



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

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

Monday, October 18, 2010

**4:30 P.M. – Special Meeting
Community Board Room**

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

AGENDA

A. SPECIAL MEETING – CALL TO ORDER / ROLL CALL

Council Members Sander, Budge, Skoglund, McGarvey, and Mayor Cooley

B. PUBLIC COMMENT

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

C. SPECIAL MEETING ITEM

Subject: Appeal of Business License Denial by Walter M. Green III

Recommendation: Conduct an appeal hearing of Mr. Walter M. Green, III (applicant) regarding the City's denial of a business license by its Hearing Authority Officer pursuant to Rancho Cordova Municipal Code (RCMC) 4.10.065: protection of the public health, safety and welfare require that personnel retained by the enterprises to perform specified functions or duties be of good moral character, not have been convicted of particular criminal offenses, and, in certain instances, possess minimum skills necessary to ensure public safety.

Result of Recommended Action: Conducting a final appeal hearing would allow Council to consider the matter as to its conformity with RCMC 4.10.065 in order to grant or deny the applicant a special business license for handyman services.

Staff Report: Donna Silva, Finance Department; Doug Diamond and Brent Lehr, Rancho Cordova Police Department

Advances Goal: 6

D. ADJOURNMENT OF STUDY SESSION

E. CLOSED SESSION

Council may adjourn to Closed Session to discuss the following item(s):

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9(b)
(one potential case).

F. ADJOURNMENT

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Council Members Sander, Budge, Skoglund, McGarvey, and Mayor Cooley

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Clerk 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

Reverend Christine Leigh-Taylor, St. Clement's Episcopal Church, will give the invocation.

5. OPEN SESSION – REPORT FROM CLOSED SESSION

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

6. PRESENTATIONS

- 6.1 Proclamations to the individuals responsible for dignitary escorts and smooth traffic flow into and out of the California Capital Airshow.
- 6.2 Certificate of Gratitude by IRS Outreach & Education Specialist Lorie Declarador to Council Member Dan Skoglund in support, dedication, and commitment to the Volunteer Income Tax Assistance (VITA) Program.

7. 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.

8. COUNCIL REPORTS

9. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

9.1 **Subject:** Meeting Minutes:

- a) Special and Regular Meeting Minutes of October 4, 2010; and
- b) Special Meeting Minutes of October 12, 2010.

Recommendation: Adopt Minutes.

9.2 **Subject:** Resolution Approving and Authorizing Execution of a Loan Agreement and Regulatory Agreement for Crossings @ New Rancho Affordable Housing Redevelopment Project and Authorizing the City Management to Execute any Further Documents or Take any Further Actions as Necessary to Begin Construction

Recommendation: Adopt Resolution No. 121-2010.

Result of Recommended Action: The City Manager will execute a Loan Agreement and Regulatory Agreement with Urban Housing Communities, an affordable housing developer for the development of the Crossings @ New Rancho Affordable Housing Redevelopment Project. Additionally, authorizes the City Manager to act on the City's behalf for any additional items necessary to begin construction.

Staff Report: Reed Flory, Housing Services

Advances Goals: 6, 7, 8, 9, and 11

GROWING STRONG NEIGHBORHOODS

9.3 **Subject:** Community Redevelopment Agency Resolution Approving and Authorizing the Execution of a Regulatory Agreement and a Termination of Owner Participation Agreement for Crossings @ New Rancho Affordable Housing Redevelopment Project and Authorizes the Executive Director to Execute Further Documents or Take Further Actions as Necessary to Begin Construction

Recommendation: Adopt Agency Resolution No. CRA 9-2010.

Result of Recommended Action: The Executive Director will execute a Regulatory Agreement and Termination of Owner Participation Agreement with Urban Housing Communities, an affordable housing developer for the development of the Crossings @ New Rancho Affordable Housing Redevelopment Project. Additionally, authorizes the Executive Director to act on the Agency's behalf for any additional items necessary to begin construction.

Staff Report: Reed Flory, Housing Services Administrator

Advances Goals: 6, 7, 8, 9, and 11

GROWING STRONG NEIGHBORHOODS

COUNCIL ACTING AS COMMUNITY REDEVELOPMENT AGENCY

9.4 **Subject:** Resolution Authorizing the City Manager to Execute Contract Change Orders No. 1 and 2 with Granite Construction Company for the Sunrise Boulevard North of White Rock Road Project in the amount of \$17,804

Recommendation: Adopt Resolution No. 119-2010.

Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute contract Change Orders No. 1 and 2 with Granite Construction Company (Contract No. 58-2010), to increase the current contract amount from \$174,471 to \$192,275 for the construction of the Sunrise Boulevard North of White Rock Road Project. The contract time is not affected by this change order.

Staff Report: Cyrus Abhar, Public Works Department

Advances Goals: 1, 4, 6, and 7

10. CONSENT PUBLIC HEARING ITEMS

- 10.1 **Subject:** Resolution Approving Design Review for the Addition of the Koreana Plaza Market Expansion – Project No. DD7019; Located at 10971 Olsen Drive – APN: 072-0280-019

Planning Commission Recommendation: That Council determine the proposed project to be Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA)

City Council Recommendation: Adopt Resolution No. 118-2010.

Result of Recommended Action: The proposed addition will have a significant positive functional effect on the subject property and the surrounding land uses. The project will enhance the utilization of the market and may promote additional commercial activity that the existing facility could not support. The new addition and renovation will improve the overall commercial center. Not approving the addition could cause the market to relocate out of the area.

Staff Report: William Campbell, Planning Department

Advances Goals: 5 and 8

11. PUBLIC HEARING ITEMS

- 11.1 **Subject:** Resolution and Ordinance Amending Sections 16.83 and 16.84 of the City Municipal Code Extending the Temporary Deferral for Payments of Certain Development Impact Fees for a Period of Three Years

Recommendation: That Council:

- a) Waive first reading and introduces Ordinance No. 32-2010 approving an extension of the residential and non-residential Fee Deferral Program for an additional three year term, from July 1, 2010 to June 30, 2013. **(Roll Call Vote)**
- b) Adopt Resolution No. 120-2010 extending temporary deferral of payment of certain development fees for a period of three years.

Result of Recommended Action: Adoption of this resolution and ordinance will extend the Development Impact Fee Deferral Program, established in May of 2008, and extended in April 2009, for three additional years, to June 30, 2013. Developers will benefit significantly from the program, as it will reduce their cash outlay at the time of building permit issuance.

Staff Report: Donna Silva, Finance Department

Advances Goals: 1, 11 and 13

12. REGULAR CALENDAR ITEMS

- 12.1 **Subject:** Rancho Cordova Tourism Business Improvement District Public Meeting
Recommendation: Allow public testimony on the establishment of the proposed Rancho Cordova Tourism Business Improvement District

Result of Recommended Action: A final public hearing will be held on December 6, 2010 on the establishment of the Rancho Cordova Tourism Business Improvement District

Staff Report: Curt Haven, Economic Development Department

Advances Goals: 1 and 9

12.2 **Subject:** Resolution and Ordinances Adopting Local Building Codes

Recommendation: That Council:

- a) Adopt Resolution No. 113-2010; and
- b) Waive first readings and introduce (**Roll Call Vote**):
 - 1. Ordinance No. 22-2010; and
 - 2. Ordinance No. 23-2010; and
 - 3. Ordinance No. 24-2010; and
 - 4. Ordinance No. 25-2010; and
 - 5. Ordinance No. 26-2010; and
 - 6. Ordinance No. 27-2010; and
 - 7. Ordinance No. 28-2010; and
 - 8. Ordinance No. 29-2010; and
 - 9. Ordinance No. 30-2010; and
 - 10. Ordinance No. 31-2010.

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 new codes mandated by the state of California.

Staff Report: Cyrus Abhar and Elizabeth Sparkman, Public Works Department

Advances Goals: 1, 4, 6, 7, and 8

GROWING STRONG NEIGHBORHOODS

12.3 **Subject:** Kilgore Cemetery Phase 2 Design Project

Recommendation: Receive presentation and direct staff to proceed with the Kilgore Cemetery Phase 2 Design Project.

Result of Recommended Action: The Phase 2 Expansion Project will allow the City to offer in-ground burials at Kilgore Cemetery and provide several updated amenities at the facility.

Staff Report: Cyrus Abhar, Public Works Director

Advances Goals: 1, 4, and 8

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

14. CITY MANAGER'S REPORT

Planning Department Update

15. ADJOURNMENT

MEMORANDUM



DATE: October 18, 2010

TO: Honorable Mayor and Council Members

FROM: Donna Silva, Finance Director
Doug Diamond, Rancho Cordova Police Department (RCPD) Chief of Police
Brent Lehr, RCPD Detective

SUBJECT: **APPEAL OF BUSINESS LICENSE DENIAL BY WALTER M. GREEN, III**

RECOMMENDATION

Conduct an appeal hearing of Mr. Walter M. Green, III (applicant) regarding the City's denial of a business license by its Hearing Authority Officer pursuant to Rancho Cordova Municipal Code (RCMC) 4.10.065: protection of the public health, safety and welfare require that personnel retained by the enterprises to perform specified functions or duties be of good moral character, not have been convicted of particular criminal offenses, and, in certain instances, possess minimum skills necessary to ensure public safety.

RESULT OF RECOMMENDED ACTION

Conducting a final appeal hearing would allow Council to consider the matter as to its conformity with RCMC 4.10.065 in order to grant or deny the applicant a special business license for handyman services.

BACKGROUND

Under the Rancho Cordova Municipal Code, if a business license application has been denied, the applicant has the right to appeal. If the applicant is not satisfied with the first determination of appeal they can then appeal to City Council, whose decision is final. No later than 60 calendar days from the submittal of a request, a hearing shall be scheduled before the City Council. During the appeal, Council will hear testimony from the applicant and RCPD, and an explanation as to why the first appeal was denied. Council may make their decision based on that testimony or they can receive or request additional evidence and facts.

On June 4, 2010 the applicant submitted an application for a home based business license; the application was subsequently reviewed by the Rancho Cordova Police Department for compliance with the Rancho Cordova Municipal Code (RCMC). Upon careful review, Detective Brent Lehr determined that denial of the application falls under RCMC 4.10.040(c) which states if the chief of police finds in writing that a person has been convicted of a crime, has done an act involving dishonesty, fraud, or deceit with intent to substantially injure another, then the chief of police may conclude that by reason of the crime or act, the applicant would not conduct the enterprise in a law-abiding manner or in a manner which does not subject patrons of the enterprise to risk of harm or criminal, deceitful or otherwise unethical practices. On July 12,

2010, a letter of denial of application was sent by RCPD Chief of Police Doug Diamond (**Attachment 2**) explaining why the application was denied and the applicant's right to appeal; consequently, the applicant submitted a letter on July 26, 2010 (**Attachment 3**) requesting a hearing before the Hearing Authority. The hearing was conducted by Hearing Authority Officer Troy Holt, Neighborhood Services Manager Kerry Simpson, and RCPD Detective Brent Lehr on August 5, 2010, and a determination to uphold the RCPD's decision was made. A letter of denial of appeal was sent to applicant on August 13, 2010 (**Attachment 5**). On August 30, 2010, the City Clerk's Department received a letter and Notice of Appeal (**Attachment 6**) requesting a final hearing before the City Council.

CHRONOLOGY

June 4, 2010	The City received a home based business license (special license) application from Mr. Green for the purpose of performing handyman services: general repairs, fencing, plumbing, electrical, carpentry, cleaning (Attachment 1).
July 12, 2010	The Rancho Cordova Police Department sent a letter of denial of the special business license application, based on the Rancho Cordova Police Department's findings pursuant to RCMC 4.10.065 (Attachment 2).
July 26, 2010	Letter received by the City via fax from Mr. Green requesting an appeal of the decision to deny the special business license application to be heard before the Hearing Authority (Attachment 3).
July 30, 2010	The City Finance Department sent a letter confirming receipt of Mr. Green's request for an appeal before the Hearing Authority. A hearing was scheduled on Thursday, August 5, 2010 at 1:15 p.m., located at City of Rancho Cordova City Hall, Coloma Meeting Room, 2729 Prospect Park Drive, Rancho Cordova, CA, 95670 (Attachment 4).
August 5, 2010	The Hearing Authority appeal hearing was conducted. In attendance were applicant Mr. Green, Neighborhood Services Manager Kerry Simpson, Rancho Cordova Police Department Detective Brent Lehr, and Hearing Authority Officer Troy Holt. Based on testimony of Mr. Green, and the evidence presented by Detective Lehr, the Hearing Authority officer upheld the RCPD's decision to deny Mr. Green's request for appeal pursuant to RCMC 4.10.065.
August 13, 2010	The Hearing Authority Officer sent an official letter denying Mr. Green's special business license application with a decision and an advisement of the applicant's right to appeal to the City Council (Attachment 5).
August 30, 2010	Mr. Green submitted a letter and Notice of Appeal to City Clerk Mindy Cuppy for the purpose of scheduling an appeal date before the City Council (Attachment 6).

- September 22, 2010 Deputy City Clerk Bren Lehr sent a letter via email to Mr. Green advising the appeal will be heard before the City Council at its regular meeting on October 4, 2010. A certified letter was also mailed to Mr. Green. A return receipt postcard was returned on September 24, 2010 signed by Mr. Green acknowledging receipt of letter (**Attachment 7**).
- September 23, 2010 Deputy City Clerk Bren Lehr sent a letter via email to Mr. Green advising that the hearing would be rescheduled to October 18, 2010 (**Attachment 8**).
- October 1, 2010 A Business License Change Form was received by the City from Pearlina Green removing herself as an owner or applicant (**Attachment 9**).
- October 7, 2010 Letter sent to Finance Director Donna Silva by RCPD Detective Brent Lehr regarding arrest and conviction history of Mr. Green (**Attachment 10**).

ATTACHMENTS

1. Application dated June 4, 2010 for City of Rancho Cordova Home Based Business License (special license).
2. Letter dated July 12, 2010 from Rancho Cordova Police Department to Mr. Green denying special business license application.
3. Letter dated July 26, 2010 from Walter M. Green requesting an appeal of decision to deny special business license.
4. Letter dated July 30, 2010 from City of Rancho Cordova Department of Finance to Mr. Green scheduling a hearing before the Hearing Authority.
5. Letter dated August 13, 2010 to Walter M. Green by Hearing Authority denying special business license.
6. Letter and Notice of Appeal addressed to City Clerk Mindy Cuppy and dated August 30, 2010 from Walter M. Green requesting an appeal before the City Council.
7. Letter dated September 22, 2010 from Deputy City Clerk Bren Lehr regarding City Council Hearing scheduled for October 4, 2010.
8. Letter dated September 23, 2010 from Deputy City Clerk Bren Lehr regarding rescheduling of the City Council hearing to October 18, 2010.
9. Business License Change Form dated October 1, 2010 removing Pearlina Green from initial special business license application.
10. Letter dated October 7, 2010 from RCPD Detective Brent Lehr regarding arrest and conviction history of Mr. Green.



APPLICATION FOR CITY OF RANCHO CORDOVA HOME BASED BUSINESS LICENSE

2729 PROSPECT PARK DRIVE - RANCHO CORDOVA - CA - 95670

(916) 851-8737 - (916) 851-8787 FAX

businesslicense@cityofranhocordova.org

PAID
249.00 cash

Office Use Only:		Date <u>6-4-2010</u>
ID# <u>8135</u>	Master # <u>308298</u>	
General # <u>308299</u>	Special # <u>308300</u>	
AC # <u>A1255010</u> <u>A1255011</u>	DOJ ☐ Yes ☐ No	

Date of Application 6-4-2010 Month/Year business will start _____Type of Business: Corporation ☐ LLC ☐ Sole Proprietorship ☒ Partnership ☐ Rental Property Owner ☐Owner(s) name Walter & Pearlina GreenBusiness Name (DBA) Green Family Useful ServicesBusiness Location Address 10684 Viani Way Rancho Cordova CA 95670Mailing Address ✓Business Phone (916) 741-9001 Emergency # (916) 858-2614

(Must be different from business phone)

Email address UsefulthingsandServices@yahoo.com Fax # (916) 858-2614TYPE OF BUSINESS Handy Man Services

Describe the activities of your business

(Include type of product, services, etc.) We would like to perform general repairs

Please be specific.

fencing, plumbing, electrical carpentry cleaning.

HOME BASED BUSINESS DESCRIPTION

Will your home be used to conduct all or part of your business? ☒ YES ☐ NO

I acknowledge I have read the "Home Occupation Restrictions"

Located in the City of Rancho Cordova Zoning Code Title III, Chapter 5

Signature Required if "YES"

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Walter M. Green III
 (Clearly) Print Name

Walter M. Green III
 Signature



RANCHO CORDOVA POLICE DEPARTMENT

Doug Diamond
Chief of Police

10361 Rockingham Drive
Sacramento, California 95827

916.875.9600-- Main
916.875.8673-- Fax

www.RanchoCordovaPD.com

July 12th, 2010

Walter M. Green
10684 Viana Way
Rancho Cordova, Ca. 95670

7/12/10
SENT
CERTIFIED

Dear Mr. Walter Green

A criminal history check has been completed in response to your application with the City of Rancho Cordova for a Business License with co-applicant, Pearlina Green. Information contained in your criminal history indicates that you have been arrested and convicted of offenses several times.

The Chief of Police finds this falls under Rancho Cordova Municipal Code section 4.10.040(c): "... person[s] has been convicted of a crime ..." and "... has done any act involving dishonesty, and fraud of deceit ..." and "... concludes that by reason of the crime or act the applicant would not conduct the enterprise in a law abiding manner or in a manner which does not subject patrons of the enterprise to risk of harm or criminal, deceitful or otherwise unethical practices."

Your application for a Special License is denied. The following statutes are relevant:

Rancho Cordova Municipal Code Section 4.10.040(c)	Grounds for denial of a license
Rancho Cordova Municipal Code Section 4.10.100	Authority to deny a license
Rancho Cordova Municipal Code Section 4.10.115	Appeals

Attached you will find Rancho Cordova Municipal Code sections 4.10.000 through 4.10.155, which include the statutes related to any appeal you may wish to file. If you have any questions you may contact Detective Brent Lehr at 916-875-9617.

Sincerely,

Chief Doug Diamond

Detective B. Lehr #264

Attachments cc: File

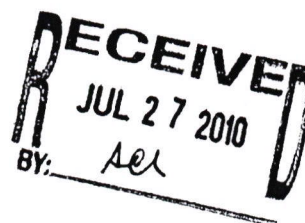
ATTACHMENT 3

To the City of Rancho Cordova and all concerned

I would like to appeal the decision made on behalf to not allow me to possess a special license in this city.

Sincerely,
Walter and Pearlina Green
916 741 9001

Monday, July 26, 2010





CITY OF RANCHO CORDOVA ATTACHMENT 4
DEPARTMENT OF FINANCE

2729 Prospect Park Drive, Rancho Cordova, California 95670
Phone (916) 851-8768 Fax (916) 851-8768
businesslicense@cityofranchocordova.org

July 30, 2010

Walter M. Green III
Pearlina Green
10684 Viani Way
Rancho Cordova, CA 95670

Subject: **REQUEST FOR APPEAL HEARING FOR THE DENIAL OF SPECIAL BUSINESS LICENSE**

Dear Mr. and Mrs. Green

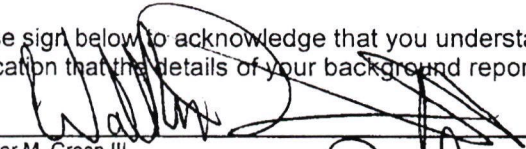
We have received your request for an appeal hearing regarding denial of the referenced application. The hearing for this matter has been scheduled for:

Date: **Thursday, August 5th, 2010**
Time: **1:15 p.m.**
Location: **Rancho Cordova City Hall
Coloma Meeting Room
2729 Prospect Park Drive
Rancho Cordova, CA 95670**

When you arrive at City Hall please contact the receptionist located in the City Services offices on the first floor.

Please note that during your hearing the denial process of your employee permit application will be discussed. This may include the results of your background report that was that was prepared by the California Department of Justice following your Live Scan submittal of 6/4/2010.

Please sign below to acknowledge that you understand that in order discuss the review of your business license application that the details of your background report may be discussed at your hearing.

X  Date 8-5-10
Walter M. Green III

X  Date 8-5-10
Pearlina Green

Please bring a copy of this letter with you to your hearing. If you have any questions or comments please contact the City of Rancho Cordova. Our address and contact information has been included in the letterhead of this notice.

Sincerely,



Tony Ingalls
Accounting Technician

cc Donna Silva, Director of Finance
Kerry Simpson, Neighborhood Services Manager
Detective Brent Lehr, Rancho Cordova Police Department

P:\Business Licenses\Appeals\Appeal Hearing_notice Walter and Pearlina Green.doc



Ken Cooley
Mayor

Robert J. McGarvey
Vice Mayor

Linda Budge
Council Member

David Sander
Council Member

Dan Skoglund
Council Member

August 13, 2010

Walter M. Green III
Pearlina Green
10684 Viani Way
Rancho Cordova, CA 95670

Subject: **APPEAL HEARING FOR THE DENIAL OF SPECIAL BUSINESS LICENSE**

Dear Mr. and Mrs. Green:

Upon careful review of the information provided during your Employee Permit Appeal Hearing, I would like to inform you that I am upholding the denial of your application. Pursuant to code RCMC 4.10.065, I have an obligation to the residents and businesses in the community to which you are applying.

According to the Rancho Cordova Municipal Code, a decision by the hearing authority pursuant to RCMC 4.10.120 shall become final 15 days following the filing and service thereof unless review of the decision by the City Council is requested either by the police department or appellant. Such review may be requested by filing with the clerk of the City Council a written request for review not later than 15 calendar days following the date of filing and service of the hearing authority's decision.

Please feel free to call me if you have further questions. I wish you well in your future endeavors.

Sincerely,

Troy Holt
City of Rancho Cordova
Appeal Hearing Officer
(916) 851-8700

Cc: Donna Silva, Director of Finance
Kerry Simpson, Neighborhood Services Manager
Detective Brent Lehr, Rancho Cordova Police Department

ATTACHMENT 6

Walter M. Green III
10684 Viani Way
Rancho Cordova, CA 95870
August 30, 2010

To the city of Rancho Cordova
Esteemed city council members

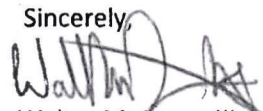
In all fairness, I to, are a resident and a tax paying registered voter in the city of Rancho Cordova. I understand and respect the concerns of both law enforcement, and all involved in the decision, to deny me a license to work in this city. People do change, I am asking for a review hearing by the city council is made available for discussion of this matter.

I would like the opportunity to bring my case before the City Council, showing why I should be allowed a license to operate in the city of Rancho Cordova; however, my wife would like to withdraw from the application at this time as she wants to dedicate her time to her education and home.

I do understand that all evidence may, or may not be heard and may be reviewed prior to the time of the hearing. If allowed a permit, I would operate in fairness; respect others, with integrity and in a safe manner. I would also like to amend my application to only include hauling and landscaping and debris removal of UN occupied homes, and properties authorized by realtors and contractors.

I look forward to hearing from you and Thank you.

Sincerely,



Walter M. Green III



TO: City Council
2729 Prospect Park Drive
Rancho Cordova, CA 95670

FOR STAFF USE ONLY

FEE AMOUNT: N/A
DATE PAID: N/A
FEE REC'D BY: N/A

DATE: 8/30/2010

NOTICE OF APPEAL

I hereby appeal the decision / requirement of the Rancho Cordova Police Department in approving / denying the application of:

1. Name of applicant: Walter M. Green III for
2. Name of business being appealed: Green Families Useful Things & Services made on
3. Date of Business License Hearing meeting: August 5, 2010
4. Specific action(s) or requirement(s) being appealed:

I am appealing the decision of the Rancho Cordova PD. and the hearing authority which held up the decision not to allow me to obtain a license in Rancho Cordova, One's in attendance Kerry Simpson, Det. Brent Lehr & App Hearing, officer Troy Holt.

Appellant's Address <u>10684 Viani Way Rancho Cordova Ca 95670</u>	Home Phone <u>916-741-9001</u>	Bus. Phone <u>"</u>
Address for Notices <u>"</u>		

STAFF USE ONLY

Address of Business Involved <u>10684 Viani Way Rancho Cordova, CA 95670</u>		
Assessor's Parcel Number(s) <u>058-0222-021-0000</u>	Municipal Code Section	
Project Number <u>Special Business License #308300</u>	Received By <u>Tony Ingalls</u>	Reviewed by Finance Dir. <u>As</u>
Business Name <u>Green Family Useful Services</u>		

CITY CLERK OFFICE USE ONLY

Received written appeal on <u>August 30, 2010</u>
Scheduled for Council agenda of <u>October 4, 2010</u>
<u>Mindy L. Curry</u> City Clerk

☒ Copies distributed to appropriate parties
Donna Silva, Kerry Simpson, Det. Brent Lehr, Troy Holt, Tony Ingalls

Bren Lehr

From: Bren Lehr
Sent: Wednesday, September 22, 2010 10:14 AM
To: 'bona_fide62@yahoo.com'
Cc: Tony Ingalls; Mindy Cuppy; Donna Silva; Troy Holt; Kerry Simpson; 'Brent J. Lehr (blehr@sacsheriff.com)'; Ted Gaebler; City Council
Subject: October 4, 2010 City Council Hearing - Appeal of Business License Denial
Attachments: image001.gif; image002.png; Walter M. Green City Council Hearing.PDF; image004.png

September 22, 2010

Walter M. Green, III *Sent via certified, return receipt mail and e-mail (bona_fide62@yahoo.com)*
10684 Viani Way
Rancho Cordova, CA 95670

Dear Mr. Green,

RE: CITY COUNCIL HEARING - APPEAL OF BUSINESS LICENSE DENIAL

The City of Rancho Cordova is in receipt of your request for an appeal of its Hearing Authority Officer's denial of your business license pursuant to code RCMC 4.10.065.

4.10.065 Employee permits.

With respect to certain types of enterprises described by RCMC 4.10.005, protection of the public health, safety and welfare require that personnel retained by the enterprises to perform specified functions or duties be of good moral character, not have been convicted of particular criminal offenses, and, in certain instances, possess minimum skills necessary to ensure public safety. Personnel required to possess such minimum qualifications are identified by the provisions of Chapters 4.14 through 4.50 RCMC.

The procedures set forth in this chapter relating to employee permits shall be applicable to all personnel required by Chapters 4.14 through 4.50 RCMC to possess minimum qualifications which are subject to review by the police department. [Ord. 45-2004 § 4].

The hearing is scheduled for consideration before the City Council at its meeting on Monday, October 4, 2010. The Council meeting begins at 5:30 p.m. and is held at City Hall in the Council Chambers located at 2729 Prospect Park Drive.

The Council meeting agenda and staff report pertaining to this agenda item will be available for review on the City's website by end of business day on Thursday, September 30, 2010.

Sincerely,
Bren Lehr
Deputy City Clerk

c: City Council
Ted Gaebler, City Manager
Donna Silva, Finance Director
Mindy Cuppy, City Clerk
Brent Lehr, Rancho Cordova Police Department Detective

Troy Holt, Hearing Authority Officer
Kerry Simpson, Neighborhood Services Manager

Bren Lehr, CMC

City of Rancho Cordova
Deputy City Clerk
2729 Prospect Park Drive
Rancho Cordova, CA 95670

☎ Phone: (916) 851-8723

📠 Fax: (916) 851-8787



"Never doubt that a small group of thoughtfully committed citizens can change the world. Indeed, it's the only thing that ever has." ~Margaret Mead~

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Walter M. Green III
10684 Viani Way
Rancho Cordova, CA
95670

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent☒ Addressee

B. Received by (Printed Name)

Walter Green III

C. Date of Delivery

9-24-0

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7006 2150 0001 1058 9755

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Bren Lehr

From: Bren Lehr
Sent: Thursday, September 23, 2010 2:46 PM
To: 'bona_fide62@yahoo.com'
Cc: Tony Ingalls; Mindy Cuppy; Donna Silva; Troy Holt; Kerry Simpson; 'Brent J. Lehr (blehr@sacsheriff.com)'; Ted Gaebler; 'James, Pete'
Subject: RE: October 4, 2010 City Council Hearing - Appeal of Business License Denial - RESCHEDULED
Attachments: image003.gif; image005.png; image006.png; image002.png

Mr. Green,

This email is being sent to inform you that the City Council hearing date (originally scheduled for October 4, 2010) for Appeal of Business License Denial has been rescheduled to be heard at the **October 18, 2010 City Council Meeting**. Related agenda and staff report will be available for review by end of business day on October 14, 2010. Please confirm you have received this email.

Additionally, please be advised that as part of the City Council appeal hearing on October 18, information related to your arrest history, past criminal records from various agencies including City of Sacramento, City of Stockton, City of Berkeley, City of Oakland, and County of Alameda, as well any previous interviews and/or testimony received during your first appeal by the Hearing Authority may be disclosed publicly for discussion. Feel free to contact me with any questions. Thank you.

Bren Lehr, CMC

City of Rancho Cordova
 Deputy City Clerk
 2729 Prospect Park Drive
 Rancho Cordova, CA 95670
 Phone: (916) 851-8723
 Fax: (916) 851-8787



"Never doubt that a small group of thoughtfully committed citizens can change the world. Indeed, it's the only thing that ever has." ~Margaret Mead~

From: Bren Lehr
Sent: Wednesday, September 22, 2010 10:14 AM
To: 'bona_fide62@yahoo.com'
Cc: Tony Ingalls; Mindy Cuppy; Donna Silva; Troy Holt; Kerry Simpson; 'Brent J. Lehr (blehr@sacsheriff.com)'; Ted Gaebler; City Council
Subject: October 4, 2010 City Council Hearing - Appeal of Business License Denial

September 22, 2010

Walter M. Green, III
 10684 Viani Way
 Rancho Cordova, CA 95670

Sent via certified, return receipt mail and e-mail (bona_fide62@yahoo.com)

Dear Mr. Green,

RE: CITY COUNCIL HEARING - APPEAL OF BUSINESS LICENSE DENIAL

The City of Rancho Cordova is in receipt of your request for an appeal of its Hearing Authority Officer's denial of your business license pursuant to code RCMC 4.10.065.

4.10.065 Employee permits.

With respect to certain types of enterprises described by RCMC 4.10.005, protection of the public health, safety and welfare require that personnel retained by the enterprises to perform specified functions or duties be of good moral character, not have been convicted of particular criminal offenses, and, in certain instances, possess minimum skills necessary to ensure public safety. Personnel required to possess such minimum qualifications are identified by the provisions of Chapters 4.14 through 4.50 RCMC.

The procedures set forth in this chapter relating to employee permits shall be applicable to all personnel required by Chapters 4.14 through 4.50 RCMC to possess minimum qualifications which are subject to review by the police department. [Ord. 45-2004 § 4].

The hearing is scheduled for consideration before the City Council at its meeting on Monday, October 4, 2010. The Council meeting begins at 5:30 p.m. and is held at City Hall in the Council Chambers located at 2729 Prospect Park Drive.

The Council meeting agenda and staff report pertaining to this agenda item will be available for review on the City's website by end of business day on Thursday, September 30, 2010.

Sincerely,
Bren Lehr
Deputy City Clerk

c: City Council
Ted Gaebler, City Manager
Donna Silva, Finance Director
Mindy Cuppy, City Clerk
Brent Lehr, Rancho Cordova Police Department Detective
Troy Holt, Hearing Authority Officer
Kerry Simpson, Neighborhood Services Manager

Bren Lehr, CMC
City of Rancho Cordova
Deputy City Clerk
2729 Prospect Park Drive
Rancho Cordova, CA 95670
☎ Phone: (916) 851-8723
☎ Fax: (916) 851-8787



"Never doubt that a small group of thoughtfully committed citizens can change the world. Indeed, it's the only thing that ever has." ~Margaret Mead~



CITY OF RANCHO CORDOVA

DEPARTMENT OF FINANCE

2729 Prospect Park Drive, Rancho Cordova, California 95670
916-851-8737 - 916-851-8787 fax

BUSINESS LICENSE CHANGE FORM

BUSINESS LICENSE CHANGE FEE: \$15.00

BUSINESS LICENSE NUMBER	GENERAL LICENSES 308299 SPECIAL LICENSE 708300
-------------------------	---

OWNER NAME:	WALTER GREEN III
BUSINESS NAME	GREEN FAMILY USEFUL SERVICES

NEW BUSINESS NAME

ADD PARTNER	
NAME (LAST)	(FIRST)
DATE OF BIRTH	DRIVER'S LICENSE NUMBER
HOME ADDRESS (STREET)	CITY / STATE / ZIP
TELEPHONE NUMBER (HOME)	MOBILE

REMOVE PARTNER	
NAME (LAST)	(FIRST)
GREEN	PEARLINA
NAME (LAST)	(FIRST)

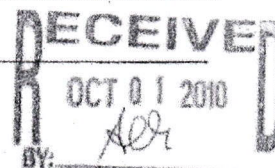
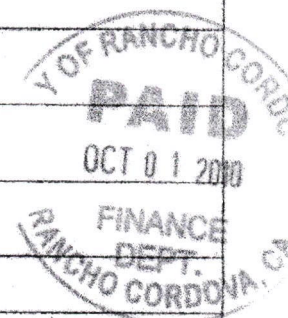
TYPE OF BUSINESS (PLEASE DESCRIBE)

CHANGE MAILING ADDRESS
STREET ADDRESS
CITY / STATE / ZIP

APPLICANT'S SIGNATURE

DATE

Revised 04/06





RANCHO CORDOVA POLICE DEPARTMENT

Doug Diamond
Chief of Police

10361 Rockingham Drive
Sacramento, California 95827

916.875.9600 – Main
916.875.8673 – Fax

www.RanchoCordovaPD.com

October 7, 2010

Ms. Donna Silva, Finance Director
City of Rancho Cordova

Regarding: Hearing for Walter M. Green:

A business application was received by the Rancho Cordova Police Department, for a Special Business License within the City of Rancho Cordova, from Walter Green, dated 06-04-10. Mr. Walter Green is applying for a Handyman Business License. On his application he states he would be completing general repairs to residences within our city.

I, Detective Brent Lehr #264, assigned to the Rancho Cordova Police Department, Detective Division, am tasked with reviewing all business license applications submitted to the City of Rancho Cordova to determine whether they be approved or denied. This process includes reviewing and obtaining any information pertaining to the applicant which includes a Department of Justice Criminal History Background Check.

I completed a criminal history "records" check. Information contained in Walter Green's criminal history revealed prior arrests and convictions for offenses considered significant in determining whether to grant him a license. After careful review of all information his application was denied per the Rancho Cordova Municipal Code Section 4.10.035(c) and 4.10.100. He was notified in writing with a certified letter.

Walter Green's arrest history, criminal history and Department of Motor Vehicles record gives the Rancho Cordova Police Department reason to believe he may not conduct business without subjecting an unreasonable risk to the public.

The following is a summary of Walter Green's arrest and conviction history per the Department of Justice and records obtained from multiple other agencies:

Mr. Green was arrested and convicted:

- June 1985, arrested by Sacramento SO for a PC 242 (Assault and Battery) warrant out of Berkley, CA. **Convicted of a Misdemeanor, received jail time and Probation.**
- March 1988, arrested by Sacramento PD for PC 12020 (Illegal Weapons Possession). **Convicted of a Misdemeanor, received jail time and Probation.**
- October 1993, arrested by Stockton PD for PC 273.5 (Domestic Assault). **Convicted of a Misdemeanor, received jail time and Probation.**
- July 1995, arrested by Stockton PD for PC 242 (Battery on a Person) and PC 417.4 (Brandishing a Replica Firearm). **Convicted of a Misdemeanor, received jail time and Probation.**
- October 1998, arrested by Stockton PD for 10980 WI (fraud to Obtain Aid). **Convicted of 2 Misdemeanor counts, received jail time and Probation.**

Ms. Donna Silva,
October 6, 2010
Page 2 of 2

Mr. Green was arrested and charges dismissed / No conviction:

- June 1985, arrested by Sacramento SO for PC 242 (Assault and Battery). Charges dismissed.
- June 1989, arrested by Alameda SO, Oakland warrant issued for 2101 UI (Unemployment Issuance Code/Making a False Statement). Charges dismissed.
- June 1990, arrested by Berkley PD for PC 245 (Assault with a Deadly Weapon). Charges dismissed.
- April 1997, Cited (arrested) for CVC 14601 (Driving with a Suspended License) and CVC 4000 (Failure to Register his Vehicle). Charges appear to have been dismissed.

Additional Findings:

On several occasions, the Sacramento County SO has arrested Walter Green for bench warrants which are generally issued for failure to appear. Per DMV, between 2007 and 2009, on 2 separate occasions, Walter Green's California Driver's License was suspended. Additionally, on Mr. Green's DOJ response there are two entries which appear to indicate probation reinstatements and/or violations of probation.

Apparent Probation Violations and/or reinstatements are as follows:

- In 1997, Mr. Green's Probation was reinstated which included 1 month of jail time.
- In 2000, Mr. Green's Probation was reinstated which extended his current probation 3 additional years.

Again, this is a general summary of Mr. Green's known Criminal History background "check" and the reason for not approving his Business License Application.

I was informed by you via email, Mr. Green was notified in writing that all information obtained in his background will be subject to public release and will be discussed during a public meeting. I further obtained a signed waiver (**Exhibit A**) from Mr. Green acknowledging his understanding of this.

Above is the information you requested. If you have any questions, please contact me at 916-875-9617, Rancho Cordova Police Department, Detective Division.

Sincerely,



Detective Brent Lehr #264
Rancho Cordova Police Department

BL

cc: Sgt. Pete James, Rancho Cordova Police Department
File



RANCHO CORDOVA POLICE DEPARTMENT

Doug Diamond
Chief of Police

10361 Rockingham Drive
Sacramento, California 95827

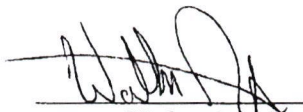
916.875.9600 – Main
916.875.8673 – Fax

www.RanchoCordovaPD.com

October 7, 2010

You have requested an Appeal Hearing before the Rancho Cordova City Council, appealing the decision made denying you a Special Business License. These hearings are televised and all information pertaining to any arrests, criminal background, and driving history will be made known to the public prior to and during the hearing.

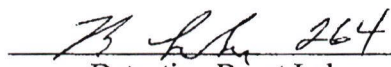
The information disclosed will include any arrest history, criminal history, and Department of Motor Vehicle records information that you may have. In signing below, you are acknowledging that you fully understand the aforementioned advisement and that you are waiving your rights to keep this information confidential.



Walter M. Green

10-7-2010

Date



Detective Brent Lehr

10/07/10

Date



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

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

Monday, October 4, 2010

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

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

MINUTES

A. STUDY SESSION – CALL TO ORDER / ROLL CALL

Mayor Cooley called the special meeting to order in the American River North room at 4:10 p.m.

Council Members Present: Budge, Sander, Skoglund, McGarvey, and Cooley

Council Members Absent: None

Staff Members Present: Gaebler, Lindgren, Cuppy, Chinn, Haven, Junker, Campbell, Ulm, Runner, Abhar (arrived at 4:33 p.m.), and Diamond (arrived at 4:38 p.m.)

B. PUBLIC COMMENT

Mayor Cooley opened the public comment period. There were no speakers. Mayor Cooley closed the public comment period.

C. STUDY SESSION ITEM

Subject: Discussion of Additional Business Signage for the Cordova Restaurant Casino
Recommendation: Receive applicant's presentation and consideration of additional signage.

Result of Recommended Action: Should the Council support the applicant's request for additional business signage, a formal application would be filed by the applicant to amend their sign program.

Staff Report: Paul Junker and William Campbell, Planning Department

ACTION: Discussion item only; no action taken.

D. ADJOURNMENT OF STUDY SESSION

Mayor Cooley adjourned the special meeting to regular meeting in the David B. Roberts Council Chambers at 5:16 p.m.

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Mayor Cooley called the regular meeting to order in the David B. Roberts Council Chambers at 5:53 p.m.

Council Members Present: Budge, Sander, Skoglund, McGarvey, and Cooley

Council Members Absent: None

Staff Members Present: Gaebler, Lindgren, Cuppy, Lehr, Diamond, Haven, Junker, Chinn, Abhar, Snyder, Harriman, Arndt, Hadley, and Runner

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Mayor announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on John Skoglund to lead the Pledge.

4. INVOCATION

Pastor Mike Schnase, Mayhew Baptist Church, gave the invocation.

5. PRESENTATIONS

- 5.1 Sacramento County Registrar of Voters Jill LaVine and Campaign Services Manager Brad Buyse gave a presentation regarding timing of final ballot tally for the November 2, 2010 General Election and Senate District 1 Primary Election.
- 5.2 Natalla Franklin presented on Embry Riddle Aeronautical University at Mather.
- 5.3 Director of Policy and Planning Prabhakar Somavarapu presented on update of Discharge Permit by Sacramento Regional County Sanitation District (SRCSD).

ADDED URGENCY ITEM

Subject: Direction to staff concerning a letter of support to the Regional Water Quality Control Board (RWQCB), Central Valley Region to support the Sacramento Regional County Sanitation District's (SRSCD) request that the RWQCB reject the recommendations contained in the draft National Pollutant Discharge Elimination System (NPDES) permit and Waste Discharge Requirements.

City Attorney Adam Lindgren requested that the City Council make the findings that 1) this is an item that needs immediate attention prior to its next regular meeting and to add the item to tonight's meeting due to the deadline requirements for the letter; and 2) that the item came to the attention of the Council and staff prior to the posting of the agenda.

ACTION: Motion by Budge second by McGarvey and carried by a 5:0 vote; Council made the finding that there is an immediate need to add the urgency item to the agenda.

URGENCY ITEM

Subject: Direction to staff concerning a letter of support to the Regional Water Quality Control Board (RWQCB), Central Valley Region to support the Sacramento Regional County Sanitation District's (SRSCD) request that the RWQCB reject the recommendations contained in the draft National Pollutant Discharge Elimination System (NPDES) permit and Waste Discharge Requirements.

ACTION: Motion by Skoglund second by Budge and carried by a 5:0 roll call vote; Council requests staff draft a letter to reflect City's concern.

PRESENTATIONS CONTINUED

- 5.4 League of California Cities, Sacramento Valley Division Representative Charles Anderson, presented a plaque to Mayor Ken Cooley on behalf of the City of Rancho Cordova in recognition of the 2010 Helen Putnam Award for Excellence for Rancho Cordova's Annual Corporate Report.

6. PUBLIC COMMENT

Mayor Cooley opened the public comment period. The following individuals addressed the Council:

- Introduction of Sacramento County Sheriff's Outreach Community Advisory Board (SOCAB) appointee James Galloway by Chief of Police Doug Diamond
- Jill Stockinger regarding invitation to the public to One Book Sacramento Program on October 20 at 7:30 p.m. at the Crest Theater, and on Saturday, October 30 at 3:30 p.m. at the Rancho Cordova Library

Mayor Cooley closed the public comment period.

7. COUNCIL REPORTS

Council Members reported on events since the last meeting.

8. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

ACTION: Motion by Budge second by Sander and carried by a 5:0 roll call vote; Council approved the Consent Calendar.

8.1 **Subject:** Regular Meeting Minutes of September 20, 2010.

Recommendation: Adopt Minutes.

8.2 **Subject:** Ordinance Adding Chapter 6.140 to the Rancho Cordova Municipal Code Relating to Unattended Donation Boxes

Recommendation: Waive second reading and adopt Ordinance No. 21-2010. **(Roll Call Vote)**

Result of Recommended Action: Adoption of this ordinance will add Chapter 6.140 to the City's Municipal Code regulating unattended donation boxes. This ordinance will promote the community's health, safety, and welfare by regulating unattended donation boxes in order to minimize their potential negative impacts, such as illegal dumping.

Staff Report: Adam U. Lindgren, City Attorney's Office

GROWING STRONG NEIGHBORHOODS

8.3 **Subject:** Resolution Designating Mayoral Appointment of James E. Galloway, a Rancho Cordova Representative to the Sacramento County Sheriff's Outreach Community Advisory Board (SOCAB)

Recommendation: Adopt Resolution No. 109-2010.

Result of Recommended Action: The City of Rancho Cordova will have a representative on the SOCAB whose purpose, as outlined in the Board of Supervisors' Ordinance, is..."to provide collaboration and communication in the establishment and implementation of programs that identify and seek to eradicate conflict, concerns and issues regarding the (Sheriff's) Department and the community it serves."

Staff Report: Mindy Cuppy, City Clerk's Department

8.4 **Subject:** Biennial Review and Resolution Updating the Conflict of Interest Code for the City of Rancho Cordova Designated Employees

Recommendation: Adopt Resolution No. 106-2010.

Result of Recommended Action: Adoption of this resolution will result in the City's compliance with Fair Political Practices Commission requirements.

Staff Report: Mindy Cuppy, City Clerk's Department

8.5 **Subject:** Resolution Authorizing the City Manager to Execute Restated Contract No. 126-2010 with AECOM, for Consulting Services to Complete the Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Sun Creek Specific Plan Project in an Amount Not To Exceed \$815,574

Recommendation: Adopt Resolution No. 111-2010.

Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute a contract with AECOM to prepare an EIR/EIS that will analyze potential environmental impacts of the Sun Creek Specific Plan, as required under state and federal environmental regulations. Of the total contract amount, approximately \$790,000 is work that was authorized under a previous contract and approximately \$25,000 is for additional, expanded work required to complete the project review.

Staff Report: Paul Junker, Planning Department

- 8.6 **Subject:** Resolution Authorizing the City Manager to Execute Contract No. 128-2010 with Willdan, Inc. for Building Plan Review and Inspection Services in an Amount Not to Exceed \$400,000

Recommendation: Adopt Resolution No. 112-2010.

Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute a new contract with Willdan, Inc. to continue providing building plan review and inspection services support for the Building and Safety Department in an amount not to exceed \$400,000 with a term of service to expire on December 31, 2012.

Staff Report: Cyrus Abhar, Building and Safety Department

GROWING STRONG NEIGHBORHOODS

9. CONSENT PUBLIC HEARING ITEMS

NONE

10. PUBLIC HEARING ITEMS

NONE

11. REGULAR CALENDAR ITEMS

- 11.1 **Subject:** Resolution of Intention to Establish the Rancho Cordova Tourism Business Improvement District

Recommendation: Adopt Resolution of Intention No. 116-2010.

Result of Recommended Action: Adoption of this resolution will result in a public meeting on October 18, 2010 and a public hearing on December 6, 2010 on the establishment of the Rancho Cordova Tourism Business Improvement District (RCTBID) and the levy of assessments on lodging businesses. A majority of the lodging business owners subject to the assessment have petitioned the City Council to establish the RCTBID. The proposed assessment is \$1.50 per room per night charged to the room occupant. A non-profit corporation will be established to fund marketing and sales promotion efforts to increase hotel occupancy levels.

Staff Report: Micah Runner and Megan McMurtry, Economic Development Department

ACTION: Motion by Budge second by Skoglund and carried by a 5:0 roll call vote; Council adopted Resolution of Intention No. 116-2010.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member Sander requests that an initial discussion of updating the sign ordinance be placed on a future agenda.

13. CITY MANAGER'S REPORT

City Manager Ted Gaebler spoke regarding the 2011 Leadership Program Annual Retreat.

14. ADJOURNMENT

Mayor Cooley adjourned the regular meeting at 7:55 p.m.

Mindy Cuppy, CMC, City Clerk



City Hall
American River North Community Room
2729 Prospect Park Drive, Rancho Cordova

Tuesday, October 12, 2010

5:30 p.m. – Joint Special Meeting

MINUTES

SPECIAL MEETING – CALL TO ORDER / ROLL CALL

Mayor Cooley called the joint special meeting to order in the American River North Community Room at 5:46 p.m.

Council Members Present:	Budge, Sander, Skoglund, McGarvey, and Mayor Cooley
Council Members Absent:	None
Planning Commissioners Present:	Cummings, Konarski, Johnson, Savorn, and Smith
Planning Commissioners Absent:	Burke and Vance
Staff Members Present:	Gaebler, Lindgren, Cuppy, Chinn, Silva, Behrends, Campbell, Junker, Pearl, Abhar, Snyder Thomas, Flory, Diamond (at 7:03 p.m.)

Council Member Budge led the pledge of allegiance.

PUBLIC COMMENT

Mayor Cooley opened the public comment period. There were no speakers. Mayor Cooley closed the public comment period.

WORK SESSION ITEMS

1. 2010-11 Fiscal Status Update and 2009-10 Fourth Quarter Financial Report.

ACTION: Discussion item only, no action taken.

2. Discussion of Updates and Overview of Proposed Specific Plans.

AT THIS POINT: Council and Planning Commission took a brief recess at 7:31 p.m. The Council and Planning Commission resumed at 7:46 p.m.

ACTION: Discussion item only, no action taken.

ADJOURNMENT

Mayor Cooley adjourned the joint special meeting in the American River North Community Room at 8:43 p.m. to Closed Session in the Community Board Room.

CLOSED SESSION – CALL TO ORDER / ROLL CALL

Mayor Cooley called the closed session to order in the Community Board Room at 8:51 p.m.

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

Staff Members Present: Lindgren, Gaebler, Chinn, Junker, Abhar

PUBLIC COMMENT

Mayor Cooley opened the public comment period. There were no speakers. Mayor Cooley closed the public comment period.

CLOSED SESSION ITEM

Council met in closed session to discuss the following item:

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9(b) (two potential cases).

OPEN SESSION – REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported there was no reportable action taken in closed session.

ADJOURNMENT

Mayor Cooley adjourned the closed session at 9:50 p.m.

Mindy Cuppy, CMC, City Clerk

MEMORANDUM



DATE: October 18, 2010

TO: Honorable Mayor and Council Members

FROM: Reed Flory, Housing Services Administrator

SUBJECT: RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A LOAN AGREEMENT AND REGULATORY AGREEMENT FOR CROSSINGS @ NEW RANCHO AFFORDABLE HOUSING REDEVELOPMENT PROJECT AND AUTHORIZING THE CITY MANAGEMENT TO EXECUTE ANY FURTHER DOCUMENTS OR TAKE ANY FURTHER ACTIONS AS NECESSARY TO BEGIN CONSTRUCTION

RECOMMENDATION

Adopt Resolution No. 121-2010.

RESULT OF RECOMMENDED ACTION

Upon adoption of the attached resolution, the City Manager will be authorized to execute an Affordable Housing Regulatory Agreement and Declaration of Restrictive Covenants ("Regulatory Agreement") with UHC 00516 Rancho Cordova, L.P., a California limited partnership (the "Developer"), for the development of an affordable rental housing project known as the Crossings @ New Rancho (the "Project"), and to execute such further documents and take such further actions as reasonably necessary.

BACKGROUND

The City of Rancho Cordova has received a grant of \$4,751,180 from the Neighborhood Stabilization Program 1 funds ("NSP 1 Funds") from the California Department of Housing and Community Development ("HCD"). The City will utilize NSP 1 Funds to provide both construction and permanent loans to the Developer for development of the Project. Consisting of 18 residential rental units, the Project is to be constructed on four contiguous sites on the corner of Croetto and Woodberry Way. A proposed City Loan Agreement will be presented to the Council at its November 1, 2010 meeting to regulate use of grant funds.

Pursuant to an HCD Standard Agreement, guiding use of the NSP 1 Funds, the City is required to execute and record a Regulatory Agreement ("RA") (**Exhibit 1**) with the Developer. The RA restricts the chargeable rents and income levels of occupants for not less than 17 of the Project's 18 units. Accordingly, both the City and the Community Redevelopment Agency of the City of Rancho Cordova will be parties to the RA with the Developer.

The RA that staff has negotiated with the Developer provides that upon issuance of a final certificate of occupancy for the Project, at least 17 units shall be occupied by, and affordable to, very low-income households (defined as households whose gross income does not exceed 50% of the area median income for Sacramento County, adjusted for household size). In addition, the RA includes tenant selection standards, marketing and property management requirements, restrictions on sale or transfer, nondiscrimination covenants, and financial controls. A separate regulatory agreement will be imposed by the California Tax Credit Allocation Committee ("CTCAC"), who is providing the only other source of financing for the Project, which requires that the RA defer to that agreement in the event of a conflict with regard to certain provisions that may be required by CTCAC.

In March 2010 the Agency approved an Owner Participation Agreement ("OPA") with Developer for the Project, including a form of regulatory agreement that has not yet been executed or recorded. Upon the City's approval of a loan agreement for the Project, the Agency's OPA can be terminated. This item is proposed to be presented to the Agency Director and Members at the November 1, 2010 meeting.

Approval and adoption of Resolution No. 121-2010 is considered a timely matter as it's submittal to HCD is a requirement of the Standard Agreement for use of NSP1 Funds prior to Project construction start. Submittal must take place prior to November 1, 2010, in order to receive authorization to proceed with construction of the Project from HCD.

ATTACHMENT

Resolution No. 121-2010 including **(Exhibit 1)** Regulatory Agreement.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 121-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING EXECUTION OF A REGULATORY AGREEMENT WITH THE COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF RANCHO CORDOVA AND UHC 00516
RANCHO CORDOVA, L.P.
REGARDING THE DEVELOPMENT OF PROPERTY
FOR THE CROSSINGS AT NEW RANCHO**

WHEREAS, the City of Rancho Cordova ("City") and the Community Redevelopment Agency of the City of Rancho Cordova ("Agency") seek development by UHC 00516 Rancho Cordova, L.P., a California limited partnership ("Developer") of a multi-family affordable residential rental project (the "Project") on that certain property (the "Property") in the City, as more particularly described in **Exhibit A** to the Affordable Housing Regulatory Agreement and Declaration of Restrictive Covenants ("Regulatory Agreement") that is the subject of this resolution; and

WHEREAS, the Property is located in the Rancho Cordova Redevelopment Project Area (the "Project Area") established pursuant to the Rancho Cordova Redevelopment Plan, adopted by the City Council of the City ("City Council") on July 5, 2006, by Ordinance No. 43-2006 (the "Redevelopment Plan"); and

WHEREAS, the City intends to provide bridge financing, and construction and permanent financing, for the Project, pursuant to a Loan Agreement ("City Loan Agreement") to be entered into between City and Developer; and

WHEREAS, the City's construction and permanent financing will be made from the proceeds of a grant to the City from the California Department of Housing and Community Development ("HCD"), pursuant to the Neighborhood Stabilization Program 1, including both NSP tier 1 and tier 3 funds (collectively, "NSP 1 Program"); and

WHEREAS, City and HCD have entered into that certain NSP Standard Agreement #09-NSPR-6585, which agreement, among other things, requires that as a condition of City's receipt of NSP 1 Program funds for the Project, City and Developer enter into a regulatory agreement to impose certain income occupancy requirements, regulation of rents, and other financial controls and requirements on the Project; and

WHEREAS, Community Redevelopment Law, California Health and Safety Code Section 33000 *et seq.* (the "CRL") provides that the Agency may satisfy its affordable housing production requirements in part by imposing affordability controls that are enforceable by the Agency pursuant to recorded covenants or restrictions; and

WHEREAS, the City and the Agency each therefore desire to impose enforceable affordability restrictions on the Project, as more particularly described in the Regulatory Agreement; and

WHEREAS, on March 23, 2010, the Agency approved a form of regulatory agreement in connection with approval of an Owner Participation Agreement ("OPA") between Agency and Developer, which regulatory agreement has not yet been executed or recorded; and

WHEREAS, concurrently with City's approval of the City Loan Agreement, Agency and Developer intend to terminate the Agency's OPA for the Project;

WHEREAS, Developer and City and Agency staff have negotiated the terms of the Regulatory Agreement for the Project, which provides that for not less than 55 years from issuance of a final certificate of occupancy for the Project, not less than 17 of the 18 residential units in the Project shall remain available for rental at an affordable rents to households whose income does not exceed 50% of area median income.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Rancho hereby:

1. Finds that execution of the Regulatory Agreement will be in the best interests of the City of Rancho Cordova by providing for development of affordable housing.

2. Approves the Regulatory Agreement (**Exhibit 1**) and authorizes and directs the City Manager to execute the Regulatory Agreement substantially in the form on file with the City Clerk, with such modifications as may be approved by the City Manager in consultation with the City Attorney.

3. Authorizes the City Manager, or his designee, to execute such additional documents and to undertake such further actions as are reasonably necessary to carry out the intent of this resolution and the Regulatory Agreement.

This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the ____ day of ____, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE §§6103, 27383

Recording requesting by:
and when recorded mail to:

City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, California 95760
Attention:

_____SPACE ABOVE THIS LINE FOR RECORDER'S USE_____

AFFORDABLE HOUSING REGULATORY AGREEMENT

AND

DECLARATION OF RESTRICTIVE COVENANTS

by and among

THE CITY OF RANCHO CORDOVA,

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF RANCHO CORDOVA,

&

UHC 00516 RANCHO CORDOVA, L.P.

in respect to

NEIGHBORHOOD STABILIZATION PROGRAM 1

THIS REGULATORY AGREEMENT ("Agreement") is made this _____ day of _____, 2010 ("Effective Date"), between UHC 00516 Rancho Cordova, L.P., a California limited partnership (the "**Owner**"); the City of Rancho Cordova, a California municipal corporation (the "**City**"); and the Community Redevelopment Agency of the City of Rancho Cordova, a public body, corporate and politic (the "**Agency**"). The Owner, the City and the Agency are referred to herein collectively as the "**Parties**."

RECITALS

A. Pursuant to that certain Loan Agreement of even date herewith between Owner and City (the "**Loan Agreement**"), City has agreed to provide a bridge loan in the amount of

Community Redevelopment Agency

OF THE CITY OF RANCHO CORDOVA

MEMORANDUM

DATE: October 18, 2010

TO: Agency Director and Members

FROM: Reed Flory, Housing Services Administrator

SUBJECT: COMMUNITY REDEVELOPMENT AGENCY RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A REGULATORY AGREEMENT AND A TERMINATION OF OWNER PARTICIPATION AGREEMENT FOR CROSSINGS @ NEW RANCHO AFFORDABLE HOUSING REDEVELOPMENT PROJECT AND AUTHORIZES THE EXECUTIVE DIRECTOR TO EXECUTE FURTHER DOCUMENTS OR TAKE FURTHER ACTIONS AS NECESSARY TO BEGIN CONSTRUCTION

RECOMMENDATION

Adopt Agency Resolution No. CRA 9-2010.

RESULT OF RECOMMENDED ACTION

Upon adoption of the attached resolution, the Agency Executive Director will be authorized to execute an Affordable Housing Regulatory Agreement and Declaration of Restrictive Covenants ("Regulatory Agreement") with UHC 00516 Rancho Cordova, L.P., a California limited partnership (the "Developer"), for the development of an affordable rental housing project known as the Crossings at New Rancho (the "Project"), and to execute such further documents and take such further actions as reasonably necessary.

BACKGROUND

The City of Rancho Cordova has received a grant of \$4,751,180 from the Neighborhood Stabilization Program 1 funds ("NSP 1 Funds") from the California Department of Housing and Community Development ("HCD"). The City will utilize NSP 1 Funds to provide both construction and permanent loans to the Developer for development of the Project. Consisting of 18 residential rental units, the Project is to be constructed on four contiguous sites on the corner of Croetto and Woodberry Way. A proposed City Loan Agreement will be presented to the Council at its November 1, 2010 meeting to regulate use of grant funds.

Pursuant to an HCD Standard Agreement, guiding use of the NSP 1 Funds, the City is required to execute and record a Regulatory Agreement ("RA") (**Exhibit 1**) with the Developer.

AGENDA ITEM 9.3

The RA restricts the chargeable rents and income levels of occupants for not less than 17 of the Project's 18 units. Although the Agency is not providing any financing for the Project, which is located in the Rancho Cordova Redevelopment Project Area, under the Community Redevelopment Law the Agency may receive affordable housing production credit for units with enforceable affordability restrictions. Accordingly, both the City and the Agency will be parties to the RA with Developer.

The RA that staff has negotiated with the Developer provides that upon issuance of a final certificate of occupancy for the Project, at least 17 units shall be occupied by, and affordable to, very low-income households (defined as households whose gross income does not exceed 50% of the area median income for Sacramento County, adjusted for household size). In addition, the RA includes tenant selection standards, marketing and property management requirements, restrictions on sale or transfer, nondiscrimination covenants, and financial controls. A separate regulatory agreement will be imposed by the California Tax Credit Allocation Committee ("CTCAC"), who is providing the only other source of financing for the Project, which requires that the RA defer to that agreement in the event of a conflict with regard to certain provisions that may be required by CTCAC.

In March 2010 the Agency approved an Owner Participation Agreement ("OPA") with Developer for the Project, including a form of regulatory agreement that has not yet been executed or recorded. Upon the City's approval of a loan agreement for the Project, the Agency's OPA can be terminated. This item is proposed to be presented to the Agency Director and Members at the November 1, 2010 meeting.

Approval and adoption of Resolution No. CRA-9-2010 is considered a timely matter as it's submittal to HCD is a requirement of the Standard Agreement for use of NSP1 Funds prior to Project start. Submittal must take place prior to November 1, 2010, in order to receive authorization to proceed with construction of the Project from HCD.

ATTACHMENT

Agency Resolution No. CRA-9-2010 including **(Exhibit 1)** Regulatory Agreement.

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF RANCHO CORDOVA

AGENCY RESOLUTION NO. CRA-9-2010

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF
RANCHO CORDOVA APPROVING EXECUTION OF A REGULATORY AGREEMENT WITH
THE CITY OF RANCHO CORDOVA AND UHC 00516 RANCHO CORDOVA, L.P.
REGARDING THE DEVELOPMENT OF PROPERTY
FOR THE CROSSINGS AT NEW RANCHO**

WHEREAS, the City of Rancho Cordova ("City") and the Community Redevelopment Agency of the City of Rancho Cordova ("Agency") seek development by UHC 00516 Rancho Cordova, L.P., a California limited partnership ("Developer") of a multi-family affordable residential rental project (the "Project") on that certain property (the "Property") in the City, as more particularly described in **Exhibit A** to the Affordable Housing Regulatory Agreement and Declaration of Restrictive Covenants ("Regulatory Agreement") that is the subject of this Resolution; and

WHEREAS, the Property is located in the Rancho Cordova Redevelopment Project Area (the "Project Area") established pursuant to the Rancho Cordova Redevelopment Plan, adopted by the City Council of the City ("City Council") on July 5, 2006, by Ordinance No. 43-2006 (the "Redevelopment Plan"); and

WHEREAS, the City intends to provide bridge financing, and construction and permanent financing, for the Project, pursuant to a Loan Agreement ("City Loan Agreement") to be entered into between City and Developer; and

WHEREAS, the City's construction and permanent financing will be made from the proceeds of a grant to the City from the California Department of Housing and Community Development ("HCD"), pursuant to the Neighborhood Stabilization Program 1, including both NSP tier 1 and tier 3 funds (collectively, "NSP 1 Program"); and

WHEREAS, City and HCD have entered into that certain NSP Standard Agreement #09-NSPR-6585, which agreement, among other things, requires that as a condition of City's receipt of NSP 1 Program funds for the Project, City and Developer enter into a regulatory agreement to impose certain income occupancy requirements, regulation of rents, and other financial controls and requirements on the Project; and

WHEREAS, Community Redevelopment Law, California Health and Safety Code Section 33000 *et seq.* (the "CRL") provides that the Agency may satisfy its affordable housing production requirements in part by imposing affordability controls that are enforceable by the Agency pursuant to recorded covenants or restrictions; and

WHEREAS, the City and the Agency each therefore desire to impose enforceable affordability restrictions on the Project, as more particularly described in the Regulatory Agreement; and

WHEREAS, on March 23, 2010, the Agency approved a form of regulatory agreement in connection with approval of an Owner Participation Agreement ("OPA") between Agency and Developer, which regulatory agreement has not yet been executed or recorded; and

WHEREAS, concurrently with City's approval of the City Loan Agreement, Agency and Developer intend to terminate the Agency's OPA for the Project;

WHEREAS, Developer and City and Agency staff have negotiated the terms of the Regulatory Agreement for the Project, which provides that for not less than 55 years from issuance of a final certificate of occupancy for the Project, not less than 17 of the 18 residential units in the Project shall remain available for rental at an affordable rents to households whose income does not exceed 50% of area median income.

NOW THEREFORE, BE IT RESOLVED by the Community Redevelopment Agency of the City of Rancho Cordova:

1. The Agency finds that execution of the Regulatory Agreement further the goals of the Redevelopment Plan and will be in the best interests of the Agency and the City of Rancho Cordova by providing for development of affordable housing.

2. The Agency hereby approves the Regulatory Agreement and authorizes and directs the Executive Director of the Agency to execute the Regulatory Agreement substantially in the form on file with the Agency Secretary, with such modifications as may be approved by the Executive Director in consultation with Agency Counsel.

3. The Agency hereby authorizes the Executive Director of the Agency, or his designee, to execute such additional documents including, without limitation, a Notice of Affordability Restrictions on Transfer of Property, and to undertake such further actions as are reasonably necessary to carry out the intent of this resolution and the Regulatory Agreement.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Ken Cooley, Agency Chair

Mindy Cuppy, CMC, Agency Secretary

EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE §§6103, 27383

Recording requesting by:
and when recorded mail to:

City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, California 95760
Attention:

_____SPACE ABOVE THIS LINE FOR RECORDER'S USE_____

AFFORDABLE HOUSING REGULATORY AGREEMENT

AND

DECLARATION OF RESTRICTIVE COVENANTS

by and among

THE CITY OF RANCHO CORDOVA,

THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF RANCHO CORDOVA,

&

UHC 00516 RANCHO CORDOVA, L.P.

in respect to

NEIGHBORHOOD STABILIZATION PROGRAM 1

THIS REGULATORY AGREEMENT ("Agreement") is made this _____ day of _____, 2010 ("Effective Date"), between UHC 00516 Rancho Cordova, L.P., a California limited partnership (the "**Owner**"); the City of Rancho Cordova, a California municipal corporation (the "**City**"); and the Community Redevelopment Agency of the City of Rancho Cordova, a public body, corporate and politic (the "**Agency**"). The Owner, the City and the Agency are referred to herein collectively as the "**Parties**."

RECITALS

A. Pursuant to that certain Loan Agreement of even date herewith between Owner and City (the "**Loan Agreement**"), City has agreed to provide a bridge loan in the amount of

MEMORANDUM



DATE: October 18, 2010

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDERS NO. 1 AND 2 WITH GRANITE CONSTRUCTION COMPANY FOR THE SUNRISE BOULEVARD NORTH OF WHITE ROCK ROAD PROJECT IN THE AMOUNT OF \$17,804

RECOMMENDATION

Adopt Resolution 119-2010.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to execute contract Change Orders No. 1 and 2 with Granite Construction Company (Contract No. 58-2010), to increase the current contract amount from \$174,471 to \$192,275 for the construction of the Sunrise Boulevard North of White Rock Road Project. The contract time is not affected by this change order.

BACKGROUND

The project includes construction of curb, gutter and sidewalk as well as the third lane on Sunrise just north of White Rock Road. Construction began July 2010 and was completed September 2010.

These two change orders will be the only change orders to the construction contract. Change order No. 1 covers the cost associated with unforeseen conditions encountered during construction for a total of \$17,804. Change order No. 2 covers the cost associated with reconciling the quantities of the bid form with the actual quantities placed during construction for a total decrease of \$814.

FISCAL IMPACT

The funding for this project comes from Transportation Funds and is included in the City's current Capital Improvement Projects (CIP) budget.

ATTACHMENT

Resolution No. 119-2010 including **(Exhibit A)** Change Orders 1 and 2.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 119-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDERS 1 AND
2 WITH GRANITE CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE
SUNRISE BOULEVARD NORTH OF WHITE ROCK ROAD PROJECT**

WHEREAS, the project was advertised in the Grapevine Independent on May 7, and 14, 2010, plans and specifications were also provided to local Builders Exchanges beginning May 7, 2010; and

WHEREAS, the bids were publicly opened on May 20, 2010 at 2729 Prospect Park Dr., Rancho Cordova 95670; and

WHEREAS, on June 7, 2010 the City Council awarded the Sunrise Boulevard North of White Rock Road project to the lowest responsive bidder, Granite Construction Company in the amount of \$174,471; and

WHEREAS, unforeseen conditions were encountered during construction and it became necessary to modify the plans and specifications with two change orders to complete construction of the project; and

WHEREAS, the amount of the two change orders exceeds the amount the City Manager is authorized to approve.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA does authorize the City Manager to execute contract change orders no. 1 and 2 (**Exhibit A**) with Granite Construction Company.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the ____ day of ____, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

EXHIBT A

Project: Sunrise Widening Project from White Rock Road to Sunrise Park		CITY OF RANCHO CORDOVA Contract Change Order No. 01	Sheet 1 of 2 Contract No. 28-2010 Project No. CP09-2071	
To: Granite Construction, Contractor. You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on this contract.				
Description of work to be done, quantities and prices to be paid. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time.				
Change requested by Granite Construction.				
Item 1	-Storm Drainage Utility Conflicts – During the course of excavation for the storm drainage item, the Contractor encountered numerous existing utilities in conflict with the installation of the new storm drain facilities. Due to the traffic restrictions on Sunrise Boulevard, all of the storm drainage work took place at night. Also, the Contractor was required to grind and recess the trench plates into the existing asphalt. The plans called for a 48" Storm Drain Manhole and drainage inlet to be constructed at Station 411+17 over the existing 27" storm drain line. After excavating and exposing the existing storm drain pipe, it was discovered that the existing pipe was 30" in diameter and not the planned 27". Also, the existing pipe was cast-in-place making the outside diameter considerably larger. Therefore, the Contractor had to enlarge the excavation and grind limits, return the original shoring box and install a larger shoring box, and the 48" manhole needed to be changed to a 60" manhole. Also, the Contractor encountered an existing SMUD ductbank in the excavation for the drain inlet. After investigation by SMUD, it was determined that the ductbank would not be in conflict with the drain inlet. Due to these issues, the Contractor lost numerous night shifts while solutions were worked out by the City and the Design Engineer. The plans called for a 60" Storm Drain Manhole and drainage inlet to be constructed at Station 407+11 over the existing 36" storm drain line. During the course of potholing for the drain inlet, it was discovered that an existing SMUD ductbank was in conflict. Therefore, the drain inlet and manhole were moved to the north to avoid the conflict. Additional potholing was needed at the new location due to the presence of an existing AT&T ductbank at the drain inlet. It was determined that the AT&T ductbank would not be in conflict. The Contractor then excavated for the manhole at the new location. After excavation and exposing the existing storm drain pipe, the Contractor encountered an existing irrigation main line and controller wiring as well as the Traffic Signal Interconnect wiring. Due to these conflicts, the City elected to delete the manhole and relocate the storm drain inlet to Station 408+80 where there is an existing manhole. Due to these issues, the Contractor lost numerous night shifts while solutions were worked out by the City and the Design Engineer. Due to all of the above conflicts, it was agreed that all of the Storm Drainage work would be tracked at Time and Materials and the Bid Items would be deleted. Bid Item Number 25, 26, 27, and 28 shall be deleted. This amounts to a \$28,360.00 credit to the Contract. The Contractor submitted time and materials invoices for all of the above Time and Materials work. After an audit of the tags the total value of the work amounted to \$59,777.05. After the deletion of the Bid Items and the addition of the Time and Materials work, the total increase to the Contract is \$31,417.05.		INCREASE:	\$31,417.05

EXHIBT A

Item 2	Substitute Type 2 Microsurfacing in lieu of Cape Seal – The Plans called for the Contractor to place a Cape Seal from White Rock Road to the turn pocket at Station 412+67. Due to the delays encountered with the drainage activities and the need to place the Cape Seal at night, the Contractor expressed concerns with regards to cold temperatures. The Cape Seal requires the ambient temperature to be 65 degrees and rising and the pavement temperature to be 80 degrees and rising. Although the ambient temperatures were at 65 degrees at the anticipated time of placement, the temperature was decreasing. Therefore, the Contractor proposed the use of Microsurfacing in lieu of the Cape Seal. The Microsurfacing product includes a chemical which removes the water and allows the product to cure quickly. It does not rely on the temperatures as the Cape Seal does. The Contractor proposed a significant costs savings for this substitution. The City evaluated the proposal and accepted. \ Therefore, Bid Item Number 13 shall be deleted. This amounts to a \$34,212.50 credit to the Contract. The Contractor proposed a unit price of \$5.243 per square yard for the Microsurfacing. The Contractor placed approximately 3,929 square yards for a total of \$20,599.75. Decrease the Contract Amount by (\$13,612.75)			DECREASE	(\$13,612.75)	
				INCREASED COST:	\$17,804.30	
Contract Summation:						
Original Contract: \$174,471.00		Change Order Totals: CCO1 - \$17,804.30		Revised Contract Total:	\$192,275.29	
By reason of this order the time of completion will be adjusted as follows: INCREASED BY 9 WORKING DAYS						
Submitted by:	Tim Grossmann	Construction Manager/Resident Engineer City of Rancho Cordova		Date:		
Recommended Approval by:	Britton Snipes	Project Engineer City of Rancho Cordova		Date:		
Approved by:	Cyrus Abhar	Director Department of Public Works City of Rancho Cordova		Date:		
We, the undersigned Contractor, have given careful consideration to the change proposed and all of its impacts, both direct and indirect, and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices and time extensions shown above.						
Acceptance Date:		Contractor:	Granite Construction			
By:		Title:				
If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.						
Original to:	Contractor	Copies to:	Auditor's Office	City Manager City of Rancho Cordova		
Copies to:	Project Engineer		City Clerk			
	Resident Engineer					

EXHIBT A

Project: Sunrise Widening Project from White Rock Road to Sunrise Park		CITY OF RANCHO CORDOVA Contract Change Order No. 02 Balancing Change Order		Sheet 1 of 2 Contract No. 28-2010 Project No. CP09-2071	
To: Granite Construction, Contractor. You are hereby directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications on this contract.					
Description of work to be done, quantities and prices to be paid. Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time.					
Change requested by Granite Construction.					
Item 1	- Bid Item No. 09 – Roadway Excavation – The original contract quantity was 385 CY. The actual quantity installed was 393 CY. This results in an increase to the Bid Item of 8 CY. Increase the contract value by 8 CY times the unit price of \$36.00/CY or \$288.00.	INCREASE:	\$288.00		
Item 2	- Bid Item No. 10 – Remove Traffic Stripe – The original contract quantity was 1527 LF. The actual quantity removed was 1311 LF. This results in a decrease to the Bid Item of 216 LF. Decrease the contract value by 216 LF times the unit price of \$1.00/lf or (\$216.00)	DECREASE:	(\$216.00)		
Item 3	- Bid Item No. 12 – Aggregate Base (Class 2) – The original contract quantity was 282 CY. The actual quantity installed was 270 CY. This results in a decrease to the Bid Item of 12 CY. Decrease the contract value by 12 CY times the unit price of \$63.00/CY or (\$756.00)	DECREASE:	(\$756.00)		
Item 4	- Bid Item No. 14 – P.C.C. Sidewalk – The original contract quantity was 2463 SF. The actual quantity installed was 2394 SF. This results in a decrease to the Bid Item of 69 SF. Decrease the contract value by 69 SF times the unit price of \$6.20/SF or (\$427.80)	DECREASE:	(\$427.80)		
Item 5	- Bid Item No. 16 – P.C.C. Curb and Gutter (Type 2) – The original contract quantity was 411 LF. The actual quantity installed was 409 LF. This results in a decrease to the Bid Item of 2 LF. Decrease the contract value by 2 LF times the unit price of \$35.00/lf or (\$70.00)	DECREASE:	(\$70.00)		
Item 6	- Bid Item No. 17 – Detail 9 – The original contract quantity was 1800 LF. The actual quantity installed was 1814 LF. This results in an increase to the Bid Item of 14 LF. Increase the contract value by 14 LF times the unit price of \$0.50/LF or \$7.00.	INCREASE:	\$7.00		
Item 7	- Bid Item No. 18 – Detail 27b – The original contract quantity was 102 LF. The actual quantity installed was 681 LF due to a miscalculation in the item during the design phase. This results in an increase to the Bid Item of 579 LF. Increase the contract value by 579 LF times the unit price of \$0.50/LF or \$289.50.	INCREASE:	\$289.50		
Item 8	- Bid Item No. 19 – Detail 38 – The original contract quantity was 168 LF. The actual quantity installed was 165 LF. This results in a decrease to the Bid Item of 3 LF. Decrease the contract value by 3 LF times the unit price of \$2.00/lf or (\$6.00)	DECREASE:	\$6.00		
Item 9	- Bid Item No. 21 – Pavement Marker Type G – The original contract quantity was 45 EA. The actual quantity installed was 47 EA. This results in an increase to the Bid Item of 2 EA. Increase the contract value by 2 EA times the unit price of \$6.00/EA or \$12.00.	INCREASE:	\$12.00		
Item 10	- Bid Item No. 22 – Pavement Marker Type H – The original contract quantity was 20 EA. The actual quantity installed was 43 EA. This results in an increase to the Bid Item of 23 EA. Increase the contract value by 23 EA times the unit price of \$5.00/EA or \$115.00.	INCREASE:	\$115.00		
Item 11	- Bid Item No. 29 – Yellow Retro-reflective Sheeting– The original contract quantity was 2 EA. The actual quantity installed was 0 EA due to the existing retro-reflective sheeting. This results in a decrease to the Bid Item of 2 EA. Decrease the contract value by 2 EA times the unit price of \$25.00/EA or \$50.00.	DECREASE:	(\$50.00)		

EXHIBT A

				DECREASED COST:	(\$814.30)	
Contract Summation:						
Original Contract: \$174,471.00		Change Order Totals: CCO1 - \$17,804.30 CCO2 - (\$814.30)		Revised Contract Total:	\$191,461.00	
By reason of this order the time of completion will be adjusted as follows: NO CHANGE						
Submitted by:	Tim Grossmann	Construction Manager/Resident Engineer City of Rancho Cordova		Date:		
Recommended Approval by:	Britton Snipes	Project Engineer City of Rancho Cordova		Date:		
Approved by:	Cyrus Abhar	Director Department of Public Works City of Rancho Cordova		Date:		
We, the undersigned Contractor, have given careful consideration to the change proposed and all of its impacts, both direct and indirect, and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices and time extensions shown above.						
Acceptance Date:		Contractor:	Granite Construction			
By:		Title:				
If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.						
Original to:	Contractor	Copies to:	Auditor's Office			
Copies to:	Project Engineer		City Clerk			
	Resident Engineer					
				City Manager City of Rancho Cordova		

MEMORANDUM



DATE: October 18, 2010
TO: Mayor and City Council Members
FROM: William Campbell, Principal Planner
SUBJECT: RESOLUTION APPROVING DESIGN REVIEW FOR THE ADDITION OF THE KOREANA PLAZA MARKET EXPANSION – PROJECT NO. DD7019; LOCATED AT 10971 OLSON DRIVE – APN: 072-0280-019

PROPERTY OWNER/APPLICANT
Patterson Family Trust
2270 Douglas Boulevard, Suite 111
Roseville, CA 95661

ARCHITECT:
RMB Architects
2277 Watt Ave, 2nd Floor
Sacramento, CA 95825

PROJECT: Koreana Plaza Market Expansion – Design Review
FILE: DD7019
LOCATION: 10971 Olson Drive
APN: 072-0280-019
PLANNER: William Campbell, Principal Planner

RECOMMENDATION

Planning Commission Recommendation: That Council determines the proposed project to be Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA)

City Council Recommendation: Adopt Resolution No. 118-2010.

RESULT OF RECOMMENDED ACTION

The proposed addition will have a significant positive functional effect on the subject property and the surrounding land uses. This project will enhance the utilization of the market and may promote additional commercial activity that the existing facility could not support. Not approving the addition could cause the market to relocate out of the area.

PLANNING COMMISSION COMMENTS AND ACTION

The Planning Commission on September 23, conducted a public hearing on the requested project, and after receiving the staff report and public testimony, unanimously approved a motion to recommend approval of the project, subject to the plans and conditions of approval. No additional conditions were recommended by the Commission and the recommendation was unanimous.

BACKGROUND

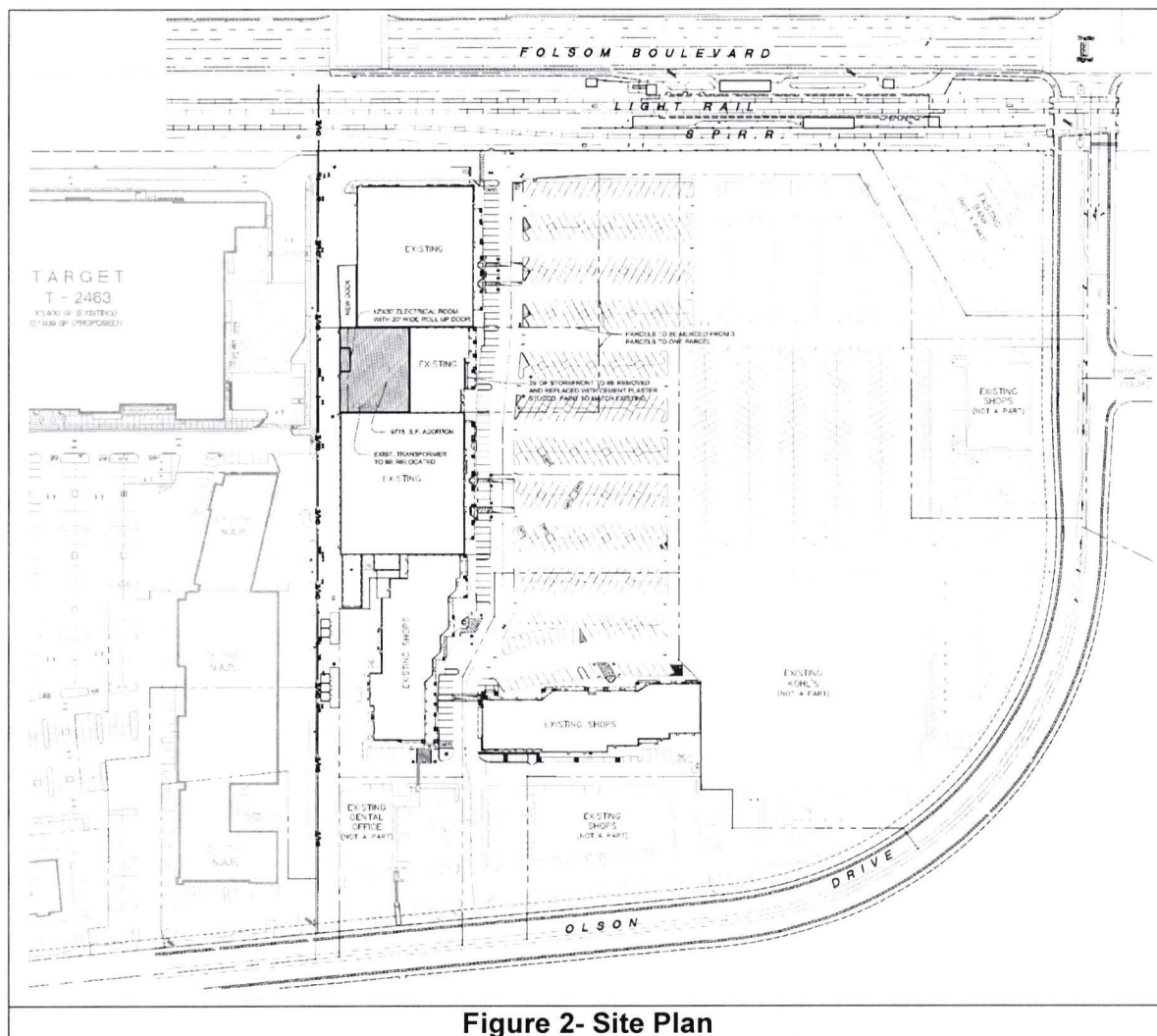
The property owner is proposing a 9,775sf addition to the existing 29,661sf Koreana Plaza Market, located in the Olson Drive shopping area. The project will add to the rear portion of the existing building, along the service corridor on the west side of the market. The shopping Center is located within the Folsom Boulevard Specific Plan (FBSP) and is in the Commercial Mixed Use Zone. The Market is a major tenant in the center, which has been recently remodeled. A new loading dock would be provided to access the new addition and will have adequate access to the existing service alley or corridor along the western boundary of the subject property.



Figure 1 – Site Location: 10971 Olson Drive

Land Use Relationships with Adjacent Properties

	General Plan Land Use Designation	Zoning	Existing Land Use
Subject Property	Downtown Planning Area	Commercial Mixed Use	Shopping Center
North	Downtown Planning Area	Commercial Mixed Use and Medium Density Residential	Residential/Commercial Mix
East	Downtown Planning Area	Commercial Mixed Use	Commercial, Church, Post Office
South	Downtown Planning Area	Commercial Mixed Use	Commercial, Offices
West	Downtown Planning Area	Commercial Mixed Use	Commercial Shopping Center



The addition would fill the gap area in the rear portion of the existing building, as shown in Figure 2 above. The current use of the land for the additions is a paved surface to provide

the loading area for the market and the smaller tenant spaces. The proposed structure would be a continuation of the same materials and design as the existing Koreana building. The concrete block will be laid in the same running bond pattern and painted to match the existing building (see elevations in design package). The addition also includes a new loading dock area, in the northwest corner of the new addition, which would orient along the line of the existing alley.

Folsom Boulevard Specific Plan

The subject property is located within the Folsom Boulevard Specific Plan (FBSP) and is designated as part of the "Downtown Planning Area" of the General Plan. Within Chapter IV of the FBSP; specifically Figure IV-8 Enlarged Regulating Plan Zinfandel Pulse Point, (see next page) a series of proposed road connections are delineated as arterials, main or local streets and with some identified by "Location Adjustable." The preamble text to this section in the Specific Plan provides three rules as guidance on how to use the Regulating Plan. In this case, two rules are germane to this proposal. They are:

- Roadways and connection points should match the locations identified on the Regulating Plan unless labeled "Location Adjustable". A revision to the Regulating Plan may be proposed to change the location of any roadway.
- Roadways and connection points denoted as "location adjustable" may be moved and/or consolidated, but not eliminated. This does not require an amendment to the Regulating Plan.

In the early development of the FBSP in 2006, this particular area had been identified as not being well connected internally, due to independent development pattern of each of the three centers. Each project developed independently of the other and relied on Olson Drive as the main collector and therefore internal circulation between the centers are awkward to non-existent; and Olson Drive is negatively impacted by vehicles entering and exiting the numerous driveways. The FBSP identified the internal and external circulation problems and proposed a conceptual network of streets to create a better circulation pattern to reduce the traffic impacts on Olson Drive. This concept was strengthened with the new construction of Target in 2009 and its frontage improvements and the drive isle alignment towards Zinfandel.

The Regulating Plan's intent was to interconnect the three shopping centers to improve circulation and visibility to the stores that were further setback off Olson Drive. Should one or more of the three centers significantly change or rebuild, the Plan would help guide the development of the new buildings to provide the internal circulation paths, as shown in Figure IV-8 of the Specific plan. The future road connection in question is labeled "location adjustable" and this alignment is currently passing thru an existing Koreana Market building. The proposed addition is to the north the conceptual road alignment; however it would add additional building area in the only logical path of the proposed road. The addition will effectively block any short term implementation of the concept plan.

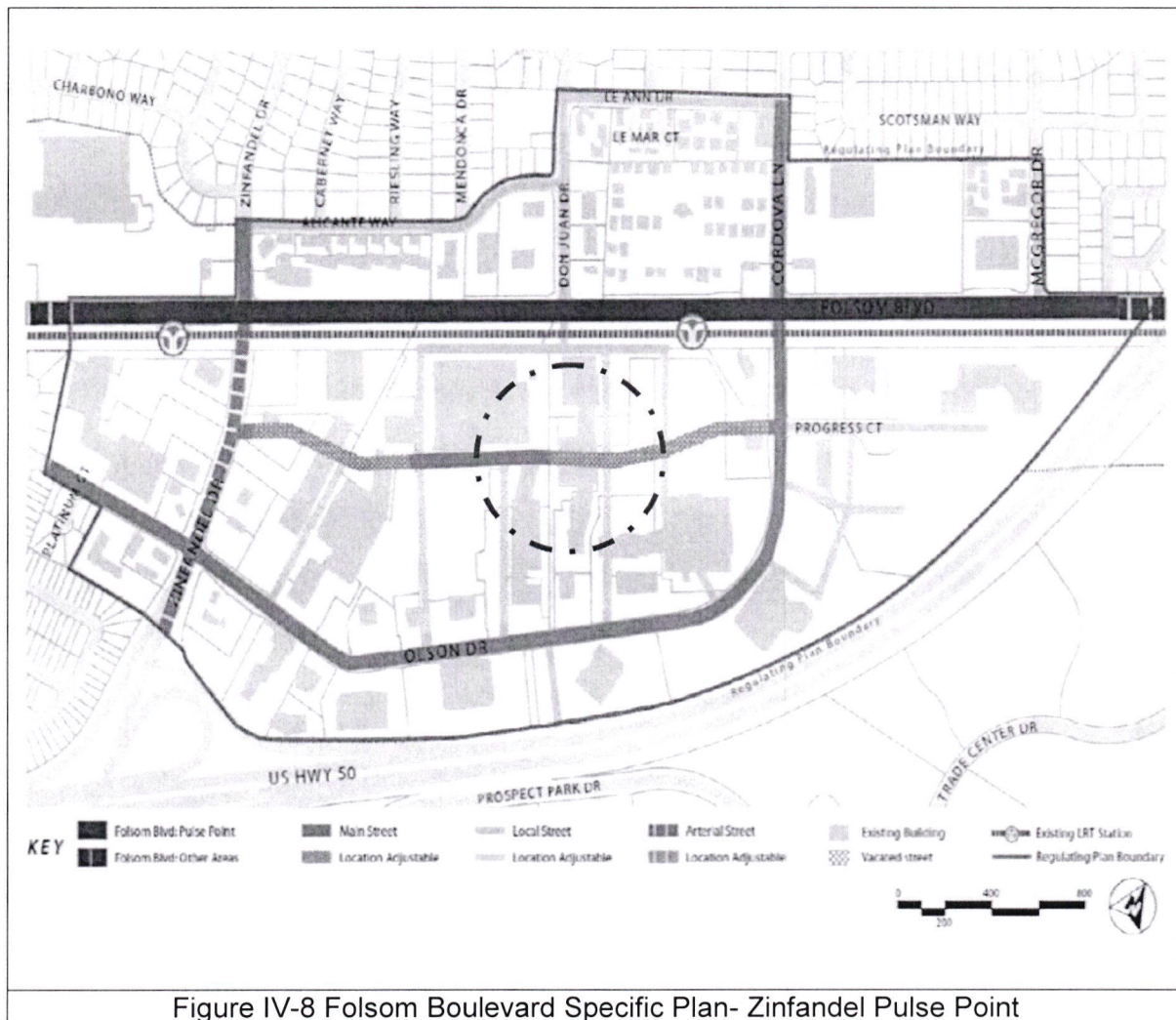


Figure IV-8 Folsom Boulevard Specific Plan- Zinfandel Pulse Point

The policy issue before the City is whether the implementation of the Regulating Plan at this time is more important than the expansion of a viable business. Allowing the addition will not change the future road alignment in Figure IV-8 and will not require the Specific Plan to be amended. As stated before, the current alignment is passing through the existing market and only when the market or the center is rebuilt would the Regulating Plan have an effect on the future placement and layout of the new site plan. Therefore, staff is promoting the addition to the market at this time, however, advocating the continued support of the future road concept, when the center rebuilds.

ENVIRONMENTAL ANALYSIS

The project qualifies as a Categorical Exemption 15301, Existing Facilities (e) due to its size and it is a necessary improvement to the functioning of the market, within an established shopping center of the community.

FINANCIAL IMPLICATIONS TO CITY

There are no significant cost implications to the City for this development. The increase in functional sales area would directly benefit the City in additional sales tax revenue.

RECOMMENDED MOTION

Move the City Council adopt Resolution No. 118-2010 approving the Design Review for the additional building area to the Koreana Market, according to the submitted plans **(Exhibit A)** and subject to the Conditions of Approval **(Exhibit B)**.

ATTACHMENTS

1. Resolution No. 118-2010, including plans **(Exhibit A)** and Conditions of Approval **(Exhibit B)**.
2. 500' Radius Mailing List

CITY OF RANCHO CORDOVA

RESOLUTION NO. 118-2010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING THE DESIGN REVIEW FOR
KOREANA MARKET WAREHOUSE ADDITION, # DD7019

WHEREAS, Koreana Market (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova requesting approval of the design for the 9,775sf addition to the existing 29,661sf Koreana Plaza Market, located at 10971 Olson Drive. (Assessor's Parcel Number: 072-0280-019); and

WHEREAS, the City Council is the appropriate authority to hear and take action on the project; and

WHEREAS, the City Council held a duly noticed public hearing on October 18, 2010 as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rancho Cordova approves the project based on the following findings.

Findings

1. California Environmental Quality Act Guidelines

Finding: The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.

Evidence: The proposed project consists of the installation of a 9,775sf addition to an existing market. This minor addition qualifies for exemption 15301, as it only relates to one commercial building and less than 10,000sf in total building area.

2. General Plan and Zoning Code

Finding: The proposed project is consistent with the goals and policies of the City of Rancho Cordova General Plan and Zoning Code.

Evidence: The proposed minor installation will not impede the goals of the General Plan. The project also meets Zoning Code development standards, as described under Design Review Conditional Use Permit below. The project has been conditioned to ensure that the use operates in compliance with all applicable requirements.

3. Design Review

Design Review approvals shall be granted only when the all of the findings defined in Zoning Code Section 23.140.050 can be made. The following are each of the required findings and the evidence to support them:

- a. Finding: The proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, and Special Planning Area provisions, and is consistent with the applicable Rancho Cordova Design Guidelines.

Evidence: Other than the provisions in the Specific Plan regarding the future internal road connection, the proposed addition would be consistent with all other policies and

standards for this property. The addition will allow the market to expand its sales floor and provide a better receiving and warehouse facility. The future road extension concept will not be removed from the plan.

- b. Finding: 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 addition is using consistent building materials already present on the existing structure. The addition is virtually enclosing the fourth wall of a box and constructing a roof to cover the enclosed space. The new space will accommodate an expanded food court and seating area, along with expanding the receiving and warehouse function of the market.

- c. Finding: 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 addition will look consistent with the existing building and will use the same types of building materials and colors as the existing structures. The addition will not be out of character with the remainder of the center.

- d. Finding: The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Evidence: The project will not block any current vehicular or pedestrian paths. However, the addition will add more building area and thus improve the value of the property that is the intended route of an inter-connect road within the Zinfandel Pulse Point. The City Council determines the implementation of the interconnect road is not feasible at this time and should be deferred to a later time, when more extensive improvements are done to the subject property.

BE IT FURTHER RESOLVED, the City Council approves the project, subject to the submitted plans in **Exhibit A** and Conditions of Approval in **Exhibit B**.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the ____ day of ____, 2010.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Ken Cooley, Mayor

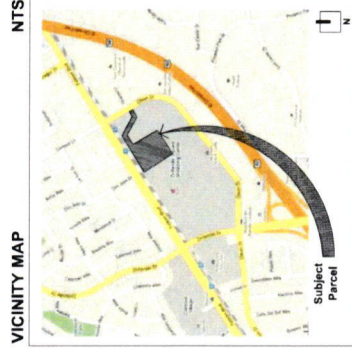
Mindy Cuppy, CMC, City Clerk

EXHIBIT A

PARKING DATA

BUILDING AREA	102,100 SF
BUILDING BUILDINGS	9,775 SF
BUILDING ADDITION	111,875 SF
TOTAL AREA	420 STALLS
PARKING REQUIRED @ 3.61:1,000 SF	482 STALLS
PARKING PROVIDED (EXISTING)	4,311,000 SF
PARKING RATIO	

VICINITY MAP



NTS



Project:

Koreana Plaza Market

10971 Olson Drive
Rancho Cordova, California 95670

Developer:

Paterson Family Trust
2270 Douglas Blvd., Suite 111
Roseville, CA 95661
(916) 787-3003
(916) 787-3004

Site Plan

Preliminary

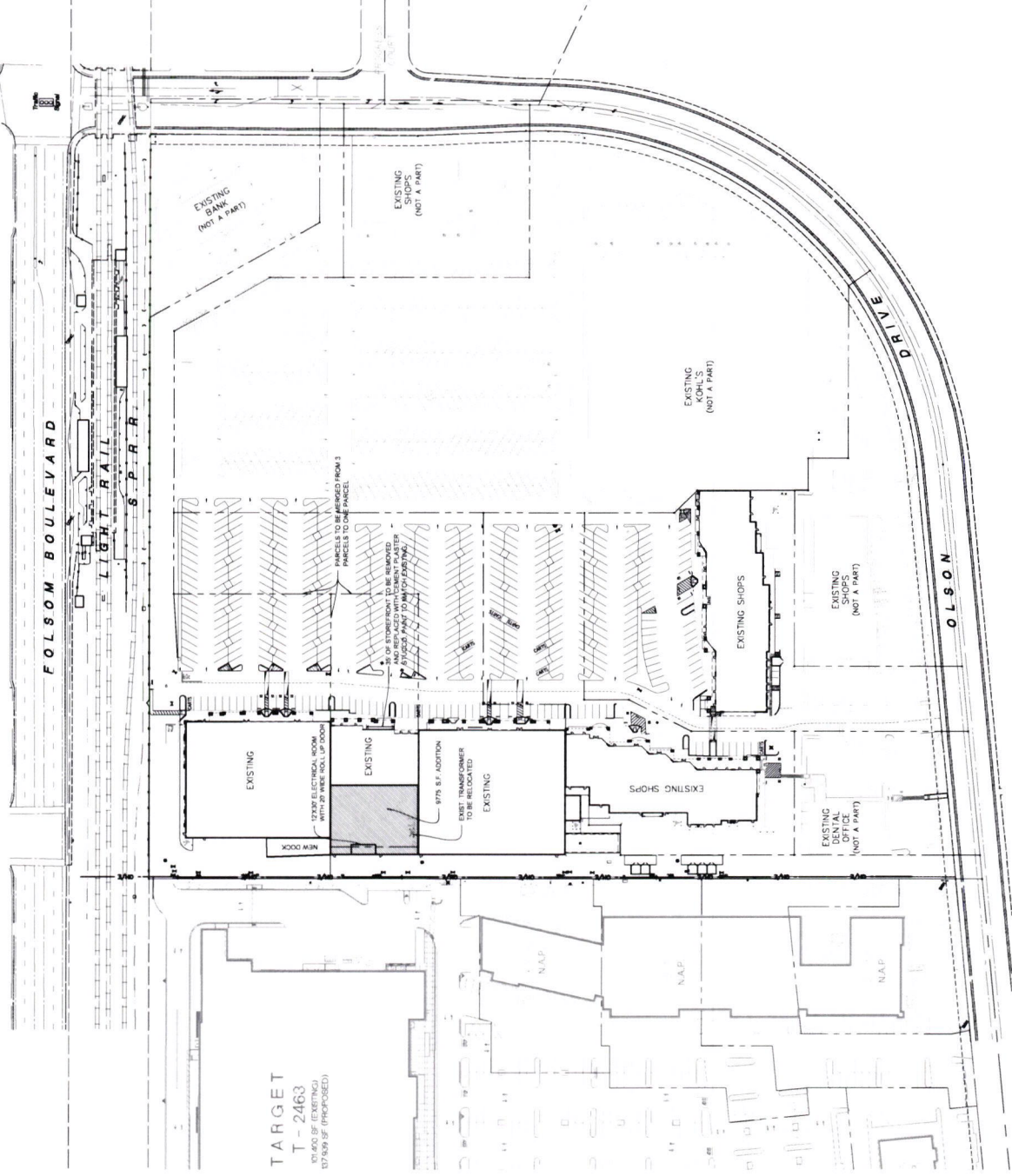
Job Number:	A10570
Drawn By:	07/11/16
Revised:	07/11/16
Sheet:	SP.01



RAUSCHENBACH MARVELLI BECKER

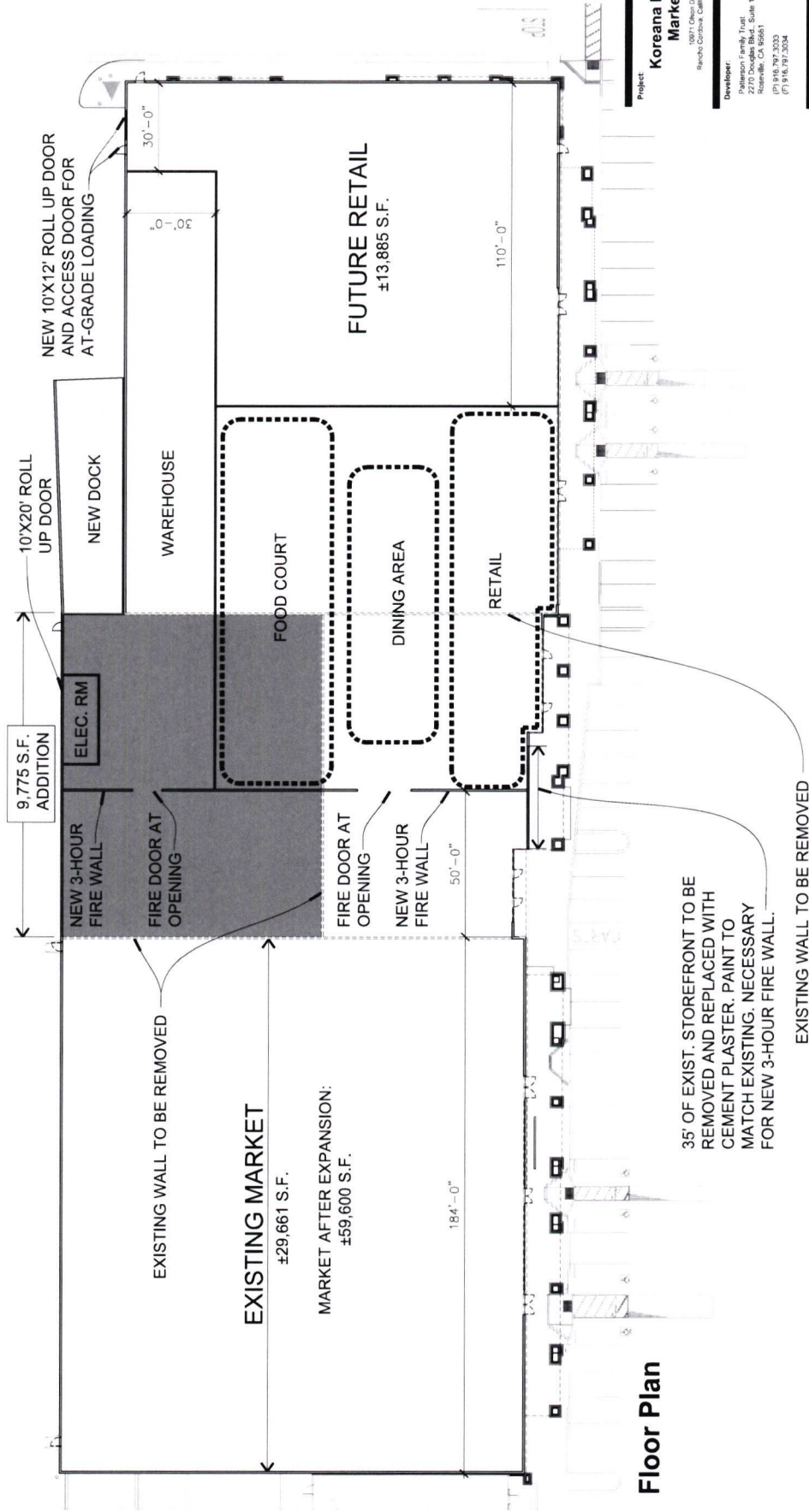
ARCHITECTS

2277 West Avenue • Second Floor • San Francisco, CA • 94103
P: 415.448.8500 • F: 415.448.8506 • info@rmba.com



10971 Olson Drive
Rancho Cordova, California 95670

Koreana Plaza Market



Floor Plan

Project:
Koreana Plaza Market

10971 Olson Drive
Rancho Cordova, California 95670

Developer:
Koreana Plaza Market
2270 Douglas Blvd., Suite 111
Roseville, CA 95681
(916) 916-7977
(916) 916-7977/3034

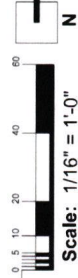
Floor Plan
Preliminary

Job Number: A154279
Date: 07/12/10
Drawn By: J.K.
Reviewed: J.K.
Sheet: **FP.01**



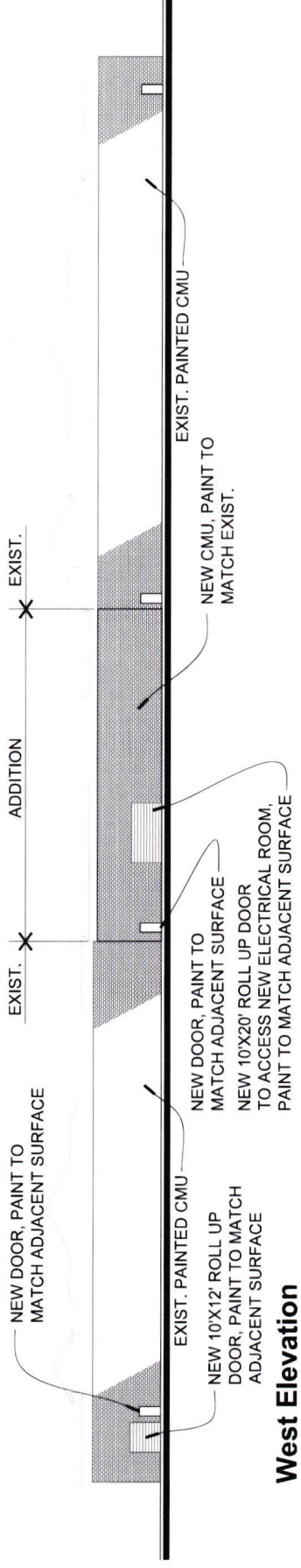
RAUSCHENBACH MARVELLI BECKER
ARCHITECTS

2771 West Avenue • Second Floor • San Francisco, CA • 94105
P: 415.448.8000 F: 415.448.8066 info@rmba.com

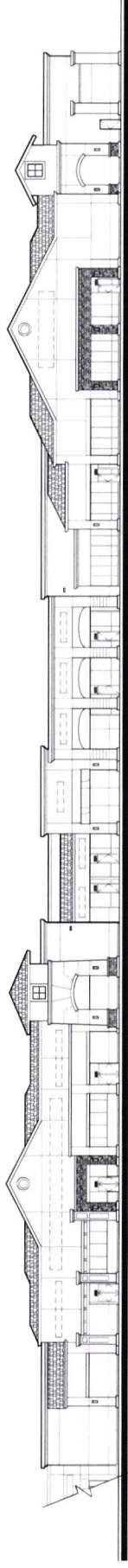


10971 Olson Drive
Rancho Cordova, California 95670

Koreana Plaza Market

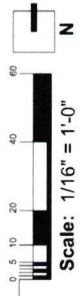


West Elevation



East Elevation

35' OF EXIST. STOREFRONT TO BE REMOVED AND REPLACED WITH CEMENT PLASTER. PAINT TO MATCH EXISTING. NECESSARY FOR NEW 3-HOUR WALL. NO OTHER WORK IS PROPOSED ON THIS ELEVATION.



Koreana Plaza Market ■ 10971 Olson Drive
Rancho Cordova, California 95670

Project:

Koreana Plaza Market

10971 Olson Drive
Rancho Cordova, California 95670

Developer:

Plattner Family Trust
2270 Douglas Blvd., Suite 111
Roseville, CA 95661
(916) 797-2033
(916) 797-2034

Elevations

Preliminary

Job Number:

ALV-078

Date:

07-12-10

Drawn By:

JLC

Reviewed:

JLC

Sheet:

ELV.01

RAUSCHENBACH MARVELLI BECKER

architects

2777 West Avenue • Second Floor • Sacramento • CA • 95825
P: 916.488.8000 • F: 916.488.8068 • info@rmba.com

Draft Conditions of Approval/Mitigation Measures						
Section I Conditions of Approval	Timing	Enforcing Agency	Verification Date and Signature	Monitor	Comments	Internal ID#
1. Applicant shall not carry a negative account balance with the City for the processing of the project. If a negative account balance occurs, it will be the developer's responsibility to pay the balance due, in order to avoid delays in the processing of future permits or recordation of maps. Please email the Finance Department at billings@cityofchocordova.org for the status of your account with the City.	ONGOING	FINANCE		N		108
2. The entitlement approved by this action is to allow the addition of approximately 9,775sf addition to the existing 29,661sf Koreana Plaza Market, located in the Olson Drive shopping area.	ONGOING	PLANNING		N		103
3. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	ONGOING	PLANNING		N		104
4. 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.	ONGOING	PLANNING		N		105
5. Design Review shall become effective ten (10) days after project approval. In the event of a legal challenge, this permit shall be withheld pending the outcome of that process.	ONGOING	PLANNING		N		106
6. A building permit shall be issued before any new sign is installed or modified. For more information, please contact the Building Department at (916) 851-8760.	ONGOING	PLANNING		N		110

Draft Conditions of Approval/Mitigation Measures						
Section I Conditions of Approval	Timing	Enforcing Agency	Verification Date and Signature	Monitor	Comments	Internal ID#
7. Applicant shall be responsible for all damage to City streets associated with construction of the project and shall repair any damage as soon as possible.	ONGOING	PUBLIC WORKS		N		107
8. A Boundary Line Adjustment shall be obtained to merge APN's 072-0280-017, 072-0280-018, and 072-0280-019.	BUILDING PERMIT - ISSUANCE	PLANNING		N		102
9. Property Owner/Applicant shall participate in a funding mechanism for maintenance of any existing or new 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. Contact: Elizabeth Sparkman at (916) 851-8714 as there may be a 2-3 month lead time to satisfy this condition.	BUILDING PERMIT - ISSUANCE	PUBLIC WORKS		N		100
10. Property Owner/Applicant shall participate in a funding mechanism for maintenance services for the fair share of existing and all new public improvements associated with the project including but not limited to streets, bridges/culverts, traffic signals, traffic signs, striping and legends, ITS operations, and street light. This may be accomplished through annexation to the City Road Maintenance Community Facilities District. All costs are associated with the annexation shall be borne by the Property Owner/Applicant. Contact: Elizabeth Sparkman at (916) 851-8714 as there may be a 2-3 month lead time to satisfy this condition.	BUILDING PERMIT - ISSUANCE	PUBLIC WORKS		N		101

Draft Conditions of Approval/Mitigation Measures

Section I Conditions of Approval					
	Timing	Enforcing Agency	Verification Date and Signature	Monitor	Comments
11. The project shall be constructed in substantial conformance to the approved Package (Exhibit A), and a final inspection of all improvements shall be conducted by the Planning Director or his designee, prior to or concurrent with the final building inspection for the new service bay.	BUILDING PERMIT - OCCUPANCY	PLANNING		N	
					109

City of Rancho Cordova Planning Application

CITY OF RANCHO CORDOVA PLANNING

LETTER OF CERTIFICATION

This form is to be completed by the person/firm preparing the map and list of property owners **and residents of absentee owners** within five hundred feet (500') of the project site.

State of California
County of Sacramento
City of Rancho Cordova

I, ANN ADKINS hereby certify that attached list and labels contain the names and addresses of all persons having ownership, as they appear on the latest available assessment roll of the County of Sacramento and in the case of an absentee owner, **the addresses of all renters or lessees** of said address within the area described and for a distance of five hundred feet (500') from the exterior boundaries of the project site.

Please Note: Complete the items below only in the presence of a Notary Public.

I/we certify (or declare under penalty of perjury under the laws of the State of California) that the foregoing is true and correct.

ANN ADKINS

Print Name

[Signature]

Signature

Subscribed and sworn to (or affirmed) before me on the 18th day of July 2010
by Ann Adkins proved to me on the basis of satisfactory evidence to be
the person(s) who appeared before me.

[Signature]

Notary



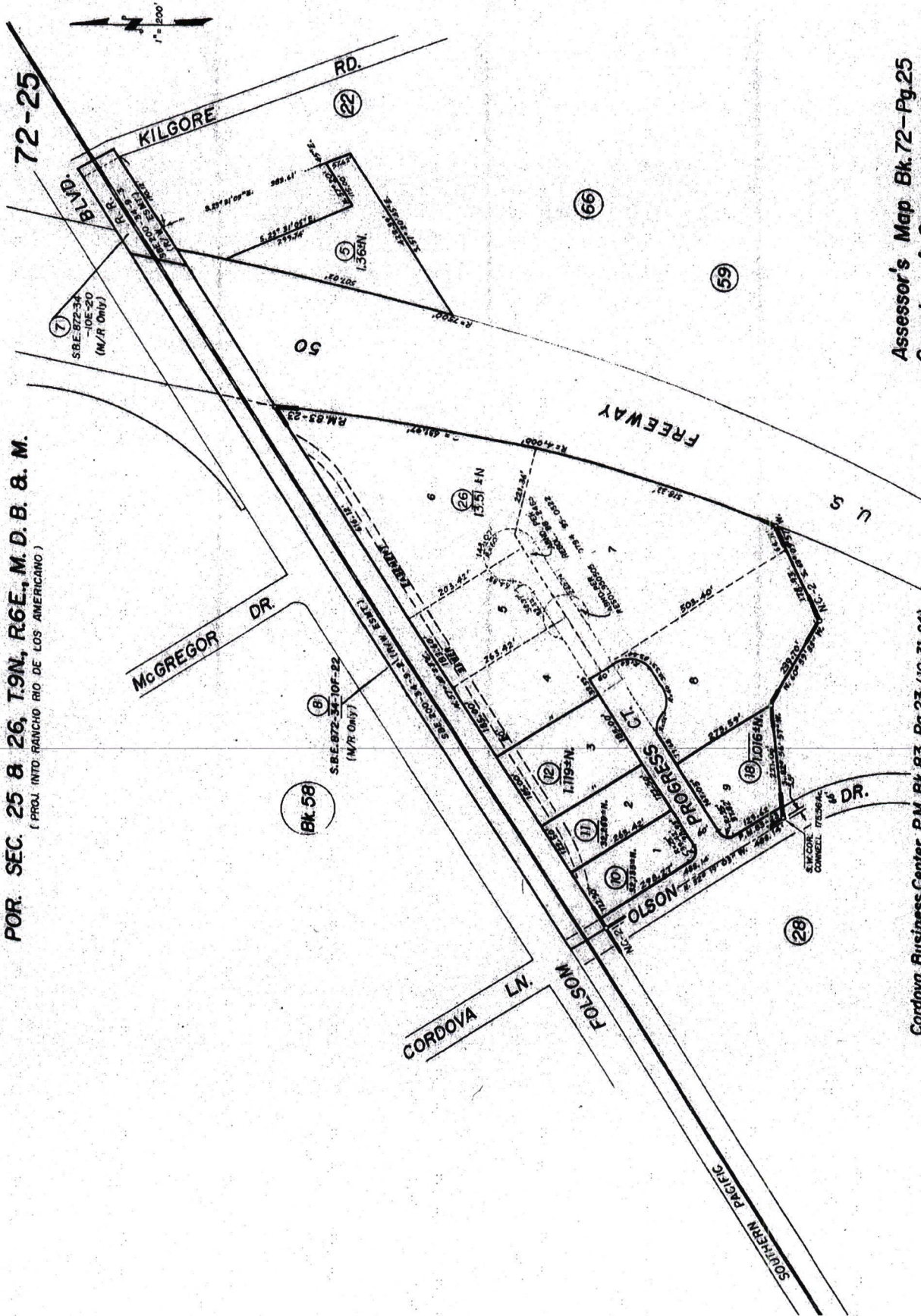
(Notary Seal)

**Note: Rancho Cordova Planning can notarize this form.
Please call ahead to confirm the Notary will be available.**

500" Radius - Owners List (Zinfandel Square)						
PARCEL	OWNER	MAIL ADDRESS	CITY	ST	ZIP	LAND USE
072 0280 017 0000	Patterson Family Trust	2270 Douglas Blvd #111	Roseville	CA	95661-4239	Com, Community Shopping Center
072 0280 018 0000	Patterson Family Trust	2270 Douglas Blvd #111	Roseville	CA	95661-4239	Com, Community Shopping Center
072 0280 019 0000	Patterson Family Trust	2270 Douglas Blvd #111	Roseville	CA	95661-4239	Com, Community Shopping Center
072 0280 020 0000	Patterson Family Trust	2270 Douglas Blvd #111	Roseville	CA	95661-4239	Com, Auto Repair Shop
072 0280 023 0000	Patterson Family Trust	2270 Douglas Blvd #111	Roseville	CA	95661-4239	Com, Community Shopping Center
057 0254 018 0000	Ramesh Pitamber	5151 Weston Way	Granite Bay	CA	95746-6490	Res, Motels
057 0293 001 0000	Sac One	916 Silver Spur Rd #210	Rolling Hills Estate	CA	90274-3827	Com, Auto Repair Shop
057 0293 004 0000	2771 Don Juan Dr LLC	Po Box 880	West Sacramento	CA	95691-0880	Com, Small Multi-Tenant
057 0293 005 0000	Gurvinder Sandhu	5 Defer Cir	Sacramento	CA	95823-0000	Com, Small Multi-Tenant
057 0293 007 0000	Imanian Mehdi	25631 La Laine Ct	Los Altos Hills	CA	94022-2071	Vacant, Retail <2ac Site
057 0294 004 0000	Ethan Conrad	1300 National Dr #100	Sacramento	CA	95834-1981	Com, Auto Repair Shop
057 0294 006 0000	Jernigan	2525 E El Segundo Blvd #318	El Segundo	CA	90245-4632	Com, Large Discount Store
057 0294 007 0000	Autozone Inc	Po Box 2198	Memphis	TN	38101-2198	Com, Small Single Tenant
058 0034 008 0000	Williamson Cress	425 University Ave #220	Sacramento	CA	95825-6509	Res, Low Rise Apartments
058 0034 009 0000	Sung In Je & Ok Hee	7955 Carmencita Ave	Sacramento	CA	95829-9443	Com, Convenience Store
058 0291 003 0000	Spencer & Irene Kwong	4030 Truxel Rd #d	Sacramento	CA	95834-3767	Com, Neighborhood Shop Center
058 0291 004 0000	Kogos	6003 Helva Ln	Carmichael	CA	95608-0803	Com, Auto Repair Shop
058 0291 005 0000	Diakonia Housing Inc	911 N Studebaker Rd	Long Beach	CA	90815-4900	Res, Low Rise Apartments
058 0291 007 0000	Ramesh Pitamber	5151 Weston Way	Granite Bay	CA	95746-6490	Com, Auto Repair Shop
072 0250 008 0000	Sac-Picville Transportation	Po Box 2110	Sacramento	CA	95812-2110	Pub, Sbe Property, Non-Exempt
072 0250 010 0000	United States Postal Service	850 Cherry Ave	San Bruno	CA	94066-3031	Vacant, Retail <2ac Site
072 0250 011 0000	United States Postal Service	850 Cherry Ave	San Bruno	CA	94066-3031	Vacant, Retail <2ac Site
072 0250 012 0000	United States Postal Service	850 Cherry Ave	San Bruno	CA	94066-3031	Vacant, Retail <2ac Site

072 0250 018 0000	Beth Burger	7450 Olivetas Ave #482	La Jolla	CA	92037-4902	Com, Small Multi-Tenant
072 0250 026 0000	First Covenant Church Of Sacramento	Po Box 270450	Sacramento	CA	95827-6450	Soc, Church Exempt/Nontaxable
072 0280 005 0000	Southern Pacific Transportation	1400 Douglas St #1640	Omaha	NE	68179-1001	Pub, Sbe Property, Non-Exempt
072 0280 006 0000	Sac-Pacrvie Transportation	Po Box 2110	Sacramento	CA	95812-2110	Pub, Sbe Property, Non-Exempt
072 0280 021 0000	David Hanson & Jill Beams	114 Ashcat Ct	Folsom	CA	95630-8054	Off, Medical/Dental One Story
072 0280 022 0000	Ada Wada	1300 View Dr	San Leandro	CA	94577-5337	Com, Neighborhood Shop Center
072 0280 024 0000	Cole Ko Rancho Cordova Ca	2555 E Camelback Rd #400	Phoenix	AZ	85016-4258	Com, Large Department Store
072 0280 025 0000	George & Betty Ngim	3140 Gold Camp Dr #150	Rancho Cordova	CA	95670-6054	Com, Store-Office Multi-Tenant
072 0280 026 0000	Firstar Bank	777 E Wisconsin Ave	Milwaukee	WI	53202-5300	Off, Savings & Loan One Story
072 0280 031 0000	Zinfandel Plaza	Po Box 255588	Sacramento	CA	95865-5588	Off, General Two Story
072 0280 053 0000	Gardenvue Estates Venture	9500 SW Barbur Blvd #300	Portland	OR	97219-5436	Com, Store-Office Multi-Tenant
072 0280 080 0000	Zinfandel Plaza III	Po Box 255588	Sacramento	CA	95865-5588	Misc, Unusable-Small/Misshaped
072 0280 081 0000	Zinfandel Plaza III	Po Box 255588	Sacramento	CA	95865-5588	Off, General Two Story
072 0280 085 0000	Pacific Castle Rancho Cordova LLC	2601 Main St #900	Irvine	CA	92614-4232	Com, Neighborhood Shop Center
072 0280 086 0000	Pacific Castle Rancho Cordova LLC	2601 Main St #900	Irvine	CA	92614-4232	Com, Neighborhood Shop Center
072 0280 087 0000	Pacific Castle Rancho Cordova LLC	2601 Main St #900	Irvine	CA	92614-4232	Com, Neighborhood Shop Center
072 0280 088 0000	Pacific Castle Rancho Cordova LLC	2601 Main St #900	Irvine	CA	92614-4232	Com, Neighborhood Shop Center
072 0280 093 0000	Target Corporation	1000 Nicollet Mall	Minneapolis	MN	55403-2542	Com, Large Discount Store
072 0280 097 0000	Target Corporation	Po Box 9456	Minneapolis	MN	55440-9456	Off, General Two Story

POR. SEC. 25 & 26, T9N, R6E., M.D.B. & M.
(PROJ. INTO RANCHO RIO DE LOS AMERICANOS)



Assessor's Map Bk. 72-Pg. 25
County of Sacramento, Calif.

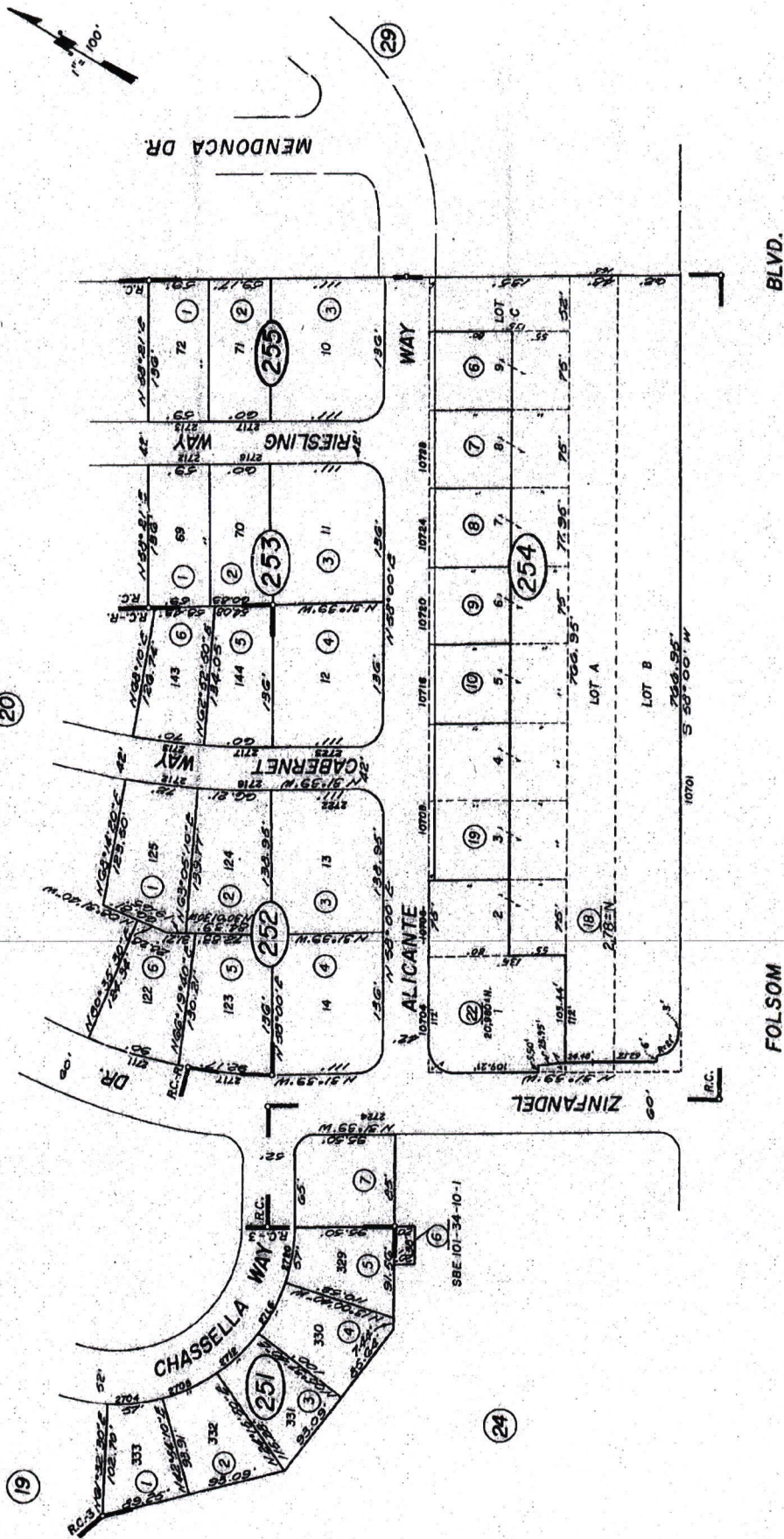
Cordova Business Center, P.M. Bk. 83, Pg. 23 (10-31-84)

AUG 9 2001

57-25

Tax Area Code

POR. SEC'S 26 & 35 T.9 N., R.6 E. M.D.B. & M.
(PROJ. INTO RANCHO RIO DE LOS AMERICANOS)



Rancho Cordova, R.M. Bk. 35, Pg. 14
Rancho Cordova Unit 3, R.M. Bk. 39, Pg. 17
Rancho Cordova, Resub of R.M. Bk. 36, Pg. 8

Bk. 72

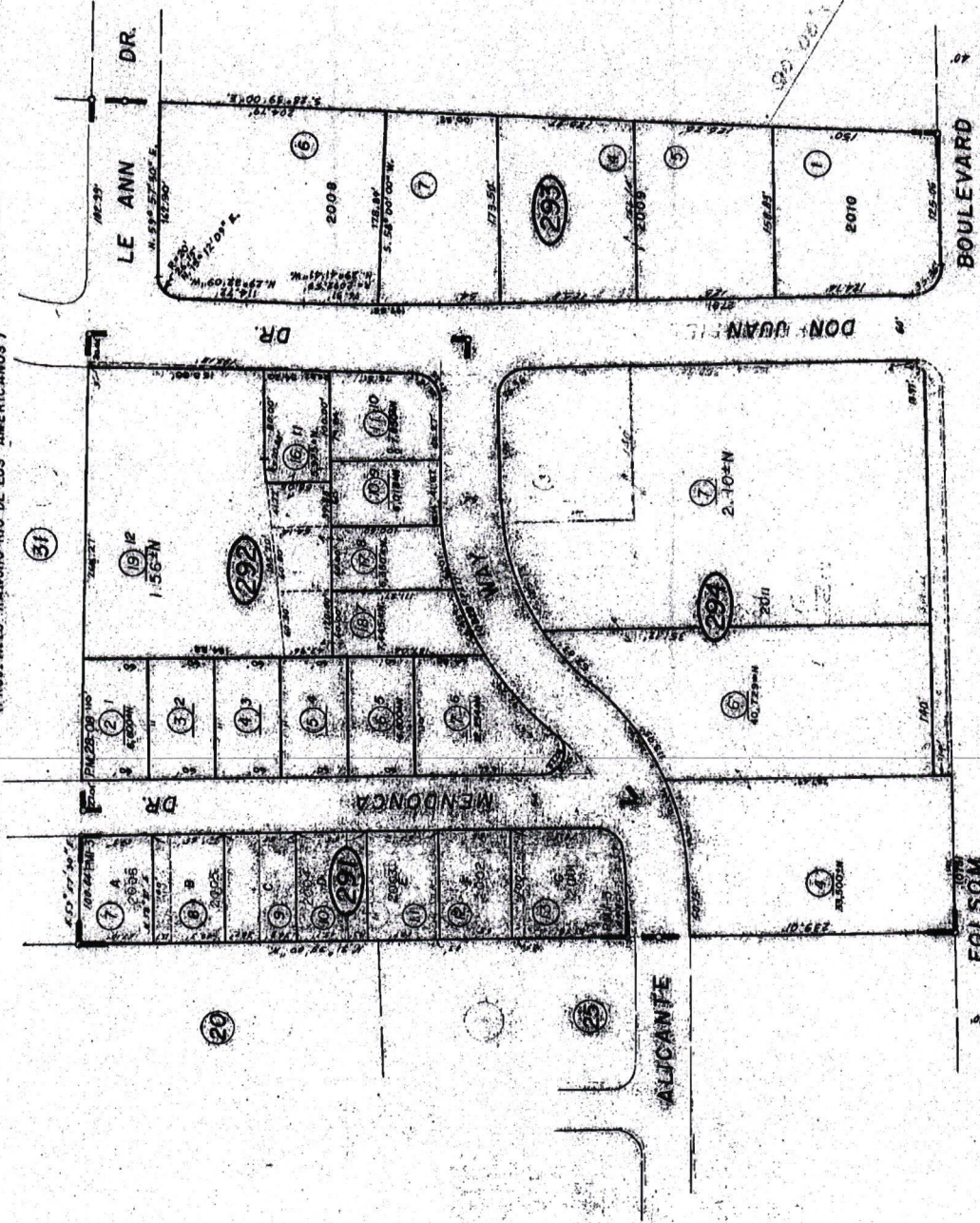
NOTE—Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 57 -Pg. 25
County of Sacramento, Calif.

POR. SEC. 26, T9N, R.6E., M.D.B. & M.
(PROCE. INTO RANCHO RIO DE LOS AMERICANOS)

Tax Area Code

57-29



Assessor's Map Bk. 57 -Pg. 29
County of Sacramento, Calif.

APR 18 2003

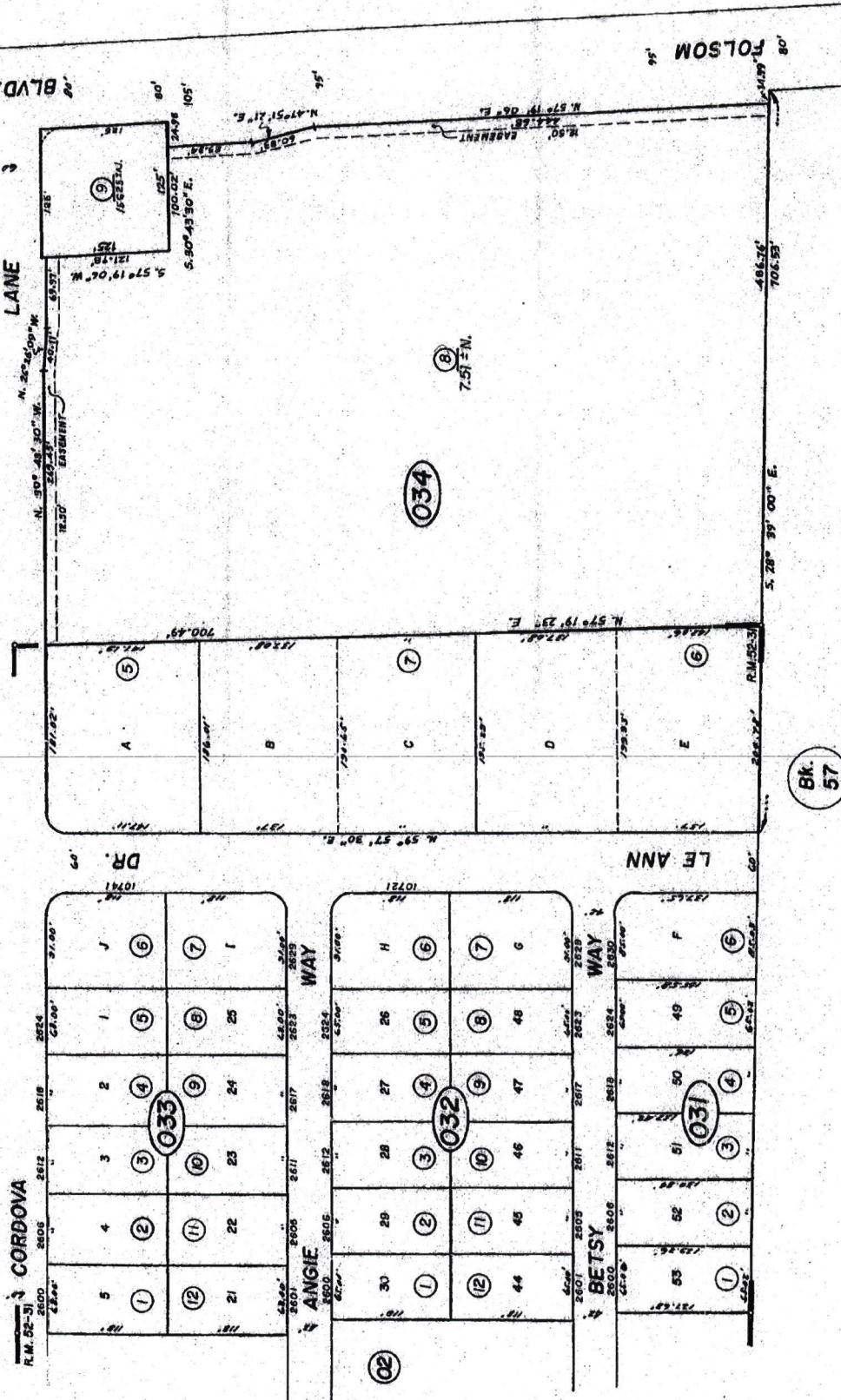
Pat. Map Rancho Cordova Unit No. 20, P.M. Bk. 01, Pg. 03 (11-0-65)
Rancho Cordova Unit No. 20, R.M. Bk. 75, Pg. 26 (10-20-64) Assessor's Parcel Numbers Shown in Circles.

Bk. 72

58-03

POR. SEC. 26, T.9N., R.6E., M.D.B. & M.
(PROJ. INTO RANCHO RIO DE LOS AMERICANOS)

GLENHAVEN WAY
ALANDALE WAY

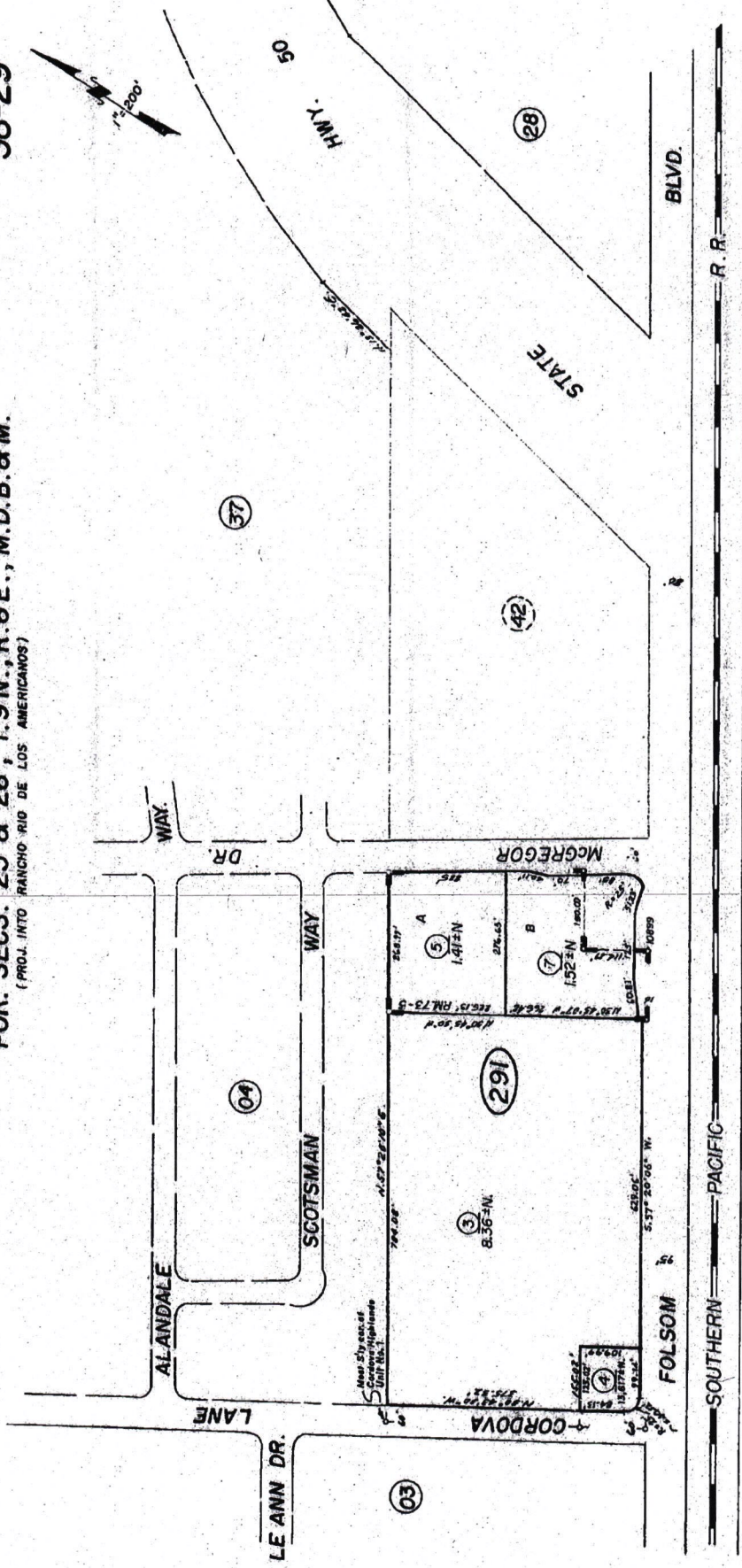


Assessor's Map Bk. 58, Pg. 03
County of Sacramento, Calif.

Cordova Park Vista, R. M. Bk. 52, Pg. 31

58-29

POR. SECS. 25 & 26, T.9N., R.6E., M.D.B.&M.
(PROJ. INTO RANCHO RIO DE LOS AMERICANOS)



Next Block Should Be 293

Bk. 72

Assessor's Map Bk. 058 Pg. 29
County of Sacramento, Calif.



072 0280 017 0000
Patterson Family Trust
2270 Douglas Blvd #111
Roseville, CA 95661-4239

072 0280 018 0000
Patterson Family Trust
2270 Douglas Blvd #111
Roseville, CA 95661-4239

072 0280 019 0000
Patterson Family Trust
2270 Douglas Blvd #111
Roseville, CA 95661-4239

072 0280 020 0000
Patterson Family Trust
2270 Douglas Blvd #111
Roseville, CA 95661-4239

072 0280 023 0000
Patterson Family Trust
2270 Douglas Blvd #111
Roseville, CA 95661-4239

057 0254 018 0000
Ramesh Pitamber
5151 Weston Way
Granite Bay, CA 95746-6490

057 0293 001 0000
Sac One
916 Silver Spur Rd #210
Rolling Hills Estate, CA 90274-3827

057 0293 004 0000
2771 Don Juan Dr LLC
Po Box 880
West Sacramento, CA 95691-0880

057 0293 005 0000
Gurvinder Sandhu
5 Defer Cir
Sacramento, CA 95823-0000

057 0293 007 0000
Imanian Mehdi
25631 La Lanne Ct
Los Altos Hills, CA 94022-2071

057 0294 004 0000
Ethan Conrad
1300 National Dr #100
Sacramento, CA 95834-1981

057 0294 006 0000
Jernigan
2525 E El Segundo Blvd #318
El Segundo, CA 90245-4632

057 0294 007 0000
Autozone Inc
Po Box 2198
Memphis, TN 38101-2198

058 0034 008 0000
Williamson Cress
425 University Ave #220
Sacramento, CA 95825-6509

058 0034 009 0000
Sung In Je & Ok Hee
7955 Carmencita Ave
Sacramento, CA 95829-9443

058 0291 003 0000
Spencer & Irene Kwong
4030 Truxel Rd #d
Sacramento, CA 95834-3767

058 0291 004 0000
Kogos
6003 Helva Ln
Carmichael, CA 95608-0803

058 0291 005 0000
Diakonia Housing Inc
911 N Studebaker Rd
Long Beach, CA 90815-4900

058 0291 007 0000
Ramesh Pitamber
5151 Weston Way
Granite Bay, CA 95746-6490

072 0250 008 0000
Sac-Picrvle Transportation
Po Box 2110
Sacramento, CA 95812-2110

072 0250 010 0000
United States Postal Service
850 Cherry Ave
San Bruno, CA 94066-3031

072 0250 011 0000
United States Postal Service
850 Cherry Ave
San Bruno, CA 94066-3031

072 0250 012 0000
United States Postal Service
850 Cherry Ave
San Bruno, CA 94066-3031

072 0250 018 0000
Beth Burger
7450 Olivetas Ave #482
La Jolla, CA 92037-4902

072 0250 026 0000
First Covenant Church Of Sacramento
Po Box 276450
Sacramento, CA 95827-6450

072 0280 005 0000
Southern Pacific Transportation
1400 Douglas St #1640
Omaha, NE 68179-1001

072 0280 006 0000
Sac-Picrvle Transportation
Po Box 2110
Sacramento, CA 95812-2110

072 0280 021 0000
David Hanson & Jill Beams
114 Ashcat Ct
Folsom, CA 95630-8054

072 0280 022 0000
Ada Wada
1300 View Dr
San Leandro, CA 94577-5337

072 0280 024 0000
Cole Ko Rancho Cordova Ca
2555 E Camelback Rd #400
Phoenix, AZ 85016-4258



072 0280 025 0000
George & Betty Ngim
3140 Gold Camp Dr #150
Rancho Cordova, CA 95670-6054

072 0280 026 0000
Firststar Bank
777 E Wisconsin Ave
Milwaukee, WI 53202-5300

072 0280 031 0000
Zinfandel Plaza
Po Box 255588
Sacramento, CA 95865-5588

072 0280 053 0000
Gardenvue Estates Venture
9500 SW Barbur Blvd #300
Portland, OR 97219-5436

072 0280 080 0000
Zinfandel Plaza III
Po Box 255588
Sacramento, CA 95865-5588

072 0280 081 0000
Zinfandel Plaza III
Po Box 255588
Sacramento, CA 95865-5588

072 0280 085 0000
Pacific Castle Rancho Cordova LLC
2601 Main St #900
Irvine, CA 92614-4232

072 0280 086 0000
Pacific Castle Rancho Cordova LLC
2601 Main St #900
Irvine, CA 92614-4232

072 0280 087 0000
Pacific Castle Rancho Cordova LLC
2601 Main St #900
Irvine, CA 92614-4232

072 0280 088 0000
Pacific Castle Rancho Cordova LLC
2601 Main St #900
Irvine, CA 92614-4232

072 0280 093 0000
Target Corporation
1000 Nicollet Mall
Minneapolis, MN 55403-2542

072 0280 097 0000
Target Corporation
Po Box 9456
Minneapolis, MN 55440-9456

MEMORANDUM



DATE: October 18, 2010

TO: Honorable Mayor and Council Members

FROM: Donna Silva, Finance Director

SUBJECT: RESOLUTION AND ORDINANCE AMENDING SECTIONS 16.83 AND 16.84 OF THE CITY MUNICIPAL CODE EXTENDING THE TEMPORARY DEFERRAL FOR PAYMENTS OF CERTAIN DEVELOPMENT IMPACT FEES FOR A PERIOD OF THREE YEARS

RECOMMENDATION

That Council:

- a) Waive first reading and introduce Ordinance No. 32-2010 approving an extension of the residential and non-residential Fee Deferral Program for an additional three year term, from July 1, 2010 to June 30, 2013.
- b) Adopt Resolution No. 120-2010 extending temporary deferral of payment of certain development fees for a period of three years.

RESULT OF RECOMMENDED ACTION

Adoption of Ordinance No. 32-2010 (**Attachment 1**) and Resolution No. 20-2010 (**Attachment 2**) will extend the Development Impact Fee Deferral Program (**Exhibit A**), established in May of 2008, and extended in April 2009, for three additional years, to June 30, 2013. Developers will benefit significantly from the program, as it will reduce their cash outlay at the time of building permit issuance.

BACKGROUND

The fee deferral program was established in May 2008, in response to requests from a distressed homebuilder and concerns with the effects of the economic downturn on non-residential and residential construction. The City Council authorized the City Manager to establish a temporary fee deferral program.

The current program allows residential and non-residential developers to defer eligible impact fees normally paid at the time of building permit issuance. Developer impact fees are one-time infrastructure and facility charges collected on new building permits. They are used to mitigate the cost of new development by recovering a proportional share of the cost of public infrastructure needed to provide service to new customers.

The primary purpose of the program is to try to meet the needs of our customers during this difficult market for development, without having a negative impact on the City's ability to have infrastructure and facilities constructed in a timely basis.

The program allows deferral of payment of selected City controlled development impact fees to the earlier date of final inspection, temporary certificate of occupation or twelve months.

Fees eligible for deferral include:

- Transportation Development Impact Fees
- A portion of Community Facilities Fees (excludes portions funding current cost obligations)
- Park Renovation Fee
- Very Low Income Housing Trust Fund (non-residential projects only)
- Certain Specific Plan Area fees, including:
 - Capital Village fees for park renovation and transportation impact
 - Sunridge Douglas fees for interim sewer, roadway construction, library and transit shuttle program
 - Villages of Zinfandel fees for library construction, park renovation and roadway construction

Over the past year, the local, state and national economy has continued to experience economic challenges affecting development investments in Rancho Cordova. In an effort for the City to provide continued assistance, staff recommends the City Council approve an extension of the Development Impact Fee Deferral Program for a period of three years, from July 1, 2010 to June 30, 2013.

ATTACHMENTS

1. Ordinance No. 32-2010 including **(Exhibit A)** Development Impact Fee Deferral Program.
2. Resolution No. 120-2010.

CITY OF RANCHO CORDOVA

ORDINANCE NO. 32-2010

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AMENDING SECTIONS 16.83 AND 16.84 OF THE CITY MUNICIPAL CODE EXTENDING
THE TEMPORARY DEFERRAL FOR PAYMENTS OF CERTAIN DEVELOPMENT IMPACT
FEES FOR A PERIOD OF THREE YEARS**

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

Section 1.

WHEREAS, in May 2008, in response to the nationwide downturn in the housing market, the City Council adopted Resolution No. 51-2008 establishing a Temporary Developer Impact Fee Deferral Program; and

WHEREAS, the City Council also adopted Urgency Ordinance No. 14-2008 amending the City Municipal Code by adding Sections 16.83.105 and 16.84.065, which provided the City Manager the authority to defer certain development impact fees. The temporary fee deferral provisions were set to automatically expire on June 30, 2009; and

WHEREAS, in April 2009, in response to the continued downturn in the housing market, the City Council adopted Ordinance No. 10-2009 and Resolution No. 33-2009 to extend the time period of the Development Impact Fee Deferral Program for an additional one year period, expiring on June 30, 2010; and

WHEREAS, during the past year the local, state and national economy has continued to experience sever, multifaceted economic challenges affecting non-residential and residential development investments in Rancho Cordova; and

WHEREAS, this ordinance is needed to amend the Municipal Code to extend the time period of the Development Impact Fee Deferral Program (**Exhibit A**) in order to allow the program to remain effective for an additional three year period.

Section 2. Section 16.83.105 of the Rancho Cordova Municipal Code, titled "Payment of Developer Fees – Temporary Deferral," is hereby amended to read as follows:

16.83.105 PAYMENT OF DEVELOPMENT FEES – TEMPORARY DEFERRAL

Notwithstanding any other requirement in Section 16.83.100, due to the temporary and acute nationwide slowdown in the housing market, the City Manager shall have the authority to consider and approve requests to defer payment of development impact fees imposed pursuant to this Chapter to the earlier of 24 hours prior to scheduling a final inspection, issuance of a temporary or final certificate of occupancy, or one year from the date the deferral is approved by the City Manager. This section shall automatically expire and be of no force and effect after June 30, 2013.

Section 3. Section 16.84.065 of the Rancho Cordova Municipal Code, titled "Payment of Transportation Impact Fee – Temporary Deferral," is hereby amended to read as follows:

16.84.065 PAYMENT OF TRANSPORTATION FEE – TEMPORARY DEFERRAL

Notwithstanding any other requirement in Section 16.84.060, due to the temporary and acute nationwide slowdown in the housing market, the City Manager shall have the authority to consider and approve requests to defer payment of development impact fees imposed pursuant to this Chapter to the earlier of 24 hours prior to scheduling a final inspection, issuance of a temporary or final certificate of occupancy, or one year from the date the deferral is approved by the City Manager. This section shall automatically expire and be of no force and effect after June 30, 2013.

Section 4. 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 provision 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 5. Effective Date

Within fifteen (15) days 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 Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC City Clerk

EXHIBIT A

DEVELOPMENT IMPACT FEE DEFERRAL PROGRAM



Finance Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670
Ph: 916.851-8700

www.cityofranchocordova.org

In order to help stimulate economic development and to be responsive to the needs of our customers, the City of Rancho Cordova is offering an interest-free fee deferral program for residential, commercial and industrial projects. Rather than requiring developers to pay all “development impact fees” at the time a building permit is issued, developers may request approval to defer the payment of select impact fees. The deferral is intended as a temporary response to the current housing market slump, and as such, will expire on **June 30, 2013**.

Program Highlights:

- Available to all new construction, including residential, retail, office and industrial
- Payment due at the earlier of final inspection, issuance of temporary or final certificate of occupancy, or one-year from the date the application is approved
- Deferred fees shall be paid at the rates applicable at the time of building permit issuance
- Deferrals apply to City controlled fees only

Eligible Development Impact fees:

Fees within the City's control may be deferred. Deferral of fees that are collected by the City and passed through directly to the City's regional partners will require agreement between the City and the other agency.

The following is a list of fees eligible for deferral:

- A portion of Community Facilities Fees (excludes portions funding current cost obligations)
- Park Renovation Fee
- Transportation Development Impact Fees
- Very Low Income Housing Trust Fund (VLIHTF) – (available to non-residential projects)
- Certain Specific Plan Area fees, including:
 - Capital Village fees for park renovation and transportation impact
 - Sunridge Douglas fees for interim sewer, roadway construction, library and transit shuttle program
 - Villages of Zinfandel fees for library construction, park renovation and roadway construction

The City will determine, at its discretion, and subject to approval by the City Manager, the amount of the fees that can be deferred. The City will be reviewing anticipated cash outlays and/or contracts related to specific development impact fees considered for deferment to determine which fees can be deferred at any point in time.

Non-Eligible fees:

- Application Processing Fee – (covers City Staff time processing applications)

- Building Permit Fees
- Capital Village Park Development Fee
- Community Facilities Fee – (City Hall, Community Center, Police, and Administrative portion)
- General Plan Cost Recovery Fee
- Plan Review Fee
- Processing Fees
- Sunrise Douglas Plan Fees – (Park and Administrative Fee portion)
- Supplemental Park Fee
- Transportation Impact Administrative Fee
- Very Low Income Housing Trust Fund Administrative Fee
- Villages of Zinfandel Administrative Fee
- Zone Check Fee

Sunset for Fee Deferral Program:

The Fee Deferral Program is intended as a temporary response to the current housing market slump and will expire on June 30, 2013.

Non-Residential Project Criteria

To be eligible for the deferral program, a project must meet at least one of the following criteria:

- Creates at least 25 full-time jobs
- Increases annual tax revenue by at least \$5,000
- Project located in Redevelopment Project Area
- Project is determined to be a “Catalyst Project” that will further economic development goals and objectives

Project Qualifications

To participate in the deferral program, all outstanding City invoices, fees and taxes must have been paid in full.

Property owners are encouraged to utilize the Statewide Communities Infrastructure Program (SCIP) to finance their impact fees whenever possible. More information on the SCIP can be found at City Hall or on the City’s website, at www.cityoffranchocordova.org.

Fee Deferral Time Limits:

- **Non-residential** projects - fees may be deferred until the earlier of final inspection, issuance of temporary or final certificate of occupancy, or twelve months from the date the fee deferral is approved.
- **Residential** projects - Fees may be deferred to the earlier of final inspection, or twelve months from the date the fee deferral is approved.

Processing Fee

The Fee Deferral Program is expected to result in costs to the City to implement and service the program. The fee for processing the deferral applications shall be \$250 per application.

Pulling the Building Permit

Prior to the anticipated date of pulling the building permit, applicants should submit a fee deferral application to the Building Department staff. The Finance Director and Economic Development Director will then review the application and seek final approval from the Assistant City Manager. Building permits will be issued following approval of the application.

Payment of Fees

Fees deferred are due and payable at the earlier of final inspection, issuance of temporary or final certificate of occupancy, or twelve months from the date the fee deferral is approved. There will be no interest charged on the deferred fees.

How Do I Apply?

Applications may be obtained by contacting the City's Office of Economic Development at (916) 851-8783, or the Building and Safety Department at (916) 851-8760.

Completed applications should be submitted to:

- Building Department Permit Counter

Upon approval, the City will contact each applicant to inform them they may pull permits at the Building Department Permit Counter.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 120-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
EXTENDING TEMPORARY DEFERRAL OF PAYMENT OF CERTAIN DEVELOPMENT FEES
FOR A PERIOD OF THREE YEARS**

WHEREAS, in May 2008, in response to the nationwide downturn in the housing market, the City Council adopted Resolution No. 51-2008 establishing a Temporary Developer Impact Fee Deferral Program; and

WHEREAS, the City Council also adopted Urgency Ordinance No. 14-2008 amending the City Municipal Code by adding Sections 16.83.105 and 16.84.065, which provided the City Manager the authority to defer certain development impact fees. The temporary fee deferral provisions were set to automatically expire on June 30, 2009; and

WHEREAS, in April 2009, in response to the continued downturn in the housing market, the City Council adopted Ordinance No. 10-2009 and Resolution No. 33-2009 to extend the time period of the Development Impact Fee Deferral Program for an additional one year period, expiring on June 30, 2010; and

WHEREAS, during the past year the local, state and national economy has continued to experience sever, multifaceted economic challenges affecting non-residential and residential development investments in Rancho Cordova; and

WHEREAS, the fee deferral program allows the City to be responsive to the needs of its customers, without jeopardizing the financial condition of the City and its ability to provide public amenities, to defer the payment of certain developer impact fees and approve the fee deferral submittals as determined appropriate by the City Manager to the earlier of 24 hours prior to scheduling a final inspection, issuance of a temporary or final certificate of occupancy, or one year from the date the deferral is approved by the City Manager; and

WHEREAS, deferral of these impact fees are still needed in order to continue to assist developers in continuing and finalizing construction; and

WHEREAS, the City desires to extend the time period of the Development Impact Fee Deferral Program in order to allow the program to remain effective for an additional three year period. The extension of this program shall automatically expire and be of no force and effect after June 30, 2013.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to extend the time period of the Development Impact Fee Deferral Program to allow the program to remain effective for an additional three year period. The extension of this program shall automatically expire and be of no force and effect after June 30, 2013.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

MEMORANDUM



DATE: October 18, 2010

TO: Honorable Mayor and Council Members

FROM: Micah Runner, Economic Development Manager
Megan McMurtry, Economic Development Specialist

SUBJECT: PUBLIC MEETING ON THE ESTABLISHMENT OF THE RANCHO CORDOVA TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID)

RECOMMENDATION

Allow public testimony on the establishment of the Tourism Business Improvement District (TBID) and levy of assessments. No council action required.

RESULT OF RECOMMENDED ACTION

A final public hearing will take place on December 6, 2010 on the establishment of the Rancho Cordova Tourism Business Improvement District (RCTBID) and the levy of assessments on lodging businesses. A majority of the lodging business owners subject to the assessment have petitioned the City Council to establish the RCTBID. The proposed assessment is \$1.50 per room per night charged to the room occupant. A non-profit corporation will be established to fund marketing and sales promotion efforts to increase hotel occupancy levels.

BACKGROUND

At the October 4, 2010 City Council meeting, Resolution of Intention No. 116-2010 was approved by the City Council, expressing the intention to form the RCTBID. Notices were mailed to the owners of all businesses proposed to be within the district on October 5th, which began a forty-five day period in which owners may protest district formation. A final public hearing will take place on December 6, 2010.

The Rancho Cordova Tourism Business Improvement District (RCTBID) is a benefit assessment district proposed to help fund marketing and sales promotion efforts for Rancho Cordova lodging businesses. This approach has been used successfully in other destination areas throughout the state to improve tourism and drive additional room nights. The proposed RCTBID includes all lodging businesses located within the boundaries of the City of Rancho Cordova, which is currently 17 hotels.

Rancho Cordova hotels have been part of the Sacramento TBID since 2000; which also includes hotels in downtown Sacramento and Sacramento County. Rancho Cordova hoteliers decided to pursue formation of a local TBID in order to maximize control of revenues devoted to marketing Rancho Cordova as a tourist, meeting and event

destination. If established, the RCTBID would generate approximately \$580,000 on an annual basis for promotion of travel and tourism specific to Rancho Cordova.

TOURISM BUSINESS IMPROVEMENT DISTRICTS

Tourism Business Improvement Districts (TBIDs) utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TBIDs allow lodging and tourism-related business owners to organize their efforts to increase tourism. Tourism-related business owners within the district fund a TBID, and those funds are used to provide services that the businesses desire and that benefit the lodging businesses within the District.

Benefits of TBIDs:

- Funds cannot be diverted for other government programs
- TBIDs are customized to fit the needs of each tourism district
- They allow for a wide range of services; including: Marketing of the Destination, Tourism Promotion Activities and Sales Lead Generation
- TBIDs are designed, created and governed by those who will pay the assessment
- They provide a stable funding source for tourism promotion

In California, Tourism Business Improvement Districts are formed pursuant to the Property and Business Improvement District Law of 1994 (PBID Law). This law allows for the creation of a special benefit assessment district to raise funds within a specific geographic area. The key difference between TBIDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.

MANAGEMENT DISTRICT PLAN

The Management District Plan (**Exhibit B**) includes the proposed boundary of the RCTBID, a service plan and budget and a proposed means of governance. The RCTBID will include all lodging businesses, existing and in the future, available for public occupancy within the boundaries of the City of Rancho Cordova. The boundary currently includes 17 lodging business with a total of 2095 hotel rooms.

The proposed RCTBID will have a five year life. The RCTBID assessment will be implemented beginning January 1, 2011. Once per year beginning on the anniversary of the formation of the district there is a 30 day period in which owners paying more than 50% of the assessment may protest and terminate the district.

The Rancho Cordova Travel and Tourism Corporation (RCTTC) shall serve as the Owner's Association for the RCTBID. The initial Board of Directors shall have no less than seven and no more than nine members, including at five to seven representatives of assessed hotels, one representative of the City of Rancho Cordova and one representative of the Rancho Cordova Chamber of Commerce.

The City of Rancho Cordova will be responsible for collecting the assessment on a monthly basis from each lodging business located in the boundaries of the RCTBID. The City of Rancho Cordova shall forward the assessments to the RCTTC, which will

have the responsibility of managing TBID programs as provided in this Management District Plan. The City of Rancho Cordova shall be paid a fee equal to 2% of the amount of assessment collected to cover its costs of collection and administration.

The Draft Annual Budget detailed below was developed under the assumption of a \$1.50 per room per night fee generating approximately \$580,000 in revenue to the RCTTC.

**Rancho Cordova Tourism Business Improvement District
Draft Annual Budget, Years One through Five**

Category	Percent	Dollar Amount
Sales and Marketing	93%	\$539,400
City Collection Costs	2%	\$11,600
Contingency/Renewal	5%	\$29,000
Total Estimated Annual Budget	100%	\$580,000

The majority of the budget will be spent on a sales and marketing program to promote Rancho Cordova as a tourist and meeting destination; including sports marketing, sales development and Highway 50 Co-op marketing. A preliminary marketing plan for the district was compiled by John Poimiroo, a hotel marketing and tourism expert. Many of the marketing ideas involve sports marketing efforts, such as positioning Rancho Cordova as a recreation destination able to draw large tournaments.

DISTRICT FORMATION PROCESS

October 4, 2010
Status

RESOLUTION OF INTENTION HEARING

Approved by City Council October 4, 2010

Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district.

Petition Status: Petitions in favor of district formation were submitted to the City by 11 hotels, which represent 1355 total rooms. This accounts for 65% of the total of 2095 hotel rooms in the proposed district. This majority petition allows the council to initiate proceedings for district formation at the October 4, 2010 City Council meeting.

October 5, 2010
Status

NOTICE

Notice mailed to all owners within the proposed district on October 5, 2010

The Property and Business Improvement District Act of 1994 requires the City mail written notice to the owners of all businesses proposed to be within the district. Mailing the notice

begins a mandatory forty-five day period in which owners may protest district formation.

October 18, 2010

PUBLIC MEETING

Allow public testimony on the establishment of the TBID and levy of assessments. No council action required.

December 6, 2010

FINAL PUBLIC HEARING & SECESSION FROM SACRAMENTO TBID

If written protests are received from the owners of businesses in the proposed district which will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them.

If the city council, following the public hearing, decides to establish the proposed property and business improvement district, the city council shall adopt a resolution of formation.

If the city council adopts the resolution of formation, it will also be necessary to secede from the Sacramento Tourism Business Improvement District. A resolution revoking consent to being included in the Sacramento TBID, which will effectively remove Rancho Cordova from the Sacramento TBID, will be presented to council for adoption at the final hearing.

ATTACHMENT

Resolution of Intention No. 116-2010 including **(Exhibit A)** City of Rancho Cordova Boundary Map and **(Exhibit B)** Management District Plan.

CITY OF RANCHO CORDOVA

RESOLUTION OF INTENTION NO. 116-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
DECLARING ITS INTENTION TO ESTABLISH THE RANCHO CORDOVA TOURISM
BUSINESS IMPROVEMENT DISTRICT (RCTBID), AND FIXING THE TIME AND PLACE OF A
PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF**

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 et seq., authorizes cities and counties to establish property and business improvement districts for the purposes of promoting tourism; and

WHEREAS, Rancho Cordova lodging business owners, members of the business community and representatives from the City of Rancho Cordova have met to consider the formation of the Rancho Cordova Tourism Business Improvement District (RCTBID); and

WHEREAS, Rancho Cordova lodging businesses have drafted a Management District Plan (**Exhibit B**) which sets forth the proposed boundary of the RCTBID, a service plan and budget, and a proposed means of governance; and

WHEREAS, a majority of the lodging business owners subject to assessment under the RCTBID have petitioned the City Council to establish the RCTBID.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does hereby:

1. The recitals set forth herein are true and correct.
2. The City Council finds that the lodging businesses that will pay more than fifty percent (50%) of the assessment proposed in the Management District Plan have signed and submitted petitions in support of the formation of the RCTBID. The City Council accepts the petitions and adopts this resolution of intention to establish the RCTBID and to levy an assessment on certain lodging businesses within the RCTBID boundaries in accordance with the Property and Business Improvement District Law of 1994.
3. The City Council finds that the Management District Plan satisfies all requirements of Streets and Highways Code § 36622.
4. The City Council declares its intention to establish the RCTBID and to levy and collect assessments on lodging businesses within the RCTBID boundaries pursuant to the Property and Business Improvement District Law of 1994.
5. The boundaries of the RCTBID shall be the boundaries of the City of Rancho Cordova. Please see the attached map, incorporated herein as (**Exhibit A**).
6. The name of the district shall be the Rancho Cordova Tourism Business Improvement District (RCTBID).
7. Annual assessment rates are \$1.50 per paid occupied room per night.
8. The assessments levied for the RCTBID shall be applied toward sales promotion and marketing programs to market Rancho Cordova as a tourist, meeting and event destination as described in the Management District Plan, and for other capital improvements as set forth in Streets and Highways Code §36610. Funds remaining at

the end of any year may be used in subsequent years in which RCTBID assessments are levied as long as they are used consistent with the requirements of this resolution.

9. The RCTBID will have a five year term unless renewed pursuant to Streets and Highways Code § 36660.
10. Bonds shall not be issued.
11. The time and place for the public meeting to hear testimony onto establishing the RCTBID and the and levying the of RCTBID assessments are set for October 18, 2010, at 5:30 p.m., or as soon thereafter as the matter may be heard, at the David B. Roberts Council Chambers, 2729 Prospect Park Drive, Rancho Cordova, California 95670.
12. The time and place for the public hearing to establish the RCTBID and the levy of assessments are set for December 6, 2010, at 5:30 p.m., or as soon thereafter as the matter may be heard, at the David B. Roberts Council Chambers, 2729 Prospect Park Drive, Rancho Cordova, California 95670. The City Clerk is directed to provide written notice to the lodging businesses subject to assessment of the date and time of the hearing and to provide that notice as required by Streets and Highways Code § 36623.
13. At the public hearing on December 6, 2010, the testimony of all interested persons for or against the establishment of the RCTBID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the lodging businesses within the proposed RCTBID that will pay fifty percent (50%) or more of the estimated total assessment of the entire RCTBID, no further proceedings to establish the RCTBID shall occur.
14. The complete Management District Plan is on file with the City Clerk and may be reviewed upon request.
15. This resolution shall take effect immediately upon its adoption by the City Council.

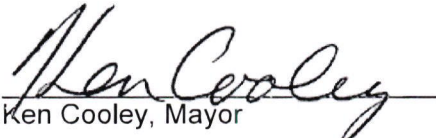
PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 4th day of October, 2010 by the following vote:

AYES: Budge, Sander, Skoglund, McGarvey, and Mayor Cooley

NOES: None

ABSENT: None

ABSTAIN: None


Ken Cooley, Mayor

ATTEST:

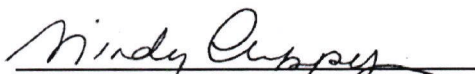

Mindy Cuppy, CMC, City Clerk

EXHIBIT A

District Boundaries

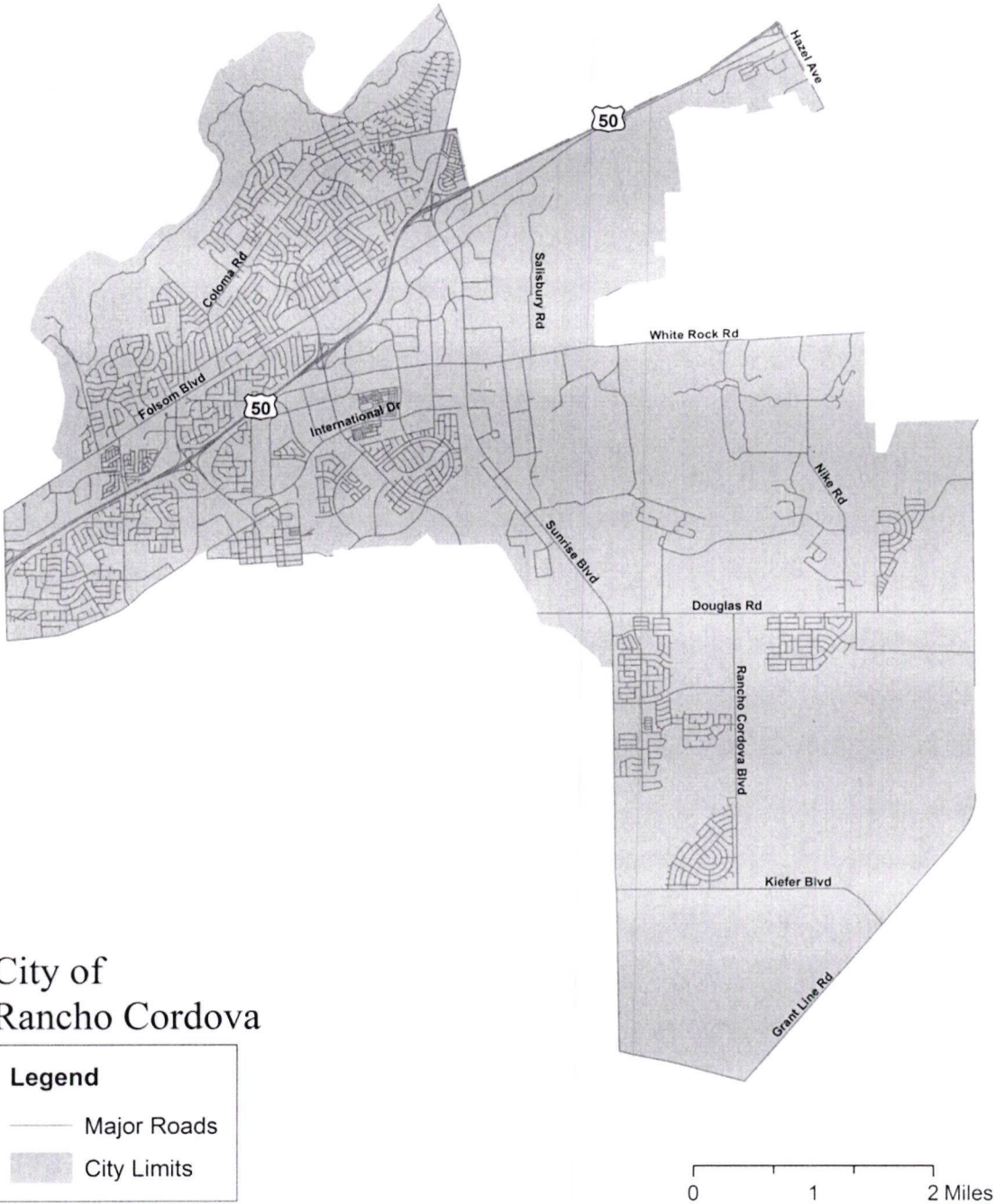


EXHIBIT B

**RANCHO CORDOVA TOURISM BUSINESS
IMPROVEMENT DISTRICT
MANAGEMENT DISTRICT PLAN**

*Formed pursuant to the Property and Business Improvement District Act of 1994
(Streets and Highways Code §36600 et seq.)*

Submitted to

the City of Rancho Cordova

August 25, 2010

by



RANCHO CORDOVA TOURISM BUSINESS IMPROVEMENT DISTRICT MANAGEMENT DISTRICT PLAN

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I. INTRODUCTION AND OVERVIEW

Developed by the lodging businesses within Rancho Cordova, and the City of Rancho Cordova (the City), the Rancho Cordova Tourism Business Improvement District (RCTBID) is a benefit assessment district proposed to help fund marketing and sales promotion efforts for Rancho Cordova lodging businesses. This approach has been used successfully in other destination areas throughout the country to improve tourism and drive additional room nights.

Location: The proposed RCTBID includes all lodging businesses located within the boundaries of the City of Rancho Cordova.

Services: Marketing and sales promotions to increase tourism and to market Rancho Cordova as a tourist, meeting and event destination.

Budget: The total RCTBID annual budget for each year of its five year operation is anticipated to be approximately \$580,000.

Cost: Annual assessment rates are \$1.50 per paid occupied room per night.

Formation: TBID formation requires submittal of petitions from lodging businesses representing more than 50% of the total annual assessment followed by a City Council hearing and an opportunity for a written protest. The assessed lodging business owners will receive notice of the public hearing by mail. If there is a majority written protest, the TBID will not be formed.

Duration: The proposed RCTBID will have a five year life. The RCTBID assessment will be implemented beginning January 1, 2011. Once per year beginning on the anniversary of the formation of the district there is a 30 day period in which owners paying more than 50% of the assessment may protest and terminate the district.

II. WHY A TOURISM BUSINESS IMPROVEMENT DISTRICT FOR RANCHO CORDOVA?

There are several reasons why now is the right time to form a TBID in Rancho Cordova; the most compelling reasons are as follows:

1. *The Need to Increase Occupancy*

The formation of the RCTBID is a proactive effort to provide supplemental funding beyond that provided by the City. The funding will ensure that adequate financing exists for the investment required to increase occupancy in the lodging industry and be competitive in the conference segment of the tourism market. The investment will cover an expanded marketing and promotional budget needed to reach this market segment.

2. *An Opportunity for Increasing City Tax Revenues*

As occupancy rates increase, so too will the City's TOT revenue. With stable public/private funding for tourism marketing efforts, annual occupancy rates should increase significantly as new marketing and sales promotion programs are implemented. Greater occupancy will also produce an increase in sales tax revenues from tourist spending. This represents a substantial return to the City. The formation of the RCTBID in partnership with the the City creates a stable funding source tied directly to tourism promotion.

3. *Stable Funding for Tourism Promotion*

The RCTBID will provide a stable source of funding for consistent tourism promotion efforts. The RCTBID will provide funding for tourism promotion free of the political and economic circumstances that can reduce or eliminate government funding for tourism promotion.

III. WHAT IS A TOURISM BUSINESS IMPROVEMENT DISTRICT?

Tourism Business Improvement Districts (TBIDs) utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TBIDs allow lodging and tourism-related business owners to organize their efforts to increase tourism. Tourism-related business owners within the district fund a TBID, and those funds are used to provide services that the businesses desire and that benefit the lodging businesses within the District.

Tourism Business Improvement District services may include, but are not limited to:

- Marketing of the Destination
- Tourism Promotion Activities
- Sales Lead Generation

In California, Tourism Business Improvement Districts are formed pursuant to the Property and Business Improvement District Law of 1994 (PBID Law). This law allows for the creation of a special benefit assessment district to raise funds within a specific geographic area. *The key difference between TBIDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

There are many benefits to Tourism Business Improvement Districts:

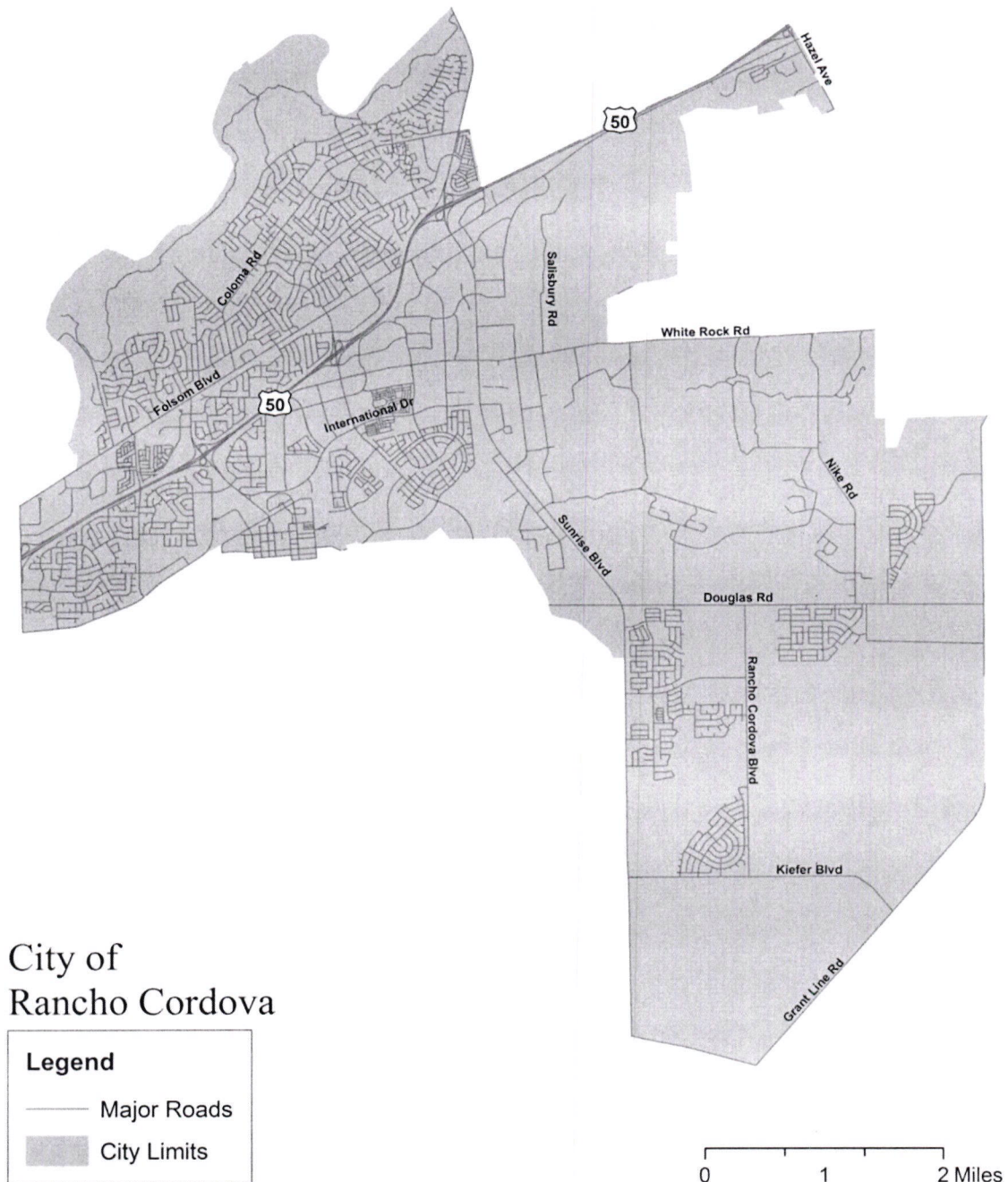
- Funds cannot be diverted for other government programs;
- Tourism Business Improvement Districts are customized to fit the needs of each tourism district;
- They allow for a wide range of services, including those listed above;
- Tourism Business Improvement Districts are ***designed, created and governed by those who will pay*** the assessment;
- They provide a stable funding source for tourism promotion.

The Property and Business Improvement District Law of 1994 is provided in Appendix 1 of this document.

IV. RANCHO CORDOVA TBID BOUNDARY

The RCTBID will include all lodging businesses, existing and in the future, available for public occupancy within the boundaries of the City of Rancho Cordova.

The boundary currently includes 17 lodging business. Please see the map below. A complete listing of lodging businesses within the proposed RCTBID can be found on Appendix 2 of this Plan.



V. SERVICE PLAN AND BUDGET

A. Assessment

The Tourism Business Improvement District annual assessment rates are based upon \$1.50 per paid occupied room per night. The amount of assessment, if passed on to each transient, shall be separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business.

B. Determination of Special Benefit

State law provides that the expenses of the district shall be apportioned in proportion to the benefit received by assessed businesses.

A special benefit is defined as a particular and distinct benefit over and above general benefits conferred on the public at large. Conversely, a general benefit is a benefit to businesses in the surrounding community or a benefit to the public in general resulting from the improvement, activity or service to be provided by the assessment levied. Many general benefits to the public at large are conveyed by municipal services, such as fire protection, police services and public transit services. These services are targeted to serve the public at large and do not confer special benefits on particular businesses.

The services in this Management District Plan are designed to provide targeted services to lodging businesses. These services are tailored not to serve the general public, but rather to serve the specific lodging businesses within the District, e.g., the proposed activities are specifically targeted to increase room nights for assessed lodging businesses within the boundaries of the District, and are narrowly tailored. RCTBID funds will be used exclusively to benefit the assessees.

The activities paid for from assessment revenues are lodging business services creating special benefit to those businesses. In addition, these activities are not for the benefit of the general public and do not provide general benefit as defined above. All general benefits (if any) to the surrounding community and general public are intangible and unquantifiable. It is appropriate that these special business-related benefits be funded through business assessments.

C. Time and Manner for Collecting Assessments

The RCTBID assessment will be implemented beginning January 1, 2011 and will continue for five years. The City of Rancho Cordova will be responsible for collecting the assessment on a monthly basis (including any delinquencies, penalties and interest) from each lodging business located in the boundaries of the RCTBID. The City shall take all reasonable efforts to collect the assessments from each lodging business. The City of Rancho Cordova shall forward the assessments to the Rancho Cordova Travel and Tourism Corporation (RCTTC) which will have the responsibility of managing TBID programs as provided in this Management District Plan.

D. Service Plan Budget Summary

A summary of the annual service plan budget for the RCTBID is provided on the following pages. The total five year improvement and service plan budget is projected at approximately \$580,000 annually, or \$2,900,000 through 2015.

E. Annual Service Plan:

A service plan budget has been developed to deliver services throughout the District. An annual service plan and budget will be developed and approved by the RCTTC Board. Bonds shall not be issued. Please see the budget exhibit below. The budget also includes a portion for contingencies and renewal of the District. Should the RCTTC Board approve, funds may be appropriated for the renewal effort. If there are funds remaining at the end of the District term and lodging businesses choose to renew, these remaining funds could be transferred to the renewed District. If there are funds remaining at the end of the District and lodging businesses choose not to renew, any remaining funds will be spent consistent with this Plan or returned to assessed businesses in equal proportions to the assessment paid by each business.

In the first year of operations, the RCTBID may reimburse the City of Rancho Cordova for district formation costs, up to \$42,000. This reimbursement will be deducted from the budget categories pro-rata.

Rancho Cordova Tourism Business Improvement District Draft Annual Budget, Years One through Five

Category	Percent	Dollar Amount
Sales and Marketing	93%	\$539,400
City Collection Costs	2%	\$11,600
Contingency/Renewal	5%	\$29,000
Total Estimated Annual Budget	100%	\$580,000

Sales and Marketing

A sales and marketing program will promote Rancho Cordova as a tourist and meeting destination. The sales and marketing program will have a central theme of promoting Rancho Cordova as a desirable place to visit, and may include the following activities:

- Sports marketing
- Sales development
- Collateral and fulfillment (website, social media, graphic design, printed materials)
- Highway 50 Co-op marketing
- Public relations / publicity
- Photo library creation
- California Welcome Center, El Dorado Hills advertising
- Memberships

City Administration Fee

The City of Rancho Cordova shall be paid a fee equal to 2% of the amount of assessment collected to cover its costs of collection and administration.

Contingency/Renewal

A prudent portion of the budget will be set aside in a contingency fund, to be used for unforeseeable costs in carrying out the sales and marketing programs. If at the expiration of the district there are contingency funds remaining, and business owners wish to renew the district, the remaining contingency funds may be used for renewal costs.

F. Adjustments

Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget below shall remain the same. The City RCTTC board shall have the authority to adjust budget allocations between the categories below by no more than fifteen percent (15%) per year. If the Board chooses to fund a sports related capital improvement project as a catalyst to gaining events, it can do so by Board action, funding the improvement from the budget categories on a pro-rata basis.

VI. TBID GOVERNANCE

A. Owners' Association

The Rancho Cordova Travel and Tourism Corporation (RCTTC) shall serve as the Owner's Association for the RCTBID. The initial RCTTC Board of Directors shall have no less than seven and no more than nine members. No less than five, and no more than seven, members of the Board shall be representatives of assessed lodging businesses. One member shall be a representative of the City of Rancho Cordova, and one shall be a representative of the Rancho Cordova Chamber of Commerce.

B. Brown Act and California Public Records Act Compliance

The owner's association is subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act, designed to promote public accountability. The owners' association of a TBID is considered a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the RCTTC board must be held in compliance with the public notice and other requirements of the Brown Act. The Owner's Association is also subject to the record keeping requirements of the California Public Records Act.

C. Annual Report

The RCTTC board shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1).

APPENDIX 1 – THE PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994 STREETS AND HIGHWAYS CODE Division 18. Parking

*** THIS DOCUMENT IS CURRENT THROUGH 2009-2010 EXTRAORDINARY SESSIONS 1-5, ***
AND 7, AND URGENCY LEGISLATION THROUGH CH 4 OF THE 2010 REGULAR SESSION

§ 36600. Citation of part

This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

§ 36601. Legislative findings and declarations

The Legislature finds and declares all of the following:

(a) Businesses located and operating within the business districts of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.

(b) It is in the public interest to promote the economic revitalization and physical maintenance of the business districts of its cities in order to create jobs, attract new businesses, and prevent the erosion of the business districts.

(c) It is of particular local benefit to allow cities to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that benefits from those improvements.

(d) Assessments levied for the purpose of providing improvements and promoting activities that benefit real property or businesses are not taxes for the general benefit of a city, but are assessments for the improvements and activities which confer special benefits upon the real property or businesses for which the improvements and activities are provided.

§ 36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within a business improvement area. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

§ 36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

§ 36603.5. Part prevails over conflicting provisions

Any provision in this part that conflicts with any other provision of law shall prevail over the other provision of law.

§ 36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

§ 36605. [Section repealed 2001.]

§ 36606. "Assessment"

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and promoting activities which will benefit the properties or businesses located within a property and business improvement district.

§ 36607. "Business"

"Business" means all types of businesses and includes financial institutions and professions.

§ 36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with *Section 6500*) of *Chapter 5 of Division 7 of Title 1 of the Government Code*, the public member agencies of which includes only cities, counties, or a city and county.

§ 36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

§ 36610. "Improvement"

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the area.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

§ 36611. "Property and business improvement district"; "District"

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

§ 36612. "Property"

"Property" means real property situated within a district.

§ 36613. "Activities"

"Activities" means, but is not limited to, all of the following:

- (a) Promotion of public events which benefit businesses or real property in the district.

- (b) Furnishing of music in any public place within the district.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Activities which benefit businesses and real property located in the district.

§ 36614. "Management district plan"; "Plan"

"Management district plan" or "plan" means a proposal as defined in Section 36622.

§ 36614.5. "Owners' association"

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement activities and improvements specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with *Section 54950*) of *Part 1 of Division 2 of Title 5 of the Government Code*), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with *Section 6250*) of *Division 7 of Title 1 of the Government Code*), for all documents relating to activities of the district.

§ 36615. "Property owner"; "Owner"

"Property owner" or "owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. The city council has no obligation to obtain other information as to the ownership of land, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this subdivision requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient.

§ 36616. "Tenant"

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

§ 36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

§ 36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

§ 36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

§ 36621. Initiation of proceedings; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:

- (1) A map showing the boundaries of the district.
- (2) Information specifying where the complete management district plan can be obtained.
- (3) Information specifying that the complete management district plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

- (1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or

businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

§ 36622. Contents of management district plan

The management district plan shall contain all of the following:

(a) A map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district.

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected lands and businesses included. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements and activities proposed for each year of operation of the district and the maximum cost thereof.

(e) The total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the district.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof, including operation and maintenance. The plan may provide that all or any class or category of real property which is exempt by law from real property taxation may nevertheless be included within the boundaries of the district but shall not be subject to assessment on real property.

(l) Any other item or matter required to be incorporated therein by the city council.

§ 36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with *Section 53753 of the Government Code*.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with *Section 54954.6 of the Government Code*, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest which does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners of businesses in the proposed district which will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

§ 36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements or activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

§ 36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish the proposed property and business improvement district, the city council shall adopt a resolution of formation that shall contain all of the following:

(1) A brief description of the proposed activities and improvements, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement about whether bonds will be issued, and a description of the exterior boundaries of the proposed district. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties or businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements and activities to be provided in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements and activities funded by the assessments proposed to be levied.

(b) The adoption of the resolution of formation and recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

§ 36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in paragraphs (1) to (8), inclusive, of subdivision (b) of Section 36625, but need not contain information about the preliminary resolution if none has been adopted.

§ 36626.5. [Section repealed 1999.]

§ 36626.6. [Section repealed 1999.]

§ 36626.7. [Section repealed 1999.]

§ 36627. Notice and assessment diagram

Following adoption of the resolution establishing the district pursuant to Section 36625 or 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. If the assessment is levied on businesses, the text of the recorded notice shall be modified to reflect that the assessment will be levied on businesses, or specified categories of businesses, within the area of the district. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

§ 36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

§ 36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements and activities.

§ 36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a parking and business improvement area.

§ 36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and a new district established pursuant to this part.

§ 36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution establishing the management district plan described in Section 36622. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part shall be charged interest and penalties.

§ 36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

§ 36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

§ 36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

§ 36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

§ 36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention; Modification of improvements and activities by adoption of resolution after public hearing

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623 . Notice of all other public meetings and public hearings pursuant to this section shall comply with both of the following:

(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public meeting.

(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public meeting, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

§ 36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

§ 36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with *Section 6584*) of *Chapter 5* of *Division 7*

of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

§ 36641. [Section repealed 2001.]

§ 36642. [Section repealed 2001.]

§ 36643. [Section repealed 2001.]

§ 36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements and the activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

§ 36651. Designation of owners' association to provide improvements and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements or activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

§ 36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

§ 36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assesseees may request disestablishment of the district. The first such period shall begin one year

after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners of real property or of businesses in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

§ 36671. Refund of remaining revenues upon disestablishment of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – LODGING BUSINESSES TO BE ASSESSED WITHIN THE RCTBID

HOTEL	ADDRESS
Cordova Inn	10701 Folsom Blvd
Courtyard by Marriott	10683 White Rock Rd
Days Inn & Suites	3240 Mather Field Rd
Extended Stay #903	10721 White Rock Rd
Fairfield Inn & Suites	10745 Gold Center Dr
Hampton Inn	10755 Gold Center Dr
Hyatt Place	10744 Gold Center Dr
La Quinta Inn	11131 Folsom Blvd
Motel 6	10694 Olson Drive
Red Roof Inn	10800 Olson Dr
Residence Inn	2779 Prospect Park Dr
Vagabond Inn RC	10713 White Rock Rd
Comfort Inn	12249 Folsom Blvd.
Crossland #421	11299 Point East Drive
Hotel Sierra	11260 Point East Drive
Holiday Inn	11269 Point East Drive
Marriott	11211 Point East Drive

MEMORANDUM



DATE: October 18, 2010
TO: Honorable Mayor and Council Members
FROM: Cyrus Abhar, Chief Building Official
SUBJECT: RESOLUTION AND ORDINANCES ADOPTING LOCAL BUILDING CODES

RECOMMENDATION

- a) Adopt Resolution No. 113-2010; and
- b) Waive first readings and introduce Ordinance Nos. 22-2010 through 31-2010.

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 new codes 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 2010 CBSC have an effective date of January 1, 2011 and include the following:

1. 2010 California Building Code
2. 2010 California Residential Code
3. 2010 California Green Building Code
4. 2010 California Energy Code
5. 2010 California Plumbing Code
6. 2010 California Mechanical Code
7. 2010 California Electrical Code
8. 2010 California Fire Code

Although it is not a part of the CBSC, staff also recommends that the Council amend Chapter 16.36, "Swimming Pools," which adopts the 2009 edition of the Uniform Pool, Spa and Hot Tub Code.

These codes are applicable and enforceable at the local level. The City of Rancho Cordova may amend the CBSC as necessary to account for local climatic, geological or topographical conditions, or to clarify code requirements locally where state application is absent or unclear, but the City may not lessen the standards found in the adopted building codes.

AMENDMENT DRAFTING PROCESS

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 based on many years of development, and tens of thousands 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. Some are a result of coordination with local requirements by SMUD and/or the Sacramento Metropolitan Fire District. All modifications to building standards are connected to climactic, geographic and/or topographical findings as required by state regulation. Most of these are continuations of existing practices and amendments to previous code adoptions. See **Attachment 1** for a brief description of each locally proposed amendment to a building standard.

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 in the form of Resolution No. 113-2010 (**Attachment 2**). The filing will be made subsequent to the Council's adoption of the attached ordinances and the Resolution of Findings.

2010 CALIFORNIA BUILDING CODE APTION AND SIGNIFICANT CHANGES

Many of the amendments to the 2010 California Building Code were statutory provisions resulting in very few significant changes to building designs and permitting requirements. The codes are adopted by local jurisdictions by adopting Ordinances that incorporate the codes by reference and allow local amendments thereto. Ordinance Nos. 22-2010 through 31-2010, (**Attachments 3 through 12**), amend or add new chapters to the Ranch Cordova Municipal Code.

The most significant changes to the California Codes occur due to the adoption of the 2010 California Residential Code, the 2010 Energy Code and the 2010 California Green Building Code.

2010 California Residential Code

The 2010 California Residential Code (CRC) represents the first time a specific residential code has been adopted in California. The 2010 CRC consolidates and contains the building code requirements applicable to one and two family dwellings up to three stories in height, including townhouses up to three stories in height. The 2010 CRC is intended to provide residential designers with a consolidated code that contains all code requirements for residential building projects. The 2010 CRC is a prescriptive code which allows designers to design regularly shaped buildings of many materials without the involvement of professional engineers or architects. Provisions are provided within the code addressing general building requirements, energy efficiency requirements, structural, mechanical and plumbing requirements and electrical requirements.

One of the most significant new requirements contained in the 2010 CRC is Section R313 which requires fire sprinklers for all new townhomes and one and two family dwellings. Section R313 contains provisions for fire sprinkler system piping, sprinkler head ratings, location and coverage of fire sprinklers, water supply, inspection requirements and more. The 2010 CRC does not require fire sprinklers when performing alterations or additions to existing residential buildings when a fire sprinkler system does not already exist.

2010 California Energy Code

The 2010 California Energy Code (CEC) contains requirements related to the 2008 California Building Energy Efficiency Standards which went into effect January 1, 2010. Significant changes required by the 2008 California Building Energy Efficiency Standards, applicable to both residential and non-residential buildings, include requirements for high reflectance and high emittance for roofing products used on steep sloped roofs often referred to as the cool roof requirements. Steep sloped roofs include roofs with a roof slope in excess of 2:12.

2010 California Green Building Code

The 2010 California Green Building Code (GBC) is the first code of its type in the nation. Included within the GBC is a host of additional requirements tied to the issuance of a building permit. The purpose of the GBC is to significantly minimize the state's overall carbon footprint by reducing greenhouse gas emissions, reducing energy consumption, and promoting environmentally responsible and healthier places to live and work. Additionally, the provisions of the GBC are anticipated to reduce water use in buildings by 20 percent and divert 50 percent of construction waste from landfills.

In addition to cool roof requirements, significant changes effecting residential buildings include requirements for high efficacy occupant sensor controlled lighting, two speed pumps for swimming pools, and insulation requirements for under-slab hot water piping to mitigate heat loss.

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 November 15, 2010 City Council meeting.

REQUESTED MOTION

I move that the City Council adopt Resolution No. 113-2010, determining a need for local modifications to the California Building Standards Codes; introduce and waive the first reading of Ordinance Nos. 22-2010 through 31-2010 amending Rancho Cordova Municipal Code Chapters 16.02, 16.04, 16.24, 16.32, 16.36, and 17.04, and adding Chapters 16.06, 16.26, and 16.38 to the Rancho Cordova Municipal code relating to the adoption by reference and modification of the building standards codes and the Uniform Pool, Spa and Hot Tub Code.

ATTACHMENTS

1. Descriptions of Local Amendments
2. Resolution 113-2010, Resolution of Findings
3. Ordinance 22-2010 Amending Chapter 16.02, "Uniform Administrative Code"
4. Ordinance 23-2010 Amending Chapter 16.04, "Building Code"
5. Ordinance 24-2010 Amending Chapter 16.24, "Plumbing Code"
6. Ordinance 25-2010 Amending Chapter 16.28, "Electrical Code"
7. Ordinance 26-2010 Amending Chapter 16.32, "Mechanical Code"
8. Ordinance 27-2010 Amending Chapter 16.36, "Swimming Pools"
9. Ordinance 28-2010 Amending Chapter 17.04, "Fire Code"
10. Ordinance 29-2010 Adding Chapter 16.06, "Residential Building Code"
11. Ordinance 30-2010 Adding Chapter 16.26, "Energy Code"
12. Ordinance 31-2010 Adding Chapter 16.38, "Green Building Code"

SUMMARY OF 2010 BUILDING CODE UPDATES

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 California 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 2010 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.	1910.1

Plumbing Code (Attachment 5):

The 2010 California Plumbing Code is adopted by reference.	
Administrative regulations for private sewage disposal systems. This administratively allows Sacramento County Environmental Management to maintain regulatory authority over septic systems.	103.9
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.	313.4
This amendment administratively defines when the public sewer is available and limits the use of septic systems to coordinate with improvement standards and Sacramento County Environmental Management Department design standards.	713.4
This amendment administratively defines the rainfall design data for use in our geographic location.	D1.0

Electrical Code (Attachment 6):

The 2010 California Electrical Code is adopted by reference.	
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(A)
This amendment prohibits electrical equipment and conduit from being installed on any fence, excepting that conduit and equipment shall be permitted on metallic and masonry fences when installed with a continuous support system.	225.22(A)
This amendment requires a minimum clearance and supporting for raceways installed on roofs.	225.22(B)

• This amendment provides an additional level of safety for unprotected overhead service entrances.	230-28(A) and (B)
• 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 increases the depth of cover for an underground service to match SMUD requirements.	300-5(L).
• 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.	625.1(A)

Mechanical Code (Attachment 7):

The 2010 California Mechanical Code is adopted by reference.	
• No local amendments	

Swimming Pool Code (Attachment 8):

The 2009 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 2010 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	507
• These amendments establish the standards for requiring automatic fire sprinklers and their features within buildings	903.1.1 903.2.8 903.3.7.1 903.4.4 903.4.5 903.6.3

Residential Building Code (Attachment 10):

The 2010 California Residential Building Code is adopted by reference.	
This is an amendment which requires 4 inches of crushed rock beneath residential slab-on-grade construction and allows in addition to a polyethylene vapor retarder, other approved equivalent methods or materials to be used to retard vapor transmission through the floor 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.	506.2.3

Energy Code (Attachment 11):

The 2010 California Energy Code is adopted by reference.	
No local amendments	

Green Building Code (Attachment 12):

The 2010 California Green Building Code is adopted by reference.	
No local amendments	

CITY OF RANCHO CORDOVA

RESOLUTION NO. 113-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY 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, California Plumbing Code, California Electrical Code, California Fire Code, and the California Residential Code; and

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, work and play 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, the California Fire Code and the California Residential Code. The City's amendments to these subcodes are set forth in Rancho Cordova Ordinances 23-2010, 24-2010, 25-2010, 28-2010, and 29-2010, 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, has 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 Fahrenheit 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 lead 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 soil 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, 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 effects 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 discharge 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 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 23-2010, 24-2010, 25-2010, 28-2010, and 29-2010 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 on page 6 identifies the sections of the California Building, Residential, Plumbing, Electrical and Fire 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 Residential Code Section:	
R506.2.3	1g,3b
California Plumbing Code Section:	
313.4	3b,3c
California Electrical Code Section:	
210.25(A)1	1a,1b,1c,1d,1e,1f,2a,2b,2c,2d,2f,3a
225.22 (A) and (B)	1a, 1c, 1d, 1e, 2f, 3a, 3d
230.28(A)and (B)	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
625.1(A)	2e,3e
California Fire Code Section:	
315.3.3	1a, 1b, 1c, 1d, 1e, 2a, 2b, 2c, 2d, 2f, 3d
401.3.1.1	1a, 1b, 1c, 1d, 2a, 2b, 2c, 2d, 2f
503.1.1	1a, 1b, 1c, 1d, 2a, 2b, 2c, 2d, 2f
503.6.1	1a, 1b, 1c, 1d, 2a, 2b, 2c, 2d, 2f
505.1	1a, 1b, 1c, 1d, 2a, 2b, 2c, 2d, 2f
507.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2e, 2f
507.5.5.1	1c, 2a, 2b, 2f
901.7.1.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2c, 2f,3d
903.1.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
903.2.18.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
903.3.7.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
903.4.4	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
903.4.5	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
903.6.3	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
907.7.5.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
907.7.5.3	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
907.7.5.4	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
907.7.5.5	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
907.7.5.6	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f, 3d
2703.10.3.7	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f
3308	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f
B105.2	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2d, 2f
C104	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f
Table C105.1	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f
C106	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f
C107	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f
Chapter 47	1a, 1b, 1c, 1d, 1e, 1f, 2a, 2b, 2c, 2d, 2f

BE IT FURTHER RESOLVED that a copy of this resolution and the City of Rancho Cordova Ordinance Nos. 23-2010, 24-2010, 25-2010 28-2010, and 29-2010 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 the City of Rancho Cordova Ordinance No. 28-2010 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 the _____ day of _____, 2010.

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 22-2010

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
CHAPTER 1 – DIVISION II OF THE 2010 CALIFORNIA BUILDING CODE AND
CHAPTER 1 – DIVISION II 2010 CALIFORNIA RESIDENTIAL 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:

Chapter 16.02
UNIFORM ADMINISTRATIVE CODE

Sections:

<u>16.02.010</u>	Title.
<u>16.02.020</u>	Purpose.
<u>16.02.030</u>	Adoption of the Administrative Code.
<u>16.02.040</u>	Scope.
<u>16.02.050</u>	Definitions.
<u>16.02.060</u>	Amendments to the 2010 California Building Code and the 2010 California Residential Code.

16.02.010 Title.

This chapter 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 102 through 116 of Chapter 1 of the 2010 Edition of the California Building Code, Part 2, and Sections R102 through R114, of the 2010 Edition of the California Residential Code, Part 2.5, 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:

"California Building Code" means the current (2010) version of the California Code of Regulations Title 24, Part 2. The terms "California Building Code", "Building Code", and "CBC" are to be considered synonymous.

"California Residential Code" means the current (2010) version of the California Code of Regulations Title 24, Part 2.5. The terms "California Residential Code", "Residential Code", "Residential Building Code" and "CRC" are to be considered synonymous.

"Building Official" means 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 Division," "Building and Safety Division," "Administrative Authority," and "City" are to be considered synonymous respectively with the terms "Building Official," "Chief Building Official" and "Building Division" as they appear in the Rancho Cordova Administrative Code or the Technical Codes.

"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.

"Technical codes" refers to the following chapters of the Rancho Cordova Municipal Code (RCMC) 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 RCMC, Building Code;
2. Chapter 16.06 RCMC, Residential Code;
3. Chapter 16.24 RCMC, Plumbing Code;
4. Chapter 16.26 RCMC, Energy Code;
5. Chapter 16.28 RCMC, Electrical Code;
6. Chapter 16.32 RCMC, Mechanical Code;
7. Chapter 16.36 RCMC, Swimming Pools;
8. Chapter 16.38 RCMC, Green Building Code; and
9. Chapter 17.04 RCMC, Fire Code.

16.02.060 Amendments to the 2010 California Building Code and the 2010 California Residential Code.

Amended sections are referenced by the CBC code section and the CRC code section that is affected; example: "Section 105.2 / R105.2" references the CBC code section first, than the CRC code section.

A. Section 105.2 / R105.2, "Work exempt from permit" is amended to read as follows:

105.2 / R105.2 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) / R105.2 (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 of such structures with walls does not exceed 120 square feet, with a maximum 12 inch overhang or eave, and structures with four open sides do not exceed 120 square feet in roof area. All structures must meet set-back requirements as determined by the City Planning Department.
2. Fences not over 6 feet high.
3. Oil derricks.
4. Retaining walls that:
 - a. Are constructed of reinforced concrete or reinforced masonry and do not retain more than 36 inches 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 IIIA 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 story below, and not part of an accessible route (Non-residential only).
7. Sidewalks, and driveways (Residential only)

8. Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling, and do not serve the exit door required by Section R311.4 (Residential only)
9. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
10. Temporary motion picture, television and theater stage sets and scenery.
11. 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. Electrical pumps and decking not conforming to number "8" of this section are not exempt.
12. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
13. Swings and other playground equipment accessory to detached one and two-family dwellings. (Residential only)
14. 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. (Residential only)
15. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

105.2 (B) / R105.2 (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. (Residential only)
3. Listed cord-and-plug connected temporary decorative lighting.
4. Repair or replacement of current-carrying parts of any switch, conductor, or control device.
5. Reinstallation of attachment 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. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
10. Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
11. Low-energy power, control, and signal circuits of Classes I and II as defined in the Rancho Cordova Electrical Code.
12. 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) / R105.2 (C) Mechanical Permits.

See the 2010 California Mechanical Code Chapter 1, Division II, Part III, Section 112.2 for exempt work.

105.2 (D) / R105.2 (D) Plumbing Permits.

See the 2010 California Plumbing Code Chapter 1, Division II, Section 103.1.2 for exempt work.

105.2 (E) / R105.2 (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.

B. Section 105.2.2.1 / R105.2.2.1, "Limits on repair for R-3 and U occupancies", is added to read as follows:

105.2.2.1 / R105.2.2.1 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.

C. Section 105.3.2 / R105.3.2, "Time limitation of application," is amended to read as follows:

105.3.2 / R105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned based on the time frames shown in Table 105, calculated after the date of filing, unless such application has been pursued in good faith or a permit has been issued. The Building Official may extend the time for action for a period not exceeding 180 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken.

Any application not issued prior to the effective date of any new law, statute, provision, ordinance, or any revision or update to the same, that directly or indirectly applies to code regulation and enforcement, will be deemed void, and a new application shall be made, and new fees shall be calculated and collected at the rates currently in effect at the time of the new application.

D. Section 105.4.1 / R105.4.1, "Certificate of Construction," is added to read as follows:

105.4.1 / R105.4.1 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.

E. Section 105.4.2 / R105.4.2, "Certificate of Release," is added to read as follows:

105.4.2 / R105.4.2 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.

F. Section 105.5 / R105.5, "Expiration," is amended to read as follows:

105.5 / R105.5 Permit 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 the prescribed time frame, as determined in Table 105.

Before such work can be recommenced, the permit shall be renewed. The fee for renewal shall be equal to one-half the amount currently 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 the prescribed time frame, as determined in Table 105.

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 the prescribed time frame as determined in Table 105, the permittee shall pay a new full permit fee based on the currently enforced fee schedule. Permits deemed to have been expired shall be subject to all permit related fee increases, new fees and code requirements currently in effect at the time of permit renewal as applicable, subject to the discretion of the Building Official.

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.

TABLE 105

Permit Description (and Type)	Expiration Point for Plan Approval and Issuance of Permit
New Commercial Building (C-BLDG)	180 days from plan approval; 720 days from issuance of permit
Commercial Alteration, Tenant Improvement, Remodel (C-BLDG)	180 days from plan approval; 360 days from issuance of permit
Commercial Accessory Structure (C-OTHER)	180 days from plan approval; 360 days from issuance of permit
Commercial Incidental Permits (re-roof, Miscellaneous Plumbing, Electrical, Mechanical, Interior Demolition, etc.) (PME, REROOF, DEMO)	180 days from plan approval; 360 days from issuance of permit
Commercial Exterior Demolition – Full Structure (DEMO)	180 days from plan approval; 360 days from issuance of permit
Commercial Exterior Sign Permit (C-SIGN)	180 days from plan approval; 360 days from issuance of permit

Commercial Pool (POOL)	180 days from plan approval; 360 days from issuance of permit
New Residential Custom Homes (R-BLDG)	180 days from plan approval; 360 days from issuance of permit
New Residential Production Homes (P-BLDG)	180 days from plan approval; 720 days from issuance of permit; Model Homes do not expire as long as they are being used as models.
Residential Alteration, Remodel (R-BLDG)	180 days from plan approval; 360 days from issuance of permit
Residential Accessory Structures (R-OTHER)	180 days from plan approval; 360 days from issuance of permit
Residential Incidental Permits (re-roof, Miscellaneous Plumbing, Electrical, Mechanical, Interior Demolition, etc.) (PME, REROOF, DEMO)	180 days from plan approval; 180 days from issuance of permit
Residential Exterior Demolition – Full Structure (DEMO)	180 days from plan approval; 180 days from issuance of permit
Residential Pool and/or Spa (POOL)	180 days from plan approval; 360 days from issuance of permit
Master Plan Review (MASTERPLAN) – REVIEW ONLY	720 days from plan approval; extension of 360 days with written request

G. Section 105.7 / R105.7, “Placement of Permit,” is amended to read as follows:

105.7 / R105.7 Placement of permit. 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. The permit application, 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 completion of the work and final approval has been granted by the Building Official.

H. Section 109.2 / R108.2, “Schedule of permit fees,” is amended to read as follows:

109.2 / R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as prescribed by ordinance or resolution of the City of Rancho Cordova.

When submittal documents are required by Section 107 or Section R106, a plan review fee shall be paid at the time of submitting the 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 this Section 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 107.3.4.2 or R106.3.4, an additional plan review fee shall be charged as prescribed by ordinance or resolution of the City of Rancho Cordova.

I. Section R108.3, "Building permit valuations," is amended to read as follows:

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as structures, electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

J. Section R106.3.4, "Deferred Submittals," is added to read as follows:

R106.3.4 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period. Deferral of any submittal items shall have the prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the Building Official.

K. Section 109.6 / R108.5, "Refunds," is amended to read as follows:

109.6 / R108.5 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 no later than 180 days after the date of fee payment.

L. Section 109.7 / R108.7, "Re-inspection fee," is added to read as follows:

109.7 / R108.7 Re-inspection fee. A re-inspection fee may be assessed for any of the following reasons:

1. When such portion of work for which inspection is called is not completely ready or when previous corrections called for are not made.
2. When the job address is not clearly posted and visible from the street or the front of the building.
3. When there is a lack of access to the work to be inspected.
4. When the building permit is not posted on the job site.
5. When the approved plans are not readily available to the inspector.
6. When the building permit, or a copy, and any previous correction notice(s) are not readily available.
7. For deviating from plans requiring the approval of the Building Official.

This section is not to be interpreted as requiring re-inspection 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 re-inspection, the applicant shall pay any re-inspection fee as prescribed by ordinance or resolution of the City of Rancho Cordova.

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

M. Section 111.1 / R110.1, "Use and occupancy," is amended to read as follows:

111.1 / R110.1 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 therefor 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.

N. Section 112.1 / R111.1 "Connection of service utilities" is amended to read as follows:

112.1 / R111.1 Connection of service utilities. No person shall make connections from a utility, 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.

O. Section 112.2 / R111.2 "Temporary connections" is amended to read as follows:

112.2 / R111.2 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.

P. Section 112.3 / R111.3 "Authority to disconnect service utilities" is amended to read as follows:

112.3 / R111.3 Authority to disconnect service 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.

112.4 / R111.4 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.

SECTION 113 / R112 BOARD OF APPEALS

Q. Section 113.3.1 / R112.3.1, "Membership," is added to read as follows:

113.3.1 / R112.3.1 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 Building Official shall be an ex officio member and shall act as the secretary of the board of appeals.

R. Section 113.3.2 / R112.3.2, "Terms," is added to read as follows:

113.3.2 / R112.3.2 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.

S. Section 113.3.3 / R112.3.3, "Vacancies," is added to read as follows:

113.3.3 / R112.3.3 Vacancies. Vacancies shall be filled by appointment for the unexpired portion of the term.

T. Section 113.3.4 / R112.3.4, "Attendance," is added to read as follows:

113.3.4 / R112.3.4 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.

U. Section 113.3.5 / R112.3.5, "Secretary," is added to read as follows:

113.3.5 / R112.3.5 Secretary. The secretary shall have no vote except in the case of a tie vote.

V. Section 113.3.6 / R112.3.6, "Meetings," is added to read as follows:

113.3.6 / R112.3.6 Meetings. The board of appeals shall hold monthly meetings as needed.

W. Section 113.3.7 / R112.3.7, "Rules and Regulations," is added to read as follows:

113.3.7 / R112.3.7 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.

X. Section 113.3.8 / R112.3.8, "Granting Modifications," is added to read as follows:

113.3.8 / R112.3.8 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.

Y. Section 114.4 / R113.4, "Violation penalties," is amended to read as follows:

114.4 / R113.4 Violation Fee. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

A violation fee is separate and independent from other fees, 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 violation fee as herein provided shall be charged.

The violation fee shall be equal to the total permit fee, in addition to the total permit fee as prescribed in Chapter 16, Section 16.90 of the City of Rancho Cordova Municipal Code. The payment of such violation fee shall not exempt any person from compliance with other provisions of this Code, the Technical Codes, or from any penalty prescribed by law.

Z. Section 114.3.1 / R113.3.1, "Connection after order to disconnect," is added to read as follows:

114.3.1 / R113.3.1 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 utilities or 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 utilities or equipment for hookup by the service agency if the owner or contractor refuses to comply with other ordinances affecting the structure as a whole.

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 by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 23-2010

**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 2010 CALIFORNIA BUILDING CODE, AND BY
REFERENCE THE 2009 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

Sections:

- 16.04.010 Title.
- 16.04.020 Purpose.
- 16.04.030 Adoption of building codes.
- 16.04.040 Amendment of adopted codes.

Code reviser's note: For the statutory provisions adopting certain uniform codes for all buildings used for human habitation, see Section 17922 of the Health and Safety Code.

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 buildings and structures within this jurisdiction, and certain equipment specifically regulated herein.

16.04.030 Adoption of building codes.

The 2010 California Building Code, Part 2, Title 24 of the California Code of Regulations, (hereinafter referred to as the "CBC") Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in Section 18901 et seq. of the California State Health and Safety Code (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto, including the International Building Code, 2009 Edition, as published by the International Code Council, and as referenced in and adopted pursuant to Sections 17922 and 18935 of the California State Health and Safety Code (hereinafter referred to as the "IBC"), Appendix C (Agricultural Buildings), and Appendix I (Patio Covers) of the CBC, (hereinafter referred to as the "appendix"), are hereby adopted and incorporated by reference herein, excluding Sections 102 through 116 of Chapter 1 of the CBC, which are adopted pursuant to Chapter 16.02 Rancho Cordova Municipal Code (RCMC). Except as otherwise provided by this chapter and Chapter 16.02 RCMC, 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 RCMC 16.04.030, the State Code, the IBC and appendix are amended as follows:

A. Section 1910.1, "General," is amended to read as follows:

1910.1 General. 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. A 6-mil (0.006 inch; 0.15 mm) polyethylene vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the base course or subgrade and the concrete floor slab, or other approved equivalent methods or materials shall be used to retard vapor transmission through the floor slab.

Exception: A vapor retarder is not required:

1. For detached structures accessory to occupancies in Group R-3, such as garages, utility buildings or other unheated facilities.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m2) and carports attached to occupancies in Group R-3.
3. For buildings of other occupancies where migration of moisture through the slab from below will not be detrimental to the intended occupancy of the building.
4. For driveways, walks, patios and other flatwork which will not be enclosed at a later date.
5. Where approved based on local site conditions.

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 by the City Council of the City of Rancho Cordova on _____
day of October, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 24-2010

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 2010 CALIFORNIA PLUMBING CODE,
AND BY REFERENCE THE 2009 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

Sections:

<u>16.24.010</u>	Title.
<u>16.24.020</u>	Purpose.
<u>16.24.030</u>	Adoption of plumbing codes.
<u>16.24.040</u>	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 2010 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in Section 18901 et seq. of the California State Health and Safety Code (hereinafter referred to as the "State Code") and any rules and regulations promulgated pursuant thereto, including the Uniform Plumbing Code, 2009 Edition, as published by the International Association of Plumbing and Mechanical Officials, and as referenced in and adopted pursuant to Sections 17922 and 18935 of the California State Health and Safety Code (hereinafter referred to as the "UPC"), and Appendix Chapters 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 Rancho Cordova Municipal Code (RCMC), 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 RCMC 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 313.4 is amended to read as follows:

313.4 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 3-2 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.

Table 3-2 is amended to read as follows:

Table 3-2 ANODE SELECTION CHART						
Allowable length of coated and wrapped buried ferrous gas or water pipe for each size anode						
	Pipe Size					
Anode 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'

C. Section 713.4 is amended to read as follows:

713.4 The public sewer shall be permitted to be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto is located more than two hundred (200) feet (61 m) from the property line.

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

D 1.0 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 by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 25-2010

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 2010 CALIFORNIA ELECTRICAL CODE,
AND BY REFERENCE THE 2008 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

Sections:

- 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 2010 California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in Section 18901 et seq. of the California State Health and Safety Code (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto, including the National Electrical Code, 2008 Edition (excluding Annex G), as published by the National Fire Protection Association, and as referenced in and adopted pursuant to Sections 17922 and 18935 of the California State Health and Safety Code (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 Rancho Cordova Municipal Code (RCMC), 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 RCMC 16.28.030, the State Code and the NEC are amended as follows:

A. Article 210.25(A)1 is added to read as follows:

210.25(A)1 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 225.22(B) are amended 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 1/2" and be supported every 4' or less.

C. Article 230.28(A) and 230.28(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 1/2 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 1/2" rigid metal or intermediate metal conduit.

D. Article 230.70(D) is amended 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.

E. 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 2,000 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.

F. 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.

G. 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:

1. A new electric sign installation with new branch wiring.
2. A new electrical sign installation with existing branch wiring.
3. An electric sign repair and reinstallation.

H. 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 3/4 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.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 26-2010

**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 2010 CALIFORNIA MECHANICAL CODE,
AND BY REFERENCE THE 2009 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

Sections:

- 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 2010 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, 2009 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 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 by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 27-2010

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 2009 UNIFORM SWIMMING POOL, SPA
& HOT TUB CODE

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

Section 1. Title 16, Chapter 16.36, "Swimming Pools," is hereby amended to read as follows:

SWIMMING POOLS

Sections:

Article I. Barriers for Swimming Pools, Spas and Hot Tubs

- 16.36.110 General.
- 16.36.120 Definitions.
- 16.36.130 Requirements.
- 16.36.140 Request for approval.
- 16.36.150 Applicability.

Article II. Title, Scope and General

- 16.36.210 Swimming Pool, Spa and 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.

Article III. Amendments to the Uniform Swimming Pool, Spa and Hot Tub Code, 2009 Edition

- 16.36.310 Chapter 3 retitled.
- 16.36.320 Section 302, Turnover Time, amended.
- 16.36.330 Section 310, Wastewater Disposal, amended.
- 16.36.335 Section 317(a) amended.

Article I. Barriers for Swimming Pools, Spas and Hot Tubs 16.36.110 General.

The provisions of this article apply to the design and construction of barriers for swimming pools located on the premises of Group R, Division 3 occupancies.

16.36.120 Definitions.

For the purposes of this article, certain terms, words, and phrases are defined as follows:

Aboveground/On-Ground Pools - See definition of "swimming pool."

"Approved child safety device" means a swimming pool safety device that has been tested and listed by UL or any other independent testing agency that has been recognized and accepted by the chief building official, specifically for use as a swimming pool safety device, such as a tested and listed door alarm system or a tested and listed swimming pool cover.

“Barrier” means a fence, wall, building wall, or combination thereof that completely surrounds the swimming pool and obstructs access to the swimming pool.

“Grade” means the underlying surface such as earth or a walking surface.

Hot Tub - See definition of “swimming pool.”

In-Ground Pool - See definition of “swimming pool.”

“Separation fence” means a barrier which separates all doors of a dwelling unit with direct access to a swimming pool from the swimming pool.

Spa - See definition of “swimming pool.”

“Swimming pool” means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. This includes inground, aboveground, and on-ground swimming pools; hot tubs; portable and nonportable spas; and fixed-in-place wading pools.

“Swimming pool, indoor” means a swimming pool which is totally contained within a residential structure and surrounded on all four sides by walls of said structure.

“Swimming pool, outdoor” means any swimming pool which is not an indoor pool.

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."

16.36.140 Request for approval.

Any person desiring the approval of a swimming pool child safety device other than the type or kind mentioned in RCMC 16.36.130 shall file a written request for such approval with the Chief of the Building and Safety Division describing the type of child safety device. If, in the opinion of the Chief Building Official, the child safety device will afford equal protection to small children, the Chief shall approve the same in writing. The Chief shall establish specific compliance criteria for any such child safety device, which shall be installed and inspected for compliance therewith prior to filling the swimming pool with water.

16.36.150 Applicability.

This article is intended to, and does hereby, apply to swimming pools for Group R, Division 3 occupancies. Any public swimming pool shall meet the barrier requirements contained in Title 24, Part 2, Section 9024 of the California Code of Regulations.

Article II. Title, Scope and General

16.36.210 Swimming Pool, Spa and Hot Tub Code adopted.

The Uniform Swimming Pool, Spa and Hot Tub Code, 2009 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 RCMC, 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, 2009 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.

16.36.240 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 Official 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:

1. The construction of the swimming pool, spa, spa pool, hot tub, or other pool and the location thereof has been previously approved by the planning department; or the location of the swimming pool, spa, spa pool, hot tub, or other pool is specified on an approved tentative subdivision map.
2. 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.
3. The easements, prior to the recordation thereof, have been approved by the city attorney.

Article III. Amendments to the Uniform Swimming Pool, Spa and Hot Tub Code, 2009 Edition

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 re-titled in the Rancho Cordova Municipal Code to read "General Requirements – Private Pools."

16.36.320 Section 302, Turnover Time, amended.

Section 302 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

Section 302 Turnover Time. The entire design of matched components shall have sufficient capacity to provide a complete turnover of pool water in:

1. Private pools: 12 hours or less.
2. Wading pools: 2 hours or less.
3. Private spas and hot tubs: 1 hour or less.

16.36.330 Section 310, Wastewater Disposal, amended.

Section 310 of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

Section 310. Wastewater Disposal. No direct or indirect connection shall be made between any storm drain, sewer, drainage system, seepage pit, underground leaching pit, or subsoil drainage line and any line connected to a swimming pool unless approved by the administrative authority.

When wastewater from a swimming pool is permitted by the administrative authority to be disposed of through a public sewer, an approved 18-inch sump with a three inch diameter external trap shall be installed with a connection to a four inch diameter minimum house sewer and shall extend to a minimum of three inches above finished grade and below the finished floor. The connection between the filter waste discharge piping and the sump shall be made by means of an air gap.

Plans and specifications for any deviation from the above manner of installation shall first be approved by the administrative authority before any portion of any such system is installed. When wastewater disposal is to a seepage pit installation, it shall be installed in accordance with the approval granted by the administrative authority.

16.36.335 Section 317(a) amended.

Section 317(a) of the Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

(a) All pool, spa, and hot tub piping shall be inspected and approved before being covered or concealed. It shall be tested and proved tight to the satisfaction of the Chief Building Official, under a static water or air pressure test of not less than 35 psi for 15 minutes.

Exceptions:

- i. All exposed equipment need not be tested as required in this section.

- ii. Pool and/or spa solar systems and their related above-ground piping shall be tested under actual operating conditions.

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 by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 28-2010

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 2010 CALIFORNIA FIRE CODE, AND BY REFERENCE THE 2010 INTERNATIONAL FIRE CODE.

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

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

FIRE CODE

Sections

- 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 Code
- 17.04.090 High Explosives
- 17.04.100 Public Safety 800 mhz 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, 2010 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—, B and C (hereinafter referred to as the "Appendix"), are hereby adopted and incorporated by referenced 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 this ordinance, the provisions thereof 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 this 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, punishment by a fine not to exceed two hundred fifty dollars (\$250.00). Violation of 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 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.

17.04.80 Amendments of Adopted Code.

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

A. 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 106 – INSPECTIONS is amended by adding subsection 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.

3. SECTION 109 – VIOLATIONS is amended by adding subsection 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.

Section 109.3.2 is added as follows:

UNIFORM FIRE CODE BAIL SCHEDULE

SECTION	NATURE OF OFFENSE	PC	MA	BAIL PA	NCA	TOTAL
109.2.2*	NC W/ORDERS OR NOTICE	X		\$1000	\$1700	\$2700
109.3.4*	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.

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 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 County Emergency Access Gates and Barriers Standard. Private driveways on lightly traveled streets as determined by the Sacramento County, Department of Transportation or the

appropriate public works agency having jurisdiction, 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 Premises identification.

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. Subsection 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 507 – FIRE PROTECTION WATER SUPPLIES is amended as follows:

1. Subsection 507.1 "Required Water Supply" is amended to read as follows:

507.1 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. Section 507.5.5.1 "Vehicle parking" is added to read as follows:

507.5.5.1 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 901.7.1.1 "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:

EXCEPTION: Non-combustible, detached canopies open on four sides not exceeding the basic allowable square footage in the IBC 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 IBC.

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

2. Subsection 903.2.18.1 "Group U Occupancies" is added as follows:

903.2.18.1 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 approved.

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 903.6.3 "Existing sprinkler systems" is added to read as follows:

903.6.3 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 907.7.5.3 "Monitoring" is added to read as follows:

907.7.5.3 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.

2. Subsection 907.7.5.4 "Branch electrical circuits" 907.7.5.5, "Multi-building or zone monitoring," and 907.7.5.6, "Alarm transmission," are added to read as follows:

907.7.5.4 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.

907.7.5.5 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.

907.7.5.6 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.

3. Subsection 907.7.5.1 "Automatic telephone dialing devices" is amended to read as follows:

907.7.5.1 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 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.

L. 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 article and local and state regulations.

2. Section 3308.2 "Permit Application" is amended 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 Article 7 of Chapter 4.54 of the Sacramento County Code as presently constituted, and as hereinafter amended.

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 amended 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.

M. 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.

N. 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.

O. Chapter 47 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 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 shall rule.

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 permit 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 provisions 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 provisions 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 9

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 29-2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA ADDING CHAPTER 16.06, "RESIDENTIAL CODE" TO THE RANCHO CORDOVA MUNICIPAL CODE WHICH ADOPTS BY REFERENCE THE 2010 CALIFORNIA RESIDENTIAL CODE, AND BY REFERENCE THE 2009 INTERNATIONAL RESIDENTIAL CODE

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

Section 1. Title 16, Chapter 16.06, "Residential Code," is hereby added to read as follows:

RESIDENTIAL CODE

Sections:

<u>16.06.010</u>	Title.
<u>16.06.020</u>	Purpose.
<u>16.06.030</u>	Adoption of residential codes.
<u>16.06.040</u>	Amendment of adopted codes.

16.06.010 Title.

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

16.06.020 Purpose.

The purpose of the Rancho Cordova Residential 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 buildings and structures within this jurisdiction, and certain equipment specifically regulated herein.

16.06.030 Adoption of building codes.

The 2010 California Residential Code, Part 2.5, (hereinafter referred to as the "CRC") Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in Section 18901 et seq. of the California State Health and Safety Code (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto, including the International Residential Code, 2009 Edition, as published by the International Code Council, and as referenced in and adopted pursuant to Sections 17922 and 18935 of the California State Health and Safety Code (hereinafter referred to as the "IRC"), Appendix H (Patio Covers) of the CRC (hereinafter referred to as the "appendix"), are hereby adopted and incorporated by reference herein, excluding Sections R102 through R114, of the CRC, which are adopted pursuant to Chapter 16.02 Rancho Cordova Municipal Code (RCMC). Except as otherwise provided by this chapter and Chapter 16.02 RCMC, 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 IRC and the appendix.

16.06.040 Amendment of adopted codes.

Notwithstanding the provisions of RCMC 16.06.030, the State Code, the IRC and appendix are amended as follows:

A. Section R506.2.3, "Vapor retarder," is amended to read as follows:

R506.2.3 Vapor retarder. 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. A 6-mil (0.006 inch; 0.15 mm) polyethylene vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course or the prepared subgrade, or other approved equivalent methods or materials shall be used to retard vapor transmission through the floor slab.

Exception: A vapor retarder is not required:

1. For detached garages, utility buildings or other unheated accessory structures.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m2) and carports.
3. For driveways, walks, patios and other flatwork not likely to be enclosed at a later date.
4. Where approved by the building official, based on local site conditions.

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 by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 30-2010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA ADDING
CHAPTER 16.26, "ENERGY CODE" TO THE RANCHO CORDOVA MUNICIPAL CODE
WHICH ADOPTS BY REFERENCE THE 2010 CALIFORNIA ENERGY CODE

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

Section 1. Title 16, Chapter 16.26, "Energy Code," is hereby added to read as follows:

ENERGY CODE

Sections:

- 16.26.010 Title.
- 16.26.020 Purpose.
- 16.26.030 Adoption of Energy Code.

16.26.010 Title.

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

16.26.020 Purpose.

The purpose of the Rancho Cordova Energy 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 buildings and structures within this jurisdiction.

16.26.030 Adoption of Energy Codes.

The 2010 California Energy Code, Part 6, 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, 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, are hereby adopted and incorporated by reference herein. Except as otherwise provided by this chapter and Chapter 16.02 RCMC, 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.

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 by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 31-2010

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA ADDING
CHAPTER 16.38, "GREEN BUILDING CODE" TO THE RANCHO CORDOVA MUNICIPAL
CODE, WHICH ADOPTS BY REFERENCE THE 2010 CALIFORNIA GREEN BUILDING
STANDARDS CODE**

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

Section 1. Title 16, Chapter 16.38, "Green Building Code," is hereby added to read as follows:

GREEN BUILDING CODE

Sections:

16.38.010 Title.

16.38.020 Purpose.

16.38.030 Adoption of Green Building Codes.

16.38.010 Title.

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

16.38.020 Purpose.

The purpose of the Rancho Cordova Green 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 buildings and structures within this jurisdiction.

16.38.030 Adoption of Green Building Codes.

The 2010 California Green Building Standards Code, Part 11, 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, as published by the California Building Standards Commission, and as referenced in and adopted pursuant to California State Health and Safety Code Sections 17922 and 18935, are hereby adopted and incorporated by reference herein. Except as otherwise provided by this chapter and Chapter 16.02 RCMC, 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.

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 by the City Council of the City of Rancho Cordova on the _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

MEMORANDUM



DATE: October 18, 2010
TO: Honorable Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
SUBJECT: KILGORE CEMETERY PHASE 2 DESIGN PROJECT

RECOMMENDATION

Receive a presentation and direct staff to proceed with the Kilgore Cemetery Phase 2 Design Project.

RESULT OF RECOMMENDED ACTION

The Phase 2 Design Project will allow the City to offer in-ground burials at Kilgore Cemetery and provide several updated amenities at the facility.

BACKGROUND

In May 2007, the City celebrated the completion of the Phase I Kilgore Cemetery Restoration Project. That project included the construction of a niche wall for the placement of cremated remains, new landscaping and irrigation features, the construction of a fence and programmable entry gate, and the repair and improvement of existing markers and historic family plots. The Phase I project was a success and the Cemetery is one of the most valued historical assets in Rancho Cordova.

In September 2009, staff conducted an initial City Council workshop on the Phase 2 Design Project. The City Council directed staff to proceed with the following design concepts and principles:

- Preserve the historic design and feel of the Kilgore Cemetery;
- Construct a Veterans Memorial;
- Provide a variety of burial options and customer choices;
- Use the space efficiently to maximize the use of the existing Cemetery footprint;
- Provide safe and logistically efficient burial processes;
- Provide a restroom and storage facility.

The City Council also appointed Vice Mayor McGarvey and Council Member Budge as a subcommittee to assist staff on the implementation of the Phase 2 Design Project. They have attended several meetings with staff and participated in site visits to the Sacramento Valley National Cemetery and the City of Davis Cemetery.

DISCUSSION

Based upon the information gathered and discussions to-date resulting from the site visits and Council workshop, staff recommends the following elements for the Phase 2 Design Project:

- Installation of approximately 200 pre-bury vaults for in-ground casket burials;
- A Veterans Memorial feature;
- A new or upgraded burial register;
- Memorial benches;
- Landscaping and water feature, such as a reflecting pool or small fountain;
- A sidewalk leading to the restroom facility in the Kilgore Police station;
- Drinking fountain.

The preliminary schedule for the Phase 2 Expansion Project is as follows:

- Council direction to proceed (October 18, 2010)
- Award construction contract (Spring 2011)
- Complete construction and begin selling in-ground burials (Fall 2011)

FISCAL IMPACT

The preliminary cost estimate for the Phase 2 Design Project is \$1.3M. Based upon current estimates, the Cemetery will generate sufficient revenue at full build-out to repay the loan to the General Fund and to establish an endowment to partially fund ongoing operation and maintenance expenses. However, it is anticipated that it will take many years to sell all of the planned burials, and the General Fund will therefore continue to subsidize the Cemetery for the foreseeable future.