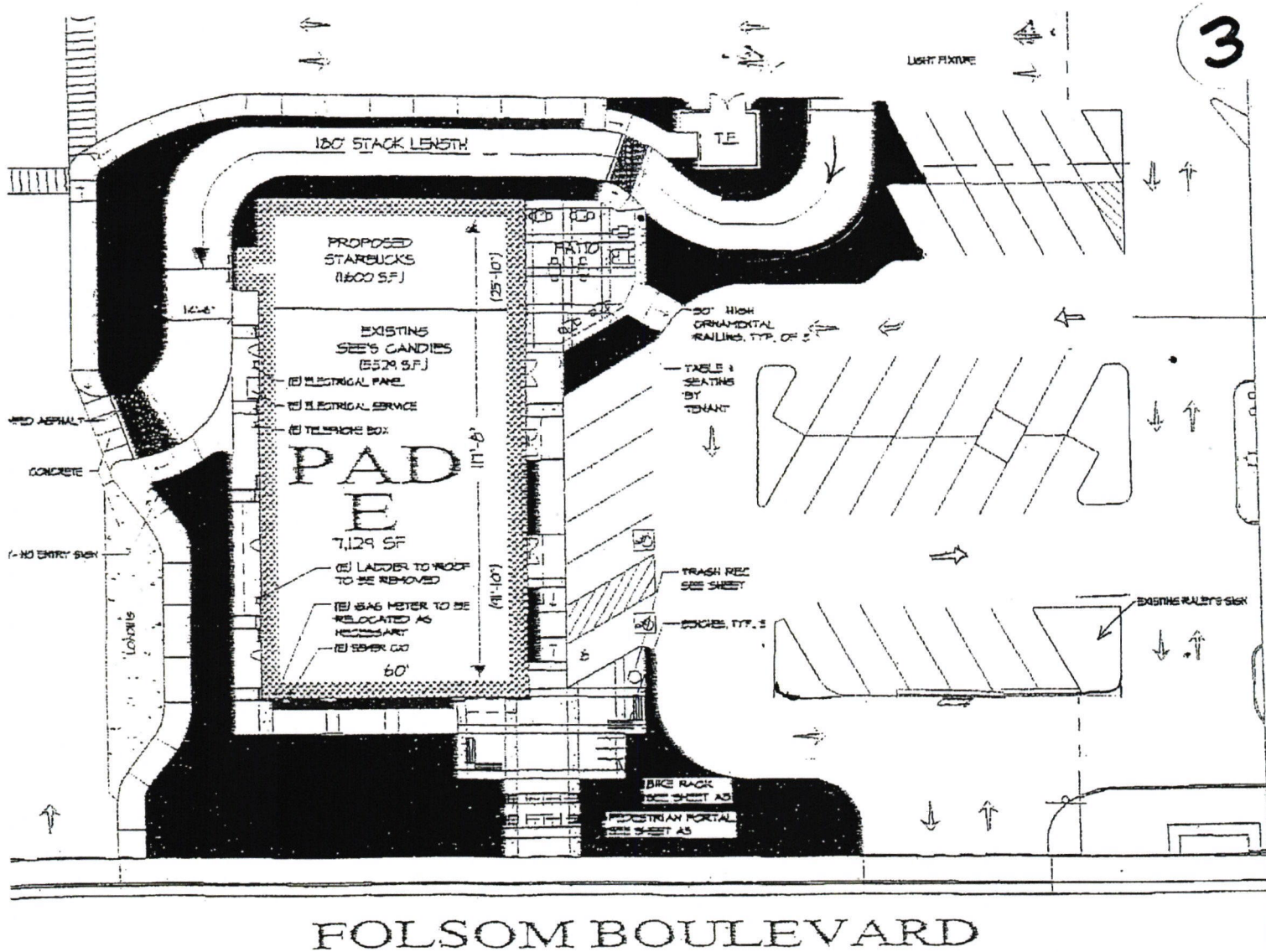
See's Candies has noted under section 315-22 "Design Requirements", paragraph "d" states, "The conditional use permit is revocable if congestion attributable to the facility regularly occurs on public streets or within the parking lot, and the management cannot alleviate the situation." It's our belief that unless the owner of Mills Shopping Center submits a site plan to the Planning Commission in which the stack lane and specifically the entrance to that lane is oriented away from the parking and the associated vehicle circulation on the east side of Pad E, the requirements under Chapter 15, Article 4 of the City Zoning Code will not be satisfied.

See's Candies has offered the Mill's ownership and the Planning Department staff two variations to the site plan you are being asked to approve. These proposed revisions are attached as site plans 2 and 3. In both cases, none of the Starbucks drive-thru customers will pass thru the one-way parking lot lanes containing parking stalls. The drive-thru customers will reach the drive-thru stack lane via the wider two-way traffic lanes on the perimeter of the site. This separation of vehicles is consistent with our survey of other Starbucks with drive-up windows in multi-tenant shopping centers. In each option, pedestrians would not be required to walk through a line of moving traffic for the Starbucks drive thru and we believe would have much less chance of injury.

The first drawing has only one change to the site plan. The planted peninsula bordering the stack lane has been extended to intersect the planted island at the end of the row of parking stalls. This simple change creates the separation and change in traffic circulation mentioned above.

The second drawing is a little more involved since the parking on the site has been turned 90 degrees. A larger number of the parking stalls have been moved internally and away from the two way traffic. In addition, parking customers have additional options for exiting the site that would contribute to improved vehicle flow. Once again, the drive-



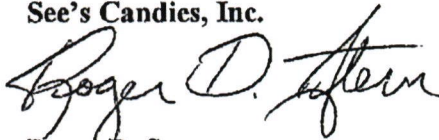


thru traffic does not pass thru the parking lanes and the potential congestion in that area is reduced.

Please note these are examples of how the necessary separation can be achieved without significantly changing the goal of the shopping center owners. The conceptual drawings maintain the dimensional scale of the parking spaces and traffic aisles. They do not attempt to detail all the requirements an architect or engineer would include, such as the radius of curb cuts at traffic intersections.

See's Candies requests the Planning Commission to determine the site plan submitted for approval does not meet the requirements of Chapter 15, Article 4 of the City Zoning Code and is not in the best interest of the public or tenants of Pad E

Sincerely,
See's Candies, Inc.

A handwritten signature in cursive script, appearing to read "Roger D. Stern".

Roger D. Stern
Director of Shop Construction

M E T R O S C A N

Reference Farm

Sacramento (CA)

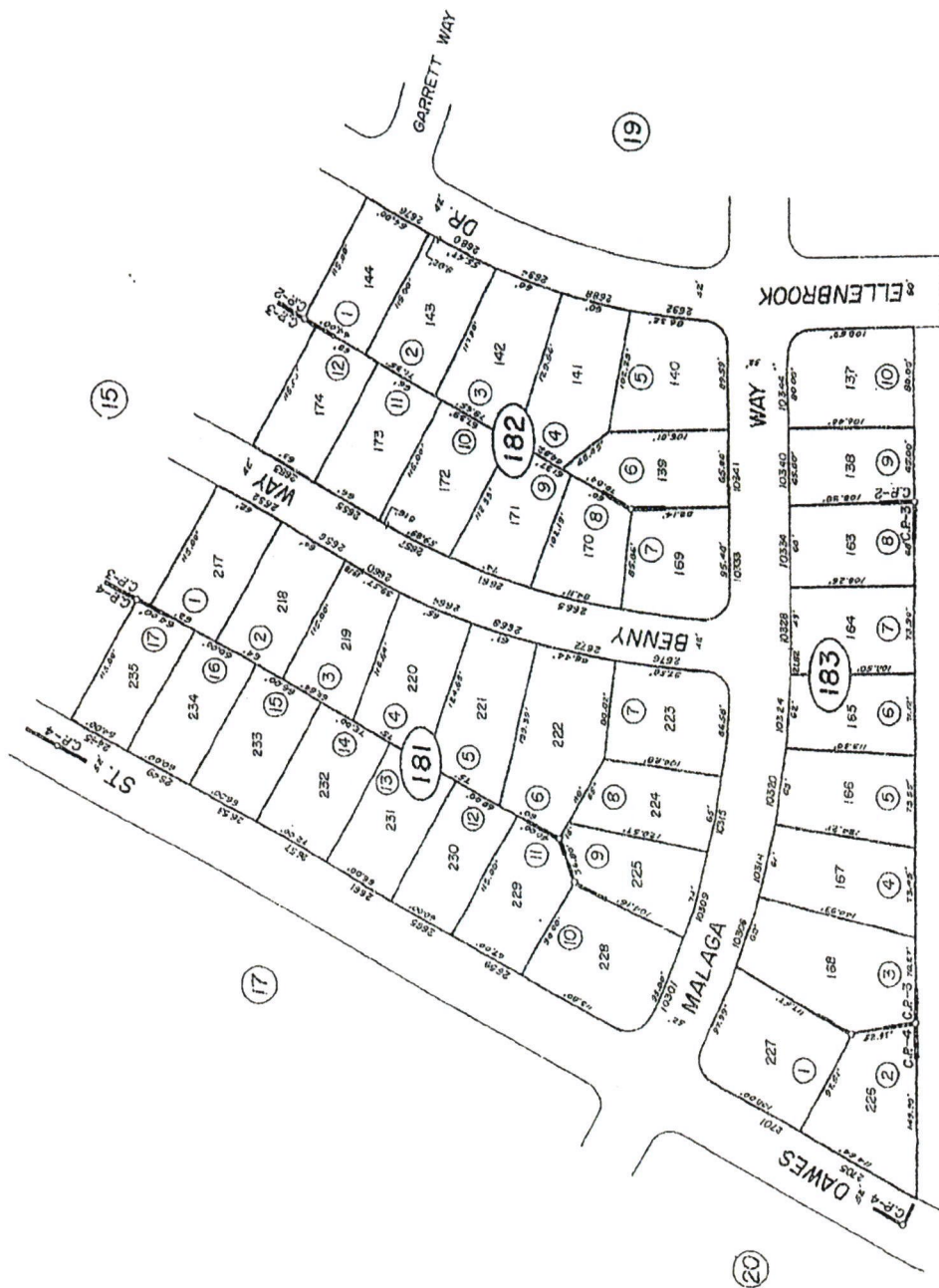
ATTACHMENT 4

ier	Address	Phone	Ref Number
Asparagus Meadows Llc;W Ors	10288 Mccracken Dr Rancho Cordova		12
Asparagus Meadows Llc;W Ors	10288 Mccracken Dr Rancho Cordova		13
Below Wallace E;Jacqueline	2708 Dawes St Rancho Cordova 9567		2
Campbell Robert J;Belinda A	2709 Dawes St Rancho Cordova 9567		1
Darlene Williams Trust	10366 White Rock Rd Rancho Cordov		14
Garth;Vicki Mason Family 19	10361 Mills Tower Dr Rancho Cordo		15
Gill Mohan K;Balbir S Ojla	10273 Folsom Blvd Rancho Cordova		5
Mackandfreckles Llc	10311 Folsom Blvd Rancho Cordova		8
Rashed Helua H	10275 Folsom Blvd Rancho Cordova		6
Rashed Helua H	2720 Dawes St Rancho Cordova 9567		3
Robert A Pack Living Trust	10335 White Rock Rd Rancho Cordov		11
Sehgal Rakesh	10299 Folsom Blvd Rancho Cordova	530-661-3024	7
Selby Family Living Trust	10275 Folsom Blvd Rancho Cordova		4
Stenberg Erland L;Mary A	10349 Mills Tower Dr Rancho Cordo		16
Stenberg Erland L;Mary Ann	10335 Mills Tower Dr Rancho Cordo		17
Stenberg Erland L;Mary Ann	10339 Mills Tower Dr Rancho Cordo		24
Stenberg Erland L;Mary Ann	10325 White Rock Rd Rancho Cordov		20
Stenberg Erland L;Mary Ann	10331 Mills Tower Dr Rancho Cordo		18
Stenberg Erland L;Mary Ann	10327 White Rock Rd Rancho Cordov		19
'tenberg Erland L;Mary Ann	10337 Mills Tower Dr Rancho Cordo		23
cenberg Erland L;Mary Ann	10329 Mills Tower Dr Rancho Cordo		21
Stenberg Erland L;Mary Ann	10333 Mills Tower Dr Rancho Cordo		22
Susan Nauslar Revocable Tru	10335 White Rock Rd Rancho Cordov		10
Susan Nauslar Revocable Tru	10333 White Rock Rd Rancho Cordov		9
Thibedeau David J	10373 White Rock Rd Rancho Cordov		25
Thibedeau Shanice D	10367 White Rock Rd Rancho Cordov		26

M E T R O S C A N
Reference Farm
Sacramento (CA)

ATTACHMENT 4

ner	Address	Phone	Ref Number
Arellano Dolly L	10378 White Rock Rd Rancho Cordov		4
Balabanov Aleksandr	10360 White Rock Rd Rancho Cordov		2
Buzyan Lyubov;Yelena	10357 Mills Tower Dr Rancho Cordo		5
Cotton Ronndale;Cathy Moses	10381 White Rock Rd Rancho Cordov		9
Goodpaster Thomas E;Valenci	10294 Mccracken Dr Rancho Cordova	916-361-1512	11
Lucas Thom;Corinne J	10298 Mccracken Dr Rancho Cordova		10
Lyulka Valeriy	10353 Mills Tower Dr Rancho Cordo	916-361-2306	6
Mcelheny Tom	10259 Mccracken Dr Rancho Cordova		12
Melendres Manuel	10372 White Rock Rd Rancho Cordov		3
Padilla Fernando Cazares	10364 Mills Tower Dr Rancho Cordo		8
Seiler Stanley D;Linda L	10354 White Rock Rd Rancho Cordov		1
Stent Alyce	10257 Mccracken Dr Rancho Cordova		13
Waycaster Oleta	10356 Mills Tower Dr Rancho Cordo		7
Whiteford Thomas R;Atsuko	10275 Mccracken Dr #132 Rancho Co	916-366-9234	14

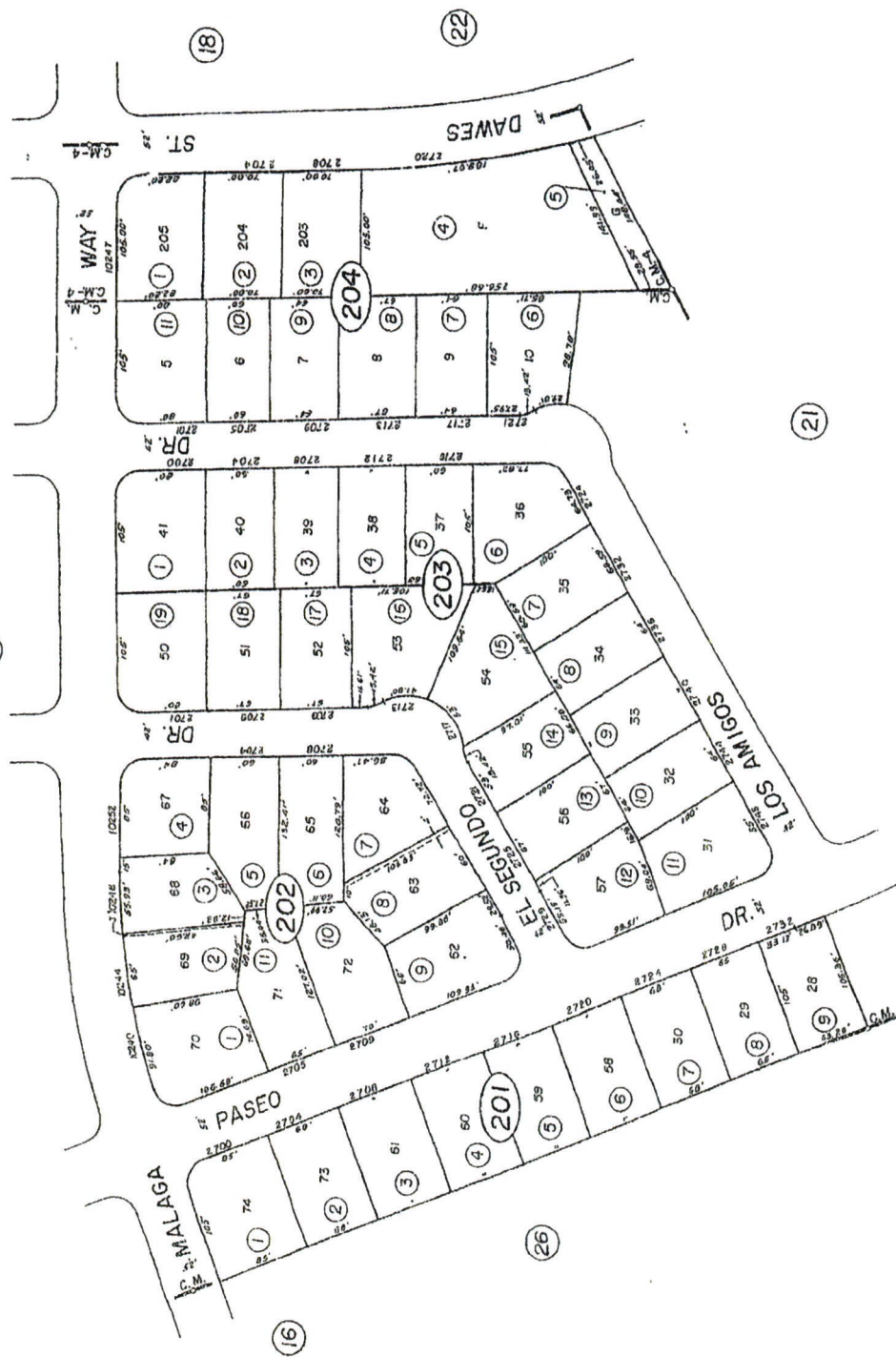


Cordova Park Unit No.2 R.M. Bk.42, Pg.17
 Cordova Park Unit No.3 R.M. Bk.47, Pg.12
 Cordova Park Unit No.4 R.M. Bk.49, Pg.03

Assessor's Map Bk.76 -Pg.18
 County of Sacramento, Calif.

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

(17)



Assessor's Map Bk. 76-Pg.20
County of Sacramento, Calif.

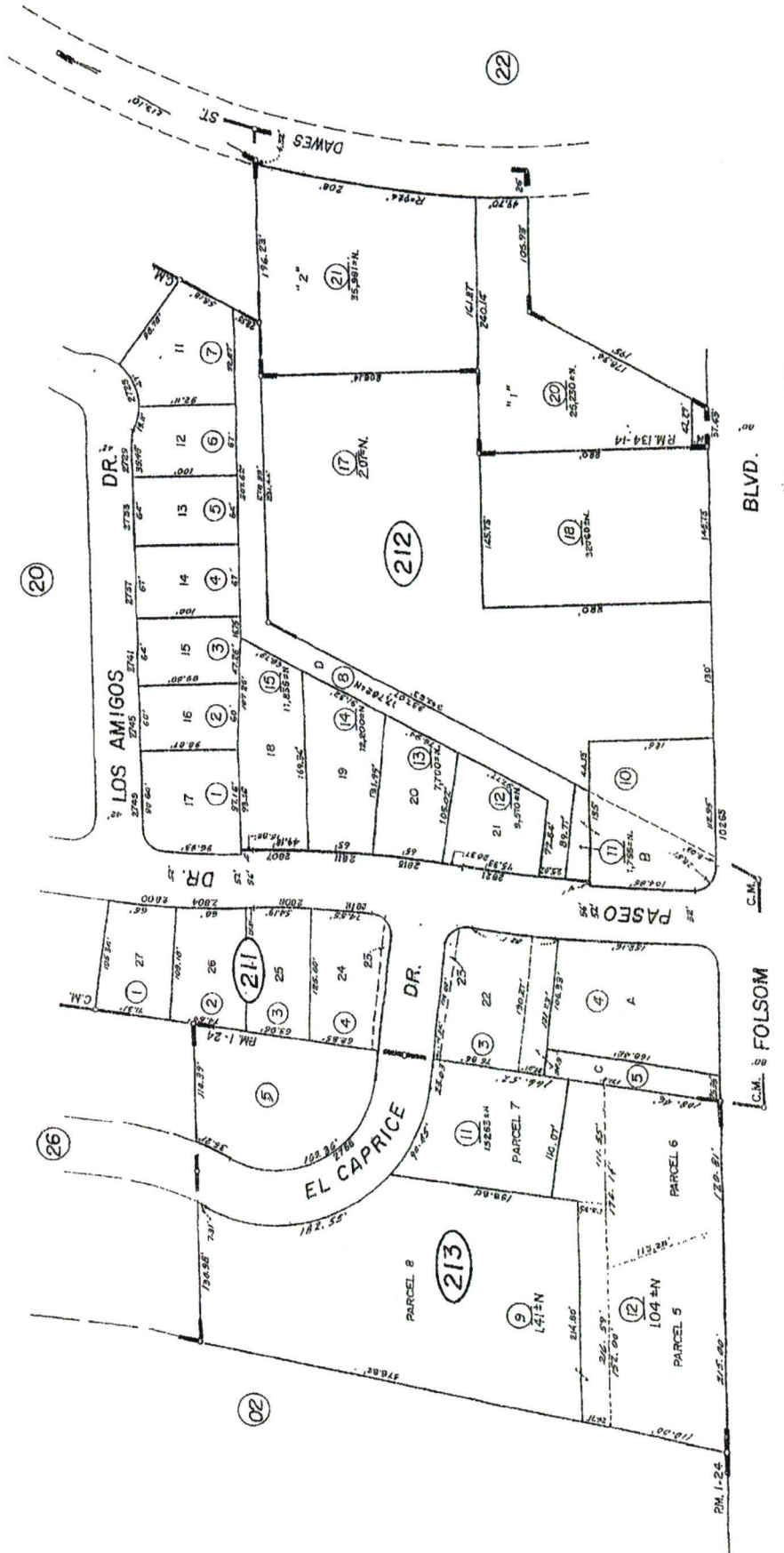
Cordova Meadows R.M. Bk.42, Pg.32
Cordova Meadows Unit No. 4 R.M. Bk.49, Pg.01

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

76-21

Tax Area Code

POR SEC. 34 T. 9N. R. 6E. M.D.B & M.
(PROL INTO RANCHO RIO DE LOS AMERICANOS)



ATTACHMENT 4

Assessor's Map Bk. 76-Pg. 21
County of Sacramento, Calif.

MAR 05 2002

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

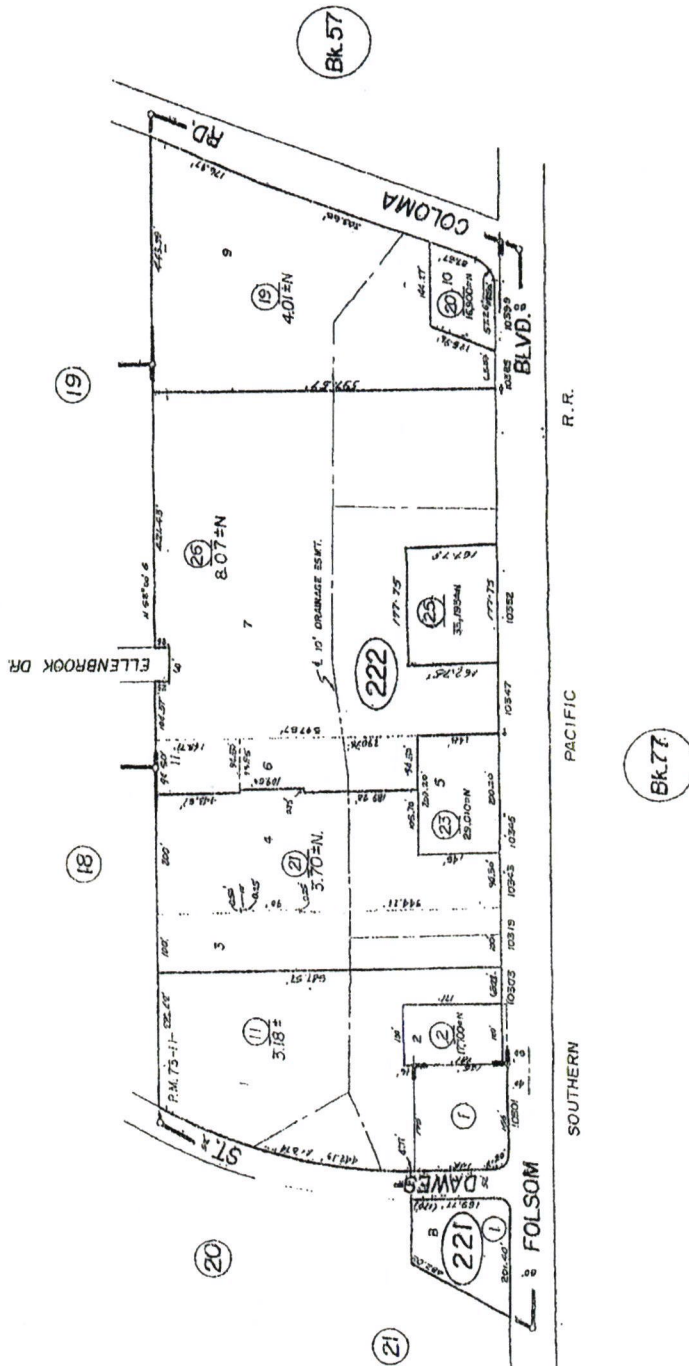
Cordova Meadows R.M. Bk. 42, Pg. 32

Bk. 77

76-22

Tax Area Code

POR SEC. 34 T. 9N. R. 6E. M.D.B & M.
(PROJ. INTO RANCHO RIO DE LOS AMERICANOS)



MAY 06 2004

ATTACHMENT 4

Assessor's Map Bk. 76-Pg. 22
County of Sacramento, Calif.

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

Cordova Park Unit No. 2 R. M. Bk. 42 Pg. 17

BK.
75

POR. SEC. 3 & 4, T. 8 N., R. 6

POR. SEC.34, T.9N., R.6E., M.D.B. & M.

BK. 75

BK. 75

Bk. 68

58 BK.

9276 bk.

9276 bk.

O.S. Bk. 29 Pg. 19 (12-7-71)
O.S. Bk. 28 Pg. 1 (7-30-70)

O.S. Bk. 29 Pg. 19 (12-7-71)
O.S. Bk. 28 Pg. 1 (7-30-70)

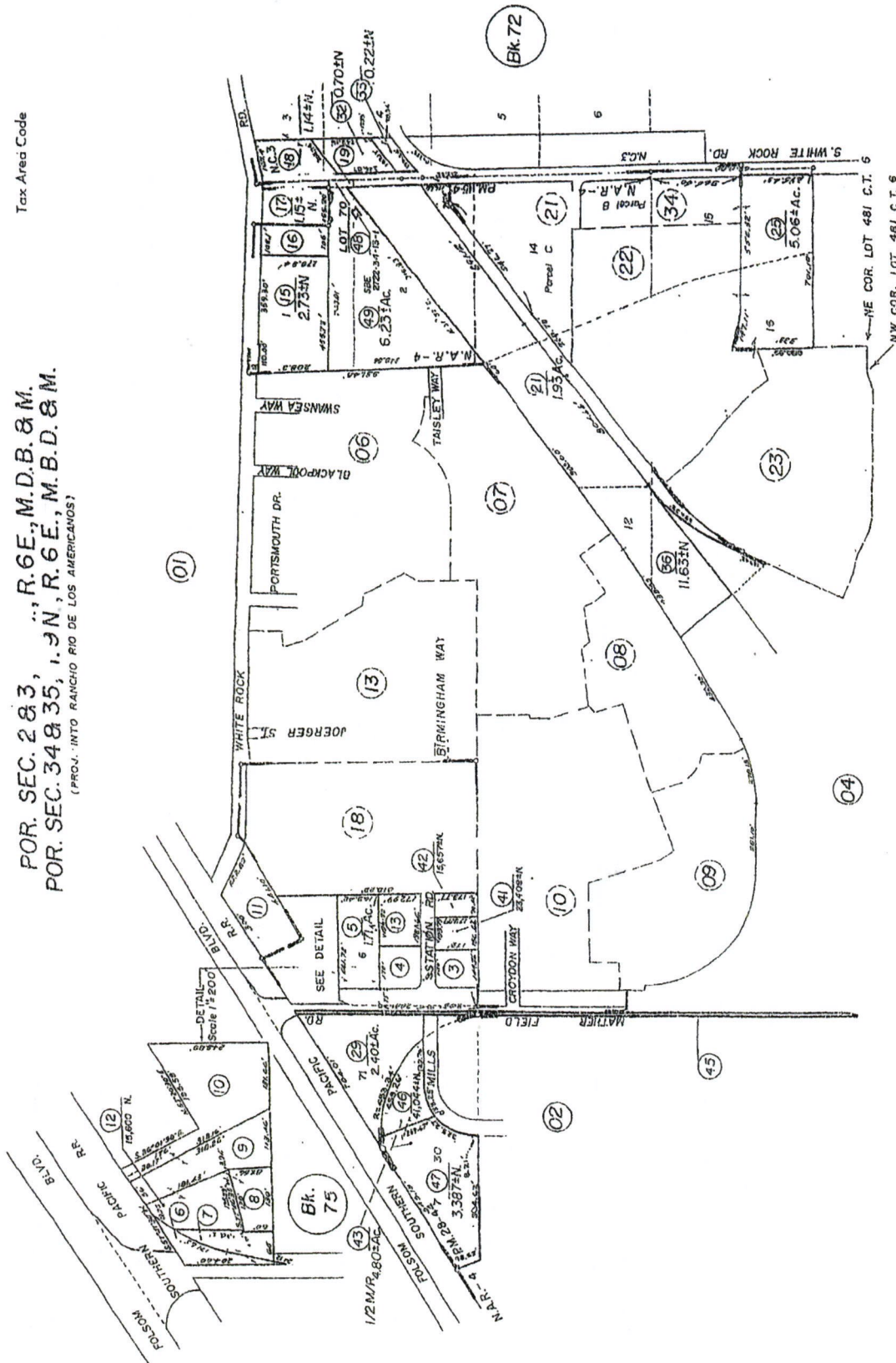
Bk.

Bk.

Assessor's Map Bk. 77, Pg. 01
County of Sacramento, Calif.

Assessor's Map Bk. 77, Pg. 01
County of Sacramento, Calif.

POR. SEC. 2 & 3, .., R. 6 E., M. D. B. & M.
 POR. SEC. 34 & 35, 1, 2 N., R. 6 E., M. B. D. & M.
 (PROJ. "INTO RANCHO RIO DE LOS AMERICANOS")



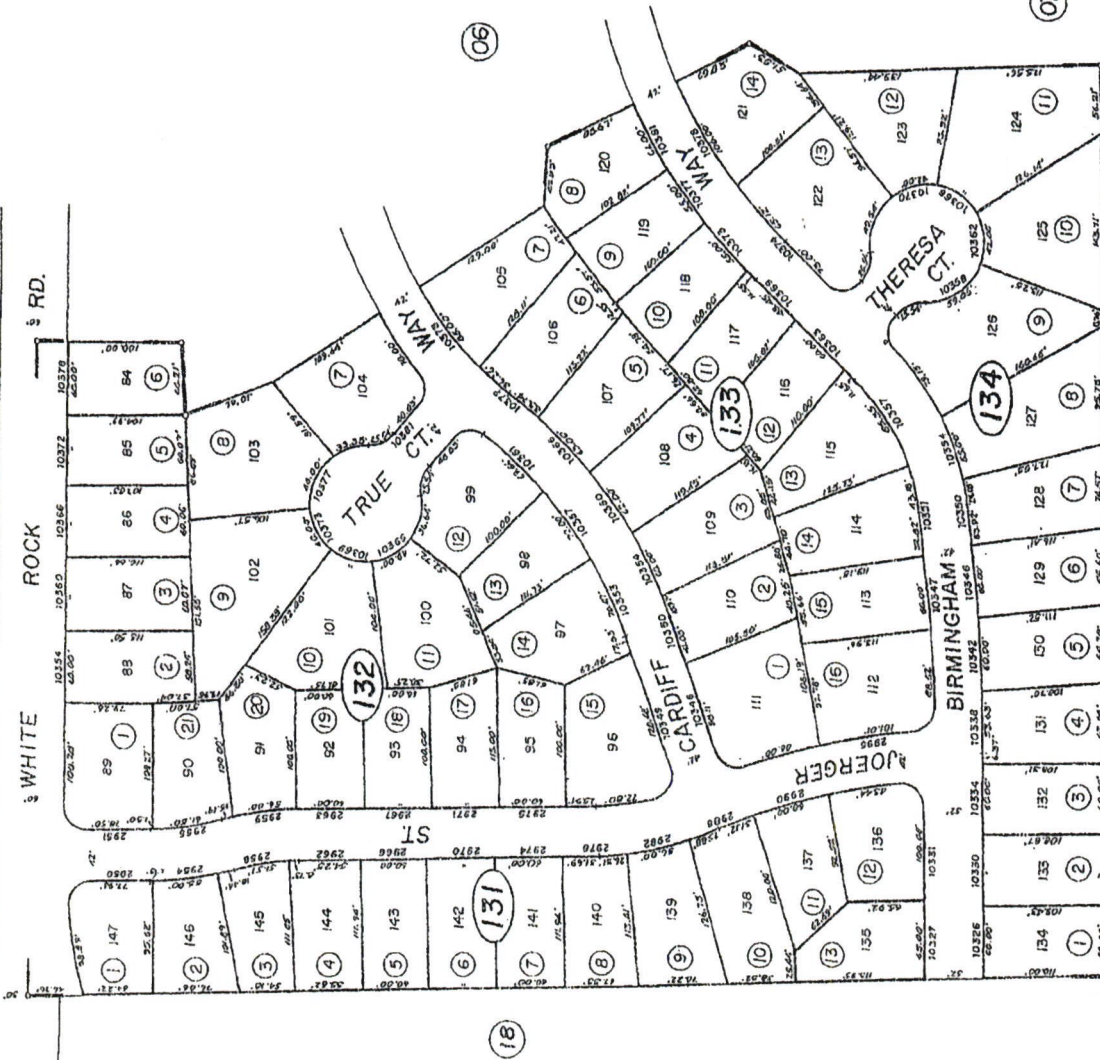
Assessor's Map Bk. 77 -Pg.03
County of Sacramento, Calif.

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

Natomas American River Sub. 4, R.M. Bk. 15, Pg. 44
Natomas Consolidated of Calif. Sub. 3, R.M. Bk. 14, Pg. 46

Tax Area Code

13



Cardova Towne North Unit No. 2, R.M. Bk. 58, Pg. 6

10

07

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

07 Assessor's Map Bk. 77—Pg. 13
County of Sacramento, Calif.

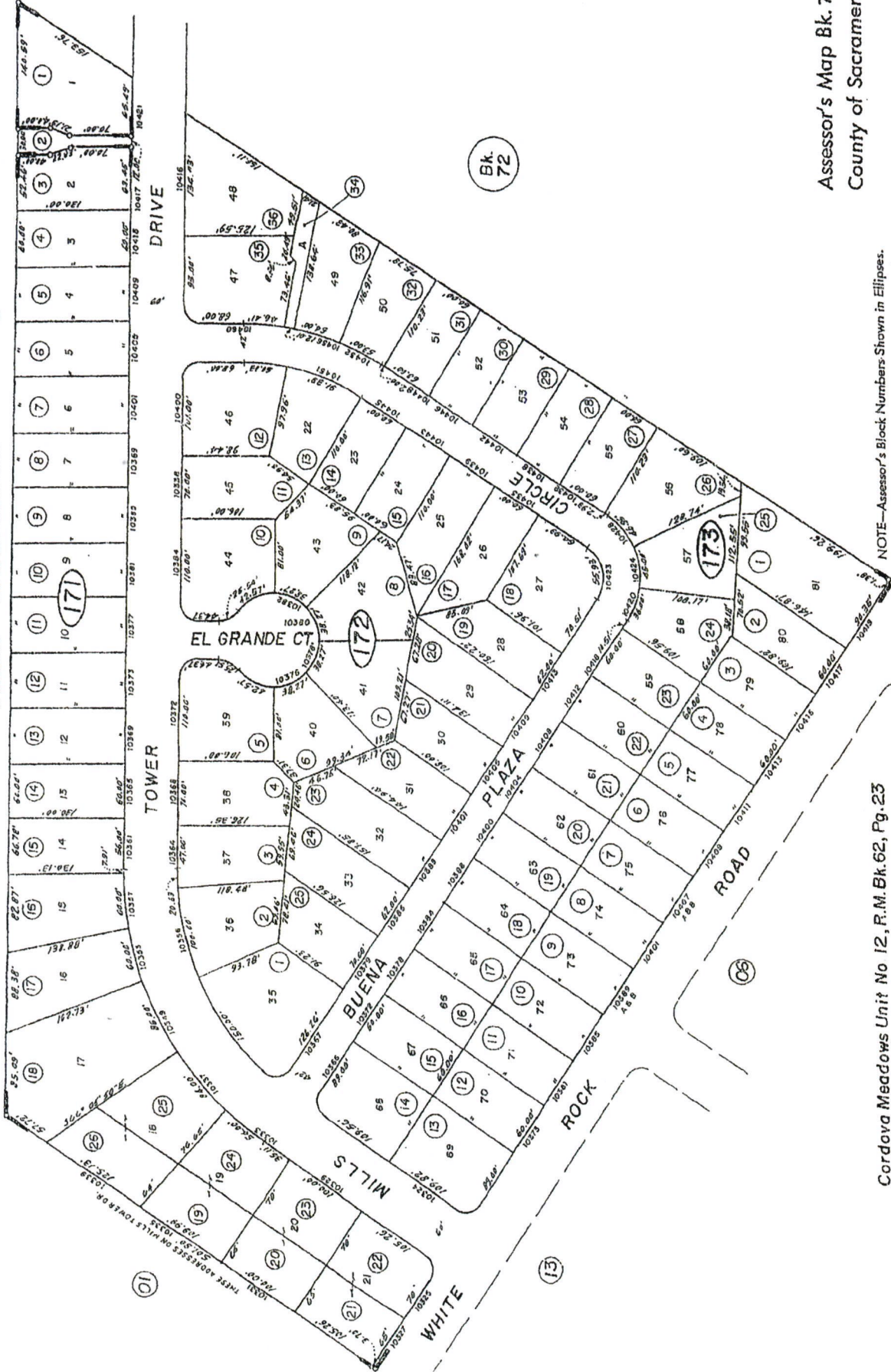
07

POR. SEC. 36
(PROJ. INT.)

N.R. 6E., M.D.B. & M.
..O DE LOS AMERICANOS)

Tax Area Code

17-17



Cordova Meadows Unit No 12, R.M. Bk. 62, Pg. 23

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

Assessor's Map Bk. 77-Pg. 17
County of Sacramento, Calif.

ATTACHMENT 4

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

**SUBJECT: URGENCY RESOLUTION EXTENDING THE CITY'S AUTHORITY TO
CONTINUE CURRENT DEVELOPMENT IMPACT FEES FOR THE
PROVISION OF TRANSPORTATION IMPROVEMENTS**

RECOMMENDATION

Adopt Urgency Resolution No. 140-2007.

RESULT OF RECOMMENDED ACTION

Adoption of this Urgency Resolution will extend the authority to continue the current transportation impact fees on new development, as imposed by Resolution No. 127-2005, for thirty (30) days. These fees will be used to offset traffic impacts created by new development.

BACKGROUND

On October 15, 2007, the City Council enacted Resolution No. 122-2007 readopting the necessary findings and continuing the current transportation impact fees, as imposed by Resolution No. 127-2005, until a new fee schedule is adopted as part of a Transportation Impact Fee Update.

Even though Government Code Section 66017 only deals with the adoption of a fee or charge, or the increase of a fee or charge, and does not speak to the continuance of an established fee, the City prepared Urgency Resolution No. 123-2007 in order to forgo the sixty (60) day waiting period that may arguably apply for the fees to be effective. Pursuant to State Law, the interim authorization granted by Urgency Resolution No. 123-2007 was only in effect for thirty (30) days after adoption. On November 5, 2007, the City Council adopted Urgency Resolution No. 124-2007, which extended the City's authority to continue the current development impact fees for the provision of transportation improvements for an additional thirty (30) days. Adoption of Urgency Resolution No. 140-2007, attached hereto as **Attachment 1**, will extend the City's authority to continue the current development impact fees for an additional thirty (30) days in order to fully cover the sixty (60) day waiting period.

City staff continues to work with consultants to develop the Transportation Impact Fee Update.

FISCAL IMPACT

The fiscal impact of adoption of this Urgency Resolution will be the continuance of the collection of transportation impact fees in the same amounts as currently collected.

ATTACHMENT

Urgency Resolution No. 140-2007 including (Exhibit A) Resolution No. 123-2007, (Exhibit B) Resolution No. 124-2007 and (Exhibit C) Current Fee Schedule.

CITY OF RANCHO CORDOVA

URGENCY RESOLUTION NO. 140-2007

**AN URGENCY RESOLUTION OF THE CITY COUNCIL EXTENDING THE CITY'S
AUTHORITY TO CONTINUE CURRENT DEVELOPMENT IMPACT FEES FOR
THE PROVISION OF TRANSPORTATION IMPROVEMENTS**

WHEREAS, on October 15, 2007, the City Council held a public hearing and adopted Resolution No. 122-2007 and Urgency Resolution No. 123-2007, readopting the necessary findings and continuing the current transportation impact fees as imposed by Resolution No. 127-2005 until a new fee schedule is adopted as part of a Transportation Impact Fee update; and

WHEREAS, even though Government Code Section 66017 only deals with the adoption of a fee or charge, or the increase of a fee or charge, and does not speak to the continuance of an established fee, on October 15, 2007, the City Council adopted Urgency Resolution No. 123-2007 in order to forgo the sixty (60) day waiting period that may arguably apply for the fees to be effective; and

WHEREAS, the authority granted by Urgency Resolution No. 123-2007, attached hereto as **Exhibit A**, was only for thirty (30) days; however, Government Code Section 66017 allows for two thirty (30) day extensions of such authority; and

WHEREAS, on November 5, 2007, the City Council adopted Urgency Resolution 124-2007, attached hereto as **Exhibit B**, as the first thirty (30) day extension; and

WHEREAS, this Urgency Resolution is intended to serve as the second, and final, thirty (30) day extension, which will fully cover the sixty (60) day waiting period; and

WHEREAS, City staff continues to work with consultants for the purposes of updating the Transportation Impact Fee Program; and

WHEREAS, the City Council desires to continue the fees as imposed by Resolution No. 127-2005 and continued by Resolution No. 122-2007 and Urgency Resolutions Nos. 123-2007 and 124-2007 until the new fee schedule is adopted as part of a Transportation Impact Fee Program update. The current fee schedule is attached hereto as **Exhibit C**; and

WHEREAS, in order to protect the health, safety and welfare of the community and to ensure that adequate public facilities are provided for the residents of the City of Rancho Cordova, continuation of the Transportation Impact Fee Program fee schedule is necessary.

**NOW, THEREFORE, THE CITY COUNCIL OF RANCHO CORDOVA DOES HEREBY
RESOLVE AS FOLLOWS:**

1. Findings:

- a. The City Council finds all of the findings of Resolution No. 122-2007 and Urgency Resolutions Nos. 123-2007 and 124-2007 true and correct, and made part of this Resolution.

- b. A failure to continue the fees in effect by adoption of this Urgency Resolution will result in placing the residents of new residential development, the public's use of new commercial development, and/or the existing citizens of the City, in a condition dangerous to their health, safety or welfare.
 - c. Any delay in securing adequate funding will result in a deterioration of the City's level of services and will threaten the City's ability to keep pace with development demands, thereby creating immediate harm to existing and future residents, and other members of the public.
 - d. The City Council finds that even though Government Code Section 66017 only deals with the adoption of a fee or charge, or the increase of a fee or charge, and does not speak to the continuance of an established fee, the City prepared Urgency Resolutions Nos. 123-2007 and 124-2007 and this Urgency Resolution in order to forgo the sixty (60) day waiting period that may arguably apply for the fees to be effective.
 - e. Pursuant to California Public Resources Code Section 21080 (b)(8) and Title 14, Chapter 3 of the California Code of Regulations Section 15273(a)(4), the continuance of these development impact fees is statutorily exempt from the California Environmental Quality Act because the fees are for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas in the City.
2. **Extension of Authority to Continue Fees.** This thirty (30) day extension of the authority granted by Urgency Resolutions Nos. 123-2007 and 124-2007 to continue the current fee rates for the Transportation Impact Fee Program established by Resolution 127-2005, and currently in effect as set forth in **Exhibit C**, is hereby approved.

PASSED AND ADOPTED by the City Council on the 3rd day of December, 2007 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

CITY OF RANCHO CORDOVA

URGENCY RESOLUTION NO. 123-2007

**AN URGENCY RESOLUTION OF THE CITY COUNCIL CONTINUING
CURRENT DEVELOPMENT IMPACT FEES FOR THE PROVISION OF
TRANSPORTATION IMPROVEMENTS**

WHEREAS, on November 7, 2005, the City Council held a Public Hearing and adopted Urgency Ordinance No. 24-2005 adopting a permanent Citywide Transportation Impact Fee and adopted Resolution No. 127-2005 establishing the amount of the Transportation Impact Fees, a copy of which is attached as Exhibit A; and

WHEREAS, the fee rates established by Resolution No. 127-2005 have been adjusted annually for inflation pursuant to Ordinance No. 24-2005; and

WHEREAS, Resolution No. 127-2005 established the fee rates to remain in effect until November 7, 2007, unless otherwise amended or extended by City Council prior to such date; and

WHEREAS, City staff has contracted with consultants for the purposes of updating the Transportation Impact Fee Program and said fee program update will not be completed prior to November 7, 2007; and

WHEREAS, the City Council desires to continue the fees as imposed by Resolution No. 127-2005 until the new fee schedule is adopted as part of a Transportation Impact Fee Program update. The current fee schedule is attached hereto as Exhibit B; and

WHEREAS, on October 15, 2007, the City adopted Resolution No. 122-2007 readopting the findings of Resolution No. 127-2005, and making all required findings for the establishment and continuance of the Transportation Impact Fee; and

WHEREAS, in order to protect the health, safety and welfare of the community and to ensure that adequate public facilities are provided for the residents of the City of Rancho Cordova, continuation of the Transportation Impact Fee Program fee schedule is necessary.

**NOW, THEREFORE, THE CITY COUNCIL OF RANCHO CORDOVA DOES HEREBY
RESOLVE AS FOLLOWS:**

1. Findings:

- a. The City Council finds all of the findings of Resolution No. 122-2007 true and correct, and made part of this Resolution.
- b. The General Plan includes a description of the general location, capacity, and types of public facilities planned and needed to accommodate development anticipated to occur in the City. As reflected in the General Plan, the City must ensure that adequate public facilities are provided to serve new growth, and maintain or improve existing levels of service within the City.
- c. On November 7, 2005, City staff and the City Council considered and analyzed the basis for establishment of the fees originally authorized by Urgency Ordinance No. 24-2005 and permanently authorized by Ordinance 33-2005. The

City Council considered the need for and cost of the new public facilities and improvements necessitated by new development in the City to be funded by those fees, as further set forth in the Nexus Study. The City Council found that the Nexus Study adequately established the basis for establishment of the fees, and described the need for and cost of new public facilities and improvements necessitated by new development in the City, to be funded by those fees, and accordingly approved of the Nexus Study.

- d. The continuation of a citywide transportation impact fee is necessary to immediately preserve and protect the public's health, safety and welfare. The City's current transportation system and roadway capacity will need to be expanded as the City's population increases, as is expected. Based on the expected increase in population, the City will need to construct new roads, and reconstruct and expand existing roads, to ease traffic congestion and improve public safety. The fees established by Ordinance 33-2005 are necessary in order to provide the roadway, bicycle and pedestrian improvements needed as a result of new growth due to new development, as well as to achieve a degree of certainty to allow for orderly development in the City. Inadequate roadway capacity represents a major traffic concern and safety issue. The Institute of Traffic Engineers has performed studies demonstrating the relationship between increased traffic congestion and the increase of vehicle and pedestrian accidents and air quality degradation. For these reasons, it is necessary for, and in the interests of the public's health, safety and welfare, that the continuation of the fees by this Resolution be effective immediately upon adoption.
 - e. A failure to continue the fees in effect by adoption of this Resolution will place the residents of new residential development, the public's use of new commercial development, and/or the existing citizens of the City, in a condition dangerous to their health, safety or welfare.
 - f. Any delay in securing adequate funding will result in a deterioration of the City's level of services and will threaten the City's ability to keep pace with development demand, thereby creating immediate harm to existing and future residents, and other members of the public.
 - g. The City Council finds that even though Government Code Section 66017 only deals with the adoption of a fee or charge, or the increase of a fee or charge, and does not speak to the continuance of an established fee, the City has prepared this Urgency Resolution in order to forgo the 60 day waiting period that may arguably apply for the fees to be effective.
 - h. Pursuant to California Public Resources Code Section 21080 (b)(8) and Title 14, Chapter 3 of the California Code of Regulations Section 15273(a)(4), the continuance of these development impact fees is statutorily exempt from the California Environmental Quality Act because the fees are for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas in the City.
2. **Approval of Continuation of Fees.** The continuation of fee rates for the Transportation Impact Fee Program established by Resolution 127-2005, and currently in effect as set forth in **Exhibit B**, is hereby approved.

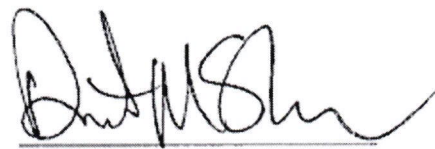
PASSED AND ADOPTED by the City Council of on the 15th day of October, 2007 by the following vote:

AYES: Cooley, McGarvey, Skoglund and Mayor Sander

NOES: None

ABSENT: Vice Mayor Budge

ABSTAIN: None

A handwritten signature in black ink, appearing to read "David M. Sander", written over a horizontal line.

David M. Sander, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Anna Olea-Moger", written over a horizontal line.

Anna Olea-Moger, CMC, City Clerk

CITY OF RANCHO CORDOVA

URGENCY RESOLUTION NO. 124-2007

**AN URGENCY RESOLUTION OF THE CITY COUNCIL EXTENDING THE CITY'S
AUTHORITY TO CONTINUE CURRENT DEVELOPMENT IMPACT FEES FOR
THE PROVISION OF TRANSPORTATION IMPROVEMENTS**

WHEREAS, on October 15, 2007, the City Council held a public hearing and adopted Resolution No. 122-2007 and Urgency Resolution No. 123-2007, readopting the necessary findings and continuing the current transportation impact fees as imposed by Resolution No. 127-2005 until a new fee schedule is adopted as part of a Transportation Impact Fee update; and

WHEREAS, even though Government Code Section 66017 only deals with the adoption of a fee or charge, or the increase of a fee or charge, and does not speak to the continuance of an established fee, on October 15, 2007, the City Council adopted Urgency Resolution No. 123-2007 in order to forgo the sixty (60) day waiting period that may arguably apply for the fees to be effective; and

WHEREAS, the authority granted by Urgency Resolution No. 123-2007, attached hereto as Exhibit A, is only for thirty (30) days; however, Government Code Section 66017 allows for two thirty (30) day extensions of such authority; and

WHEREAS, this Urgency Resolution is intended to serve as the first thirty (30) day extension; and

WHEREAS, City staff continues to work with consultants for the purposes of updating the Transportation Impact Fee Program; and

WHEREAS, the City Council desires to continue the fees as imposed by Resolution No. 127-2005 and continued by Resolution No. 122-2007 and Urgency Resolution No. 123-2007 until the new fee schedule is adopted as part of a Transportation Impact Fee Program update. The current fee schedule is attached hereto as Exhibit B; and

WHEREAS, in order to protect the health, safety and welfare of the community and to ensure that adequate public facilities are provided for the residents of the City of Rancho Cordova, continuation of the Transportation Impact Fee Program fee schedule is necessary.

**NOW, THEREFORE, THE CITY COUNCIL OF RANCHO CORDOVA DOES HEREBY
RESOLVE AS FOLLOWS:**

1. Findings:

- a. The City Council finds all of the findings of Resolution No. 122-2007 and Urgency Resolution No. 123-2007 true and correct, and made part of this Resolution.
- b. A failure to continue the fees in effect by adoption of this Resolution will place the residents of new residential development, the public's use of new

commercial development, and/or the existing citizens of the City, in a condition dangerous to their health, safety or welfare.

- c. Any delay in securing adequate funding will result in a deterioration of the City's level of services and will threaten the City's ability to keep pace with development demand, thereby creating immediate harm to existing and future residents, and other members of the public.
 - d. The City Council finds that even though Government Code Section 66017 only deals with the adoption of a fee or charge, or the increase of a fee or charge, and does not speak to the continuance of an established fee, the City prepared Urgency Resolution 123-2007 and this Urgency Resolution in order to forgo the sixty (60) day waiting period that may arguably apply for the fees to be effective.
 - e. Pursuant to California Public Resources Code Section 21080 (b)(8) and Title 14, Chapter 3 of the California Code of Regulations Section 15273(a)(4), the continuance of these development impact fees is statutorily exempt from the California Environmental Quality Act because the fees are for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas in the City.
2. **Extension of Authority to Continue Fees**. This thirty (30) day extension of the authority granted by Urgency Resolution No. 123-2007 to continue the current fee rates for the Transportation Impact Fee Program established by Resolution 127-2005, and currently in effect as set forth in **Exhibit B**, is hereby approved.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of November, 2007 by the following vote:

AYES: Cooley, McGarvey, Skoglund, Budge and Mayor Sander

NOES: None

ABSENT: None

ABSTAIN: None



David M. Sander, Mayor

ATTEST:



Anna Olea-Moger, CMC, City Clerk

Fee Schedule
City of Rancho Cordova Transportation Impact Fee
Updated Fees Effective March 1, 2007

		Area 1	Area 2
Detached Dwelling Units	per Unit	\$8,774.05	\$18,648.64
Attached Dwelling Units	per Unit	\$5,857.64	\$12,451.13
Mobile Homes in Parks	per Unit	\$4,589.87	\$9,755.90
Commercial Lodging Units	per Unit	\$4,615.76	\$5,813.40
Commercial	per S.F.	\$8.24	\$13.84
Office	per S.F.	\$7.98	\$10.63
Industrial/Manufacturing	per S.F.	\$5.42	\$5.42
Administration (2%)	[1]		

[1] Administration is charged as 2% of the total transportation impact fee

[2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$235.03 per daily trip-mile in Area 1 and \$499.54 in Area 2

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: William Campbell, Principal Planner

SUBJECT: NORTH DOUGLAS II RC-05-185, REZONE, TENTATIVE SUBDIVISION MAP, SPECIAL DEVELOPMENT PERMIT AND DEVELOPMENT AGREEMENT- CONTINUATION

<u>OWNER/APPLICANT:</u>	<u>ENGINEER:</u>
12525, A California General Partnership, Lennar Communities 1075 Creekside Ridge, Suite 110 Roseville, CA 95678	Wood Rodgers, Inc. Donna Pasquantonio/Sean Moss 3301 C Street, Building 100-B Sacramento, CA 95816

PROJECT: The North Douglas II project consists of a Rezone of 17.7 acres from AG-80 to RD-10 (Single Family Residential) and 23.8 acres from AG-80 to Open Space to be consistent with the General Plan, and a Tentative Tract Map, which will create 153 single family residential units on approximately 17.7 acres and a 3.2 acre neighborhood park. This project will be subject to the new 10% affordability policy in the Housing Element (H.1.1.3). Approximately 20 acres is committed to a wetland preserve to protect an endangered species that is unique to this area. The application includes a Special Development Permit to vary building setbacks and minimum lot sizes in the RD-10 Zone. A Development Agreement will accompany the project that provides for economic viability of certain public services, affordable housing opportunities and other amenities to the new development.

RECOMMENDATION

Staff received an email from the applicant requesting the item be continued to the January 21, 2008 City Council meeting. See attached request (Attachment 1).

Since City Hall is closed on January 21 (due to Martin Luther King Jr. Holiday), staff recommends the City Council continue the item to the regular meeting of January 22, 2008.

ATTACHMENT

1. Email from Bob Shattuck, Lennar Homes

ATTACHMENT 1

Bill Campbell

From: Bob.Shattuck@Lennar.com
Sent: Tuesday, November-27, 2007 4:04 PM
To: Bill Campbell
Cc: ttaron@hsmlaw.com
Subject: North Douglas 2 continuance request

Dear Mr. Campbell,

We would like to request a continuance from the scheduled December 3, 2007 City Council meeting until the January 21, 2008 City Council meeting for consideration of the North Douglas 2 project.

Thank you for your assistance.

Bob Shattuck
Director of Community Planning
Lennar Communities
(916) 783-3224 fx: (916) 783-3914
bob.shattuck@lennar.com

11/27/2007

MEMORANDUM



Date: December 3, 2007
To: Mayor and Council Members
From: Anna Olea-Moger, CMC, City Clerk
Subject: **SELECTION OF MAYOR AND VICE MAYOR**

RECOMMENDATION

That Council selects its next Mayor and Vice Mayor

RESULT OF RECOMMENDED ACTION

Result of recommended action is that Council appoints its leadership officers, per Resolution No. 05-2004. The ceremonial seating of the new Mayor and new Vice Mayor will take place at the next Council Meeting on December 17th.

BACKGROUND

On January 5, 2004, the City Council adopted Resolution No. 5-2004 to set forth the Council policy that one of its members would be selected as Mayor and one of its members selected as Mayor Pro Tempore at the first regular City Council meeting in December. Subsequently, Council adopted Resolution 185-2004 changing to Vice Mayor designation from Mayor Pro Tempore.

Copy of both Resolution Nos. 05-2004 and 185-2004 is attached.

ATTACHMENTS

1. Resolution No. 5-2004
2. Resolution No. 185-2004

CITY OF RANCHO CORDOVA

RESOLUTION NO. 5-2004

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
SELECTING DATE ON WHICH THE CITY COUNCIL SHALL ANNUALLY SELECT
A MAYOR AND MAYOR PRO TEMPORE**

RECITALS

WHEREAS, Government Code §36801 provides that the City Council shall select one of its members as mayor and one of its members as mayor pro tempore.

NOW, THEREFORE, the City Council of the City of Rancho Cordova resolves that the City Council shall select one of its members as Mayor and one of its members as Mayor Pro Tempore at the first regular City Council meeting in December.

ADOPTED, THIS 5th day of January, 2004 by the following vote:

AYES: Cooley, McGarvey, Sander, Budge, Roberts

NOES: None

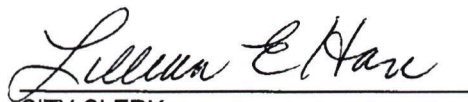
ABSENT: None

ABSTENTIONS: None

APPROVED:


MAYOR

ATTEST:


CITY CLERK

RESOLUTION NO. 185-2004

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO
CORDOVA, CALIFORNIA AMENDING RESOLUTION 31-2004 AND
CHANGING THE DESIGNATION OF MAYOR PRO TEMPORE TO VICE
MAYOR**

WHEREAS, the City Council is desirous of changing the designation of "Mayor Pro Tempore" to "Vice Mayor."

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rancho Cordova does hereby determine and order that:

1. Section 4 and 5 of Resolution No. 31-2003 is amended to replace the "Mayor Pro Tempore" designation with "Vice Mayor" and that
2. That references to "Mayor Pro Tempore" in Resolution No. 5-2004 are hereby amended to be "Vice Mayor."

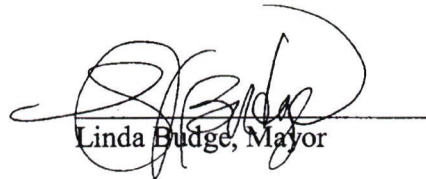
I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Rancho Cordova, held on the 6th day of December, 2004, by the following vote:

AYES: Skoglund, Sander, McGarvey, Cooley, Budge

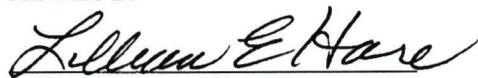
NOES: None

ABSENT: None

ABSTAIN: None


Linda Budge, Mayor

ATTEST:


Lillian E. Hare, City Clerk

MEMORANDUM



DATE: December 3, 2007
TO: Honorable Mayor and Council Members
FROM: William Campbell, Principal Planner
**SUBJECT: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE
BUILDING DESIGN REVIEW**

<u>OWNER / APPLICANT:</u>	<u>ARCHITECTS:</u>
Mather Development Partners and McCuen Properties 3610 American River Dr. #100 Sacramento, CA 95864	Comstock Johnson Architects 10520 Armstrong Ave Rancho Cordova, CA 95655

PROJECT: Sacramento County Department of Environmental Management Office Building Design Review
FILE: RC-07-310
LOCATION: Southeast corner of Armstrong Ave and Bullard St. within the Mather Field Special Planning Area
APN: 067-0010-031 and 067-0010-057
PLANNER: William Campbell, Principal Planner

RECOMMENDATION

The Planning Commission recommends the City Council determine the existing environmental analysis prepared for the Mather Special Planning Area is adequate for this project and adopt Resolution No. 143-2007 approving the design review for Sacramento County Department of Environmental Management Office Building, subject to the findings within the staff report and the attached design package (Exhibit A) and Conditions of Approval (Exhibit B).

RESULT OF RECOMMENDED ACTION

The proposed project will continue to set the tone for future developments in the Campus District of the Mather Field Special Planning Area. Its scale and site layout will continue to promote the office campus, with convenient pedestrian paths linking the building to the parking fields and surrounding buildings. The architectural design blends the elements of glass, metal and concrete in a timeless form and will provide an attractive new home for a needed County agency.

ANALYSIS

Building Design - The MFSPA identified eight districts; one of those districts known as the Campus District has five subareas, of which the subject project is located within the Commercial

Office Subarea. The MFSPA incorporated detailed design guidelines for renovation and new developments; prior to the City incorporation and subsequently, the City adopted a Design Review process and design guidelines that mirror the MFSPA guidelines. Staff has analyzed the project using both the MFSPA Guidelines and the City's Design Guidelines, which apply to non-residential (commercial, office, industrial, and public/quasi-public) developments.



Figure 1-Aerial Site Location

Land Use Relationships with Adjacent Properties

	<u>General Plan Land Use Designation</u>	<u>Zoning and Community Plan Designations</u>	<u>Existing Land Use</u>
Subject Property	Mather SPA	SPA	Commercial
North	Mather SPA	SPA	Commercial
East	Mather SPA	SPA	Commercial
South	Mather SPA	SPA	Airfield
West	Mather SPA	SPA	Commercial

The project architect has elected to use concrete tilt-up structures for the main mass of the two buildings. The MFSPA has been developed with a similar building type in various sub-areas in this District. Due to the size of the new buildings, the architect has employed the use of off-set building walls to enhance the articulation of the building, with different sized glazing patterns in order to further break the horizontal appearance of the building (see rendering). The buildings will be two toned and the colors will be used to accentuate the design of the building. In order to further accentuate the wall panels, the window panels are used to increase and decrease the

mass of the building. The larger center mass of the building is less articulated with windows and the lower projecting masses are highly articulated with vision and non-vision glass. A major entry feature is the glazed stair well that will allow natural light into the building entry and will appear lantern-like at night, thereby illuminating the front entry.

The building is consistent with other building forms in the development and will complement the Mather Field Campus District. The building layout is designed to promote a campus appearance, facing on Armstrong Avenue and the parking fields allocated around the building. Several pedestrian access ways are provided from the public right of way to the main entries of the buildings and entry plazas on the front and rear of the building are provided for the main parking lots.

Roadway Dedications - No additional right of way is required for Armstrong Ave. and Bullard or Bleckely Streets adjacent to this project; however the second phase building will need to reserve a greater setback adjacent to Mather Blvd.

The attached resolution addresses the required findings and support evidence to approve this project. The Planning Commission and staff are recommending approval of the project, as submitted.

ENVIRONMENTAL ANALYSIS

The cumulative impacts of development within the Mather Field Specific Plan were addressed in the EIR. This project is within the anticipated framework of future development as listed in Table 3 of the MFSPA. Staff has reviewed several biologic, hazardous waste studies and other reports regarding the subject property and has determined that no new environmental concerns are present. The project will be consistent with the Mather Field Planning Area Mitigation Program, and therefore will not have a significant effect on the environmental.

FINANCIAL IMPLICATIONS TO CITY

There are no significant cost implications to the City for this development.

RECOMMENDED MOTION

Move the City Council determine the existing environmental analysis prepared for the Mather Field Special Planning Area adequately addressed projects like the Sacramento County Department of Environmental Management Office Building and adopt Resolution 143-2007 approving Design Review for the DEM Building, RC-07-310, subject to the Design Review Package (Exhibit A), and Conditions of Approval (Exhibit B)."

ATTACHMENTS

1. Resolution 143-2007 consisting of the Design Review Package (Exhibit A) and Conditions of Approval (Exhibit B).
2. 500' Radius Map and Mailing List.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 143-2007

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING DESIGN REVIEW FOR SACRAMENTO COUNTY DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT OFFICE BUILDING
PROJECT # RC-07-310**

WHEREAS, McCuen Properties, (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Design Review for a new office building in the Mather Commerce District of the Mather Special Planning Area (Assessor's Parcel Number: 067-0010-031 and 067-0010-057); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project; and

WHEREAS, the City Council of the City of Rancho Cordova has conducted a properly noticed public hearing pursuant to Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
HEREBY RESOLVES AS FOLLOWS:**

1. That the project site was adequately analyzed according to the Guidelines of the California Environmental Quality Act.

The proposal will not have a significant adverse impact on the environment, in accordance with the California Environmental Quality Act. Evidence: The cumulative impacts of development within the Mather Field Special Planning Area (SPA) were addressed in the EIR. This project is within the anticipated framework of future development as listed in Table 3 of the MFSPA. Staff has reviewed several biologic, hazardous waste studies and other reports regarding the subject property and has determined that no new environmental concerns are present. The project will be consistent with the Mather Field Mitigation Program, and therefore will not have a significant effect on the environmental.

2. Approve the Design Review, subject to the Design Package (see Exhibit A) and the Conditions of Approval (see Exhibit B); supported by the following Findings and Evidence:
 - a) *The City finds that the proposed project is consistent with the objectives of the General Plan, complies with applicable Zoning regulations, Special Planning Area provisions, and is consistent with the applicable "Guiding Principals" and "Design Concepts" in section 110-84. Evidence:* The project was reviewed and found to be consistent with Goals UD-2, 3 and 4 of the Urban Design Element of the General Plan that address the aesthetics of new buildings in the City. The adopted design guidelines for non-residential structures were used to guide the design of the new building to be architecturally in context with the adjoining properties in the Campus District of the Mather SPA.
 - b) *The City finds that the proposed project's architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the*

character of the neighborhood and community. **Evidence:** The building is consistent with other building forms in the development and would complement the Mather Field Campus District. The building layout is designed to promote a campus appearance, facing Armstrong Ave. that will serve as a secondary east to west corridor. The parking fields are distributed around the building. Several pedestrian access ways are provided from the public right of way to the main entries of the buildings. A patio provides additional access to the building front, at the corner of Armstrong Ave. and Bleckely Street. This project will serve as a design template for the second phase.

- c) *The City finds that the proposed project's architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties.*

Evidence: The proposed project's architecture is consistent with the adopted guidelines for non-residential buildings. Due to the size of the new building, the architect has employed the use of off-set building walls to enhance the articulation of the building, with different sized glazing patterns in order to further break the horizontal appearance of the building (see rendering, Exhibit A). The building will employ two body colors and one accent color to accentuate the design of the building. In order to further accentuate the wall panels, different window glazing colors will be used.

- d) *The City finds that the proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.* **Evidence:** The proposed project will not generate significant traffic volumes that would impact the circulation pattern of the Mather SPA, nor create conflicts with established pedestrian routes in the area. The ingress and egress to the site does not interfere with any designated bicycle paths along Peter McCuen Blvd or Mather Blvd. The project will support the development of a transit system that was adopted within the Mather SPA.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 3rd of December, 2007.

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk



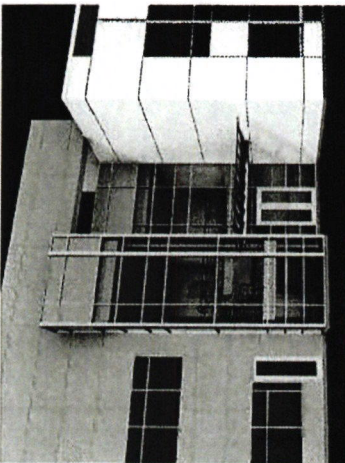
P5

08/08 CA 171148 2-10-08

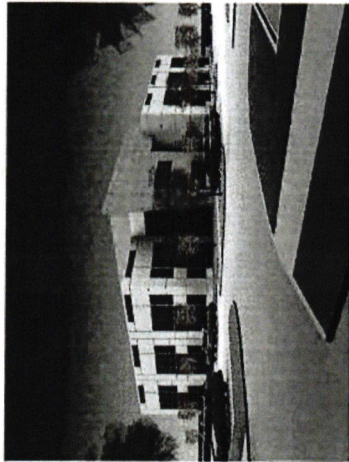
OWNER / APPLICANT:
MCCOY PROPERTIES LLC
2410 AMERICAN RIVER DRIVE, SUITE 100
SACRAMENTO, CA 95834
916-481-6200

Proposal For:
COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
MATHER COMMERCE CENTER
MC CUEN PROPERTIES
MATHER, CALIFORNIA

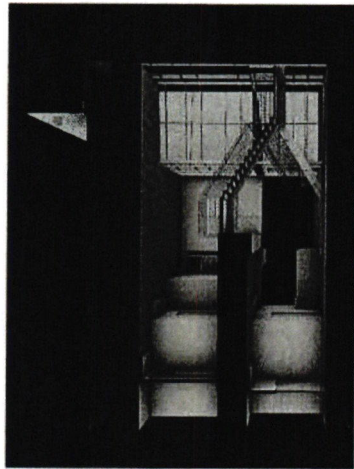
COMSTOCK JOHNSON ARCHITECTS, INC. 10520 ARMSTRONG AVENUE MATHER, CA 95655
916.382.6303 (P) 916.382.5841 (F)



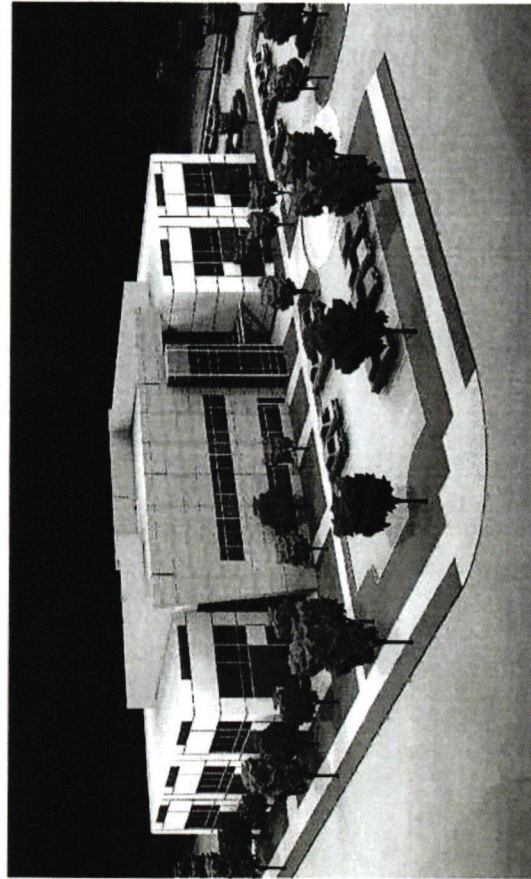
ENTRY



PANEL DETAILS



LOBBY SECTION-PERSPECTIVE



OVERALL

03 / KW CJA 07164.00 20-25-2007

McCUE PROPERTIES LLC
3610 AMERICAN RIVER DRIVE, SUITE 100
SACRAMENTO, CA 95864
916.481.8000

COMSTOCK JOHNSON ARCHITECTS, INC. 1050 ARMSTRONG AVENUE, MATHER, CA 95655
916 382 6303(P) 916 362 5811(F)

CITY OF SACRAMENTO
 DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 WATER COMMERCE CENTER
 MC CUEN PROPERTIES
 MATHER, CALIFORNIA

SCALE: 1/8" = 1'-0"



SCALE: 1/8" = 1'-0"



PROPOSED SITE DATA

[illegible]

FUTURE SITE DATA:
 ADDRESS: 10000
 PHONE: 602-491-1111

FOUR SITE DATA									
STATION #	DATE	TIME	WIND DIR	WIND SPC	WIND DIR	WIND SPC	WIND DIR	WIND SPC	WIND DIR
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1002	10/10/00	10:00	100	10	100	10	100	10	100
1003	10/10/00	10:00	100	10	100	10	100	10	100
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VICINITY MAP
SCALE: NOT TO SCALE



BLECKLEY ST.



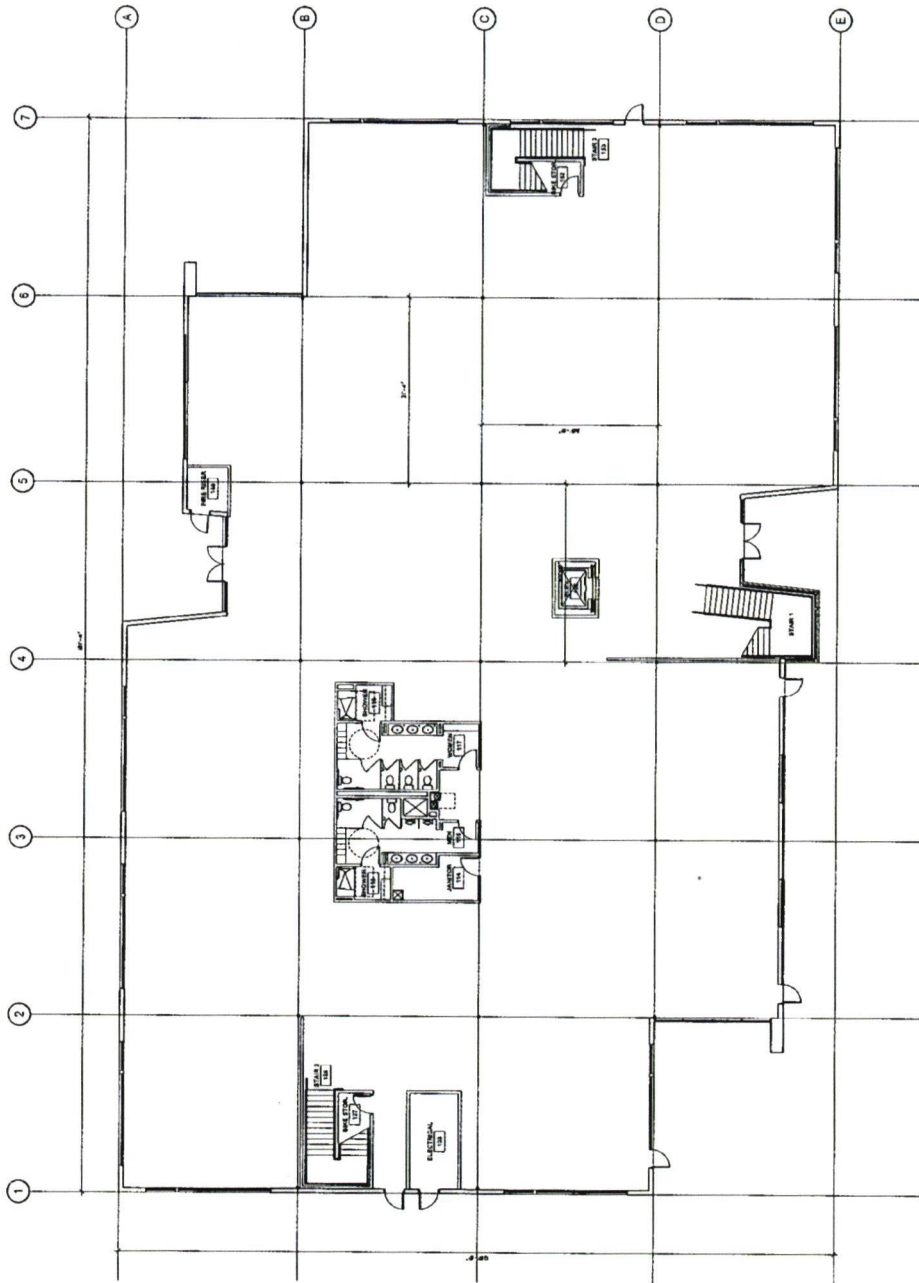
SITE PLAN
SCALE: 1" = 30'-0"





P2

CS/WM CRAFTMAN 30-0000



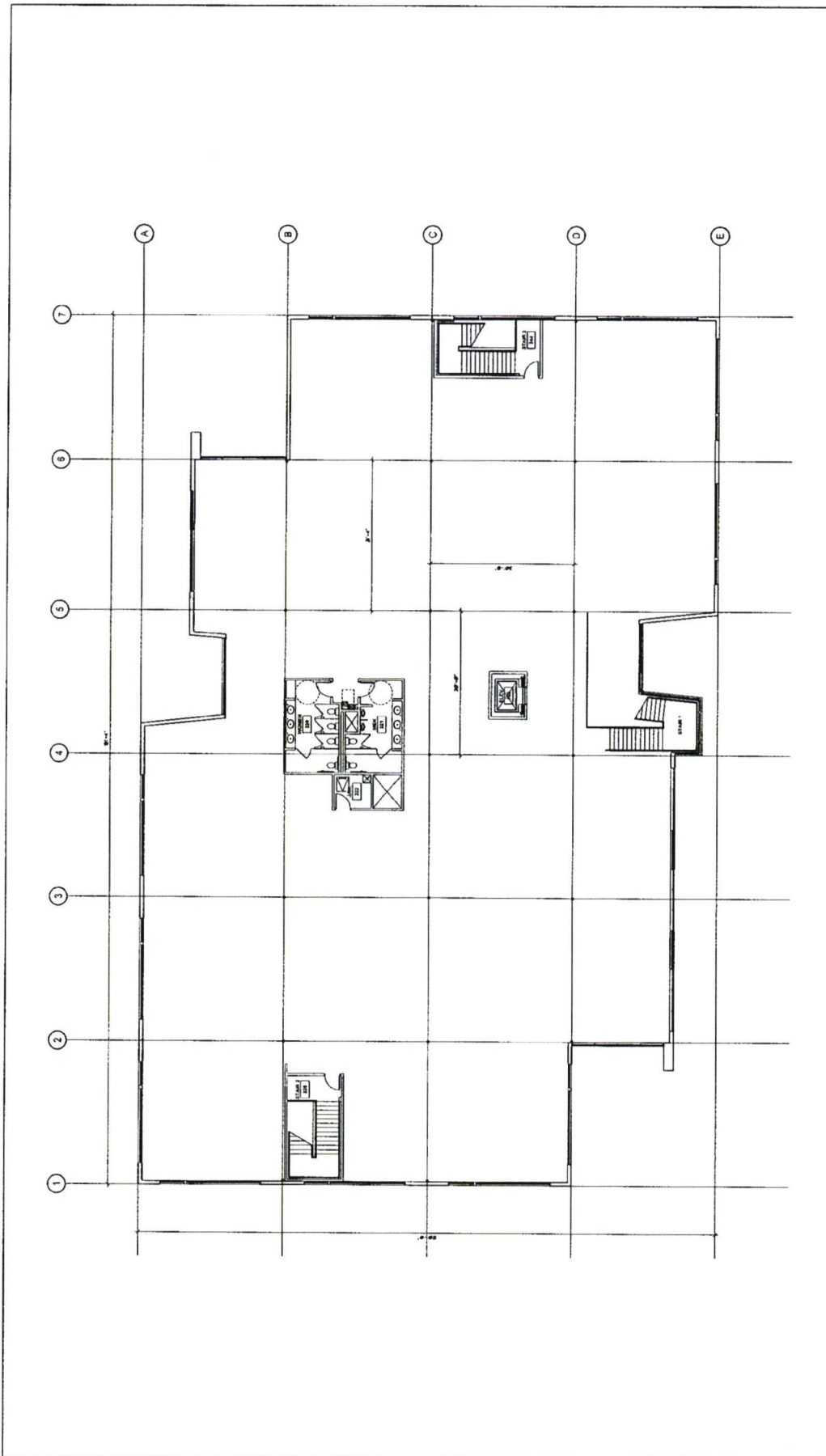
FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

Proposal For:

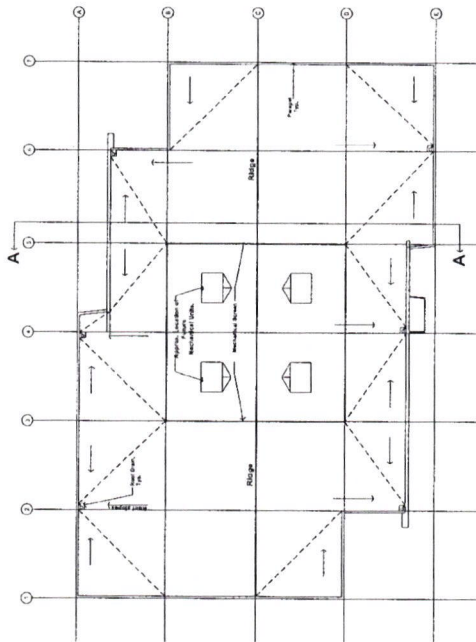
COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
MATHER COMMERCE CENTER
MC CUEN PROPERTIES
MATHER, CALIFORNIA

COWSTOCK JOHNSON ARCHITECTS, INC. 10520 ARBASTOAS AVENUE, MATHER, CA 95635
916.362.6303(P) 916.362.5844(F)





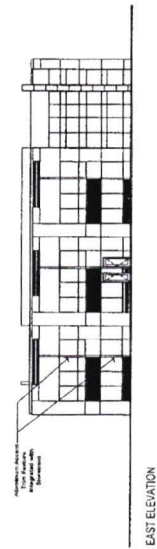
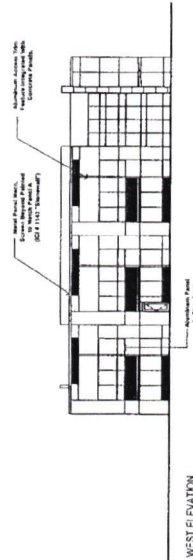
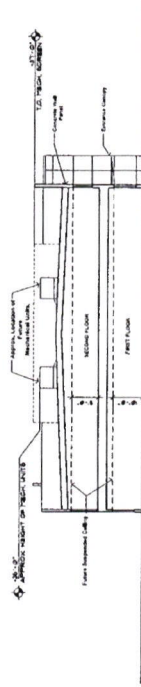
SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



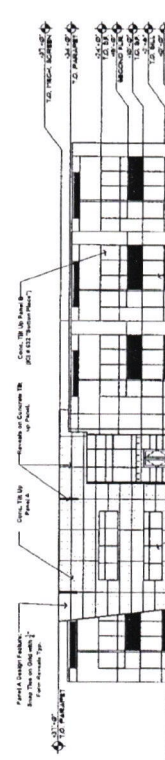
ROOF PLAN
SCALE: 1/8" = 1'-0"



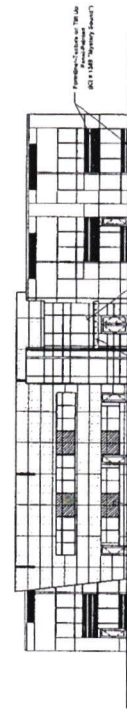
SECTION A-A
SCALE: 1/8" = 1'-0"



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

ELEVATIONS
SCALE: 1/8" = 1'-0"

Proposal For:
COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
MATHER COMMERCE CENTER
MC CUEN PROPERTIES
MATHER, CALIFORNIA

COWSTOCK JOHNSON ARCHITECTS, INC. 10520 ARBASTORE AVENUE MATHER, CA 95635
916.382.6303 (P) 916.382.5844 (F)





NOTE: FOR STANDARD SYMBOLS LEGEND, SEE SHEET 2.

SHEET 3 OF 5

DATE: OCTOBER 2007

PROJECT: XXXX ARMSTRONG AVENUE
SCALE: 1"=20'
F.B. REF: SEE SHEET 1

EXHIBIT A

XXXX ARMSTRONG AVENUE

CITY OF RANCHO CORDOVA, CALIFORNIA

BENCH MARK

SEE SHEET 1

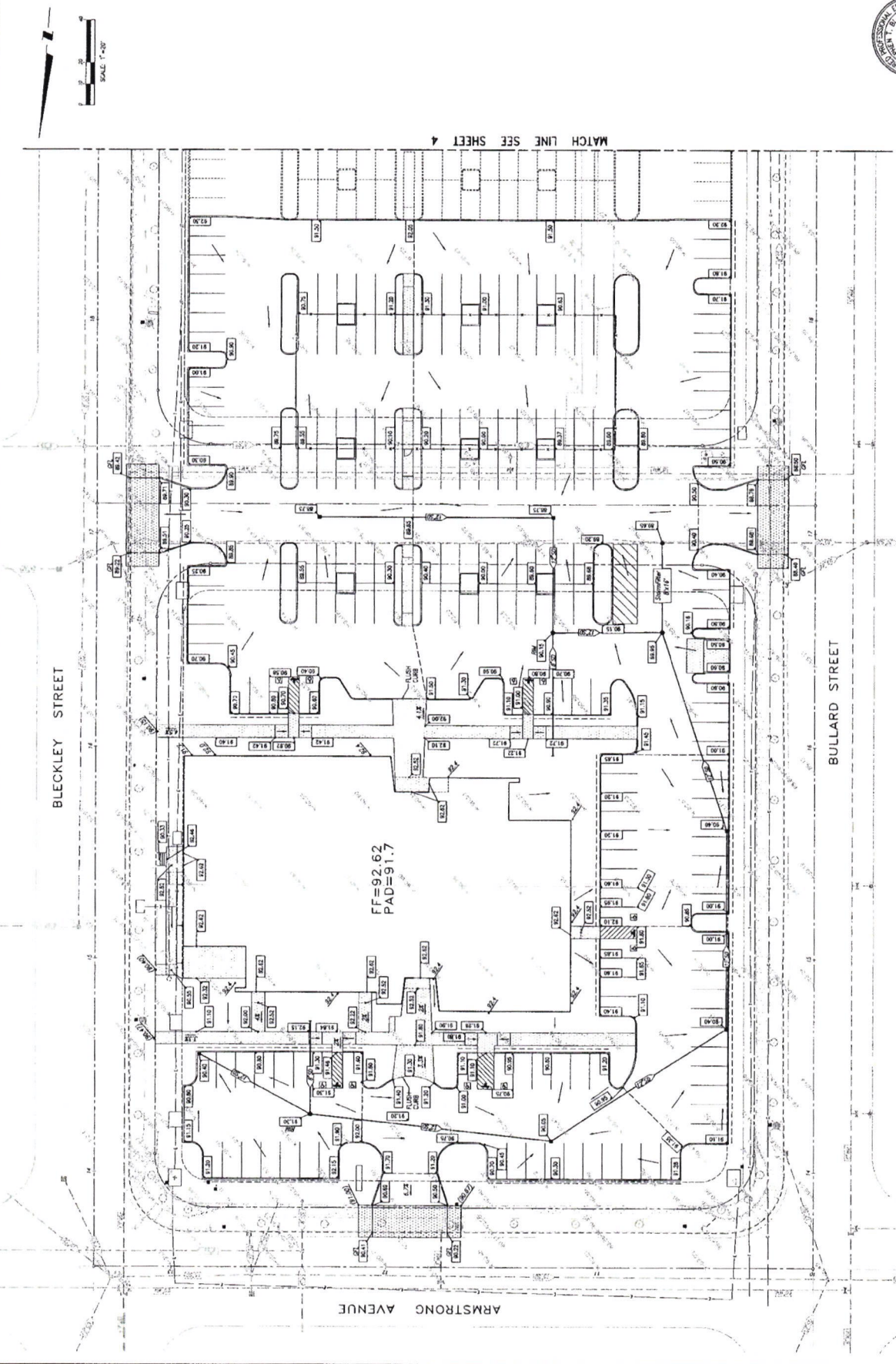
MSA

REVISIONS

DATE

STEVEN T. BLAIR R.C.E. NO. 31466

NO.	DESCRIPTION	DATE

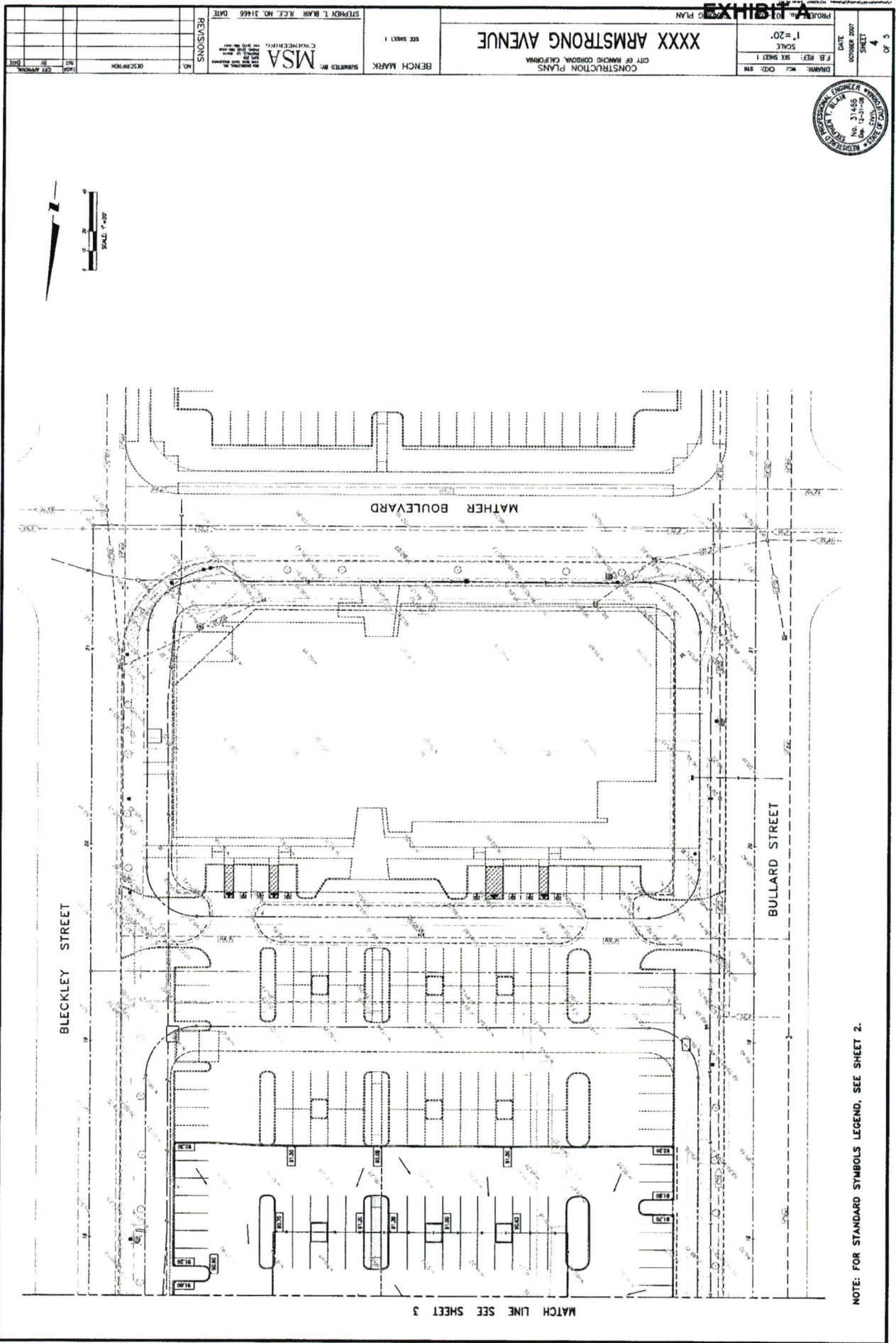


BLECKLEY STREET

BULLARD STREET

ARMSTRONG AVENUE





MATCH LINE SEE SHEET 3

NOTE: FOR STANDARD SYMBOLS LEGEND, SEE SHEET 2.



DATE: OCTOBER 2007
SHEET: 4 OF 5
DRAWN: WCL, CDD, SIB
F.B. REF: SEE SHEET 1
SCALE: 1" = 20'

XXXX ARMSTRONG AVENUE
CONSTRUCTION PLANS
CITY OF SAN JOSE, CALIFORNIA

BENCH MARK
SEE SHEET 1

SUBMITTED BY: MSA
ENGINEERING
10000 N. MISSION BLVD., SUITE 100
SAN JOSE, CA 95138
STEPHEN T. BLAIR, R.C.E. NO. 31465
DATE: 09/14/07

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	09/14/07
2	ISSUED FOR PERMIT	09/14/07
3	ISSUED FOR PERMIT	09/14/07
4	ISSUED FOR PERMIT	09/14/07
5	ISSUED FOR PERMIT	09/14/07
6	ISSUED FOR PERMIT	09/14/07
7	ISSUED FOR PERMIT	09/14/07
8	ISSUED FOR PERMIT	09/14/07
9	ISSUED FOR PERMIT	09/14/07
10	ISSUED FOR PERMIT	09/14/07

XXXX ARMSTRONG AVENUE

XXXX ARMSTRONG AVENUE

[illegible]

SECTION 1--CONDITIONS OF APPROVAL				
		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
1.	These conditions are for the Design Review approval for the Department of Environmental Management Office project in the Mather Special Planning Area. The project is composed of a two-story office building, with a total gross floor area of 36,770 sf and shall be built in substantial conformance with the design package (Exhibit A).	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.	Applicant shall be responsible for all damage to City streets associated with construction of the project. Applicant shall repair any damage attributable to the project upon notification from the City.	On-going	Public Works	
Prior to Approval of Grading & Improvement Plans				
4.	The project proponent shall adhere to all mitigation measures included in the Final Supplemental Environmental Impact Report for the Mather Field Specific Plan, to be enforced and monitored by the City of Rancho Cordova. The project proponent shall pay the costs of any technical services incurred during implementation of the MMRP. The initial estimate of these costs is \$1,500.00. If the initial estimate exceeds the actual monitoring costs, the balance shall be refunded to the project proponent upon completion of the monitoring required by the mitigation. If the actual monitoring costs exceed the initial estimate, the project proponent shall be responsible for payment of the additional amount.	Deposit to be paid prior to approval of grading or improvement plans. Monitoring to continue throughout construction.	Planning	

EXHIBIT B

SECTION 1--CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
5.	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 approval of improvement plans	Public Works	
6.	Number, size, and location of driveway are subject to approval by the Public Works Department.	Prior to approval of improvement plans	Public Works	
7.	Applicant shall submit landscaping plans and calculations demonstrating conformance with City Water Use and Conservation provisions.	Prior to approval of improvement plans	Public Works	
Prior to Building Permits				
8.	Transportation Impact Fees shall be updated, or other provisions for collection of fair share contributions shall be established, to incorporate any offsite mitigation measures within the City of Rancho Cordova that are identified for the project that are not part of the current Transportation Impact Fee program and Transportation Impact Fees shall be paid.	Prior to Building Permits	Public Works	
9.	Property Owner/Applicant shall provide a funding mechanism for maintenance of any publicly maintained frontage and median landscaping associated with the project 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	
10.	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 streets, bridges/culverts, traffic	Prior to Building Permits or entering into an	Public Works	

EXHIBIT B

SECTION 1--CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	signals, traffic signs, striping and legends, ITS operations, and street lights. This may be accomplished through annexation to the City Road Maintenance Assessment District. All costs associated with the annexation shall be borne by the Property Owner/Applicant.	MOU, to the satisfaction of the City, for the provision of funding; whichever come first.		
11.	Applicant shall submit improvement plans to the satisfaction of the Public Works Department. Improvement plans shall include, but shall not be limited to, on-site civil improvements, necessary driveways, utility laterals, easements, etc. Improvement plans shall clearly delineate all transitions to existing improvements. All improvements to be designed and constructed to satisfaction of Public Works Department.	Prior to Building Permits	Public Works	
12.	Property Owner/Applicant shall participate in the provision of funding to provide transit-related services by voting to approve a special tax. The tax shall be the annual amount (with appropriate annual inflation adjustment) as established at the time of voting by the City Council. The election to provide for the tax shall be completed prior to the issuance of building permits. The property owner shall be responsible for paying all costs associated with holding the election. The tax shall be due at the time specified in the ordinance imposing the tax. In addition, the Owner of the property shall hold a deed assessment in the form of Conditions, Covenants & Restrictions against the property, or other form as shall be approved by the City, which assessment will take effect in the event the special tax described in this Condition of Approval is reduced or repealed.	Prior to Building Permits or entering into an MOU, to the satisfaction of the City, for the provision of funding; whichever come first.	Public Works	
13.	The exterior building elevations and landscaping plans shall be reviewed for architectural consistency with the approved plans by the Planning Director.	Prior to Building Permits	Planning	

SECTION 1--CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
14.	Reciprocal access and roadway maintenance agreements shall be provided for the interior roadways of the proposed complex. The roadway maintenance and reciprocal access agreements shall be recorded with the Public Records 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. G. Traffic calming measures, speed bumps, humps, etc. shall not be installed in fire apparatus access roadways.	Prior to Building Permits	Metro Fire	
15.	In order to obtain sewer service, construction of CSD-1 sewer infrastructure and easements will be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the District. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.	Prior to Building Permits	CSD-1	
16.	Demonstrate the existence of, if any, and if needed, abandon the existing easement along the subject property's north boundary, and along the northern and western edge of APN 067-0010-058. Grant CSD-1 a sewer access and maintenance easement centered along the existing pipeline along the subject property's north boundary, and along the northern and	Prior to Building Permits	CSD-1	

EXHIBIT B

SECTION 1--CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
	western edge of APN 067-0010-058. Easements from adjoining parcels are not required.			
Prior to Issuance of Occupancy Permit				
17.	An inspection of the finished building, colors, site amenities, final landscape installation and parking lot improvements shall be reviewed and approved by the Planning Director.	Prior to Issuance of Occupancy Permits	Planning	
18.	Designer shall certify that installed landscaping conforms to City water conserving landscape requirements.	Prior to Issuance of Occupancy Permits	Public Works	
19.	As-Built reproducible grading and improvement plans, as well as a compact disc containing said plans in AutoCAD and portable document format shall be submitted and approved by the Public Works Department.	Prior to Issuance of Occupancy Permits	Public Works	
20.	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 parcel and building with a sewage source shall have a separate connection to the CSD-1 sewer system.	Prior to Issuance of Occupancy Permits	CSD-1	
21.	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 Issuance of Occupancy Permits	Metro Fire	

SECTION 2 -- ADVISORY REQUIREMENTS AND COMMENTS

Rancho Cordova Police Department

- 1) Site Specific Concerns/Conditions
 - a) All entrances to the parking area shall be posted with appropriate signs per 22658(a) CVC, to assist in removing vehicles at the property owner's/manager's request.
- 2) Lighting
 - a) All site lighting shall be controlled by photocell and shall be left on during hours of darkness or diminished lighting.
 - b) A lighting level of 1.0 footcandles, minimum maintained at ground level shall be on at all times during non-operating night/early morning hours.
- 3) Building 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 (1) inch each side of the strike, so as to prevent violation 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) Employee/pedestrian and utility room doors shall be of solid core wood or hollow sheet metal with a minimum thickness of 1-3/4 inches and shall be secured by a deadbolt lock with minimum throw of one (1) inch.
 - d) Outside hinges on all exterior doors shall be provided with non-removable pins when pin-type hinges are used or shall be provided with hinge studs, to prevent removal of the door.
 - e) Doors with glass panels and doors with glass panels adjacent to the door frame shall be secured with burglary-resistant glazing or the equivalent, if double-cylinder deadbolt locks are not installed.
 - f) Doors with panic bars will have vertical rod panic hardware with top and bottom latch bolts. No secondary locks should be installed on panic-equipped doors, and no exterior surface-mounted hardware should be used. A 2" wide and 6" long astragal shall be installed on the door exterior to protect the latch. No surface-mounted exterior hardware need be used on panic-equipped doors.

EXHIBIT B

- g) Windows that are capable of being opened shall be secured on the inside with a locking device capable of withstanding a force of three hundred (300) lbs. applied in any direction.
- h) All hatchway openings on the roof of any building shall be secured as follows:
 - 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.
 - The hatchway shall be secured from the inside with a slide bar or slide bolts. The Fire Marshall must approve the use of crossbar or padlock.
 - Outside hinges on all hatchway openings shall be provided with non removable pins when using pin-type hinges.
- i) All air duct or air vent openings exceeding 8" x 12" on the roof or exterior walls of any building shall be secured by covering the same with either of the following:
 - Iron bars of at least 1/2" round or one by one-fourth inch flat steel material, spaced no more than five inches apart and securely fastened, or
 - A steel grill of at least 1/8" material or two inch mesh and securely fastened; and if the barrier is on the outside, it shall be secured with galvanized rounded head flush bolts of at least 3/8" diameter on the outside.
- j) The address number of every commercial structure shall be illuminated during the hours of darkness so that it shall be easily visible from the street. The numerals in these numbers shall be no less than six inches in height and of a color contrasting with the background.

CSD-1

- 1) Off-site sewer lines may be required as determined by the nearest District approved point of connection. An on-site collection system will be required for all pipes carrying waste from two or more buildings or sewage sources and shall consist of 8-inch (min.) pipes in public easements.
- 2) 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.
- 3) CSD-1 requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all potable water lines. Separation of sewer line from other parallel utilities, such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway width must be approved by the District on a case by case basis.
- 4) Private drives and parking aisles over sewer easements shall have structural sections that meet County of Sacramento Improvement Standards. This will prevent pavement damage by CSD-1 maintenance and repair operations.

EXHIBIT B

- 5) 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 sewers 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.
- 6) Developing this property may require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.
- 7) The subject property owners and subsequent unit buyers shall be responsible for repair and or replacement of all non-asphaltic and/or enhanced surface treatments of streets and drives within these easements damaged by District maintenance repair operations. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land transfers and divisions and by language approved by the District. Surface enhancements include but are not limited to non-asphaltic paving, landscaping, lighting, curbing and all non-driveable street appurtenances.
- 8) Sewer service shall continue to be provided by CSD-1 infrastructure to the existing sewer service laterals. Required modifications, if any, shall be to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to any on and off-site sewer construction.
- 9) Each parcel with a sewage source shall have a separate connection to the CSD-1 public sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site sewer line or CSD-1 public sewer line.
- 10) Sewer easements may be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. CSD-1 will provide maintenance only in public right-of-ways and in easements dedicated to CSD-1.

Sacramento Metro Fire

- 1) All new commercial buildings will require the following submittal plans:
 - a) Civil
 - b) Underground Appurtenance Installation
 - c) Architectural
 - d) Fire Sprinkler, if required
 - e) Fire Alarm, if required
 - f) Gate, if applicable

EXHIBIT B

- 2) 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. Fire hydrant installations for the protection of commercial projects shall comply with the following:
 - a) Maximum 300-foot spacing on center.
 - b) One fire hydrant shall be located within 150 ft. from the end of the access roadway. The required access roadway shall extend to within 150 feet of all portions of the structure.
 - c) A hydrant installed at the end of an access roadway as a "blow off" for the water district does not meet the fire department fire hydrant requirements.
 - d) Existing "wharf" type fire hydrants do not satisfy hydrant requirements for new construction.
- 3) 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.**
- 4) 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. **The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways.**
- 5) When the apparatus access roadway length exceeds 150 feet from the public way, an approved fire apparatus roadway conforming to SMFD Standard 444.302 shall be provided. The turn-around shall be located within 100 feet of the end of the access roadway.
- 6) Vehicle parking is prohibited on any street less than 30 feet in width. Vehicle parking is permitted on both sides of streets 40 feet or more in width. Roadway width shall be measured between the gutter-line or edge of pavement on opposite sides of the road. Identification of fire apparatus access roadways shall be provided conforming to SMFD Standard 444.302.
- 7) The maximum allowable grade change of the approach to an exit from a hill or elevated road will not exceed eight (8) percent for a distance of ten (10) feet. Reference: UFC 902.2.2
- 8) Buildings in excess of 3,599 square feet (2,999 in S-3 occupancies) shall be provided with a fire sprinkler system.

EXHIBIT B

- 9) Buildings provided with a fire sprinkler system shall provide at a minimum, monitoring of the flow and supervision of control valves of such system.
- 10) Buildings in excess of 5,000 sq. ft. shall provide certification of 800 MHz compliance.
- 11) The installation of security gates is regulated by the Sacramento County Fire Code, emergency access gates and barrier requirements. All proposed access gate installations shall comply with this regulation. Gates and fencing shall not be installed without plan review and approval by the Fire District.
- 12) The installation of approved traffic control equipment may be required on all signal lights installed or modified as part of this project to allow emergency fire apparatus to activate the traffic signal.

ATTACHMENT 2

SUBJECT PROPERTIES 067-0010-031, 057, 058 & 059

067-0010-031, 047, 057, 058, 059, 060 & 061
Mather Development Partners
3610 American River Dr., #100
Sacramento, CA 95864

067-0010-019
Plant Bros. Corp.
27 Reed Blvd.
Mill Valley, CA 94941

067-0010-020
Sacto. County Office of Education
PO Box 269003
Sacramento, CA 95826

067-0010-022 & 072
Security National Offices LLC
PO Box 35
Eureka, CA 95502

067-0010-026, 048 & ~~064~~
United States of America
~~Mather~~, CA 95655

067-0010-036
AAB LLC
10555 Norden Ave.
Mather, CA 95655

067-0010-046
SHIVA
3610 American River Dr., #100
Sacramento, CA 95864

067-0010-068
Hines Mather Properties, LLC
630 I Street
Sacramento, CA 95814

067-0010-076 & 077
Redevelopment Agency of Sacto Co
700 H Street #7650
Sacramento, CA 95814

067-0010-078
ANKAA Group LLC
10520 Armstrong Ave.
Mather, CA 95655

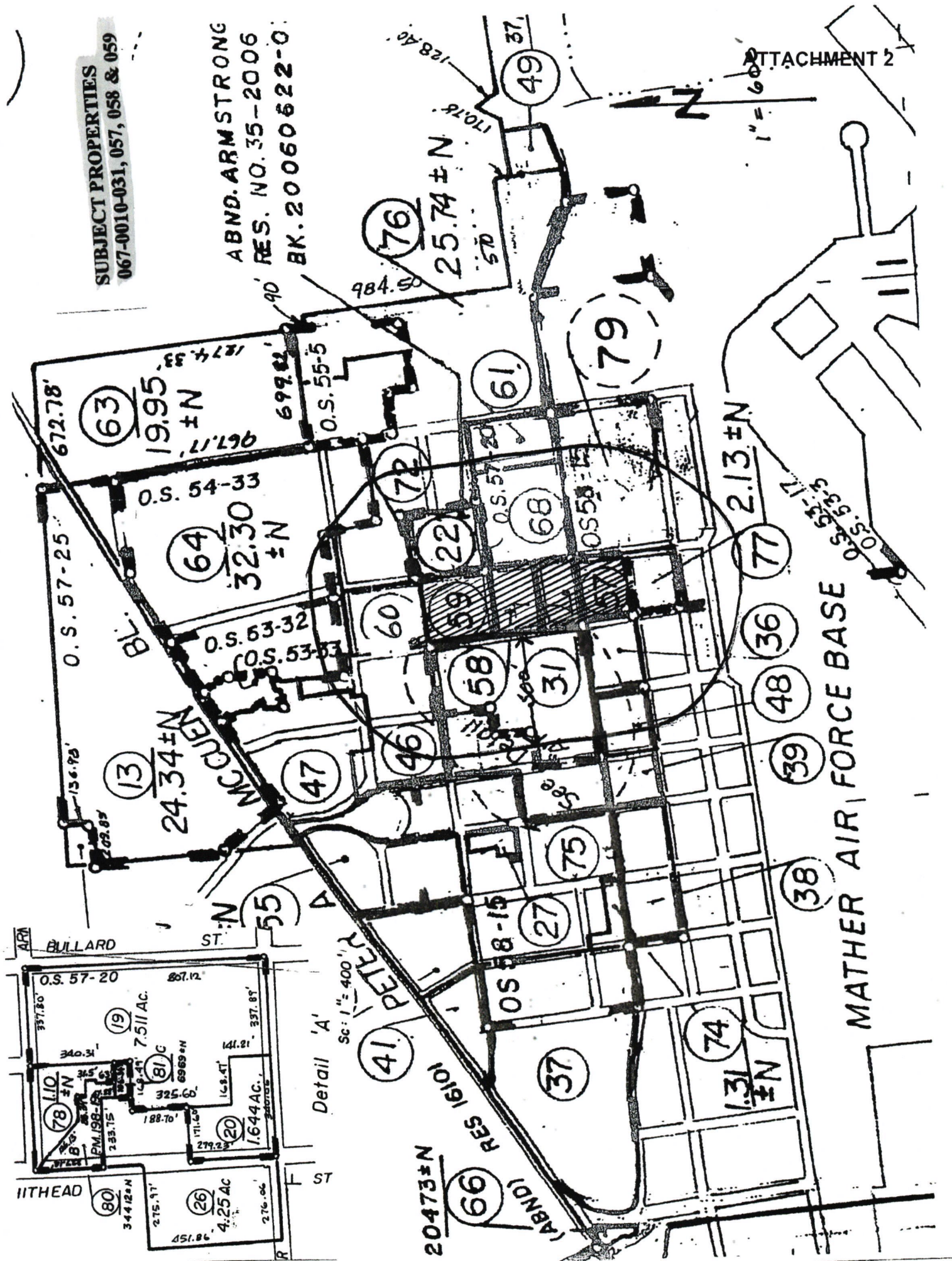
067-0010-080
David Vern LLC
1380 Galaxy Way
Concord, CA 94520

067-0010-081
Heritage Community Credit Union
PO Box 790
Rancho Cordova, CA 95741

067-0790-004
John Reynan/Christo Bardis
10630 Mather Blvd.
Mather, CA 95655

ABND. ARMSTRONG
RES. NO. 35-2006
BK. 20060622-0

~~ATTACHMENT 2~~



MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: William Campbell, Principal Planner

SUBJECT: NORTH DOUGLAS II RC-05-185, REZONE, TENTATIVE SUBDIVISION MAP, SPECIAL DEVELOPMENT PERMIT AND DEVELOPMENT AGREEMENT- CONTINUATION

<u>OWNER/APPLICANT:</u>	<u>ENGINEER:</u>
12525, A California General Partnership, Lennar Communities 1075 Creekside Ridge, Suite 110 Roseville, CA 95678	Wood Rodgers, Inc. Donna Pasquantonio/Sean Moss 3301 C Street, Building 100-B Sacramento, CA 95816

PROJECT: The North Douglas II project consists of a Rezone of 17.7 acres from AG-80 to RD-10 (Single Family Residential) and 23.8 acres from AG-80 to Open Space to be consistent with the General Plan, and a Tentative Tract Map, which will create 153 single family residential units on approximately 17.7 acres and a 3.2 acre neighborhood park. This project will be subject to the new 10% affordability policy in the Housing Element (H.1.1.3). Approximately 20 acres is committed to a wetland preserve to protect an endangered species that is unique to this area. The application includes a Special Development Permit to vary building setbacks and minimum lot sizes in the RD-10 Zone. A Development Agreement will accompany the project that provides for economic viability of certain public services, affordable housing opportunities and other amenities to the new development.

RECOMMENDATION

Staff received an email from the applicant requesting the item be continued to the January 21, 2008 City Council meeting. See attached request (Attachment 1).

Since City Hall is closed on January 21 (due to Martin Luther King Jr. Holiday), staff recommends the City Council continue the item to the regular meeting of January 22, 2008.

ATTACHMENT

1. Email from Bob Shattuck, Lennar Homes

ATTACHMENT 1

Bill Campbell

From: Bob.Shattuck@Lennar.com
Sent: Tuesday, November-27, 2007 4:04 PM
To: Bill Campbell
Cc: ttaron@hsmlaw.com
Subject: North Douglas 2 continuance request

Dear Mr. Campbell,

We would like to request a continuance from the scheduled December 3, 2007 City Council meeting until the January 21, 2008 City Council meeting for consideration of the North Douglas 2 project.

Thank you for your assistance.

Bob Shattuck
Director of Community Planning
Lennar Communities
(916) 783-3224 fx: (916) 783-3914
bob.shattuck@lennar.com

11/27/2007

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: Anna Olea-Moger, City Clerk
Joseph Chapman, Deputy City Attorney

**SUBJECT: SUPPLEMENTAL REPORT – ORDINANCE AMENDING THE CITY'S
CODES IN PREPARATION FOR CODIFICATION OF THE CITY'S
MUNICIPAL CODE**

RECOMMENDATION

Staff recommends the City Council review the supplemental information, insert the requested language into the ordinance, and proceed with the recommended approval.

ANALYSIS

Subsequent to the preparation of the agenda package, staff determined that one additional global change should be added to Ordinance 38-2007. Staff wishes to add the following subsection (r) to Exhibit 1, Section A(1), of Ordinance No. 38-2007:

"r. All references to Government Code section 25132 shall be changed to Government Code section 36900."

These sections address the authority of counties and cities, respectively, to designate code violations as misdemeanors or infractions.

MEMORANDUM



DATE: December 3, 2007

TO: Honorable Mayor and Council Members

FROM: Anna Olea-Moger, City Clerk
Joseph Chapman, Deputy City Attorney

**SUBJECT: AN ORDINANCE AMENDING THE CITY'S CODES IN PREPARATION FOR
CODIFICATION OF THE CITY'S MUNICIPAL CODE**

RECOMMENDATION

Introduce the ordinance, waive the first reading and continue the ordinance to the December 17, 2007, City Council meeting for adoption.

RESULT OF RECOMMENDED ACTION

Adoption of the ordinance will make a substantial number of housekeeping changes to the City's codes - cleaning up reference errors, eliminating unneeded provisions, etc. - that are a result of the City's adoption of Sacramento County provisions by reference following incorporation.

BACKGROUND

Following incorporation, the City adopted by reference various provisions of the Sacramento County Code and Zoning Code. Since that time, the City has continued to adopt ordinances amending those provisions, as well as adding new laws to the City's codes. The City has not, however, had all of its codes contained in one central Municipal Code document for reference by City staff and the public. Instead the City has relied upon the versions of the County's codes in existence at the time of the City's incorporation and the subsequent ordinances adopted by the City. Needless to say, as the City continues to make changes to its codes, it will become more difficult for not only the public, but also City staff, to stay on top of all of the changes the City has made and to know the current state of the City's laws.

Prior to her departure, former City Clerk Lillian Hare began the process of placing all of the City's codes in an official Rancho Cordova Municipal Code. To that end, the City has hired Code Publishing Company to assist the City in converting the City's codes and its various amendments. When this process is complete, the City will have both up-to-date print and online versions of the City's Municipal Code.

Ordinance 38-2007

The purpose of the attached ordinance is to fix reference errors and other "housekeeping" problems associated with the fact that the City adopted the County's codes by reference. Due to the differences between the County and the City, a number of provisions the City has

adopted make reference to titles, officials, or other designations that are not applicable within the governmental structure of the City; e.g. references to the "Board of Supervisors" or the "Project Planning Commission." Other reference issues involve citations to state code provisions applicable to counties, but not cities. Staff has also been working not only to identify corrections to the foregoing, but also to identify chapter and sections of the adopted codes that are not applicable to the City and should be deleted. ***This ordinance does not and is not intended to make substantive changes to the City's laws.*** Finally, although this ordinance makes a substantial number of changes, staff anticipates that further "housekeeping" changes will still be necessary in the future. This is due in large part to the variability of terminology used by the County in its codes and staff expects that additional reference errors will be identified in the future. In addition, the County's layering of responsibilities among several departments and bodies in some parts of the codes requires close coordination between City departments as to how to best make modifications. This is a process that is still ongoing.

Following adoption of this ordinance, the City Clerk's office will direct Code Publishing Corporation to proceed with preparing the codification of the City's codes with a goal that the official Municipal Code will be ready within 90 days.

REQUESTED MOTION

"I move that the City Council introduce Ordinance No. 38-2007, waive the first reading and continue the ordinance to the December 17, 2007, City Council meeting for adoption."

ATTACHMENT

Ordinance 38-2007

CITY OF RANCHO CORDOVA

ORDINANCE NO. 38-2007

AN ORDINANCE OF THE CITY OF RANCHO CORDOVA AMENDING THE CITY'S CODES INCLUDING TITLES: 3, "REVENUE AND TAXATION"; 4, "BUSINESS REGULATION"; 5, "FRANCHISES"; 6, "HEALTH AND SANITATION"; 9, "PUBLIC PEACE, MORALS AND SAFETY"; 10, "VEHICLES AND SAFETY"; 12, "STREETS AND SIDEWALKS"; 14, "AGRICULTURAL ACTIVITIES AND WATER USE AND CONSERVATION"; 16, "BUILDINGS AND CONSTRUCTION"; 19, "TREES"; 21, "PLANS"; AND 22, "LAND DEVELOPMENT" IN PREPARATION FOR CODIFICATION OF THE CITY'S MUNICIPAL CODE

WHEREAS, the City of Rancho Cordova ("City") incorporated on July 1, 2003;
and

WHEREAS, pursuant to Ordinances 20-2003 and 21-2003, the City adopted by reference certain provisions of the Sacramento County Code for use as the laws of the City; and

WHEREAS, the City has, from time to time, amended the provisions of the Sacramento County Code adopted by reference, as well as adopted new laws applicable within the boundaries of the City; and

WHEREAS, the City now desires to codify all of these changes in a single set of codes that can be referenced by the City and members of the public; and

WHEREAS, the adoption by reference of the Sacramento County Code has resulted in the City's laws containing out-of-date references and provisions, which have no application within an incorporated city; and

WHEREAS, the City desires to correct these references and remove inapplicable provisions prior to its codification of the City's municipal code.

NOW THEREFORE BE IT RESOLVED, the City Council of Rancho Cordova does ordain as follows:

Section 1. Amendment of Codes.

The City's codes, which were adopted by reference from the County of Sacramento's codes pursuant to Ordinances 20-2003 and 21-2003, are amended as set forth in **Exhibit 1** to this ordinance.

Section 2. 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 3. Effective Date and Publication.

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

PASSED AND ADOPTED, this _____ day of _____, 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

David M. Sander, Mayor

Anna Olea-Moger, CMC, City Clerk

A. Substitution of Appropriate Reference to City.

1. With the exception of Chapter 5.50, "Cable Television Ordinance," Chapter 5.75, "Cable Television Licensing Ordinance," Chapter 6.20, "Solid Waste Management," and Title 15, "Water and Sewers," and except as otherwise set forth in this ordinance, the following terms contained in the provisions of the Sacramento County Code adopted by reference by the City of Rancho Cordova are amended as follows:
 - a. All references to "California Administrative Code" shall be changed to the "California Code of Regulations";
 - b. All references to "Sheriff's department" shall be changed to "Rancho Cordova Police Department";
 - c. All references to "Sheriff" shall be changed to "Chief of Police";
 - d. All references to "unincorporated area of the County," "unincorporated area of the County of Sacramento," and "an unincorporated area" shall be changed to "City of Rancho Cordova";
 - e. All references to "Sacramento County Administrative Regulations, shall be changed to "Rancho Cordova Administrative Regulations";
 - f. All references to "Building Inspection Division," and "Building Inspection Division of the Public Works Agency," shall be changed to "Building and Safety Department";
 - g. All references to "Business Licensing Division," shall be changed to "Finance Department";
 - h. All references to "Director of Planning and Community Development," shall be changed to "Planning Director";
 - i. All references to "Board of Supervisors" and "board," when such abbreviated reference is being made to the Board of Supervisors shall be changed to "City Council";
 - j. All references to "Project Planning Commission" shall be changed to "Planning Commission";
 - k. All references to "Policy Planning Commission" shall be changed to "Planning Commission";
 - l. All references to "County Executive" shall be changed to "City Manager";
 - m. All references to "Zoning Administrator" shall be changed to "Planning Director";
 - n. All references to "Chief Building Inspector" shall be changed to "Chief Building Official";
 - o. All references to "Public Works Agency" shall be changed to "Department of Public Works";
 - p. All references to "Administrator of Public Works" shall be changed to "Director of Public Works"; and
 - q. All references to "Sacramento County Code" or "County Code" shall be changed to "Municipal Code."

B. Title 3 – Revenue and Taxation.

Title 3, "Revenue and Taxation" is amended as follows:

1. Chapter 3.40, "User Utility Tax," Section 3.40.040, "Definitions," subsection (l) is amended to read as follows:

"Tax Administrator means the Finance Director."
2. Chapter 3.44, "Transactions and Use Tax," is deleted in its entirety.

C. Title 4 – Business Regulation.

Title 4, "Business Regulation," is amended as follows:

1. Chapter 4.02, "General Provisions," Section 4.02.100, "Violations" shall read as follows:

"Except as otherwise specifically provided, pursuant to the provisions of Government Code Section 36100, violation of any of the provisions contained in this Title shall constitute an infraction subject to a minimum fine of one hundred dollars (\$100.00) for each day or any portion thereof a violation continues.

Violation of any of the following provisions of this Title following service at the enterprise of a written notice by an enforcing official advising of the violation and ordering a cessation thereof, shall pursuant to the provisions of Section 1.01.190 contained in Title 1 of this Code, constitute a misdemeanor: sections 4.06.005, 4.06.006, 4.10.005, 4.14.015, 4.18.050, 4.22.010, 4.26.005, 4.28.020, 4.29.025, 4.30.005, 4.34.200, 4.34.210, 4.38.205, 4.50.005, 4.50.050, 4.50.130, 4.50.200, 4.50.205, 4.54.260, and 4.58.135. As used in this Paragraph, an enforcing official includes the Police Chief, the City Manager, the Finance Director or any other City official charged with the responsibility of administering the provisions of this Title. Pursuant to the provisions of Section 836.5 of the Penal Code, city officials charged with the inspection of business licenses and acting under the direction and control of the City Manager or the Finance Director or their designees shall be authorized to enforce and arrest persons without a warrant for violations of those provisions within those Chapters and Articles of this Title which are assigned, respectively, to the administrative responsibility of the City Manager or the Finance Director or their designees.

Violation of any of the provisions of this Title may be remedied by injunction or other civil proceedings commenced in the name of the City by the City Attorney pursuant to direction by the City Council."

2. Chapter 4.02, "General Provisions," Section 4.02.120, "Effectiveness" is deleted in its entirety.

3. Chapter 4.06, "General Business Licenses," Section 4.06.085, "Issuance," is amended by changing the reference to "Business and Professions Code section 16100 subdivision (c)," to "Business and Professions Code section 16000 subdivision (c)."
4. Chapter 4.06, "General Business Licenses," Section 4.06.115, "Undetected violations," is amended by changing the reference to "Business and Professions Code section 16100," to "Business and Professions Code section 16000."
5. Chapter 4.06, "General Business Licenses," Section 4.06.212, "Appeal From Denial of Initial Application for Business License for Sexually Oriented Business," is amended by changing the reference to "Section 130-157.5 of the Sacramento County Zoning Code," to "the Rancho Cordova Zoning Code."
6. Chapter 4.26, "Bingo Games," Section 4.26.000, "Statement of Purpose," is amended to read as follows:

"The City adopted the provisions set forth in this Chapter by reference to the Sacramento County Code upon incorporation in 2003. The need for the regulations in this Chapter is based upon the findings and experience of the County prior to that time. In 1977, the County of Sacramento enacted an ordinance enabling qualified charitable organizations to operate bingo for fund raising purposes. The popularity and profitability of the games led to an increase in County licensed games. The proliferation of newly chartered and out of county charities seeking bingo licenses within the County created a situation which strained the County's ability to regulate existing licensees and jeopardizes the protection of legitimate charitable interests.

The County's past enforcement experience has demonstrated the following:

- a. Time, effort and expense are increasing geometrically. State and local statutes demanded a technical accounting of proceeds. As volume increases, the ability to audit, and enforce state and local law is compromised. Although many operators are highly efficient and reputable, others are inefficient and creative in avoiding the letter of the law.
- b. If all licensees were efficient and reputable, regulatory supervision would be almost perfunctory. Such is the case with many existing licensees. Others, however, require exhaustive monitoring and enforcement. Integrity is a difficult commodity to ascertain in advance of licensure. Thorough screening of applicants prior to licensure is desirable, and required by local ordinance. Pursuant to Rancho Cordova Municipal Code Sections 4.10.035 and 4.10.040, the Chief of Police conducts a thorough investigation into the background of applicants, and their organizations, in order to assure that licensure would not set the stage for fraud and deceit. Such investigation is particularly difficult when applicants have no local track record.
- c. Both newly chartered and out of area charities proved to be problematic. Several folded within months of licensure due to financial collapse. While

some financial failure may be innocently explained, others were clearly bankrupted by the misappropriation of charitable proceeds. Whether innocent or criminal causes underlie these failures, short-lived charities monopolize an inordinate amount of expense, which never ripened to benefit any charity.

A one year operational prerequisite would allow City energies to be more efficiently allocated. Pre-license screening would be supplemented with the objective track record of each applicant. The number of unstable or pretextual organizations will be reduced.

The purposes of this Chapter are to protect the health, safety and welfare of the citizens within the unincorporated area, to assure that City expenditure is efficiently allocated, and to safeguard legitimate charitable purposes.

The purpose for allowing an eligible organization to conduct bingo games in Rancho Cordova is to provide that organization an additional source of revenue to further the purpose for which that organization was created. A licensee organization conducting bingo games without generating a profit from those games does not fulfill the purpose for which bingo is permitted.

Organizations with a proven track record demonstrating that the game can produce a certain level of profits for charitable purposes, as opposed to proceeds going largely to overhead expenses of the game, should be allowed to conduct further games on various days of the week.

The purpose of requiring a separate license for separate functions of bingo operations, such as a bingo parlor license, a bingo supplier license, and a license for the actual conduct of the games, is to ensure that each function is conducted by a separate and independent person or entity. Such regulation aids in assuring the integrity of the game and in minimizing the problems of undue influence being used against an organization that is licensed to conduct bingo. Recent history has shown that nonprofit organizations are not beyond exercising undue influence against smaller organizations and channeling some of the monies meant for charitable purposes into the private accounts of dishonest members. Further, requiring separation of functions lessens the opportunity for fraud, collusion, and self-dealing.

The purpose of requiring those organizations licensed to conduct bingo games to pay amounts owed to the bingo parlor before the next day of bingo operation and to pay the bingo supplier within thirty days of the invoice date or ten days of the statement date, whichever occurs later, is a direct effort to preclude the parlor or the supplier from acquiring a financial interest in the games. The existence of a debtor-creditor relationship is inimical to the integrity of the bingo games. In the realm of gaming, and bingo is gaming, debts owed to the parlor or supplier by the organization licensed to conduct bingo can be used by the parlor or supplier to exert undue influence on the conduct of the games, and to increase the overhead expenses charged to these organizations. Organizations indebted to the parlor or

supplier are thus placed in a position of sharing profits with the parlor or supplier to the detriment of the charitable purpose.”

7. Chapter 4.32, “Junk Tire Storage,” Section 4.32.005, “Director,” is amended by changing the reference to “County Director of Planning and Community Development” to “Planning Director.”

8. Chapter 4.34, “Adult-Related Establishments,” Section 4.32.055, “Exemptions,” subsection (e) is amended to read as follows:

“A school of massage, recognized by the State of California which: (i) teaches the theory, ethics, practice, profession and work of massage; and (ii) requires a residence course of study to be given before the student is furnished with a diploma or certificate of learning or completion; and (iii) has been approved pursuant to Section 94915 of the Education Code, or, if said school is not located in California, has complied with the standards commensurate with those specified in said Section 94915. A “recognized school of massage” as those terms are used above, shall not include a school or institution of learning offering or allowing correspondence course credit not requiring actual attendance at class, or courses of massage technician not approved by the California State Department of Education.”

9. Chapter 4.34, “Adult-Related Establishments,” Section 4.32.220, is amended by changing the reference to “Penal Code Section 482(a),” to “Business & Professions Code Section 482(a).”

10. Chapter 4.38, “Outdoor Festivals,” is amended by changing the references to “County Treasurer – Tax Collector” and “Treasurer – Tax Collector” to “Finance Director.”

11. Chapter 4.38, “Outdoor Festivals,” Section 4.38.055, “Sponsor Responsibilities – Security Personnel” is amended by deleting the term “male.”

12. Chapter 4.38, “Outdoor Festivals,” Section 4.38.090, “Sponsor Responsibilities – Food” shall be amended to read as follows:

“In selling, preparing, delivering, or serving food or beverages or both, all persons shall comply with all applicable state, county and local health and food safety laws.”

13. Chapter 4.50, “Other Businesses,” is amended by changing the references to “County Treasurer – Tax Collector” and “Treasurer – Tax Collector” to “Finance Director.”

14. Chapter 4.50, “Other Businesses,” Section 4.50.010, “Issuance,” is deleted in its entirety.

15. Chapter 4.50, "Other Businesses," Section 4.50.060, "Minors Prohibited," is deleted in its entirety.
16. Chapter 4.50, "Other Businesses," Section 4.50.110, "Definitions – Coordinator," is amended to read as follows:

"The term "Coordinator" shall mean the City Manager or the City Manager's designee."
17. Chapter 4.50, "Other Businesses," Section 4.50.135, "Exceptions," subdivision (d) is deleted in its entirety.
18. Chapter 4.50, "Other Businesses," Section 4.50.150, "Conditions," is amended by changing the reference to "Risk Management Office of the Department of Personnel Management," to "City's Risk Manager."
19. Chapter 4.60, "Regulation of Alcohol Sales," Section 4.60.020, "Review of Applications," is amended by changing the references to "Environmental Health Division of the Department of Environmental Management" and "Division of Environmental Health" to "Neighborhood Services Division."

D. Title 5 – Franchises.

Title 5, "Franchises," is amended as follows:

1. Chapter 5.04, "General Provisions," is amended by changing all references to "tax collector" and "tax and license collector" is changed to "Finance Director."
2. Chapter 5.04, "General Provisions," Section 5.04.030, "Definitions," subsection (c) is amended to read as follows:

'Finance Director' means the Finance Director of the City of Rancho Cordova, or his or her authorized representative."
3. Chapter 5.04, "General Provisions," Section 5.04.070, "Severely physically handicapped person," is amended as follows:

"A severely handicapped person, who has no fixed place of business in Rancho Cordova, may hawk, peddle and vend any goods, wares, or merchandise owned by him, except spirituous, malt, vinous, or other intoxicating liquor, without payment of any license fee. As used in this section a "severely physically handicapped person" means a person who is blind, or deaf, or who suffers from some severe physical defect which would cause a substantial detriment in any effort to obtain gainful employment. Any person granted a license pursuant to the provisions of this section shall not be exempt from any other provision of this chapter."

4. Chapter 5.04, "General Provisions," Section 5.04.090, "License application – Fee," is amended to read as follows:

"The Finance Director shall prepare and have printed, numbered blank license application forms with stubs, for all businesses mentioned in this chapter, and shall require such information thereon as he may deem necessary. A fee of two dollars shall be collected by the Finance Director for the issuance of each application, except an application for renewal of a license. The stubs of all application forms and permits sold shall be preserved by the Finance Director for at least one year after the date of issuance."
5. Chapter 5.04, "General Provisions," Section 5.04.100, "License issuance – Fee," is amended to read as follows:

"The Finance Director shall also prepare and have printed, numbered blank license forms with stubs, for all businesses subject to the provisions of this chapter, and shall provide such information thereon as he may deem necessary for the proper administration of this chapter. The Finance Director shall prepare and maintain a complete accounting of all licenses issued, including a listing of serial numbers appearing on the licenses. Fees charged for these permits shall be as provided in this chapter. The license when validated by the signature of the Finance Director shall constitute authorization to operate and conduct the business described in the application therefore, for the period of time indicated on the face of the license."
6. Chapter 5.04, "General Provisions," Section 5.04.110, "Procedures," is amended to read as follows:

"The Finance Director shall establish such procedures as he may deem necessary to ensure a proper accounting of all licenses issued. The procedures shall be subject to the approval of the City Manager."
7. Chapter 5.04, "General Provisions," is amended by changing the references to "tax collector" and "tax and license collector" to "Finance Director" in the following sections:
 - a. 5.04.120, "Fees payable when";
 - b. 5.04.390, "Solicitor permit";
 - c. 5.04.400, "Statement of exemption";
 - d. 5.04.510, "Transferability of license";
 - e. 5.04.640, "Renewal"; and
 - f. 5.04.650, "Enforcement."
8. Chapter 5.04, "General Provisions," is amended by changing the references to "Board of Supervisors" and "Board" to "City Manager."
9. Chapter 5.64, "Soliciting for Charitable Purposes," Section 5.64.010, "Legislative findings and statement of purpose," is amended to read as follows:

"The City Council finds that persons and organizations have been and are soliciting funds and property in the city on the representation that such funds and property are to be used for charitable or religious purposes, when in truth and in fact such funds and property may be and often are used wholly or in large part for the private profit of the individuals promoting such solicitations; that a variety of misrepresentations and other frauds are at times employed in such solicitations; that as the result of such activities, responsible and needed charitable and religious solicitations suffer from the suspicion engendered by these practices, and the residents of the city have in many cases been defrauded and otherwise imposed upon for lack of adequate protection; and that the public safety and convenience necessitates the exercise of the police power of the county through the enactment and enforcement of this chapter for the purpose of preventing such practices, and promoting an atmosphere conducive to the scrupulous solicitation efforts of bona fide charities and religious groups within the city.

The City Council further determines that these interests of the residents of the city can be best served by providing for procedures for the control of charitable solicitations in the city."

10. Chapter 5.64, "Soliciting for Charitable Purposes," Section 5.64.020, "Definitions," is amended by deleting subsections (h), "Committee," and (i), "Board."
11. Chapter 5.64, "Soliciting for Charitable Purposes," Section 5.64.040, "Charitable solicitations committee--Membership duties--Powers," is retitled "Finance Director – Powers," and amended to read as follows:

"The Finance Director is authorized, empowered and directed to undertake the administration of the provisions of this chapter. It shall be the duty of the Finance Director to cause to be investigated each application for a permit required by the provisions of Section 5.64.050 hereof, and to maintain each application on file, together with its recommendation thereon, all of which shall be subject to public inspection at any reasonable time. The Finance Director shall have the power to issue and revoke permits as hereinafter provided, to direct investigations and to do and perform all other acts which may be necessary or proper within the scope of the director's duties and functions."

12. Chapter 5.64, "Soliciting for Charitable Purposes," is amended to change all references to "charitable solicitations committee" and "committee" to "Finance Director."
13. Chapter 5.64, "Soliciting for Charitable Purposes," is amended to change the reference to "county tax and license collector" to "Finance Director" in the following sections:
 - a. Section 5.64.060, "Application for permit."

- b. Section 5.64.170, "Report required."
 - c. Section 5.64.180, "Promoters – Permit and bond required."
14. Chapter 5.64, "Soliciting for Charitable Purposes," Section 5.64.130, "Appeal – Charitable solicitations appeals board," is retitled "Appeal – City Manager," and amended to read as follows:

"Any applicant who is denied a permit hereunder or whose application therefore has been neither granted or denied within thirty days from the date of filing the application, or whose permit has been revoked, may appeal in writing by filing his appeal with the city finance department within ten days after receiving notification that his application for a permit has been denied, or that his permit has been revoked, or, if not so notified, within forty days after filing of his application.

The City Manager, or the City Manager's designee, shall consider and determine the appeal. The City Manager shall have the power to summon witnesses, to take testimony and other evidence to conduct hearings and to do and perform all other acts which may be necessary or proper within the scope of his or her duties and powers.

The City Manager, after hearing at a time and place to be set by the City Manager, within thirty days from the date of filing such appeal, shall, conditionally or otherwise, either grant, deny, reinstate or refuse to reinstate such permit."

15. Chapter 5.75, "Cable Television Licensing Ordinance," Section 5.75.802, "Monetary Penalties," is amended by changing the reference to Government Code section 53088.1(o) to "Government Code section 53088.2(r)."

E. Title 6 – Health and Sanitation.

Title 6, "Health and Sanitation," is amended as follows:

- 1. Chapter 6.04, "Food Handling Establishments," is deleted in its entirety.
- 2. Chapter 6.08, "Meat Regulations," is deleted in its entirety.
- 3. Chapter 6.12, "Milk Regulations," is deleted in its entirety.
- 4. Chapter 6.16, "Pollution," is amended by changing all references to "in the Sacramento River or the American River" to "in the American River."
- 5. Chapter 6.16, "Pollution," Section 6.16.010, "Discharging into Rivers Unlawful," is amended by changing the reference to "of either of the rivers" to "of the river."
- 6. Chapter 6.16, "Pollution," Section 6.16.040, "Washing Cloths – Bathing," is amended by deleting the phrase "in the County."
- 7. Chapter 6.29, "Prohibition of Water Wells within a Certain Portion of the Unincorporated Territory of the County of Sacramento," is deleted in its entirety.

8. Chapter 6.34, "Underground Storage of Hazardous Substances," is deleted in its entirety.
9. Chapter 6.36, "Pear Blight," is deleted in its entirety.
10. Chapter 6.50, "Commercial Hog Ranches," is deleted in its entirety.
11. Chapter 6.56, "Abandoned Vehicles," Section 6.56.210, "Notice of Intention to Abate and Remove Vehicle – Required Contents," is amended by changing the reference to "Section 25845 of the Government Code," to "Section 38773 *et seq.* of the Government Code."
12. Chapter 6.56, "Abandoned Vehicles," Section 6.56.220, Notice of Intention to Abate and Remove Vehicle – Exceptions," subsection (b)(iii) is amended by changing the reference to "\$200," to "\$300."
13. Chapter 6.56, "Abandoned Vehicles," Section 6.56.270, "Public Hearings - Decision," is amended by changing the reference to "Section 25845 of the Government Code," to "Section 38773 *et seq.* of the Government Code."
14. Chapter 6.56, "Abandoned Vehicles," Section 6.56.320, "Assessment of Cost Against Real Property," is amended by changing the reference to "Section 25845 of the Government Code," to "Section 38773 *et seq.* of the Government Code."
15. Chapter 6.56, "Abandoned Vehicles," Section 6.56.370, "Treble Cost," is amended by changing the reference to "Section 25485.5 of the Government Code," to "Section 38773.7 of the Government Code," and changing the reference to "Section 25845 of the Government Code," to Section 38773 *et seq.* of the Government Code."
16. Chapter 6.60, "Enforcement," Section 6.60.020, "Penalty," is amended by changing the reference to "Section 19(c) and 19(d) of the California Penal Code," to "Section 19.6 and 19.7 of the California Penal Code."
17. The following sections of Chapter 6.64, "Swimming Pool Service Companies," are deleted in their entirety:
 - a. Section 6.64.010, "Definitions," subsections (d), (e), (f) and (g);
 - b. Section 6.64.030, "Registration";
 - c. Section 6.64.040, "Requirements for Optional Registration";
 - d. Section 6.64.050, "Posting Certificate of Registration";
 - e. Section 6.64.080, "Suspension or Revocation";
 - f. Section 6.64.090, "Appeal of Denial of Certificate of Registration";
 - g. Section 6.64.100, "Notice"; and
 - h. Section 6.64.130, "Regulations."

18. Chapter 6.64, "Swimming Pool Service Companies," is amended by changing the references to "Division 104, Part 10, Article 5 of the California Health and Safety Code" to "Division 104, Part 10, Chapter 5, Article 5 of the California Health and Safety Code."
19. Chapter 6.64, "Swimming Pool Service Companies," Section 6.64.060, "Maintenance Standards," is amended by deleting the phrase "regardless of whether of not the company has obtained a Certificate of Registration."
20. Chapter 6.68, "Noise Control," Section 6.60.090, "Exemptions," subsection (i) is amended by changing the reference to "Article 3 and 3.5 of Chapter 4 of Division 9 of the Public Utilities Code of the State of California," to "Article 3 and 3.5 of Chapter 4 of Part 1 of Division 9 of the Public Utilities Code of the State of California."
21. Chapter 6.68, "Noise Control," Section 6.68.145, "Radios, Tape Players on Publicly Owned Property," is retitled as "Audio Devices on Publicly Owned Property," and is amended by changing all references to "radio, tape player, tape recorder, record player or television" to "radio, tape player, tape recorder, record player, television or other audio device."
22. Chapter 6.68, "Noise Control," Section 6.68.100, "Pre-Existing Industrial or Commercial Facilities – Transition Period," is deleted in its entirety.
23. Chapter 6.80, "Fly and Rodent Abatement," is amended by changing the references to "Department of Environmental Management" to "Neighborhood Services Division."
24. Chapter 6.82, "Labor Camps," is deleted in its entirety.
25. Chapter 6.96, "Hazardous Materials Disclosure Permits," is deleted in its entirety.
26. Chapter 6.99, "Hazardous Materials and Waste Regulatory Fees," is deleted in its entirety.
27. Chapter 6.110, "Environmental Health Service Fees," is deleted in its entirety.

F. Title 9 – Public Peace, Morals and Safety.

Title 9, "Public Peace, Morals and Safety," is amended as follows:

1. Chapter 9.36, "Park Regulations," Section 9.36.010, "Definitions," is amended to read as follows:

"As used in this chapter:

 - a. "City" means the City of Rancho Cordova.
 - b. "Director" means the City Manager or his authorized representative.

c. "Department" means the City department, if any, directed by the City Manager to oversee parks and recreation facilities in the City.

d. "Facility" or "park facility" means any body of water, land, campsite, recreation area, building, structure, system, equipment, machinery or other appurtenance owned, managed, controlled or operated by the City of Rancho Cordova."

2. Chapter 9.36, "Park Regulations," is amended by changing all references to "Department of Regional Parks" to "Department."
3. Chapter 9.36, "Park Regulations," Section 9.36.030, "Violation of Regulations – Sanctions," is amended by changing the reference to "Sections 19(c) and 19(d) of the California Penal Code," to "Sections 19.6 and 19.7 of the California Penal Code."
4. Chapter 9.36, "Park Regulations," Section 9.36.057.5, "Consumption of Alcoholic Beverages," is amended by changing the reference to "Government Code Section 25132" to "Government Code Section 36900."
5. Chapter 9.36, "Park Regulations," Section 9.36.059, "Fireworks," is amended by changing the reference to "Section 12504 of the California Health and Safety Code," to "Section 12529 of the California Health and Safety Code."
6. Chapter 9.36, "Park Regulations," Section 9.36.059, "Authority to Arrest and Cite," is amended to read as follows:

"a. City of Rancho Cordova Park Facilities--Employees. Pursuant to the Public Resources Code, the Director, and such park and recreation employees that may be designated by the Director, shall have the authority and immunities of public officers and employees as set forth in Section 836.5 of the Penal Code to make arrests and issue citations in accordance with the provisions of Chapter 5C (commencing with Section 853.5), Title 3, Part 2 of the Penal Code, for misdemeanor violations of laws of the State of California, and ordinances of the City of Rancho Cordova, committed within their presence in a city park or recreation area.

b. City of Rancho Cordova Park Facilities--Park Ranger. Pursuant to authorization granted by Penal Code Section 830.31 Subsection (b), those employees designated Park Rangers by the City of Rancho Cordova shall have the power of peace officers as provided in Penal Code Section 830.31. Such designation as Park Ranger may be made when the employee is regularly employed and paid in that capacity and if the primary duty of the peace officer is the protection of City of Rancho Cordova park facilities and the preservation of peace therein.

c. Recreation and Park Districts--Pursuant to the authorization of Section 5786.17 of the Public Resources Code, the director of a recreation and park district created pursuant to Public Resources Code Section 5780, et seq., and uniformed park and recreation employees designated by the director, shall have

the authority and immunities of public officers and employees as set forth in Section 836.5 of the Penal Code to make arrests and issue citations in accordance with the provisions of Chapter 5C (commencing with Section 853.5) Title 3, Part 2 of the Penal Code, for misdemeanor and infraction violations of State of California law, ordinances of the City of Rancho Cordova, or park and recreation district regulations or ordinances, when the violation is committed within the park and recreation district and in the presence of the director or employee issuing the citation."

7. Chapter 9.36, "Park Regulations," Section 9.36.059, "Parking Regulations Enforcement," is amended to read as follows:

"Pursuant to Section 836.5 of the Penal Code, employees of the City designated as park rangers shall have the duty to enforce parking regulations as enumerated in Chapter 10.24 of the Municipal Code and may make arrests and issue citations for violations of such parking regulations as provided in Section 836.5 of the Penal Code."
8. Chapter 9.42, "Dangerous Weapons and Dangerous Articles on County Property" is deleted in its entirety.
9. Chapter 9.76, "Unauthorized Use of Shopping Carts" is deleted in its entirety.
10. Chapter 9.70, "Local Parks and Recreations Facilities" shall be renumbered as Chapter 22.170, "Local Parks and Recreations Facilities."
11. Chapter 9.82, "Loitering," Section 9.82.060, "Punishment" is amended by changing the reference to "Section 25132 of the Government Code" to "Section 36900 of the Government Code."
12. Chapter 9.92, "Possession Of Open Containers Containing Alcoholic Beverages In Any Private Off-Street Parking Facility," Section 9.92.020, "Possession of Open Containers Unlawful," subsection (b) is amended by changing the reference to "Government Code Section 25132," to "Government Code Section 36900."
13. Chapter 9.98, "Display of Harmful Matter to Minors," Section 9.98.075, "Violation," is amended by changing the reference to "Section 25132 of the Government Code" to "Section 36900 of the Government Code."
14. Chapter 9.100, "Seizure and Forfeiture of Nuisance Vehicles," Section 9.100.120, "Definitions," is amended by changing the reference to "California Health and Safety Code Sections 11054, 10055, 10056, 11057 or 11058" to "California Health and Safety Code Sections 11054, 11055, 11056, 11057 or 11058".

G. Title 10 – Vehicles and Traffic.

Title 10, "Vehicles and Traffic," is amended as follows:

1. Chapter 10.04, "Interpretation," Section 10.04.030, "Scope," is amended by deleting the first sentence in its entirety.
2. Chapter 10.04, "Interpretation," Section 10.04.070, "Previous Resolutions," is deleted in its entirety.
3. Chapter 10.04, "Interpretation," Section 10.04.110, "Civil Penalty Provisions," is amended by deleting the phrase, "Effective July 1, 1992,".
4. Chapter 10.08, "Definitions," Section 10.08.070, "Director," is amended to read as follows: "'Director' means the Public Works Director or his or her authorized representative."
5. Chapter 10.24, "Parking Regulations," is amended by changing all references to "Director of the Department of General Services" to "Director of Public Works".
6. Chapter 10.24, "Parking Regulations," Section 10.24.175, "Parking in County Parking Areas," is retitled "Parking in City Parking Areas," and amended to read as follows:
 - "a. Notwithstanding any other provision in this code, whenever the Public Works Director determines that parking or standing of vehicles in City parking areas under his jurisdiction is prohibited, limited or restricted, the director shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.
 - b. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage, at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code, and/or, the Public Works Director, his or her designees, or a peace officer, may issue a citation for illegal parking. The Public Works Director, his designee or a peace officer, shall record on the citation the location the offense was committed, the nature of the violation, the state vehicle license number of the vehicle, the make and year of the vehicle and the time and date of such violation. He shall then issue in writing a citation for illegal parking in the same form and subject to the same procedure provided for by the laws of the state applicable to the traffic violations within the City."
7. Chapter 10.30, "Preferential Residential Permit Parking Program," is amended by changing all references to "Department of Transportation" to "Department of Public Works."

8. Chapter 10.36, "Emergency Vehicles," Section 10.36.010, "Definitions," is amended by deleting the phrase "whatever nature outside of incorporated municipalities" from the definition of "Public highway."
9. Chapter 10.36, "Emergency Vehicles," is amended by deleting the following sections:
 - a. Section 10.36.020, "Obstruction Unlawful";
 - b. Section 10.36.030, "Driving Near When Siren Sounds."
10. Chapter 10.40, "Truck Routes," Section 10.40.010, "Establishing Weight Limits," is amended by changing the reference to "Section 35712 of the Vehicle Code" to Section 35701 of the Vehicle Code."
11. Chapter 10.40, "Truck Routes," Section 10.40.040, "Locations of Weight Restrictions," is deleted in its entirety.
12. Chapter 10.44, "One-Way Streets," Section 10.44.010, "System Established," is amended to read as follows:

"There is hereby established the following system of one way highways:

 1. Von Karman Street traffic shall move southerly only.
 2. Whitehead Street traffic shall move northerly only.
 3. Norden Avenue traffic shall move easterly only.
 4. Mather Boulevard, between Bleckley Street and Eknes Street, traffic shall move westerly only.
 5. Bleckley Street, between Norden Avenue and Mather Boulevard, traffic shall move northerly only.
 6. Superfortress Avenue, between Von Karman Street and Whitehead Street, traffic shall move easterly only.
 7. Eknes Street, between Mather Boulevard and Norden Avenue, traffic shall move southerly only."
13. Chapter 10.58, "Off-Road Vehicles," Section 10.58.150, "Fees – Expiration and Renewal," is amended to read as follows:
 - "a. The fee for an initial permit shall be set by resolution of the City Council. The permit shall be nontransferable and shall expire one year after the date of issuance.
 - b. A permit may be renewed from year to year upon payment of fee set by resolution of the City Council; provided, however, that the renewal may be granted, conditioned or denied in accordance with the provisions of Section 10.58.100 and 10.58.120."
14. Chapter 10.58, "Off-Road Vehicles," Section 10.58.180, "Application of Chapter," is deleted in its entirety.

15. The following chapters are deleted in their entirety:

- a. Chapter 10.22, "Moveable Bridges";
- b. Chapter 10.28, "Parking Meters";
- c. Chapter 10.42, "Truck Lengths";
- d. Chapter 10.52, "Airport Property"; and
- e. Chapter 10.60, "Private Parking Facilities."

H. Title 12 – Streets and Sidewalks.

Title 12, "Streets and Sidewalks," is amended as follows:

1. Chapter 12.03, "Street Improvements," Section 12.03.010, "Definitions," subdivision (a) is amended to read as follows: "'Administrator' means Public Works Director."
2. Chapter 12.03, "Street Improvements," Section 12.03.030, "Building Permits," is amended by deleting the phrase "required by Section 12.03.010."
3. Chapter 12.03, "Street Improvements," Section 12.03.040, "Appeals," is amended to read as follows:
 - "a. The applicant or any interested person adversely affected by any action relating to the provisions of this title, may appeal the action by submitting a written notice of appeal with the City Manager within fifteen (15) days of the date of the decision. The City Manager or his or her designee shall conduct an informal hearing on the appeal within fifteen (15) days of receipt of the notice of appeal.
 - b. The applicant or any interested person may appeal the decision of the City Manager by filing a notice of appeal with the City Council within fifteen (15) days of the date of the decision. Any such notice shall be in writing, signed by the appellant under penalty of perjury. The notice shall include the following information: (1) a complete description of the factual basis for the appeal; (2) the legal basis for the appeal; and (3) the remedy sought by the appellant. If the appeal is not filed within such time or manner, the right to a review of the action against which complaint is made shall be deemed to have been waived.
 - c. Not later than thirty (30) days following the date of filing an appeal, the City Council shall conduct a hearing to determine whether street improvements are required. Notice of the date set for hearing shall be mailed to the parties at least ten (10) calendar days prior to the hearing date.
 - d. At the hearing, the City Council may hear any oral or documentary evidence that the appellant may offer in addition to the information in the notice of appeal, together with any oral or written information that may be submitted by City representatives in support of the determination that is the subject of the appeal."

4. Chapter 12.03, "Street Improvements," Section 12.03.210, "Fee Structure," is amended by deleting the phrase "and microfilming."
5. Chapter 12.08, "Construction In Streets," Section 12.08.010, "Definitions," is amended by changing the reference to "Director of County Engineering for the Sacramento County Public Works Agency" to "Public Works Director."
6. Chapter 12.08, "Construction In Streets," Section 12.08.030, "Permit Fees," is amended by changing the reference to "Public Works Agency" to "Public Works Department."
7. Chapter 12.08, "Construction In Streets," Section 12.08.060, "Refilling Upon Completion," is amended by changing the reference to "County highways" to "City streets."
8. Chapter 12.12, "Obstruction of Corners," Section 12.12.050, "Enforcement," subdivision (b) is amended to read as follows:

"Remedies: Any obstruction maintained in violation of this chapter may be deemed a public nuisance, and upon failure to abate the same within fifteen days after posting upon the premises of a notice to abate the nuisance signed by the Public Works Director, or his authorized representative, and after sending a copy of the notice to abate by registered mail addressed to the owner of record, as shown on the most recent assessment roll of the County of Sacramento, to the address as shown on the assessment roll, the director, or his authorized representative, may enter upon the premises and remove or eliminate the obstruction. In such event, the cost to the City of the abatement of the nuisance shall be a lien upon the premises. The cost of such abatement shall, in addition, be a personal obligation against the owner of the premises upon which the nuisance was maintained, recoverable by the City in an action before any court of competent jurisdiction."

9. Chapter 12.24, "Street Numbering System," Section 12.24.020, "Designating Authority," is amended by changing "Director of the Department" to "Public Works Director."
10. Chapter 12.24, "Street Numbering System," Section 12.24.030, "Names," subdivision (e) is amended by changing "sixth" to "sixty."
11. Chapter 12.24, "Street Numbering System," Section 12.24.070, "Penalty," is amended by changing the following:
 - a. "fine of fifth dollars" to "fine of fifty dollars"; and
 - b. "Government Code Section 25132" to "Government Code Section 36900."

I. Title 14 – Conservation and Agricultural Uses.

Title 14, "Conservation and Agricultural Uses," is amended as follows:

1. Chapter 14.05, "Agricultural Activities," is amended by changing all references to "Agricultural Commissioner" to "Planning Director."
2. Chapter 14.05, "Agricultural Activities," Section 14.05.010, "Purpose," is amended by deleting the first sentence in its entirety.
3. Chapter 14.05, "Agricultural Activities," Section 14.05.300, "Notification," is deleted in its entirety.
4. Chapter 14.05, "Agricultural Activities," Section 14.05.410, "Decision of the Agricultural Commissioner," is retitled "Decision of the Planning Director," and amended to read as follows:

"The Planning Director will be the responsible party for determining whether the agricultural activity is being conducted in a reasonably acceptable manner, based on all information available to him/her. The Planning Director may require that specified corrective action take place and that the corrective action occur within a certain period of time. The Planning Director may determine that the operation is being conducted in a reasonable manner and remedial action is not necessary. If, after a final decision is rendered by the Planning Director, one of the parties to the complaint is dissatisfied with the decision, that decision may be appealed to the Planning Commission, as provided in Section 14.05.430. The City Council may, upon recommendation of the Planning Director, establish a fee to offset the costs of processing an appeal."

5. Chapter 14.05, "Agricultural Activities," Section 14.05.430, "Hearing Officer," is deleted in its entirety.
6. Chapter 14.05, "Agricultural Activities," Section 14.05.440, "Hearing," is deleted in its entirety.
7. Chapter 14.05, "Agricultural Activities," Section 14.05.430, "Appeal," is added to read as follows:

"In the case of a dispute as to the appropriate resolution of a complaint, any party may, within 10 days of the Planning Director's decision, request a hearing before the Planning Commission by filing an appeal in the office of the Planning Director. The Planning Commission shall conduct a hearing for the purpose of receiving information from the individual appealing the decision, the Planning Director, the property owner/operator, the complainant, and any other interested party. Decisions of the Planning Commission may be appealed to the City Council within 10 days of the Planning Commission's decision."

8. Chapter 14.05.420, "Agricultural Advisory Committee," is deleted in its entirety.
9. Chapter 14.10, "Water Use and Conservation," is renumbered as Chapter 22.180, "Water Use and Conservation."

J. Title 16 – Buildings and Construction.

Title 16 "Buildings and Construction" is amended as follows:

1. Chapter 16.16, "Owner and Tenant Responsibilities," Section 16.16.040, "Enforcement," is amended by changing the reference to "Environmental Management Department," to "Neighborhood Services Division."
2. Chapter 16.18, "Nuisance Code," Section 16.18.1002, "Costs-Assessments," is amended by changing the following references:
 - a. "Section 25845 of the Government Code" is changed to "Section 38773 et seq. of the Government Code";
 - b. "Tax Collector" as set forth in subsection (a) is changed to "County Assessor";
 - c. "Tax Collector as set forth in subsections (b) and (c) is changed to "Finance Director."
3. Chapter 16.18, "Nuisance Code," Section 16.18.1007, "Filing Copy of Report with County Auditor/Controller," is retitled "Filing Copy of Report with Finance Director," and is amended by changing the reference to "County Auditor/Controller," to "Finance Director."
4. Chapter 16.20, "Sacramento Housing Code," is amended by changing all references to "Auditor-Controller" and "Auditor-Collector in the County Treasury" to "Finance Department."
5. Chapter 16.20, "Sacramento Housing Code," Section 16.20.100, "Definitions," subsection (e) is amended to read as follows:
 - "e. "Complaint" means notification by any person, lodged with the Code Enforcement Division of the Neighborhood Services Division, of a violation or a suspected violation of the Housing Code or this chapter."
6. Chapter 16.20, "Sacramento Housing Code," Section 16.20.100, "Definitions," subsection (i) is amended to read as follows:
 - "i. "Department" means the City's Neighborhood Services Division."
7. Chapter 16.20, "Sacramento Housing Code," Section 16.20.100, "Definitions," subsection (j) is amended to read as follows:
 - "e. "Director" means the Director of the City's Neighborhood Services Division."

8. Chapter 16.20, "Sacramento Housing Code," Section 16.20.220, "Penalties and Costs of Enforcement," subsection (f) is amended by changing the reference to "Government Code Section 25845," to "Government Code Section 38773 *et seq.*"
9. Chapter 16.20, "Sacramento Housing Code," Section 16.20.560, "Appeal Hearings," subsection (d)(1) is amended to read as follows:

"1 This power shall be exercised and enforced in the same manner as the similar power granted to the City Council in Chapter 3 (commencing with Section 37104) of Part 2, Division 3 of the Government Code; except that such power shall extend only to matters within this chapter."
10. Chapter 16.20, "Sacramento Housing Code," Section 16.20.750, "Recovery of Costs of Enforcement," subsection (a) is amended by changing the reference to "Government Code Section 25845," to "Government Code Section 38773 *et seq.*"
11. Chapter 16.20, "Sacramento Housing Code," Section 16.20.755, "Costs-Assessments," is amended by changing the following references:
 - a. "Section 25845 of the Government Code" is changed to "Section 38773 *et seq.* of the Government Code";
 - b. "Tax Collector" as set forth in subsection (a) is changed to "County Assessor";
 - c. "Tax Collector as set forth in subsections (b) and (c) is changed to "Finance Director."
12. Chapter 16.20, "Sacramento Housing Code," Section 16.20.760, "Treble Costs," amended by changing the reference to "Government Code Section 25845.5," to "Government Code Section 38773.7," and by changing the reference to "Government Code Section 25845," to "Government Code Section 38773 *et seq.*"
13. Chapter 16.21, "Hotel/Motel Compliance Assurance Program," is deleted in its entirety.
14. Chapter 16.22, "Sacramento County Dangerous Building Code," Section 16.22.300, "Definitions," subsection (c) is amended to read as follows:

"c. "Director" means the Director of the City's Neighborhood Services Division, or his or her authorized representative."
15. Chapter 16.22, "Sacramento County Dangerous Building Code," Section 16.22.500, "Cost of Abatement – Confirmation," subsection (a) is amended by changing the reference to "Government Code Section 25845," to "Government Code Section 38773 *et seq.*"
16. Chapter 16.22, "Sacramento County Dangerous Building Code," Section 16.22.501, "Costs – Assessments," is amended by changing the following references:

- a. "Section 25845 of the Government Code" is changed to "Section 38773.7 of the Government Code";
 - b. "Tax Collector" as set forth in subsection (a) is changed to "County Assessor";
 - c. "Tax Collector as set forth in subsections (b) and (c) is changed to "Finance Director."
17. Chapter 16.22, "Sacramento County Dangerous Building Code," Section 16.22.502, "Treble Costs," is amended by changing the reference to "Government Code Section 25845.5," to "Government Code Section 38773.7," and by changing the reference to "Government Code Section 25845," to "Government Code Section 38773 *et seq.*"
18. Chapter 16.40, "Moving Buildings," is amended by changing the references to "Municipal Services Agency" to "Department of Public Works" and changing the references to "Administrator" to "Director."
19. Chapter 16.40, "Moving Buildings," Section 16.40.130, "House and Building Moving Requirements—Flags, Lights, Etc." is amended to read as follows:

"Red lights at each corner of the building shall be maintained by the mover from one-half hour after sunset until one-half hour before sunrise.

 1. Notice of Emergency Service. Any person moving a building on any city road shall notify the Department of Public Works immediately before and after the movement.
 2. Authorized Moving Hours. Movement of buildings on any city road shall be prohibited between the hours of seven a.m. to nine a.m., and four p.m. to seven p.m. on weekdays.
 3. No building shall be moved into a fire district without first giving notice to the fire district into which the building is to be moved ten (10) working days prior to the move."
20. Chapter 16.44, "Land Grading and Erosion Control," Section 16.44.020, "Definitions," subsection (1) is amended to read as follows:

"1. "Administrator" means the Public Works Director of the City or his or her designated representative(s)."
21. Chapter 16.44, "Land Grading and Erosion Control," Section 16.44.130, "Permit Fees," is amended by changing the reference to "Accounting and Fiscal Services Section of the Public Works Agency" to "Administrator."
22. Chapter 16.44, "Land Grading and Erosion Control," Section 16.44.360, "Violations," is amended by changing the reference to "Government Code Section 25132," to "Government Code Section 36900."

K. Title 19 – Trees.

Title 19, "Trees," is amended as follows:

1. Chapter 19.04, "Regulations," Section 19.04.030, "Definitions," is amended as follows:

- a. Subsection (3) is deleted in its entirety;
- b. Subsection (7) is deleted in its entirety;
- c. Subsection (13) is amended by deleting the term "County park."

2. Chapter 19.04, "Regulations," Section 19.04.040, "Master Tree Plan," is amended by deleting reference to the "parks director."

3. Chapter 19.04, "Regulations," Section 19.04.050, "Heritage and Landmark Trees," subsection (b) is amended to read as follows:

"Whenever feasible the Public Works Director shall modify standard street sections and make changes in street alignment to avoid the removal or damage of heritage and landmark trees. Increased right-of-way or construction costs caused by such modification shall not be a factor in the planning and design processes."

4. Chapter 19.04, "Regulations," Section 19.04.060, "Planting Easements," subsection (c) is amended by deleting reference to the "Parks Director."

5. Chapter 19.04, "Regulations," Section 19.04.070, "Responsibility," is amended to read as follows:

"The planting, caring and removing of public trees located within streets, easements, planting easements, and public premises shall be under the supervision and control of the Public Works Director."

6. Chapter 19.04, "Regulations," Section 19.04.090, "County Parks and Grounds," is retitled "City Grounds," and amended to read as follows:

- a. The planting, caring and removing of all trees, shrubs, lawns and other plant life in City grounds of all City owned buildings are under the supervision and control of the Public Works Director.
- b. No person, except by order of the public works director, shall plant, transplant, move, separate, trim, prune, cut above or below the ground, disrupt, alter or take any other action upon any tree or other plant life in City grounds.
- c. In selecting plantings for such areas, the public works director is not bound by the master tree list and may select any plantings which he determines to be appropriate for such areas.
- d. Architects and others preparing plans for the landscaping of City buildings shall consult with the public works director during the preparation of such plans for review and approval prior to advertising for bids."

7. Chapter 19.04, "Regulations," Section 19.04.100, "Tree Permits," subsection (7) is amended by the deleting "and the Parks Director concurs in the substitution."
8. Chapter 19.04, "Regulations," Section 19.04.140, "Abatement Procedures," is amended by changing the reference to "tax collector" to "Finance Director."
9. Chapter 19.08, "Dutch Elm Disease Control," Section 19.08.020, "Definitions," is amended as follows:

Subsection (a) is deleted.

Subsection (b) is amended to read as follows: "Director' means the Director of Public Works, his assistants, deputies, or authorized employees or agents."

10. Chapter 19.08, "Dutch Elm Disease Control," Section 19.08.040, "Inspections and Entry on Private Property," is amended by deleting references to "the commissioner" and "commissioner."

11. Chapter 19.08, "Dutch Elm Disease Control," Section 19.08.100, "Form of Notice," is amended as follows:

The reference to "Agricultural Commissioner of Sacramento County" is changed to "Public Works Director of Rancho Cordova";

The reference to "Director of Recreation and Parks of the City of Sacramento and the County of Sacramento" is changed to "Public Works Director of Rancho Cordova."

12. Chapter 19.08, "Dutch Elm Disease Control," Section 19.08.150, "Order to Abate Nuisance – Form of Order," is amended by deleting "or commissioner, or both,".
13. Chapter 19.08, "Dutch Elm Disease Control," Section 19.08.160, "Urgency – Cut and Stored Elm Wood," is amended by deleting "or commissioner."
14. Chapter 19.08, "Dutch Elm Disease Control," Section 19.08.170, "Entry Upon Private Property to Abate Nuisance," is amended by deleting "or commissioner."
15. Chapter 19.08, "Dutch Elm Disease Control," Section 19.08.180, "Removal of Elm Wood by Property Owner," is amended by deleting "or commissioner" and "and commissioner."
16. Chapter 19.12, "Tree Preservation and Protection," is amended by deleting all references to the "Subdivision Review Committee."
17. Chapter 19.12, "Tree Preservation and Protection," Section 19.12.040, "Definitions," is amended by changing the definition of Designated Urban Area to read as follows: "Designated Urban Area: all land within the City limits of the City of Rancho Cordova."

18. Chapter 19.12, "Tree Preservation and Protection," Section 19.12.060, "Tree Permit," is amended to read as follows:

"No person shall trench, grade or fill within the drip line of any tree or destroy, kill or remove any tree as defined, in the designated urban area, on any property, public or private, without a tree permit, or unless authorized as a condition of a discretionary project approval by the City Council, Planning Commission, Public Works Director or Planning Director."
19. Chapter 19.12, "Tree Preservation and Protection," Section 19.12.065, "Prohibition," is amended by deleting the phrase "County agency or."
20. Chapter 19.12, "Tree Preservation and Protection," Section 19.12.070, "Jurisdiction," subsection (c) is amended to read as follows:

"Parks. The preservation or removal of trees within City parks, parkways, and public recreation easements, shall be the responsibility of the Public Works Director."
21. Chapter 19.12, "Tree Preservation and Protection," Section 19.12.160, "Grading Beneath Tree Drip lines," subsection (d) is amended to read as follows:

"Any condition imposed by the City Council, Planning Commission, the Planning Director, or the Public Works Director relating to grading in the vicinity of trees, is incorporated into and made a part of the improvement standards. The consulting engineer for the project shall verify in writing on a form to be provided by the Director of Public Works that the grading has been completed as required by this section and any conditions imposed by the City Council, Planning Commission, the Planning Director, or the Public Works Director."
22. Chapter 19.12, "Tree Preservation and Protection," Section 19.12.200, "Suspension, Revocation and Restoration," is amended by changing the last sentence to read as follows: "These funds shall be deposited in the Tree Preservation Fund maintained by the City as set forth in Section 19.12.220."
23. Chapter 19.12, "Tree Preservation and Protection," Section 19.12.210, "Violation a Misdemeanor and Nuisance," is amended by changing the reference to "Government Code Section 25845" to "Government Code 38773."
24. Chapter 19.12, "Tree Preservation and Protection," Section 19.12.220, "Tree Preservation Fund," is amended to read as follows:

"A Tree Preservation Fund is established for the City of Rancho Cordova for the purposes specified in Section 19.12.200. The monies received in lieu of replacement of illegally removed trees shall be forwarded to the Finance Director for deposit in the Tree Preservation Fund. Except as provided in this section, under no circumstances shall the funds collected by the Finance Director for the Tree Preservation Fund be directed to any other fund to be used for any other

purposes other than for tree planting and preservation programs and public education programs regarding trees. Tree Preservation Fund monies may be directed by the City Council to non-profit organizations for the implementation of programs consistent with the purposes of the Tree Preservation Fund."

L. Title 21 – Plans.

Title 21, "Plans," is amended as follows:

1. Chapter 21.05, "General Provisions" is deleted in its entirety.
2. Chapter 21.10, "Definitions" is deleted in its entirety.
3. Chapter 21.12, "Procedures for Adoption or Amendment of Plans," Section 21.12.070, "Action by the Council" is amended to change the reference to "Section 653561 of the Government Code" to "Section 65358 of the Government Code."
4. Chapter 21.15, "Capital Improvement Program," is amended by changing all references to the "County Executive" to the "Public Works Director."
5. Chapter 21.15, "Capital Improvement Program," is renumbered as Chapter 22.160, "Capital Improvement Program."

M. Title 22 – Land Development.

Title 22, "Land Development," is amended as follows:

1. Title 22, "Land Approval" is amended by changing all references to "Advisory Agency" to read as "Approval Body."
2. Chapter 22.10, "Definitions, References," Section 22.10.130, "Subdivision" is amended by changing the reference to "Section 1350 of the Civil Code" to "Section 1351(f) of the Civil Code."
3. Chapter 22.10, "Definitions, References," Section 22.10.141, "Designated Tributary" is amended by changing the reference to "Sacramento County Comprehensive Zoning Plan maps" to "Rancho Cordova Comprehensive Zoning Plan maps."
4. The following sections of Chapter 22.20, "Procedures," are deleted in their entirety:
 - a. Section 22.20.030, "Advisory Agency (Special Processing)"
 - b. Section 22.20.035, "Advisory Agency, Tentative Parcel Maps"
 - c. Section 22.20.038, "Appeals of Actions of the Subdivision Review Committee related to Boundary Line Adjustments"

- d. Section 22.20.040, "Appeals of Actions of the Subdivision Review Committee"
 - e. Section 22.20.050, "Appeals or Complaints of Actions of the Policy Planning Commission"
 - f. Section 22.20.055, "Request for Hearing"
 - g. Section 22.20.080, "Action on Tentative Maps"
 - h. Section 22.20.085, "Allowance of Applications for Extensions of Tentative Subdivision Maps to Continue to Be Processed";
5. The following sections are amended by changing the terms "Subdivision Review Committee" and "committee" to "City Council":
- a. Section 22.120.020, "Action by the Director";
 - b. Section 22.120.025, "Procedure Before the Subdivision Review Committee";
 - c. Section 22.120.030, "Consolidation of Actions";
 - d. Section 22.130.010, "Action on Application";
 - e. Section 22.130.015, "Procedure Before the Subdivision Review Committee";
 - f. Section 22.140.010, "Procedures – Director of Public Works"
 - g. Section 22.140.015, "Action by the Subdivision Review Committee"
6. Chapter 22.20, "Procedures," Section 22.20.017, "Payment for Public Works Review Fees" is amended to read as follows:
- "A minimum deposit of three hundred dollars (\$300.00) shall be paid by the applicant upon the submittal of parcel map review documents. A minimum deposit of five hundred dollars (\$500.00) shall be paid by the applicant upon the submittal of final map review documents. In the event the cumulative accrued charges exceed the above minimums, the County shall submit monthly billings to the applicants for costs incurred to date of billings in excess of the minimum deposits required."
7. Chapter 22.20, "Procedures," Section 22.20.025, "Advisory Agency, Tentative Subdivision Maps," is amended by changing the reference to Sacramento County Project Planning Commission," to "Planning Commission."
8. Chapter 22.20, "Procedures," Section 22.20.030, "Advisory Agency (Special Processing)" is amended by deleting subsections (b) and (c).
9. Chapter 22.20, "Procedures," Section 22.20.032, "Advisory Agency and Appropriate Planning Commission for Vesting Tentative Maps" is retitled "Approval Body for Vesting Tentative Maps."
10. Chapter 22.20, "Procedures," Section 22.20.045, "Appeals or Complaints of Actions by the Project Planning Commission or the Policy Planning Commission" is retitled "Appeals or Complaints of Actions by the Planning Commission."

11. Chapter 22.150, "Subdivision Information," Section 22.150.010, "Community Services Information," subsection (e) is amended to read as "Rancho Cordova Planning Department."
12. Chapter 22.300, "Street Dedication Map," is amended to change the reference to "Director of Planning and Community Development" to "Public Works Director."
13. Chapter 22.300, "Street Dedication Map," is amended to change the reference to "Subdivision Review Committee" to "City Council."
14. Chapter 22.400, "Plats of Survey," is deleted in its entirety.

MEMORANDUM



Date: December 3, 2007
To: Mayor and Council Members
From: Anna Olea-Moger, CMC, City Clerk
Subject: **SELECTION OF MAYOR AND VICE MAYOR**

RECOMMENDATION

That Council selects its next Mayor and Vice Mayor

RESULT OF RECOMMENDED ACTION

Result of recommended action is that Council appoints its leadership officers, per Resolution No. 05-2004. The ceremonial seating of the new Mayor and new Vice Mayor will take place at the next Council Meeting on December 17th.

BACKGROUND

On January 5, 2004, the City Council adopted Resolution No. 5-2004 to set forth the Council policy that one of its members would be selected as Mayor and one of its members selected as Mayor Pro Tempore at the first regular City Council meeting in December. Subsequently, Council adopted Resolution 185-2004 changing to Vice Mayor designation from Mayor Pro Tempore.

Copy of both Resolution Nos. 05-2004 and 185-2004 is attached.

ATTACHMENTS

1. Resolution No. 5-2004
2. Resolution No. 185-2004

CITY OF RANCHO CORDOVA

RESOLUTION NO. 5-2004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
SELECTING DATE ON WHICH THE CITY COUNCIL SHALL ANNUALLY SELECT
A MAYOR AND MAYOR PRO TEMPORE

RECITALS

WHEREAS, Government Code §36801 provides that the City Council shall select one of its members as mayor and one of its members as mayor pro tempore.

NOW, THEREFORE, the City Council of the City of Rancho Cordova resolves that the City Council shall select one of its members as Mayor and one of its members as Mayor Pro Tempore at the first regular City Council meeting in December.

ADOPTED, THIS 5th day of January, 2004 by the following vote:

AYES: Cooley, McGarvey, Sander, Budge, Roberts

NOES: None

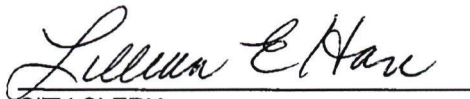
ABSENT: None

ABSTENTIONS: None

APPROVED:


MAYOR

ATTEST:


CITY CLERK

RESOLUTION NO. 185-2004

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO
CORDOVA, CALIFORNIA AMENDING RESOLUTION 31-2004 AND
CHANGING THE DESIGNATION OF MAYOR PRO TEMPORE TO VICE
MAYOR**

WHEREAS, the City Council is desirous of changing the designation of "Mayor Pro Tempore" to "Vice Mayor."

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rancho Cordova does hereby determine and order that:

1. Section 4 and 5 of Resolution No. 31-2003 is amended to replace the "Mayor Pro Tempore" designation with "Vice Mayor" and that
2. That references to "Mayor Pro Tempore" in Resolution No. 5-2004 are hereby amended to be "Vice Mayor."

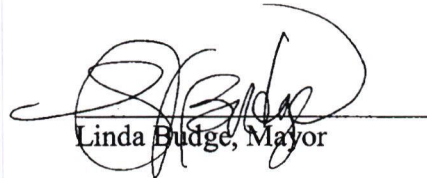
I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Rancho Cordova, held on the 6th day of December, 2004, by the following vote:

AYES: Skoglund, Sander, McGarvey, Cooley, Budge

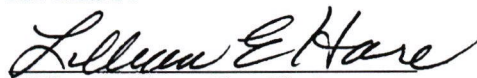
NOES: None

ABSENT: None

ABSTAIN: None


Linda Budge, Mayor

ATTEST:


Lillian E. Hare, City Clerk