

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

Monday, November 1, 2010

5:30 p.m. – Regular Meeting

AGENDA



Ken Cooley, Mayor

Robert J. McGarvey, Vice Mayor

David Sander, Council Member

Linda Budge, Council Member

Dan Skoglund, Council Member

If Monday is a holiday, the meeting will be scheduled for the following Tuesday. Dates are subject to change.

If Monday is a holiday, the meeting will be scheduled for the following Tuesday. Dates are subject to change.

CITY HALL CLOSED



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

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

Monday, November 1, 2010

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

AGENDA

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

Deacon Walt Little, St. John Vianney Church, will give the invocation.

5. PRESENTATIONS

5.1 Presentation of Lifesaving Awards to Life Guards Julia Gifford, Kaylin Kemper, and Natalie Belous, and helper Chanel Willhite for near drowning. *Kevin or Gerald*

5.2 Presentation of proclamation to Rancho Learning Center Special Education Teacher Patricia Leonard "Miss Tricia", and nine students from various Rancho Cordova schools for helping to Improve the community through trash pickup along city streets.

6. PUBLIC COMMENT

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

Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking immediate action on any unagendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

7. COUNCIL REPORTS

8. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

- 8.1 **Subject:** Special and Regular **Meeting Minutes** of October 18, 2010.
Recommendation: Adopt Minutes.

- 8.2 **Subject:** 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 an **Additional Three Year Term**, from July 1, 2010 to June 30, 2013
Recommendation: Waive second reading and adopt Ordinance No. 32-2010 (**Roll Call Vote**)
Result of Recommended Action: Adoption of this 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

- 8.3 **Subject:** **Resolution Appointing Kristin Dilallo-Sherrill and City Staff Steve Harriman as Representatives to the Sacramento Cities/County Solid Waste Advisory Committee**
Recommendation: Adopt Resolution No. 122-2010.
Result of Recommended Action: Adoption of this resolution will appoint Mr. Steve Harriman and Ms. Kristin DiLallo-Sherrill as City representatives to Sacramento Cities/County Solid Waste Advisory Committee (SWAC) through December 2013, as well as ensure compliance with the local task force requirement of the California Integrated Waste Management Act (AB 939).
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 1, 4, 10, and 13

- 8.4 **Subject:** Resolutions Authorizing the City Manager to Execute Contract Change Orders with DeSilva Gates Construction and Fifth Contract Amendment with Wood Rodgers for the International Drive Extension Project

Recommendation: That Council:

- a) Adopt Resolution No. 123-2010 for DeSilva Gates Construction; and
- b) Adopt Resolution No. 124-2010 for Wood Rodgers; and

Result of Recommended Action: Adoption of these resolutions will authorize the City Manager to execute the contract change orders and amendment for contracts associated with the International Drive Extension project. Contract Change Orders (Construction Contract No. 117-2009) with DeSilva Gates Construction will increase the current contract amount from \$7,915,485 to \$8,160,485. Contract Amendment No. 141-2010 for engineering services with Wood Rodgers will increase the current Contract No. 87-2009 amount from \$1,023,380 to \$1,065,580.

Staff Report: Cyrus Abhar, Public Works Department

Advances Goals: 1 and 2

- 8.5 **Subject:** Resolution Authorizing the City Manager to Execute Contract Change Order Nos. 1 and 2 with Martin General Engineering for Construction of the Rossmoor Drive/Zinfandel Drive Street Maintenance Project in an Approximate Combined Amount of \$53,137

Recommendation: Adopt Resolution No. 126-2010.

Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute contract Change Order Nos. 1 and 2 with Martin General Engineering (Contract No. 38-2010), to increase the current contract amount from \$900,405 to \$956,542 for the construction of the Rossmoor Drive/Zinfandel Drive Street Maintenance Project. The contract time is increased by 8 days.

Staff Report: Cyrus Abhar, Public Works Department

Advances Goals: 1, 2, 6, and 7

- 8.6 **Subject:** Resolution Authorizing the City Manager to Execute First Contract Amendment, to Include an Amount Not to Exceed \$12,500 in Reimbursable Expenses for Fees Associated with Demolition Permits, and Contract Change Order No. 2 to Construction Services Agreement No. 6-2010 with Double B Demolition, Inc. in an Amount not to Exceed \$5,000 for the New Rancho Affordable Housing Redevelopment Project

Recommendation: Adopt Resolution 127-2010

Result of Recommended Action: Adoption of this resolution will authorize the City Manager to Execute First Contract Amendment and Contract Change Order No. 2 with Double B Demolition, Inc. These actions will amend the existing Construction Services Agreement, No. 6-2010, to include up to \$12,500 in reimbursable expenses for fees associated with demolition and hazardous waste abatement permits and to change the contract cost and scope to include \$5,000 for work outside of the originally intended scope of work. These actions will increase the original contract amount to \$189,015.15 plus up to \$12,500 for reimbursable expenses.

Staff Report: David Gassaway, Housing Administration

Advances Goals: 7, 9, and 11

- 8.7 **Subject:** Resolution Approving Participation in the Ratification of Sacramento County's New Operational Area Agreement for Emergency Response
Recommendation: Adopt Resolution No. 128-2010.
Result of Recommended Action: Adoption of this resolution would allow the City to be included in the New Operational Area Agreement for Emergency Response currently undergoing revision by the County of Sacramento. The City would become a partner agency responsible for coordinating emergency activities, and serve as a link in the system of communications and coordination between the state's emergency operations centers and the operation centers of the political subdivisions comprising our operational area.
Staff Report: Laurel Bane, Facilities Department
Advances Goal: 6

9. CONSENT PUBLIC HEARING ITEMS

NONE

10. PUBLIC HEARING ITEMS

NONE

11. REGULAR CALENDAR ITEMS

- 11.1 **Subject:** Legislative Update
Recommendation: Staff will update Council on recent legislation that is of interest to, or has an impact on, public agencies.
Result of Recommended Action: Council will receive a brief report on recent legislation.
Staff Report: Troy Holt, City Manager's Office
Advances Goals: 1 through 13
- 11.2 **Subject:** City Gateway Sign Design Concepts
Recommendation: That Council directs staff and the consultant team to further refine the proposed gateway sign designs and prepare construction documents for the funded Folsom Boulevard signs.
Result of Recommended Action: Final direction from Council will allow staff and the consultant team to prepare construction documents that may result in the construction of the first gateway sign as early as Fall 2011.
Staff Report: Paul Junker, Planning Department
Advances Goal: 1

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

13. CITY MANAGER'S REPORT

Department Update: Neighborhood Services Department: Code Enforcement and Animal Services Divisions

14. ADJOURNMENT

ADDITIONAL INFORMATION

Rancho Cordova Great Health Challenge - Rancho Cordova has launched a program intended to promote a healthier community by building awareness for those who live, work, play, or pray here. You are encouraged to join our commitment to get healthy, stay fit, and have fun! Go to <http://www.20tonsin2010.com/> to register.

UNLESS THE COUNCIL ADOPTS A MOTION TO EXTEND THE MEETING, ANY ITEM THAT IS NOT INITIATED BEFORE 11 P.M. WILL BE CONTINUED TO THE NEXT DAY AT 5:30 P.M. OR SCHEDULED ON THE NEXT REGULAR MEETING AGENDA OF THE COUNCIL.

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Rancho Cordova City Hall.

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

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

UPCOMING MEETINGS	
<i>Tuesday, November 9, 2010</i>	5:30 p.m. Closed Session on City Manager and Department Annual Review and Development
<i>Thursday, November 11, 2010</i>	VETERAN'S DAY – City Hall Closed
<i>Monday, November 15, 2010</i>	5:30 p.m. – 6:30 p.m. Regular Meeting (shortened) 6:30 p.m. – 10:00 p.m. Work Session on Update on Infrastructure and Developer Standards and Policies (BIA)
<i>Wednesday, November 24, 2010</i>	FURLOUGH DAY – City Hall Closed
<i>Thursday, November 25, 2010</i>	THANKSGIVING HOLIDAY – City Hall Closed
<i>Friday, November 26, 2010</i>	THANKSGIVING HOLIDAY – City Hall Closed
<i>Monday, December 6, 2010</i>	4:00 p.m. Study Session on Strong Neighborhoods 5:30 p.m. Regular Meeting
<i>Tuesday, December 7, 2010</i>	5:30 p.m. Work Session on Land Use Discussion / Mix of Residential and Nonresidential East of Sunrise
<i>Monday, December 20, 2010</i>	5:30 p.m. Regular Meeting
<i>Thursday, December 23, 2010</i>	CHRISTMAS HOLIDAY – City Hall Closed
<i>Friday, December 24, 2010</i>	CHRISTMAS HOLIDAY – City Hall Closed
<i>Monday, December 27, 2010</i>	FURLOUGH DAY – City Hall Closed
<i>Friday, December 31, 2010</i>	NEW YEAR'S EVE – City Hall Closed

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

DEPARTMENTAL GENERAL TELEPHONE NUMBERS	
Building Department	(916) 851-8760
City Attorney's Office	(916) 556-1531
City Clerk's Department	(916) 851-8720
City Manager's Office	(916) 851-8800
Communications Department	(916) 851-8791
Economic Development Department	(916) 851-8780
Finance Department	(916) 851-8730
Housing Department	(916) 851-8784
Human Resources Department	(916) 851-8740
IT Department	(916) 851-8700
Neighborhood Services – Animal Services	(916) 851-8770
Parks & Recreation (Cordova Recreation & Park District)	(916) 362-1841
Planning Department	(916) 851-8750
Public Works Department	(916) 851-8710
Rancho Cordova Police Department	(916) 875-9600
Redevelopment Department	(916) 851-8780
Sac Metro Fire District	(916) 859-4300

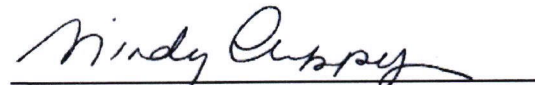
The Rancho Cordova City Council/CRA/RCFC will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast and SureWest Cable Systems. Closed Captioning will be available on the playback cablecast. Tune to Metro Cable Channel 14, for playback times. A VHS copy is available for check out from any library branch, a DVD copy is available from the City Clerk's Department, and a webcast of this meeting will be available for viewing via video streaming from the City's website within 48 hours of adjournment of this meeting. The City does not control scheduling of this telecast and persons interested in watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 851-8720 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Mindy Cuppy, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the November 1, 2010 regular meeting of the Rancho Cordova City Council/CRA/RCFC was posted and available for review on October 28, 2010 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city web site at www.cityofranhocordova.org.

Signed this 28th day of October, 2010 at Rancho Cordova, California.


Mindy Cuppy, City Clerk



**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**

MINUTES

A. SPECIAL MEETING – CALL TO ORDER / ROLL CALL

Mayor Cooley called the special meeting to order in the Community Board Room at 4:45 p.m.

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

Staff Members Present: Lindgren, Cuppy, Bren Lehr, Diamond, Brent Lehr, Haven, Abhar, Silva, Holt, and Simpson

B. PUBLIC COMMENT

NONE

C. STUDY SESSION 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

ACTION 1: Motion by Budge second by Sander and carried by a 5:0 vote; Council made the determination to hold a de novo hearing.

ACTION 2: Motion by Budge and second by Sander and carried by a 5:0 vote; Council denies Special Business License application of Walter M. Green, III pursuant to Rancho Cordova Municipal Code (RCMC) 4.10.065.

- The City Council has carefully reviewed and considered documents in the agenda packet and presented tonight.
- The City Council has completed an appeal in accordance with RCMC 4.10.115.
- Council has considered and concluded: There is evidence that the applicant has been convicted of crimes and has done acts involving dishonesty, fraud or deceit with intent to substantially injure another; and the City Council concludes that by reason of the crime or act the applicant would not conduct the enterprise in a law-abiding manner which does not subject patrons of the enterprise to risk of harm or criminal, deceitful or otherwise unethical practices (RCMC 4.1.020). The reasons to deny the issuance of Mr. Green's business license are the record facts reviewed tonight, facts in the Department of Justice record, crimes since 2009, and current and ongoing probation. Council had specific concerns of the applicant being able to legally conduct business activities. Council made recommendations and suggestions to help the applicant understand how he can conduct his business in a lawful manner and in a way that may not place citizens in jeopardy.

Council directed staff to refund all of the fees paid by Mr. Green in applying for a business license.

D. ADJOURNMENT OF STUDY SESSION

Mayor Cooley did not adjourn the special meeting to closed session. Mayor Cooley adjourned the special meeting to regular meeting in the David B. Roberts Council Chambers at 6:19 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 6:28 p.m.

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

Staff Members Present: Abhar, Lindgren, Cuppy, Lehr, Diamond, Simpson, Haven, Junker, Silva, Snyder, Samuelson, Sparkman, Harriman, Holt, Williams, Cuff, Blair, Snipes, Stewart, Campbell, and Flory

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Mayor announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on Chief Dan Drummond to lead the Pledge.

4. INVOCATION

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

5. OPEN SESSION – REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that the Council upheld prior staff determinations and denied the special business license of Walter M. Green, III, and did not go into closed session to continue discussions of the item.

6. PRESENTATIONS

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

7. PUBLIC COMMENT

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

- Scottie Moore regarding National Feral Cat Day and thanking the Council for their support

Mayor Cooley closed the public comment period.

8. COUNCIL REPORTS

Council Members reported on events since the last meeting.

9. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

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

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 the City Manager to Execute Regulatory Agreement with UHC 00516 Rancho Cordova, L.P. and Take Related Actions for the Crossings at New Rancho Redevelopment Project

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

GROWING STRONG NEIGHBORHOODS

9.3 **Subject:** Community Redevelopment Agency Resolutions Authorizing the Agency Executive Director to Execute a Regulatory Agreement with UHC 00516 Rancho Cordova, L.P. and Take Related Actions for the Crossings at New Rancho Development Project

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

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

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

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

ACTION: Motion by Sander second by Budge and carried by a 5:0 roll call vote; Council determined the proposed project to be Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA) and adopted Resolution No. 118-2010.

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

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

ACTION: Motion by Budge second by Skoglund and carried by a 5:0 roll call vote; Council waived first reading and introduced Ordinance No. 32-2010 and adopted Resolution No. 120-2010.

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

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

- Jane Daly in support of hotel travel and Tourism Business Improvement District

Mayor Cooley closed the public comment period.

ACTION: Motion by Budge second by McGarvey and carried by a 5:0 roll call vote; Council allowed for public testimony on the establishment of the proposed Rancho Cordova Tourism Business Improvement District.

- 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

GROWING STRONG NEIGHBORHOODS

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

ACTION: Motion by Budge second by Cooley and carried by a 5:0 roll call vote; Council adopted Resolution No. 113-2010 and waived first readings and introduced Ordinance Nos. 22-2010 through 31-2010.

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

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

ACTION: Motion by Budge second by McGarvey and carried by a 5:0 roll call vote; Council received the presentation and directed staff to proceed with the Kilgore Cemetery Phase 2 Design Project.

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

NONE

14. CITY MANAGER'S REPORT

Planning Director Paul Junker Reported on the following Planning Department Updates:

- Project Status - October 2010 - Total Projects: 422
- Current Planning
 - Planning Staff
 - Current Planning Functions
- Westborough Project
- Rio del Oro Project
- Sunridge Specific Plan
- The Rancho Project
- Suncreek Specific Plan
- The Arboretum – Weagell Project
- Special Projects
 - City Gateways
 - Development Agreement Compliance
 - South Sacramento Habitat Conservation Plan
 - Support on Permitting and Litigation Issues
- Advanced Planning Programs
 - Zoning Code Minor Amendments
 - Specific Plans
 - Special Planning Areas
- Convention District Overlay
- Folsom Boulevard Specific Plan Amendments
- South Sunrise Special Planning Area
- Zoning Code Sign Regulations

15. ADJOURNMENT

Mayor Cooley adjourned the regular meeting at 9:25 p.m. in memory of Fire Fighter James Saunders.

Mindy Cuppy, CMC, City Clerk

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.cityofranhocordova.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.

MEMORANDUM



DATE: November 1, 2010

TO: Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: RESOLUTION APPOINTING STEVE HARRIMAN AND KRISTIN DILALLO-SHERRILL AS CITY REPRESENTATIVES TO THE SACRAMENTO CITIES/COUNTY SOLID WASTE ADVISORY COMMITTEE

RECOMMENDATION

Adopt Resolution No. 122-2010.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will appoint Mr. Steve Harriman and Ms. Kristin DiLallo-Sherrill as City representatives to Sacramento Cities/County Solid Waste Advisory Committee (SWAC) through December 2013, as well as ensure compliance with the local task force requirement of the California Integrated Waste Management Act (AB 939).

BACKGROUND AND SUMMARY

SWAC addresses two fundamental needs regarding local solid waste and recycling issues. First, SWAC satisfies the requirement of AB 939 that all California jurisdictions convene a Local Task Force to advise local elected officials on solid waste and recycling plans, programs, strategies, and facilities. Second, SWAC provides a forum for the local jurisdictions within Sacramento County to discuss and coordinate on regional issues, including long-range facility planning, collaborative development of programs and strategies, uniform regulation of commercial solid waste haulers and recyclers, and implementation of regional public education and outreach campaigns.

FISCAL IMPACT

SWAC members serve without compensation. There are therefore no fiscal impacts resulting from the adoption of Resolution No. 122-2010.

ISSUES AND DISCUSSION

Resolution No. 122-2010 appoints the following Rancho Cordova representatives to SWAC through December 2013:

- Steve Harriman: Mr. Harriman currently serves as the City's Integrated Waste Manager. He was appointed as the City's SWAC representative in 2007 and currently serves as Chair.

- Kristin DiLallo-Sherrill: Ms. DiLallo-Sherrill currently serves as the Business Development Manager for California Electronic Asset Recovery, which is an electronics recycling firm located at Mather. CEAR currently recycles all of the electronic waste materials collected by Allied Waste Services in the City's residential collection programs. In addition, CEAR has partnered with the City on the Weed and Seed Program and the annual Earth Day e-waste collection event at City Hall. Ms. DiLallo-Sherrill brings vast knowledge and experience and will be a great asset to SWAC.

MOTION

"I move that the City Council adopt Resolution No. 122-2010 appointing Steve Harriman and Kristin Dillallo-Sherrill as City representatives to SWAC through December 2013."

ATTACHMENT

Resolution No. 122-2010.

CITY OF RANCHO CORDOVA

RESOLUTION NO.122-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPOINTING RANCHO CORDOVA REPRESENTATIVES TO THE
SACRAMENTO CITIES/COUNTY SOLID WASTE ADVISORY COMMITTEE**

WHEREAS, Assembly Bill 939 (AB 939), the California Integrated Waste Management Act of 1989, mandates that each City and County in California develop programs and strategies to divert 50% of generated waste materials from landfill disposal; and

WHEREAS, AB 939 requires each county, in cooperation with local cities, to form a Local Task Force to assist with integrated waste management planning and advise local elected officials on solid waste issues; and

WHEREAS, the Sacramento Cities/County Solid Waste Advisory Committee (SWAC) is the Local Task Force for Sacramento County and its cities; and

WHEREAS, SWAC provides a forum for the jurisdictions within Sacramento County to discuss and coordinate on a variety of regional issues, as well as provide valuable comment and feedback to local elected officials; and

WHEREAS, the proposed Rancho Cordova SWAC representatives will represent the City's interests on SWAC as well as provide valuable input on the discussion and development of regional solid waste and recycling programs, facilities and strategies; and

WHEREAS, the members of the committee shall serve without compensation.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA does hereby appoint Steve Harriman and Kristin DiLallo-Sherrill as the City's SWAC representatives through December 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: November 1, 2010

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: RESOLUTIONS AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDERS WITH DESILVA GATES CONSTRUCTION AND FIFTH CONTRACT AMENDMENT WITH WOOD RODGERS FOR THE INTERNATIONAL DRIVE EXTENSION PROJECT

RECOMMENDATION

- a) Adopt Resolution No. 123-2010 for DeSilva Gates Construction; and
- b) Adopt Resolution No. 124-2010 for Wood Rodgers; and

RESULT OF RECOMMENDED ACTION

Adoption of these resolutions will authorize the City Manager to execute the contract change orders and amendment for contracts associated with the International Drive Extension project. Contract Change Orders (Construction Contract No. 117-2009) with DeSilva Gates Construction will increase the current contract amount from \$7,915,485 to \$8,160,485. Contract Amendment No. 141-2010 for engineering services with Wood Rodgers will increase the current Contract No. 87-2009 amount from \$1,023,380 to \$1,065,580.

BACKGROUND

Contract Change Orders to DeSilva Gates Construction contract

The work performed under the construction contract includes the furnishing of all labor, materials and equipment for construction of the extension of International Drive as a six-lane roadway from Kilgore Road to Sunrise Boulevard.

Included in the project is the widening of Sunrise Boulevard to allow a six-lane configuration, two new signalized intersections at Monier Circle/Sunrise Boulevard/International Drive and at Kilgore Road/International Drive and a new bridge over Folsom South Canal. Also included are raised concrete medians, retaining walls, bike paths and sound walls.

The current change orders are for revisions to the sanitary sewer system, unusual site conditions, utility conflicts, repair work to the Folsom South Canal, landscaping revisions, storm drain tie-in adjustment, and construction acceleration costs.

The estimated costs associated with these change orders total \$245,000 bringing the total contract amount to \$8,160,485.

Contract Amendment to Wood Rodgers, Inc. contract for Engineering Services and Construction Staking

The City previously entered into a consultant services agreement with Wood Rodgers, Inc. in 2006 to provide engineering design services for the International Drive Extension Project. Subsequent amendments to the contract were made for design modifications resulting from the City being awarded federal grants to provide additional improvements and enhancements from the Regional Surface Transportation Program and the SACOG 2008 Bicycle & Pedestrian Funding Program.

This amendment will allow additional construction staking, technical support, and additional construction engineering services in the amount of \$42,200.

FISCAL IMPACT

The project budget has sufficient contingency to cover the cost of the requested change order for this contract.

ATTACHMENTS

1. Resolution 123-2010.
2. Resolution 124-2010 including (**Exhibit 1A**) Fifth Contract Amendment No. 141-2010.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 123-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDERS
WITH DESILVA GATES CONSTRUCTION FOR CONSTRUCTION OF
THE INTERNATIONAL DRIVE EXTENSION PROJECT**

WHEREAS, the City recommended on October 5, 2009 to award the City's International Drive Extension Project to the lowest responsive bidder, DeSilva Gates Construction in the amount of \$7,684,408; and

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

WHEREAS, the City recommends the City Council authorizes the City Manager to execute contract change orders with DeSilva Gates Construction in the total amount of \$245,000; and

WHEREAS, the total amount of the change orders exceed 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 with DeSilva Gates Construction.

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

RESOLUTION NO. 124-2010

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE A FIFTH CONTRACT AMENDMENT
WITH WOOD RODGERS INC. TO PROVIDE ENGINEERING SERVICES FOR THE
INTERNATIONAL DRIVE EXTENSION PROJECT**

WHEREAS, on November 6, 2006, the City of Rancho Cordova executed an agreement with Wood Rodgers, Inc. provide professional engineering services for the design and preparation of plans, specifications and estimates (PS&Es) for the International Drive Extension Project; and

WHEREAS, subsequent amendments to the contract were made for design modifications resulting from the City being awarded federal grants to provide additional improvements and enhancements; and

WHEREAS, since execution, the City Council has authorized four amendments to the original contract due to changes to the scope of work and cost estimates that were necessary to reflect changes in public outreach, Right-of-Way acquisition, changes in the design plans; and

WHEREAS, the City has received a revised scope of work and cost estimate for specific services in the amount of \$42,200; and

WHEREAS, the City wishes to extend the contracted amount to \$1,065,580; and

WHEREAS, those services will exceed the maximum amount that the City Manager has the authorization to approve.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF RANCHO CORDOVA that the Council authorizes the City Manager to execute a fifth contract amendment (**Exhibit 1A**) with Wood Rodgers, Inc., Consultant, in a form approved by the City Attorney.

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

**FIFTH AMENDMENT TO THE CONSULTING SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND WOOD RODGERS, INC.**

This Fifth Amendment to the Agreement for Consultant Services ("Amendment") is made by and between the City of Rancho Cordova ("City") and Wood Rodgers, Inc. ("Consultant") as of _____, 2010 to provide engineering services for the International Drive Extension Project. City and Consultant are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a Consultant Services Agreement ("CSA") dated November 6, 2006 for the purpose of providing engineering services for the International Drive Extension Project; and

WHEREAS, this Amendment will provide additional construction engineer and staking, and litigation support services; and

WHEREAS, the Parties agree that changes to the term and services provided for in the CSA are necessary in order for the City to continue receiving services by Consultant.

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. The Parties agree to modify the end date of the CSA from 12/31/2010, to 6/30/2011. The first sentence of Section 1.1 of the CSA, "Term of Service," is amended to read as follows:

"The term of this Agreement shall begin on the date first noted above and shall end on 6/30/2011, and Consultant shall complete the work described in Exhibit A prior to that date; unless the term of the Agreement is otherwise terminated or extended, as provided in Section 8."

2. Section 2 of the CSA, "Compensation," provides for the City to pay Consultant a sum not to exceed \$1,023,380. The Parties agree to amend Section 2 of the CSA in order to increase the compensation amount to pay Consultant for additional services. The first sentence of Section 2 of the CSA is amended to read as follows:

"City hereby agrees to pay Consultant a sum not to exceed One Million Sixty Five Thousand Five Hundred and Eighty Dollars (\$1,065,580), notwithstanding any contrary indication that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

3. The document entitled "Scope of Work," attached hereto as Exhibit A, shall replace and supersede the CSA's Exhibit A.

4. The document entitled "Compensation Schedule," attached hereto as Exhibit B, shall replace and supersede the CSA's Exhibit B.
5. All other terms and conditions in the CSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.
6. The signatures of the Parties to this Amendment may be executed and acknowledged on separate pages or in counterparts which, when attached to this Amendment, shall constitute one complete Amendment.

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

CITY OF RANCHO CORDOVA

CONSULTANT

Ted A. Gaebler, City Manager

Mark Rayback, Principal

Date: _____

Date: _____

Attest:

Mindy Cuppy, City Clerk

Date: _____

Approved as to Form:

Adam Lindgren, City Attorney

Date: _____

1208092.1

EXHIBIT A



September 20, 2010

Ms. Kathy Garcia
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, California 95670

Re: Contract Amendment Request for Additional Professional Engineering Services for International Drive Extension Project

Dear Ms. Garcia:

As requested by the City of Rancho Cordova (City), Wood Rodgers, Inc. has prepared this letter requesting budget augmentation for ongoing support services related to the International Drive Extension project. There are several Tasks continuing that Wood Rodgers is actively involved in. Specifically, Construction Surveys, Litigation Support, and Construction Engineering Support activities are still occurring and are anticipated to continue for several months. This budget augmentation is for these additional services as part of our contract for the International Drive Extension Project. A description of the necessary changes, which are still being performed and continuing, are described in the Task modifications below for your concurrence:

Engineering Services

Task – Construction Staking

As previously discussed, Wood Rodgers has been tracking all “re-staking” activities as a separate item, yet billing for those services on a monthly basis. This, combined with the litigation support, has depleted the existing contract budget. Based upon our involvement and understanding of the work progress, anticipated effort is still needed to complete staking for; Vaults, Landscape Utilities, Edge of Pavement, Traffic Signals, Median Curb, Curb and Gutter, Sidewalks, Fencing, and Final Control. In addition, based upon the contractors past performance, we also anticipate an approximate 15% for re-staking of that effort.

Additional Budget

\$18,500

Task – Litigation Support Services

As you are aware, Wood Rodgers has been providing support to the City and its Counsel in the matter of Simon Building LLC versus the City. The plaintiff has alleged that they are entitled to additional compensation for real property that was acquired for the International Drive Extension project. At this point, Wood Rodgers' staff has been asked to provide general consultation, deposition, testimony, and exhibits in support of the City in this action. Wood Rodgers will make key staff available to the City and their attorneys for the purposes of fact finding, deposition, testimony, or other lawsuit-related activities. This will also likely include preparation of exhibits and/or project-related documents. At the present time, the trial is scheduled for early December 2010.

Since much of this effort is very likely dependent on specific needs, and is difficult to completely scope, Wood Rodgers will coordinate with the City Project Manager and gain approval for each activity requested prior to beginning the work. This approval will be summarized in an e-mail.

Additional Budget

\$17,000

Ms. Kathy Garcia
Contract Amendment Request for Additional Professional Engineering Services for
International Drive Extension Project
September 20, 2010
Page 2

Task – Additional Construction Engineering

Wood Rodgers will provide support for the remaining construction activities. These will include preparing response to RFI, reviewing and approving Material Submittals, and providing engineering support to the City.

Additional Budget \$6,000

Reimbursables

Copies, mileage, etc.

Additional Budget \$700

Wood Rodgers views the above changes as an increase to its Scope of Work and requests the authorization to increase the budget in the amount of \$42,200.

We look forward to continuing our involvement with you on this project and recommend your authorization. If you require additional information regarding this request, please feel free to contact me at (916) 440-8131.

Sincerely,
WOOD RODGERS, INC.



Mark Rayback, P.E.
Principal

8092 008/CO Litigation and ReStake.doc

cc: Britton Snipes/City of Rancho Cordova

EXHIBIT B



SACRAMENTO FEE SCHEDULE
Effective January 1, 2010

CLASSIFICATION	STANDARD RATE
Principal Engineer/Hydrogeologist/Surveyor/Planner/LA*II	\$185
Principal Engineer/Hydrogeologist/Surveyor/Planner/LA*	\$150
Associate Engineer/Hydrogeologist/Surveyor/Planner/LA*	\$140
Engineer/Hydrogeologist/Surveyor/Planner/LA*-III	\$125
Engineer/Hydrogeologist/Surveyor/Planner/LA*-II	\$115
Engineer/Hydrogeologist/Surveyor/Planner/LA*-I	\$95
Assistant Engineer	\$85
Resident Engineer	\$135
Inspector/Construction Project Manager	\$95
Cad Technician-III	\$95
Cad Technician-II	\$85
Cad Technician-I	\$75
Project Coordinator	\$70
Administrative Assistant	\$60
2-Person Survey Crew	\$230
3-Person Survey Crew	\$310
Consultants, Outside Services, Materials & Direct Charges	Cost Plus 10%
Overtime Work	Rate Plus 50%

*LA = Landscape Architect.

Blueprints, reproductions, and outside graphic services will be charged at vendor invoice.
Auto mileage will be charged at the IRS standard rate, currently 50 cents per mile.

Fee Schedule subject to change January 1, 2011.

MEMORANDUM



DATE: November 1, 2010
TO: Honorable Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director

SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NOS. 1 AND 2 WITH MARTIN GENERAL ENGINEERING FOR CONSTRUCTION OF THE ROSSMOOR DRIVE/ZINFANDEL DRIVE STREET MAINTENANCE PROJECT IN AN APPROXIMATE COMBINED AMOUNT OF \$53,137

RECOMMENDATION

Adopt Resolution 126-2010.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to execute contract Change Order Nos. 1 and 2 with Martin General Engineering (Contract No. 38-2010), to increase the current contract amount from \$900,405 to \$956,542 for the construction of the Rossmoor Drive/Zinfandel Drive Street Maintenance Project. The contract time is increased by 8 days.

BACKGROUND

The work performed under this contract included the placement of rubberized asphalt overlay and pedestrian improvements for Rossmoor Drive from Coloma Drive to Ambassador Drive. This project also included placement of an asphalt cape seal on Zinfandel Drive from Folsom Boulevard to Sunrise Boulevard. Construction began July 2010 and was completed October 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 increase of \$70,713. 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 \$14,575.

FISCAL IMPACT

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

ATTACHMENT

Resolution No. 126-2010 including **Exhibit A** (Change Orders 1 and 2)

CITY OF RANCHO CORDOVA

RESOLUTION NO. 126-2010

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY MANAGER
TO EXECUTE CONTRACT CHANGE ORDERS 1 AND 2 WITH MARTIN GENERAL
ENGINEERING FOR THE CONSTRUCTION OF THE ROSSMOOR DRIVE ZINFANDEL
DRIVE STREET MAINTENANCE PROJECT**

WHEREAS, the project was advertised in the Grapevine Independent on March 20 and 27, 2010, plans and specifications were also provided to local Builders Exchanges beginning March 19, 2010; and

WHEREAS, the bids were publicly opened on April 1, 2010 at 2729 Prospect Park Drive, Rancho Cordova 95670; and

WHEREAS, on May 3, 2010 the City Council awarded the Rossmoor Drive/Zinfandel Drive Street Maintenance Project to the lowest responsive bidder, Martin General Engineering in the amount of \$900,405; 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 hereby authorize the City Manager to execute contract change orders 1 and 2 (**Exhibit A**) with Martin General Engineering.

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:

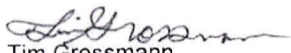
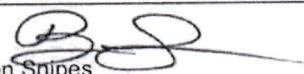
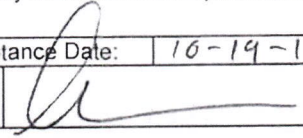
ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Mindy Cuppy, CMC, City Clerk

Project: Rossmoor Drive / Zinfandel Drive Street Rehabilitation Project		CITY OF RANCHO CORDOVA Contract Change Order No. 01		Sheet 1 of 2 Contract No. 38-2010 Project No. CP09-2072	
To: Martin General Engineering, 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 Martin General Engineering.					
Item 1	Deep lift Asphalt – The Contract Documents detail a 2" wedge grind around the perimeter and a profile grind at the intersections on Rossmoor Drive. During the course of grinding activities, it was noticed that on the side streets off of Rossmoor Drive, the existing pavement section was only 2-3 inches thick. This depth did not leave enough existing AC in order to allow for the required structural section. Therefore, the contractor was directed to excavate/grind out an additional 2-3 inches of material and replace it with dense grade asphalt. This would provide for a stable lift for the new rubberized AC overlay. This work was tracked at time and materials. The Contractor submitted time and materials tags and after an audit of the tags the total value of the work amounted to \$45,559.34. Increase the contract amount \$45,559.34.			INCREASE:	\$45,559.34
Item 2	Unsuitable Material Excavation – During the course of wedge grinding and profile grinding on Rossmoor Drive, the Contractor encountered unsuitable material at various locations. The existing material was very wet and pumping under the load of equipment. This material would not provide a stable base for the new rubberized AC overlay. Therefore, the Contractor was directed to excavate and remove the unsuitable material to a depth of approximately 12 inches. Geotextile Fabric (Goegrid) was then placed at the bottom of the excavation and backfilled with dry aggregate base. A lift of dense grade asphalt concrete was then placed to provide a stable base for the new rubberized AC overlay. This work was tracked at time and materials. The Contractor submitted time and materials tags and after an audit of the tags the total value of the work amounted to \$24,881.75. Increase the contract amount \$24,881.75.			INCREASE:	\$24,881.75
Item 3	Pavement Markers – The plans detail the installation of pavement markers throughout the project. The Standard Construction Specifications state that "Unless otherwise indicated in the Contract, measurement of thermoplastic traffic stripes shall <u>not</u> include the supply and installation of reflective pavement markers". The contract special provisions do not state otherwise and no payment method is indicated for the markers. Therefore, the City opted to only install pavement markers around the median islands on Zinfandel. The City requested that the Contractor provide a unit price cost proposal for the installation of these markers. The Contractor submitted and the City accepted the unit price of \$4.00/ea. A total of 68 markers were installed for a total cost of \$272.00. Increase the contract amount \$272.00.			INCREASE:	\$272.00

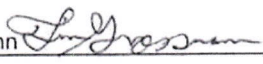
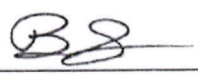
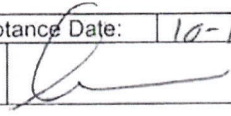
				INCREASED COST:		\$70,713.09	
Contract Summation:							
Original Contract: \$900,404.50		Change Order Totals: CCO1 - \$70,713.09		Revised Contract Total:		\$977,117.59	
By reason of this order the time of completion will be adjusted as follows: INCREASED BY 8 WORKING DAYS							
Submitted by:	 Tim Grossmann		Construction Manager/Resident Engineer City of Rancho Cordova		Date:	10-19-10	
Recommended Approval by:	 Britton Snipes		Project Engineer City of Rancho Cordova		Date:	10-20-10	
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:	10-19-10		Contractor:		Martin General Engineering		
By:			Title:		Project Mgr		
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						

Project: Rossmoor Drive / Zinfandel Drive Street Rehabilitation Project		CITY OF RANCHO CORDOVA Contract Change Order No. 02	Sheet 1 of 3 Contract No. 38-2010 Project No. CP09-2072	
To: Martin General Engineering, 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 Martin General Engineering.				
Item 1	Bid Item No. 06 - Adjust Manhole Frame and Cover to Grade, Adjust Valve Box to Grade - The Contract documents detail the raising of utilities to grade on Rossmoor Drive but are silent with regards to Zinfandel Drive. Since Zinfandel Drive was shown to receive a cape seal only, the raising of utilities is typically not necessary. However, Zinfandel Drive has been previously re-surfaced in the past and many of the existing utilities are already low. After the Cape Seal for this project was placed, the City determined that it was necessary to raise these utilities to grade to provide for a smooth surface in the traffic lane as well as the bike lanes. Since the number of utilities to be raised is significantly higher than the quantity in the contract, the City requested that the Contractor provide a new Unit Price to raise these utilities. The contractor provided and the City accepted the new Unit Price of \$495.00 Each. The City marked the utilities to be raised to grade and the Contractor performed the work. Approximately 75 utilities were raised to grade on the entire project. The original contract quantity was 15. Therefore, 125% (or 18.75) will be paid for at the original unit price of \$650.00ea. Bid Item #6 shall pay for 15 each and this change order shall pay for the remaining 3.75 each or \$2,437.50. The remaining 65.25 shall be paid for at the new unit price of \$495.00 for a total of \$27,843.75. Also, during the course of raising the utilities on Zinfandel, the Contractor found three frames that were in a state of disrepair. The contractor was directed to provide new frame and covers. The Contractor submitted a T&M sheet for the material amounting to \$675.34. Increase the contract amount by \$2,437.50 plus \$27,843.75 plus \$675.34 for a total of \$30,956.59.	INCREASE:	\$30,956.59	
Item 2	Bid Item No. 08 - Remove and Replace Curb, Gutter, and Sidewalk – The original contract quantity was 748 LF. However, this estimated quantity was calculated incorrectly. The actual quantity installed was 1,630 LF. This results in an increase to the Bid Item of 882 LF. Increase the contract value by 882 LF times the unit price of \$72.75/LF or \$64,165.50	INCREASE:	\$64,165.50	
Item 3	Bid Item No. 10 - Asphalt Rubber Hot Mix - Gap Graded - The original contract quantity was 1,300 TON. The actual quantity installed was 1,583.63 TON. This results in an increase to the Bid Item of 283.63 TON. Increase the contract value by 283.63 TON times the unit price of \$112.70/ton or \$31,965.10.	INCREASE	\$31,965.10	

EXHIBIT A

Item 4	Bid Item No. 11 – 6 Inch Dig out and Replace - The Plans detail a 6 inch asphalt dig out at various locations to repair failing base material. In a previous contract, the City had performed base repairs on Zinfandel Drive utilizing a 4 inch asphalt dig out. After evaluating the locations to be repaired, it was determined that the 4 inch repair would be sufficient. This would also provide a cost savings to the City and speed up the construction schedule. The City requested that the Contractor provide a new Unit Price for a 4 Inch repair in lieu of a 6 Inch repair. The Contractor submitted and the City accepted a new Unit Price of \$26.00 per square yard. The City marked the locations to be repaired and the Contractor performed the work. Approximately 1,683 square yards of 4 Inch repair was performed on the project. That amounts to a total of 1,683 SY times the new Unit Price of \$26.00/SY for a total of \$43,758.00. The deletion of the 6 Inch dig out is covered under Bid Item #11 below. Increase the contract amount \$43,758.00. The Original quantity of 6 Inch repair was 4,400 square yards at a Unit Price of \$33.80/SY. That amount to a cost savings of 4,400 SY times \$33.80/SY for a total savings of (\$148,720.00). Decrease the contract amount by (\$148,720.00) plus \$43,758.00 for a total of (\$104,962.00).	DECREASE:	(\$104,962.00)	
Item 5	Bid Item No. 12 - 12" Reinforced Concrete Pipe – The RCP Pipe was substituted with C900 Pipe. The original contract quantity was 310 LF. The actual quantity installed was 305 LF. This results in a decrease to the Bid Item of 5 LF. Decrease the contract value by 5 LF times the unit price of \$100/lf or \$500.00.	DECREASE:	(\$500.00)	
Item 6	Bid Item No. 16 – Type 5 Curb - The original contract quantity was 1,200 LF. The actual quantity installed was 1,255 LF. This results in an increase to the Bid Item of 55 LF. Increase the contract value by 55 LF times the unit price of \$16.00/lf or \$880.00.	INCREASE:	\$880.00	
Item 7	Bid Item No. 18 – Survey Monuments - The original contract quantity was 5 EA. The actual quantity installed was 6 EA. This results in an increase to the Bid Item of 1 EA. Increase the contract value by 1 EA times the unit price of \$555.00/ea or \$555.00.	INCREASE:	\$555.00	
Item 8	Bid Item No. 19 – 4" Thermoplastic Striping - The original contract quantity was 25,000 LF. The actual quantity installed was 25,712 LF. This results in an increase to the Bid Item of 712 LF. Increase the contract value by 712 LF times the unit price of \$0.25/lf or \$178.00.	INCREASE:	\$178.00	
Item 9	Bid Item No. 20 – 6" Thermoplastic Striping - The original contract quantity was 28,000 LF. The actual quantity installed was 24,672 LF. This results in an decrease to the Bid Item of 3,328 LF. Decrease the contract value by 3,328 LF times the unit price of \$0.40/lf or (\$1,331.20).	DECREASE:	(\$1,331.20)	
Item 10	Bid Item No. 21 – 8" Thermoplastic Striping - The original contract quantity was 650 LF. The actual quantity installed was 804 LF. This results in an increase to the Bid Item of 154 LF. Increase the contract value by 154 LF times the unit price of \$1.00/lf or \$154.00.	INCREASE:	\$154.00	
Item 11	Bid Item No. 22 – Thermoplastic Crosswalk and Pavement Markings - The original contract quantity was 5750 SF. The actual quantity installed was 5,149 SF. This results in a decrease to the Bid Item of 601 SF. Decrease the contract value by 601 SF times the unit price of \$2.20/sf or (\$1,322.20).	DECREASE:	(\$1,322.20)	
Item 12	Bid Item No. 23 – 4" Thermoplastic Traffic Stripe (Broken 17-7) - The original contract quantity was 11,000 LF. The actual quantity installed was 10,443 LF. This results in an decrease to the Bid Item of 557 LF. Decrease the contract value by 557 LF times the unit price of \$0.20/lf or (\$111.40).	DECREASE:	(\$111.40)	

EXHIBIT A

Item 13	Bid Item A3 - Modified Asphalt Binder Cape Seal - The original contract quantity was 60,400 SY. The actual quantity installed was 53,758 SY due to the deletion of the cape seal on Vehicle Drive. This results in a decrease to the Bid Item of 6,642 SY. Decrease the contract value by 6,642 SY times the unit price of \$5.30/sy or (35,202.60).		DECREASE:	(\$35,202.60)	
			DECREASED COST:	(\$14,575.21)	
Contract Summation:					
Original Contract: \$900,404.50		Change Order Totals: CCO1 - \$70,713.09 CCO2 - (\$14,575.21)		Revised Contract Total:	\$956,542.38
By reason of this order the time of completion will be adjusted as follows: INCREASED BY 0 WORKING DAYS					
Submitted by:	Tim Grossmann 	Construction Manager/Resident Engineer City of Rancho Cordova	Date:	10-19-10	
Recommended Approval by:	Britton Snipes 	Project Engineer City of Rancho Cordova	Date:	10-20-10	
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:	10-19-10	Contractor:	Martin General Engineering		
By:		Title:	Project MGR		
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: November 1, 2010

TO: Honorable Mayor and Council Members

FROM: David Gassaway, Housing Services Assistant

SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE FIRST CONTRACT AMENDMENT TO INCLUDE AN AMOUNT NOT TO EXCEED \$12,500 IN REIMBURSABLE EXPENSES FOR FEES ASSOCIATED WITH DEMOLITION PERMITS, AND CONTRACT CHANGE ORDER NO. 2 TO CONSTRUCTION SERVICES AGREEMENT NO. 6-2010 WITH DOUBLE B DEMOLITION, INC. IN AN AMOUNT NOT TO EXCEED \$5,000 FOR THE NEW RANCHO AFFORDABLE HOUSING REDEVELOPMENT PROJECT

RECOMMENDATION

Adopt Resolution 127-2010.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to Execute First Contract Amendment and Contract Change Order No. 2 with Double B Demolition, Inc. These actions will amend the existing Construction Services Agreement No. 6-2010 to include up to \$12,500 in reimbursable expenses for fees associated with demolition and hazardous waste abatement permits and to change the contract cost and scope to include \$5,000 for work outside of the originally intended scope of work. These actions will increase the original contract amount from \$134,246.00 to \$189,015.15 plus up to \$12,500 for reimbursable expenses.

BACKGROUND

Entitled the Urban Infill Demolition Project, the City recently demolished properties at 10422 Croetto Way, 2700, 2708, & 2728 Woodberry Way, and 10477 Folsom Boulevard. These five properties represented all three phases of demolition for Contract No. 6-2010, which was approved by the City Council (Resolution 5-2010) on February 16, 2010.

During the course of demolition of the final phase of the project (the Woodberry Gardens Apartments), the City's Code Enforcement Department requested to the Housing Division that plywood and bolts, used to secure the building from squatters and vandals while vacant, be removed for reuse on other properties within the City. Double B Demolition, Inc. ("Contractor") was instructed to remove plywood and bolts from the building at an approved cost of \$500. The plywood and bolts removed has an estimated

value of twice that which was approved for payment to Contractor (approximate value of \$1,000).

During the course of final grading for the demolition project, the Contractor uncovered below the ground approximately 100 linear feet of ACM 4" transite (asbestos cement) sewer line piping which was not identified in the plans and specifications for removal. The sewer line piping was determined to be constructed of a hazardous material and required removal prior to finalization of the project per hazmat standards. The Contractor was instructed to remove the piping at an approved cost of \$4,500.

Contract Change Order No. 2 (**Exhibit B**) authorizes the payment of an additional cost of \$5,000 to Contractor for construction services rendered outside of the original scope of work approved under Contract No. 6-2010 (\$134,246) or Contract Change Order No. 1 (\$50,269.15) to Contract No. 6-2010. Contract Change Order No. 2 brings the total cost for Urban Infill Demolition to \$189,015.15.

At the pre-bid meeting held for prospective contract bidders for the Urban Infill Demolition project, on January 4, 2010, it was made clear that the City would reimburse the selected contractor for all costs associated with fees for permits required to complete demolition. This agreement was further upheld at the pre-construction conference held between the City and Contractor prior to the start of demolition on, or about, March 29, 2010. However, the Standard Construction Contract used by the City, and approved by City Council on February 16, 2010, inadvertently failed to include reimbursable expenses as an eligible cost of the contract.

The First Contract Amendment to Contract No. 6-2010 (**Exhibit A**) adds to Section 4 of that contract eligible reimbursable expenses for fees associated with permits required for the completion of demolition in an amount not to exceed \$12,500. Permits necessary for the completion of demolition include the City of Rancho Cordova Building Permits as well as Sacramento Metropolitan Air Quality Management District permits for hazardous materials abatement.

Both Contract Change Order No. 2 combined with maximum reimbursable expenses would bring the total Contract 06-2010 amount, for Urban Infill Demolition, to a not to exceed amount of \$201,515.15.

ATTACHMENT

Resolution No. 127-2010 including (**Exhibit A**) First Contract Amendment to Contract No. 6-2010, and (**Exhibit B**) Change Order No. 2.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 127-2010

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE FIRST CONTRACT AMENDMENT, TO
INCLUDE AN AMOUNT NOT TO EXCEED \$12,500 IN REIMBURSABLE EXPENSES FOR
FEES ASSOCIATED WITH DEMOLITION PERMITS; AND CONTRACT CHANGE ORDER
NO. 2 TO CONSTRUCTION SERVICES AGREEMENT NO. 6-2010 WITH DOUBLE B
DEMOLITION, INC. IN AN AMOUNT NOT TO EXCEED \$5,000 FOR THE NEW RANCHO
AFFORDABLE HOUSING REDEVELOPMENT PROJECT**

WHEREAS, pursuant to State law, the City prepared a request for bids for the demolition of the Woodberry Gardens Apartments ("Project"). The request for bids was publicly advertised in the Sacramento Bee, the Grapevine Independent, and the City of Rancho Cordova Website on November 27, 2009 and December 4, 2009; and

WHEREAS, the bids received by the City for the Project were publicly opened on January 15, 2010 at City Hall located at 2729 Prospect Park Drive, Rancho Cordova, CA 95670; and

WHEREAS, on February 16, 2010, the City awarded a contract for the Project to the lowest responsive bidder, Double B Demolition, Inc. ("Contractor"), in the amount of \$134,246; and

WHEREAS, higher than anticipated levels of asbestos found in phase III of the demolition resulted in a change order in the amount of \$50,269.15, which was approved on September 20, 2010, by City Council Resolution No. 107-2010; and

WHEREAS, pursuant to the agreement between City and Contractor, and in accordance with information provided at an onsite pre-bid meeting with all potential bidding contractors on January 4, 2010, the City agreed to reimburse all costs incurred for required demolition and air quality permits. These reimbursable expenses were inadvertently not included in the original agreement and therefore, an amendment is required; and

WHEREAS, Contractor has also informed the City that unforeseen conditions were encountered during the final rough grading of the Project, which has resulted in the need for a change order to complete the Project; and

WHEREAS, the second requested contract change order is in the amount of \$5,000; and

WHEREAS, the attached amendment and change order will provide Contractor with the final compensation and reimbursement required for completion of the Project.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to 1) execute a First Amendment to the Construction Services Agreement (**Exhibit A**); and 2) a Contract Change Order No. 2 (**Exhibit B**) to the Construction Services Agreement No. 6-2010 with Double B Demolition, Inc., in forms approved by the City Attorney.

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

**FIRST AMENDMENT TO THE CONSTRUCTION SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND DOUBLE B DEMOLITION, INC.**

This First Amendment to the Construction Services Agreement ("Amendment") is made by and between the City of Rancho Cordova ("City") and Double B Demolition, Inc. ("Contractor") as of _____, 2010. City and Contractor are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a Construction Services Agreement ("CSA") dated February 17, 2010 for the purpose of providing demolition services; and

WHEREAS, this Amendment will modify the CSA to allow reimbursable costs of fees associated with required permits by the City and Sacramento Metropolitan Air Quality Management District; and

WHEREAS, the Parties agree that changes to the CSA are necessary in order for the fees to be reimbursed to Contractor.

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. Section 4.1 of the CSA, "Reimbursable Expenses," shall be added to the CSA for the purpose of reimbursing Contractor for agreed upon costs of fees associated with Demolition Permits required by the City of Rancho Cordova and Hazardous Materials Abatement Permits required by the Sacramento Metropolitan Air Quality Management District ("SMAQMD"). Section 4.1 of the CSA shall read as follows:

"4.1 Reimbursable Expenses. City hereby agrees to reimburse Consultant for all fees incurred as a result of permits required for the completion of work, as required by Section 2 of this Agreement, in a sum not to exceed Twelve Thousand Five Hundred Dollars (\$12,500), notwithstanding any contrary indication that may be contained in Contractor's proposal, for reimbursable costs incurred under this Agreement."

2. All other terms and conditions in the CSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.
3. The signatures of the Parties to this Amendment may be executed and acknowledged on separate pages or in counterparts which, when attached to this Amendment, shall constitute one complete Amendment.

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

CITY OF RANCHO CORDOVA

CONTRACTOR

Ted A. Gaebler, City Manager

Bob Blackwell, Owner

Date: _____

Date: _____

Attest:

Mindy Cuppy, City Clerk

Date: _____

Approved as to Form:

Adam Lindgren, City Attorney

Date: _____

1538600.1

To: Double B Demolition. 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:

Item No.	Removal and disposal of 100 linear feet of ACM 4" transite sewer	INCREASE:	\$4,500
1	line piping not identified in the plans.		
Item No.	Removal of plywood from doors and windows of Woodberry	INCREASE:	\$500
2	Gardens Apartments and return of materials to City of Rancho		
	Cordova Code Enforcement		
Item No.		INCREASE:	\$
3			

INCREASED COST:**Contract Summation:**

Original Contract: **\$184,515.15** Change Order Totals: **\$5,000** New Contract Cost Total **\$189,015.15**

By reason of this order the time of completion will be adjusted as follows: **NO ADDITIONAL WORKING DAYS**

Submitted by:	<u>Ryan Taylor</u>	Housing Services City of Rancho Cordova	Date: _____
Recommend Approval by:	<u>David Gassaway</u>	Housing Services Assistant City of Rancho Cordova	Date: _____
Recommend Approved by:	<u>Reed Flory</u>	Housing Services Administrator City of Rancho Cordova	Date: _____
	<u>Curt Haven</u>	Director Economic Development 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 Contractor: **Bob Blackwell**

Date: _____

By: _____ Title: President

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: *Housing Division*
City Clerk

Copies to: *Auditor's Office*

City Manager
City of Rancho Cordova

MEMORANDUM



DATE: November 1, 2010
TO: Honorable Mayor and Council Members
FROM: Troy Holt, Management Analyst II
SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION

Staff will update Council on recent legislation that is of interest to, or has a potential impact on, local government agencies.

RESULT OF RECOMMENDED ACTION

Council will receive a brief report on recent legislation.

BACKGROUND

Staff will make a brief report on recent state and federal legislation that is of interest to, or has a potential impact on, local government agencies.



State Legislation with Impacts to Local Governments

November 1, 2010

CHAPTERED STATE LEGISLATION	
Legislation	Description
SB 857 Parking Citations	Imposes a \$3 fee on all parking citations collected by local agencies to fund trial court operations included as part of the FY 2010-11 budget, beginning December 7, 2010. The new fee increases the existing \$4.50 parking citation fee that local agencies collect and transmit to the state, which was enacted in 2008 to fund court construction and operations. Provisions will sunset on July 1, 2013.
AB 2650 Medical Marijuana	Establishes a statewide 600 foot separation requirement between a medical marijuana establishment and a school for any local ordinances enacted after Jan. 1, 2011, pre-empting local land use control. Grandfathers in existing local ordinances regulating medical marijuana establishment locations.
AB 1668 City Councils	Extends the amount of time a city has to fill a city council vacancy from 30 to 60 days.
AB 1717 Electronic Ballot Access	Authorizes a city to implement an opt-in program where constituents can elect to receive their election materials electronically including their sample ballot, voter pamphlet, and directions to the nearest polling place.
SB 294 Regulation of Massage Businesses	Overrides charter city authority by specifying that establishing a uniform standard of certification and regulation of massage practitioners and massage therapists as a matter of statewide concern, and the massage therapy provisions apply to all cities and counties, including charter cities and charter counties.

VETOED / UNSUCCESSFUL STATE LEGISLATION	
Legislation	Description
SB 848 Transient Occupancy Taxes	Undermines the collection of local transient occupancy tax (TOT) revenues. This bill would have allowed Online Travel Companies (OTCs) to avoid meeting their legal obligations to remit the full amount of TOT revenue due to cities and counties. Would have undermined pending litigation over the duty of OTCs to remit the full amount of TOT revenues to cities and counties based on what the customer pays the OTCs as opposed to the lower wholesale rate they negotiate to pay the hotels.
AB 155 Local Government: Bankruptcy Proceedings	Provides that a local public entity may only file under federal bankruptcy law with the approval of the State Debt and Investment Advisory Commission.
AB 827 Contracts for Excluded Employees	Prohibits any "excluded employee" of a local agency from entering into a contract that includes an automatic renewal, an increase of compensation that exceeds cost of living, or compensation increases linked to another contract. "Excluded employee" also includes those performing governmental duties pursuant to a contract and at-will employees.
AB 1955 Local Government: Compensation	Requires the Controller to determine whether a city is an excess compensation city. Prohibits redevelopment agencies from performing specified functions relating to redevelopment plans. Requires certain employment contracts be ratified in open session after contract information is available on the agency's Web site.
AB 909 Red Light Violations: Right Turns	Reduces the base fine, largely the city's share of the citation, for turning right on a red light without coming to a complete stop from \$100 to \$35.



State Legislation with Impacts to Local Governments

November 1, 2010

CHAPTERED STATE LEGISLATION				
Legislation	Description	Bill Sponsor	Latest Status	Date
SB 857 Parking Citations	Imposes a \$3 fee on all parking citations collected by local agencies to fund trial court operations included as part of the FY 2010-11 budget. The new fee shall become operative 60 days after the enactment of the Budget Act of 2010. This places the operational date for the \$3 parking citation fee on Dec. 7, 2010 – 60 days after the Budget Act of 2010 was signed. These provisions will sunset on July 1, 2013 unless subsequent legislation or budget proposals extend or repeal the sunset date. The new fee increases the existing \$4.50 parking citation fee that local agencies collect and transmit to the state, which was enacted in 2008 to fund court construction and operations.	Senate Budget & Fiscal Review Committee	Chaptered by Secretary of State	10/19/10
AB 2650 Medical Marijuana	Establishes a statewide 600 foot separation requirement between a medical marijuana establishment and a school for any local ordinances enacted after Jan. 1, 2011, preempting local land use control. Grandfathers in existing local ordinances regulating medical marijuana establishment locations.	Buchanan	Chaptered by Secretary of State	9/30/10
AB 1668 City Councils	Extends the amount of time a city has to fill a city council vacancy from 30 to 60 days.	Knight	Chaptered by Secretary of State	7/6/10
AB 1717 Electronic Ballot Access	Authorizes a city to implement an opt-in program where constituents can elect to receive their election materials electronically including their sample ballot, voter pamphlet, and directions to the nearest polling place.	DeLeon	Chaptered by Secretary of State	7/19/10
SB 294 Regulation of Massage Businesses	Overrides charter city authority by specifying that establishing a uniform standard of certification and regulation of massage practitioners and massage therapists is a matter of statewide concern, and the massage therapy provisions should apply to all cities and counties, including charter cities and charter counties.	Negrete McLeod	Chaptered by Secretary of State	9/30/10
SB 0841, SB 0842, and SB 0843 Validations	Validates the organization, boundaries, acts, proceedings, and bonds of the state, counties, cities, special districts, school districts, redevelopment agencies, and other public agencies to enhance confidence in those actions and financial mechanisms.	Committee on Local Government	Chaptered by Secretary of State	4/28/10 8/23/10 8/23/10
AB 1867 Land Use: Local Planning: Housing Element Program	Changes only one (of many) requirements in which a rehabilitated housing unit may be counted toward accommodating a local agency's regional housing needs assessment. This allows local agencies to count a unit that is in part of a multifamily building of three or more units. The previous standard was four units. In addition, it adds a new condition that requires that an equal number or greater of new construction multi-family units to be constructed within the planning period in order to count rehabilitated units located in multifamily ownership housing complexes.	Harkey	Chaptered by Secretary of State	9/27/10
AB 2406 Redevelopment: Pooled Housing Funds	Authorizes redevelopment agencies in adjoining cities to create a joint powers authority in order to pool their housing funds to pay for the direct costs of constructing, substantially rehabilitating, and preserving the affordability of housing units affordable to extremely low income persons or households.	Blakeslee	Chaptered by Secretary of State	8/27/10
AB 2508 Housing: Infill Incentive Grant Program	Authorizes a city to request an exception to the density requirements of the Infill Infrastructure Grant (ILG) Program from the Department of Housing and Community Development (HCD).	Caballero	Chaptered by Secretary of State	9/27/10
SB 0812 Developmental Services: Housing Needs	Requires cities to obtain, assess and analyze information on the housing needs of individuals with developmental disabilities within the community within their special housing needs analysis.	Ashburn	Chaptered by Secretary of State	9/29/10

CHAPTERED STATE LEGISLATION (Cont.)

Legislation	Description	Bill Sponsor	Latest Status	Date
AB 2756 Mobile Billboard Displays	Authorizes cities and counties to regulate mobile billboards, including grounds for removal and penalties for violations of the locally adopted regulations.	Blumenfield and Feuer	Chaptered by Secretary of State	9/30/10
AB 1048 Child Safe Surrender Locations	Permits a child age 72 hours or younger to be accepted at a safe surrender location. Requires a designating entity to consult with the governing body of a city when selecting a location, if the safe-surrender site is within city limits, and with representatives of the applicable fire department and child welfare agency.	Torrico	Chaptered by Secretary of State	9/30/10
SB 1284 Minimum Mandatory Penalties Reform	Amends the minimum mandatory penalty (MMP) law by clarifying what violations are subject to MMPs. Specifically, SB 1284 states that minor and ministerial violations are not subject to MMPs. The bill also allows a discharger to petition their regional board for a five year extension in order to bring waste water discharge facility into compliance with effluent limits (dischargers would have up to five more years to get into compliance under this change).	Ducheny	Chaptered by Secretary of State	9/30/10
AB 634 Hazardous Recreational Activities.	This bill adds scuba diving to the list of recreational activities that public entities and public employees are provided qualified immunity from damages for injuries sustained by those divers on public property.	Harkey	Chaptered by Secretary of State	7/15/10
AB 1343 Solid Waste. Architectural Paint. Recovery Program	Requires paint manufacturers to implement a recovery program to manage waste paint.	Huffman	Chaptered by Secretary of State	9/28/10
AB 1814 Discrimination in Employment	Ensures that the California Fair Employment and Housing Act (FEHA) does not prohibit an employer from providing health benefits or health care reimbursement plans to retired persons by making state and federal law consistent to explicitly permit bridge retiree health benefits under FEHA.	Buchanan	Chaptered by Secretary of State	8/13/10
AB 2253 Workers' Compensation Cancer Presumption	Current law extends the cancer presumption for police and firefighters for a period of three months for every year of service up to five years. This bill extends the presumption from five to 10 years.	Coto	Chaptered by Secretary of State	9/30/10
AB 2294 Pedicabs Licensing	Authorizes a city or county to regulate pedicab operations within their jurisdiction, including requiring that operators have a driver's license and/or proof of completion of an approved bicycle safety program and state identification card.	Block	Chaptered by Secretary of State	9/30/10
AB 2347 Mortgage Defaults: Secondary Public Financing	Provides a modest extension to the foreclosure timeline for multi-unit dwellings if a public entity holds a deed of trust on the property or is party to a rent regulatory agreement.	Feuer	Chaptered by Secretary of State	9/30/10
AB 2398 Product Stewardship: Carpet.	This bill requires carpet manufacturers in California to implement product stewardship programs to increase the recycling rate of carpet in the state.	Perez, John	Chaptered by Secretary of State	9/30/10
SB 346 Brake Pads: Amounts of Copper	Requires the use of copper in brake pads sold in California to be reduced by no more than 5 percent by weight by 2021, and no more than 0.5 percent by 2025.	Kehoe	Chaptered by Secretary of State	9/27/10

VETOED / UNSUCCESSFUL STATE LEGISLATION				
Legislation	Description	Bill Sponsor	Latest Status	Date
SB 0848 Transient Occupancy Taxes	Undermines the collection of local transient occupancy tax (TOT) revenues. This bill would have allowed Online Travel Companies (OTCs) to avoid meeting their legal obligations to remit the full amount of TOT revenue due to cities and counties. Would have undermined pending litigation over the duty of OTCs to remit the full amount of TOT revenues to cities and counties based on what the customer pays the OTCs as opposed to the lower wholesale rate they negotiate to pay the hotels.	Hollingsworth	Failed in the Assembly	10/08/10
AB 155 Local Government: Bankruptcy Proceedings	Provides that a local public entity may only file under federal bankruptcy law with the approval of the State Debt and Investment Advisory Commission. Provides an exception. Provides an alternative procedure for a local entity to file under the federal bankruptcy law. Authorizes the public entity to file a petition under the law after the State Auditor has notified the entity of completion of its audit work and made public findings of that audit. Makes the local entity responsible for costs of the audit.	Mendoza	Failed in Senate	8/31/10
AB 0827 Contracts for Excluded Employees	Prohibits any "excluded employee" of a local agency from entering into a contract that includes an automatic renewal, an increase of compensation that exceeds cost of living, or compensation increases linked to another contract. "Excluded employee" also includes those performing governmental duties pursuant to a contract and at-will employees.	De La Torre	Vetoed by Governor	9/30/10
AB 1955 Local Government: Compensation	Requires the Controller to determine whether a city is an excess compensation city. Prohibits redevelopment agencies from performing specified functions relating to redevelopment plans. Requires certain employment contracts be ratified in open session after contract information is available on the agency's Web site.	La Torre	Failed in Senate	8/31/10
AB 0909 Red Light Violations: Right Turns	Reduces the base fine, largely the city's share of the citation, for turning right on a red light without coming to a complete stop from \$100 to \$35.	Hill	Vetoed by Governor	9/29/10
AB 0602 Land Use: Cause of Actions: Time Limitations	Seeks to expand the statute of limitations to challenge a housing element or other affordable housing decision to five years.	Feuer	Vetoed by Governor	9/30/10
SB 0194 CDBG: Entitlement Communities	Establishes a bad precedent for the state to attach conditions on how "entitlement communities" (more than 50,000) spend Community Development Block Grant (CDBG) funds received directly from the federal government. Though the requirements apply largely to counties, placing new conditions on these funds received directly by the federal government represents a new intrusion into local discretion.	Florez	Vetoed by Governor	9/25/10
AB 1155 Vehicles: Private Parking Facilities	Makes additional traffic laws - such as DUI, throwing objects from a vehicle, and failing to use child passenger restraints - enforceable on off-street, private parking facilities upon enactment of an ordinance or resolution by a city or county.	Strickland, A	Vetoed by Governor	7/15/10
AB 2317 Local Government. Nuisance Abatement	Authorizes cities and counties to collect fines related to nuisance abatement using a nuisance abatement lien or a special assessment in a streamlined and cost efficient process.	Saldana	Vetoed by Governor	9/30/10
AB 2531 Redevelop- ment: Job Generation	Clarifies and expands the authority of local redevelopment agencies to provide direct assistance to local job creation efforts through industrial and manufacturing uses. Eligible assistance would include funding equipment purchases, assisting job training, apprentice programs and small business incubators.	Fuentes	Vetoed by Governor	9/30/10
AB 2689 Rabies vaccinations	Expands the methods that cities can select to have proof of rabies vaccination for dogs submitted to them to include internet, email and fax options.	Smyth	Vetoed by Governor	7/06/10

VETOED / UNSUCCESSFUL STATE LEGISLATION (Cont.)

Legislation	Description	Bill Sponsor	Latest Status	Date
AB 2064 State and Local Government: Salary Disclosure	Requires each general law or charter city, county, city and county, special district, school district, and joint powers authority to post on its official Internet Web site annual salary information pertaining to specified persons including each elected and appointed official. Declares the intent of the Legislature to follow suit with its members and employees. Requires each constitutional officer to post his or her annual salary, any appointed or exempt deputies, and any appointed or exempt employees.	Huber	Failed in Senate	8/31/10
SB 0501 Local Government: Compensation Disclosure	Requires local government officers and designated employees to annually file a compensation disclosure form. Requires the Secretary of State to develop the reporting form. Requires specified local entities that maintain an Internet Web site to post the information contained on the form on that web site. Authorizes a district attorney or any interested person to commence an action by mandamus to enforce these provisions.	Correa	Failed in Assembly	8/31/10
AB 2545 Prepaid Communications Services: Taxes: Fees	Requires the Public Utilities Commission to conduct a public process to consult with, and hear comments from, interested parties for the purpose of developing recommendations for an equitable and uniform method of collecting state and local communications taxes, fees, and surcharges from prepaid communications end-user consumers, and to report those recommendations to the Legislature.	La Torre	Failed in Senate	8/31/10
AB 0482 Employment: Credit Reports	Prohibits an employer from using credit report information, for employment purposes, unless "substantially job related," which could result in confusion, disagreement, and litigation over what is a "substantially job related" purpose.	Mendoza	Vetoed by Governor	9/23/10
AB 0737 Solid Waste Diversion	Requires commercial recycling for businesses that generate more than four cubic yards of solid waste to arrange for recycling services.	Chesbro	Vetoed by Governor	9/28/10
AB 0853 Local Government: Disadvantaged Communities	Requires Local Agency Formation Commission, through their planning process, to identify service deficiencies in unincorporated disadvantaged communities without a funding source. Also imposes a mandate on counties to file annexation applications on behalf of residents in disadvantaged communities upon receipt of a petition signed by 25 percent of the registered voters.	Arambula	Vetoed by Governor	9/30/10
AB 0933 Workers' Compensation: Medical Treatment	Requires any physician conducting a utilization review in the workers' compensation system to be licensed in California. The utilization review process was enacted with the major workers' compensation reforms in 2004 and compares requests for medical services to treatment guidelines. This bill is substantially similar to AB 2969 (Lieber; 2008), a bill the Governor vetoed.	Fong	Vetoed by Governor	9/23/10
AB 1858 Needle Exchange Programs	Permits the Department of Public Health (DPH) to authorize local health clinics to provide hypodermic needle and syringe exchange services, with or without approval from the local city or county, in any location where DPH determines that the conditions exist for the rapid spread of potentially deadly or disabling infections that are spread through the sharing of used hypodermic needles and syringes.	Blumenfield	Vetoed by Governor	9/30/10
AB 2080 Securitization of Build America Bond Subsidies	Authorizes a joint powers authority to purchase from local agencies the right to receive federal subsidy payments derived from Build America Bonds with the proceeds of its bonds and other revenue.	Hernandez	Vetoed by Governor	9/29/10
AB 2151 Insurance: Public Safety Employees: Accidents	Requires certain public safety officers to report accidents that occur in a personal vehicle to their employer instead of their personal insurance provider, creating a shift of liability for accidents involving personal vehicles from the individual to public employers (cities, counties, and the state).	Torres	Vetoed by Governor	9/30/10

VETOED / UNSUCCESSFUL STATE LEGISLATION (Cont.)

Legislation	Description	Bill Sponsor	Latest Status	Date
AB 2340 Employee's Right to Bereavement Leave	Requires employers, including cities, counties and special districts, to provide three days of unpaid bereavement leave to every employee.	Monning	Vetoed by Governor	9/25/10
AB 2773 Civil Action: Costs	Removes judicial discretion to eliminate or reduce excessive plaintiff attorney's fees in Fair Employment and Housing Act (FEHA) cases where the plaintiff's ultimate recovery was under \$25,000.	Swanson	Vetoed by Governor	9/23/10
SB 0959 Development: Expedited Permit Review	Requires cities with a population more than 100,000, at the applicant's option, to designate an administrative agency to serve as a contact for permits related to commercial or industrial projects.	Ducheny	Vetoed by Governor	9/29/10
SB 1029 Hypodermic Needles and Syringes	Overrides existing local authority to allow individuals to obtain up to 10 syringes or needles for personal use without a prescription from a qualified pharmacy and instead authorizes pharmacists and physicians to distribute up to 30 needles to an individual without a prescription statewide.	Yee	Vetoed by Governor	9/30/10
SB 1207 Local Planning: Fire Hazard Impacts	Requires certain cities to update the safety element of their general plan to address wildfire risks.	Kehoe	Vetoed by Governor	9/28/10

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Intergovernmental Relations and Federal Affairs

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Major Legislation Pending Before Congress Impacting Cities

Considered But Not Enacted, 2009-2010

Priority Items for Lame Duck Session or 2011

Legislation	Summary	Status	Comment
FY11 Appropriations	Funding for all federal agencies, October 1, 2010-September 30, 2011	Congress will return for a "lame duck" session after the elections on November 15. At that time they need to determine the status of FY11 appropriations, none of which have passed so far. The government is now being funded by a "continuing resolution".	The lame-duck – which may be very difficult if a power shift occurs in one or both houses – could pass an "omnibus" appropriations bill, or a longer "continuing resolution" until early 2011. When party power shifted after the 2006 elections, a one-year "continuing resolution" was enacted with no earmarks.
FY12 Appropriations	Funding for all federal agencies, October 1, 2011-September 30, 2012	In February the President will propose a FY12 budget which will be characterized by "fiscal restraint". We have been advised by federal agencies (HUD, DOT and others) that the Administration may propose flat funding or cuts in priority urban programs.	The FY09 and FY10 deficits have exceeded \$1 trillion. The President wants to reverse this course. A national debt and deficit reduction commission appointed by the President and Congress will recommend stern reduction measures on December 1. A vote on their proposals has been promised by the President and Congress.
SAFETEA-LU	Reauthorization of all federal surface transportation spending	Considered at committee level in the House and with hearings in the Senate. Congress and Administration could not agree on funding or timing.	The President proposed on Labor Day a new National Infrastructure Bank and upfront spending of \$50 billion to kick-start the reauthorization process. New Congress will determine scope and timing of next steps. 2011 enactment possible.
Water Resources Development Act	Reauthorization of programs of the Army Corps of Engineers and authorization of new projects.	The WRDA bill, last enacted in 2007 is now overdue, falling victim to lack of time and preoccupation of Congress with other priority items. A House draft bill, with earmarks, was released in the late summer but no further action was taken. Senate hearings were cancelled when Congress adjourned early for its election break.	The WRDA bill remains a possibility for the lame duck session but most predictions have it rolled over to 2011 for consideration. It typically includes projects for flood control and navigation and, increasingly, for environmental restoration and dozens of earmarks as well.
Tax Extenders	Major tax code provisions which help urban investment and services	Many tax provisions such as the New Markets Tax Credit, alternative fuel tax credit, empowerment zones and enterprise communities, and others expired December 31, 2009. Congress tried through numerous vehicles to "extend" these to no avail.	The "extenders" package is supported by the Administration and both sides of the Congress but was continuously caught in the legislative cross-fire of a very political year. If the extension is not achieved in the lame duck session, it will be a high priority item for 2011.

Housing Assistance Reform	A major rewrite of how HUD provides assistance to for housing	The HUD proposal - The Preservation, Enhancement and Transition of Rental Assistance Act (PETRA) aims to increase the social and physical mobility of public housing residents and turn existing public housing developments into mixed income communities with market rate tenants. The changes also aim to attract private investment to those existing public housing developments.	The proposals received a very mixed reaction when unveiled by HUD earlier this year, particularly from many public housing authorities and those in Congress involved in housing., although SHRA believes it could be made to work for the Sacramento region. The Administration has pledged to retool their proposal and bring it back to Congress in 2011.
Catalytic Investment	A new economic development tool for local governments	Earlier this year HUD proposed funding for the new Catalytic Investment Competition Grants program to provide \$150 million in competitive grants under the Community Development Block Grant (CDBG) Program to create jobs and spur game changing economic development opportunities.	The appropriations committees have elected to not fund this new initiative because it is not authorized and the authorizing committees have not had sufficient time in this past year to address it. Indications are the Administration will propose it again as part of their February budget.
Livable Communities	An administration initiative to promote enhanced regional planning	The administration has proposed the permanent creation of an office in HUD to promote sustainability and regional planning. In the absence of Congressional action the appropriations process has funded their initiative.	The Sacramento region benefitted from the initial appropriation for this program with a Sustainable Communities grant to SACOG and partners last week. The Administration would like the program to be permanent. Congress held hearings this year and will revisit it next year
Energy Bill	Greenhouse gas reduction, cap and trade and alternative fuels.	With strong Administration backing, the House passed a big energy bill which included greenhouse gas reduction, alternative fuels investments, and provisions for local governments to receive a portion of the proceeds and alternative fuels. The bill died in the Senate when the requisite 60 votes could not be mustered to overcome procedural objections.	A major fight with the Congress is brewing, particularly with a party change, since the Administration has vowed to regulate greenhouse gases through EPA without legislation if Congress does not act. A smaller more targeted bill without cap and trade is possible. Funding for the Energy Conservation and Efficiency Block Grant could be included in such a bill.
Jobs for Main Street	Additional funding for public sector priority services	As the Recovery Act wound down and unemployment persisted at almost 10 percent, Congressional leaders proposed various versions of legislation to provide additional funding for core urban services such as police, fire and teachers. As spending concerns and their political fallout grew, efforts to enact a large-scale bill wilted.	Legislation enacted by Congress shortly before the summer recess provided additional funding for teachers only to prevent layoffs, administered at the state level. The prospect for any additional funding to prevent layoffs has vanished, all focus turning to deficit reduction in 2011.

MEMORANDUM



DATE: November 1, 2010

TO: Honorable Mayor and Council Members

FROM: Laurel Bane, Facilities Services Representative

SUBJECT: RESOLUTION APPROVING PARTICIPATION IN THE RATIFICATION OF SACRAMENTO COUNTY'S NEW OPERATIONAL AREA AGREEMENT FOR EMERGENCY RESPONSE

RECOMMENDATION

Adopt Resolution No. 128-2010.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution would allow the City to be included in the New Operational Area Agreement for Emergency Response currently undergoing revision by the County of Sacramento. The City would become a partner agency responsible for coordinating emergency activities, and serve as a link in the system of communications and coordination between the state's emergency operations centers and the operation centers of the political subdivisions comprising our operational area.

BACKGROUND

A New Operational Area Agreement (OAA) for Emergency Response was approved by the Board of Supervisors on December 1, 2009 by Resolution No. 2009-0928 (**Attachment 2**). The OAA was originally approved in 1995 after the State of California passed the Standardized Emergency Management System (SEMS) law which became effective in 1996. The OAA defines the roles and responsibilities of the County and member jurisdictions to coordinate information, resources and priorities during disasters in compliance with SEMS. The OAA also establishes and defines the role and membership of the Operational Area Council (OAC) where emergency management issues are shared and coordinated. The Agreement was revised to address the several newer cities in Sacramento County that have formed since the original OAA was approved. The Agreement was updated to include those cities and to clarify the role of the County.

As a city or special district in Sacramento County, you are a member of the Operational Area with whom the County needs to coordinate during disasters and non-emergency times. Sacramento County requests that the New OAA (**Exhibit A to Resolution No. 128-2010**) be presented to the City Council and support participation of its jurisdiction in the Operational Area.

ATTACHMENTS

1. Resolution No. 128-2010 including (**Exhibit A**) New Operational Area Agreement.
2. Sacramento County Staff Report dated December 1, 2009.

AGENDA ITEM 8.7

CITY OF RANCHO CORDOVA

RESOLUTION NO. 128-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING THE CITY'S PARTICIPATION IN THE NEW SACRAMENTO OPERATIONAL
AREA AGREEMENT AND BE LISTED AS A PARTNER FOR EMERGENCY RESPONSE**

WHEREAS, the Standardized Emergency Management System was made law in 1993 under California Code of Regulations Title 19, Division 2, Office of Emergency Services, and required the establishment of an Operational Area by December 1, 1995; and

WHEREAS, an operational area is defined as an intermediate level of the state emergency services organization consisting of a county and all political subdivisions within the county geographic area whose purpose is to coordinate emergency activities and to serve as a link in the system of communications and coordination between the state's emergency operation centers and the operation centers of the political subdivisions comprising the operational area; and

WHEREAS, the Operational Area Agreement approved by the County of Sacramento Board of Supervisors will be modified to include all jurisdictions that have been incorporated since the original approval of the agreement on November 28, 1995; and

WHEREAS, the City of Rancho Cordova will be included in the New Operational Area Agreement that is currently being drafted as partner agency involved in emergency management; and

WHEREAS, greater efficiency, planning and response can be achieved by joining the efforts of cities, special districts, and county in pre-disaster agreements.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does approve the participation in the New Sacramento Operational Area Agreement (**Exhibit A**).

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

**NEW SACRAMENTO
OPERATIONAL AREA AGREEMENT**

This Agreement is made by and between the COUNTY OF SACRAMENTO, hereinafter referred to as COUNTY, and the those cities and special districts within Sacramento County whose governing bodies have adopted a resolution to approve and become parties to this Agreement.

THE PARTIES AGREE AS FOLLOWS:

**1. RECOGNITION OF AND PARTICIPATION IN AN OPERATIONAL AREA
FOR EMERGENCY SERVICES**

SACRAMENTO

The original Sacramento Operational Area Agreement ("Original Agreement") was adopted in 1995 as a requirement of the 1993 Standardized Emergency Management System law passed in California after the 1991 Oakland Hills Fire. The Parties hereto desire to replace the Original Agreement with a new agreement that reflects changes in the underlying circumstances that have taken place since the approval of the Original Agreement. In doing so, the parties to this Agreement recognize an Operational Area, as that term is defined in Government Code Section 8559(b) & 8605 which designates an intermediate level of organization, cooperation, and planning between public entities within Sacramento County boundaries. The parties agree to participate in the organizational structure which is a planning and coordination partnership for a systematic approach to exchanging disaster information and resource requests in order to foster effective flow of disaster information and resource requests during natural and manmade emergencies when multiple local agencies with jurisdiction are responding and may exceed their capacity to bring the emergency under control or when the emergency may impact a significant area or portion of the population or cause evacuation and sheltering beyond normal operations, and also to provide emergency preparedness on a day-to-day basis through training and exercise activities. The COUNTY will designate individuals to be trained to staff the Operational Area organization. Each party to this Agreement will also designate, in writing, one individual and one alternate who shall be empowered to speak on behalf of the party to the Operational Area.

2. CONSIDERATION

The consideration under this Agreement is the mutual advantage of the protection afforded to each of the parties under the Agreement. There shall not be any monetary compensation required from any party to another party. The Emergency Management Performance Grant (EMPG), a federal grant awarded annually to the Sacramento Operational Area for emergency management planning, shall be allocated to Sacramento County to support county-wide emergency planning and to administer and support the operational area.

3. OPERATIONAL AREA COUNCIL

An Operational Area Council is hereby established as an advisory body to the Operational Area organization for the purpose of coordinating emergency management issues among

jurisdictions of the operational area. The Council will consist of one representative of each of the party jurisdictions to this Agreement, if a city or the county. Special districts will be represented on the OA Council as follows; Sacramento Metropolitan Fire District representing Fire, Sacramento County Water Quality Department representing Water districts, Sacramento County Water Resources Department representing Reclamation districts, and SMUD representing Utility districts. Other representatives to the OA Council will include the Sheriff, Public Health, the Coroner, Red Cross representing non-governmental organizations active in disasters, and a business representative appointed by the Chamber of Commerce. Additional representatives may be added to the Operational Area Council by a two-thirds vote of the members present at a duly convened council meeting if the addition of such representative will enhance the purpose of the Council. It will be the responsibility of the Council to set policies and procedures for the governing of the Council, approve the Operational Area Plan and advise the COUNTY on the operation of the Operational Area. The COUNTY will supply staff support for the council.

4. OPERATIONAL AREA COORDINATION

The Operational Area Organization shall perform all functions required by statute or regulation and address the following functional areas: management, operations, planning/intelligence, logistics, finance/administration, and joint public information. The COUNTY will function as the Operational Area. The County Emergency Operations Coordinator (or his/her designees) will act as the Operational Area Coordinator. The Coordinator shall maintain a current roster of all public agencies which are parties to this Agreement and annually provide an updated operational area emergency communications directory to all operational area jurisdictions.

All parties to this Agreement shall abide by the protocols and procedures for operational area coordination described in the Operational Area Plan, establish communication with the Operational Area Coordinator during emergency periods, report situation status to the Operational Area, and request mutual aid resources through operational area mutual aid coordinators.

5. PROVISION OF FACILITIES AND SUPPORT

The County will provide the Emergency Operations Center (EOC) located at the Sacramento Regional Emergency Management and Homeland Security Training Center at McClellan as the site for the Operational Area EOC. The COUNTY will provide EOC support staff and all necessary supplies for the Operational Area Organization during actual operations and exercises.

6. TERM OF AGREEMENT

This Agreement shall be effective as to COUNTY and participating parties from the date on which any such party adopts the required resolution approving the Agreement after COUNTY's adoption of such resolution and shall continue in effect until terminated by all remaining parties to the Agreement.

7. WITHDRAWAL OF PARTY

Any party to this Agreement may withdraw as a party to this Agreement upon giving 30 days prior written notice to the other parties.

8. ADDITIONAL PARTIES

Additional parties, who are public entities within the geographical boundaries of Sacramento County, may join in this Agreement and become member entities upon execution of an Exhibit to this Agreement in which the entity agrees to be subject to the conditions and terms of this Agreement. The executed Exhibit shall become part of this Agreement automatically after the expiration of 30 days following notification by the new party of the execution of the Exhibit. Thereafter, the entity shall be considered to be a party to this Agreement.

9. HOLD HARMLESS

Except for damages or loss resulting from willful misconduct, gross negligence or breach of a fiduciary obligation in connection with this Agreement, no party to this Agreement shall be liable to any other party for any loss or damage in connection with this Agreement. Each party shall be responsible for the consequences of its own willful misconduct, gross negligence and/or breach of a fiduciary duty in connection with this Agreement, and in connection with any work undertaken in accordance with this Agreement, and shall indemnify, defend and hold harmless the other party from the consequences thereof to the extent allowed by law.

10. ORIGINAL AGREEMENT SUPERCEDED IN ITS ENTIRETY.

The Original Agreement shall be superseded in its entirety by this Agreement as to those parties who have adopted a resolution approving this Agreement.

**COUNTY OF SACRAMENTO
CALIFORNIA****APPROVED**
BY RESOLUTION # 2009-0928
BOARD OF SUPERVISORSDEC 01 2009
Cyndi Lee
By _____
Clerk of the BoardFor the Agenda of:
December 1, 2009
Timed Item: 10:15 A.M.

To: Board of Supervisors

From: Emergency Operations Office

Subject: New Sacramento Operational Area Agreement

Supervisory
District: All

Contact: Teresa Stahl, Assistant Emergency Operations Coordinator, 874-4671

Overview

The Sacramento Operational Area Agreement is being revised to include cities incorporated after the Agreement was put in place, to clarify the responsibility of the County as the lead agency for the Operational Area and to change the composition of the Operational Area Council for more inclusive membership of partner agencies and emergency response disciplines.

Recommendations

Approve the attached Resolution adopting the New Sacramento Operational Area Agreement.

Measures/Evaluation

The New Operational Area Agreement will bring the Agreement in line with the current composition of the county, align with the operational area structure used by all other counties in California and ensure broader representation of emergency disciplines and agencies who partner with the county and the cities for emergency management.

Fiscal Impact

There is no fiscal impact.

BACKGROUND:

The Sacramento Operational Area Agreement was originally adopted as a requirement of the 1993 Standardized Emergency Management System law passed in California after the 1991 Oakland Hills Fire. Every county in California was assigned responsibility for establishing an Operational Area Agreement with local units of government within the county's boundaries for the coordination of resources, information and priorities during emergency events.

At the time the Operational Area Agreement was adopted in 1995, there were only four cities in the County and those are the only cities listed in the Agreement. Operational Area coordination responsibilities were additional workload for a minimally staffed program and the Emergency Operations Office was unsure if it would be able to adequately manage those responsibilities during an emergency without assistance. A joint lead agency approach was developed with the

New Sacramento Operational Area Agreement

Page 2

City of Sacramento and both jurisdictions were designated in the original Operational Area Agreement as lead agencies. The establishment of an Operational Area Council was also included in the Operational Area Agreement at the urging of the State Office of Emergency Services. This council's purpose was to coordinate emergency management issues among operational area jurisdictions and to develop and approve an Operational Area plan for Sacramento County.

DISCUSSION:

Since 1995, three more cities have incorporated in Sacramento County. These cities are not currently listed in the Operational Area Agreement. The Agreement needs to be revised to include new cities.

Sacramento County is the only county in California with a joint lead agency configuration. This configuration does not reflect the assignment of responsibility to the County for operational area coordination in the Standardized Emergency Management System law. Sacramento County has fulfilled the operational area lead agency role and the associated workload since its inception. To bring Sacramento County in line with standard practice for counties in California and the law, the Agreement needs to be revised to show the County as the single lead agency.

The Operational Area Council is currently configured to have representatives from operational area jurisdictions; the county, cities and special districts. To accomplish the mission of the OA Council to coordinate emergency management issues within the operational area, representation is needed from disciplines not currently represented, such as Public Health, and partner agencies involved in emergency management, such as Red Cross. The New Operational Agreement will include a restructuring of the Operational Area Council to include representation from all of the following; the county, cities, law enforcement, fire, public health, coroner, reclamation districts, water districts, utility districts, non-governmental agencies involved in emergency management and business.

MEASURES AND EVALUATIONS:

The New Operational Area Agreement will bring the Agreement in line with the current composition of the county, align with the operational area structure used by all other counties in California and ensure broader representation of emergency disciplines and agencies who partner with the county and the cities for emergency management.

FINANCIAL ANALYSIS:

There is no fiscal impact.

Respectfully submitted,

RICK MARTINEZ, Chief
Emergency Operations Office

APPROVED:

TERRY SCHUTTEN
County Executive

By: _____
NAVDEEP S. GILL
Chief Operating Officer

Attachments: Resolution

RESOLUTION NO. 2009-0928

RESOLUTION APPROVING NEW SACRAMENTO OPERATIONAL AREA AGREEMENT

WHEREAS, the Standardized Emergency Management System was made law in 1993 under California Code of Regulations Title 19, Division 2, Office of Emergency Services, and required the establishment of an Operational Area by December 1, 1995; and

WHEREAS, an operational area is defined as an intermediate level of the state emergency services organization consisting of a county and all political subdivisions within the county geographic area whose purpose is to coordinate emergency activities and to serve as a link in the system of communications and coordination between the state's emergency operation centers and the operation centers of the political subdivisions comprising the operational area; and

WHEREAS, the Board of Supervisors originally approved the Sacramento County Operational Area Agreement on November 28, 1995 with the City of Sacramento joining COUNTY as lead agencies of the Sacramento Operational Area; and

WHEREAS, COUNTY is responsible for the operational area and has been the primary lead agency of the operational area since its inception, and it is appropriate at this time to establish the County's role as the sole lead agency for the Operational Area; and

WHEREAS, new cities have incorporated since the Sacramento Operational Agreement was passed; and

WHEREAS, the Operational Area Council defined in this Agreement would better meet the needs of Sacramento Operational Area jurisdictions if representation was changed to include more disciplines and partner agencies involved in emergency management; and

WHEREAS, greater efficiency, planning and response can be achieved by joining the efforts of cities, special districts, and COUNTY in pre-disaster agreements;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED THAT THE that the County of Sacramento hereby approves the Sacramento Operational Area Agreement, in the form attached, and that the Chair of the Board of Supervisors is hereby authorized to do and perform everything necessary to carry out the purpose and intent of this Resolution.

RESOLUTION APPROVING NEW SACRAMENTO OPERATIONAL AREA AGREEMENT

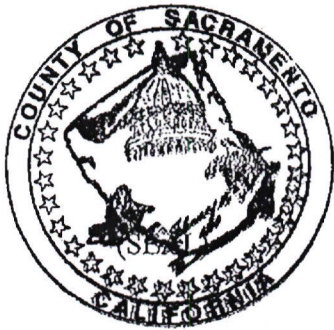
Page 2

On a motion by Supervisor Nottoli, seconded by Supervisor Yee,
the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of
Sacramento, State of California, this 1st day of December, 2009, by the following vote, to wit:

AYES:	Supervisors,	Dickinson, MacGlashan, Nottoli, Yee, Peters
NOES:	Supervisors,	None
ABSENT:	Supervisors,	None
ABSTAIN:	Supervisors,	None

Susan Peters

Chairman of the Board of Supervisors
of Sacramento County, California



In accordance with Section 25103 of the Government Code,
if the State of California a copy of the document has been
delivered to the Chairman of the Board of Supervisors, County
of Sacramento on 12/1/09

V. Rodgers
Deputy Clerk, Board of Supervisors

FILED
BOARD OF SUPERVISORS

DEC 01 2009
Cyndi Lee
BY Cyndi Lee
CLERK OF THE BOARD

ATTEST:

Cyndi Lee
Clerk, Board of Supervisors

NEW SACRAMENTO OPERATIONAL AREA AGREEMENT

This Agreement is made by and between the COUNTY OF SACRAMENTO, hereinafter referred to as COUNTY, and the those cities and special districts within Sacramento County whose governing bodies have adopted a resolution to approve and become parties to this Agreement.

THE PARTIES AGREE AS FOLLOWS:

1. RECOGNITION OF AND PARTICIPATION IN AN OPERATIONAL AREA FOR EMERGENCY SERVICES

SACRAMENTO

The original Sacramento Operational Area Agreement ("Original Agreement") was adopted in 1995 as a requirement of the 1993 Standardized Emergency Management System law passed in California after the 1991 Oakland Hills Fire. The Parties hereto desire to replace the Original Agreement with a new agreement that reflects changes in the underlying circumstances that have taken place since the approval of the Original Agreement. In doing so, the parties to this Agreement recognize an Operational Area, as that term is defined in Government Code Section 8559(b) & 8605 which designates an intermediate level of organization, cooperation, and planning between public entities within Sacramento County boundaries. The parties agree to participate in the organizational structure which is a planning and coordination partnership for a systematic approach to exchanging disaster information and resource requests in order to foster effective flow of disaster information and resource requests during natural and manmade emergencies when multiple local agencies with jurisdiction are responding and may exceed their capacity to bring the emergency under control or when the emergency may impact a significant area or portion of the population or cause evacuation and sheltering beyond normal operations, and also to provide emergency preparedness on a day-to-day basis through training and exercise activities. The COUNTY will designate individuals to be trained to staff the Operational Area organization. Each party to this Agreement will also designate, in writing, one individual and one alternate who shall be empowered to speak on behalf of the party to the Operational Area.

2. CONSIDERATION

The consideration under this Agreement is the mutual advantage of the protection afforded to each of the parties under the Agreement. There shall not be any monetary compensation required from any party to another party. The Emergency Management Performance Grant (EMPG), a federal grant awarded annually to the Sacramento Operational Area for emergency management planning, shall be allocated to Sacramento County to support county-wide emergency planning and to administer and support the operational area.

3. OPERATIONAL AREA COUNCIL

An Operational Area Council is hereby established as an advisory body to the Operational Area organization for the purpose of coordinating emergency management issues among

jurisdictions of the operational area. The Council will consist of one representative of each of the party jurisdictions to this Agreement, if a city or the county. Special districts will be represented on the OA Council as follows; Sacramento Metropolitan Fire District representing Fire, Sacramento County Water Quality Department representing Water districts, Sacramento County Water Resources Department representing Reclamation districts, and SMUD representing Utility districts. Other representatives to the OA Council will include the Sheriff, Public Health, the Coroner, Red Cross representing non-governmental organizations active in disasters, and a business representative appointed by the Chamber of Commerce. Additional representatives may be added to the Operational Area Council by a two-thirds vote of the members present at a duly convened council meeting if the addition of such representative will enhance the purpose of the Council. It will be the responsibility of the Council to set policies and procedures for the governing of the Council, approve the Operational Area Plan and advise the COUNTY on the operation of the Operational Area. The COUNTY will supply staff support for the council.

4. OPERATIONAL AREA COORDINATION

The Operational Area Organization shall perform all functions required by statute or regulation and address the following functional areas: management, operations, planning/intelligence, logistics, finance/administration, and joint public information. The COUNTY will function as the Operational Area. The County Emergency Operations Coordinator (or his/her designees) will act as the Operational Area Coordinator. The Coordinator shall maintain a current roster of all public agencies which are parties to this Agreement and annually provide an updated operational area emergency communications directory to all operational area jurisdictions.

All parties to this Agreement shall abide by the protocols and procedures for operational area coordination described in the Operational Area Plan, establish communication with the Operational Area Coordinator during emergency periods, report situation status to the Operational Area, and request mutual aid resources through operational area mutual aid coordinators.

5. PROVISION OF FACILITIES AND SUPPORT

The County will provide the Emergency Operations Center (EOC) located at the Sacramento Regional Emergency Management and Homeland Security Training Center at McClellan as the site for the Operational Area EOC. The COUNTY will provide EOC support staff and all necessary supplies for the Operational Area Organization during actual operations and exercises.

6. TERM OF AGREEMENT

This Agreement shall be effective as to COUNTY and participating parties from the date on which any such party adopts the required resolution approving the Agreement after COUNTY's adoption of such resolution and shall continue in effect until terminated by all remaining parties to the Agreement.

7. WITHDRAWAL OF PARTY

Any party to this Agreement may withdraw as a party to this Agreement upon giving 30 days prior written notice to the other parties.

8. ADDITIONAL PARTIES

Additional parties, who are public entities within the geographical boundaries of Sacramento County, may join in this Agreement and become member entities upon execution of an Exhibit to this Agreement in which the entity agrees to be subject to the conditions and terms of this Agreement. The executed Exhibit shall become part of this Agreement automatically after the expiration of 30 days following notification by the new party of the execution of the Exhibit. Thereafter, the entity shall be considered to be a party to this Agreement.

9. HOLD HARMLESS

Except for damages or loss resulting from willful misconduct, gross negligence or breach of a fiduciary obligation in connection with this Agreement, no party to this Agreement shall be liable to any other party for any loss or damage in connection with this Agreement. Each party shall be responsible for the consequences of its own willful misconduct, gross negligence and/or breach of a fiduciary duty in connection with this Agreement, and in connection with any work undertaken in accordance with this Agreement, and shall indemnify, defend and hold harmless the other party from the consequences thereof to the extent allowed by law.

10. ORIGINAL AGREEMENT SUPERCEDED IN ITS ENTIRETY.

The Original Agreement shall be superseded in its entirety by this Agreement as to those parties who have adopted a resolution approving this Agreement.

MEMORANDUM



DATE: November 1, 2010
TO: Honorable Mayor and Council Members
FROM: Paul Junker, Planning Director
SUBJECT: CITY GATEWAY SIGN DESIGN CONCEPTS

RECOMMENDATION

That Council directs staff and the consultant team to further refine the proposed gateway sign designs and prepare construction documents for the funded Folsom Boulevard signs.

RESULT OF RECOMMENDED ACTION

Final direction from Council will allow staff and the consultant team to prepare construction documents that may result in the construction of the first gateway sign as early as Fall 2011.

BACKGROUND

On Monday, September 20, the Rancho Cordova City Council and Planning Commission met for a Joint Study Session to review conceptual designs for new city gateway signs that may replace the existing and aging "Welcome to Rancho Cordova" signs on Sunrise Boulevard, near the American River, and Folsom Boulevard, near Bradshaw Road. At the City Council's request, staff and the consultant design team are returning to present more refined designs for these signs.

Feedback and Follow-Up

Materials and Lighting

Questions were raised concerning the material composition of the proposed sign. The 3Form brand material proposed for the main body of the sign is a manufactured polycarbonate. According to the manufacturer, the material has been used in both interior and exterior applications, as shown in the attached memorandum prepared by the consultant designers (**Attachment 2**). The consultant designers are satisfied that the product will perform well even with continuous sun exposure. Because the color is integral throughout the material, rather than simply applied the face, it is expected to be fade resistant.

Its unique translucent properties make it an ideal material to incorporate internal or indirect lighting sources that will make the sign glow at night. Suggestions were made

regarding the possible use of light emitting diode (LED) or fiberoptic lighting. The consultant design team has investigated those suggestions and learned that both are possible. For overall internal illumination, LED may be the best option, but for accent lighting along the "river ribbon," fiberoptic may be the better application. As the design moves into construction documents, the lighting approach will be refined with electrical engineers and expert design representatives with the 3Form product manufacturer.

Composition and Verbiage

Overall sign composition was well received. However, the icon pole positioned to the left of the main sign was generally not supported. The revised design (**Attachment 1**) illustrates the removal of this element. The base has not changed, as the consultant design team favored the original sweep of the concrete base and the asymmetry created with the removal of the icon pole.

The geometrically regular sweep in the base creates desired tension between it and the "river ribbon" that bisects the main sign. At the suggestion of many to revise the ribbon to more accurately reflect the path of the American River through Rancho Cordova, the ribbon has been revised. The consultant design team used an overlay of an aerial photograph of the river to create a more accurate depiction of the Rossmoor bend, which was said to be the most iconographic place on the river when looking at Rancho Cordova on a map.

Several suggestions were made to include the full incorporation date, so, "Incorporated July 1, 2003," was added to the large road-side signs. The consultant design team struggled to include this much verbiage on the median sign, due to lack of space, and recommends using just the date without the "Incorporated" prefix. In addition, a suggestion was made to add "Welcome to" to the signs, and after attempting to incorporate those words into the existing design, the consultant design team concluded the signs appear wordy and unbalanced with additional text. The proposed designs do not include the "Welcome to" phrase.

Possible Relocation of the Sunrise Boulevard Sign

There was some concern expressed over the location of the existing sign on Sunrise Boulevard. The originally proposed designs were envisioned to be relocated to the north, to provide a better sight line for cars passing by and to avoid being blocked by existing road side trees. However, the concern remained that future growth of new oak trees or other foliage could obscure the sign if the City is not able to maintain the American River Parkway land in front of the sign. Instead, it was suggested that the design team investigate the option of relocating the sign to the median.

A large median sign presents some challenges. In particular, this median location contains a shared border of the City of Rancho Cordova and the County of Sacramento. The City maintains this median, which may make it possible to erect and maintain a sign in this location. The shared border may complicate questions of liability if the sign is hit by an automobile. In addition, the political question remains: Would the County of Sacramento allow a sign marking the City in a median that is half owned by the County? Staff suspects a City sign in the median would yield some sensitivity from Gold River residents who live on the County side.

For technical reasons, the median is limited by space constraints. Traffic rules require a buffer of two feet around the sign when located in a median. Even with this buffer, it is likely a median sign will incur accidental damage by automobile collisions, and the cost to replace the sign in such circumstances should be considered if a median option is selected. Staff needs Council direction on whether to pursue this median option further, but it should be noted that the Sunrise Boulevard location is likely to be erected last because it cannot be funded by grant monies received for the Folsom Boulevard streetscape improvements.

NEXT STEPS

The City Gateways Team is presenting the revised design concepts to the Council for feedback and ideally direction to proceed with design refinement and construction documents. Conceptual design must be completed by mid-November in order to finish construction documents in time to bid the project in Spring 2011. Construction of the first gateway sign on Folsom Boulevard may commence by Fall 2011.

ATTACHMENTS

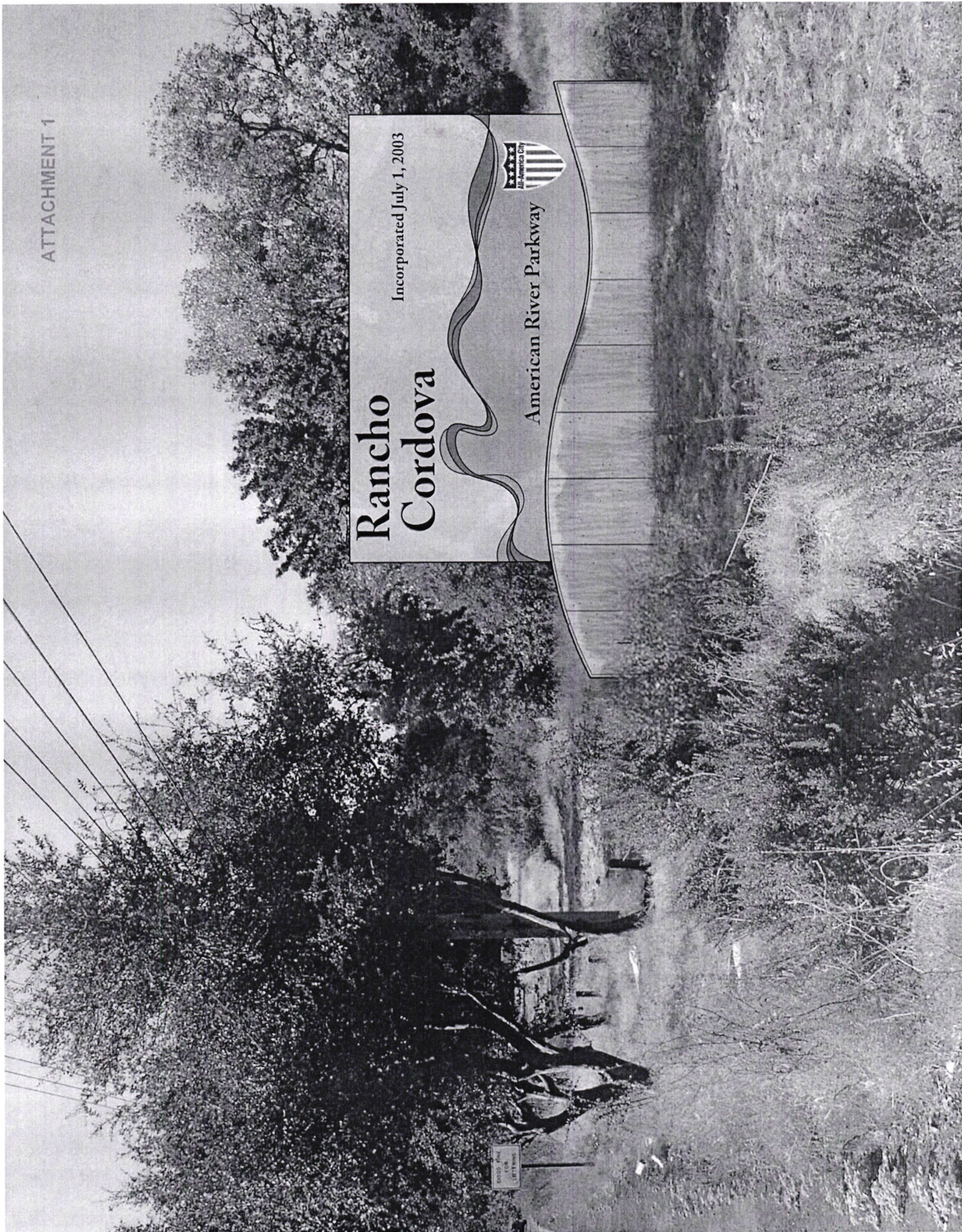
1. Revised Design Drawings.
2. Memorandum from The HLA Group, dated October 7, 1010 – Re: Rancho Cordova Signage Proposed Materials and Finishing | 3form Chroma XT.



July 1, 2003

Rancho Cordova

ATTACHMENT 1



Rancho Cordova



Incorporated July 1, 2003

The HLA Group Landscape Architects & Planners, Inc.

Community Design • Parks and Recreation • Urban Design • Land Planning • Environmental Design

**MEMORANDUM**

Date: October 7, 2010
 To:
 From:
 Re: Rancho Cordova Signage
 Proposed Materials and Finishing | 3form Chroma XT.
 HLA Project #: 79608

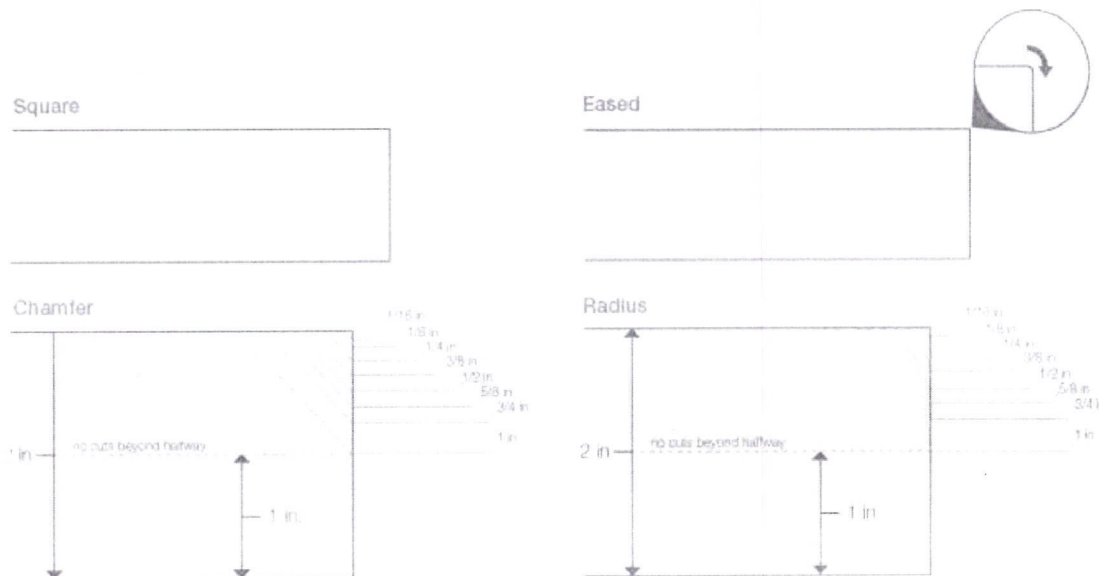
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Material

Chroma XT is recommended for the Rancho Cordova sign because it has high structural integrity, optional renewable matte finish, is UV stable, excellent light transmission properties, and is made from 40% pre-consumer recycled content. For more material information, see the attached material specification.

Edge Details

As a standard, Chroma comes with square edges. The following options are available. For the Rancho Cordova sign, an eased edge is recommended to decrease the potential for corner crazing or chipping



cc:

/ The HLA Group

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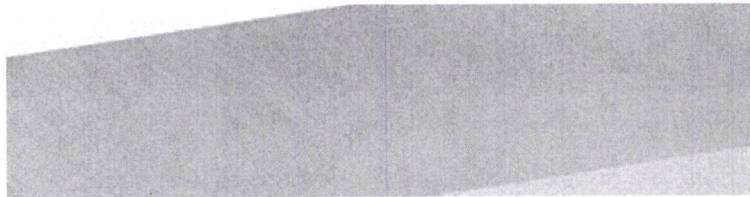


Structural Seams

In an installation where multiple panels need to be pieced together to form larger installations, such as the Rancho Cordova sign, Chroma can be joined using structural seams.



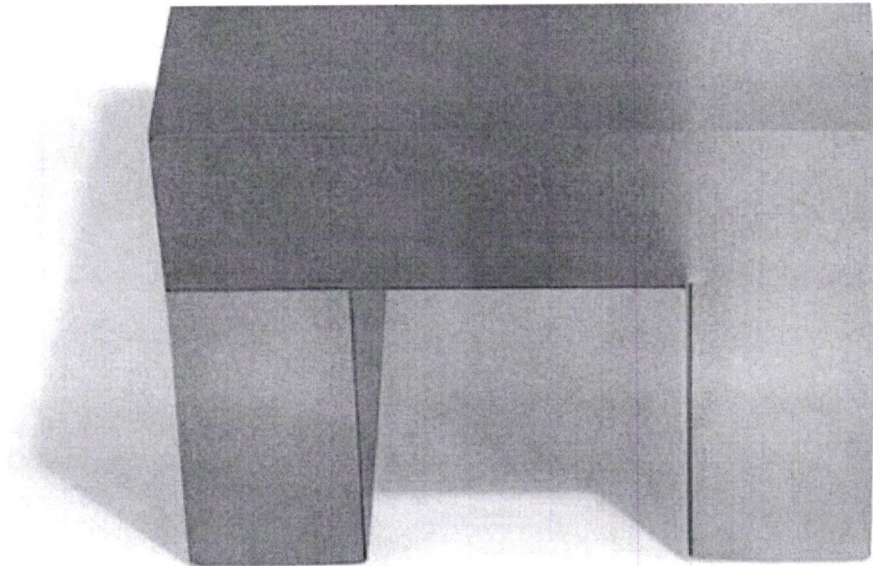
Structural Seam



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Light Seams

In non-structural applications, light seams are a choice option for box-like applications like light boxes, showcase boxes, planters, countertop dropdown ledges and aprons, and return-to-wall panels. 3form's light seam gives the same aesthetic appearance as a mitered seam but allows the quality of the seam to be improved compared to a mitered seam. Light Seams interrupt light transmission, creating a box effect.

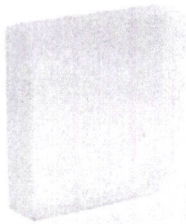


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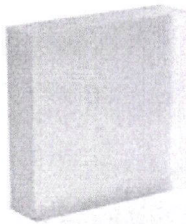
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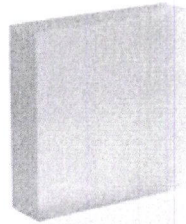
Colors



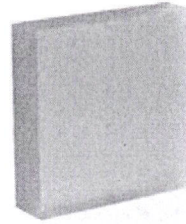
chroma marigold



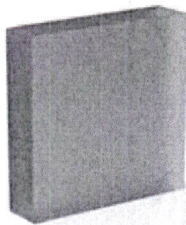
chroma camel



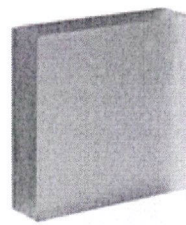
chroma vitamin c



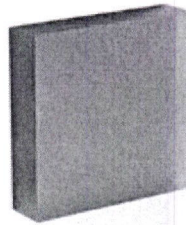
chroma rosé



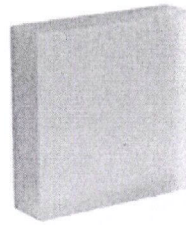
chroma midnight



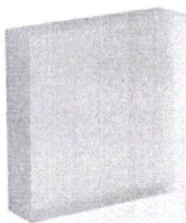
chroma bliss



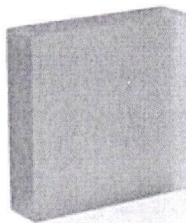
chroma atlantic



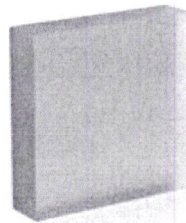
chroma surf



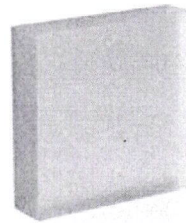
chroma aloe



chroma lawn



chroma marsh



chroma moss

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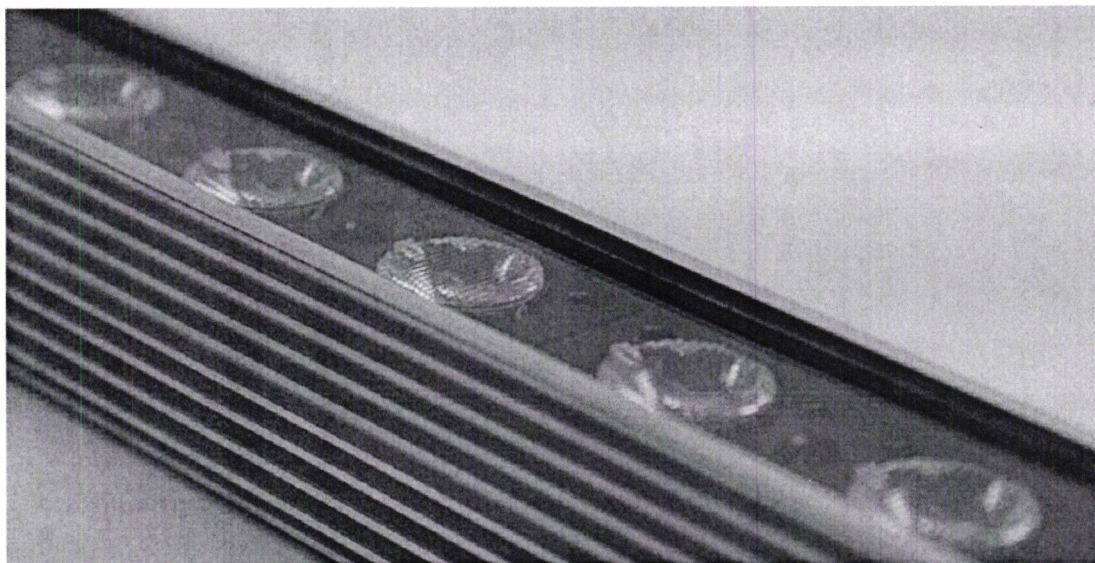
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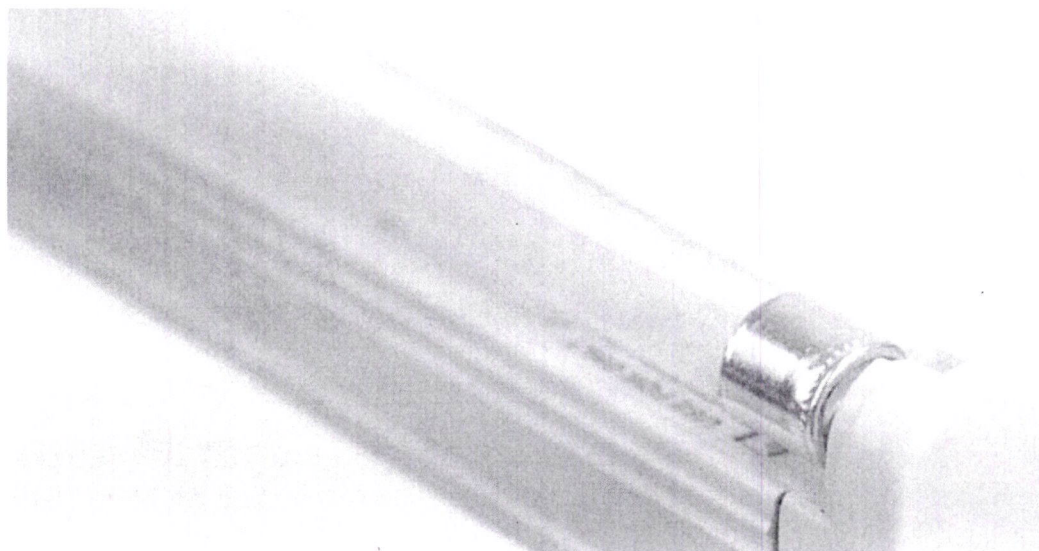


Sample Light Products

XP Series™ LED: An extremely high-powered LED light bar available in a variety of beam optics, colors and color temperatures of white. Dimmable use for 8' x 4' sheets.



T4 Fluorescents: Linear fluorescent bulbs engineered to project light for translucent applications. Ideal for smaller projects or projects with smaller budgets.



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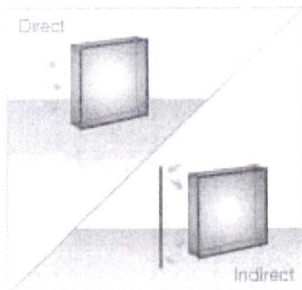
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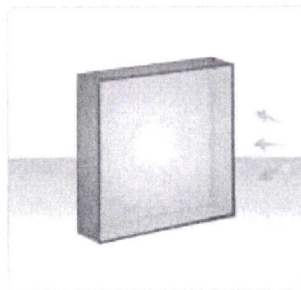


Lighting Techniques

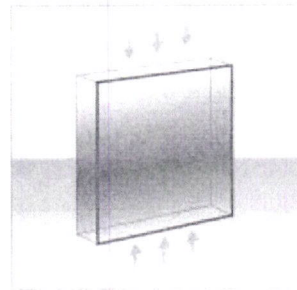
A layer of 3form Ghost (translucent overlay) inside the box structure will properly diffuse the light source. Front accent lighting and interior edge/backlighting are recommended for the Rancho Cordova Sign.



BACKLIGHTING



**FRONT ACCENT
LIGHTING**



EDGE LIGHTING

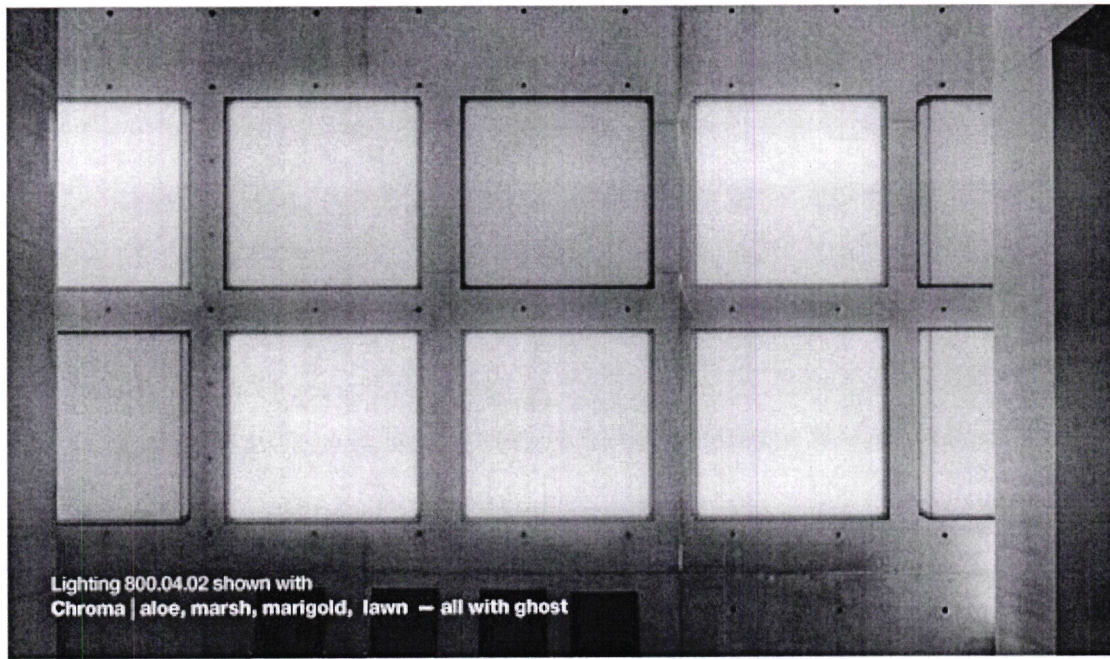
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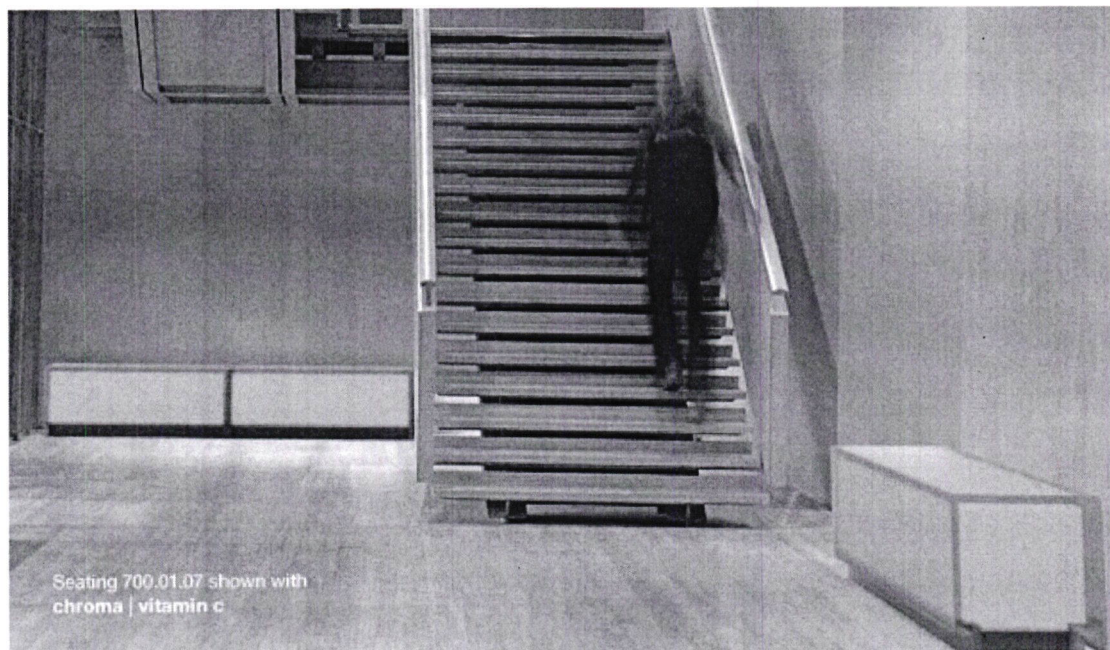
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Similar Examples

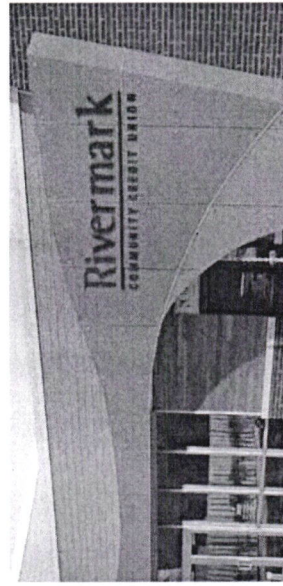


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chroma[®] xT

LUMINOUS COLOR FOR GLOWING FEATURES
This metallic material is ideal for horizontal exterior applications. The saturated color responds dynamically to both natural and artificial light making it well-suited to exterior focal pieces. Also contains 40% urea-formaldehyde content for projects seeking LEED certification.

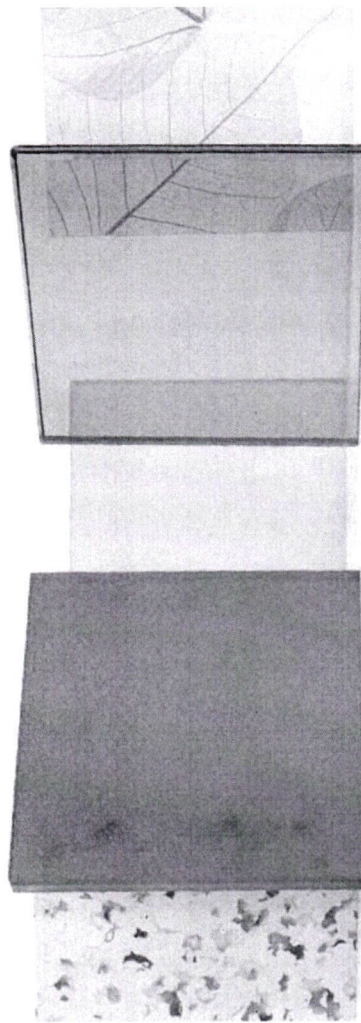


- 1 | AWNING | CHROMA XT | FIRM: CLARK GORDON LANDSCAPE ARCHITECTS
- 2 | LANDSCAPE | CHROMA XT | FIRM: RIOS CLEMENTE HALE STUDIOS
- 3 | AWNING | CHROMA XT | FIRM: THOMAS BALSLEY ASSOCIATES
- 4 | FACADE | CHROMA XT | FIRM: BAY-SINGER PARTNERS ARCHITECTURE



3form | XT

Specify the Right Material for Your Application



XT

- 100% polycarbonate recycled content
- Used for landscape architecture
- Chemically resistant

XT

- Ideal for commercial interior design application
- 40% polycarbonate recycled content
- Exceptional impact strength
- Easy to work with and install

XT

- Durable for horizontal applications
- Recyclable
- Made in the USA
- Ideal for illumination
- 100% polycarbonate recycled content

XT

- Optic clarity
- Rigidity in all directions
- Made in the USA
- 100% polycarbonate recycled content

XT

- Heat-stable and recyclable
- 30 mils thick in most lengths of panels
- 95% polycarbonate recycled content

XT Material Properties

++ Exceeds Criteria
+ Meets Criteria
- Does not meet Criteria
Blank Not Recommended

	UV-1 XT	2000-XT	2000-XT	2000-XT	2000-XT	2000-XT
01 Flammability Resistance	+	-	+	+	+	++
02 Optical Clarity/Light Transmission	+	++	+	+	+	++
03 Impact Strength	++	-	+	+	+	-
04 Abrasion Resistance	-	+	-	-	-	++
05 High Service Temperature	++	+	+	+	+	++
06 UV Resistance	+	++	+	+	+	++
07 Chemical Resistance	+	-	+	+	+	++
08 Complex Fabrication	++	++	++	++	++	++
09 Cold Handling	++	-	+	+	+	++
10 Recycled Recycle	+	++	+	+	+	-
11 Formability	+	+	+	+	+	++
12 Rigidity	-	+	+	+	+	++
13 Recycled Content	40%	40%	40%	40%	100%	100%

Technical Support

For immediate consultation on material, hardware or fabrication options contact 3form technical support. This experienced team is on-call to assist in all technical questions at any point in the design or installation process.

877.649.2670
technical.support@3-form.com

Product Description

3form Chroma is produced from optical grade engineered resin. Chroma is available in thick-gauge formats which lends itself well for use in many horizontal applications. Chroma is a highly functional material that brings impact when color is introduced. Chroma is produced with brilliant colors that can be layered (up to five colors) to create an enormous range of hues, opacities and amazing effects. The surface of Chroma features a durable renewable matte texture that can be easily refinished throughout its lifetime. Chroma incorporates 40% pre-consumer recycled content without compromising its amazing clarity.

Chroma XT is exterior grade Chroma suitable for use as signage, lighting, awnings, tables or canopies. Use Chroma XT to bring amazing color and design to your exterior applications.

FEATURES AND BENEFITS

- Surface is able to be completely refinished to maintain product "newness"
- Great for edge lighting – tremendous optical properties and high light transmission
- Rigid - stable and sturdy material for horizontal applications
- Qualifies for 3form Reclaim™ – keeping end-of-life material out of landfills
- Combine up to five colors to create any color imaginable

AVAILABLE COLORS

3form Chroma comes in a variety of translucent warm and cool colors. Colors can be made opaque with the addition of the color - White Out.

(Visit www.3-form.com for the complete list of available color options.)

CHROMA REFLECT

3form Chroma Reflect™ pairs beautiful 3form colors with a reflective opaque mirror. The result is a breathtaking panel that glows and radiates color like you've never seen. Chroma Reflect panels are 1-sided and opaque. Chroma Reflect can only be paired with one Chroma color. The back finish of Chroma Reflect is left unfinished to allow for more versatility during fabrication. Chroma Reflect adds an extra 1/8" (3 mm) to the standard thickness of Chroma panels. Additionally, Chroma Reflect is not suitable for exterior use and requires special fabrication techniques.

TEXTURES/PATTERNS/FINISHES

All Chroma sheets come standard with a Renewable matte finish on the front face that allows the product to be continually rejuvenated if ever desired or necessary during the service life of the material. The back side of 3form Chroma in translucent colors is finished with a matte finish, but this side should not be renewed. Chroma Clear comes standard with renewable matte surfaces on front and back.

Chroma panels can be ordered with an optional Renewable Matte Back Finish, that allows refinishing of both sides of the panel. The Renewable Matte Back Finish increases the thickness by an extra 1/16" (1.5 mm).

Chroma panels that are opaque (unless specified differently) are finished with a gloss backside texture to allow for more versatility during fabrication. Chroma is also available with an optional Patent finish. Patent is a high gloss finish with the highest light transmittance, but does not allow for refinishing. (Chroma Reflect is not available with Patent finishes)

PANEL SIZES AND TOLERANCES

All dimensions and squareness (standard or custom) are subject to a +1/4" or - 3/16" (+6 mm or -5 mm) tolerance. Squareness (standard or custom) is subject to a 1/8" (3.1 mm) tolerance.

Chroma is available in 1/2 inch (12.7 mm), 1 inch (25.4 mm) and 2 inch (50.8 mm) thicknesses.

PANEL SIZE TABLE

NOMINAL GAUGE	PANEL DIMENSIONS
1/2" (12.7 mm)	48" x 96" (122 cm x 243.8 cm), 48" x 120" (122 cm x 304.8 cm)
1" (25.4 mm)	48" x 96" (122 cm x 243.8 cm), 48" x 120" (122 cm x 304.8 cm)
2" (50.8 mm)	47" x 95" (121.4 cm x 241.3 cm)

Gauge tolerances are an inherent part of working with resin. Given the unique manufacturing process for 3form Chroma, a given gauge is subject to a +/- 10% thickness tolerance. Thickness tolerance readings are based on measurements along both long edges of each panel.

THICKNESS TOLERANCE TABLE

STANDARD CHROMA PANELS

GAUGE*	MINIMUM ALLOWANCE	MAXIMUM ALLOWANCE
1/2" (12.7 mm)	0.450" (11.4 mm)	0.585" (14.9 mm)
1" (25.4 mm)	0.900" (22.9 mm)	1.100" (27.9 mm)
2" (50.8 mm)	1.800" (45.7 mm)	2.200" (55.9 mm)

REFLECT, XT AND PANELS WITH RENEWABLE MATTE BACK FINISH

GAUGE*	MINIMUM ALLOWANCE	MAXIMUM ALLOWANCE
5/8" (15.9 mm)	0.515" (13.1 mm)	0.710" (18.0 mm)
1-1/8" (28.6 mm)	0.965" (24.5 mm)	1.225" (31.1 mm)
2-1/8" (53.9 mm)	1.865" (47.4 mm)	2.325" (59.1 mm)

*Chroma Reflect adds 1/8" (3 mm) and Chroma XT, HighRes and renewable matte back finish materials add 1/16" (1.5 mm) to overall thickness.

FLATNESS TOLERANCE

Chroma panels shall not have distortion in the form of a wrinkle, twist or scallop along the perimeter of the sheet. Additionally, Chroma panels shall not have distortion in the form of a compound curve or "S" shape. Overall warp in the form of a simple curve (bow warp) extending across the sheet is permitted to a maximum of 1/4" (6.3 mm) for each 48" (1.2 m), or fraction thereof. Panel is to be measured when laying horizontally under its own weight on a flat continuous surface.

Specifications

FLAMMABILITY & SMOKE TEST RESULTS

BUILDING CODE APPROVALS

3form Chroma conforms to the 2009 International Building Code® for light-transmitting plastics. The provisions of these codes provide adequate regulation for most applications of light-transmitting plastics [unless otherwise noted, data is based on 0.236" (6 mm) thickness]:

TEST	3FORM CHROMA	RESULT
ASTM D 2843 Smoke Density	4.1%	PASS Less than 75
ASTM D 635 Flame Spread	Rate of burning: 1.2 in/min	PASS CC2
ASTM D 1929 Self-ignition Temperature	852°F	PASS Greater than 650°F
ASTM E 84-03 Flame Spread, 1" Thickness Smoke Developed	115 150	Class C (76-200) 450 (less than 450)

PANEL WEIGHT

THICKNESS (INCHES)	WEIGHT FLUX (LB/FT ²)
1/2" (12.7 mm)	3.1 lb/ft ² (15.1 kg/m ²)
1" (25.4 mm)	6.2 lb/ft ² (30.2 kg/m ²)
2" (50.8 mm)	12.4 lb/ft ² (60.5 kg/m ²)
*Chroma XT panels weigh an additional 0.4 lb/ft ² (1.9 kg/m ²)	
**Chroma Reflect panels weigh an additional 0.8 lb/ft ² (3.8 kg/m ²)	

EXPANSION/CONTRACTION ALLOWANCES

Like all resin products, 3form Chroma will expand and contract nominally with fluctuations in temperature. The following formula provides allowances that should be made in framed or fitted applications:

- Longest length of panel (inches) x temperature change of the sheet (°F) x 0.00004 = Amount of Linear Expansion/Contraction (inches)

example:

- A 48" x 96" panel that experiences a 50°F temperature change will expand/contract: 96 inches x 50 degrees x 0.00004 = 0.192 inches

Installers should take extra precautions if installation is occurring before the HVAC systems are operational. Allowances should also be made in the following situations:

- Fastening points
- Channel depths in frames
- Holes for standoffs and other hardware
- Meeting points for multiple sheets of 3form Chroma

ETCHING

3form Chroma may be etched with two different finishing options to produce patterns, text, or anything imaginable. When etching, two different surface finishes may be specified: Polished and Renewable matte. Following are some limitations to the etching process:

Chroma XT products are not able to accept etching as the etching process creates part stress that could induce crazing.

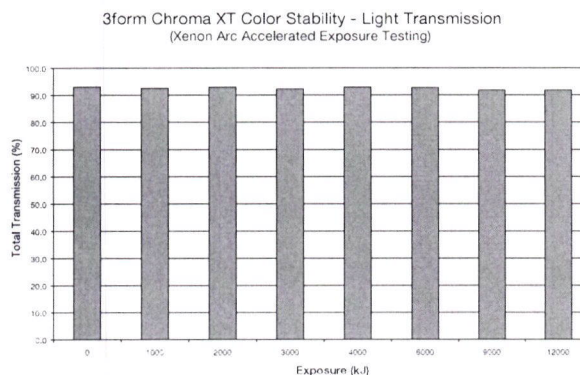
Only 1/2"-2" Chroma may be etched.

- Limited to 1/8" deep
- Etch must be greater than 1/2" wide

UV EXPOSURE PERFORMANCE

Chroma XT is an excellent choice for exterior applications. The chart demonstrates that the change in light transmission remains unchanged. (12,000 kJ of exposure represents approximately 10 years of outdoor exposure in Florida) Should your application be for exterior use, please notify your 3form Sales Representative.

*Chroma Reflect cannot be used in exterior applications.



USAGE LIMITATIONS

3form Chroma should never come in direct contact with metal fasteners. Non-metallic* gaskets, washers, and tubing are to be utilized in conjunction with mechanical connections such as point supports and frames.

Please contact the 3form Technical Help Line should you have any questions regarding the use of Chroma with mechanical fasteners.

*Gaskets, washers and tubing must be produced with a non-plasticized material. Suitable materials include: neoprene, teflon, nylon, silicone.

DEFLECTION

3form Chroma will exhibit different amounts of deflection given a variety of factors: fastening techniques, loads, gauges and panel dimensions to list a few. Your 3form Representative can assist you with general deflection guidelines for your application using the Chroma Deflection Charts. If your application has specific engineering requirements, please contact the 3form Technical Help Desk for additional direction at 801-649-2670.

HEAT FORMING/COLD BENDING

3form Chroma can be heated and formed to produce simple or even complex curves and shapes. The table below lists the minimum inner radius for a heat formed shape. Tighter radii may be possible, contact 3form Technical Service for details.

THICKNESS	MINIMUM HEATFORMING RADIUS
1/2" (12.7 mm)	4" (101.6 mm)
1" (25.4 mm)	8" (203.2 mm)
2" (50.8 mm)	12" (304.8 mm)

The optimal forming temperature ranges from 300°- 330°F. Large and complex forming geometries should be specified to be produced by the 3form Fabrication experts.

Though 3form Chroma is commonly used in flat or heat curved applications, the polymeric nature of the material allows a minimal amount of cold bending for a given panel. Cold bending is not possible on 1" and 2" gauges. The table below shows the minimum suggested radius for 3form Chroma at a given gauge:

THICKNESS	MINIMUM BEND RADIUS
0.500" (12.7 mm)	225" (571 cm)

EDGE FINISHING

Edges of 3form Chroma panels are able to be machined or routed into a variety of different forms. In addition to a straight edge, edges may accept beveling, rounding, etc. Additional finishing, such as sanding or polishing, can also be provided to some edges.

FABRICATION LIMITATIONS

Chroma Reflect requires special consideration during fabrication. When cutting panels using table saws or panels saws where the blade is situated below the panel, the back side (reflect side) of the panel needs to be facing UP. The back side of the panel should be facing down if it is being cut by a circular saw or a panel saw where the blade is above the panel.

Chroma reflect panels can be cut with a CNC router or a plunge router. Chroma Reflect MUST be scored with a 1/16" or 1/8" blade or tool before routing. All CNC cutting must be done from the back side. Chroma Reflect panels CAN NOT be cut with a jig saw or reciprocating saw.

REFINISHING

One of the unique benefits of 3form Chroma is its ability to be refinished. If 3form Chroma needs to be refinished for any reason, the panels may be renewed by sanding. Begin by dry sanding with a coarse grit paper (100 or 150 grit) to remove blemishes/scratches. Continue sanding with gradually finer grit papers until the surface is smooth and level and the blemish/scratches are removed. Complete the refinishing process by sanding with a 220 grit paper to attain a matte finish. Only the primary surface (non-colored side) is refinishable.

Even finer grit papers may be used to attain a satin or semi-polished appearance. With papers greater than 400 grit, wet sanding (with water) should be employed.

Be sure to keep sanders in motion at all times when refinishing surfaces or edges. Only use light pressure with power sanders in order to maintain evenness and avoid overheating of the sheet surface.

SOUND TRANSMISSION CLASS (STC) VALUES FOR CHROMA

Measurement protocol: ASTM E 90 - Standard Test Method for Laboratory Measurement of Airborne Sound Transmission Loss of Building Partitions and Elements

THICKNESS	STC VALUES
1/2" (12.7 mm)	32
1" (25.4 mm)	36

THERMAL INSULATION VALUES FOR CHROMA

Insulation values are a function of both the convective properties (U-Values and shading coefficients) and the conductive properties (thermal conductivity).

CHROMA RENEW/RENEW THICKNESS	WINTER U-VALUE (BTU/HR-FT ² -°F)	SUMMER U-VALUE (BTU/HR-FT ² -°F)
1/2" (12.7 mm)	0.82	0.81
1" (25.4 mm)	0.65	0.65
2" (50.8 mm)	NOT TESTED	NOT TESTED

Select Mechanical and Physical Properties for 3form Chroma

		TYPICAL VALUES	
PROPERTY	ASTM METHOD	US CUSTOM	METRIC
GENERAL			
Density	D1505	1.19 g/cm ³	1.19 x 10 ⁻³ kg/cm ³
Water Absorption	D579 24hrs @ 73°F	0.2%	0.2%
MECHANICAL			
Tensile Strength	D638	10,000 psi	69 MPa
Elongation at Rupture	D638	4.5%	4.5%
Tensile Modulus	D638	400,000 psi	2800 MPa
Flexural Strength (rupture)	D790	17,000 psi	117 MPa
Flexural Modulus	D790	480,000 psi	3300 MPa
MECHANICAL			
Compressive Strength (yield)	D695	17,000 psi	117 MPa
Compressive Deformation	D621 4000 psi, 122°F, 24 hours)	≤0.85%	
Shear Ultimate Strength	D732	10,000 psi	703 kg/cm ²
Impact Strength (charpy method)	D256 notched	2.1 lbf*in/in	0.9 kgf*cm/cm
	D256 un-notched	7 lbf*in/in	3.17 kgf*cm/cm
Izod Impact Strength	D256 notched	≤0.25 ft-lb/in	≤13.3 J/m
Rockwell Hardness	D785	M-93	M-93
Barcol Hardness	D2583	48	48
Residual Shrinkage (internal strain)	D702	2%	2%
OPTICAL			
Refractive Index	D542	1.49	1.49
Light Transmission (total)	D1003	92%	92%
Haze	D1003	<1%	<1%
THERMAL			
Max Continuous Use Temperature		180°F	82°C
Deflection Temperature	D648 @ 264 psi	90°C	195°F
Vicat Softening Point	D1525	239°F	115°C
Forming Temperature		300-330°F	149-157°C
Coefficient of Thermal Conductivity (k-factor)	cenco-fitch	1.3 btu/(hr)(ft ²)(°F)	0.19 w/m ² K
Coefficient of Thermal Expansion	D696 @ 60°F (16°C)	4.0 x 10 ⁻⁵ (in/in/°F)	7.2 x 10 ⁻⁵ (mm/mm/°C)

Chemical Resistance of 3form Chroma to Select Compounds

7 DAY FULL IMMERSION TESTING @ 73°F (23°C)

Polymer materials are affected by chemicals in different ways. Changes in performance or appearance when exposed to chemicals can be attributed to fabrication methods, exposure conditions, concentration of chemical substances or exposure duration. Such factors can even influence the final effect on substances that 3form Chroma is considered "Resistant" to under test conditions. Further details are explained below:

FABRICATION

Stresses generated from sanding, grinding, drilling, polishing, machining, sawing and/or forming (hot or cold).

EXPOSURE

Exposure duration, stresses imparted during the application life-cycle due to loads, temperature changes, heat, environments, etc.

APPLICATION OF CHEMICALS

Application from contact, rubbing, wiping, spraying, soaking, etc. Also having an affect is the relative concentration of the chemical in question.

The following table provides indicative performance of the chemical resistance characteristics of clear 3form Chroma panels. The following codes are used to describe the chemical resistance characteristics:

R = RESISTANT

3form Chroma is able to withstand the identified compound for long exposure periods. (7 days, full immersion)

LR = LIMITED RESISTANCE

3form Chroma is only resistant when in contact with this compound for short periods at room temperature. It is advised that further determination of the effect of the substance be further tested in your particular application.

N = NOT RESISTANT

3form Chroma is not resistant to the compound. The material will swell, craze, haze, dissolve or experience some physical change when exposed to this substance.

REAGENT	RESULT	REAGENT	RESULT
acetic acid (5%)	R	ammonium hydroxide (conc.)	R
acetic acid (glacial)	N	aniline	N
acetic anhydride	LR	battery Acid	R
acetone	N	benzaldehyde	N
acrylic paints and lacquers	LR	benzene	N
ammonia (aqueous solution)	R	bituminous emulsion	N
ammonium chloride (saturated)	R	bromine	N
ammonium hydroxide (10%)	R	butanol	LR
butyl acetate	N	glycol	R
calcium chloride (saturated)	R	heptane	R
calcium hypochlorite	R	hexane	R
carbon tetrachloride	N	hot bitumen	LR
cement	R	hydrochloric acid	R
chlorine water	LR	hydrofluoric acid (40%)	N
chloroform	N	hydrogen peroxide (3%)	R
chromic acid (40%)	N	hydrogen peroxide (28%)	N
citric acid (10%)	R	iso octane	R
cottonseed oil (edible)	R	isopropyl alcohol	N
detergent solution	R	kerosene	R
diesel oil	R	lacquer thinner	N
diethyl ether	N	lactic acid (80%)	LR
dimethyl formamide	N	methane	R
dioctyle formamide	N	methyl alcohol (50%)	LR
ethyl acetate	N	methyl alcohol (100%)	N
ethyl alcohol (50%)	LR	methyl ethyl ketone (MEK)	N
ethyl alcohol (95%)	N	methylene chloride	N
ethyl dichloride	N	mineral oil	R
ethylene glycol	R	mortar	R
2-ethylhexyl sebacate	R	motor fuel (benzene-free)	R
formaldehyde (40%)	R	motor fuel (with benzene)	N
formic acid (2%)	R	muratic acid (20%)	R
formic acid (40%)	LR	nitric acid (10%)	R
gasoline (regular, leaded)	LR	nitric acid (40%)	LR
glycerine	R	nitric acid (conc.)	N
glycerol	R	oil paints (pure)	R
olive oil	R	sodium hydroxide (60%)	R
oxygen	R	stearic acid	R
ozone	R	sulfuric acid (3%)	R

REAGENT	RESULT	REAGENT	RESULT
phenol solution (5%)	N	sulfuric acid (30%)	R
phosphoric acid (10%)	R	sulfuric acid (conc.)	N
plaster of paris	R	thinners (general)	N
soap solution (ivory)	R	toluene	N
sodium carbonate (2%)	R	trichloroethylene	N
sodium carbonate (20%)	R	turpentine	LR
sodium chloride (10%)	R	urine	R
sodium hydroxide (1%)	R	water (distilled)	R
sodium hydroxide (10%)	R	xylene	N

Cleaning Instructions

3form Chroma, like all thermoplastic materials should be cleaned periodically. A regular cleaning program will help to maintain the aesthetics and life of the material. 3form recommends the use of Novus® No. 1 and Brilliantize® plastic cleaners. Both products are specifically for use on plastics and help panels to resist finger-marking and static.

Rinse or wipe the sheet with lukewarm water. Remove dust and dirt from 3form Chroma with a damp, soft cloth or sponge and a solution of mild soap and/or liquid detergent in water. Rinse or wipe the 3form Chroma again thoroughly with lukewarm water. For more stubborn stains, dirty spots or grease, surface cleaners like Fantastik® or Formula 409® also work well. After all cleaning steps, be sure to rinse thoroughly with lukewarm water.

Always use a soft, damp cloth to blot dry. Rubbing with a dry cloth can scratch the material and create a static charge. Never use scrapers or squeegees on 3form Chroma. Also avoid scouring compounds, gasoline, benzene, acetone, carbon tetrachloride, certain deicing fluids, lacquer thinner or other strong solvents.

DO NOT:

- Use squeegees or scrapers as they may scratch the sheet
- Use scouring compounds or solvents such as: acetone, gasoline, benzene, carbon tetrachloride, or lacquer thinner to clean the sheet
- Use abrasives or highline alkaline cleaners
- Use a dry cloth or a cloth of synthetic fiber such as rayon or polyester as they may scratch the sheet.
- Use Windex® or Glass Plus® cleaners

DO:

- Use warm water, mild detergent and a soft cloth or chamois
- Rinse surface thoroughly after cleaning with lukewarm water
- Blot dry with slightly damp, soft cloth or chamois

IMPORTANT

If a cleaning material is found to be incompatible in a short-term test, it will usually be found to be incompatible in the field. The converse, however, is not always true. Favorable performance is no guarantee that actual end-use conditions have been duplicated. Therefore, these results should be used as a guide only and it is recommended that the user test the products under actual end-use conditions.

For more information, please visit 3-form.com or call 877-649-2670.