CITY OF Rancho Cordova
Incorporated July 1, 2003

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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Tuesday, September 25, 2012

5:30 PM – Special Meeting
American River Community Room North

AMENDED AGENDA

1. WORK SESSION - CALL TO ORDER/ROLL CALL

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

2. PUBLIC COMMENT

At a special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any item not on the agenda.

3. CONSENT CALENDAR

3.1 **Subject:** Resolution Authorizing the City Manager to Execute Second Contract Amendment No. 153-2010-2 with Salaber Associates, Inc. to Provide Construction Management Services in the Amount of $127,000 for the Folsom Boulevard Phase 2 Project
Recommendation: Adopt Resolution No. 94-2012.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute the second contract amendment with Salaber Associates, Inc. in the amount of $127,000 to continue providing construction management services for the Folsom Boulevard Phase 2 Project. The current contract amount will increase from $743,000 to $870,000.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 1, 2, 3, 5 and 6.

3.2 **Subject:** Resolution Authorizing the City Manager to Execute Contract Amendment No. 33-2010-1 with Willdan Engineering for On-Call Construction Inspection and Plan Review Services in the Amount Of $600,000
Recommendation: Adopt Resolution No. 95-2012.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute the first contract amendment with Willdan Engineering to increase the maximum compensation from $600,000 to $1,100,000 and extend the term of the service to July 1, 2014.
Staff Report: Cyrus Abhar, Public Works Department
Advances Goals: 1, 2, 3 ,5 and 6.

3.3 **Subject:** Biennial Review and Resolution Updating the Conflict of Interest Code for the City of Rancho Cordova Designated Employees
Recommendation: Adopt Resolution No. SA-9-2012.
Result of Recommended Action: Adoption of this resolution will result in the City's compliance with Fair Political Practices Commission requirements.
Staff Report: Mindy Cuppy, City Clerk's Department
Advances Goal: 3.
COUNCIL ACTING AS SUCCESSOR AGENCY

4. SPECIAL MEETING ITEM

4.1 **Subject:** Economic Development Action Plan and Branding

5. ADJOURNMENT

ADDITIONAL INFORMATION

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, CMC, City Clerk for the City of Rancho Cordova, declare that the foregoing amended agenda for the Tuesday, September 25, 2012 Special Meeting of the Rancho Cordova City Council/Successor Agency to the CRA/RCFC was posted and available for review on September 24, 2012 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 website at www.cityofranchocordova.org.

Signed September 24, 2012 at Rancho Cordova, California.

Mindy Cuppy

Mindy Cuppy, CMC, City Clerk

MEMORANDUM

Rancho Cordova All-America City 2010

DATE: September 25, 2012

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE SECOND CONTRACT AMENDMENT NO. 153-2010-2 WITH SALABER ASSOCIATES, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES IN THE AMOUNT OF $127,000 FOR THE FOLSOM BOULEVARD PHASE 2 PROJECT**

RECOMMENDATION

Adopt Resolution No. 94-2012.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to execute the second contract amendment with Salaber Associates, Inc. in the amount of $127,000 to continue providing construction management services for the Folsom Boulevard Phase 2 Project. The current contract amount will increase from $743,000 to $870,000.

ADVANCES GOALS: 1, 2, 3, 5 and 6.

BACKGROUND

The Council approved the award of the construction contract for the Folsom Boulevard Phase 2 Project on November 15, 2010. At that time, the City entered into a consultant services agreement (Contract No. 153-2010) with Salaber Associates, Inc. to provide construction management services for the project. A first amendment to the contract was approved by Council on April 4, 2012 to extend the term of the contract due to additional construction working days. This second amendment will allow for extended contract compensation due to increased scope and field inspection and project coordination associated with completion of the project.

FISCAL IMPACT

The project budget has sufficient contingency to cover the cost of the requested contract amendment.

ATTACHMENT

Resolution No. 94-2012 including **Exhibit A** – Contract 153-2010-2

CITY OF RANCHO CORDOVA

RESOLUTION NO. 94-2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH SALABER ASSOCIATES, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR FOLSOM BOULEVARD PHASE 2

WHEREAS, on November 15, 2010, the City of Rancho Cordova executed Contract No. 153-2010 with Salaber Associates, Inc. in the amount of $743,000 to provide construction management services for the Folsom Boulevard Phase 2 Project; and

WHEREAS, the City Council approved the first amendment to Contract No. 153-2010 (Contract 153-2010-1) on April 4, 2012 which extended the contract term from June 1, 2012 to June 1, 2013; and

WHEREAS, the City has received a revised scope of work and cost estimate for specific services which would exceed the existing contract maximum; and

WHEREAS, the City wishes to extend the maximum compensation amount to $870,000; and

WHEREAS, the project budget has sufficient contingency to cover the cost of the requested contract amendment.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute a contract amendment with Salaber Associates, Inc. attached as **Exhibit A**, 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 _________, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____
David M. Sander, Mayor

ATTEST:

____
Mindy Cuppy, CMC, City Clerk

EXHIBIT A
CONTRACT NO. 153-2010-2

SECOND AMENDMENT TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF RANCHO CORDOVA AND SALABER ASSOCIATES, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR FOLSOM BOULEVARD PHASE 2

This Second Amendment to the Agreement for Professional Services ("Amendment") is made by and between the City of Rancho Cordova ("City") and Salaber Associates, Inc. ("Professional") as of ___________________, 2012. City and Professional are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a Professional Services Agreement ("PSA") dated November 15, for the purpose of providing construction management services for Folsom Boulevard Phase 2; and

WHEREAS, this Amendment will amend the term of service and compensation of the agreement; and

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

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. Section 2 of the PSA, "Compensation," provides for the City to pay Professional a sum not to exceed $743,000. The Parties agree to amend Section 2 of the PSA in order to increase the compensation amount to pay Professional for additional services. The first sentence of Section 2 of the PSA is amended to read as follows:

   "City hereby agrees to pay Professional a sum not to exceed eight-hundred seventy-thousand dollars ($870,000) on a time and materials basis, notwithstanding any contrary indication that may be contained in Professional's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

2. All other terms and conditions in the PSA 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.

EXHIBIT A
CONTRACT NO. 153-2010-2

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

CITY OF RANCHO CORDOVA	**PROFESSIONAL**
______________________________	________________________________
Ted A. Gaebler, City Manager	**Print:**
	Salaber Associates
Date:___________________	Date:___________________

Attest:

____
Mindy Cuppy, CMC, City Clerk

Date:___________________

Approved as to Form:

____
Adam Lindgren, City Attorney

Date:___________________

1208092.2

MEMORANDUM

DATE: September 25, 2012

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: **RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO. 33-2010-1 WITH WILLDAN ENGINEERING FOR ON-CALL CONSTRUCTION INSPECTION AND PLAN REVIEW SERVICES IN THE AMOUNT OF $600,000**

RECOMMENDATION

Adopt Resolution No. 95-2012.

RESULT OF RECOMMENDED ACTION

Adoption of this resolution will authorize the City Manager to execute the first contract amendment with Willdan Engineering to increase the maximum compensation from $600,000 to $1,100,000 and extend the term of the service to July 1, 2014.

ADVANCES GOALS: 1, 2, 3, 5 and 6.

BACKGROUND

In order to provide flexibility to adapt to a variable development and construction market, the Public Works Department employs the assistance of qualified consultants for construction management, inspection and plan review services. This on-call contract allows the City to draw upon greater resources, thus increasing the ability to handle workload peaks and maintain efficient response times.

Willdan Engineering provides plan review and inspection services of construction projects in the city including utilities (e.g. trenching performed by phone or cable companies) and improvements being constructed by developers (e.g. sidewalk and roadway improvements). The cost of these services averages roughly $20,000 per month and is direct billed to the applicant. This amendment is estimated to cover the next two years of services plus contingency.

FISCAL IMPACT

Inspection and plan review services associated with private development projects are fully recoverable through direct billing to utility companies and developers. These services do not impact general fund.

ATTACHMENT

Resolution No. 95-2012 including **Exhibit A** Contract No. 33-2010-1

CITY OF RANCHO CORDOVA

RESOLUTION NO. 95-2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH WILLDAN ENGINEERING TO PROVIDE ON-CALL CONSTRUCTION INSPECTION AND PLAN REVIEW SERVICES

WHEREAS, on May 1, 2010, the City of Rancho Cordova executed Contract No. 33-2010 with Willdan Engineering in the amount of $500,000 to provide on-call construction inspection and plan review services; and

WHEREAS, the City wishes to extend the contracted amount to $1,100,000; and

WHEREAS, the amendment will allow for the term of service to be extended to July 1, 2014; and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the Council authorizes the City Manager to execute a contract amendment (**Exhibit A**) with Willdan Engineering 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 __________, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____
David M. Sander, Mayor

ATTEST:

____
Mindy Cuppy, CMC, City Clerk

EXHIBIT A

CONTRACT NO. 33-2010-1

FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF RANCHO CORDOVA AND WILLDAN ENGINEERING FOR ON-CALL CONSTRUCTION INSPECTION AND PLAN REVIEW SERVICES

This First Amendment to the Agreement for Professional Services ("Amendment") is made by and between the City of Rancho Cordova ("City") and Willdan Engineering ("Professional") as of _____________, 2012. City and Professional are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a Professional Services Agreement ("PSA") dated May 1, 2012 for the purpose of providing on-call construction inspection and plan review services; and

WHEREAS, this Amendment will amend the term of service and compensation of the agreement; and

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

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. The Parties agree to modify the end date of the PSA from July 1, 2012, to July 1, 2014. The first sentence of Section 1.1 of the PSA, "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 July 14, 2014, unless the term of the Agreement is otherwise terminated or extended, as provided in Section 8."

2. Section 2 of the PSA, "Compensation," provides for the City to pay Professional a sum not to exceed $500,000. The Parties agree to amend Section 2 of the PSA in order to increase the compensation amount to pay Professional for additional services. The first sentence of Section 2 of the PSA is amended to read as follows:

   "City hereby agrees to pay Professional a sum not to exceed one-million one hundred thousand Dollars ($1,100,000), notwithstanding any contrary indication that may be contained in Professional's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

3. All other terms and conditions in the PSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.

4. The signatures of the Parties to this Amendment may be executed and acknowledged on separate pages or in counterparts which, when attached to this Amendment, shall constitute one complete Amendment.

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

CITY OF RANCHO CORDOVA

____
Ted A. Gaebler, City Manager

Date:__________________

Attest:

____
Mindy Cuppy, CMC, City Clerk

Date:__________________

Approved as to Form:

____
Adam Lindgren, City Attorney

Date:__________________

PROFESSIONAL

____
Willdan Engineering

Date:__________________

MEMORANDUM

DATE: September 25, 2012

TO: Honorable Mayor and Council Members

FROM: Mindy Cuppy, CMC, City Clerk

SUBJECT: **BIENNIAL REVIEW OF THE CONFLICT OF INTEREST CODE FOR THE CITY OF RANCHO CORDOVA AND RANCHO CORODVA FINANCING CORPORATION AND ADOPTION OF CONFLICT OF INTEREST CODE FOR MEMBERS OF THE FORMER COMMUNITY REDEVELOPMENT AGENCY SUCCESSOR AGENCY AND OVERSIGHT BOARD**

RECOMMENDATION

Adopt Resolution No. SA-9-2012 adopting Conflict of Interest Code for designated members of the Successor Agency and Successor Agency Oversight Board to the former Community Redevelopment Agency of the City of Rancho Cordova and confirm the biennial review of the City of Rancho Cordova and Rancho Cordova Financing Corporation Conflict of Interest Code as required by the Political Reform Act.

RESULT OF RECOMMENDED ACTION

Adoption of the resolution results in the City's compliance with Fair Political Practices Commission requirements.

BACKGROUND

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially. No later than October 1st of each even-numbered year, a notice must be submitted to the reviewing body indicating whether or not an amendment is necessary. The code reviewing body for the City of Rancho Cordova is the City Council. The City's Conflict of Interest Code was last reviewed in 2010.

City and Rancho Cordova Financing Corporation

There is no updated needed to the City of Rancho Cordova and Rancho Cordova Financing Corporation Conflict of Interest Codes.

Successor Agency and Oversight Board

This resolution adopts a Conflict of Interest Code for members of the Successor Agency to the Former Community Redevelopment Agency of the City of Rancho Cordova and their Oversight Board. This code mirrors the City's Conflict of Interest Code.

In June 2011, Governor Brown signed into law AB 1x 26, Redevelopment Dissolution Act which suspended operations for all 400 Redevelopment Agencies in California and AB x1 27 which allowed Redevelopment Agencies to be "re-established." Subsequently the California Supreme Court found AB 1x 26 valid and AB x1 27 unconstitutional.

On January 10, 2012, the City Council adopted Resolution No. 1-2012 electing to serve as the Successor Agency to the former Community Redevelopment Agency of the City of Rancho Cordova. On February 1, 2012, all assets, properties, contracts, leases, and records of the former redevelopment agency were transferred by operation of law to the Successor Agency. As prescribed in AB 1x 26 a seven member "Oversight Board" has been established pursuant to Health and Safety Code Section 34179 to assist in the close out and wind down of the dissolved redevelopment agency.

On April 11, 2012, the League of California Cities (LCC) requested Fair Political Practices Commission (FPPC) advice regarding AB x1 26 as it relates to Filing Requirements for Successor Agency and Oversight Board compliance requirements with the Political Reform Act/Conflict of Interest for both the Successor Agency and Successor Agency Oversight Board.

On April 25, 2012 the FPPC responded that the Political Reform Act requires public officials to disclose information about their financial interests that can materially affect their official actions and may cause them to disqualify themselves from acting when there is a potential conflict of interest (Government Code Section 81002(c)). Successor agencies and Oversight Boards have control and oversight over obligations, assets and property and therefore require accurate financial disclosure. The FPPC concluded that City Council may be the code reviewing body for the Successor Agency and Oversight Board and may update existing Conflict of Interest Resolutions to add these agencies. (FPPC Advice Letter I-12-060)

AB 1484, enacted June 27, 2012 further clarifies that “A successor agency is a separate public entity from the public agency that provides for its governance and the two entities shall not merge”. Therefore we recommend that a separate Conflict of Interest code for the Successor Agency and Oversight Board be adopted.

The table below shows the positions to be covered:

POSITION	**CATEGORY**
Successor Agency Board Member	1
Successor Agency Executive Director	1
Successor Agency Treasurer	1
Successor Agency Secretary	1
Successor Agency Oversight Board Member	1
Successor Agency Oversight Board Executive Director	1
Successor Agency Oversight Board Treasurer	1
Successor Agency Oversight Board Secretary	1

Consultant shall be designated on a case-by-case basis, depending upon the nature of their services in accordance with the definition in Commission Regulation 18700.

Disclosure Categories are as follows:

Disclosure Category 1
Individuals in this category shall disclose all interests in real property located within the City and all investments in, business positions with, and sources of income from entities having an interest in real property within the City or entities which are of the type to do business with or within the City.

Disclosure Category 2
Individuals in this category shall disclose all investments and business positions in business entities, and income from sources which: (1) are contractors or subcontractors engaged in the performance of work or services of the type utilized by the City, or (2) which manufacture or sell supplies, material, machinery or equipment of the type utilized by the City.

Disclosure Category 3
Individuals in this category shall disclose all investments and business positions in business entities, and income from sources which: (1) are contractors or subcontractors engaged in the performance of work or services of the type utilized by the designated employee's department, or (2) which manufacture or sell supplies, material, machinery or equipment of the type utilized by the designated employee's department.

FISCAL IMPACT

None.

ATTACHMENTS

1. Resolution No. SA-9-2012 including Exhibit A: Successor Agency and Successor Agency Oversight Board to the former Community Redevelopment Agency of the City of Rancho Cordova Conflict of Interest Code and Exhibit B: California Code of Regulations Title 2, Section 18730

2. 2012 Local Agency Biennial Notice for the City of Rancho Cordova and Rancho Cordova Financing Corporation

CITY OF RANCHO CORDOVA

RESOLUTION NO. SA-9-2012

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF RANCHO CORDOVA ADOPTING A CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

WHEREAS, the Political Reform Act, Government Code Section 8100 et seq., requires state and local government agencies to adopt and to promulgate conflict of interest codes and review them biennially; and

WHEREAS, The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) containing terms of a standard conflict of interest code that may be incorporated by reference into an agency's conflict of interest code; and

WHEREAS, pursuant to Resolution No. 1-2012, adopted by the City Council on January 10. 2012, the City of Rancho Cordova ("City") agreed to serve as the Successor Agency to the Community Redevelopment Agency of the City of Rancho Cordova (the "Agency") commencing upon the dissolution of the Agency on February 1, 2012; and

WHEREAS, Assembly Bill 1484, enacted June 27, 2012, modified ABx1 26 by adding California Health and Safety Code Section 34173(g) to clarify that each successor agency "is a separate public entity from the public agency that provides for its governance"; and

WHEREAS, the City has determined it now needs to adopt a conflict of interest code to for the Community Redevelopment Agency Successor Agency and Oversight Board as designated filers; and

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Rancho Cordova has conducted the 2012 biennial review of its conflict of interest code, as required by the Political Reform Act, as a result of the biennial review determined the need to adopt a conflict of interest code for the Successor Agency to the Community Redevelopment Agency or the City of Rancho Cordova and its Oversight Board.

AND, BE IT FURTHER RESOLVED, the Successor Agency hereby resolves as follows:

1. The conflict of interest code reviewing body for the Successor Agency and Oversight Board is the Rancho Cordova City Council.

2. The Successor Agency hereby approves and adopts by reference the terms of Title 2 California Code of Regulations Section 18730, as it may be amended after a public notice and hearing may be amended from time to time by the Fair Political Practices Commission to conform to amendments in the Political Reform Act; and

3. Following adoption of the Code, the designated officials, employees, board members and consultants shall file statements of economic interest with the City Clerk and

shall disqualify themselves from participation in decisions in which they may have a conflict of interest, in accordance with the Code.

4. The City Clerk is designated as the Filing Official and Filing Officer for the City of Rancho Cordova.

5. Individuals holding designated positions shall file their statements with the City Clerk, which will retain the statements and make the statements available for public inspection and reproduction. (Government Code Section 81088).

PASSED AND ADOPTED by the Board Members of the Successor Agency to the Community Redevelopment Agency of the City of Rancho Cordova on the ____ day of _____, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____
David M. Sander, Mayor

ATTEST:

____
Mindy Cuppy, CMC, City Clerk

AGENDA ITEM 3.3

EXHIBIT A

Successor Agency and Successor Agency Oversight Board to the former Community Redevelopment Agency of the City of Rancho Cordova Conflict of Interest Code

Adopted _______, 2012 by Resolution No. ____-2012

Intent

The Political Reform Act (Government Code Section 8100, et. seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict-of-interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices (FPPC) to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating positions and establishing disclosure requirements shall constitute the conflict-of-interest code of the City of Rancho Cordova.

Individuals holding designated positions shall file their statements with the City Clerk, which will retain the statements and make the statements available for public inspection and reproduction. (Government Code Section 81088).

Appendix A: List of Mandated (Government Code § 87200) and Designated Filers)

Mandated (G.C. Code Section 87200 Filers) are defined by California Government Code Section 87200 as "…members of planning commissions,…mayors, city managers, city attorneys, city treasurers, … members of city councils of cities, and other public officials who manage public investments, and to candidates for any of these offices at any election." Filing obligations for individuals holding these positions are contained in California Government Code Sections 87200-87210. They are listed here for informational purposes only. *Filing Official sends original to FPPC, and retains copy.*

Council Member
Planning Commissioner
City Manager
City Attorney
Finance Director/Treasurer
Candidates for any of these positions

Designated Filers are defined as employee, members and consultants determined by the City of Rancho Cordova to be persons who "make or participate in the making of decisions which may foreseeably have a material effect on economic interests", under 2 California Code of Regulations, Section 18730 (2) Designated Employees. *Filing Officer retains original.*

EXHIBIT A

SUCCESSOR AGENCY POSITION	**CATEGORY**
Board Member	1
Executive Director	1
Treasurer	1
Secretary	1

SUCCESSOR AGENCY OVERSIGHT POSITION	**CATEGORY**
Board Member	1
Executive Director	1
Treasurer	1
Secretary	1

Consultant shall be designated on a case-by-case basis, depending upon the nature of their services in accordance with the definition in Commission Regulation 18700.

Appendix B: Disclosure Requirements

G.C. Code Section 87200 Filers: Disclosure requirements for Code Filers are contained in the Political Reform Act, Chapter 7-Conflict of Interest, Article 2-Disclosure, Sections 87200-87210.

Designated Filers: Full disclosure is required for all designated employees. Full disclosure includes all interest in real property located within the City of Fortuna (other than filer's principle residence), as well as investments, business positions and sources of income, including gifts, loans and travel payments.

Disclosure Categories are as follows:

Disclosure Category 1
Individuals in this category shall disclose all interests in real property located within the City and all investments in, business positions with, and sources of income from entities having an interest in real property within the City or entities which are of the type to do business with or within the City.

Disclosure Category 2
Individuals in this category shall disclose all investments and business positions in business entities, and income from sources which: (1) are contractors or subcontractors engaged in the performance of work or services of the type utilized by the City, or (2) which manufacture or sell supplies, material, machinery or equipment of the type utilized by the City.

Disclosure Category 3
Individuals in this category shall disclose all investments and business positions in business entities, and income from sources which: (1) are contractors or subcontractors engaged in the performance of work or services of the type utilized by the designated employee's department, or (2) which manufacture or sell supplies, material, machinery or equipment of the type utilized by the designated employee's department.

California Code of Regulations - Title 2, Section 18730
Provisions of Conflict-of-Interest Codes

Barclays Official California Code of Regulations
Title 2. Administration
Division 6. Fair Political Practices Commission
Chapter 7. Conflicts of Interest

§ 18730. Provisions of Conflict-of-Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict-of-interest code within the meaning of Section 87300 or the amendment of a conflict-of-interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict-of-interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict-of-interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict-of-interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict-of-interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict-of-interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.[1]

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict-of-interest code.[2]

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property[3] is required to be reported,[4] the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds $2,000, exceeds $10,000, exceeds $100,000, or exceeds $1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,[5] the statement shall contain:

1. The name and address of each source of income aggregating $500 or more in value, or $50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was $1,000 or less, greater than $1,000, greater than $10,000, or greater than $100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,[6] the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than $10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of $420.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $420 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars ($500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of $500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of $100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than $250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth $2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth $2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating $500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $420 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value $1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

____

[1]Designated employees who are required to file statements of economic interests under any other agency's conflict-of-interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

[2]See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

[3]For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

[4]Investments and interests in real property which have a fair market value of less than $2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

[5]A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

[6]Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

This database is current through 8/24/12 Register 2012, No. 34

END OF DOCUMENT

2012 Local Agency Biennial Notice

Name of Agency: City of Rancho Cordova

Mailing Address: 2729 Prospect Park Drive, Rancho Cordova, CA 95670

Contact Person: Mindy Cuppy Office Phone No: (916) 851-8721

E-mail: mcuppy@cityofranchocordova.org Fax No: (916) 851-8721

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict-of-interest code and has determined that *(Check one box):*

☐ **An amendment is required. The following amendments are necessary:**
(Mark all that apply.)

- ○ Include new positions.
- ○ Revise disclosure categories.
- ○ Revise the titles of existing positions.
- ○ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
- ○ Other *(describe)*__________

☑ **No amendment is required.**

☐ **The code is currently under review by the code reviewing body.**

Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

____
Signature of Chief Executive Officer

____
Date

Complete this notice regardless of how recently your code was approved or amended.
Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

2012 Local Agency Biennial Notice

Name of Agency: Rancho Cordova Financing Corporation

Mailing Address: 2729 Prospect Park Drive, Rancho Cordova, CA 95670

Contact Person: Mindy Cuppy Office Phone No: (916) 851-8721

E-mail: mcuppy@cityofranchocordova.org Fax No: (916) 851-8721

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.

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- ○ Other *(describe)*__________

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Verification

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____________________ __________
Signature of Chief Executive Officer *Date*

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Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

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