

REGULAR CONCURRENT MEETING CITY COUNCIL/CRA/RCFC

**Council Chambers
3121 Gold Canal Drive, Rancho Cordova, California**

Monday, October 17, 2005

4:00 p.m. – Study Session

**(The Study Session will last until approximately 6:30 p.m.
at which time the Regular Meeting will commence)**

Regular Meeting

AGENDA



Ken Cooley, Mayor

Robert J. McGarvey, Vice Mayor

Linda Budge, Council Member

David M. Sander, Council Member

Dan Skoglund, Council Member

MAKING YOUR POINT – MAKING IT COUNT

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

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

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

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

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



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

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

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

THANK YOU FOR PARTICIPATING!



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

**City Council Chambers
3121 Gold Canal Drive, Rancho Cordova**

Monday, October 17, 2005

**4:00 P.M. – Study Session
(The Study Session will last until approximately
6:30 p.m. at which time the Regular Meeting will commence.)**

Regular Meeting

AGENDA

STUDY SESSION

Call to Order

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

Public Comment

At a study session, citizens are invited and encouraged to participate in discussion during the time the matter is discussed. Citizens wishing to address the Council for any matter not on the agenda may do so at this time. **Please keep your comments to three minutes or less and provide a Speaker Card to the City Clerk.** Please state your name and community of residence. 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.

Study Session Item

1. Water Supply and Delivery Workshop

REGULAR CONCURRENT MEETING

Call to Order

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

Metro Cable TV Telecast Announcement

Pledge of Allegiance

1. Boy Scout Troops 363 and 601

Invocation

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

Presentation

3. Presentation and Report on October 5 Bus Tour of North Bay Area Downtowns and Town Centers

CONSENT CALENDAR – ROLL CALL VOTE

4. **Subject:** Minutes of City Council Meetings:
 - a. Regular Meeting of September 6, 2005
 - b. Special Meeting of September 30, 2005**Recommendation:** Adopt Minutes.
5. **Subject:** Second Reading of Ordinance No. 20-2005 Authorizing an Amendment to the Contract to Provide Section 21354.5 (2.7% @ 55 Formula) Between the City Council of the City of Rancho Cordova and the Board of Administration of the California Public Employees' Retirement System
Recommendation: Waive second reading and adopt Ordinance No. 20-2005. **(Roll Call Vote)**
6. **Subject:** Resolution Authorizing the Implementation of the Tobacco Licensing Permit
Recommendation: Adopt Resolution No. 128-2005.
7. **Subject:** Awarding Contract to the Lowest Responsive Bidder Capitol City Tile & Marble Inc. for Ceramic and Stone Tile Trade for the New City Hall
Recommendation: Award contract to Capitol City Tile & Marble Inc.
8. **Subject:** Second Amendment to Existing Contract Between the City and Barnum & Celillo Electric for Electrical and Fire Alarm Trade for the New City Hall
Recommendation: Award second amendment contract to Barnum & Celillo Inc.

ORAL COMMUNICATIONS

9. Public Comment

Citizens wishing to address the Council/Redevelopment Agency for **any matter not on the agenda may do so at this time by completing and submitting a (blue) Speaker Card to the City Clerk. The Mayor will call you to the podium at this point on the agenda.** 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.

If you wish to be heard on a listed agenda item, please complete and submit a (blue) Speaker Card to the City Clerk and wait until the item is discussed. The Mayor will call you up to the podium to address the Council/Redevelopment Agency.

All speakers are encouraged to keep your comments to three minutes or less and to state your name and community of residence.

PUBLIC HEARINGS

10. **Subject:** Urgency Ordinance Establishing Permanent Citywide Transportation Impact Fee and Resolution Adopting a Transportation Impact Fee Schedule
Recommendation: Adopt Urgency Ordinance No. 24-2005, Establishing Permanent Citywide Transportation Impact Fee, and Resolution No. 127-2005 Adopting Fee Schedule **(Roll Call Vote)**
11. **Subject:** Urgency Resolution Establishing an Interim Citywide Transportation Impact Fee - **Please be advised that this item will be considered only if the urgency ordinance for the permanent fee (agenda item #10) is not adopted.**
Recommendation: Adopt Urgency Resolution No. 126-2005.
12. **Subject:** Action Items Related to the Formation and Authorization for Bonds of the City of Rancho Cordova Sunridge North Douglas Community Facilities District No. 2005-1
Recommendation: That Council:
 - a. Adopt Resolution No. 131-2005 Formation of Community Facilities District and to Levy a Special Tax in Sunridge North Douglas Community Facilities District No. 2005-1
 - b. Adopt Resolution No. 132-2005 Deeming it Necessary to Incur Bonded Indebtedness in Sunridge North Douglas Community Facilities District No. 2005-1
 - c. Adopt Resolution No. 133-2005 Calling Special Election in Sunridge North Douglas Community Facilities District No. 2005-1
 - d. Adopt Resolution No. 134-2005 Declaring Election Results of Sunridge North Douglas Community Facilities District No. 2005-1
 - e. Waive First Reading and Introduce Ordinance No. 26-2005 Levying a Special Tax within Sunridge North Douglas Community Facilities District No. 2005-1 **(Roll Call Vote)**

13. **Subject:** Mills Shopping Center Design Review

Recommendation: Adopt Resolution No. 125-2005 approving the Design Review for the remodel of Mills Shopping Center, 10303-10379 Folsom Boulevard, RC-04-136, subject to the Findings, Design Review Package, and Conditions of Approval.

14. **Subject:** Summerset Condominiums RC-04-143 Tentative Subdivision Map, Design Review, and Special Development Permit

Recommendation: Adopt Resolution No. 129-2005 approving a Tentative Subdivision Map, Design Review for 34 condominium units and a Special Development Permit to allow for a reduction in setbacks for Summerset Condominiums, Project No. RC-05-143, subject to the Findings, Design Review Package, and Conditions of Approval.

*** 7:30 P.M. - BREAK**

REGULAR CALENDAR

15. **Subject:** Ordinance Regulating Commercial Solid Waste Collection, Transportation or Disposal and Establishing Commercial Solid Waste Collection Franchises

Recommendation: Waive first reading and introduce Ordinance No. 22-2005 regulating Commercial Solid Waste Collection, Transportation or Disposal and Establishing Commercial Solid Waste Collection Franchises, and continue the ordinance to the Council Meeting of November 7, 2005. **(Roll Call Vote)**

16. **Subject:** Sacramento Transportation and Air Quality Collaborative Memorandum of Understanding (MOU) and Invoice

Recommendation: Authorizing the City Manager to Execute the Sacramento Transportation and Air Quality Collaborative MOU effective July 1 through December 31, 2005 and authorizing the Finance Department to pay the City's operation of the Collaborative in the amount of \$6,558.00.

CORRESPONDENCE

COUNCIL REPORTS

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

CITY MANAGER'S REPORT

CLOSED SESSION

17. Conference with Legal Council – Anticipated Litigation – Government Code Section 54956.9(b): One potential case.

ADJOURNMENT

UPCOMING MEETINGS	
<i>Tuesday, November 1, 2005</i>	<i>5:30 p.m. – Closed Session</i>
<i>Monday, November 7, 2005</i>	<i>5:30 p.m. – Regular Concurrent Meeting</i>
<i>Wednesday, November 9, 2005</i>	<i>6:30 p.m. – Joint Study Session with Rancho Cordova Recreation and Park District</i>
<i>Tuesday and Wednesday, November 15-16, 2005</i>	<i>Study Session – Annual Council Retreat</i>
<i>Monday, November 21, 2005</i>	<i>5:30 p.m. – Regular Concurrent Meeting</i>

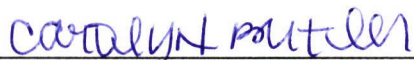
Tonight's meeting of the Rancho Cordova City Council & Community Redevelopment Agency is being telecast on Metro Cable TV, Channel 14, the Government Affairs Channel on the Comcast, SureWest and Strategic Technologies Cable Systems, and will be shown in its entirety. Tune to Metro Cable Channel 14, for playback times. It will be webcast at www.sacmetroable.tv. 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) 942-0255 or lhare@cityofranhocordova.org at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Carolyn Butler, Deputy City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the October 17, 2005 Regular Concurrent Meeting of the Rancho Cordova City Council/CRA/RCFC was posted on October 13, 2005 at the office of the City of Rancho Cordova, 3121 Gold Canal Drive, Rancho Cordova, California, 95670 and was available for public review at that location. The agenda is also available on the city web site at www.cityofranhocordova.org.

Signed this 13th day of October 2005 at Rancho Cordova, California.



Carolyn Butler, Deputy City Clerk

MEMORANDUM



DATE: October 17, 2005
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
SUBJECT: **Water Supply and Delivery Workshop**

A water supply workshop has been assembled to inform the Council of existing and future water supply and delivery issues in Rancho Cordova.

The workshop will cover the following aspects:

- Water Purveyors in Rancho Cordova – Currently there are four water purveyors within Rancho Cordova city limits:
 - Sacramento County Water Agency (SCWA)
 - Golden State Water Company (GSWC)
 - California American Water Company (CalAm)
 - City of Folsom
- A Discussion of current fixed and metered rates for each purveyor.
- Groundwater Contamination – Remediation treatment of contamination and control of plume migration.
- Water Supplies – Existing supplies; surface water and groundwater. Future supplies; surface water, groundwater, remediated water and recycled water.
- Water recycling opportunities for Rancho Cordova - Sacramento Regional County Sanitation District (SRCSD) staff will present an outline of their water recycling program.
- Long Range Water Supply Outlook – Central Sacramento County Groundwater Forum, SCWA Zone 40 Water Supply Master Plan, GSWC Planning, CalAm Planning, SRCSD.
- The City as a Water Purveyor – Feasibility of the City as a water purveyor.



**REGULAR CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY(CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)
City Council Chambers
3121 Gold Canal Drive, Rancho Cordova**

MINUTES

**Tuesday, September 6, 2005
5:30 P.M. – Regular Meeting**

REGULAR MEETING

Call to Order

Mayor Cooley called the meeting to order at 5:40 p.m. He asked for a moment of silence for families affected by Hurricane Katrina.

Present: Council Members Budge, McGarvey, Sander (arrived at 5:45 p.m.) Skoglund & Mayor Cooley

Staff Present: Gaebler, Abhar, Butler, Campbell, Hare, Haven, Junker, Lindgren, McMahon, Thomas & Trimberger

Pledge of Allegiance

Pat Wilcox led the Pledge.

Invocation

1. Pastor Curtis Young, Rock Tabernacle, gave the invocation.

Presentations

2. New Staff Introductions:
Erin Treadwell, Public Information Officer
Elizabeth Sparkman, Senior Engineer
Kathy Garcia, Senior Engineer
Liisa Behrends, Interim Finance Manager
Keith Misner, Accountant

Human Resource Director Lillian Hare introduced Public Information Officer Erin Treadwell. Public Works Director Cyrus Abhar introduced Senior Engineer Elizabeth Sparkman and Senior Engineer Kathy Garcia. Finance Director Bill Thomas introduced Interim Finance Manager Liisa Behrends and Accountant Keith Misner.

3. Dr. Bob LaPerriere – Historic Kilgore Cemetery Plaque

AGENDA ITEM # 4a

Dr. Bob LaPerriere presented a Kilgore Cemetery historic plaque to the City.

4. The Proclamation for Korea Day and Honorary Citizenships for Federation of Artistic & Cultural Organizations of Korean American Visitors Jong Hun Kim, Sung Rim Lee, Seon Ju Lee, and Young Ja Sin was presented by Mayor Cooley.
5. American River Parkway Foundation – Great American River Cleanup (Annemarie Vincent).

Annemarie Vincent from the American River Parkway Foundation informed Council about the Great American River Cleanup on September 17, 2005.

6. Sacramento County Health Presentation on Local Pharmacies Selling Hypodermic Needles Without Prescription

The presentation was not made.

CONSENT CALENDAR – ROLL CALL VOTE

ACTION: Motion by Budge second by Skoglund and unanimously carried by roll call vote, the Consent Calendar was approved with the exception of Item 10.

7. **Subject:** Minutes of City Council Meetings:
 - a. Regular Meeting of July 5, 2005
 - b. Special Meeting of July 13, 2005.
 - c. Regular & Special Meeting of July 18, 2005
 - d. Regular Concurrent Meeting of August 1, 2005

Recommendation: Adopt Minutes.

8. **Subject:** Ordinance for Development Agreement Relating to Capital Village (Between City and Beazer Homes Holding Corporation and Hearthstone Multi-Asset Entity B) – Re-authorization of Execution of Development Agreement to Reflect Changed Ownership.
Recommendation: Waive first reading and introduce Ordinance No. 19-2005, approving the execution of Development Agreement for Capital Village, as submitted. **(Roll Call Vote)**
9. **Subject:** Resolution Declaring the Results of Mail Ballot Election Regarding Special Taxes for Police Services for Police Tax Area Zone 26.
Recommendation: Adopt Resolution No. 68-2005.
11. **Subject:** Resolution of Intention to Form Community Facilities District and Levy a Special Tax and Resolution Declaring Intention to Incur Bonded Indebtedness to Finance the Acquisition and Construction of Certain Public Facilities and Payment of Certain Fees in Sunridge North Douglas Community Facilities District No. 2005-1
Recommendation: Adopt Resolution No. 111-2005 and Resolution No. 112-2005.

The following item was pulled from the Consent Calendar for individual consideration:

10. **Subject:** Sewer Connection Credit Program – Resolution to Execute Agreement with the Sacramento Regional County Sanitation District Regarding Allocation of Wastewater Treatment Capacity and Resolution Approving the Rancho Cordova Wastewater Treatment Capacity Bank Program Guidelines.

Recommendation: Adopt Resolution No. 102-2005 and Resolution No. 103-2005.

ACTION: Motion by Cooley second by Sander and unanimously carried, Council adopted Resolution No. 102-2005 and Resolution No. 103-2005.

ORAL COMMUNICATIONS

12. Public Comment

The following individuals addressed the Council:

- (a) Leo McFarland, President of Volunteers of America, addressed the suitability of temporary housing at Mather Community Campus for families affected by Hurricane Katrina. Beth Martin echoed Mr. McFarland's concern.
- (b) Lori Soldano, Retention Specialist of Rancho Cordova Economic Development Corporation, reported on the roundtable event.
- (c) Pat Wilcox, Chair of County Mather Community Campus Advisory Committee, expressed her concerns related to funding for additional staff in 2005 and 2006.

CONSENT PUBLIC HEARINGS

Mayor Cooley opened the public hearings for Item 13 and 14. There being no speakers, he closed the public hearings.

ACTION: Motion by Sander second by McGarvey and passed by roll call vote, Council approved the staff recommendations for Items 13 and 14.

13. **Subject:** Assembly Bill 939 – Planning Documents for Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE) and Nondisposal Facility Element (NDFE).

Recommendation: Received and considered public comment.

14. **Subject:** Resolution Approving the Proposed Park Development Impact Fee Nexus Study for the Sunrise Douglas Community Plan and the Adoption of a New Parks Fee Schedule (**continued from August 1, 2005**).

Recommendation: Continue public hearing to September 19, 2005 in order to allow refinement of the Draft Nexus Study.

PUBLIC HEARINGS

15. **Subject:** Ordinance for Folsom Lake Imports Rezone Conditional Use Permit Design Review Rezone from Limited Commercial to General Commercial
Recommendation: Waive first reading and introduce Ordinance No. 15-2005 approving a Rezone from Limited Commercial to General Commercial subject to the Findings and Evidence. **(Roll Call Vote)**

Mayor Cooley opened the public hearing. There being no speakers, he closed the public hearing.

ACTION: Motion by Budge second by McGarvey and unanimously carried by roll call vote, Council introduced Ordinance No. 15-2005 approving a Rezone from Limited Commercial to General Commercial subject to the Findings and Evidence.

16. **Subject:** Verizon Wireless CUP – Appeal of Planning Commission Decision on a Conditional Use Permit for the Construction, Operation and Maintenance of a Wireless Telecommunication Facility and an Equipment Shelter.
Recommendation: Continue public hearing to September 19, 2005 at the request of appellant Council Member Budge.

CONSENSUS: Continue public hearing to September 19, 2005.

17. **Subject:** Draft Design Guidelines and Corresponding Zoning Code Amendments
Recommendation: Adopt Resolution No. 108-2005 and waive first reading and introduce Ordinance No. 16-2005. **(Roll Call Vote)**

Mayor Cooley opened the public hearing. The following individual addressed the Council on this item:

Scott Clark in support of zoning code amendments and creating sidewalk standards.

Mayor Cooley closed the public hearing.

ACTION: Motion by Sander second by McGarvey and unanimously carried by roll call vote, Council introduced Ordinance No. 16-2005 and adopted Resolution No. 108-2005; with amendments to the Design Guidelines as follows:

- Simplify the language in the checklists to eliminate jargon.
- Include amendments in attachment 3
- Amendments added in response to comments by Matt Taecker to be included.

REGULAR CALENDAR

18. **Subject:** Parks and Open Space Standards Discussion
Recommendation: Receive staff update; no formal action requested.

The following individuals addressed the Council:

- (a) Ardie Zahedani of BIA expressed his concerns regarding the land maps, breakdown costs and maintenance fees.

(b) David Hart said the biggest issue for him is the timeline for Parks standards.

(c) Larry said viewshed should be considered as part of the standards.

ACTION: No action required.

At this time, Council took a brief recess. All attending Council Members reconvened.

19. **Subject:** Ordinance Adding Chapter 10.70, "Street Racing," to the Rancho Cordova Municipal Code

Recommendation: Waive first reading and introduce Ordinance No. 17-2005. **(Roll Call Vote)**

ACTION: Motion by Budge second by Sander and unanimously carried by roll call vote, Council introduced Ordinance No. 17-2005.

20. **Subject:** Ordinance Amending Rancho Cordova Municipal Code Chapter 9.28, "Curfew"

Recommendation: Waive first reading and introduce Ordinance No. 18-2005. **(Roll Call Vote)**

ACTION: Motion by Sander second by Budge and unanimously carried by roll call vote, Council introduced Ordinance No. 18-2005.

CORRESPONDENCE

None

COUNCIL REPORTS

None

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member Budge requested a report regarding Code Enforcement violations relative to the excessive use of concrete in front yards.

Council Member Skoglund requested a report relative to complaints regarding BFI's trash pick up.

CITY MANAGER'S REPORT

21. Police Department Update continued to September 19, 2005.

22. Cancel October 12, 2005 Study Session and Select New Date for the Study Session

The October 12, 2005 Study Session is rescheduled to October 26, 2005 for a joint meeting with the City Council, Planning Commission and Rancho Cordova Recreation and Park District regarding the nexus study and follow up from the previous meeting of the Council and District.

CLOSED SESSION

The Council adjourned to Closed Session at 11:27 p.m. for the following purpose:

23. Conference with Legal Council – Anticipated Litigation – Government Code Section 54956.9(b): One potential case.

Present in Closed Session were all Council Members; Ted Gaebler, City Manager; and Adam Lindgren, Assistant City Attorney.

The meeting was reconvened into Open Session at 12:29 a.m.

There was no reportable action from Closed Session.

ADJOURNMENT

The meeting adjourned at 12:30 a.m. in memory of Retired Air Force and long-time resident John Shackleford and Private Christopher L. Palmer of the 2nd Battalion, 503rd Infantry Regiment, 173 Airborne Brigade.

Carolyn Butler, Deputy City Clerk



CITY COUNCIL

MINUTES

**Special Meeting
City Council Chambers
3121 Gold Canal Drive, Rancho Cordova**

**Friday, September 30, 2005
8:00 A.M.**

Call to Order

The meeting was called to order at 8:10 a.m. by Vice Mayor McGarvey.

Roll Call

Present: Council Members: Budge, McGarvey, Sander, and Skoglund
Mayor Cooley joined the meeting at 8:15 a.m.

Staff Present: Gaebler, Hare, Chapman, Lindren (via teleconference)

Oral Communication

1. Public Comment

None.

The Council adjourned to Closed Session at 8:12 a.m. for the following purpose:

2. Conference with Legal Counsel -- Anticipated Litigation: Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9 (one case).

Present in Closed Session were all Council Members; Ted Gaebler, City Manager; Joe Chapman and Adam Lindgren, of the City Attorney's Office.

The Council reconvened into Open Session at 8:24 a.m.

The following action was reported from Closed Session

ACTION: Motion by Cooley second by Budge and unanimously carried, the Council approved the extension of the Tolling Agreement with Building Industry Association.

There was no other reportable action.

AGENDA ITEM # 4b

Adjournment

The meeting adjourned at 8:25 a.m.

Respectfully submitted,

Lillian Hare, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 20-2005

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY
COUNCIL OF THE CITY OF RANCHO CORDOVA AND THE BOARD OF
ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT
SYSTEM**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO
CORDOVA DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. That an amendment to the contract between the City Council of the City of Rancho Cordova and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

Section 2. The Mayor of the City Council of the City of Rancho Cordova is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

Section 3. This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in the Grapevine or Sacramento Bee, newspapers of general circulation, published and circulated in the City of Rancho Cordova and thenceforth and thereafter the same shall be in full force and effect.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 17th day of October, 2005.

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk



EXHIBIT

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Rancho Cordova

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective May 16, 2004, and witnessed April 21, 2004, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 10 are hereby stricken from said contract as executed effective May 16, 2004, and hereby replaced by the following paragraphs numbered 1 through 11 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after May 16, 2004 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Employees other than local safety members (herein referred to as local miscellaneous members).
4. Any exclusion(s) shall remain in effect until such time as the Public Employees' Retirement System determines that continuing said exclusion(s) would risk a finding of non-compliance with any federal tax laws or regulations. If such a determination is contemplated, the Public Employees' Retirement System will meet with the Public Agency to discuss the matter and coordinate any required changes or amendments to the contract.

In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

a. SAFETY EMPLOYEES.

5. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after the effective date of this amendment to contract shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after the effective date of this amendment to contract shall be determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).
7. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 20938 (Limit Prior Service to Members Employed on Contract Date).
8. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.
9. Public Agency shall also contribute to said Retirement System as follows:
 - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574.5 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.

- b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
10. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
11. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF RANCHO CORDOVA

BY _____
LORI MCGARLAND, ACTING CHIEF
ACTUARIAL & EMPLOYER SERVICES BRANCH
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest: _____

Clerk

MEMORANDUM

DATE: October 17, 2005
TO: Mayor and Council Members
FROM: William J. Thomas, Chief Financial
SUBJECT: Resolution Authorizing the Implementation of the Tobacco Licensing Permit



RECOMMENDATION

Adopt Resolution No. 128-2005 providing for a fee for the licensing of establishments selling tobacco products.

BACKGROUND AND DISCUSSION

On February 22, 2005 the City Council adopted Ordinance No. 03-2005. This ordinance provides the means for the City to regulate businesses that sell tobacco products. The main purpose of that Ordinance is to encourage responsible tobacco retailing and to discourage violations of tobacco-related laws, especially those that prohibit or discourage the sale or distribution of tobacco products to minors.

To carry out the purpose of this Ordinance, the City requires that each tobacco retailer to have a license. Section 4.07.040 of the City of Rancho Cordova Municipal Code states:

“It shall be unlawful for any person to act as a tobacco retailer without first obtaining a license for each location at which tobacco retailing is to occur. No license will be issued to authorize tobacco retailing at other than a fixed location. No license will be issued for itinerant tobacco retailing or tobacco retailing from vehicles”

The fee for this license is to be established by resolution of the City Council, as detailed in Section 4.07.080 of the Code, as follows:

“The fee for issuance or renewal of a license shall be established by resolution of the City Council and shall be in addition to the City’s business operation tax and any other license or permit imposed by this Code upon the applicant. The license fee shall be paid to the City at the time the license application is submitted. The amount of the fee shall be determined on the basis of the costs incurred in the enforcement of

tobacco retailing laws together with the costs, including the costs of counsel, incurred in the administration of this Chapter.”

The City is unable to determine the cost of enforcing the tobacco retailing laws since we have not enforced the regulations in the concerted effort that the City will now pursue. As with other services, the City will conduct an in-depth evaluation of the costs as part of the FY 2007 budget process. Until such time, it is recommended that the City charges a fee in accordance with other local agencies are charging. A survey of those fees includes:

1. The City of Sacramento charges \$300 per year (enacted on March 31, 2004).
2. Sacramento County charges \$287 per year (enacted on May 18, 2004).
3. The City of Elk Grove charges \$270 per year (enacted on September 15, 2004).

Based on what other agencies are charging, it is recommended that the City establish the initial fee at \$285 which is the average of the three surveyed agencies. The fee will be re-evaluated for the FY 2007 budget.

FISCAL IMPACT

It is estimated that the City has approximately 99 tobacco retail outlets. The fee will provide approximately \$28,000 in new revenue based on the initial estimate of retail outlets. This program is intended to provide all funds necessary to provide enforcement of the ordinance.

Attachments:

1. Resolution
2. Listing of Tobacco Retail Establishments

CITY OF RANCHO CORDOVA

RESOLUTION NO. 128-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF RANCHO CORDOVA ADOPTING A FEE FOR THE INITIAL
LICENSING AND/OR RENEWAL OF LICENSE FOR TOBACCO RETAILERS**

WHEREAS, the City Council of the City of Rancho Cordova has a substantial interest in promoting compliance with federal, state and local laws intended to regulate tobacco sales and use; and

WHEREAS, the City Council of the City of Rancho Cordova desires to discourage the illegal purchase of tobacco products by minors; and

WHEREAS, the City Council of the City of Rancho Cordova desires to promote compliance with sales of cigarettes and tobacco products to minors; and

WHEREAS, the City Council of the City of Rancho Cordova desires to protect children from being lured into illegal activity through the misconduct of adults.

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

1. In accordance with Title 4, Chapter 4.07, Section .080 of the City of Rancho Cordova Municipal Code hereby establishes the annual license fee for the issuance or renewal of a tobacco retailer license is \$285.00.
2. The license fee will be collected in addition to the annual business license fee and /or employee permit fee.

PASSED AND ADOPTED this 17th day of October, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian Hare, City Clerk

091237485LR	MATHER GOLF PARTNERS, LP	MATHER GOLF COURSE	4013	EAGLES NEST RD	MATHER A.F.B.	CA956550000
091226940LR	CIGARETTE BOX INC	CIGARETTE CITY	2340	SUNRISE BLVD. #15	RANCHO CORDOVA	CA956700000
091232908LR	CHEVRON U.S.A,INC.	CHEVRON STATION #1704	2358	SUNRISE BLVD.	RANCHO CORDOVA	CA956700000
091218742LR	BP WEST COAST PRODUCTS LLC	ARCO AM/PM #05103	2295	SUNRISE BLVD	RANCHO CORDOVA	CA956700000
091223395LR	K-MART CORPORATION	KMART #43369	2344	SUNRISE BLVD	RANCHO CORDOVA	CA956700000
091224485LR		DARBARA SINGH BADESHA	11082	COLOMA ROAD #A1	RANCHO CORDOVA	CA956700000
091232763LR	RALPHS GROCERY COMPANY	COLOMA FOOD & LIQUOR	11082	COLOMA ROAD #A1	RANCHO CORDOVA	CA956700000
091241707LR	TOOLEY OIL COMPANY	RALPHS #958	2280	SUNRISE BLVD	RANCHO CORDOVA	CA956700000
091242335LR		SHELL	2401	SUNRISE BLVD.	RANCHO CORDOVA	CA956700000
091246937LR		AVTAR SINGH ATWAL	10653-1065	COLOMA RD #B	RANCHO CORDOVA	CA956700000
091247410LR	AVTAR SINGH ATWAL	RASOUL RESHTOON	2340	SUNRISE BLVD #15	RANCHO CORDOVA	CA956700000
091250862LR	IN SIERRA BUSINESS SERVICES	CIGARETTE HOUSE	2240	SUNRISE BLVD	RANCHO CORDOVA	CA956700000
091260354LR	AMERICAN RIVER RAFT RENTALS	JUST A BUCK	11257	BRIDGE ST.	RANCHO CORDOVA	CA956700000
091262775LR	CHEVRON STATIONS INC	AMERICAN RIVER RAFT RENTALS	2358	SUNRISE BLVD.	RANCHO CORDOVA	CA956700000
091262775LR	NAV FOOD STORE, LLC.	CHEVRON #1704	10847	FOLSOM BLVD.	RANCHO CORDOVA	CA956700000
091235278LR	CIRCLE K STORES, INC	HARRY'S LIQUOR & FOOD	10069	FOLSOM BLVD.	RANCHO CORDOVA	CA956701901
091225369LR	SKSP, INC	CIRCLE K FOOD STORE #1012	10109	FOLSOM BLVD	RANCHO CORDOVA	CA956701902
091205625LR		FOLSOM CHEVRON	10171	FOLSOM BLVD	RANCHO CORDOVA	CA956701913
091254061LR	HARJINDER PAL SINGH	5 STAR LIQUOR	10171	FOLSOM BLVD	RANCHO CORDOVA	CA956701913
091266152LR	5 STAR LIQUOR	FIVE STAR LIQUOR	10171	FOLSOM BLVD	RANCHO CORDOVA	CA956701913
091217213LR		WOODLAWN MINI MART	2184	WOODLAWN DR	RANCHO CORDOVA	CA956702512
091242333LR	RANJITS GADDU	FULL STOP & SAVE	10785	COLOMA RD	RANCHO CORDOVA	CA956702513
091265531LR	AVTAR SINGH ATWAL	COLOMA SMOKE SHACK	10789	COLOMA RD	RANCHO CORDOVA	CA956702513
091245525LR	PARAMJEET KAUR	7 STOP FOODMART	2351	VEHICLE DR	RANCHO CORDOVA	CA956702858
091256230LR	ARSEN ABRAMYAN	LITTLE ARMENIA GIFT SHOP	11082	COLOMA RD STE 8	RANCHO CORDOVA	CA956702875
091251499LR		DAWES WINE & SPIRITS	2724	DAWES ST	RANCHO CORDOVA	CA956703506
091249107LR	SEHGAL, INC	UNITED PETROLEUM	10299	FOLSOM BLVD	RANCHO CORDOVA	CA956703516
091230516LR	RALEYS	RALEYS #418	10385	FOLSOM BLVD	RANCHO CORDOVA	CA956703518
091217531LR	AMAL NUMAN	RANCHO CIGARETTE	10349	FOLSOM BLVD	RANCHO CORDOVA	CA956703518
091251500LR		RANCHO LIQUOR	10329	FOLSOM BLVD	RANCHO CORDOVA	CA956703518
091225995LR	TARSEM KAUR	COLOMA GROCERY	2225	MCGREGOR DR	RANCHO CORDOVA	CA956703924
091249345LR	ANNA PHO	COLOMA GAS AND FOOD	10670	COLOMA RD	RANCHO CORDOVA	CA956704015
091218576LR	INDERJIT NAVYAR	SUNRISE FOOD & LIQUOR	2271	SUNRISE BLVD STE D	RANCHO CORDOVA	CA956704359
091206535LR	BEL AIR MART	BEL AIR MARKET #522	2155	GOLDEN CENTRE LN	GOLD RIVER	CA956704477
091258157LR	THRIFTY PAYLESS, INC.	RITE AID #8059	2111	GOLDEN CENTRE LN	RANCHO CORDOVA	CA956704477
091232848LR	JRO,INC.	MISSION ROGELIO RESTAURANT	2180	GOLDEN CENTRE LN STE 10	GOLD RIVER	CA956704479
091256565LR	CHEVRON U.S.A,INC.	CHEVRON STATION #1571	12205	TRIBUTARY POINT DR	RANCHO CORDOVA	CA956704507
091260287LR	KMS CONVENIENCE MARTS LLC	TRIBUTARY POINT SHELL	12210	TRIBUTARY POINT DR	RANCHO CORDOVA	CA956704507
091228056LR	CHEVRON STATIONS INC	CHEVRON STATION #1571	12205	TRIBUTARY POINT DR	RANCHO CORDOVA	CA956704507
091266021LR	CHONG HO KIM	P & A FOOD & LIQUOR	10152	COLOMA RD	RANCHO CORDOVA	CA956704602
091216382LR	SURJIT SINGH	FASHION CITY	10134	COLOMA RD	RANCHO CORDOVA	CA956704602
091226509LR	IN CHUNG ENTERPRISES CO.	CORDOVA FOOD & LIQUOR	10469	FOLSOM BLVD	RANCHO CORDOVA	CA956704610
091246811LR	MOHAMED JALLAB	K C LIQUOR & FOOD	10401	FOLSOM BLVD STE A	RANCHO CORDOVA	CA956704635
091232318LR	E-Z STOP, INC.	8 BALL SMOKE SHOP	10487	FOLSOM BLVD STE A	RANCHO CORDOVA	CA956704639
091247304LR		E-Z STOP #101	10501	FOLSOM BLVD	RANCHO CORDOVA	CA956704708
091224734LR	WAL-MART STORES,INCOR	ECO LIQUOR & FOOD	10569	FOLSOM BLVD	RANCHO CORDOVA	CA956704708
091238813LR	SAFEWAY, INC.	WALMART STORE #2457	10665	FOLSOM BLVD	RANCHO CORDOVA	CA956704828
		SAFEWAY STORE 1746	10635	FOLSOM BLVD	RANCHO CORDOVA	CA956704828

091240368LR	A & J FOOD STORE, INC		HARRY'S LIQUOR & FOOD	10847	FOLSOM BLVD	RANCHO CORDOVA	CA956705003
091220679LR		MAKHAN SINGH	M & B CORDOVA LIQUORS	2787	DON JUAN DR	RANCHO CORDOVA	CA956705025
091230835LR	L V C INC		LOUIE'S COCKTAIL LOUNGE	3030	MATHER FIELD RD STE F	RANCHO CORDOVA	CA956705362
091205911LR		RAJ KUMARPAHWA	RAJ SERVO	2931	MATHER FIELD RD	RANCHO CORDOVA	CA956705417
091265825LR	IQBAL SINGH CHOHAN		SERVO	2931	MATHER FIELD RD	RANCHO CORDOVA	CA956705417
091250204LR	HARINDER SINGH KAHLOON		7-ELEVEN STORE #2235-140986	10246	MILLS STATION RD	RANCHO CORDOVA	CA956705421
091248355LR	BLAINE INC.		RANCHO CHECK CASHING	10248	MILLS STATION RD	RANCHO CORDOVA	CA956705421
091248355LR	MAN KIT CHONG		BOTAN SUSHI	2827	ZINFANDEL DR	RANCHO CORDOVA	CA956705603
091218746LR	BP WEST COAST PRODUCTS LLC		ARCO AMPM #05102	2869	ZINFANDEL DR	RANCHO CORDOVA	CA956705604
091252630LR	TIMOTHY JAMES MONSOOR II		SMOKE PLUS	2830	ZINFANDEL DR	RANCHO CORDOVA	CA956705604
091259807LR	RITESH KUMAR		A-Z INDIAN MART	2830	ZINFANDEL DR	RANCHO CORDOVA	CA956705604
091225117LR	BILL WOOD INVESTMENTS INC.		BILL WOOD CHEVRON SERVICE	3001	ZINFANDEL DR	RANCHO CORDOVA	CA956705639
091235651LR	MOHAMMED HALIM		SOUTH PACIFIC & ASIAN MART	10947	OLSON DR STE 408	RANCHO CORDOVA	CA956705655
091227463LR	BYONG-JOO YU		KOREANA PLAZA	10971	OLSON DR	RANCHO CORDOVA	CA956705658
091205458LR		PIARA SINGH	SUNNY MARKET	3291	MATHER FIELD RD	RANCHO CORDOVA	CA956705858
091221207LR	KAYO OIL COMPANY		KAYO OIL COMPANY #2700477	3329	MATHER FIELD RD	RANCHO CORDOVA	CA956705911
091241708LR	TOOLEY OIL COMPANY		SHELL	3050	ZINFANDEL DR	RANCHO CORDOVA	CA956706003
091221245LR	KAYO OIL COMPANY		KAYO OIL COMPANY #2705433	11079	FOLSOM BLVD	RANCHO CORDOVA	CA956706101
091246316LR	THANH CONG DANG		DANG'S UNION 76	2707	SUNRISE BLVD	RANCHO CORDOVA	CA957426213
091222840LR	THE GOLD CLUB, INC		GOLD CLUB CENTERFOLD	11363	FOLSOM BLVD	RANCHO CORDOVA	CA957426224
091222605LR	HV-HOUSTON DEVELOPMENT INC.		MARRIOTT SACRAMENTO RANCHO CORDOVA	11211	POINT EAST DR	RANCHO CORDOVA	CA957426239
091247093LR	STEPHEN LEE HAMMOND		GLASS HOUSE GIFT SHOP	11211	POINT EAST DR	RANCHO CORDOVA	CA957426239
091237252LR	PERDUN ENTERPRISES, INC.		AM/PM	3099	SUNRISE BLVD	RANCHO CORDOVA	CA957426502
091218981LR	NELLA OIL COMPANY,LLC		SHELL	3096	SUNRISE BLVD	RANCHO CORDOVA	CA957426503
091225744LR	COSTCO WHOLESALE CORPORATION		COSTCO WHOLESALE #438	11260	WHITE ROCK RD	RANCHO CORDOVA	CA957426571
091241341LR	YUEN TONG LIM		TONGS CAFETERIA	2668	MERCANTILE DR STE A	RANCHO CORDOVA	CA957426573
091230304LR		JOE I SEO	SUNRISE CAFE	3590	SUNRISE BLVD STE 4	RANCHO CORDOVA	CA957427321
091216294LR		YONG IN KIM	SUNRISE DELI	3667	RECYCLE RD STE 9	RANCHO CORDOVA	CA957427331
091236429LR	ELKS LODGE #2484		ELKS LODGE #2484	11440	ELKS CIR	RANCHO CORDOVA	CA957427356
091217664LR	BISLA DEVELOPMENT & PETROLEUM, LLC		BRADSHAW SHELL	3591	BRADSHAW RD	RANCHO CORDOVA	CA958270000
091218587LR	WAREHOUSE CONCEPTS		FOOD SOURCE #704	3547	BRADSHAW RD	RANCHO CORDOVA	CA958270000
091224064LR	JACK IN THE BOX INC.		QUICK STUFF #7700	9680	BUSINESS PARK DR	RANCHO CORDOVA	CA958270000
091230335LR	PALISADES GAS & WASH INC		USA GASOLINE STATION #805	10051	FOLSOM BLVD # 805	RANCHO CORDOVA	CA958270000
091235626LR	SHAIROZ M MISTRY		LE'S FOOD AND LIQUOR	10009	FOLSOM BLVD # B	RANCHO CORDOVA	CA958270000
091241939LR		HANNA ARANKI	VILLAGE MARKET & DELI	9791	LINCOLN VILLAGE DR STE E	RANCHO CORDOVA	CA958270000
091242329LR		PALVINDER SINGH	LIQUOR LOFT	9791	LINCOLN VILLAGE DR # 1	RANCHO CORDOVA	CA958270000
091248083LR	MARIA MARGARITA JIMENEZ		TAQUERIA JALISCO	3368	GLENWOOD DR	RANCHO CORDOVA	CA958270000
091242089LR	KYO-PO MARKET OF SACRAMENTO INC		KYO-PO MARKET OF SACRAMENTO INC	9531	FOLSOM BLVD	SACRAMENTO	CA958271201
091223080LR	MOHINDER SINGH		SUPER 7 FOOD & LIQUOR	9689	FOLSOM BLVD	SACRAMENTO	CA958271202
091240446LR	HONG VAN NGUYEN		HONG VAN NGUYEN	9675	FOLSOM BLVD	SACRAMENTO	CA958271202
091237143LR	JOYCE GEONZON MCDUGALL		SHORT STOP FOOD & LIQUOR	9545	FOLSOM BLVD STE 4	SACRAMENTO	CA958271209
091216093LR		JASMINDER SINGH	F N B SPORTS BAR	9731 A	FOLSOM BLVD	SACRAMENTO	CA958271326
091218359LR	ROSHAN L MINHAS		RC FOOD MART	2847	BRADSHAW RD	SACRAMENTO	CA958271339
091223076LR	YUN CHU WILLETT		I TAE WON	2942	BRADSHAW RD	SACRAMENTO	CA958271602
091238594LR	FIRST OF ALL INVESTMENTS CORP		FIRST OF ALL INVESTMENTS CORP	3300	BRADSHAW RD	SACRAMENTO	CA958272601
091240013LR	FAST SERV CALIFORNIA		BRADSHAW ROAD UNOCAL	3312	BRADSHAW RD	SACRAMENTO	CA958272602
091253897LR		HARJEET SINGH	SMOKE SHACK +	3643	BRADSHAW RD STE F-4	SACRAMENTO	CA958273253

091232755LR	RALPHS GROCERY COMPANY		RALPHS #966	3615	BRADSHAW RD	SACRAMENTO	CA958273258
091245024LR	HAE WON PARK		LONDON FISH & CHIP	3609	BRADSHAW RD # F1	SACRAMENTO	CA958273258
091217044LR		NAM KYU PARK	MALEE HAIR DRESSERS	3633	BRADSHAW RD # 3-A	SACRAMENTO	CA958273262
091252110LR	JEFFERY JOE RASKIN		CLEARANCE CENTER	3633	BRADSHAW RD # 3C	SACRAMENTO	CA958273262
091239609LR	JASPAL S GILL		7-ELEVEN STORE 2235-23226 B	3405	BRADSHAW RD	SACRAMENTO	CA958273327
091222682LR		ELAINE MENG	FLYING V FILLING STATION	9700	JACKSON RD	SACRAMENTO	CA958279713
091224473LR	RAHIM INC		ARCO AM/PM	9701	JACKSON RD	SACRAMENTO	CA958279723

MEMORANDUM

DATE: October 17, 2005
TO: Mayor and Council Members
FROM: Winfred DeLeon, ^{NOL}Principal Engineer/Architect
SUBJECT: AGREEMENT BETWEEN CAPITOL CITY TILE & MARBLE AND THE CITY OF RANCHO CORDOVA FOR THE NEW CITY HALL PROJECT, CERAMIC AND STONE TILE TRADE



RECOMMENDATION

It is recommended that the subject contract be awarded to the lowest responsive bidder, **Capitol City Tile & Marble** in the amount of \$144,475. Contract Agreement between the City of Rancho Cordova and Capitol City Tile & Marble is provided in **Attachment B**.

BACKGROUND

The work to be done on this contract consists, in general, of furnishing all labor, materials, tools and equipment necessary to furnish and install complete the slate, stone, glass, and ceramic tile walls and floors and base.

Bids were solicited with the Sacramento Bee beginning August 8, 2005. The bids were publicly opened on August 31, 2005 at approximately 2:30 pm at 2729 Prospect Park Drive, Rancho Cordova 95670.

BID INFORMATION

Although four (4) contractors were interested on the project, only one contractor bid. The budget estimate was \$145,000. The low bid was \$144,475. The Bid Summary Sheet is provided in **Attachment A**. The low bid is less than 1.0% lower than the budget estimate.

Enclosure:

Attachment A: Bid Summary Sheet
Attachment B: Agreement between Capitol City Tile & Marble and the City of Rancho Cordova

[illegible]

CONSTRUCTION SERVICES AGREEMENT BETWEEN
THE CITY OF RANCHO CORDOVA AND
Capitol City Tile & Marble Inc.

THIS AGREEMENT made and entered into this day of September 9, 2005, between the City of Rancho Cordova ("City") and Capitol City Tile & Marble Inc. ("Contractor") as of September 9, 2005.

WITNESSETH:

WHEREAS, the City heretofore caused plans and specifications for the work hereinafter mentioned to be prepared, and therefore did approve and adopt said plans and specifications; and

WHEREAS, the City did cause to be published for the time and in the manner required by law, a Notice inviting sealed bids for the performance of said work; and

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

WHEREAS, the Contractor was the lowest responsible bidder for the performance of said work, and the City as a result of the canvass of said bids, did determine and declare Contractor to be the lowest responsible bidder for said work and award to a contract therefore.

NOW THEREFORE, in consideration of the promises herein, it is mutually agreed between the parties hereto as follows:

Section 1. CONTRACT DOCUMENTS. The following documents are by this reference incorporated in and made a part of this Agreement: The County of Sacramento, Standard Construction Specifications dated March 2004("Standard Specifications"); the Special Provisions; the contract drawings, all addenda; the Notice to Contractors; the Proposal; all required bonds; and all supplemental Agreements covering alterations, amendments, or extensions to the contract. The documents which describe the work to be performed are sometimes collectively referred to herein as the Contract Documents.

Section 2. SCOPE OF WORK. The Contractor will furnish all labor, materials, services, transportation, appliances, and mechanical workmanship required for Contract as provided for and set forth in said Contract Documents, or in either of them, which said plans and specifications are hereby referred and by such reference incorporated herein and made a part of this Agreement. All of the said work done under this Agreement shall be under the supervision of and performed to the satisfaction of the Construction Manager and the City, both of whom shall have the right to reject any and all materials and supplies furnished by the Contractor that do not comply with said plans and specifications, together with the right to require the Contractor to replace any and all work furnished by the Contractor which shall not either in workmanship or material be in strict accordance with said plans and specifications.

Section 3. COMPLETION. Said work shall be completed and ready for acceptance by the date specified in the project schedule, attached hereto as Exhibit "A," and incorporated by references into this Agreement.

Section 4. PAYMENT. Attached hereto as Exhibit "B" and by reference made a part hereof, is the bid and proposal of Contractor. Said bid and proposal will contain, as required by the terms of the Contract Documents , the full and complete schedule of the different items with the lump sums or unit prices as so specified. The City agrees in consideration of the work to be performed herein and subject to the terms and conditions thereof, to pay Contractor all sums of money which may become due to Contractor in accordance with the terms of the aforesaid bid and proposal, and this Agreement, to wit: One Hundred Forty Four Thousand, Four Hundred Seventy-Five Dollars and no/100 (\$144,475.00). Said sum shall be paid in accordance with Section 8 of the Standard Specifications and the Special Provisions. With respect to that portion of the above sum as is based upon the estimated quantities specified for the general scope of the work to be performed herein, actual payment will be based upon the quantities as measured upon completion. No payment made under this Agreement shall be construed to be an acceptance of defective work or improper materials. Payments requests by Contractor shall be submitted to DPR Construction Inc. for review and approval per DPR's Billing package attached hereto as Exhibit "C" The City will not pay any request for payment until DPR has informed the City that the request for payment is acceptable.

Section 5. PREVAILING WAGES. Pursuant to the provisions of Articles 1 and 2 of Chapter 1, Part 7, Division II, of the Labor Code of the State of California, not less than the general prevailing rate of per diem wages, and not less than the general prevailing rate of per diem wages for holidays and overtime work, for each craft, classification or type of worker needed to execute the work contemplated under this Agreement shall be paid to all workers, laborers and mechanics employed n the execution of said work by Contractor, or

by any subcontractor doing or contracting to do any part of said work. The appropriate determination of the Director of the California Department of Industrial Relations is filed with, and available for inspection at 3121 Gold Canal Drive, Rancho Cordova, CA., the office of the Clerk of the City. Contractor shall post, at each job site, a copy of such prevailing rate of per diem wages as determined by the Director for the California Department of Industrial Relations.

Section 6. INSURANCE. The Contractor shall carry and maintain during the life of this Agreement, such public liability, property damage and contractual liability, auto, worker's compensation and builders' risk insurance as required by the Standard Specifications.

Section 7. WORKERS' COMPENSATION CERTIFICATION. By execution of this Agreement, the Contractor certifies as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract."

Section 8. PERFORMANCE AND PAYMENT BONDS. The Contractor shall, before beginning said work, file two bonds with the City, each made payable to the City. These bonds shall be issued by a surety company authorized to do business in the State of California, and shall be maintained during the entire life of the Agreement at the expense of the Contractor. One bond shall be in the amount of one hundred percent (100%) of the Agreement and shall guarantee the faithful performance of the Agreement. The second bond shall be the payment bond required by California Civil Code Division 3, Part 4, Title 15, Chapter 7, and shall be in the amount of one hundred percent (100%) of the Agreement. Any alterations made in the specifications which are a part of this Agreement or in any provision of this Agreement shall not operate to release any surety from liability on any bond required hereunder and the consent to make such alterations is hereby given, and any surety on said bonds hereby waives the provisions of California Civil Code Sections 2819 and 2845.

Section 9. INDEMNIFICATION. The Contractor shall defend, indemnify the City and save harmless the City as set forth in Section 6-2 of the Standard Specifications.

Section 10. MISCELLANEOUS PROVISIONS. This Agreement shall bind and inure to the heirs, devisees, assignees, and successors in interest of Contractor and to the successors in interest of in the same manner as if such parties had been expressly named herein. All times stated herein or in the contract documents are of the essence hereof. As used in this instrument the singular includes the plural, and the masculine includes the feminine and the neuter.

Section 11. NOTICE OF THIRD PARTY CLAIMS. Pursuant to Public Contracts Code section 9201, the City shall provide the Contractor with notice of claims relating to this Agreement filed by third parties no later than ten (10) business days from the date of receipt of the claim. The Contractor shall be responsible for reimbursing the City for its reasonable costs in providing the notification.

IN WITNESS WHEREOF, the City Council and Contractor have caused this Agreement to be executed as of the day and year first above written.

CITY OF RANCHO CORDOVA

Capitol City Tile & Marble Inc.

Ted A. Gaebler, City Manager

Attest:

Lillian Hare, City Clerk

Approved as to Form:

Adam Lindgren, City Attorney



Signature

Roger Lensure President
Printed Name, Title

MEMORANDUM



DATE: October 17, 2005

TO: Mayor and Council Members

FROM: Winfred DeLeon, Principal Engineer/Architect *WDL*

SUBJECT: **AMENDMENT #2 TO THE AGREEMENT BETWEEN BARNUM & CELILLO ELECTRIC AND THE CITY OF RANCHO CORDOVA FOR THE NEW CITY HALL PROJECT, ELECTRICAL & FIRE ALARM TRADE**

RECOMMENDATION

It is recommended that the subject contract amendment be awarded to **Barnum & Celillo Electric** in the amount of \$241,950. With this amendment, the current contract is in the amount of \$601,850. Contract Amendment Agreement between the City of Rancho Cordova and Barnum & Celillo Electric is provided in **Attachment A**.

BACKGROUND

The work to be done on this contract amendment consists, in general, of furnishing all labor, materials, tools and equipment necessary to furnish and install complete the electrical and fire alarm system. A detailed breakdown of the work provided for this amendment is in **Attachment A**.

Enclosure:

Attachment A: Agreement between Barnum & Celillo Electric and the City of Rancho Cordova

**SECOND AMENDMENT TO THE CONSTRUCTION SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND Barnum & Celillo Electric**

This Second Amendment ("Amendment") to the Construction Services Agreement between the City of Rancho Cordova ("City") and Barnum & Celillo Electric ("Contractor") is made by and between the City and Contractor as of September 23, 2005. City and Contractor are hereinafter collectively referred to as the "parties".

RECITALS

WHEREAS, the parties entered into a Construction Services Agreement ("CSA") dated July 13, 2005, for the purpose of providing construction services for the City's Tenant Build Out of a new City Hall in Rancho Cordova, California (the "Project"); and

WHEREAS, the parties agree that changes to the Scope of Work and Payment provided for in the CSA (as those terms are defined in the CSA) are necessary in order to add in additional scope of work.

NOW, THEREFORE, the parties hereto agree as follows:

AGREEMENT

1. Section 4 of the CSA, "Payment", is amended to read as "Six Hundred One Thousand Eight Hundred Fifty Dollars (\$601,850)." All other terms and conditions in Section 4 shall remain in full force and effect.
2. The documents titled "Amended – Compensation Schedule", attached hereto as Exhibit B, shall be added to Exhibit B of the CSA.
3. 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.
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 this as one complete Amendment.

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

CITY OF RANCHO CORDOVA

Barnum & Celillo Electric

Ted Gaebler, City Manager



Signature

Attest:

FRED BARNUM Pres.
Printed Name, Title

Lillian Hare, City Clerk

Approved as to form:

Adam U. Lindgren
Assistant City Attorney

EXHIBIT B
AMENDED – COMPENSATION SCHEDULE

Description of Services	Total Cost	
ADDED CONSTRUCTION SERVICES		
Added electrical to accommodate the direct digital controls (DDC) for the HVAC equipment.	\$4,000	✓
Credit for 2x4 light fixtures at the lobby not replacing existing lights.	- \$6,456	✓
Electrical requirements for the added exhaust fan at the second floor break room 236B.	\$2,600	✓
Revised electrical out per progress drawings dated June 23, 2005.	\$6,504	✓
Electrical requirements for Security system base bid.	\$15,939	✓
Added site lighting.	\$169,935	✓
Fire Alarm permit fees.	\$656	✓
Added cost to install two 4" and two 1" conduit lines from the electrical room on the first floor and stub out at the west building exterior to accommodate for generator installation by the City at a future date.	\$7,257	✓
Added electrical circuits to accommodate the systems furniture (26 added circuits to make 48 total)	\$13,411	✓
Deleted electrical requirements to accommodate the Redesign	- \$7,782	✓
Added demolition and circuitry research at building south end.	\$6,331	✓
Added electrical to accommodate "Holiday Tree".	\$887	✓
Performance & Material Payment Bonds.	\$9,281	✓
Accommodate the floor boxes for Audio Visual.	\$3,813	✓
Credit for patch back of the interior concrete at the electrical trenches.	- \$1,000	✓

Contract No. 43-2005
Amendment No. 43-2005-2

Patch back with asphalt at the electrical trenches in the parking area that accommodate the site lighting.	\$16,574	✓
TOTAL COST FOR ADDED SERVICES PROVIDED	\$241,950	✓

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MEMORANDUM



DATE: October 17, 2005
TO: Mayor and Council Members
FROM: Cyrus Abhar
Public Works Director

SUBJECT: URGENCY ORDINANCE ADOPTING A PERMANENT CITYWIDE TRANSPORTATION IMPACT FEE AND APPROVING THE NEXUS STUDY, AND URGENCY RESOLUTION IMPOSING TRANSPORTATION IMPACT FEES ON NEW DEVELOPMENT IN THE CITY

RECOMMENDATION

Adopt Urgency Ordinance No. 24-2005, Adopting a Permanent Citywide Transportation Impact Fee, and Urgency Resolution No. 127-2005, Establishing the Amount of the Transportation Impact Fees.

Background

City staff has been preparing a Transportation Master Plan Program, which consists of the following components:

- a. The development of a transportation circulation plan within the Circulation Element of the General Plan,
- b. Identification of the capital improvements required to implement the plan,
- c. Cost estimates of the capital improvements,
- d. Establishment of the relationship between existing transportation deficiencies and future development transportation needs,
- e. Identification of revenues to pay for existing deficiencies,
- f. Implementation of a development fee program to pay for the impact of new development on the transportation system, and
- g. Prioritization of the construction of the identified capital improvements.

Following incorporation, the City Council adopted the County of Sacramento transportation development fee schedule. Over the next year, the Council evaluated its need for transportation infrastructure to satisfy long term development expected to occur in the City and its Sphere of Influence. It adopted a Roadway Sizing Diagram (**Exhibit A**) and included it within its General Plan Circulation Element. The diagram was established with a minimum Level of Service D at peak hour, in compliance with General Plan Policy C.1.4., and a requirement no roadway consist of more than 6 through lanes. The Roadway Sizing Diagram extends beyond the

existing city limits, to the Planning Area Boundary adopted by Council on August 2, 2004.

The Council directed staff to evaluate the cost of improvements shown on the Roadway Sizing Diagram and oversee the preparation of a Nexus Study with a recommended development fee schedule to fund the proposed transportation improvements shown on the Roadway Sizing Diagram.

The City contracted with the Psomas firm to assist in evaluating the cost of improvements as shown on the City Council's adopted Roadway Sizing Diagram. The total estimated cost of all improvements within the Planning Area Boundary is about \$2.45 B. The estimated total cost of improvements within the existing City limits plus the area within the City's current Sphere of Influence is about \$1.26 B.

The City contracted with Revenue and Cost Specialists, L.L.C., to assist in preparing a Nexus Study that calculates the development fees necessary to offset additional traffic impact created by expected new development, and also addresses the statutory nexus requirements, as described above. The Nexus study meets the requirements of California Government Code sections 66000 through 66009 and is statutorily exempt from the California Environmental Quality Act. The Nexus Study is restricted to the existing City limit plus the current Sphere of Influence and breaks this area into two components, urban in-fill (referred to as Area 1) and greenfield, or specific plan (referred to as Area 2). The Nexus Study area is expected to be built out by year 2030. The Nexus Study encapsulates the Psomas Capital Improvement Project list and cost evaluation. The Nexus Study is available for review at the City Clerks Office.

As explained in the Nexus Study, of the \$1.26 B project costs, about \$99 M is existing deficiency attributable to County deferred maintenance and improvements. By law, the cost of correcting existing deficiencies can not be used in the establishment of a development fee. Staff estimates about \$90 M will be available in the next 25 years from local revenue sources (Measure A - \$40M) and future State and Federal grants (\$50M). These funds are shown in the Nexus Study as offsetting revenues to correct existing deficiencies. Gas tax revenues are proposed for maintenance and operations of the transportation system. The \$10 M in the existing Transportation Impact Fee Fund is designated to pay for transportation improvements currently being constructed. This leaves a shortfall of about \$8.8 M to correct existing roadway deficiencies and \$1.15 B in project costs required to offset the impacts of development.

Additional potential areas of future funding are:

1. County-provided funding to improve the remaining deficient conditions;
2. Establishment of a roadway improvement district within the urban in-fill area (this action requires a two-thirds affirmative vote of those property owners being included in the district);
3. Adoption by the State Legislature, or regional area, of a higher gas tax;
4. Revenues from the City's proposed Redevelopment Program; and

5. Future unknown regional, Federal or State grants for transportation improvement projects.

Next step

Upon adoption of the Transportation Impact Fee ordinance and resolution, staff will prepare a prioritized listing of Capital Improvement projects with costs for Council's consideration. The listing will be based on staffs' best estimate of project development and resultant infrastructure needs for the next 5 years.

The City is currently preparing a General Plan update, establishing a redevelopment program, and preparing a Proforma study intended to determine the best mix of commercial and industrial land use for our community. Given the potential change to land use designations and trips staff proposes to revisit this fee in the next year to 18 months.

Discussion

The City Council held a public hearing at its regularly scheduled meeting of October 3, 2005 to hear input on the Nexus Study and proposed Transportation Impact Fee. Following the public hearing, Council addressed concerns regarding the Floor Area Ratio for commercial/office development, made inquiries into the competitiveness of the proposed fee schedule, as compared with surrounding communities, and directed staff to continue working with the Building Industry Association and the Chamber of Commerce on this issue and to return to the Council on October 17, 2005.

At the October 3 meeting, the Council addressed concerns over the Floor Area Ratio (FAR) used for the commercial/office land use designation. A low number for the FAR means there is a small area of the parcel covered by development. For example, ten percent (10%) FAR would equate to 4,356 sf of building on an acre parcel (43,560 sf). A large FAR means a large area of the parcel would be covered. Downtown Sacramento parcels have FAR's of 500%, and larger, reflective of multistoried structures. The greenfield area (specific plan area) used a 60% FAR. The infill area used about a 20% FAR similar to existing commercial/office development.

Since the October 3 meeting, Public Works staff has discussed with Planning staff the Council's concern with the FAR. Staff's belief is the 60% FAR for the Greenfield/specific plan area is an upper limit of expected use within the commercial/office land use category and recommended a more moderate number

Planning staff obtained City commercial/office growth estimates from Bay Area Economics (BAE) for the period 2005 -2030. BAE had on hand SACOG employment data which BAE converted to 'estimated growth in square feet' for commercial/office land use. The estimated growth is 17M square feet. The original amount of floor space used was 26M. The new data reduced the 60% FAR to about 31% FAR, reflecting 10M sf being built on 773 acres in the greenfield/specific plan area, and increased the 20% FAR to about 35% FAR, reflecting 7M sf being built on 468 acres in the infill area.

This information was given to the Nexus Study consultant and resulted in amendments to all fee tables and schedules. The average infill commercial/office fee reduced from \$12.00/sf to \$6.08/sf. The average greenfield/specific plan commercial/office fee increased from \$13.87/sf to \$16.24/sf. The reduction in commercial/office square footage does not sufficiently impact the level of service such that capacity improvements can be reduced. The reduction in fee results in a total overall shortfall of revenue collected of about \$185M.

At the October 3 meeting, Council also asked if the proposed fees were competitive with surrounding jurisdictions. A comparison is being compiled and will be available to Council at its meeting.

City staff has held continuing dialog with the Building Industry Association (BIA) and Chamber of Commerce. The Chamber of Commerce states they will provide Council a proposed fee schedule for Council consideration. The BIA has pointed out that the trip miles factor used to allocate costs should be based on a per-1,000 building square foot basis rather than on a per-acre basis. The Nexus Study was amended by the Author to reflect the BIA's comment.

In addition, Council asked how the trip-end and trip generation data had been obtained. The trip generation data derived from the nationally recognized Institute of Transportation Engineers, Trip Generation (manual). This document is considered by traffic engineers to be a standard of their profession for statistical data. The trip-end data came from "Brief Guide to Trip Generators", compiled by San Diego Association of Governments, in conjunction with the U. S. Department of Housing and Urban Development, U.S. Department of Transportation, the California Department of Transportation and the U.S. Environmental Protection Agency in July 1995. It is the only widely known document in California that staff is aware of with extensive statistical information on pass-through and by-pass traffic.

Summary

The Council has adopted in its General Plan a Roadway Sizing Diagram with a Level of Service D at peak hour, and the requirement that roadways not exceed 6 lanes. It has before it a Nexus Study which uses the cost to construct the Roadway Sizing Diagram as a basis for preparation of various Transportation Impact Fees based on land use.

The Council should consider the adoption of a fee schedule which carries out the Councils vision for Rancho Cordova. There are several alternatives the Council may choose from. They are:

1. Charge development a fee which minimizes any development revenue shortfall, regardless of where the development occurs. This fee is shown on Schedule 3.2. The resultant shortfall is about \$8.8M;
2. Charge development a lower fee within the infill area but hold the marginal fee for the greenfield/specific plan area. This fee is shown on Schedule 2.2. The resultant shortfall is about \$185M;
3. Charge development a fee based on one of the four scenarios listed below. Based on economic development concerns, two options are to adopt an

alternative fee schedule (**Exhibit C**) which is based on the Nexus Study and competitiveness with surrounding jurisdictions. The resultant revenue shortfalls are quantified below.

Regardless of which alternative the Council chooses it is expected a portion of the revenue shortfall will be supplemented by redevelopment revenues and future funds (sales tax, property tax, etc).

Potential Fee Schedules

This section of the staff report discusses fee schedules the Council could adopt and the likely affect of such changes.

Marginal Needs Analysis

The amount of fees that would meet the statutory nexus requirements, as set forth in the Nexus Study, are shown in Fee Schedule 3.2 (**Exhibit B**). If the Council were to adopt Fee Schedule 3.2 uniformly throughout the study area, the following selected rates would be applied:

Alternative 1 (Uniform Citywide Fee, Area 1 and Area 2)

Detached Dwelling Units	\$17,284/unit
Attached Dwelling Units	\$11,540/unit
Mobile Home Units in Park	\$ 9,042/unit
Commercial Lodging Units	\$ 9,092/unit
Commercial/Office SF	\$ 16.24/sf avg
Industrial/Manufacturing SF	\$ 11.29/sf avg

Adoption of the above rates uniformly throughout the City would result in a fee revenue of about \$1.15 B, leaving a shortfall of about \$8.8 M as shown in Schedule 2.1 (**Exhibit B**). This particular fee schedule is marginal-based, and is the maximum fee the City could adopt, given the requirement that the fee be nexus based.

The Council may choose to adopt a fee schedule other than as shown on Schedule 3.2 if it wishes to incorporate other values of the community. However, if these values were to result in the Council adopting a reduced fee (i.e., less than the maximum allowed fee shown above), such adoption would result in a greater shortfall of funds needed to construct the Council's desired infrastructure.

Alternative 2 (Uniform Citywide Fee, Area 1 and Area 2 with Selected Adjustments)

Detached Dwelling Units	\$17,284/unit
Attached Dwelling Units	\$11,540/unit
Mobile Home Units in Park	\$ 9,042/unit
Commercial Lodging Units	\$ 5,388/unit
Commercial SF	\$ 12.83/sf avg
Office SF	\$ 9.85/sf avg
Industrial/Manufacturing SF	\$ 5.02/sf avg

Adoption of the above rates uniformly throughout the City would result in an overall shortfall of about \$193M.

Equity Based Analysis

The Nexus Study calculated the value of improvements constructed by existing development within the in-fill area and shows a development impact fee based on the present value of the existing infrastructure. This is an equity-based evaluation and is shown on Schedule 3.3 (**Exhibit B**). If the Council chooses to adopt a reduced development fee within the existing in-fill area to encourage selected growth to occur in the area, the following rates would be applied:

Alternative 3

	Area 1 Infill Rates	Area 2 Rates
Detached Dwelling Units	\$6,468/unit	\$ 17,284/unit
Attached Dwelling Units	\$4,318,/unit	\$ 11,540/unit
Mobile Home Units in Park	\$3,384/unit	\$ 9,042/unit
Commercial Lodging Units	\$3,402/unit	\$ 9,092/unit
Commercial/Office SF	\$ 6.08/sf avg	\$ 16.24/sf avg
Industrial/Manufacturing SF	\$ 4.23/sf avg	\$ 11.29/sf avg

Adoption of these reduced fees for infill would result in fee revenue shortfall of about \$185M as shown on Schedule 2.2 (**Exhibit B**). The Council could choose to offset the revenue shortfall by committing an offsetting portion of additional revenue (sales tax, property tax, etc.) from new development within the infill area.

Alternative 4

	Area 1 Infill Rates	Area 2 Rates
Detached Dwelling Units	\$6,468/unit	\$17,284/unit
Attached Dwelling Units	\$4,318,/unit	\$11,540/unit
Mobile Home Units in Park	\$3,384/unit	\$ 9,042/unit
Commercial Lodging Units	\$3,402/unit	\$ 9,092/unit
Commercial SF	\$ 6.08/sf avg	\$ 12.83/sf avg
Office SF	\$ 5.89/sf avg	\$ 9.85/sf avg
Industrial/Manufacturing SF	\$ 4.23/sf avg	\$ 5.02/sf avg

Adoption of the rates above for infill would result in a fee revenue shortfall of about \$331M.

A fee schedule adopted by Council also contains a 2% administrative fee which is collected separately from the development fee and placed in a separate Transportation Impact Fee fund account. This administrative fee covers staff costs to administer the fee program, the Capital Improvement Projects for which the fee is designated, and administer the credit and reimbursement program established within the implementing ordinance.

Ordinance and Resolution Effective Immediately

The City faces a current and immediate threat due to the number of new commercial and residential developments now planned or under review in the City. If development is allowed to occur without establishing a transportation impact fee to fund infrastructure and mitigate traffic impacts from new development in the City, the City's circulation system will further degrade. The fees established by the recommended Urgency Ordinance and Urgency Resolution are necessary in order to provide the transportation improvements needed as a result of growth due to new development, as well as to achieve a degree of certainty to allow for the orderly development in the City. Inadequate roadway capacity represents a major traffic concern and safety issue. The Institute of Traffic Engineers has performed studies demonstrating the relationship between increased traffic congestion and the increase of vehicle and pedestrian accidents and air quality degradation.

For these reasons, and in the interests of the public's health, safety and welfare, the Urgency and Resolution are intended to be effectively immediately upon adoption.

Aspects of the Urgency Ordinance adopting the Transportation Impact Fee include the following:

- establish the transportation impact fees to finance the cost of the needed transportation facilities and "Areas" of the City encompassing City property according to which the amounts of fees will be determined;
- condition any changes in land use designation, approval of conditional use permits, or subdivision approvals on a requirement that the property owner seeking such change(s) or approval(s) pay the transportation impact fees prior to building permit issuance;
- establish a Transportation Fund from which funds will be expended to pay costs of the Transportation Impact Fee Program, and the procedures for administering the Fund;
- establish an administrative fee of 2% of the transportation impact fee amount, and a Transportation Administration Fund to pay administrative costs associated with administering the transportation system improvement program;
- require the Council to review the Capital Improvement Program annually; and
- establish procedures for credit and/or reimbursement to property owners for construction of transportation facilities.

Recommendation

The City Council is being asked to consider the variations on the approach to setting the fee schedule, as discussed in this staff report. Staff recommends that the Council specifically adopt Urgency Ordinance No. 24-2005, approving the Nexus

Study establishing a permanent City-wide Transportation Impact Fee Program, and Urgency Resolution No. 127-2005, imposing specific transportation impact fees on new development in the City.

Attachments:

Exhibit A – Roadway Sizing Diagram

Exhibit B – Schedule 3.2, Schedule 2.1, Schedule 3.3, and Schedule 2.2

Exhibit C - Alternative Fee Schedules

Ordinance No. 24-2005

Resolution No. 127-2005

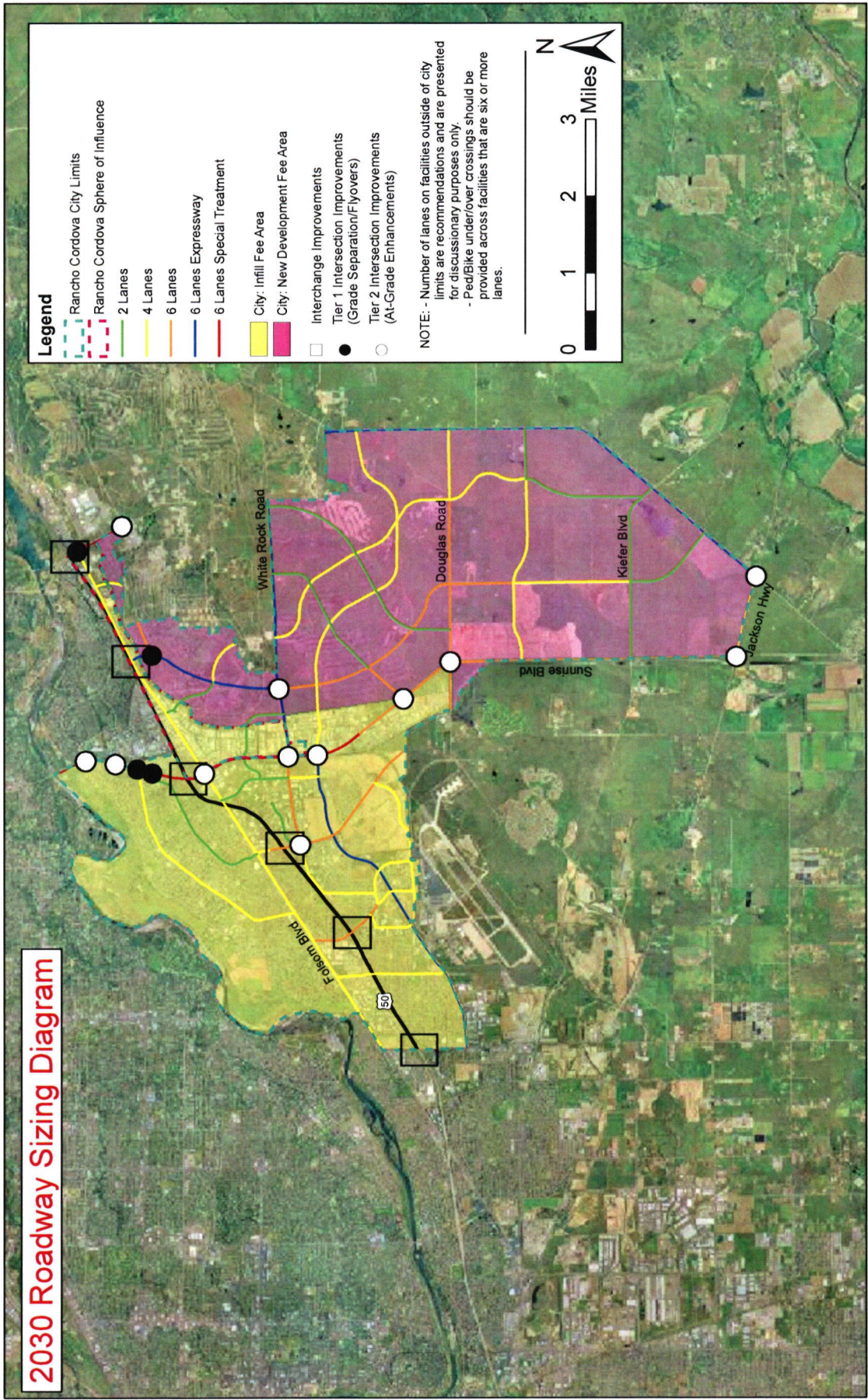


Exhibit B

Fullerton, CA 92831

Schedule 3.2

City of Rancho Cordova
2005-06 Development Impact Fee Study
Marginal Needs-based Impact Fees for within the City's Limits
Transportation (Major Streets, Signals, Bridges, etc.) System

Proposed Land Use	Undeveloped See Note 1		Trip-end & Trip Length Factor	Total Additional Trip Miles	Percentage of Additional Trip Miles	Allocation of Expansion Costs	Cost Distribution Per Acre	Average Units or Square Feet/Acre	Development Impact Fee per Unit or Square Foot
	Acres	Units							
Detached Dwelling Units	4,205.0	18,431	34.60	637,713	27.61%	\$318,569,683	\$75,760	4.38	\$17,284 per Unit
Attached Dwelling Units	1,831.0	33,312	23.10	769,507	33.32%	\$384,407,749	\$209,944	18.19	\$11,540 per Unit
Mobile Home Units in Parks	1.0	8	18.10	145	0.01%	\$72,333	\$72,333	8.00	\$9,042 per Unit
Commercial Lodging Units	6.2	394	18.20	7,171	0.31%	\$3,582,173	\$577,770	63.55	\$9,092 per Unit
Commercial/Office SF	991.3	17,000,000	32.50	552,500	23.92%	\$276,001,679	\$278,424	17,149	\$16,235 per S.F.
Industrial/Manufacturing SF	717.8	15,163,549	22.60	342,696	14.84%	\$171,194,086	\$238,498	21,125	\$11,290 per S.F.
TOTAL	7,752.3			2,309,732	100.00%	\$1,153,827,703			
				17,149	3114068%	Total Transportation Capital Needs to Finish City-wide Sy			

ALTERNATIVE FEE METHODOLOGY									
				2,309,732		\$1,153,827,703	\$499.55 per Daily Trip-mile		
Trip-ends Adjustment Calculation	Daily Total Trips	Percent of Diversified Trips	Diversified Trip % Adjustment	Diversified Trip Percent	Percent of Pass-by Trips (1)	Combined Diversified and Pass-by	Remaining Trip % as Adjustment %	Adjusted Trip Rate, Adjustment % X Total Trips	Average Trip Length
Detached Dwellings Unit	9.57	11.0	0.50	5.5	3.0	8.5	91.50%	8.76	7.9
Attached Dwellings Unit	6.39	11.0	0.50	5.5	3.0	8.5	91.50%	5.85	34.6
Mobile Home Unit	4.99	11.0	0.50	5.5	3.0	8.5	91.50%	4.57	23.1
Commercial Lodging Unit	6.23	38.0	0.50	19.0	4.0	23.0	77.00%	4.80	7.9
Commercial/Office K.S.F.	23.25	40.0	0.50	20.0	15.0	35.0	65.00%	15.11	7.6
Industrial per K.S.F.	5.68	19.0	0.50	9.5	2.0	11.5	88.50%	5.03	4.3
(1) Pass-by trips adjusted at 100%.									9.0
									22.6

NOTE 1: Undeveloped acres and units are from Table 2-1, Section A, Land-use Database for the Existing City Limits (1 & 2), "Undeveloped" columns.

Exhibit B**Schedule 2.1****City of Rancho Cordova****Transportation (Major Streets, Signals, Bridges, etc.) System****Summary of Development Impact Fees By Type of Fee****Based Upon Application of the Marginal Needs-based DIFs in all Areas of the City
(Fees per Residential or Lodging Dwelling Unit, or Business Square Foot)**

	Collection from Development in the Urban In-fill Areas	Collection from Development in the Specific Plan Areas	Total Development Impact Fee Total Probable Collection
Calculated Costs/DIFs			
Detached Dwelling Units	\$17,284	\$17,284	
Attached Dwelling Units	\$11,640	\$11,540	
Mobile Home Units in Parks	\$9,042	\$9,042	
Commercial Lodging Units	\$9,092	\$9,092	
Commercial/Office SF	\$16,235	\$16,235	
Industrial/Manufacturing SF	\$11,290	\$11,290	
Anticipated DIF Collection			
Detached Dwelling Units	\$207,408	\$318,353,996	\$318,561,404
Attached Dwelling Units	\$170,457,340	\$213,963,140	\$384,420,480
Mobile Home Units in Parks	\$0	\$72,336	\$72,336
Commercial Lodging Units	\$309,128	\$3,273,120	\$3,582,248
Commercial/Office SF	\$113,645,000	\$162,350,000	\$275,995,000
Industrial/Manufacturing SF	(\$3,480,820)	\$174,877,288	\$171,196,468
Total	\$281,138,056	\$872,889,880	\$1,153,827,936
City-wide Impact Fee	\$281,138,056	\$872,889,880	\$1,153,827,936
Existing Fund Balance			\$10,363,564
Other Sources			\$90,000,000
Capital Total			\$1,263,018,000
Overage/(Shortfall): (3)			(\$8,826,500)

NOTES:

- (1) "Dwelling Units" = individual dwelling units.
- (2) "SF" = square foot and means floor area, can be multiple floors.
- (3) Any overage/(shortfall) of less than one tenth of 1% and can be due to rounding.

Exhibit B

Fullerton, CA 92831

Schedule 3.3

City of Rancho Cordova
2005-06 Development Impact Fee Study
Urbanized Area (RC--URB) Community Financial Commitment or Equity-based Proportionality Test
Transportation (Major Streets, Signals, Bridges, etc.) System

Proposed Land Use	Developed See Note 1		Trip-end & Trip Length Factor	Existing Daily Miles	Percentage of Existing Trip Miles	Allocation of Infrastructure "Equity"	Distribution of "Equity" per Acre	Average Units or Square Feet/Acre	Current Financial Commitment per Unit or Square Foot
	Acres	Units							
Detached Dwelling Units	1,998.0	11,128	34.60	385,029	22.25%	\$71,978,228	\$36,025	5.57	\$6,468 per Unit
Attached Dwelling Units	569.8	10,312	23.10	238,207	13.77%	\$44,530,977	\$78,152	18.10	\$4,318 per Unit
Mobile Home Units in Parks	90.2	746	18.10	13,503	0.78%	\$2,524,282	\$27,985	8.27	\$3,384 per Unit
Commercial Lodging Units	35.7	1,573	18.20	28,629	1.65%	\$5,351,973	\$149,915	44.06	\$3,402 per Unit
Commercial/Office SF	1,741.3	26,547,860	32.50	862,805	49.87%	\$161,294,796	\$92,629	15,246	\$6,076 per S.F.
Industrial/Manufacturing SF	796.0	8,938,831	22.60	202,018	11.68%	\$37,765,720	\$47,444	11,230	\$4,225 per S.F.
TOTAL	5,231.00			1,730,191	100.00%	\$323,445,973			
in Total Equity in Current Transportation System Assets									
in Equity in General Plan Arterial/Collector Streets									
in Equity in General Plan Arterial/Collector Bridges									
in Equity in General Plan Signalized Intersections									
in Equity in Existing Circulation Signal Assets									
in Equity in Existing Circulation Culvert Assets									
\$0 in Circulation In-fill Area Impact Fee Fund Balance									
ALTERNATIVE FEE METHODOLOGY									
				1,730,191		\$323,445,973		\$186.94 per Daily Trip-mile	

NOTE 1: Developed acres and units are from Table 2-1, Database for Study Area #1, In City, Urban In-fill, "Developed" columns.

Exhibit B**Schedule 2.2****City of Rancho Cordova****Transportation (Major Streets, Signals, Bridges, etc.) System****Summary of Development Impact Fees By Type of Fee****Based Upon Reduction of DIFs in the Urban In-fill Area of the City****(Fees per Residential Dwelling or Lodging Unit, or Business Square Foot)**

	Collection from Development in the Urban In-fill Areas	Collection from Development in the Specific Plan Areas	Total Development Impact Fee Total/ Probable Collection
Calculated Costs/DIFs			
Detached Dwelling Units	\$8,488	\$17,284	
Attached Dwelling Units	\$4,318	\$11,540	
Mobile Home Units in Parks	\$3,384	\$9,042	
Commercial Lodging Units	\$3,402	\$9,092	
Commercial/Office SF	\$6,076	\$16,235	
Industrial/Manufacturing SF	\$4,226	\$11,290	
Anticipated DIF Collection			
Detached Dwelling Units	\$77,616	\$318,353,986	\$318,431,612
Attached Dwelling Units	\$63,781,178	\$213,963,140	\$277,744,318
Mobile Home Units in Parks	\$0	\$72,336	\$72,336
Commercial Lodging Units	\$116,688	\$3,273,120	\$3,389,808
Commercial/Office SF	\$42,532,000	\$162,360,000	\$204,892,000
Industrial/Manufacturing SF	(\$1,302,610)	\$174,677,288	\$173,374,678
Total	\$105,203,862	\$872,689,880	\$977,893,732
City-wide Impact Fee	\$105,203,862	\$872,689,880	\$977,893,732
Existing Fund Balance			\$10,383,564
Other Sources			\$90,000,000
Capital Total			\$1,263,018,000
Overage/(Shortfall) (3)			(\$184,780,704)

NOTES:

(1) "Dwelling Units" = Individual dwelling units.

(2) "SF" = Square Foot means floor area, can include multiple floors.

(3) Any overage/(shortfall) of less than one tenth of 1% and can be due to rounding.

EXHIBIT C-1

Alternative 1 - Fee Schedule			
City of Rancho Cordova Transportation Impact Fee			
		Area 1	Area 2
Detached Dwelling Units	per Unit	\$17,284	\$17,284
Attached Dwelling Units	per Unit	\$11,540	\$11,540
Mobile Homes in Parks	per Unit	\$9,042	\$9,042
Commercial Lodging Units	per Unit	\$9,092	\$9,092
Commercial/Office	per S.F.	\$16.24	\$16.24
Industrial/Manufacturing	per S.F.	\$11.29	\$11.29
Administration (2%)	[1]		
Alternative Fee Methodology [2]			
Apartment	per Unit	\$12,139	\$12,139
Condominium/Townhome	per Unit	\$10,590	\$10,590
Light Industrial	per S.F.	\$13.89	\$13.89
Heavy Industrial	per S.F.	\$13.44	\$13.44
Manufacturing	per S.F.	\$6.14	\$6.14
Warehouse	per S.F.	\$9.89	\$9.89
General Office Bldg.	per S.F.	\$15.74	\$15.74
High Turnover Restaurant	per S.F.	\$9.54	\$9.54
[1] Administration is charged as 2% of the total transportation impact fee			
[2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$499.55 per daily trip-mile in Area 1 and Area 2			

EXHIBIT C-2

Alternative 2 - Fee Schedule City of Rancho Cordova Transportation Impact Fee			
		Area 1	Area 2
Detached Dwelling Units	per Unit	\$17,284	\$17,284
Attached Dwelling Units	per Unit	\$11,540	\$11,540
Mobile Homes in Parks	per Unit	\$9,042	\$9,042
Commercial Lodging Units	per Unit	\$5,388	\$5,388
Commercial	per S.F.	\$12.83	\$12.83
Office	per S.F.	\$9.85	\$9.85
Industrial/Manufacturing	per S.F.	\$5.02	\$5.02
Administration (2%)	[1]		
Alternative Fee Methodology [2]			
Apartment	per Unit	\$12,139	\$12,139
Condominium/Townhome	per Unit	\$10,590	\$10,590
Light Industrial	per S.F.	\$13.89	\$13.89
Heavy Industrial	per S.F.	\$13.44	\$13.44
Manufacturing	per S.F.	\$6.14	\$6.14
Warehouse	per S.F.	\$9.89	\$9.89
High Turnover Restaurant	per S.F.	\$9.54	\$9.54
[1] Administration is charged as 2% of the total transportation impact fee			
[2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$499.55 per daily trip-mile in Area 1 and Area 2			

EXHIBIT C-3

Alternative 3 - Fee Schedule			
City of Rancho Cordova Transportation Impact Fee			
		Area 1	Area 2
Detached Dwelling Units	per Unit	\$6,468	\$17,284
Attached Dwelling Units	per Unit	\$4,318	\$11,540
Mobile Homes in Parks	per Unit	\$3,384	\$9,042
Commercial Lodging Units	per Unit	\$3,402	\$9,092
Commercial/Office	per S.F.	\$6.08	\$16.24
Industrial/Manufacturing	per S.F.	\$4.23	\$11.29
Administration (2%)	[1]		
Alternative Fee Methodology [2]			
Apartment	per Unit	\$4,543	\$12,139
Condominium/Townhome	per Unit	\$3,963	\$10,590
General Office Bldg.	per S.F.	\$5.89	\$15.74
High Turnover Restaurant	per S.F.	\$3.57	\$9.54
[1] Administration is charged as 2% of the total transportation impact fee			
[2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$499.55 per daily trip-mile in Area 1 and \$186.94 in Area 2			

EXHIBIT C-4

Alternative 4 - Fee Schedule City of Rancho Cordova Transportation Impact Fee			
		Area 1	Area 2
Detached Dwelling Units	per Unit	\$6,468	\$17,284
Attached Dwelling Units	per Unit	\$4,318	\$11,540
Mobile Homes in Parks	per Unit	\$3,384	\$9,042
Commercial Lodging Units	per Unit	\$3,402	\$5,388
Commercial	per S.F.	\$6.08	\$12.83
Office	per S.F.	\$5.89	\$9.85
Industrial/Manufacturing	per S.F.	\$4.23	\$5.02
Administration (2%)	[1]		
Alternative Fee Methodology [2]			
Apartment	per Unit	\$4,543	\$12,139
Condominium/Townhome	per Unit	\$3,963	\$10,590
High Turnover Restaurant	per S.F.	\$3.57	\$9.54
[1] Administration is charged as 2% of the total transportation impact fee [2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$499.55 per daily trip-mile in Area 1 and \$186.94 in Area 2			

CITY OF RANCHO CORDOVA

ORDINANCE NO. 24-2005

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA ADDING CHAPTER 16.84 TO THE RANCHO CORDOVA MUNICIPAL CODE RELATING TO DEVELOPMENT IMPACT FEES FOR TRANSPORTATION IMPROVEMENTS

The City Council of the City of Rancho Cordova ordains as follows:

SECTION 1. Purpose and Authority. The purpose of this ordinance is to add Chapter 16.84 to the City of Rancho Cordova Municipal Code for the establishment of development impact fees in the City of Rancho Cordova ("City") for transportation improvements and provisions related thereto. The City Council enacts this ordinance pursuant to the authority granted to cities by Article XI, Section 7 of the California Constitution.

SECTION 2. Findings. The City Council determines and finds as follows:

- a. Upon its incorporation, the City of Rancho Cordova adopted the Sacramento County General Plan as the City's General Plan, and has since taken several actions as part of a process of adopting its own general plan (the general plan and such additional actions are collectively referred to herein as the "General Plan").
- b. The General Plan includes a description of the general location, capacity, and types of public facilities planned and needed to accommodate development anticipated to occur in the City. As reflected in the General Plan, the City must ensure that adequate public facilities are provided to serve new growth and maintain or improve existing levels of service within the City.
- c. Subsequent to incorporation, the City enacted ordinances that continued in effect the Roadway and Transit Development Fees of Sacramento County (Sacramento County Code Chapter 16.87), as part of the Rancho Cordova Development Impact Fee program. These fees, however, were recently determined by the City Council to be insufficient to achieve the roadway, bicycle, and pedestrian improvements necessary to meet the demand directly or indirectly generated by new development in the City because the fees were based on outdated information that had not been revised or updated since 1993.
- d. Recognizing that this insufficiency posed an immediate threat to the public health, safety and welfare of the residents of the City, the City Council notified the public of its intent to initiate a study of the cost of facilities needed and fees necessary to offset traffic impacts created by new development, and its intent to adopt a citywide traffic impact mitigation fee. On February 22, 2005, the City adopted Urgency Resolution No. 30-2005, which established an interim Traffic Impact Mitigation Fee in order to protect the health, safety and welfare of the community by ensuring that funds were collected to offset the impacts created by new development while the citywide traffic impact mitigation fee was being studied and formulated.
- e. Thereafter, the City Council contracted with a consultant (Psomas) to assist it in evaluating the cost of necessary improvements, as shown in the General Plan. In addition, it contracted with a consultant (Revenue and Cost Specialists LLC) to prepare a nexus study ("Nexus Study") to calculate the development impact fees necessary to offset additional traffic impacts created by new development and address the deficiency in the City's transportation system.

- f. The Nexus Study has been prepared, and calculates the costs of the proposed transportation improvements and quantifies the development impact fees necessary to mitigate the impact of new development in the City, and discusses ways to fund improvements that cannot be wholly funded by new development.
- g. To finance the needed public facilities, the City needs and intends to establish an appropriate schedule of development impact fees that, consistent with statutory requirements (i.e., Government Code section 66000, et seq.), will ensure that new development in the City pays no more nor less than its fair share of the cost of providing these public facilities.
- h. The City faces a current and immediate threat due to the number of new commercial and residential developments now planned or under review in the City. If development is allowed to occur without establishing a transportation impact fee to fund infrastructure and mitigate traffic impacts from new development in the City, the City's circulation system will further degrade.
- i. The authorization of a citywide transportation impact fee is necessary to immediately preserve and protect the public's health, safety and welfare. The City's current transportation system and roadway capacity will need to be expanded as the City's population increases, as is expected. Based on the expected increase in population, the City will need to construct new roads, and reconstruct and expand existing roads, to ease traffic congestion and improve public safety. The fees established by this ordinance are necessary in order to provide the roadway, bicycle and pedestrian improvements needed as a result of growth due to new development, as well as to achieve a degree of certainty to allow for the orderly development in the City. Inadequate roadway capacity represents a major traffic concern and safety issue. The Institute of Traffic Engineers has performed studies demonstrating the relationship between increased traffic congestion and the increase of vehicle and pedestrian accidents and air quality degradation. For these reasons, it is necessary for and in the interests of the public's health, safety and welfare that the fees proposed by this ordinance be effective immediately upon adoption.
- j. Unless increased funding for transportation improvements is made available, congested conditions on the City's roadways will be significantly exacerbated by new development, compromising public health, safety and welfare by delaying police, fire, and paramedic emergency response times, and forcing motorists to endure long, costly delays while commuting to and from school, work, local services, and other destinations.
- k. A failure to adopt a citywide transportation impact fee will place the residents of new residential development, the public's use of new commercial development, and/or the existing citizens of the City, in a condition dangerous to their health, safety or welfare.
- l. Any delay in securing adequate funding will result in a deterioration of the City's level of services and will threaten the City's ability to keep pace with development demand, thereby creating immediate harm to existing and future residents, and other members of the public in the City.
- m. City staff and the City Council have considered and analyzed the basis for establishment of the fees authorized by this Ordinance, and the need for and cost of the new public facilities and improvements necessitated by new development in the City to be funded by those fees, as further set forth in the Nexus Study. The City Council finds that the Nexus Study adequately establishes the basis for establishment of the fees, and describes the need for and cost of the new public facilities and improvements necessitated by new development in the City, to be funded by those fees, and accordingly approves of the Nexus Study.
- n. Pursuant to California Public Resources Code Section 21080 (b)(8) and Title 14, Chapter 3 of the California Code of Regulations Section 15273(a)(4), the establishment of these development impact fees is statutorily exempt from the California Environmental Quality Act, because the fees

are for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas in the City.

- o. The purpose of the Transportation Impact Fee Program and the development impact fees established by this ordinance is to finance transportation improvements necessary to offset the impacts to the City's transportation system of new development in the City, to ensure that adequate funding is provided for improvements required to meet the demands of such new development, and to fund administration of the Fee Program.
- p. The use of the Transportation Impact Fees is to fund the transportation improvements identified in the Transportation Impact Fee Program and to fund administration of the Fee Program.
- q. There is a reasonable relationship between the use of the Transportation Impact Fees and the type of development projects on which the fees will be imposed because the fees will be imposed on commercial and residential development projects in the City that generate or contribute to the need for roadway, transit and/or pedestrian improvements, and are not imposed on projects that do not contribute to such need, as further set forth in the Nexus Study.
- r. There is a reasonable relationship between the need for the identified transportation improvements and the type of development project on which the fee is imposed because the need for such improvements varies depending on the type of development project at issue, and the Transportation Impact Fee Program takes into account the type of development project at issue by only applying a fee to development that is likely to contribute to such need, and ensuring that such fee is proportional to the need, as further set forth in the Nexus Study
- s. There is a reasonable relationship between the amount of the Transportation Impact Fees and the cost of the identified transportation improvements or portion of the identified transportation improvements attributable to the development on which the fees are imposed. As discussed in the Nexus Study, the amount of the Transportation Impact Fees is based on the type of development at issue, the number of building permits being generated by such development, and the anticipated impact of such development on the City's transportation system. The amount of the fees contemplates the relationship between such development's impact and the cost of roadway improvements that will be required to offset the impacts of such development.

SECTION 3. Additions. Chapter 16.84 is hereby added to the City of Rancho Cordova Municipal Code, to read in its entirety as follows:

CHAPTER 16.84

ESTABLISHMENT OF DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES

Sections:

- | | |
|-----------|---|
| 16.84.010 | Purpose |
| 16.84.020 | Definitions |
| 16.84.030 | Establishment and Administration of the City of Rancho Cordova Transportation Fund |
| 16.84.040 | Establishment and Administration of the City of Rancho Cordova Transportation Administration Fund |
| 16.84.050 | Imposition of Transportation Impact Fee |
| 16.84.060 | Payment of Transportation Impact Fees |
| 16.84.070 | Adoption and Compliance with Schedule of Transportation Impact Fee Component |

16.84.080	Establishment of Transportation Impact Fees
16.84.090	Calculation of Transportation Impact Fee Component
16.84.100	Establishment of Cost Per Unit for Land Uses
16.84.110	Credit for Construction of Transportation Improvements
16.84.120	Reimbursement for Construction of Transportation Improvements
16.84.130	Annual Program Fee Adjustment
16.84.140	Alternative Method and Compliance With Other Laws

16.84.010 PURPOSE.

(a) The General Plan of the City of Rancho Cordova requires that areas chosen for urban expansion shall be capable of being provided within a reasonable period of time with an adequate level of public facilities including, but not limited to, roadway facilities and transit facilities.

(b) The General Plan further requires the preparation of a plan that identifies a mechanism for financing those facilities necessary to serve urban development in areas designated for urban expansion. The General Plan also contains additional policies for supporting funding and use of developer dedications, development fees, and other means to pay for an acceptable level of transportation facilities.

(c) The purpose of this chapter is to implement the General Plan requirements set forth in subdivisions (a) and (b) of this section and to use the authority in Article XI, Section 7 of the California Constitution by imposing development fees to fund the cost of certain transportation facilities, the need for which is directly or indirectly generated by the type and extent of development proposed in the City of Rancho Cordova, on which the fees will be imposed.

(d) It is the further purpose of this chapter to require that adequate provision is made for developer financed public facilities within the City of Rancho Cordova as a condition to any rezoning and prior to approval of certain permits within the City.

16.84.020 DEFINITIONS.

(a) "Areas" means those geographic areas established for public facilities financing purposes within the City of Rancho Cordova depicted in Figure 1 attached to this ordinance and incorporated herein by reference. Area 1 comprises the Infill area within the City. Area 2 comprises the specific plan area for new development within the City. [Elizabeth: are we talking about the SRSP?] A detailed map of each Area depicted on Figure 1 is on file with the City Public Works Department, and such maps are incorporated by reference herein.

(b) "Building Permit" means the permit issued or required for Residential Development, Non-Residential Development, Commercial Development, or other development within the City, pursuant to and as further defined by the City of Rancho Cordova Building Code.

(c) "City" means the City of Rancho Cordova.

(d) "City of Rancho Cordova Transportation Fund" means that special interest bearing trust fund established pursuant to Section 16.84.03.

(e) "City of Rancho Cordova Transportation Administration Fund" means that special interest-bearing trust fund established pursuant to Section 16.84.040.

(f) "Commercial Development" means buildings constructed for the purpose of occupancy by retail, services, and other principally non-office businesses located on sites zoned SC Shopping Center,

LC Limited Commercial, TC Travel Commercial, AC Auto Commercial, or GC General Commercial in accord with the City of Rancho Cordova Zoning Code or designated Commercial or Commercial Mixed Use (CMU). For purposes of this chapter, residential dwellings constructed on sites designated CMU or another commercial zone pursuant to the Zoning Code are Residential Development rather than Commercial Development.

(g) "Costs" means amounts spent, or authorized to be spent, in connection with the planning, financing, acquisition and development of a public facility or infrastructure including, without limitation, the costs of land, construction and inspection, engineering, administration, and consulting fees.

(h) "Council" or "City Council" means the City Council of the City of Rancho Cordova.

(i) "Department" means the City of Rancho Cordova Public Works Department.

(j) "Development Impact Fee" or "Transportation Impact Fee" means the fee levied by this chapter upon the approval of one or more Building Permits.

(k) "Development Unit" means a dwelling unit, for Residential Development, or square foot of building floor area, for Non-Residential Development.

(l) "Director" means the Director of the Rancho Cordova Public Works Department.

(m) "Facilities" means those public facilities designated in the Rancho Cordova Transportation System Development Impact Fee Program.

(n) "Fee Resolution" means the resolution and fee schedule adopted by the City Council, as may be amended from time to time, that approves the amount of the Transportation Impact Fees.

(o) "Improvement Plan" means the site plan of property proposed for development showing all required improvements that must be approved by the Rancho Cordova Public Works Department pursuant to Chapter 12.03 of the Rancho Cordova Municipal Code prior to the issuance of a building permit for the property.

(p) "Land Use Category" means detached dwelling units, attached dwelling units, mobile homes, commercial lodging units, or commercial uses as further defined in the Fee Resolution.

(q) "Non-Residential Development" means a subdivision map, parcel map, or permit for the original construction, grading or installation of buildings other than single-family detached homes, single-family attached homes, duplexes, townhomes, condominiums, apartments, manufactured homes and mobilehomes, or improvements thereto. Non-Residential Development includes Commercial Development. Typically, Non-Residential Development consists of buildings to be occupied by retail, service, or other commercial businesses or by offices as regulated by the City of Rancho Cordova Zoning Code, but may also include buildings for use by churches, daycare centers, private schools, and other institutional uses. Mixed-use buildings consisting of both dwelling units and commercial and/or office areas will have the respective building areas treated as either Residential Development or Non-Residential Development for purposes of this chapter.

(r) "Office Development" means buildings constructed for the purpose of occupancy by principally business and professional office uses located on sites zoned BP Business and Professional Office in accord with the City of Rancho Cordova Zoning Code or designated Commercial or CMU Commercial Mixed Use.

(s) "Planning Director" means the Planning Director of the City of Rancho Cordova.

(t) "Program Fee per Development Unit" means the development impact fee per Development Unit for a particular category of facilities. Such Program Fees, identified in the Fee Resolution, were established using an allocation of transportation system costs, as identified in Transportation System Capital Improvement Program, and total additional trip miles based on land use categories identified in the Nexus Study developed for the Transportation System Development Impact Fee Program.

(u) "Programmed Cost" means the estimated cost of constructing a facility based upon the unit costs for each construction item plus a fixed 30% for engineering and permits and a fixed 15% for construction contingency as set forth in the City of Rancho Cordova Transportation Impact Fee Program and its public facilities project cost estimates, as periodically updated and adopted by resolution of the Council.

(v) "Residential Development" means a subdivision map, parcel map, or permit for the original construction, grading or installation of dwelling units for residential use including detached and attached housing for owner or rental occupancy. For purposes of this chapter, Residential Development includes construction of or improvements to buildings or portions of buildings consisting of dwelling units constructed on sites designated CMU or another commercial zone. Institutional uses or other non-housing development allowed by special use permit to be constructed on sites zoned for residential use are Non-Residential Development for purposes of this chapter.

(w) "Single Family Residential Development" means buildings consisting of individual dwelling units or no more than two attached dwelling units for residential occupancy as single-family detached homes, single-family attached homes, duplexes, halfplexes, manufactured homes, mobilehomes, and residential accessory dwellings.

(x) "Transportation System Capital Improvement Program" means the projects identified and the cost estimates prepared, and as may be updated, for the transportation system facilities identified in the Interim General Plan Circulation Element and on the roadway sizing diagram within the City limits.

(y) "Transportation System Development Impact Fee Program", or "Transportation Impact Fee Program", means the Fee Schedule, including any amendments thereto, adopted by resolution by the Council for financing of designated public facilities to serve the City of Rancho Cordova, including, but not limited to, a designation of those facilities to be constructed with the Development Impact Fees collected pursuant to this chapter, the priority list ("Priority List") for commencement of construction, the estimated cost of construction of the facilities and the total number of dwelling unit equivalents within each Area of the City of Rancho Cordova as established.

16.84.030 ESTABLISHMENT AND ADMINISTRATION OF THE CITY OF RANCHO CORDOVA TRANSPORTATION FUND.

(a) There is hereby created by the Department of Finance in the City Treasury a special interest-bearing trust fund entitled the City of Rancho Cordova Transportation Fund. All amounts collected from Transportation Impact Fees from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the City of Rancho Cordova or its successor agency solely to pay the costs identified in the transportation capital improvement program of the City of Rancho Cordova Transit System Development Impact Fee Program.

(b) The Transportation Fund shall be administered by the Director.

16.84.040 ESTABLISHMENT AND ADMINISTRATION OF THE CITY OF RANCHO CORDOVA TRANSPORTATION ADMINISTRATION FUND.

(a) There is hereby created by the Department of Finance in the City Treasury a special interest-bearing trust fund entitled the City of Rancho Cordova Transportation Administration Fund. All administration fees collected from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the City of Rancho Cordova or its successor agency solely to pay the costs associated with administering the City of Rancho Cordova Transportation Impact Fee Program.

(b) The Transportation Administration Fund shall be administered by the Director.

16.84.050 IMPOSITION OF TRANSPORTATION IMPACT FEE.

No change in a land use zoning designation shall be approved within the City of Rancho Cordova unless payment of the Transportation Impact Fees established by this chapter is required of the property owner as a condition of such approval. No building permit shall be approved for property within the City of Rancho Cordova unless the Development Fees for that property are paid as required by this chapter.

16.84.060 PAYMENT OF TRANSPORTATION IMPACT FEES.

The Transportation Impact Fees imposed pursuant to this chapter shall be paid by the property owner to the Department, in an amount calculated pursuant to Section 16.84.090. The fees shall be calculated upon the approval of subdivision maps and shall be paid upon issuance of building permits. For projects that are subject to building permits, but not subdivision map approval, the fees shall be both calculated and paid upon issuance of the building permits.

16.84.070 ADOPTION OF THE TRANSPORTATION SYSTEM CAPITAL IMPROVEMENT PROGRAM AND COMPLIANCE WITH PRIORITY LIST OF CITY OF RANCHO CORDOVA TRANSPORTATION IMPACT FEE PROGRAM.

(a) The Council shall by resolution adopt the City of Rancho Cordova Transportation System Capital Improvement Plan of the City of Rancho Cordova Transportation System Development Impact Fee Program. The Council shall review the transportation capital improvement plan not less than annually and may amend it by resolution at its discretion.

(b) With the exception of facilities approved by the Director for construction by a property owner pursuant to Section 16.84.120, all facilities shall be funded in accordance with the priority list established for the City of Rancho Cordova Transportation Impact Fee Program.

16.84.080 ESTABLISHMENT OF TRANSPORTATION IMPACT FEES AND CREATION OF AREAS.

(a) A separate Transportation Impact Fee is hereby established for each of the following categories:

1. Specific Plan Transportation Impact Fee;
2. Infill Transportation Impact Fee;
3. Regional Transportation Impact Fee;
4. Transportation Administration Fee.

(b) There is hereby created two (2) initial Areas of the City of Rancho Cordova, as shown in Figure 1, attached to this ordinance and incorporated herein by reference.

(c) The Specific Plan Transportation Impact Fee shall apply to property within Area 2. The Infill Transportation Impact Fee shall apply to property within Area 1. The Regional Transportation Impact Fee shall apply to the Sunridge Specific Plan Area and the Villages of Zinfandel Special Planning Area within Area 2. The Transportation Administration Fee shall apply to all property within Areas 1 and 2.

(d) Future Areas of the Transportation System Development Impact Fee Program may be created as additional public facilities financing plans are implemented for remaining undeveloped areas outside of the City of Rancho Cordova that may be annexed to the City in the future.

16.84.090 CALCULATION OF TRANSPORTATION IMPACT FEE.

(a) For Residential Development, the Transportation Impact Fee shall be calculated by multiplying the number of units per land use category by a per unit cost as identified in the Transportation Impact Fee Program and Fee Resolution.

(b) For Non-Residential Development, the Transportation Impact Fee shall be calculated by multiplying the number of building square feet per land use category by a per square foot cost as identified in the Transportation System Impact Fee Program and Fee Resolution.

(c) For the purpose of calculating the Transportation Impact Fee for land use categories not specifically named in the Transportation Impact Fee Program and Fee Resolution, the Planning Director is hereby authorized to determine the land use category that corresponds most directly to the land use in question. Alternatively, the Planning Director can determine that no land use category adequately corresponds, and request the Public Works Director to determine the Transportation Impact Fee. Said Transportation Impact Fee will be determined using the applicable trip generation factors as found in the Institute of Transportation Engineers Trip Generation Manual.

(d) The Transportation Administration Fee per building permit shall be calculated as two percent (2%) of the sum of the transportation impact fees calculated pursuant to subsections (a), (b), or (c) above.

(e) The Transportation Impact Fees shall be paid by the property owner in the amount as calculated pursuant to subdivision (a), (b), (c) and (d) of this section for the categories of facilities established by Section 16.84.080.

(f) For the purpose of calculating Transportation Impact Fees pursuant to subdivision (a), (b), (c), and (d) of this section for properties with an approved use permit which significantly changes the underlying use of the site or properties within a Special Planning Area, the Director is hereby authorized to determine the per-unit or per-square foot costs for each fee category that corresponds most directly to the use and density.

(g) For the purpose of calculating Transportation Impact Fees pursuant to subdivision (a), (b), (c), and (d) of this section for building permits for land use categories not specifically named in this ordinance or the Transportation Impact Fee Program, the Director is hereby authorized to determine the per-unit or per-square foot costs for each fee category that corresponds most directly to the use and density.

16.84.100 ESTABLISHMENT OF COSTS PER UNIT FOR LAND USES WITHIN THE CITY OF RANCHO CORDOVA.

(a) Fees per unit for various land uses identified in the Fee Resolution were established using an allocation of transportation system costs as identified in Transportation System Capital Improvement Plan and total additional trip miles based on land use categories identified in the Nexus Study developed for the Transportation Impact Fee Program.

(b) For specific land uses not identified in the Fee Resolution, the cost per daily trip-mile established by the Nexus Study and the trip generation rates established by the Institute of Traffic Engineers shall be used to calculate the fee per Dwelling Unit.

16.84.110 CREDIT FOR CONSTRUCTION OF TRANSPORTATION FACILITIES.

(a) Upon application by the property owner or his authorized agent, the Director may authorize the construction of any transportation facilities, or portions thereof, in order of priority as designated on the Priority List in the Transportation System Development Impact Fee Program in lieu of all, or a portion of, the Transportation Impact Fee required by this chapter. If so authorized, the credit toward Transportation Impact Fees to be provided to the property owner for such in lieu construction shall be equal to eighty percent (80%) of the programmed cost of the facility, as set forth in the Transportation System Development Impact Fee Program in effect at the time when the in lieu construction is so authorized, including, but not limited to, unit prices, quantities and project descriptions. , Prior to credit being given and/or issuance of any of the approvals set forth in Section 16.84.060 (e.g., approvals of building permits, subdivisions or zoning amendments), the construction of any facility authorized by this section must either be accepted by the Department, or the property owner must post security for the complete performance of the construction in a form acceptable to the Director and the City Attorney.

(b) Upon acceptance of the completed facility and after reconciliation of the final facility costs, the remaining twenty percent (20%) of the programmed cost as designated in the Transportation System Development Impact Fee Program may be issued as a credit balance to the property owner that may be utilized within the City of Rancho Cordova as determined by the Director.

(c) Where the amount of the credit is less than the amount of the Transportation Impact Fee otherwise applicable to the development in question, the property owner must pay to the City the difference in accordance with Section 16.84.060.

(d) Where the amount of the credit is greater than the amount of the Transportation Impact Fee, the property owner shall be paid the difference only from the applicable Transportation Fund within a reasonable time after the project is accepted by the Department pursuant to Section 16.84.120 in order of priority on the Priority List in the Transportation System Development Impact Fee Program when funds are available.

(e) Where a facility is proposed for construction by the property owner, the Director at his discretion may either (1) provide the property owner with a credit pursuant to this section or (2) enter into a reimbursement agreement with the property owner pursuant to Section 16.84.120.

**16.84.120 REIMBURSEMENT FOR CONSTRUCTION OF TRANSPORTATION PROJECTS
IN ADVANCE OF THE TRANSPORTATION SYSTEM DEVELOPMENT IMPACT FEE PROGRAM
PRIORITY LIST SCHEDULE.**

(a) Upon application by the property owner or his authorized agent, the Director may enter into a reimbursement agreement authorizing the construction of any transportation facilities, or portions thereof, designated in the Transportation System Development Impact Fee Program. In addition to the requirements of subsection (d), the agreement shall set forth the amount to be reimbursed, the time and manner in which payments are to be made, and shall state that reimbursement by the City will only be made from the applicable Transportation Fund when funds are available.

(b) The amount of reimbursement shall be the actual cost of the facility up to the programmed cost of the facility as set forth in the Transportation System Development Impact Fee Program in effect at the time the construction contract is awarded for that specific facility. The time of reimbursement shall be the end of the fiscal year in which the facility is scheduled for construction, based on the Priority List in the Transportation System Development Impact Fee Program, or as different timing is otherwise authorized by the Director.

(c) By entering into a reimbursement agreement, a property owner is not relieved of the obligation to pay the Transportation Impact Fees in the manner and amount specified by this chapter.

(d) If the Director enters into an agreement authorized by subdivision (a) of this section, or credit agreement as authorized by Section 16.84.110(c) the agreement shall provide that: (1) The general fund of the City is not liable for payment of any obligations arising from the agreement; (2) the credit or taxing power of the City is not pledged for the payment of any obligations arising from the agreement; (3) the landowner shall not compel the exercise of the City taxing power or the forfeiture of any of its property to satisfy any obligations arising from the agreement; and (4) the obligation arising from the agreement is not a debt of the City, nor a legal or equitable pledge, charge, lien, or encumbrance, upon any of its property, or upon any of its income, receipts, or revenues, and is payable only from the Transportation Impact Fees deposited in the applicable Transportation Fund.

(e) Property owner or his authorized agent shall apply for reimbursement as set forth in subdivisions (a) (b) (c) and (d) of this Section no later than four (4) years after the transportation project is constructed and accepted. Property owner shall waive the right of reimbursement for construction costs payable under this Section when the reimbursement is not applied for within said four (4) year limitation.

16.84.130 ANNUAL PROGRAM FEE ADJUSTMENT.

Beginning March 1, 2006, and thereafter each year no later than March 15, the Program Fee per Development Unit for each type of development in each fee category shall be adjusted as follows:

(a) A "mean" index will be computed by averaging the index for 20 U.S. cities with the index for San Francisco by resort to the January issue of the Engineering News Record magazine Construction Cost Index of the year in which the calculation is being made.

(b) An adjustment factor shall be computed by dividing the "mean" index as calculated in subsection (a) of this section by the "mean" index for the previous January, however, the March 2006 adjustment factor shall be computed by dividing the "mean" index as calculated in subsection (a) of this section by the "mean" index for August 2005, and, if a new Program Fee has been adopted after January of the previous year, the adjustment factor shall use the "mean" index from the month that the fee was adopted.

(c) The new Program Fee per Development Unit shall be calculated by multiplying the adjustment factor, as calculated in subsection (b) of this section, by the Program Fee per Development Unit in place prior to the annual adjustment.

(d) The estimated cost of the facilities used in the Transportation System Capital Improvement Program and for calculating credits and reimbursements pursuant to Sections 16.84.110 and 16.84.120 shall be adjusted annually using the same adjustment factor pursuant to subsections (a), (b) and (c) of this section.

16.84.140 ALTERNATIVE METHOD AND COMPLIANCE WITH OTHER LAWS.

(a) This chapter is intended to establish a supplemental method for funding the cost of certain facilities the need for which is expected to be generated by the level and type of development proposed in the City of Rancho Cordova. Excepted as provided in Section 4 of this Ordinance (continuance in effect of Roadway and Transit Development Fees established by Sacramento County), the provisions of this chapter shall not be construed to limit the power of the Council to impose any other fees or exactions or to continue to impose existing ones, on development within the City of Rancho Cordova, but shall be in addition to any other fee, exactions or other requirements that the City is authorized to impose, or has previously imposed, as a condition of approving plans, rezonings or other entitlements within the City of Rancho Cordova pursuant to state and local laws. In particular, individual property owners shall remain obligated to fund, construct, and/or dedicate the improvements, public facilities and/or pay other exactions authorized or required by, but not limited to: (1) the City of Rancho Cordova Public Works Department Improvement Standards; (2) the Sacramento County Municipal Services Agency Improvement Standards; (3) the Quimby Act (Government Code Section 66477 et seq.) and implementing ordinances (Chapter 22.40 of this Code); (4) school impact fees (Government Code Sections 65970 et. seq.) and implementing ordinances; and (5) Sacramento County drainage fees (County Water Agency Ordinance No. 1). Any credits or repayments pursuant to Sections 16.84.110 and 16.84.120 shall not include credits or repayment for the funding, construction or dedications described in this section.

(b) The construction of facilities by a private owner pursuant to Section 16.84.110 16.84.120 shall be performed and contracted for only as required by law, including but not limited to, compliance with the Department's Improvement Standards, and requirements for public works, if applicable to the particular facility."

SECTION 4. In Lieu Levy. The payment and administration of Transportation Impact Fees levied pursuant to this chapter will be in lieu of all other roadway and transit fees paid and administered pursuant to City Ordinance No. 19-2003 that continued in effect the Roadway and Transit Development Fees established by Sacramento County Code Chapter 16.87 (as originally continued in effect by, and made applicable to the City pursuant to, City Ordinance No. 01-2003).

SECTION 5. No Effect. The payment and administration of Transportation Impact Fees levied pursuant to this chapter will not be in lieu of transportation fees paid and administered pursuant to Chapter 16.83 and Chapter 16.81 of the Rancho Cordova Municipal Code for the Sunridge Specific Plan and Villages of Zinfandel Special Planning Area roadway fee components.

SECTION 6. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 7. Effective Date – Urgency Ordinance. This ordinance shall take effect immediately as an urgency ordinance. New construction in the City continues to increase resulting in an increasing burden on existing City services. So that the City has sufficient funding to maintain adequate City service, the City must ensure that it begins receiving revenue from this new construction as soon as possible. For these reasons and the findings found in Section 2 above, the City Council finds that the immediate passage of this ordinance is necessary for the immediate preservation of the public peace, health and safety, and the fiscal integrity of the City.

ADOPTED, THIS ____ day of _____ 2005, by the following vote:

AYES:

NOES:

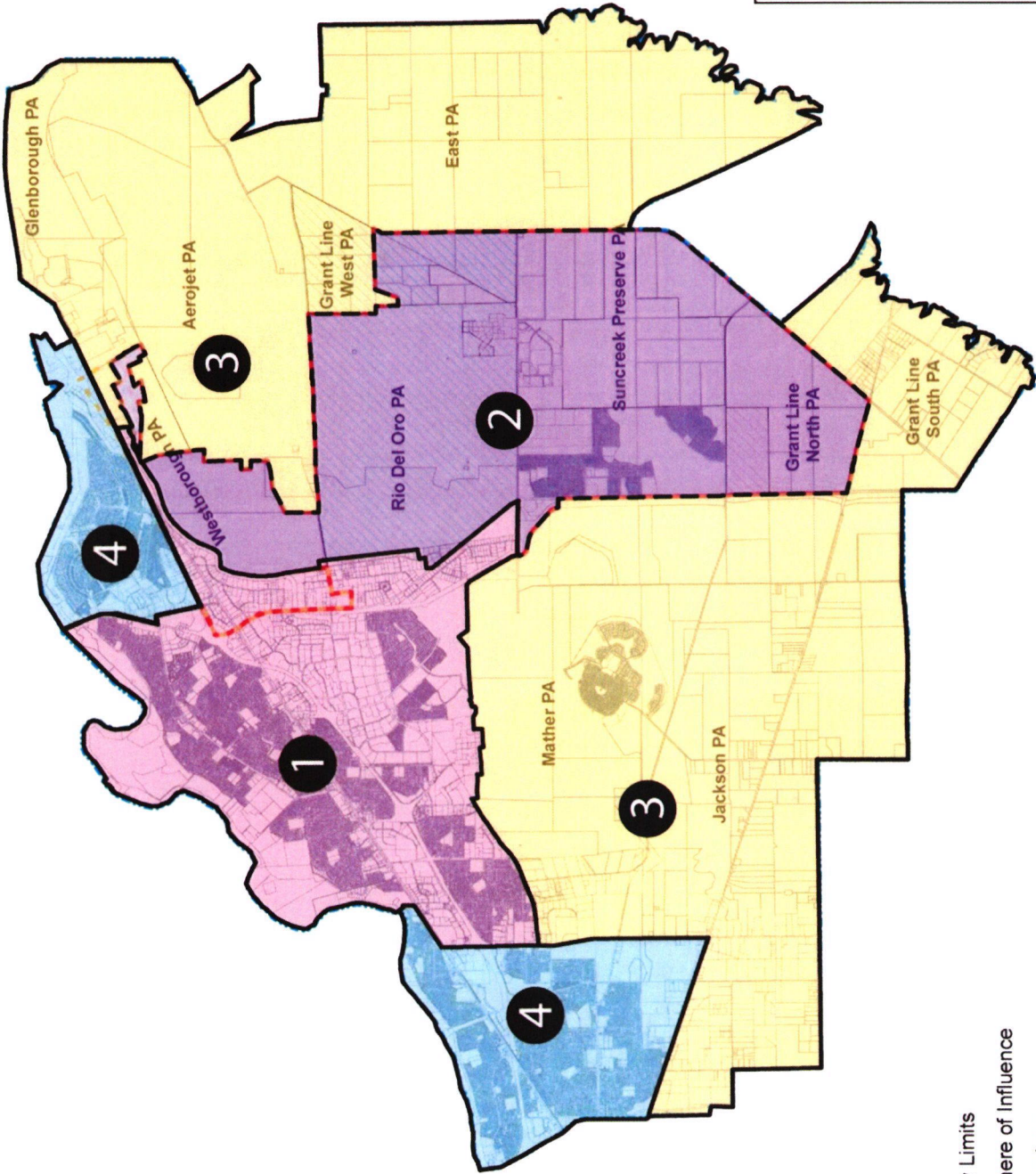
ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk



Legend

- Planning Area
- - - City Limits
- 1 Infill Fee Area
- 2 City: New Development Fee
- 3 County: New Fee
- 4 County: Infill Fee

Legend

- Rancho Cordova City Limits
- Rancho Cordova Sphere of Influence
- General Plan Planning Area

CITY OF RANCHO CORDOVA

RESOLUTION NO. 127-2005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA IMPOSING DEVELOPMENT IMPACT FEES FOR THE PROVISION OF TRANSPORTATION IMPROVEMENTS

WHEREAS, upon its incorporation the City of Rancho Cordova (hereinafter "City") adopted the Sacramento County General Plan as the City's General Plan; and

WHEREAS, on May 16, 2005, the City adopted a Draft Land Use Map Book and a Draft Circulation Plan as Interim General Plan;

WHEREAS, the General Plan includes a description of the location, capacity, and types of capital improvements needed to serve new development in the City; and

WHEREAS, the City has adopted an ordinance approving the City of Rancho Cordova Transportation Impact Fee Program; and

WHEREAS, the City of Rancho Cordova Transportation Impact Fee Program is not a "project" subject to the California Environmental Quality Act because it is a funding mechanism having to physical effect on the environment; and

WHEREAS, in order to protect the health, safety and welfare of the community and to ensure that adequate public facilities are provided for the residents of the City of Rancho Cordova, establishment of a Transportation Impact Fee Program fee schedule is necessary; and

WHEREAS, the City Council finds that the fee schedule detailed in **Exhibit A** attached hereto is consistent with the Rancho Cordova General Plan;

NOW, THEREFORE, the City Council of the City of Rancho Cordova does hereby adopt, by at least a four-fifths vote of its members, the findings in Section 1 below, and approves transportation impact fees on new commercial and residential developments in the City as described in Section 2 below.

1. Findings:

- a. Upon its incorporation, the City of Rancho Cordova adopted the Sacramento County General Plan as the City's General Plan, and has since taken several actions as part of a process of adopting its own general plan (the general plan and such additional actions are collectively referred to herein as the "General Plan").

- b. The General Plan includes a description of the general location, capacity, and types of public facilities planned and needed to accommodate development anticipated to occur in the City. As reflected in the General Plan, the City must ensure that adequate public facilities are provided to serve new growth and maintain or improve existing levels of service within the City.
- c. Subsequent to incorporation, the City enacted ordinances that continued in effect the Roadway and Transit Development Fees of Sacramento County (Sacramento County Code Chapter 16.87), as part of the Rancho Cordova Development Impact Fee program. These fees, however, were recently determined by the City Council to be insufficient to achieve the roadway, bicycle, and pedestrian improvements necessary to meet the demand directly or indirectly generated by new development in the City because the fees were based on outdated information that had not been revised or updated since 1993.
- d. Recognizing that this insufficiency posed an immediate threat to the public health, safety and welfare of the residents of the City, the City Council notified the public of its intent to initiate a study of the cost of facilities needed and fees necessary to offset traffic impacts created by new development, and its intent to adopt a citywide traffic impact mitigation fee. On February 22, 2005, the City adopted Urgency Resolution No. 30-2005, which established an interim Traffic Impact Mitigation Fee in order to protect the health, safety and welfare of the community by ensuring that funds were collected to offset the impacts created by new development while the citywide traffic impact mitigation fee was being studied and formulated.
- e. Thereafter, the City Council contracted with a consultant (Psomas) to assist it in evaluating the cost of necessary improvements, as shown in the General Plan. In addition, it contracted with a consultant (Revenue and Cost Specialists LLC) to prepare a nexus study ("Nexus Study") to calculate the development impact fees necessary to offset additional traffic impacts created by new development and address the deficiency in the City's transportation system.
- f. The Nexus Study has been prepared, and calculates the costs of the proposed transportation improvements and quantifies the development impact fees necessary to mitigate the impact of new development in the City, and discusses ways to fund improvements that cannot be wholly funded by new development.
- g. To finance the needed public facilities, the City needs and intends to establish an appropriate schedule of development impact fees that, consistent with statutory requirements (i.e., Government Code section 66000, et seq.), will ensure that new development in the City pays no

more nor less than its fair share of the cost of providing these public facilities.

- h. The City faces a current and immediate threat due to the number of new commercial and residential developments now planned or under review in the City. If development is allowed to occur without establishing a transportation impact fee to fund infrastructure and mitigate traffic impacts from new development in the City, the City's circulation system will further degrade.
- i. The authorization of a citywide transportation impact fee is necessary to immediately preserve and protect the public's health, safety and welfare. The City's current transportation system and roadway capacity will need to be expanded as the City's population increases, as is expected. Based on the expected increase in population, the City will need to construct new roads, and reconstruct and expand existing roads, to ease traffic congestion and improve public safety. The fees established by Ordinance No. 24-2005 are necessary in order to provide the roadway, bicycle and pedestrian improvements needed as a result of growth due to new development, as well as to achieve a degree of certainty to allow for the orderly development in the City. Inadequate roadway capacity represents a major traffic concern and safety issue. The Institute of Traffic Engineers has performed studies demonstrating the relationship between increased traffic congestion and the increase of vehicle and pedestrian accidents and air quality degradation. For these reasons, it is necessary for and in the interests of the public's health, safety and welfare that the fees proposed by this ordinance be effective immediately upon adoption.
- j. A failure to adopt a citywide transportation impact fee will place the residents of new residential development, the public's use of new commercial development, and/or the existing citizens of the City, in a condition dangerous to their health, safety or welfare.
- k. Any delay in securing adequate funding will result in a deterioration of the City's level of services and will threaten the City's ability to keep pace with development demand, thereby creating immediate harm to existing and future residents, and other members of the public in the City.
- l. City staff and the City Council have considered and analyzed the basis for establishment of the fees authorized by Ordinance No. 24-2005, and the need for and cost of the new public facilities and improvements necessitated by new development in the City to be funded by those fees, as further set forth in the Nexus Study. The City Council finds that the Nexus Study adequately establishes the basis for establishment of the fees, and describes the need for and cost of the new public facilities and improvements necessitated by new development in the City, to be funded

by those fees, and accordingly approves of the Nexus Study.

- m. Pursuant to California Public Resources Code Section 21080 (b)(8) and Title 14, Chapter 3 of the California Code of Regulations Section 15273(a)(4), the approval and establishment of these development impact fees is statutorily exempt from the California Environmental Quality Act, because the fees are for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas in the City.
- n. The purpose of the Transportation Impact Fee Program and the development impact fees established by this ordinance is to finance transportation improvements necessary to offset the impacts to the City's transportation system of new development in the City, to ensure that adequate funding is provided for improvements required to meet the demands of such new development, and to fund administration of the Fee Program.
- o. The use of the Transportation Impact Fees is to fund the transportation improvements identified in the Transportation Impact Fee Program and to fund administration of the Fee Program.
- p. There is a reasonable relationship between the use of the Transportation Impact Fees and the type of development projects on which the fees will be imposed because the fees will be imposed on commercial and residential development projects in the City that generate or contribute to the need for roadway, transit and/or pedestrian improvements, and are not imposed on projects that do not contribute to such need, as further set forth in the Nexus Study.
- q. There is a reasonable relationship between the need for the identified transportation improvements and the type of development project on which the fee is imposed because the need for such improvements varies depending on the type of development project at issue, and the Transportation Impact Fee Program takes into account the type of development project at issue by only applying a fee to development that is likely to contribute to such need, and ensuring that such fee is proportional to the need, as further set forth in the Nexus Study
- r. There is a reasonable relationship between the amount of the Transportation Impact Fees and the cost of the identified transportation improvements or portion of the identified transportation improvements attributable to the development on which the fees are imposed. As discussed in the Nexus Study, the amount of the Transportation Impact Fees is based on the type of development at issue, the number of building permits being generated by such development, and the anticipated impact of such development on the City's transportation system. The amount of the fees contemplates the relationship between such development's

impact and the cost of roadway improvements that will be required to offset the impacts of such development.

2. **Approval of Fees.** The fee rates for the Transportation Impact Fee Program, as set forth in **Exhibit A** attached hereto, are hereby approved.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 17th day of October, 2005.

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

772656-1

EXHIBIT A

FEE SCHEDULE

Alternative 1 - Fee Schedule
City of Rancho Cordova Transportation Impact Fee

		Area 1	Area 2
Detached Dwelling Units	per Unit	\$17,284	\$17,284
Attached Dwelling Units	per Unit	\$11,540	\$11,540
Mobile Homes in Parks	per Unit	\$9,042	\$9,042
Commercial Lodging Units	per Unit	\$9,092	\$9,092
Commercial/Office	per S.F.	\$16.24	\$16.24
Industrial/Manufacturing	per S.F.	\$11.29	\$11.29
Administration (2%)	[1]		

Alternative Fee Methodology [2]

Apartment	per Unit	\$12,139	\$12,139
Condominium/Townhome	per Unit	\$10,590	\$10,590
Light Industrial	per S.F.	\$13.89	\$13.89
Heavy Industrial	per S.F.	\$13.44	\$13.44
Manufacturing	per S.F.	\$6.14	\$6.14
Warehouse	per S.F.	\$9.89	\$9.89
General Office Bldg.	per S.F.	\$15.74	\$15.74
High Turnover Restaurant	per S.F.	\$9.54	\$9.54

[1] Administration is charged as 2% of the total transportation impact fee

[2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$499.55 per daily trip-mile in Area 1 and Area 2

Alternative 2 - Fee Schedule
City of Rancho Cordova Transportation Impact Fee

		Area 1	Area 2
Detached Dwelling Units	per Unit	\$17,284	\$17,284
Attached Dwelling Units	per Unit	\$11,540	\$11,540
Mobile Homes in Parks	per Unit	\$9,042	\$9,042
Commercial Lodging Units	per Unit	\$5,388	\$5,388
Commercial	per S.F.	\$12.83	\$12.83
Office	per S.F.	\$9.85	\$9.85
Industrial/Manufacturing	per S.F.	\$5.02	\$5.02
Administration (2%)	[1]		

Alternative Fee Methodology [2]

Apartment	per Unit	\$12,139	\$12,139
Condominium/Townhome	per Unit	\$10,590	\$10,590
Light Industrial	per S.F.	\$13.89	\$13.89
Heavy Industrial	per S.F.	\$13.44	\$13.44
Manufacturing	per S.F.	\$6.14	\$6.14
Warehouse	per S.F.	\$9.89	\$9.89
High Turnover Restaurant	per S.F.	\$9.54	\$9.54

[1] Administration is charged as 2% of the total transportation impact fee

[2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$499.55 per daily trip-mile in Area 1 and Area 2

Alternative 3 - Fee Schedule
City of Rancho Cordova Transportation Impact Fee

		Area 1	Area 2
Detached Dwelling Units	per Unit	\$6,468	\$17,284
Attached Dwelling Units	per Unit	\$4,318	\$11,540
Mobile Homes in Parks	per Unit	\$3,384	\$9,042
Commercial Lodging Units	per Unit	\$3,402	\$9,092
Commercial/Office	per S.F.	\$6.08	\$16.24
Industrial/Manufacturing	per S.F.	\$4.23	\$11.29
Administration (2%)	[1]		

Alternative Fee Methodology [2]

Apartment	per Unit	\$4,543	\$12,139
Condominium/Townhome	per Unit	\$3,963	\$10,590
General Office Bldg.	per S.F.	\$5.89	\$15.74
High Turnover Restaurant	per S.F.	\$3.57	\$9.54

[1] Administration is charged as 2% of the total transportation impact fee

[2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$499.55 per daily trip-mile in Area 1 and \$186.94 in Area 2

Alternative 4 - Fee Schedule
City of Rancho Cordova Transportation Impact Fee

		Area 1	Area 2
Detached Dwelling Units	per Unit	\$6,468	\$17,284
Attached Dwelling Units	per Unit	\$4,318	\$11,540
Mobile Homes in Parks	per Unit	\$3,384	\$9,042
Commercial Lodging Units	per Unit	\$3,402	\$5,388
Commercial	per S.F.	\$6.08	\$12.83
Office	per S.F.	\$5.89	\$9.85
Industrial/Manufacturing	per S.F.	\$4.23	\$5.02
Administration (2%)	[1]		

Alternative Fee Methodology [2]

Apartment	per Unit	\$4,543	\$12,139
Condominium/Townhome	per Unit	\$3,963	\$10,590
High Turnover Restaurant	per S.F.	\$3.57	\$9.54

[1] Administration is charged as 2% of the total transportation impact fee

[2] For land uses not shown on this table, contact the Public Works Department. The rates established by Public Works shall be based upon \$499.55 per daily trip-mile in Area 1 and \$186.94 in Area 2

MEMORANDUM



DATE: October 17, 2005
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
**SUBJECT: URGENCY RESOLUTION ESTABLISHING AN INTERIM
CITYWIDE TRANSPORTATION IMPACT FEE**

RECOMMENDATION

Adopt Urgency Resolution No. 126-2005 Establishing Interim Transportation Impact Fees for 29 days;

BACKGROUND

The City Council has adopted a Draft Circulation Plan which includes a Roadway System Map, Bike and Trails Map, and Transit System Map. While the Circulation Plan outlined the key objectives and assumptions with each circulation component, it did not quantify nor define the exact characteristics and features of the roads, trails, bikeways, and other modes of transportation facilities. Staff has been working on the preparation of a Transportation System Capital Improvement Program and Nexus Study to enable adoption of a permanent Transportation Impact Fee which would address transportation fees in all areas of the City.

While data for the Nexus Study was being gathered, on August 1, 2005 the City Council passed an urgency resolution adopting an interim Transportation Impact Fee of \$16,087 per single family dwelling (SFD) in the new development areas and of \$4,400 per SFD in the infill areas, and subsequently authorized two, 30-day extensions. As currently applied the interim fee is the only transportation impact fee payable by infill development and is supplemental to any existing specific plan or special planning area roadway fees applicable to new development areas. The infill area is defined as the existing portion of the City in which most development has already occurred with existing infrastructure in place.

Staff recommends the rates shown in the attached Resolution be collected on an interim basis until the final Nexus Study for the Citywide Transportation Impact Fee is completed and permanent fees are adopted.

The purpose of the interim Transportation Impact Fee is to address the significant shortage of roadway improvements required to mitigate the impacts of new commercial and residential developments in the City. As described in the

attached resolution, the City of Rancho Cordova now faces a current and immediate threat to public health, welfare and safety because the traffic fees inherited from the County of Sacramento are based on 1993 cost estimate and CIP, which leaves the City with a significant funding shortfall and insufficient facilities for critical roadway, bicycle and pedestrian improvements necessary to maintain effective circulation throughout the City. If the City were to continue to process building permits without imposing an adequate Transportation Impact Fee, the City's circulation system will continue to degrade.

The Council must adopt new legislation if it desires to enable the City to continue to collect an interim fee while the Nexus Study is being completed and a permanent fee is adopted. The Nexus Study was presented to the Council on October 7, 2005 for discussion. A separate action on this date was before the Council to adopt a permanent transportation. The steps necessary to adopt the permanent fee were not acted upon and the item was continued to a future Council date.

Since the existing interim fees expire on October 18, 2005, staff recommends Council adopt the attached Urgency Resolution which establishes new interim fees at the same rates currently in effect. The resolution establishing the interim fees require a 4/5th affirmative vote of the Council.

Attachments:

Resolution 126-2005

CITY OF RANCHO CORDOVA

RESOLUTION NO. 126-2005

**AN URGENCY RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RANCHO CORDOVA ESTABLISHING
INTERIM TRANSPORTATION IMPACT FEES**

WHEREAS, upon its incorporation, the City of Rancho Cordova ("City") enacted ordinances that continued in effect the Roadway and Transit Development Fees of Sacramento County (Sacramento County Code Chapter 16.87) as part of the Rancho Cordova Development Impact Fee program; and

WHEREAS, the County Roadway and Transit Development Fees are based on outdated information, which has not been revised or updated since 1993; and

WHEREAS, a preliminary evaluation of cost estimates, facility lists and development impact fee information from nearby jurisdictions led the City to conclude that the existing County Roadway and Transit Development Fees are insufficient to achieve the roadway, bicycle, and pedestrian improvements necessary to meet the demand generated by new development in the City; and

WHEREAS, to rectify this situation which imposes an immediate threat to the public health, safety and welfare of the residents of the City of Rancho Cordova, the City Council hired consultants to prepare a Nexus Study that will be used to establish a new citywide Transportation Impact Fee pursuant to Government Code Section 66000 *et. seq.*; and

WHEREAS, the City Council adopted a Draft Circulation Plan on May 16, 2005, and has completed a preliminary draft of a Capital Improvement Program (CIP) setting forth cost estimates for the City's planned transportation facilities; and

WHEREAS, the Nexus Study identifies the City's need for Transportation Impact Fees that are higher than the current interim fees adopted on August 1, 2005 (by Resolution 92-2005), in order to fund construction of the improvements necessary to offset the transportation impacts created by new development; and

WHEREAS, following a presentation of the preliminary Nexus Study to the Council on October 7, 2005, a recommended permanent fee schedule and ordinance for fee implementation was presented to the Council on October 17, 2005; and

WHEREAS, the actions necessary to implement the permanent Transportation Impact Fee were not taken on October 17, 2005, and the item was continued to the next Council meeting thereafter; and

WHEREAS, without taking further action, the existing interim fees would expire on October 18, 2005 and, to avoid exacerbating the already substantial funding shortage for transportation improvements that now exists as a result of the County's

1993 fees, the City desires to establish new interim Transportation Impact Fees that more closely reflect the actual estimated costs of planned transportation system improvements in the preliminary draft of the CIP; and

WHEREAS, the Transportation Impact Fees will protect the public health, safety and welfare of the community by ensuring that funds are collected to address the demand generated by new development while the permanent Transportation Impact Fees are being formulated; and

WHEREAS, this urgency resolution addresses three separate fee components: an interim "Infill" fee, a Sunridge Specific Plan Area fee, and an interim fee for all other areas of the City; and

WHEREAS, the proposed interim Transportation Impact Fees for the Sunridge Specific Plan Area are identical in all respects to those adopted by the City Council in Resolution No. 93-2005 on August 1, 2005, as part of the Sunrise Douglas Community Plan (SDCP) Nexus Study Update; and

WHEREAS, the proposed residential Infill fees reflect the City Council's desire to encourage residential infill projects that enhance and contribute to the City's established neighborhoods and downtown core, and which are already served by existing infrastructure and thus less likely to create some of the transportation impacts associated with newly-developing areas; and

WHEREAS, the City published a public notice and held a hearing on October 17, 2005, to receive and consider all written and oral testimony prior to taking action on this matter;

NOW, THEREFORE, the City Council of the City of Rancho Cordova does hereby adopt, by at least a four-fifths vote of its members, the findings in Section 1 below, and establishes interim Transportation Impact Fees on new commercial and residential developments in the City as described in Section 2 below.

Section 1. Findings

1. The foregoing recitals are true and correct.
2. Collection of the County Roadway and Transit Development Fees, which are based on cost estimates that are more than a decade old, has contributed to a critical shortfall of funding for roadway, bicycle and pedestrian improvements required to mitigate traffic impacts throughout the City. A preliminary analysis of the data currently being used to establish a permanent citywide Transportation Impact Fee Program identifies extensive deficiencies in the City's roadway system, including a lack of funding for critical roadway, bicycle and pedestrian improvements to maintain effective circulation throughout the City.
3. The City of Rancho Cordova faces a current and immediate threat to the public's health, safety and welfare due to the number of new commercial and residential developments now planned for, or under review, in the City. If development is

allowed to occur without increasing the fee to fund infrastructure needs to mitigate citywide traffic impacts from new development, the City's circulation system will further degrade without an adequate source of funding to implement those improvements.

4. The interim authorization of citywide Transportation Impact Fees is necessary to immediately protect the public's health, welfare and safety. As the City continues to grow, demand on roads will increase. Based on this increase, the City will need to construct new roads, and reconstruct and expand existing roads, to ease traffic congestion and improve public safety. The Institute of Traffic Engineers (ITE) has performed studies demonstrating the relationship between increased traffic congestion and the increase of vehicle and pedestrian accidents and air quality degradation. It is necessary for the public's health, welfare and safety that the interim fees proposed by this resolution take effect immediately in order to provide the roadway, bicycle and pedestrian improvements needed to serve new development, as well as to achieve a degree of certainty to allow for orderly development within the City.
5. A failure to apply interim Transportation Impact Fees to new development, while a permanent Transportation Impact Fee is being studied and formulated, will place the residents of new commercial projects and residential subdivisions, and the immediate community, in a condition dangerous to their health or safety because planned improvements will be delayed due to the collection of inadequate funds during the period before a permanent Transportation Impact Fee is adopted.
6. Unless increased funding for transportation improvements is made available, congested conditions on the City's roadways will be significantly exacerbated by new development, compromising public health, safety and welfare by delaying police, fire, and paramedic emergency response times, and forcing motorists to endure long, costly delays while commuting to and from school, work, local services, and other destinations.
7. The purpose of the interim Transportation Impact Fees is to address the significant shortage of roadway improvements required to serve the residents of the City. Collection of the interim Transportation Impact Fees will provide funding for the roadway improvements required to meet the demands of new development in the City.
8. There is a reasonable relationship between the use of the interim Transportation Impact Fees and the type of development projects subject to the fee because commercial and residential development projects generate and contribute to the need for roadway, transit and pedestrian improvements.
9. There is a reasonable relationship between the amount of the interim Transportation Impact Fee and the potential cost of the facilities attributable to the commercial and residential development projects subject to the fee. The permanent fee will ultimately be calculated based on the number of building permits generated by residential and commercial development, the anticipated demand for and total cost of roadway improvements within the City based on traffic impacts, and the

percentage by which development within the City contributes to the need for the improvements.

10. The method of allocation of the interim Transportation Impact Fee to a particular residential development bears a fair relationship, and is roughly proportional, to the development's burden on, and benefits from, roadway improvements to be funded by the interim Transportation Impact Fees.
11. The \$4,400 Infill single family residential development fee reflects the proportional cost of regional infrastructure needs contained in the CIP, while the \$16,087 fee for development outside the Infill area reflects the proportional costs of both local and regional transportation infrastructure needs.
12. The City Council plans to adopt a permanent Transportation Impact Fee Ordinance once the Nexus Study and CIP are complete. The permanent fees will apply to all pending and new commercial and residential development projects in the City, including tentative and vesting tentative map applications now deemed complete, because the application of such fees is necessary to avoid placing residents of new residential subdivisions or the immediate community, or both, in a condition dangerous to their health or safety.
13. The adoption of interim Transportation Impact Fees is statutorily exempt from the California Environmental Quality Act under CEQA Guidelines Section 15273 because it involves the establishment of a public agency fee for the purpose of obtaining funds for capital projects that will offset traffic-related development impacts within the City's existing service area, as identified on the City's adopted Circulation Plan/Diagram, the Sunrise Douglas Community Plan, and the Sunridge Specific Plan Area.

Section 2. Action

1. Interim Transportation Impact Fees for the "Infill" area, the Sunridge Specific Plan Area, and all other remaining areas of the City are hereby established and the corresponding fee amounts are shown on the attached Exhibit A. The rates charged as shown in Exhibit A continue in effect at the same amounts the rates currently being charged under the interim Transportation Impact Fee. A map of the three different zones subject to the fees is shown on Exhibit B-1 and Exhibit B-2.
2. Payment of the fees shall occur at the issuance of building permits and will be collected with an Interim Fee Agreement.
3. This urgency resolution and the associated interim Transportation Impact Fees will go into effect immediately after passage, and remain in effect until November 15, 2005, pursuant to Government Code Section 66017(b).
4. Should the amount of the interim Transportation Impact Fees exceed the amount of the permanent Transportation Impact Fee subsequently adopted, the City shall provide a timely refund of the excess to the project applicant pursuant to the

terms of an Interim Fee Agreement. Should the amount of the interim Transportation Impact Fees be less than the amount of the permanent Transportation Impact Fee subsequently adopted, the applicant shall pay the difference to the City in a timely manner pursuant to the terms of the Interim Fee Agreement. Any claim that a violation of state or federal law has occurred as a result of the imposition of the interim Transportation Impact Fees shall be subject to an administrative hearing; such hearing shall be held concurrently with the City's review of any request by the claimant for a refund.

Section 3. Severability

1. All portions of this Resolution are severable. Should any individual component or any portion of this Resolution be found invalid and unenforceable by a court of competent jurisdiction, it is the City Council's intent and desire that the remaining portions of the Resolution continue in full force and effect.

PASSED AND ADOPTED this 17 day of October, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

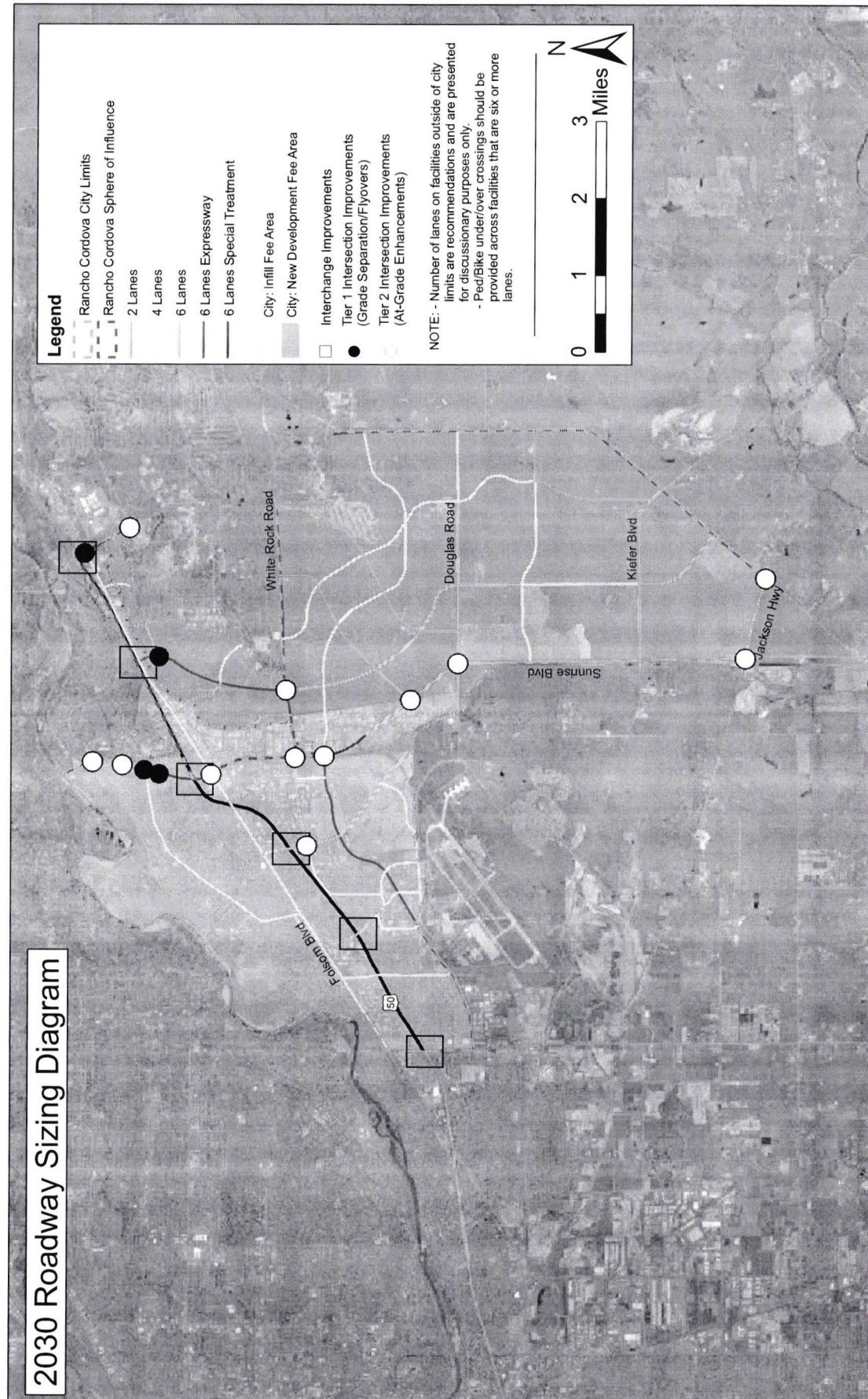
APPROVED:

MAYOR

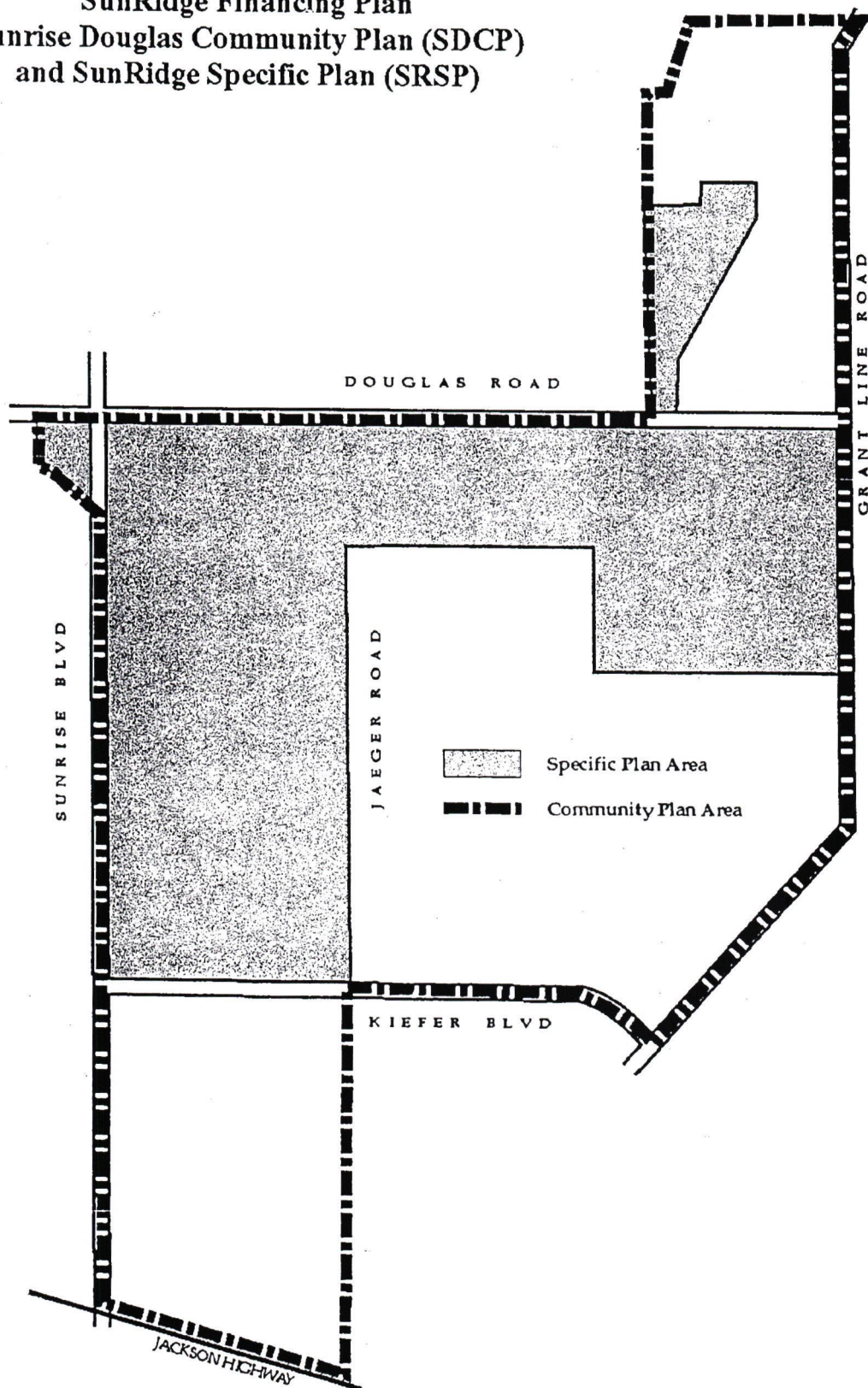
ATTEST:

CITY CLERK

CITY OF RANCHO CORDOVA					
INTERIM TRANSPORTATION IMPACT FEE					
				SUNRISE DOUGLAS COMMUNITY PLAN	
Land Use Category	Unit of Measure	New Development	Infill	Local/Specific Plan Fee Component	Regional Fee Component
Single Family Residential	Unit	\$16,087.00	\$4,400.00	\$11,687.00	\$4,400.00
Multi Family Residential	Unit	\$11,021.00	\$3,328.00	\$7,693.00	\$3,328.00
Commercial	Sq. Ft.	\$12.83	\$12.83	[1] \$12.83	---
Business Professional - Office	Sq. Ft.	\$10.26	\$10.26	[1] \$10.26	---
Industrial	Sq. Ft.	\$3.50	\$3.50	\$3.50	---
Industrial - Office	Sq. Ft.	\$7.43	\$7.43	\$7.43	---
Administration (2%)		[2]	[2]	[3]	[3]
[1] Non-residential rates in the SDCP Fee Program Nexus Study Update established the rates for non-residential rates at a significantly higher rate than shown. Staff recommends the rates shown above be collected on an interim basis until the final Nexus Study of the Citywide Transportation Impact Fee is completed. [2] Administration is charged as 2% of the total transportation impact fee. [3] Administration in the SDCP Fee Program is charged as 3.75% of the total roadway fee.					
For land uses not shown on this table, please contact the Public Works Department at (916) 942-0235.					



SunRidge Financing Plan
 Sunrise Douglas Community Plan (SDCP)
 and SunRidge Specific Plan (SRSP)



MEMORANDUM

DATE: October 17, 2005
TO: Mayor and Council Members
FROM: William J. Thomas, Chief Financial Officer
SUBJECT: ACTION ITEMS RELATED TO THE FORMATION AND
AUTHORIZATION FOR BONDS OF THE CITY OF RANCHO
CORDOVA SUNRIDGE NORTH DOUGLAS COMMUNITY
FACILITIES DISTRICT 2005-1



RECOMMENDATION

Adopt the following resolutions:

1. Resolution of formation of community facilities district and to levy a special tax in Sunridge-North Douglas Community Facilities District No. 2005-1. (Resolution No. 131-2005)
2. Resolution deeming it necessary to incur bonded indebtedness in Sunridge-North Douglas Community Facilities District No. 2005-1 (Resolution No. 132-2005).
3. Resolution calling for a special election in Sunridge-North Douglas Community Facilities District No. 2005-1 (Resolution 133-2005).
4. Resolution declaring election results of Sunridge-North Douglas Community Facilities District No. 2005-1 (134-2005).
5. Waive first reading and introduce Ordinance No. 26-2005 levying a special tax within Sunridge-North Douglas Community Facilities District No. 2005-1.

BACKGROUND AND DISCUSSION

At the meeting on September 6, 2005, the City initiated the process of forming a Community Facilities District (CFD) for the first phase of the Sunrise Douglas Development Project. This CFD encompasses both planned residential units as well as a limited amount of multi-family and commercial property. The CFDs are commonly used throughout California to finance infrastructure in new developments and the City has previously formed a CFD for the Sunridge Anatolia and Sunridge Park developments. The CFD is proposed to have a special tax that will be levied on property within the development until bonds expected to be issued are paid off. The special tax will range from approximately \$910 per home to approximately \$1,510 per home and increase at a rate of 2%

per year for the life of the tax. The special tax will be authorized to support up to \$20 million of bonds, the proceeds of which will primarily be used to pay infrastructure that is necessary for the development. The Resolution of Intention adopted by the City Council set October 17, 2005 at 6:30 for the hearing on the actual formation of the District and the levy of the special tax and the sale of bonds. The documents attached to this report will complete the formation and levy the special tax.

Included in this package as "Item 6a" is a guide for the Mayor to use to facilitate the required public hearing and landowner vote process. Consult this document for an agenda to be followed to conduct the hearings and for the adoption of the items needed to complete the formation of the CFD, to hold the election and to take the final actions to authorize the bonds.

The attachments included with this report are as follows:

1. Resolution of Formation of CFD and to levy a special tax.
2. Resolution determining necessity to incur bonded indebtedness within the CFD.
3. Resolution calling special election.
4. Resolution declaring results of special election and directing recording of notice of special tax lien.
5. Ordinance levying special taxes within Sunridge-North Douglas CFD 2005-1.
6. Supporting Documentation:
 - a. Order of proceedings
 - b. Certificate of the City Clerk – Regarding the Waiver
 - c. Certificate of the City Clerk – Regarding Election Results
 - d. Notice of special lien
 - e. CFD Report

The following descriptions correspond to the Item numbers in the "Attachments" listing below.

1. **Resolution of Formation of Community Facilities District.** This officially forms the CFD, authorizes the special taxes to be collected and calls for the required property owner vote on the levy of taxes and the establishment of an appropriations limit for the CFD. The exhibits to this resolution show the facilities and services to be financed and the formula by which the special taxes will be levied in the CFD.

2. **Resolution Determining Necessity to Incur Bonded Indebtedness Within Community Facilities District.** This makes the determination to issue bonds to be financed by the special taxes. The amount is a "not to exceed" and includes amounts to cover improvements to be financed in later series of bonds. This resolution also calls for the required landowner vote on the issuance of bonds.

3. **Resolution Calling Special Election.** This sets the election for the same (October 17th) Council meeting (allowable due to waivers of time requirements received from the property owners) and provides the form of the special ballot to be used by the landowner-voter.

4. **Resolution Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien.** This is for adoption by the Council after the vote is announced by the City Clerk. This resolution also directs the filing of the Notice of Special Tax Lien against the lands in the CFD.

5. **An Ordinance of the City Council of the City of Rancho Cordova Levying Special Taxes Within Sunridge North Douglas Community Facilities District No. 2005-1.** Under the law, the Council must levy the special taxes by ordinance. Under the ordinance, the action is taken at this time. In each year thereafter, the process of determining the special taxes and processing the collection is done by the Chief Financial Officer and no further Council action is needed.

6. a. **Order of Proceedings.** This is a guide for the Mayor to use to facilitate the required public hearing and landowner vote process. Consult this document for an agenda to be followed to conduct the hearings and for the adoption of the items needed to complete the formation of the CFD, to hold the election and to take the final actions to authorize the bonds.

6. b. **Certificate of City Clerk Regarding Waiver (of Certain Election Requirements) and Consent.** This is to be completed by the City Clerk for the City's record in connection with the ballot /election procedure and acknowledges receipt of waivers from the property owners.

6. c. **Certificate of City Clerk Regarding Election Results.** This is to be completed by the City Clerk for the City's record in connection with the opening of ballots and announcement of results.

6. d. **Notice of Special Tax Lien.** This is the document to be completed by the Clerk and recorded with the County Recorder subsequent to the meeting. It establishes a lien in favor of the City to allow for the collection and enforcement of the special taxes. The Developer will provide the Exhibit C listing of property owners as soon as the information is available; do not record the Notice without Exhibit C completed.

6. e. **CFD Report.** This is the required report that shows the facilities (public improvements) to be provided by the CFD. The City Engineer was directed to prepare this report by the first resolution of Intention adopted for the CFD on September 6, 2005. It shows the estimated costs of the various facilities and the costs to issue the bonds and to administer the CFD. One copy of this

report should be signed by the City Engineer and filed with the City Clerk as part of the proceedings.

Taking the above actions will conclude the formation process for the CFD. The approval of bond documentation, which provides for the issuance of the anticipated CFD bonds and the acquisition of the infrastructure improvements to be financed by the bonds, will be the subject of a future meeting.

THE CITY OF RANCHO CORDOVA

RESOLUTION NO. 131-2005

**A RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT
AND TO LEVY A SPECIAL TAX IN SUNRIDGE NORTH DOUGLAS
COMMUNITY FACILITIES DISTRICT NO. 2005-1**

RESOLVED, by the City of Rancho Cordova, California (the "City"), as follows:

WHEREAS, on September 6, 2005, this Council adopted Resolution No. 111-2005 "A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA TO FORM A COMMUNITY FACILITIES DISTRICT AND TO LEVY A SPECIAL TAX IN THE SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1 TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES AND SERVICES IN AND FOR SUCH COMMUNITY FACILITIES DISTRICT" (the "Resolution of Intention") with respect to Sunridge North Douglas Community Facilities District No. 2005-1 (the "CFD") of the City pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the Resolution of Intention incorporates a map of the proposed boundaries of the CFD, states the facilities to be provided, the cost of providing such facilities and the rate and method of apportionment of the special tax to be levied within the CFD to pay principal of and interest on bonds proposed to be issued with respect to the CFD, and is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, the facilities to be provided as stated in the Resolution of Intention are set forth in Exhibit A attached hereto and hereby made a part hereof; and

WHEREAS, this Council noticed a public hearing to be held on October 17, 2005, all pursuant to the Act and the Resolution of Intention relating to the proposed formation of the CFD; and

WHEREAS, at the hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the facilities to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at the hearing evidence was presented to this Council on said matters before it, including a CFD Report (the "Report") as to the facilities to be provided in the CFD and the costs thereof and incidental expenses related thereto, a copy of which is on file with the City Clerk, and this Council at the conclusion of said hearing is fully advised in the premises; and

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of facilities and the rate and method of apportionment of the special taxes have not been filed with the City Clerk by fifty percent or more of the registered voters residing within the territory of the CFD or property owners of one-half or more of the area of land within the CFD and not exempt from the proposed special tax; and

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed facilities to be provided therein has not been eliminated by protest by fifty percent or more of the registered voters residing within the territory of the CFD or the owners of one-half or more of the area of land within the CFD and not exempt from the special tax;

NOW, THEREFORE, it is hereby ordered as follows:

Section 1. Recitals Correct. The foregoing recitals are true and correct.

Section 2. No Majority Protest. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to section 53324 of the Act.

Section 3. Name of CFD. The community facilities district designated "Sunridge North Douglas Community Facilities District No. 2005-1" of the City is hereby established pursuant to the Act.

Section 4. Boundaries of CFD. The boundaries of the District are shown on proposed boundary map on file with the City Clerk, which was approved by the Resolution of Intention and filed for record on _____, 2005 in the Office of the County Recorder of the County of Sacramento in Book ____ at Page ____ of the Maps of Assessment and Community Facilities Districts.

Section 5. Description of Facilities. The types of public facilities proposed to be provided within the District are set forth on Exhibit A attached to this Resolution and by this reference incorporated herein. The listing includes incidental expenses incurred and to be incurred in connection with the District and the issuance of bonds.

Section 6. Joint Facilities. Certain of the public facilities proposed to be provided within the District include: (i) certain park and recreation facilities to be owned by the Cordova Recreation and Park District; (ii) certain road facilities to be owned by the County of Sacramento; (iii) certain water facilities to be owned by the Sacramento County Water Agency; and (iv) certain sanitary sewer facilities to be owned by the County Sanitation District 1 of Sacramento County. As to each entity, the City proposes to enter into a separate Joint Community Facilities Agreement in accordance with Section 53316.2 of the Act, the form of each which shall be reviewed and approved by City staff, whereby, if such applicable facilities are constructed in accordance with

required specifications and standards, each entity will accept such facilities for operation and maintenance and the City will pay for such acquisition costs under appropriate conditions and subject to an acquisition agreement between the City and certain owners of property in the District. The City Council hereby finds that such joint facilities agreements would be beneficial to the residents of the City. The City Council hereby authorizes the Finance Director, the City Manager or such other person or persons as either of them may designate (collectively, the "Authorized Officers") are each hereby authorized and directed to execute such joint facilities agreements, for and in the name and on behalf of the City and the District, in such forms, together with any additions thereto or changes therein deemed necessary or advisable by the Authorized Officer executing such document upon consultation with Bond Counsel or the City Attorney. The City shall not use the proceeds of the special tax of the District or of any bonds issued for the District for the acquisition of facilities to be owned by an entity other than the City unless and until such entity and the City have entered into such Joint Community Facilities Agreement.

Section 7. Special Tax.

a. Except to the extent that funds are otherwise available to the CFD to pay for the Facilities and/or the principal and interest as it becomes due on bonds of the CFD issued to finance the Facilities, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property in the CFD, is intended to be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as may be prescribed by this Council.

b. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are shown in Exhibit B attached hereto and by this reference incorporated herein. The proponent of the CFD has requested that the rate and method of apportionment of the Special Tax originally set forth in the Resolution of Intention be amended in accordance with the provisions shown in Exhibit B attached hereto and has consented to the changes included in Exhibit B hereto.

c. In the case of any Special Tax to pay for the Facilities and to be levied against any parcel used for private residential purposes: (i) the maximum special tax shall be specified as a dollar amount which shall be calculated and thereby established not later than the date on which the parcel is first subject to the tax because of its use for private residential purposes and which amount shall not be increased over time over two percent per year; (ii) the tax year after which no further Special Tax subject to this sentence shall be levied or collected shall be as set forth in Exhibit B hereto; and (iii) under no circumstances will the Special Tax levied against any parcel subject to this sentence be increased as a

consequence of delinquency or default by the owner of any other parcel within the CFD by more than ten percent. For the purposes hereof, a parcel is used for "private residential purposes" not later than the date on which an occupancy permit for private residential use is issued.

Section 8. Increased Demands. It is hereby found and determined that the Facilities are necessary to meet increased demands placed upon local agencies as the result of development occurring in the CFD.

Section 9. Responsible Official. The office of the Chief Financial Officer of the City of Rancho Cordova, 3121 Gold Canal Drive, Rancho Cordova, California 95670 (916-361-8700) is designated as the office responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number, estimating future special tax levies and for establishing procedures to promptly respond to inquiries regarding estimates of future special tax levies. The City may contract with private consultants to provide this service in lieu of the Finance Director.

Section 10. Tax Lien. The Special Tax will be collected and enforced as a separate line item on the regular property tax bill. However, this City Council reserves the right, under Section 53340, to utilize any method of collecting the Special Tax which it shall, from time to time, determine to be in the best interests of the City, including, but not limited to, direct billing by the City to the property owners and supplemental billing. In particular, the City may bill the 2005-06 Special Taxes directly, and not post those taxes to the regular, secured property tax roll. The procedure for collection in any case when the City chooses to collect the Special Tax through direct billing shall be as follows:

After levy by the City Council, whether pursuant to authorizing ordinance or annual resolution, the City Chief Financial Officer shall cause to be prepared and sent to the property owners by first class U.S. Mail, at their addresses as shown on the last equalized assessment roll, a tax bill, which shall specify the amount due, give instructions for payment to the City Chief Financial Officer, state (as is hereby authorized and provided) that the first installment of the Special Tax (50% of the annual Special Tax shall be payable in each installment) shall be delinquent if not received by the City Chief Financial Officer by the close of business on the next succeeding December 10, and the second installment shall be delinquent if not paid by the City Chief Financial Officer by the close of business on the next succeeding April 10, shall specify (as is hereby authorized and provided) that all delinquencies shall incur an immediate 10% penalty, and an additional 1 1/2% penalty on the first day of each month beginning with the next succeeding September 1, and shall specify (as is hereby authorized and provided) that delinquencies are subject to judicial foreclosure under the procedure set forth in §53356.1 and following of the Government Code.

The City Council, as an alternative enforcement mechanism, may by resolution elect to place delinquent Special Taxes on the next secured property tax roll. In such event, attorneys' fees and costs to date in any foreclosure action, and penalties

on the delinquency through the following December 1, may be included in the amount to be placed on the roll. Both remedies may be pursued simultaneously, but if the property owner pays the regular property tax bill for the subsequent year, including the delinquent Special Tax posted to that bill, the foreclosure action may thereafter be pursued solely for attorneys' fees and costs incurred subsequent to the posting of the delinquent Special Tax on the secured roll.

Section 11. Appropriations Limit. In accordance with the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at \$4,000,0000 and said appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of the Act.

Section 12. Election. Pursuant to the provisions of the Act, the proposition of the levy of the Special Tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election the time, place and conditions of which election shall be as specified by a separate resolution of this Council. The qualified electors for the election to be held in these proceedings shall be the landowners owning land within the District. The City Council will conduct the election by mailed ballot and hereby designates the City Clerk as the official to conduct the mailed-ballot election.

Section 13. Advances of Funds. Advances of funds or contributions of work in kind from any lawful source, specifically including owners of property within the District, may be reimbursed from bond proceeds or from special tax revenue or both to the extent of the lesser of the value or cost of the contribution, but any agreement to do so shall not constitute a debt or liability of the City.

Section 14. Callable Bonds. Any bonds issued in these proceedings shall be callable in accordance with the provisions of the Act and as more specifically to be set forth in any resolution providing for the form, execution and issuance of bonds.

Section 15. Prior Proceedings Valid. This City Council now finds and determines that all proceedings up to and including the adoption of this Resolution were and are valid and in conformity with the requirements of the Act. This determination and finding is final and conclusive in accordance with Government Code Section 53325.1.

* * * * *

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Rancho Cordova, at a regularly scheduled meeting thereof, held on the 17th day of October, 2005, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

EXHIBIT A

List of Authorized Facilities

**SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT
NO. 2005-1
CITY OF RANCHO CORDOVA, SACRAMENTO COUNTY, CALIFORNIA**

[List of Facilities - to come]

**CITY OF RANCHO CORDOVA
SUNRIDGE NORTH DOUGLAS
COMMUNITY FACILITIES DISTRICT No. 2005-1**

LIST OF FACILITIES AUTHORIZED TO BE FUNDED BY CFD No. 2005-1

Roadways, Local Drainage, Landscaping and Soundwalls

- R-1 Douglas Road - Jaeger Road to Americanos Road: Widening 2 center lanes to 4 plus median
- R-2 Douglas Road at Jaeger Road: 6x4 lane 3-way intersection widening & signalization
- R-3 Jaeger Rd. - Douglas Rd. to Chrysanthy (formerly Pyramid) Blvd: 2 center lanes plus median
- R-4 Alta Sunrise Reliever from Douglas Road to US 50: Initial planning & environmental work
- R-5 Zinfandel Drive Extension from Douglas Road to International Drive
- R-6 Grant Line Road at White Rock Road: Add additional exclusive left turn lane and signalization
- R-7 Americanos Road – North Douglas Frontage: Easterly frontage, including landscaping & soundwall
- R-8 Chrysanthy (formerly Pyramid) Blvd. - Anatolia I to Jaeger Rd: 2 center lanes plus median
- R-9 Chrysanthy (formerly Pyramid) Blvd. at Jaeger Rd: 4x4 lane 4-way intersection widening & signalization
- R-10 Douglas Road at Zinfandel Drive: Add through lanes to north and southbound approaches
- R-11 Sunrise Boulevard from Kiefer Boulevard to SR 16: Widening 2 center lanes to 4 plus median
- R-12 Sunrise Boulevard at Kiefer Boulevard: 6x4 lane 4-way intersection widening & signalization
- R-13 Sunrise Boulevard at SR 16: 6x6 lane 4-way intersection widening & signalization
- R-14 Sunrise Boulevard at Grant Line Road: 6x6 lane 3-way intersection widening & signalization
- R-15 Grant Line Road at SR 16: 6x4 lane 4-way intersection widening & signalization
- R-16 SR 16 at Bradshaw Road: 6x4 lane 4-way intersection widening & signalization
- R-17 SR 16 at Eagle's Nest Road: 6x4 lane 4-way intersection widening & signalization
- R-18 SR 16 at Excelsior: 6x4 lane 4-way intersection widening & signalization
- R-19 SR 16 from Sunrise Boulevard to Grant Line Road: Widening 2 center lanes to 4 plus median
- R-20 Douglas Road at Americanos Road: 6x4 lane 4-way intersection widening & signalization
- R-21 Americanos Road from Douglas Road north to SRSP Boundary: 2 center lanes plus median

Joint Trench Utilities

- JT-1 Douglas Road at Americanos
- JT-2 Americanos Blvd. - from Douglas Road north to SRSP Boundary
- JT-3 North Douglas – Collector Streets
- JT-4 North Douglas –Park frontage improvements

Sanitary Sewer Facilities

- S-1 Any and all major Sewer facilities necessary to provide sewer service to North Douglas

Water Facilities

- W-1 Any and all major Water facilities necessary to provide water service to North Douglas.
- W-2 North Douglas Water Storage Tanks and Booster Pump Station.

Drainage Facilities

- D-1 Any and all major Drainage facilities necessary to provide drainage conveyance, detention or water quality treatment for North Douglas.

**CITY OF RANCHO CORDOVA
SUNRIDGE NORTH DOUGLAS
COMMUNITY FACILITIES DISTRICT No. 2005-1**

LIST OF FACILITIES AUTHORIZED TO BE FUNDED BY CFD No. 2005-1

Park Improvements

- P-1 Park A – 7.9 Acres
- P-2 Park Frontage Improvements

Sunridge Specific Plan Fees

- F-1 Sunridge Specific Plan Water Fees for North Douglas
- F-2 Sunridge Specific Plan Sewer Fees for North Douglas
- F-3 Sunridge Specific Plan Road Fees for North Douglas
- F-4 Sunridge Specific Plan Park Development Fees for North Douglas

Engineering Studies, Permitting, Public Facilities Report, Financing Plan

- E-1 Consultant fees, application fees, processing fees, and document production costs associated with the CFD preparation and processing of Public Facilities Reports, Engineering Studies, CFD Reports, Financing Plans, Environmental Permitting, and Environmental Studies, as well as other costs associated with the District Formation and Bond Sale process.

Other

- O-1 Any other facilities serving substantially the same purpose as the above described facilities.
- O-2 Any other facilities permitted under the Mello-Roos Community Facilities Act of 1982, including the facilities described in Section 53313.5 of the California Government Code, as amended from time to time, provided that such facilities satisfy at least one of the following criteria: 1) augment, improve or expand existing District facilities that are primarily for the benefit of the District; or 2) repair or rehabilitate existing District facilities.

EXHIBIT B

Rate and Method of Apportionment of Special Tax

**SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT
NO. 2005-1
CITY OF RANCHO CORDOVA, SACRAMENTO COUNTY, CALIFORNIA**

[Special Tax Formula - to come from Goodwin]

**CITY OF RANCHO CORDOVA
SUNRIDGE NORTH DOUGLAS
COMMUNITY FACILITIES DISTRICT No. 2005-1**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in the City of Rancho Cordova Sunridge North Douglas Community Facilities District No. 2005-1 (herein "CFD No. 2005-1") shall be levied and collected according to the tax liability determined by the City Council through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 2005-1, unless exempted by law or by the provisions of Section G below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to the CFD unless a separate Rate and Method of Apportionment is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other parcel map recorded at the County Recorder's Office.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees or expenses of its counsel) employed in connection with any Bonds, and the expenses of the City in carrying out its duties with respect to CFD No. 2005-1 and the Bonds, including, but not limited to, the levy and collection of the Special Tax, the fees and expenses of its counsel, charges levied by the County in connection with the levy and collection of Special Taxes, costs related to property owner inquiries regarding the Special Tax, amounts needed to pay rebate to the federal government with respect to Bonds, costs associated with complying with continuing disclosure requirements under the California Government Code with respect to the Bonds and the Special Tax, and all other costs and expenses of the City and County in any way related to the establishment or administration of CFD No. 2005-1.

"Administrator" shall mean the person or firm designated by the City to administer the Special Tax according to this RMA.

“Assessor’s Parcel” or “Parcel” means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating Parcels by Assessor’s Parcel Number.

“Authorized Facilities” means those facilities that are authorized to be funded by CFD No. 2005-1.

“Authorized Services” means those services that are authorized to be funded by CFD No. 2005-1.

“Bonds” means bonds or other debt (as defined in the Act), whether in one or more series, issued, insured or assumed by CFD No. 2005-1 related to public infrastructure and/or improvements that will serve property included within CFD No. 2005-1.

“Buildable Lot” means an individual lot within a Final Map for which a building permit may be issued without further subdivision of such lot.

“Capitalized Interest” means funds in any capitalized interest account available to pay debt service on Bonds.

“CFD Formation” means the date on which the Resolution of Formation to form CFD No. 2005-1 was adopted by the City Council.

“City” means the City of Rancho Cordova.

“City Council” means the City Council of the City of Rancho Cordova.

“County” means the County of Sacramento.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a building permit for new construction was issued prior to June 1 of the preceding Fiscal Year.

“Expected Land Uses” means the total number of single family residential units expected within the CFD at the time of CFD Formation. The Expected Land Uses are identified in Attachment 1 of this RMA.

“Expected Maximum Special Tax Revenues” means the amount of annual revenue that would be available within the CFD if the Maximum Special Tax was levied on the Expected Land Uses after assuming the loss of five additional RD-5 units. The Expected Maximum Special Tax Revenues are shown in Attachment 2 of this RMA and may be reduced due to prepayments in future Fiscal Years or changes in land use as set forth in Section D below.

“Final Map” means a final map, or portion thereof, approved by the City or County pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq*) that creates Buildable Lots. The term “Final Map” shall not include any large-lot subdivision map, Assessor’s Parcel Map,

or subdivision map or portion thereof, that does not create Buildable Lots, including Assessor's Parcels that are designated as remainder parcels.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Maximum Special Tax" means the maximum Special Tax, determined in accordance with Section C, that can be levied in any Fiscal Year.

"Other Taxable Property" means all Taxable Property in CFD No. 2005-1 that is designated with a Zoning Designation other than LDR/RD-5, LDR/RD-7, or LDR/RD-10.

"Proportionately" means, for Developed Property, that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property, "Proportionately" means that the ratio of the actual Special Tax levied to the Maximum Special Tax is equal for all Assessor's Parcels of Undeveloped Property.

"Public Property" means any property within the boundaries of CFD No. 2005-1 that is owned by the City, federal government, State of California or other public agency.

"RMA" means this Rate and Method of Apportionment of Special Tax.

"Single Family Detached Property" means all Parcels within CFD No. 2005-1 that are developed or expected to be developed as single family detached homes.

"Special Tax" means a Special Tax levied in any Fiscal Year to pay the Special Tax Requirement.

"Special Tax Requirement" means the amount necessary in any Fiscal Year (i) to pay principal and interest on Bonds which are due in the calendar year which begins in such Fiscal Year, (ii) to create or replenish reserve funds, (iii) to cure any delinquencies in the payment of principal or interest on Bonds which have occurred in any prior Fiscal Year or (based on delinquencies in the payment of Special Taxes which have already taken place) are expected to occur in the Fiscal Year in which the tax will be collected (iv) to pay Administrative Expenses, and (v) to pay a portion of the costs, as determined by the City, of Authorized Facilities and/or Authorized Services. The Special Tax Requirement may be reduced in any Fiscal Year by (i) interest earnings on or surplus balances in funds and accounts for the Bonds to the extent that such earnings or balances are available to apply against debt service pursuant to the Bond indenture, Bond resolution, or other legal document that set forth these terms, (ii) proceeds from the collection of penalties associated with delinquent Special Taxes, and (iii) any other revenues available to pay debt service on the Bonds as determined by the Administrator.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of CFD No. 2005-1 which are not exempt from the Special Tax pursuant to law or Section F below.

"Undeveloped Property" means, in any Fiscal Year, all Parcels of Taxable Property that are not Developed Property as defined herein.

“Zoning Designation” means the City of Rancho Cordova zoning designation that applies to a particular area within the CFD.

B. DATA FOR ADMINISTRATION OF SPECIAL TAX

On or about July 1 of each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel numbers for all Parcels of Taxable Property. The Administrator shall also determine: (i) whether each Assessor’s Parcel of Taxable Property is Developed Property or Undeveloped Property, (ii) the Zoning Designation for each Parcel of Developed Property, and (iii) the Special Tax Requirement.

In addition, the Administrator shall, *on an ongoing basis*, monitor whether changes in land use have been proposed that will affect the Expected Maximum Special Tax Revenues. If the Expected Maximum Special Tax Revenues will be reduced pursuant to a proposed land use change, the Administrator shall apply the steps set forth in Section D below.

In any Fiscal Year, if it is determined that (i) a parcel map for a portion of property in CFD No. 2005-1 was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created Parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels meets the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the parcel map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAX

1. Developed Property

Following are the Maximum Special Tax rates for Parcels of Developed Property in the CFD:

Land Use	Zoning Designation	Maximum Special Tax Fiscal Year 2005-06 *
Single Family Detached Property	LDR/RD-5	\$1,510 per Buildable Lot
Single Family Detached Property	LDR/RD-7	\$1,380 per Buildable Lot
Single Family Detached Property	LDR/RD-10	\$ 910 per Buildable Lot
Other Taxable Property	Any Designation Other than RD-5, RD-7 or RD-10	\$9,700 per Acre

** On July 1, 2006 and each July 1 thereafter, the Maximum Special Taxes shown above shall be increased by two percent (2%) of the amount in effect in the previous Fiscal Year.*

2. *Undeveloped Property*

The Maximum Special Tax for Undeveloped Property for Fiscal Year 2005-06 is \$9,700 per Acre.

D. CHANGES TO LAND USES WITHIN CFD No. 2005-1

Prior to the sale of Bonds on behalf of the CFD, changes to the Expected Land Uses (including a reduction in Buildable Lots) may occur without any required prepayment of Special Taxes. If such changes result in a reduction to the Expected Maximum Special Tax Revenues anticipated at CFD Formation, the Administrator shall revise Attachment 2 to reflect the new Expected Maximum Special Tax Revenues, which shall then be used to determine the amount of Bonds that can be issued. If a land use change occurs after Bonds have been sold and such change results in a reduction in the Expected Maximum Special Tax Revenues, the following steps shall be applied to ensure there is no reduction in Maximum Special Tax revenues:

Step 1: The Administrator shall calculate the Maximum Special Tax revenues that could have been collected from property affected by the change in Expected Land Uses based on the Expected Land Uses reflected in Attachment 1.

Step 2: The Administrator shall calculate the Maximum Special Tax revenues that can be collected from the property affected by the change in Expected land Uses after such change takes effect.

Step 3: If the revenues calculated in Step 2 are less than those calculated in Step 1, the landowner of the property affected by the change in Expected Land Uses must prepay an amount sufficient to retire a portion of the Bonds and maintain 110% coverage on the Bonds' debt service. The required prepayment shall be calculated using the formula set forth in Section H below. If the mandatory prepayment has not been received by the City prior to the issuance of the first building permit for new construction within the Final Map that reflects that land use change, the Administrator may, in the next Fiscal Year, levy the amount of the mandatory prepayment on any Parcel(s) of Undeveloped Property within that Final Map.

If the amount determined in Step 2 is higher than that calculated in Step 1, no such mandatory prepayment will be required.

E. METHOD OF LEVY OF THE SPECIAL TAX

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement to be collected in that Fiscal Year. A Special Tax shall then be levied according to the following steps:

- Step 1:** The Special Tax shall be levied Proportionately on each Parcel of Developed Property in CFD No. 2005-1 up to 100% of the Maximum Special Tax for Developed Property determined pursuant to Section C.1 above.
- Step 2:** If additional revenue is needed after Step 1 in order to meet the Special Tax Requirement after Capitalized Interest has been applied to reduce the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for such Undeveloped Property determined pursuant to Section C.2.
- Step 3:** If additional revenue is needed after applying the first two steps, the Special Tax shall be levied Proportionately on each Parcel of Public Property, exclusive of property exempt from the Special Tax pursuant to Section G below, up to 100% of the Maximum Special Tax for Undeveloped Property for such Fiscal Year determined pursuant to Section C.2.

F. MANNER OF COLLECTION OF SPECIAL TAX

The Special Taxes for CFD No. 2005-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that prepayments are permitted as set forth in Section G below and provided further that the City may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

The Special Tax shall be levied and collected until principal and interest on Bonds have been repaid and authorized facilities to be constructed directly from Special Taxes proceeds have been completed. However, in no event shall Special Taxes be levied after Fiscal Year 2040-2041.

G. EXEMPTIONS

Notwithstanding any other provision of this RMA, no Special Tax shall be levied in any Fiscal Year on the following:

- (1) Public Property, except as otherwise authorized by Sections 53317.3 and 53317.5 of the Act.
- (2) Parcels that are owned by a public utility for an unmanned facility
- (3) Parcels that are subject to an easement that precludes any other use on the Parcel
- (4) Parcels that have fully prepaid the Special Tax obligation assigned to the Parcel pursuant to the formula set forth in Section H below.

H. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section H:

“Remaining Facilities Costs” means the Public Facilities Requirement minus public facility costs funded by Previously Issued Bonds, developer equity and/or any other source of funding.

“Outstanding Bonds” means all Previously Issued Bonds which remain outstanding, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor’s Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding (as determined by the Administrator), that next principal payment shall be subtracted from the total Bond principal that remains outstanding, and the difference shall be used as the amount of Outstanding Bonds for purposes of this prepayment formula.

“Previously Issued Bonds” means all Bonds that have been issued prior to the date of prepayment.

“Public Facilities Requirements” means either \$11,700,000 in 2005 dollars, which shall increase on January 1, 2005, and on each January 1 thereafter by the percentage increase, if any, in the construction cost index for the San Francisco region for the prior twelve (12) month period as published in the Engineering News Record or other comparable source if the Engineering News Record is discontinued or otherwise not available, or such lower number as shall be determined by the City as sufficient to fund improvements that are authorized to be funded by CFD No. 2005-1. The Public Facilities Requirements shown above may be adjusted or a separate Public Facilities Requirements identified each time property annexes into CFD No. 2005-1; at no time shall the added Public Facilities Requirement for that annexation area exceed the amount of public improvement costs that are expected to be supportable by the Maximum Special Tax revenues generated within that annexation area.

The Special Tax obligation applicable to an Assessor’s Parcel in CFD No. 2005-1 may be prepaid and the obligation of the Assessor’s Parcel to pay the Special Tax permanently satisfied as described herein, provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to such Assessor’s Parcel at the time of prepayment. An owner of an Assessor’s Parcel intending to prepay the Special Tax obligation shall provide the City with written notice of intent to prepay. Within 30 days of receipt of such written notice, the City or its designee shall notify such owner of the prepayment amount for such Assessor’s Parcel. Prepayment must be made not less than 75 days prior to any redemption date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes. The Prepayment Amount shall be calculated as follows: (capitalized terms as defined below):

	Bond Redemption Amount
plus	Remaining Facilities Amount
plus	Redemption Premium
plus	Defeasance Requirement
plus	Administrative Fees and Expenses
less	<u>Reserve Fund Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

- Step 1.** Compute the total Maximum Special Tax that could be collected from the Assessor's Parcel prepaying the Special Tax in the Fiscal Year in which prepayment would be received by the City. If this Section H is being applied to calculate a prepayment pursuant to Section D above, use, for purposes of this Step 1, the amount by which the Expected Maximum Special Tax Revenues have been reduced due to the change in land use that necessitated the prepayment.
- Step 2.** Divide the Maximum Special Tax computed pursuant to Step 1 for such Assessor's Parcel by the total Expected Maximum Special Tax Revenues for all property in the CFD, as shown in Attachment 2 of this RMA or as adjusted by the Administrator after prepayments or land use changes.
- Step 3.** Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (*the "Bond Redemption Amount"*).
- Step 4.** Compute the current Remaining Facilities Costs (if any).
- Step 5.** Multiply the quotient computed pursuant to Step 2 by the amount determined pursuant to Step 4 to compute the amount of Remaining Facilities Costs to be prepaid (*the "Remaining Facilities Amount"*).
- Step 6.** Multiply the Bond Redemption Amount computed pursuant to Step 3 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (*the "Redemption Premium"*).
- Step 7.** Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment will be received until the earliest redemption date for the Outstanding Bonds. However, if Bonds are callable at the first interest payment date after the prepayment has been received, Steps 7, 8 and 9 of this prepayment formula will not apply.

- Step 8:** Compute the amount of interest the City reasonably expects to derive from reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received until the redemption date for the Outstanding Bonds.
- Step 9:** Subtract the amount computed pursuant to Step 8 from the amount computed pursuant to Step 7 (the “*Defeasance Requirement*”).
- Step 10.** The administrative fees and expenses associated with the prepayment will be determined by the Administrator and include the costs of computing the prepayment, redeeming Bonds and recording any notices to evidence the prepayment and the redemption (the “*Administrative Fees and Expenses*”).
- Step 11.** If and to the extent so provided in the Bond indenture, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the “*Reserve Fund Credit*”).
- Step 12.** The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 3, 5, 6, 9, and 10, less the amount computed pursuant to Step 11 (the “*Prepayment Amount*”).

I. INTERPRETATION OF SPECIAL TAX FORMULA

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rates, method of apportionment, classification of properties or any definition applicable to the CFD.

ATTACHMENT 1

**CITY OF RANCHO CORDOVA
SUNRIDGE NORTH DOUGLAS
COMMUNITY FACILITIES DISTRICT No. 2005-1**

EXPECTED LAND USES AND EXPECTED MAXIMUM SPECIAL TAX REVENUES

ATTACHMENT 1

Sunridge North Douglas Community Facilities District No. 2005-1 Expected Land Uses and Expected Maximum Special Tax Revenues

Village Designations Shown on Tentative Map	Zoning Designation	Expected # of Single Family Units [1]	Maximum Special Tax per Buildable Lot [2]	Expected Maximum Special Tax Revenues [2]
Village 1	LDR/RD-5	88 units	\$1,510	\$132,880
Village 2	LDR/RD-5	80 units	\$1,510	\$120,800
Village 3	LDR/RD-5	72 units	\$1,510	\$108,720
Village 4	LDR/RD-5	82 units	\$1,510	\$123,820
Village 5	LDR/RD-5	77 units	\$1,510	\$116,270
Village 6	LDR/RD-7	75 units	\$1,380	\$103,500
Village 7	LDR/RD-7	129 units	\$1,380	\$178,020
Village 8	LDR/RD-10	62 units	\$ 910	\$56,420
Maximum Special Tax Revenues Based on Estimated Units at CFD Formation				\$940,430
CFD Buffer (Assumes loss of five, RD-5 Units)				<u>(\$7,550)</u>
Expected Maximum Special Tax Revenues, Fiscal Year 2005-06				\$932,880

1. Includes units expected to be lost on water tank site and connection to east.
2. On July 1, 2006 and each July 1 thereafter, the Maximum Special Tax and Expected Maximum Special Tax Revenues shall be increased by two percent (2%) of the amount in effect in the previous Fiscal Year.

**The Boundary Map
Information for Item No. 11
– Formation of Community
Facilities District No. 2005-
1 is forthcoming and will be
available at or before the
meeting**

THE CITY OF RANCHO CORDOVA

RESOLUTION NO. 132-2005

**A RESOLUTION DEEMING IT NECESSARY TO INCUR
BONDED INDEBTEDNESS IN SUNRIDGE NORTH DOUGLAS
COMMUNITY FACILITIES DISTRICT NO. 2005-1**

RESOLVED, by the City of Rancho Cordova, California (the "City"), as follows:

WHEREAS, on September 6, 2005, this Council adopted Resolution No. 111-2005 "A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA TO FORM A COMMUNITY FACILITIES DISTRICT AND TO LEVY A SPECIAL TAX IN THE SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1 TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES AND SERVICES IN AND FOR SUCH COMMUNITY FACILITIES DISTRICT" (the "Resolution of Intention") with respect to Sunridge North Douglas Community Facilities District No. 2005-1 (the "CFD") of the City pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, this Council has also adopted Resolution No. 112-2005 "RESOLUTION OF INTENTION TO INCUR BONDED INDEBTEDNESS TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN PUBLIC FACILITIES AND THE PAYMENT OF CERTAIN FEES IN AND FOR THE CITY OF RANCHO CORDOVA SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1" (the "Resolution Determining Necessity"), determining the necessity to incur bonded indebtedness in the maximum aggregate principal amount of \$20,000,000 upon the security of the special tax to be levied within the CFD pursuant to the Act; and stating its intention to incur bonded indebtedness within the boundaries of the CFD for the purpose of financing the costs of certain facilities specified in the Resolution of Intention; and

WHEREAS, this Council has held a noticed public hearing as required by the Act about the determination to proceed with the formation of the CFD, the provision of certain defined facilities (the "Facilities") by the CFD and the rate and method of apportionment of the special tax to be levied within the CFD to pay the principal and interest on the proposed bonded indebtedness in the CFD and the administrative costs of the City relative to the CFD; and

WHEREAS, subsequent to the public hearing, this Council adopted on October 17, 2005 Resolution No. 131-2005 "RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT AND TO LEVY A SPECIAL TAX IN SUNRIDGE NORTH

NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1" (the "Resolution of Formation"); and

WHEREAS, this Council has also held a noticed public hearing as required by the Act relative to the matters material to the questions set forth in the Resolution of Intention to Incur Indebtedness; and

WHEREAS, No written protests with respect to the matters material to the questions set forth in the Resolution of Intention to Incur Indebtedness have been filed with the City Clerk;

NOW, THEREFORE, it is hereby ordered as follows:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Necessity. This Council deems it necessary to incur bonded indebtedness in the maximum aggregate principal amount of \$20,000,000 within the boundaries of the CFD for the purpose of financing the costs of the Facilities, as provided in the Resolution of Intention and the Resolution of Formation including, but not limited to, the costs of issuing and selling bonds to finance the Facilities and the costs of the City in establishing and administering the CFD.

Section 3. Entire CFD Liable. The whole of the CFD shall pay for the bonded indebtedness through the levy of the special tax. The tax is to be apportioned in accordance with the formula set forth in Exhibit "B" to the Resolution of Formation.

Section 4. Bonds. Bonds in the maximum amount of \$20,000,000 are hereby authorized subject to voter approval. The bonds may be issued in such series and may mature and bear interest at such rate or rates, payable semiannually or in such other manner, all as this Council or its designee shall determine, at the time or times of sale of such bonds; provided, however, that the interest rate or rates shall not exceed the maximum interest rate permitted by applicable law at the time of sale of the bonds and the bonds or any series thereof shall have a maximum term of not to exceed 35 years. It is the intention of this City Council that any bonds issued may be made callable on terms to be specified in any resolution providing for the form, execution and issuance of bonds, in accordance with the terms of the Act. The maximum rate of interest shall be determined by competitive sale or by negotiation at the time of bond sale, but in any case shall not exceed the legal rate as specified, from time to time, by Government Code Section 53531 or any similar controlling provision of law.

Section 5. Election. The proposition of incurring the bonded indebtedness herein authorized shall be submitted to the qualified electors of the CFD and shall be consolidated with elections on the proposition of levying special taxes within the CFD and the establishment of an appropriations limit for the CFD pursuant to Section 53353.5 of the Act. The time, place and further particulars and conditions of such election shall be as specified by separate resolution of this Council. The City Clerk is

hereby designated as the official to conduct the special, mailed-ballot election pursuant to the Act. The special CFD election shall be conducted by mailed ballot. In order to be counted, ballots must be returned to, and be physically received by, the City Clerk before the end of the public hearing on formation of the CFD. If all authorized ballots are received by the City Clerk prior to that time, the City Clerk shall, pursuant to Government Code section 53326(d), immediately close the election and declare the results.

* * * * *

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Rancho Cordova, at a regularly scheduled meeting thereof, held on the 17th day of October, 2005, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

THE CITY OF RANCHO CORDOVA

RESOLUTION NO. 133-2005

**A RESOLUTION CALLING SPECIAL ELECTION IN
SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES
DISTRICT NO. 2005-1**

RESOLVED, by the City of Rancho Cordova, California (the "City"), as follows:

WHEREAS, on October 17, 2005 this Council adopted Resolution No. 131-2005 "RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT AND TO LEVY A SPECIAL TAX IN SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1", ordering the formation of the City's Sunridge North Douglas Community Facilities District No. 2005-1 (the "CFD"), authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, this Council has also adopted Resolution No. 132-2005 "RESOLUTION DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS IN SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1" (the "Resolution Determining Necessity"), determining the necessity to incur bonded indebtedness in the maximum aggregate principal amount of \$20,000,000 upon the security of the special tax to be levied within the CFD pursuant to the Act; and

WHEREAS, pursuant to the provisions of the Resolution of Formation and the Resolution Determining Necessity, the propositions of the levy of the special tax, the establishment of the appropriations limit and the incurring of the bonded indebtedness shall be submitted to the qualified electors of the CFD as required by the provisions of the Act;

NOW, THEREFORE, it is hereby ordered as follows:

Section 1. Issues Submitted. Pursuant to Sections 53326, 53351 and 53325.7 of the Act, the issues of the levy of the special tax, the incurring of bonded indebtedness and the establishment of the appropriations limit shall be submitted to the qualified electors (as defined below) of the CFD at an election called therefor as provided below.

Section 2. Qualified Electors. This Council hereby finds that fewer than 12 persons have been registered to vote within the territory of the CFD for each of the 90 days preceding the close of the public hearings heretofore conducted and concluded by this Council for the purposes of these proceedings. Accordingly, and pursuant to Section 53326 of the Act, this Council finds that, for these proceedings, the qualified

electors are the landowners within the CFD and that the vote shall be by such landowners or their authorized representatives, each having one vote for each acre or portion thereof such landowner owns in the CFD as of the close of the public hearings.

Section 3. Conduct of Election. This Council hereby calls a special election to consider the measures described in Section 1 above, which election shall be held on October 17, 2005, and the results thereof canvassed at the meeting of this Council on October 17, 2005. The City Clerk is hereby designated as the official to conduct the election and to receive all ballots until 6:30 p.m. on the election date. It is hereby acknowledged that the City Clerk has on file the Resolution of Formation, a certified map of the boundaries of the CFD, and a sufficient description to allow the City Clerk to determine the electors of the CFD. Pursuant to Section 53327 of the Act, the election shall be conducted by messenger or mail-delivered ballot pursuant to Section 4000 of the California Elections Code. This Council hereby finds that paragraphs (a), (b), (c) (1) and (c)(3) of Section 4000 are applicable to this special election.

Section 4. Ballot. As authorized by Section 53353.5 of the Act, the three propositions described in section 1 above shall be combined into a single ballot measure, the form of which is attached hereto as Exhibit "A" and by this reference incorporated herein and the form of ballot is hereby approved. The City Clerk is hereby authorized and directed to cause a ballot, in substantially the form of Exhibit "A," to be delivered to each of the qualified electors of the CFD. Each ballot shall indicate the number of votes to be voted by the respective landowner to which the ballot pertains. Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The envelope to be used to return the ballot shall be enclosed with the ballot, have the return postage prepaid, and contain the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration pursuant to clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board of the election.

Section 5. Waivers. This Council hereby further finds that the provisions of Section 53326 of the Act requiring a minimum of 90 days following the adoption of the Resolution of Formation to elapse before the special election are for the protection of the qualified electors of the CFD. There is on file with the City Clerk a written waiver executed by all of the qualified electors of the CFD allowing for a shortening of the time for the special election to expedite the process of formation of the CFD and waiving any requirement for notice, analysis and arguments in connection with the election. Accordingly, this Council finds and determines that the qualified electors have been fully apprised of and have agreed to the shortened time for the election and waiver of analysis and arguments, and have thereby been fully protected in these proceedings. This Council also finds and determines that the City Clerk has concurred in the

shortened time for the election. Analysis and arguments with respect to the ballot measures are hereby waived, as provided in Section 53327 of the Act

Section 6. Accountability. Under Sections 50075.1 and 53410 of the Government Code, the following accountability measures shall apply to the special taxes and/or any bonds: (a) the construction and/or acquisition of the Facilities and the incidental costs thereof including any bonds, all as defined in the Resolution of Formation shall constitute the specific single purpose; (b) the proceeds shall be applied only to the specific purposes identified in (a) above; (c) there shall be created special account(s) or funds(s) into which the proceeds shall be deposited; and (d) there shall be caused to be prepared an annual report as required by Section 50075.3 or 53411 of the Government Code.

* * * * *

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Rancho Cordova, at a regularly scheduled meeting thereof, held on the 17th day of October, 2005, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

EXHIBIT A

**SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES
DISTRICT NO. 2005-1
CITY OF RANCHO CORDOVA, SACRAMENTO COUNTY,
CALIFORNIA**

**SPECIAL ELECTION BALLOT
(Mailed-Ballot Election)**

This ballot is for the use of _____, a
landowner owning land within Sunridge North Douglas Community Facilities District No.
2005-1, City of Rancho Cordova, Sacramento County, California.

According to the provisions of the Mello-Roos Community Facilities Act of 1982,
and the resolutions of the City Council of the City of Rancho Cordova, the above-named
landowner is entitled to cast _____ votes on this ballot.

In order to be counted, this ballot must be certified below and be returned, either
by mail or in person, before the end of the public hearing on October 17, 2005, to:

City Clerk
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670

Mailing by that date will not be sufficient. The ballot must be physically received
by the City Clerk prior to the deadline in order to be counted.

AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS
BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED.

BALLOT MEASURE

Shall the City Council of the City of
Rancho Cordova be authorized to issue
up to \$20,000,000 in bonds, levy a
special tax, and finance public facilities by
and through its Sunridge North Douglas
Community Facilities District No. 2005-1,
all as specified in its Resolution Nos. 111-
2005 and 112-2005, and shall the
appropriations limit for the District for
fiscal year 2005-05 be established at
\$4,000,000?

Number of votes

YES

Number of votes

NO

Certification

The undersigned is the authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____, 2005.

signature

print name

print title

THE CITY OF RANCHO CORDOVA

RESOLUTION NO. 134-2005

**A RESOLUTION DECLARING ELECTION RESULTS OF
SUNRIDGE NORTH DOUGLAS COMMUNITY
FACILITIES DISTRICT NO. 2005-1**

RESOLVED, by the City of Rancho Cordova, California (the "City"), as follows:

WHEREAS, on October 17, 2005 this Council adopted Resolution No. 131-2005 "RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT AND TO LEVY A SPECIAL TAX IN SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1" (the "Resolution of Formation"), ordering the formation of the City's Sunridge North Douglas Community Facilities District No. 2005-1 (the "CFD"), authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, this Council has also adopted Resolution No. 132-2005 "RESOLUTION DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS IN SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1" (the "Resolution Determining Necessity"), determining the necessity to incur bonded indebtedness in the maximum aggregate principal amount of \$20,000,000 upon the security of the special tax to be levied within the CFD pursuant to the Act; and stating its intention to incur bonded indebtedness within the boundaries of the CFD for the purpose of financing the costs of certain facilities specified in the Resolution of Intention; and

WHEREAS, under the provisions of the Resolution of Formation and the Resolution Determining Necessity, and pursuant to a resolution entitled "Resolution Calling Special Election in Sunridge North Douglas Community Facilities District No. 2005-1" (the "Election Resolution") heretofore adopted by this Council, the propositions of the levy of the special tax, the establishment of the appropriations limit and the incurring of the bonded indebtedness were submitted to the qualified electors of the CFD as required by the provisions of the Act; and

WHEREAS, pursuant to the terms of the Election Resolution, which are by this reference incorporated herein, the special election has been held and the City Clerk has on file a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Council has reviewed the Canvass, finds it appropriate and wishes to complete its proceedings for the CFD;

NOW, THEREFORE, it is hereby ordered as follows:

Section 1. Recitals. The foregoing recitals are all true and correct.

Section 2. Issues Presented. The issues presented at the special election were the levy of a special tax within the CFD, the incurring of a bonded indebtedness in the maximum aggregate principal amount of \$20,000,000, and the approval of an annual appropriations limit of not to exceed \$4,000,000 all pursuant to the Resolution of Formation and the Resolution Determining Necessity.

Section 3. Canvass and Issues Approved. The Council hereby approves the Canvass and finds that it shall be a permanent part of the record of its proceedings for the CFD. Pursuant to the Canvass, the issues presented at the special election were approved by the qualified electors of the CFD by more than two-thirds of the votes cast at the special election.

Section 4. Proceedings Approved. Pursuant to the voter approval, the CFD is hereby declared to be fully formed with the authority to levy the special taxes, to incur the approved bonded indebtedness and to have the established appropriations limit, all as heretofore provided in these proceedings and in the Act. It is hereby found that all prior proceedings and actions taken by this Council with respect to the CFD were valid and in conformity with the Act.

Section 5. Notice of Tax Lien. The City Council declares that the special tax is lawfully authorized, and that the subject property within the District is subject to the special tax, and directs the City Clerk to complete, execute and cause a Notice of Special Tax Lien with respect to the property to be recorded in the office of the County Recorder of the County of Sacramento in the form required by the Act, such recording to occur no later than 15 days following adoption by the Council of this resolution.

Section 6. Special Tax. The billing of the special tax for fiscal year 2005-06 may commence without regard to the timing of the issuance of bonds for the District and the circumstance that bonds are not issued as of the date of levy. If the levy and collection of the Special Tax is not able to be made by the County for fiscal year 2005-06 due to timing constraints or for any other reason, the City may direct bill the property owners for such levy and not post those taxes to the regular, secured property tax roll.

* * * * *

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Rancho Cordova, at a regularly scheduled meeting thereof, held on the 17th day of October, 2005, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ken Cooley, Mayor

ATTEST:

Lillian E. Hare, City Clerk

**CERTIFICATE OF CITY CLERK
RE: ELECTION RESULTS**

**CITY OF RANCHO CORDOVA
SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES
DISTRICT NO. 2005-1
SACRAMENTO COUNTY, CALIFORNIA**

I, the undersigned City Clerk of the City of Rancho Cordova (the "City") hereby certify:

I have personally received and assembled all ballots eligible to be cast in the special mailed-ballot, landowner election called by the City Council in its "RESOLUTION CALLING SPECIAL ELECTION IN SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1" adopted October 17, 2005, and in accordance with my instructions contained in that Resolution, I hereby declare the election closed.

I personally, in the presence of the City Council, and members of the public and City staff, counted the ballots and certify the result of that count to be as follows:

TOTAL VOTES THAT COULD BE CAST _____

TOTAL VOTES CAST "YES" _____

TOTAL VOTES CAST "NO" _____

TOTAL VOTES CAST _____

THE VOTES CAST "YES" EQUAL _____% OF THE TOTAL VOTES CAST.

I make this Certification on October 17, 2005.

City Clerk of the City of Rancho
Cordova

THE CITY OF RANCHO CORDOVA

ORDINANCE NO. 26-2005

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA LEVYING A SPECIAL TAX WITHIN SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1

The City of Rancho Cordova (the "City") ordains:

1. Pursuant to Government Code Sections 53328 and 53340, and in accordance with the Rate and Method of Apportionment of Special Tax (the "Special Tax Formula") as shown in Exhibit C to Resolution No. 131-2005 ("RESOLUTION OF FORMATION OF COMMUNITY FACILITIES DISTRICT AND TO LEVY A SPECIAL TAX IN SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1") ("Resolution of Formation") adopted by this City Council on October 17, 2005), a special tax is hereby levied on an taxable parcels within Sunridge North Douglas Community Facilities District No. 2005-1 (the "District") for the 2005-06 tax year and for all subsequent years of the authority to levy this special tax.

2. The City Chief Financial Officer is directed, with the aid of the appropriate officers and agents of the City, to implement the provisions of the Special Tax Formula and to prepare each year, without further action of this City Council, the special tax roll for the District and to provide as necessary information to the Sacramento County Auditor in the form, and in the proper time, necessary to effect the proper billing and collection of the special tax on the secured property tax roll of the County, which may include a billing of the special tax for fiscal year 2005-06 without regard to the timing of the issuance of bonds for the District and the circumstance that bonds are not issued as of the date of submission to the County for billing; alternatively, pursuant to the Resolution of Formation, the special tax for fiscal year 2005-06 and subsequent years may, at the option of the City, be billed directly to owners of property in the District by the City Chief Financial Officer or other official of the City and need not be collected on the County secured property tax roll.

3. The appropriate officers and agents of the City and of the County of Sacramento are authorized to make adjustments to the special tax roll prior to the final posting of the special taxes to the County tax roll each year, as may be necessary to achieve a correct match of the special tax levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.

4. The City agrees that the County of Sacramento may deduct its reasonable and agreed charges for collecting the special tax from the amounts collected, prior to remitting the balance of the special tax collections to the City.

5. Taxpayers who have requested changes or corrections of the special tax pursuant to Section 8 of the Rate and Method of Apportionment of the Special Tax and who are not satisfied with the decision of the City Chief Financial Officer (whether the City Chief Financial Officer simply disagrees with the taxpayer or feels the city staff is not authorized to consider the change requested), may appeal to the City Council. The appeal must be in writing and fully explain the grounds of appeal. Appeals must be based on the correction of mistakes in the levy based upon the status of the property. The office of the City Chief Financial Officer shall schedule the appeal for consideration within a reasonable time at a City Council meeting.

6. If for any cause any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance, and the application of the special tax to the remaining parcels, shall not be affected.

7. The Mayor shall sign this Ordinance and the City Clerk shall cause the same to be published within fifteen (15) days after its passage at least once in a newspaper of general circulation published and circulated in the City.

8. This ordinance shall go into effect on the earliest day allowable by law.

* * * * *

THE FOREGOING ORDINANCE was adopted this ____ day of _____, 2005
by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor

ATTEST:

City Clerk

**City of Rancho Cordova
Sunridge North Douglas Community Facilities District No. 2005-1**

ORDER OF PROCEEDINGS FOR HEARINGS AND ACTIONS

1. The Mayor makes opening remarks to the following effect:

“This is the time and place for the public hearings in this Council's proceedings for Sunridge North Douglas Community Facilities District No. 2005-1. The hearings are to inquire into the formation of the District, the levy of special taxes in the District and the need to incur bonded indebtedness in the District.

“Before I formally open the hearings, are there any property owners or registered voters in the District who wish to file written protests? If so, they must be filed with the City Clerk now.

[Pause to see if there are any protests.]

“The hearings are now officially opened. To have orderly hearings, we will first have presentations by staff about the District. After that, we will receive comments and questions and any oral protests from any interested persons. When all comments have been received the hearings will be closed.”

2. *Staff and consultants make presentations, as appropriate.*
3. *Time for comments, questions and protests from audience.*
4. *Close hearings.*
5. *The City Council may then ask questions and discuss the District.*
6. *When discussion is through, the City Council considers and adopts:*
 - (a) Resolution of Formation of Community Facilities District;
 - (b) Resolution Determining the Necessity to Incur Bonded Indebtedness Within Community Facilities District; and
 - (c) Resolution Calling Special Election

7. *The Mayor then announces:*

“At this time, I ask the City Clerk to open the ballot(s) and announce the results of the election.”

[Pause for opening of ballot(s).]

8. *The City Clerk opens the ballot(s) and announces the results of the election. The City Clerk then completes one copy of the Certificate of City Clerk Re: Election Results*

9. *The Mayor then announces:*

“The results of the election being unanimously in favor of the levy of the special taxes, the establishment of the appropriations limit and the incurring of bonded indebtedness, we may now proceed with the final actions for the District.”

10. *The City Council considers and takes the following actions:*

- (a) *ADOPTION OF:* Resolution Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien
- (b) *READING OF:* Ordinance of the City Council of the City of Rancho Cordova Levying Special Taxes within Sunridge North Douglas Community Facilities District No. 2005-1

END OF ITEM

**CERTIFICATE OF CITY CLERK
RE: WAIVER (OF CERTAIN ELECTION REQUIREMENTS) AND CONSENT
SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO.
2005-1
CITY OF RANCHO CORDOVA
SACRAMENTO COUNTY, CALIFORNIA**

I, Lillian Hare, City Clerk of the City of Rancho Cordova, hereby certify:

I have received, and now have in my possession as a permanent part of the City's record of this election, an Election Waivers executed by the authorized representative of each landowner to be included in Sunridge North Douglas Community Facilities District No. 2005-1, City of Rancho Cordova, Sacramento County, California (the "District"), as provided by the owners of all the property in the District.

I make this Certification as of October 17, 2005.

Lillian Hare, City Clerk,
City of Rancho Cordova

**CERTIFICATE OF CITY CLERK
RE: ELECTION RESULTS**

**CITY OF RANCHO CORDOVA
SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO.
2005-1
SACRAMENTO COUNTY, CALIFORNIA**

I, the undersigned City Clerk of the City of Rancho Cordova (the "City") hereby certify:

I have personally received and assembled all ballots eligible to be cast in the special mailed-ballot, landowner election called by the City Council in its "RESOLUTION CALLING SPECIAL ELECTION IN SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1" adopted October 17, 2005, and in accordance with my instructions contained in that Resolution, I hereby declare the election closed.

I personally, in the presence of the City Council, and members of the public and City staff, counted the ballots and certify the result of that count to be as follows:

TOTAL VOTES THAT COULD BE CAST _____

TOTAL VOTES CAST "YES" _____

TOTAL VOTES CAST "NO" _____

TOTAL VOTES CAST _____

THE VOTES CAST "YES" EQUAL _____% OF THE TOTAL VOTES CAST.

I make this Certification on October 17, 2005.

City Clerk of the City of Rancho Cordova

**RECORDING REQUESTED BY AND
WHEN RECORDED PLEASE RETURN TO:**

City Clerk
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670
Telephone: (916) 942-0255

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF SPECIAL TAX LIEN

CITY OF RANCHO CORDOVA
SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53324 of the Government Code, the undersigned, City Clerk of the City of Rancho Cordova, hereby gives notice that a lien to secure payment of a special tax which the City Council of the City of Rancho Cordova, County of Sacramento, State of California is authorized to levy is hereby imposed. The special tax secured by this lien is authorized to be levied for the purpose of: paying for the facilities or services described in **Exhibit A** attached hereto including paying principal and interest on bonds, the proceeds of which are being used to finance those facilities, and including incidental expenses incurred and to be incurred in connection with the City of Rancho Cordova Sunridge North Douglas Community Facilities District No. 2005-1 and the issuance of bonds.

The special tax is authorized to be levied within the City of Rancho Cordova Sunridge North Douglas Community Facilities District No. 2005-1, which has now been officially formed and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied, and canceled in accordance with law, or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate, method of apportionment, and manner of collection of the authorized special tax is shown on **Exhibit B** attached hereto. Conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied and the lien of the special tax canceled are as set forth in Section G of Exhibit B attached hereto.

Notice is further given that upon the recording of this notice in the office of the county recorder, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within Sunridge North Douglas Community Facilities District No. 2005-1, City of Rancho Cordova, in accordance with Section 3115.5 of the Streets and Highways Code.

The name of the owners and the assessor's tax parcel numbers of the real property included within this community facilities district and not exempt from the special tax is set forth

on **Exhibit C** hereto. Due to recent transfers, the ownership of such property as of the date of recording this notice may be different that what appears on the latest secured assessment roll as of such date. Exhibit C sets forth the ownership information as of the date of recording this notice. In connection with the recent changes in ownership, the property has been remapped and new Assessor's Parcel numbers will be assigned in the future and were not available as of the date of recording this notice. The listing in Exhibit C reflects Assessor's parcel numbers which existed as of the date of recording of this notice.

Reference is made to the Boundary Map of the community facilities district recorded on _____, 2005 in the Office of the County Recorder of the County of Sacramento in Book _____, at Page _____ of the Maps of Assessment and Community Facilities District, which map is now the final boundary map of the community facilities district, and a notice of correction subsequently recorded which corrected the name of the District.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Chief Financial Officer, City of Rancho Cordova, 3121 Gold Canal Drive, Rancho Cordova, CA 95670.

Dated: _____, 2005

City Clerk of the City of Rancho Cordova

EXHIBIT A - CFD Improvements
EXHIBIT B - Rate and Method of Apportionment
EXHIBIT C - Property Owners and Parcel Numbers

EXHIBIT A

CFD Improvements

See Resolution No. 131-2005

EXHIBIT B

Rate and Method of Apportionment

See Resolution No. 131-2005

**RECORDING REQUESTED BY AND
WHEN RECORDED PLEASE RETURN TO:**

City Clerk
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670
Telephone: (916) 942-0255

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF SPECIAL TAX LIEN

CITY OF RANCHO CORDOVA
SUNRIDGE NORTH DOUGLAS COMMUNITY FACILITIES DISTRICT NO. 2005-1
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53324 of the Government Code, the undersigned, City Clerk of the City of Rancho Cordova, hereby gives notice that a lien to secure payment of a special tax which the City Council of the City of Rancho Cordova, County of Sacramento, State of California is authorized to levy is hereby imposed. The special tax secured by this lien is authorized to be levied for the purpose of: paying for the facilities or services described in **Exhibit A** attached hereto including paying principal and interest on bonds, the proceeds of which are being used to finance those facilities, and including incidental expenses incurred and to be incurred in connection with the City of Rancho Cordova Sunridge North Douglas Community Facilities District No. 2005-1 and the issuance of bonds.

The special tax is authorized to be levied within the City of Rancho Cordova Sunridge North Douglas Community Facilities District No. 2005-1, which has now been officially formed and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied, and canceled in accordance with law, or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate, method of apportionment, and manner of collection of the authorized special tax is shown on **Exhibit B** attached hereto. Conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied and the lien of the special tax canceled are as set forth in Section G of Exhibit B attached hereto.

Notice is further given that upon the recording of this notice in the office of the county recorder, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within Sunridge North Douglas Community Facilities District No. 2005-1, City of Rancho Cordova, in accordance with Section 3115.5 of the Streets and Highways Code.

The name of the owners and the assessor's tax parcel numbers of the real property included within this community facilities district and not exempt from the special tax is set forth

on **Exhibit C** hereto. Due to recent transfers, the ownership of such property as of the date of recording this notice may be different that what appears on the latest secured assessment roll as of such date. Exhibit C sets forth the ownership information as of the date of recording this notice. In connection with the recent changes in ownership, the property has been remapped and new Assessor's Parcel numbers will be assigned in the future and were not available as of the date of recording this notice. The listing in Exhibit C reflects Assessor's parcel numbers which existed as of the date of recording of this notice.

Reference is made to the Boundary Map of the community facilities district recorded on _____, 2005 in the Office of the County Recorder of the County of Sacramento in Book _____, at Page _____ of the Maps of Assessment and Community Facilities District, which map is now the final boundary map of the community facilities district, and a notice of correction subsequently recorded which corrected the name of the District.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Chief Financial Officer, City of Rancho Cordova, 3121 Gold Canal Drive, Rancho Cordova, CA 95670.

Dated: _____, 2005

City Clerk of the City of Rancho Cordova

EXHIBIT A - CFD Improvements
EXHIBIT B - Rate and Method of Apportionment
EXHIBIT C - Property Owners and Parcel Numbers

EXHIBIT A

CFD Improvements

See Resolution No. 131-2005

EXHIBIT B

Rate and Method of Apportionment

See Resolution No. 131-2005

MEMORANDUM

DATE: October 17, 2005
TO: The Mayor and City Council
FROM: Anne Hersch, Assistant Planner
SUBJECT: MILLS SHOPPING CENTER DESIGN REVIEW



<u>OWNER / APPLICANT:</u>	<u>REPRESENTATIVE:</u>
Lakha Investments – Sacramento, LLC Premier Centers Management D. Spector 500 108 th Avenue NE, #2050 Bellevue, WA 98004	Rauschenback Marvelli Becker Mark Marvelli 2277 Watt Avenue, 2 nd Floor Sacramento, CA 95825

PROJECT:	Mills Shopping Center Design Review
FILE:	RC-04-136
LOCATION:	10303 -10379 Folsom Blvd.
APN:	076-0222-002; 011; 017; 019; 020 thru 024
PLANNER:	Anne Hersch, Assistant Planner

REQUEST

The applicant has requested Design Review for the exterior renovation and landscape enhancement of Mills Shopping Center on Folsom Blvd.

STAFF RECOMMENDATION

The Planning Commission forwards a recommendation to the City Council to determine the project Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act Guidelines and adopt Resolution No. 125-2005 approving the Design Review for the remodel of 10303-10379 Folsom Blvd., RC-04-136, subject to the attached Design Package, Findings, and Conditions of Approval.

BACKGROUND

The project was presented before the Planning Commission on March 8, 2005 and passed by a 5-2 vote. Raley's, an anchor tenant, has a ground lease and elected not to be included in Center renovations. The project was put on hold and attempts were made to involve Raley's in the renovation. Raley's has declined to participate in Phase 1 of the renovations. The building

will receive exterior improvements at the end of the ground lease. These plans have been noted as Phase 2 and will occur in eight years.

SITE LOCATION

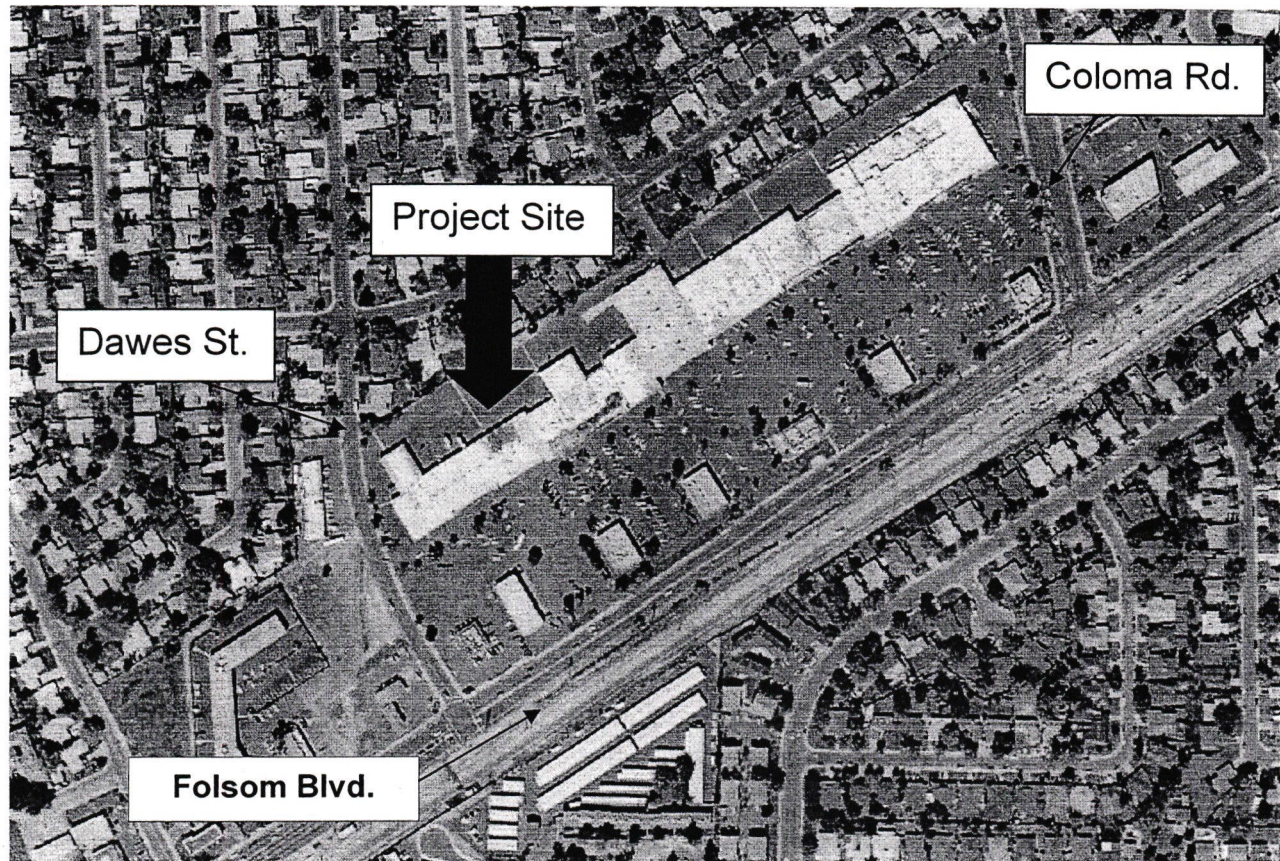


Figure 1. Site Location

	General Plan Land Use Designation	Zoning and Community Plan Designation	Existing Land Use
Subject Property	Commercial/Office	General Commercial	Commercial
North	Low Density Residential	RD-5	Residential
East	Commercial/Office	Shopping Center	Commercial
South	Low Density Residential	RD-10	Residential
West	Commercial/Office	Limited Commercial	Commercial

ANALYSIS

The Mills Shopping Center has multiple subdivided lots. There are six free-standing businesses that face Folsom Blvd. Businesses occupying these buildings include See's Candies, Blockbuster Video, Mail Boxes Etc., McDonald's, KFC, and Las Palmas Mexican Restaurant. Those businesses are not included in the proposed renovations. Anchor tenants of the shopping center include Raley's, T-Shirt Outlet, Sears Outlet, The Dollar Tree and the Salvation Army Thrift shop. These businesses are part of the main center and will be included in the renovations.

The proposed renovations will improve the Center appearance on Folsom Blvd. This will increase site visibility and create a shopping destination for surrounding residential areas. The applicant has submitted elevations that provide changes in the architecture and will upgrade the existing buildings with a contemporary appearance. The use of columns, a mix of curved and horizontal cornices, archways, aluminum store front windows and a combination of shed and gable roofs will enhance the area and provide interest to the existing buildings. Existing landscaping will be upgraded and new landscaping will be added to the parking lot. Trees and shrubs will be planted in the parking lot. The parking lot will be seal-coated and re-striped. Two new pedestrian pathways are proposed and would link the in-line commercial buildings at the north end of the project site with Folsom Blvd.

The Planning Commission raised several issues at Design Review. Modifications have been made to the site plan addressing the topics of concern. Connectivity to other businesses, an overall increase in pedestrian path area, additional design enhancement, lighting, and parking were among issues discussed. The following is a list of changes made to the plans after the Planning Commission hearing.

- Pedestrian connectivity to bus routes, and sidewalks on Folsom Blvd.
- A pedestrian pathway connecting the shopping center to McDonald's has been added.
- The entire parking lot will be renovated and repainted, including Raley's.
- Renovations will be made on the rear (facing Dawes Street) of the building and include new paint.
- The front façade will be accented with stone veneer on storefront columns.
- Parking lot lighting will be upgraded.
- A breezeway between a local salon and Advance Cash America will be upgraded and connected to new pedestrian pathways.
- Pedestrian plaza details including markers, benches, trash receptacles, and tree wells.

Figure 2 shows site plans. Figure 3 shows details of Phase 2 renovations for Raley's with details of pedestrian plazas and other related elements.

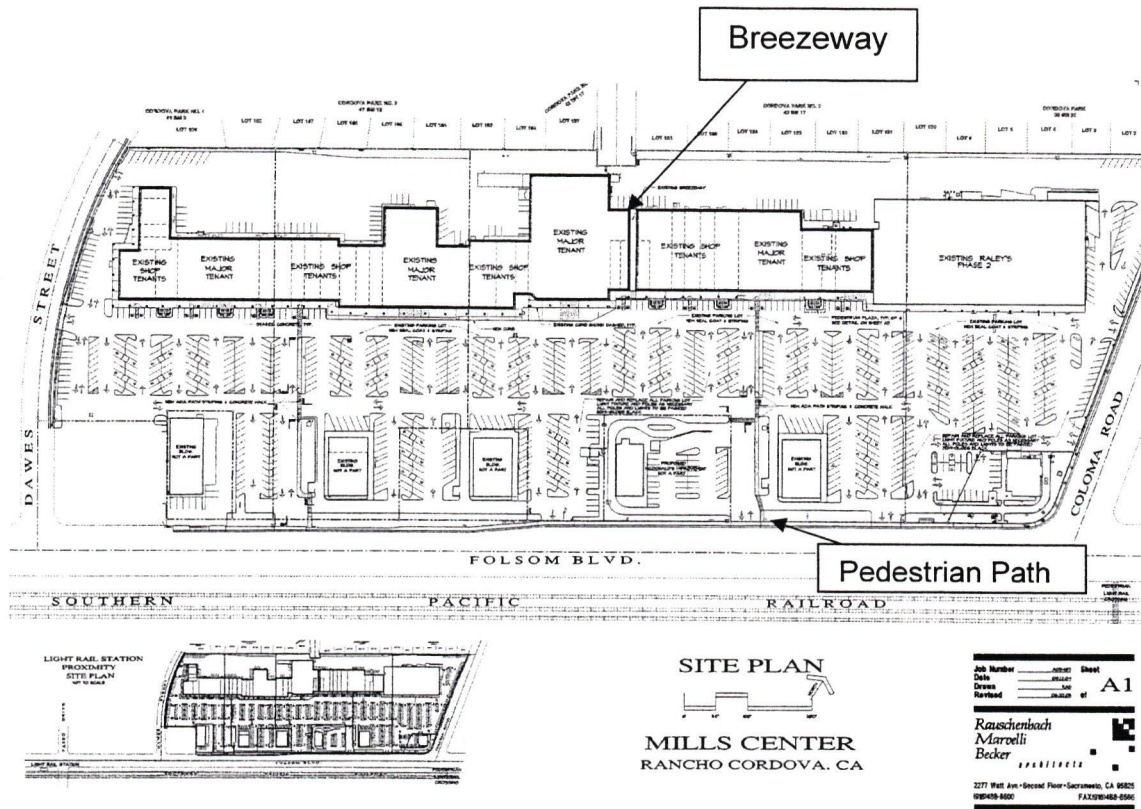


Figure 2. Site Plan

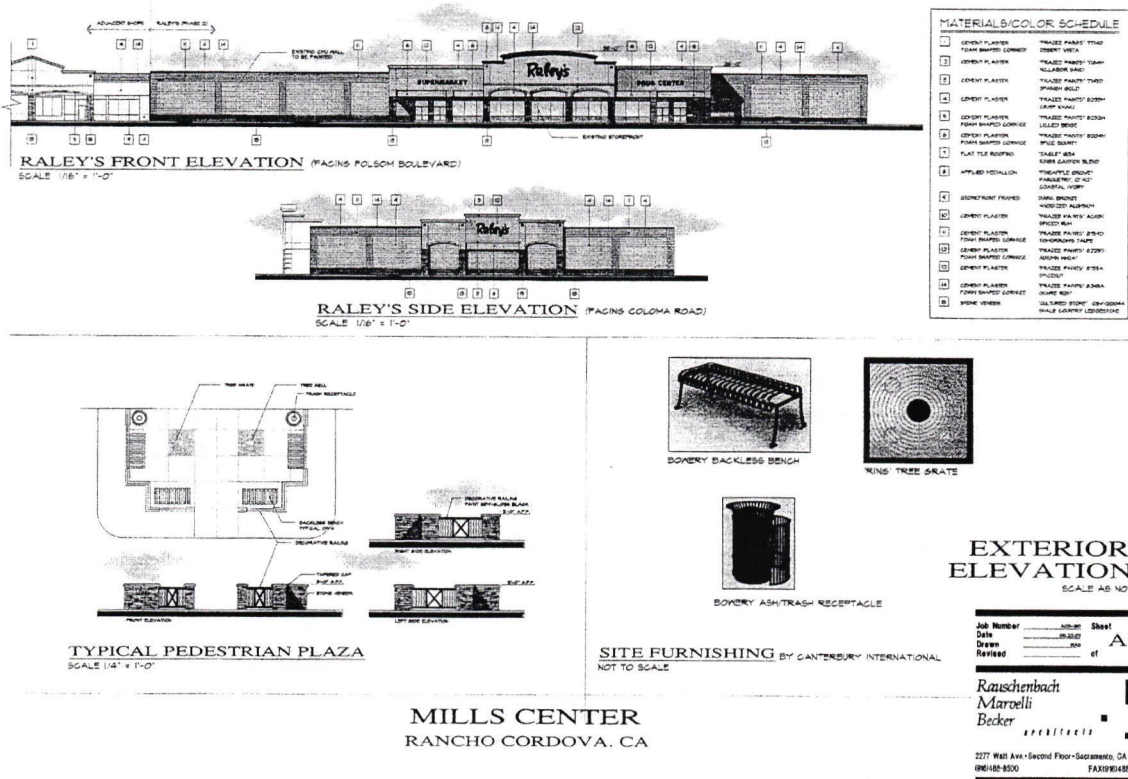


Figure 3. Raley's Phase 2 improvements and details of pedestrian plaza and other features.

The basis for review of this project is provided in the City's Design Review Ordinance and the Planning Commission reasons for recommending approval are as follows:

Design Review:

- a) High quality building designs that consist of durable and maintainable materials and that provide visual interest and diversity to the community.
- b) Building designs that maintain human scale and interest.
- c) Use of an architectural style and or/theme for new non-residential development that is consistent for building elevations of a single structure or consistent among all buildings within an integrated development.
- d) Design of buildings or structures that is sensitive to the neighborhood character with regard to scale, architectural style, use of materials and bulk.
- e) Interesting and attractive architecture which includes varied relief of the facade elements and detailed articulation of the building features.
- f) Incorporate quality site design, including landscaping, signage and other elements of site design.

Evidence:

- a) The new improvements will feature greater building articulation and detail by providing a new cornice feature to the roof line, the use of cement plaster to accent the columns and building fronts and roof tiles. The proposed architecture and use of materials blend well together to provide the interest and diversity required under the design guidelines. Stone veneer will also be used to distinguish storefront columns.
- b) The project provides human scale with the use of covered walkways, variations in the roof design, materials, colors and landscaping. Two new pedestrian pathways have been added connecting the existing tenant shops to Folsom Boulevard. The new pathways have been designed to be ADA compliant. In addition, the overall area of pedestrian pathways has increased. Details such as benches and railings will provide pedestrian plaza details to the Center. Trash receptacles and tree wells will also be included.
- c) The architecture proposes varying the plane of the exterior walls through recessing and projections of the elements; the heights of the walls are varied so that the mass of the building is broken into smaller distinct "massing" elements; reveals, recesses, projections, cornices, trim elements and other architectural features have been incorporated to provide visual interest to the buildings.
- d) Same as "c" above.
- e) The proposed design provides varied relief to the building façade. The building mass has design elements; which have improved the buildings articulation, through the use of varying roof lines, changes in surface texture with cement plaster, and wall color.
- f) The applicant is proposing an extensive upgrade to the existing landscaping with new trees and shrubbery. The applicant is proposing additional planters in the parking lot area where none had previously existed.

CONCLUSION

The proposed elevation changes are well designed and will provide a much needed upgrade to the Mills Shopping Center. The design proposal includes a variety of architectural features, materials, colors, enhancement of the landscape in the parking field, variations in the roof line and articulations to the façade that meet the intent of the City's Design Guidelines for commercial development. The applicant has made additional changes addressing issues of concern and has worked diligently with City staff to properly address the Design Review Findings. Staff is recommending City Council approve Design Review for the Mills Shopping Center.

ENVIRONMENTAL ANALYSIS:

This project is Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act Guidelines.

FINANCIAL IMPLICATIONS TO CITY:

There are no significant cost implications to the City for this development.

RECOMMENDED MOTIONS:

"I move the City Council determine the project Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act Guidelines, and adopt Resolution No. 125-2005 approving the Design Review for Mills Shopping Center, Project No. RC-04-136, for the remodel of 10303 -10379 Folsom Blvd., subject to the attached Design Package and Conditions of Approval."

ATTACHMENTS:

1. Resolution No. 125-2005 including Design Review Package (Exhibit A) and Conditions of Approval (Exhibit B)
2. Design Review Package
3. Planning Commission Meeting Minutes of March 8, 2005
4. 500' Radius Map

RESOLUTION NO. 125-2005

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING DESIGN REVIEW FOR EXTERIOR RENOVATIONS AT MILLS SHOPPING
CENTER
PROJECT # RC-04-136**

WHEREAS, Mills Shopping Center, (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Design Review for the construction of a carwash located at (Assessor's Parcel Number: 076-0222-002; 011; 017; 019; 020 thru 024); and

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

WHEREAS, the project is Categorically Exempt from review under Section 15301, Existing Facilities, of the California Environmental Quality Act Guidelines

WHEREAS, the City Council of the City of Rancho Cordova has conducted a properly noticed public hearing pursuant to Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

1. That the project site was adequately analyzed according to the Guidelines of the California Environmental Quality Act.

Findings

The project involves the remodel of an existing shopping facility and is Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act Guidelines.

Evidence

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

2. Approve the Design Review, subject to the Design Package (see Exhibit A) and the Conditions of Approval (see Exhibit B); supported by the following Findings and Evidence:

Findings:

- a) High quality building designs that consist of durable and maintainable materials and that provide diversity to the community.
- b) Building designs that maintain human scale and interest.
- c) Use of an architectural style and or/theme for new non-residential development that is consistent for building elevations of a single structure or consistent among all buildings within an integrated development.
- d) Design of buildings or structures that is sensitive to the neighborhood character with regard to scale, architectural style, use of materials and bulk.
- e) Interesting and attractive architecture which includes varied relief of the facade elements and detailed articulation of the building features.

- f) Incorporate quality site design, including landscaping, signage and other elements of site design.

Evidence

- a) The new improvements will feature greater building articulation and detail by providing a new cornice feature to the roof line, the use of cement plaster to accent the columns and building fronts and roof tiles. The proposed architecture and use of materials blend well together to provide the interest and diversity required under the design guidelines. Stone veneer will also be used to distinguish storefront columns.
- b) The project provides human scale with the use of covered walkways, variations in the roof design, materials, colors and landscaping. Two new pedestrian pathways have been added connecting the existing tenant shops to Folsom Boulevard. The new pathways have been designed to be ADA compliant. In addition, the overall area of pedestrian pathways has increased. Details such as benches and railings will provide pedestrian plaza details to the Center. Trash receptacles and tree wells will also be included.
- c) The architecture proposes varying the plane of the exterior walls through recessing and projections of the elements; the heights of the walls are varied so that the mass of the building is broken into smaller distinct "massing" elements; reveals, recesses, projections, cornices, trim elements and other architectural features have been incorporated to provide visual interest to the buildings.
- d) Same as "c" above.
- e) The proposed design provides varied relief to the building façade. The building mass has design elements; which have improved the buildings articulation, through the use of varying roof lines, changes in surface texture with cement plaster, and wall color.
- f) The applicant is proposing an extensive upgrade to the existing landscaping with new trees and shrubbery. The applicant is proposing additional planters in the parking lot area where none had previously existed.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 17 October, 2005.

AYES:
NOES:
ABSENT:
ABSTAIN:

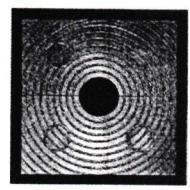
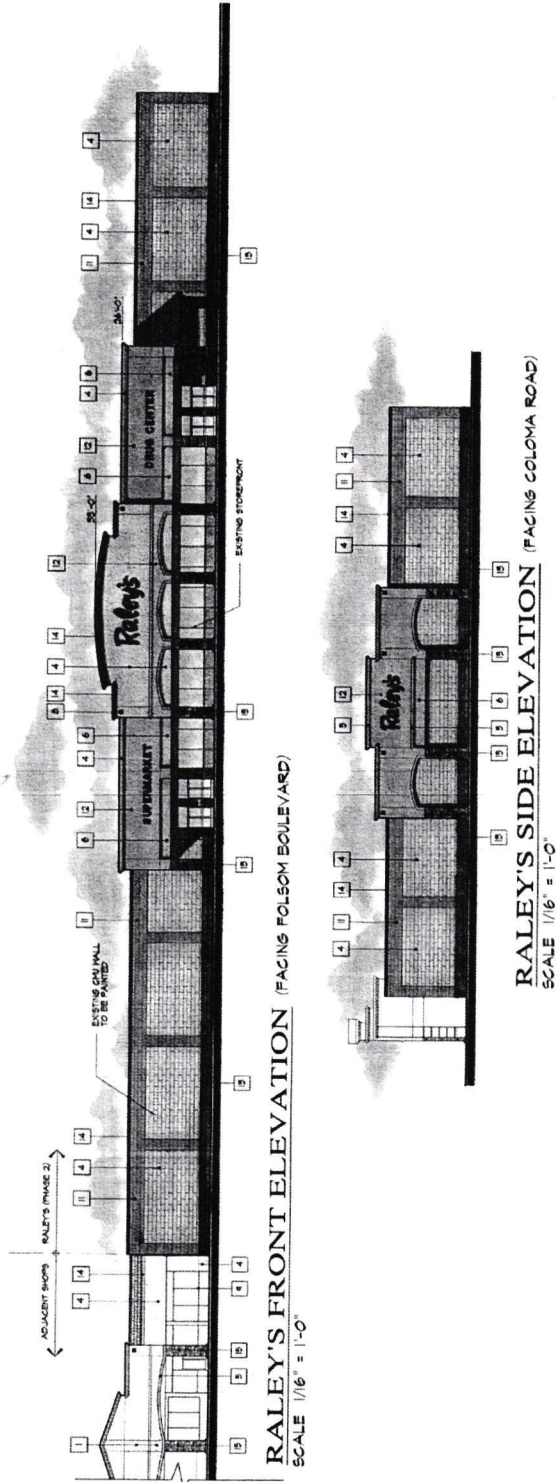
KEN COOLEY, MAYOR of the
CITY OF RANCHO CORDOVA

ATTEST:

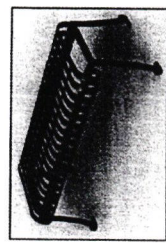
LILLIAN HARE
CITY CLERK

MATERIALS/COLOR SCHEDULE

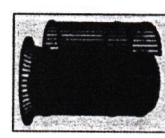
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3	CEMENT PLASTER	TRAZEE PAINTS' TIBSD SPARKS GOLD
4	CEMENT PLASTER	TRAZEE PAINTS' 822SH CRISP BROWN
5	CEMENT PLASTER FOAM SHAPED CORNICE	TRAZEE PAINTS' 822SH LILAC BROWN
6	CEMENT PLASTER FOAM SHAPED CORNICE	TRAZEE PAINTS' 822SH SPICE BROWN
7	FLAT TILE ROOFING	TRAZEE PAINTS' 822SH KINGS CANYON BLEND
8	APPLIED MEDALLION	TRAZEE PAINTS' 822SH PARADEY, 12" X 12"
9	STONEFRONT FRAMES	TRAZEE PAINTS' 822SH COASTAL IVORY
10	CEMENT PLASTER	TRAZEE PAINTS' 822SH DARK BRONZE
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99	CEMENT PLASTER	TRAZEE PAINTS' 822SH SPICED RUM
100	CEMENT PLASTER	TRAZEE PAINTS' 822SH DARK BRONZE



RINGS TREE GRATE



BOWERY BACKLESS BENCH



BOWERY ASH/TRASH RECEPTACLE

EXTERIOR ELEVATIONS
SCALE AS NOTED

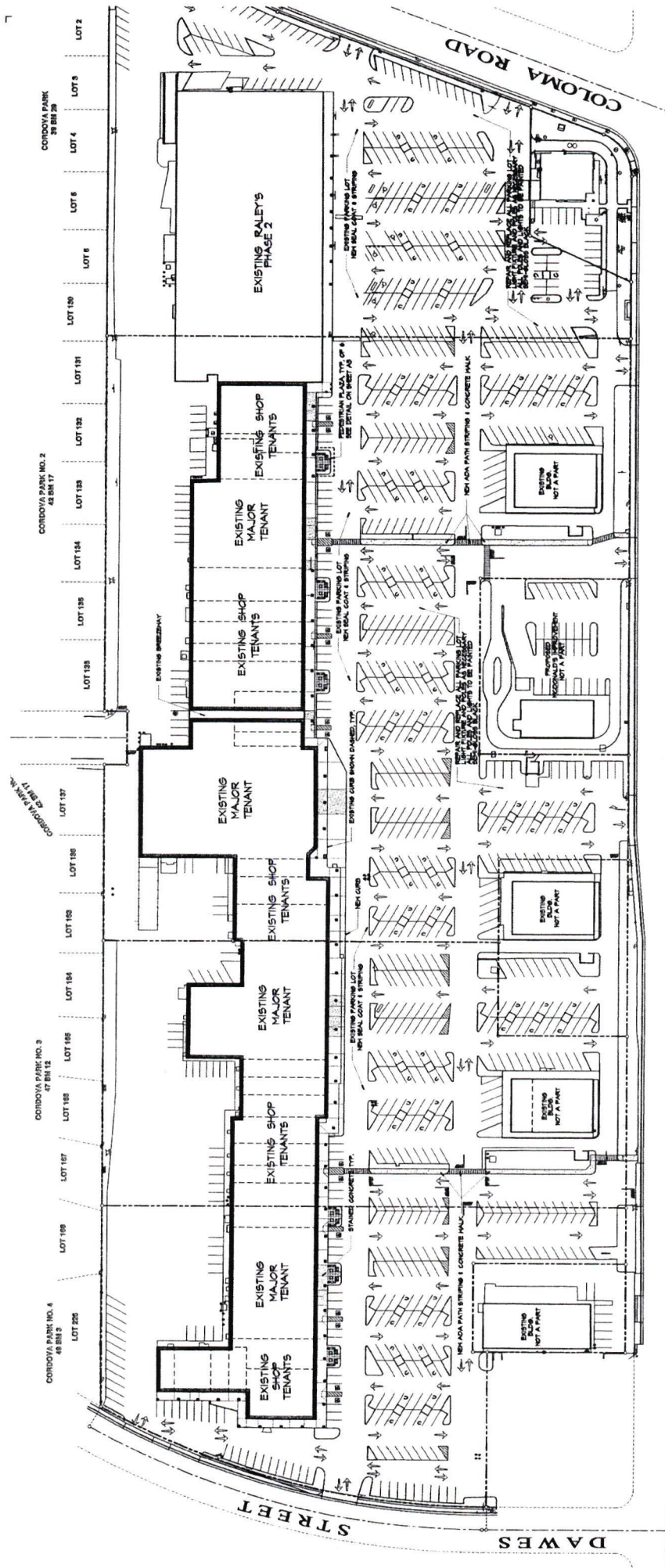
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Date	A3
Drawn	of
Revised	

Rauschenbach
Marrelli
Becker

2277 Watt Ave - Second Floor - Sacramento, CA 95825
916/488-8500 FAX/916/488-8586

SITE FURNISHING BY CANTERBURY INTERNATIONAL
NOT TO SCALE

MILLS CENTER
RANCHO CORDOVA, CA



FOLSOM BLVD.

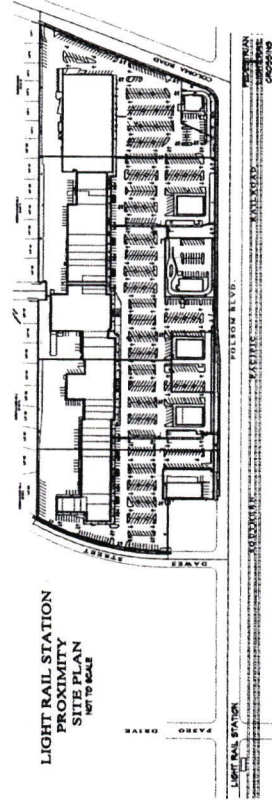
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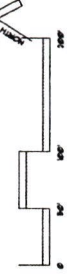
RAILROAD

COLOMA ROAD

LIGHT RAIL STATION
PROXIMITY
STATION PLANNING
NOT TO SCALE



SITE PLAN



MILLS CENTER
RANCHO CORDOVA, CA

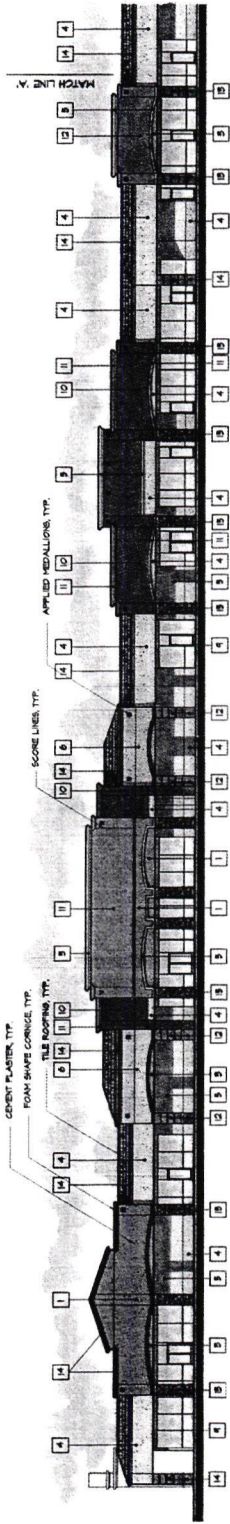
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Revised		of	1

Rauschenbach
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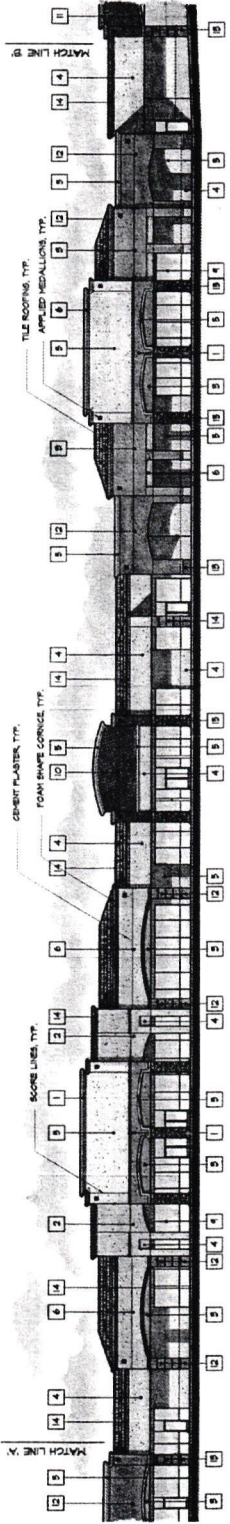
2277 Watt Ave - Second Floor - Sacramento, CA 95825
(916) 488-8500 FAX (916) 488-8598



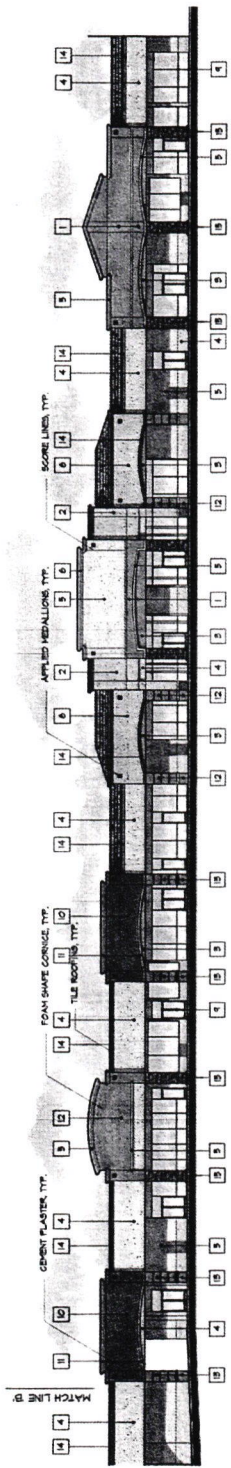
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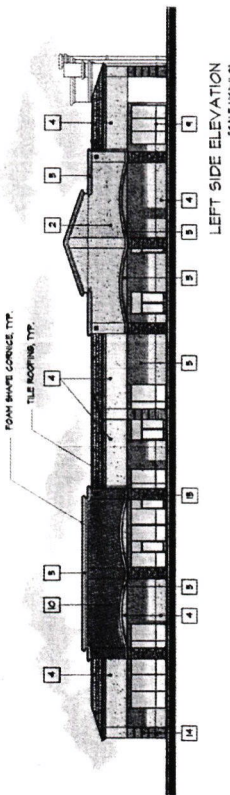
PARTIAL FRONT ELEVATION
SCALE 1/8" = 1'-0"



PARTIAL FRONT ELEVATION
SCALE 1/8" = 1'-0"



PARTIAL FRONT ELEVATION
SCALE 1/8" = 1'-0"



LEFT SIDE ELEVATION
SCALE 1/8" = 1'-0"

MATERIALS/COLOR SCHEDULE

1	CEMENT PLASTER	TRAVERSE PAINTS' T140
2	FOAM SHAPED CORNICE	CERMENT VISTA
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PRELIMINARY ELEVATIONS

Job Number: 105-489
Date: 1/2/84
Drawn: P.M.
Revised: 1/15/84

**Rauschenbach
Marvelli
Becker**

227 West Ave. - Second Floor - Sacramento, CA 95825
(916) 488-8500

FACADE REMODEL MILLS SHOPPING CENTER RANCHO CORDOVA, CALIFORNIA

CONDITIONS OF APPROVAL

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1.	The project shall be constructed in substantial compliance with the approved Design Review plans (Attachment 3) for the Mills Shopping Center Buildings located at 10303 thru 10379 Folsom Blvd., APN 076-0222-002; 076-0222-011; 076-0222-017; 076-0222-019; 076-0222-020-024; project number RC-04-136.	On-Going	Planning	
2.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning	
	Prior to Issuance of Building Permits			
3.	The exterior building elevations shall be reviewed for architectural consistency with the approved plans by the Planning Director.	Prior to Building Permits	Planning	
	Prior to Issuance of Occupancy Permit			
4.	An inspection of the finished building, colors, site amenities and parking lot improvements shall be conducted by the Planning Director.	Prior to final inspection	Planning	
5.	The landscape plans shall be reviewed by the Planning Director prior to installation.	Prior to final inspection	Planning	

ATTACHMENT 2

Reference to the Design Review Package consists of 8 ½ x 11 color renderings and full size prints identical to Exhibit A contained within Resolution No. 125-2005. This attachment is for review by staff and the Planning Commissioners only.

CITY OF RANCHO CORDOVA

Minutes of Meeting of the Planning Commission
March 8, 20051. **CALL MEETING TO ORDER**

The meeting of the Planning Commission of the City of Rancho Cordova was held on Tuesday, March 8, 2005 in the City Council Chambers located at 3121 Gold Canal Drive, Rancho Cordova, CA, 95670. Planning Commission Chair Art Smith called the meeting to order at 6:00 p.m.

Staff Present: Planning Director, Paul Junker; Principal Planner, Bill Campbell; Assistant Planner, Kathleen Franklin; Commission Clerk, Brenda Lehr

Role Call:

Commissioners Present: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
Commissioners Absent: None

- A. **Flag Salute** – Pledge of Allegiance was conducted.
- B. **Approval of Agenda** – The Planning Commission reviewed the Agenda of the March 8, 2005 Meeting of the Planning Commission.

Action: Vice Chair Vance moved, second by Commissioner Wentz, to approve the agenda of the March 8, 2005 Planning Commission Meeting. Motion was approved unanimously.

- C. **Minutes** – The Planning Commission reviewed the Minutes of the February 24, 2005 Meeting of the Planning Commission Meeting of the Planning Commission.

Action: Vice Chair Vance moved, second by Commissioner Wentz, to approve the Minutes of the February 24, 2005 Meeting of the Planning Commission Meeting as written and corrected. Motion was approved unanimously.

2. **PUBLIC COMMENT** – There were no public comments heard at this meeting.

3. **PUBLIC HEARING**

- A. **Consideration of the Conditional Use Permit for VERIZON WIRELESS – Project No. RC-04-091:**

Request: Applicant is requesting a Conditional Use Permit to construct, operate, and maintain a wireless communication facility consisting of (6) antennas mounted to a new 100' mono-pole with a new 12'x30' radio equipment shelter adjacent to the tower.

Project Applicant: Kortick & Associates, P.O. Box 1269, Folsom, CA, 95763

Project Location: APN: 072-0222-033, 11167 Trade Center Drive

Principal Planner, Bill Campbell recommended the Planning Commission continue this item to a date not yet determined in the future. Chair Smith opened the public hearing and closed the public hearing.

The Commissioners had the following concerns and comments:

- There were no comments from the Planning Commissioners.

Action:

Motion: Commissioner Wentz moved, seconded by Commissioner Konarski, to recommend the Planning Commission continue this item to a date not yet determined in the future.

Vote on the Motion:

AYES: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motions are hereby declared to be passed.

B. Consideration of the Design Review for NORTHWEST EXTERIORS – Project No. RC-04-137:

Request: Applicant is requesting Design Review for the construction of two concrete tilt-up office buildings in the MP zone on a 1.65 acre site.

Project Applicant: GBDH Design Group, 9806 Old Winery Place, #1, Sacramento, CA, 95827

Project Location: APN: 072-0490-022, Sun Center Drive at Gold Pan Court

Assistant Planner, Kathleen Franklin recommended the Planning Commission continue this item to a date not yet determined in the future. Chair Smith opened the public hearing and closed the public hearing.

The Commissioners had the following concerns and comments:

- There were no comments from the Planning Commissioners.

Action:

Motion: Commissioner Wentz moved, seconded by Commissioner Konarski, to recommend the Planning Commission continue this item to a date not yet determined in the future.

Vote on the Motion:

AYES: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motions are hereby declared to be passed.

C. **Consideration of the Design Review for MILLS SHOPPING CENTER – Project No. RC-04-136:**

Request: Applicant is requesting Design Review for the remodel and facelift of an existing shopping center with some modifications and enhancement to existing landscaping. Scope of work does not include existing individual pads along Folsom Blvd. or the Raley's market.

Project Applicant: Rauschenbach, Marvelli, and Becker Architects, 2277 Watt Avenue, 2nd Floor, Sacramento, CA, 95825

Project Location: APN: 076-0222-002, 011, 017, 019, 020 thru 024, 10303 Folsom Blvd. thru 10379 Folsom Blvd.

Assistant Planner, Kathleen Franklin recommended the Planning Commission forward a recommendation to the City Council to determine the project is Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines and adopt a resolution approving the Design Review for the remodel of 10303 thru 10379 Folsom Blvd., RC-04-136, subject to the Design Package, Findings, Evidence and Conditions of Approval. Chair Smith opened the public hearing and took testimony from Mark Marvelli, project architect and applicant.

The Commissioners had the following concerns and comments:

- Are the ADA walkways connected to the bus routes? The walkways are connected to the Folsom Boulevard sidewalks which are connected to the bus routes.
- Will speed bumps be installed between the walkways? Staff will work with the applicant on this.
- Will the parking lot be re-striped? Yes, it will be apart of the upgrade.
- Vice Chair Vance would like a stop sign installed by the walkway near McDonald's.
- Vice Chair Vance requests to have diagonal parking as opposed to straight-in parking.
- Will the lights be upgraded? Yes.
- Will the existing buildings stay during the re-modeling process? Yes.
- Will more businesses come into the shopping center? Yes, there will be more leases.
- Will there be traffic calming devices installed in the parking lot? Yes.
- What is planned for the back of the project? It will be painted.

- Can the project have a breezeway added to the project in the back of the building to gain more connectivity to the neighborhood? It is a significant addition to add at this point in the project process.
- Are there any plans for the fence? No.
- When was the last renovation of this shopping center? Approximately 15 years ago.
- Commissioner Savorn is concerned that the project is not esthetically pleasing to the eye and would like to see more architectural features added.
- Will the names of the businesses be placed on the front of the building? Yes.
- Is it possible to re-locate the buildings? No, it is not economical for this type of project.
- Olivia Anders, citizen of Rancho Cordova commented on concerns about the lack of landscaping on the Dawes side of the project.
- What type of upgrades will be added to the back? There are no plans at this point.
- Can there be 4 foot high veneers added to the columns? Yes.
- What is the square footage of the project? Roughly 135,000.
- What is the budget? Roughly \$3,000,000.

Action:

Motion 1: Commissioner Wentz moved, seconded by Commissioner Burke, to recommend the Planning Commission forward a recommendation to the City Council to determine the project is Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines.

Roll Call Vote on the Motion:

AYES: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motions are hereby declared to be passed.

Motion 2: Commissioner Wentz moved, seconded by Commissioner Burke, to recommend the Planning Commission forward a recommendation to the City Council to adopt a resolution approving the Design Review for the remodel of 10303 thru 10379 Folsom Blvd., RC-04-136, subject to the Design Package, Findings, Evidence and Conditions of Approval.

Roll Call Vote on the Motion:

AYES: Burke, Moe, Smith, Vance, Wentz
 NOES: Konarski, Savorn
 ABSTAIN: NONE
 ABSENT: NONE

There being 5 Ayes, 2 Noes, 0 Abstains and 0 Absentees, the motions are hereby declared to be passed.

D. **Consideration of the Conditional Use Permit and Design Review for WALGREENS – Project No. RC-04-139:**

Request: Applicant is requesting a Conditional Use Permit and Design Review to allow a 14,820 sf freestanding Walgreen's store with double lane pharmacy pick-up window and 72 parking stalls in the Sunridge Specific Plan.

Project Applicant: Taylor Village Sacramento Investments, 1792 Tribute Road, Ste. 270, Sacramento, CA, 95815

Project Location: APN: 067-0030-027, Southwest corner of Sunrise Blvd. and Herodian – Parcel 2 Mather East.

Principal Planner, Bill Campbell recommended the Planning Commission forward a recommendation to the City Council to find the project has been previously assessed in the SRSP EIR and the MND for the Mather East Parcel Map, according to the California Environmental Quality Act (CEQA) Guidelines and forward a recommendation to adopt a resolution approving the Conditional Use Permit for the drive-up pharmacy window and the Design Review for Walgreen's Project No. RC-04-139, subject to the Design Package, Findings, Evidence and Amended Conditions of Approval to remove Condition #12. Chair Smith opened the public hearing and took testimony from Cleon Pantell, project applicant.

The Commissioners had the following concerns and comments:

- Is there a pedestrian connection between Walgreens and the residents?
Yes, there are multiple ways into Walgreens.
- What is the size of the building? 14,820 sf.
- Is there a second level? No.
- Will the metal supporting the trellises be rust proof? Yes, it is painted steel.
- Richard Anders, citizen, commented that from his experience, painted steel will rust.
- Chair Smith commented that if a condition could be added to ensure maintenance on the steel to protect it from rust.
- Commissioner Moe is concerned that the trash receptacle be enclosed. The applicant commented that the trash receptacle will be enclosed behind a wall.
- Are there signs on the south side of the building? No.

Action:

Motion 1: Commissioner Wentz moved, seconded by Vice Chair Vance, to recommend the Planning Commission forward a recommendation to the City Council to find the project has been previously assessed in the SRSP EIR and the MND for the Mather East Parcel Map, according to the California Environmental Quality Act (CEQA) Guidelines.

Vote on the Motion:

AYES: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motions are hereby declared to be passed.

Motion 2: Commissioner Wentz moved, seconded by Vice Chair Vance, to recommend the Planning Commission forward a recommendation to the City Council to adopt a resolution approving the Conditional Use Permit for the drive-up pharmacy window and the Design Review for Walgreen's Project No. RC-04-139, subject to the Design Package, Findings, Evidence and Conditions of Approval.

Vote on the Motion:

AYES: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motions are hereby declared to be passed.

4. REGULAR CALENDAR

- A. **Planning Commission Training** – There was no Planning Commission Training scheduled for this meeting.

5. ACTION ITEMS – There were no action items scheduled for this meeting.

6. STAFF/COMMISSION COMMENTS

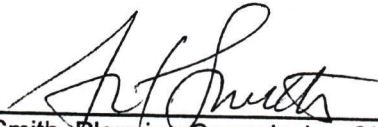
- Planning Director, Paul Junker shared future training dates with the Commission.
- Commissioner Burke is concerned that the conditions of approval coming from the police department are not being well thought out before placing conditions on projects.
- Chair Smith would like to recommend a representative be present at meetings to discuss these police department requests and work out issues prior to review of City Council or Planning Commission.
- Will there be regulations regarding in-fill vs. regular projects in the Design Guidelines? There are no specifications to in-fill projects within the Design Guidelines and will require the Planning Commission to be responsible for weighing the enhancements of the project.

7. FUTURE AGENDA ITEMS

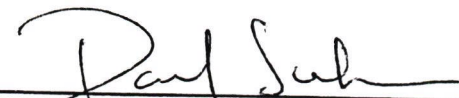
- There were no Future Agenda Items scheduled at this meeting.

8. **ADJOURNMENT**

There being no further business before the Planning Commission, the meeting was adjourned at 8:20 p.m., March 8, 2005, to the next scheduled meeting.



Art Smith, Planning Commission Chair



Paul Junker, Planning Director

ATTEST:

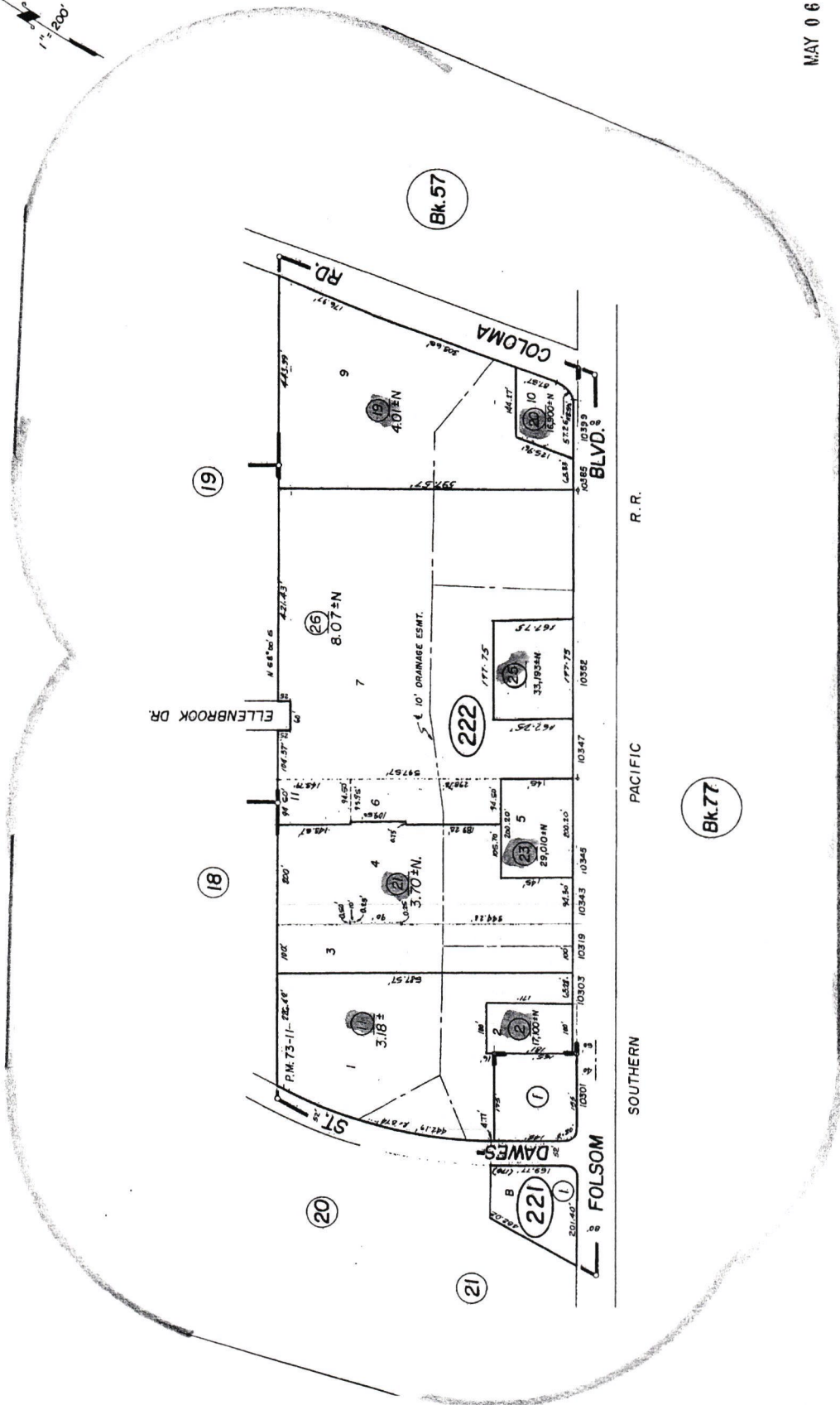
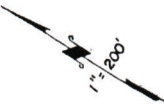


Brenda Lehr, Commission Clerk

POR. SEC. 34 T. 9N. R. 6E. M.D.B & M.
(PROJ. INTO RANCHO RIO DE LOS AMERICANOS)

Tax Area Code

76-22



MAY 06 2004

Assessor's Map Bk. 76 -Pg.22
County of Sacramento, Calif.

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

Cordova Park Unit No. 2 R. M. Bk. 42 Pg.17



Attachment 4

057 0141 009 0000
Occupant At
2660 Tronero Way
Rancho Cordova, CA 95670-3644

057 0141 012 0000
Occupant At
10411 Malaga Way
Rancho Cordova, CA 95670-3607

057 0141 015 0000
Occupant At
10216 Coloma Rd
Rancho Cordova, CA 95670-3606

057 0145 002 0000
Occupant At
10404 Malaga Way
Rancho Cordova, CA 95670-3608

057 0145 005 0000
Occupant At
10416 Malaga Way
Rancho Cordova, CA 95670-3608

057 0211 002 0000
Occupant At
10134 Coloma Rd
Rancho Cordova, CA 95670-4602

057 0211 005 0000
Occupant At
10407 Investment Cir
Rancho Cordova, CA 95670-4604

057 0211 027 0000
Occupant At
10424 Investment Cir
Rancho Cordova, CA 95670-4605

057 0211 036 0000
Occupant At
10432 Investment Cir
Rancho Cordova, CA 95670-4605

072 0131 002 0000
Occupant At
10429 Mills Tower Dr
Rancho Cordova, CA 95670-5414

057 0141 010 0000
Occupant At
2664 Tronero Way
Rancho Cordova, CA 95670-3644

057 0141 013 0000
Occupant At
10401 Malaga Way
Rancho Cordova, CA 95670-3607

057 0141 016 0000
Occupant At
10220 Coloma Rd
Rancho Cordova, CA 95670-3606

057 0145 003 0000
Occupant At
10408 Malaga Way
Rancho Cordova, CA 95670-3608

057 0145 006 0000
Occupant At
10420 Malaga Way
Rancho Cordova, CA 95670-3608

057 0211 003 0000
Occupant At
10124 Coloma Rd
Rancho Cordova, CA 95670-4602

057 0211 006 0000
Occupant At
10408 Investment Cir
Rancho Cordova, CA 95670-4605

057 0211 034 0000
Occupant At
10154 Coloma Rd
Rancho Cordova, CA 95670-4602

057 0212 008 0000
Occupant At
10455 Investment Cir
Rancho Cordova, CA 95670-4604

072 0131 003 0000
Occupant At
10433 Mills Tower Dr
Rancho Cordova, CA 95670-5414

057 0141 011 0000
Occupant At
10417 Malaga Way
Rancho Cordova, CA 95670-3607

057 0141 014 0000
Occupant At
10212 Coloma Rd
Rancho Cordova, CA 95670-3606

057 0145 001 0000
Occupant At
10400 Malaga Way
Rancho Cordova, CA 95670-3608

057 0145 004 0000
Occupant At
10412 Malaga Way
Rancho Cordova, CA 95670-3608

057 0145 007 0000
Occupant At
10424 Malaga Way
Rancho Cordova, CA 95670-3608

057 0211 004 0000
Occupant At
10401 Folsom Blvd
Rancho Cordova, CA 95670-4635

057 0211 023 0000
Occupant At
10416 Investment Cir
Rancho Cordova, CA 95670-4605

057 0211 035 0000
Occupant At
10138 Coloma Rd
Rancho Cordova, CA 95670-4602

072 0131 001 0000
Occupant At
10425 Mills Tower Dr
Rancho Cordova, CA 95670-5414

072 0131 004 0000
Occupant At
10437 Mills Tower Dr
Rancho Cordova, CA 95670-5414

072 0132 002 0000
Occupant At
3000 La Rue Way
Rancho Cordova, CA 95670-5411

072 0132 003 0000
Occupant At
3006 La Rue Way
Rancho Cordova, CA 95670-5411

072 0133 001 0000
Occupant At
10426 Mills Tower Dr
Rancho Cordova, CA 95670-5440

072 0133 002 0000
Occupant At
10430 Mills Tower Dr
Rancho Cordova, CA 95670-5439

072 0133 006 0000
Occupant At
3005 La Rue Way
Rancho Cordova, CA 95670-5410

072 0181 001 0000
Occupant At
3010 La Rue Way
Rancho Cordova, CA 95670-5411

072 0181 002 0000
Occupant At
3014 La Rue Way
Rancho Cordova, CA 95670-5411

072 0181 003 0000
Occupant At
3018 La Rue Way
Rancho Cordova, CA 95670-5411

076 0153 009 0000
Occupant At
2658 Garrett Way
Rancho Cordova, CA 95670-3538

076 0153 010 0000
Occupant At
2668 Garrett Way
Rancho Cordova, CA 95670-3538

076 0153 011 0000
Occupant At
2672 Garrett Way
Rancho Cordova, CA 95670-3538

076 0153 012 0000
Occupant At
2678 Garrett Way
Rancho Cordova, CA 95670-3538

076 0154 006 0000
Occupant At
2650 Gilbert Way
Rancho Cordova, CA 95670-3539

076 0154 007 0000
Occupant At
2654 Gilbert Way
Rancho Cordova, CA 95670-3539

076 0154 008 0000
Occupant At
2658 Gilbert Way
Rancho Cordova, CA 95670-3539

076 0154 009 0000
Occupant At
2655 Garrett Way
Rancho Cordova, CA 95670-3533

076 0154 010 0000
Occupant At
2651 Garrett Way
Rancho Cordova, CA 95670-3533

076 0154 011 0000
Occupant At
2647 Garrett Way
Rancho Cordova, CA 95670-3533

076 0155 005 0000
Occupant At
10221 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0155 006 0000
Occupant At
10217 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0155 007 0000
Occupant At
10213 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0155 008 0000
Occupant At
10209 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0155 009 0000
Occupant At
2657 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0155 010 0000
Occupant At
2653 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0155 011 0000
Occupant At
2649 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0174 005 0000
Occupant At
2686 Los Amigos Dr
Rancho Cordova, CA 95670-3454

076 0174 006 0000
Occupant At
2690 Los Amigos Dr
Rancho Cordova, CA 95670-3454

076 0174 007 0000
Occupant At
2681 El Segundo Dr
Rancho Cordova, CA 95670-3457

076 0175 003 0000
Occupant At
2660 Dawes St
Rancho Cordova, CA 95670-3534

076 0175 004 0000
Occupant At
2664 Dawes St
Rancho Cordova, CA 95670-3534

076 0175 005 0000
Occupant At
2668 Dawes St
Rancho Cordova, CA 95670-3534

076 0175 006 0000
Occupant At
2672 Dawes St
Rancho Cordova, CA 95670-3534

076 0175 007 0000
Occupant At
2691 Los Amigos Dr
Rancho Cordova, CA 95670-3453

076 0175 008 0000
Occupant At
2687 Los Amigos Dr
Rancho Cordova, CA 95670-3453

076 0175 009 0000
Occupant At
2683 Los Amigos Dr
Rancho Cordova, CA 95670-3453

076 0181 002 0000
Occupant At
2656 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 003 0000
Occupant At
2660 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 004 0000
Occupant At
2664 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 005 0000
Occupant At
2668 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 006 0000
Occupant At
2672 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 007 0000
Occupant At
2676 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 008 0000
Occupant At
10315 Malaga Way
Rancho Cordova, CA 95670-3524

076 0181 009 0000
Occupant At
10309 Malaga Way
Rancho Cordova, CA 95670-3524

076 0181 010 0000
Occupant At
2673 Dawes St
Rancho Cordova, CA 95670-3535

076 0181 011 0000
Occupant At
2669 Dawes St
Rancho Cordova, CA 95670-3535

076 0181 012 0000
Occupant At
2665 Dawes St
Rancho Cordova, CA 95670-3535

076 0181 013 0000
Occupant At
2661 Dawes St
Rancho Cordova, CA 95670-3535

076 0181 014 0000
Occupant At
2657 Dawes St
Rancho Cordova, CA 95670-3535

076 0182 001 0000
Occupant At
2676 Ellenbrook Dr
Rancho Cordova, CA 95670-3541

076 0182 002 0000
Occupant At
2680 Ellenbrook Dr
Rancho Cordova, CA 95670-3541

076 0182 003 0000
Occupant At
2684 Ellenbrook Dr
Rancho Cordova, CA 95670-3541

076 0182 004 0000
Occupant At
2688 Ellenbrook Dr
Rancho Cordova, CA 95670-3541

076 0182 005 0000
Occupant At
10345 Malaga Way
Rancho Cordova, CA 95670-3530

076 0182 006 0000
Occupant At
10341 Malaga Way
Rancho Cordova, CA 95670-3530

076 0182 007 0000
Occupant At
2673 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 008 0000
Occupant At
2671 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 009 0000
Occupant At
2665 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 010 0000
Occupant At
2661 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 011 0000
Occupant At
2657 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 012 0000
Occupant At
2653 Benny Way
Rancho Cordova, CA 95670-3537

076 0183 001 0000
Occupant At
2701 Dawes St
Rancho Cordova, CA 95670-3505

076 0183 002 0000
Occupant At
2709 Dawes St
Rancho Cordova, CA 95670-3505

076 0183 003 0000
Occupant At
10308 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 004 0000
Occupant At
10314 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 005 0000
Occupant At
10320 Malaga Way (No Mail)
Rancho Cordova, CA 95670-3523

076 0183 006 0000
Occupant At
10324 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 007 0000
Occupant At
10328 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 008 0000
Occupant At
10334 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 009 0000
Occupant At
10340 Malaga Way
Rancho Cordova, CA 95670-3523

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Occupant At
10344 Malaga Way
Rancho Cordova, CA 95670-3523

076 0191 001 0000
Occupant At
2679 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 002 0000
Occupant At
2675 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 003 0000
Occupant At
2671 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 004 0000
Occupant At
2667 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 005 0000
Occupant At
2663 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 006 0000
Occupant At
2659 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 007 0000
Occupant At
2662 Gilbert Way
Rancho Cordova, CA 95670-3539

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Occupant At
2666 Gilbert Way
Rancho Cordova, CA 95670-3539

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Occupant At
2670 Gilbert Way
Rancho Cordova, CA 95670-3539

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Occupant At
10377 Malaga Way
Rancho Cordova, CA 95670-3550

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Occupant At
10373 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 012 0000
Occupant At
10369 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 013 0000
Occupant At
10365 Malaga Way
Rancho Cordova, CA 95670-3550

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Occupant At
10361 Malaga Way
Rancho Cordova, CA 95670-3550

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Occupant At
10357 Malaga Way
Rancho Cordova, CA 95670-3550

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Occupant At
10353 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 017 0000
Occupant At
10349 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 018 0000
Occupant At
2685 Ellenbrook Dr
Rancho Cordova, CA 95670-3542

076 0192 001 0000
Occupant At
10205 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0192 002 0000
Occupant At
10201 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0192 003 0000
Occupant At
2669 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0192 004 0000
Occupant At
2665 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0192 005 0000
Occupant At
2661 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0193 001 0000
Occupant At
10348 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 002 0000
Occupant At
10352 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 003 0000
Occupant At
10356 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 004 0000
Occupant At
10360 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 005 0000
Occupant At
10364 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 006 0000
Occupant At
10368 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 007 0000
Occupant At
10372 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 008 0000
Occupant At
10376 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 009 0000
Occupant At
10380 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 010 0000
Occupant At
10384 Malaga Way
Gold River, CA 95670-3529

076 0193 011 0000
Occupant At
10388 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 012 0000
Occupant At
10392 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 013 0000
Occupant At
10396 Malaga Way
Rancho Cordova, CA 95670-3529

076 0203 001 0000
Occupant At
2700 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 002 0000
Occupant At
2704 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 003 0000
Occupant At
2708 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 004 0000
Occupant At
2712 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 005 0000
Occupant At
2716 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 006 0000
Occupant At
2724 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 007 0000
Occupant At
2732 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 008 0000
Occupant At
2736 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 015 0000
Occupant At
2717 El Segundo Dr
Rancho Cordova, CA 95670-3407

076 0203 016 0000
Occupant At
2713 El Segundo Dr
Rancho Cordova, CA 95670-3407

076 0203 017 0000
Occupant At
2709 El Segundo Dr
Rancho Cordova, CA 95670-3407

076 0203 018 0000
Occupant At
2705 El Segundo Dr (No Mail)
Rancho Cordova, CA 95670-3407

076 0203 019 0000
Occupant At
2701 El Segundo Dr
Rancho Cordova, CA 95670-3407

076 0204 001 0000
Occupant At
2700 Dawes St
Rancho Cordova, CA 95670-3506

076 0204 002 0000
Occupant At
2702 Dawes St
Rancho Cordova, CA 95670-3506

076 0204 003 0000
Occupant At
2708 Dawes St
Rancho Cordova, CA 95670-3506

076 0204 004 0000
Occupant At
2720 Dawes St
Rancho Cordova, CA 95670-3506

076 0204 005 0000
~~Occupant At~~
~~Dawes St~~
~~Rancho Cordova, CA 95670~~

076 0204 006 0000
Occupant At
2721 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0204 007 0000
~~Occupant At~~
~~2717 Los Amigos Dr~~
~~Rancho Cordova, CA 95670-3430~~

076 0204 008 0000
~~Occupant At~~
~~2713 Los Amigos Dr~~
~~Rancho Cordova, CA 95670-3430~~

076 0204 009 0000
~~Occupant At~~
~~2709 Los Amigos Dr~~
~~Rancho Cordova, CA 95670-3430~~

076 0204 010 0000
Occupant At
2705 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0204 011 0000
~~Occupant At~~
~~2701 Los Amigos Dr~~
~~Rancho Cordova, CA 95670-3430~~

076 0212 003 0000
~~Occupant At~~
~~2741 Los Amigos Dr~~
~~Rancho Cordova, CA 95670-3430~~

076 0212 004 0000
Occupant At
2737 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0212 005 0000
~~Occupant At~~
~~2733 Los Amigos Dr~~
~~Rancho Cordova, CA 95670-3430~~

076 0212 006 0000
~~Occupant At~~
~~2729 Los Amigos Dr~~
~~Rancho Cordova, CA 95670-3430~~

076 0212 007 0000
~~Occupant At~~
~~2725 Los Amigos Dr~~
~~Rancho Cordova, CA 95670-3430~~

076 0212 008 0000
~~Occupant At~~
~~Paseo Dr~~
~~Rancho Cordova, CA 95670~~

076 0212 015 0000
Occupant At
2807 Paseo Dr
Rancho Cordova, CA 95670

076 0212 017 0000
Occupant At
10275 Folsom Blvd
Rancho Cordova, CA 95670-3516

076 0212 018 0000
Occupant At
10273 Folsom Blvd
Rancho Cordova, CA 95670-3516

076 0212 020 0000
Occupant At
Dawes St
Rancho Cordova, CA 95670

076 0212 021 0000
Occupant At
10275 Folsom Blvd
Rancho Cordova, CA 95670-3516

076 0221 001 0000
Occupant At
10299 Folsom Blvd
Rancho Cordova, CA 95670-3516

076 0222 001 0000
Occupant At
10311 Folsom Blvd
Rancho Cordova, CA 95670-3518

076 0222 002 0000
Occupant At
10321 Folsom Blvd
Rancho Cordova, CA 95670-3518

076 0222 011 0000
Occupant At
10303 Folsom Blvd
Rancho Cordova, CA 95670-3518

076 0222 019 0000
Occupant At
10385 Folsom Blvd
Rancho Cordova, CA 95670-3518

076 0222 020 0000
Occupant At
10399 Folsom Blvd
Rancho Cordova, CA 95670-3518

076 0222 021 0000
Occupant At
10319 Folsom Blvd
Rancho Cordova, CA 95670-3518

076 0222 023 0000
Occupant At
10345 Folsom Blvd
Rancho Cordova, CA 95670-3518

076 0222 025 0000
Occupant At
10352 Folsom Blvd
Rancho Cordova, CA 95670

076 0222 026 0000
Occupant At
10347 Folsom Blvd
Rancho Cordova, CA 95670-3518

077 0010 025 0000
Occupant At
10333 White Rock Rd
Rancho Cordova, CA 95670-5424

077 0010 033 0000
Occupant At
Folsom Blvd
Rancho Cordova, CA 95670

077 0010 033 0080
Occupant At
Folsom Blvd
Rancho Cordova, CA 95670

077 0010 048 0000
Occupant At
10335 White Rock Rd
Rancho Cordova, CA 95670-5472

077 0010 049 0000
Occupant At
10335 White Rock Rd
Rancho Cordova, CA 95670-5472

077 0010 053 0000
Occupant At
White Rock Rd
Rancho Cordova, CA 95670

077 0010 054 0000
Occupant At
White Rock Rd
Rancho Cordova, CA 95670

077 0030 011 0000
Occupant At
10288 Mcracken Dr
Rancho Cordova, CA 95670-5419

077 0171 001 0000
Occupant At
10421 Mills Tower Dr
Rancho Cordova, CA 95670-5414

077 0171 002 0000
Occupant At
Mills Tower Dr
Rancho Cordova, CA 95670

077 0171 003 0000
Occupant At
10417 Mills Tower Dr
Rancho Cordova, CA 95670-5414

077 0171 004 0000
Occupant At
10413 Mills Tower Dr
Rancho Cordova, CA 95670-5414

077 0171 005 0000
Occupant At
10409 Mills Tower Dr
Rancho Cordova, CA 95670-5414

077 0171 006 0000
Occupant At
10407 Mills Tower Dr
Rancho Cordova, CA 95670-5414

077 0171 007 0000
Occupant At
10401 Mills Tower Dr
Rancho Cordova, CA 95670-5414

077 0171 008 0000
Occupant At
10389 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 009 0000
Occupant At
10385 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 010 0000
Occupant At
10381 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 011 0000
Occupant At
10377 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 012 0000
Occupant At
10375 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 013 0000
Occupant At
10369 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 014 0000
Occupant At
10365 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 015 0000
Occupant At
10361 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 016 0000
Occupant At
10357 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 017 0000
Occupant At
10353 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 018 0000
Occupant At
10349 Mills Tower Dr
Rancho Cordova, CA 95670-5471

077 0171 019 0000
Occupant At
10335 Mills Tower Dr
Rancho Cordova, CA 95670-5428

077 0171 020 0000
Occupant At
10331 Mills Tower Dr
Rancho Cordova, CA 95670-5450

077 0171 021 0000
Occupant At
10327 White Rock Rd
Rancho Cordova, CA 95670-5424

077 0171 023 0000
Occupant At
10329 Mills Tower Dr
Rancho Cordova, CA 95670-5447

077 0171 024 0000
Occupant At
10333 Mills Tower Dr
Rancho Cordova, CA 95670-5446

077 0171 025 0000
Occupant At
10337 Mills Tower Dr
Rancho Cordova, CA 95670-5451

077 0171 026 0000
Occupant At
10339 Mills Tower Dr
Rancho Cordova, CA 95670-5452

077 0172 001 0000
Occupant At
10367 Buena Plaza Cir
Rancho Cordova, CA 95670-5401

077 0172 002 0000
Occupant At
10356 Mills Tower Dr
Rancho Cordova, CA 95670-5442

077 0172 003 0000
Occupant At
10364 Mills Tower Dr
Rancho Cordova, CA 95670-5442

077 0172 004 0000
Occupant At
10368 Mills Tower Dr
Rancho Cordova, CA 95670-5442

077 0172 005 0000
Occupant At
10372 Mills Tower Dr
Rancho Cordova, CA 95670-5442

077 0172 006 0000
Occupant At
10376 El Grande Ct
Rancho Cordova, CA 95670-5405

077 0172 009 0000
Occupant At
10382 El Grande Ct
Rancho Cordova, CA 95670-5405

077 0172 010 0000
Occupant At
10384 Mills Tower Dr
Rancho Cordova, CA 95670-5441

077 0172 011 0000
Occupant At
10388 Mills Tower Dr
Rancho Cordova, CA 95670-5441

077 0172 012 0000
Occupant At
10400 Mills Tower Dr
Rancho Cordova, CA 95670-5415

077 0172 013 0000
Occupant At
10451 Buena Plaza Cir
Rancho Cordova, CA 95670-5403

077 0172 023 0000
Occupant At
10389 Buena Plaza Cir
Rancho Cordova, CA 95670-5401

077 0172 024 0000
Occupant At
10385 Buena Plaza Cir
Rancho Cordova, CA 95670-5401

077 0172 025 0000
Occupant At
10379 Buena Plaza Cir
Rancho Cordova, CA 95670-5401

077 0173 035 0000
Occupant At
10460 Buena Plaza Cir
Rancho Cordova, CA 95670-5404

077 0173 036 0000
Occupant At
10416 Mills Tower Dr
Rancho Cordova, CA 95670-5440

077 0181 012 0000
Occupant At
10325 Mills Station Rd
Rancho Cordova, CA 95670-5422

057 0141 009 0000
Karen Erickson
2660 Tronero Way
Rancho Cordova, CA 95670-3644

057 0141 010 0000
Yvette Martin
2664 Tronero Way
Rancho Cordova, CA 95670-3644

057 0141 011 0000
Richards
10417 Malaga Way
Rancho Cordova, CA 95670-3607

057 0141 012 0000
Paul & Beverly Johnson
10400 Malaga Way
Rancho Cordova, CA 95670-3608

057 0141 013 0000
~~Beverly Ann Johnson~~
~~10400 Malaga Way~~
~~Rancho Cordova, CA 95670-3608~~

057 0141 014 0000
Loree Freeman
10212 Coloma Rd
Rancho Cordova, CA 95670-3606

057 0141 015 0000
Beverly & Bryan Anderson
10216 Coloma Rd
Rancho Cordova, CA 95670-3606

057 0141 016 0000
Marco Garcia
10220 Coloma Rd
Rancho Cordova, CA 95670-3606

057 0145 001 0000
~~Paul & Beverly Johnson~~
~~10400 Malaga Way~~
~~Rancho Cordova, CA 95670-3608~~

057 0145 002 0000
Bradley Withington
10404 Malaga Way
Rancho Cordova, CA 95670-3608

057 0145 003 0000
Bonnie Scott
10408 Malaga Way
Rancho Cordova, CA 95670-3608

057 0145 004 0000
Pamela Sisk
10412 Malaga Way
Rancho Cordova, CA 95670-3608

057 0145 005 0000
Iljana
1426 Elsdon Cir
Carmichael, CA 95608-6013

057 0145 006 0000
WJ PROPS LLC
5132 N Palm Ave
Fresno, CA 93704-2203

057 0145 007 0000
Frances Reece
10424 Malaga Way
Rancho Cordova, CA 95670-3608

057 0211 002 0000
Ho & Chong Kim
11617 Union Mills Way
Gold River, CA 95670-8246

057 0211 003 0000
RANCHO CORDOVA LODGE NO 2357
L
PO Box 866
Rancho Cordova, CA 95741-0866

057 0211 004 0000
LEE FAMILY PARTNERSHIP
PO Box 221385
Sacramento, CA 95822-8385

057 0211 005 0000
Kincade
5016 Alterra Way
Sacramento, CA 95835-1619

057 0211 006 0000
RANCHO CORDOVA LODGE NO 2357
L
10124 Coloma Rd
Rancho Cordova, CA 95670-4602

057 0211 023 0000
Alva Rich
6700 Hedge Ave
Sacramento, CA 95829-9317

057 0211 027 0000
INVESTMENT CIRCLE
10901 Folsom Blvd #C
Rancho Cordova, CA 95670-5162

057 0211 034 0000
Sabah & Hanan Francis
10857 Olson Dr
Rancho Cordova, CA 95670-5646

057 0211 035 0000
~~Sabah & Hanan Francis~~
~~10857 Olson Dr~~
~~Rancho Cordova, CA 95670-5646~~

057 0211 036 0000
Agvan Nersesyan
9226 Parfait Dr
Sacramento, CA 95826-5250

057 0212 008 0000
CENTER OF PRAISE MINISTRIES IN
10455 Investment Cir
Rancho Cordova, CA 95670-4604

072 0131 001 0000
Gary Kerekes
10425 Mills Tower Dr
Rancho Cordova, CA 95670-5414

072 0131 002 0000
Daniel & Donna Eisner
10429 Mills Tower Dr
Rancho Cordova, CA 95670-5414

072 0131 003 0000
Nicolas Haro Carlos
10433 Mills Tower Dr
Rancho Cordova, CA 95670-5414

072 0131 004 0000
Jay & Joua Thao Yang
10437 Mills Tower Dr
Rancho Cordova, CA 95670-5414

072 0132 002 0000
John & Doris Adams Van Ruiten
10075 Bond Rd
Elk Grove, CA 95624-1435

072 0132 003 0000
Jeannette Foster Virginia
3006 La Rue Way
Rancho Cordova, CA 95670-5411

072 0133 001 0000
Dolores Ratliff
10426 Mills Tower Dr
Rancho Cordova, CA 95670-5440

072 0133 002 0000
Alfred Leroy & Tony Lee Vigil
5473 W Corona Ave
Fresno, CA 93722-3345

072 0133 006 0000
Marcel & Lorraine Clemmons
3005 La Rue Way
Rancho Cordova, CA 95670-5410

072 0181 001 0000
Sergey Pislal
3010 La Rue Way
Rancho Cordova, CA 95670-5411

072 0181 002 0000
Werking
9830 Mira Del Rio Dr
Sacramento, CA 95827-1323

072 0181 003 0000
Albina & Mariya Karaseni
3018 La Rue Way
Rancho Cordova, CA 95670-5411

076 0153 009 0000
Mary Lyons
2658 Garrett Way
Rancho Cordova, CA 95670-3538

076 0153 010 0000
Donald & Catherine Spears
2668 Garrett Way
Rancho Cordova, CA 95670-3538

076 0153 011 0000
Janet Butler
2672 Garrett Way
Rancho Cordova, CA 95670-3538

076 0153 012 0000
Stephen Paul Serrott
2678 Garrett Way
Rancho Cordova, CA 95670-3538

076 0154 006 0000
D & Christina Weidinger James
12575 Douglas Rd
Rancho Cordova, CA 95742-6923

076 0154 007 0000
Donald Skaggs
2654 Gilbert Way
Rancho Cordova, CA 95670-3539

076 0154 008 0000
Steven Benner
2658 Gilbert Way
Rancho Cordova, CA 95670-3539

076 0154 009 0000
Sandra & Kriston Tague
2655 Garrett Way
Rancho Cordova, CA 95670-3533

076 0154 010 0000
Richard & Karen Barkey
2651 Garrett Way
Rancho Cordova, CA 95670-3533

076 0154 011 0000
H Mcelwee Margaret
2635 Garrett Way
Rancho Cordova, CA 95670-3511

076 0155 005 0000
Paul & Catherine Anderson
10221 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0155 006 0000
C Osborne Eugenia
610 NW 86th Ave
Pembroke Pines, FL 33024-6549

076 0155 007 0000
Castulo Marco & Felipe Ignacio Robles
10213 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0155 008 0000
Lynsie Flint
10209 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0155 009 0000
Louise Long
2851 Parker Ave
Oakland, CA 94605-3317

076 0155 010 0000
Angela Dee Little
2653 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0155 011 0000
Louise & Charles Wayshak Shearer
PO Box 13762
Sacramento, CA 95853-3762

076 0174 005 0000
Evelyn Ascalon
2687 Los Amigos Dr
Rancho Cordova, CA 95670-3453

076 0174 006 0000
S Keney Exemption Russell
2663 Garrett Way
Rancho Cordova, CA 95670-3533

076 0174 007 0000
Joseph & Dolores Gap Hoffman
2681 El Segundo Dr
Rancho Cordova, CA 95670-3457

076 0175 003 0000
Henao
103 Clark Canyon Ct
Folsom, CA 95630-7136

076 0175 004 0000
Tracy Ann & Michael McAmis
2664 Dawes St
Rancho Cordova, CA 95670-3534

076 0175 005 0000
G Curry & Margaret Gerald
PO Box 764
Rancho Cordova, CA 95741-0764

076 0175 006 0000
Russell & Carol Thomas
2616 Luveta Way
Rancho Cordova, CA 95670-4915

076 0175 007 0000
Chris & Patty Barba Husner
2691 Los Amigos Dr
Rancho Cordova, CA 95670-3453

076 0175 008 0000
Evelyn Ascalon
2687 Los Amigos Dr
Rancho Cordova, CA 95670-3453

076 0175 009 0000
Kathleen & Richard Demarco
2683 Los Amigos Dr
Rancho Cordova, CA 95670-3453

076 0181 002 0000
Floyd & J Arlene Morrow
2656 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 003 0000
Kathy Fritz
2660 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 004 0000
Valeriy & Voski Dallakyan Divanyan
2664 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 005 0000
Homayroon Bahramand
2668 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 006 0000
Tofanelli
603 Lucy Ln
Roseville, CA 95678-4327

076 0181 007 0000
Donald & Kiyoko Curler
2676 Benny Way
Rancho Cordova, CA 95670-3536

076 0181 008 0000
John K Shen
2119 Shelburne Way
Torrance, CA 90503-7386

076 0181 009 0000
Hall
10309 Malaga Way
Rancho Cordova, CA 95670-3524

076 0181 010 0000
Allen & Carolyn Carlson
5729 Herbert St
Burke, VA 22015-3631

076 0181 011 0000
Cathy & John Philip Webster
2669 Dawes St
Rancho Cordova, CA 95670-3535

076 0181 012 0000
Debra Cotton
2665 Dawes St
Rancho Cordova, CA 95670-3535

076 0181 013 0000
Reighley
4230 Bonnie Jean Way
Sacramento, CA 95821-3004

076 0181 014 0000
Robert & Susanna Kazaryan
2657 Dawes St
Rancho Cordova, CA 95670-3535

076 0182 001 0000
Homer & Anna Jolly
2676 Ellenbrook Dr
Rancho Cordova, CA 95670-3541

076 0182 002 0000
Jill & Est Martinez
2680 Ellenbrook Dr
Rancho Cordova, CA 95670-3541

076 0182 003 0000
Betty Lou Olsen
905 B St
Eureka, CA 95501-1608

076 0182 004 0000
Gregory & Frankie Welch
2688 Ellenbrook Dr
Rancho Cordova, CA 95670-3541

076 0182 005 0000
L Kenneth
10345 Malaga Way
Rancho Cordova, CA 95670-3530

076 0182 006 0000
Thomas & Svetlana Roscovich
6826 Lincoln Ave
Carmichael, CA 95608-1919

076 0182 007 0000
Julio Alves
2675 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 008 0000
Ehrhardt
137 N Grant Ct
Folsom, CA 95630-2149

076 0182 009 0000
Karly Fox
2665 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 010 0000
Allan Brauer
2661 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 011 0000
Mark Marion Jr.
2657 Benny Way
Rancho Cordova, CA 95670-3537

076 0182 012 0000
Fernandez
2653 Benny Way
Rancho Cordova, CA 95670-3537

076 0183 001 0000
Andermann
3850 Berrendo Dr
Sacramento, CA 95864-2834

076 0183 002 0000
Robert & Belinda Campbell
1231 Settle Ave
San Jose, CA 95125-2362

076 0183 003 0000
Nancy S Ryan
10308 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 004 0000
Haydee & Herbert Walker
10314 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 005 0000
Don McVey
10320 Malaga Way
Rancho Cordova, CA 95670

076 0183 006 0000
Kevin Smith
10324 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 007 0000
Richard & Kaylynn Camp
10328 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 008 0000
David Siedlecki
10334 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 009 0000
Louis & Alina Salganicoff Freedberg
10340 Malaga Way
Rancho Cordova, CA 95670-3523

076 0183 010 0000
G Curry & Margaret Gerald
PO Box 764
Rancho Cordova, CA 95741-0764

076 0191 001 0000
Dorothy Calloway
2679 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 002 0000
Tania & Santiago Garcia Padilla
2675 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 003 0000
Q LeHung
2671 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 004 0000
Andres & Rosalina Despiada
2667 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 005 0000
Russell & Elverna Keney
2663 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 006 0000
Jeffrey & Marlinda Peterson
2659 Garrett Way
Rancho Cordova, CA 95670-3533

076 0191 007 0000
Richard & Patricia Blakeley
2662 Gilbert Way
Rancho Cordova, CA 95670-3539

076 0191 008 0000
Donald Dougherty
2666 Gilbert Way
Rancho Cordova, CA 95670-3539

076 0191 009 0000
Ararat & Asmik Dallakyan
2670 Gilbert Way
Rancho Cordova, CA 95670-3539

076 0191 010 0000
Donald & Berneda Lumbert
10377 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 011 0000
Patricia Dunlap
PO Box 66
Folsom, CA 95763-0066

076 0191 012 0000
Eduardo & Julie Escay
10369 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 013 0000
Sim & Theresa Thomas
10365 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 014 0000
Ronald & Wanda Oxyer
10361 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 015 0000
Salvador Bautista
10357 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 016 0000
Stallings
10353 Malaga Way
Rancho Cordova, CA 95670-3550

076 0191 017 0000
Gerald & Sandy Helland
3621 Kiekebusch Ct
Sacramento, CA 95819

076 0191 018 0000
C & C Kokilananda
6679 Greenhaven Dr
Sacramento, CA 95831-2752

076 0192 001 0000
Francis & Sean McGinty
10205 Coloma Rd
Rancho Cordova, CA 95670-3605

076 0192 002 0000
Paul & Beverly Johnson
10400 Malaga Way
Rancho Cordova, CA 95670-3608

076 0192 003 0000
H James
2669 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0192 004 0000
Charlie & Fumiko Mallory
2665 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0192 005 0000
Glenna Kirkman
2661 Gilbert Way
Rancho Cordova, CA 95670-3540

076 0193 001 0000
William & Alice Rockwell
10348 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 002 0000
Kira Caywood
10352 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 003 0000
Kellie Nelson
10356 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 004 0000
Larry & Cynthia Stafford
10360 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 005 0000
Jose & Fredesvida Laciste
10364 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 006 0000
Frank & Connie Munoz
10368 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 007 0000
Timothy & Debra Van Noy
10372 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 008 0000
Robert & Dorena Criddle
10376 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 009 0000
McFarland
10380 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 010 0000
Leon & Marie Beagle
10384 Malaga Way
Gold River, CA 95670-3529

076 0193 011 0000
Reynolds
2716 Preston Ct
Mountain View, CA 94040-4426

076 0193 012 0000
DONALD & MARY RECORDS
REVOCABL
10392 Malaga Way
Rancho Cordova, CA 95670-3529

076 0193 013 0000
Billy Palomares
10396 Malaga Way
Rancho Cordova, CA 95670-3529

076 0203 001 0000
R Mark
5637 Whitney Ave
Carmichael, CA 95608-3750

076 0203 002 0000
Jim & Pat Goodman
2704 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 003 0000
Erin John & Carrie Leigh Lewis
2708 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 004 0000
Jason & Simone Brinkmann-Robin
Robinson
2712 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 005 0000
C Boyd Joanne
2716 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 006 0000
Harvey & Lan Gates
2724 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 007 0000
Donald & Jeanne Cassanova
2732 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 008 0000
Wanda Copeland
2736 Los Amigos Dr
Rancho Cordova, CA 95670-3431

076 0203 015 0000
H Brasch Ileana
2717 El Segundo Dr
Rancho Cordova, CA 95670-3407

076 0203 016 0000
Gene & Rebecca Burchett
244 Randall Dr
Folsom, CA 95630-4909

076 0203 017 0000
Richard & Elizabeth Trevaskis Sr.
2709 El Segundo Dr
Rancho Cordova, CA 95670-3407

076 0203 018 0000
Middleton
2705 El Segundo Dr
Ran, CA 95670

076 0203 019 0000
Delmar Claude Bartlett
2701 El Segundo Dr
Rancho Cordova, CA 95670-3407

076 0204 001 0000
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076 0204 002 0000
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076 0204 003 0000
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076 0204 004 0000
Rashed Suad
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076 0204 005 0000
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B Dolman Declaration Anna
6135 Almond Ave
Orangevale, CA 95662-4408

076 0204 007 0000
Leon & Bertha Aytch
2717 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0204 008 0000
Roy Tabaldo
2713 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0204 009 0000
Tom & Anna Knott
2709 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0204 010 0000
Victor & Patricia Persi
5424 Buena Ventura Way
Fair Oaks, CA 95628-2809

076 0204 011 0000
Merle & Betty Cunningham
2701 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0212 003 0000
John Ralph & Michelle Williams
2741 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0212 004 0000
Alice Konsmo
2507 Cordova Ln
Rancho Cordova, CA 95670-4943

076 0212 005 0000
Bobby Joyce
2733 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0212 006 0000
Don & Susan Roseberry
2729 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0212 007 0000
Isaias & Denise Marie Pena Jr.
2725 Los Amigos Dr
Rancho Cordova, CA 95670-3430

076 0212 008 0000
CITIZENS UTILITIES COMPANY OF
PO Box 433
Harvey, LA 70059-0433

076 0212 015 0000
CALIFORNIA-AMERICAN WATER
COMP
303 H St #250
Chula Vista, CA 91910-5550

076 0212 017 0000
Selby
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076 0212 018 0000
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076 0212 020 0000
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076 0212 021 0000
Teel
500 W Capitol Ave
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076 0221 001 0000
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076 0222 001 0000
BALES FAMILY PARTNERSHIP
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076 0222 011 0000
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076 0222 019 0000
LAKHA PROPS-SACRAMENTO LLC
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076 0222 020 0000
LAKHA PROPS-SACRAMENTO LLC
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LAKHA PROPS-SACRAMENTO LLC
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076 0222 023 0000
LAKHA PROPS-SACRAMENTO LLC
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076 0222 025 0000
10309 FOLSOM BLVD LLC
1640 5th St #112
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076 0222 026 0000
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077 0010 033 0080
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TRANSPORTATIO
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077 0010 053 0000
S M U D
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077 0171 001 0000
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077 0171 004 0000
Mark Pope
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Fair Oaks, CA 95628-4429

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Vicki Mason Garth
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077 0171 010 0000
Kevin & Diane Pederson
2634 Notre Dame Dr
Sacramento, CA 95826-2941

077 0171 013 0000
John & Judith Lewis
2811 Tioga Way
Sacramento, CA 95821

077 0171 016 0000
Lyubov & Yelena Buzyan
10357 Mills Tower Dr
Rancho Cordova, CA 95670-5444

077 0171 019 0000
Erland & Mary Ann Stenberg
4691 Chileno Valley Rd
Petaluma, CA 94952-9429

077 0010 025 0000
Nauslar Susan
12233 Folsom Blvd
Rancho Cordova, CA 95742-6305

077 0010 048 0000
Nauslar Susan
12233 Folsom Blvd
Rancho Cordova, CA 95742-6305

077 0010 054 0000
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077 0171 008 0000
Garth & Tyler Mason
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077 0171 011 0000
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077 0171 017 0000
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077 0171 020 0000
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077 0030 011 0000
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077 0171 006 0000
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077 0171 009 0000
Garth & Tyler Mason
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077 0171 012 0000
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077 0171 015 0000
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077 0171 018 0000
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077 0171 021 0000
Erland & Mary Ann Stenberg
4691 Chileno Valley Rd
Petaluma, CA 94952-9429

077 0171 023 0000
Erland & Mary Ann Stenberg
4691 Chileno Valley Rd
Petaluma, CA 94952-9429

077 0171 024 0000
Erland & Mary Ann Stenberg
4691 Chileno Valley Rd
Petaluma, CA 94952-9429

077 0171 025 0000
Erland & Mary Ann Stenberg
4691 Chileno Valley Rd
Petaluma, CA 94952-9429

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077 0172 002 0000
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077 0172 003 0000
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4000 Alameda De La Loma
Novato, CA 94947

MEMORANDUM

DATE: October 17, 2005
TO: City Council Members
FROM: William Campbell, Principal Planner
SUBJECT: SUMMERSET CONDOMINIUMS TENTATIVE SUBDIVISION MAP,
SPECIAL DEVELOPMENT PERMIT AND DESIGN REVIEW



<u>OWNER / APPLICANT:</u>	<u>REPRESENTATIVE:</u>
Gold River Ventures, LLC Chris Kraft/Rick Beasley 1543 E. Colonial Parkway Roseville, CA 95661	Gold River Ventures, LLC Chris Kraft/Rick Beasley 1543 E. Colonial Parkway Roseville, CA 95661

PROJECT:	Summerset Condominiums Tentative Subdivision Map, Special Development Permit, and Design Review
FILE:	RC-04-143
LOCATION:	Corner of Zinfandel and Vehicle Drive
APN:	058-0261-047
PLANNER:	Kathleen Franklin, Assistant Planner

REQUEST

- Tentative Subdivision Map and Design Review for a 34 unit condominium complex consisting of four buildings and enclosed parking garages. Special Development Permit to allow a reduction in setbacks.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommends the City Council find the project Categorically Exempt under Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act and adopt Resolution No. 129-2005 approving a Tentative Subdivision Map, the Design Review for 34 condominium units and a Special Development Permit to allow for a reduction in setbacks for Summerset Condominiums, Project No. RC-05-143, subject to the findings in the resolution, the revised Design Review Package, and Conditions of Approval.

BACKGROUND

The City Council originally heard the project on August 1, 2005 and made several comments regarding the site design and architecture. The following points were discussed:

- Provide separated sidewalks and improve pedestrian circulation.

- Improve the exterior architectural elements of the building by changing the roof line, enclosing the stairways, adjusting the color scheme and improving the landscaping.
- Redesign the placement of the tot lot feature to a better location on site.

The matter was continued to September 19th allow the applicant an opportunity to refine and modify the plan. The plans were not ready by the continued date and the Council was requested to continue this item to the next meeting. Subsequently, the item was tabled until the design package was ready for review and the project would be re-noticed for a public hearing. The applicant has presented a redesign package they believe reflects the comments made at the Council meeting of August 1st and are requesting approval of the new package.

ANALYSIS

This report will supplement the previous staff report prepared for the City Council on August 1, 2005. The proposed 34 unit condominium development has made several changes, based on the comments made by the City Council. The proposed project remains in the 4 building configuration, with 36 garage units. The more linear buildings (1 and 4) have been redesigned with a lower profile roof element. The ridge line has been stepped down in the center section of the building to break the horizontal mass of the building. The external stairways have been enclosed underneath the structural supports on the end elevations and screening walls have been placed in front of the stairways to hide them from the street view.

Buildings 2 and 3 have received many of the same changes as buildings 1 and 4. The external stairs have been enclosed or screened from view, architectural projections have been added to the exterior to break the two story mass of the buildings and trim details on the windows and arches on the patio decks have been redesigned to improve on the variation of architectural style.

A tot lot has been placed between buildings 2 and 3, with a fence surrounding the area for the safety of small children. The tot lot will received the benefit of shade in the afternoon from the front landscaping along Vehicle Drive. The pedestrian pathways have been improved within the project and more walkways from the public street to the building complex have been provided.

The applicant has provided a color board for the project that indicates the color of the buildings, roof color and accent trim colors. The color exhibits prepared by the applicant do not accurately reflect these colors, but staff believes the color board should be sufficient for the City Council to approve the project or direct staff to work with the applicant to develop the final color scheme prior to the issuance of permits.

It is staff's opinion that the applicant has made appropriate modifications to this project, based on the City Council's previous review, to allow the City Council to approve the project.

CONCLUSION:

The proposed project will be located in the LC (Limited Commercial) zoning which allows multi-family development with a density of 20 dwelling units per acre or less. The project as proposed will be developed at a density of 18.8 units per acre. The deviations in the required setbacks from Vehicle Drive and between buildings are minimal. With regards to the front setback along Vehicle Drive, the setback issue is mitigated by averaging the total setback on the street frontage. The Planning Commission agreed with staff's opinion the project would compliment the surrounding area and provide an affordable housing product within walking distance of commercial uses and public transportation.

ENVIRONMENTAL ANALYSIS:

The proposed project site is within an urban area, surrounded by previously developed urban uses; therefore the project is considered Categorically Exempt under Section 15332 (In-Fill Development) of the California Environmental Quality Act.

FINANCIAL IMPLICATIONS TO CITY:

There are no significant cost implications to the City for this development.

RECOMMENDED MOTIONS:

Move City Council find the project is Categorically Exempt under Section 15332 (In-Fill Development Projects), Guidelines for California Environmental Quality Act and adopt Resolution No. 129-2005 approving the Tentative Subdivision Map, Design Review and Special Development Permit for the Summerset Condominiums, Project No. RC-05-143, subject to the Findings, Project Plans, Conditions of Approval, and Special Development Permit Exhibits.

ATTACHMENTS:

1. Resolution 129-2005 with attached Tentative Subdivision Map (Exhibit A), Project Plans (Exhibit B), Special Development Permit Exhibit (Exhibit C), and Conditions of Approval (Exhibit D).
2. August 1, 2005 Staff Report
3. Agency Comment Letters
4. July 14, 2005 Planning Commission Minutes
5. Project Plans
6. 500' Radius Map

RESOLUTION NO. 129-2005**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING A TENTATIVE SUBDIVISION MAP, DESIGN REVIEW AND SPECIAL
DEVELOPMENT PERMIT FOR SUMMERSET CONDOMINIUMS - ASSESSOR
PARCEL NUMBER 058-0261-047, PROJECT NO. RC-04-143, SUBJECT TO THE
FINDINGS AND CONDITIONS OF APPROVAL.**

WHEREAS, Gold River Ventures, LLC (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for a Tentative Subdivision Map, Design Review and Special Development Permit; and

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

WHEREAS, it has been determined the project is Categorically Exempt under Section 15332 (In-Fill Development Project) of the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council considered the Applicant's request at a duly published public hearing on August 1, 2005 pursuant to Government Code Section 65090 and has duly considered all written and verbal testimony presented during the hearing; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA HEREBY RESOLVES AS FOLLOWS:

Approve Tentative Subdivision Map (TSM) (Exhibit A), Design Review (Exhibit B) and Special Development Permit (Exhibit C) subject to the Conditions of Approval / MMRP (Exhibit D), as submitted in the Exhibits and based on the following findings:

A. California Environmental Quality Act

Finding:

The project is an in-fill project and is Categorically Exempt under Section 15332 of the California Environmental Quality Act (CEQA).

Evidence:

The project meets the Class 32 conditions of CEQA which state: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

The proposed project site is within an urban area and is surrounded by previously developed urban uses. The project proposes 34 condominium units and has been designed to meet all development standards of the City's Zoning Code.

B. General Plan and Zoning Code Consistency

The City has adopted Findings of General Plan Consistency for Pending Projects. The findings relevant to the Stone Creek Office Park are provided as follows:

- a) The project as approved is consistent with the General Plan Vision Book, General Plan Land Use Map Book, General Plan Draft Circulation Plan and other policies that there is a reasonable probability will be adopted in the General Plan effort.
- b) The project has been conditioned to provide all funding required for all operational costs that will be incurred by the City when providing services to the project. Such revenue contributions and municipal expenses must be considered at both the project level and in the context of the entire City.
- c) The project has been conditioned to provide sufficient funding for park improvements, and on-going operation and maintenance of parks and open space, including without limitation, ongoing maintenance and operation of public facilities and project-related improvements, whether such facilities and improvements are located within or outside project boundaries.

C. Tentative Subdivision Map

Finding: Section 66474 of the California Subdivision Map Act required a City to deny approval of a tentative map if it makes any of the following findings:

1. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: The above Findings 1 through 7 do not apply to the proposed Tentative Subdivision Map.

1. The proposed map is consistent with the density limits of the LC (Limited Commercial) zoning as specified in the Rancho Cordova Zoning Code. A total of 20 units per acre are allowed in this zoning with the project proposing 34 units for 1.8 acres, which is an average density of 18.8 du's/acre.
2. The design of improvements of the proposed subdivision is consistent with the Rancho Cordova General Plan with the approval of the Special Development Permit.
3. The site is physically suitable for the development. The applicant is proposing 34 condominium units on a total of 1.8 acres. The City's Zoning Code allows multi-family development within the LC (Limited Commercial) zoning with a density of

up to 20 dwelling units per acre which is within the parameters of the applicant's proposal. The project can be served by all necessary services, and has been conditioned to provide documentation of water service prior to Final Map.

4. The site is physically suitable for the proposed density of development. The zoning for the project site is LC (Limited Commercial). The Rancho Cordova Zoning Code allows multi-family development of up to 20 units per acre for this zoning. The project site is surrounded to the north, west and south by the LC zoning and across Vehicle Drive on the west by RD-30 (Residential) zoning.
5. The project is located within an urban setting and will be surrounded by previously developed urban uses. Therefore, the project is considered to be an in-fill project and is Categorically Exempt under Section 15332 of the California Environmental Quality Act and as such it is unlikely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. The project is Categorically Exempt under Section 15332 of the California Environmental Quality Act and no potential serious health problems were identified for the project.
7. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified. A condition has been placed on the project that requires all cross-access and parking easements to be shown on the final map.

D. Design Review

Finding: The City's Design Review process requires the following findings be made:

1. Home designs incorporate authentic architectural styles. Particular attention has been paid to the design of all front and side elevations facing the street or open space. All other elevations interior to the lot include, at a minimum, the articulation of all windows and doors (e.g., three-dimensional trim.)
2. The project provides diversity of homes within the subdivision by size and mass, elevation, garage orientation, and setbacks to avoid repetition of floor plans and elevations on adjacent homes within each subdivision and/or unit within a master planned area. (The intent is to create sufficient variation among home plans to ensure visual interest along residential streets throughout each neighborhood.)
3. The project provides variety in mass and scale of homes that is visually appealing from the street.
4. The project provides landscape that softens the appearance of pavement and structures, and provides an eventual tree canopy along the street.
5. The project provides home designs with a wide range of pricing levels to accommodate all income levels within the City.

Evidence: The following evidence meets the findings above:

1. The project has been designed to lessen the mass and scale of the project to the surrounding neighborhood. The building unit sizes vary slightly in size and mass to help mitigate the visual impact to Vehicle Drive. The building setbacks have been varied slightly to allow additional landscaping in areas across the street frontage. A multi-family development project exists directly across Vehicle Drive from the proposed project.

2. The design features of the project include enhanced architectural treatments of the windows, balconies, decorative trims, color schemes and moldings to reduce the monotony of the large scale of this project.
3. The project site does not have significant natural features that required consideration in the placement of buildings within the site design.
4. The project is designed with a "Mediterranean" character. The buildings are well articulated and the use of stucco, veneers and color lend to the attractiveness of the project.
5. The project has significant street frontage along Vehicle Drive and a landscape plan has been developed to compliment the existing development along this street section. As shown in the project plans, the applicant is providing extensive landscaping to establish an appealing and continuous theme along Vehicle Drive including landscaping that will soften the appearance of pavement and structures and provide a tree canopy. The interior landscaping will provide definition to the pedestrian and vehicular corridors.
6. See (5) above
7. The proposed project is a market rate condominium complex which does not include any affordable rate units. The surrounding neighborhood provides an adequate supply of affordable rate units.

E. Special Development Permit

Findings: The appropriate authority shall not issue the Special Development Permit unless it finds:

1. That the proposed development will carry out the intent of the General Plan and the community plan.
2. That the proposed development is of sufficient size and is designed so as to provide a desirable environment within its own boundaries.
3. That the proposed development is compatible with existing and proposed land uses in the surrounding areas.
4. That any exceptions to, or deviation from, the use, density, requirements or design standards of the Land Use Zone in which the property is located, or of Title III of this Code are justified by the design of the development or by the substantial energy savings proposed pursuant to Section 110-65(b). In the case of a residential area, the rearrangement of dwellings and the mixing of dwelling types shall be justified by larger and more useable open spaces.
5. That there is adequate assurance that all public improvements will be installed at the scheduled times, as required by Public Works.
6. That there is adequate assurance that the development schedule will be met.
7. That the existing or proposed utility service is adequate for the uses and population densities proposed.

Evidence: It is staff's opinion that the proposed project can meet the intent of the findings as follows.

1. The proposed project carries out the intent of the General Plan for a multi-family residential designation. The project is surrounded by LC (Limited Commercial) zoning which allows multi-family development. The current uses which surround the development are commercial with multi-family residential on the west side of the project across Vehicle Drive. The multi-family use would comply with the intent of the adopted General Plan policies for the Sunrise Boulevard North

Planning Area which states that the area should be redesigned with more intensive mixed-use (retail, office, and residential).

2. The proposed project will provide an environment similar to a multi-family housing development; however, will provide for condominium ownership. There will be adequate living space; the parking will be adequate with both garage and open spaces provided; and the site provides some open space in the form of courtyards for a majority of the units, which would help to provide a desirable environment within the boundaries of the project development.
3. The proposed project is compatible with existing land uses in the surrounding areas. There is multi-family, RD-30, across Vehicle Drive to the west of the project site. The surrounding uses are a variety of commercial types such as restaurants, retail and child care, which compliment the proposed multi-family condominium use. It is staff's belief that allowing this multi-family residential use in this area would be appropriate given the other surrounding uses.
4. The requested deviations from the Zoning Code are minimal and are mitigated using either an average of the front yard setback, or individual open space for a majority of the proposed units. The front setback, between the buildings and back of sidewalk is at its closest point 20 feet, and at the most distant, 30 feet. The property frontage along Vehicle Drive is approximately 611 feet. Approximately one-third of the building set back is at 20 feet, one-third at 25 feet, and one-third at 30 feet, which would create an average of the required 25 feet. The City's Zoning Code Section 305-12(a) allows the averaging of the street frontage setback.

With regards to the issue of the required setback between the buildings, the open space between buildings 2 and 3 ranges from, fifteen feet at the "rear" corner of the building to thirty feet at "front" corner. The open space area between buildings 3 and 4 ranges from twenty feet at the "rear" corner to thirty feet at the "front" corner. It is staff's opinion the inclusion of open court yards for a majority of the proposed units will serve to mitigate the small amount of open space lost between the buildings described above. Staff believes these reasons are justification for the use of a Special Development Permit for this project.

5. The project has been conditioned by the Public Works Department to install all public improvements necessary at the appropriately scheduled times.
6. The issuance of a Building Permit establishes performance standards with regards to the timing of construction that will support this finding.
7. The proposed utility service is adequate for the use and population densities proposed. The CSD-1 has conditioned the project so that new and adequate sewer facilities will be constructed.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on this 17th day of October, 2005.

AYES:

NOES:

ABSENT:

ABSTAIN:

KEN COOLEY, MAYOR of the
CITY OF RANCHO CORDOVA

ATTEST:

LILLIAN HARE
CITY CLERK

RECEIVED

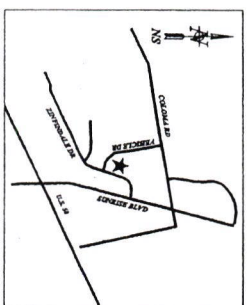
OCT 05 2005

RANCHO CORDOVA
PLANNING

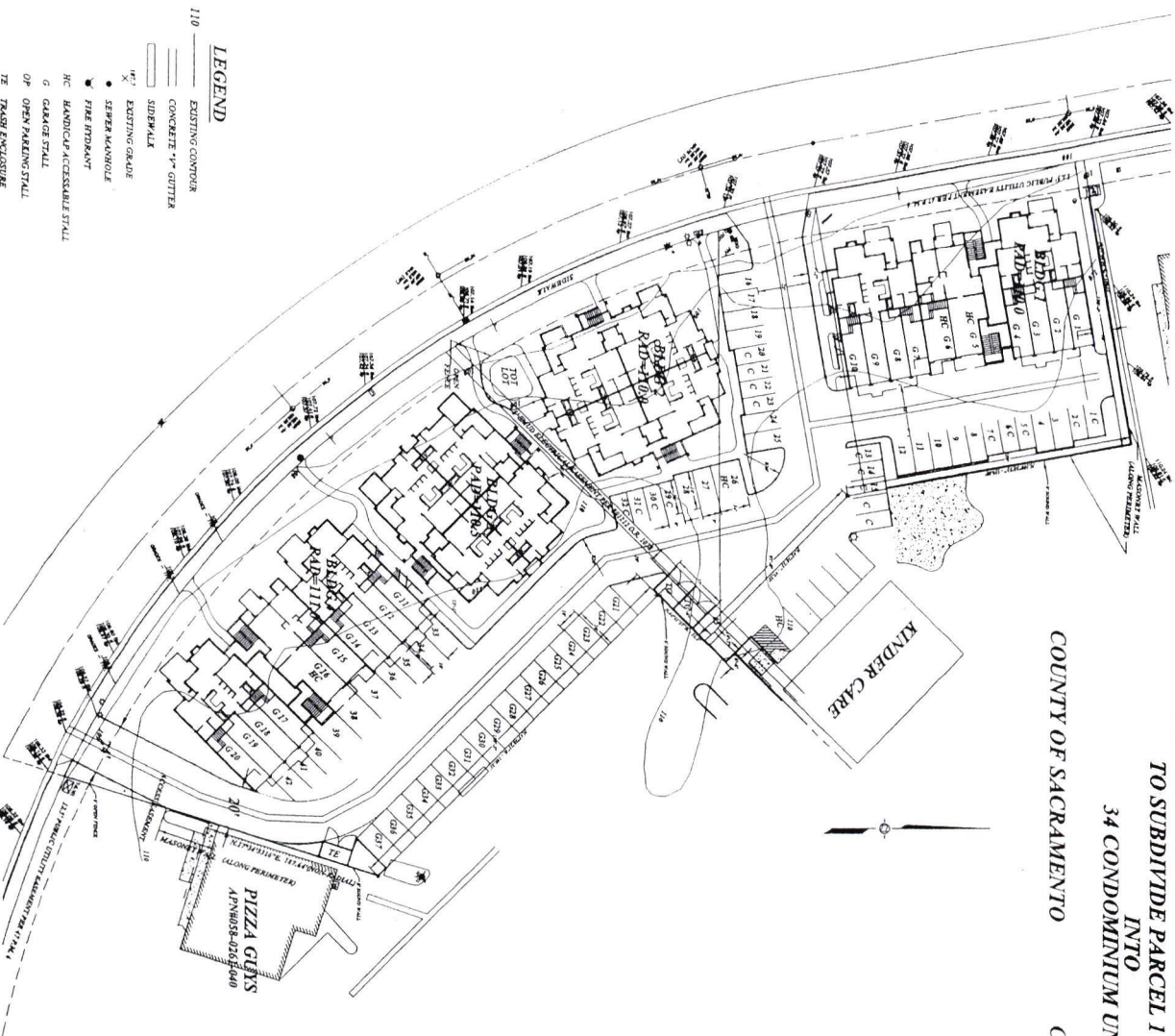
TENTATIVE SUBDIVISION MAP
FOR
SUMMERSET CONDOMINIUMS
TO SUBDIVIDE PARCEL 1 OF 86 PM 10
INTO
34 CONDOMINIUM UNITS

COUNTY OF SACRAMENTO

CITY OF RANCHO CORDOVA, CA



VICINITY MAP



EXISTING			
VACANT			
PROPOSED			
34 UNIT CONDOMINIUM COMPLEX			
ZONING			
LC			
ACREAGE			
1.8 ACRES			
ASSESSOR'S PARCEL NO.			
058-0261-047			
WATER			
ADREN CORDOVA WATER SERVICE			
DRAINAGE			
COUNTY STORM DRAIN			
FIRE			
SACRAMENTO METRO			
SCHOOL DISTRICT			
FOLSOM CORDOVA UNIFIED			
PARKS			
CORDOVA PARKS			
PROPOSED USE			
34 UNIT CONDOMINIUM COMPLEX			
PARKING			
REQUIRED			
1 BDR - 1.5 UNIT x 6 = 9			
2 BDR - 2.0 UNIT x 28 = 56			
TOTAL			
65			
PROVIDED			
GARAGES			
OPEN			
TOTAL			
37			
43			
80			

SUMMERSET CONDOS
TENTATIVE MAP

SCALE: 1"=30'
DATE: 10-03-05

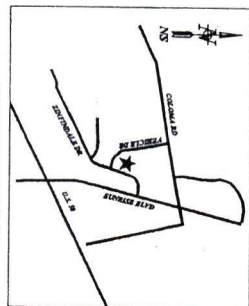
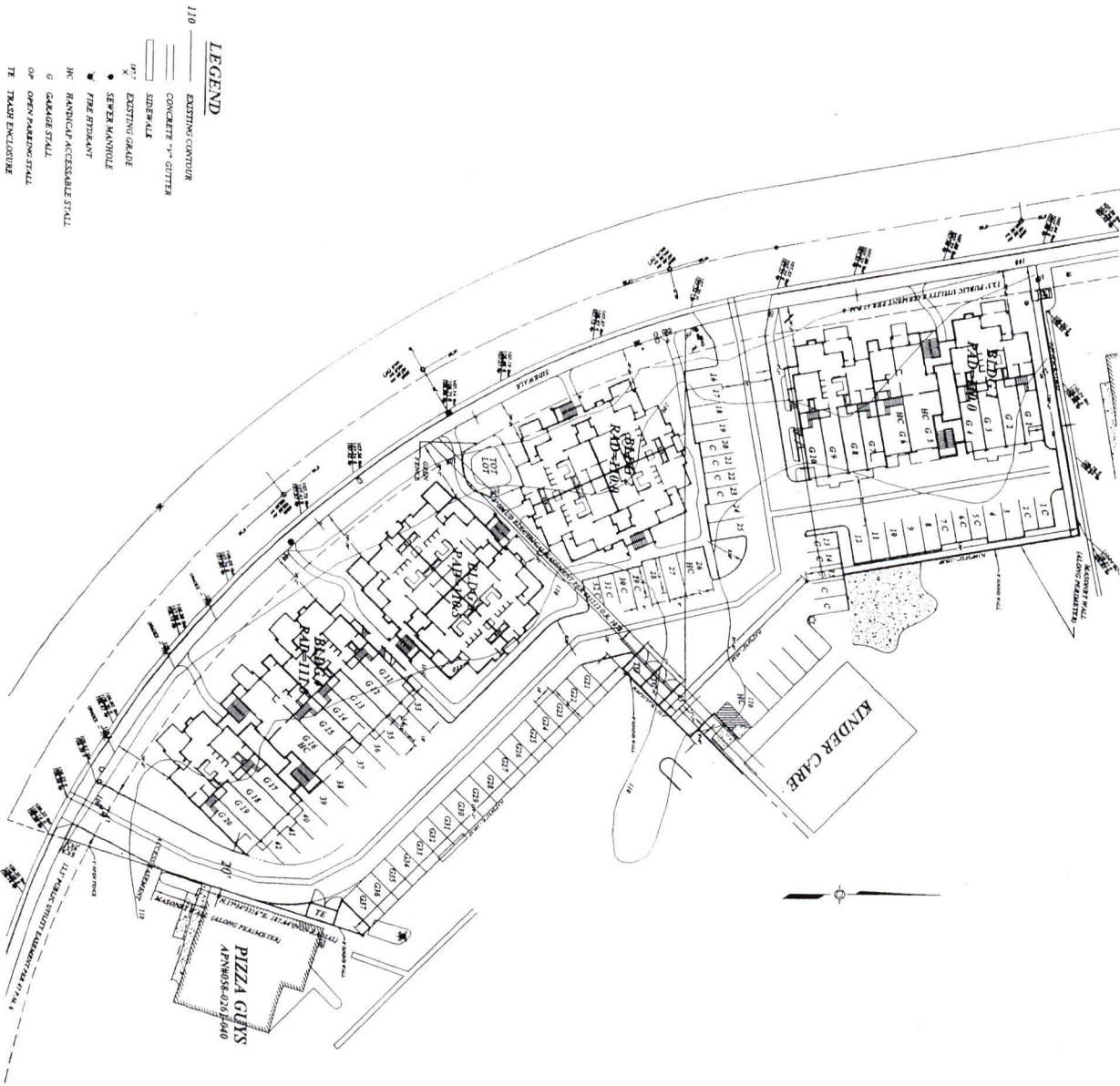
SHEET

1 of 1

LEGEND

- 110 — EXISTING CONTOUR
- CONCRETE "V" GUTTER
- SIDEWALK
- EXISTING GRADE
- SEWER MANHOLE
- FIRE HYDRANT
- HANDICAP ACCESSIBLE STALL
- GARAGE STALL
- OPEN PARKING STALL
- TRUCK ENCLOSURE

SITE PLAN FOR
SUMMERSET CONDOS



VICINITY MAP

EXISTING
VACANT

PROPOSED
34 UNIT CONDOMINIUM COMPLEX

ZONING
LC

ACREAGE
1.8 ACRES

ASSESSOR'S PARCEL NO.
058-0261-047

WATER
ADREN CONDO/VA WATER SERVICE

DRAINAGE
COUNTY STORM DRAIN

FIRE
SACRAMENTO METRO

SCHOOL DISTRICT
TOLSON CONDO/VA UNITED

PARKS
CONDO/VA PARKS

PROPOSED USE
34 UNIT CONDOMINIUM COMPLEX

CURRENT OWNER
BERNARDETTE DAY
1053 FRONT STREET
SACRAMENTO, CA 95814

DEVELOPER
GOLD RIVER VENTURES, LLC
3462 STAGECOACH TRAIL
LOOMIS, CA 95659

BUILDING NO.	1 BDR	2 BDR	TOTAL
1	3	6	9
2	-	8	8
3	-	8	8
4	3	6	9
TOTAL	6	28	34

PARKING

REQUIRED

1 BDR - 1.5 UNIT x 6 = 9
2 BDR - 2.0 UNIT x 28 = 56

TOTAL

65

PROVIDED

GARAGES

37
OPEN 43
TOTAL 80

SUMMERSET CONDOS

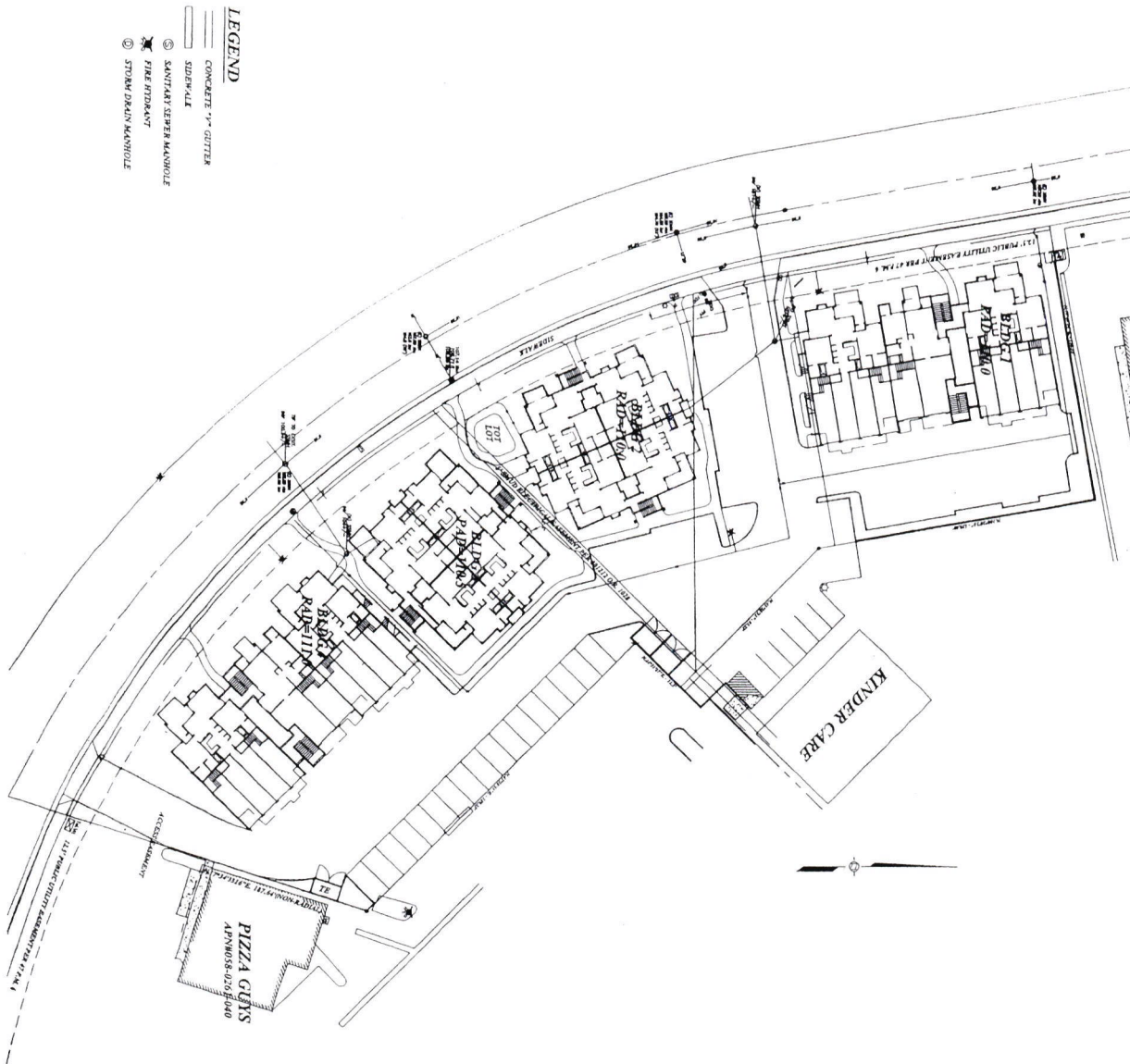
SITE PLAN

SCALE: 1"=30'
DATE: 10-03-05

SHEET

1 of 6

UTILITIES PLAN FOR
SUMMERSET CONDOS



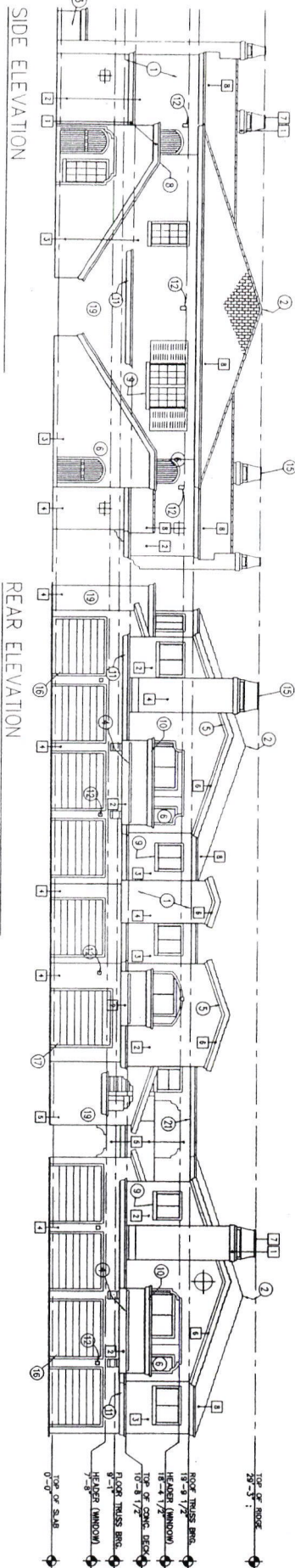
- LEGEND**
- CONCRETE 1" GUTTER
 - SIDEWALK
 - SKATEBOARDER MANHOLE
 - FIRE HYDRANT
 - STORM DRAIN MANHOLE

SUMMERSET CONDOS

UTILITIES

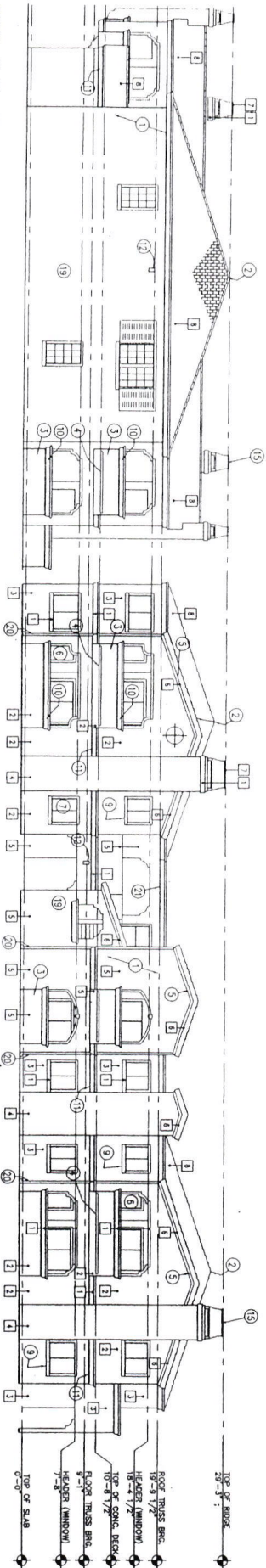
SCALE: 1"=30'
DATE: 10-03-05
SHEET 2 of 6

ELEVATIONS FOR SUMMERSET CONDOS - BUILDINGS 1 & 4



SIDE ELEVATION

REAR ELEVATION



SIDE ELEVATION

FRONT ELEVATION

FINISH LEGEND

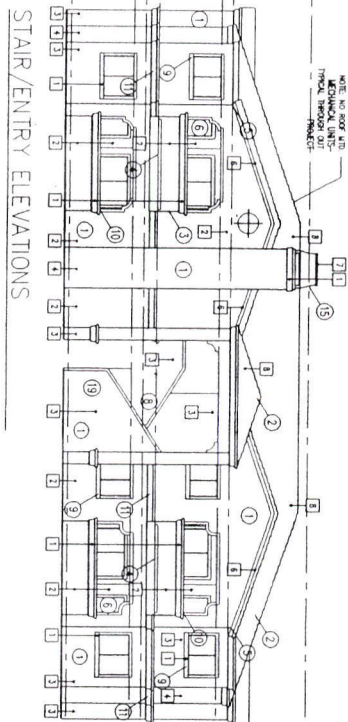
NO.	MATERIAL	PITTSBURGH PAINT COLOR	COLOR NAME
1	STUCCO POP-OUTS / CHIMNEY	551-1	SHOOTING STAR
2	STUCCO	117-2	MESA BEIGE
3	STUCCO	314-3	SAND FOSSIL
4	STUCCO	317-5	CRACKER BITZ
5	STUCCO	214-3	DUSTY YELLOW
6	STUCCO / EAVES	331-6	PIZZA PIE
7	STUCCO / CHIMNEY CAPS	318-7	BOURBON
8	ROOF TILE	EAGLE RIDGE PRODUCTS LOW PROFILE MISSION STYLE MALLU TERRA COTTA W/ CREAM STEAKS	

KEYED NOTES - EXTERIOR ELEVATIONS

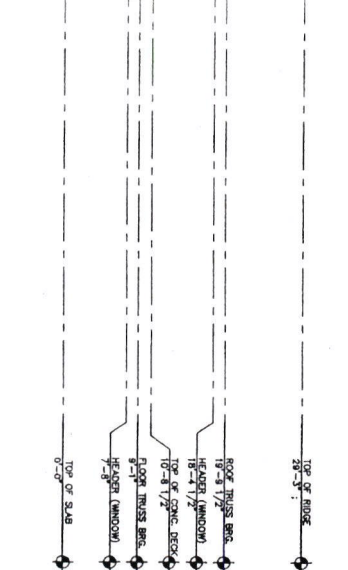
1. COAT STUCCO SYSTEM
2. CONCRETE ROOFING TILES
3. LOW STUCCO WALL AT PATIO AND BALCONY. REF. 5 & 6/A6.1.
4. DRAINAGE SLOT AT PATIO AND BALCONY. TYP.
5. 12" DEEP EAVE. REF. 7/A6.1.
6. DOOR UNIT. REF. UNIT PLANS.
7. WINDOW UNIT. REF. UNIT PLANS.
8. EXTERIOR STAIRS, HANDRAILS, AND GUARDRAILS. REF. SHS, A/1 AND A/22 AND BLOC PLANS.
9. STUCCO POP-OUT AT WINDOW SILLS. REF. 12/A6.3.
10. STUCCO POP-OUT AT LOW WALL AT PATIO AND BALCONIES. REF. 5 & 6/A6.1.
11. STUCCO POP-OUT "BELLY" BAND. REF. 7/A6.1.
12. WALL MOUNTED LIGHT FIXTURE. REF. ELEC. PLANS.
13. WALL MOUNTED DOWNLIGHT. REF. ELEC. PLANS.
14. CHIMNEY CAP DETAIL. REF. 9/A6.2.
15. 8'-0" W. x 7'-0" H. OVERHEAD DOOR.
16. 10'-0" W. x 8'-2" H. (MIN.) OVERHEAD DOOR AT ACCESSIBLE GARAGE.
17. FIRE CONTROL ROOM. REF. BLOC. PLAN.
18. APPROVED BUILDING ADDRESS NUMBERS ARE TO BE PLACED ON ADJACENT ACCESS DRIVE AND SHALL BE CONTRASTING IN COLOR WITH THEIR BACKGROUND. THE FINAL NUMBERING SYSTEM AND SEQUENCE SHALL BE APPROVED BY THE FIRE DEPARTMENT.
19. G.L. SECTION 1906.5. REF. CIVIL GRADING PLANS FOR ADDITIONAL INFORMATION ON THE CONFORMANCE OF ROOF DRAINAGE FROM DOWNSPUT.
20. G.L. DUTTER. REF. 1/A6.1.
21. G.L. DUTTER. REF. 1/A6.1.
22. PLACE DOWNSPOUT BETWEEN STAIR TREAD AND WALL.

SUMMERSET CONDOS ELEVATIONS

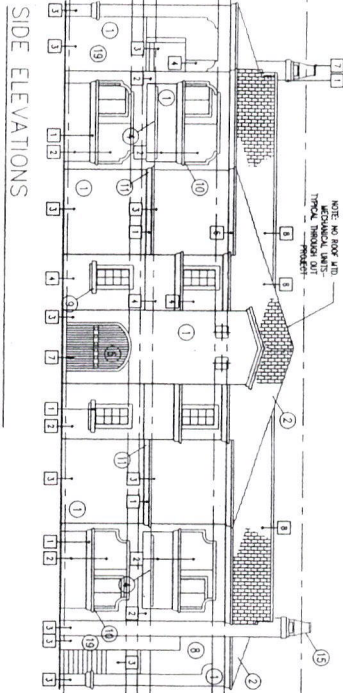
ELEVATIONS FOR SUMMERSET CONDOS - BUILDINGS 2 & 3



1/8" = 1'-0"



1/8" = 1'-0"



1/8" = 1'-0"

KEYED NOTES - EXTERIOR ELEVATIONS

1. 3 COAT STUCCO SYSTEM.
2. STUCCO POP-OUTS AT PATIO AND BALCONY. REF. 5 & 6/1A.1.
3. LOW STUCCO WALL AT PATIO AND BALCONY. REF. 5 & 6/1A.1.
4. BRANCHED SLOT AT PATIO AND BALCONY. TP.
5. 12" DEEP EAVE. REF. 7/1A.1.
6. DOOR UNIT. REF. UNIT PLANS.
7. WINDOW UNIT. REF. UNIT PLANS.
8. EXTERIOR STAIRS, LANDINGS, AND GUARDRAILS. REF. SHS. A.7.1 AND A.7.2 AND BLOC PLANS.
9. STUCCO POP-OUT AT WINDOW SILL. REF. 12/1A.3.
10. STUCCO POP-OUT AT LOW WALL AT PATIO AND BALCONIES. REF. 5 & 6/1A.1.
11. STUCCO POP-OUT AT BELLY BAND. REF. 2/1A.1.
12. WALL MOUNTED LIGHT FIXTURE. REF. ELEC. PLANS.
13. 30" H. STUCCO SCREEN WALL AT WICH. UNITS. REF. BLOC PLANS.
14. PARAWALL AT 2 HR. AREA SEPARATION WALL.
15. STUCCO POP-OUT AT BELLY BAND. REF. 2/1A.1.
16. STUCCO POP-OUT AT BELLY BAND. REF. 2/1A.1.
17. 10'-0" W. X 8'-2" H. (U.N.I.) OVERHEAD DOOR AT ACCESSIBLE GARAGE.
18. FIRE CONTROL ROOM. REF. BLOC PLAN.
19. APPROVED BUILDING ADDRESS NUMBERS ARE TO BE PLACED ON ALL FRONT AND/OR SIDE ELEVATIONS WHICH DIRECTLY FACE AN ADJACENT ACCESS DRIVE AND SHALL BE CONTRASTING IN COLOR WITH THEIR BACKGROUND. THE FINAL NUMBERING SYSTEM AND SIZE SHALL BE DETERMINED BY THE DEPARTMENT OF PUBLIC WORKS.
20. SECTION 1506.5. REF. CON. BRACING PLANS FOR ADDITIONAL INFORMATION ON THE CONVENIENCE OF ROOF DRAINAGE FROM DOWNSPOUTS.
21. G.I. DUTTER. REF. 1/1A.1.
22. PLACE DOWNSPOUT BETWEEN STAIR TREAD AND WALL.

FINISH LEGEND

NO.	MATERIAL	PITTSBURGH PAINT COLOR	COLOR NAME
1	STUCCO POP-OUTS / CHIMNEY	551-4	SHOOTING STAR
2	STUCCO	117-2	MESA BEIGE
3	STUCCO	314-3	SAND FOSSIL
4	STUCCO	317-5	CRACKER HITZ
5	STUCCO	214-3	DUSTY YELLOW
6	STUCCO / EAVES	311-4	PIZZA PIE
7	STUCCO / CHIMNEY CAPS	311-7	BOURBON
8	ROOF TILE	EAGLE RIDGE PRODUCTS LOW PROFILE MISSION STYLE MALIBU TERRA COTTA W/ CREAM STREAKS	

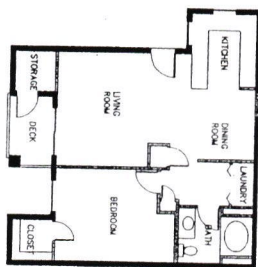
SUMMERSET CONDOS ELEVATIONS

SCALE: 1"=30'
DATE: 10-03-05

SHEET

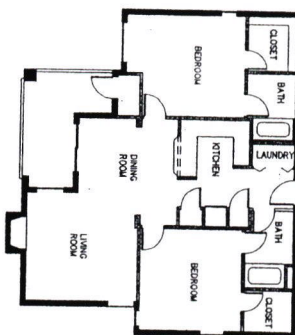
4 of 6

PLANS FOR SUMMERSET CONDOS



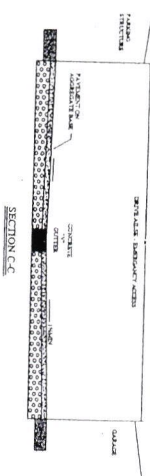
ONE BEDROOM - ONE BATH
738 SQUARE FEET

SCALE: 1/8" = 1'-0"

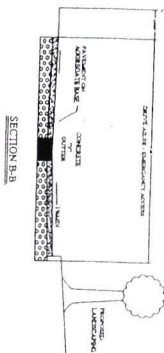


TWO BEDROOM - TWO BATH
1067 SQUARE FEET

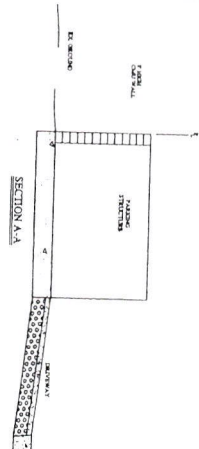
SCALE: 1/8" = 1'-0"



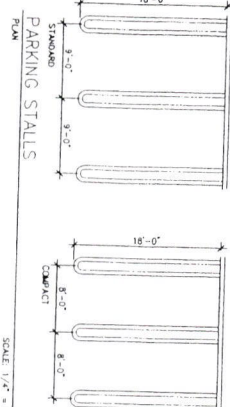
SECTION C-C



SECTION B-B

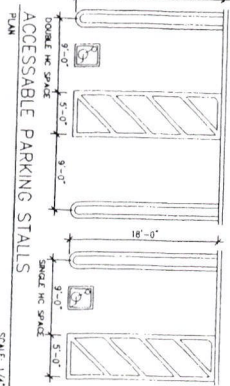


SECTION A-A



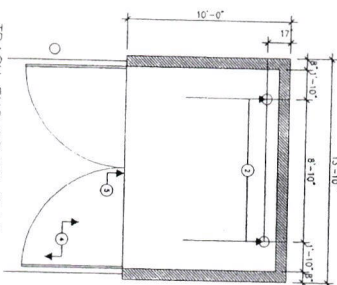
PARKING STALLS

SCALE: 1/4" = 1'-0"



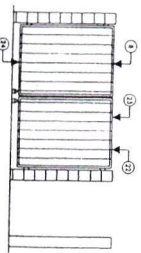
ACCESSIBLE PARKING STALLS

SCALE: 1/4" = 1'-0"



TRASH ENCLOSURE PLAN

SCALE: 1/4" = 1'-0"



TRASH ENCLOSURE ELEVATION

SCALE: 1/4" = 1'-0"

KEYED NOTES

NO.	NOTE
1	NOT USED
2	6" STANDARD PIPE SET IN CONCRETE
3	NOT USED
4	6" THICK CONCRETE APRON OVER 5" AB. WITH 6 X 8 / 2.1 X 2.1 WWF
5	1/2" EXPANSION JOINT
6	DOUBLE 4" X 8" METAL GATES WITH CANE BOLTS
7	NOT USED
8	NOT USED
9	NOT USED
10	NOT USED
11	NOT USED
12	NOT USED
13	NOT USED
14	NOT USED
15	NOT USED
16	HANDCAP PARKING AREAS AND SIDEWALKS SHALL HAVE SURFACE CROSS SLOPES NOT TO EXCEED 2% PER A.D. C.A.O. TITLE 24
17	NOT USED
18	NOT USED
19	SIGN REQUIRED FOR TRASH BINS ONLY OR RECYCLE MATERIALS ONLY
20	NOT USED
21	NOT USED
22	CORRUGATED METAL - PAINT TO MATCH ENCLOSURE WALL
23	DIAGONAL STEEL TENSION STRAPS SEC'D
24	BOTTOM OF GATES TO BE NO MORE THAN 4" ABOVE GRADE
25	NOT USED
26	NOT USED
27	CENTER LINE OF PARKING STALL
28	NOT USED
29	NOT USED
30	RAMP UP WITH SLOPE NOT TO EXCEED 5%
31	4" WIDE PAINTED TRAFFIC STRIPS. TWO COATS TRAFFIC LINE YELLOW
32	6" RAISED CURB OR CONCRETE BUMPER
33	ALL PARKING STALLS TO BE DOUBLE STRIPED
34	NOT USED
35	NOT USED
36	NOT USED
37	NOT USED
38	PARKING STALLS MINIMUM SIZES AS FOLLOWS:
39	STANDARD: 8' X 18'
40	COMPACT: 6' X 18'
41	HANDCAPPED: 14' X 18'
42	ALL PERMANENT TENANT STALLS SHALL BE DOUBLE-STRIPED

SUMMERSET CONDOS FLOOR PLANS

SCALE: 1/4" = 1'-0"
DATE: 10-03-05

LANDSCAPING FOR SUMMERSET CONDOS

PLANT LIST

KEY	BOTANICAL NAME / COMMON NAME	SIZE	WATER REQ/MTS
TREES			
T-1	CEDRUS DEODARA / DEODAR CEDAR	15 GAL.	MEDIUM
T-2	CELTIS OCCIDENTALIS / COMMON HACKBERRY	15 GAL.	LOW
T-3	QUERCUS TRACANTHOS / NERMS / SUNBURST LOCUS	15 GAL.	MEDIUM
T-4	LAGERSTROEMIA INDICA / LAVENDER / CREPE MYRTLE	15 GAL.	LOW
T-5	MAITENUS BOARIA / MAYTEN TREE	15 GAL.	MEDIUM
T-6	PNUS THUNBERGIANA / JAPANESE BLACK PINE	15 GAL.	MEDIUM
T-7	PISTACHIA CHINENSIS / CHINESE PISTACHIO	15 GAL.	LOW
T-8	PYRUS CALLERYANA / CAPITAL / CAPITAL PEAR	15 GAL.	MEDIUM
SHRUBS			
S-1	ABELIS X GRANIFOLIA EDWARD GOUCHER / PINK ABELIA	5 GAL.	MEDIUM
S-2	ACER PALMATUM / JAPANESE MAPLE	7 GAL.	MEDIUM
S-3	AZALEA KURUME 'HEX' / EVERGREEN AZALEA	5 GAL.	MEDIUM
S-4	BUXUS MICROPHYLLA WINTER GEM / WINTER GEM BOXWOOD	5 GAL.	MEDIUM
S-5	CEDRUS ATLANTICA ISLAUCA PENDULA / WEEPING BLUE ATLAS CEDAR	5 GAL.	LOW
S-6	HYDRANGEA MACROPHYLLA / SNOWBALL	7 GAL.	MEDIUM
S-7	KNIPHOFIUM VARIUM / RED HOT POKER	1 GAL.	HIGH
S-8	PISSOPORUM TOBIRA WHEELERS DWARF / W.D. TOBIRA	1 GAL.	LOW
S-9	RHAPHIOLEPS INDICA / SPRINGTIME INDIA HAWTHORNE	5 GAL.	MEDIUM
GROUND COVER			
G-1	TURF GRASS: 10% BLUEGRASS, 90% DWARF TYPE TALL FESCUE	SOD	HIGH
G-2	AGAPANTHUS PETER PAN / PETER PAN AGAPANTHUS	1 GAL.	LOW
G-3	ARMERIA MARTINA / THREFT	FLATS	MEDIUM
G-4	DIETES VEGETA / FORTNIGHT LILY	1 GAL.	LOW
G-5	JUNIPERUS HORIZONTALIS BAR HARBOR / BAR HARBOR JUNIPER	FLATS	LOW
G-6	LAURENTIA FLUVIATIS / BLUE STAR CREEPER	FLATS	MEDIUM
G-7	SAGINA SUBULATA / FRESH MOSS	1 GAL.	HIGH
G-8	TRACHELOSPERMUM ASYATCUM / ASIAN STAR JASMINE	1 GAL.	MEDIUM
G-9	VINCA MINOR / DWARF PERIWINKLE	FLATS	HIGH
VINES			
V-1	DISTICTUS BUCCINATORIA / BLOOD RED TRUMPET VINE	1 GAL.	MEDIUM
V-2	PARITENOCISSUS QUINQUEFOLIA / VIRGINIA CREEPER	1 GAL.	MEDIUM
V-3	WISTERIA FLORABUNDA ROSEA / PINK WESTERN WISTERIA	1 GAL.	LOW

SUMMERSET CONDOS LANDSCAPING

LANDSCAPE COVERAGES	
OUTDOOR LIVING AREA	4,205 SF
LANDSCAPED AREA	22,976 SF
TOTAL AREA	27,180 SF

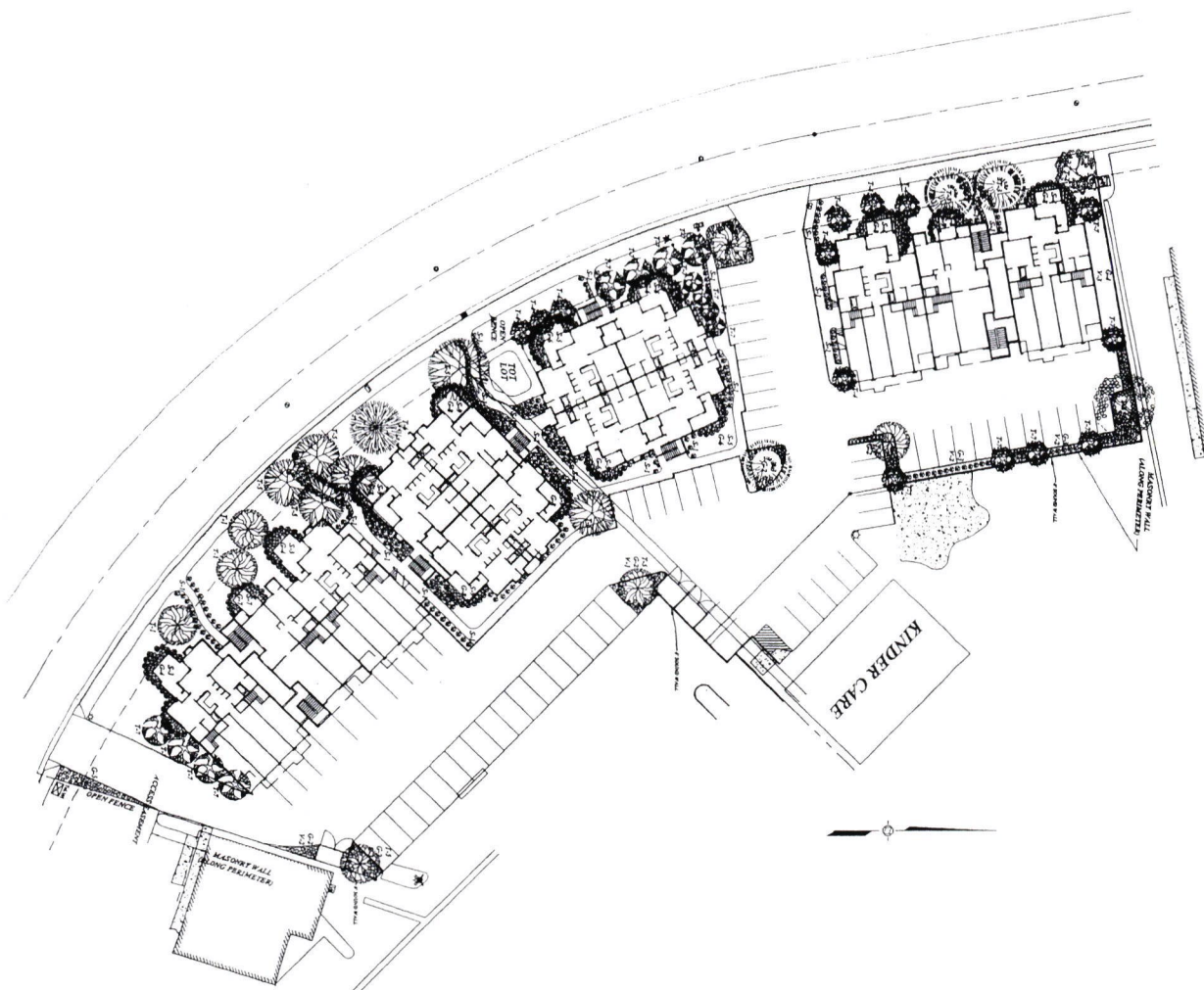


Exhibit C

Special Development Permit RC-04-143

These development standards are to be used for the Summerset Condominiums – City of Rancho Cordova Project No. RC-04-143.

The project site is zoned LC – Limited Commercial. All multi-family development zoning standards shall be applicable except as modified below:

1. The setbacks between Buildings No. 2 and 3 shall be:
 - Buildings 2 and 3 – 15 +/- feet
 - Buildings 3 and 4 – 20 +/- feet
2. The front setback shall be 20 feet at the closest with an overall average of 25 feet.

Conditions of Approval

Exhibit D

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
1.	The development approved by this action is for a Tentative Subdivision Map for 1 lot for 34 Condominium Units, a Special Development Permit for reduced setbacks, as shown within the exhibits, and Design Review for the condominium complex.	On-Going	Planning	
2.	The Tentative Subdivision Map approval is valid for three years from the date of City Council approval, unless an extension of time is subsequently approved per Government Code Section 66452.6(e)	Three years, commencing with the date of City Council approval.	Planning	
3.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	Planning	
4.	If any prehistoric, archaeological, paleontological, or historic artifacts or other indications of archaeological resources are found once the project construction is underway, all work in the immediate vicinity must stop and the City shall be immediately notified. An archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be retained to evaluate the finds and recommend appropriate mitigation measures.	On-Going	Planning	
5.	If the project results in any public streets, alleys, or other paved areas to be maintained by the City, the property owner shall annex to the City's Road Maintenance Assessment District or financial mechanism to the satisfaction of the City to provide funding for the maintenance thereof.	On-Going	Public Works	
6.	If the project results in any landscaped areas not otherwise funded by an HOA, the property owner shall annex to the City's Landscape Maintenance Community Facilities District or other financial mechanism to the satisfaction of the City to provide funding for the maintenance thereof.	On-Going	Public Works	

Conditions of Approval

Exhibit D

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	Prior to Grading or Improvement Plan Approval.			
7.	Applicant shall pay any outstanding staff costs associated with the preparation of the Tentative Map, Special Development Permit and Design Review.	Prior to Issuance of Improvement Plans or grading permit	Planning	
8.	Incorporate stormwater quality measures in conformance with applicable City ordinances and standards and state and federal law pursuant to Table 2-1 of the County of Sacramento "Guidance Manual for On-Site Stormwater Quality Control Measures", as adopted by the City of Rancho Cordova.	Prior to Improvement Plans	Water Resources	
9.	The applicant shall prepare a utility plan that will demonstrate all sewers are located 10 feet from other parallel utilities (water, drain, electrical, etc.).	Prior to Approval of Improvement Plans	CSD-1	
10.	CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance.	Prior to Approval of Improvement Plans	CSD-1	
11.	All structures along private drives shall have a minimum 10-foot setback so that CSD-1 can properly maintain sewer services.	Prior to Approval of Improvement Plans	CSD-1	
12.	Private drives and parking areas over easements shall have structural street sections that meet City of Rancho Cordova Improvement Standards. This will prevent pavement damage by CSD-1 maintenance and repair operations.	Prior to Approval of Improvement Plans	CSD-1	
13.	Each lot and each building with a sewage source shall have a separate connection to CSD-1 sewer system.	Prior to Approval of Improvement Plans	CSD-1	
14.	The applicant shall install left turn pockets on Zinfandel Drive at Vehicle Drive.	Prior to Improvement Plans	Public Works	

Conditions of Approval

Exhibit D

15.	Provide drainage easements pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and City of Rancho Cordova Improvement Standards, including any fee required by the City's Water Agency Code.	Prior to Improvement Plans	Water Resources - Drainage	
16.	Locate and isolate all water wells. Properly destroy under permit to the Environmental Health Department all wells and septic tanks prior to issuing grading permits or prior to map recordation if grading permits are not issued.	At Improvement Plans/ grading permit issuance	Environmental Health	
17.	All parcels and subdivisions serviced by private roads shall have a road maintenance agreement (RMA) recorded with the Public Records Office having jurisdiction. The roadway maintenance agreement shall include the following: a. Provisions for the necessary repair and maintenance of the roadway surface b. Removal of vegetation overgrowing the roadway and infringing on the roadway clear vertical height of thirteen feet six inches (13'6") or width of twenty feet (20') c. Provisions for the maintenance, repair, and/or replacement of NO PARKING-FIRE LANE signage or striping d. Provisions for the necessary repair and maintenance of vehicle and pedestrian access gates and opening systems	Prior to Improvement Plans	Fire	
18.	A copy of the road maintenance agreement shall be provided to the Fire District with the site improvement or Civil Engineering drawings upon submittal for review. If the roadway agreement is not provided with the site improvement or civil engineering drawings, it shall be presented to the Fire District prior to the issuance of any CORs (Certificates of Release) or construction permit cards.	Prior to Improvement Plans	Fire	
19.	The installation of approved traffic control equipment may be required on all signal lights installed or modified as a part of this project to allow emergency fire apparatus to activate the traffic signal	Prior to Improvement Plans	Fire	

Conditions of Approval

Exhibit D

	Prior to Improvement Plans	Fire	
20. Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than six (6) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background. Where multiple occupancies are serviced by vehicular access to the rear of the building via any driveway, alleyway, or parking lot the numbers or addresses shall be displayed on the rear of the building.	Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the route of the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of residential developments with an area per building not exceeding 3,600 square feet is 1,000 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for a two-hour duration. Fire hydrant installations for the protection of residential projects shall comply with the following requirements: A. One fire hydrant shall be located 150 feet from the end of the access roadway. The required access roadway shall extend to within 150 feet of all portions of the structure. B. A hydrant installed at the end of an access roadway as a "blow off" for the water district does not meet the fire department fire hydrant requirements. C. Existing "wharf" type fire hydrants do not satisfy hydrant requirements for new construction. • Each approved fire hydrant shall have a minimum flow of 1,000 gallons per minute (gpm) for residential developments. Additional requirements apply to residential dwellings with building areas greater than or equal to 3,600 square feet.	Fire	

Conditions of Approval

Exhibit D

		Prior to Improvement Plans	Fire	
22.	Plans shall be submitted to the fire prevention bureau showing hydrant locations for review and approval prior to construction. <i>Fire hydrant details and fire department notes shall be shown on the site plans or improvement drawings.</i>	Prior to Improvement Plans	Fire	
23.	Residences located within a high fire hazard severity zone are subject to more stringent requirements that may include wider access roadways, Class A roof coverings, fire sprinklers, and additional clearance from unimproved lands.	Prior to Improvement Plans	Fire	
24.	Residential roof coverings shall consist of materials having a minimum Class C rating.	Prior to Improvement Plans	Fire	
25.	Provide access roadways with all weather driving surfaces of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radiuses of 40 feet inside and 60 feet outside dimension. The access roadways shall be capable of supporting the imposed loading of fire apparatus and shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. The required clear roadway width of 20 feet may be reduced to a minimum of 16 feet for roadways serving no more than 2 single-family dwellings. The required width of 20 feet shall not be reduced to the last 2 single-family dwellings on a roadway serving in total more than 2 single-family dwellings. <i>The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways.</i>	Prior to Improvement Plans	Fire	
26.	When the apparatus access roadway length exceeds 150 feet from the public way, an approved fire apparatus roadway conforming to SMFD Standard 444.302 shall be provided. The turn-around shall be located within 100 feet of the end of the access roadway. All parcels zoned as residential (RD) shall be provided with a finished road surface consisting of 2 inches of asphalt concrete (AC) over 6 inches of aggregate base (AB) or the equivalent in concrete or other approved surface. This requirement is applicable to existing gravel roadways.	Prior to Improvement Plans	Fire	
27.	The installation of security gates is regulated by the Sacramento County Fire Code, emergency access gates and barrier requirements. All proposed access gate installations shall comply with this regulation.	Prior to Improvement Plans	Fire	

Conditions of Approval

Exhibit D

28.	Vehicle parking is prohibited on any street less than 30 feet in width. Vehicle parking is permitted on both sides of streets 40 feet or more in width. Roadway width shall be measured between the gutter-line or edge of pavement on opposite sides of the road. Identification of fire apparatus access roadways may be required on private roads. Prior to Recordation of the Subdivision Map	Prior to Improvement Plans	Fire	
29.	Developer shall show proof of adequate water supply from Southern California Water Company.	Prior to Recordation of the Subdivision Map	Water Supply	
30.	A reciprocal access agreement is required for access to the public road by both the condominium complex and the adjacent Kinder Care facility.	Prior to Recordation of the Subdivision Map	Fire District	
31.	Applicant shall prepare Covenants, Conditions and Restrictions (C C & R's) to include, but not limited to, the formulation of a Homeowner's Association, provide for maintenance of the common road system and the common landscape areas. Additional provisions may be included such as Design Review of exterior modification, visitation, parking, etc., at the developer's discretion.	Prior to Recordation of the Subdivision Map	Public Works	
32.	Developer shall enter into a Development Agreement with the City of Rancho Cordova specifying the obligations of the Developer and the City, including the payment of a special tax for police services in the amount of \$250.00 per year per residential parcel and a Parks Renovation Fee in the amount of \$733.00 per residential unit. These fees shall be adjusted on an annual basis according to the San Francisco, Oakland, and San Jose Consumer Price Index.	Prior to Recordation of the Subdivision Map	Planning	
33.	In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required. An on-site sewer collection system for multiple buildings on one parcel will be required. All sewer lines with discharges from more than one building shall be 8-inch (Min.) collectors in public easements. City of Rancho Cordova Improvement Standards apply to any on-site sewer construction.	Prior to Recordation of the Subdivision Map	CSD-1	
34.	The subject project owner(s) shall be responsible for repair and/or replacement of all non-asphalt and/or enhanced surface treatments of	Prior to Recordation	CSD-1	

Conditions of Approval

Exhibit D

	streets and drives within these easements damaged by District maintenance and repair operations. This requirement shall be set forth in easement grant documents or shown on the final map and be a covenant running with the land, be responsibility of successors in interest in future land divisions or sales. It shall also be included in the Real Estate Commissioner's public report, all by language approved by the District.	of the Subdivision Map	
35.	Dedicate a standard 12.5-foot public utility easement (PUE) for underground facilities and appurtenances on all public street right of ways.	Prior to Recordation of the Subdivision Map	SMUD
36.	Grant the City of Rancho Cordova right of way for Vehicle Drive, based on a 60 foot standard.	Prior to Recordation of the Subdivision Map	Public Works
37.	Record a maintenance agreement involving all of the parcels of the map, assuring timely maintenance of the private street.	Prior to Recordation of the Subdivision Map	Public Works
38.	The final map shall show easements or other mapped provisions for the placement of centralized mail delivery units.	Prior to Recordation of the Subdivision Map	Public Works
39.	Offsite drainage improvements and easements shall be provided pursuant to the Sacramento County Floodplain Management Ordinance, and the Sacramento County Improvement Standards.	Prior to Recordation of the Subdivision Map	Water Resources
40.	Pay in lieu fees for park purposes, as required by and in accordance with the procedures and standards set forth in Chapter 22.40, Title 22 of the Rancho Cordova Municipal Code.	Prior to Recordation of the Subdivision Map	Parks District
	Prior to the Issuance of Building Permits		
41.	Install public street improvements pursuant to the City of Rancho Cordova Improvement Standards.	Prior to the Issuance of Building Permits	Public Works

Conditions of Approval

Exhibit D

42.	A final lighting plan for the project shall be reviewed and approved by the Police and Planning Department.	Prior to the Issuance of Building Permits	Police and Planning	
43.	Install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and City of Rancho Cordova Improvement Standards, including any fee required by the Sacramento County Water Agency Code.	Prior to the Issuance of Building Permits	Public Works	
44.	If the project results in any landscaped areas not otherwise funded by an HOA, the property owner shall annex to the City's Landscape Maintenance Community Facilities District or other financial mechanism to the satisfaction of the City to provide funding for the maintenance thereof.	Prior to Issuance of Building Permits	Public Works	
45.	If the project results in any public streets, alleys, or other paved areas to be maintained by the City, the property owner shall annex to the City's Road Maintenance Assessment District or financial mechanism to the satisfaction of the City to provide funding for the maintenance thereof.	Prior to Issuance of Building Permits	Public Works	
46.	Connection to the District's sewer system shall be required to the satisfaction of CSD-1. City of Rancho Cordova Improvement Standards apply to sewer construction.	Prior to the Issuance of Building Permits	CSD-1	
47.	Adequate fire department access is required at the southeast exit. The one-way directional exit is required to be a minimum of 20 feet wide with a turning radius of 40 feet inside and 60 feet outside.	Prior to the Issuance of Building Permits	Fire District	
48.	An additional fire hydrant is required along the southeast end of the fire department access road. Onsite fire hydrants shall have a maximum spacing of 300 feet on center.	Prior to Building Permits	Fire District	
	Prior to Certificate of Occupancy			
49.	An accessible path of travel is required from the public way to each building and between buildings.	Prior to C of O	Building	

Conditions of Approval

Exhibit D

50.	An NFPA 13 fire sprinkler system is required for this project. The following information pertains to that required fire sprinkler system: The following fire protection design shall apply to attached single-family dwellings: (1) Fire Sprinkler System will be NFPA 13 compliant. (2) System water supply and plan submittal requirements shall comply with SMFD commercial standards. (3) One fire department connection shall be provided for each building (4) An individual fire sprinkler riser with control valve and water flow switch will be installed in each dwelling unit. (5) Fire Alarm Control Panel for valve and water flow monitoring shall be located at the community building or, if no community building exists, mounted on the building or in a stand-alone weatherproof enclosure/cabinet in a location closest to the FDC. Separate zones shall be provided for each unit water flow and valve tamper. The fire alarm control panel shall identify and transmit dwelling unit specific water flow activation and control valve supervision to the monitoring agency. (6) Activation of the fire sprinkler system within an individual unit shall cause an alarm to be sounded throughout the building. (7) One exterior bell shall be provided per building for exterior notification/identification. (8) Each dwelling unit shall be equipped with an approved audible device for interior notification in the living space. Note: The square/footage/number of floors of the dwelling unit may require the installation of multiple audible devices. (9) System maintenance, inspection, and certification requirements shall be delineated in the development City Council & R's and shall be enforceable by the Home Owners Association.	Prior to C of O	Fire District	
51.	Final landscape plan shall be reviewed and approved by the Planning Director. The landscaping and hardscape improvements shall be installed according to the plan.	Prior to Final Inspection	Planning	

Conditions of Approval
ADVISORY COMMENTS

Exhibit D

Sacramento County Sheriff's Department

The Rancho Cordova Police Department requests that the following conditions be appended to the subject application:

1) LOCATION/STREET LAYOUT/ADDRESSING

- a) All gates shall meet Sacramento County Fire Code specifications for accessibility, and be equipped with all access devices for public safety access.
- b) Building numbers shall be posted on each building in locations and heights as to allow visibility by responding public safety personnel.
 - i) A lighted monument sign shall be placed inside the main access gate identifying building numbers and corresponding apartment numbers located in that building.
- c) All curbs shall be vertical in design. Rounded curbs shall be avoided whenever possible.

2) LANDSCAPING

- a) Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along fences and property lines and under vulnerable windows. A partial list of suggested materials is available from the Sheriff's Department upon request.
- b) The proposed tot-lot appears to be located in an area that has minimal natural surveillance. This lot shall be either:
 - i) Moved to a more visible location within the property; or
 - ii) Design the modesty walls of all facing apartments to allow for maximum visibility to the tot lot area.
 - iii) Shared, community use areas need to have a sufficient amount of natural visibility in order to be safe for young children to play in.

3) FENCING/ACCESS CONTROL

- a) Vertical wrought-iron fencing material shall be used for all fences between private lots and open space, parks, right of ways, or other public access land. This is to allow visibility to those areas and encourage residents to view activities in those areas. In addition this will make those areas less attractive to loiterers and others who wish to use those locations for criminal or mischievous purposes.

4) LIGHTING

- a) There shall be on-site lighting to allow for adequate visibility by residents, law enforcement, and passersby during nighttime hours.

- b) All lighting fixtures shall be of a type and kind to resist breakage and other vandalism.
 - c) Parking areas, roadways, and driveways shall be illuminated with high intensity discharge lighting with sufficient wattage to provide adequate illumination to provide a safe, secure environment for persons, property, and vehicles on site. Such lighting shall be equipped with vandal-resistant covers and photocell control. A lighting level of .25 to .50 foot-candles, maintained at ground level, is required for the site in general; entry intersections should be .50 or greater.
- 5) BUILDING DESIGN**
- a) All private patios shall be enclosed utilizing vertical wrought iron or other materials that will allow for maximum visibility to the common areas of the complex. This will provide for natural visibility that will increase residents' perception and feeling of safety. Please note that vertical wrought iron, specifically, is not being required, but any design or material that will allow for visibility into and out from, each patio and apartment.

6) LAW ENFORCEMENT STAFFING

- a) Based on City of Rancho Cordova residency estimates of 2.9 people per home, the Sheriff's Department will require an additional .10 officers to maintain the 1 to 1000 officer/population staffing level.

MEMORANDUM

DATE: August 1, 2005

TO: City Council Members

FROM: Kathleen Franklin, Assistant Planner

SUBJECT: SUMMERSET CONDOMINIUMS TENTATIVE SUBDIVISION MAP,
SPECIAL DEVELOPMENT PERMIT AND DESIGN REVIEW


OWNER / APPLICANT:

Gold River Ventures, LLC
Chris Kraft/Rick Beasley
1543 E. Colonial Parkway
Roseville, CA 95661

REPRESENTATIVE:

Gold River Ventures, LLC
Chris Kraft/Rick Beasley
1543 E. Colonial Parkway
Roseville, CA 95661

PROJECT: Summerset Condominiums Tentative Subdivision Map, Special Development Permit, and Design Review

FILE: RC-04-143

LOCATION: Corner of Zinfandel and Vehicle Drive

APN: 058-0261-047

PLANNER: Kathleen Franklin, Assistant Planner

REQUEST

- Tentative Subdivision Map and Design Review for a 34 unit condominium complex consisting of four buildings and enclosed parking garages. Special Development Permit to allow a reduction in setbacks.

PLANNING COMMISSION RECOMMENDATION

Planning Commission forwards a recommendation to the City Council to find the project Categorically Exempt under Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA); and adopt Resolution No. 96-2005 approving a Tentative Subdivision Map and Design Review for 34 condominium units and a Special Development Permit to allow for a reduction in setbacks for Summerset Condominiums, Project No. RC-05-143, subject to the Findings, Design Review Package, and Conditions of Approval.

FIGURE 1 – TENTATIVE SUBDIVISION MAP

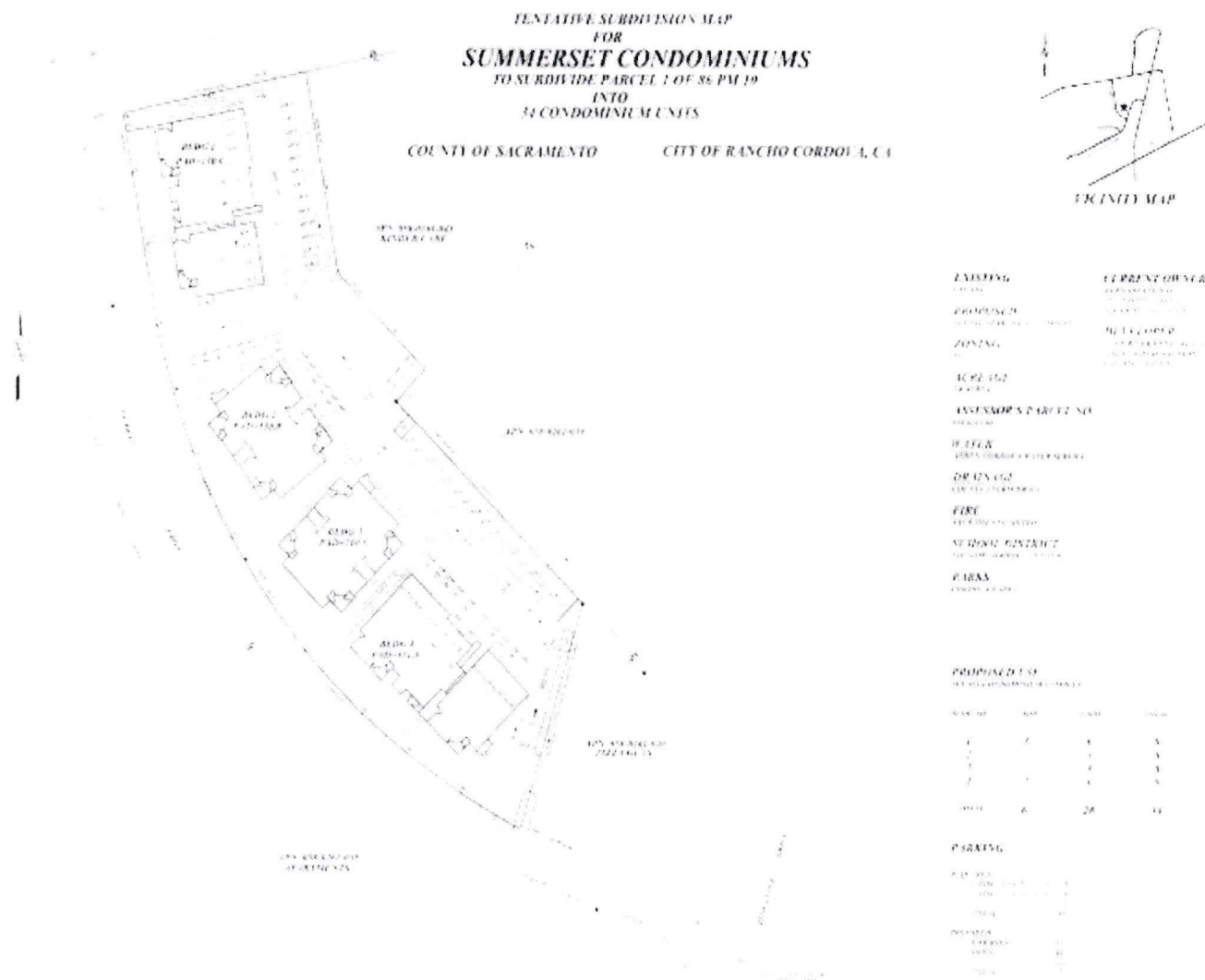




FIGURE 1 – SITE LOCATION

Land Use Relationships with Adjacent Properties:

	General Plan Land Use Designation	Zoning and Community Plan Designations	Existing Land Use
Subject Property	Sunrise Blvd. North Planning Area	LC	Vacant
North	Sunrise Blvd. North Planning Area	LC	Commercial
East	Sunrise Blvd. North Planning Area	LC	Child Care/Vacant
South	Sunrise Blvd. North Planning Area	LC	Commercial
West	Sunrise Blvd. North Planning Area	LC	Multi-Family

RECOMMENDED MOTIONS:

1. "I move City Council find the project is Categorically Exempt under Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines."
2. "I move the City Council adopt Resolution No. 96-2005 approving the Tentative Subdivision Map, Design Review and Special Development Permit for the Summerset Condominiums, Project No. RC-05-143, subject to the Findings, Project Plans, Conditions of Approval, and Special Development Permit Exhibit."

ATTACHMENTS:

1. Resolution 96-2005 with attached Tentative Subdivision Map (Exhibit A), Project Plans recommended the City Council approve the project with a 5-0 vote (Exhibit B), Special Development Permit Exhibit (Exhibit C), and Conditions of Approval (Exhibit D).
2. Agency Comment Letters
3. July 14, 2005 Planning Commission Minutes
4. Project Plans



Sacramento Metropolitan Fire District

3012 Gold Canal Drive • Rancho Cordova, California 95670 • Phone (916) 942-3300 • Fax (916) 942-3400

RICK MARTINEZ
Fire Chief

21 June 2005

City of Rancho Cordova
Planning and Community Development
3121 Gold Canal Drive
Rancho Cordova, CA 95670

Attention: Kathleen Franklin (Project Manager)

RE: **Application Number: RC-04-143**
 APN: 058-0261-047
 Project Name: Summerset Condos
 Project Location: 000 Vehicle Drive
 Applicant's Name: Summerset
 SMFD Project Number: 2005-1757

NOTE: THE FOLLOWING ITEMS ARE SPECIFIC TO THE STAFF REPORT FOR THIS PROJECT AND REQUIRE SPECIAL ATTENTION:

1. ✓ A reciprocal access agreement is required for access to the public road by both the condominium complex and the adjacent Kinder Care facility.
2. Adequate fire department access is required at the southeast exit. The one-way ✓ directional exit is required to be a minimum of 20' wide with a turning radius of 40' inside and 60' outside. In addition to inadequate roadway width, both a garage and an additional parking space hinder fire department access at that juncture.
3. ✓ An additional fire hydrant is required along the southeast end of the fire department access road. Onsite fire hydrants shall have a maximum spacing of 300' on center.
4. ✓ An NFPA 13 fire sprinkler system is required for this project. The following information pertains to that required fire sprinkler system:

The following fire protection design shall apply to attached single-family dwellings:

- (1) Fire Sprinkler System will be NFPA 13 compliant
- (2) System water supply and plan submittal requirements shall comply with SMFD commercial standards

- (3) One fire department connection shall be provided for each building.
- (4) An individual fire sprinkler riser with control valve and water flow switch will be installed in each dwelling unit.
- (5) Fire Alarm Control Panel for valve and water flow monitoring shall be located at the community building or, if no community building exists, mounted on the building or in a stand-alone weatherproof enclosure/cabinet in a location closest to the FDC. Separate zones shall be provided for each unit water flow and valve tamper. The fire alarm control panel shall identify and transmit dwelling unit specific water flow activation and control valve supervision to the monitoring agency.
- (6) Activation of the fire sprinkler system within an individual unit shall cause an alarm to be sounded throughout the building.
- (7) One exterior bell shall be provided per building for exterior notification/identification
- (8) Each dwelling unit shall be equipped with an approved audible device for interior notification in the living space. Note: The square footage/number of floors of the dwelling unit may require the installation of multiple audible devices.
- (9) System maintenance, inspection, and certification requirements shall be delineated in the development CC&Rs and shall be enforceable by the Home Owners Association.

Per Chief Dobson
6-2-05

NOTE: THE FOLLOWING INFORMATION IS FOR THE APPLICANTS/ENGINEER'S REVIEW PRIOR TO SUBMITTAL OF SITE IMPROVEMENT DRAWINGS:

Applicant: It is highly recommended that specific requirements for your project be obtained from the Fire District during the pre-construction planning stage. Specific requirements for bridges, fire hydrants, entry gates, and access roadways must be clearly understood and complied with. It is advisable to schedule a design review conference with the Fire District to provide any necessary requirement clarification.

If there are no immediate plans for construction or the on-site storage of combustible construction materials, the requirements applicable to construction may be held in abeyance until such time that construction occurs. If this property is sold prior to development, the seller must disclose the above requirements to the buyer.

1. All parcels and subdivisions serviced by private roads shall have a road maintenance agreement (RMA) recorded with the Public Records Office having jurisdiction. The roadway maintenance agreement shall include the following:

- a. Provisions for the necessary repair and maintenance of the roadway surface
- b. Removal of vegetation overgrowing the roadway and infringing on the roadway clear vertical height of thirteen feet six inches (13'6") or width of twenty feet (20')
- c. Provisions for the maintenance, repair, and/or replacement of NO PARKING-FIRE LANE signage or striping

- d. Provisions for the necessary repair and maintenance of vehicle and pedestrian access gates and opening systems

2. A copy of the road maintenance agreement shall be provided to the Fire District with the site improvement or Civil Engineering drawings upon submittal for review. If the roadway agreement is not provided with the site improvement or civil engineering drawings, it shall be presented to the Fire District prior to the issuance of any CORs (Certificates of Release) or construction permit cards.

3. The installation of approved traffic control equipment may be required on all signal lights installed or modified as a part of this project to allow emergency fire apparatus to activate the traffic signal.

4. Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than six (6) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background.

Where multiple occupancies are serviced by vehicular access to the rear of the building via any driveway, alleyway, or parking lot the numbers or addresses shall be displayed on the rear of the building.

5. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the route of the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of residential developments with an area per building not exceeding 3,600 square feet is 1,000 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for a two-hour duration. Fire hydrant installations for the protection of residential projects shall comply with the following requirements:

- A. One fire hydrant shall be located 150 feet from the end of the access roadway. The required access roadway shall extend to within 150 feet of all portions of the structure.
- B. A hydrant installed at the end of an access roadway as a "blow off" for the water district does not meet the fire department fire hydrant requirements.
- C. Existing "wharf" type fire hydrants do not satisfy hydrant requirements for new construction.
- D. Each approved fire hydrant shall have a minimum flow of 1,000 gallons per minute (gpm) for residential developments. Additional requirements apply to residential dwellings with building areas greater than or equal to 3,600 square feet.

6. Plans shall be submitted to the fire prevention bureau showing hydrant locations for review and approval prior to construction. ***Fire hydrant details and fire department notes shall be shown on the site plans or improvement drawings.***

7. Residences located within a high fire hazard severity zone are subject to more stringent requirements that may include wider access roadways, Class A roof coverings, fire sprinklers, and additional clearance from unimproved lands.
8. Residential roof coverings shall consist of materials having a minimum Class C rating.
9. Provide access roadways with all weather driving surfaces of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radiuses of 40 feet inside and 60 feet outside dimension. The access roadways shall be capable of supporting the imposed loading of fire apparatus and shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. The required clear roadway width of 20 feet may be reduced to a minimum of 16 feet for roadways serving no more than 2 single-family dwellings. The required width of 20 feet shall not be reduced to the last 2 single-family dwellings on a roadway serving in total more than 2 single-family dwellings. ***The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways.***
10. When the apparatus access roadway length exceeds 150 feet from the public way, an approved fire apparatus roadway conforming to SMFD Standard 444.302 shall be provided. The turn-around shall be located within 100 feet of the end of the access roadway. All parcels zoned as residential (RD) shall be provided with a finished road surface consisting of 2 inches of asphalt concrete (AC) over 6 inches of aggregate base (AB) or the equivalent in concrete or other approved surface. This requirement is applicable to existing gravel roadways.
11. Vehicle parking is prohibited on any street less than 30 feet in width. Vehicle parking is permitted on both sides of streets 40 feet or more in width. Roadway width shall be measured between the gutter-line or edge of pavement on opposite sides of the road. Identification of fire apparatus access roadways may be required on private roads.
12. The installation of security gates is regulated by the Sacramento County Fire Code, emergency access gates and barrier requirements. All proposed access gate installations shall comply with this regulation.

Sacramento Metropolitan Fire District requirements are not to be construed as abrogating more restrictive requirements by other agencies having jurisdiction. Final acceptance is subject to field approval and completion of required tests.

If I may answer any questions or be of any assistance, please feel free to contact me at (916) 942-3335

Sincerely:

Diana E. Schmidt, Fire Inspector II



RANCHO CORDOVA POLICE DEPARTMENT

RECEIVED

MAY 19 2005

Thomas McMahon
Chief of Police

10361 Rockingham Drive
Sacramento, California 95827

RANCHO CORDOVA
PLANNING

916.875.9600 – Main
916.875.8673 – Fax

www.RanchoCordovaPD.com

May 16, 2005

Kathleen Franklin
City of Rancho Cordova Planning Department
3121 Gold Canal Drive
Rancho Cordova, CA 95670

RE: 04-143 SUMMERSET CONDOMINIUMS

Dear Kathleen:

The Rancho Cordova Police Department requests that the following conditions be appended to the subject application:

1) LOCATION/STREET LAYOUT/ADDRESSING

- a) All gates shall meet Sacramento County Fire Code specifications for accessibility, and be equipped with all access devices for public safety access.
- b) Building numbers shall be posted on each building in locations and heights as to allow visibility by responding public safety personnel.
 - i) A lighted monument sign shall be placed inside the main access gate identifying building numbers and corresponding apartment numbers located in that building.
- c) All curbs shall be vertical in design. Rounded curbs shall be avoided whenever possible.
- d) A maintenance agreement shall be developed and signed by all owners to ensure the timely repair and maintenance of private roadways and public spaces within the facility.
- e) When developed, the "tot-lot" shall be located in a central, high visibility location to encourage legitimate uses and discourage loitering and other undesirable activities.
 - i) The Police Department requests inclusion in the tot-lot location and use planning.

2) LANDSCAPING

- a) Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along fences and property lines and under vulnerable windows. A partial list of suggested materials is available from the Sheriff's Department upon request.

KATHLEEN FRANKLIN

May 16, 2005

Page 2

3) FENCING/ACCESS CONTROL

- a) Vertical wrought-iron fencing material shall be used for all fences between private lots and open space, parks, right of ways, or other public access land. This is to allow visibility to those areas and encourage residents to view activities in those areas. In addition this will make those areas less attractive to loiterers and others who wish to use those locations for criminal or mischievous purposes.

4) LIGHTING

- a) There shall be on-site lighting to allow for adequate visibility by residents, law enforcement, and passersby during nighttime hours.
- b) All lighting fixtures shall be of a type and kind to resist breakage and other vandalism.
- c) Parking areas, roadways, and driveways shall be illuminated with high intensity discharge lighting with sufficient wattage to provide adequate illumination to provide a safe, secure environment for persons, property, and vehicles on site. Such lighting shall be equipped with vandal-resistant covers and photocell control. A lighting level of .25 to .50 foot-candles, maintained at ground level, is required for the site in general; entry intersections should be .50 or greater.

5) BUILDING DESIGN

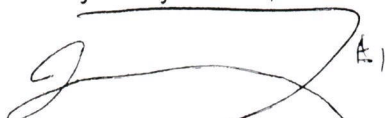
- a) All private patios shall be enclosed utilizing vertical wrought iron or other materials that will allow for maximum visibility to the common areas of the complex. This will provide for natural visibility that will increase residents' perception and feeling of safety. Please note that vertical wrought iron, specifically, is not being required, but any design or material that will allow for visibility into and out from, each patio and apartment.

6) LAW ENFORCEMENT STAFFING

- a) Based on City of Rancho Cordova residency estimates of 2.9 people per home, the Sheriff's Department will require an additional .10 officers to maintain the 1 to 1000 officer/population staffing level.

If you should have any questions regarding the above conditions, please feel free to contact me anytime at 876-7599.

Very Truly Yours,



CSS III Jeffrey Rodriguez
Crime Prevention Specialist

Rancho Cordova Police Department/Sacramento Sheriff's Department

CITY OF RANCHO CORDOVA

3121 Gold Canal Drive • RANCHO CORDOVA, California 95670
Tel: 916.942.0222 • Fax: 916.853.1680 • www.cityofranchocordova.org

MAY 19 2005

Planning

(916) 942-0283

RANCHO CORDOVA
PLANNING

*****PREVIOUSLY ROUTED PROJECT – NEW SUBMITTAL*****

Routing / Comment Sheet

Date: Wednesday, May 11, 2005

City Departments

- ☒ Building Insp. – Tom Trimmerger
- ☐ City Attorney – Adam Lindgren
- ☒ City Attorney – Steve Berninger
- ☒ Public Works – Cyrus Abhar
- ☒ Public Works – Tony Santiago*
- ☒ Public Works – Elizabeth Sparkman*
- ☒ Sanitation District – Wendy Haggard*
- ☒ Drainage – Mark Rains*
- ☐ Landscape Design/Trees - Jim Schubert*
- ☐ Water Supply – Darrell Eck
- ☐ Infrastructure Finance – Richard Blackmarr
- ☐ Transportation – Dan Shoeman
- ☐ Finance – Bill Thomas
- ☐ Comm. Enhance – Yvonne DeHaan
- ☒ Econ. Development – Curt Haven
- ☒ Police Dept. – Jeff Rodrigues*

*requests full size maps

Cordova Recreation and Parks

District

- ☐ Parks – Greg Foell*
- ☒ Metro Fire
- ☒ Fire – Steve Trout*

Sacramento County

- ☐ Env. Health – Steve Kalvelage
- ☐ Env. Haz Mat – Anthony Chu
- ☐ Ag. Commission – Frank Carl

State Agencies

- ☐ CRWQCB
- ☐ CALTRANS - Katherine Eastham
- ☐ Dept. of Conservation
- ☐ Dept. of Fish & Game
- ☐ State Historic Preservation Office – Dr. Knox Mellon

Other Agencies

- ☐ CA American Water Co. – Margaret DiGenova
- ☒ Southern CA Water Co. – Paul Schubert
- ☒ FCUSD – Geri Wickham
- ☐ EGUSD – Kim Williams*
- ☐ SCUSD – Jim Dobson
- ☐ Regional Transit – Robert Hendrix
- ☐ SACOG - Ken Hough
- ☐ SACOG, ALUC – Greg Chew
- ☐ SBC – Cheryl Summers
- ☐ PG&E – Steven Jones
- ☐ SMAQMD – Jeane Borkenhagen
- ☒ SMUD – Larry Lagomarsino*
- ☐ U.S. Army Corp. of Engineers – William Ness
- ☐ U.S. Fish and Wildlife Service – Adam Zerener

Project Description

The following application has been submitted to the Planning Department:

Application Number: RC-04-143
Application Title: Summerset Condominiums
Application Type: Tentative Subdivision Map and Design Review
Assessor's Parcel Number: 058-0261-047
Property Address/Location: Vehicle Drive, near the corner of Zinfandel Drive

THIS PROJECT WAS ORIGINALLY ROUTED AS DESIGN REVIEW FOR 34 APARTMENT UNITS – THE APPLICANT HAS NOW SUBMITTED A SUBDIVISION MAP AND IS PROPOSING TO BUILD CONDOMINIUMS

Application Completeness / Project Conditions

If there is any additional information required to evaluate and prepare conditions for the project, please send me a list of these items within two weeks.

This Project: ☐ Will not be discussed at a Project Coordination Meeting
☒ Will be discussed at the Project Coordination Meeting on (date to be determined)

Please send your comments to me by **MAY 27, 2005**. (Please e-mail a copy of your comments to the Project Planner)
If we do not receive a response by this date, we will presume that your agency has "no comment." If you require additional time for review, please contact me.

Sincerely,

Kathleen Franklin (kfranklin@cityofranchocordova.org)
Rancho Cordova Planning

Comments are: ☒ Attached ☐ No comment



5-18-05

Signature, date

JEFFREY RODRIGUES

Print Name and Title

Memorandum

Date: June 29, 2005

To: Kathleen Franklin

From: John Samuelson

Subject: Gold River Apartments App No. RC 04-143



After reviewing the plans, we require left turn pockets be installed on Zinfandel Drive at Vehicle Drive to the satisfaction on Public Works.

If you have any questions, please contact me at (916) 942-0285.

**COUNTY OF SACRAMENTO
INTER-DEPARTMENT CORRESPONDENCE
DEPARTMENT OF WATER RESOURCES**

MEMORANDUM

Date: June 27, 2005

TO: Kathleen Franklin

Applicant:

FROM: Mark Rains

PROJECT NAME: Sommerset Condominiums Tentative Subdivision Map and Design Review

CONTROL NUMBER: RC 04-143

A.P.N.: 058-0261-047

COMMENTS SECTION:

1. FEMA Flood Zone: x
Panel No. 060262-0210
Date: 7/6/1998
2. Watershed: Morrison Creek

CONDITIONS OF APPROVAL:

If the project is approved, the subject applications should be conditioned on the following:

1. ✓ STD#190 (I,E,F)- Provide drainage easements and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.)
2. ✓ Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law pursuant to Table 2-1 of the County of Sacramento "Guidance Manual for On-Site Stormwater Quality Control Measures"

P:\Planning Files\Projects - Development\Projects RC-04 (141-145)\143 Sommerset Condominiums DR\Agency e-comments\Drainage RC 04-143 Sommerset Condominiums TSM and Design Review.doc

City of Rancho Cordova

Inter-Correspondence

May 27, 2005

To: Kathleen Franklin
Planning Department

From: Tony Santiago *ABS*
Public Works

Subject:	Application Number:	RC 05-143
	Application Title:	Summerset Condominiums
	APN:	058-0261-047

We have reviewed the subject application and request the following conditions be incorporated into the project Conditions of Approval:

1. ✓ Grant the City of Rancho Cordova right of way for Vehicle Drive, based on a 60' standard and (install public street improvements pursuant to the City Improvement Standards. ✓)
2. ✓ Prior to recordation of the final map, pay in lieu fees for park purposes, as required by and in accordance with the procedures and standards set forth in Chapter 22.40, Title 22 of the Rancho Cordova City Code

Note: On-site drainage shall be installed pursuant to the City Improvement Standards. Concentrated overland flow will not be permitted.

If you have any comments or questions, please call me at (916) 874-7093.



June 9, 2005
E225.000

10545 Armstrong Avenue

Mather

California

95655

Tele: [916] 876-6000

Fax: [916] 876-6160

www.csd-1.com

Board of Directors

Representing:

County of Sacramento

City of Citrus Heights

City of Elk Grove

City of Folsom

City of Rancho Cordova

City of Sacramento

Robert F. Shanks
District Engineer

Marcia Maurer
Chief Financial Officer

Wendell H. Kido
District Manager

Mary K. Snyder
Collection Systems Manager

Kathleen Franklin
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670

Subject: Summerset Condominiums-TSM
APN: 058-0261-047
Control No. RC-04-143

Dear Ms. Franklin:

Both the County Sanitation District 1 (CSD-1) and the Sacramento Regional County Sanitation District (SRCSD) reviewed the subject documents and have the following comments.

CSD-1 Conditions:

✓ Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.

✓ Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.

✓ In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required. An on-site sewer collection system for multiple buildings on one parcel will be required. All sewer lines with discharges from more than one building shall be 8-inch (Min.) collectors in public easements.

✓ CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance.

✓ The subject project owner(s) shall be responsible for repair and/or replacement of all non-asphalt and/or enhanced surface treatments of streets and drives within these easements damaged by District maintenance and repair operations. This requirement shall be set forth in easement grant documents or shown on the final map and be a covenant running with the land, be responsibility of successors in interest in future land divisions or sales. It shall also be included in the Real Estate Commissioners' public report, all by language approved by the District.

✓ CSD-1 requires their sewers to be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to recording the Final Map, the applicant shall prepare a utility plan that will demonstrate that this condition is met.

✓ All structures along private drives shall have a minimum 10-foot setback so that CSD-1 can properly maintain sewer services.

RECEIVED
JUN 14 2005
RANCHO CORDOVA
PLANNING

Kathleen Franklin
June 9, 2005
Page 2

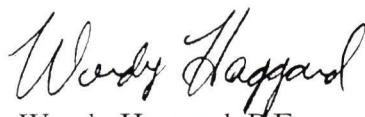
✓ Private drives and parking areas over easements shall have structural street sections that meet County of Sacramento Improvement Standards. This will prevent pavement damage by CSD-1 maintenance and repair operations.

CSD-1 Advisories:

Developing this property will require the payment of sewer impact fees. Impact fees for CSD-1 shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever is first. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

If you have any questions regarding these comments, please call Stephen Moore at (916) 876-6296 or myself at (916) 876-6094.

Sincerely,



Wendy Haggard, P.E.
Department of Water Quality
Development Services

WH/JRO: cc

cc: Maria Cablao
Amber Schalansky
Gold River Ventures, LLC
3462 Stagecoach Trail
Loomis, CA 95650



January 24, 2005
E225.000

10545 Armstrong Avenue
Mather
California
95655

Kathleen Franklin
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670

RECEIVED

JAN 25 2005

**RANCHO CORDOVA
PLANNING**

Tele: [916] 876-6000

Fax: [916] 876-6160

www.csd-1.com

Dear Ms. Franklin:

Subject: Gold River Apartments
APN: 058-0261-047
Control No.: RC-04-143

Board of Directors

County of Sacramento

Roger Dickinson

Illa Collin

Muriel P. Johnson

Roger Niello

Don Nottoli

City of Citrus Heights

Jeannie Bruins

City of Elk Grove

Sophia Scherman

City of Folsom

Kerri Howell

City of Rancho Cordova

Dan Skoglund

City of Sacramento

Heather Fargo

Both the County Sanitation District 1 (CSD-1) and the Sacramento Regional County Sanitation District (SRCSD) reviewed the subject documents and have the following comments.

CSD-1 Conditions:

Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.

Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.

Sewer easements may be required. All sewer easements shall be dedicated to CSD-1, in a form approved by the District Engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance.

CSD-1 Advisories:

Developing this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

If you have any questions regarding these comments please call Joyce Ferguson at 876-6098 or myself at 876-6094.

Sincerely,

Wendy Haggard, P.E.
Department of Water Quality
Development Services

Cheryl Creson
Agency Administrator

Robert E. Shanks
District Engineer

Marcia Maurer
Chief Financial Officer

Wendell H. Kido
District Manager

Mary K. Snyder
Collection Systems Manager

WH/SM: cc

cc: Maria Cabla
Chris Kraft / Rick Beasley
Gold River Venture, LLC
1543 E. Colonial Pkwy
Roseville, CA 95661

Kathleen Franklin

From: Tom Trimberger

Sent: Tuesday, June 21, 2005 2:26 PM

To: Kathleen Franklin

Subject: rc05-181

✓ An accessible path of travel is required from the public way to each building and between buildings.

Thomas L. Trimberger P.E. C.B.O.
Chief Building Official, City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670

6/21/2005

CITY OF RANCHO CORDOVA

Minutes of Meeting of the Planning Commission
July 14, 20051. **CALL MEETING TO ORDER**

The meeting of the Planning Commission of the City of Rancho Cordova was held on Thursday, July 14, 2005 in the City Council Chambers located at 3121 Gold Canal Drive, Rancho Cordova, CA, 95670. Planning Commission Chair Art Smith called the meeting to order at 6:03 p.m.

Staff Present: Principal Planner, William Campbell; Senior Planner Jeffrey S. Beiswenger; Assistant Planner, Kathleen Franklin; Commission Clerk, Brenda Lehr

Role Call:

Commissioners Present: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
Commissioners Absent: None

- A. **Flag Salute** – Pledge of Allegiance was conducted.
- B. **Approval of Agenda** – The Planning Commission reviewed the Agenda of the July 14, 2005 Meeting of the Planning Commission.

Action: Commissioner Vance moved, second by Commissioner Konarski, to approve the agenda of the July 14, 2005 Planning Commission Meeting. Motion was approved unanimously.
- C. **Minutes** – The Planning Commission reviewed the Minutes of the June 23, 2005 Meeting of the Planning Commission.

Action: Commissioner Wentz moved, second by Vice Chair Vance, to approve the Minutes of the June 23, 2005 Meeting of the Planning Commission as written. Motion was approved unanimously.

2. **PUBLIC COMMENT** – There were no public comments heard at this meeting.3. **PUBLIC HEARING**

- A. **Consideration of the Conditional Use Permit for VERIZON WIRELESS – RC-04-091 (THIS ITEM HAS BEEN CONTINUED TO JULY 28, 2005).**

Request: Applicant is requesting a Conditional Use Permit to construct, operate, and maintain a wireless communication facility consisting of (6) antennas mounted to a new 100' mono-pole. With new 12'x 30' radio equipment shelter adjacent to the tower.

Project Applicant: Kortick & Associates, P.O. Box 1269, Folsom, CA, 95762

Project Location: APN: 072-0222-033, 11167 Trade Center Drive

Principal Planner Bill Campbell recommended the Planning Commission continue the item to the July 28, 2005 Planning Commission Meeting due to the fact that the applicant is unable to attend the July 14, 2005 meeting. Chair Smith opened the public hearing and closed the public hearing.

The Commissioners had the following concerns and comments:

- There were no comments from the Planning Commission.

Action:

Motion: Vice Chair Vance moved, seconded by Commissioner Konarski, to continue the item to the July 28, 2005 Planning Commission Meeting.

Vote on the Motion:

AYES: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motion is hereby declared to be passed.

B.&C. Consideration of the Design Review for SUNRIDGE PARK, VILLAGES 2A & 2B – RC-05-159.

Request: Applicant is requesting Design Review to construct 79 single family units in Sunridge Park, Villages 2A & B. Master Plan consists of 2 single story and 3 two story models.

Project Applicant: Kimball Hill Homes, 10535 E. Stockton Blvd., Suite K, Elk Grove, CA 95624.

Project Location: APN: 067-0650-002, -015, and -016, Sunridge Park

Consideration of the Design Review for SUNRIDGE PARK, VILLAGES 5A & 5B – RC-05-160.

Request: Applicant is requesting Design Review to construct 97 single family units in Sunridge Park, Villages 5A & 5B. Master plan consists of 2 single story and 3 two story models.

Project Applicant: Kimball Hill Homes, 10535 E. Stockton Blvd., Suite K, Elk Grove, CA 95624.

Project Location: APN: 067-0650-006, -008, and -028, Sunridge Park

Principal Planner Bill Campbell presented the staff reports for agenda items 3B and 3C and recommended the Planning Commission determine the Mitigated Negative Declaration prepared for the Sunridge Park Subdivision adopted by the City, adequately addresses the environmental impacts for the project and adopt Resolution No. 38-2005 approving the Design Review for Sunridge Park, Village 2A and 2B, RC-05-159 and Resolution No. 39-2005 approving the Design Review for Sunridge Park, Village 5A and 5B, RC-05-160, subject to the findings,

attached Design Review Packages and Conditions of Approval. Chair Smith opened the public hearing and took testimony from Chris Glenn of Kimball Hill Homes, Project Applicant.

The Commissioners had the following concerns and comments:

- RC-05-159
 - Commissioner Savorn commented that the back wall of the 2904 A elevation is very attractive compared to other elevations.
 - Vice Chair Vance commented that the 1802 B plan has stone, which is a nice complement to the elevation.
 - Are the plans being checked on the physical lots by an inspector? Yes, the building inspectors check against the plans before issuing permits.
 - Commissioner Moe would like to see the one-story homes with more garages set to the back.
 - Will there be a variety of garage door designs? Yes.
 - Will there be a variety of colors of concrete roof tiles on the homes? Yes.
 - Commissioner Savorn commented that the product is timeless and complemented the architect.
 - Will there be a variety of exterior light fixtures? No, the light fixtures will be higher quality cast aluminum, and will all be the same style.
- RC-05-160
 - Are these villages some of the large sq. foot products in the Sunridge Park project? Yes, Village 5 has the larger sq. foot plans (up to 3085sf) compared to other villages in the Specific Plan.
- Citizen Comment: Waheed Jawardi
 - Mr. Jawardi commented that he agrees with Commissioner Savorn's comments that the plan checking should make sure the developers are complying with approved plans.
 - Also, Mr. Jawardi is concerned that the plans have the same floor plans back to back on corners.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action 1:

Motion: Commissioner Wentz moved, seconded by Vice Chair Vance, to recommend the Planning Commission determine the Mitigated Negative Declaration prepared for the Sunridge Park Subdivision adopted by the City, adequately addresses the environmental impacts for the project.

Vote on the Motion:

AYES:	Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motion is hereby declared to be passed.

Action 2:

Motion: Vice Chair Vance moved, seconded by Commissioner Wentz, to adopt Resolution No. 38-2005 approving the Design Review for Sunridge Park, Village 2A and 2B, RC-05-159 and Resolution No. 39-2005 approving the Design Review for Sunridge Park, Village 5A and 5B, RC-05-160, subject to the findings, attached Design Review Packages and Conditions of Approval.

Vote on the Motion:

AYES:	Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motion is hereby declared to be passed.

D. Consideration of the Design Review for STONE CREEK OFFICE PARK BLDG. A & B – RC-04-100.

Request: Applicant is requesting Design Review for the construction of two new office buildings within the Villages of Zinfandel Special Planning Area, within the BP-1 area.

Project Applicant: Elliott Homes, Inc., 80 Iron Point Circle, #110, Folsom, CA, 95630

Project Location: APN: 072-2360-001; NW corner of Bear Hollow Drive and Zinfandel.

Senior Planner, Jeff Beiswenger presented the staff report and recommended the Planning Commission find the Environmental Impact Report (EIR) previously prepared for the Villages of Zinfandel Special Planning Area adequately addresses the environmental impacts of the project and determine it to be exempt from further review under the California Environmental Quality Act (CEQA) and forward a recommendation to the City Council to adopt a resolution approving the Design Review for the Stone Creek Office Park, Project No. RC-04-100, subject to the findings, evidence, Design Review Package, and Conditions of Approval. Chair Smith opened the public hearing and took testimony from Hilton Williams and Dick Nelson, Project Applicants.

The Commissioners had the following concerns and comments:

- Will there be on street parking? No, there is a bus turnout.
- How has staff worked with applicant to address issues of concern? Staff placed the concerns as conditions of approval that will be addressed at the Commission meeting.
- Is there a bike path along the trail connection? Yes.

- Should there be multiple access points from the trail into the office park? Yes.
- Is there a proposed fence? No. Instead, there will be a concrete link to identify the connection.
- What does staff propose to mitigate the lighting fixture issues? Incorporate the fixtures/concrete base into the landscape areas.
- What color is the tint of the glass? See color board provided by the applicant.
- How can the applicant make the front corner entry more inviting? This is a secondary access point and not a public access.
- What type of uses will be going into the building? No, applications for use as of yet.
- Commissioner Savorn would like to enhance the entrance at the corner as a primary, by using a water feature and benches.
- Will the housing projects have easy access to the office parking for pedestrians walking? Yes.
- How far of a distance would it be to drive? Less than a ¼ of a mile.
- Will drive ways be articulated with patterns of stamped concrete or similar texture? Yes.
- Commissioner Savorn is concerned that the secondary entrance should have a pass key protection for security. A pass key becomes difficult when there is multi-tenant use, but it is something to consider.
- Chair Smith would like the applicant to somehow manage to have the secondary door to have more accessibility for people who walk to work or take the bus instead of walking to other entrances. The applicant is willing to work with staff on this issue.
- Will the trees grow and take over the light fixtures? No, the lights will be located under the tree canopy.
- Chair Smith would like to ensure that the concerns over lighting and connectivity are addressed before the Council reviews the project.
- If there is more than one tenant, where would the signage go? There will probably be more art than sign reflecting the tenants name on it.
- Will the tint on the windows help reduce heat into the building? Yes.
- Will the building be framed? Site cast.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion 1: Commissioner Burke moved, seconded by Commissioner Savorn, to recommend the Planning Commission find the Environmental Impact Report (EIR) previously prepared for the Villages of Zinfandel Special Planning Area adequately addresses the environmental impacts of the project and determine it to be exempt from further review under the California Environmental Quality Act (CEQA).

Vote on the Motion:

AYES:	Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES:	NONE
ABSTAIN:	NONE

ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motion is hereby declared to be passed.

Motion 2: Commissioner Moe moved, seconded by Commissioner Burke, to recommend the Planning Commission forward a recommendation to the City Council to adopt a resolution approving the Design Review for the Stone Creek Office Park, Project No. RC-04-100, subject to the findings, evidence, Design Review Package, and Conditions of Approval.

Vote on the Motion:

AYES: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motion is hereby declared to be passed.

E. Consideration of the Conditional Use Permit Amendment for STONE CREEK WATER STORAGE TANK – RC-04-107.

Request: Applicant is requesting a Conditional Use Permit Amendment to allow for the installation of a five (5) million gallon water tank versus the two (2) million gallon tank previously approved.

Project Applicant: Southern California Water Company, 3035 Prospect Park Drive, Ste. 60, Rancho Cordova, CA 95670

Project Location: APN: Portion of 072-0370-082; West of Folsom South Canal, South of future Villages of Zinfandel Village 6

Assistant Planner, Kathleen Franklin presented the staff report and recommended the Planning Commission find the Negative Declaration previously adopted for the project adequately addresses any impacts associated with the proposed change and adopt Resolution No. 40-2005 approving the amendment to the Conditional Use Permit for the Stone Creek Water Storage Tank, project No. RC-04-107, subject to the findings and Conditions of Approval. Chair Smith opened the public hearing and took testimony from Scott Fort, project applicant.

The Commissioners had the following concerns and comments:

- Is the control building behind a CMU wall and not viewed from the street?
Yes.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion: Commissioner Konarski moved, seconded by Commissioner Wentz, to recommend the Planning Commission find the Negative Declaration previously adopted for the project adequately addresses any impacts associated with the proposed change and adopt Resolution No. 40-2005 approving the amendment to the Conditional Use Permit for the Stone Creek Water Storage Tank, project No. RC-04-107, subject to the findings and amended Conditions of Approval increasing the wall height from 8 feet to 10 feet.

Vote on the Motion:

AYES: Burke, Konarski, Moe, Savorn, Smith, Vance, Wentz
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

There being 7 Ayes, 0 Noes, 0 Abstains and 0 Absentees, the motion is hereby declared to be passed.

F. Consideration of the Tentative Subdivision Map for SUMMERSET CONDOMINIUMS – RC-04-143.

Request: Applicant is requesting a Tentative Subdivision Map and Design Review for a proposed 34 unit condominium complex consisting of four buildings and enclosed parking garages on a 1.8 acre parcel. Special Development Permit to allow a reduction in setbacks.

Project Applicant: Gold River Ventures, LLC, 1543 E. Colonial Parkway, Roseville, CA, 95661

Project Location: APN: 058-0261-047, corner of Zinfandel Drive and Vehicle Drive

Assistant Planner Kathleen Franklin presented the staff report and recommended the Planning Commission consider the application in its entirety and make one of the following decisions: Instruct the applicant to include the required tot lot and forward to the City Council for consideration; or continue the project to the next Planning Commission Meeting (July 28, 2005) and instruct the applicant to submit an application for an Exception to allow the exclusion of the required tot lot. Chair Smith opened the public hearing and took testimony from Rick Beasley, project applicant.

The Commissioners had the following concerns and comments:

- Where is the nearest park to the project? Dave Roberts Park, on the other side of Mitchell Elementary School.
- Where would the tot lot go? There's a possibility of reducing the parking to allow for the inclusion of the tot lot.
- Is there a size requirement for the tot lot? No, there are no standards, so it could be small.
- Is there on-street parking? No.
- What will prevent vehicles from entering onto the one-way drive at the south end of the project? A spike strip will be installed.

- Commissioner Burke commented that a gate may be a better idea than a spike strip.
- Commissioner Burke would like staff to address public works to install a signal light at Zinfandel and Vehicle Drive. The project has already been reviewed by Public Works and a traffic light was not recommended, rather a left turn pocket.
- Will there be speed bumps? No.
- Will there be a reciprocal agreement with Kindercare? That has not been proposed.
- Chair Smith suggested a tot lot be installed similar to the lot installed at the SunRiver Church on Trinity River Drive and Sunrise Blvd..
- Where are the dumpsters proposed? How many and are they hidden? Two dumpsters, located at the end exits.
- What will the cost of the condos be? Mid \$200,000.
- Will there be an HOA? Yes.
- Will the HOA require the units to be owner occupied only? It's not sure if it is legal for the commission to place that on as a condition. Staff will consult with the City attorney on this issue.

The Commissioners felt staff and the representatives adequately addressed the above concerns and comments.

Action:

Motion: Commissioner Wentz moved, seconded by Commissioner Konarski, to instruct the applicant to include the required tot lot, remove the spike strip on the one way exit at the southern end of the property exiting onto Vehicle Drive and forward to the City Council for consideration of approval of the Tentative Subdivision Map, Design Review, and Special Development Permit, subject to the Findings and Conditions of Approval.

Vote on the Motion:

AYES:	Burke, Konarski, Moe, Savorn, Smith, Wentz
NOES:	Vance
ABSTAIN:	NONE
ABSENT:	NONE

There being 6 Ayes, 1 Noes, 0 Abstains and 0 Absentees, the motion is hereby declared to be passed.

4. REGULAR CALENDAR

A. Planning Commission Training

1. Presentation from Commissioner Wentz on information learned from the Smart Growth Workshop.

B. Discussion and Review of Development Projects

1. Bill Campbell, Principal Planner, addressed the Commission in regards to the Target Design Review project.

- Commissioner Burke commented that the council got the same presentation, but none of the planning commission comments and concerns that were presented to the council.
- Commissioner Wentz made the comment that the paper suggested the Planning Commission happenstance approved the project, but didn't realize all the work they put into it.
- Commissioner Moe commented that he was wondering how far the Commission can push fixing up the back wall, since it is not something that draws people into the store, before Target gets up and leaves the area.
- Commissioner Burke commented that she realized that if the commission is not sure that the project should move to the council, then it should be continued in order to improve the project.
- Commissioner Savorn would like owners of businesses to get together and find out what is really needed and wanted for the area.
- Commissioner Wentz wanted to know what happed with the Der Wienerschnitzel. It's moving forward with the driveway being moved to the side of the building.

5. **ACTION ITEMS**

- There were no action items.

6. **STAFF/COMMISSION COMMENTS**

- There were no staff/commission Comments

7. **FUTURE AGENDA ITEMS**

- There were no Future Agenda Items scheduled at this meeting.

8. **ADJOURNMENT**

There being no further business before the Planning Commission, the meeting was adjourned at 8:50 p.m., July 14, 2005, to the next scheduled meeting.



 Art Smith, Planning Commission Chair



 Paul Junker, Planning Director

ATTEST:



Brenda Lehr, Commission Clerk

ATTACHMENT 5

Reference to the Project Plans consists of 8½ X 11 color renderings identical to Exhibits A & B contained within Resolution No. 129-2005. This attachment is for review by staff and Council members only.



POR. SEC. 24, T. 9 N., R. 6 E., M. D. B. & M.



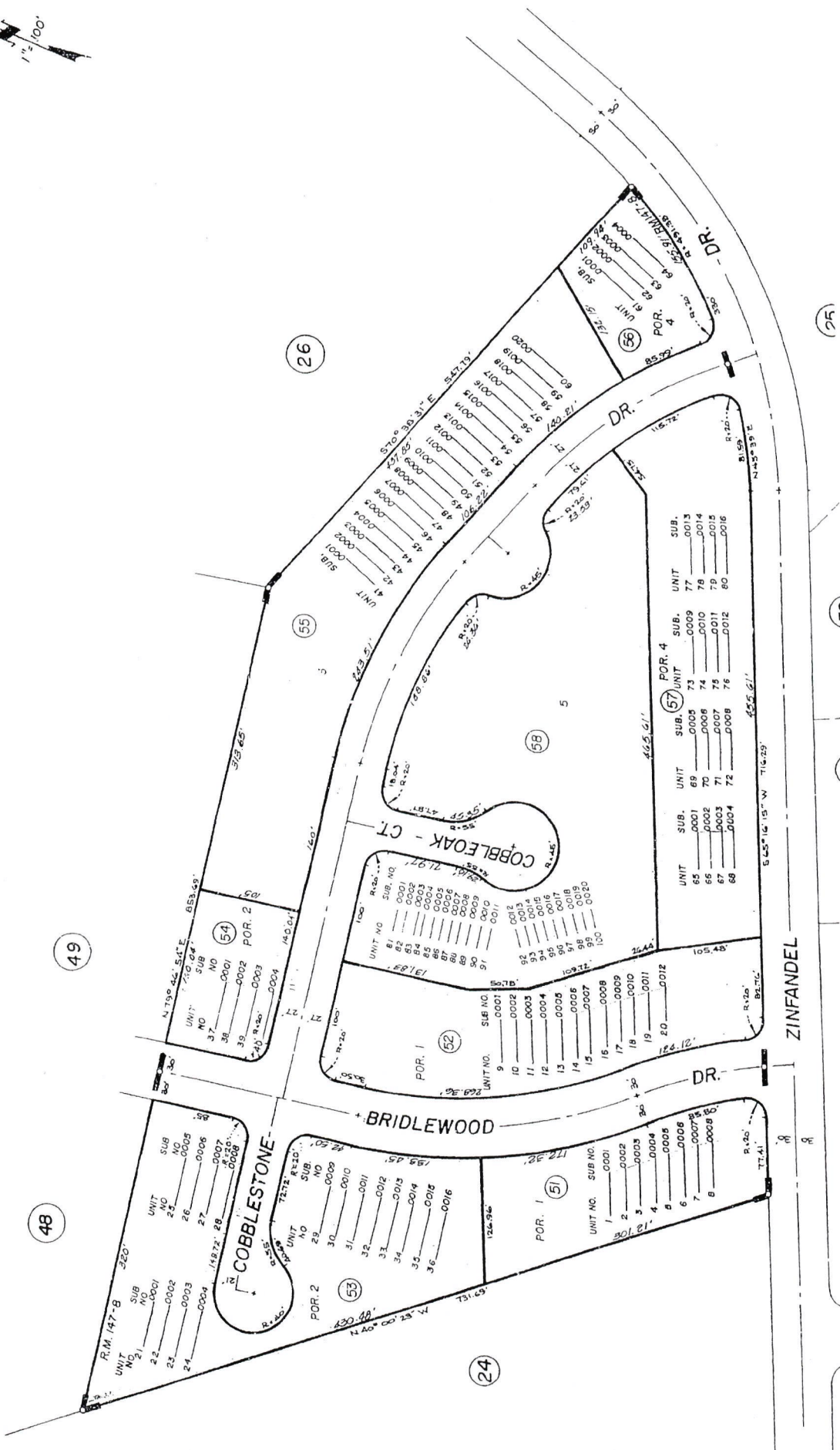
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41

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POR. SEC'S. 24 & 25, T.9N., R.6E., M.D.B. & M.

058-39



FREEDOM, TR
PO BOX 2332
GRANITE BAY, CA 95746

PHELPS, SCHOW M
PO BOX 591270
SAN FRANCISCO, CA 94159

PLESKO, E J ETAL
PO BOX 22799
HOUSTON, TX 77227

PINEBROOK VILLAGE L P
8022 FOLSOM-AUBURN RD
FOLSOM, CA 95630

BLAIRMORE, LLC R & BRENDA
9500 SW BARBUR BLVD 300
PORTLAND, OR

BANKS, TR
9220 PLACER CANYON PKY
LOOMIS, CA 95650

CARPENTERS PENSION TRUST
1 BUSH STREET
SAN FRANCISCO, CA 94104

SEYEDIN TRUST
2939 MATHER FIELD ROAD 4
RANCHO CORDOVA, CA 95670

LATHI FAMILY PARTNERSHIP
PO BOX 1003
CITURS HEIGHTS, CA 95611

KC PROPCO LLC
2329 VEHICLE DR
RANCHO CORDOVA, CA 95670

KEY, VASHTI P
573 PARK POINT DR
GOLDEN, CA 80401

FIT DEVELOPMENT
8680 GREENBACK LN 220
ORANGEVALE, CA 95662

STUMPF, GARY F & RAYMOND V
4571 UNDERWOOD WAY
SACRAMENTO, CA 95823

TILTON, LOWELL H & LINDA L
11026 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

JEANNETTE, LINDA M
11028 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

BLUNK, JUDITH C
11030 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

CHORMAN, TR
11032 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

TEREBKOV, IGOR
11034 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

HARRELL, SUSAN
11036 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

SCHRUTZ, DAVID J & NANCY C
11038 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

GARDNER, WILLIAM A
11040 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

KMITT, PEGGY L
11042 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

QUTUB MOTAZ M
2150 BATES CIR
EL DORADO HILLS, CA 95762

GLASS, SUSAN M
11046 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

ARRINGTON, VERONICA
11048 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

CHARLSON, MIKE
11050 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

BOMAR, VIOLA
11052 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

LAURSEN, ALICIA S
PO BOX 294
DIABLO, CA 94528

THOMPSON, MARILYN J
11056 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

REYNOLDS, TRACI
1042 WILHAGGIN PARK LN
SACRAMENTO, CA 95864

ROBERTSON, BONNIE J
11060 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

VAZQUEZ, VENUS
11062 COBBLESTONE DR
RANCHO CORDOVA, CA 95670

MOEN, REBECCA L
1992 ZINFANDEL DR
RANCHO CORDOVA, CA 95670

JENNINGS, COREY D
1994 ZINFANDEL DR
RANCHO CORDOVA, CA 95670

BENEFIEL, GLORIA J
1996 ZINFANDEL DR
RANCHO CORDOVA, CA 95670

ALFARO, ANGELA ETAL
1998 ZINFANDEL DR
RANCHO CORDOVA, CA 95670

DARCY, TIM A
2312 FILMORE LN
RANCHO CORDOVA, CA 95670

MICKELSON, JOSEPH L &
2316 FILMORE LN
RANCHO CORDOVA, CA 95670

BAILEY, BRIAN D
2320 FILMORE LN
RANCHO CORDOVA, CA 95670

KRAMER, MATTHEW A
2324 FILMORE LN
RANCHO CORDOVA, CA 95670

MAXINE Z WILSON SEPARATE
2328 FILMORE LN
RANCHO CORDOVA, CA 95670

BOUSLAUGH, RICHARD M &
7008 LYNDALE CIR
ELK GROVE, CA 95758

OLIVAS, BILLIE S & SAM R
2336 FILMORE LN
RANCHO CORDOVA, CA 95670

MCCREADY, KAREN M
2340 FILMORE LN
RANCHO CORDOVA, CA 95670

MCCREADY, LINDA A
2348 FILMORE LN
RANCHO CORDOVA, CA 95670

LUPERINI, JEANINE K
2344 FILMORE LN
RANCHO CORDOVA, CA 95670

CLARDY, DALTON B & KAREN S
2352 FILMORE LN
RANCHO CORDOVA, CA 95670

GUNNISON, TR
2356 FILMORE LN
RANCHO CORDOVA, CA 95670

ROBERTS & VORISEK, TR
2364 FILMORE LN
RANCHO CORDOVA, CA 95670

LOEFFLER, FRED W JR & ANN C
2368 FILMORE LN
RANCHO CORDOVA, CA 95670

KORNFEIND, TR
2372 FILMORE LN
RANCHO CORDOVA, CA 95670

GOJARA, NORIKO
2369 FILMORE LN
RANCHO CORDOVA, CA 95670

MACYS, PETER M
2345 FILMORE LN
RANCHO CORDOVA, CA 95670

LEWIS, BONNIE
11576 MELONES CIR
RANCHO CORDOVA, CA 95670

PRITCHARD TRUST
2337 FILMORE LN
RANCHO CORDOVA, CA 95670

LOWE, SUSAN M
2333 FILMORE LN
RANCHO CORDOVA, CA 95670

CZARNY, EUGENE A & NANCY E
9523 W COUNTRY CLUB DR
SUN CITY, AZ 85373

QUIMBY, CRAIG & JENNIFER S
11068 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

GLENN, MARTHA A
11064 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

HEIBERG, TR
11062 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

PHILLIPS, AGNES M
11058 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

DUTRA, SHEILA M
11056 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

ALEATHA, W LANDRY TR
11054 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

SUCHOCKI, JEANNE G
11060 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

SUZANN, WIGGINTON
11066 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

MITCHELL
11074 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

CHU, LILY J ETAL
11076 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

HERVERT, ELIZABETH
11078 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

DEVINY, DONNA L
3800 SAN YSIDRO WAY
SACRAMENTO, CA 95864

VONASEK, TR
11065 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

RALEIGH, ELIZABETH
11063 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

LEACH, ERIC & MARGARIET
11061 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

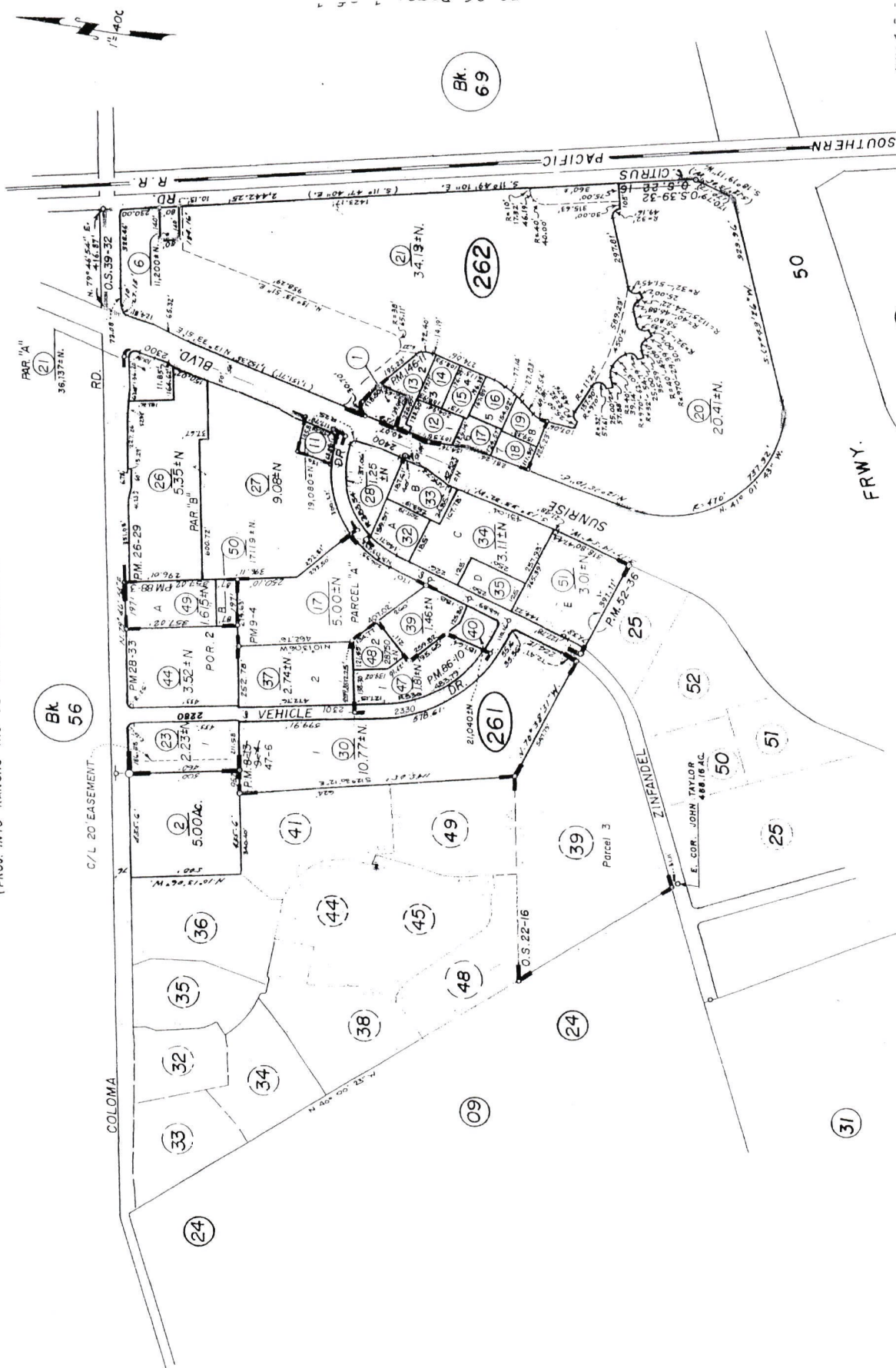
RICHERT, CINDY L
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RANCHO CORDOVA, CA 95670

MASON, JAMES E
11052 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

BRADLEY, ANNE E TR
11070 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

KING, PAULINA I
11072 AUTUMNWIND LN
RANCHO CORDOVA, CA 95670

POR. SEC'S 24 & 25, T.9N., R.6E., M.D.B.&M.
(PROJ. INTO RANCHO RIO DE LOS AMERICANOS)



MEMORANDUM

DATE: October 17, 2005
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
SUBJECT: First Reading of Ordinance 22-2005 titled
"Ordinance of the City of Rancho Cordova Regulating Commercial
Solid Waste Collection, Transportation or Disposal and Establishing
Commercial Solid Waste Collection Franchises"



RECOMMENDATION

Staff recommends that the Council hear the first reading of Ordinance 22-2005 titled "Ordinance of the City of Rancho Cordova Regulating Commercial Solid Waste Collection, Transportation or Disposal and Establishing Commercial Solid Waste Collection Franchises", which replaces Ordinance 15-2003.

BACKGROUND AND SUMMARY

In September 2003, the City Council adopted urgency Ordinance 15-2003 to regulate private garbage companies that provide solid waste collection and recycling services to commercial businesses and multi-family complexes located in the City of Rancho Cordova. Prior to incorporation, these private garbage companies were regulated by the Sacramento Regional Solid Waste Authority ("SWA"). Ordinance 15-2003 was based upon the SWA Ordinance, and provided continuation rights for holders of a valid SWA franchise (commercial franchisees) to operate in the City of Rancho Cordova through the end of December 2005. Staff have therefore taken steps to adopt a new Commercial Solid Waste Ordinance, and to execute new franchise agreements with the commercial franchisees operating in the City.

Concerns from one of the haulers were raised regarding issues in the Franchise Agreement. Staff is discussing the issues and will present the results at the Council meeting if necessary.

FISCAL IMPACT

The commercial franchisees currently pay an 8 percent franchise fee on gross revenues received for providing commercial businesses in the City with collection, transport, recycling and disposal of solid waste. The 8 percent franchise fee generates revenue in the range of \$225,000 to \$250,000 per year, which will remain unchanged with the adoption of proposed Ordinance 22-2005.

ORDINANCE SUMMARY

- **Franchise Agreements:** The proposed Ordinance requires that a franchise agreement be executed with any company engaged in the business of commercial solid waste collection, transport, recycling and disposal. Staff is scheduled to return to Council in December 2005 to execute the new commercial franchise agreements in accordance with the proposed Ordinance.
- **Diversion (Recycling) Requirement:** Starting July 1, 2006, the commercial franchisees will be required to divert 30 percent (by weight) of the total solid waste collected from commercial businesses within the City. The 30 percent diversion requirement for the commercial franchisees is an important component of the City's efforts to comply with the overall 50 percent waste diversion requirement of AB 939.

Please note that the 30 percent diversion requirement has been suspended until July 1, 2006. The SWA member agencies and the SWA commercial franchisees are currently working together to revise the current diversion requirement, and SWA staff have indicated that a recommendation will likely be presented to the SWA Board in early to mid-2006. At the request several commercial franchisees, City staff agreed to suspend the 30 percent diversion requirement until July 1, 2006 to allow the SWA sufficient time to formulate its recommendation. The City will review the SWA recommendation when it is available and, if it is in the City's best interest, will consider revising Ordinance 22-2005 to maintain regional consistency regarding the regulation of commercial solid waste haulers.

- **Quarterly Reporting:** The commercial franchisees are required to submit quarterly reports to the City to demonstrate compliance with the various requirements of the proposed Ordinance and franchise agreement. Staff will be responsible for performing compliance reviews of the quarterly reports.

ORDINANCE ADOPTION PROCESS

The staff recommendation is for the Council to hear the first reading of proposed Ordinance 22-2005, and to receive comments from Council members and the public. Staff is scheduled to return to Council on November 7 for the second reading and to recommend that Council adopt the Ordinance.

Attachment 1: Ordinance 22-2005 -Ordinance of the City of Rancho Cordova
Regulating Commercial Solid Waste Collection, Transportation or
Disposal and Establishing Commercial Solid Waste Collection
Franchises"

CITY OF RANCHO CORDOVA

ORDINANCE NO. 22-2005

**AN ORDINANCE OF THE CITY OF RANCHO CORDOVA
REGULATING COMMERCIAL SOLID WASTE COLLECTION,
TRANSPORTATION OR DISPOSAL AND ESTABLISHING
COMMERCIAL SOLID WASTE COLLECTION FRANCHISES**

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

Section 1. Purpose and Declarations.

A. It is hereby declared and determined that the business of collecting and subsequently transporting, transferring, disposing and/or recycling of commercial solid waste generated, kept or accumulated within in the incorporated limits of the City of Rancho Cordova affects the health, safety, public welfare and quality of life of the inhabitants of the City. The City further declares that the business of collecting and disposing of commercial solid waste is a public service and should be regulated by the City. The use of any public street or public property in connection with such business is of great concern to the City and should be regulated by the City. Therefore, it is the purpose of this ordinance to provide such regulation.

B. It is the further purpose of this ordinance to regulate such business in order to ensure its orderly operation, and to minimize the adverse effects it may have on the local environment. It is also the purpose of this part, aside and apart from regulation, to require compensation for the value of the franchise issued by the City.

C. It is the further purpose of this ordinance to provide for the uniform regulation of commercial solid waste collection, removal and transportation within the geographical area of the City.

D. It is the further purpose of this ordinance to provide a mechanism to require the diversion of a sufficient portion of the commercial solid waste stream generated within the City's jurisdiction to enable the City to meet the solid waste diversion requirements set forth in Public Resources Code Section 41780. It is the intent of the City Council in this regard to require all holders of a commercial solid waste franchise to satisfy the diversion requirement of this Ordinance through the diversion of solid waste that is currently being disposed of in solid waste facilities. It is the intent of the City Council in establishing a diversion requirement for the franchise holders to take into account the existing diversion of recyclable materials by recycling business, brokers, and generators that would otherwise become solid waste. It is not the City Council's intent to allow

franchise holders to satisfy this diversion requirement by assuming credit for the diversion of recyclable material that is currently being diverted by other parties.

E. The City hereby elects to have the grant of franchises governed by this ordinance, and any ordinances amendatory thereof, and these provisions shall constitute the exclusive procedure applicable to the granting of franchises for the conduct of the business of collecting, transporting or disposing of commercial solid waste.

F. If any portion of this Ordinance is for any reason held invalid or unconstitutional by any decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining part of this Ordinance.

Section 2. Definitions.

Unless the context otherwise requires, the definitions set forth in this section shall govern the interpretation of this Ordinance.

A. "Administrator" means the Administrator of the City's Solid Waste Program. The City Council shall designate by resolution the Administrator.

B. "City Council" means the City Council of the City of Rancho Cordova.

C. "City Clerk" means the City Clerk of Rancho Cordova.

D. "City Engineer" means the Engineer of the City of Rancho Cordova.

E. "City Limits" means the territorial jurisdiction of the City.

F. "Collection" means the act of collecting and removing solid waste at the place of waste generation.

G. "Commercial solid waste" means solid waste generated by commercial and industrial sources and multi-family dwellings units as defined in subdivision (I) hereof.

H. "County" means the County of Sacramento.

I. "Franchise" means a Commercial Solid Waste Collection Franchise issued under the provisions of this Ordinance to engage in the business of collecting, removing and transporting solid waste generated by commercial, industrial, or multifamily dwelling units within the City.

J. "Franchisee" means a person or entity holding a Franchise issued pursuant to this Ordinance.

K. "Materials recovery facility or MRF" means a permitted solid waste facility where solid waste or recyclable materials are sorted, or separated, by hand or by use of machinery, for the purposes of recycling or composting. This definition shall apply only within the framework of materials recovery facility services and reporting of this Ordinance.

L. "Multi-family dwelling units" means five or more residential dwelling units located on a single parcel of land.

M. "Person" means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

N. "Recycling" means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place. Recycling does not include transformation as defined in Public Resources Code Section 40201.

O. "Recycling facilities" means those facilities or operations that receive, process, and transfer to market recyclable materials that have been source separated from the solid waste stream.

P. "Recyclable material" or "recyclables" means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place, and that are not landfilled.

Q. "Removal" means the act of taking solid wastes from the place of waste generation.

R. "Rubbish" means non-putrescible solid wastes such as ashes, paper, cardboard, tin cans, yard waste, wood, glass, bedding, crockery, plastics, rubber by-products and litter.

S. "Solid waste" means all putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, , discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. Solid waste does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with section 25800) of Division 20 of the Health and Safety Code or medical waste. Solid waste does not include recyclable materials set out for separate collection for the purposes of recycling, and that are not land filled.

T. "SWA" means the Sacramento Regional Solid Waste Authority.

U. "Sheriff" means the Sacramento County Sheriff, or the City's other designated public safety provider.

V. "Treated medical waste" means medical waste as defined in subsection (a) of Health and Safety Code Section 25023.5.

W. "WMRD" means the Waste Management and Recycling Division of the County's Public Works Agency.

Section 3. Collection or Transportation Prohibited.

Except as authorized by Section 5 hereof, it shall be unlawful for any person to engage in the business of collecting, removing or transporting, or otherwise organize, direct or sponsor the collection, removal or transportation of, commercial solid waste within the City without possessing a valid Franchise granted by the City.

Section 4. Franchise Requirement.

It is unlawful for any person to engage in the business of collecting, transporting or disposing of commercial solid waste kept, accumulated or generated in the City unless:

A. A franchise therefore has first been granted pursuant to the provisions of this ordinance and such franchise is in full force and effect; and

B. A written franchise agreement therefore has been executed between such person and the City and such agreement is in full force and effect.

Section 5. Exempt Collection or Transportation.

The following persons shall be authorized to organize, direct or sponsor the collection, removal or transportation of commercial solid waste within the City, or collect, remove or transport such solid waste, without a Franchise:

A. The United States, State of California, a city, a special district or other local public agency, or any employee or member of the Armed Forces thereof, when collecting or transporting solid waste produced by operation of the public entity under a system of solid waste collection and transportation operated and maintained by the public agency;

B. The owner, operator or occupant or employee of a farm or ranch consisting of five acres or more, when transporting for off-site disposal solid waste accumulated as a result of operation of the farm or ranch;

C. An owner or occupant of a residential unit, when collecting or transporting rubbish, not containing garbage, from his or her residential premises to a lawful point of disposal;

D. A residential construction contractor, commercial gardener or those engaged in the business of cleaning residential or commercial properties and employees thereof, when collecting or transporting rubbish consisting of by-products of the services provided to a lawful disposal location;

E. A person or employee thereof, when collecting or transporting dead animals, bones, meat scraps or food waste resulting from food processing plants for tallow or fertilizer, or other waste material to be used as raw material in manufacturing, or solid waste that is collected without charging a fee to the customer for purposes of salvage, provided that such persons shall reuse or recycle or cause to be reused or recycled all materials collected, and shall not transport or arrange for the transport of any collected materials to a disposal site; and

F. An operator or employee thereof of one or more industrial plants which are under single ownership, when collecting or transporting wastes which cannot be handled by standard solid waste collection equipment or which involve significant health, operating or handling hazards, including but not limited to, rice hulls, tomato pulp, chemical residues, explosives, and other toxic, noxious or hazardous substances, provided that all such wastes shall be deposited at an appropriate disposal area permitted pursuant to California State Solid or Hazardous Waste Management Standards.

G. Construction and demolition waste or debris removed from a premises by a licensed demolition or construction contractor using its own employees and its own or rented equipment as an incidental part of a total service offered by that contractor rather than as a hauling service.

H. Hazardous waste, medical waste and designated waste regardless of its source.

I. By-products of sewage treatment, including sludge, sludge ash, grit, and screenings.

J. Residue or non-processable waste from a solid waste management facility, including material recovery, composting, and transformation facilities.

K. Waste generated by municipal corporations and other governmental agencies using their own vehicles engaged in the collection, transportation, or disposal of solid waste within the City.

Section 6. City Council Authority to Grant Franchise.

- A. The City Council may and is hereby empowered to grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial solid waste kept, accumulated or generated in the City.
- B. The City Council may grant a franchise to an applicant based on compliance with this ordinance. Any grant of a franchise by the City Council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations as the City Council deems necessary to protect the public health, safety, or welfare.
- C. The City Council hereby empowers and grants to the Administrator the authority to administer and negotiate non-substantive changes to the franchise agreements. The City Council may delegate authority by resolution to the Administrator to administer, negotiate and execute franchise agreements.

Section 7. Franchise Terms and Conditions.

- A. All franchises shall be subject to the terms and conditions specified in this ordinance, in the Franchise Agreement and in all other applicable federal, state and local laws and regulations.
- B. In granting any franchise, the City Council may prescribe such other additional terms and conditions, not in conflict with this ordinance, as in the judgment of the City Council are in the public interest.
- C. Each Franchisee shall provide commercial solid waste collection, removal, recycling, and transportation services consistent with the provisions of this Ordinance, the terms and conditions of the Franchise issued to the Franchisee, and any applicable Federal, State, or local statute, ordinance, rule or regulation.
- D. Each Franchisee shall provide services without undue interruptions caused by mechanical failures or other inadequacies of equipment and shall utilize equipment in quantities and of an age and quality adequate for the provisions of reliable service and to provide preventive and repair maintenance of such equipment sufficient to ensure reliability.

Section 8. Application for Franchise.

- A. All applications for franchises pursuant to this Ordinance shall be in writing and shall be filed with the Administrator.

B. Each application for a franchise shall be submitted by the Applicant on a form provided by the Administrator. The application shall include all attachments required by the Administrator. At a minimum, the application shall contain the following information:

1. Identification.
 - (a) The name and address of the Applicant.
 - (b) Business Address and telephone number of the Applicant.
 - (c) Address where all vehicles and operating equipment used within the City will be kept.
 - (d) If the applicant is a partnership, the Applicant shall include the name and address of each partner, general, limited or otherwise, owning more than ten percent (10%) ownership in the partnership and their percentage of ownership.
 - (e) If the applicant is a corporation, the application shall state the names and addresses of the corporation's directors, date and place of incorporation, main offices, major stockholders and associates, and the names and addresses of the parent and subsidiary companies.
 - (f) If the applicant is an affiliate or a franchised operation of another corporation (not to be confused in this instance with a solid waste franchisee of the City), the applicant shall list the names and addresses of the parent or subsidiary companies, together with a description of their business interests and/or ownership.
 - (g) If the applicant is a joint venture or other combination of persons and corporations identify separately the names and addresses of each member of the joint venture or combined effort, together with their percentage interest.
2. Business Operations. The names of the executive, operational and financial managers to be used in connection with the solid waste collection services, together with documentation that such persons and the applicant have sufficient experience in solid waste handling to perform solid waste collection services in the City.
 - (a) Attestation that books and accounts of all revenue and income arising out of its operations will be kept in a manner that conforms with Generally Accepted Accounting Principals.
 - (b) A statement that the applicant shall obtain insurance prior to commencing business subject to the franchise agreement.

- (c) A statement that the applicant shall maintain and report on a timely basis all operational information and data elements reasonably required by the City to comply with its reporting requirements such as those established under AB 939, and as defined in the franchise agreement.
- (d) A complete listing and explanation of any civil or criminal rulings or judgments in excess of five thousand dollars (\$5,000), or convictions against applicant, any of applicant's partners, major stockholders, corporate directors or parent or subsidiary companies, occurring within the last five (5) years. Applicants that are subject to the periodic reporting requirements of Section 13(a) of the Securities Exchange Act, may, in lieu of the information required by Section 8.B.(2)(d), submit the information reported pursuant to 17 CFR §§ 229.103 (Legal proceedings) and 229.403 (Security ownership of certain beneficial owners and management) on the most recent form 10-K filed by the Applicant with the Securities and Exchange Commission.

3. Facilities and Equipment.

- (a) A description of all vehicles and equipment that the applicant owns, has control of, or intends to acquire for the collection, transportation, or disposal of commercial waste in the City and which are subject to the provisions of the franchise agreement. A statement as to whether said vehicles and equipment are self-unloading and equipped with audible automatic back-up warning devices. The minimum vehicle description for existing vehicles shall include Vehicle Identification Number (VIN) and license plate number.
- (b) Evidence demonstrating that the applicant owns or will have access to suitable facilities for keeping vehicles and equipment clean and in good repair, and that the applicant owns or will have access to reasonable office and billing facilities.
- (c) Evidence demonstrating that the applicant owns or will have the legally enforceable right to use at least two collection vehicles, the bodies of which are closed, leak resistant, and constructed for the purpose of solid waste collection, transportation, and disposal. In the alternative, for the purposes of this provision, an applicant may demonstrate by the evidence that they service and transport open-top roll-off boxes for the collection, transportation, and disposal of non-putrescible waste and/or roll-off compaction boxes which are closed, leak resistance, and are constructed for the purpose of solid waste collection, transportation, and disposal.

4. Financial Resources. Applicant shall provide proof satisfactory to the Administrator that the applicant has adequate financial resources to conduct commercial solid waste collection services.
5. Diversion Plans. Each Franchisee shall submit a Diversion Plan with their Franchise Application. The Diversion Plan shall include a detailed description of how the Franchisee intends to comply with the diversion requirements set forth in Section 23 hereof. The Diversion Plan must include a plan describing how the Franchisee intends to satisfy its diversion requirements by diverting recyclable materials from commercial solid waste that is being disposed of in solid waste facilities.
6. Application for Sheriff's Review.
 - (a) The City may request that the Sheriff review each franchise application prior to the City issuing a Franchise. The Administrator may refer all franchise applications or renewals pursuant to this Ordinance to the Sheriff who, in conjunction with City staff, shall make such investigation of the applicant as the Sheriff deems necessary in order to determine whether the applicant's character or the business responsibility of the firm the applicant represents is satisfactory. The requirements of this section apply to all pending or future applications or proposals for issuance or renewal of such Franchise pursuant to this Ordinance. The Sheriff's investigation may include, but is not limited to, obtaining the fingerprints and a photograph of the applicant, or any other person connected with the firm which the applicant represents, and the obtaining of reports from the state and federal law enforcement agencies and reports from any other appropriate sources.
 - (b) If requested to review an application, the Sheriff shall evaluate each franchise application or proposal to determine whether the operation of the business which the applicant or party submitting the proposal represents would involve an unreasonable risk to the health, safety or general welfare of the public. In making such a determination the Sheriff shall consider the character of the applicant or party submitting the proposal and each director, officer, manager and other person who exercises policy control over the operations of the applicant or proponent, the business responsibility of the firm which the applicant or party submitting the proposal represents, and the manner in which the firm intends to conduct its business.
 - (c) The Sheriff shall notify the Administrator of the results of the investigation conducted pursuant to this section. If the Sheriff recommends disapproval of the application or proposal, the

reasons for disapproval shall be specified in writing. The Sheriff shall forward a copy of the statement of reasons to the Administrator and shall provide a copy to the applicant or party submitting the application.

7 Other.

- (a) Any other evidence that demonstrates that the applicant is able to render collection and subsequent transportation, and/or disposal services in accordance with applicable federal, state and local statutes.
- (b) Such additional information as may be reasonably requested by the Administrator.
- (c) During the application or proposal period and during the full term of any Franchise all information contained in the franchise application shall be kept up-to-date by the applicant who shall file a new verified statement within forty-eight (48) hours of any change indicating in detail the nature of any change in the information.

C. The application shall be signed by the person applying for the solid waste collection franchise or, in the case of a partnership or corporation, by a person authorized to bind the partnership or corporation.

Section 9. Franchise Application Review Process.

A. The City Council may award franchises for the collection of commercial solid waste within the City to applicants meeting all of the qualifications of this Ordinance.

B. Applicants may submit their completed application for a franchise, as provided in Section 8, to the Administrator for review and consideration at any time. The Administrator shall review such submittals and either make a recommendation to the City Council to award such franchise, or notify applicant of denial, within sixty (60) days of receiving a completed application.

C. The Administrator shall take into consideration all components of the completed application, including but not limited to:

- 1. The ability of the applicant to meet all terms of the agreement;
- 2. Any history of civil or criminal convictions that may compromise the public's interests; and
- 3. The completeness, accuracy, and validity of the application.

The Administrator shall also have the authority to verify independently any and all statements made and implied in the application. The Administrator may also request clarification from applicant of any or all elements of the submitted application.

D. After the sixty (60) day review period, the Administrator shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the City Council that a franchise be awarded.

E. Upon concurrence with a positive recommendation, the City Council will award the franchise or will delegate authority to the Administrator to award the franchise within a reasonable period of time. The Administrator will notify applicant in writing of an award.

Section 10. Appeal Upon Denial of Award.

A. Within thirty (30) days of written notification of award denial or within sixty (60) days of Administrator's failure to act on the franchise application, applicant has the right to meet with the Administrator to review the items cited in the written notice and provide any additional evidence to support an award. Within fifteen (15) days of such meeting, the Administrator will make a final, written determination of the application, based on the reviews of additional evidence, together with the original application. Administrator will send a copy of all final, written determinations, including reasons for denial, if any, to both applicant and the City Council.

B. Applicant may, within ten (10) days after receiving the Administrator's final denial, request a public hearing before the City Council by submitting to the City Clerk a written petition for an appeal hearing. If a public hearing is requested, the City Clerk shall set the matter for hearing at the next regularly scheduled City Council meeting or any later date as agreed upon by the applicant and Clerk of the City Council. At such hearing, applicant may present evidence in writing and through testimony of its employees and others relevant to the application. During such hearing, the City Council may demand from the applicant such additional information as the City Council may deem relevant and necessary. Standard rules of evidence are not in effect at such public hearing, and the applicant shall have the burden of proof to show facts demonstrating that the applicant does in fact meet the requirements of this ordinance. Any hearing may be continued or adjourned to a stated time and place without the giving of further notice. The City Council will provide applicant with a written explanation of its determination on the application within thirty (30) days of such hearing. The City Council's decision is final.

C. If the term of an applicant's existing franchise expires while the application is under City review, the City Council or the Administrator may administratively extend the term for such period of time as is required to complete the appeal process.

Section 11. Awarding of Franchise.

A. A franchise shall become effective only once the applicant and the City have signed a written agreement, and upon applicant's satisfying all of the requirements and conditions set forth in both this ordinance and the franchise agreement.

B. The franchisee must provide to the City copies of all required certificates of insurance, and copies of all required truck inspection forms as enumerated in the franchise agreement and this ordinance. Should franchisee fail to maintain all such insurance and bonding requirements, uninterrupted for the term of the agreement, the City will immediately suspend or terminate the franchise.

C. If the franchisee's description of vehicles and equipment, as required under Section 8, has changed between the application date and the effective date of the franchise agreement, franchisee must submit to Administrator an amended description, including all identification elements required under Section 8, prior to commencing services authorized in the agreement.

Section 12. Requirements for Franchise Effectiveness.

A franchise granted pursuant to this part shall not become effective unless and until all of the following requirements have been satisfied:

A. The ordinance granting the franchise is effective.

B. The applicant and the City have executed a franchise agreement.

C. Within twenty days from the date of adoption of the ordinance granting the franchise, or delegating authority to the Administrator to grant the franchise, the applicant to whom a franchise has been granted has filed with the City Clerk evidence of compliance with the insurance requirements specified in the franchise agreement.

Section 13. Reserved.

Section 14. Termination or Suspension of Franchise.

A. All franchises granted pursuant to this ordinance shall terminate on December 31, 2012. The franchise may be terminated for cause prior to that date. The City and

the Franchisee may also enter into an agreement to terminate the franchise prior to that date.

B. The City Council shall have the right to terminate any franchise granted pursuant to this Ordinance if the City Council finds, after a public hearing following not less than fourteen days written notice to the franchisee, that:

1. The grantee has failed to comply with, or to do anything required of the grantee by, applicable provisions of this Ordinance, provisions of the ordinance granting the franchise, or provisions of the franchise agreement; or
2. Any provision of this part becomes or is declared to be invalid and the City Council expressly finds that such provision constitutes a material consideration to the grant or continuation of such franchise.

C. Any franchise granted pursuant to this part shall automatically be suspended whenever the Franchisee:

1. Fails to keep in full force and effect the insurance required by the franchise agreement; or
2. Fails to keep in full force and effect any applicable licenses or permits required by federal, state or local law. The suspension shall remain in effect until the Franchisee provides documentation satisfactory to the Administrator verifying that the reason for the suspension specified above no longer exists.

D. The Administrator may suspend any franchise granted under this part if the Franchisee fails to submit timely reports as described in Section 19 within fifteen days after written notice from the Administrator that a report is delinquent. The suspension shall remain in effect for the period specified in the Administrator's notice unless the suspension is reversed or modified by the Administrator or, upon appeal by the franchisee, by the City Council.

E. In the event the franchise granted pursuant to this part is terminated, the Franchisee shall have no right or authority to engage in commercial solid waste collection, transportation or disposal operations in the City unless and until a subsequent commercial solid waste collection franchise is granted to the Franchisee. Nothing herein shall require the City to grant any subsequent franchise to the Franchisee.

F. In the event the franchise granted pursuant to this part is suspended, the Franchisee shall have no right or authority to engage in commercial solid waste collection, transportation or disposal operations in the City during the period of suspension.

G. In the event any franchise granted pursuant to this part is terminated under subsection A. above, then within the time period specified by the City Council, the Franchisee shall:

1. Remove all of the Franchisee's, and any subcontractor's, solid waste containers from all service locations where services have been provided pursuant to such franchise; and
2. Properly dispose of any and all solid wastes in the containers at the time of removal.

H. If the Franchisee fails to remove any solid waste container or to properly dispose of any solid waste in any container within the time specified in subsection F above, the City may remove the container and/or dispose of the solid waste therein and may charge the Franchisee for the City's costs. The Franchisee shall pay to the City all of the costs incurred by the City in such removal and/or disposal within ten days of the date of the City's invoice for such costs.

I. The City recognizes that the SWA is currently in the process of revising SWA Ordinance 14 and the Commercial Solid Waste and Recyclables Collection Franchise Agreement that collectively regulate the SWA Franchisees operating in the SWA region. The City also recognizes that many of the City Franchisees are also SWA Franchisees. Finally, the City recognizes that there is a benefit to a similar Ordinance and Franchise Agreement in the City and the SWA region. Therefore, at such time as the SWA adopts a new Ordinance and executes new Franchises, the City will review the documents. If the City determines that it is in the City's best interest to do so, the City may, at its sole discretion, terminate all Franchises executed pursuant to this Ordinance with ninety (90) days written notice to the Franchisees and execute new Franchises that are functionally similar to the new SWA Franchise.

Section 15. Franchise Transfer or Assignment.

Any franchise granted pursuant to this part is a privilege to be held in trust by the original Franchisee. A franchisee shall not sell, lease, transfer, assign or otherwise dispose of, either in whole or in part, whether by forced sale, merger, consolidation, bankruptcy, reorganization under bankruptcy laws or otherwise, a franchise issued pursuant to this Ordinance without the prior consent of the City Council. Any such consent of the City Council shall be subject to such terms and conditions as may be prescribed by the City Council. This restriction includes the transfer of ownership of the franchise, or a majority of the ownership or control of the franchisee, or the conveyance of a majority of the franchisee's stock to a new controlling interest. Franchises shall become void upon the abandonment of same by franchisee.

Section 16. Franchise Fees.

A. Each person engaging in the business of collecting, transporting or disposing of commercial solid waste kept, accumulated or generated in the City shall pay a franchise fee to the City. The City Council shall set the franchise fee by resolution.

B. Franchise fees shall be payable on a monthly basis, and shall be due and payable on the first day of the second month immediately following the month in which collection services were provided. Each payment shall be calculated in accordance with the provisions of this Ordinance.

C. The required franchise fee shall be paid to the Administrator. Each payment shall be accompanied by a written statement, verified by the person making the payment, or a duly authorized representative of the person, showing the calculation of the franchise fee payable in such form and detail as the Administrator may require and such other information as the Administrator may determine is material to a determination of the amount due.

D. No statement filed under this section shall be conclusive as to the matters set forth in such statement, nor shall the filing of such statement preclude the City from collecting by appropriate action the sum that is actually due and payable.

E. The payment of franchise fees to the City pursuant to this part shall be in addition to any license fee or business tax prescribed by any local jurisdictions for the same period.

F. If franchise fees are not paid by the Franchisee at the times required by this Section, then in addition to the franchise fees, the Franchisee shall pay a late payment charge in an amount equal to two percent (2%) of the franchise fee that is due plus interest equal to one and one-half (1½%) for each month in which the franchise fee was not timely paid.

G. Commercial solid waste franchise fees shall be payable on all gross collection revenues collected by a Franchisee from its commercial solid waste collection customers located within the City. The franchise fee shall be calculated based on gross collection revenues prior to Franchisee imposing the franchise fee on its customers. Franchisees shall also pay Franchise fees on revenues received from federal and state governments.

H. Franchise fees shall be payable by any person providing commercial solid waste services within the City after the effective date of this ordinance, even where no franchise has been granted.

Section 17. Reserved.

Section 18. Franchise Operations.

- A. All new customer agreements executed after the effective date of the franchise must contain clauses that automatically terminate such customer agreements in the event that the Franchise or Franchise Agreement is terminated. Upon termination of any franchise, franchisee is required to notify all its customers in writing with thirty (30) days of such termination.
- B. Franchisee must offer recycling services to each of its customers or provide its customers with a list of companies who provide recycling services in the area.
- C. The agreement shall provide for the requirements relating to the frequency and hours of collection, the size, placement and care of the containers, and special collections.

Section 19. Reporting Requirements.

A. The Franchisee shall file with the Administrator a quarterly report of the quantities of commercial solid waste collected, transported, diverted, and/or disposed. Such report shall be in such form and detail as required by the Administrator. Specifically, the report shall contain the following information:

- 1. The commercial solid waste tonnage collected and removed within the City during the previous quarter;
- 2. The commercial solid waste tonnage collected and removed during the previous quarter within the City that was diverted and the location of the facility where such solid waste was diverted;
- 3. The commercial solid waste tonnage collected and removed within the City that was disposed of during the previous quarter and the location of the disposal facility where the disposal of such waste occurred; and
- 4. The Franchisee's progress in implementing its Diversion Plan and achieving the diversion performance requirements set forth in Section 23 hereof.

B. Franchisees may use information supplied by certified MRFs to meet the requirements of this section.

C. All Franchisees shall maintain quarterly records, on forms prescribed by either the Administrator or WMRD, containing such information as may be required pertaining to the number and types of accounts served by the Franchisee. This information shall be provided to the Administrator upon request. If upon review of this information, the Administrator determines that the Franchisee has claimed credit for the diversion of solid waste that is already being diverted by a third party for purposes of satisfying the

diversion requirements set forth in Section 23, such action by the Franchisee shall constitute cause for termination or suspension of the Franchise pursuant to Section 14 hereof.

D. A Franchisee's failure to file the reports required by this section shall constitute cause for termination or suspension of its Franchise pursuant to Section 14 hereof.

E. To the extent permitted by the California Public Records Act, any reports, plans, and information required by this Ordinance or the Franchise Agreement shall be deemed confidential and shall not be subject to public disclosure except for each Franchisee's aggregate totals.

F. If the quarterly report required under subsection A is not filed by the due date specified in the franchise agreement, the report shall be deemed delinquent, and the Franchisee shall pay to the City a delinquent report charge in the amount of fifty dollars. If the report remains delinquent for more than fifteen days, the Franchisee shall pay to the City a delinquent report charge in the amount of one hundred dollars. Such delinquent report charge shall be in addition to any franchise fees or other charges payable by the Franchisee for the same period of time.

Section 20. Recycling Facility Reporting Requirements.

A. All recycling facilities within the City shall provide semi-annual written reports to the Administrator, due 45 days after the close of the six-month reporting period, and including the following information for the previous six months:

1. The total aggregate tonnage of recyclable material received from generators located within the City;
2. The aggregate tonnage of recyclable material received from waste management and recycling operations in the City;
3. The aggregate tonnage of recyclable material received from Franchises operating within the City; and
4. The total aggregate amount of residuals generated at the facility and disposed of at a permitted solid waste disposal facility, expressed as a percentage of total tonnage received.

B. To the extent permitted by the California Public Records Act, any report or other information required by this Ordinance shall be deemed confidential and shall not be subject to public disclosure except for aggregate totals for all facilities.

C. Recycling facilities receiving only scrap metals, agricultural waste, inert materials, and/or discarded, whitecoated, major appliances, that are not normally disposed of and

thus cannot be counted towards the State's diversion requirements, are exempt from the reporting requirements of this Ordinance.

Section 21. Restrictions on Franchisees.

The following restrictions shall be applicable to Franchisees:

- A. Except to meet the two-truck requirement of Section 8(B)(3)(c), no Franchisee shall, by contract, subcontract, or otherwise, share with another Franchisee any office space associated with operations under a Franchise.
- B. No Franchisee by contract, express understanding or indirectly, shall, in cooperation with another Franchisee, divide, segregate or apportion any territory within the City for the purpose of restricting competition within a particular territory.
- C. No Franchisee shall, directly or indirectly, enter into any contract, express understanding or other transaction with another Franchisee for the purpose of fixing customer rates or charges or otherwise maintaining rates or charges at a particular level.
- D. No Franchisee or any director, officer, partner, joint venturer, sole proprietor or corporate owner thereof, shall be a controlling shareholder of, be a partner, joint venturer or sole proprietor, own any other interest in or be employed by another Franchisee. No Franchisee which is owned in whole or in part by a corporation shall be effectively controlled by a person or entity by virtue of that person or entity's ownership of shares in the corporation, if the same person or entity otherwise controls another Franchisee. The sole remedy for violation of the provisions of this subparagraph shall be revocation or refusal to renew a Franchise.
- E. Each Franchisee shall provide to the Administrator such information as the Administrator determines is reasonably necessary to facilitate effective administration of the Franchise under the provisions of this Ordinance. Diversion information may be provided consistent with the framework for materials recovery facility (MRF) services and reporting of Section 19.
- F. Notwithstanding any other provisions of this Ordinance, it shall be allowable for a Franchisee having an interest in a materials recovery facility (MRF) to provide a reporting service, a solid waste processing service, and/or a recyclables processing service to another Franchisee consistent with the framework for MRF services and reporting of Section 19.

Section 22. Diversion Plans.

A. Each Franchisee holding a Franchise shall submit a Diversion Plan to the Administrator on an annual basis, no later than January 1 of each year. The Diversion Plan shall include a detailed description of how the Franchisee intends to comply with the diversion requirements set forth in Section 22 hereof. The Diversion Plan must include a description of the methods the Franchisee intends to use to satisfy its diversion requirements.

B. Within ninety (90) days from the date of receipt of a Diversion Plan, the Administrator shall determine whether the Diversion Plan complies with the requirements of this section and, based on that determination, shall approve or disapprove the Diversion Plan. If the Administrator fails to approve or disapprove the Diversion Plan within such ninety (90) day period, the Diversion Plan shall be deemed approved.

C. If the Administrator disapproves a Diversion Plan, the Administrator shall issue a notice of deficiency to the Franchisee which identifies the specific reasons for the deficiency and specific recommendations on how to correct the identified deficiencies. Within thirty (30) days of receipt of the notice of deficiency, the Franchisee shall correct the deficiencies and submit a revised Diversion Plan.

D. If the Administrator determines that the revised Diversion Plan still fails to meet the requirements of this section, the Administrator shall schedule a public hearing before the City Council for the purpose of hearing testimony on the Diversion Plan and the deficiencies identified. After conducting the public hearing, the City Council shall make a determination as to whether the Diversion Plan complies with the requirements of this section. If the City Council determines that the Diversion Plan fails to comply with the requirements of this section, it may either grant the Franchisee an additional period of time to correct any remaining deficiencies or revoke the Franchise. If the City Council grants the Franchisee an extension, it shall continue the public hearing at which time it shall make a determination as to whether the Franchisee has brought its Diversion Plan into compliance with the requirements of this section. If the City Council determines that the Diversion Plan is still not in compliance at that time, the City Council may revoke the Franchise.

E. The failure to file a Diversion Plan shall constitute cause for termination or suspension of a Franchise pursuant to Section 14 hereof.

Section 23. Diversion and Recycling Requirements.

Beginning July 1, 2006, each Franchisee shall divert at a rate of thirty percent (30%) by weight of all commercial solid waste collected and removed by it within the City. For purposes of satisfying this diversion requirement, the Franchisee shall not be given credit for the diversion of any source-separated or commingled recyclables that is

already being diverted by commercial recyclers, brokers, and other recycling generators or by another third party. The Franchisee shall likewise not be given credit for any increased diversion of recyclable material collected and removed by it unless such increased diversion is reflected in a corresponding reduction in the amount of solid waste being disposed of by the Franchisee. The rate of diversion required by Franchisees shall be subject to annual review and adjustment to reflect changes in the total diversion rate for the commercial solid waste sector. Such an annual adjustment of the diversion required by Franchisees shall take into account the amount of recyclable materials diverted by commercial recyclers, brokers, and other recyclables generators instituted subsequent to the effective date of this Ordinance. In such an annual adjustment, the weight of recyclables materials diverted by parties other than Franchisees shall be allocated to individual Franchisees on the basis of the relative weight percentage of total tonnage collected by each Franchisee. Any reduction in the rate of diversion required by the Franchisees below the rate of thirty percent (30%) shall require an amendment to this Ordinance.

Section 24. Recycling Incentive Fee.

A. Beginning July 1, 2006, any Franchisee not diverting thirty percent (30%) of its waste stream shall pay a "Recycling Incentive Fee" of \$20.00 per ton for the tonnage shortfall that would be needed for the Franchisee to be diverting waste in compliance with Section 23 of this Ordinance. The tonnage shortfall shall be based on quarterly reports and documented diversion reported by the Franchisee, as determined by the Administrator, acting on behalf of the City.

B. The following formula will be used to address the difference in cost of recovery from a debris box waste stream and front-loader waste stream:

$$\text{Incentive Fee} \times \frac{(\text{Total Fleet} + \text{Debris Box Fleet})}{\text{Total Fleet}} = \text{Fee/ton}$$

This formula will be applied to each Franchisee's truck fleet, and the tonnage shortfall, to determine each Franchisee's incentive fee.

C. The implementation of the Recycling Incentive Fee does not relieve Franchisee from the obligation of complying with the diversion requirements of Section 23. Further, a Franchisee not in compliance with the thirty percent (30%) diversion requirement in the prior quarter is required to increase diversion in subsequent quarters until it makes up the tonnage shortfall. Franchisees shall not be in compliance with this Ordinance, and, as such, subject to termination or suspension of their franchise, until such time as the Franchisee makes up all diversion tonnage shortfalls. Failure to pay any Recycling Incentive Fee shall constitute grounds for the immediate suspension of the Franchise, without advance notice or hearing, pending compliance by the Franchisee with the requirements hereof.

D. Franchisees shall be responsible for reimbursement of audit costs for City staff, and any other City or Consultant services, to perform detailed follow-up audits where staff determines that documentation of diversion, as reported by Franchisees, is inadequate. Where necessary, City staff will retain the services of an independent consultant to verify performance and conduct any necessary diversion audits.

E. Any moneys collected pursuant to this section shall be available to City for any use in its discretion.

Section 25. MRF Certification.

A. Franchisees may rely upon a certification issued by the WRMD that a MRF operation is capable of diverting a certain percentage of recyclable material from solid waste that would otherwise be disposed.

B. MRF certifications made by the WRMD shall be subject to quarterly review by the Administrator.

C. For the purposes of complying with the diversion requirements of this Ordinance, Franchisees using certified MRFs may claim diversion increases and corresponding disposal tonnage reductions at the level for which the MRF is certified for the tonnage of waste handled by the MRF for the Franchisee.

F. For compliance with the Franchisee reporting requirements of Section 19, certified MRFs may aggregate tonnage of wastes handled, diverted, and disposed for client Franchisees. The certified diversion level shall apply to the facility and all tonnage handled at the facility, and need not be based upon individual loads taken to the facility by individual client Franchisees.

Section 26. Medical Waste.

A. Notwithstanding the requirements of Section 23 hereof, franchisees shall not be required to divert treated medical waste and such waste shall not be included in determining a franchisee's compliance with the diversion requirements set forth in Section 23.

B. All franchisees shall nevertheless on a quarterly basis report to the Administrator all combined or separately collected treated medical waste tonnage disposed of during the previous quarter by disposal location. The Franchisee may rely on and use guidelines, forms and other appropriate material to assist franchisees in preparing such reports developed by the WRMD. A franchisee's failure to file the required treated medical waste disposal reports shall constitute cause for termination or suspension of its franchise pursuant to Section 14 hereof.

C. No treated medical waste from commercial solid waste generators shall be delivered by a permittee to a materials recovery facility for the purpose of recycling.

Section 27. Inspection Authority.

A. Each Franchisee shall at all times maintain accurate and complete accounts of all revenues and income arising out of its operations under the franchise granted pursuant to this Ordinance; all solid waste collected, transported and/or disposed of; the source of such solid waste; and the final destination of such solid waste. Franchisee's books, accounts and records reasonably necessary for the enforcement of this Ordinance and the franchise agreement shall be made available for inspection, examination and audit during normal business hours by authorized officers, employees and agents of the City. The City shall give written notice at least three (3) days prior to any inspection, audit or examination of these records.

B. Where the Administrator determines that an audit is necessary, Franchisees shall be responsible for reimbursement of audit costs, including any City staff or Consultant services, to perform audits of accounts of all Franchisee revenues and income arising out of operations under the franchise granted pursuant to this Ordinance.

Section 28. Enforcement.

Except as otherwise expressly provided, the provisions of this Ordinance shall be administered and enforced within the City by the Administrator or other staff and enforcement officials designated by the Administrator.

Section 29. Abatement Proceedings.

Any operation or activity contrary to the provisions of this Ordinance or a Franchise Agreement, including the terms and conditions of any Franchise, is unlawful and shall constitute a public nuisance. The Administrator is authorized to commence in the name of the City actions or proceedings to abate and enjoin any such operation or activity.

Section 30. Notices.

A. Whenever a provision of this Ordinance authorizes or requires a public hearing to be conducted by the City Council, notice of the time, date, place and purpose of the hearing shall be published at least once not later than ten (10) calendar days in advance of the date of such hearing in a newspaper of general circulation which is published within the City, and shall be served upon each Franchisee who is affected by such hearing.

B. Any written notice or other communication to a Franchisee which is authorized or required by this Ordinance shall be deemed served and effective for all purposes when deposited in the United States mail, postage prepaid, and addressed to the latest address of the Franchisee shown on the in the City records pertaining to the Franchise.

Section 31. On-Site Storage.

Every owner of any multiple family dwelling units and every owner, operator or keeper of any business with a fixed location in the City which generates solid waste and/or recyclable materials shall provide and at all times keep within an enclosure, or conveniently located near an enclosure or building, water-tight containers for solid waste and suitable containers for recyclable materials, and shall cause to be deposited in such containers, and not elsewhere, all solid waste and/or recyclable materials which accumulates on the premises. The containers shall have tightly fitted covers and shall not leak or permit the escape of odors. Notwithstanding the requirements of this section, generators shall not be required to set out or store recyclable materials together with solid waste and generators shall be allowed to appropriately store recyclable materials for collection separate from solid waste. It shall be unlawful for any person to fail to comply with the requirements of this section. Containers shall be clearly identified with the name of the Franchisee.

Section 32. Signs.

Each Franchisee shall have permanently displayed in a prominent place on the exterior of each truck utilized in the collection, removal or transportation of commercial solid waste under its Franchise a sign which contains such information as is required by regulation of the City Engineer adopted pursuant to the provisions of the California Code of Regulations, Title 14, section 17344.

Section 33. Office Required.

Every Franchisee shall at all times maintain a central office within the City, or within the metropolitan area immediately adjacent to the City, where the agent, servant or representative of the Franchisee can be reached by telephone 9:00 a.m. through 5:00 p.m., Mondays through Fridays, legal holidays excepted. Such office shall have a local telephone number so that customers served by the Franchisee may contact the Franchisee without the necessity of making a long distance telephone call.

Section 34. Solid Waste Disposal Restrictions.

A. It shall be unlawful for any Franchisee to do any of the following:

1. To operate or have an interest in a solid waste disposal site, other than a transfer, receiving and/or processing station, within the City;
2. To operate a solid waste disposal area in the City; or
3. To dump any solid waste upon, or permit the same to fall upon, any property, road or highway other than the areas designated by this Ordinance for the disposal or dumping of solid waste.

Section 35. Use of Containers.

No person other than a customer who has contracted for service with a Franchisee, or a person with such customer's consent, shall deposit solid waste into a commercial solid waste bin, drop box or compactor placed in the City by a Franchisee for the purpose of receiving solid waste.

Section 36. Commercial Solid Waste and Recyclables Ownership.

Commercial solid waste and recyclables lawfully deposited in bins, drop-boxes or other containers used by a Franchisee for collection for either disposal or recycling shall become the property of the Franchisee upon its deposit in any such container.

Section 37. Indemnification.

Each Franchisee must agree to defend, with counsel to be agreed upon by both parties, indemnify, and hold harmless, City and its agents, officers, servants, and employees, from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to City employees, agents, or officers which arise from, or are connected with, or are caused or claimed to be caused by acts or omissions of franchisee, or their agents, officers or employees, in the performance of the nonexclusive franchise agreement, or in performing the work or services therein, and all costs and expenses of investigating and defending against same; provided, however, that franchisee's duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence, or sole willful misconduct of the City, its agents, officers, or employees. This indemnification requirement shall be included in every Franchise Agreement.

Section 38. Insurance.

A. Each franchisee shall maintain, at its own expense, insurance coverages, as provided in the franchise agreement or as established from time to time by the

Administrator. All such insurance shall remain in effect, uninterrupted, through the term of the franchise agreement.

B. Minimum insurance coverage shall include the following items, in amounts to be determined by the Administrator: Comprehensive General Liability and Insurance Services Office covering Broad Form Comprehensive General Liability Automobile Liability; Worker's Compensation insurance as required by the Labor Code of the State of California and Employers Liability insurance.

C. The City and each member agency, and in their capacities as such, their officers, agents and employees shall be named as primary insureds in such policies. All such policies shall contain a provision requiring that written notice be mailed to the City by the insurer not less than thirty days in advance of the cancellation, modification or reduction of the insurance, or failure to renew such insurance, whether by the insurer or insured, and whether for non-payment of premium or otherwise. Certificates of insurance shall be filed with the Administrator prior to the issuance of any Franchise.

D. Any act, omission or circumstance which results in the holder of a Franchise being out of compliance with the requirements of this section during the term of the Franchise shall constitute grounds for the immediate suspension of the Franchise, without advance notice or hearing, pending re-establishment of compliance by the Franchisee with the requirements hereof.

Section 39. Rules and Regulations.

A. The collection and subsequent transportation and disposal of commercial solid waste within the City is under the supervision of the Administrator who shall have the power to promulgate rules and regulations regulating such collection and subsequent transportation and disposal, including but not limited to:

1. Commercial solid waste generation, storage, recycling, recovery, accumulation, collection, removal, transportation and disposal;
2. The manner in which commercial solid waste collection and recycling services are provided;
3. Types of commercial solid waste and recycling containers and vehicles used therefore;
4. The operation and maintenance of sanitary methods of commercial solid waste disposal;
5. Reporting requirements for recycling facilities.

B. A copy of said rules and regulations and all amendments thereto shall be sent by registered or certified mail, postage prepaid, to all affected franchisees addressed to their last place of business. To the extent not otherwise provided by law, it shall be unlawful for a franchisee to collect and subsequently transport or dispose of commercial solid waste contrary to any regulation, order, permit or requirement promulgated by the Administrator.

C. All such rules and regulations shall be consistent with the provisions of this Ordinance and shall be effective on the thirtieth (30th) day following the filing of any such rules and regulations with the City Clerk.

D. Any person who asserts that he or she is aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the City Clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the City Clerk shall schedule the appeal for a public hearing by the City Council, notice of which shall be given in the manner prescribed by Section 30 hereof. At the conclusion of the public hearing, the City Council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The City Council's determination in this regard shall be final.

E. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the City Council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision that rescinds or modifies the regulation shall apply prospectively.

F. It shall be unlawful and constitute a violation of this Ordinance for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this section.

Section 40. Vehicle Inspection and Tags.

A. All vehicles and other equipment used in the collection and subsequent transportation, and disposal of commercial solid waste in the City shall be inspected as often as the Administrator deems necessary and at such times and places as shall be designated by said Administrator. No vehicle shall be used in the collection and subsequent transportation, and/or disposal of commercial solid waste within the City unless it carries a current, unrevoked tag or decal issued by the City authorizing such activity. The Administrator shall provide for each vehicle operated by franchisee, a durable tag or decal upon payment of the applicable fee. Such tag or decal shall be securely fastened and maintained by the franchisee on each vehicle so as to be clearly visible. The Administrator may suspend the tag or decal of any vehicle that fails to meet the requirements of this section, and such vehicle shall not be used for the collection and subsequent transportation or disposal of refuse until the tag or decal has been

reinstated by the Administrator. In the event any vehicle fails to meet the requirements of this Section, or in the event any vehicle becomes temporarily or permanently inoperable or unavailable, the franchisee may transfer said vehicle's tag or decal to another vehicle to be operated by franchisee, which vehicle has passed inspection and does meet the requirements of this section. The Franchisee must notify the Administrator of any changes to its vehicles or tags.

B. All trucks and containers used in the collection, removal, transportation or storage of commercial solid waste in the City shall be subject to inspection by the City Engineer for the purpose of determining whether or not the trucks and containers comply with California Code of Regulations, Title 14, section 17341 through 17345.

Section 41. Vehicle Requirements.

A. The bodies of vehicles used in the collection, removal or transportation of commercial solid waste in the City shall have beds of metal or other impervious material which can be cleaned, and shall otherwise be of a type approved by the City Engineer Department adopted pursuant to the California Code of Regulations, Title 14, section 17341.

B. The City Engineer shall be authorized to issue administrative regulations pertaining to specifications for vehicles and containers, the cleansing and disinfecting thereof, and other sanitary measures in connection therewith.

Section 42. Covered Load Requirement.

A. All Franchisee vehicles and all privately owned or operated vehicles using solid waste disposal facilities in the City shall have their vehicle loads covered, with a tarp or equivalent cover, to ensure protection from littering during transportation from the origin of the trip to any waste disposal facility located in the City.

B. All vehicles hauling materials with the load originating in the City to a waste disposal facility located outside of the City shall have their loads "covered" while in transit within the City.

C. Every permitted or non-permitted waste disposal facility located within the City shall post signs notifying the public that it is illegal to haul uncovered loads to the facility. These facilities shall cooperate with the City enforcement staff by providing covered load education and promotion information to their customers to help assure the effectiveness of this Ordinance.

Section 43. Rights Reserved to City.

In addition to all other rights reserved to the City under this Ordinance, the following shall apply:

- A. There is hereby reserved to the City every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful ordinance or resolution of the City, whether enacted before or after the effective date of this Ordinance.
- B. Neither the granting of any franchise nor any provision of any franchise shall constitute a waiver of or a bar to the exercise of any governmental right or power of the City.
- C. The Franchisee shall have no recourse whatsoever against the City, its officers, employees or agents or any of the City member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this Ordinance or of any franchise issued under this Ordinance or because of the enforcement of this Ordinance.
- D. There is hereby expressly reserved to the City the power and authority to amend any section of this Ordinance so as to require additional or greater standards on the part of the Franchisee and the power and authority to increase the franchise fees to be paid by the Franchisee pursuant to Section 16.

Section 44. Other Franchise Provisions.

- A. The City Council may expand or contract the scope of franchise agreements over time due to changes in law or interpretations of law.
- B. The Administrator shall have the right to inspect franchisee's records for purposes of determining AB 939 and other reporting requirements. The Administrator may also inspect franchisee's records to determine proper calculation and payment of franchise fees. The Administrator will provide franchisee with at least three (3) days advanced written notice of its intent to inspect any of franchisee's records.
- C. The Administrator retains the right to terminate or suspend the agreement, as provided in the agreement.

Section 45. Criminal Penalties for Violations.

The following criminal penalties apply to violations of this Ordinance.

A. **Violation as Misdemeanor.** Unless otherwise specified by this Ordinance, violations of the provisions of this Ordinance or failure to comply with any of its requirements, including violations of terms and conditions established in connection with franchisees issued pursuant to this Ordinance, shall constitute a misdemeanor.

B. **Penalty for Misdemeanor.** Unless otherwise specified in this Ordinance, any person, whether as principal, agent, employee or otherwise, who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six (6) months in the County Jail, or by both such fine and imprisonment. Each day such violation continues shall be considered a separate offense. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, civil penalties, or other charges payable to the City by a Franchisee for the same period of time or for the same violations.

C. **Violation as Infraction.** Unless otherwise specified by this Ordinance, the following violations by a Franchisee are infractions.

1. **Delinquent Payment of Franchise Fee.** A delinquent payment of a franchise fee that is not received by the City before the first day of the month following the due date established under Section 16, subsection B, is a violation and a separate violation for every month the payment remains delinquent thereafter.
2. **Delinquent Payment of Franchise Fee Late Charge.** A delinquent payment of a late payment charge and/or interest charges for a late franchise fee payment (under Section 16, subsection F) that is not received by the City before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.
3. **Delinquent Payment of Late Report Charge.** A delinquent payment of a late charge for a delinquent quarterly report of diversion (under Section 19, subsection F) that is not received before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.
4. **Delinquent Payment of Recycling Incentive Fee.** A delinquent payment of the Recycling Incentive Fee (under Section 24) that is not received by the City before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.
5. **Delinquent Payment of Audit Fee.** A delinquent payment of an Audit Fee (under Section 24, subsection D, and Section 27, subsection B) that is not received by the City before the first day of the month following the due

date is a violation and a separate violation for every month the payment remains delinquent thereafter.

6. **Delinquent Diversion Report.** A delinquent quarterly report of diversion (under Section 19) that is not received by the City before the first day of the third month following the end of the quarter reporting is a violation and a separate violation for every month the report remains delinquent thereafter.
7. **Incomplete Diversion Report.** If a quarterly report of diversion (under Section 19) that is received by the City is incomplete, the inadequacy must be remedied or corrected by the Franchisee before the first day of the third month following the end of the quarter or it is a violation and a separate violation for every month the report remains incomplete thereafter. A complete quarterly report of diversion includes all information as may be required by the Administrator. Partial quarterly reports of diversion will be considered incomplete.

D. **Penalty for Infraction.** Unless otherwise specified by this Ordinance, an infraction is punishable by a fine not exceeding two hundred dollars (\$200) for a first violation of any offense under subsection C within the preceding twelve-month period; a fine of five hundred dollars (\$500) for a second violation of the same offense under subsection C within the preceding twelve-month period; and a fine of one thousand dollars (\$1,000) for each additional violation of the same offense under subsection C within the preceding twelve-month period. The Administrator or the City Attorney shall also have the discretion to elevate any infraction under subsection C to a misdemeanor, punishable under subsection B. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the City by a Franchisee for the same period of time or for the same violation.

E. **Separate Remedies.** Each civil, criminal, or administrative civil penalty imposed pursuant to this Ordinance for any separate violation shall be separate, and in addition to, any other provision of law and does not supersede or limit any and all other legal remedies and penalties, civil, administrative or criminal which may be applicable under other laws.

Section 46. Civil Penalties for Violations.

The following administrative civil penalties apply to violations of this Ordinance:

A. **Administrative Civil Penalties.** In addition to any other remedies provided by this Ordinance, any person who violates any provision of this Ordinance, shall be liable for an administrative civil penalty to be imposed by the Administrator. The amount of the penalty shall not be more than one thousand dollars (\$1,000) for each day of violation.

Any person who knowingly violates any provision of this Ordinance, after reasonable notice of the violation, is liable for an administrative civil penalty of not more than one thousand dollars (\$1,000) for each day of violation. In determining the civil, criminal, and administrative civil penalties imposed pursuant to this Ordinance, all relevant circumstances shall be considered, including but not limited to, the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, the frequency of past violations, and the corrective action, if any, taken by the violator.

B. Administrative Civil Penalty Procedure

1. Notice of Violation. The Administrator shall notify the violator in writing of the time within an alleged violation must be remedied or corrected. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.
2. Notice of Penalty and Opportunity for Hearing. Notice of any administrative civil penalty shall set forth the alleged acts or failures to act that constitute a basis for liability and the amount of the proposed administrative civil penalty. The notice of administrative civil penalty shall be served by personal service or certified mail and shall inform the person so served that the administrative civil penalty imposed may be administratively reviewed by a City designated Hearing Officer before it is enforced if a request for hearing is timely filed. The notice shall also specify the procedure for requesting a hearing before the Hearing Officer.
3. Administrative Review. If a person desires administrative review of the administrative civil penalty imposed by the Administrator, it shall request a hearing by timely filing a written request pursuant to the provisions of Section 49 of this Ordinance. The written request for an appeal must be accompanied by an administrative hearing fee, as established by the City Council of Directors of City. Any such appeal shall be in writing, shall state the specific reasons therefore and grounds asserted for relief, and shall be filed with the Administrator not later than fifteen (15) calendar days after the date of service of any such decision. A hearing shall be conducted by the Hearing Officer pursuant to Section 50 of this Ordinance unless the person has waived the right to a hearing or has entered into a settlement agreement with the Administrator. A person waives the right to a hearing by so stating in writing or by failure to file with the Administrator a written request for hearing within fifteen (15) days after service of the notice of opportunity for hearing.
4. Effective Date. Where the person has waived the right to a hearing or where the person has entered into a settlement agreement, the administrative civil penalty shall not be subject to review by any court, the Hearing Authority, or any other agency and shall be effective 15 days after

notice of the penalty is served. Where a hearing has been held, the penalty shall be effective 20 days after the decision of the Hearing Authority becomes final.

5. Judicial Review. The manner of contesting the final order of the Hearing Officer concerning any administrative civil penalty is governed by Government Code Section 53069.4, or any successor provision thereto. Service of the notice of appeal authorized by Government Code Section 53069.4 upon the City shall be by service upon the City Clerk.
6. Payment of Costs of Enforcement/Collection. In addition to any penalty, sanction, fine or imprisonment, each person who violates this Ordinance, shall be required to pay any and all expenses of enforcement including costs necessary to bring the person into compliance with this Ordinance. In addition to all remedies contained herein, City may pursue all reasonable and legal means in collecting those sums authorized and due.
7. Collection. Payment of the penalty shall be made within 30 days from when the penalty became effective. In addition to all remedies herein contained, the City may pursue all reasonable and legal means in collecting administrative civil penalties.

Section 47. Settlement Process.

The Administrator may adopt a written settlement agreement process for the settlement of violations of this Ordinance, which shall take into consideration the penalty factors set forth in Section 46.

Section 48. Hearing Officer.

Whenever the term "Hearing Officer" is utilized in this Ordinance, it shall be deemed to refer to one or more persons assigned the responsibility of conducting a hearing by the Administrator. The Administrator shall be authorized to assign hearing responsibilities from time to time to either:

- A. City officials and staff whom the Administrator finds are qualified by training and experience to conduct such hearings; or
- B. Administrative law judges assigned to the State of California Office of Administrative Hearings. The Administrator is hereby authorized to contract in the name of the City for the retention of hearing services at rates which do not exceed financial limitations established by the City's annual budget.

Section 49. Appeals.

Any decision of the Administrator may be appealed to a Hearing Officer appointed by the Administrator. Any such appeal shall be in writing, shall state the specific reasons therefore and grounds asserted for relief, and shall be filed with the Administrator not later than fifteen (15) days after the date of service of any such decision. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which complaint is made shall be deemed to have been waived.

Section 50. Appeal Hearing.

A. Not later than thirty (30) days following the date of filing an appeal within the time and in the manner prescribed by Section 49, the Hearing Officer shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be mailed to the appellant not later than ten (10) days preceding the date of the hearing.

B. The provisions of the California Administrative Procedure Act (commencing at Section 11500 of the Government Code) shall not be applicable to such hearings; nor shall formal rules of evidence in civil or criminal judicial proceedings be so applicable. Testimony shall be given under oath, and the parties to the hearing shall have the right to cross-examine witnesses. Any relevant evidence shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Hearsay evidence may be admitted for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.

1. **Record.** A record of the entire hearing proceedings shall be made by either a certified court reporter or tape recorder operated by the Hearing Officer. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefore. Such fees may be established and revised from time-to-time by the City Council.
2. **Scope.** Only those matters or issues specifically raised by the appellant(s) in the written appeal shall be considered in the hearing on appeal.
3. **Oaths and Certification.** The Hearing Officer has the power to administer oaths and affirmations and to certify official acts.

4. Oral evidence. Oral evidence shall only be taken on oath or affirmation.
5. Rights of Parties. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues of the hearing even though the matter was not raised in the direct examination, to impeach any witness regardless of which party first called him or her to testify, to present rebuttal evidence and to represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so. No appellant shall be required to testify without his or her consent.
6. At the conclusion of the hearing, the Hearing Authority shall prepare a written decision that either grants or conditionally grants or denies the appeal, and contains findings of fact and conclusions. Notice of the written decision, including a copy thereof, shall be filed with the Administrator and served not later than thirty (30) days following the date on which the hearing is closed on the appellant and on other persons who appeared at the hearing and requested a copy. Service shall be by personal delivery or certified mail.

C. City and appellant shall jointly pay for the costs of the hearing.

Section 51. Effective Immediately.

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

ADOPTED, THIS ____ day of _____, 2005 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

MAYOR

ATTEST:

CITY CLERK

MEMORANDUM

DATE: October 17, 2005

TO: Mayor and Council Members

FROM: Paul Junker, Planning Director
Pam Speciale, Planner

**SUBJECT: Sacramento Transportation and Air Quality Collaborative
Memorandum of Understanding and Invoice**



RECOMMENDATION

Direct the City Manager to execute the Sacramento Transportation and Air Quality Collaborative (Collaborative) Memorandum of Understanding effective July 1-December 31, 2005 and authorize the finance department to pay an invoice for the City of Rancho Cordova's share of the operation of the Collaborative in the amount of \$6,558.00

BACKGROUND

The City of Rancho Cordova, along with the cities and agencies of Citrus Heights, Elk Grove, Folsom, and Sacramento, the County of Sacramento, Regional Transit, Sacramento Area Council of Government (SACOG), and Sacramento Metropolitan Air Quality Management District (SMAQMD) has endorsed the concept of a Countywide transportation and air quality collaborative.

The City of Rancho Cordova began participating in the Collaborative in the FY 2004-2005. Over 100 members have worked together in this interest based collaborative, coming from government agencies and major interest groups such as business, environment, local community participant, and community interest groups.

The focus of the Collaborative has evolved over time and participants have worked diligently in recent months to produce Agreements and Recommendations that will be brought forward to the Sacramento Transportation Authority (STA) Board on November 10, 2005. The topics of the agreements include:

- Transportation
- Air Quality
- Land Use
 - Infill
 - Urban Form

- Open Space and Location/Phasing of Development
- Funding
- Civic Engagement

The Agreements and Recommendations, once presented to the STA, will then be presented to participating government agencies as well as the participating interest groups. This is expected to occur between November 14 and December 31, 2005. After December 31, 2005 the Collaborative's work will be officially complete. The recommendation to all participants is to carefully consider the incorporation of the Agreements and Recommendations into the participant's policies and practices.

FINANCIAL IMPLICATIONS

The immediate cost to the City of Rancho Cordova for continued participation in the Collaborative is in the invoiced amount of \$ 6,558.00. This is the City's share in the operating expenses covering the period of July 1-December 31, 2005.

Attachments

1. Sac. Transportation and Air Quality Collaborative MOU
2. Sac. Transportation and Air Quality Collaborative Invoice

Sacramento Transportation & Air Quality Collaborative
MEMORANDUM OF UNDERSTANDING
July 1 – December 31, 2005

This Memorandum of Understanding is dated as of _____, by and between the SACRAMENTO TRANSPORTATION AUTHORITY (Authority) and the CITY OF RANCHO CORDOVA (CITY).

WHEREAS, the City of Rancho Cordova, along with the cities of Citrus Heights, Elk Grove, Folsom, and Sacramento, the County of Sacramento, Regional Transit, SACOG, SMAQMD, and the Authority (Exhibit A), has endorsed the concept of a Countywide transportation and air quality collaborative of public agencies and stakeholder organizations to coordinate a comprehensive, long-range transportation and air quality improvement strategy for Sacramento County; and

WHEREAS, the Collaborative has resolved to complete its work by December 31, 2005, and

WHEREAS, if, in December 2005, the Collaborative participants - as a united body - believe that they have both developed meaningful products and can develop additional significant products, the Collaborative stakeholders may choose to request a six-month time and budget extension from the sponsoring public agencies, and

WHEREAS, the City has resolved to contribute a pro rata share — not to exceed \$11,250 — of the funding required to implement the Sacramento Transportation & Air Quality Collaborative (Collaborative) during the period July 1- December 31, 2005, and

WHEREAS, the City agrees that the Authority will be the administering agency for the Collaborative, and

WHEREAS, the Authority has resolved to contribute up to \$112,500 of Measure A administration funds to implement the Collaborative during the period July 1- December 31, 2005;

NOW THEREFORE, IT IS AGREED:

1. Authority shall continue to provide administrative services in support of the Sacramento Transportation & Air Quality Collaborative during the period July 1- December 31, 2005.
2. City shall reimburse Authority for Authority's payments in support of the Collaborative during the period July 1- December 31, 2005, at a rate of 2.14% of total annual expenditures or \$11,250 whichever is less.
3. Authority shall invoice City for its projected/budgeted pro rata share for the period July 1- December 31, 2005, and. City shall provide payment to the Authority within thirty (30) days after receipt of invoice.

SACRAMENTO TRANSPORTATION
AUTHORITY

By


Brian Williams, Executive Director

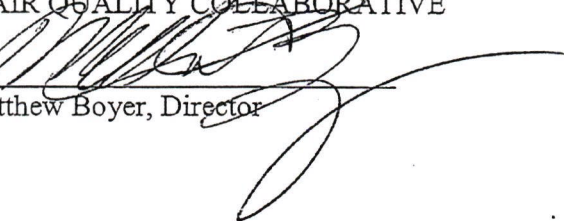
CITY OF RANCHO CORDOVA

By

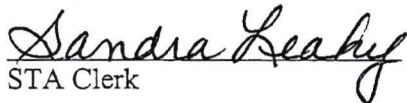

Ted Gaebler, City Manager

SACRAMENTO TRANSPORTATION
& AIR QUALITY COLLABORATIVE

By


Matthew Boyer, Director

ATTEST:


STA Clerk

Approved as to form:


Authority Counsel

ATTEST:


City Clerk

Approved as to form:


City Attorney

Sacramento Transportation & Air Quality Collaborative
MEMORANDUM OF UNDERSTANDING

Exhibit A – Partnering Jurisdictions, July 1 – December 31, 2005 Funding

Sacramento Transportation & Air Quality Collaborative July 1 – December 31, 2005 Funding		
Jurisdictions	Contribution \$(a)	Proportional Share (%)
Sacramento Transportation Authority	112,500	21.43
Sacramento Regional Transit	50,000	9.52
Sacramento Metro Air Quality Management District	50,000	9.52
Sacramento Area Council of Governments	18,750	(b)
County of Sacramento	116,550	22.20
City of Sacramento	92,400	17.60
City of Citrus Heights	18,250	3.47
City of Elk Grove	22,850	4.35
City of Folsom	13,750	2.62
City of Rancho Cordova	11,250	2.14
Total	\$ 506,250	100.00%

- (a) Request from the Joint Power Boards totals \$250,000. The pro-rata allocation from the participating cities and the County is based on population data from the Department of Finance. The total budget for the FY 2005/06 (July 1 – December 31) is exactly half of the FY 2004/2005 budget.
- (b) The SACOG Board adopted a resolution to fund \$18,750 – rather than the full \$37,500 share that would have represented the continued proportional contribution since 2001. The total budget has, therefore, been reduced by \$18,750, and the “7.14%” proportional share from SACOG has been replaced by a fixed contribution of \$18,750.



Sacramento Transportation & Air Quality
COLLABORATIVE

8950 Cal Center Drive, Suite 115
Building Three
Sacramento, CA 95826
Phone: (916) 228-3832
Fax: (916) 854-9235
E-Mail: mendes@sactaqc.org
Web: www.sactaqc.org

August 23, 2005

Ms. Pamela Speciale / Paul Junker
Department of Planning
City of Rancho Cordova
3121 Gold Canal Drive
Rancho Cordova, CA 95670

AUG 29 2005

Subject: **Sacramento Transportation & Air Quality Collaborative (Collaborative)
Invoice for July 1, 2005- December 31, 2005**

Pursuant to the terms of the Memorandum of Understanding recently approved by your Board, the Collaborative is now billing for the 6 month period of fiscal year 2005-06 in this single invoice. In this way, we will avoid the year end cash flow problems and avoid having to process multiple invoices.

Whereas you paid up-front the full invoice for FY 2004-05, and whereas the actual FY 2004-05 expenditures were substantially below budget, therefore, you have a credit for overpayment of FY 2004-05. The third part of the invoice is your pro-rata share of the July-December, 2005 budget. The detailed worksheet will be sent to you by e-mail upon request.

CITY OF RANCHO CORDOVA

Unpaid Balance for FY 2003-04	\$0
Overpayment (Credit) for FY 2004-05	(\$4,692)
Pro-Rata Share of FY 2005-06 Budget	\$11,250
TOTAL DUE & PAYABLE	\$6,558

If you have questions or comments regarding the invoice or the project status, please call me at 228-3832. Thank you.

Sincerely,

Scot Mende

Scot Mende, Deputy Director
Sacramento Transportation Air Quality Collaborative

Attachment

cc: Mona Stephens

PRO-RATA SHARE FOR FY 2005-06**DOES NOT INCLUDE CARRYOVER BALANCE & CREDITS**

Sacramento Transportation & Air Quality Collaborative July 1 – December 31, 2005 Funding		
Jurisdictions	Contribution \$(a)	Proportional Share (%)
Sacramento Regional Transit	50,000	9.52
Sacramento Area Council of Governments	37,500	7.14
County of Sacramento	116,550	22.20
City of Citrus Heights	18,250	3.47
City of Elk Grove	22,850	4.35
City of Folsom	13,750	2.62
City of Sacramento	92,400	17.60
Sacramento Metro Air Quality Management District	50,000	9.52
City of Rancho Cordova	11,250	2.14
Sacramento Transportation Authority	112,500	21.43
Total	\$ 525,000	100.00%

(a) Request from the Joint Power Boards totals \$250,000. The pro-rata allocation from the participating cities and the County is based on population data from the Department of Finance. The total budget for the FY 2005/06 (July 1 – December 31) is exactly half of the FY 2004/2005 budget.

ENTITY INVOICE AMOUNTS

	CARRYOVER	OVERPAID	ESTIMATED	TOTAL
Entity	FY 2003-04	FY 2004-05	FY 2005-06	INVOICE
RT	1,228	(20,488)	50,000	\$30,740
SACOG	(8,171)	(15,366)	37,500	\$13,963
County	3,057	(49,295)	116,550	\$70,312
Citrus Heights	444	(7,642)	18,250	\$11,052
Elk Grove	414	(7,519)	22,850	\$15,745
Folsom	4,269	(5,593)	13,750	\$12,426
Sacramento	2,162	(37,945)	92,400	\$56,617
SMAQMD	1,228	(20,488)	50,000	\$30,740
Rancho Cordova	0	(4,692)	11,250	\$6,558
STA	0	0	112,500	\$112,500
TOTAL	\$4,631	\$(169,030)	\$525,050	\$360,651

Make Payment Payable To:

Sacramento Transportation & Air Quality Collaborative
8950 Cal Center Drive, Building 3, Suite #115
Sacramento, CA 95826

Agenda Item #10

**Material received during the
Council Meeting of
October 17, 2005.**



Economic &
Planning Systems

Public Finance
Real Estate Economics
Regional Economics
Land Use Policy

DRAFT MEMORANDUM

To: Ardie Zahedani, Building Industry Association of Superior CA

From: Tim Youmans

Subject: Rancho Cordova Transportation Development Impact Fee; EPS #13535

Date: October 17, 2005

On October 4, 2005, EPS submitted a memorandum to the Building Industry Association Of Superior California commenting on the City of Rancho Cordova's proposed Transportation Development Impact Fee. This memorandum was forwarded to the City. The City's Public Works Director and Consultant (Revenue & Cost Specialists) reviewed the memo and agreed with its findings. Revenue & Cost Specialists (R&CS) then updated their Development Impact Fee Study with a revised methodology for calculating the fee.

EPS received the revised Nexus Report on October 14th, 2005 and has had only a very brief time (once again) for review. Several key changes made in the report cause additional issues that should be addressed before the City Council takes action on the Development Fee Program.

In EPS's October 4th memo, we raised question about the Floor Area Ratio (FAR) used in the Nexus Study for Commercial/Office development and how the fee was calculated for the resulting amount of Commercial/Office square footage. As a result R&CS updated the land use table found on pages 21 and 22. The following changes were made:

- FAR for commercial/office new development – reduced from .60 to .39
- FAR for commercial/office existing development – increased from .21 to .35

The result of the land use changes increase the existing amount of office space from 15.6 million square feet to 26.5 million square feet. This is a 70% increase in existing commercial/office space. It results in an increased number of trip miles of approximately 354,000 trip miles – also a 70% increase.

SACRAMENTO

1750 Creekside Oaks Drive, Suite 290
Sacramento, CA 95833-3647
www.epsys.com

phone: 916-649-8010
fax: 916-649-2070



BERKELEY

phone: 510-841-9190
fax: 510-841-9208

DENVER

phone: 303-623-3557
fax: 303-623-9049

On the new development side, the amount of new commercial/office square footage was reduced from 26.0 million square feet to 17.0 million square feet. This is 34% reduction in projected new commercial/office square footage. It results in a decreased number of trip miles of approximately 290,000 miles – also a 34% reduction.

These land use changes further resulted in a new distribution in the share of trip miles for new and existing development to the following. See **Table 1** for details.

	Original Nexus Study (1)	Revised Nexus Study	Pct. Change
Existing Development Trip Miles	1,363,270	1,730,190	27%
New Development Trip Miles	2,599,572	2,309,732	(11%)
Total	3,962,842	4,039,922	2%
[*] % of Trip Miles – Existing Development	34%	43%	
[*] % of Trip Miles – New Development	66%	57%	

(1) Adjusted to be consistent with trip miles in the Revised Nexus Study

These raise two key questions.

1. What set of land use information was used in the City's travel model? Were the land uses from the original or revised Nexus Study? If there is a substantial reduction in new trip miles (as shown above), is there a resulting decrease in the facilities and facilities costs required to serve new development?
2. What is the proper share of the cost between new and existing development? If the share of trip miles from existing development has substantially increased from 34% to 43%, then shouldn't the cost assignment between new and existing development also change on certain transportation projects?

While R&CS addressed EPS's initial issues (October 4 memo) regarding the Nexus Study, the impact of the land use changes in the updated Nexus Study have raised these new issues which do not appear to have been fully considered. EPS welcomes the opportunity to work with the City and its consultants in fine tuning the Nexus Study to

address all significant issues associated with the implementation of the City-wide Transportation Impact Fee.

Again, with only a day or two to review the Study, we have not been able to thoroughly address all issues. We have highlighted the major issues we were able to identify.

Table 1
City of Rancho Cordova
2005-06 Development Impact Fee Study
Trip Miles Using Original FAR's and Revised Trip Rate Factors

DRAFT

Land Use	Acres	Original Units	Revised Trip Rate Factor	Total Additional Trip Miles	Percent of Total
Original FAR's and Revised Trip Rate Factors					
Developed (Infill Area Only)					
Detached Dwelling Units (du's)	1,998.00	11,128 du's	34.60 per du	385,029	28%
Attached Dwelling Units	569.80	10,312 du's	23.10 per du	238,207	17%
Mobile Homes	90.20	746 du's	18.10 per du	13,503	1%
Commercial Lodging Units	35.70	1,573 du's	18.20 per du	28,629	2%
Commercial/Office 1,000 Sq.ft.	1,741.30	15,654,996 sq.ft.	32.50 per 1,000 sq.ft.	508,787	37%
Industrial/Manufacturing 1,000 Sq.ft.	796.00	8,367,938 sq.ft.	22.60 per 1,000 sq.ft.	189,115	14%
Total Developed	5,231.00			1,363,270	100%
Undeveloped					
Detached Dwelling Units (du's)	4,205.00	18,431 du's	34.60 per du	637,713	25%
Attached Dwelling Units	1,831.00	33,312 du's	23.10 per du	769,507	30%
Mobile Homes	0.10	1 du's	18.10 per du	18	0%
Commercial Lodging Units	6.20	394 du's	18.20 per du	7,171	0%
Commercial/Office 1,000 Sq.ft.	991.30	25,922,062 sq.ft.	32.50 per 1,000 sq.ft.	842,467	32%
Industrial/Manufacturing 1,000 Sq.ft.	717.80	15,163,549 sq.ft.	22.60 per 1,000 sq.ft.	342,696	13%
Total Undeveloped	7,751.40			2,599,572	100%
TOTAL	12,982.40			3,962,842	
Revised Acres, FAR's and Revised Trip Rate Factors					
Developed (Infill Area Only)					
Detached Dwelling Units (du's)	1,998.00	11,128 du's	34.60 per du	385,029	22%
Attached Dwelling Units	569.80	10,312 du's	23.10 per du	238,207	14%
Mobile Homes	90.20	746 du's	18.10 per du	13,503	1%
Commercial Lodging Units	35.70	1,573 du's	18.20 per du	28,629	2%
Commercial/Office 1,000 Sq.ft.	1,741.30	26,547,860 sq.ft.	32.50 per 1,000 sq.ft.	862,805	50%
Industrial/Manufacturing 1,000 Sq.ft.	796.00	8,938,831 sq.ft.	22.60 per 1,000 sq.ft.	202,018	12%
Total Developed	5,231.00			1,730,190	100%
Undeveloped					
Detached Dwelling Units (du's)	4,205.00	18,431 du's	34.60 per du	637,713	28%
Attached Dwelling Units	1,831.00	33,312 du's	23.10 per du	769,507	33%
Mobile Homes	1.00	8 du's	18.10 per du	145	0%
Commercial Lodging Units	6.20	394 du's	18.20 per du	7,171	0%
Commercial/Office 1,000 Sq.ft.	991.30	17,000,000 sq.ft.	32.50 per 1,000 sq.ft.	552,500	24%
Industrial/Manufacturing 1,000 Sq.ft.	717.80	15,163,549 sq.ft.	22.60 per 1,000 sq.ft.	342,696	15%
Total Undeveloped	7,752.30			2,309,732	100%
TOTAL	12,983.30			4,039,922	

trip miles

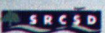

Sacramento Regional County Sanitation District

Water Recycling Program – Rancho Cordova Opportunities

October 17, 2005


Presentation Overview

- Purpose of Presentation
- What is Water Recycling?
- Why Recycled Water?
- Existing: Water Recycling Program
- Future: Water Recycling Master Plan
- Rancho Cordova Conceptual Project
- Conclusion/Recommendation


Purpose of Presentation

- Provide update on SRCSD Water Recycling Program
- Discuss water recycling opportunities in Rancho Cordova

What is Water Recycling?

- **Reuse of Highly Treated Wastewater Suitable for Beneficial Use**
- **Highly Treated Wastewater**
 - Primary: screening/sedimentation
 - Secondary: biological
 - Tertiary: Filtration & disinfection

Who regulates this?

- **Department of Health Services (Title 22)**
- **Regional Water Quality Control Board (Permit)**
- **Sacramento County Environmental Management Division (Local oversight)**

Regulatory Requirements

System Identification

Color Coding & Signage

Regulatory Requirements



Why Recycle Water?





Drivers for Water Recycling

Water Supply Benefits

- Reduce demand on surface and groundwater supplies

Wastewater Benefits

- Proactively plan for potentially more stringent wastewater discharge regulations

Statewide Benefits

- Conservation of valuable resource
- California promotes through State Law and grant funding
- Calls for increasing water recycling statewide to 1 million acre-ft./year by 2010



Existing Water Recycling Program

(Phase I)



- 2004 Water Recycling Report
- 5 million gallons per day (mgd) water recycling facility
- Facility expandable to 10 mgd
- Began operation April 2003
- Irrigate landscaping at schools, parks, commercial, and street medians



How Does The Program Work?

Existing Water Recycling Program



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graph TD
    A["Sacramento Regional County Sanitation District  
Recycled Water Producer  
Wholesale Recycled Water"] --> B["Local Water Purveyor  
Recycled Water Purveyor  
Retail Recycled Water"]
    B --> C["Recycled Water Customer"]
        
```



Future Water Recycling Program

Goal:
Recycle 30-40 MGD over the next 20 years
(SRCS D Board January 2004)





Water Recycling Master Plan

- Identify, evaluate, and prioritize projects for use of recycled water
- Find cost effective balance between river discharge and water recycling
- Schedule – April 2006 Complete Draft WRMP Report

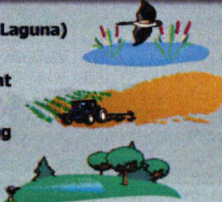


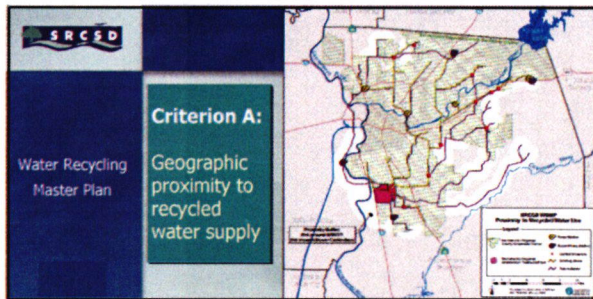


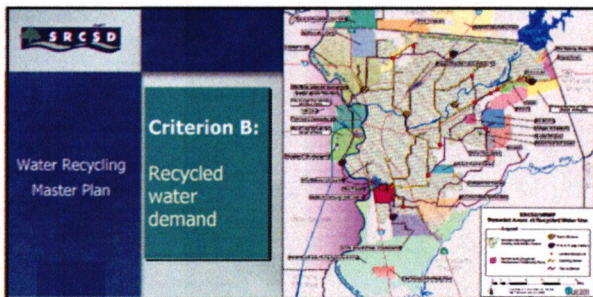
Reuse Opportunities

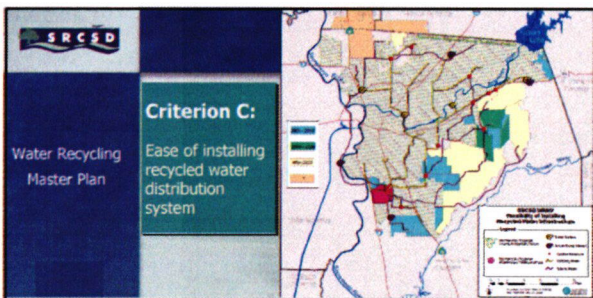
Water Recycling Master Plan

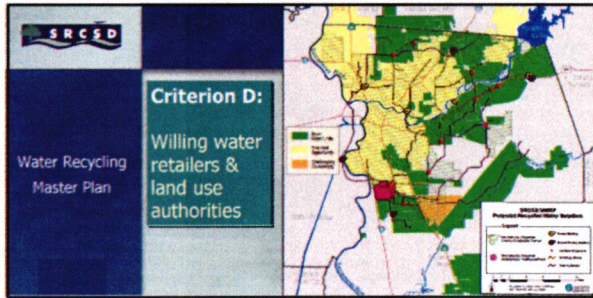
- Landscape Irrigation (Laguna)
- Agricultural Irrigation
- Wetlands Enhancement
- Industrial Reuse
- Residential landscaping (Serrano)

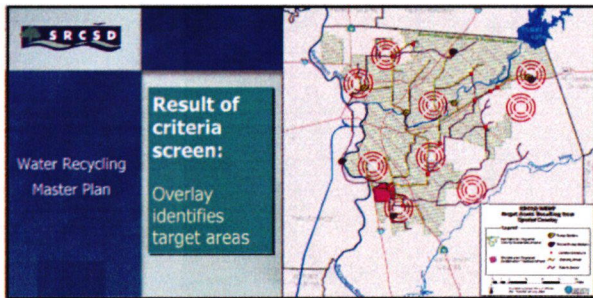


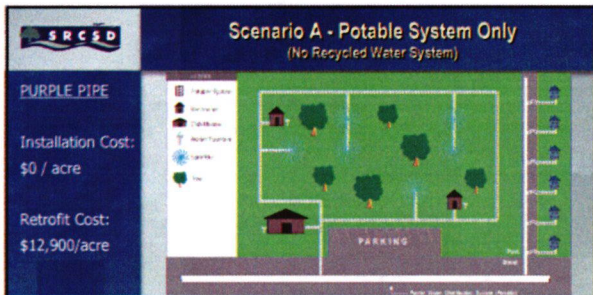












SRCS D

Scenario B - Dual On-Site Plumbed System (Potable + Irrigation)

PURPLE PIPE

Installation Cost:
\$200 / acre

Retrofit Cost:
\$5,900/acre

SRCS D

Scenario C - Basic Recycled Water System (Laguna Model)

PURPLE PIPE

Installation Cost:
\$3,200 / acre

Retrofit Cost:
\$0 / acre

SRCS D

Scenario D - Expanded Recycled Water System (Serrano Model)

PURPLE PIPE

Installation Cost:
\$20,700 / acre

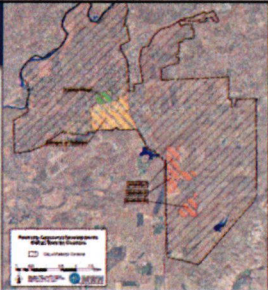
Retrofit Cost:
n/a

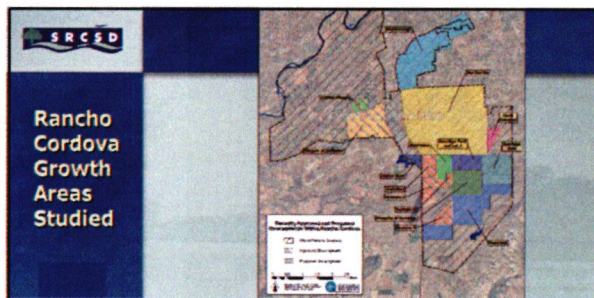
 Water Recycling Scenario Cost Summary		
Reuse Scenario	New Development (\$/acre)	Retrofit Existing Development (\$/acre)
A	\$0	\$12,900
B	\$200	\$5,900
C	\$3,200	\$0
D	\$20,700	N/A

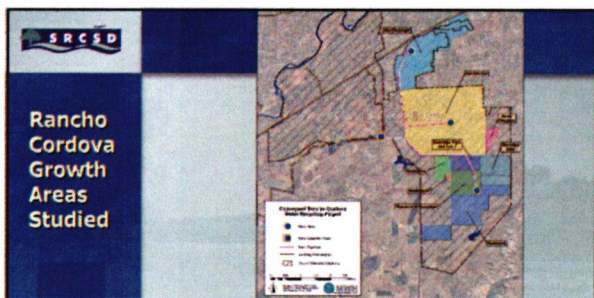

Rancho Cordova WR "Conceptual Project"

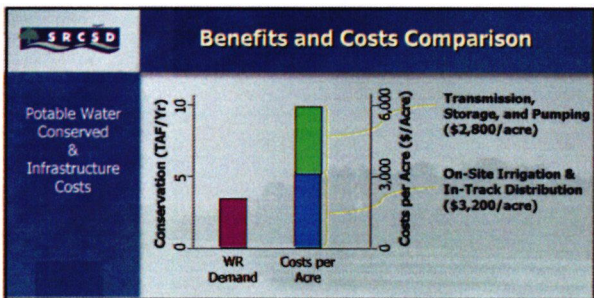
- Growth areas along Sunrise Boulevard
- Consider Scenario C


Rancho Cordova Growth Areas Studied









	Conclusions: "RC Conceptual Project"
Conclusions	▪ Recycled Water Usage: 3,300 acre-feet/year ▪ Infrastructure Costs: \$6k per developed acre ▪ Prior water supply planning has identified water supplies for most developments studied ▪ Future development (outside this conceptual project) will need to identify water supplies ▪ SRCSD WRMP in progress; April 2006 draft

	SRCSD Recommendation
Recommendations	SRCSD Board Meeting: October 26, 2005 - Staff requests approval to pursue "Scenario B" WR infrastructure installation with new development to preserve WR opportunities - If approved, SRCSD staff will work with cities, counties and water purveyors to develop ordinances that require "Scenario B" with new development

	
	Questions ?
