



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

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

Monday, February 6, 2006

**5:00 P.M. – Closed Session
5:30 P.M. – Regular Meeting**

AGENDA

CLOSED SESSION

Council will Adjourn to Closed Session for the Following Purpose:

1. Conference with Legal Counsel – Anticipated Litigation Significant Exposure to Litigation Government Code Section 54956.9 (b) (one case).

ADJOURN TO REGULAR MEETING

REGULAR MEETING

Call to Order

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

Report from Closed Session

Metro Cable TV Telecast Announcement

Pledge of Allegiance

Invocation

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

ORAL COMMUNICATIONS

3. Public Comment

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

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

CONSENT CALENDAR ITEM

4. **Subject:** Minutes of City Council Regular Meeting of October 17, 2005
Recommendation: Adopt Minutes.

CONSENT PUBLIC HEARING ITEMS

5. **Subject:** Ordinance for Zoning Text Amendment Revisions Changing the Functions of "Zoning Administrator" to "Planning Director" and Deletion of Irrelevant Zoning Code Sections
Recommendation: Waive first reading and introduce Ordinance No. 01-2006. **(Roll Call Vote)**
Result of Recommended Action: The recommended changes will improve the response time to the public requesting minor permits that would have been heard by the Planning Commission and removes obsolete provisions from the Code that do not apply to the City of Rancho Cordova.
Staff Report: William Campbell, Planning
6. **Subject:** An Urgency Ordinance Adopting a Permanent Citywide Transportation Impact Fee
Recommendation: Adopt Urgency Ordinance No. 06-2006. **(Roll Call Vote)**
Result of Recommended Action: The result of this action will continue in effect the Transportation Impact Fees until fees established by Ordinance No. 33-2005 take effect on February 18, 2006.
Staff Report: Cyrus Abhar, Public Works
7. **Subject:** Resolution Authorizing the City Manager to Reimburse the Cordova Recreation and Park District for Costs Incurred to Renovate Rancho Cordova Parks
Recommendation: Adopt Resolution No. 10-2006.
Result of Recommended Action: At the last joint meeting of the City and Cordova Recreation and Park District, the City Council gave conceptual approval of four projects to improve existing parks. This resolution and agreement are necessary to implement that initial City Council direction.
Staff Report: Adam Lindgren, City Attorney's Office

PUBLIC HEARING ITEMS

8. **Subject:** Action Items Related to the Formation of the City of Rancho Cordova Community Facilities District No. 2005-2 (Landscape Maintenance)
Recommendation: Adopt the following Resolutions and waive first reading and introduce Ordinance No. 05-2006 levying a special tax within the Capital Village subdivision in Community Facilities District No. 2005-2 (Landscape Maintenance) (**Roll Call Vote:**)
- (a) Adopt Resolution No. 07-2006 forming a community facilities district and levying a special tax in Community Facilities District No. 2005-2 (Landscape Maintenance).
 - (b) Adopt Resolution No. 08-2006 calling for a special election in Community Facilities District No. 2005-2 (Landscape Maintenance) for the Capital Village subdivision.
 - (c) Adopt Resolution No. 09-2006 declaring election results of Community Facilities District No. 2005-2 (Landscape Maintenance) for the Capital Village subdivision.
- Result of Recommended Action:** The result of the recommended actions will complete the formation of the District and will authorize the levy of a special tax to pay for landscape maintenance services within the Capital Village subdivision.
- Staff Report:** Cyrus Abhar, Public Works and Bill Thomas, Finance
9. **Subject:** Resolution Establishing Supplemental Community Facilities Fees Within the City of Rancho Cordova to Fund Construction of Municipal Facilities Relating to Animal Services, Telecommunication and Computer Systems, and a Records Management System
Recommendation: Adopt Resolution No. 06-2006.
Result of Recommended Action: Adoption of this resolution will allow the City to collect development impact fees from new developments in Rancho Cordova to help fund construction of municipal facilities related to animal service, telecommunication and computer systems, and a records management system.
Staff Report: Bill Thomas, Finance

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

REGULAR CALENDAR ITEMS

10. **Subject:** Rancho Cordova Community Development Block Grant (CDBG) Program Funding Choices for 2006-07.
Recommendation: Allocate the federal limit of up to 15 percent (\$105,634) of the CDBG allocation to funding public services through nonprofit community-based organizations and provide general direction on what programs and activities to support with CDBG funds during FY 2006-07.
Result of Recommended Action: The direct fiscal impact will be an annual entitlement of Community Development Block Grant funds to the City to be used for community and economic development activities. In FY 2006-07, the City will receive \$704,227 and will likely receive a similar amount annually through 2011 to carry out the activities listed in the Consolidated Plan. Up to 20 percent of the CDBG allocation can be used for grant administration, and City General Funds are not needed for program management.
Staff Report: Jim Carney, City Manager's Office

11. **Subject:** 2006 Kilgore Cemetery Restoration
Recommendation: Approve the scope and estimated fee of the 2006 Kilgore Cemetery Restoration and authorize solicitation of bids when final design is completed.
Result of Recommended Action: The result of recommended actions will allow staff to proceed with final design and to solicit bids for construction. Upon receipt of bids, staff will return to Council for authorization to award the contract.
Staff Report: Bill Thomas, Finance and Cyrus Abhar, Public Works
12. **Subject:** City of Rancho Cordova Five-Year Road Rehabilitation Plan
Recommendation: Approve the City of Rancho Cordova Five Year Road Rehabilitation Plan that will address the challenge of deferred maintenance and approve the preliminary scope of the City of Rancho Cordova 2006 Road Rehabilitation Project that will rehabilitate several collector roads in the city.
Result of Recommended Action: The result of recommended actions will allow staff to begin planning for maintenance projects, to proceed with final design of the 2006 Road Rehabilitation Project, and to solicit bids for construction. Upon receipt of bids, staff will return to Council for authorization to award the contract.
Staff Report: Cyrus Abhar, Public Works
13. **Subject:** Resolution Supporting Collaboration with Other Regional Partners in Developing a Governance Structure for the Elk Grove-Rancho Cordova-El Dorado Connector Project
Recommendation: Adopt Resolution No. 05-2006.
Result of Recommended Action: Support of collaborative transportation planning in the eastern area of Sacramento County will allow staff to take the necessary steps to implement a joint powers authority to expedite construction of the Elk Grove-Rancho Cordova-El Dorado connector.
Staff Report: Cyrus Abhar, Public Works
14. **Subject:** Status Report Related to US 50 Corridor Mobility Partnership and Consider Continued Participation in Partnership
Recommendation: Receive report and direct staff to continue participation in the partnership.
Result of Recommended Action: Continuing the City's participation in the partnership is a benefit to its ability to better plan future mobility in the east area of Sacramento County.
Staff Report: Cyrus Abhar, Public Works
15. **Subject:** Resolution for Recycle Water Program to Establish a Large-Scale Recycled Water Program in Rancho Cordova and to Indicate Intent to Adopt a Citywide Recycled Water Distribution System Ordinance.
Recommendation: Adopt Resolution No. 11-2006
Result of Recommended Action: Adoption of this Resolution will impose a condition of approval for new developments requiring installation of a "purple pipe" recycled water system and indicate intent to adopt a citywide recycled water distribution ordinance.
Staff Report: Cyrus Abhar, Public Works
16. **Subject:** City Policy on Street Truck Parking
Recommendation: Direct staff regarding desired policy for street truck parking within the city.
Result of Recommended Action: Once Council has provided direction, Public Works and Police Department staffs will begin the process of implementing the chosen method of truck restriction.

Staff Report: Cyrus Abhar, Public Works and Tom McMahon, Police

CORRESPONDENCE

COUNCIL REPORTS

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

CITY MANAGER'S REPORT

ADJOURNMENT

<i>UPCOMING MEETINGS</i>	
<i>**Tuesday, February 21, 2006</i>	<i>5:30 p.m. – Regular Meeting [**On Tuesday due to Presidents' Day Holiday]</i>
<i>Tuesday, February 28, 2006</i>	<i>5:30 p.m. – Development Round Table & General Plan ProForma & Fees</i>
<i>Monday, March 6, 2006</i>	<i>4:00 p.m. – Parks & Open Space Fees Study Session</i> <i>5:30 p.m. – Regular Meeting</i>
<i>Monday, March 20, 2006</i>	<i>4:00 p.m. – Open Space Performance Standards Study Session</i> <i>5:30 p.m. – Regular Meeting</i>
<i>Tuesday, March 28, 2006</i>	<i>5:30 p.m. – General Plan</i>

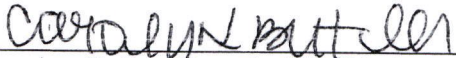
Tonight's meeting of the Rancho Cordova City Council/CRA/RCFC is being telecast on Metro Cable TV, Channel 14, the Government Affairs Channel on the Comcast, SureWest and Strategic Technologies Cable Systems, and will be shown in its entirety. Tune to Metro Cable Channel 14, for playback times. It will 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@cityofranchocordova.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 February 6, 2006 Regular Meeting of the Rancho Cordova City Council/CRA/RCFC was posted and available for review on February 2, 2006 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city web site at www.cityofranhocordova.org.

Signed this 2nd day of February 2006 at Rancho Cordova, California.


Carolyn Butler, Deputy City Clerk



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

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

MINUTES

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

STUDY SESSION

Call to Order

Vice Mayor McGarvey called the study session to order at 4:05 p.m.

Present: Council Members Budge, McGarvey, Sander, Skoglund & Mayor Cooley (arrived at 4:22 p.m.)

Staff Present: Gaebler, Abhar, Butler, Hare, Haven, Meyers

Public Comment

The following individual addressed the Council:

- Larry Ladd asked if there were any barriers to "running" purple pipe for gray water.

Study Session Item

1. Water Supply and Delivery Workshop

The following individuals made presentations regarding water supply and delivery for the City:

Herb Niederberger, Division Chief of Sacramento County Department of Water Resources; Kent Craney, Senior Engineer of Sacramento Regional County Sanitation District; Paul Schubert of Golden State Water Company; Samuel Penrod of Aeroject; and Kevin Kelley, of California American Water Company.

OUTCOME: Discussion item only; no action taken.

Study Session adjourned at 6:19 p.m.

AGENDA ITEM # 4

REGULAR CONCURRENT MEETING

Call to Order

Mayor Cooley called the meeting to order at 6:42 p.m. and announced the cablecast playback schedule.

Present: Council Members Budge, McGarvey, Sander, Skoglund & Mayor Cooley
Staff Present: Gaebler, Abhar, Butler, Campbell, Hare, Haven, Hersch, Junker, Meyers, Sparkman, Thomas

Pledge of Allegiance

1. Boy Scout Troops 363 and 601 led the Pledge of Allegiance.

Invocation

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

Presentation

3. Planning Director Paul Junker gave the presentation and a brief report on the October 5 Bus Tour of North Bay Area downtowns and town centers.

CONSENT CALENDAR – ROLL CALL VOTE

ACTION: Motion by McGarvey second by Budge and unanimously carried by roll call vote, the Consent Calendar was approved.

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

The following individual(s) addressed the Council:

- Walt Myers complained about police response and the 911 and non-emergency response system used by the Rancho Cordova Police Department.

PUBLIC HEARINGS

At this time, Council reordered the agenda to take Item No. 12 next.

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**)

Mayor Cooley said that 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. Mayor Cooley asked if there were any property owners or registered voters in the District who wished to file a written protest. There was no protest filed.

Mayor Cooley opened the hearing.

The following individual addressed the Council on this item:

- Mike Kern said the site is located north and east of Anatolia. There are twelve registered voters and no homes in the area, and taxes are not increased.

City Clerk Lillian Hare announced that one ballot was received from the one property owner and the vote cast was in favor of the District formation.

Mayor Cooley closed the public hearing.

ACTION: Motion by Sander second by Budge and unanimously carried by roll call vote, Council adopted Resolution No. 131-2005 to form a community facilities district and to levy a special tax in Sunridge North Douglas Community Facilities District No.

2005-1; Resolution No. 132-2005 deeming it necessary to incur bonded indebtedness in Sunridge North Douglas Community Facilities District No. 2005-1; Resolution No. 133-2005 calling a special election in Sunridge North Douglas Community Facilities District No. 2005-1.

ACTION: Motion by Sander second by Budge and unanimously carried by roll call vote, Council adopted Resolution No. 134-2005 Declaring Election Results of Sunridge North Douglas Community Facilities District No. 2005-1; and waived first reading and introduced Ordinance No. 26-2005 levying a special tax within Sunridge North Douglas Community Facilities District No. 2005-1.

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)

ACTION: Motion by Budge second by McGarvey and unanimously carried, Council continued the item to November 7, 2005.

CONSENSUS: To hold a workshop on this item at 4:00 p.m. on November 7.

11. **Subject:** Urgency Resolution Establishing an Interim Citywide Transportation Impact Fee
Recommendation: Adopt Urgency Resolution No. 126-2005.

Mayor Cooley opened the public hearing. There were no speakers. Mayor Cooley closed the public hearing.

ACTION: Motion by Budge second by McGarvey and unanimously carried, Council adopted Urgency Resolution No. 126-2005 establishing an Interim Citywide Transportation Impact Fee.

At this time, Council took a brief recess. The full Council reconvened at 8:53 p.m.

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.

Architect Mark Marvelli addressed the Council to outline the exterior renovation and landscaping improvements as follows:

- Variations in the roof line, stone veneer and color schemes
- Enhanced parking lot will be seal-coated and re-stripped and lighting upgrades as needed
- Two new pedestrian pathways to link the commercial buildings and bus routes
- Update landscaping by adding new trees and shrubbery

ACTION: Motion by Budge second by McGarvey and unanimously carried, Council directed staff to submit a letter to Raley's encouraging participation in the design review process and continued the item to November 7, 2005.

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.

Applicant Chris and Applicant Jerry Schroeder, addressed the Council to report the fence was removed on the first floor to create in depth of setback for mission-style architect building and each unit has a private garage.

Mayor Cooley closed the public hearing.

ACTION: Motion by Sander second by McGarvey and unanimously carried, Council adopted Resolution No. 129-2005 with amendments to the Summerset Condominiums as follows:

- (a) Eliminate the conditions regarding gates due to no gates for the project
- (b) Sacramento Regional County Sanitation District is responsible for replacing damaged items on-site improvements
- (c) Specify generic conditions for front setback related to Special Development Permits
- (d) Flexibility setbacks from streets
- (e) Rebuild sidewalk public frontage along Vehicle Drive

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)**

CONSENSUS: Continue the ordinance to the Council Meeting of November 7, 2005.

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.

ACTION: Motion by Cooley second by Budge and unanimously carried, Council approved MOU as amended to (a) delete the third whereas eliminating the six-month extension, and (b) authorize the payment of the invoice of \$6,558.

CORRESPONDENCE

Council Member Budge reported on lifetime achievement award honoring Eppie G. Johnson on October 23, 2005 and requested a proclamation.

Council Member Budge announced the DTSC Groundwater Workshop scheduled on October 25, 2005.

COUNCIL REPORTS

Council Member McGarvey said dry weeds and bushes are a fire hazard in the area of the Mobile Home Country Club community. He said this area needs upkeep to create a safer environment.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council Member Sander requested a report back on police response and communication.

Council Member Budge requested follow-up from the October 17 water supply and delivery workshop by drafting an ordinance for provisions implementing Sample C related to the installation of purple pipes.

Council Member Budge requested a workshop to discuss the Sun Creek project.

Council Member Budge requested an ordinance similar to one being considered by the Sacramento County Board of Supervisors dealing with drunk driving accidents by impounding vehicles and mandating rehabilitation classes.

CITY MANAGER'S REPORT

None

CLOSED SESSION

The Council adjourned to Closed Session at 10:23 p.m. for the following purpose:

17. 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; Steve Meyers, City Attorney, and Adam Lindgren, Assistant City Attorney.

REPORT FROM CLOSED SESSION

The meeting reconvened into Open Session at 11:00 p.m. The City Attorney advised there was no reportable action from Closed Session.

ADJOURNMENT

The meeting adjourned at 11:01 p.m.

Lillian E. Hare, City Clerk

MEMORANDUM

DATE: February 6, 2006
TO: Mayor and Council Members
FROM: William Campbell, Principal Planner
SUBJECT: Zoning Text Amendment - Planning Director Revisions



REQUEST

Staff is requesting language modifications to the Rancho Cordova Zoning Code, replacing the term "Zoning Administrator" with the term "Planning Director" for certain administrative approvals. The Planning Director would be able to approve minor projects with or without the hearings, as provided in the Zoning Code. In addition, staff is requesting deletions of some irrelevant Zoning Code sections.

STAFF RECOMMENDATION

The staff recommends the City Council find language modifications and deletions exempt under Section 15061(b) (3) of the California Environmental Quality Act Guidelines, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and adopt Ordinance No. 01-2006, making certain language changes and deletions to the Zoning Code.

BACKGROUND

The City Council reviewed the draft ordinance revisions in November of 2005 and requested staff to amend certain sections of the code to reflect the appropriate titles of City reviewing bodies, i.e. City Council, Planning Commission, etc., instead of the County counterparts. Other revisions were requested to the language for clarification, and some of the proposed sections to be deleted were removed from this version and will be reconsidered at a later time. Subsequent to placing the item back on the City Council agenda, staff met with Councilmember Budge and Chairman Smith and explained the revisions made and discussed other modifications to improve the end product. Minor changes were made to the draft ordinance and at the conclusion of the meeting, the working group felt the ordinance could be acted upon by the City Council.

ANALYSIS

The proposed ordinance has changed the term "Zoning Administrator" to "Planning Director" only in those selected sections as shown in the draft ordinance. Authority would be transferred to the Planning Director for minor planning actions, and this

change in authority would expedite minor approvals that would be delayed by scheduling before the Planning Commission. Attachment 1 indicates the track changes to the original ordinance the City Council received in November, 2005 and a clean copy of the draft ordinance is submitted as Attachment 2. Attachment 1 clearly shows all the changes made and staff will be able to answer questions of the City Council.

PUBLIC NOTICE

Originally, a quarter page public hearing notice was published in the Grapevine Newspaper in order to satisfy the notice requirement for a city wide ordinance amendment. The City Council has continued this item from November 21, 2005 to December 5, 2005 to December 19, 2005 to January 17, 2006 to February 6, 2006 by unanimous action of the City Council. No comments have been received regarding the modifications from any member of the public.

CONCLUSION

The proposed modifications will eliminate code provisions that do not apply to the City of Rancho Cordova and shift authority to the Planning Director for minor planning actions. These changes will help to improve the readability of the Code and also expedite action on minor planning applications.

ENVIRONMENTAL ANALYSIS

Section 15061 of the California Environmental Quality Act Guidelines exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. In this case, the role of authority is transferred from the Planning Commission to the Planning Director, but the process is not changed

FINANCIAL IMPLICATIONS TO CITY

There are no significant financial costs to the City.

RECOMMENDED MOTIONS

Move the City Council find the project Exempt under Section 15061(b) (3) of the California Environmental Quality Act Guidelines and Introduce and waive first reading of Ordinance No.01-2006, thereby amending provisions of the Rancho Cordova Zoning Code as related to the duties of the Zoning Administrator and deleting those referenced sections in the ordinance.

ATTACHMENTS

1. Ordinance No. 01-2006 (track changes)
2. Ordinance No. 01-2006 (clean copy)

CITY OF RANCHO CORDOVA

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ORDINANCE NO. 01-2006

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO
CORDOVA AMENDING ORDINANCE 18-2003 CHANGING THE FUNCTIONS OF
"ZONING ADMINISTRATOR" TO "PLANNING DIRECTOR" AND DELETIONS OF
IRRELEVANT ZONING CODE.**

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

SECTION 1: Purpose and Authority

The purpose of this Ordinance is to amend Ordinance 18-2003 and make language modifications to Rancho Cordova Zoning Code, formally replacing "Zoning Administrator" with "Planning Director" for minor planning actions, clarifying Ordinance 20-2003, and delete sections that are not relevant to the City of Rancho Cordova.

SECTION 2: Findings and Determinations**A. CEQA**

Finding: The amendments to the City of Rancho Cordova Zoning Code are adequately addressed according to the California Environmental Quality Act.

Evidence: The amendment to the Rancho Cordova Municipal Code changing authority from Zoning Administrator to Planning Director and the deletions of irrelevant zoning code are exempt from the California Environmental Quality Act under CEQA Guideline Section 15061. The proposed amendment to change authority from zoning administrator to planning director and delete irrelevant Zoning Code is Categorically Exempt under Section 15061 of the California Environmental Quality Act Guidelines, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

B. Zoning Amendment

Finding: The proposed Code amendments are consistent with State law, the General Plan and the Rancho Cordova Community Plan. (Section 65860 of the Government Code)

Evidence: This ordinance is consistent with the State Law, the General Plan and the Rancho Cordova Community Plan. The zoning amendments will improve the safety, peace and public welfare. The changes will clarify ambiguities, delete sections that do not apply to the City in keeping with the Vision Book of the City of Rancho Cordova, serving as the Interim General Plan.

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SECTION 3: Actions**A. Language and Authority Changes**

The City of Rancho Cordova adopted Sacramento County Zoning Code upon incorporation in 2003. The City immediately adopted ordinances indicating that everywhere there are references to the Board of Supervisors it meant the City Council and that the Planning Commission was to assume the duties and functions of the policy Planning Commission, project Planning Commission, subdivision review committee and zoning administrator. These actions had the effect of giving the Planning Commission significant responsibilities that with the County had previously been divided between these numerous bodies.

This ordinance would have the effect of shifting certain responsibilities that are currently performed by the Planning Commission of the City of Rancho Cordova and which were previously performed by the County Zone Administrator to the City Planning Director.

B. Titles I, II, and III of the Rancho Cordova Municipal Code are hereby amended to read as:

PERMITS GENERALLY: SECTION 110-03: ADMINISTRATIVE REQUIREMENTS, WHEN REQUIRED

110-03 Administrative Requirements, When Required

For the purposes of this Article public hearings before the Planning Director and City Council involving the following types of requests, shall be designated as Administrative Hearings.

110-06 Additional Hearing Procedures

The Planning Director shall adopt ~~hearing procedures and rules necessary to carry out~~ business in an orderly and fair manner. The procedures and rules shall provide for, among other matters, the preparation and adoption of necessary findings. The procedures and rules shall be published as an appendix to this Code.

Deleted: by resolution

APPEALS: SECTION 115-30: APPEAL OF PLANNING DIRECTOR TO PLANNING COMMISSION

115-30. Appeals

Any person dissatisfied with an act or determination of the Chief Building Inspector, Planning Director, or the Secretary of the Planning Commission, relating to the provision of this Code may appeal such act or determination as provided in this Article, provided that when any determination made by the aforementioned is given in the form of a recommendation or report addressed to the City Council, or such other commission, board or officer, no appeal may be taken; but any interested party, unless otherwise provided in this Code, shall be entitled to appear at the time of consideration of such recommendation or report and to be heard thereon.

RESIDENTIAL OPEN SPACE: SPECIAL CONDITIONS: SECTION 201-04 (36): WITHDRAWAL OF URBAN BEEKEEPING ON A RESIDENTIAL PROPERTY

201-04 Special Conditions- Agricultural & Residential Uses – Subsection (36) is hereby amended to read as follows:

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(36) Allowed only if all conditions and requirements set forth in Section 305-220 are maintained. Urban beekeeping can be withdrawn from any parcel by action of the Planning Director, pursuant to provisions of Title III, Chapter 5, Article 10.

**COMMERCIAL USE TABLES: SPECIAL CONDITIONS: SECTION 225-14 (38):
TEMPORARY CONCESSIONS**

225-1, Special Conditions – Subsection (38) is hereby amended to read as follows:

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(38) Permitted subject to approval by the Planning Director and the development standards in Section 315-02. (See definition 130-47.5.)

INDUSTRIAL USE TABLES: SPECIAL CONDITIONS: SECTION 230-13 (19)

Deleted:

230-13 Special Conditions – Subsection (19) is hereby amended to read as follows:

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(19) Permitted subject to approval of the Planning Director and the standards in Section 315-02.

TITLE III: GENERAL PROVISION: ARTICLES 1, 4, & 5: REGULATIONS PERTAINING TO WALLS AND FENCES

301-02.1. Sales of Christmas Trees

Christmas trees may be sold as a temporary use in other than commercial or industrial zones upon securing approval of a temporary use permit from the Planning Director and subject to obtaining a general business license. The Planning Director shall specify the period of sale of the trees to be between Thanksgiving and December 25th, and the period permitted to clear the lot of all unsold trees, rubble and other evidence of the temporary use. Temporary signs are permitted, subject to provisions of Title III, Chapter 35, Article 2.1 for commercial and industrial zones and subject to approval by the Planning Director in all other zones.

301-54. Use of Commercial Coaches as Temporary Offices

A commercial coach may be used for a temporary office where such use is authorized in the Commercial Use Table, Section 225-11, or in the Industrial Use Table Section 230-11 of this Code and, further, provided a permit is secured from the Chief Building Inspector.

A commercial coach may be used for a temporary office in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the Planning Director and, further, provided that a permit is obtained from the Chief Building Inspector.

301-55. Use of Mobilehomes for Night Watchmen

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A mobilehome may be used as a residence for a night watchman in any commercial or industrial zone where such use is incidental to a use permitted in said zone, provided a permit is secured from the Chief Building Inspector.

A mobilehome may be used as a residence for a night watchman in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the Planning Director, and further provided that a permit is obtained from the Chief Building Inspector.

301-55.5. Commercial Coaches for Temporary Classrooms

Commercial coaches may be used as temporary classrooms for private schools in any zone where private schools are permitted, provided that a conditional use permit is obtained from the Planning Director and, further, provided that a permit is obtained from the Chief Building Inspector.

301-62.5. Vacant Property

A temporary use permit is required from the Planning Director for security fencing, (including chain link), which may be erected on all property lines including public rights-of-way. The vacant property shall be maintained in a weed and litter free condition.

301-63. Height – Subsection (d) is hereby amended to read as follows:

(d) Fence height shall be measured from the highest elevation at the property line or at the finished grade of the rear or side yard setback, which ever is higher. If the fence exceeds eight (8) feet above the lower elevation and is adjacent to another single-family residential zone, a fence use permit from the Planning Director is required.

301-64. Deviations from Fence Requirements

Fences that deviate from the standards set forth in this article may be permitted, as a condition of approval when heard in conjunction with another request, or by a fence use permit approved by the Planning Director. Unless approved as a condition or in conjunction with another request walls or fences of sheet or corrugated iron, steel or aluminum, are prohibited with the exception of ornamental fences as provided for in Section 301-60 (a).

Barbed wire, concertina wire and electrical fences require a fence use permit approved by the Planning Director, unless located within any Agricultural Zone or on the interior lot lines of the M-2 Zone. When such a fence is located in the Agricultural zones or the Heavy Industrial zone (M-2) a fence use permit is not required, unless it is adjacent to any zone other than the agricultural zones or the M-2 zone.

RESIDENTIAL USE DEVELOPMENT STANDARDS: ARTICLES 1, 6, & 10

ARTICLE 1. SINGLE-FAMILY -

305-09.5. Number of Kitchens

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Any home developed pursuant to this chapter shall have no more than one (1) kitchen. For purposes of this section a kitchen is an area within a house that has an appliance(s) to cook food. Exceptions to this requirement may be granted by the Planning Director for residences of developmentally disabled persons. A public hearing for this exception is not required if the request submitted is in the form of Planning Director's Action applications, or may be approved in conjunction with a concurrent zoning entitlement application in public hearing by the final hearing authority.

ARTICLE 6. ACCESSORY STRUCTURES INCIDENTAL TO PRIMARY RESIDENTIAL DWELLINGS

305-82. General Regulations - Subsection (b) is hereby amended to read as follows:

(b) Area. The total square footage of all accessory structures on a single parcel, except residential accessory dwellings and swimming pools, shall not exceed fifty percent (50) of the habitable floor area of the primary residential dwelling on the same parcel. Exceptions to this area requirement are subject to the issuance of a conditional use permit by the Planning Director.

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Unless specifically provided in this Code, the following regulations shall pertain to all accessory structures listed in Section 305-80 constructed, enlarged, or otherwise modified after January 12, 1985.¶
¶

ARTICLE 10: URBAN BEEKEEPING

305-221

Urban beekeeping privileges may be withdrawn from any property by written notification to the property owner by the Planning Director. Withdrawal must be done with cause, however, the cause need not be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. Any condition or combination of circumstances which, in the opinion of the Planning Director jeopardizes endangers or otherwise constitute an actual, potential or perceived menace to public health or safety will constitute valid cause to withdraw license to keep bee colonies on the property. Such withdrawal may be appealed. Once any property owner has been noticed of withdrawal of privilege to keep bee colony(s) on a particular property, such privilege may be reestablished only upon written request and approval of the Planning Director.

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COMMERCIAL USES: ARTICLES 1 & 1.5

ARTICLE 1: DEVELOPMENT STANDARDS FOR TEMPORARY CONCESSIONS

315-02. Development Standards for Temporary Concessions

No temporary concession shall be installed, maintained, or operated in any zone unless the standards and requirements set forth in this Section are complied with and maintained. Temporary concessions are allowed only in specified commercial and industrial zones subject to the conditional approval of a Temporary Use Permit by the Planning Director. Such Temporary Use Permit shall include any conditions appropriate to assure compliance of the requirements of this section, shall include time limits as to when the temporary Use Permit is valid and may include additional conditions and requirements that are found appropriate to assure the use will not be detrimental to health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood.

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ARTICLE 1.5: DEVELOPMENT STANDARDS FOR SEASONAL ROADSIDE CROP SALES

315-05 Development Standards for Seasonal Roadside Crops – Subsection (9) is hereby amended to read as follows:

- (9) No food items shall be prepared and/or sold for immediate consumption on-site, excluding canned or bottled beverages. The Planning Director may grant approval of a Use Permit to prepare and sell foods for immediate consumption, however such sales are limited to the specific items considered and itemized on the Use Permit document.

OFF-STREET PARKING:

ARTICLE 1: GENERAL PROVISIONS

330-07 Parking Reductions – Subsection (d) is hereby amended to read as follows:

- (d) Request For Special Review Of Parking. Parking reductions exceeding the maximums specified in (a) through (c) above, or modifications of improvement requirements, may be granted by the Planning Commission upon petition for a Special Review of parking by a project proponent. The appropriate authority may require as a condition of approval of the parking reduction the recordation of agreements or covenants, prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

SIGN REGULATIONS:

ARTICLE 1: GENERAL PROVISIONS

335-04. Subdivision Signs – Subsections (b), (c), and (d) are hereby amended to read as follows:

- (b) Directional Subdivision Signs. Temporary directional subdivision signs are permitted in any zone, except MP, BP, C-O and Special Sign Corridors, subject to the approval of a Temporary Sign Use Permit by the Planning Director
- (c) Subdivision Signs. Subdivision signs are permitted in any zone, subject to the approval of Temporary Sign Use Permit by the Planning Director
- (d) Regional Directional Subdivision Signs. Temporary multi-sectioned directional subdivision billboard-type signs are permitted in the Agricultural-Residential, Residential, M-1 and M-2 zones (except they are not permitted in the Special Sign Corridors), subject to the approval of a Temporary Use Permit by the Planning Director

335-09.5. Special Provision – Subsection (h) is hereby amended to read as follows:

- (h) Special advertising devices for grand openings of a business for a period not to exceed 30 days within the first 180 days of business, and for special sales events not exceeding one period of up to 30 days within a given year may be

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Deleted: may be granted by the City Council or the Planning Director whenever such reduction or modification is considered in conjunction with a review of development plans by the Planning Director or City Council, or is heard in conjunction with a rezoning, use permit, or variance by the appropriate authority; otherwise, such reduction or modification

Deleted: The project proponent shall submit with the request whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant a parking reduction, such as the multiple use of a parking area by uses having peak parking demands which occur at different times; floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed; or that other programs will be implemented by the developer or tenant(s) which will result in a demand for parking at the site which is less than would otherwise occur, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a carpool or vanpool.

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permitted subject to the approval of the Planning Director and be specifically listed in the temporary use permit.

C. The proposed ordinance makes certain deletions in the following areas:

TITLE I: GENERAL PROVISIONS

Chapter 20: NONCONFORMING LOTS, USES, STRUCTURES AND SIGNS

Article 6: NONCONFORMING SIGNS

120-52. Continuation - Deleted the exception in its entirety and section is hereby amended to read as follows:

Except as otherwise provided in this Article, any legal nonconforming sign in existence on October 20, 2003 may continue to be used for a period of five (5) years. Any sign which becomes nonconforming because of an amendment of this Code may continue to be used for a period of five (5) years from the effective date of such amendment. After the expiration of the five (5) years such nonconforming use must cease.

TITLE III: USE REGULATIONS AND DEVELOPMENT STANDARDS

Chapter 1: GENERAL PROVISIONS - Article 10: URBAN BEEKEEPING

305-223. Bee Advisory Committee - Deleted in its entirety.

Chapter 30: Off-Street Parking -

Article 4: Improvement Requirements for Parking Areas

330-92.5. Request for Special Review of Improvement Requirements - Deleted in its entirety.

Chapter 35: SIGN REGULATIONS - Article 1: General Provisions

335-11.1. Identification Signs - Subsection (e) is deleted in its entirety and subsections (a)(10) and (c)(6) are hereby amended to read as follows:

(a) Identification signs for public and private schools, colleges, universities, and parks are authorized in any zone, provided:

(10) Signs exceeding size and height are permitted subject to issuance of a use permit by the Planning Director who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

(c) Except as otherwise provided herein, signs identifying permitted uses in the Agricultural, Recreational, and Residential zones are permitted, provided:

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<#>Identification Signs¶

¶ (a) (a) Identification signs for public and private schools, colleges, universities, and parks are authorized in any zone, provided:¶

¶ (10) Signs exceeding size and height are permitted subject to issuance of a use permit by the Planning Director who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.¶

¶ (c) Except as otherwise provided herein, signs identifying permitted uses in the Agricultural, Recreational, and Residential zones are permitted, provided:¶

¶ (6) Signs exceeding size and height are permitted subject to issuance of a use permit by the Planning Director who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.¶ [6]

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(6) Signs exceeding size and height are permitted subject to issuance of a use permit by the Planning Director who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

Section 4: Severability

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

Section 5: Effective Date and Publication

Within fifteen (15) days from and after adoption, this Ordinance shall be published in accordance with California Government Code Section 36933 (a) and shall take effect and be enforced thirty (30) days after its adoption.

PASSED AND ADOPTED this ___ day of ___, by the following vote:

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Deleted: January 2006

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

ROBERT J. MCGARVEY, MAYOR

Deleted: KEN COOLEY

ATTEST:

LILLIAN E. HARE, CITY CLERK

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STEVEN MYERS, CITY ATTORNEY

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Modifications of improvement requirements may be granted by the City Council and the

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~~Planning Commission, the City Council, or the Planning Director whenever such a modification is considered in conjunction with a review of development plans by such Commission or City Council, or is heard in conjunction with a rezoning, use permit, or variance by the appropriate authority; otherwise, such modification may be granted by the~~

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Planning Commission upon petition for a use permit for a Special Review of Improvement Requirements for Parking Areas by a project proponent. The project proponent shall submit, with the request, whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant improvement reduction, such as the multiple use of a parking area by uses in need of special open areas or needing special layout of all improvements to facilitate such multiple use. In no case may a parking reduction and development standards reduction be considered for the same parking facility. The appropriate authority shall require, as a condition of approval of the parking area improvement reduction that evidence of long term agreement for joint use or multiple use be of record. This may either be in the form of recorded agreements or covenants.

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Identification Signs

- (a) (a) Identification signs for public and private schools, colleges, universities, and parks are authorized in any zone, provided:

(10) Signs exceeding size and height are permitted subject to issuance of a use permit by the Planning Director who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

- (c) Except as otherwise provided herein, signs identifying permitted uses in the Agricultural, Recreational, and Residential zones are permitted, provided:

(6) Signs exceeding size and height are permitted subject to issuance of a use permit by the Planning Director who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

- (e) Group directional identification off-site signs along primary highways and City roads,

including Scenic Corridors, for the purpose of providing directions for recreational facilities within the Delta area when in the best interest of the general public to locate said recreational business is permitted subject to a use permit by the Planning Director. Sign copy shall be limited only to the names of the recreational business and directional information. The size and design must be appropriate for the area; and the Planning Director is to approve same including determination of height, setback, location, and illumination limited to spotlight.

~~Exception: Signs for nonconforming uses of land continuing beyond five (5) years under the provisions of Section 120-21. Limitation, and nonconforming use of building continued under the provisions of Section 120-40, which are now located in an Agricultural, Agricultural-Residential, Residential, Interim Agricultural Holding, Interim Agricultural, Interim Estate, Interim Residential, or Interim Residential Townhouse zones, may have signs subject to a use permit by the Zoning Administrator.~~

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~~The activities of bees may create a nuisance to other properties in the neighborhood. For this reason, this ordinance establishes Bee Advisory Committee to provide a source of expertise and a procedure for utilizing that source to enhance the education of beekeepers in general and to provide assistance to the County in mitigating nuisance problems that may occur.~~

~~(a) Purpose of Bee Advisory Committee:~~

~~The purpose of the Bee Advisory Committee is educational and advisory only. Any official County actions shall be through the established authority of the Zoning Administrator with or without the recommendation of the Committee the Zoning Administrator may request the Committee to investigate any alleged nuisance situation, and with expressed permission of the beekeeper or other involved property owners may investigate, give advice and recommendation to the beekeeper and recommend appropriate actions to the Zoning Administrator.~~

~~(b) Composition of the Bee Advisory Committee:~~

~~Zoning Administrator will initially appoint a volunteer chairperson who will then establish and maintain a list of volunteer members. Subsequently, the Committee may establish its own procedures for conducting activities including appointing a chairperson.~~

~~(d) While recommendation made by the Committee need not be limited, the following are examples of actions that may be appropriate:~~

- ~~(1) Requeening the colonies.~~
- ~~(2) Replacement of colonies.~~
- ~~(3) Design and placement of hives and watersource.~~
- ~~(4) Removal of hives for specific period of time.~~
- ~~(5) Baffling and shielding of hives or features to change flight patterns.~~

~~It is not the intent of this ordinance, that Committee be involved with any of the Zoning Administrators actions concerning health or safety issues as set forth in Section 305-221. Appropriate actions in those cases shall be based on the recommendations of medical doctors.~~

CITY OF RANCHO CORDOVA

ORDINANCE NO. 01-2006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AMENDING ORDINANCE 18-2003 CHANGING THE FUNCTIONS OF "ZONING ADMINISTRATOR" TO "PLANNING DIRECTOR" AND DELETIONS OF IRRELEVANT ZONING CODE.

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

SECTION 1: Purpose and Authority

The purpose of this Ordinance is to amend Ordinance 18-2003 and make language modifications to Rancho Cordova Zoning Code, formally replacing "Zoning Administrator" with "Planning Director" for minor planning actions, clarifying Ordinance 20-2003, and delete sections that are not relevant to the City of Rancho Cordova.

SECTION 2: Findings and Determinations

A. CEQA

Finding: The amendments to the City of Rancho Cordova Zoning Code are adequately addressed according to the California Environmental Quality Act.

Evidence: The amendment to the Rancho Cordova Municipal Code changing authority from Zoning Administrator to Planning Director and the deletions of irrelevant zoning code are exempt from the California Environmental Quality Act under CEQA Guideline Section 15061. The proposed amendment to change authority from zoning administrator to planning director and delete irrelevant Zoning Code is Categorically Exempt under Section 15061 of the California Environmental Quality Act Guidelines, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

B. Zoning Amendment

Finding: The proposed Code amendments are consistent with State law, the General Plan and the Rancho Cordova Community Plan. (Section 65860 of the Government Code)

Evidence: This ordinance is consistent with the State Law, the General Plan and the Rancho Cordova Community Plan. The zoning amendments will improve the safety, peace and public welfare. The changes will clarify ambiguities, delete sections that do not apply to the City in keeping with the Vision Book of the City of Rancho Cordova, serving as the Interim General Plan.

SECTION 3: Actions

A. Language and Authority Changes

The City of Rancho Cordova adopted Sacramento County Zoning Code upon incorporation in 2003. The City immediately adopted ordinances indicating that everywhere there are references to the Board of Supervisors it meant the City Council and that the Planning Commission was to assume the duties and functions of the policy Planning Commission, project Planning Commission, subdivision review committee and zoning administrator. These actions had the effect of giving the Planning Commission significant responsibilities that with the County had previously been divided between these numerous bodies.

This ordinance would have the effect of shifting certain responsibilities that are currently performed by the Planning Commission of the City of Rancho Cordova and which were previously performed by the County Zone Administrator to the City Planning Director.

B. Titles I, II, and III of the Rancho Cordova Municipal Code are hereby amended to read as:

PERMITS GENERALLY: SECTION 110-03: ADMINISTRATIVE REQUIREMENTS, WHEN REQUIRED

110-03 Administrative Requirements, When Required

For the purposes of this Article public hearings before the Planning Director and City Council involving the following types of requests, shall be designated as Administrative Hearings.

110-06 Additional Hearing Procedures

The Planning Director shall adopt hearing procedures and rules necessary to carry out business in an orderly and fair manner. The procedures and rules shall provide for, among other matters, the preparation and adoption of necessary findings. The procedures and rules shall be published as an appendix to this Code.

APPEALS: SECTION 115-30: APPEAL OF PLANNING DIRECTOR TO PLANNING COMMISSION

115-30. Appeals

Any person dissatisfied with an act or determination of the Chief Building Inspector, Planning Director, or the Secretary of the Planning Commission, relating to the provision of this Code may appeal such act or determination as provided in this Article, provided that when any determination made by the aforementioned is given in the form of a recommendation or report addressed to the City Council, or such other commission, board or officer, no appeal may be taken; but any interested party, unless otherwise provided in this Code, shall be entitled to appear at the time of consideration of such recommendation or report and to be heard thereon.

RESIDENTIAL OPEN SPACE: SPECIAL CONDITIONS: SECTION 201-04 (36): WITHDRAWAL OF URBAN BEEKEEPING ON A RESIDENTIAL PROPERTY

201-04 Special Conditions- Agricultural & Residential Uses – Subsection (36) is hereby amended to read as follows:

(36) Allowed only if all conditions and requirements set forth in Section 305-220 are maintained. Urban beekeeping can be withdrawn from any parcel by action of the Planning Director, pursuant to provisions of Title III, Chapter 5, Article 10.

**COMMERCIAL USE TABLES: SPECIAL CONDITIONS: SECTION 225-14 (38):
TEMPORARY CONCESSIONS**

225-1 Special Conditions – Subsection (38) is hereby amended to read as follows:

(38) Permitted subject to approval by the Planning Director and the development standards in Section 315-02. (See definition 130-47.5.)

INDUSTRIAL USE TABLES: SPECIAL CONDITIONS: SECTION 230-13 (19)

230-13 Special Conditions – Subsection (19) is hereby amended to read as follows:

(19) Permitted subject to approval of the Planning Director and the standards in Section 315-02.

**TITLE III: GENERAL PROVISION: ARTICLES 1, 4, & 5: REGULATIONS PERTAINING
TO WALLS AND FENCES**

301-02.1. Sales of Christmas Trees

Christmas trees may be sold as a temporary use in other than commercial or industrial zones upon securing approval of a temporary use permit from the Planning Director and subject to obtaining a general business license. The Planning Director shall specify the period of sale of the trees to be between Thanksgiving and December 25th, and the period permitted to clear the lot of all unsold trees, rubble and other evidence of the temporary use. Temporary signs are permitted, subject to provisions of Title III, Chapter 35, Article 2.1 for commercial and industrial zones and subject to approval by the Planning Director in all other zones.

301-54. Use of Commercial Coaches as Temporary Offices

A commercial coach may be used for a temporary office where such use is authorized in the Commercial Use Table, Section 225-11, or in the Industrial Use Table Section 230-11 of this Code and, further, provided a permit is secured from the Chief Building Inspector.

A commercial coach may be used for a temporary office in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the Planning Director and, further, provided that a permit is obtained from the Chief Building Inspector.

301-55. Use of Mobilehomes for Night Watchmen

A mobilehome may be used as a residence for a night watchman in any commercial or industrial zone where such use is incidental to a use permitted in said zone, provided a permit is secured from the Chief Building Inspector.

A mobilehome may be used as a residence for a night watchman in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the Planning Director, and further provided that a permit is obtained from the Chief Building Inspector.

301-55.5. Commercial Coaches for Temporary Classrooms

Commercial coaches may be used as temporary classrooms for private schools in any zone where private schools are permitted, provided that a conditional use permit is obtained from the Planning Director and, further, provided that a permit is obtained from the Chief Building Inspector.

301-62.5. Vacant Property

A temporary use permit is required from the Planning Director for security fencing, (including chain link), which may be erected on all property lines including public rights-of-way. The vacant property shall be maintained in a weed and litter free condition.

301-63. Height – Subsection (d) is hereby amended to read as follows:

(d) Fence height shall be measured from the highest elevation at the property line or at the finished grade of the rear or side yard setback, which ever is higher. If the fence exceeds eight (8) feet above the lower elevation and is adjacent to another single-family residential zone, a fence use permit from the Planning Director is required.

301-64. Deviations from Fence Requirements

Fences that deviate from the standards set forth in this article may be permitted, as a condition of approval when heard in conjunction with another request, or by a fence use permit approved by the Planning Director. Unless approved as a condition or in conjunction with another request walls or fences of sheet or corrugated iron, steel or aluminum, are prohibited with the exception of ornamental fences as provided for in Section 301-60 (a).

Barbed wire, concertina wire and electrical fences require a fence use permit approved by the Planning Director, unless located within any Agricultural Zone or on the interior lot lines of the M-2 Zone. When such a fence is located in the Agricultural zones or the Heavy Industrial zone (M-2) a fence use permit is not required, unless it is adjacent to any zone other than the agricultural zones or the M-2 zone.

RESIDENTIAL USE DEVELOPMENT STANDARDS: ARTICLES 1, 6, & 10

ARTICLE 1. SINGLE-FAMILY -

305-09.5. Number of Kitchens

Any home developed pursuant to this chapter shall have no more than one (1) kitchen. For purposes of this section a kitchen is an area within a house that has an appliance(s) to cook food. Exceptions to this requirement may be granted by the Planning Director for residences of developmentally disabled persons. A public hearing for this exception is not required if the request submitted is in the form of Planning Director's Action applications, or may be approved in conjunction with a concurrent zoning entitlement application in public hearing by the final hearing authority.

ARTICLE 6. ACCESSORY STRUCTURES INCIDENTAL TO PRIMARY RESIDENTIAL DWELLINGS

305-82. General Regulations - Subsection (b) is hereby amended to read as follows:

- (b) Area. The total square footage of all accessory structures on a single parcel, except residential accessory dwellings and swimming pools, shall not exceed fifty percent (50) of the habitable floor area of the primary residential dwelling on the same parcel. Exceptions to this area requirement are subject to the issuance of a conditional use permit by the Planning Director.

ARTICLE 10: URBAN BEEKEEPING

305-221

Urban beekeeping privileges may be withdrawn from any property by written notification to the property owner by the Planning Director. Withdrawal must be done with cause, however, the cause need not be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. Any condition or combination of circumstances which, in the opinion of the Planning Director jeopardizes endangers or otherwise constitute an actual, potential or perceived menace to public health or safety will constitute valid cause to withdraw license to keep bee colonies on the property. Such withdrawal may be appealed. Once any property owner has been noticed of withdrawal of privilege to keep bee colony(s) on a particular property, such privilege may be reestablished only upon written request and approval of the Planning Director.

COMMERCIAL USES: ARTICLES 1 & 1.5

ARTICLE 1: DEVELOPMENT STANDARDS FOR TEMPORARY CONCESSIONS

315-02. Development Standards for Temporary Concessions

No temporary concession shall be installed, maintained, or operated in any zone unless the standards and requirements set forth in this Section are complied with and maintained. Temporary concessions are allowed only in specified commercial and industrial zones subject to the conditional approval of a Temporary Use Permit by the Planning Director. Such Temporary Use Permit shall include any conditions appropriate to assure compliance of the requirements of this section, shall include time limits as to when the temporary Use Permit is valid and may include additional conditions and requirements that are found appropriate to assure the use will not be detrimental to health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood.

ARTICLE 1.5: DEVELOPMENT STANDARDS FOR SEASONAL ROADSIDE CROP SALES

315-05 Development Standards for Seasonal Roadside Crops – Subsection (9) is hereby amended to read as follows:

- (9) No food items shall be prepared and/or sold for immediate consumption on-site, excluding canned or bottled beverages. The Planning Director may grant approval of a Use Permit to prepare and sell foods for immediate consumption, however such sales are limited to the specific items considered and itemized on the Use Permit document.

OFF-STREET PARKING:

ARTICLE 1: GENERAL PROVISIONS

330-07 Parking Reductions – Subsection (d) is hereby amended to read as follows:

- (d) Request For Special Review Of Parking. Parking reductions exceeding the maximums specified in (a) through (c) above, or modifications of improvement requirements, may be granted by the Planning Commission upon petition for a Special Review of parking by a project proponent. The appropriate authority may require as a condition of approval of the parking reduction the recordation of agreements or covenants, prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

SIGN REGULATIONS:

ARTICLE 1: GENERAL PROVISIONS

335-04. Subdivision Signs – Subsections (b), (c), and (d) are hereby amended to read as follows:

- (b) Directional Subdivision Signs. Temporary directional subdivision signs are permitted in any zone, except MP, BP, C-O and Special Sign Corridors, subject to the approval of a Temporary Sign Use Permit by the Planning Director
- (c) Subdivision Signs. Subdivision signs are permitted in any zone, subject to the approval of Temporary Sign Use Permit by the Planning Director
- (d) Regional Directional Subdivision Signs. Temporary multi-sectioned directional subdivision billboard-type signs are permitted in the Agricultural-Residential, Residential, M-1 and M-2 zones (except they are not permitted in the Special Sign Corridors), subject to the approval of a Temporary Use Permit by the Planning Director

335-09.5. Special Provision – Subsection (h) is hereby amended to read as follows:

- (h) Special advertising devices for grand openings of a business for a period not to exceed 30 days within the first 180 days of business, and for special sales events not exceeding one period of up to 30 days within a given year may be

permitted subject to the approval of the Planning Director and be specifically listed in the temporary use permit.

C. The proposed ordinance makes certain deletions in the following areas:

TITLE I: GENERAL PROVISIONS

Chapter 20: NONCONFORMING LOTS, USES, STRUCTURES AND SIGNS

Article 6: NONCONFORMING SIGNS

120-52. Continuation - Deleted the exception in its entirety and section is hereby amended to read as follows:

Except as otherwise provided in this Article, any legal nonconforming sign in existence on October 20, 2003 may continue to be used for a period of five (5) years. Any sign which becomes nonconforming because of an amendment of this Code may continue to be used for a period of five (5) years from the effective date of such amendment. After the expiration of the five (5) years such nonconforming use must cease.

TITLE III: USE REGULATIONS AND DEVELOPMENT STANDARDS

Chapter 1: GENERAL PROVISIONS - Article 10: URBAN BEEKEEPING

305-223. Bee Advisory Committee – Deleted in its entirety.

Chapter 30: Off-Street Parking –

Article 4: Improvement Requirements for Parking Areas

330-92.5. Request for Special Review of Improvement Requirements – Deleted in its entirety.

Chapter 35: SIGN REGULATIONS - Article 1: General Provisions

335-11.1. Identification Signs – Subsection (e) is deleted in its entirety and subsections (a)(10) and (c)(6) are hereby amended to read as follows:

(a) Identification signs for public and private schools, colleges, universities, and parks are authorized in any zone, provided:

(10) Signs exceeding size and height are permitted subject to issuance of a use permit by the Planning Director who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

(c) Except as otherwise provided herein, signs identifying permitted uses in the Agricultural, Recreational, and Residential zones are permitted, provided:

(6) Signs exceeding size and height are permitted subject to issuance of a use permit by the Planning Director who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

Section 4: Severability

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

Section 5: Effective Date and Publication

Within fifteen (15) days from and after adoption, this Ordinance shall be published in accordance with California Government Code Section 36933 (a) and shall take effect and be enforced thirty (30) days after its adoption.

PASSED AND ADOPTED this day of 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

ROBERT J. MCGARVEY, MAYOR

ATTEST:

LILLIAN E. HARE, CITY CLERK

802459 1

MEMORANDUM



DATE: February 6, 2006
TO: Mayor and Council Members
FROM: Cyrus Abhar
Public Works Director

**SUBJECT: URGENCY ORDINANCE ADOPTING A PERMANENT CITYWIDE
TRANSPORTATION IMPACT FEE**

RECOMMENDATION

Staff recommends Council adopt Urgency Ordinance No. 06-2006, Adopting a Permanent Citywide Transportation Impact Fee. The result of this action will continue in effect the Transportation Impact Fees until fees established by Ordinance 33-2005 take effect on February 18, 2006.

Background

On November 7, 2005 the Council adopted Urgency Ordinance No. 24-2005, adopting a permanent transportation impact fee and Urgency Resolution No. 127-2005 establishing the amount of the transportation impact fees. The action taken on that date added, for a temporary period of time, Chapter 16.84 to the Rancho Cordova Municipal Code relating to development impact fees for transportation improvements. To establish the fees on a permanent basis, Ordinance No. 33-2005 was introduced on November 7, 2005 and the fees under that ordinance will take effect on February 18, 2006.

Until the permanent fees take effect under Ordinance No. 33-2005, it was necessary to extend Urgency Ordinance 24-2005 two times to continue the fees in effect until February 6, 2006, and now to adopt another urgency ordinance to ensure that there is no lapse in the applicability of transportation impact fees prior to February 18, 2006. Urgency Ordinance No. 06-2006 (attached as **Exhibit A**) again adds Chapter 16.84 to the Municipal code for a temporary period of time until the fees established by Ordinance No. 33-2005 take effect on February 18, 2006.

Attachments:

Ordinance No. 06-2005

CITY OF RANCHO CORDOVA

ORDINANCE NO. 06-2006

**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. 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 and Area 1, respectively. 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) For the purpose of calculating the Regional Fee, the Regional Fee shall be calculated as the difference between the Transportation Impact Fee for Area 1 or Area 2, (depending on the location of the property at issue), and the transportation component of the specific

plan fee, if any. If no specific plan fee exists, then the Regional Fee and the Transportation Impact Fee are equivalent.

- (e) 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.
- (f) 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.
- (g) 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.
- (h) 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 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 6th day of February, 2006, by the following vote:

AYES:

NOES:

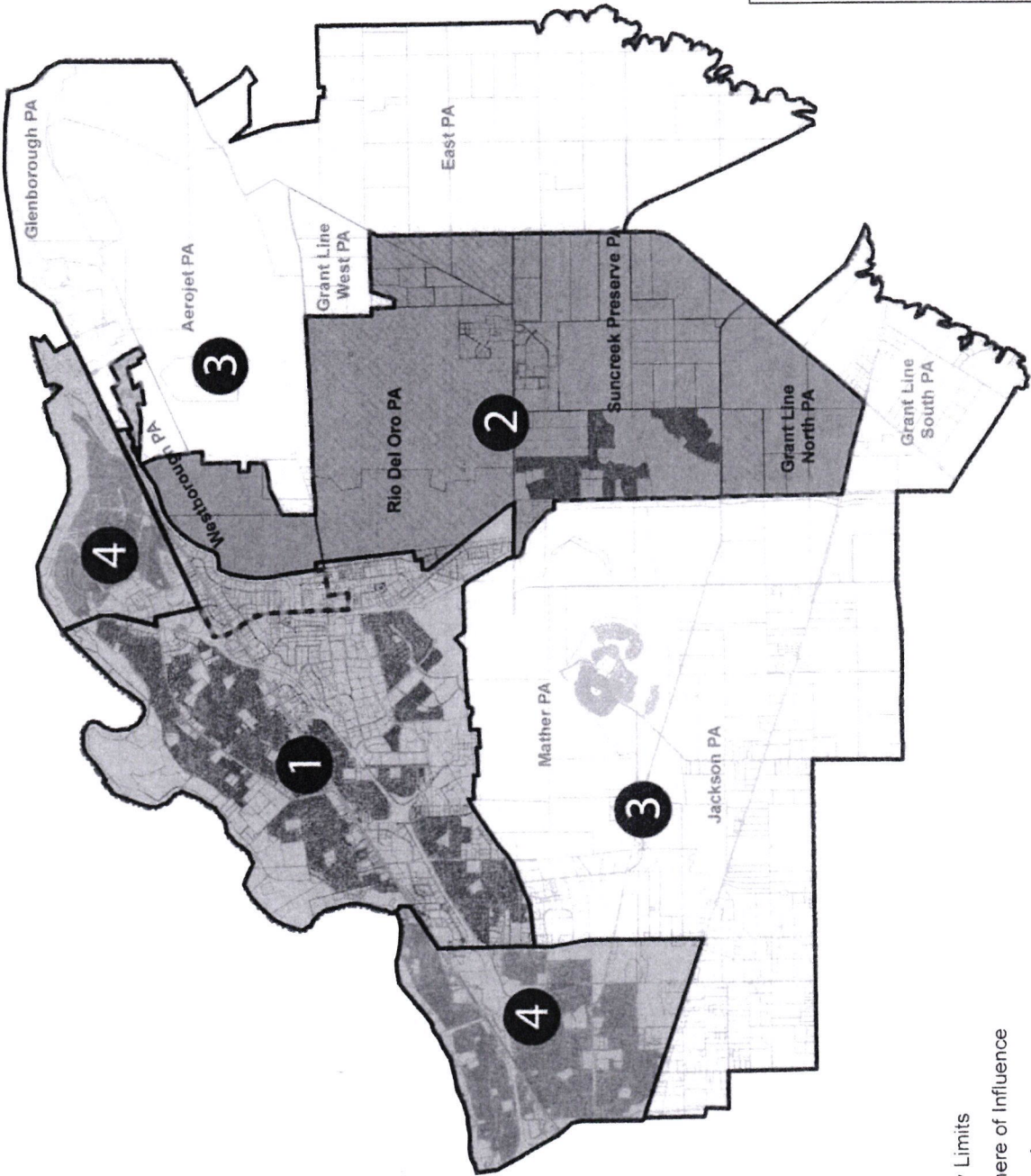
ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Lillian E. Hare, City Clerk



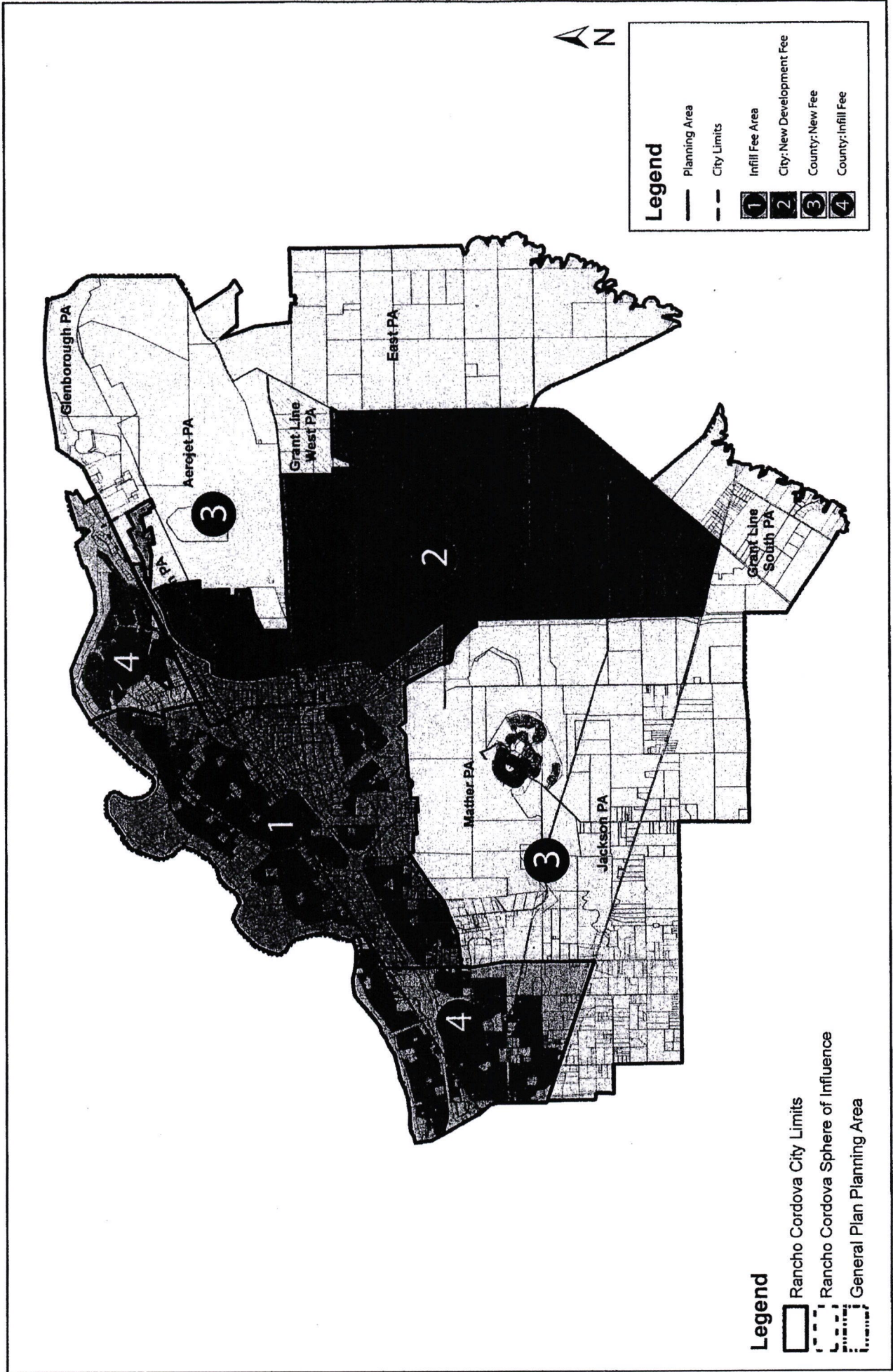
Legend

- 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

Figure 1



revised

STAFF REPORT

DATE: February 6, 2006
TO: Mayor and Council Members
FROM: Adam U. Lindgren, Asst. City Attorney
SUBJECT: A Resolution Authorizing the City Manger to Reimburse the Cordova Recreation and Park District for Costs Incurred to Renovate Rancho Cordova Parks



RECOMMENDATION

Adopt Resolution No. 10-2006.

RESULT OF RECOMMENDED ACTION

At the last joint meeting of the City and Park District, the City Council gave conceptual approval of four projects to improve existing parks. This resolution and agreement are necessary to implement that initial City Council direction.

BACKGROUND

Rancho Cordova ("City") has entered into a number of development agreements since its incorporation in 2003. The City's development agreements include a provision in which the developer agrees to pay the City a fee which the City will use to renovate, repair, improve or maintain existing parks in the City. The City has already collected over \$1,000,000 of these park renovation fees.

At the last joint meeting, on November 9, 2005, of the City and Cordova Recreation and the Park District, the City Council gave conceptual approval of four projects to improve existing parks. The following are the Projects and amounts which the Park District recommended:

1. Conceptual Master Plan for the renovation of Hagan Community Park, of which the Cordova Community Pool Complex is an integral component, in the amount of \$250,000.
2. Conceptual Master Plan for the renovation of Dave Roberts Community Park in the amount of \$120,000.
3. Conceptual Master Plan for the renovation of Lincoln Village Community Park in the amount of \$130,000.
4. Americans with Disabilities Act remediation project in the six neighborhood parks located in the City for the amount of \$500,000.

ANALYSIS

This resolution and agreement are necessary to implement the City Council's initial conceptual approval of the four projects to improve existing parks. The proposed resolution authorizes the City Manager to sign the attached memorandum of understanding ("MOU") for \$1,000,000 between the City and the Park District for the reimbursement of cost incurred to renovate City Parks. The resolution also authorizes the City Manager to spend an additional amount not to exceed a total of \$50,000, as a contingency for any costs in excess of the budgeted amounts for the Projects, which amount is equal to 5% of the total budget for the park renovation Projects described in the attached. Any cost in excess of \$1,000,000 plus the \$50,000 will require City Council approval prior to payment to the Park District.

This resolution also acknowledges that the City Manager intends to pay for staff and consultant costs associate with the entering into and administrating of the memorandum of understanding out of the Park Renovation Fee Special Revenue Fund.

Memorandum of Understanding Terms

The MOU requires the Park District to provide the City with a detailed scope of work and budget including a general description of the Project prior to the disbursement of any funds. After the City receives and approves the detailed scope of work and budget the City shall then reserve the approved amount from the Park Renovation Fee Special Revenue Fund for release to the Park District. The Park District shall, on a monthly basis, send the City an invoice that details by Project the costs and particular services that have been provided by the Park District. The City shall disburse funds to the Park District within 30 days of receipt of a written invoice from the Park District.

The MOU also provides for records keeping and auditing of Park District activities. The Park District is required to maintain records associated with the Project, such as time sheets, expense reports, diagrams, and any other information and records necessary for the City to verify that the Project was completed pursuant to the scope, budget, and other terms provided by the Park District, which will be provided to the City after completion of each Project. The City shall then review the records, conduct field inspections, and perform other investigations it deems necessary to determine whether or not a Project was completed pursuant to the scope, budget, and other terms provided by the Park District before funds were disbursed. The City may refuse to disburse funds for additional Projects if it concludes that a Project was not completed pursuant to the scope, budget, and other terms as described in the MOU.

If the cost of the Project is greater than then budget provided by the Park District, the Park District shall submit a budget modification request to the City for review and approval or disapproval prior to incurring expenses on the Project in excess of the amount approved by the MOU for the Project. The Parties will meet and confer to discuss any budget modification requests before the City decides whether to approve or disapprove the change in the cost of the Project.

As stated above, this resolution will authorize the City Manger to approve amendments to the MOU; however, if the scope of any amendment exceeds the City Manger's authority pursuant to this Resolution, the amendment shall require approval by the City Council.

CONCLUSION

The vision of the City Council and its partners in the development community is that new development in Rancho Cordova will improve the lives of the City's existing residents. This resolution provides a significant step in that direction by authorizing the City Manager to reimburse the Cordova Recreation and Park District for the improvement of existing parks.

REQUESTED MOTION

"I move that the City Council adopt a resolution authorizing the City Manager to reimburse the Cordova Recreation and Park District for costs incurred to renovate Rancho Cordova parks."

ATTACHMENTS

1. Resolution No. 10-2006
2. Memorandum of Understanding

CITY OF RANCHO CORDOVA

RESOLUTION NO. 10-2006

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO REIMBURSE THE
CORDOVA RECREATION AND PARK DISTRICT FOR COSTS INCURRED TO
RENOVATE RANCHO CORDOVA PARKS**

WHEREAS, the City of Rancho Cordova was incorporated on the expectation that it would provide outstanding public amenities throughout the community, including within newly developed areas; and

WHEREAS, the City has entered into a number of development agreements since its incorporation in 2003 which include a provision in which the developer agrees to pay the City a fee which the City will use to renovate, repair, improve or maintain existing parks in the City; and

WHEREAS, the City has already collected over \$1,000,000 of these park renovation fees; and

WHEREAS, at the last joint meeting, on November 9, 2005, of the City and Cordova Recreation and the Park District, the City Council gave conceptual approval of four projects to improve existing parks; and

WHEREAS, a memorandum of understanding or agreement is necessary to implement the City Council's initial conceptual approval of the four projects to improve existing parks; and

WHEREAS, the City Manger is required by ordinance to receive City Council approval to make payments in excess of \$100,000.

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

A. The City Manager is authorized to:

1. Sign the attached memorandum of understanding between the City and the Park District setting out the terms for the spending of \$1,000,000 on four (4) Projects.
2. Spend an additional amount not to exceed a total of \$50,000, as a contingency for any costs in excess of the budgeted amounts for the

Projects, which amount is equal to 5% of the total budget for the park renovation Projects described in the attached MOU.

B. Acknowledges that the City Manger will pay for any staff and consultant costs associated with the entering into and administrating of this contract out of the Park Renovation Fee Special Revenue Fund

C. Any cost in excess of \$1,000,000 plus the \$50,000 will require City Council approval prior to payment to the Park District.

* * * * *

PASSED AND ADOPTED, THIS 6th day of February, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Robert J. McGarvey, Mayor

ATTEST:

Lillian E. Hare, City Clerk

**MEMORANDUM OF UNDERSTANDING AND COOPERATIVE AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA
AND THE CORDOVA RECREATION AND PARK DISTRICT**

This Memorandum of Understanding and Cooperative Agreement ("MOU") by and between the City of Rancho Cordova ("City"), a municipal corporation, and the Cordova Recreation and Park District ("Park District"), a special district organized and operating pursuant to the statutes of the State of California (Public Resources Code Section 5780, et seq.), together the City and the Park District are the "Parties", is entered into this ____ day of _____, 2006 based on the facts and for the purposes set forth in the following recitals.

RECITALS

- A. The vision of the City Council and its partners in the development community is that new development in Rancho Cordova will improve the lives of the City's existing residents.
- B. Rancho Cordova has entered into a number of development agreements since its incorporation in 2003.
- C. Rancho Cordova's development agreements include a provision in which the developer agrees to pay the City a fee which the City will use to renovate, repair, improve or maintain existing parks in the City.
- D. At its meeting on _____, the City Council approved four (4) projects aimed at improving existing City parks, and authorized City staff to provide the Park District with \$1,000,000 of the money collected from park renovation fees to spend to complete these Projects.
- E. This MOU sets out how funds accumulated for existing park renovations will be spent for the four (4) Projects as conditioned by the Development Agreements.
- F. This MOU accomplishes the goals of the City Council by authorizing \$1,000,000 generated by the City's partnership with developers of new housing in the City to be spent on improving existing parks for the residents in existing neighborhoods of Rancho Cordova. The City, Park District and developer partners are pleased to be spending this money to improve and protect the quality of life and recreation in the City.

The parties therefore agree as follows:

- 1. Projects. The funds that are the subject of this MOU shall be used by the Park District exclusively for the completion of the following four (4) Projects:
 - a) Conceptual Master Plan for the renovation of Hagan Community Park, of which the Cordova Community Pool Complex is an integral component, in the amount of \$250,000.
 - b) Conceptual Master Plan for the renovation of Dave Roberts Community Park in the amount of \$120,000.
 - c) Conceptual Master Plan for the renovation of Lincoln Village Community Park in the amount of \$130,000.

- d) Americans with Disabilities Act remediation project in six neighborhood parks located in the City of Rancho Cordova for the amount of \$500,000.

2. Requirements Prior to Release of Funds.

- a) Prior to disbursement of any funds for each Project, the Park District shall provide the City with a detailed scope of work and budget including a general description of the Project. The scope of work and budget shall include at a minimum:
 - i) A description of specific tasks that have to be accomplished to complete the Project,
 - ii) The individual employee or consultant of the Park District who will perform each subtask,
 - iii) The estimated cost associated with each subtask, and
 - iv) The estimated date of completion of each subtask as well as for the Project as a whole.
- b) The City and the Park District anticipate that many of the tasks associated with the completion of the Projects can be performed "in house" by current employees of the Park District.
- c) After the City receives and approves the detailed scope of work and budget including the general description of a Project from the Park District pursuant to paragraph 2(a) of this MOU, the City shall encumber ("i.e. reserve") the approved amount from the Park Renovation Fee Special Revenue Fund.
- d) The Park District shall, on a monthly basis, send the City an invoice that details by Project the costs and particular services that have been provided by the Park District's employees, agents, contractors, and/or consultants. The City shall disburse funds to the Park District within 30 days of receipt of a written invoice from the Park District for services related to the Project. City disbursements shall be to the Park District; City shall not directly pay employees, agents, contractors or consultants of the Park District.

3. Records Keeping and Auditing of Park District Activities.

- a) The Park District is required to maintain the following records associated with each Project ("Records"):
 - i) Time sheets,
 - ii) Expense reports,

- iii) Diagrams that show the actual technical specifications of the Project as constructed indicating any changes from the Project as designed, and
 - iv) Any other information and records necessary for the City to verify that the Project was completed pursuant to the scope, budget, and other terms provided by the Park District to the City pursuant to paragraph 2 of this MOU.
- b) Upon the completion of each Project the Park District shall provide the Records to the City. The City shall review the Records, conduct field inspections, and perform other investigations it deems necessary to determine whether or not a Project was completed pursuant to the scope, budget, and other terms provided by the Park District to the City pursuant to paragraph 2 of this MOU. Upon completion of its review, if the City determines that the Project was completed pursuant to the terms provided by the Park District, the City shall notify the Park District in writing that the Project has been completed consistent with the requirements of this MOU.
- c) The City may refuse to disburse funds for additional Projects if it concludes that a Project was not completed pursuant to the scope, budget, and other terms provided by the Park District to the City pursuant to paragraph 2 of this MOU. Such a determination generally shall be provided by the City to the Park District within 30 days of the City's receipt of the Records based on the City Manager's review of the Records of the Project and any other information. If the City decides to refuse disbursement of funds due to information other than the Records provided by the Park District, the City shall provide the information to the Park District and give the Park District an opportunity to respond.
- d) As required by California Government Code Section 8546.7 the MOU shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the MOU.

4. Budget.

- a) The City shall disburse the amounts specified in paragraph 1 (a)-(d) of this MOU for each Project except as provided in this paragraph 4.
- b) If the cost of the Project is greater than the budget provided by the Park District, the Park District shall submit a budget modification request to the City for review and approval or disapproval prior to incurring expenses on the Project in excess of the amount approved in this MOU for the Project.
- c) The Parties shall meet and confer to discuss any budget modification requests before the City decides whether to approve or disapprove the change in the cost of the Project.
- d) The City Manger is authorized to approve amendments to this MOU; however, if the scope of any amendment exceeds the City Manager's authority pursuant to Resolution No. _____, the amendment shall require approval by the City Council.

5. Status of Park District.

The City of Rancho Cordova is a municipal corporation and the Park District is a special district organized and operating pursuant to the statutes of the State of California (Public Resources Code Section 5780, et seq.). The Parties are thus separate legal entities. The Park District is not an independent contractor, agent, or employee of the City. The City shall have the right to control the Park District only with respect to the Park District's services undertaken pursuant to this MOU. Further, the Park District is not an agent of the City. The Park District shall have no authority, express or implied, pursuant to this MOU to bind City to any obligation whatsoever.

6. Miscellaneous.

a) Term.

The terms of this MOU shall be from _____ to _____ or until the completion of all the Projects, whichever is first. This MOU does not constitute the permanent terms or Agreement for future Projects.

b) Indemnification.

The City shall indemnify, defend and hold harmless the Park District, its officers agents employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from the performance of this MOU, caused in whole or in part by any negligent or willful act or omission of the City, its officers, agents employees, or anyone directly or indirectly acting on behalf of the City, regardless of whether caused in part by a party indemnified hereunder.

The Park District shall indemnify, defend and hold harmless the City, its officers agents employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from the performance of this MOU, caused in whole or in part by any negligent or willful act or omission of the Park District, its officers, agents employees, or anyone directly or indirectly acting on behalf of the Park District, regardless of whether caused in part by a party indemnified hereunder.

c) Dispute Resolution and Opportunity to Cure.

Prior to filing suit for any claim under this MOU for any alleged breach, the aggrieved Party shall first give the other Party an opportunity to cure the alleged breach by sending written notice to the breaching party and giving the breaching party a minimum of 30 days from the receipt of notice to cure the alleged violation.

d) 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 MOU shall be paid to all workers, laborers, and mechanics employed in the execution of said work by the Park District's contractor, or by any subcontractor doing or contracting to do any part of said work. The appropriate determination of the Director of the California Department of Industrial Relations is filed with, and available for inspection at the office of, the City Clerk.

e) Other Governmental Regulations.

To the extent that this MOU may be funded by fiscal assistance from another governmental entity, the Park District and its agents, consultants, employees, and volunteers shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program

f) CEQA.

Prior to construction or renovation of any parks or open space related facilities, the Park District shall prepare any and all documents required by the California Environmental Quality Act ("CEQA") and other applicable law.

g) Nondiscrimination and Equal Opportunity.

The Park District shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by the Park District under this MOU. The Park District shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this MOU, including but not limited to the satisfaction of any positive obligations required of the Park District thereby.

h) Venue.

In the event that either party brings any action against the other under this MOU, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Sacramento or in the United States District Court for the Eastern District of California.

i) Attorneys' Fees.

If a party to this MOU brings any action, including an action for declaratory relief, to enforce or interpret the provision of this MOU, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

j) Amendments.

The Parties may amend this MOU only by a writing signed by all the parties.

k) Entire Understanding.

This MOU constitutes the entire understanding between CITY and PARK DISTRICT regarding the subject matter of this contract.

l) Notices.

Notices concerning this MOU shall be deemed to have been served when deposited in the United States Mail, first class postage prepaid, and addressed as follows:

To PARK DISTRICT:

Greg Foell, Park District Administrator
Cordova Recreation and Park District
2197 Chase Drive
Rancho Cordova, CA 95670

To CITY:

Adam Lindgren, City Attorney
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed as of the date and year first above written.

City of Rancho Cordova:

By: _____
Ted Gaebler
City Manager

Date: _____

Cordova Recreation and Park District:

By: _____
Greg Foell
District Administrator

Date: _____

Attest:

By: _____
City Clerk

Approved as to Form:

City Attorney

District Counsel

STAFF REPORT

DATE: February 6, 2006
TO: Mayor and Council Members
FROM: Adam U. Lindgren, Asst. City Attorney
SUBJECT: A Resolution Authorizing the City Manger to Reimburse the Cordova Recreation and Park District for Costs Incurred to Renovate Rancho Cordova Parks



RECOMMENDATION

Adopt Resolution No. 10-2006.

RESULT OF RECOMMENDED ACTION

At the last joint meeting of the City and Park District, the City Council gave conceptual approval of four projects to improve existing parks. This resolution and agreement are necessary to implement that initial City Council direction.

BACKGROUND

Rancho Cordova ("City") has entered into a number of development agreements since its incorporation in 2003. The City's development agreements include a provision in which the developer agrees to pay the City a fee which the City will use to renovate, repair, improve or maintain existing parks in the City. The City has already collected over \$1,000,000 of these park renovation fees.

At the last joint meeting, on November 9, 2005, of the City and Cordova Recreation and the Park District, the City Council gave conceptual approval of four projects to improve existing parks. The following are the Projects and amounts which the Park District recommended:

1. Conceptual Master Plan for the renovation of Hagan Community Park, of which the Cordova Community Pool Complex is an integral component, in the amount of \$250,000.
2. Conceptual Master Plan for the renovation of Dave Roberts Community Park in the amount of \$120,000.
3. Conceptual Master Plan for the renovation of Lincoln Village Community Park in the amount of \$130,000.
4. Americans with Disabilities Act remediation project in the six neighborhood parks located in the City for the amount of \$500,000.

ANALYSIS

This resolution and agreement are necessary to implement the City Council's initial conceptual approval of the four projects to improve existing parks. The proposed resolution authorizes the City Manager to sign the attached memorandum of understanding ("MOU") for \$1,000,000 between the City and the Park District for the reimbursement of cost incurred to renovate City Parks. The resolution also authorizes the City Manager to spend an additional amount not to exceed a total of \$50,000, as a contingency for any costs in excess of the budgeted amounts for the Projects, which amount is equal to 5% of the total budget for the park renovation Projects described in the attached. Any cost in excess of \$1,000,000 plus the \$50,000 will require City Council approval prior to payment to the Park District.

This resolution also acknowledges that the City Manager intends to pay for staff and consultant costs associate with the entering into and administrating of the memorandum of understanding out of the Park Renovation Fee Special Revenue Fund.

Memorandum of Understanding Terms

The MOU requires the Park District to provide the City with a detailed scope of work and budget including a general description of the Project prior to the disbursement of any funds. After the City receives and approves the detailed scope of work and budget the City shall then reserve the approved amount from the Park Renovation Fee Special Revenue Fund for release to the Park District. The Park District shall, on a monthly basis, send the City an invoice that details by Project the costs and particular services that have been provided by the Park District. The City shall disburse funds to the Park District within 30 days of receipt of a written invoice from the Park District.

The MOU also provides for records keeping and auditing of Park District activities. The Park District is required to maintain records associated with the Project, such as time sheets, expense reports, diagrams, and any other information and records necessary for the City to verify that the Project was completed pursuant to the scope, budget, and other terms provided by the Park District, which will be provided to the City after completion of each Project. The City shall then review the records, conduct filed inspections, and perform other investigation sit deems necessary to determine whether or not a Project was completed pursuant to the scope, budge, and other terms provided by the Park District before funds were disbursed. The City may refuse to disburse funds for additional Projects if it concludes that a Project was not completed pursuant to the scope, budge, and other terms provided by the Park District.

If the cost of the Project is greater than then budget provided by the Park District, the Park District shall submit a budget modification request to the City for review and approval or disapproval prior to incurring expenses on the Project in excess of the amount approved by the MOU for the Project. The Parties will meet and confer to discuss any budget modification requests before the City decides whether to approve or disapprove the change in the cost of the Project.

As stated above, this resolution will authorize the City Manger to approve amendments to the MOU; however, if the scope of any amendment exceeds the City Manger's

authority pursuant to this Resolution, the amendment shall require approval by the City Council.

CONCLUSION

The vision of the City Council and its partners in the development community is that new development in Rancho Cordova will improve the lives of the City's existing residents. This resolution provides a significant step in that direction by authorizing the City Manager to reimburse the Cordova Recreation and Park District for the improvement of existing parks.

REQUESTED MOTION

"I move that the City Council adopt a resolution authorizing the City Manger to reimburse the Cordova Recreation and Park District for costs incurred to renovate Rancho Cordova parks."

ATTACHMENTS

1. Resolution No. 10-2006
2. Memorandum of Understanding

CITY OF RANCHO CORDOVA

RESOLUTION NO. 10-2006

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO REIMBURSE THE
CORDOVA RECREATION AND PARK DISTRICT FOR COSTS INCURRED TO
RENOVATE RANCHO CORDOVA PARKS**

WHEREAS, the City of Rancho Cordova was incorporated on the expectation that it would provide outstanding public amenities throughout the community, including within newly developed areas; and

WHEREAS, the City has entered into a number of development agreements since its incorporation in 2003 which include a provision in which the developer agrees to pay the City a fee which the City will use to renovate, repair, improve or maintain existing parks in the City; and

WHEREAS, the City has already collected over \$1,000,000 of these park renovation fees; and

WHEREAS, at the last joint meeting, on November 9, 2005, of the City and Cordova Recreation and the Park District, the City Council gave conceptual approval of four projects to improve existing parks; and

WHEREAS, a memorandum of understanding or agreement is necessary to implement the City Council's initial conceptual approval of the four projects to improve existing parks; and

WHEREAS, the City Manager is required by ordinance to receive City Council approval to make payments in excess of \$100,000.

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

A. The City Manager is authorized to:

1. Sign the attached memorandum of understanding between the City and the Park District setting out the terms for the spending of \$1,000,000 on four (4) Projects.
2. Spend an additional amount not to exceed a total of \$50,000, as a contingency for any costs in excess of the budgeted amounts for the

Projects, which amount is equal to 5% of the total budget for the park renovation Projects described in the attached MOU.

B. Acknowledges that the City Manger will pay for any staff and consultant costs associated with the entering into and administrating of this contract out of the Park Renovation Fee Special Revenue Fund

C. Any cost in excess of \$1,000,000 plus the \$50,000 will require City Council approval prior to payment to the Park District.

* * * * *

PASSED AND ADOPTED, THIS 6th day of February, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Robert J. McGarvey, Mayor

ATTEST:

Lillian E. Hare, City Clerk

**MEMORANDUM OF UNDERSTANDING AND COOPERATIVE AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA
AND THE CORDOVA RECREATION AND PARK DISTRICT**

This Memorandum of Understanding and Cooperative Agreement ("MOU") by and between the City of Rancho Cordova ("City"), a municipal corporation, and the Cordova Recreation and Park District ("Park District"), a special district organized and operating pursuant to the statutes of the State of California (Public Resources Code Section 5780, et seq.), together the City and the Park District are the "Parties", is entered into this ____ day of _____, 2006 based on the facts and for the purposes set forth in the following recitals.

RECITALS

- A. The vision of the City Council and its partners in the development community is that new development in Rancho Cordova will improve the lives of the City's existing residents.
- B. Rancho Cordova has entered into a number of development agreements since its incorporation in 2003.
- C. Rancho Cordova's development agreements include a provision in which the developer agrees to pay the City a fee which the City will use to renovate, repair, improve or maintain existing parks in the City.
- D. At its meeting on _____, the City Council approved four (4) projects aimed at improving existing City parks, and authorized City staff to provide the Park District with \$1,000,000 of the money collected from park renovation fees to spend to complete these Projects.
- E. This MOU sets out how funds accumulated for existing park renovations will be spent for the four (4) Projects as conditioned by the Development Agreements.
- F. This MOU accomplishes the goals of the City Council by authorizing \$1,000,000 generated by the City's partnership with developers of new housing in the City to be spent on improving existing parks for the residents in existing neighborhoods of Rancho Cordova. The City, Park District and developer partners are pleased to be spending this money to improve and protect the quality of life and recreation in the City.

The parties therefore agree as follows:

- 1. Projects. The funds that are the subject of this MOU shall be used by the Park District exclusively for the completion of the following four (4) Projects:
 - a) Conceptual Master Plan for the renovation of Hagan Community Park, of which the Cordova Community Pool Complex is an integral component, in the amount of \$250,000.
 - b) Conceptual Master Plan for the renovation of Dave Roberts Community Park in the amount of \$120,000.
 - c) Conceptual Master Plan for the renovation of Lincoln Village Community Park in the amount of \$130,000.

- d) Americans with Disabilities Act remediation project in six neighborhood parks located in the City of Rancho Cordova for the amount of \$500,000.

2. Requirements Prior to Release of Funds.

- a) Prior to disbursement of any funds for each Project, the Park District shall provide the City with a detailed scope of work and budget including a general description of the Project. The scope of work and budget shall include at a minimum:
 - i) A description of specific tasks that have to be accomplished to complete the Project,
 - ii) The individual employee or consultant of the Park District who will perform each subtask,
 - iii) The estimated cost associated with each subtask, and
 - iv) The estimated date of completion of each subtask as well as for the Project as a whole.
- b) The City and the Park District anticipate that many of the tasks associated with the completion of the Projects can be performed "in house" by current employees of the Park District.
- c) After the City receives and approves the detailed scope of work and budget including the general description of a Project from the Park District pursuant to paragraph 2(a) of this MOU, the City shall encumber ("i.e. reserve) the approved amount from the Park Renovation Fee Special Revenue Fund.
- d) The Park District shall, on a monthly basis, send the City an invoice that details by Project the costs and particular services that have been provided by the Park District's employees, agents, contractors, and/or consultants. The City shall disburse funds to the Park District within 30 days of receipt of a written invoice from the Park District for services related to the Project. City disbursements shall be to the Park District; City shall not directly pay employees, agents, contractors or consultants of the Park District.

3. Records Keeping and Auditing of Park District Activities.

- a) The Park District is required to maintain the following records associated with each Project ("Records"):
 - i) Time sheets,
 - ii) Expense reports,

- iii) Diagrams that show the actual technical specifications of the Project as constructed indicating any changes from the Project as designed, and
 - iv) Any other information and records necessary for the City to verify that the Project was completed pursuant to the scope, budget, and other terms provided by the Park District to the City pursuant to paragraph 2 of this MOU.
- b) Upon the completion of each Project the Park District shall provide the Records to the City. The City shall review the Records, conduct field inspections, and perform other investigations it deems necessary to determine whether or not a Project was completed pursuant to the scope, budget, and other terms provided by the Park District to the City pursuant to paragraph 2 of this MOU. Upon completion of its review, if the City determines that the Project was completed pursuant to the terms provided by the Park District, the City shall notify the Park District in writing that the Project has been completed consistent with the requirements of this MOU.
- c) The City may refuse to disburse funds for additional Projects if it concludes that a Project was not completed pursuant to the scope, budget, and other terms provided by the Park District to the City pursuant to paragraph 2 of this MOU. Such a determination generally shall be provided by the City to the Park District within 30 days of the City's receipt of the Records based on the City Manager's review of the Records of the Project and any other information. If the City decides to refuse disbursement of funds due to information other than the Records provided by the Park District, the City shall provide the information to the Park District and give the Park District an opportunity to respond.
- d) As required by California Government Code Section 8546.7 the MOU shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the MOU.

4. Budget.

- a) The City shall disburse the amounts specified in paragraph 1 (a)-(d) of this MOU for each Project except as provided in this paragraph 4.
- b) If the cost of the Project is greater than the budget provided by the Park District, the Park District shall submit a budget modification request to the City for review and approval or disapproval prior to incurring expenses on the Project in excess of the amount approved in this MOU for the Project.
- c) The Parties shall meet and confer to discuss any budget modification requests before the City decides whether to approve or disapprove the change in the cost of the Project.
- d) The City Manger is authorized to approve amendments to this MOU; however, if the scope of any amendment exceeds the City Manager's authority pursuant to Resolution No. _____, the amendment shall require approval by the City Council.

5. Status of Park District.

The City of Rancho Cordova is a municipal corporation and the Park District is a special district organized and operating pursuant to the statutes of the State of California (Public Resources Code Section 5780, et seq.). The Parties are thus separate legal entities. The Park District is not an independent contractor, agent, or employee of the City. The City shall have the right to control the Park District only with respect to the Park District's services undertaken pursuant to this MOU. Further, the Park District is not an agent of the City. The Park District shall have no authority, express or implied, pursuant to this MOU to bind City to any obligation whatsoever.

6. Miscellaneous.

a) Term.

The terms of this MOU shall be from _____ to _____ or until the completion of all the Projects, whichever is first. This MOU does not constitute the permanent terms or Agreement for future Projects.

b) Indemnification.

The City shall indemnify, defend and hold harmless the Park District, its officers agents employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from the performance of this MOU, caused in whole or in part by any negligent or willful act or omission of the City, its officers, agents employees, or anyone directly or indirectly acting on behalf of the City, regardless of whether caused in part by a party indemnified hereunder.

The Park District shall indemnify, defend and hold harmless the City, its officers agents employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from the performance of this MOU, caused in whole or in part by any negligent or willful act or omission of the Park District, its officers, agents employees, or anyone directly or indirectly acting on behalf of the Park District, regardless of whether caused in part by a party indemnified hereunder.

c) Dispute Resolution and Opportunity to Cure.

Prior to filing suit for any claim under this MOU for any alleged breach, the aggrieved Party shall first give the other Party an opportunity to cure the alleged breach by sending written notice to the breaching party and giving the breaching party a minimum of 30 days from the receipt of notice to cure the alleged violation.

d) 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 MOU shall be paid to all workers, laborers, and mechanics employed in the execution of said work by the Park District's contractor, or by any subcontractor doing or contracting to do any part of said work. The appropriate determination of the Director of the California Department of Industrial Relations is filed with, and available for inspection at the office of, the City Clerk.

e) Other Governmental Regulations.

To the extent that this MOU may be funded by fiscal assistance from another governmental entity, the Park District and its agents, consultants, employees, and volunteers shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program

f) CEQA.

Prior to construction or renovation of any parks or open space related facilities, the Park District shall prepare any and all documents required by the California Environmental Quality Act ("CEQA") and other applicable law.

g) Nondiscrimination and Equal Opportunity.

The Park District shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by the Park District under this MOU. The Park District shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this MOU, including but not limited to the satisfaction of any positive obligations required of the Park District thereby.

h) Venue.

In the event that either party brings any action against the other under this MOU, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Sacramento or in the United States District Court for the Eastern District of California.

i) Attorneys' Fees.

If a party to this MOU brings any action, including an action for declaratory relief, to enforce or interpret the provision of this MOU, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

j) Amendments.

The Parties may amend this MOU only by a writing signed by all the parties.

k) Entire Understanding.

This MOU constitutes the entire understanding between CITY and PARK DISTRICT regarding the subject matter of this contract.

l) Notices.

Notices concerning this MOU shall be deemed to have been served when deposited in the United States Mail, first class postage prepaid, and addressed as follows:

To PARK DISTRICT:

Greg Foell, Park District Administrator
Cordova Recreation and Park District
2197 Chase Drive
Rancho Cordova, CA 95670

To CITY:

Adam Lindgren, City Attorney
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed as of the date and year first above written.

City of Rancho Cordova:

By: _____
Ted Gaebler
City Manager

Date: _____

Cordova Recreation and Park District:

By: _____
Greg Foell
District Administrator

Date: _____

Attest:

By: _____
City Clerk

Approved as to Form:

City Attorney

District Counsel

MEMORANDUM

DATE: February 6, 2006
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
Bill Thomas, Finance Director



SUBJECT: ACTION ITEMS RELATED TO THE FORMATION OF THE CITY OF RANCHO CORDOVA COMMUNITY FACILITIES DISTRICT NO. 2005-2 (LANDSCAPE MAINTENANCE)

RECOMMENDATION

Staff recommends Council adopt the following resolutions:

1. Resolution of formation of community facilities district and to levy a special tax in Community Facilities District No. 2005-2 (Landscape Maintenance). (Resolution No. 07-2006)
2. Resolution calling for a special election in Community Facilities District No. 2005-2 (Landscape Maintenance) for the Capital Village subdivision. (Resolution No. 08-2006).
3. Resolution declaring election results of Community Facilities District No. 2005-2 (Landscape Maintenance) for the Capital Village subdivision (Resolution No. 09-2006).
4. Waive first reading and introduce Ordinance No. 05-2006 levying a special tax within the Capital Village subdivision in Community Facilities District No. 2005-2 (Landscape Maintenance).

BACKGROUND AND DISCUSSION

At the meeting on December 19, 2005, the City initiated the process of forming a Community Facilities District (CFD) for Citywide landscape maintenance services and will initially include the Capital Village subdivision project, but can expand in the future as other projects in need of landscape maintenance will annex to the district. The maintenance services to be funded by special taxes include the maintenance, repair, and replacement of landscape facilities that are located with the subdivision landscape corridor lots and adjacent landscape medians in the public right of way. The special tax that will be levied in the Capital Village subdivision project will range from approximately \$60 for single family attached to \$75 for single family detached residential units and will increase at a rate of 4% per year for the life of the tax. The special tax will be used to pay for the landscape maintenance costs associated with the subdivision.

The Resolution of Intention adopted by the City Council on December 19, 2005 set February 6, 2006 at 5:30 pm, or as soon thereafter as the matter may be heard, for the hearing on the actual formation of the District and the levy of the special tax. The documents attached to this report will complete the formation and levy the special tax.

Included in this package as "Item 5a" 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 hearing and for the adoption of the items needed to complete the formation of the CFD and to hold the election

The attachments included with this report are as follows:

1. Resolution of Formation of CFD and to levy a special tax.
2. Resolution calling special election.
3. Resolution declaring results of special election and directing recording of notice of special tax lien.
4. Ordinance levying special taxes within Community Facilities District No. 2005-2 (Landscape Maintenance).
5. Supporting Documentation
 - a. Order of proceedings
 - b. Certificate of the City Clerk – Regarding the Waiver
 - c. Certificate of the City Clerk – Regarding the Election Results
 - d. CFD Report

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

1. **Resolution of the City Council of the City of Rancho Cordova of Formation of Community Facilities District.** This officially forms the CFD, authorizes the special taxes to be collected and establishes an appropriations limit for the CFD (under Article XIIB of the Constitution). The exhibits to this resolution show the services to be financed and the formula by which the special taxes will be levied in the CFD.

2. **Resolution of the City Council of the City of Rancho Cordova Calling Special Election.** This sets the election for the same (February 6, 2006) 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.

3. **Resolution of the City Council of the City of Rancho Cordova 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. It confirms the outcome of the property owner election for the CFD. Attached to it is a copy of the official Canvass and Statement of Result of Election to be completed by the Clerk after the vote is announced. This resolution also directs the filing of the Notice of Special Tax Lien against the lands in the CFD to allow collection of the special tax on each property.

4. **An Ordinance of the City Council of the City of Rancho Cordova Levying Special Taxes Within Community Facilities District No. 2005-02 (Landscape Maintenance).** Under the law, the Council must levy the special taxes by an ordinance. Under this ordinance, the levy is made once by the adoption of this ordinance, and, in each year hereafter, the process of determining the special taxes and processing the collection is done by the Director of Finance (or a consultant) and no further Council action is needed.

5.a. **Order of Proceedings for Hearing, Vote and Actions.** This is the agenda to be followed to conduct the hearing 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 for the special tax.

5.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.

5c. **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.

5d. **CFD Report (From Outside Source).** This is the special tax report that shows the services to be provided by the CFD. The report was directed to be prepared by the Resolution of Intention to Establish the CFD. It shows the estimated costs of the services and to administer the CFD. A copy of this report should be filed with the City Clerk as part of the proceedings.

RESOLUTION NO. 07-2006

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
OF FORMATION OF COMMUNITY FACILITIES DISTRICT**

**CITY OF RANCHO CORDOVA
Community Facilities District No. 2005-2
(Landscape Maintenance)**

RESOLVED, by the City Council (the "Council") of the City of Rancho Cordova (the "City"), County of Sacramento, State of California as follows:

WHEREAS, this Council adopted a resolution entitled "A Resolution of the City of Rancho Cordova of Intention to Establish a Community Facilities District" (the "Resolution of Intention"), stating its intention to form Community Facilities District No. 2005-2 (Landscape Maintenance) (the "CFD"), of the City 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");

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of the CFD and stating the services to be provided, the estimated cost of providing such services, and the rate and method of apportionment of the special tax to be levied within the CFD to pay for the services, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein;

WHEREAS, on this date, this Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of the CFD;

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

WHEREAS, at the hearing evidence was presented to this Council on such matters before it, including a special report (the "Report") as to the services to be provided through the CFD and the costs thereof, 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;

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of services and the rate and method of apportionment of the special taxes have not been filed with the City Clerk by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the proposed special taxes; and

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed services has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special taxes.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. **Recitals Correct.** The foregoing recitals are true and correct.
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.
3. **Prior Proceedings Valid.** All prior proceedings taken by this City Council in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the Act.
4. **Name of CFD.** The community facilities district designated "Community Facilities District No. 2005-2 (Landscape Maintenance)" of the City is hereby established pursuant to the Act.
5. **Boundaries of CFD.** The boundaries of the CFD, as set forth in the map of the CFD heretofore recorded on January 23, 2006, in Book 101 Maps of Assessment and Community Facilities Districts, at Page 32 in the Office of the County Recorder in the County of Sacramento, are hereby approved, are incorporated herein by reference and shall be the boundaries of the CFD.
6. **Description of Services.** The type of public services and incidental costs proposed to be financed by the CFD and pursuant to the Act shall consist of those items shown in **Exhibit A** hereto and by this reference incorporated herein (the "Services").
7. **Special Tax.**
 - a. Except to the extent that funds are otherwise available to the CFD to pay for the Services, 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 hereby incorporated herein. The City has revised the rate and method of apportionment of the Special Tax originally set forth in the Resolution of Intention in accordance

with the provisions shown in Exhibit B and the revisions will not result in an increase in the amount of the Special Tax to be levied on any current landowner of property in the CFD.

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

9. Responsible Official. The Chief Financial Officer of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, CA 95670, telephone number (916) 851-8731, is the officer of the City who will be responsible for preparing annually a current roll of the levy of the Special Tax obligations by assessor's parcel number and who will be responsible for estimating future levies of the Special Tax.

10. Tax Lien. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the Special Tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the Special Tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the Special Tax by the City ceases.

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 \$5,000,000 and such appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing such 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 and the Constitution.

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.

13. Effective Date. This resolution shall take effect upon its adoption.

* * * * *

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 6th day of February, 2006, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Lillian E. Hare, City Clerk

EXHIBIT A

**CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2005-2
(LANDSCAPE MAINTENANCE)**

LIST OF AUTHORIZED SERVICES

EXHIBIT A
CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2005-2
(LANDSCAPE MAINTENANCE)

DESCRIPTION OF SERVICES TO BE FUNDED BY THE DISTRICT

It is intended that the District will finance all or a portion of the costs of the following:

1. Turf Maintenance

All turf shall be mowed to maintain a uniform height. Turf shall be mowed one time per week between February 15 and November 15. Turf shall be mowed one time every other week between January 1 and February 15 and November 15 through December 31. Turf shall be edged one time per week between February 15 and November 15. Turf shall be edged one time every other week between January 1 and February 15 and November 15 through December 31.

Trimming around irrigation heads shall be done as necessary to provide proper water coverage and head operation. String edgers may be used as needed around poles, against soundwalls, and around controller enclosures, vaults, etc. Tree wells in lawn areas shall have a minimum 18-inch radius from tree trunk, clear and void of turf and weeds.

2. Turf Fertilization

Turf shall be fertilized up to six times per year (at eight-week intervals) according to the approved schedule.

3. Turf Aeration

All turf areas shall be aerated up to two times per year.

4. Tree Pruning

Pruning of trees shall be performed to shape according to the needs for proper tree health and structure. Pruning of trees shall be performed to: (i) raise the lower branches of trees above vehicle obstruction height wherever the branches overhang medians and roadways or where the branches encroach onto walkways and paved areas, (ii) remove suckers, water sprouts and other undesirable growth on trees, (iii) to remove all dead or damaged branches and branches that are rubbing on walls or fences, and (iv) eliminate any visibility obstructions at corners or intersections.

Qualified professional personnel using the Western Chapter of the International Society of Arboriculture pruning standards, approved methods and techniques shall do all pruning. Excessive pruning, stubbing back or topping will not be permitted. All pruning cuts shall be made beyond, and close to, the branch collar ring. Trees shall be cleanly

cut with no tearing of the bark. Trees shall be allowed to take their natural shape whenever possible. Shearing or "lollipoping" will not be permitted unless specifically directed by the Landscape Inspector

Young trees shall be pruned to select and develop permanent scaffold branches that are smaller in diameter than the trunk or the branch to which they are attached. Evergreen trees shall be thinned and shaped only when necessary to prevent wind and storm damage. Frequency of pruning activity varies dependant upon needs of variety and/or situations described above.

5. Shrub Pruning

Pruning of shrubs shall be performed according to the needs for proper shrub health and vitality. Pruning of shrubs shall be performed to: (i) raise the lower branches of shrubs above vehicle obstruction height wherever the branches overhang medians and roadways or where the branches encroach onto walkways and paved areas, (ii) remove suckers, water sprouts and other undesirable growth on shrubs, (iii) to remove all dead or damaged branches and branches that are rubbing on walls or fences, and (iv) eliminate any visibility obstructions at corners or intersections.

Shrubs shall be pruned to insure proper growth and control. Qualified professional personnel using approved methods and techniques shall do all pruning. Shrubs shall be cleanly cut with no tearing of the bark. Shrubs are to be allowed to take their natural shape whenever possible. Shearing or "boxing" will not be permitted unless specifically directed by the Landscape Inspector. Under no circumstances will stripping of lower branches ("raising-up") of shrubs be permitted.

Frequency of pruning activity varies dependant upon needs of variety and/or situations described above.

6. Tree Staking

Stakes, ties and protective devices shall be used on all young trees until such time as they are no longer needed for support. Special care shall be taken to avoid any damage to tree trunks and branches from ties and stakes.

7. Planting Area Fertilization

Fertilizer shall be applied up to three times per year in March, June and September.

8. Tree Fertilization

Fertilizer shall be applied up to three times per year in March, June and September.

9. Groundcover and Vine Pruning

Groundcovers and vines shall be pruned up to one time per year. Vines shall be pruned to within four inches of the face and top of the soundwall, as directed by the Landscape Inspector. Vines shall be pruned at the bottom of the soundwall to eliminate horizontal growth into planting areas, as directed by the Landscape Inspector.

10. Groundcover Edging

Groundcovers shall be edged up to two times per month along sidewalks, mowstrips and edges between groundcover and other plant material types.

11. Groundcover and Vine Fertilization

Fertilizer shall be applied up to three times per year in March, June and September.

12. Weed Control

The landscaped areas shall be kept free of weeds at all times. Weeding may be done manually or by use of selective weed killers as recommended by a pest control advisor. Extreme caution not to damage any other plants shall be observed when selective weed killers are used. If a chemical application is used, it shall only be done in accordance with state and federal pesticide/hazardous chemical regulations. Weeds that reach a height or width of four inches (4") or more shall be manually removed or hand pulled. All weed debris shall be removed from the area.

13. Fungus, Disease, Rodent and/or Insect Infestation Control

All areas shall be kept free of fungus, disease, rodents and/or insects at all times. Any pesticides used must be on the State Department of Agriculture's approved list. A qualified Pest Control Advisor (PCA) shall recommend all pesticides used.

14. Irrigation Management

All irrigation heads and controllers shall be checked at least one time per week for proper operation. Irrigation programs shall be adjusted at all times for seasonal water requirements. Irrigation heads shall be kept clean of flow impediments and shall be adjusted properly at all times. Irrigation shall be applied at hours which will insure that traffic and access is not disturbed. Watering shall be controlled to prevent runoff, ponding and overwatering. Irrigation system operations shall be performed according to County, local water agency and district policies and ordinances.

15. Landscape Area Litter Removal

Landscaped areas shall be kept free of all litter. No debris shall be blown onto roadways or walkways. All mulch, mini-bark and decomposed granite shall be

kept within the planter area and away from walks and gutters. Any hazardous material or unusual and/or unknown materials shall be reported to the County Hazardous Materials Specialist.

16. Cuttings and Trimmings Removal

All cuttings, trimmings and leaf debris shall be removed from the sites one (1) time per week during the entire contract term. No debris or cuttings shall be blown onto roadway or walkways.

17. Sidewalk and Gutter Litter Removal

Sidewalks, curbs, gutters, pavers, paved areas and decomposed granite adjacent or within the site shall be cleared of all litter one time per week during the entire contract term. No debris or cuttings shall be blown onto roadways or walkways.

18. Soundwall Repairs and Graffiti Removal

Soundwalls shall be repaired if they create a hazardous situation or if the soundwall is no longer in accordance with the installation plans and specifications. All repairs shall be done on an as needed basis. Soundwalls shall also receive graffiti abatement on an as needed basis. The method of the abatement procedure shall be determined at the time of abatement on case by case basis.

OTHER

The District may also fund any of the following:

1. Administrative fees of the County related to the District, including costs associated with preparing the annual special tax levy.
2. Costs associated with legal services, advertising, legal notices and mailings related to formation or administration of the District.
3. Working capital reserves.

EXHIBIT B

**CITY OF RANCHO CORDOVA
Community Facilities District No. 2005-2
(Landscape Maintenance)**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

EXHIBIT B

CITY OF RANCHO CORDOVA COMMUNITY FACILITIES DISTRICT NO. 2005-2 (LANDSCAPE MAINTENANCE)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2005-2 (Landscape Maintenance) [herein "CFD No. 2005-2"] shall be levied and collected according to the tax liability determined by the City Council, acting in its capacity as the legislative body of CFD No. 2005-2, through the application of the appropriate Special Tax rate, as described below. All of the property in CFD No. 2005-2, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2005-2 unless a separate Rate and Method of Apportionment of Special Tax is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acreage" or "Acre" means the land area making up 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 subdivision map or other parcel map recorded at the County Recorder's Office.

"Administrative Expenses" means the costs incurred by the City to determine, levy and collect the Special Tax, including salaries of City employees and fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer the.

"Administrator" means the person or firm designated by the City to administer the Special Taxes according to this Rate and Method of Apportionment of Special Tax.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown in 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 Services" means the public services authorized to be funded by CFD No. 2005-2 as set forth in the documents adopted by the City Council when the CFD was formed.

"City" means the City of Rancho Cordova.

“City Council” means the City Council of the City of Rancho Cordova, acting as the legislative body of CFD No. 2005-2.

“County” means the County of Sacramento.

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

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

“Land Use Class” means, for a particular Parcel, Non-Residential Property, Multi-Family Property, Single Family Detached Property, or Single Family Attached Property.

“Maximum Special Tax” means the maximum Special Tax determined in accordance with Section C below that can be levied on Taxable Property in any Fiscal Year.

“Multi-Family Property” means any Parcel of Developed Property for which a building permit or use permit has been issued for construction of a residential structure with three or more Units that share a single Assessor’s Parcel number, all of which are offered for rent to the general public and cannot be purchased by individual homebuyers.

“Non-Residential Property” means any Parcel of Developed Property within CFD No. 2005-2 that is not Multi-Family Property, Single Family Detached Residential Property, or Single Family Attached Property.

“Public Property” means any property within the boundaries of CFD No. 2005-2 that is owned by the federal government, State of California, County, City, or other public agency.

“Single Family Attached Property” means, in any Fiscal Year, all Parcels in CFD No. 2005-2 for which a building permit was issued for construction of a residential structure consisting of two or more Units that share common walls, have separate Assessor’s Parcel numbers assigned to them, and are offered as for-sale Units, including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

“Single Family Detached Property” means, in any Fiscal Year, all Parcels in CFD No. 2005-2 for which a building permit was issued for construction of a Unit that does not share a common wall with another Unit.

“Special Tax Requirement” means the amount of revenue needed in any Fiscal Year to pay for the following: (i) Authorized Services, (ii) Administrative Expenses, (iii) amounts needed to cure any delinquencies in the payment of Special Taxes which have occurred or (based on delinquency rates in prior years) may be expected to occur in the Fiscal Year in which the tax will be collected.

“Special Tax” means any tax levied pursuant to the Act on property within CFD No. 2005-2.

“Taxable Property” means all Assessor’s Parcels within the boundaries of CFD No. 2005-2 which are not exempt from the Special Tax pursuant to law or Section E below.

“Taxable Public Property” means, in any Fiscal Year, all Assessor’s Parcels in CFD No. 2005-2 that had, in prior Fiscal Years, been taxed as Developed Property and subsequently came under the ownership of a public agency.

“Tax Zone” means one of the thirty-three mutually exclusive tax zones identified in Attachment 1 of this Rate and Method of Apportionment of Special Tax, as may be updated to include new Parcels or new tax zones added to the CFD as a result of future annexations.

“Unit” means an individual single-family detached unit or an individual residential unit within a duplex, triplex, fourplex, townhome, condominium, or apartment structure.

B. DATA COLLECTION FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel number for all Parcels of Taxable Property within CFD No. 2005-2 and shall determine within which Tax Zone each Assessor’s Parcel is located. Upon each annexation of property into CFD No. 2005-2, the Administrator shall update Attachment 1 to include the new Assessor’s Parcel number(s).

Based on review of building permit records for property within the CFD, the Administrator shall determine which Parcels in the CFD are Developed Property for purposes of levying the Special Tax pursuant to Section D below. For Single Family Attached Property or Multi-Family Property, the number of Units shall be determined by referencing the condominium plan, apartment plan, site plan or other development plan for the property.

If a Parcel in the CFD is rezoned prior to such Parcel becoming Developed Property, the City may in its sole discretion, move the Parcel to a different Tax Zone based on the new Land Use Class that can be developed on the Parcel after the rezone. If a Parcel rezones after the Parcel has been taxed as Developed Property in prior Fiscal Years, the City can either continue to apply the Maximum Special Tax to the Parcel that had applied prior to the rezone or, in the City’s sole discretion, allow for the Parcel to be moved to a different Tax Zone based on the Land Use Class that will be allowed after the rezone is approved.

In any Fiscal Year, if it is determined that (i) a parcel map for a portion of property in CFD No. 2005-2 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

The following Maximum Special Tax rates apply to all Parcels of Developed Property within CFD No. 2005-2:

**MAXIMUM SPECIAL TAX RATES
(FISCAL YEAR 2005-06) ***

Tax Zone	Maximum Special Tax (Fiscal Year 2005-06) *
1	\$ 50 per Unit
2	\$60 per Unit
3	\$75 per Unit
4	\$100 per Unit
5	\$ 150 per Unit
6	\$ 200 per Unit
7	\$ 250 per Unit
8	\$ 300 per Unit
9	\$ 350 per Unit
10	\$ 400 per Unit
11	\$ 450 per Unit
12	\$ 500 per Unit
13	\$ 550 per Unit
14	\$ 600 per Unit
15	\$ 650 per Unit
16	\$320 per Acre
17	\$400 per Acre
18	\$500 per Acre
19	\$ 650 per Acre
20	\$ 750 per Acre
21	\$ 850 per Acre
22	\$ 1,000 per Acre
23	\$ 1,250 per Acre
24	\$ 1,500 per Acre
25	\$ 2,000 per Acre
26	\$ 2,500 per Acre
27	\$ 3,000 per Acre
28	\$ 3,500 per Acre
29	\$ 4,000 per Acre
30	\$ 4,500 per Acre
31	\$ 5,000 per Acre
32	\$ 5,500 per Acre
33	\$ 6,000 per Acre

* On each July 1, commencing on July 1, 2006, the Maximum Special Taxes shown above shall be escalated by the greater of (i) the increase, if any, in the Local Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose Area for All Urban Consumers, or (ii) four percent (4%). The CPI used shall be as determined by the Bureau of Labor Statistics from April to April beginning with the period from April 2005 to April 2006.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAX

Each Fiscal Year, the Special Tax shall be levied as follows until the amount of the levy equals the Special Tax Requirement for that Fiscal Year:

First: The Special Tax shall be levied proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax determined for each category of Developed Property within each Tax Zone until the amount levied is equal to the Special Tax Requirement for the Fiscal Year.

Second: If additional revenue is needed after the first step has been completed, the Special Tax shall be levied proportionately on each Parcel of Taxable Public Property up to 100% of the Maximum Special Tax that had applied to the Parcel prior to the Parcel becoming Public Property until the amount levied is equal to the Special Tax Requirement for the Fiscal Year.

The Special Tax for CFD No. 2005-2 shall be collected at the same time and in the same manner as ordinary ad valorem property taxes provided, however, that the City may (under the authority of Government Code Section 53340) collect Special Taxes at a different time or in a different manner if necessary to meet CFD No. 2005-2 financial obligations and the Special Tax shall be equally subject to foreclosure if delinquent.

E. LIMITATIONS

Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no Special Tax shall be levied on Public Property that is not Taxable Public Property.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the Rate and Method of Apportionment of Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. The City may make interpretations by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method of Apportionment of Special Taxes.

ATTACHMENT 1

CITY OF RANCHO CORDOVA COMMUNITY FACILITIES DISTRICT 2005-2 (LANDSCAPE MAINTENANCE)

IDENTIFICATION OF TAX ZONES

Tax Zone	Assessor's Parcels Included in Tax Zone *	Fiscal Year In Which Property Was Added to CFD No. 2005-2
1		
2	072-0860-013 (portion) 072-0860-014 (portion) 072-0860-015 (portion) 072-0860-016 (portion) 072-0860-017 (portion) 072-0860-018 (portion) 072-0860-036 (portion) 072-0860-037 (portion) 072-0860-038 (portion)	2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06
3	072-0860-015 (portion) 072-0860-016 (portion) 072-0860-017 (portion) 072-0860-018 (portion) 072-0860-019 072-0860-020 072-0860-021 072-0860-034 072-0860-035 072-0860-036 (portion) 072-0860-037 (portion) 072-0860-038 (portion)	2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06 2005-06
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		

Tax Zone	Assessor's Parcels Included in Tax Zone *	Fiscal Year In Which APN Was Added to CFD No. 2005-2
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		

** The property identified by the Assessor's Parcel Numbers listed above shall remain part of the identified Tax Zone regardless of changes in the configuration of the Assessor's Parcels or changes to APNs in future Fiscal Years. As APNs change, the City may update Attachment 1 to reflect the most current APNs.*

RESOLUTION NO. 08-2006

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
CALLING SPECIAL LANDOWNER ELECTION**

**CITY OF RANCHO CORDOVA
Community Facilities District No. 2005-2
(Landscape Maintenance)**

RESOLVED, by the City Council (the "Council") of the City of Rancho Cordova (the "City"), County of Sacramento, State of California as follows:

WHEREAS, this Council has adopted a resolution entitled "A Resolution of the City Council of the City of Rancho Cordova of Formation of Community Facilities District, (the "Resolution of Formation"), ordering the formation of City's Community Facilities District No. 2005-2 (Landscape Maintenance) (the "CFD"), defining the public services (the "Services") to be provided by 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, pursuant to the provisions of the Resolution of Formation, the propositions of the levy of the special tax and the establishment of the appropriations limit 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:

1. **Issues Submitted.** Pursuant to the Act, the issues of the levy of the special tax 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.

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 ninety (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 hearing.

3. **Conduct of Election.** This Council hereby calls a special election to consider the issues described in section 2, above, which election shall be held on February 6, 2006, and the results thereof canvassed at the meeting of this Council on

February 6, 2006. The City Clerk is hereby designated as the official to conduct the election and to receive all ballots until the close of business on the election date. It is hereby acknowledged that the Clerk has on file the Resolution of Formation, a map of the boundaries of the CFD, and a sufficient description to allow the 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.

4. **Ballot.** As authorized by Section 53353.5 of the Act, the issues described in Section 1 above shall be combined into a single ballot measure, the form of which as attached hereto as Exhibit "A" 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.

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 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.

6. **Accountability.** Under Section 50075.1 of the Government Code, the following accountability provisions shall apply to the special taxes: (a) the construction and/or acquisition of the Services 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 if required by Section 50075.3 of the Government Code.

7. **Effective Date.** This Resolution shall take effect upon its adoption.

* * * * *

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 6th day of February, 2006, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Lillian E. Hare, City Clerk

EXHIBIT A

**CITY OF RANCHO CORDOVA
Community Facilities District No. 2005-2
(Landscape Maintenance)**

**Form of
OFFICIAL BALLOT
SPECIAL TAX ELECTION**

This ballot is for a special, landowner election. You must return this ballot in the enclosed postage paid envelope to the office of the City Clerk of the City of Rancho Cordova no later than the hour of 5:30 p.m. on Monday, February 6, 2006, either by mail or in person. The City Clerk's office is located at 2729 Prospect Park Drive, Rancho Cordova, California 95670.

To vote, mark a cross (X) on the voting line after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Rancho Cordova and obtain another.

BALLOT MEASURE: Shall the City of Rancho Cordova be authorized to levy a special tax solely on lands within the City's Community Facilities District No. 2005-2 (Landscape Maintenance) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the Council of the City on February 6, 2006, annually, commencing in the City's fiscal year 2005-06, to pay for certain public services for the CFD and to pay the costs of the City in administering the CFD, and shall the annual appropriations limit of the CFD be established in the amount of 5,000,000?

YES: _____

NO: _____

By execution in the space provided below, you also confirm your written waiver of the time limit pertaining to the conduct of the election and any requirement for analysis and arguments with respect to the ballot measure.

Number of Votes: _____

Property Owner: _____

By: _____

RESOLUTION NO. 09-2006

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
DECLARING RESULTS OF SPECIAL LANDOWNER ELECTION
AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN**

**CITY OF RANCHO CORDOVA
Community Facilities District No. 2005-2
(Landscape Maintenance)**

RESOLVED, by the City Council (the "Council") of the City of Rancho Cordova (the "City"), County of Sacramento, State of California as follows:

WHEREAS, this Council has adopted a resolution entitled "A Resolution of the City Council of the City of Rancho Cordova of Formation of Community Facilities District" (the "Resolution of Formation"), ordering the formation of City's Community Facilities District No. 2005-2 (Landscape Maintenance) (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, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act").

WHEREAS, under to the provisions of the Resolution of Formation and pursuant to a Resolution of the City Council of the City of Rancho Cordova Calling Special Landowner Election (the "Election Resolution") heretofore adopted by this Council, the propositions of the levy of the special tax and the establishment of the appropriations limit were submitted to the qualified electors of the CFD as required by the provisions of the Act.

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 been informed of the Canvass, finds it appropriate and wishes to complete its proceedings for the CFD.

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. **Recitals.** The foregoing recitals are all true and correct.
2. **Issues Presented.** The issues presented at the special election were the levy of a special tax within the CFD and the approval of an annual appropriations limit of not to exceed \$5,000,000, all pursuant to the Resolution of Formation.

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 (2/3) of the votes cast at the special election.

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 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.

5. **Notice of Tax Lien.** The City Clerk is hereby directed to complete, execute and cause to be recorded in the office of the County Recorder of the County of Sacramento a notice of special tax lien in the form required by the Act, such recording to occur no later than fifteen (15) days following adoption of this resolution by the Council.

6. **Effective Date.** This Resolution shall take effect upon its adoption.

* * * * *

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 6th day of February, 2006, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Lillian E. Hare, City Clerk

EXHIBIT A

CANVASS AND STATEMENT OF RESULT OF ELECTION

**CITY OF RANCHO CORDOVA
Community Facilities District No. 2005-2
(Landscape Maintenance)**

I hereby certify that on February 6, 2006, I canvassed the returns of the election held on in the Community Facilities District No. 2005-2 (Landscape Maintenance) of the City of Rancho Cordova and the total number of ballots cast in said District and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
Community Facilities District No. 2005-2 (Landscape Maintenance) of the City of Rancho Cordova, Special Tax Election, February 6, 2006	_____	_____	_____	_____

BALLOT MEASURE: Shall the City of Rancho Cordova be authorized to levy a special tax solely on lands within the City's Community Facilities District No. 2005-1 (Landscape Maintenance) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the Council of the City on February 6, 2006, annually, commencing in the City's fiscal year 2005-06, to pay for the certain public services for the CFD and to pay the costs of the City in administering the CFD, and shall the annual appropriations limit of the CFD be established in the amount of \$5,000,000?

YES: _____

NO: _____

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on February 6, 2006.

By: _____
Lillian Hare, City Clerk
City of Rancho Cordova

ORDINANCE NO. 05-2006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
LEVYING SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT

Community Facilities District No. 2005-2
(Landscape Maintenance)

WHEREAS, this Council adopted a resolution entitled "A Resolution of the City of Rancho Cordova of Intention to Establish a Community Facilities District (the "Resolution of Intention"), has conducted proceedings (the "Proceedings") to establish Community Facilities District No. 2005-2 (Landscape Maintenance) (the "CFD"), of the City 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") to finance certain public services (the "Services") as provided in the Act;

WHEREAS, pursuant to notice as specified in the Act, and as part of the Proceedings, the Council has held a public hearing under the Act relative to the determination to proceed with the formation of the CFD and the rate and method of apportionment of the special tax ("Special Tax") to be levied within the CFD to finance the Services and at such hearing all persons desiring to be heard on all matters pertaining to the formation of the CFD and the levy of the Special Tax were heard, substantial evidence was presented and considered by this Council and a full and fair hearing was held;

WHEREAS, upon the conclusion of the hearing, this City Council adopted its Resolution of the City of Rancho Cordova of Formation of Community Facilities District (the "Resolution of Formation") pursuant to which it completed the Proceedings for the establishment of the CFD, the authorization of the levy of the Special Tax within the CFD and the calling of an election within the CFD on the propositions of levying the Special Tax and establishing an appropriations limit within the CFD, respectively; and

WHEREAS, on February 6, 2006, a special election was held among the landowner voters within the CFD at which the such voters approved such propositions by the two-thirds vote required by the Act, which approval has been confirmed by resolution of this Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA as follows:

Section 1. By the passage of this Ordinance, the Council hereby authorizes and levies the Special Tax within the CFD pursuant to the Act, at the rate and in accordance with the rate and method of apportionment of Special Tax set forth in the Resolution of Formation which rate and method is by this reference incorporated herein. The Special Tax is hereby levied commencing in fiscal year 2005-06 and in each fiscal year thereafter to pay for the Services for the CFD, as contemplated by the Resolution of Formation and the Proceedings and all costs of administering the CFD.

Section 2. The Chief Financial Officer of the City or designee or employee thereof of the City is hereby authorized and directed each fiscal year to determine the specific Special Tax to be levied for the next ensuing fiscal year for each parcel of real property within the CFD, in the manner and as provided in the Resolution of Formation.

Section 3. Exemptions from the levy of the Special Tax shall be as provided in the Resolution of Formation and the applicable provisions of the Act. In no event shall the Special Tax be levied on any parcel within the CFD in excess of the maximum tax specified in the Resolution of Formation.

Section 4. All of the collections of the Special Tax shall be used as provided in the Act and in the Resolution of Formation, including, but not limited to, the payment of costs of the Services, the payment of the costs of the City in administering the CFD, and the costs of collecting and administering the Special Tax.

Section 5. The Special Tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes; provided, however, that the Council may provide for other appropriate methods of collection by resolution(s) of the Council. In addition, the provisions of Section 53356.1 of the Act shall apply to delinquent Special Tax payments. The Chief Financial Officer of the City is hereby authorized and directed to provide all necessary information to the auditor/tax collector of the County of Sacramento in order to effect proper billing and collection of the Special Tax, so that the Special Tax shall be included on the secured property tax roll of the County of Solano for fiscal year 2005-06 and for each fiscal year thereafter until no longer required to pay for the Services or until otherwise terminated by the City.

Section 6. If for any reason any portion of this ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel within the CFD, by a court of competent jurisdiction, the balance of this ordinance and the application of the Special Tax to the remaining parcels within the CFD shall not be affected.

Section 7. The Mayor shall sign this Ordinance and the City Clerk shall cause the same to be published immediately after its passage at least once in a newspaper of general circulation circulated in the City.

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

THE FOREGOING ORDINANCE was adopted this ____ day of _____, 2006
by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Robert J. McGarvey, Mayor

Attest:

Lillian E. Hare, City Clerk

**City of Rancho Cordova
Community Facilities District No. 2005-2
(Landscape Maintenance)**

ORDER OF PROCEEDINGS FOR HEARING, VOTE AND ACTIONS

The Mayor makes the following opening remarks:

"This is the time and place for the public hearing in this Council's proceedings for Community Facilities District No. 2005-2 (Landscape Maintenance). The hearing is to inquire into the formation of the District and the levy of special taxes 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 hearing is now open. We will first have presentations by staff and the consultants 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 hearing will be closed."

Staff and consultants make presentations.

Mayor asks for comments, questions and protests from audience.

When no more comments, Mayor closes the hearing and says:

"We may now consider and adopt the "Resolution of the City Council of the City of Rancho Cordova of Formation of Community Facilities District which will establish the District and the Resolution of the City of Rancho Cordova Calling Special Property Owner Election which will call for the property owner vote to approve the special tax and the appropriations limit for the District."

Council considers and ADOPTS:

**Resolution of the City Council of the City of Rancho Cordova of Formation of
Community Facilities District;**

and

**Resolution of the City Council of the City of Rancho Cordova Calling Special
Property Owner Election.**

Mayor then says:

"Will the Clerk please announce the result of the property owner vote."

***Clerk announces result and completes the Canvass (attached to Resolution
Declaring Results of Special Election... as below).***

Mayor then says:

"The record shows that at least 2/3rds of the property owner votes are in favor of the levy of the special taxes and the establishment of the appropriations limit. We may now proceed with the final actions for the District."

Council considers and takes the following actions:

(a) ADOPT

**Resolution of the City Council of the City of Rancho Cordova Declaring
Results of Special Election and Directing Recording of Notice of Special
Tax Lien**

(b) FIRST READING OF

**Ordinance of the City Council of the City of Rancho Cordova Levying
Special Tax within Community Facilities District No. 2005-2 (Landscape
Maintenance)**

END OF ITEM

**CITY OF RANCHO CORDOVA
Community Facilities District No. 2005-2
(Landscape Maintenance)**

**CERTIFICATE OF CITY CLERK
RE: WAIVER (OF CERTAIN ELECTION REQUIREMENTS) AND CONSENT**

I, Lillian E. Hare, City Clerk for 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 the City of Rancho Cordova Community Facilities District No. 2005-2 (Landscape Maintenance), (the "District"), as provided by the owners of all the property in the District.

I make this Certification as of February 6, 2006.

Lillian E. Hare, City Clerk
City of Rancho Cordova

CANVASS AND STATEMENT OF RESULT OF ELECTION

CITY OF RANCHO CORDOVA
Community Facilities District No. 2005-2
(Landscape Maintenance)

I hereby certify that on February 6, 2006, I canvassed the returns of the election held on in the Community Facilities District No. 2005-2 (Landscape Maintenance) of the City of Rancho Cordova and the total number of ballots cast in said District and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
Community Facilities District No. 2005-2 (Landscape Maintenance) of the City of Rancho Cordova, Special Tax Election, February 6, 2006	_____	_____	_____	_____

BALLOT MEASURE: Shall the City of Rancho Cordova be authorized to levy a special tax solely on lands within the City's Community Facilities District No. 2005-1 (Landscape Maintenance) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the Council of the City on February 6, 2006, annually, commencing in the City's fiscal year 2005-06, to pay for the certain public services for the CFD and to pay the costs of the City in administering the CFD, and shall the annual appropriations limit of the CFD be established in the amount of \$5,000,000?

YES: _____

NO: _____

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on February 6, 2006.

By: _____

Lillian Hare, City Clerk
City of Rancho Cordova

**CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2005-2
(LANDSCAPE MAINTENANCE)**

COMMUNITY FACILITIES DISTRICT REPORT

CONTENTS

Introduction

- A. Description of Services**
- B. Proposed Boundaries of the Community Facilities District**
- C. Cost Estimates**

Exhibit A – Description of Services Proposed to be Funded

Exhibit B – Cost Estimates

**CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2005-2
(LANDSCAPE MAINTENANCE)**

INTRODUCTION. The City Council (the "Council") of the City of Rancho Cordova (the "City") did, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act") on December 19, 2005, adopt a resolution entitled, "A Resolution of the City of Rancho Cordova of Intention to Establish a Community Facilities District" [Resolution No. 154-2005]. In the Resolution of Intention, the Council expressly ordered the preparation of a written Community Facilities District Report (the "Report") for the proposed Community Facilities District (the "CFD").

The Resolution of Intention ordering the Report did direct that the Report generally contain the following:

1. A description of the services by type which will be required to adequately meet the needs of the CFD; and

2. An estimate of the fair and reasonable cost of the services, including the cost of acquisition of lands, rights-of-way and easements, any physical facilities required in conjunction therewith and incidental expenses in connection therewith, and all other related costs as provided in Section 53345.3 of the Act.

For particulars, reference is made to the Resolution of Intention for the CFD, as previously approved and adopted by the Council.

NOW, THEREFORE, the following data is submitted pursuant to the direction of the Council:

A. DESCRIPTION OF SERVICES. A description of the services eligible to be funded by the CFD is provided in Exhibit "A" attached hereto and hereby made a part hereof.

B. PROPOSED BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. The proposed boundaries of the CFD are those parcels on which special taxes may be levied to pay for the costs of services. The proposed boundaries of the CFD are described in the map of the CFD recorded in Book 101 on Page 32 of Maps of Assessment and Community Facilities Districts in the office of the County Recorder for the County of Sacramento, a copy of which map is on file with the City Clerk. Additional property is expected to be annexed into the CFD in future years; an amended boundary map will be recorded after each annexation.

C. COST ESTIMATES. The cost estimates for funding the authorized services are set forth in Exhibit "B" attached hereto and hereby made a part hereof.

EXHIBIT A

CITY OF RANCHO CORDOVA COMMUNITY FACILITIES DISTRICT NO. 2005-2 (LANDSCAPE MAINTENANCE)

DESCRIPTION OF SERVICES TO BE FUNDED BY THE DISTRICT

It is intended that the District will finance all or a portion of the costs of the following:

1. Turf Maintenance

All turf shall be mowed to maintain a uniform height. Turf shall be mowed one time per week between February 15 and November 15. Turf shall be mowed one time every other week between January 1 and February 15 and November 15 through December 31. Turf shall be edged one time per week between February 15 and November 15. Turf shall be edged one time every other week between January 1 and February 15 and November 15 through December 31.

Trimming around irrigation heads shall be done as necessary to provide proper water coverage and head operation. String edgers may be used as needed around poles, against soundwalls, and around controller enclosures, vaults, etc. Tree wells in lawn areas shall have a minimum 18-inch radius from tree trunk, clear and void of turf and weeds.

2. Turf Fertilization

Turf shall be fertilized up to six times per year (at eight-week intervals) according to the approved schedule.

3. Turf Aeration

All turf areas shall be aerated up to two times per year.

4. Tree Pruning

Pruning of trees shall be performed to shape according to the needs for proper tree health and structure. Pruning of trees shall be performed to: (i) raise the lower branches of trees above vehicle obstruction height wherever the branches overhang medians and roadways or where the branches encroach onto walkways and paved areas, (ii) remove suckers, water sprouts and other undesirable growth on trees, (iii) to remove all dead or damaged branches and branches that are rubbing on walls or fences, and (iv) eliminate any visibility obstructions at corners or intersections.

Qualified professional personnel using the Western Chapter of the International Society of Arboriculture pruning standards, approved methods and techniques shall do all pruning. Excessive pruning, stubbing back or topping will not be permitted. All pruning cuts shall be made beyond, and close to, the branch collar ring. Trees shall be cleanly cut with no tearing of the bark. Trees shall be allowed to take their natural shape whenever possible. Shearing or "lollipopping" will not be permitted unless specifically directed by the Landscape Inspector

Young trees shall be pruned to select and develop permanent scaffold branches that are smaller in diameter than the trunk or the branch to which they are attached. Evergreen trees shall be thinned and shaped only when necessary to prevent wind and storm damage. Frequency of pruning activity varies dependant upon needs of variety and/or situations described above.

5. Shrub Pruning

Pruning of shrubs shall be performed according to the needs for proper shrub health and vitality. Pruning of shrubs shall be performed to: (i) raise the lower branches of shrubs above vehicle obstruction height wherever the branches overhang medians and roadways or where the branches encroach onto walkways and paved areas, (ii) remove suckers, water sprouts and other undesirable growth on shrubs, (iii) to remove all dead or damaged branches and branches that are rubbing on walls or fences, and (iv) eliminate any visibility obstructions at corners or intersections.

Shrubs shall be pruned to insure proper growth and control. Qualified professional personnel using approved methods and techniques shall do all pruning. Shrubs shall be cleanly cut with no tearing of the bark. Shrubs are to be allowed to take their natural shape whenever possible. Shearing or "boxing" will not be permitted unless specifically directed by the Landscape Inspector. Under no circumstances will stripping of lower branches ("raising-up") of shrubs be permitted.

Frequency of pruning activity varies dependant upon needs of variety and/or situations described above.

6. Tree Staking

Stakes, ties and protective devices shall be used on all young trees until such time as they are no longer needed for support. Special care shall be taken to avoid any damage to tree trunks and branches from ties and stakes.

7. Planting Area Fertilization

Fertilizer shall be applied up to three times per year in March, June and September.

8. Tree Fertilization

Fertilizer shall be applied up to three times per year in March, June and September.

9. Groundcover and Vine Pruning

Groundcovers and vines shall be pruned up to one time per year. Vines shall be pruned to within four inches of the face and top of the soundwall, as directed by the Landscape Inspector. Vines shall be pruned at the bottom of the soundwall to eliminate horizontal growth into planting areas, as directed by the Landscape Inspector.

10. Groundcover Edging

Groundcovers shall be edged up to two times per month along sidewalks, mowstrips and edges between groundcover and other plant material types.

11. Groundcover and Vine Fertilization

Fertilizer shall be applied up to three times per year in March, June and September.

12. Weed Control

The landscaped areas shall be kept free of weeds at all times. Weeding may be done manually or by use of selective weed killers as recommended by a pest control advisor. Extreme caution not to damage any other plants shall be observed when selective weed killers are used. If a chemical application is used, it shall only be done in accordance with state and federal pesticide/hazardous chemical regulations. Weeds that reach a height or width of four inches (4") or more shall be manually removed or hand pulled. All weed debris shall be removed from the area.

13. Fungus, Disease, Rodent and/or Insect Infestation Control

All areas shall be kept free of fungus, disease, rodents and/or insects at all times. Any pesticides used must be on the State Department of Agriculture's approved list. A qualified Pest Control Advisor (PCA) shall recommend all pesticides used.

14. Irrigation Management

All irrigation heads and controllers shall be checked at least one time per week for proper operation. Irrigation programs shall be adjusted at all times for seasonal water requirements. Irrigation heads shall be kept clean of flow impediments and shall be adjusted properly at all times. Irrigation shall be applied at hours which will insure that traffic and access is not disturbed. Watering shall be controlled to prevent runoff,

ponding and overwatering. Irrigation system operations shall be performed according to County, local water agency and district policies and ordinances.

15. Landscape Area Litter Removal

Landscaped areas shall be kept free of all litter. No debris shall be blown onto roadways or walkways. All mulch, mini-bark and decomposed granite shall be kept within the planter area and away from walks and gutters. Any hazardous material or unusual and/or unknown materials shall be reported to the County Hazardous Materials Specialist.

16. Cuttings and Trimmings Removal

All cuttings, trimmings and leaf debris shall be removed from the sites one (1) time per week during the entire contract term. No debris or cuttings shall be blown onto roadway or walkways.

17. Sidewalk and Gutter Litter Removal

Sidewalks, curbs, gutters, pavers, paved areas and decomposed granite adjacent or within the site shall be cleared of all litter one time per week during the entire contract term. No debris or cuttings shall be blown onto roadways or walkways.

18. Soundwall Repairs and Graffiti Removal

Soundwalls shall be repaired if they create a hazardous situation or if the soundwall is no longer in accordance with the installation plans and specifications. All repairs shall be done on an as needed basis. Soundwalls shall also receive graffiti abatement on an as needed basis. The method of the abatement procedure shall be determined at the time of abatement on case by case basis.

OTHER

The District may also fund any of the following:

1. Administrative fees of the City related to the District, including costs associated with preparing the annual special tax levy.
2. Costs associated with legal services, advertising, legal notices and mailings related to formation or administration of the District.
3. Working capital reserves.

EXHIBIT B

CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2005-2
(LANDSCAPE MAINTENANCE)

SERVICES COST ESTIMATES (2005 \$)*

Maintenance of City Lots	\$6,889/Year
Maintenance of Landscape Corridors	\$41,934/Year
Contingency	<u>\$4,227/Year</u>
Total Annual Maintenance Costs	\$53,050/Year
Annual CFD Administrative and Incidental Expenses	\$5,000/Year
Total Annual CFD Costs	\$58,050/Year

* The service costs presented above relate to services that will be provided to property within CFD No. 2005-2 at the time of CFD formation. When additional property is annexed into the CFD, the total service costs to be funded by the CFD will be increased accordingly.

MEMORANDUM



DATE: February 6, 2006

TO: Mayor and Council Members

FROM: William Thomas, Chief Financial Officer

**SUBJECT: COMMUNITY FACILITIES FEES FOR RECORDS
MANAGEMENT, TECHNOLOGY AND ANIMAL SERVICES**

RECOMMENDATION

The requested motion is: "I move that the City Council adopt Resolution No. 06 2006 establishing supplemental community facilities fees within the City of Rancho Cordova to fund construction of municipal facilities relating to animal services, telecommunications and computer systems and a records management system.

BACKGROUND

In May 2004, the Council adopted Resolution No. 59-2004, creating a Community Facilities Fees Program (CFF). That program established development impact fees for facilities and equipment to accommodate the City's population growth. The facilities that were covered by that program were:

- City Hall
- Police Facilities and Equipment
- Community Center
- City Corporation Yard
- Library
- Museum
- Parking Structure/Facilities

Through December 31, 2005, the City has collected \$5,781,133 in fees from development. Actual activity, by CFF category is as follows:

	June 30, 2005 Balance (Unaudited)	Receipts Thru December 31, 2005	Less Payments Since July 1, 2005	Balance 12/31/2005
Museum CFF	\$ 272,802	\$ 202,942	\$ -	\$ 475,744
City Hall CFF	559,629	504,313	-	1,063,942
Library CFF	169,056	36,832	303	205,585
Parking CFF	282,917	211,728	-	494,645
Police CFF	922,424	661,537	-	1,583,962
Community Center CFF	832,424	609,602	-	1,442,026
Corporation Yard CFF	333,705	181,221	-	514,926
	<u>\$ 3,372,957</u>	<u>\$ 2,408,176</u>	<u>\$ 303</u>	<u>\$ 5,780,830</u>

The City Hall, Community Center and Museum CFF will be used to pay debt service on the new City Hall complex with the first payment having been made on February 1, 2005. The Police Facility CFF will be used to pay the debt service on the Kilgore acquisition. The first payment for that debt is due on March 1, 2005.

Since that time, additional public facilities and services necessary to serve development in the City have been identified. The facilities and services include Animal Services, Telecommunications and Computer Systems, and Records Management System. Ralph Andersen and Associates were retained by the City to prepare a "Supplemental Community Facilities Fees Program Nexus Study. The purpose of which is to establish a reasonable relationship, or "nexus" between a development project or a class of development projects and the public improvement for which the fee is charged. The study was prepared in accordance with the nexus study requirements of AB 1600 (Gov. Code section 66000 et. seq.)

The study identified that the City should be collecting, per single family residence, \$55.00 for Animal Services Facility and Equipment, \$42.00 for Telecommunications and Computer Systems and \$3.00 for Records Management. The total new fees would be \$100 per single family residence. The breakout for all types of development is as follows:

CFF Component	Single Family Residential	Multi-Family Residential	Commercial	Office	Industrial
Animal Services	55.00	43.00	N/A	N/A	N/A
Telecomm. & Computer Systems	42.00	33.00	\$ 0.0070	\$ 0.0100	\$ 0.0030
Records Mgmt. System	3.00	2.50	\$ 0.0005	\$ 0.0008	\$ 0.0002

The Animal Services fee would not be collected on Commercial, Office or Industrial as these land uses generally do not require that City service. The

remainder of the costs for these three categories is listed in costs per square foot.

FISCAL IMPACT

Adoption of these fees is expected to generate approximately \$3.308 million for Animal Service Facility needs, \$2.8 million for Technology and \$211,000 for Records Management. These fees will be collected as development occurs. As in the case of the City Hall and Police Facility, the City would be able to use the anticipation of these funds to facility expenditures.

Attachments:

Resolution No. 06-2006 with the following attachments:

1. Supplemental Community Facilities fee Program Nexus Study, dated October 21, 2005, prepared by Ralph Andersen and Associates
2. Schedule of Fees
3. Community Facilities Fee Program Nexus Study, dated April 12, 2004, prepared by Goodwin Consulting Group, Inc.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 06-2006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA ESTABLISHING SUPPLEMENTAL COMMUNITY FACILITIES FEES WITHIN THE CITY OF RANCHO CORDOVA TO FUND CONSTRUCTION OF MUNICIPAL FACILITIES RELATING TO ANIMAL SERVICES, TELECOMMUNICATION AND COMPUTER SYSTEMS, AND A RECORDS MANAGEMENT SYSTEM

RECITALS

WHEREAS, the City Council (the "City Council") of the City of Rancho Cordova (the "City") finds that, due to anticipated future development in the City, municipal facilities will be required to serve the resulting increase in City population; and

WHEREAS, on May 17, 2004, the City Council of the City of Rancho Cordova adopted Resolution No. 59-2004 establishing a community facilities fee within the City to fund construction of municipal facilities; and

WHEREAS, the City Council has determined that additional community facilities are needed to serve the increasing population of the City; and

WHEREAS, a Supplemental Community Facilities Fee Program Nexus Study, dated October 21, 2005 (the "Study") (attached as Attachment 1 hereto and incorporated herein by this reference), was prepared by Ralph Anderson & Associates, and analyzes future use of and need for new City public facilities resulting from contemplated future development in the City, and analyzes the nexus between the use and need for such facilities on the one hand, and the amount of the development impact fee assigned to future land uses in the City, on the other hand. These facilities will be funded through the City Community Facilities Fee ("CFF") Program, which contains a separate fee component for each facility; and

WHEREAS, the Study supplements and incorporates certain information and processes contained in a previous Community Facilities Fees Program Nexus Study, dated April 12, 2004, which was prepared by Goodwin Consulting Group, Inc. (the "Prior Study") (attached as Attachment 3); and

WHEREAS, the Prior Study incorporated a Needs Assessment study by Chong / Partners Architecture and Daniel C. Smith and Associates, Inc., dated February 17, 2004, which study set forth the relationship between estimated City population increase resulting from contemplated future development, needed facilities and staffing, and the estimated costs of new facilities and staffing; and

WHEREAS, the City Council finds that the construction and construction-related costs of the following community facilities (collectively, the "Community Facilities") is necessary and/or desirable to meet the needs and goals of the City:

- Animal services (i.e., construction of an animal shelter, furnishings, equipment, land acquisition, and financing costs);
- Telecommunication and Computer Systems, including the Geographic Information System (GIS) (i.e., capital expenses, acquisition of equipment, telecommunication, computer and geographic information systems);
- The Records Management System (i.e., capital expenses, acquisition of equipment and support materials); and

WHEREAS, Article XI, section 7, of the California Constitution authorizes cities and counties to impose and charge development impact fees to fund the estimated cost of certain facilities, the need for which is directly or indirectly generated by the type and level of proposed development; and

WHEREAS, Government Code section 66017 requires that a local agency hold a noticed public hearing, at which oral or written presentations can be made, prior to the adoption of a resolution approving a new development impact fee or increasing an existing development impact fee; and

WHEREAS, all written and oral presentations received at or before said hearing have been duly considered by the City Council; and

WHEREAS, the Study was available for public inspection and review for ten days prior to this public hearing; and

WHEREAS, the City Council finds that future development in the City will generate the need for the Community Facilities, and that these Community Facilities are consistent with the City's General Plan; and

WHEREAS, after considering the Study and the testimony received at this noticed public hearing, the City Council wants to approve and adopt the Study; and

WHEREAS, the City Council finds that in order to help fund the costs of the Community Facilities, it will be necessary to levy a development impact fee upon all new construction within the City ("Community Facilities Fee" or the "Fee");

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

A. The purpose of the fee is to finance the construction (including construction-related costs) and acquisition of the Community Facilities to mitigate the impacts caused by future development in the City, and resulting growth in City population.

B. The Fees collected pursuant to this resolution shall be used to finance the construction and acquisition of the Community Facilities identified herein and in the Study.

C. The Study and the testimony establish:

1. That there is a reasonable relationship between the use of the Community Facilities Fee and the type of development projects on which the Fee is imposed because the development impact fees collected from the CFF Program will be used to mitigate the impacts of such development by funding the construction and acquisition of public facilities needed by the City due to the new demand for community services that will be generated by residents of the new development; and

2. That there is a reasonable relationship between the need for the public facilities and the impacts of the types of development on which the corresponding fee is imposed because the Fee is imposed on those types of development--residential and non-residential (i.e., commercial, office and industrial)--that will generate the need for the public facilities to which the CFF Program directs the Fee; and

3. That there is a reasonable relationship between the amount of the Fee and the cost of the public facility or portion of the public facility attributable to the development on which the Fee is imposed because the amount of the Fee is based upon the portion of the cost of the Community Facilities for which future development will be responsible, and recognizes that the need for public facilities is related to the level of service demanded and varies in proportion to the number of residents or employees generated by a particular development, and the Fee for a particular development therefore reflects the number of residents or employees generated by that particular development because it is tailored according to the development's land use type (using a per-dwelling-unit basis for residential land use categories and per square-foot-of-building-space basis for non-residential land use categories).

D. Consistent with Government Code section 66005(a), the Fees set forth in the schedule attached as Attachment 2 hereto, and incorporated herein by this reference, and in the Study do not exceed the estimated reasonable cost of providing the facilities for which the Fee is being imposed.

E. The method of allocation of the Community Facilities Fee to a particular development bears a fair and reasonable relationship to each development's burden on, and benefit from, the facilities to be funded by the Fee, because the Fee is allocated based upon the portion of the cost of the Community Facilities for which future development will be responsible, recognizing that the need for public facilities varies in proportion to the number of residents or employees generated by a particular development, and reflecting this principle by ensuring that the development's land use type is a key component for calculating the Fee (using a per-dwelling-unit basis for residential land use categories and per square-foot-of-building-space basis for non-residential land use categories).

F. The City Council finds that the Community Facilities Fees are not subject to the California Environmental Quality Act (CEQA) due to section 15273(a)(4) of the CEQA Guidelines. Guideline 15273(a) (4) is a statutory exemption for "establishment, structuring, restructuring, or approval of rates ... for the purpose of (4) obtaining funds for capital projects, necessary to maintain service within existing service areas. The City Council finds section 15273(a) (4) applicable because:

1. The purpose of the Community Facilities Fees is to finance public facilities (i.e., the Community Facilities) to reduce the impacts caused by future developments in the City; and

2. The future development of the City will generate the need for such public facilities; and

3. The Fees are a charge by the City, a public agency, to obtain funds for capital projects necessary to maintain service within the City, an existing service area; and

G. The City Council finds that, because the City is newly incorporated and does not have sufficient Community Facilities, construction of the Community Facilities to mitigate the impacts caused by future development in the City, and resulting growth in City population, constitutes a current and immediate threat to the public health, welfare and safety, in accordance with Government Code section 66017(b), which threat authorizes the City to use its interim authority pursuant thereto to cause this Resolution to take effect immediately after its adoption.

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

1. Definitions

a. "Development" shall mean the construction, alteration, addition, occupancy or use of any building or structure within the City.

b. "Dwelling Unit" shall mean a dwelling unit as defined in the Uniform Building Code (UBC) as adopted by the City.

c. "Multiple Unit" shall mean any dwelling unit which is not a single family unit.

d. "Single Family Unit" shall mean a dwelling unit for which no enclosing walls, including the walls of any attached structures, are within six (6) feet of an enclosing wall of another dwelling unit or a wall of an attached structure of that unit. A mobile home is a single-family unit.

e. "Square Foot" shall mean every square foot of floor area as defined in the UBC as adopted by the City, except for floor area devoted exclusively to parking. The City Manager or his/her designee shall determine the square footage of any project which cannot be calculated by using the definition of floor area.

f. "Land Area" shall mean every square foot of parcel area.

2. Timing of Fees Imposed.

a. A Community Facilities Fee shall be charged and paid at the time of issuance of a building permit for development. The Fee shall be paid as a condition of any extension or renewal of a building permit issued

after the effective date of this resolution, if the Fee has not been paid previously.

b. To the extent permitted by law, the Fee shall be paid prior to occupancy by any development built by any entity that is not required to obtain a building permit from the City.

3. Amount of Fee.

a. The Fee shall be in the amount specified in the Schedule of Fees (Attachment 2), as adjusted in accordance with Paragraph 10 of this resolution.

b. For specialized or unique development projects, the City Manager or his/her designee, at the time development fees are to be levied, shall determine the amount of the Fee in accordance with the standards set forth in this resolution and the specific characteristics of the development at issue, in order to categorize the development into the proper land use category and to determine the Fee pertaining thereto.

c. The Fee adopted pursuant to this Resolution No. 06-2006 supplements, but does not replace, the community facilities fee adopted pursuant to Rancho Cordova Resolution No. 59-2004.

4. Exemptions From Fee.

The Fee shall not be imposed on any of the following:

a. Any alteration or addition to a residential structure, except to the extent that additional units are created or square footage is increased;

b. Any replacement or reconstruction of an existing residential or non-residential structure that has been destroyed or demolished, provided that the building permit for reconstruction is obtained within two years after the building was demolished, unless the replacement or reconstruction increases the square footage of the structure ten percent or more, or changes the use of the structure to a different land use category, as described in the Prior Study.

5. Payment of Other Fees Required.

Notwithstanding any other provision of this resolution, every development is responsible for the payment of all other applicable fees adopted or imposed by the City.

6. Use of Fee Revenues.

a. In accordance with Government Code § 66006(a), the revenues raised by payment of the Fees shall be deposited with the other fees for the construction or improvement of the Community Facilities in a

separate capital facilities account or fund, along with any interest income on such account, in a manner to avoid any commingling of the Fees with other revenues and funds of the City.

b. The revenues raised by payment of the Fees shall be used for the following purposes:

(1) To pay for design and construction of the Community Facilities, including without limitation, direct costs, such as site development, facility construction, and parking, and indirect costs, such as architecture and engineering fees and other consultant fees, project administration, testing and inspection, permits and plan review, soils testing, data communication, and furniture, fixtures and equipment costs;

(2) To reimburse the City for the Community Facilities constructed by the City with funds from other sources, unless the City funds were expended to remedy existing deficiencies as identified in the Study or were obtained from grants or gifts;

(3) To reimburse developers who have designed and constructed designated public facilities which are oversized with supplemental size, length, or capacity; and

(4) To pay for and/or reimburse costs of program development and ongoing administration of the CFF Program.

7. Accounts.

The City Manager or his/her designee may create accounts to which the Fees collected pursuant to this resolution will be deposited.

8. Expenditures of the Fee.

In accordance with Government Code section 66006(a), the City shall expend the Fees only for those facilities listed in the Recitals of this Agreement, and solely for the purpose for which the fee was collected.

9. Periodic Review.

a. As required by Government Code section 66006(b), for each separate account or fund established pursuant to Government Code section 66006(a), the City, within 180 days after the last day of each fiscal year, shall prepare a report, made available to the public, which contains the information for the fiscal year, as provided in section 66006(b).

b. For the fifth fiscal year following the first deposit into the account or fund established pursuant to Government Code section

66006(a), and every five years thereafter, the City shall, with respect to any remaining funds in the fee account, regardless of whether those funds are committed or uncommitted, make the findings required by Government Code section 66001(d).

c. Pursuant to Government Code section 66002, the City Council shall also review and annually update, as part of any adopted capital improvement plan each year, the approximate location, size, time of availability and estimates of cost for all Community Facilities to be financed with the Fee.

10. Subsequent Fee Analysis and Adjustment.

a. The Fee established herein is adopted and implemented by the City Council in reliance on the Study. The City may conduct further study and analysis to determine whether the Fee should be revised. When additional information is available, the City Council may review the Fee to determine that the amounts are reasonably related to the impacts of development in the City. The City shall make the findings required by Government Code section 66001(d), as described in Paragraph 9.b. of this Agreement.

b. The City Council may adjust the Fee in future years to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised costs, or changes in demographics or the City's land uses, subject to the notice and hearing requirements of Government Code section 66018. In addition to such adjustments, the Fee for each type of development will automatically be adjusted by the change in the 20-city Construction Cost Index (CCI), as reported in the *Engineering News Record* for the 12-month period ending October of the prior year.

c. The City Manager or his/her designee will determine whether certain redevelopment projects may be eligible for a fee adjustment depending in whole or in part upon whether the project results in a change of land use on a particular parcel.

d. Except as otherwise provided herein, the CFF Program shall apply to all future development in the City, as well as any development in land annexed by the City in the future.

11. Effective Date.

The Fee provided in this resolution shall be effective and permanent on the sixtieth (60th) day following adoption of this resolution.

On an interim basis, the Fee provided in this resolution shall be effective immediately, to protect the public health, welfare and safety, in accordance with Government Code section 66017(b). The City may extend this interim authority for an additional 30 days, in compliance with section 66017(b).

12. Severability.

Each component of the Community Facilities Fee and all portions of this resolution are severable. Should any individual component of the Fee or other provision of this resolution be adjudged to be invalid and unenforceable, the remaining provisions shall be and continue to be fully effective, and the Fee shall be fully effective except as to that portion that has been judged to be invalid.

On a motion by Councilperson _____, seconded by Councilperson _____, the foregoing resolution was passed and adopted by the City Council of the City of Rancho Cordova, this 6th day of February, 2006, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Lillian E. Hare, City Clerk

LIST OF ATTACHMENTS

Attachment 1 – Supplemental Community Facilities Fee Program Nexus Study, dated October 21, 2005, prepared by Ralph Anderson & Associates

Attachment 2 – Schedule of Fees

Attachment 3 – Community Facilities Fee Program Nexus Study, dated April 12, 2004, prepared by Goodwin Consulting Group, Inc.

ATTACHMENT 1

**SUPPLEMENTAL COMMUNITY FACILITIES FEE PROGRAM
NEXUS STUDY**



*5800 Stanford Ranch Road, Suite 410
Rocklin, California 95765
(916) 630-4900 (phone)
(916) 630-4911 (fax)*

Internet Access

*info@ralphandersen.com (e-mail)
<http://www.ralphandersen.com> (World Wide Web)*

October 21, 2005

Project Staff:

John Goss, Project Director

**SUPPLEMENTAL COMMUNITY
FACILITIES FEE PROGRAM
NEXUS STUDY**

CITY OF RANCHO CORDOVA

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Introduction

Background

The City of Rancho Cordova incorporated on July 1, 2003, and among other challenges, faces the need to construct a number of City facilities over the next several years. The City is also expected to grow substantially over time, likely more than tripling its current population as its vacant land is developed. Not expecting the existing City and its taxpayers to pay for those portions of future City capital improvements, Rancho Cordova's City Council, in effect, adopted a policy that "growth should pay for itself."

To partially implement that policy, the City Council adopted Community Facilities Fees (CFF) consistent with state law (AB 1600) to help finance major future City facilities. These facilities include a city hall, police station and equipment, community center, city corporation yard, library facilities, city museum, and parking structure. These fees were adopted by the City Council on May 17, 2004.

While the City has adopted Community Facilities Fees to help insure that major public facilities will be available to accommodate increased population created by new development, there are other needed facilities also impacted by growth for which Community Service Fees need to be developed and adopted. These facilities are relatively minor compared to already approved Community Facilities Fees, but nonetheless are important to serve the growing City. So while the fees per dwelling unit discussed in this report are modest compared to those already adopted, they are crucial in providing needed funds for important city facilities and equipment not previously covered by earlier City Council action.

Specifically, the Community Facilities Fees proposed to be added to those already adopted, include the following components:

- Animal Service;
- The Telecommunication and Computer Systems, including the Geographic Information System (GIS); and
- The Records Management System.

Because the City is just beginning to project its facility and equipment needs, it is likely that this report will understate the extent of some of these needs, especially for the long term. However, as the determination of the City's needs become more mature during the next several years, these fees can be revisited, reevaluated and adjusted to reflect Rancho Cordova's ultimate capital needs.

Scope

The purpose and scope of this report and study is to supplement the City of Rancho Cordova's Community Facilities Fees Program by adding fees for facilities and equipment to accommodate the City's population growth. These supplemental fees are for animal service, telecommunication and computer systems and the records management system. These fees are prepared in accordance with AB 1600 (Government Code Section 66000) which requires that a city establish a reasonable relationship, or "nexus", between a development project or a class of development projects and the public improvement for which the fee is charged. The City is required to:

- Identify the purpose of the fee;
- Identify the use to which the fee will be put;
- Determine that there is a reasonable relationship between the fee's use and the type of development projects on which the fee is imposed (a "type" nexus);
- Determine that there is a reasonable relationship between the need for the public facility and the type of development projects on which the fee is imposed (a "burden" nexus); and
- Determine that there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of that facility attributable to that development.

The scope and purpose of this study is to develop the supplemental Community Facility Fees described above in accordance with the City Council's policy goals, and to demonstrate that all components of these Community Facility Fees comply with AB 1600. This study will constitute the "Nexus Report" for these fees.

Methodology

To meet the requirements of AB 1600 as just described, the methodology required to implement these supplemental Community Facility Fees is fairly straightforward. It follows the same steps used in the Community Facility Fee Nexus Report for the city hall, police station, community center, corporation yard, library, museum and parking structure report. These steps include:

1. Identifying existing development within the City and estimating future growth for both residential and non-residential development. City planning staff has provided this information as stated in the next section of this report.
2. Determining the facilities and their size that will be required to serve the City's existing development and its projected growth. This involves identifying existing city facilities and current service levels to determine future facilities needs; however, since the City recently incorporated, there are no existing facilities. Thus, all facilities will be new and a proportion of existing and future city impact will be determined to insure that the impact

fee will be based upon that part of the project costs which are attributable to new development.

3. Estimating the total facility costs required to serve the current and future city, and determine that portion of the cost for which future growth will be responsible. These costs cannot include operating expenses, but can include the cost of: (a) constructing the facility adjusted, as applicable, including finance charges; (b) purchase and installation of needed equipment; (c) the cost of administering the fee program; and (d) the cost of any study or report prepared to determine the fair allocation of the fee so that it applies only to those expenses attributable to new development. These facility costs, and resulting impact fees, are based upon the best-cost estimates at this time.
4. Subtracting those revenues that might be available from alternative funding sources such as federal, state, or local grants, the City's General Fund, City reserves, if any, to determine a net facilities cost that should be allocated to future development. However, as a new City, no alternative revenues are predicted or expected by the City.
5. Identifying the demand upon the infrastructure created by new development. The facilities costs allocated in this report are based on the number of persons served (residents plus employees) or residents served, then translated into a fee per residential dwelling unit or by building square footage for nonresidential uses.
6. Estimating the total number of persons or residents that will be generated by all current and new development by land use categories, and determining the amount of demand by such category, and then for the City as a whole;
7. Based on the above calculations, determine the portion of the facility and/or equipment that benefits current and new development, and then allocate the cost of the facility and/or equipment to current and future development within the City;
8. Based on these calculations, determine a cost per person or resident served;
9. The cost per person or resident served by the number of persons or residents will be determined by each land use category, then the fees based on residential dwelling units and building square footage for nonresidential land use will be calculated.

Future Growth Projections

The planning horizon used in this analysis is the year 2030. This is the target date used in the adopted tentative land use plan as the City prepares its first General Plan. Based upon the CIP/Traffic Impact Fee Land Use Modeling, City Planning staff estimates the current and estimated residential dwelling units in the City of Rancho Cordova now and in the year 2030 as stated in Table I.

Table I City of Rancho Cordova – Population Projections – 2005 & 2030	
Year	Population
2005	55,000
2030	174,900

While Community Facility Fees are normally determined by dwelling unit, at least for residential development, the currently approved fees for major city facilities, i.e., city hall, were first calculated based upon population projections as described in the previous section titled "Methodology". This was done in order to convert the fees to dwelling units for residential development and by square footage of the construction of commercial, office and industrial development. In order to be consistent with the City's initial study that same approach will also be used for the Telecommunications and Computer (including GIS) Systems, and the Records Management System Community Facilities Fees. For the Animal Service Community Facilities Fee, however, it will only be applied to residential uses since the animal facility and equipment serve primarily the residential land uses of the City. This relationship will be discussed further when presenting the Animal Service Community Facilities Fee.

Using the same population and employment data used in the initial Community Facilities Fee Nexus Study, it is estimated that Rancho Cordova has 55,000 people, and it will grow to approximately 175,000 residents by the year 2030. It is also estimated that there are 55,000 jobs in the City currently, which will increase to approximately 64,000 jobs in 2030. Additional employees by land use are projected to be 2,800 for commercial, 5,350 for office and 850 for industrial.

It should be noted, that all numbers and data, including current and future population and growth projections, have been determined by the City or by their consultants.

The following sections will discuss each additional component to be added to Rancho Cordova's Community Facility Fee Program. As required by the methodology to determine these fees, they will be based upon the future growth projections described above.

Summary of Proposed Community Facility Fees

Table II summarizes proposed Community Facility Fees for three additional fee components. These components include: (1) Animal Service; (2) Telecommunications and Computer Systems; and (3) Records Management Systems. The fees include construction of facilities, acquisition of equipment, financing of facilities, the same city administrative fee used in the currently adopted Community Facilities Fees, and the cost of the report to ensure that the fee only applies to those expenses attributable to new development.

Table II Proposed Fees for Additional Components to Rancho Cordova's Community Facility Fees					
CFF Component	Single Family Residential	Multi-Family Residential	Commercial	Office	Industrial
Animal Service	\$55.00	\$43.00	N/A	N/A	N/A
Telecommunications and Computer Systems	\$42.00	\$33.00	\$.007	\$.01	\$.003
Records Management Systems	\$3.00	\$2.50	\$.0005	\$.0008	\$.0002

The calculations and nexus determinations for each fee component of the Community Facility Fee Program are described in the following sections of this report.

Animal Service Component of the CFF

Existing Animal Service System. The City of Rancho Cordova currently contracts for animal patrol and shelter services with Sacramento County. During fiscal year 2005-06, the City will acquire one animal control vehicle and hire two animal control specialists (one of who will be shared with the City of Elk Grove) to provide animal patrol service to Rancho Cordova. Also during this fiscal year, the City will begin contracting with the Sacramento Chapter of the Society for the Prevention of Cruelty to Animals (SSPCA) for animal shelter services. Ultimately, the City will eventually construct its own animal shelter during the next 5 – 10 years, and will provide all needed animal services to the City.

Demand Upon Infrastructure Created by the Development of Undeveloped or Vacant Land. Residents benefit from animal services either directly, calling animal services to report a lost animal from their property, indirectly, by the City picking up a lost dog in a residential neighborhood that might be threat to those living in the neighborhood, and by service availability, benefiting the community by having an animal control officer and the shelter available for response if needed.

Additional residential units, which will be constructed on currently vacant land in the City, will increase the demand for animal service. This new residential development will create more calls for service, more areas requiring preventative patrol, and more chances that animals in residential neighborhoods will escape from their yards, pens or cages. Commercial, including hotels/motels, office and industrial uses will not be charged this fee for future growth since records from other communities show that there is very little activity directly caused by these uses.

The Purpose of the Fee. The purpose of the Animal Service Community Facility Fee is to fund facilities and equipment needed to accommodate growth and the increased population of Rancho Cordova caused by new residential development. These costs include eventual construction of an animal shelter, related equipment for the shelter, land acquisition, and financing charges, patrol equipment, a small charge for the duties necessary to administer the fee, and the cost of the report prepared to determine the fair allocation of the fee to new development.

Of course, the purpose of the shelter is to house lost and found animals, patrol officers and other staff necessary to oversee the shelter and administer programs of the City related to animal service. The purpose of the patrol equipment is to respond to calls for service and to engage in preventative patrol throughout the community.

The Use of the Fee. Fee revenue from this component of the CFF Program would be limited to capital costs, namely facility and equipment expense described above, directly related to the residential growth of the City. As already described, the fee would be used for construction of facilities, acquisition of land, purchase of equipment, financing animal shelter construction, the pur-

chase of patrol equipment, plus other minor expenses. Of course, the City would pay for that portion of the cost related to existing development's fair share of those costs.

Relationship Between the Need for the Fee and Type of Development Projects. As vacant land fills up in Rancho Cordova caused by new residential development, there will be an increasing need in the City for the development of an animal shelter and acquisition of patrol equipment. Activity from residential land uses are more likely to generate the need for these facilities and equipment than from business uses such as those found in commercial, office or industrial land use zones. People in the City's residential neighborhoods are more likely to loose a pet, while a business is more likely to find an occasional stray accessing their property, unrelated to their business use.

Relationship Between the Use of the Fee and the Type of Development Projects Paying the Fee. It is proposed that this fee be imposed only on residential development, since it is clear that this type of development will most likely generate the need for the service, and the corresponding facilities and equipment. This is because nearly all of the direct and indirect animal services comes from residential areas. Further, as new residential neighborhoods are constructed, there will be an increased demand for these services and facilities.

Relationship Between the Amount of the Fee and the Cost of that Portion of the Facility/Equipment Attributable to the Development Project. This part of the report will discuss the cost of the animal service facilities and equipment purchases and its relationship to the fee proposed to be charged new residential development as its fair share of these expenses.

As mentioned earlier, during this fiscal year, Rancho Cordova will begin the provision of animal patrol services and will contract with SSPCA for shelter and related services. Ultimately, the City expects to construct its own animal shelter. The costs related to constructing the shelter are summarized in Table A-1, and as discussed in the following paragraphs.

Table A-1		
Estimated Cost of Constructing Rancho Cordova Animal Shelter		
Facility/Equipment Description	Cost	
Shelter Construction (10,000 sq. ft. x \$200 sq. ft.)	\$2,000,000	
Land Acquisition (2/3 acre x \$450,000/acre)	301,500	
Land Preparation/Landscaping (on- and off-site improvements)	250,000	
Total Construction/Land Expense		\$2,551,500
Shelter Equipment		
Computers	\$15,000	
Computer Software	25,000	
Traps & Portable Kennels/Cages	25,000	
Miscellaneous Furniture	10,000	
Total Shelter Equipment		\$75,000

Table A-1
Estimated Cost of Constructing Rancho Cordova Animal Shelter

Facility/Equipment Description	Cost
Financing Cost	\$472,000
Miscellaneous Expense	\$120,000
TOTAL SHELTER COSTS	\$3,218,000

It is estimated that Rancho Cordova will need an animal shelter of 10,000 – 12,000 square feet. Mr. Rick Johnson, Executive Director, SSPCA, estimated in an interview on July 21, 2005, that as the City grows and matures it would need a shelter of 10,000 square feet. This does not include space for a clinic or veterinary services. Other cities similar in size to Rancho Cordova have or are planning to build their own animal shelters as large as 12,000 square feet. For the purposes of calculating this fee the more conservative estimate of 10,000 square feet is being utilized.

The cost per square foot for constructing the shelter is approximately \$200. This is based upon an interview with George Meirs, architect, who is consulting on shelter projects for both SSPCA and Sacramento County. Based on his considerable experience designing animal shelters in various regions throughout the State, he estimated that the current cost per square foot for constructing a shelter in Rancho Cordova would be \$200. Based upon these projections, it is estimated that the shelter for the City would cost \$2,000,000 (10,000 sq. ft. x \$200).

Mr. Johnson also estimated that the new shelter would need 14-15 computers. To be conservative in developing the fee, however, the purchase of 10 computers is contemplated. It is estimated that \$15,000 would be required for this equipment. Also, Mr. Johnson indicated that the City would need a software program for the computers in its shelter estimated to cost \$25,000. Adding funds for specialty shelter equipment (\$25,000) and furniture (\$10,000) would create a total of \$75,000 for shelter equipment and furniture.

It is expected that a portion of the shelter would be financed, and using the same assumptions as those used in the approval of the City's initial Community Facility Fees, it is estimated that this financing would cost \$472,000.

Finally, the City's initial Community Facilities Fees applied an administrative fee to reimburse the City for its tracking and administration of the fee. This component also includes this expense as well as a share of the cost of the report to make certain that the fee only applies to expenses attributable to new development.

In addition to the cost of the shelter, related equipment, land acquisition, and financing, there is also the cost of patrolling the community as part of the animal service. The City has budgeted in 2005-06 for a vehicle with appropriate specialty equipment in the amount of \$30,000. Since the City's population is expected to more than triple over the next 25 years, it is reasonable to expect that the City will purchase additional vehicles. These are not replacement vehicles that are ineligible for this fee, but are the initial vehicles required to establish and provide this service over the next several years. So, while the City's first vehicle will serve the existing City and its pro-

jected growth over the next few years, additional vehicles will need to be purchased because of the City's growth. It is expected that calls for service will increase in proportion to the City's population growth, requiring the purchase ultimately of three such patrol vehicles at a current day cost of \$90,000 (3 x \$30,000).

With the total cost of the shelter and related expenses totaling \$3,218,000, and the eventual cost of patrol vehicles of \$90,000, the total cost of facilities and equipment for Animal Service will be \$3,308,000.

Recommended Animal Service CFF Fee

The estimated population of Rancho Cordova as well as its future population to the year 2030 is outlined in Table I of this report. Using the number of people, or population, to estimate new development impacts in animal service facilities and equipment by land use type, the amount of the Community Facility Fee for Animal Service is outlined in Table A-2. It should be remembered that the fee applies only to residential development, not commercial, industrial and office land uses as discussed earlier. Further, these fees are based upon a projected existing city population of 55,000, with a future population of 174,900 (175,000 rounded). Also, the initial Community Facilities Fee Study used 2.88 persons per household for single family residential, and 2.25 per households for multi-family residential. These numbers are slightly higher than what the Planning Department currently projects as the number of persons per household as currently reflected in the existing city. Since it is expected that as the City grows, the average household size will increase, this study uses the slightly larger household size utilized in the first Community Facilities Fee Study. This comment also applies to the other two Community Facilities Fees contained in this study.

Table A-2			
Animal Service Fee Calculation			
Land Use Type	Persons per Household	Cost per Future Person	Impact Fee per Dwelling Unit
Residential			
Single Family Residential	2.88	\$18.90	\$55
Multi-Family Residential	2.25	\$18.90	\$43
Non-Residential			
Commercial			N/A
Office			N/A
Industrial			N/A

By dividing the total cost of animal service facilities and equipment (\$3,218,000) by the projected future City population (175,000), a cost of \$18.90 per person is calculated for animal service facilities and equipment. Multiplying the \$18.90 per person by the average number of persons per household for each residential land use category yields a Community Facilities Fee, or impact fee per dwelling unit, of \$55 (rounded) per single-family dwelling unit, and \$43 (rounded) per multi-family dwelling unit.

Telecommunication and Computer Systems Component of the CFF

Existing Telecommunication/Computer Systems (Including GIS). The City of Rancho Cordova currently contracts for telephone and computer systems that are used by staff and consultants in the City's temporary City Hall. With the move to a new City Hall, there will be the purchase of telecommunication and computer systems to serve city services in that new facility.

Regarding use of a Geographic Information System (GIS), the City currently contracts for these services from Sacramento County. Such expenses, since they are payment for services, are not eligible to be calculated as part of a Community Facilities Fee. However, in the future, if the City establishes its own GIS program, or the County charges a special assessment to participating cities in order to expand its current GIS system by requiring the purchase of additional equipment, these expenses should be examined to determine if a GIS component to the CFF should be established, or incorporated into the Telecommunications/Computer systems component.

Demand Upon Infrastructure Created by Development of Undeveloped or Vacant Land. Rancho Cordova is a newly incorporated City, operating out of a leased building, currently creating and establishing the facilities and systems, which will be necessary to support municipal services as the City grows and moves into the future. This growth will place a significant demand upon City services, including the purchase of various systems needed to support these services such as telecommunication, computer and geographic information systems.

The Purpose of the Fee. The purpose of the Telecommunication/Computer Systems Fee is to fund that equipment needed to support services that will accommodate growth and the increased population of Rancho Cordova. These costs include a telephone system, a computer network structure, and computers for employees that eventually will be hired for the City's new City Hall. The fee will also include a charge for the duties necessary to administer the fee, and a portion of the cost of the report prepared to determine the fair allocation of the fee to new development.

The Use of the Fee. Fee revenue from this component of the CFF Program would be limited to capital costs, specifically for the equipment and systems described in the previous paragraph. Of course, the City would pay for that portion of the cost of such equipment related to existing development's fair share of those costs.

Relationship Between the Need for the Fee and the Type of Development Projects. As vacant land fills up in Rancho Cordova caused by new residential, commercial, office and industrial development, there will be an increasing need for the services provided by the City. These development projects in each of these land use categories will also create an increasing need for the telecommunications and computer systems required to support the competent and efficient provision of City services.

Relationship Between the Use of the Fee and the Type of Development Projects Paying the Fee. The fee will be used for new growth's fair share of equipment needed to support necessary city services to the newly developing parts of Rancho Cordova. The fee will be used to purchase telecommunications and computer equipment needed to support efficient city services to not only for the existing City which will pay its fair share of this equipment but for the new development projects in the City's residential, commercial, office and industrials areas as well.

Relationship Between the Amount of the Fee and the Cost of that Portion of the Equipment Attributable to the Development Project. This part of the report will discuss the cost of telecommunication and computer equipment purchases and its relationship to the fee to be charged to new development as its fair share of these expenses.

As already mentioned, Rancho Cordova is currently leasing telecommunications and computer equipment to support its operations in a leased City Hall. As the City moves into its new offices new equipment will need to be purchased to support efficient and effective city services for not only the existing but for the future City of Rancho Cordova.

It should be noted that only estimated costs of known equipment and systems are included in the current calculation of the CFF for telecommunications and computers. Next year when this and other fees are required to be revisited, consideration should be given to revisiting the City's telecommunication and computer needs, with a view toward updating the City's equipment purchase budget. Then the CFF for telecommunications and computers should be revisited and recalculated.

Also at that same time, staff should determine if any charges for capital costs for the GIS system are forthcoming or are projected for sometime in the future. Those projected expenses, assuming they meet the requirements of AB 1600, could also be considered as part of a CFF recalculation.

The costs related to purchasing telecommunications and computer equipment is summarized in Table B-1, and is discussed in the following paragraphs.

Table B-1 Equipment Purchase Expense for Telecommunications and Computers for the City of Rancho Cordova	
Equipment Description	Cost
Telephone System	\$200,000
Computer Network Structure	\$250,000
Finance Software	\$1,600,000
Computers	\$350,000
Financing Cost	\$350,000
Miscellaneous Expense	\$50,000
TOTAL EXPENSE	\$2,800,000

These cost estimates were obtained in conferring with Jay Hadley, Access Computers, Rancho Cordova's computer consultant as well as William Thomas, Finance Director. The cost estimate

for the telephone system of \$150,000 was obtained by Access Computers in consultation with city staff, and represents equipment the City is in the process, or will be in the process, of purchasing. Another \$50,000 was set aside for the handsets and other equipment necessary to utilize the telephone system.

The Computer Network Structure cost of \$250,000 is an estimate obtained from Access Computers, and would include network hardware, servers, printers, firewalls, etc. The Finance Director estimates that the comprehensive financial system will cost \$1,600,000.

The cost for computers was determined in part from the Community Facilities Fee Program Nexus Study adopted by the City. Page 9 of that study references a Needs Assessment Study prepared for the City in which it was "estimated that the City would need 152 staff members and consultants (not police employees)."¹ Assuming that 80% of those employees will require a computer as one of their work tools, it is estimated that 122 employees will require a computer. In addition, computer expense for durable, mobile laptop computers, plus related software, for up to 25 building inspectors has also been included. Using information supplied by Access Computers, the City's Finance Director, and the Chief Building Official, it is projected that this computer expense will be \$350,000. It is also estimated that a portion of the equipment and software purchase will be financed. It is projected that this finance cost will be \$350,000.

Finally, since the City's initial CFF Program applied an administrative fee to reimburse the City for fees tracking and administration, a similar fee is added to this CFF component in the amount of \$46,875. A share of the cost of the report to make certain that the fee only applies to expenses attributable to new development is also included (\$3,500) for a total miscellaneous expense of \$50,357 (\$50,000 rounded).

The total cost of telecommunications and computer equipment expenses is estimated at \$2,800,000.

Recommended Telecommunication/Computer CFF Fee

The estimated current population of Rancho Cordova as well as its future population to the year 2030 is stated in Table I. A "persons served" number is used to estimate development impacts on the acquisition of needed telecommunications and computer equipment. For this CFF component, the "persons served" factor is defined as residential population plus the number of employees working in the City. As with the earlier CFF study, the impact of people employed within the City, compared to residents living in the City, is determined by assuming that most employees work 40 hours per week in Rancho Cordova. By making this assumption, it is projected that one employee will equal approximately .24 residents (40 hrs./week divided by 168 hrs./week = .24 residents). Also note, unlike the Animal Service component of the CFF, this fee would apply to all land use types, including residential, commercial, office and industrial.

¹ It is understood further that this statement did not include Animal Service whose computer needs are assessed separately from this analysis.

Table B-2 outlines the pertinent data in the calculation of the fee for this CFF component.

Table B-2 Telecommunications/Computer Fee Calculation			
Residential	Persons per Household	Cost per Person Served	Impact Fee per Dwelling Unit
Single Family Residential	2.88	\$14.72	\$42.00
Multi-Family Residential	2.25	\$14.72	\$33.00
Non-Residential	Sq. Ft. per Employee	Cost per Person Served	Impact Fee per Sq. Ft.
Commercial	500	\$3.53	\$.007
Office	300	\$3.53	\$.01
Industrial	1,200	\$3.53	\$.003

As demonstrated in Table I, it is calculated that in 2030 Rancho Cordova will have a residential population of 175,000. When another 15,352 persons served (employees spending part of their time in the City—63,967 x .24) are added to the population number, there is a total of 190,252 persons served. Compared to total equipment purchases for this component of \$2,800,000, the cost per person served amounts to \$14.72 per person. For residential development, the impact fee per single-family dwelling unit is \$42.00 (rounded from \$42.39), and \$33.00 (rounded from \$33.12) for each multi-family dwelling unit. For non-residential development, the impact fee is \$.007 per square foot for commercial development, \$.01 per square foot for office, and \$.003 for industrial.

Records Management System Component of the CFF

Existing Records Management System. The City Clerk of the City of Rancho Cordova maintains the records for the City. This not only includes agenda and minutes for meetings of the City Council along with ordinances and resolutions adopted by that body, but all other documents and records as well. As a new City, Rancho Cordova is still in the process of organizing its records system, and as well as taking over engineering and personnel records from Sacramento County, which previously provided service to this area. With a move to a new City Hall, the City Clerk is developing a modern records management system, which should adequately serve the City now and in the future.

Demand Upon Infrastructure Created by Development of Undeveloped or Vacant Land. As a newly incorporated City operating out of a leased building, creating new support system infrastructure, such a Records Management System, will be needed as the City grows and moves into the future. Growth will place a significant demand upon City services, requiring the purchase of equipment for a Records Management System, which will be needed to support the efficient and effective provision of municipal services.

The Purpose of the Fee. The purpose of the Records Management System is to fund that equipment needed to support services that will accommodate growth and the resulting increased population of Rancho Cordova. These costs include a mobile shelving system, a file tracker and a Council agenda software system. The fee will also include a small charge for the duties needed to administer the fee, and a portion of the cost of the report prepared to determine the fair allocation of the fee to new development.

The Use of the Fee. Fee revenue from this component of the CFF Program would be limited to capital expense, specifically the equipment and related support for the Records Management System. The City, of course, would pay for a portion of the equipment relating to existing development's fair share of these costs.

Relationship Between the Need for the Fee and the Type of Development Projects. As new development fills up vacant land in Rancho Cordova involving new residential, commercial, office and industrial development, there will be an increasing need for services provided by the City. Development projects in each of these land use categories will also create an increasing need for the services supported by the Records Management System in order for these services to be efficient and effective.

Relationship Between the Use of the Fee and the Type of Development Projects Paying the Fee. The fee will be used for new growth's fair share of equipment necessary to support needed city services to the newly developing parts of Rancho Cordova. The fee will help purchase equipment for the Records Management System needed to support efficient city services for not only the ex-

isting City which will pay its fair share of this equipment but for the new development projects in the City's residential, commercial, office and industrial areas as well.

Relationship Between the Amount of the Fee and the Cost of that Portion of the Equipment Attributable to the Development Projects. This part of the report will discuss the cost of the Records Management System equipment purchases and its relationship to the fee to be charged to new development as its fair share of these expenses.

As already mentioned, Rancho Cordova is just embarking upon developing a Records Management System. As the City leaves its currently leased City Hall to move to a new facility, the City is presented with the opportunity to establish a modern Records Management System, both for records that will be obtained from Sacramento County, and for new city records that will be created during the next several years.

The costs related to purchasing equipment and related support for the Records Management System are summarized in Table C-1 and were developed in consultation with the Rancho Cordova City Clerk.

Table C-1 Equipment Purchase Expense for the Records Management System	
Equipment Description	Cost
Mobile Shelving System	\$75,000
File Tracker System	25,000
Agenda Software System / Imaging System	100,000
Miscellaneous Expense	11,000
TOTAL EXPENSE	\$211,000

The mobile shelving system, file tracker system and agenda software system tied into an imaging system will enable the City Clerk to establish a modern Records Management System that will, among other things, be able to adequately maintain records for engineering, personnel, and City Council actions. This will help support the services Rancho Cordova will provide its citizens, both those currently living in the City and those that will move into the City.

Also, since the City's initial CFF Program applied an administrative fee to reimburse the City for fees tracking and administration, a similar fee is added to this CFF component in the amount of \$7,500. A share of the cost of the report to ensure that the fee only applies to expenses attributable to new development (\$3,500) is also included for a total miscellaneous expense of \$11,000.

The total cost for the Records Management System capital cost is estimated at \$211,000.

Recommended Records Management System CFF Fee

The estimated current population of Rancho Cordova as well as its future population to the year 2030 is stated in Table I. A "persons served" number is used to estimate development impacts on the acquisition of needed records management equipment. For this CFF component, the "persons served" factor is defined as residential population plus the number of employees working in the City. As with the earlier CFF study, the impact of people employed within the City, compared to residents living in the City, is determined by assuming that most employees work 40 hours per week in Rancho Cordova. By making this assumption, it is projected that one employee will equal approximately .24 residents (40 hrs./week divided by 168 hrs./week = .24 residents). Also note, unlike the Animal Service component of the DFF, this fee would apply to all land use types, including residential, commercial, office and industrial.

Table C-2 outlines the pertinent data in the calculation of the fee for this CFF component.

Table C-2 Records Management System Fee Calculation			
Residential	Persons per Household	Cost per Person Served	Impact Fee per Dwelling Unit
Single Family Residential	2.88	\$1.10	\$3.00
Multi-Family Residential	2.25	1.10	2.50
Non-Residential	Sq. Ft. per Employee	Cost per Person Served	Impact Fee per Sq. Ft.
Commercial	500	\$.26	\$.0005
Office	300	.26	.0008
Industrial	1,200	.26	.0002

As demonstrated in Table C-2 it is calculated that in 2030 Rancho Cordova will have a residential population of 175,000. When another 15,352 persons served (employees spending part of their time in the City – 63,967 x .24) are added to the population figure, there is a total of 190,252 persons served. Compared to total equipment purchases for this component of \$211,000, the cost per person served is \$1.10. For residential development, the impact fee per single-family dwelling unit is \$3.00 (rounded from \$3.16), and is \$2.50 for each multi-family dwelling unit (rounded from \$2.475). For non-residential development, the impact fee is \$.0005 per square foot for commercial development, \$.0008 for office and \$.0002 for industrial.

ATTACHMENT 2

SCHEDULE OF FEES

SCHEDULE OF FEES

	Animal Services	Telecommunications and Computer Systems	Records Management	Total CFF
<u>Residential</u> <u>Per Unit</u>				
Single Family	\$55	\$42	\$3	\$100
Multi-Family	\$43	\$33	\$2	\$78
<u>Non-Residential</u> <u>Per Building SF</u>				
Commercial	N/A	\$.007	\$.0005	\$0.012
Office	N/A	\$.01	\$.0008	\$0.0108
Industrial	N/A	\$.003	\$.0002	\$0.0032

**COMMUNITY FACILITIES FEE PROGRAM NEXUS STUDY BY
GOODWIN CONSULTING GROUP, INC**

**CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES FEE
PROGRAM NEXUS STUDY**

April 12, 2004

**GOODWIN CONSULTING GROUP, INC.
701 University Avenue, Suite 225
Sacramento, California 95825
(916) 561-0890**

**CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES FEE PROGRAM NEXUS STUDY**

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**City of Rancho Cordova
Community Facilities Fee Program Nexus Study**

Executive Summary

PURPOSE OF CFF PROGRAM NEXUS STUDY

As new development continues within the City, municipal facilities will be required to serve future development. The City has identified these facilities to include a city hall, a police station and equipment, a community center, a city corporation yard, library facilities, a city museum, and a parking structure. These facilities will be funded through the City's Community Facilities Fee ("the CFF") Program, which contains a separate fee component for each. The CFF Program is described in detail in this Community Facilities Fee Program Nexus Study (the "Nexus Study"). The fee program will apply to all future growth within the City limits.

The City of Rancho Cordova retained Goodwin Consulting Group, Inc. to establish the Rancho Cordova Community Facilities Fee Program. The CFF Program is established through the Nexus Study which ensures that a rational nexus exists between future development in the City and the use and need of the proposed facilities. The CFF Program is compliant with the laws set forth in AB 1600 and ensures that a rational nexus exists between future development in the City and (i) the use and need of the proposed facilities, and (ii) the amount of the development impact fee assigned to future land uses. This CFF Nexus Study demonstrates that a reasonable relationship exists between the development impact fee to be levied on each type of land use and the cost of the facilities attributable to that land use.

FEES INCLUDED IN CFF PROGRAM

The City of Rancho Cordova has determined that the CFF Program is needed to mitigate the impacts of future development on the following municipal facilities:

- City Hall
- Police Station and Vehicles
- Community Center
- Corporation Yard
- Library
- Museum
- Parking Structure

SUMMARY OF THE CFF FEE

The table below summarizes the fee components in the CFF Program as calculated in this report. Note that the library fee component of the CFF will not be levied on development in the Sunrise Douglas Specific Plan area since this area will fund a 20,000 square foot library facility.

	City Hall	Police	Community Center	Corp. Yard	Library (1)	Museum	Parking Structure	Admin (3.75%)	Total CFF
<u>Residential</u>									
<u>Per Unit</u>									
Single Family	\$522	\$686	\$631	\$188	\$490	\$214	\$219	\$111	\$3,061
Multi-Family	\$408	\$536	\$493	\$147	\$383	\$167	\$171	\$86	\$2,391
<u>Non-Residential</u>									
<u>Per Building SF</u>									
Commercial	\$0.09	\$0.11	\$0.11	\$0.03	N/A	N/A	\$0.04	\$0.01	\$0.39
Office	\$0.14	\$0.19	\$0.18	\$0.05	N/A	N/A	\$0.06	\$0.02	\$0.64
Industrial	\$0.04	\$0.05	\$0.04	\$0.01	N/A	N/A	\$0.02	\$0.01	\$0.17

(1) The Sunrise Douglas Community Plan Area will not be subject to the library fee since development in this area will fund separate library facilities.

FEE ADJUSTMENTS

The CFF may be adjusted in future years to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised costs, or changes in demographics or the City's land uses. In addition to such adjustments, the fees will be inflated automatically each year by a predetermined index. The City's building department will determine the specific characteristics of the development at the time development fees are to be levied in order to categorize the development into the proper land use category and to determine the CFF.

I. Introduction

The City of Rancho Cordova (the "City") is located in the eastern central portion of Sacramento County along Highway 50, neighboring the cities of Sacramento and Folsom. On July 1, 2003, Rancho Cordova incorporated and became the seventh city in Sacramento County.

At the time of incorporation, the City assumed full responsibility for a variety of municipal facilities and services, although the County of Sacramento continues to provide some facilities and services. Also upon incorporation, the City assumed responsibility for local planning, including long-range and current planning for land uses and development projects.

The City has deemed it necessary to construct certain municipal facilities that will serve the City's current as well as future populace. Funding for these facilities will come from several sources, including development impact fees, the City's general fund, various reserve funds and other unidentified funding sources. The Community Facilities Fee Program discussed in this report will apply to all future development occurring in the City as well as any development in future City annexations.

PURPOSE OF CFF STUDY

As development continues within the City, municipal facilities will be required to serve the new populace. The City has identified these facilities to include a city hall, a police station and equipment, a community center, a city corporation yard, library facilities, a city museum, and a City parking structure. These facilities will be funded through the City's Community Facilities Fee ("the CFF") Program, which contains a separate fee component for each facility. The CFF Program is described in detail in this Community Facilities Fee Program Nexus Study (the "Nexus Study"). The fee program will apply to all future growth within the City limits. The CFF complies with AB 1600 nexus requirements because the fees are set to mitigate the specific impacts that will result from new development in the City.

The City of Rancho Cordova retained Goodwin Consulting Group, Inc. to establish the Rancho Cordova Community Facilities Fee Program. The CFF Program is established through the Nexus Study which ensures that a rational nexus exists between future development in the City and the use and need of the proposed facilities. The CFF Program is compliant with the laws set forth in AB 1600 and ensures that a rational nexus exists between future development in the City and (i) the use and need of the proposed facilities, and (ii) the amount of the development impact fee assigned to

future land uses. This CFF Nexus Study demonstrates that a reasonable relationship exists between the development impact fee to be levied on each type of land use and the cost of the facilities attributable to that land use.

CFF PROGRAM NEXUS REQUIREMENTS (AB 1600)

Assembly Bill (AB) 1600, which was enacted by the State of California in 1987, created Section 66000 et. seq. of the Government Code. AB 1600, also referred to as the Mitigation Fee Act, requires that all public agencies satisfy the following requirements when establishing, increasing, or imposing a fee as a condition of approval for a development project:

1. Identify the purpose of the fee.
2. Identify the use to which the fee will be put.
3. Determine how there is a reasonable relationship between:
 - A. The fee's use and the type of development project on which the fee is imposed.
 - B. The need for the public facility and the type of development project on which the fee is imposed.
 - C. The amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The purpose of this CFF Nexus Study is to demonstrate that all components of the Community Facilities Fee comply with AB 1600. The assumptions, methodology, facility standards, costs, and cost allocation factors that were used to establish the nexus between the Community Facilities Fee and the development on which it will be levied are summarized in the subsequent sections of this report.

ORGANIZATION OF REPORT

The remainder of this report has been organized into the following sections:

- | | |
|---------------|--|
| Section II | Provides a detailed explanation of the methodology used to calculate the impact fee for each fee component in the CFF |
| Section III | Defines the demographics and land use categories to be used in the application of the fees |
| Sections IV-X | Provides the details of the costs and fee calculations for the city hall, police, community center, corporation yard, library, museum, and parking structure |
| Section XI | Provides a summary of the impact fee component rates calculated in this report |
| Section XII | Addresses future fee adjustments, fee implementation and administrative responsibilities required by the fee program. |

II. Fee Methodology

When impact fees are calculated, an analysis must be presented in enough detail to demonstrate that a logical, thorough consideration was applied in the process of determining how the fee relates to the impacts from new development. Various findings must be made to ensure that there is a need for, as well as, a reasonable relationship between the fee amount and the type of development on which that impact fee will be levied. The methodology used to establish this reasonable relationship is defined in the following section of this report.

FEE METHODOLOGY

The City must analyze existing facilities, geographic constraints, and current levels of service in order to identify future facility needs. This information is analyzed in conjunction with a projection of the amount and location of future development in order to determine the adequacy of existing facilities and the demand for new facilities that will be required. Because the City was recently incorporated, it has no existing facilities and is establishing various existing levels of service through a Needs Assessment Study it has recently commissioned.

The steps used to calculate a fee component of the CFF include the following:

- Step 1.* Identify existing development within the City and estimate future growth projections for residential and nonresidential development
- Step 2.* Determine the facilities and the size of the facilities that will be needed to serve projected growth and, if necessary, the existing development in the City
- Step 3.* Estimate the gross cost of facilities needed to serve the current and future City population and determine that portion of the cost for which future growth will be responsible
- Step 4.* Subtract revenues available from alternative funding sources such as federal, state, or other funding source, if any, to identify a net facilities cost that will be allocated to future development; at this time, no alternative funding sources of revenue are expected by the City

- Step 5.* Identify the demand variable that will be used to allocate facilities costs on a benefit rationale basis to each current and future land use; facilities costs in this Nexus Study were allocated on a basis of either persons served (residents plus employees) or residents served for each of the facilities
- Step 6.* Estimate the total amount of persons or residents served that will be generated by all current and future development land use categories by multiplying the land uses by their assigned demand variables and taking the sum
- Step 7.* Based on the sum of the demand variables (i.e., persons served or residents served) determine the portion of the facility that benefits current development and future development in the City; based on this benefit determination, allocate the total cost of the facility to current and future development within the City
- Step 8.* Divide the cost of each facility allocated to future development by the total of the demand variables projected from Step 7 to calculate a cost per person or resident served
- Step 9.* Multiply the cost per person or resident served by the amount of residents or employees estimated for each land use category to determine the impact fee for that land use category; this Nexus Study contains fees calculated based on residential units and building square footage for nonresidential land use categories

III. Population and Land Use Categories

POPULATION

The City of Rancho Cordova area is expected to experienced significant growth in the near future. As of January 1, 2004, the Department of Finance estimates the City's population to be approximately 57,000. Over the next twenty to twenty-five years, the City expects its population to increase to approximately 175,000 residents.

The City estimates it currently has approximately 55,000 jobs. Job growth over the next twenty to twenty-five years is projected to increase to approximately 64,000 jobs. Current and future population and employment figures as well as persons per household, nonresidential floor area ratios, and building square footage assumptions are presented in Table A-1 of Appendix A.

LAND USE CATEGORIES

The Mitigation Fee Act requires that a reasonable relationship exist between the need for public facilities and the type of development on which an impact fee is imposed. The need for public facilities is related to the level of service demanded, which varies in proportion to the number of residents or employees generated by a particular land use type. Therefore, land use categories have been defined in order to distinguish between relative impacts on facilities. All fee components of the CFF have been calculated per dwelling unit for residential land use categories and per square-foot of building space for non-residential land use categories.

The following land use categories are identified for purposes of the CFF:

- Single Family:** all single family residential development categories, including duplex units
- Multi-Family:** all multi-family residential development categories, including residential buildings with three or more units
- Commercial:** Retail and service businesses, including but is not limited to, shopping centers, general commercial, restaurants, car sales, supermarkets, and gas stations.

Office: Includes, but is not limited to, buildings in which professional, banking, insurance, real estate, administrative or in-office medical or dental activities are conducted

Industrial: Contains industrial-type businesses such as manufacturing, fabrication, and warehousing

City staff will make the final determination as to which land use category a particular development type will be assigned. Staff will determine the land use category that corresponds most directly to the development or alternatively, can determine that none of the land use categories in this Nexus Study adequately correspond to the development in question and may work in conjunction with the City Engineer or other staff members to determine the applicable fee amounts.

IV. City Hall Fee Component of the CFF

This section of the report identifies the facilities, costs, and the fee rates required to fund a new city hall. The city hall fee component of the CFF meets the AB 1600 nexus requirements, as discussed in the table below.

AB 1600 Nexus Test for the City Hall Fee Component of the CFF	
Identify Purpose of Fee	Funding for a new city hall building, furnishings, equipment, land acquisition, and financing costs
Identify Use of Fee	Fee revenue from future development will fund a fair share portion of the construction, land acquisition, and financing of the city hall facilities costs. The City will contribute funding for a portion of this facility to pay for the existing development's fair share of the costs.
Determine how there is a reasonable relationship between the need for the public facility, the use of the fee, the amount of the fee and the type of development project on which the fee is imposed.	New residential and commercial development will generate additional residents and employees in the City of Rancho Cordova that will increase the demand for additional City administrative staff. Additional City personnel will be housed at the new city hall building. A portion of the impact fees collected from the CFF, as well as contributions from other City sources, will be used to fund this facility.

ASSUMPTIONS

The City currently leases sufficient office space for its administrative functions to serve the City's current population. However, as the City experiences significant population growth, additional city staff will be necessary to serve the future population. In turn, the additional staff will require additional building space, furnishings and equipment, creating a need for a new city hall.

Table A-2 in Appendix A shows the assumptions used in the calculation of the city hall fee component of the CFF. The upper section of this table shows the estimated population and employment numbers that currently exist in the City as well as future population and employment numbers in the City within the next twenty to twenty-five years. City hall costs are allocated based on residents and employees since residential and nonresidential developments benefit from municipal services.

A "persons served" figure is used to estimate development impacts for city hall facilities. The persons served factor is defined as the residential population impacts plus employee impacts. The impact of employees as compared to residents is quantified by assuming the average employee is at his or her job approximately 40 hours per week. The calculation below shows that one employee can be assumed to equal approximately 0.24 residents.

$$\text{Employee: } 40 \text{ hrs/week} \div 168 \text{ hrs in a week} = 0.24 \text{ residents}$$

The impact of an employee can be assumed to equal that of approximately 0.24 residents. Multiplying 0.24 by the 63,967 employees estimated within the City in twenty to twenty-five years produces an equivalent of 15,352 residents. Therefore, the total persons served in the City in twenty to twenty-five years will be $174,900 + 15,352 = 190,252$.

FUTURE FACILITY REQUIREMENTS AND COSTS

The City hired the team of Chong / Partners Architecture & Daniel C. Smith and Associates to complete a Needs Assessment Study (the "Study") which examined facilities at various cities. The Study reviewed municipal facilities at cities with population levels of 100,000, 140,000, and 175,000. It was determined that the 175,000 population level was the most applicable to Rancho Cordova since development projections estimate that the City will have a population of approximately 175,000 in about twenty to twenty-five years. Various municipal facilities were reviewed in several cities from which the Needs Assessment Study proposed facilities size and cost estimates for Rancho Cordova.

In order to estimate future city hall space requirements, the consultants estimated the projected number of staff that would be employed by the City with a population of 175,000. The Study estimated that the City would need 152 staff members and consultants (not including police employees) based on suggested staffing ratios of 0.54 general government employees per 1,000 residents and 0.33 community development employees per 1,000 residents.

Based on these staffing levels and assuming a space requirement of 460 square feet of building space per employee, the City will require approximately 70,000 square feet of building space when the City's population reaches 175,000.

Based on industry averages for city hall construction costs and construction industry practices, the Needs Assessment Study estimated that the future cost of the city hall building will be, on average, \$389 per square foot. This amount includes the cost of the building, furniture, fixtures, equipment, site construction, surface parking, and other indirect costs. Applying this cost to the 70,000 square feet of building space required for the new city hall produces a total cost of \$27.2 million. Adding land costs of \$1.63 million brings the total cost for a new city hall to \$28.9 million.

The financing cost for the new city hall was calculated based on the Study's estimate that funding for this facility will be needed in 2008. As a result, fee revenues will be collected over the next several years and therefore, approximately 80% of the total cost will need to be debt financed. The financing cost calculation assumes an average interest rate of 6.0%, a 15-year bond term, and annual inflation of 3.5%. This translates into a financing cost present value of approximately \$5.7 million.

The total cost associated with the new city hall building, including financing, is approximately \$34.5 million. Dividing the total cost by the 190,252 persons served at buildout produces an average cost of \$181 per person served. Because existing and future residents and employees will benefit from the new city hall, the total cost must be allocated to each group. Table A-2 shows that approximately \$12.7 million is allocated to existing development in the City and \$21.8 million to future development. This cost allocation is based on the distribution of persons served as of January 2004 compared to persons served when the City's residential population reaches 175,000. The City must provide funding for the \$12.7 million allocated to the existing City development since this cost cannot be funded by future development.

CITY HALL FEE COMPONENT

The bottom section of Table A-2 shows the calculation of the city hall fee component of the CFF. Applying the \$181 per person served cost to the average number of persons per household for each residential land use category yields impact fee rates of \$522 per single family unit, and \$408 per multi-family unit.

For non-residential development, multiplying the person served cost of \$181 by 0.24 to account for the reduced impact from employees, produces a cost of \$43 per employee. Dividing \$43 per employee by the number of square feet per employee for each nonresidential land use category produces fee rates of \$0.09 per square foot of commercial space, \$0.14 per square foot of office space, and \$0.04 per square foot of industrial space.

V. Police Fee Component of the CFF

This section of the report identifies the facilities, costs, and CFF fee component required to fund a police station and police vehicles to serve the City at the 175,000 population level. The police fee component of the CFF calculated in this section meets the AB 1600 nexus requirement, as outlined in the table below.

AB 1600 Nexus Test for the Police Fee Component of the CFF	
Identify Purpose of Fee	Funding for a police station, land acquisition, financing costs and police vehicles
Identify Use of Fee	Fee revenue from new development will fund a fair share portion of the financing, land acquisition, and construction of a police station, and the purchase of police vehicles. The City will contribute funding for a portion of this facility to pay for the existing development's fair share of the cost.
Determine how there is a reasonable relationship between the need for the public facility, the use and amount of the fee, and the type of development project on which the fee is imposed.	New residential and commercial development will generate additional residents and employees in the City of Rancho Cordova. This will increase demand for additional police services and facilities. Additional personnel cannot be housed at the current facility, and therefore, a new police station will be needed. The additional personnel will also require vehicles to patrol the City. A portion of the CFF collected from new development and contributions from the City will be used to fund this facility and vehicles.

ASSUMPTIONS

Table A-3 in Appendix A shows the assumptions used in the calculation of the police fee component of the CFF. The upper section of this table shows the estimated population and employment as of January 1, 2004 and at the 175,000 population level. The allocation of police facility costs utilizes residents and employees as the allocation factor since both residential and non-residential properties

require police protection services and, therefore, both will benefit from the construction of these facilities. Similar to the city hall, a persons served factor is used to estimate future police impacts to the City. Assuming one employee equals approximately 0.24 residents, there will be 190,252 persons served at buildout.

FUTURE FACILITY REQUIREMENTS AND COSTS

Through a comparison of police departments at various cities, the Needs Assessment Study utilized a police staffing level of 1.3 sworn and 0.6 non-sworn staff per thousand residents to determine facilities needs and sizing. Multiplying this figure by the 175,000 residents, the Needs Assessment Study suggests that a total of 228 sworn and 105 non-sworn staff will be required for police staff.

The Study suggests an average police facility allows for 275 square feet per police staff member. Using this space planning figure in conjunction with the projected number of officers required at the 175,000 population level (228 sworn and 105 non-sworn) indicates the new police facility will need to be approximately 92,000 square feet in size.

The Study recommends a police facilities cost estimate of \$289 per square foot. This includes the cost of construction, site development, parking, indirect costs, as well as all furnishings, fixtures, and equipment ("FFE"). Multiplying \$289 per square foot by 92,000 square feet produces a total facility cost of \$26.6 million. Adding land costs of \$1.4 million brings the total cost of a new police station to approximately \$28.0 million.

Police station financing assumed that construction of the new station will not occur for several years, by which time fee revenue will have accumulated and be available to fund a portion of the total facility cost. As a result, the financing cost for the police station was calculated assuming that 75% of the station costs will be debt finance. Interest costs for debt financing assume a 15-year term with an average interest rate of 6.0%. The total present value of the financing cost for the police station is approximately \$5.1 million.

The total cost for the facility, debt financing, and land acquisition is \$33.1 million. The City will also require an additional \$7.7 million for police vehicles to serve future development in Rancho Cordova. This brings the total cost of police facilities and vehicles to \$40.8 million. Approximately \$12.2 million of the police facility, financing and land acquisition costs are allocated to existing development, which leaves future development responsible for the remaining \$20.9 million plus the \$7.7 million for police vehicles. Dividing the \$28.6 million total by the 120,052 persons served from future development provides a cost allocation of \$238 per person served.

POLICE FEE COMPONENT

The bottom section of Table A-3 shows the calculation of the police fee component of the CFF. Applying the \$238 cost per person served to the average number of persons per household for each residential land use category yields impact fees of \$686 per single family unit and \$536 per multi-family unit.

For non-residential development, multiplying the person served cost of \$238 by 0.24 to account for the reduced impact from employees, produces a cost of \$57 per employee. Dividing \$57 per employee by the number of square feet per employee for each nonresidential land use category produces fee rates of \$0.11 per square foot of commercial space, \$0.19 per square foot of office space, and \$0.05 per square foot of industrial space.

VI. Community Center Fee Component of the CFF

This section of the report identifies the facilities, costs, and the fee rates required to fund a new community center. The community center fee component meets the AB 1600 nexus requirements, as shown in the table below.

AB 1600 Nexus Test for the Community Center Fee Component of the CFF	
Identify Purpose of Fee	Funding for a new community center building, furnishings, equipment, financing, and the purchase of land
Identify Use of Fee	Fee revenue from future development will fund a fair share portion of the financing and construction of a community center building, equipment, and land acquisition costs. The City will contribute funding for a portion of this facility to pay for the existing development's fair share of the cost.
Determine how there is a reasonable relationship between the need for the public facility, the use and amount of the fee, and the type of development project on which the fee is imposed.	New residential and commercial development will generate additional residents and employees in the City. New residents and employees will increase the demand for community center facilities. Impact fees collected through the CFF from new development and contributions from the City will fund a new City community center.

ASSUMPTIONS

Table A-4 in Appendix A shows the assumptions used in the calculation of the community center fee component of the CFF. The upper section of this table shows the estimated population and employment as of January 1, 2004 and at the 175,000 population level. The allocation of community center costs utilizes residents and employees as the allocation factor since both residential and non-residential properties require community center facilities and, therefore, both will benefit from the construction of these facilities. A persons served figure is used to estimate

future community center impacts to the City. Assuming one employee equals approximately 0.24 residents, there will be 190,252 persons served.

FUTURE FACILITY REQUIREMENTS AND COSTS

The community center will provide common meeting spaces for citizens to engage in civic activities such as neighborhood meetings, lectures, community workshops, and social gatherings. The City's community center will not provide recreation-type activities; these activities will be provided through the parks department community centers.

The Needs Assessment Study estimates approximately 450 square feet for every thousand residents will be required for the community center. Applying this ratio would yield a 78,000-square foot facility. The services and facilities provided by the community center will benefit the residents and employees of the entire City, and therefore, both existing and future development will share in the funding of the facility.

Table A-4 in Appendix A shows the estimated cost of the community center to be approximately \$36.0 million. This includes land acquisition costs of more than \$3.5 million. Financing costs are estimated to be \$5.7 million after adjusting for inflation, based on funding 65% of the facility cost, an average 6.0% interest rate, a 15-year bond term and 3.5% annual inflation. The total cost for the community center, including the financing cost, is \$41.7 million.

Existing development's share of the new facility cost is approximately \$15.4 million; the remaining \$26.3 million is allocated to future development. Dividing \$26.3 million by the number of future residents and employees expected in the City produces a cost of \$219 per person served. Funding sources from the City will be necessary to pay for the \$15.4 million community center costs attributed to existing development.

COMMUNITY CENTER FEE COMPONENT

The bottom section of Table A-4 shows the calculation of the community center fee component of the CFF. Applying the \$219 per person served cost to the average number of persons per household for each residential land use category yields fee rates of \$631 per single family unit, and \$493 per multi-family unit.

For non-residential development, multiplying the person served cost of \$219 by 0.24 to account for the reduced impact from employees, produces a cost of \$53 per employee. Dividing \$53 per employee by the number of square feet per employee for each nonresidential land use category produces fee rates of \$0.11 per square foot of commercial space, \$0.18 per square foot of office space, and \$0.04 per square foot of industrial space.

VII. Corporation Yard Fee Component of the CFF

The City has determined that constructing its own corporation yard will be in its best interest as the City continues to grow. The corporation yard component of the CFF calculated in this section of the report meets the AB 1600 nexus requirements, as outlined in the table below.

AB 1600 Nexus Test for the Corporation Yard Fee Component of the CFF	
Identify Purpose of Fee	Funding for corporation yard building, furnishings, equipment, financing, and the purchase of land
Identify Use of Fee	Fee revenue from new development will fund a portion of the construction, land acquisition, and debt financing of the new corporation yard. The City will contribute funding for a portion of this facility to pay for the City existing development's fair share of the cost.
Determine how there is a reasonable relationship between the need for the public facility, the use and amount of the fee, and the type of development project on which the fee is imposed.	New residential and commercial development will generate additional residents and employees that will create demand for services provided by the City. This in turn, requires the procurement of a corporation yard for maintenance and storage of City vehicles and equipment. The services provided from this facility will benefit future and existing residents and employees in Rancho Cordova. Impact fees collected through the CFF from new development, as well as funding from the City for existing development's fair share will be used to fund this facility.

FUTURE FACILITY REQUIREMENTS AND COSTS

The City's corporation yard will be a stand-alone facility and will include maintenance facilities to support services provided by the City. Potential services to be provided by the City include street and road maintenance, tree and landscaping services, vehicle and building maintenance, and central supplies. The corporation yard will not provide sewer, water or public transportation services as these are provided by regional or district agencies. The City anticipates waste management services

will be contracted out, therefore, waste management services will not be provided by the corporation yard. The vehicle maintenance function would be linked to the City providing in-house police department operations. The Needs Assessment Study estimates approximately 300 square feet per thousand residents will be needed for the city corporation yard. Applying this ratio yields a 52,000 square foot facility on approximately 4 acres. The services and facilities housed in the corporation yard will benefit the residents and employees of the entire City, and therefore, both existing and future development will share in the funding of the facility.

Table A-5 in Appendix A shows the estimated cost for the corporation yard is approximately \$10.6 million. This includes land acquisition costs of more than \$1.8 million. Financing costs are estimated to be \$1.7 million after adjusting for inflation, based on funding 65% of the facility cost, an average 6.0% interest rate, a 15-year bond term and 3.5% annual inflation. The total cost for the corporation yard, including the financing cost, is \$12.3 million.

The City's fair share of the facility cost is approximately \$4.5 million; the remaining \$7.8 million is allocated to future development. Dividing \$7.8 million by the number of future residents and employees expected in the City produces a cost of \$65 per person served. The City will need to identify funding sources for the \$4.5 million corporation yard costs attributed to existing development in the City.

CORPORATION YARD FEE COMPONENT

The bottom section of Table A-5 shows the calculation of the corporation yard fee component of the CFF. Multiplying the \$65 cost per future person served by the average number of persons living in each type of residential unit produces a fee rate of \$188 per single family unit and \$147 per multi-family unit.

For non-residential development, multiplying the person served cost of \$65 by 0.24 to account for the reduced impact from employees, produces a cost of \$16 per employee. Dividing \$16 per employee by the number of square feet per employee for each land use category produces fee rates of \$0.03 per square foot of commercial space, \$0.05 per square foot of office space, and \$0.01 per square foot of industrial space.

VIII. Library Fee Component of the CFF

This section of the report identifies the facilities, costs, and fee component of the CFF for library facilities. The library facilities fee component meets the AB 1600 nexus requirements, as discussed in the table below.

AB 1600 Nexus Test for the Library Fee Component of the CFF	
Identify Purpose of Fee	Funding for a library building, furnishings, equipment, books, financing, and the purchase of land
Identify Use of Fee	Fee revenue from new development will fund a fair share portion of the financing and construction of the Rancho Cordova library. The City will contribute funding for a portion of this facility to pay for the existing development's fair share of the cost.
Determine how there is a reasonable relationship between the need for the public facility, the use and amount of the fee, and the type of development project on which the fee is imposed.	New residential development will generate additional residents in the City. These residents will increase the demand for additional library facilities. Impact fees collected through the CFF, as well as funding from the City for existing development's fair share will be used to fund this facility.

ASSUMPTIONS

Currently, there are no libraries within the City of Rancho Cordova. The Sunrise Douglas Community Plan (the SDCP) area, a new development within the City, includes plans to build a 20,000 square foot library to serve its residents. Additional library facilities outside of the Sunrise Douglas Community Plan area will be required to serve existing as well as future residents in the City.

FUTURE LIBRARY FACILITY REQUIREMENTS AND COSTS

The Needs Assessment Study estimates 110,400 square feet of library space will be needed to serve the City's future population. The facility has been identified a regional library that will serve a population much greater than the 175,000 level for which the other facilities in the Study have been sized. The regional facility will contain an estimated 500,000 book collection. Based on this number and the Study's library volumes ratio of 1,800 books per 1,000 residents, this regional facility and the SDCP library will serve a total population of approximately 275,000. This 275,000 population level was used to allocate the cost of the regional library to existing and future development.

The library facility cost estimate provided in the Needs Assessment Study is approximately \$359 per square foot of library space. This includes the cost of construction, site development, parking, indirect costs, land acquisition, as well as all furnishings, fixtures, and book costs. Table A-6 in Appendix A shows the estimated cost for the library is approximately \$39.6 million. This includes land acquisition costs of approximately \$2.7 million. The financing cost is estimated to be \$7.3 million after adjusting for inflation. The total cost for the library, including the financing cost, is \$46.9 million.

Existing development's share of the new facility cost is approximately \$9.7 million; the remaining \$37.2 million is allocated to future development. Dividing \$37.2 million by the number of future residents expected to be served by this facility produces a cost of \$170 per person served. Funding sources from the City will be identified to pay for the \$9.7 million library costs attributed to existing development.

LIBRARY FEE COMPONENT

Table A-6 shows the calculation of the library fee component of the CFF. Multiplying \$170 per future resident by the average number of persons per household for each residential land use category produces library fee rates of \$490 per single family unit and \$383 per multi-family unit. Non-residential land uses will not be levied a library fee since they typically generate an insignificant impact on library services.

It should be noted that because development in the Sunrise Douglas Community Plan area will fund a 20,000 square foot library, it will not be subject to the library fee component of the CFF; the area will be subject to all the other fees in the CFF. Also, because the Needs Assessment Study recommended a total of 110,400 square feet of library space to serve the City, and because the SDCP area will construct a 20,000 square foot library facility, the regional library facility need only contain approximately 90,400 square feet.

IX. Museum Fee Component of the CFF

This section of the report identifies the facilities, costs, and the fee rates required to fund a City museum. The museum fee component meets the AB 1600 nexus requirements, as shown in the table below.

AB 1600 Nexus Test for the Museum Fee Component of the CFF	
Identify Purpose of Fee	Funding for a museum building, furnishings, equipment, financing, and the purchase of land
Identify Use of Fee	Fee revenue from new development will fund a fair share portion of the financing and construction of a city museum and land acquisition costs. The City will contribute funding for a portion of this facility to pay for the existing development's fair share of the cost.
Determine how there is a reasonable relationship between the need for the public facility, the use and amount of the fee, and the type of development project on which the fee is imposed.	New residential development will generate additional residents in the City. These residents will increase the demand for cultural facilities such as a city museum. Impact fees collected through the CFF from new development and funding from the City for existing development's fair share will fund the new museum.

ASSUMPTIONS

Table A-7 in Appendix A shows the assumptions used in the calculation of the museum fee component of the CFF. The upper section of this table shows the estimated population as of January 1, 2004 and at the 175,000 population level. The allocation of museum costs utilizes residents as the allocation factor since residents primarily will benefit from cultural facilities; therefore, nonresidential development will not be levied a museum fee.

FUTURE FACILITY REQUIREMENTS AND COSTS

The Needs Assessment Study estimates that a 32,375-square foot museum will be needed to serve the city at the 175,000 population level. The recommended museum facility cost, based on data in the Needs Assessment Study, is approximately \$295 per square foot. This includes the cost of construction, land acquisition, site development, parking, indirect costs, as well as all furnishings, fixtures and equipment costs. Table A-7 in Appendix A shows the estimated cost of the museum is approximately \$10.9 million. This includes land acquisition costs of approximately \$1.4 million. Financing costs are estimated to be \$2.0 million after adjusting for inflation. The total cost of the museum, including the financing cost, is \$12.9 million.

Existing development's share of the new facility cost is approximately \$4.2 million; the remaining \$8.7 million is allocated to future development. Dividing \$8.7 million by the number of future residents expected in the City produces a cost of \$74 per future resident. The City will need to identify a revenue source to fund the remaining \$4.2 million allocated to existing development for its share of the museum cost.

MUSEUM FEE COMPONENT

Table A-7 shows the calculation of the museum fee component of the CFF. Multiplying \$74 per future resident by the average number of persons per household for each residential land use category produces CFF museum fee rates of \$214 per single family unit and \$167 per multi-family unit.

Non-residential land uses will not be levied a museum fee since they typically generate an insignificant impact for museum facilities.

VI. Parking Structure Fee Component of the CFF

This section of the report identifies the facilities, costs, and the fee rates required to fund a new City parking structure. The parking structure fee component meets the AB 1600 nexus requirements, as shown in the table below.

AB 1600 Nexus Test for the Parking Structure Fee Component of the CFF	
Identify Purpose of Fee	Funding for a parking structure, financing, and the purchase of land
Identify Use of Fee	Fee revenue will fund a fair share portion of the financing and construction of a parking structure and land acquisition costs. The City will contribute funding for a portion of this facility to pay for the City existing development's fair share of the cost.
Determine how there is a reasonable relationship between the need for the public facility, the use and amount of the fee, and the type of development project on which the fee is imposed.	New residential and commercial development will generate additional residents and employees that will create demand for municipal facilities in the City. This in turn will generate additional parking needs for employees and residents. The parking facility will benefit future and existing residents and employees in Rancho Cordova. Impact fees collected through the CFF from new development, as well as contributions from other City sources will be used to fund this facility.

FUTURE FACILITY REQUIREMENTS AND COSTS

The Needs Assessment Study estimates that 368 parking stalls will be needed to serve the City's population. Table A-8 in Appendix A shows the estimated cost for the parking structure is approximately \$12.1 million. This includes land acquisition costs of approximately \$0.9 million. Financing costs are estimated to be \$2.4 million after adjusting for inflation. The total cost of the parking structure, including the financing cost, is \$14.4 million.

Existing development's share of the new facility cost is approximately \$5.3 million; the remaining \$9.1 million is allocated to future development. Dividing \$9.1 million by the number of future residents and employees expected in the City produces a cost of \$76 per person served. The City will need to identify funding sources to pay for the \$5.3 million parking structure costs attributed to existing development.

PARKING STRUCTURE FEE COMPONENT

Table A-8 shows the calculation of the parking structure fee component of the CFF. Multiplying \$76 per future resident by the average number of persons per household for each residential land use category produces CFF component rates of \$219 per single family unit and \$171 per multi-family unit.

For non-residential development, multiplying the person served cost of \$77 by 0.24 to account for the reduced impact from employees produces a cost of \$18 per employee. Dividing \$18 per employee by the number of square feet per employee for each land use category produces fee rates of \$0.04 per square foot of commercial space, \$0.06 per square foot of office space, and \$0.02 per square foot of industrial space.

IX. Fee Component Summary

The table below summarizes the fee components of the CFF calculated in this report. A 3.75% City administration fee for the CFF is included to pay for the administrative duties associated with the CFF. Note that the library fee component of the CFF will not be levied on development in the Sunrise Douglas Specific Plan area since this area will fund a 20,000 square foot library facility.

	City Hall	Police	Community Center	Corp. Yard	Library (1)	Museum	Parking Structure	Admin (3.75%)	Total CFF
<u>Residential</u>									
	<u>Per Unit</u>								
Single Family	\$522	\$686	\$631	\$188	\$490	\$214	\$219	\$111	\$3,061
Multi-Family	\$408	\$536	\$493	\$147	\$383	\$167	\$171	\$86	\$2,391
<u>Non-Residential</u>									
	<u>Per Building SF</u>								
Commercial	\$0.09	\$0.11	\$0.11	\$0.03	N/A	N/A	\$0.04	\$0.01	\$0.39
Office	\$0.14	\$0.19	\$0.18	\$0.05	N/A	N/A	\$0.06	\$0.02	\$0.64
Industrial	\$0.04	\$0.05	\$0.04	\$0.01	N/A	N/A	\$0.02	\$0.01	\$0.17

(1) The Sunrise Douglas Community Plan Area will not be subject to the library fee since development in this area will fund separate library facilities.

X. Ongoing Administration of the CFF Program

FEE ADJUSTMENTS

The CFF will be adjusted in future years to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised costs, or changes in demographics or land use projections. In addition to such adjustments, in January of each calendar year, the CFF for each type of development will automatically be adjusted by the change in the 20-city CCI as reported in the Engineering News Record for the twelve-month period ending October of the prior year. For example, the adjustment for January 2005 will be determined by calculating the change from October 2003 to October 2004 in the 20-city CCI.

The fee categories summarized in the prior section may not be applicable to specialized development projects in the City. For example, development of a golf course or stadium would not fall under one of the fee categories in this Nexus Study. For specialized or unique development projects, the City staff, in conjunction with the City engineer, will review the impacts of the specialized development and decide on applicable fee rates for the various CFF components.

Certain redevelopment projects may also be eligible for a fee adjustment. If, for example, a project applicant demolishes an existing 10,000 square foot building and rebuilds a 20,000 square foot building of the same land use, the applicant may be eligible for a waiver of 50% of the CFF. If a redevelopment project results in a change of land use on a particular parcel, City staff will determine the appropriate CFF adjustment to reflect the different impact characteristics of the original and new land uses. City staff, in conjunction with the City Engineer, will review redevelopment requests for fee adjustments on a case-by-case basis.

FEE CREDITS AND REIMBURSEMENTS

Fee credits and reimbursements will be available as part of the CFF Program, although it is not anticipated that CFF facilities will be constructed by developers. Credits and reimbursements, if any, will be determined on a case-by-case basis through a development agreement.

ANNUAL ADMINISTRATIVE DUTIES

The Government Code requires the City to report every year and every fifth year certain financial information regarding the fees. The City must make available within 180 days after the last day of each fiscal year the following information for the prior fiscal year:

- (a) A brief description of the type of fee in the account or fund
- (b) The amount of the fee
- (c) The beginning and ending balance in the account or fund
- (d) The amount of the fee collected and the interest earned
- (e) An identification of each public improvement for which fees were expended and the amount of expenditures
- (f) An identification of an approximate date by which time construction on the improvement will commence if it is determined that sufficient funds exist to complete the project
- (g) A description of each interfund transfer or loan made from the account and when it will be repaid
- (h) Identification of any refunds made once it is determined that sufficient monies have been collected to fund all fee-related projects

The City must make this information available for public review and must also present it at the next regularly scheduled public meeting not less than 15 days after this information is made available to the public.

For the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the City must make the following findings with respect to any remaining funds in the fee account, regardless of whether those funds are committed or uncommitted:

- (1) Identify the purpose to which the fee is to be put
- (2) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged
- (3) Identify all sources and amounts of funding anticipated to complete financing any incomplete improvements

- (4) Designate the approximate dates on which funding in item (3) above is expected to be deposited into the fee account

As with the annual disclosure, the five-year report must be made public within 180 days after the end of the City's fiscal year and must be reviewed at the next regularly scheduled public meeting. These findings must be made by the City otherwise the law requires that the City refund the money to the then current record owners of the development projects on a prorated basis.

INTERFUND TRANSFERS

It is recommended that the City adopt a policy that will allow for the transfer of CFF fee revenues between CFF component fee funds. This will provide greater funding flexibility and facilitate the timely phasing of improvements by allowing fees to be combined and used as necessary.

APPENDIX A

Community Facilities Fee Calculations

Table A-1
Rancho Cordova Land Uses

<u>Existing Development as of January 1, 2004</u>				
Residents				57,000
Total Employees				55,000
<u>Future Development in Rancho Cordova</u>				
<u>Residential</u>		<u>Units</u>	<u>Pop</u>	<u>PPH</u>
Single Family		35,000	100,800	2.88
Multifamily		7,600	17,100	2.25
Subtotal		42,600	117,900	--
<u>Nonresidential</u>	<u>Floor Area Ratio</u>	<u>Building SF</u>	<u>Employees</u>	<u>SF/Emp.</u>
Commercial	0.25	1,400,000	2,800	500
Office	0.30	1,600,000	5,333	300
Industrial	0.40	1,000,000	833	1,200
Total Employees			8,967	--
<u>Total Existing & Future Residents and Employees</u>				
Total Residents				174,900
Total Employees				63,967

Source: City of Rancho Cordova; Goodwin Consulting Group, Inc.

Table A-2
City Hall Fee

	Year:	<u>2004</u>	<u>Future Total</u>
1. <u>Assumptions</u>			
Estimated Rancho Cordova Population		57,000	174,900
Estimated Rancho Cordova Employment		55,000	63,967
Equivalent Employees (1)		0.24	0.24
Employee Persons Served		13,200	15,352
Total Persons Served		70,200	190,252
2. <u>Cost Assumptions</u>			
Cost of City Hall (including land acquisition)			\$28,865,000
Financing Costs (3)			\$5,661,000
Total Facilities Cost			\$34,526,000
Total Cost Allocated to Existing Rancho Cordova Development			\$12,740,000
Total Cost Allocated to Future Rancho Cordova Development			\$21,786,000
Cost Per Person Served (Resident & Employee Population) at Build Out			\$181
3. <u>Impact Fee Calculation</u>			
<u>Residential</u>	<u>Persons per Household</u>	<u>Cost per Person Served</u>	<u>Impact Fee per Unit</u>
Single Family	2.88	\$181	\$522
Multifamily	2.25	\$181	\$408
<u>Nonresidential</u>	<u>Sq Ft per Employee</u>	<u>Cost per Person Served</u>	<u>Impact Fee per SF</u>
Commercial	500	\$43	\$0.09
Office	300	\$43	\$0.14
Industrial	1,200	\$43	\$0.04

(1) 1.0 employee equals 0.24 residents.

(2) Figure is based on the City of Rancho Cordova Needs Assessment Report.

(3) A financing cost was estimated assuming an average interest rate of 6.0%, a 15 year bond term, and an annual inflation factor of 3.5%; 80% of the total facility cost was assumed to be debt financed.

Source: Chong/Partners Architecture; Daniel C. Smith and Associates; Goodwin Consulting Group, Inc.

Table A-3
Police Fee

1. Assumptions		Year:	2004	Future Total
Estimated Rancho Cordova Population			57,000	174,900
Estimated Rancho Cordova Employment			55,000	63,967
Equivalent Employees (1)			0.24	0.24
Employee Persons Served			13,200	15,352
Total Persons Served			70,200	190,252
2. Police Facility & Equipment Cost Calculation				
Size of Building (square feet) (2)				92,000 sf
Estimated Cost of Police Station (including land acquisition)				\$27,971,000
Financing Costs (3)				\$5,143,000
Total Facilities Cost				\$33,114,000
Estimated Cost of Police Vehicles				
Estimated Sworn Officers Required (2)				333
		Vehicles per Sworn Officer	Estimated Cost per Vehicle	
Marked & Unmarked Patrol Cars		0.62	\$50,000	
Motorcycles		0.10	\$18,000	
Support Vehicles		0.06	\$25,000	
Total Police Station Cost Allocated to Existing Rancho Cordova				\$12,219,000
Total Police Station Cost Allocated to Future Development				\$20,895,000
Total Estimated Cost of Police Vehicles Allocated to Future Development				\$7,700,000
Total Cost Allocated to Future Development in Rancho Cordova				\$28,595,000
Cost Per Future Person Served (Resident & Employee Population) at Build Out				\$238
3. Police Impact Fee Component				
Residential	Persons per Household	Cost per Future Person	Impact Fee per Unit	
Single Family	2.88	\$238	\$686	
Multifamily	2.25	\$238	\$536	
Nonresidential	Sq Ft per Employee	Cost per Person Served	Impact Fee per SF	
Commercial	500	\$57	\$0.11	
Office	300	\$57	\$0.19	
Industrial	1,200	\$57	\$0.05	

(1) 1.0 employee equals 0.24 residents.

(2) Figure is based on the City of Rancho Cordova Needs Assessment report.

(3) A financing cost was estimated assuming an average interest rate of 6.0%, a 15 year bond term, and an annual inflation factor of 3.5%;
75% of the total facility cost was assumed to be debt financed.

Source: Chong/Partners Architecture; Daniel C. Smith and Associates; Goodwin Consulting Group, Inc.

Table A-4
Community Center Fee

		Year:	2004	Future Total
1. <u>Assumptions</u>				
Estimated Rancho Cordova Population			57,000	174,900
Estimated Rancho Cordova Employment			55,000	63,967
Equivalent Employees (1)			0.24	0.24
Employee Persons Served			13,200	15,352
Total Persons Served			70,200	190,252
2. <u>Community Center Facility Cost Calculation</u>				78,000 sf
Size of Building (square feet) (2)				
Estimated Cost of Community Center (including land acquisition)				\$35,985,000
Financing Costs (2)				\$5,734,000
Total Facilities Cost				\$41,719,000
Total Community Center Cost Allocated to Existing Rancho Cordova				\$15,394,000
Total Cost Allocated to Future Development in Rancho Cordova				\$26,325,000
Cost Per Future Person Served (Resident & Employee Population) at Build Out				\$219
3. <u>Community Center Impact Fee Component</u>				
<u>Residential</u>	Persons per Household	Cost per Future Person	Impact Fee per Unit	
Single Family	2.88	\$219	\$631	
Multifamily	2.25	\$219	\$493	
<u>Nonresidential</u>	Sq Ft per Employee	Cost per Person Served	Impact Fee per SF	
Commercial	500	\$53	\$0.11	
Office	300	\$53	\$0.18	
Industrial	1,200	\$53	\$0.04	

(1) 1.0 employee equals 0.24 residents.

(2) Figure is based on the City of Rancho Cordova Needs Assessment report.

(3) A financing cost was estimated assuming an average interest rate of 6.0%, a 15 year bond term, and an annual inflation factor of 3.5%; 65% of the total facility cost was assumed to be debt financed.

Source: Chong/Partners Architecture; Daniel C. Smith and Associates; Goodwin Consulting Group, Inc.

Table A-5
Corporation Yard Fee

		Year:	2004	Future Total
1. <u>Assumptions</u>				
Estimated Rancho Cordova Population			57,000	174,900
Estimated Rancho Cordova Employment			55,000	63,967
Equivalent Employees (1)			0.24	0.24
Employee Persons Served			13,200	15,352
Total Persons Served			70,200	190,252
2. <u>Cost Assumptions</u>				
Size of Building (square feet) (2)				52,000 sf
Cost of Corporation Yard (including land acquisition)				\$10,629,000
Financing Costs (3)				\$1,694,000
Total Facilities Cost				\$12,323,000
Total Cost Allocated to Existing Rancho Cordova Development				\$4,547,000
Total Cost Allocated to Future Rancho Cordova Development				\$7,776,000
Cost Per Person Served (Resident & Employee Population) at Build Out				\$65
3. <u>Impact Fee Calculation</u>				
<u>Residential</u>	Persons per Household	Cost per Person Served	Impact Fee per Unit	
Single Family	2.88	\$65	\$188	
Multifamily	2.25	\$65	\$147	
<u>Nonresidential</u>	Sq Ft per Employee	Cost per Person Served	Impact Fee per SF	
Commercial	500	\$16	\$0.03	
Office	300	\$16	\$0.05	
Industrial	1,200	\$16	\$0.01	

(1) 1.0 employee equals 0.24 residents.

(2) Figure is based on the City of Rancho Cordova Needs Assessment report.

(3) A financing cost was estimated assuming an average interest rate of 6.0%, a 15 year bond term, and an annual inflation factor of 3.5%;
65% of the total facility cost was assumed to be debt financed.

Source: Chong/Partners Architecture; Daniel C. Smith and Associates; Goodwin Consulting Group, Inc.

Table A-6
Library Fee

		Year:	2004	Future Total	
1. <u>Assumptions</u>					(1)
Estimated Rancho Cordova Population			57,000	275,000	
Estimated Rancho Cordova Employment			55,000	63,967	
Equivalent Employees (2)			0.00	0.00	
Employee Persons Served			0	0	
Total Persons Served			57,000	275,000	
2. <u>Library Facility Cost Calculation</u>					
Size of Building (square feet) (3)				110,400 sf	
Estimated Cost of Library (including land acquisition)				\$39,585,050	
Financing Costs (4)				\$7,278,000	
Total Facilities Cost				\$46,863,050	
Total Library Cost Allocated to Existing Rancho Cordova				\$9,713,000	
Total Cost Allocated to Future Development in Rancho Cordova				\$37,150,050	
Cost Per Future Resident at Build Out				\$170	
3. <u>Library Impact Fee Component (5)</u>					
<u>Residential</u>	<u>Persons per Household</u>	<u>Cost per Future Person</u>	<u>Impact Fee per Unit</u>		
Single Family	2.88	\$170	\$490		
Multifamily	2.25	\$170	\$383		
<u>Nonresidential</u>	<u>Sq Ft per Employee</u>	<u>Cost per Person Served</u>	<u>Impact Fee per SF</u>		
Commercial	500	na	na		
Office	300	na	na		
Industrial	1,200	na	na		

- (1) The future population served by the regional library was determined based on the size of the library.
- (2) It is assumed that residents are the primary beneficiaries of library facilities.
- (3) Figure is based on the City of Rancho Cordova Needs Assessment report.
- (4) A financing cost was estimated assuming an average interest rate of 6.0%, a 15 year bond term, and an annual inflation factor of 3.5%; 75% of the total facility cost was assumed to be debt financed.
- (5) Development in the Sunrise Douglas Community Plan area will not be levied the Library fee component of the CFF since they will fund a separate library for the SDCP area.

Source: Chong/Partners Architecture; Daniel C. Smith and Associates; Goodwin Consulting Group, Inc.

Table A-7
Museum Fee

		Year:	<u>2004</u>	<u>Future Total</u>
1. <u>Assumptions</u>				
Estimated Rancho Cordova Population			57,000	174,900
Estimated Rancho Cordova Employment			55,000	63,967
Equivalent Employees (1)			0.00	0.00
Employee Persons Served			0	0
Total Persons Served			57,000	174,900
2. <u>Cost Assumptions</u>				
Size of Building (square feet) (2)				32,375 sf
Cost of Museum (including land acquisition)				\$10,929,000
Financing Costs (3)				\$2,009,000
Total Facilities Cost				\$12,938,000
Total Cost Allocated to Existing Rancho Cordova Development				\$4,217,000
Total Cost Allocated to Future Rancho Cordova Development				\$8,721,000
Cost Per Future Resident at Build Out				\$74
3. <u>Impact Fee Calculation</u>				
<u>Residential</u>	<u>Persons per Household</u>	<u>Cost per Person Served</u>	<u>Impact Fee per Unit</u>	
Single Family	2.88	\$74	\$214	
Multifamily	2.25	\$74	\$167	
<u>Nonresidential</u>	<u>Sq Ft per Employee</u>	<u>Cost per Person Served</u>	<u>Impact Fee per SF</u>	
Commercial	500	na	na	
Office	300	na	na	
Industrial	1,200	na	na	

(1) 1.0 employee equals 0.24 residents.

(2) Figure is based on the City of Rancho Cordova Needs Assessment report.

(3) A financing cost was estimated assuming an average interest rate of 6.0%, a 15 year bond term, and an annual inflation factor of 3.5%; 75% of the total facility cost was assumed to be debt financed.

Source: Chong/Partners Architecture; Daniel C. Smith and Associates; Goodwin Consulting Group, Inc.

Table A-8
Parking Structure Fee

		Year:	2004	Future Total
1. <u>Assumptions</u>				
Estimated Rancho Cordova Population			57,000	174,900
Estimated Rancho Cordova Employment			55,000	63,967
Equivalent Employees (1)			0.24	0.24
Employee Persons Served			13,200	15,352
Total Persons Served			70,200	190,252
2. <u>Cost Assumptions</u>				
Total Site Square Footage (2)				89,725 sf
Cost of Parking Structure (including land acquisition)				\$12,052,000
Financing Costs (3)				\$2,364,000
Total Facilities Cost				\$14,416,000
Total Cost Allocated to Existing Rancho Cordova Development				\$5,319,000
Total Cost Allocated to Future Rancho Cordova Development				\$9,097,000
Cost Per Person Served (Resident & Employee Population) at Build Out				\$76
3. <u>Impact Fee Calculation</u>				
<u>Residential</u>	Persons per Household	Cost per Person Served	Impact Fee per Unit	
Single Family	2.88	\$76	\$219	
Multifamily	2.25	\$76	\$171	
<u>Nonresidential</u>	Sq Ft per Employee	Cost per Person Served	Impact Fee per SF	
Commercial	500	\$18	\$0.04	
Office	300	\$18	\$0.06	
Industrial	1,200	\$18	\$0.02	

(1) 1.0 employee equals 0.24 residents.

(2) Figure is based on the City of Rancho Cordova Needs Assessment report.

(3) A financing cost was estimated assuming an average interest rate of 6.0%, a 15 year bond term, and an annual inflation factor of 3.5%;
80% of the total facility cost was assumed to be debt financed.

Source: Chong/Partners Architecture; Daniel C. Smith and Associates; Goodwin Consulting Group, Inc.

APPENDIX B

Community Facilities and Costs

Table B-1
City Hall Facility Costs

	<u>Units</u>	<u>Cost per SF</u>	<u>Total Cost</u>
Direct Costs			
Site Development	163,000 sf	\$2.00	\$326,000
Facility Construction	70,000 sf	\$250.00	\$17,500,000
Parking	66,450 sf	\$10.00	\$664,500
Design Contingency @ 10%	-	-	\$1,849,050
Subtotal		\$262.00	\$20,339,550
Indirect Costs			
Arch/Engineering Fees	-	7.5%	\$1,525,466
Other Consultant Fees	-	2.0%	\$406,791
Project Administration	-	5.0%	\$1,016,978
Testing & Inspection	-	2.0%	\$406,791
Permits & Plan Review	-	2.0%	\$406,791
Soils Testing	-	0.4%	\$81,358
Data Communication	-	5.0%	\$1,016,978
Furniture, Fixtures & Equipment	-	10.0%	\$2,033,955
Subtotal			\$6,895,107
Total Building Cost			\$27,234,663
Land Cost	163,000 sf	\$10.00	\$1,630,000
Total Cost			<u>\$28,865,000</u>

Source: Chong/Partners Architecture; Daniel C. Smith and Associates

Table B-2
Police Facility Costs

	<u>Units</u>	<u>Cost per SF</u>	<u>Total Cost</u>
Direct Costs			
Site Development	141,500 sf	\$2.00	\$283,000
Facility Construction	92,000 sf	\$185.00	\$17,020,000
Parking	72,650 sf	\$10.00	\$726,500
Design Contingency @ 10%	-	-	\$1,802,950
Subtotal		\$197.00	\$19,832,450
Indirect Costs			
Arch/Engineering Fees	-	7.5%	\$1,487,434
Other Consultant Fees	-	2.0%	\$396,649
Project Administration	-	5.0%	\$991,623
Testing & Inspection	-	2.0%	\$396,649
Permits & Plan Review	-	2.0%	\$396,649
Soils Testing	-	0.4%	\$79,330
Data Communication	-	5.0%	\$991,623
Furniture, Fixtures & Equipment	-	10.0%	\$1,983,245
Subtotal			\$6,723,201
Total Building Cost			\$26,555,657
Land Cost	141,500 sf	\$10.00	\$1,415,000
Total Cost			<u>\$27,971,000</u>

Source: Chong/Partners Architecture; Daniel C. Smith and Associates

Table B-3
Community Center Facility Costs

	<u>Units</u>	<u>Cost per SF</u>	<u>Total Cost</u>
Direct Costs			
Site Development	352,000 sf	\$2.00	\$704,000
Facility Construction	78,000 sf	\$250.00	\$19,500,000
Parking	183,750 sf	\$10.00	\$1,837,500
Design Contingency @ 10%	-	-	\$2,204,150
Subtotal		\$262.00	\$24,245,650
Indirect Costs			
Arch/Engineering Fees	-	7.5%	\$1,818,424
Other Consultant Fees	-	2.0%	\$484,913
Project Administration	-	5.0%	\$1,212,283
Testing & Inspection	-	2.0%	\$484,913
Permits & Plan Review	-	2.0%	\$484,913
Soils Testing	-	0.4%	\$96,983
Data Communication	-	5.0%	\$1,212,283
Furniture, Fixtures & Equipment	-	10.0%	\$2,424,565
Subtotal			\$8,219,275
Total Building Cost			\$32,464,931
Land Cost	352,000 sf	\$10.00	\$3,520,000
Total Cost			<u>\$35,985,000</u>

Source: Chong/Partners Architecture; Daniel C. Smith and Associates

Table B-4
Corporation Yard Facility Costs

	<u>Units</u>	<u>Cost per SF</u>	<u>Total Cost</u>
Direct Costs			
Site Development	183,000 sf	\$2.00	\$366,000
Facility Construction	52,000 sf	\$100.00	\$5,200,000
Parking	105,000 sf	\$10.00	\$1,050,000
Design Contingency @ 10%	-	-	\$661,600
Subtotal		\$112.00	\$7,277,600
Indirect Costs			
Arch/Engineering Fees	-	7.5%	\$545,820
Project Administration	-	5.0%	\$363,880
Testing & Inspection	-	2.0%	\$145,552
Permits & Plan Review	-	2.0%	\$145,552
Soils Testing	-	0.4%	\$29,110
Data Communication	-	2.0%	\$145,552
Furniture, Fixtures & Equipment	-	2.0%	\$145,552
Subtotal			\$1,521,018
Total Building Cost			\$8,798,624
Land Cost	183,000 sf	\$10.00	\$1,830,000
Total Cost			<u>\$10,629,000</u>

Source: Chong/Partners Architecture; Daniel C. Smith and Associates

Table B-5
Library Facility Costs

	<u>Units</u>	<u>Cost per SF</u>	<u>Total Cost</u>
Direct Costs			
Site Development	267,720 sf	\$2.00	\$535,440
Facility Construction	110,400 sf	\$180.00	\$19,872,000
Parking	115,920 sf	\$10.00	\$1,159,200
Design Contingency @ 10%	-	-	\$2,156,664
Subtotal		\$192.00	\$23,723,304
Indirect Costs			
Arch/Engineering Fees	-	8.0%	\$1,897,864
Other Consultant Fees	-	2.0%	\$474,466
Project Administration	-	5.0%	\$1,186,165
Testing & Inspection	-	2.0%	\$474,466
Permits & Plan Review	-	2.0%	\$474,466
Soils Testing	-	0.5%	\$118,617
Data Communication	-	5.0%	\$1,186,165
Furniture, Fixtures & Equipment	-	10.0%	\$2,372,330
Subtotal			\$8,184,540
Total Building Cost			\$31,907,850
Books	500,000	\$10.00	\$5,000,000
Land Cost	267,720 sf	\$10.00	\$2,677,200
Total Cost			<u>\$39,585,050</u>

Source: Chong/Partners Architecture; Daniel C. Smith and Associates; Goodwin Consulting Group, Inc.

Table B-6
Museum Facility Costs

	<u>Units</u>	<u>Cost per SF</u>	<u>Total Cost</u>
Direct Costs			
Site Development	139,213 sf	\$2.00	\$278,425
Facility Construction	32,375 sf	\$180.00	\$5,827,500
Parking	33,994 sf	\$10.00	\$339,938
Design Contingency @ 10%	-	-	\$644,586
Subtotal		\$192.00	\$7,090,449
Indirect Costs			
Arch/Engineering Fees	-	8.0%	\$567,236
Other Consultant Fees	-	2.0%	\$141,809
Project Administration	-	5.0%	\$354,522
Testing & Inspection	-	2.0%	\$141,809
Permits & Plan Review	-	2.0%	\$141,809
Soils Testing	-	0.5%	\$35,452
Data Communications	-	5.0%	\$354,522
Furniture, Fixtures & Equipment	-	10.0%	\$709,045
Subtotal			\$2,446,205
Total Building Cost			\$9,536,660
Land Cost	139,213 sf	\$10.00	\$1,392,125
Total Cost			<u>\$10,929,000</u>

Source: Chong/Partners Architecture; Daniel C. Smith and Associates

Table B-7
Parking Structure Facility Costs

	<u>Units</u>	<u>Cost per SF</u>	<u>Total Cost</u>
Direct Costs			
Site Development	89,725 sf	\$2.00	\$179,450
Parking Structure per stall	368 sf	\$20,000.00	\$7,360,000
Design Contingency @ 10%	-	-	\$753,945
Subtotal		\$20,002.00	\$8,293,395
Indirect Costs			
Arch/Engineering Fees	-	8.0%	\$663,472
Other Consultant Fees	-	2.0%	\$165,868
Project Administration	-	5.0%	\$414,670
Testing & Inspection	-	2.0%	\$165,868
Permits & Plan Review	-	2.0%	\$165,868
Soils Testing	-	0.5%	\$41,467
Data Communication	-	5.0%	\$414,670
Furniture, Fixtures & Equipment	-	10.0%	\$829,340
Subtotal			\$2,861,221
Total Building Cost			\$11,154,622
Land Cost	89,725 sf	\$10.00	\$897,250
Total Cost			<u>\$12,052,000</u>

Source: Chong/Partners Architecture; Daniel C. Smith and Associates

MEMORANDUM



DATE: February 6, 2006

TO: City Council Members

FROM: Curt Haven, Economic Development Director
Jim Carney, Housing Consultant

SUBJECT: Rancho Cordova Community Development Block Grant Program
Funding Choices

BACKGROUND

As a new city and with a population of over 50,000 persons, the City of Rancho Cordova is now eligible to become an entitlement jurisdiction and thus be allocated Community Development Block Grant (CDBG) funds. The U.S. Department of Housing and Urban Development (HUD) has announced that the City is eligible to receive \$704,227 of funding for the fiscal year of July 1, 2006 to June 30, 2007. In order to receive the funding the City will need to prepare a Consolidated Plan and Action Plan for submittal to HUD for approval by May 15, 2006.

HUD allocates CDBG funding on a formula basis. The formula uses several objective measures of community needs, including total population, the extent of poverty, housing overcrowding, age of housing, and population growth lag in relationship to other metropolitan areas. In general, the size of the allocation directly relates to the need for community services for low- and moderate-income households. For regional comparison, Rancho Cordova's allocation is larger than those of Elk Grove and Citrus Heights.

The federal objective of the CDBG program is to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. HUD's definition of "low"-income persons is those with annual incomes of 0 to 50 percent of area median income (AMI) and the federal definition of "moderate"-income persons is those with annual incomes from 51 to 80 percent of AMI.

All activities must meet one of the following national objectives for the program: 1) benefit low- and moderate-income persons, 2) prevention or elimination of slums or blight, or 3) community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community.

CDBG funds may be used for activities that include, but are not limited to:

- acquisition of real property;
- relocation and demolition;
- rehabilitation of residential and non-residential structures; construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes;
- public services, within certain limits;
- activities relating to energy conservation and renewable energy resources; and
- provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities.

Attachment 1 shows a more detailed list of possible programs and projects, and gives one possible funding breakdown.

Generally, the following types of activities are ineligible: acquisition, construction, or reconstruction of buildings for the general conduct of government; political activities; certain income payments; and construction of new housing by units of general local government.

The City is required to submit a Consolidated Plan and Action Plan in order to receive CDBG funds. The Consolidated Plan serves as both a comprehensive five-year planning document that provides analysis of the City's housing, community development, economic development, infrastructure, and community services needs and identifies priorities and goals for CDBG funding in these areas over the five-year period of the plan. These goals serve as the criteria against which HUD will evaluate the City's performance on the CDBG program.

The Action Plan is an annual plan that identifies funding amounts for specific activities during the program year. The Action Plan will be brought before City Council annually, prior to the start of each program year.

ENVIRONMENTAL ANALYSIS

Adoption of the Consolidated Plan and Action Plan is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2), as their adoption will not result in a direct or reasonably foreseeable indirect physical change in the environment. Adoption of the Consolidated Plan and Action Plan is exempt from the National Environmental Policy Act pursuant to 24 CFR 58.34(1).

Future activities funded with CDBG funds received as a result of the Consolidated Plan and Action Plan, such as new construction, rehabilitation, or infrastructure improvements, may be subject to NEPA and/or CEQA and will be reviewed pursuant to NEPA and CEQA prior to carrying out the activities.

CDBG PROGRAMS IN PRIOR YEARS

Prior to receiving its CDBG funds directly from HUD, Rancho Cordova received funding through the Sacramento Housing and Redevelopment Agency (SHRA). Before incorporation of the City Rancho Cordova Council members were allowed some influence on which programs SHRA funded and since incorporation City Council members have been allowed to direct Rancho Cordova's share of funds to specific projects and programs. In the most recent fiscal year, which ended December 31, 2005, the City received \$551,000 for six programs.

Included below is a description of each program (including the funding amount) and an update on the status of the programs. Information from SHRA on the exact funding provided from 2001 through 2005 and the number of loans or grants made is unavailable but will be provided at the February 6, 2006 meeting.

Rancho Cordova Traffic Calming Implementation (\$150,000): Provides for residential traffic calming solutions including speed bumps, crosswalks, curb extensions, pedestrian islands, signage, striping, narrowing, vertical and horizontal measures, diversion devices, and other measures to calm traffic in CDBG eligible residential neighborhoods. Funds for this project are currently being expended, and will continue to be expended until the project is complete.

Rancho Cordova La Placita Lighting (\$67,500): Design and installation of approximately 13 streetlights along La Placita Drive. This project was recently bid, and the funds will be expended this year.

Rancho Cordova First-Time Homebuyer Program (\$155,000): Provides up to \$5,000 in down payment and closing costs to income eligible first-time homebuyers. An SHRA representative noted some difficulties in succeeding with first-time homebuyer programs in an increasingly expensive market, and was unsure of the status of the funds. As of January 1, SHRA is no longer expending funds for this program. Because Rancho Cordova is receiving its own funds for the 2006 fiscal year, SHRA is unable to continue allocating funds in the City.

Rancho Cordova Emergency Repair Program (\$38,500): Provides grants up to \$3,500, plus \$2,000 in lead-based paint reduction, to low- and very low-income owner-occupied homeowners for emergency health and safety repairs. SHRA is currently compiling reports on the status of this program, but an SHRA representative said that the funds for this program were probably fully expended.

Rancho Cordova Neighborhood Center Lease (\$135,000): Provides lease payments for multi-service Rancho Cordova Neighborhood Center, which provides office space for Women, Infants, and Children (WIC); ROTC Computer Training; Birth and Beyond; the One-Stop Career Center; and the UC-Davis OB/GYN Clinic on Wheels; as well as meeting space for numerous community groups, such as Girl Scouts and Alcoholics Anonymous. Some of these services are County services, and the provision of offices for these services is a County obligation. However, there are many benefits to residents in having so many services co-located in the Neighborhood Center.

An SHRA representative stated that the Agency is committed to funding the Neighborhood Center lease through September 30, 2007, and that they are interested in transitioning the funding and management to the City. SHRA has offered the City a lump-sum payment for the remainder of the lease and in return the City would take over the master lease. This issue needs to be negotiated with all the stakeholders to achieve the best outcome for the community.

Rancho Cordova Weed and Seed Program (\$5,000): Provides partial administrative costs associated with a program coordinator. These funds have been expended.

FINANCIAL IMPLICATIONS TO CITY

The City's CDBG funding through SHRA ended December 31, 2005. Rancho Cordova's annual entitlement of CDBG funds to the City will begin July 1, 2006 based on the City's fiscal year budget. The reason for the 6-month gap between funding is because SHRA operates under a calendar year schedule starting January 1, 2006, the City chose to operate under its fiscal year schedule. In FY 2006-2007, the City will receive \$704,227 and will likely receive a similar amount annually through 2011 to carry out the activities listed in the Consolidated Plan. Up to 20 percent of the CDBG allocation can be used for grant administration, and City General Funds are not needed for program management.

SCHEDULE

The City's 2006-2011 Consolidated Plan and the 2006-2007 Action Plan need to be adopted and sent to HUD by May 15, 2007 in order to start receiving the allocated CDBG funds starting July 1, 2006. The schedule for meeting this deadline is listed below:

Release of Public Services RFP*	February 7, 2006
Public Workshop and Public Services Application Training*	February 22, 2006
Public Neighborhood Workshop to get community input	Feb - March 2006
Public Services RFP due*	March 10, 2006

*Proposed
Cordova Villa Park
White Rock Park?*

Public hearing to present the Draft Consolidated Plan and Action Plan	April 3, 2006
Public Review of the Draft Consolidated Plan and Action Plan (30 days)	April 1 – May 1, 2006
Adoption of the Consolidated Plan and Action Plan	May 1, 2006
Submit the Consolidated Plan and Action Plan to HUD	May 15, 2006
Receive CDBG funding from HUD	July 1, 2006

*The Public Services RFP will be released following Council approval. Dates for the Public Services RFP workshop and due date are tentative.

CITY COUNCIL GOALS AND OBJECTIVES

The City Council adopted the following goal at the November 2005 Strategic Planning Workshop:

Improve the Quality of Housing in Rancho Cordova.

Subsequently, the City Council also identified the following topics at the January 24, 2006 Housing Workshop:

- Rehabilitate our single-family rental homes; identify property owners' responsibilities.
- Rehabilitate our apartments –possible condominium conversions and combining smaller units to meet the needs of larger families.
- Establish policies to meet senior housing needs in the community including aging in place, independent living, assisted living, and skilled nursing-long term care programs and projects.
- Increase homeownership options and increase the number of first-time homebuyers.

STAFF RECOMMENDATION

Staff recommends that the City Council make the following decisions:

1. Allocate the federal program limit of up to 15 percent (\$105,634) of the CDBG allocation to funding public services through non-profit community-based organizations.
2. If Council decides to allocate this money to the non-profit organizations, there are several options for distributing this money including the following:
 - A. Issue a Request for Proposals (RFP) to non-profit community-based organizations and establish a committee to decide who will be awarded funding based on criteria established by the Council. A draft Public Services RFP is **Attachment 2**.
 - B. Direct staff to conduct a community meeting in order to solicit input regarding opinions of the community needs that CDBG funding could address.
 - C. Direct staff to review, rate, and rank non-profit proposals for CDBG-funded public services and recommend program funding allocations to the City Council by May 1, 2006.

3. Discuss and provide general direction on what programs and activities the City Council would like to support with CDBG funds during FY 2006-2007.

ATTACHMENTS

Attachment 1: 2006-2007 CDBG Allocation Summary of Funding Choices
Attachment 2: Draft Request for Proposals for Public Services Provided by Local Community-Based Non-Profit Organizations

not complete!

- not ready!
- complex app!
- only left groups
- can succeed!
- previous projects?
- legitimate local?
- staff should be organized to recommend!

7
8
8
—
23

2006-07 CDBG Allocation Breakdown

Administration	\$140,845
General administration*	
Planning activities**	
Public Services (generally provided by non-profit organizations)	up to \$105,634
Homeless services*	
Sacramento Self-Help Housing	
Fair housing services*	
Sacramento Human Rights/Fair Housing Commission	
Senior services*	
Senior Nutrition Program (currently funded)	
Adult day care	
Youth programs**	
After-school programs	
Child care services	
Emergency housing payments*	
Code Enforcement*	
Weed and Seed Program (currently funded)	
Low-income neighborhood services**	
Neighborhood Service Center support (currently funded)	
Food bank services	
Programs	\$457,748
Public facilities improvements	
Acquisition **	
Construction ***	
Rehabilitation **	
Housing programs	
Owner-occupied rehabilitation*	
Rental rehabilitation**	
Emergency repair*	
First-time homebuyer assistance***	
Code enforcement*	
Historic preservation**	
Economic development assistance	
Microenterprise assistance***	
Commercial property improvements**	
Small business assistance***	
Infrastructure improvements	
Street light installation*	
Sidewalk improvements*	
TOTAL	\$704,227

Activity Administration

* = Easy

** = Medium

*** = Difficult

City of Rancho Cordova
REQUEST FOR PROPOSALS
FY 2006-2007 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

The City of Rancho Cordova's Community Development Block Grant (CDBG) Program is commencing with the Fiscal Year 2006-2007 Action Plan process. The City is seeking proposals and input for inclusion in its **Fiscal Year 2006-2007 Action Plan**. The 2006-2007 program year will run from **July 1, 2006 through June 30, 2007**. Successful proposals must address the housing and community development needs prioritized by the City Council and must meet the guidelines articulated in this Request for Proposals (RFP).

The City of Rancho Cordova is requesting proposals from non-profit community-based organizations for the use of federal CDBG funds. Through the RFP process, the City anticipates funding programs that provide a public service to primarily low- and moderate-income households. (The US Department of Housing and Urban Development (HUD) defines low-income households as those at 50 percent or less of the area median income (AMI), and moderate-income households as those between 51 and 80 percent of AMI, adjusted for household size.) Proposals will be accepted to provide a range of public services; including fair housing services, homeless services, senior services, youth programs, and low-income neighborhood services; to the residents of the City of Rancho Cordova. **Proposals must be submitted by March 10, 2006.**

If you are interested in submitting a proposal for consideration, you must complete the attached application form (also available online at the Rancho Cordova City website) and submit it with all required materials by **Friday, March 10, 2006 at 5:00 PM** to the following location:

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

Only those proposals submitted for *eligible* activities in accordance with the required format (see attached forms and instructions) will be considered for funding. A summarized list of eligible activities is attached to the proposal form along with a summary of activities that are considered *ineligible*. If you are considering submitting an application for funding and are not sure if the project or program is eligible, you may contact Sarah Bontrager, Grants Manager, at 231-3354 for assistance.

In addition, the CDBG Program staff invite you to attend an application workshop offered as follows:

CDBG Public Meeting and Technical Assistance Workshop
Rancho Cordova City Hall (Zinfandel Room)
Wednesday, February 22, 2005
10:00 a.m.

Thank you for your interest in the Community Development Block Grant Program.

FISCAL YEAR 2005-2006

GENERAL INFORMATION

Community Development Block Grant (CDBG) Programs allocate funds from the U.S. Department of Housing and Urban Development (HUD) to state and local governments, who in turn may reallocate them to private non-profit community development corporations, community-based organizations, city departments, and private for-profit corporations, for activities that benefit low- and moderate-income areas or low- and moderate-income persons.

The City of Rancho Cordova's Community Development Block Grant (CDBG) Program is designed to expand opportunities for low- and moderate-income citizens through the provision of public services, acquisition and improvements to public facilities, housing and neighborhood improvements, and economic development opportunities.

Funding for the FY 2006-2007 program year available under the CDBG Program is estimated¹ to be in the amount of \$704,227 and will be available as follows:

Public Services (15% of grant)	\$ 105,634
Non-Public Services	\$ 457,748
Planning and Administration (20% of grant)	\$ 140,845
CDBG TOTAL	\$ 704,227

PROPOSAL REVIEW

Once submitted, no proposal may be amended or substituted, unless the amendment has been requested or permitted by the City. The City, at its sole discretion, reserves the right to contact an applicant if additional information is required. As a courtesy to applicants, staff is always available to provide assistance prior to the application² due date.

¹ FY2006-2007 allocations are provided by the Department of Housing and Urban Development and are subject to change and modification.

² The application and its contents are subject to the U.S. Department of Housing & Urban Development's CDBG Program Rules and Regulations (24 CFR part 570) as amended from time to time in addition to the City of Rancho Cordova's CDBG Program guidelines.

TIMEFRAME

The City anticipates, but is not bound by, the following schedule for reviewing submitted proposals and determination of funding awards:

RFP Availability Date	February 7, 2006
Technical Assistance Workshop	February 24, 2006
Deadline for Proposal Submissions	March 10, 2006 at 5:00 p.m.
Review Period	March 10 - 24, 2006
Action Plan Development, Public Review Period	March & April 2006
Action Plan to City Council for approval	May 1, 2006
Letters of Award/Denials	May 2, 2006
Funding Year Begins	July 1, 2006

PERFORMANCE MEASURES

The U.S. Department of Housing and Urban Development (HUD) requires recipients of federal funds to assess the productivity and impact of its programs. In response, the City of Rancho Cordova has implemented a Performance and Outcome Measurement System. The System will help to quantify the effectiveness of programs and establish clearly defined outcomes. Please note the Performance Measurement Matrix included in the RFP must be completed. Technical assistance will be provided to any seeking help in completing the form.

SIGNATURE AUTHORIZATION FORM

Applicants must have the attached Signature Authorization Form completed by the appropriate official. The execution of this document will authorize the submittal of the application and designate a signatory for future contractual documents.

FISCAL YEAR 2005-2006

INCOME GUIDELINES

Every proposal that is approved will be required to provide ongoing evidence that the beneficiaries of the program meet certain income guidelines.

The CDBG Program staff can assist you in working with these HUD-mandated requirements.

INCOME GUIDELINES

The following guidelines are representative income limits by household size and maximum annual income as determined by HUD for assistance under the Community Development Block Grant 2006-2007 Action Plan. The numbers below are expected to be updated in February 2006, and the updated numbers will be used to determine low- or moderate-income status during the 2006-2007 program year.

MAXIMUM INCOME LEVELS*	
<i>(Based on 80% of Median Family Income)</i>	
<u>Household Size</u>	<u>Annual Income</u>
1 person	\$35,900
2 persons	\$41,000
3 persons	\$46,150
4 persons	\$51,300
5 persons	\$55,400
6 persons	\$59,500
7 persons	\$63,600
8 or more persons	\$67,700
* Income levels to be adjusted in February 2006	

ELIGIBILITY AND SELECTION

The City will evaluate all CDBG proposals in a two-phase process. The first phase will involve a review of the proposals by the staff of the CDBG Program for conformance to the submission requirements and a determination of whether the proposals meet the minimum criteria established in this RFP. Each proposal will be reviewed for program eligibility under the regulations of the Community Development Block Grant Program, and feasibility for implementation. The second phase will involve an evaluation of the proposal merits by the City staff, including CDBG Program staff and Economic Development staff. During this phase, and at its discretion, City staff may conduct interviews with qualifying applicants and provide applicants the opportunity to clarify their proposals and advise the City of any additional factors that may be relevant.

ELIGIBLE ACTIVITIES

Before preparing a request for funding, first determine whether or not the proposed activity or project is an eligible activity as per federal regulations. A list of eligible and ineligible activities for the program is found on page 9 of these RFP instructions. If the proposal does not meet at least one of the three national objectives for CDBG funding, or is determined to be ineligible under other applicable CDBG regulations, the project cannot be considered for funding.

NATIONAL OBJECTIVES (FOR CDBG APPLICATIONS)

The **primary objective** of the CDBG program is to benefit low- and moderate-income persons who earn at or below 80% of the area median income and/or reside in census tracts with at least 51% low and moderate-income levels. Priority will be given to those applications that meet national objective #1 as stated below. *Without exception, all CDBG program activities must meet one of the National Objectives listed below:*

- **National Objective 1:** Principally benefits low- and moderate-income persons who earn at or below 80% of the median income (Code of Federal Regulation citation 570.208(a)).
- **National Objective 2:** Aids in the prevention or elimination of slums or blight (Code of Federal Regulation citation 570.208(b)).
- **National Objective 3:** Qualifies as a certified urgent need (Code of Federal Regulation citation 570.208(c)).

Section 570.208 of the Code of Federal Regulations lists the criteria to determine whether a CDBG-assisted activity complies with the national objectives stated above.

SELECTION: RANKING CRITERIA FOR FUNDING PROPOSALS

Emphasis will be placed on applicants who meet or exceed the standards discussed in this section, and whose service is identified as a priority by the City Council. For those providers who are proposing new or expanded programs, emphasis will additionally focus on capacity and exemplary past performance (see Section E. CAPACITY for detail).

Staff will utilize the following criteria, in addition to HUD eligibility requirements and the City's priorities, in evaluating proposals submitted for CDBG funding:

A. IMPACT ON PRIORITIZED NEEDS

The need for the proposed project will be determined by identifying how the project impacts upon the City's priorities. Therefore, *applications must provide a clear explanation of how the project impacts a prioritized need.* Greater consideration will be given to projects that provide a clear description of the project with supporting data and methodology of how the project will meet the City's priorities.

The City's public services priorities are as follows:

- 1.
- 2.
- 3.
- 4.
- 5.

B. BENEFIT TO LOW- AND MODERATE-INCOME PERSONS

The primary objective of the CDBG program is the development of healthy communities "by providing decent housing and a suitable living environment and expanding economic opportunities principally for persons of low and moderate income." [HUD requires that, at a minimum, 70 percent of the CDBG money be used for activities that benefit lower-income persons.]

- "Low- and moderate-income" or "lower income" is defined as a household income at or below 80 percent of the median income established by HUD for the City of Rancho Cordova.
- "Low-income" is defined as 50 percent of the median family income adjusted for household size.
- "Very-low income" is defined as 30 percent of the median family income adjusted for household size.

Projects are required to benefit low- and moderate-income (LMI) persons and must be designed to include participation by such persons. For the purposes of public services activities, a CDBG-assisted activity "benefits lower-income people" if it meets any one of the four following tests:

1. The **Limited Clientele Test** for measuring lower income benefit. Some CDBG-assisted activities are either facilities or services that, by their special nature, serve people who might frequently be lower-income people. Examples include shelters for abused spouses and senior citizen centers. HUD calls these "limited clientele activities." To determine whether one of these activities principally benefits lower-income people, one of seven tests must be met. The three tests most likely to be used are:

- (1) Only lower-income people are allowed to use the facility or service.
- (2) The activity requires users to provide information about their family income and size, and at least 51 percent of the users are lower-income.

(3) The activity is one in which at least 51 percent of the users are "presumed" to be lower-income. For example, HUD presumes elderly, handicapped, and illiterate people -- among others -- are lower-income.

2. The **Area Benefit Test** for measuring lower income benefit. Many CDBG activities can benefit all people in an area, no matter what their income is. Examples include: street improvements, neighborhood facilities, and fixing the fronts of stores in neighborhood commercial districts. Such projects must meet the "area benefit test" if they are to be counted as benefiting lower-income people. To meet this test, at least 51 percent of the residents of the "area" must be lower-income.

In all cases, all applications scored under the low- and moderate-income benefit criterion will include review and scoring of the following:

- LMI benefit activity selected
- How LMI persons will be determined
- The absolute number of persons to be served
- The percent of qualifying LMI persons to be served
- How the low- and moderate-income persons will benefit

For the purpose of evaluating project applications, at least 51 percent of beneficiaries must be low- and moderate-income. Projects that cannot demonstrate at least a 51 percent LMI benefit will not be funded.

C. NEW OR INCREASED SERVICE

Staff will review the current service levels of the organization (if any) and the service levels proposed if CDBG funding is awarded as requested. Staff must be able to document a significant increase in the number of persons to be served; the provision of a new service; or the expansion of an existing service into a new area. The level of service must be quantifiable.

D. PROJECT DESCRIPTION & BUDGET

The content and soundness of all applicants' project design will be evaluated. This evaluation shall include a review of proposed project activities set forth in the narrative and the budget to support these activities.

Several factors will be considered when reviewing a project's budget. Budget descriptions should be as detailed as possible. All budget reviews will include, but not be limited to, the following considerations:

- Methods used to derive cost estimates;
- Completeness and date of cost estimates;
- Relationship between cost and the activities to be undertaken;
- Cost per unit, if applicable; and
- Other items deemed relevant to success of the proposed activities.

E. CAPACITY

Applicants must demonstrate the ability to carry out the proposed activities. Each applicant will be evaluated on their experience with similar activities, administrative capacity, and financial management.

F. LEVERAGE/MATCH

Consideration will be given to the amount of non-CDBG funds committed to the project. The greater the financial support or leveraging from local and other sources, the greater the potential impact that CDBG funds will have on meeting local community needs. Documentation must be provided with the application to verify the availability of leverage/match resources.

G. OTHER APPLICATION FACTORS

Applicants are encouraged to develop a program that has a substantial and comprehensive effect on the needs and conditions identified in their application. These qualities will be carefully evaluated in the review of your application using the factors listed below. (It is strongly recommended that you consider these factors before preparing your application, as they are the same factors that will be used to judge the overall feasibility of your proposal.)

1. Does the proposed activity comply with the overall goals and objectives of the CDBG Program?
2. Is the proposed activity consistent with the priorities expressed by the City Council and City staff?
3. Is the proposed activity designed to supplement, rather than duplicate, any planned or existing activity?
4. Will the proposed activity require additional funding to fully correct the conditions and meet the needs that exist? If so, is this funding available? What is the source of the funding?
5. Are there other publicly or privately funded activities planned or underway that would duplicate the proposed activity? Are there non-CDBG financial resources available that could be used to fund your proposed activity?
6. Is the proposed activity economically feasible and able to be implemented in a timely, cost-effective manner and within the proposed program year?
7. Will the proposed activity have long-term effects?
8. Does the proposed project or activity take into consideration the collaboration of resources with other public and/or private development efforts to be more effective and efficient?
9. Is the proposed activity or project designed to produce substantial improvements within the program year?

ELIGIBLE v. INELIGIBLE ACTIVITIES INFORMATION

ELIGIBLE CDBG ACTIVITIES*

Activities that are eligible for CDBG funding include, but are not limited to:

- Planning;
- CDBG Program administration costs;
- Economic development activities, including microenterprise assistance and lending to for-profit businesses;
- Public services, such as employment assistance, crime prevention, substance abuse, child care, health care, transportation, fair housing counseling, etc.;
- Acquisition of real property;
- Clearance and demolition;
- Rehabilitation of privately or publicly owned commercial, residential and industrial buildings;
- Housing rehabilitation;
- Construction, reconstruction, or installation of public facilities including the creation of parks, playgrounds, streets and sidewalks, and public buildings (except for buildings for the general conduct of government);
- Historic preservation;
- Related relocation, clearance, and site improvements; and
- Homeownership assistance.

INELIGIBLE ACTIVITIES:

The lists of activities that are not eligible for CDBG funding include, but are not limited to:

- Buildings used for the general conduct of government;
- Purchase of equipment (if not part of an eligible program);
- Operating and maintenance expenses;
- General maintenance and/or repair of public facilities and infrastructure;
- Payment of salaries for staff, utility costs, and similar expenses necessary for the operation of public works and facilities;
- General government expenses;
- Political activities; and
- New housing construction.

***NOTE:** *The eligibility of listed activities may be limited by additional regulatory conditions.*

**APPLICATION FOR CDBG FUNDING:
THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ENTITLEMENT PROGRAM**

♦
**FISCAL YEAR 2006-2007
JULY 1, 2006 THROUGH JUNE 30, 2007**

Organization Name: _____

Project Name: _____

Project Address: _____

Exec. Director Name: _____

Address: _____

Telephone #: _____ **Fax #:** _____

Email Address: _____ **Website (if applicable):** _____

Employer (IRS) ID #:

Contact Name: _____ **Title:** _____

Contact Telephone #: _____ **Fax #:** _____

Contact Email: _____ **Website (if applicable):** _____

PROJECT FUNDING REQUEST

CDBG Funds Requested \$ Funding Leveraged from other Sources \$

BRIEF PROJECT DESCRIPTION:

Please provide a one-sentence statement about your project – not your organization.

CERTIFICATION

To the best of my knowledge, all material submitted as part of this application packet is true and correct and the governing body of the applicant organization has duly authorized said documents and this request for funding.

Authorized Signature: _____ **Date:** _____

Printed Name: _____ **Title:** _____

I. PROJECT ELIGIBILITY SECTION

- A. This project is located in _____ Census Tract(s) (Identify tract by number)
- B. This project meets at least ONE of the HUD national objectives listed below (please check all applicable; discussion and definitions available on page 5 of the RFP packet):

_____ 1. Benefits low/moderate income individuals/households

_____ 2. Addresses the prevention or elimination of slums or blight

N/A 3. Meets a particularly urgent community development need.

- C. Check all statements that describe HOW this project or activity meets one of the National Objectives above:

- ☐ *LMI Area Benefit:* The project meets the identified needs of LMI income persons residing in an area where at least 51 percent of those residents are LMI persons. The benefits of this type of activity are available to all persons in the area regardless of income.

Examples: street improvements, water/sewer lines, neighborhood facilities, facade improvements in neighborhood commercial districts.

- ☐ *LMI Limited Clientele:* the project benefits a specific group of people (rather than all the residents in a particular area), at least 51 percent of whom are LMI income persons. The following groups are presumed to be LMI: abused children, elderly persons, battered spouses, homeless, handicapped, illiterate persons.

Examples: construction of a senior center, public services for the homeless, meals provision for the elderly, construction of job training facilities for the handicapped.

D. IMPACT ON PRIORITIZED NEEDS

The City of Rancho Cordova has identified both priority needs in the community and strategies to address these needs. The need for your proposed project will be determined by identifying how the project impacts upon the identified needs.

Therefore, applications should provide a clear explanation of how the project impacts upon one or more of the prioritized needs. Greater consideration will be given to projects that provide a clear description of the project with supporting data and methodology of how the project will meet the community needs.

Please identify the category applicable to your proposal.

- ☐ Fair housing services
- ☐ Homeless services
- ☐ Senior services
- ☐ Youth services

- ☐ Neighborhood services
- ☐ Other services _____

PROPOSED PROJECT ACCOMPLISHMENTS

Please briefly describe proposed accomplishment(s) if funding is awarded:

(Accomplishments must be described in terms of households served or people served. Example: This program will serve 485 LMI individuals.)

Please answer the following questions:

- A. What is the total estimated number of persons to be served by this project?
- B. What is the total estimated number of LMI persons to be served by this project?
- C. What is the anticipated percentage of LMI persons to be served by this project?

II. PERFORMANCE AND OUTCOME MEASURES

The U.S. Department of Housing and Urban Development (HUD) requires recipients of federal funds to assess the productivity and impact of their programs. In response, the City of Rancho Cordova CDBG Program staff has implemented a Performance and Outcome Measurement System. The System will help to quantify the effectiveness of programs and establish clearly defined outcomes.

Per HUD's requirements, all proposals must demonstrate how they would perform using this system should they receiving funding.

Please note the following definitions specific to this system as you prepare your application and the chart on page 7:

Performance & Outcome Measurement System Definitions:

Inputs: Resources dedicated to or consumed by the program, such as money, staff, equipment, and supplies.

Outcomes: Benefits to participants during or after participating in the program; the *results* of that program. What will be the benefits for the client? Why is this project being done? Outcomes typically relate to a change in conditions, status, attitudes, knowledge, or behavior. Examples of outcomes include number of families receiving free or subsidized childcare, number of homeless families receiving shelter, achieving a higher grade due to a tutorial program, etc. Include only the major project outcomes supported by the requested City funds.

Major Activities: Major activities to be conducted by this project (e.g. client outreach/assessment, job training, affordable childcare, information/referral, counseling/case-management, etc.).

Outputs: The direct and quantifiable products of program activities (e.g., number of clients assisted, number of clients who received a referral *and* were helped, number of persons trained, number of children in program, etc.).

Outcome Measurement: The reportable extent to which benefits to participants were received. How will you measure outcomes? What follow-up/tracking will be provided to ensure outcomes are met? How will the project's impact on participants be evaluated?

Using the sample chart on page 5, complete the chart on page 6 and describe the most significant outcome(s) your project is expected to accomplish involving its participants in fiscal year 2006-2007. Provide the number of households or individuals that will realize each outcome and how each outcome will be measured.

You may copy this chart as needed; do not change the format.

NEED STATEMENT Description of Need to be Addressed	GOAL Proposed goals to reduce extent of problems or needs	INPUTS Resources to be dedicated or utilized to meet proposed goals	ACTIVITIES What the program does with the input to fulfill its mission	OUTPUTS Direct products of program activities	OUTCOMES ST (SHORT TERM) LT (LONG TERM) Benefits that result from the program
EXAMPLE About 50 elementary students (20%) are considered at risk because of low grades, lack of participation in school activities and disciplinary problems (e.g. absences and tardiness, disruptive behavior). Many exhibit low self-esteem, limited social skill, and poor study habits. Many come from dysfunctional families, have immigrant parents who do not understand or speak English well and are often left unsupervised in their homes. These kids could be tempted to experiment with drugs and alcohol. Most have no money to afford tutors or after school activities.	Improve the grades, self-esteem, study habits and social skills and discipline of at risk students from low to moderate income households	Staff Director Staff: one volunteer tutor per 2 students Staff: one volunteer teacher or resource person per 5 students Public Facilities: one meeting room PF: Kitchen PF: Gym Cooking utensils and supplies; board games, sports supplies and arts & craft materials	The program consists of 1 hour tutorial and 1 hour enrichment program offered M/W/F between 3 and 5 PM. The tutorial component focuses on completion of homework assignments and preparation for quizzes or tests. The enrichment component gives students the choice of participating in sports activities in the gym, board games (chess; etc) cooking, or arts and crafts.	20* students from low-mod households assisted w/ homework and other school work *unduplicated counts 20* students from low-mod households participating in enrichment programs	1. Increased number of homework completed and submitted on time (ST) 2. Improved attendance and tardiness (ST) 3. Increased class participation (ST) 4. Improved grade point averages (LT) 5. Improved study habits (LT) 6. Improved discipline and social skills (LT) 7. Enhanced self-esteem and trusting relationship with adults (LT)
DESCRIBE METHODOLOGY FOR MEASURING OUTCOME: (You need to measure at least one outcome.)					
Indicator 1 - Percentage of homework completed and submitted on time. Method: The numbers of homework given for Math, English, and Area Studies will be collected for September and March and compared with each other through percentage distribution. Indicator 2 - Number of Students who have regular schedule for homework and test preparation. Method: Students will be asked to fill out a survey in September and in May, next year. Indicator 3: Changes in GPA from last year and this year. Method: Collect report cards from last year for each student and summarized onto a spreadsheet. Reports cards for the 3rd grading period will be compared to last year's.					

NEED STATEMENT Description of Need to be Addressed	GOAL Proposed goals to reduce extent of problems or needs	INPUTS Resources to be dedicated or utilized to meet proposed goals	ACTIVITIES What the program does with the input to fulfill its mission	OUTPUTS Direct products of program activities	OUTCOMES ST (SHORT TERM) LT (LONG TERM) Benefits that result from the program
DESCRIBE METHODOLOGY FOR MEASURING OUTCOME: (You need to measure at least one outcome.)					

Please answer the following questions in the space provided. You may reference and attach an additional page if necessary.

- Application Page 7 of 14

IV. ORGANIZATIONAL CAPACITY

Please answer the following questions in the space provided. You may reference and attach an additional page if necessary.

- A) Provide an overview of your organization, including length of time in existence. List current officers and board members with terms.
- B) Describe your organization's experience in successfully conducting this type of activity. Identify any skills, current services, or special accomplishments that demonstrate your capacity for success.
- C) Identify the person(s) responsible for program and financial management of the activity. Identify all other persons involved in this activity noting whether these positions are current or new, pending this award.

- D) Identify any other agencies/partners in this activity and define the roles and responsibilities of these partners.
- E) Demonstrate that the proposed activity is economically feasible and can be implemented in a timely cost effective manner within the proposed program year.
- F) Occasionally projects that receive an award of CDBG funding are awarded less than the amount originally requested. This requires the submission of a revised budget and a description of how it will carry out the proposed activity with reduced funding prior to the commitment of any funding. Please indicate here whether your proposed activity could be undertaken with a reduced commitment of funding and if so, please highlight how that would affect the scope of services you are proposing.

V. FINANCIAL SECTION

The City encourages CDBG funds be utilized as gap funding. A gap is defined as the amount of funding necessary to run a program after all other funding sources have been identified, and thus leveraging is very important in the application process.

ACTIVITY BUDGET

Please answer the following questions in the space provided. You may reference and attach an additional page if necessary.

- A) Complete attached Budget Summary Sheet. More detailed budgets may be attached (and are strongly recommended) in support of the proposal.
- B) Identify sources of leveraged funding for this activity. Include the status of these funds (i.e. cash on hand, grants received, planned fund-raising, etc.). Attach copies of funding commitment letters or other evidence of funding support.

BUDGET SUMMARY

Category Breakdown	CDBG	Matching Funds	Source of Matching Funds	Total Funds
Personnel *				
Contractual Services				
Space				
Communications				
Travel				
Rent & Utilities				
Other Specify:				
Total CDBG Request				
Total Other Funds				
Grand Total				\$

BUDGET DETAIL

This section provides back-up for each line item shown in preceding Budget Summary. Please make certain this detailed breakdown is consistent with the Program Budget. Round up to the nearest hundred.

***A Note about the Staff/Salary Breakdown:** Please show all staff positions regardless of funding source that relate to the proposed activity. If multiple staff members have the same position/title, list separately (For example: Counselor 1/Counselor 2). **You must submit job descriptions with your application for each position title identified below.**

Position Title	Is this a current or proposed position?	Annual Salary	Annual Fringe Benefits	Total Annual Salary	x	% Time Spent on this CDBG Project/Program	=	Total Position Cost Requested from CDBG
Example: Case manager	Current	\$25,000	\$5,000	\$30,000	x	40%	=	\$12,000
					x		=	
					x		=	
					x		=	
					x		=	
					x		=	

Comments:

THRESHOLD CERTIFICATION

You must submit one original application and three copies in response to this RFP no later than 5:00 p.m. on March 10, 2006. The original application must include all required documentation. The four copies must include all items except the required attachments.

In order for your application to be accepted, in addition to the application itself, your organization must meet and submit the following threshold items. Did you...

- ☐ Submit an original and three copies of the completed application? *(Only the original should include support documents such as the articles of incorporation and the list of your Board of Directors.)*
- ☐ Demonstrate that the proposed activity meets at least one of the three national objectives?
- ☐ Make sure that activities proposed are eligible under the CDBG regulations?
- ☐ Demonstrate your administrative capacity and experience?
- ☐ Complete all budget sheets and submitted required financial documentation?
- ☐ Include all requested attachments/certifications?
 - ☐ Articles of Incorporation
 - ☐ IRS 501(c)(3) Designation Letter (pending letters will not be accepted)
 - ☐ Current list of Board of Directors
 - ☐ Signature Authorization form
 - ☐ Organizational chart
 - ☐ Resumes of Chief Administrative and Chief Fiscal Officers
 - ☐ Certified Organization Audit/Financial Statements of most recent year
 - a. Copy of OMB A-133 Audit (Required if \$300,000 in aggregate Federal funds expended); or
 - b. Financial statements audited by a CPA (only if not qualified for A-133); or
 - c. Profit and Loss Statement for FY 2003 and General Ledger printout (only first time applicants or those who do not meet above criteria may submit)
 - ☐ Project Budget (for the proposed activity)
 - ☐ IRS 501(c)(3) Designation Letter (pending letters will not be accepted)
 - ☐ Current fiscal year agency budget, including all funding sources
- ☐ Submit your application so it will be received at the City Hall by 5:00 p.m. on Monday, March 10, 2005?

I hereby confirm that this packet contains all materials required.

Signature and Printed Name
Authorized Signer

SIGNATURE AUTHORIZATION FORM

The Board of Directors of _____ does hereby resolve that on _____ (Date), the Board reviewed the Application for Community Development Block Grant Funds to be submitted to the City of Rancho Cordova Community Development Block Grant Program for funding consideration for the fiscal year 2005-2006 and in a proper motion and vote approved this application for submission.

The Board further certifies that the organization making this application has complied with all applicable laws and regulations pertaining to the application and is a non-profit organization, tax-exempt and incorporated in the State of California.

_____ (Name of organization requesting CDBG funds) hereby proposes to provide the services or project identified in the Scope of Services in accordance with this application for Community Development Block Grant Funds. If this application is approved and this organization receives CDBG funding from the City of Rancho Cordova, this organization agrees to adhere to all relevant Federal, State and local regulations and other assurances as required by the City. Furthermore, as the duly authorized representative of the organization, I certify that the organization is fully capable of fulfilling its obligation under this application as stated herein.

I further certify that this application and the information contained herein are true, correct and complete.

I also authorize the following person(s) to have signatory authority regarding this grant:

Name

Title

Name

Title

President/Board of Directors (or other authorized person)

Date

PENALTY FOR FALSE OR FRAUDULENT STATEMENT

U.S. Code Title 18, Section 1001, provides that a fine of up to \$10,000 or imprisonment for a period not to exceed five years, or both, shall be the penalty for willful misrepresentation and the making of false, fictitious statements, knowing same to be false.

[illegible]

- What is CDBG?
 - What is the CDBG Program
 - Federal Objective of the CDBG Program
 - What is a Consolidated Plan?
 - What is a Action Plan?
- CDBG Program In Prior Years
 - SHRA Funded Programs
 - Rancho Cordova CDBG Fund Allocation
 - Eligible Categories for Activities
- City Council's Direction
 - City Council Goals and identified needs
 - Examples of CDBG – Funded Service Activities
 - Examples of CDBG – Funded Programs
 - Direction on Programs and Activities
 - Schedule for CDBG Program

- Provides annual grants on a formula basis to entitlement cities and counties to develop viable urban communities by:
 - providing decent housing
 - a suitable living environment, and
 - by expanding economic opportunities, principally for low- and moderate-income persons.

always meet these guidelines

National Objective of CDBG

- Benefit to low- and moderate-income persons through providing housing and jobs
- Aid in the prevention or elimination of slum or blight
- Meet an urgent need having a serious and immediate threat to the health or wealth of the community

What is a Consolidated Plan?

- 5-Year plan required by HUD
- Application for Community Development Block Grant (CDBG) entitlement
- Identifies housing, economic development, community service, community facilities, homeless, and special needs
- Must assist low- and moderate-income* person or areas

*80% or less of area median income (<\$12,801 in 2005).

*staff will bring a draft
5yr plan soon*

*must be submitted
to HUD Region 9 in May*

*funds go w/ City FY -
but funds are calculated
on Fed FY.*

What is a Action Plan?

- Implementing document for the Consolidated Plan
- Identifies programs and objectives for the program year
- An Action Plan will be developed each year and submitted to HUD by May 15.

Spent the afternoon
at the office

Wrote a letter to
Mr. Jones

Received a letter from
Mrs. Smith

CDBG Program in Prior Years			
Year	Program	Funds	# of loans
2001	Rehabilitation Program	\$30,500	1
	Emergency Repair Program	\$17,510	4
	Retrofit Program	\$16,081	7
2002	Emergency Repair Program	\$17,719	8
	Retrofit Program	\$15,000	3
2003	Emergency Repair Program	\$50,063	20
	Rehabilitation Program	\$53,525	2
	Retrofit Program	\$23,873	54

of loans to individuals

CDBG Program in Prior Years			
Year	Program	Funds	# of loans
2004	Rehabilitation Program	\$183,834	5
	Emergency Repair Program	\$50,063	1
	Weed N' Seed	\$5,000	White Rock Area
2005	Rehabilitation Program	\$267,859	8
	Retrofit Program	\$56,383	12
	Emergency Repair Program	\$15,777	5
	First-time Homebuyer Program	\$12,442	3
	Weed N' Seed	\$3,415	White Rock Area

\$ should be structured to match the need.

• seniors EG \$7500.

• MH EG \$5K

• everyone

• generally \$500/ea

CDBG Projects Funded in Prior Years		
Year	Program	Funds
2001	RC Community Pool Restrooms	\$180,000
	RC Grange Bldg- Historic Preservation	\$99,980
	We Mean Business - Off duty Sheriff Patrol	\$25,000
2002	RC Healthy Start/Teen Center Lease	\$172,500
	RC Neighborhood Center Lease	\$100,000
	South White Rock After School Program	\$50,000
	We Mean Business - Off duty Sheriff Patrol	\$25,000
2003	RC Streetlights Plan	\$87,036
	Cordova Villa After School Program	\$49,353
	RC Commercial Loan -6 loans	\$314,719

• how to determine need?

1. The first part of the paper is devoted to a discussion of the

main results of the paper.

2. The second part of the paper is devoted to a discussion of the

main results of the paper.

3. The third part of the paper is devoted to a discussion of the

main results of the paper.

4. The fourth part of the paper is devoted to a discussion of the

main results of the paper.

5. The fifth part of the paper is devoted to a discussion of the

main results of the paper.

6. The sixth part of the paper is devoted to a discussion of the

main results of the paper.

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main results of the paper.

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main results of the paper.

10. The tenth part of the paper is devoted to a discussion of the

CDBG Projects Funded in Prior Years

Year	Program	Funds
2004	RC Mather Skateboard Park-underway	\$100,000
	RC Park Improvements-Design-Architecture-underway	\$130,000
	RC White Rock Park- Design-Architecture-underway	\$84,000
	RC Traffic Management Study-underway	\$150,000
2005	RC Traffic Calming -underway	\$150,000
	RC La Placita Lighting -underway	\$67,500

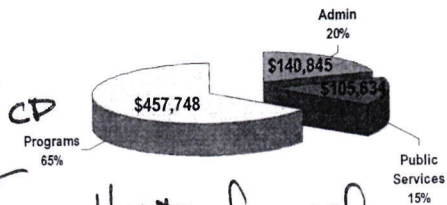
total spent = 6.1 mil

Cordova Villa - still w/ FICUSD to discuss

there will be a known gap in data

CDBG Fund Allocation

Expected Amount: \$ 704,227



Hub formula for expenditure

City Council's CDBG Choices

- New City - new CDBG funding
- City Council decides funding allocation based on City determined needs
- Public Services - mandatory 15% - \$105,634
- Community Development Programs 65% - \$457,748

dist. on a formula basis

1. The first part of the paper
discusses the general principles
of the theory of the
relativity of simultaneity.
It is shown that the
time interval between two
events is not absolute, but
depends on the relative velocity
of the observer and the events.

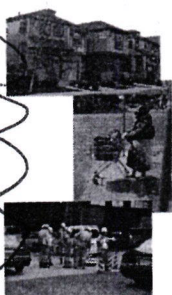
2. The second part of the paper
discusses the special case of
the theory of the relativity of
simultaneity.

3. The third part of the paper
discusses the general case of
the theory of the relativity of
simultaneity.



Eligible Categories for Activities

- Public Services – 15%
- Community Development 65%:
 - Affordable Housing
 - Economic Development
 - Homeless Services and Facilities
 - Community Facilities
 - Infrastructure Improvements



Housing Goal

Adopted within the City's November 2005 Strategic Vision workshop

Improve the Quality of Housing in Rancho Cordova

Housing Program Needs 65%

Determined at the January 24, 2006 Housing Workshop

- Enhance Existing Apartments
- Improve the Quality of Existing Single Family Homes
- Increasing Home Ownership
- Meet the Market Rate Housing Needs
- Meet the Needs for Affordable Housing
- Provide for Special Needs Housing
- Increasing Housing Choices

Rancho Cordova Community Participation

- General Plan GPAC Vision meetings
- Neighborhood meetings planned in March
- Meetings with non-profits planned
- City Council public hearings in April and May



Public Services

Examples of CDBG
Funded Public Service Choices
\$105,634

1590

- Homeless Services
- Disabled Services
- Job Training Services
- Child Care Services
- After School Services
- Senior and Youth Services
- Literacy Services





Examples of Public Service Activities in Rancho Cordova

- Meals on Wheels - Senior Nutrition Program
- Sacramento Self Help Housing
- Human Rights Fair Housing Commission
- Weed and Seed Program
- Local Youth Programs
- Local Homeless Program





CDBG Public Services Request For Proposals

- Go or no go?
- If Go, critical timeline
- If no go – how to decide the allocation of CDBG Public Service funds

Public Services only!

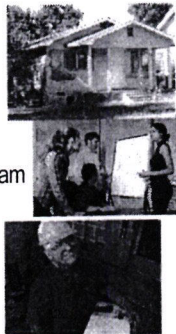
CDBG Plan-with RFP for Public Services Schedule

- | | |
|--|------------------|
| • Release of Public Services RFP | Feb. 17, 2006 |
| • Public Services Application Training | Feb. 22, 2006 |
| • Public Workshop | Feb.- March 2006 |
| • Public Services RFP due | March 10, 2006 |
| • Public Review of Plans <i>draft</i> | April 3, 2006 |
| • 30-day Public Review Period | April-May 2006 |
| • Public Hearing | May 1, 2006 |
| • Adoption | May 1, 2006 |
| • Submission to HUD | May 15, 2006 |

OR Alt - a non-competitive process - council decides w/ resident input

Examples of CDBG Community Development Programs

- Housing Rehabilitation Program
- First-time Homebuyer Program
- Senior or Teen Center
- Street Light Installation
- Small Business Assistance Program
- Senior Transportation Program
- Code Enforcement Program



most development will be done by private sector - use these funds to "prime the pump".

White Rock Pool
Emergency Home Repair
Utilities / infrastructure
RCAC

1875
The present year
has been a very
successful one
for the
company.

1876
The present year
has been a very
successful one
for the
company.

1877
The present year
has been a very
successful one
for the
company.

uses a non-profit to qualify recipients.

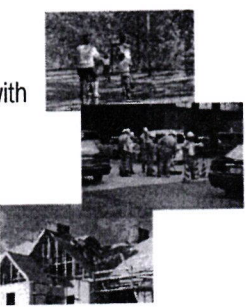
Other City's CDBG Programs			
City	Citrus Heights	Elk Grove	Roseville
2005-06	\$753,940	\$435,487	\$570,957
2006-07	\$673,330	\$457,742	\$673,330
Programs	-Owner-Occupied Housing Rehab -Streetlights -Senior Services (Meals) -Youth Services -Homeless Services -Fair Housing Services	-Owner-Occupied Housing Rehab -Emergency Repair Program -Youth Services -Fair Housing Services -Homeless Services -Disabled Services -Senior Services (Meals)	-Owner-Occupied Housing Rehab -Exterior Paint Program -Youth Teen Services -Sidewalk Improvements -Pedestrian Bridge Improvements -Homeless Services -Disabled Services -Senior Services

① RFP? or not?

Proposed Programs and Projects

What programs and activities would the City Council like to support with CDBG funding during 2006-07?

② what services?

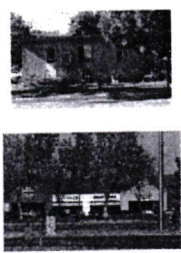


Save

- service listing for KC orgst public notice.
- training for all
- designate funding priorities.

CDBG Program Choices:
What We Have Heard

- Rehabilitation of our older housing stock
- Increase homeownership opportunities
- Increase Senior Housing Options
- Commercial Facade Improvement Program on Folsom Blvd.



- Sherry Bradley wants vernal pools
- Charles Hooper - quality of life

HUD.gov
proposalwriter.com

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• restoration rather than renovation?

MEMORANDUM

DATE: February 6, 2006
TO: Mayor and Council Members
FROM: Bill Thomas, Finance Director
SUBJECT: 2006 KILGORE CEMETERY RESTORATION



RECOMMENDATION

1. It is recommended that the Council approve the scope and estimated fee of the 2006 Kilgore Cemetery Restoration.
2. It is recommended that the Council authorize Staff to send the project out for bid when final design is completed.

RESULT OF RECOMMENDED ACTION

Approval of the above recommendations will allow Staff to proceed with final design and obtain bids for construction. Upon receipt of bids, Staff will return to Council for authorization to award the contract.

BACKGROUND

The City of Rancho Cordova has recently acquired the Mathew Kilgore Cemetery located on Kilgore Road between Trade Center Drive and Sun Center Drive (Attachment A, Site Location). The Cemetery was originally established in 1874 and is an important part of the City of Rancho Cordova's rich history. There are currently more than 150 individuals interred. A detailed history of the site is included as Attachment B.

Over the last several decades, the Cemetery had fallen into a state of disrepair with overgrown landscaping and neglected grave sites. The City has already made significant strides towards addressing this condition including tree trimming, weeding and debris removal. This work has resulted in a safer and cleaner site.

The next step in restoration of the Kilgore Cemetery is preparation of detailed design drawings and bid documents. Proposed improvements include ornamental fencing and entry gate, a parking area, landscaping and irrigation, improved pathways, lighting, an urn wall, and other appurtenant improvements. Preliminary design drawings and cost estimate are included as Attachment C. The estimated cost of the improvements is approximately \$620,000.

The Rancho Cordova community has been, and will be involved in several facets of the project. To date, community involvement has included an Eagle Scout project by Ryan Mace and preparation of artistic renderings by students from Folsom Lake College's Rancho Cordova Campus. The Eagle Scout project focused on site cleanup and documentation of the headstones, resulting in a more attractive site and an important record. The Folsom Lake College involvement focused on preparation of artistic renderings of the proposed fence and gate. The provided conceptual drawings all demonstrated the creativity and artistic skills of the students, and are currently displayed in the Council Chambers. Drawings selected for incorporation into the conceptual design of the ornamental gate and fence are included as Attachment D. Future community involvement is proposed to include community designed and maintained landscaping areas and additional Boy Scout projects.

FISCAL IMPACT

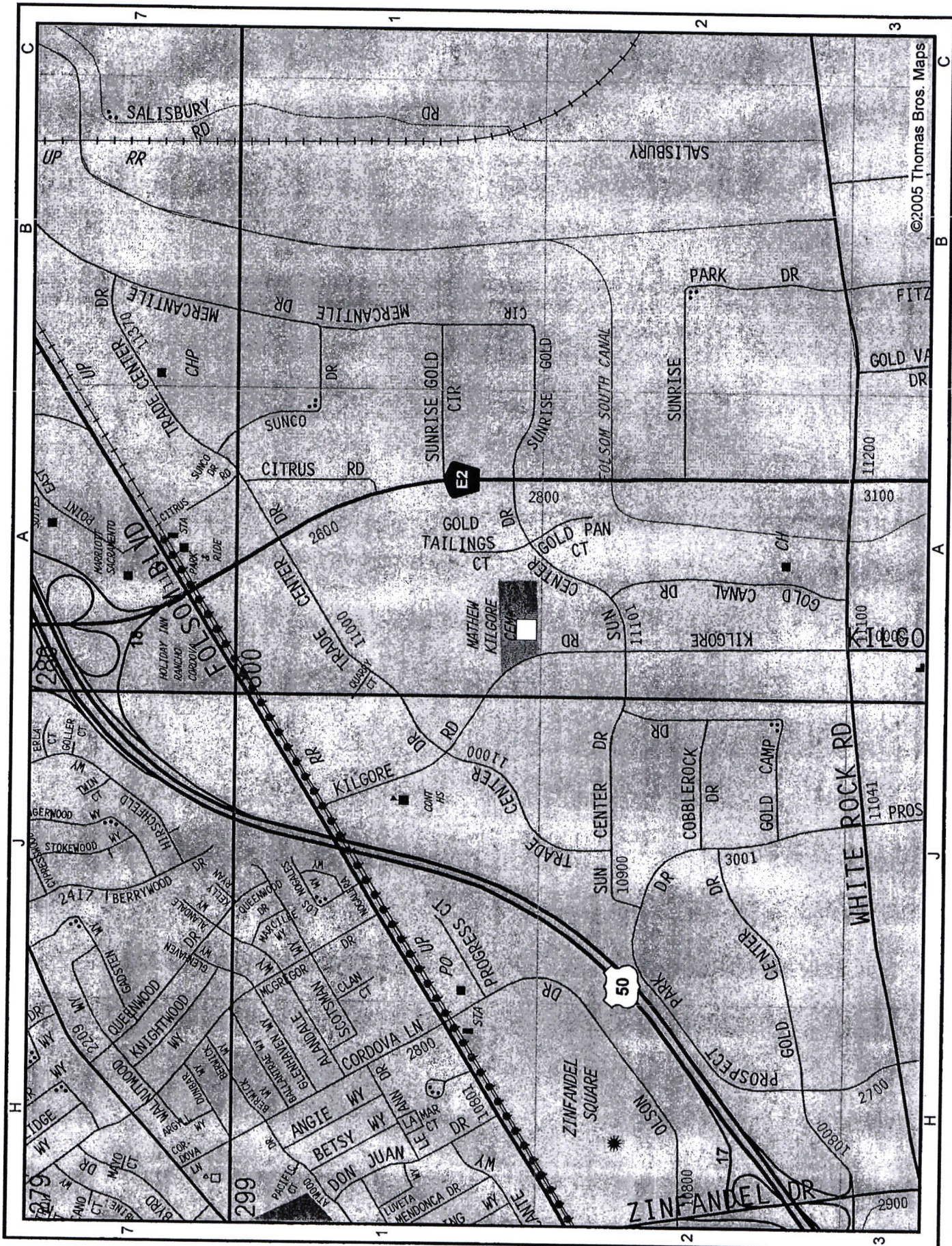
As previously indicated, the estimated cost is approximately \$620,000. It should be noted that this cost estimate is based on preliminary design, and may be modified as the design progresses. As part of the debt financing process, an improvement fund was established that will be utilized to fund the much needed renovation of the cemetery.

Enclosures:

- Attachment A – Site Location
- Attachment B – "Historical Cemeteries" by John Hayse
- Attachment C – Preliminary Civil Design and Cost Estimate
- Attachment D – Folsom Lake College Artistic Renderings

ATTACHMENT A

Site Location



©2005 Thomas Bros. Maps

* : 30041

ATTACHMENT B

"Historical Cemeteries" by John Hayse

Ret. 2 me

Copy

for Museum

HISTORICAL CEMETERIES

Have we neglected our past?

BY

JOHN HAYSE

date?

Matthew Kilgore Cemetery:

Early records of this cemetery reveal the following information; The purchase of this cemetery property is recorded in a deed executed May 12, 1874. This deed shows James and Ann Locy [owners] transferring this property to the trustees of the Matthew Kilgore Cemetery. These original trustees are listed as Matthew Kilgore, G.M. Kilgore, and G.A. Evans. This deed listed these trustees duties and responsibilities as being the establishment, control and operation of a public cemetery and churchyard in the Kinney School District. These duties and this cemetery property are described in a deed executed on May 12, 1874 and recorded in book 73, page 172 of deeds in the Sacramento County Records office.

In the next 14 years, residents of this community would witness the establishment of the planned cemetery and grounds. During this period the trustees these people had elected to office, would perform, or supervise all the necessary task that this community had desired in their cemetery. Under Federal and State standards these trustees would provide for acceptable burial as death occurred, and would execute the duty of disinterment of all burials that had been made in the Kinney schoolyard.¹ These trustees would see that all remains that they had removed were reinterred in their newly established cemetery.

1. California State historical office records show that; prior to the establishment of the "Matthew Kilgore Cemetery", burial of Elizabeth Hanlon and other residents of the community were made in the Kinney schoolyard. Following the establishment of this cemetery, all remains were disinterred from the schoolyard and reinterred in this cemetery.

On March 26, 1888, the residents of the Kinney School District would meet at the American River Grange Hall for a special meeting concerning the future of their cemetery. This meeting was called for the purpose of incorporating their cemetery association. These same residents attending this meeting chose to incorporate their association, elect a board of directors [officers of the corporation] and draft their "Articles of Incorporation." Documents filed with the California Secretary of State office confirm this meeting, adoption of their articles of incorporation, and the founding of the "Matthew Kilgore Cemetery Association Incorporated."

With incorporation completed, this newly elected board of directors met, planned their development, and mapped this cemetery. Their subdivision map for this cemetery was recorded June 21, 1888, at the request of John B. Taylor [Trustee] in book 2 of maps, at page 15 of this book located in the Sacramento County Records office.

With extensive planning completed, "The Matthew Kilgore Cemetery Association Incorporated" envisioned many years of virtually trouble free operation of their cemetery. This cemetery association, its members and board of directors worked very diligently, making necessary improvements to the cemetery property to enhance its beauty and splendor.¹ This cemetery, its association and its members would continue operating, and making improvements for some 50+ years without encountering any major problems.

1. January 1, 1889; Trustees of association, and members give their approval to dig a water well to service the cemetery property.

Problems for this historic cemetery would begin in the 1950's.² With these problems compounding within the cemetery, cemetery grounds suffering from general neglect, and a board of directors guiding the association that had become disgusted with the entire situation, plans would be formulated to either correct these problems,³ or dispose of the cemetery property.⁴ Contrary to common belief, sale of the cemetery property would not alleviate the problems. It would prove to only aggravate the situation.⁵ It would be discovered at a later date that this board of directors would place the cemetery property in the hands of the very individuals, creating similar, or exceeding problems in other cemeteries.

1. March 20, 1889; Members, and board of directors of this cemetery association agree to plant trees at the cemetery.

Today this cemetery displays a horseshoe shaped driveway, lined with elm trees planted in the 1880's. At this same time, a row of eucalypus trees was planted around the perimeter of the cemetery property.

2. April 12, 1956; Cemetery association members and their families protest the granting of a permit to excavate gravel from property adjoining cemetery property. Despite protest, excavation would be allowed.

Upon completion of excavation, this pit would become a dump for the disposal of rubbish.

3. April 29, 1962; Association meeting; discussion of turning cemetery property over to Miller Funeral Home of Folsom, California. In return for cemetery property, Miller Funeral Home would provide "perpetual care" for this cemetery.

4. May 9, 1972; 18 members and board of directors meet to discuss possible sale of cemetery property to Mr. Howard Keene, and Mr. Dale Snyder. Terms of sale will consist of improvements to the cemetery property and its continued care.

Items 1-4 are taken from the corporate records of the "Matthew Kilgore Cemetery Association."

Before transfer of the cemetery property could transpire, the cemetery association board of directors would need to overcome many obstacles. One difficult obstacle, presenting the most threatening problem was the fact that the property was held in a reversionary trust.⁶ Secondly, the association members, and the families with loved ones interred in this cemetery would never consent to transfer of the cemetery property.

Any transaction, by the board of directors of the cemetery association, would require total concealment of these transactions, not to become public record. These circumstances were beneficial to the new owners. With previous violations of the California cemetery law in their past, and presently on probation for these crimes, this cemetery became an attractive target for acquisition. Both parties found themselves in equal positions, neither party could take action against the other for wrongful acts, or nonperformance of their contract. Once this transaction had been completed, the cemetery association secretary would not disclose what had occurred until some time later.⁷

5. Bell, Ted. "Private Cemeterys' Plight." Sacramento Bee; Mar. 23, 1977.

Witt, Robin. "Requiem For Kilgore Cemetery." Sacramento Bee, May 27, 1981: A-1, 18.

"Former owner seeks return of Kilgore Cemetery." Sacramento Bee; 198?

[Howard Keene, former owner of cemetery seeks return of cemetery property from former son-in-law, William Moore]

6. Original cemetery deed, executed May 12, 1874, states "To have and to hold the said land for the uses, trust, and purposes hereinafter expressed."

7. October 5, 1975; Association secretary agrees to send postcards to families to notify of sale of property. Family members are beginning to ask questions.

With disclosure made to the families, some would find themselves overwhelmed by the new problems confronting them. Some would accept the new improvements to the cemetery as satisfactory change. Others would find the new owners and their administration so discomfoting, that they would have their family members disinterred and moved to other cemeteries.

This cemetery would continue its struggle for survival. The newly made improvements would gradually disappear. Vandals and their destruction would return. Demonstrating a general appearance of neglect, unable to contact anyone that might accept responsibility for this cemetery, local agencies moved for disposal of the property. In March, 1988, this cemetery property was listed and scheduled for delinquent property tax auction sale.⁸ Discovering the pending sale of the property, concerned families moved rapidly to halt the sale. Once tax payment was made, families discovered this same property was listed in both Northern and Southern district, Federal bankruptcy courts.

8. PROPERTY TAX: Cemeteries; Constitution of the State of California; Artical XIII, Sec. 12.

Exemption of Burial Plots; Sec. 1b; "All property used or held exclusively for the burial or other permanent deposit of the human dead or for the care, maintenance or upkeep of such property or such dead, except as used or held for profit, shall be free from taxation and local assessment. [adopted Nov. 2, 1926]

Cypress Lawn Cemetery Association v. City and County of San Francisco, and Mt. Olivet Cemetery Association v. City and County of San Francisco, 211 Cal. 387, 295 Pac. 813.

The court said; "Exemptions of cemetery property from taxation are but expression of the common wish of mankind that the places that dead are buried should be protected and preserved against interference of possible sales for unpaid taxes and kept free from molestation or desecration."

Within the year 1988, these families became very active in the preservation of their cemetery. With the property tax matter cleared up, efforts were directed to resolving the matters before the Federal bankruptcy court. This property had been listed by the previous owners as personal assets. They had concealed the fact that this was cemetery property. Once these families disclosed the fact that this was cemetery property, these courts reacted by discharging this property from the bankruptcy.

This property contained more defects in title than any of these families realized. Tax paid, discharged from bankruptcy, problems continued to compound. This cemetery, and the general area in which it is located, became prime development property. Developers expressed interest in this property, while families endured the battle against the board of directors within their cemetery association.⁹ These families, although small in number, drew considerable public support and news media coverage.¹⁰

9. Housen, Patty. "Group seeks to restore historic Kilgore cemetery." Rancho Cordova Independent; Mar.30,1988: F-1

Housen, Patty. "Cemetery rescue efforts torn by disagreement." Rancho Cordova Independent; Apr.6,1988: F-1

"Disagreement between cemetery association members and families, clash with association board of directors over payment of delinquent property tax. Members paid property tax to prevent delinquent tax auction sale against the wishes of their board of directors. Board expressed desire to dispose of property. Developer has expressed interest in acquiring property and had promised improvement to the cemetery."

DeBaro, Ilana. "Building nearby may help save cemetery." Sacramento Bee; Jul.1,1987: B-1,2.

[Developer plans office park on property adjoining cemetery]

Work would continue for the preservation of this historic cemetery while these families attempted to resolve any previous disputes. With goals set to preserve and restore this cemetery, these same families would continue gathering support from the surrounding community and families with members interred in this cemetery. Unable to resolve their differences with the cemetery association board of directors and being unwilling to accept this board of directors dictatorship type control, these families would result to litigation.¹¹ Today, work still continues on the restoration of this cemetery, while families await their day in court.

9. Judge, Dan. "Grave Concerns." [Developers won't be digging up the past] Elk Grove Citizen; Jun.17,1988: B-1,2.

"Kilgore Building OK'd." Sacramento Bee; Jul.21,1988.

Sacramento County planning commission OK's construction of office building adjoining historical cemetery. 10 acre office complex with multi level building to be constructed overlooking historical Kilgore cemetery.

10. Farrow, Ross. "Concerned residents restore cemetery." Sacramento Bee [Neighbors section] Jun 23,1988: 1,6.

Shiflet, Dahlynn. "Old cemetery is mute reminder of pioneer families." Sacramento Bee [Neighbors] Jun.9,1988: 3A,5A.

11. Farrow, Ross. "Dispute threatens Kilgore Road Cemetery." Sacramento Bee [Neighbors] Jan.5,1989: 1,9.

December 20,1988, families and members of the Matthew Kilgore cemetery association filed suit in the Superior Court, County of Sacramento. Suit request removal of prior board of directors defeated in election held August,1988. This suit request return of all corporate property, interpretation of all rights of families within this association, and court ruling of validity of breaching of the trust [described in original deed] and conveyance of the cemetery property.

Examination of these four historical cemeteries, as limited as it may appear, are explicit examples of the existing contradictions between society, regulating agencies, and our present day legal system. All of these contributing elements are joined together through one common bond. They are administered through human interpretation and socially acceptable values.

Within examination of these discrepancies, lets examine the contradictions regulating the abandonment, or conversion of an existing cemetery and its property.

Constitution of the State of California:

Section 25: The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say:
[Seventh] Authorizing the laying out, opening, altering, maintaining, or vacating roads, highways, streets, alleys, town plats, parks, cemeteries, graveyards, or public grounds not owned by the State.

Brennan, Raymond. "California Cemetery Law" [1934]

General Laws, Stats. 1893, p. 234. Sec. 1; "The City Council of any city in this State having a population of more than fifteen hundred and not exceeding one hundred thousand, may, by ordinance duly passed, and under such lawful rules and regulations which it may adopt, provide for the exhuming, taking up, and removal from cemeteries within the boundry line of such city, or from cemeteries owned and controlled by such city that may have been located without its boundaries (and in which no interments of human remains have been made for a period of not less than two years), of all human remains interred in such cemeteries" (Amendment approved March 26, 1895; Stats. 1895, p. 157)

General Laws, Stats. 1921, p. 199. Sec. 1; Any cemetery corporation or association owning or controlling any cemetery within the boundaries of an incorporated city, city and county or town in this State, may, by resolution of its board of directors or other governing body, when assented to in writing filed with the secretary by at least three-fourths of the lot owners and holders of such corporation or association, or ratified and approved by like vote thereof at any regular meeting of the cemetery corporation or association, or at a meeting specially called for that purpose, declare for the abandonment in whole or in part of such cemetery as a burial place for the human dead, and for the removal of human remains interred therein to another cemetery or cemeteries without the boundaries of said city, city and county or town or for the depositing of such remains in a memorial monument or structure, as herein provided. (Amendment approved June 4, 1929; Stats. 1929, p. 1138)

These previous listed statutes were enacted under what would be known as the "Morris Act." These statutes would be upheld by the Supreme Court, and remain unchallenged until the historical case of Hornblower v. Masonic Cemetery Association, etc., [1923], 191 Cal. 83, 214 Pac. 978. This historical challenge concluded that, "A lot owner may, therefore, under the "Morris Act", object to an abandonment of the cemetery and the removal of remains and thus prevent the removal of the cemetery. The 1929 amendment would require a three-fourths vote of the lot owners instead of a majority, thus allowing for removal of the cemetery.

Today, California cemetery law has been amended to read as follows;

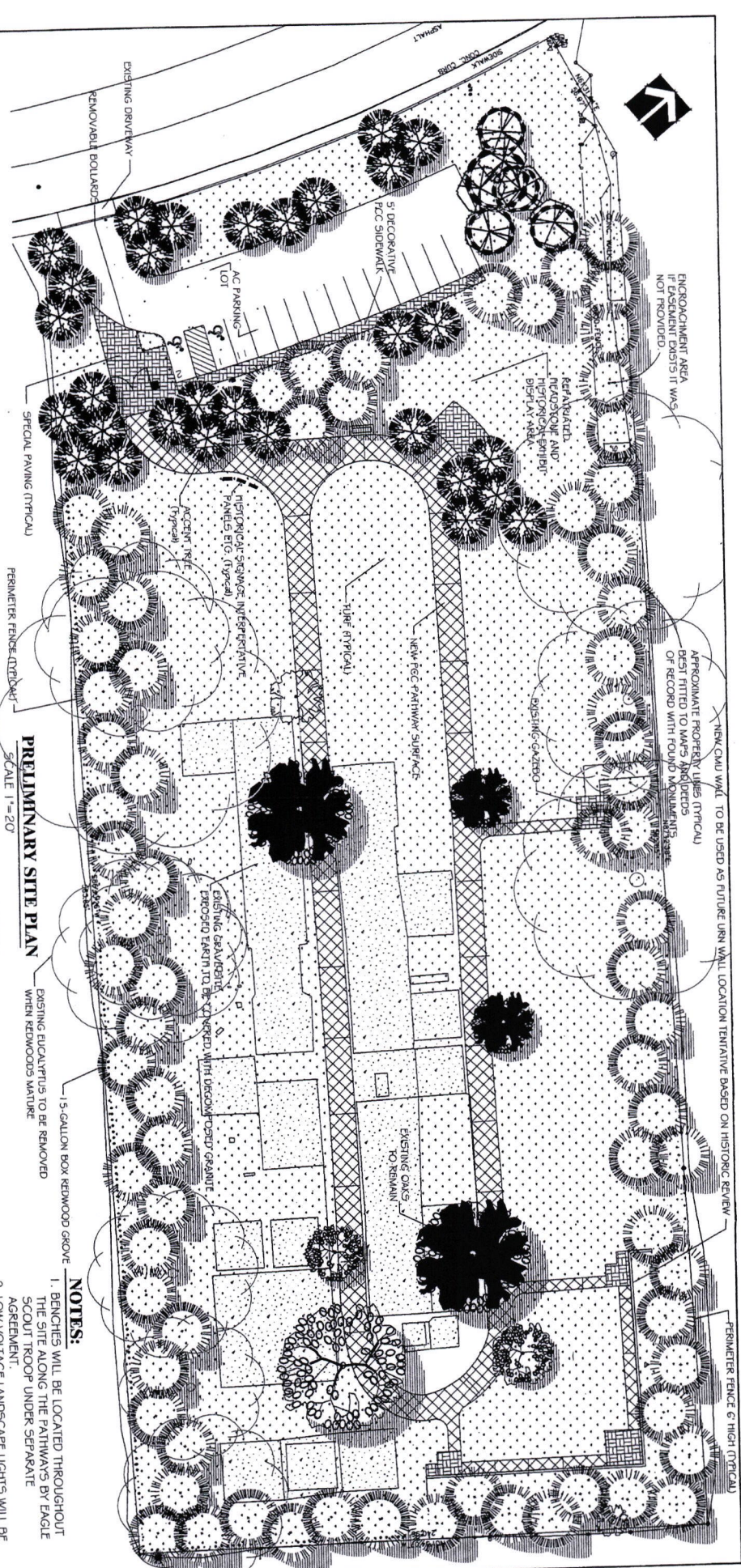
§ 8825. A city or county having a nonendowment care cemetery within its boundaries which threatens or endangers the health, safety, comfort or welfare of the public may, by resolution of its governing board, if not more than 10 human dead bodies have been interred therein for a period of five years immediately preceding the date of this resolution, declare the abandonment of the cemetery as a place of future interment, but shall permit interment therein of any person who is an owner of a plot in the cemetery on the date of adoption of the resolution.

§ 8828. Upon recordation of the resolution with the county recorder of the county in which the cemetery is located, fee title to the cemetery shall vest in the city or county as the case may be. Any county or city acquiring fee title to a cemetery under this section shall only use the property for the purpose of establishing and maintaining a pioneer memorial park.

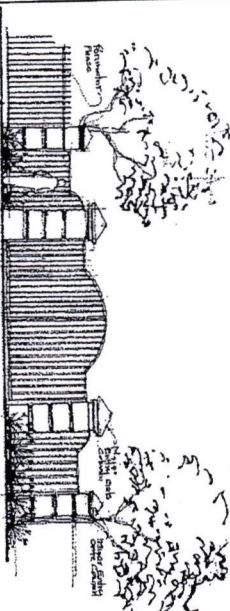
Society has attempted many enactments to protect these historical cemeteries. Unfortunately, they all suffer from the same social illness, neglect. Enactment of additional laws to protect these cemeteries has proved to be of little, or no benefit. Law, absent enforceability or penalty has proven to be of no benefit. Until the return of a responsible society, this is only one example of the suffering that society will be required to endure.

ATTACHMENT C

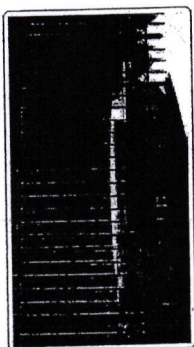
Preliminary Civil Design and Cost Estimate



NOTE: DECORATIVE METAL TO BE INSTALLED ON
NOT TO SCALE



NOT TO SCALE



MGE ENGINEERING INC.

419 MAIN STREET, SUITE 300
PLACERVILLE, CALIFORNIA 95667

(530) 621-9593

PRELIMINARY SITE PLAN

SCALE 1"=20'

LEGEND

	DECORATIVE PAVING		ASPHALT CONCRETE PAVING
	TURF		DECOMPOSED GRANITE
	PCC WALKWAY		

NOTES:

1. BENCHES WILL BE LOCATED THROUGHOUT THE SITE ALONG THE PATHWAYS BY EAGLE SCOUT ROOP UNDER SEPARATE AGREEMENT.
2. LOW VOLTAGE LANDSCAPE LIGHTS WILL BE PROVIDED IN THE PARKING LOT AREA AND ALONG THE PATHWAY.
3. DEDICATION PLANT AREA TO BE IRRIGATED UNDER CONTRACT. PLANTING AND MAINTENANCE BY OTHERS UNDER SEPARATE AGREEMENT.
4. TREE PLANTING SCHEDULED FOR OCTOBER

35% SUBMITTAL 01/17/06

KILGORE CEMETERY
IMPROVEMENTS AND REHABILITATION
FOR THE CITY OF RANCHO CORDOVA

MGE ENGINEERING, INC.

35% ENGINEER'S ESTIMATE

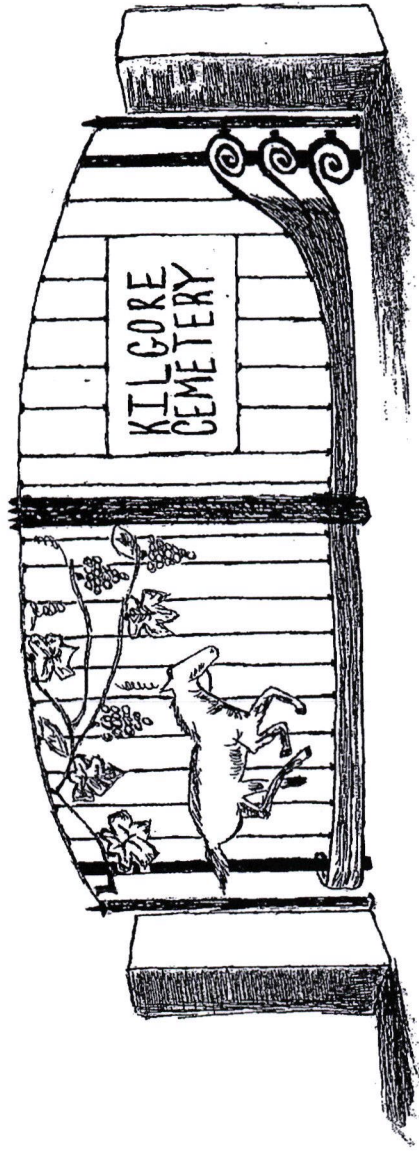
Kilgore Cemetery Improvements

CITY OF RANCHO CORDOVA

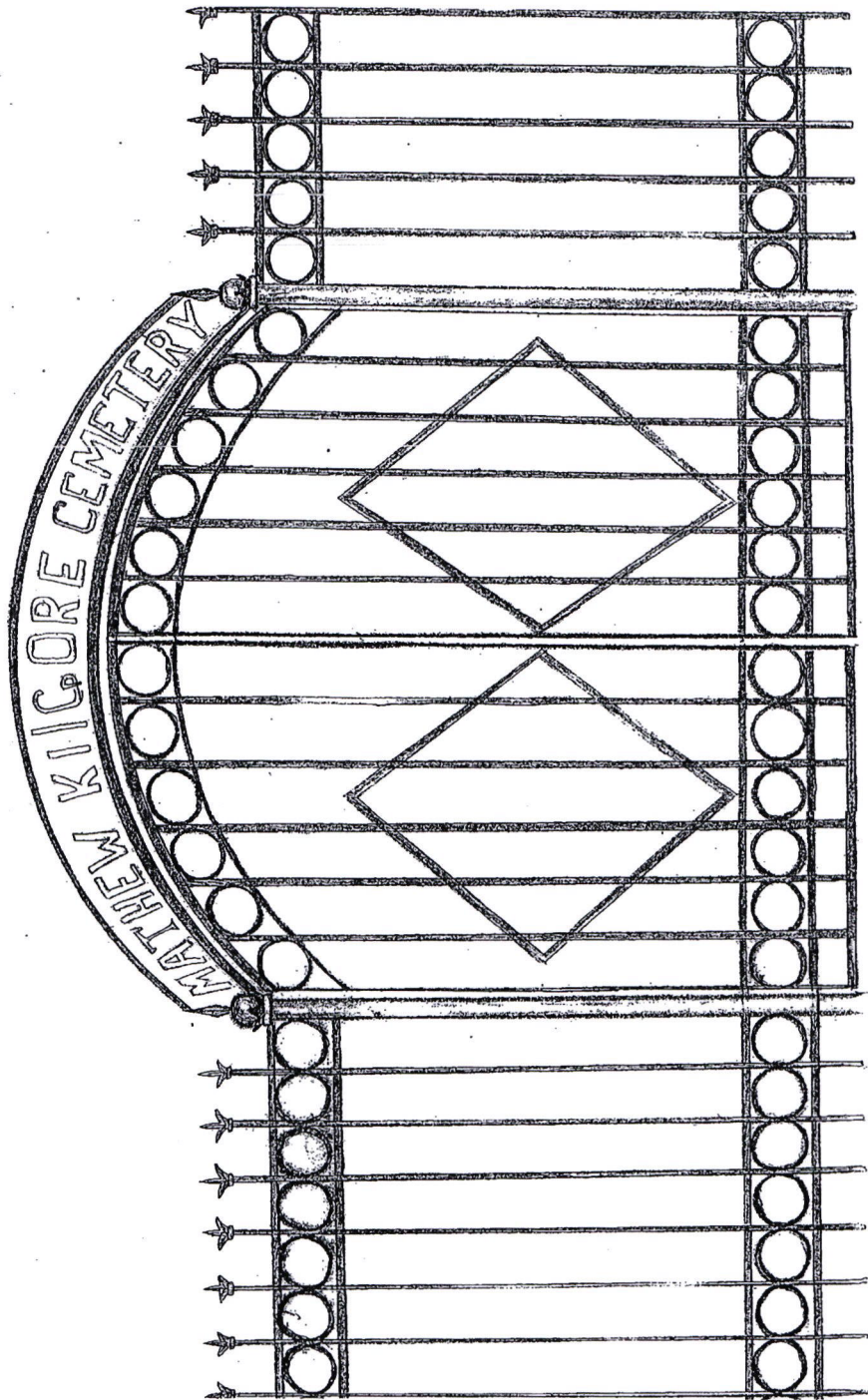
35% ENGINEER'S ESTIMATE								
COUNTY: SACRAMENTO						ROUTE: KILGORE		
DISTRICT: 03								
CODE	CONTRACT ITEM	UNIT	QTY	CHECK	USE	PRICE	AMOUNT	SUBTOTAL
Civil Site Work Items								
	ROUGH GRADING	LS	1		1	\$4,000	\$4,000	
	DEMOLITION OF (E) PATH TREES AND MOUND	LS	1		1	\$6,000	\$6,000	
	8" CLASS 2 AB PARKING LOT	CY	188		188	\$40	\$7,520	
	2" TYPE B AC	TON	96		96	\$270	\$25,920	
	PARKING LOT STRIPING AND SIGNAGE	LS	1		1	\$3,000	\$3,000	
	PARKING LOT SOLAR LIGHTING	LS	1		1	\$5,000	\$5,000	
	DECORATIVE PAVING	SF	1500		1500	\$9	\$13,500	
	ENTRY COLUMNS	EA	5		5	\$1,000	\$5,000	
	DECORATIVE STEEL FENCE AND GATES	LF	1540		1540	\$75	\$115,500	
	DECORATIVE WELDING ON ENTRY GATE	LS	1		1	\$2,500	\$2,500	
	BOLLARDS	EA	8		8	\$400	\$3,200	
	8' HIGH CMU ASH WALL (202 LF)	SF	1616		1616	\$30	\$48,480	
	4" CL2 AB PATH	CY	139		139	\$40	\$5,560	
	42" REINFORCED CONCRETE PATH	CY	140		140	\$300	\$42,000	
	SUBTOTAL							\$287,180
Utility								
	2" WATER METER	EA	1		1	\$2,680	\$2,680	
	2" BACKFLOW PREVENTER	EA	1		1	\$1,200	\$1,200	
	SUBTOTAL							\$3,880
Water Pollution Control Items								
	GRAVEL BAG AROUND INLET PROTECTION	EA	2		2	\$160	\$320	
	SANDBAG HALF CIRCLE CURB INLET PROTECTION	EA	1		1	\$160	\$160	
	STRAW WATTLE	LF	1400		1400	\$2	\$2,800	
	1" TO 3" WASHED CRUSHED GRAVEL	CY	12		12	\$55	\$660	
	STABILIZED CONSTRUCTION ENTRANCE	EA	1		1	\$2,500	\$2,500	
	SUBTOTAL							\$6,440
Landscape Items								
	IRRIGATION	SF	80,259		81,029	\$0.30	\$24,309	
	PLANTING	SF	80,259		80259	\$1.50	\$120,389	
	2" DECOMPOSED GRANITE	CY	116		116	\$75.00	\$8,700	
	SUBTOTAL							\$153,397
SUBTOTAL							\$450,897	
DATE MOBILIZATION 10%							\$45,090	
SUBTOTAL - CONTRACT ITEMS							\$495,987	
QUANTITIES BY: JSC 1/6/2006 CONTINGENCIES..... 25%							\$123,997	
CHECKED BY: JSC 1/6/2006								
REVISED BY: JSC 1/19/2006 TOTAL.....							\$619,984	
COST ESTIMATE BY: JSC 1/19/2006 FOR BUDGET PURPOSES - SAY							\$620,000	

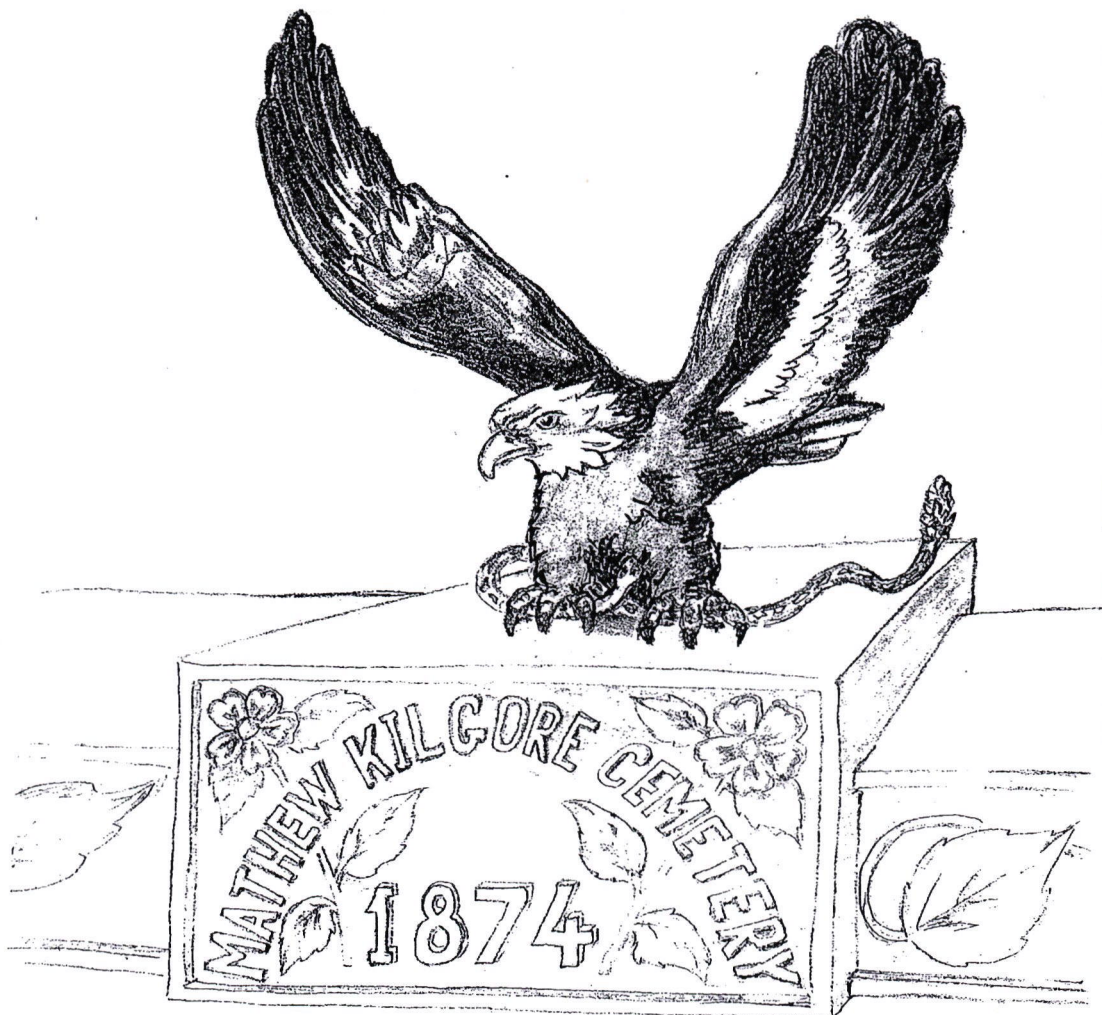
ATTACHMENT D

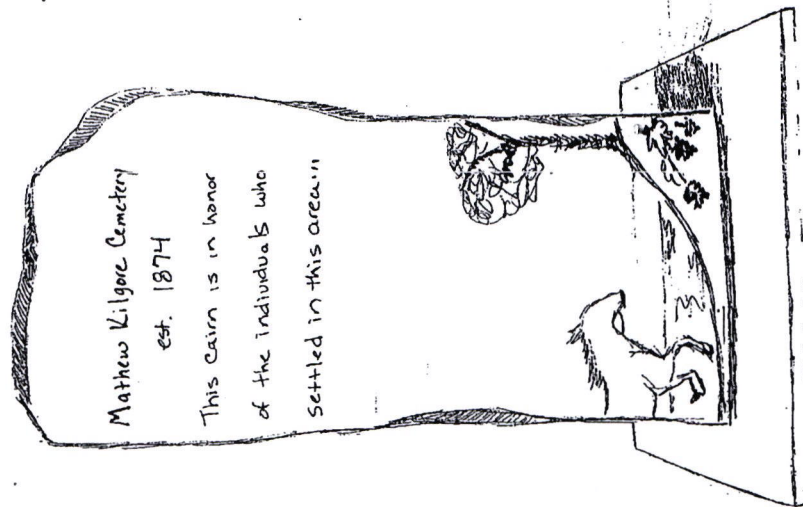
Folsom Lake College Artistic Renderings



Kilgore Cemetery Concept Design:
 Swirls on right with continuation to left
 signifies the American River - Pony
 Horse in motion represents the
 Express (Mills Station) - and
 Grapes + vine symbolize of Bencho
 Cordova's agriculture.
 Lisa Kewish
 November 2005
 916.363.3744







Lisa Kewish
Nov. 05
914 363-3744

MEMORANDUM

DATE: February 6, 2006
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
SUBJECT: CITY OF RANCHO CORDOVA FIVE YEAR
ROAD REHABILITATION PLAN



RECOMMENDATION

1. It is recommended that the Council approve the City of Rancho Cordova Five Year Road Rehabilitation Plan which will address the challenge of deferred maintenance.
2. It is recommended that the Council approve the preliminary scope of the City of Rancho Cordova 2006 Road Rehabilitation Project which will rehabilitate several collector roads in the City of Rancho Cordova.

RESULT OF RECOMMENDED ACTION

Approval of the above recommendations will allow Staff to begin planning for the next five years of maintenance projects, proceed with final design of the 2006 Road Rehabilitation Project and obtain bids for construction. Upon receipt of bids, Staff will return to Council for authorization to award the contract.

BACKGROUND

Many streets within the City of Rancho Cordova are in need of rehabilitation due to a lack of necessary maintenance in the last 10 to 20 years. To assess the magnitude of work required, the Public Works Department recently performed a pavement condition survey consisting of visual evaluation and rating of all public streets (approximately 220 centerline miles). Based on observed defects, each street was then assigned a rating from zero to one-hundred referred to as the surface condition index (SCI). On the SCI scale, streets with an index of zero are in very poor condition, while streets with an index of 100 are in excellent condition. Based on the SCI of a street, preliminary repair recommendations can be prepared and the cost of rehabilitation estimated. This procedure was repeated for each street within City limits. A map of the City showing the SCI of all streets is included as attachment A. Attachment B provides a table correlating repair recommendation to SCI, and a brief description of common repair methodologies.

The data collected and generated comprise a massive amount of information. In order to break the information down into manageable sets, streets were separated

into several categories. These categories consist of arterials, collectors and residential streets.

Arterials consist of major thoroughfares providing access to commercial and residential destinations, as well as traffic passing through the City (e.g. Sunrise and International). These roads are generally subjected to the highest traffic loads. Arterials are eligible for federal and local funding.

Collectors consist of significant streets providing access to several individual neighborhoods (e.g. La Loma). These roads are subjected to high residential traffic because they are used by several different neighborhoods. Residential streets generally serve an individual neighborhood and have relatively light traffic loads (e.g. Stirling Park Drive off of Rod Beaudry Drive). Collectors and residential streets are generally not eligible for federal funding. Therefore, rehabilitation would be paid for through Local Funds including Measure "A", Gas Tax, Proposition 42, or the General Fund.

The results of the above discussed categorization, analysis of SCI and cost estimating are summarized in attachment C with each category sorted from lowest to highest SCI (poorest to best condition). Arterials and collectors were evaluated on an individual street basis. Due to the large number of residential streets, these were aggregated and evaluated based on the area of the City in which they reside. A map showing the breakdown of the City used to separate residential streets is presented as attachment D.

FUNDING

As noted in Attachment C, the total estimated cost of deferred maintenance is approximately \$63 million (not including ongoing maintenance). The deferred maintenance has increased over time due to inadequate maintenance funding, increased overall traffic, and federal regulations allowing heavier truck loads for goods movement. The estimated cost of deferred maintenance is based on currently available data, construction and materials costs. The actual cost paid for deferred maintenance may vary due to unforeseen fluctuations in construction and materials costs, etc. This cost is a significant challenge due to limited funds and continued aging of the City's streets. Available current funding for rehabilitation is summarized below:

Source of Funds	Eligible Applications	Available Funds per Year
Gas Tax	Rehabilitation of Arterials, Collectors or Residential.	\$ 1.3 Million
State (Proposition 42)	Rehabilitation of Arterials, Collectors or Residential.	\$ 0.3 Million
Measure "A"	Maintenance of Arterials, Collectors or Residential.	\$ 1.2 Million
Developer Funds	Generally improvement (widening) or construction of new roads.	Varies
Federal Funds	Rehabilitation of Arterials only.	Varies
General Fund	Discretion of City based on availability.	Varies

As indicated above, the currently available annual funding for street rehabilitation is derived from Gas Tax and Proposition 42 funds totaling \$1.8 million. Measure A

funds will be utilized for ongoing maintenance including potholes, patching, street signs and lights, landscaping, etc. With ongoing deterioration of existing roadways, addressing deferred maintenance costs is an approximately 30 year project assuming current funding resources. Although the cost of deferred maintenance is significant, it will be reduced through proper planning and preventive maintenance.

FIVE YEAR ROAD REHABILITATION PLAN

The first step towards addressing the challenge of deferred maintenance is preparation of the Five Year Road Rehabilitation Plan (Plan). The Plan outlines the first five years of a significant endeavor to provide roads for citizens and visitors that meet the high standards of the City of Rancho Cordova. It should be noted that in addition to funds allocated for rehabilitation as a part of the Plan, an additional \$1.2 million per year is allocated for operations and maintenance. The streets proposed for rehabilitation, and estimated yearly cost, are summarized below.

Year	Construction Year	Rehabilitation Scope	Estimated Cost
1	05/06	Collectors: Lincoln Village, Vanguard Dr., Trade Center, Explorer Dr., portion of Ambassador Dr. Arterials: White Rock Rd., Old Placerville Rd. and Bradshaw Rd.	\$5.4 Million
2	06/07	Collectors: Ambassador Dr., La Loma Dr., Trinity River Dr., portion of Kilgore Rd.	\$1.8 Million
3	07/08	Collectors: Kilgore Rd., McGregor Dr., Rod Beaudry Dr., Routier Rd., portion of Mills Station Rd.	\$1.8 Million
4	08/09	Collectors: Mills Station Rd., Mills Park /White Rock, West La Loma Dr., Rockingham Dr. Residential: Portion of Area RC14.	\$1.8 Million
5	09/10	Residential: Area RC14. Portion of Area RC03.	\$1.8 Million
Total Five Year Plan Estimated Cost =			\$12.6 Million
Total Five Year Operations and Maintenance (\$1.2 million per year) =			\$6 Million
Grand Total =			\$18.6 Million

As indicated above, several arterial streets are planned for rehabilitation in year one. The Public Works Department will continue to pursue additional federal funding for rehabilitation of arterial streets in years two through five. However, Due to significant resources currently allocated towards arterial roads, and the poor condition of the City's collector and residential roads, the Five Year Plan focuses expenditure of local funds primarily on rehabilitation of previously neglected collector and residential streets. The Five Year Plan will be updated on a yearly basis in response to available funds, completed work, material costs, emergency repairs, etc.

FISCAL IMPACT

The Five Year Road Rehabilitation Project will be funded through \$8.9 million in Gas Tax funds, \$1.5 million in Proposition 42 funds, \$1.3 million in Federal funds, and \$0.9 million in General funds. Ongoing operations and maintenance will be funded

through \$6 million in Measure "A" funds. The total expenditure for rehabilitation, operations and maintenance over five years is estimated at \$18.6 million.

Enclosures:

Attachment A – Surface Condition Index Survey

Attachment B – Rehabilitation Criteria and Methodology

Attachment C – Cost Estimate and Preliminary Recommendations

Attachment D – Residential Area ID

ATTACHMENT A

CITY OF RANCHO CORDOVA SURFACE CONDITION INDEX SURVEY

ATTACHMENT B

REHABILITATION CRITERIA AND METHODOLOGY

Rehabilitation Criteria

For preliminary planning and cost estimating purposes, rehabilitation is based upon the SCI of the street. A breakdown of SCI ranges and recommended rehabilitation is listed below.

Recommended Rehabilitation Based on SCI		
SCI	Pavement Condition Description	Recommended Rehabilitation
0 to 25	Poor	Reconstruct
25 to 66	Poor to Fair	Asphalt Overlay
66 to 80	Good	Slurry Seal
80 to 100	Excellent	Monitor / Standard Maintenance

Rehabilitation Methodology

Although there are numerous different technologies for rehabilitation of streets, the three most common methods are summarized as follows:

Reconstruction: Streets that have significant failures including thorough breakdown of asphalt and underlying supporting soils may need to be reconstructed. Work would generally consist of removal of existing asphalt and underlying soils, and replacement.

Asphalt Overlay: Where a street exhibits moderate breakdown of the asphalt, and underlying soils are generally intact, an overlay may be appropriate. Asphalt overlay generally consists of adding a new 1.5 to 2-inch thick layer of new asphalt on top of the existing asphalt street.

Slurry Seal: Where an asphalt street is exhibiting signs of age or wear, but the asphalt and underlying soils are generally intact, a slurry seal may be appropriate. A slurry seal is a mixture of oil and sand that fills cracks in the existing roadway and rejuvenates the oils that bind the asphalt together.

28% trees & landscape
27% pavement
17% traffic signals
14% signs
4% emergency

3% bridge
1% engineering support

ATTACHMENT C

COST ESTIMATE AND PRELIMINARY RECOMMENDATIONS



**CITY OF RANCHO CORDOVA
FIVE YEAR REHABILITATION PLAN**

February 6, 2006

DEFERRED MAINTENANCE

Residential Area ID	Residential Total	Collector Total	Arterial Total	Grand Total Estimated Cost	Average SCI (Area Weighted)
RC14	\$1,427,804	\$1,420,848	\$1,017,477	\$3,866,129	45
RC03	\$3,283,250	\$474,561	\$0	\$3,757,811	47
RC11	\$3,886,649	\$2,111,285	\$593,861	\$6,591,794	54
RC01	\$1,844,672	\$530,076	\$3,324,470	\$5,699,218	56
RC09	\$747,391	\$0	\$0	\$747,391	56
RC06	\$2,618,446	\$0	\$2,451,250	\$5,069,696	58
RC05	\$2,192,215	\$828,086	\$1,870,565	\$4,890,867	59
MA01	\$4,249,018	\$0	\$2,478,364	\$6,727,381	61
RC13	\$1,313,508	\$362,452	\$0	\$1,675,959	61
EC01	\$2,448,972	\$0	\$5,643,950	\$8,092,923	62
RC08	\$1,357,921	\$1,493,805	\$1,654,476	\$4,506,201	63
RC02	\$2,445,738	\$18,711	\$1,558,634	\$4,023,083	65
RC04	\$910,728	\$745,421	\$0	\$1,656,149	66
RC10	\$495,282	\$423,631	\$1,383,010	\$2,301,924	71
RC07	\$1,008,153	\$0	\$1,475,063	\$2,483,216	71
RC12	\$729,307	\$0	\$147,687	\$876,995	72
GD03	\$18,638	\$0	\$0	\$18,638	84
Total =	\$30,977,692	\$8,408,876	\$23,598,807	\$62,985,375	

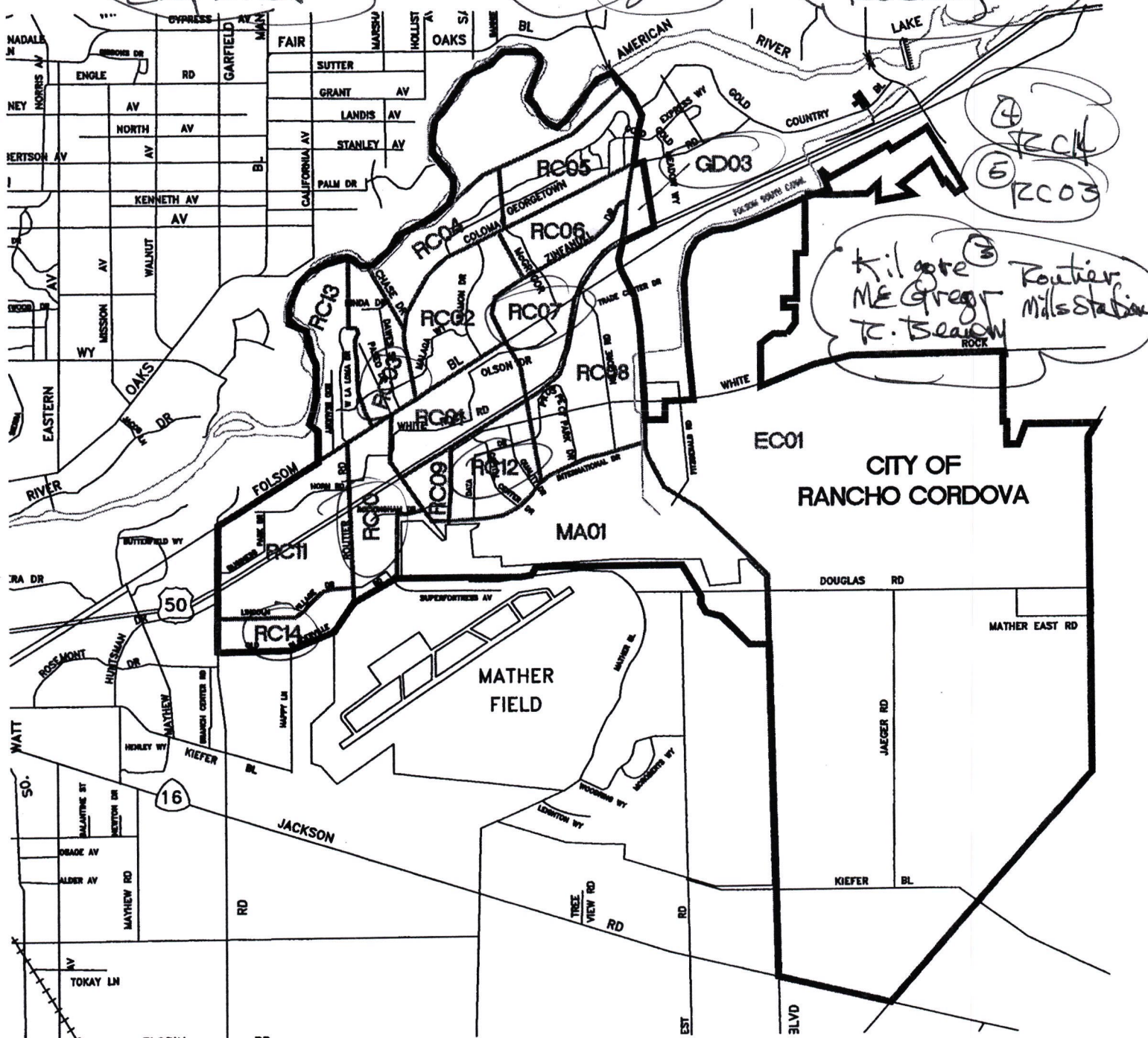
ATTACHMENT D

RESIDENTIAL AREA ID

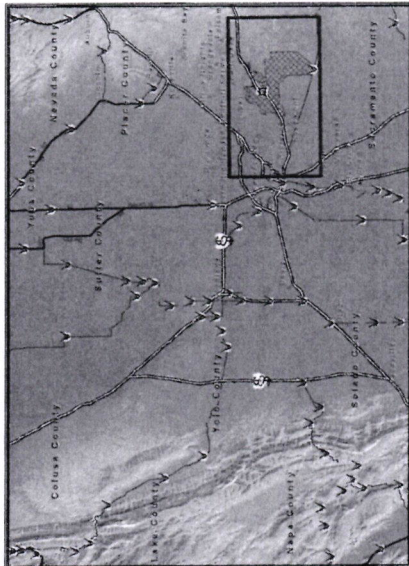
- residential =
a geographic based approach
arterial SE collectors =
based on SCI rating

② Ambassador
Trinity tower
La Loma
trilopre

Mills Station
Mills Park S. White Rock
W. La Loma (4)
Kochingham



City of Rancho Cordova California Pavement Condition Overview





Legend

- Private or inaccessible

SCI

- Poor (0-30)
- Fair (31-60)
- Good (61-80)
- Excellent (81-100)



CITY OF RANCHO CORDOVA
FIVE YEAR ROAD
REHABILITATION PLAN
- ATTACHMENT A -

August 29, 2005

*non-sustainable
over public*

Memorandum



Date: February 6, 2006

To: Mayor and Council Members

From: Cyrus Abhar, Public Works Director

SUBJECT: RESOLUTION NO. 05-2006 - A RESOLUTION SUPPORTING COLLABORATIVE TRANSPORTATION PLANNING IN THE EASTERN AREA OF SACRAMENTO COUNTY AND DIRECTING STAFF TO TAKE ALL NECESSARY STEPS TO IMPLEMENT A JOINT POWERS AUTHORITY TO EXPEDITE CONSTRUCTION OF THE ELK GROVE-RANCHO CORDOVA-EL DORADO CONNECTOR

RECOMMENDATION

Adopt Resolution No. 05-2006 which authorizes staff to collaborate with representatives of SACOG, the Cities of Elk Grove, Folsom, and the Counties of Sacramento and El Dorado in developing a separate entity Joint Powers Agreement to Expedite Construction of the Elk Grove-Ranch Cordova-El Dorado Connector Road.

Staff is also recommending that Alternative 2 as shown on the attached Exhibit be identified as the City of Rancho Cordova preferred alignment. This alternative utilizes Grant Line Road to White Rock Road, continuing into El Dorado County and terminating at the future Silva Valley Road/Highway 50 Interchange as the primary route for the Connector. The four proposed conceptual alternatives are attached for your reference.

BACKGROUND

The Metropolitan Transportation Plan for 2025 includes a multi-modal transportation corridor that connects the Cities of Elk Grove, Rancho Cordova, and El Dorado Hills. The Elk Grove-Rancho Cordova-El Dorado Connector Project (Connector Project) will link residential areas and employment centers and will provide multi-modal options for travel, including transit, bicycle and pedestrian facilities. The Connector Project is intended to relieve congestion, improve access and mobility, preserve open space and wildlife habitat, and enhance economic vitality.

SACOG has determined that the Connector Project is a high priority for the region and has been actively developing the project. SACOG has established a number of committees to engage stakeholders and the public in formulating the direction of the project.

The Policy Advisory Committee (PAC) consists of elected officials from the City Councils of Elk Grove, Rancho Cordova, and Folsom and from the Boards of Sacramento and El Dorado Counties. This Committee serves in an advisory capacity in setting policy, problem solving, and decision making to the SACOG Board of Directors on issues related to the Connector Project.

The Stakeholder Advisory Committee (SAC) is comprised of organizations representing local public agencies, and environmental, community, civic and business organizations. Their participation and input led to the development of the Connector Concept Plan which defines the elements of purpose and need, open space priorities, and conceptual features and alignments for the Connector Project.

The Technical Advisory Committee (TAC) consists of staff representatives of all local jurisdictions along with staff from regional, State, and federal agencies. The TAC identifies specific concerns and issues, provides advice on corridor alternatives identification/analysis, existing and future conditions assessment, and environmental impacts assessment. The TAC also provides technical assistance with the California Environmental Quality Act/National Environmental Policy Act compliance process.

On October 18, 2004 The Rancho Cordova City Council endorsed the connector study and directed staff to collaborate with SACOG in the development of the Concept Plan.

On May 19, 2005, the SACOG Board of Directors approved the Final Concept Plan for the project which provided a mechanism for public input, developed a formal statement of project purpose and need, and prepared a set of conceptual alternatives for further analysis. These conceptual alternatives are attached for your reference.

On September 8, 2005, the SACOG Board of Directors approved a 6-month work plan which included a direction to develop an inter-agency agreement to define the roles and responsibilities of the participating agencies and guide project implementation.

On November 28, 2005, a contract with URS, Inc. was executed to advance the Connector Project. The consultant's scope of work includes preparing a purpose and need statement, preparing functional guidelines, developing a preliminary financial plan, and to begin initial project development and environmental screening.

DISCUSSION

A separate Governance Working Group (Governance Group), consisting of representatives of the participating agencies, has been established to explore various governance organizational structures for the Connector Project. Possible governance structures include:

- **Joint Powers Authority (JPA) – Separate Entity.** This governance structure is created by written agreement among the affected local agencies. Through the JPA Agreement, the affected agencies may delegate those powers to the JPA which are common to all the affected agencies.
- **JPA – Managing Agency.** In this governance structure, the affected agencies delegate to one or more agencies the responsibility to oversee or facilitate various aspects of the joint project on behalf of all the affected agencies.
- **Memorandum of Understanding (MOU).** This structure is a written memorandum of understanding among the affected agencies concerning the project and is limited regarding its breath of powers.
- **Advisory Task Force.** Under this structure, no separate entity is formed nor do the affected agencies enter into an agreement. The task force is limited to conferring on aspects of the project and providing recommendations.

The Governance Group developed a set of criteria to evaluate and compare the various governance structures in relationship to meeting the needs of the project:

- **Speed.** There are a number of local projects that are underway that could potentially affect the Connector Project. It is desirable for a governance structure that can focus on rapid planning and progress of the project.
- **Internal Focus.** There is a need to build consensus and a common direction between the affected agencies.
- **External Focus.** There is a need to involve public, stakeholders, and other interested public agencies in the progress of the project as well as pursue funding opportunities.
- **Flexibility.** There is a desire to have the flexibility for the affected agencies to perform portions of the Connector Project themselves, including engineering and construction.

In evaluating the various governance structures against the stated criteria, it was acknowledged that both the MOU and the Advisory Task Force do not meet the criteria goals. These governance structures do not centralize authority, but rather provide a means for cooperation among participating agencies.

A JPA Managing Agency is capable of making rapid decisions provided that broad powers are delegated to the managing agency. This structure would be limited to utilizing staff from the managing agency or contracting for services using the contracting procedures of the managing agency. Reaching consensus among affected agencies may be difficult unless detailed issues are negotiated up front and clearly stated in the

joint powers agreement. Participation by external stakeholders will be awkward, as there is no common forum to facilitate public input and participation. Finally, member agencies could implement design and construction of segments of the project provided this provision is included in the agreement.

In contrast, a JPA Separate Entity is composed of a Board of Directors that can be given a broad range of powers. The Board would be capable of making rapid decisions through the voting structure of the Board of Directors. The JPA could possess the flexibility of contracting for services or utilizing staff of any member agency or non-member agency. External stakeholders can participate and provide input through noticed public meetings of the Board of Directors. As with the Managing Agency JPA, the Board of Directors could delegate the responsibility of designing and constructing project segments to interested agencies.

Of the two JPA governance structures, the Governance Group found that the Separate Entity JPA appears to be the governance structure most likely to facilitate rapid progress, internal and external focus, and flexibility.

Provided that the City Council concurs that a Separate Entity JPA is the appropriate governance structure for the project, the Governance Group will continue to facilitate the crafting of an appropriate document for your future review. Key pertinent issues that have been identified to date include:

- **The Statement of Purpose and Power** - The JPA agreement can be written with a broad expanse of purpose and power thereby providing for a maximum of flexibility in implementing the project and in dealing with changing conditions without the need for amending the JPA agreement; or it can be written with a more limited expanse of purpose and power with built-in control mechanisms which could have a bearing on implementation and changes to the project.
- **Membership.** The agreement could be structured with a broader "regional" membership allowing representation of other regional agencies which could induce issues with consistency of purpose or with a narrower "jurisdictional" membership which benefits focus and efficiency.
- **Voting Structure.** There are many voting structures that can be considered including voting and non-voting members, the standard for approving a motion, what motions may require unanimous or super-majority approval, etc.

In addition to the Governance structure, there are several issues that would need to be addressed in the Connector Study. Primary among these are:

1. Determination of the purpose and need for the project. Although the SACOG study developed a purpose and need for the connector, each member agency of the proposed JPA needs to agree on what the facility is intended to do.

2. Time frame for completing the required studies in order to begin construction as soon as possible.
3. Both City of Rancho Cordova and El Dorado County have development underway that will require some type of connector facility between their two jurisdictions as soon as possible.
4. Need for some type of facility that would be constructed in the short term, and whether this facility would be a phase of the connector or independent project.
5. Concern from some agencies regarding the issue of environmental mitigation for improvements around City of Sheldon holding up the construction of the rest of the corridor.
6. Determination of what type of environmental clearance is needed; California Environmental Quality Act (CEQA) and National Environmental Policy Act or CEQA only.
7. Determination of funding sources; Measure A, developer fees, State Transit Improvement Program, federal, or other.
8. The type of facility to be built and inter-jurisdictional standards; local arterial, regional expressway, or state highway.
9. Need for this project to be part of the transportation network for the East Sacramento County as well as El Dorado County, and coordination of the development of the connector with other transportation facilities needed to address existing and planned development.

Staff supports the connector study but also recognizes that there needs to be a coalition of agencies supporting the further development of the project. To this end, staff recommends that the City Council direct City staff to begin development of a separate entity Joint Powers Agreement for the Connector Project with the goal of having it in place by July of 2006.

FINANCIAL IMPACT

The City currently has no funding resources that are allocated to be used in for this regional connector. Staff will work with other agencies to identify possible funding sources and staff resources to participate in the JPA and development of the connector.

ATTACHMENTS

1. Resolution No. 05-2006 - Resolution Supporting Collaboration With Other Regional Partners In Developing A Governance Structure For The Elk Grove-Rancho Cordova-El Dorado Connector Project
2. Maps of Conceptual Alternatives

CITY OF RANCHO CORDOVA

RESOLUTION NO. 05-2006

A RESOLUTION SUPPORTING COLLABORATION WITH OTHER REGIONAL PARTNERS IN DEVELOPING A GOVERNANCE STRUCTURE FOR THE ELK GROVE-RANCHO CORDOVA-EL DORADO CONNECTOR PROJECT

WHEREAS, the Metropolitan Transportation Plan for 2025 adopted by the Sacramento Area Council for Governments (SACOG), includes a multi-modal transportation corridor that connects the cities of Elk Grove, Rancho Cordova, and El Dorado Hills; and

WHEREAS, the Elk Grove-Rancho Cordova-El Dorado Connector Project (Connector Project) will provide multi-modal options for travel within the corridor including transit, bicycle, and pedestrian facilities, link residential areas and employment centers, relieve congestion, improve access and mobility, preserve open space and wildlife habitat, and enhance economic vitality; and

WHEREAS, the Connector Project is necessary to relieve traffic congestion and provide for an alternative method of commuting for citizens in the Eastern Sacramento Area; and

WHEREAS, SACOG has identified the Connector Project as a high regional priority and is actively pursuing planning and design efforts to implement the project; and

WHEREAS, the voters of Sacramento County have voted by a 75-percent margin to support the half-cent transportation sales tax increase to, in part, fund the Connector Project; and

WHEREAS, a collaborative approach to relieving traffic congestion will serve as a more efficient method of constructing the Connector Project; and

WHEREAS, SACOG has created a Policy Advisory Committee (PAC) consisting of representatives of each of the affected jurisdictions (which includes the Cities of Elk Grove, Rancho Cordova, Folsom, and the Counties of Sacramento and El Dorado) which serves in an advisory capacity in setting policy, problem solving, and decision making to the SACOG Board of Directors on issues related to the Connector Project; and

WHEREAS, the Policy Advisory Committee recommends that the affected jurisdictions collaborate in considering the creation of a governance structure for the Connector Project so that development and implementation of the Connector Project is conducted in an expeditious manner; and

WHEREAS, a separate entity Joint Powers Agreement is a governance structure that could be structured to meet the needs of the Connector Project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council directs staff

to:

1. Collaborate with representatives of SACOG and the Cities of Elk Grove, Folsom and the Counties of Sacramento and El Dorado in developing the scope, responsibilities, and authority of a separate entity Joint Powers Agreement to meet the needs of the Connector Project.
2. Work cooperatively with the SACOG Policy Committee with respect to pending environmental and design studies pertaining to the Connector Road, using SACOG staff as technical advisors for ongoing regional efforts pertaining to the construction of that road; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that because of the immediate need to begin work on the Connector Road, staff is directed to make available a recommendation concerning the scope, authority, and appropriate formation steps for the Connector Joint Powers Agreement for City Council consideration and approval by July 1, 2006.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 6th day of February 2006.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted by the City Council of Rancho Cordova, State of California, this 6th, day of February, 2006 with the following vote, to wit:

AYES:

NOES:

ABSTAIN:

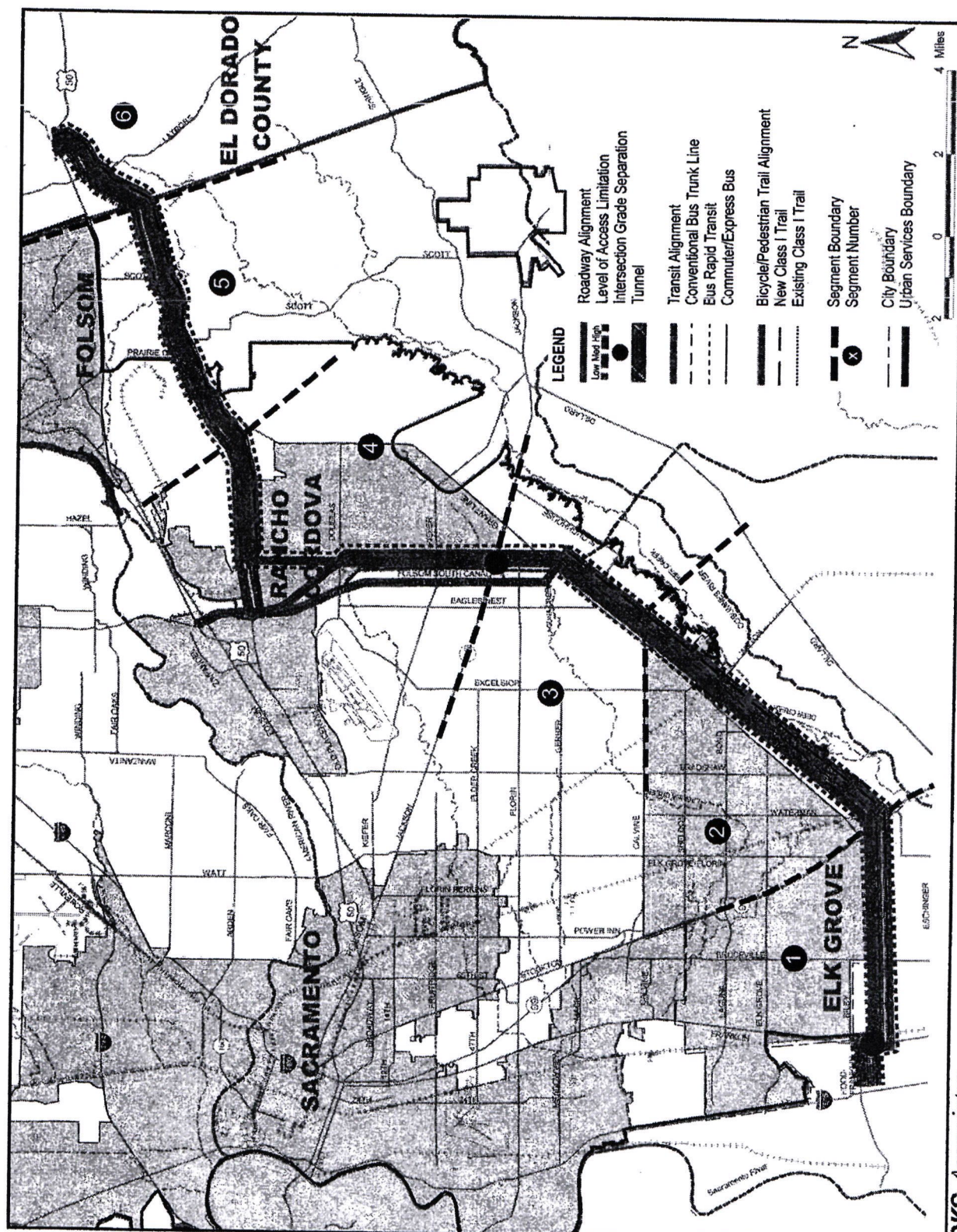
ABSENT:

Robert J. McGarvey, Mayor

ATTEST:

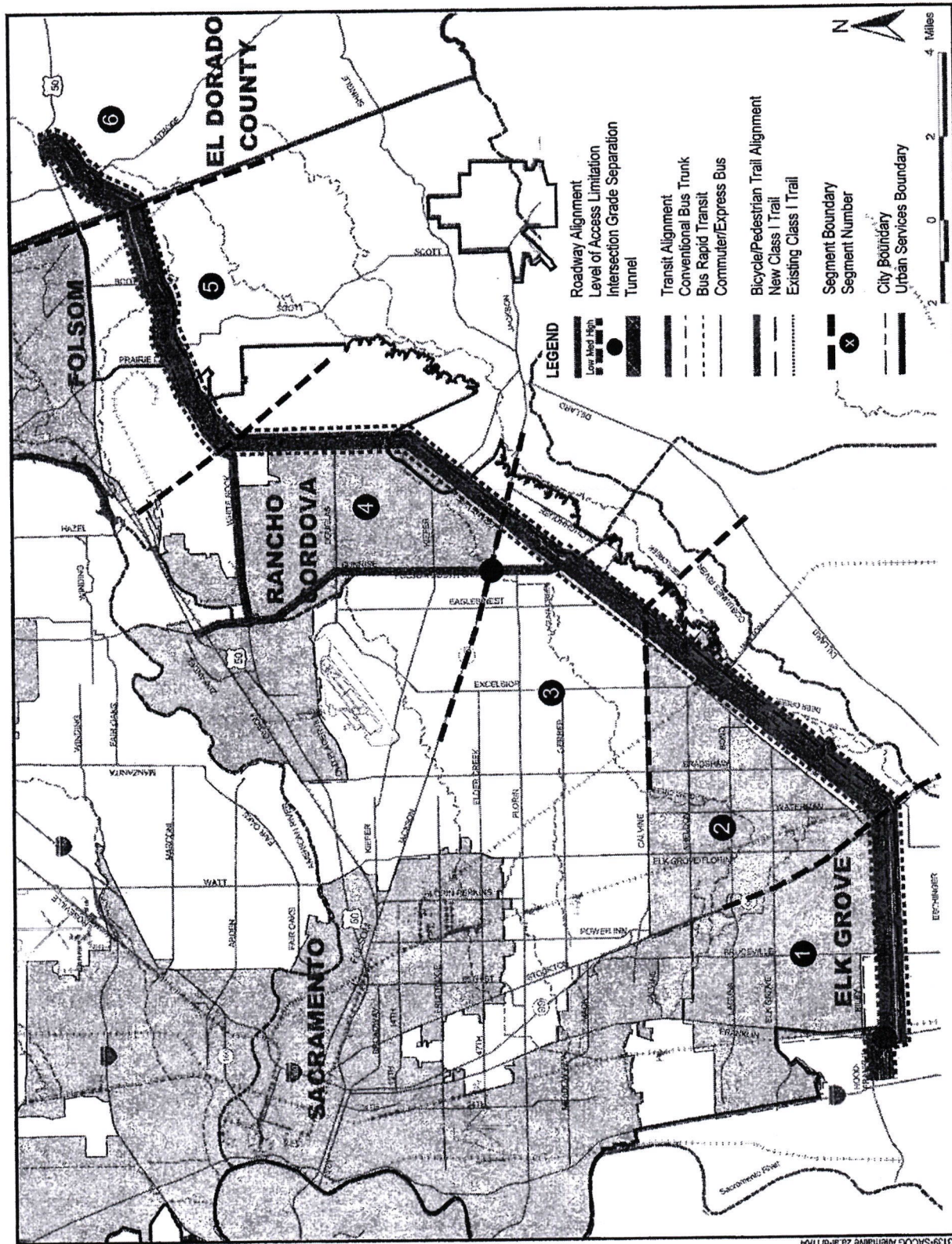
Lillian E. Hare, City Clerk

Conceptual Alternative I



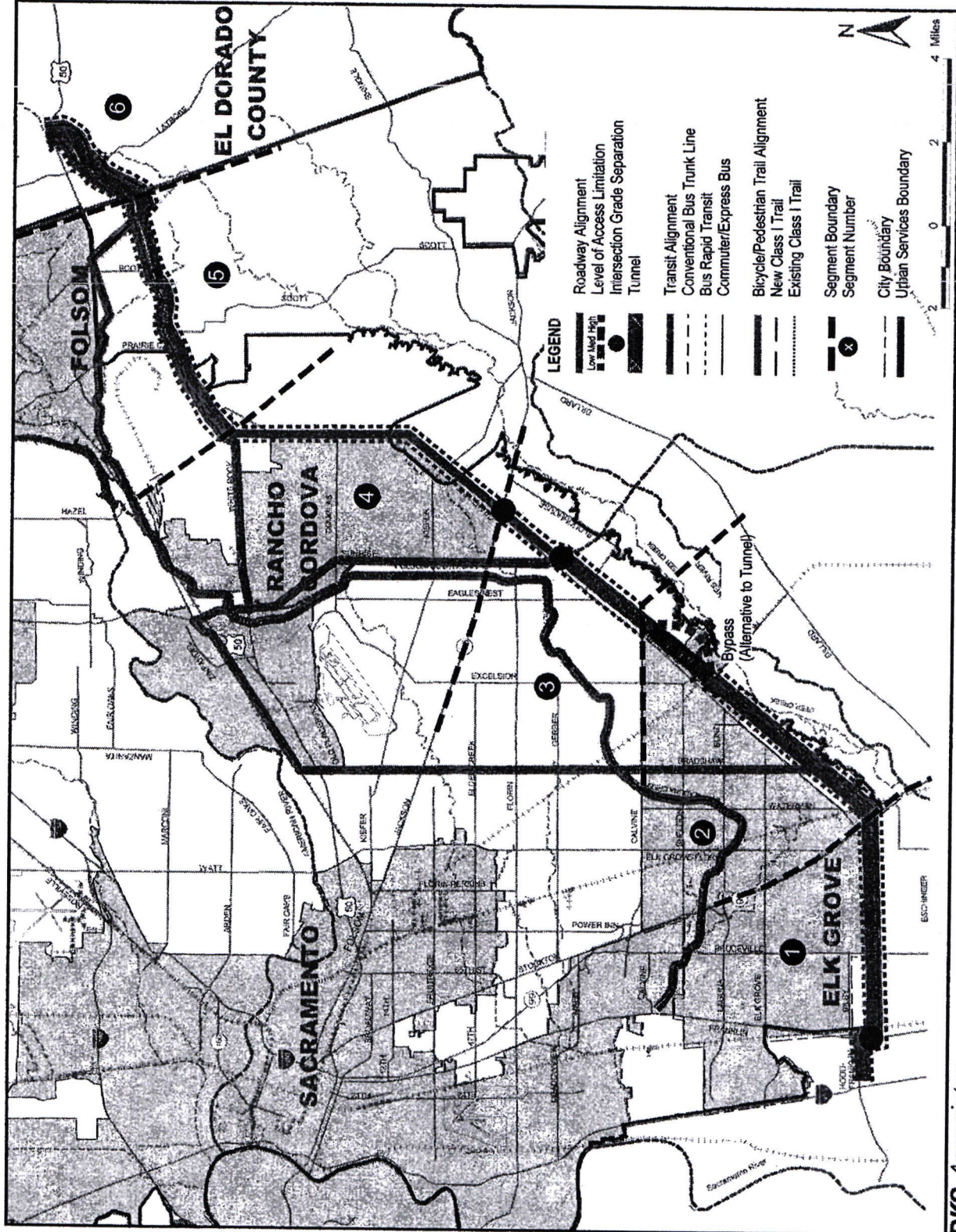
DKS Associates
TRANSPORTATION SOLUTIONS

Conceptual Alternative II

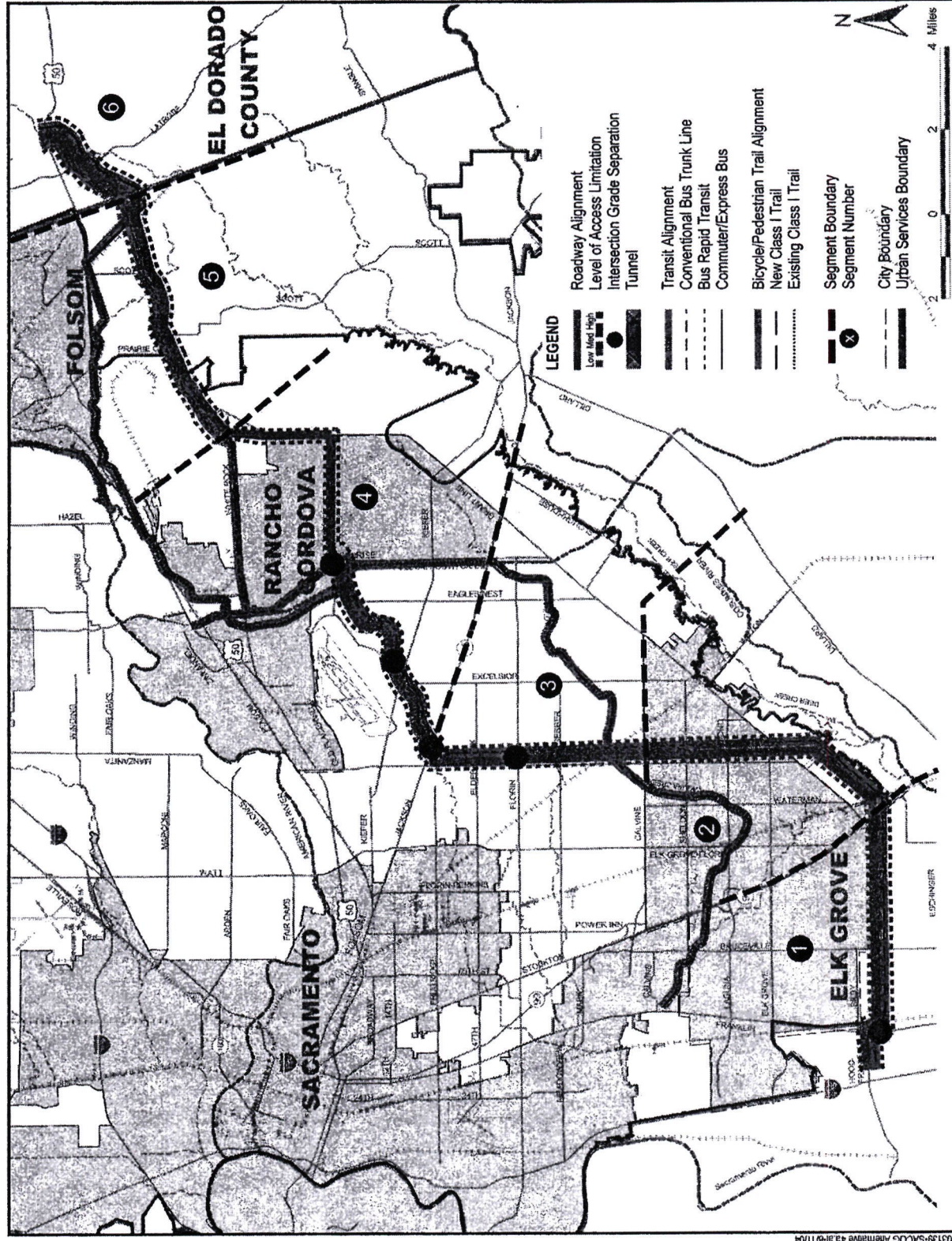


PC0139-SACOG Alternative 2a-B/11/104

Conceptual Alternative III



Conceptual Alternative IV



P03139-SACOG Alternative 4a-01/11/04

Memorandum



Date: February 6, 2006

To: Mayor and Council Members

From: Cyrus Abhar, Public Works Director

SUBJECT: Receive And File Status Report On The 50 Corridor Mobility Partnership And Direct Staff To Continue Participation In Partnership

RECOMMENDATION

1. Receive and file this update on the 50 Corridor Mobility Partnership.
2. Direct staff to continue to participate in the partnership as described and provide regular updates on its progress to the City Council and the City Manager.

BACKGROUND:

To better plan future mobility in the east area of Sacramento County, City of Rancho Cordova staff is partnering with the City of Folsom, the Counties of Sacramento and El Dorado, and several major property owners to identify key transportation projects and an implementation plan. The starting point for this effort is the development of a consolidated area-wide transportation demand model. This model will provide both the affected jurisdictions and property owners an opportunity to better plan for future travel needs with the proper infrastructure and phasing of projects for a series of likely development scenarios.

As traffic congestion becomes an increasingly difficult challenge in the City, large land masses available for future development will need to optimize the remaining available system capacity to remain viable. The east area of Sacramento County, south of Highway 50, is one of the areas that will experience significant growth over the next 20 years without the benefit of a comprehensive sub-regional plan for additional transportation infrastructure. As such, the mobility of this large area of approximately 60 square miles will rely on individual development plans or existing general plans from the Counties and adjacent Cities to provide the potential solutions. In order to optimize the performance of these plans, it would be prudent to look at the cumulative development potential of this area and strategically develop the optimal transportation system sized to accommodate it. This system must be analyzed and developed both at the large scale as well as into operational units to evaluate performance with specific individual land uses and performance factors.

DISCUSSION:

In order to properly evaluate the circulation requirements of such a large tract, it will be necessary for both public agencies and private property owners to provide input into the overall possible growth scenarios for the individual areas that make up this portion of the study area. Since this area is already experiencing development of various forms with corresponding transportation systems proposed to serve them, a review of these systems will be necessary to define the current state of the existing infrastructure and the demands it will place on critical components therein. Only by analyzing the overall potential of the area will it be possible to properly scale and coordinate the requirements and develop them in optimal relation to each other. This goes for both new and existing facilities alike and requires the certain assumptions and possible adjustments to be considered, if necessary. The focus on system performance will be initiated at the sub-regional level and will focus attention on major state and regional transportation facilities.

The unique aspect of this partnership is that it is comprised of not only public jurisdictions but that it includes several major property owners in the study area. The private partners allow a unique view of issues beyond the traditional public perspective by providing the partnership with their exclusive views of investment return, market dynamics, timing and expected build out scenarios. This will assist in the development of several future year build out scenarios that will define the resulting future transportation infrastructure. A critical output of this exercise will be the verification of the currently scheduled transportation project phasing in response to area growth patterns. The broad representation of the partnership will provide a strong consolidated perspective of that build out that may eventually lead to the development and investigation of several possible mitigation scenarios. By this process, it is expected that the most practical, timely and effective transportation systems can be agreed to in relation to any number of possible build out forecasts.

Much of the work to be performed by the partnership is based on the review and consolidation of existing studies and traffic analyses. The partnership is not intending to reinvent but rather to refine and validate the work that has already been performed or reviewed by the individual partners themselves. This "peer review" will also provide opportunities for associate partners of the effort to obtain information and provide their perspective. Currently, the active associate partners include: Caltrans District 3, the Sacramento Area Council of Governments (SACOG), and Sacramento Regional Transit District (RT). Their involvement in this partnership is critical since they all play vital roles in the delivery of transportation services to the study area. It is the partnership's intention to involve them in all aspects of the analysis to present them opportunities to broadly assess their needs and concerns relative to future improvements under their purview.

A Memorandum of Understanding (MOU) has been prepared in order to provide a general framework for the partnership effort. A copy of the Draft MOU is attached for your reference. The study is expected to conclude by June 2006 with the delivery of one or more probable study area travel forecasts and associated improvement plans. It

would be the partnership's intent to select the most probable forecast and promote its use as a planning tool for a number of upcoming studies and environmental documents. However, it is not the partnership's intention to ask for the official adoption of the outputs by their respective policy boards. Updates on the progress of the group will be provided to City Managers and County Executives and on a bi-monthly basis.

Fiscal Impact

A contribution of \$30,000 from each of the five partners is required to conduct technical studies and project coordination.

Attachment:

Draft MOU

approve \$30K?

- ① identify key projects
- ② roadway & transit
- ③ develop phasing, funding, & implementation strategies

50 CORRIDOR PUBLIC/PRIVATE PARTNERSHIP

DRAFT MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT ENTERED INTO EFFECTIVE _____, is between the County of Sacramento referred herein as "SACRAMENTO COUNTY"; the City of Folsom, referred herein as "FOLSOM"; the City of Rancho Cordova, referred herein as "RANCHO CORDOVA"; the County of El Dorado referred herein as "EL DORADO"; "PRIVATE PARTNERS", which at this time includes the GenCorp Reality Investments, LLC, Elliott Homes, Inc, and MJM Properties, LLC.

RECITALS

1. The parties to this agreement desire to enter into a Memorandum of Understanding (MOU) for the purpose of developing a subregional transportation infrastructure plan, including phasing and funding strategies (PLAN) for the study area generally defined as follows: the south side of the American River on the North; Silva Valley Road to the East; Jackson Highway to the South; and Bradshaw Road to the West..
2. The PLAN will be developed by representatives of the parties to this agreement as a Partnership Committee plus other representatives that may be added by a consensus of the Partnership Committee representing the signatories to this MOU.
3. The scope for preparing the PLAN shall be developed by the members of the Partnership Committee with the assistance of the following: the California Department of Transportation (Caltrans); the Sacramento Area Council of Governments (SACOG); and the Sacramento Regional Transit District (SRTD).
4. The party's signatory to this MOU will work in general accordance with the following:
 - The initial PLAN will be completed within six months
 - Partnership Committee will secure a consultant(s) administered by an appointed jurisdiction to administer and organize the technical materials for the development of the PLAN in accordance to the Partnership Committee's desired schedule. The consultant(s) will provide project management and traffic analysis services in accordance with the scope developed by the Partnership Committee for preparation of the PLAN and the general scope of services outlined in Attachment A
 - The financial contribution from all Partnership Committee members will be \$30,000 for the initial term to be used exclusively in development of the PLAN including but not limited to the hiring of the transportation consultant and the project manager.

50 CORRIDOR PUBLIC/PRIVATE PARTNERSHIP

- Outputs of the PLAN will be developed with the intent of being adopted as the common technical basis for transportation infrastructure in the study area by the participating jurisdictions and for use in the regional model and Metropolitan Transportation Plan at SACOG. Outputs, however, are not considered binding.
 - Partnership Committee members will provide the consultant the latest technical information available in their jurisdiction for use in the development of the PLAN.
 - Recommendations and outputs of the technical work will be presented to the Partnership's Executive Committee on an agreed to schedule. The Executive Committee shall consist of the County Executives, City Managers, Administrators, Executive Officers, and other executive management representatives as designated by the Partnership Committee members.
 - Presentations of the Partnership's outputs to policy boards will not be the responsibility of the PLAN but will be encouraged to be conducted by individual Partnership Committee members so as to discuss implementation and next steps.
4. The Partnership Committee, in consultation with Caltrans, SACOG and SRTD, will develop a public outreach component that will encourage private participation and comment on elements of the work product by businesses and organizations within the Study Area. The collective effort of the participants in this group will be known as the 50 Corridor Mobility Partnership. The Partnership Committee will work to unify and promote the mutual benefits of the technical outputs of the PLAN in addition to other informational items.
 5. This agreement does not create a formal partnership, joint venture, company, or other binding legal relationship between the parties and no party shall be under a binding legal obligation with respect to this agreement. This agreement describes a cooperative working relationship between the parties that may lead to future formal binding agreements and obligations.
 6. EL DORADO agrees to administer the consultant contract for traffic analysis services as described in Attachment A and SACRAMENTO COUNTY agrees to administer the consultant contract for project management services as described in Attachment A. In both cases, the responsible party will provide accounting for the administration of said contracts to all Partnership Committee representatives on an agreed to basis for the duration of the PLAN.
 7. This agreement shall terminate upon satisfactory completion of the PLAN or on June 1, 2006, whichever is earlier in time. The Partnership Committee may agree

50 CORRIDOR PUBLIC/PRIVATE PARTNERSHIP

to extend the term of this MOU beyond the initial six month term by a unanimous vote of all committee members should it be deemed necessary for the successful completion of the PLAN.

8. Any party may wish to withdraw from this agreement upon 30 day written notice to all parties to this agreement.
9. Any party that withdraws from this agreement remains responsible for their proportionate share of the cost of the PLAN up to the effective date of said withdrawal.
10. Upon completion of PLAN, ownership and title to all database materials, plans, reports, etc. will be officially defined and titled by the Partnership Committee and distributed to the members for their individual use. Copies of such materials will also be distributed to the ex-official members of the Partnership Committee for their own uses.

PUBLIC PARTNERS

City of Rancho Cordova

Cyrus Abhar, Public Works Director

Ted Gaebler, City Manager

County of El Dorado

Steve Borroum, Deputy Public Works Director

City of Folsom

Rich Lorenz, Public Works Director

Martha Lofgren, City Manager

County of Sacramento

Tom Zlotkowski, Director of Transportation

PRIVATE PARTNERS

GenCorp Reality Investments, LLC

Bill Hatch, Executive Vice President

MJM Properties, LLC

Michael J. McDougall

Elliott Homes, Inc

Russ Davis

*People involved
People affected?
What about
things?*

50 CORRIDOR PUBLIC/PRIVATE PARTNERSHIP

ATTACHMENT A

INITIAL SCOPE OF SERVICES

Project Manager

- Prepare work plan in consultation w/ partnership committee, ex-officio members and transportation consultant
- Prepare schedule of same
- Provide documentation of effort for public record
- Establish accounting format for work plan
- Assist transportation consultant in assemblage of pertinent background information
- Establish meeting schedule and provide notice thereof to partnership
- Secure meeting sites and run meetings
- Provide pertinent meeting documentation including agendas, discussion materials and minutes
- Publish complete analysis and supporting documentation

Transportation Consultant

- Assist in the development of the work plan
- Assemble pertinent documentation for inclusion into a composite traffic analysis model
- Identify and analyze critical components of the various existing travel forecasts for discussion and resolution
- Provide incremental development of the forecast model at pre-determined years and evaluate the impacts of both development and mitigations



DEPARTMENT OF TRANSPORTATION

DISTRICT 3

703 B STREET

P. O. BOX 911

MARYSVILLE, CA 95901-0911

PHONE (530) 741-4233

FAX (530) 741-4245

TTY (530) 741-4509

*Flex your power!
Be energy efficient!*

February 2, 2006

The Honorable Robert McGarvey, Mayor
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Dear Mayor McGarvey:

The Highway 50 Mobility Partners are collaborating to craft a unique public/private partnership in eastern Sacramento County and western El Dorado County. This effort is expected to provide those developing areas with specific transportation projects that will relieve the growing traffic challenges on and adjacent to Highway 50 in the study area. I am writing to praise the effort to date and to encourage you to continue supporting your staff's involvement in this integrated, multimodal, multi-jurisdictional planning effort.

Caltrans is cooperating with the efforts of Folsom, Rancho Cordova, Sacramento County, El Dorado County and major property owners in the area to jointly plan and deliver key transportation projects that will improve mobility and accessibility in this important sub-region. Care has been given during the deliberations to meet the requirements of the various jurisdictions' general plans, the elements of the regional Blueprint, and the growing needs of Highway 50.

We are committed to continuing the multi-jurisdictional dialogue and to assisting the technical advisory committee (TAC) in reaching fiscally sound and realistic project solutions.

Caltrans welcomes this opportunity to be part of a public/private partnership effort. This is a great example of why the Governor's commitment to public/private infrastructure opportunities is so strong. The Highway 50 Mobility Partnership may be one of the models that can help California successfully address regional and sub-regional mobility for all of us in a time when the traditional approaches are not keeping pace with society's needs.

The Honorable Robert McGarvey, Mayor
February 2, 2006
Page 2

If you have questions or would like more information, please call me at (530) 741-4233 or Wayne Lewis, my Deputy for Planning and Local Assistance, at (916) 803-2130.

Sincerely,

Original signed by

JODY JONES
District Director

MEMORANDUM

DATE: February 6, 2006
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
SUBJECT: RECYCLED WATER PROGRAM



re-cycled
re-claimed
yes

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution establishing a large-scale recycled water program in Rancho Cordova which imposes a condition of approval for new developments requiring the installation of a "purple pipe" recycled water system and indicating intent to adopt a City-Wide Recycled Water Distribution System Ordinance.

BACKGROUND

The Sacramento metropolitan area has historically relied on local rivers and groundwater basins to meet its entire potable and non-potable water demand. However, growth and occasional drought conditions have highlighted the importance of both increased water conservation and alternative, drought-proof supplies.

Water Recycling provides an environmentally responsible and safe water supply for irrigation, industrial uses, and environmental restoration. Increased use of water recycling would reduce the City's dependence on groundwater and surface water supplies for non-drinking water uses.

The Sacramento Regional County Sanitation District (SRCSD) has developed potential recycled water reuse scenarios detailing different levels of implementation of recycled water. At this time, it is recommended that Scenario C as defined by SRCSD be established as a condition of approval for all new developments in Rancho Cordova. Scenario C requires the installation of a dual plumbed system, one potable system and a purple pipe system. The purple pipe system is used to transport recycled water and would be for irrigation use only in new parks, golf courses, street medians, commercial/industrial areas and possibly school fields. This scenario also includes the installation of the public recycled water distribution systems within new developments. The purple pipe system could initially be supplied with recycled water, potable water, groundwater, or remediated groundwater depending on availability of supply.

The benefit of this condition is that the recycled water distribution system is in place from "day one" and therefore there would be no disruption to the public associated with purple pipe retrofit activities and also allows the extension of existing water supplies.

The County of Sacramento, Department of Water Quality in collaboration with City staff is currently developing a Water Recycling Master Plan (WRMP) which will identify, evaluate and prioritize projects for use of recycled water which includes areas of new development in Rancho Cordova. The WRMP is scheduled to be completed in Fall 2006. Once this plan has been approved, a Recycled Water Distribution System Ordinance will be introduced for the City Council's adoption.

Eastern Sacramento County Water Supply Project

In the 1970's, plumes of contaminants attributed to former rocket-testing and chemical manufacturing activities were discovered in the groundwater in eastern Sacramento County near Rancho Cordova and Folsom. As a result of the detection of these contaminants, the United States Environmental Protection Agency (USEPA) placed the Aerojet site in eastern Sacramento County on the National Priority List (NPL). The NPL is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. Between 1983 and 1987, five groundwater extraction and treatment (GET) facilities were installed to create a perimeter barrier system and prevent further migration and contaminants. The remediated water from these facilities is currently recharged for plume containment on Aerojet property and discharged to Rebel Hill Ditch, the American River via Buffalo Creek and Morrison Creek.

The County of Sacramento, Department of Water Resources developed the Eastern Sacramento County Water Supply Project. The intent of this project is to provide the beneficial use of remediated water produced by the GET facilities that would otherwise be discharged into surface water and is designed to convey, divert, and treat (to potable standards) the discharged remediated groundwater. The preferred project alternative consists of the remediated water from the GET facilities being discharged to the American River at six locations. The County imposed a fee of \$1000 per dwelling for all new development in Rancho Cordova as a condition of approval for the County's water project including the Eastern Sacramento County Water Supply Project.

The Zoning Agreement for the approved Sunridge Specific Plan includes the following conditions:

- *Developer/applicant shall pay any SCWA development fee or development fee surcharge imposed to fund the construction of all water facilities, extraordinary water facilities, and water mitigation measures*

attributable to development within the SunRidge Specific Plan, as determined by the Sacramento County Department of Water Resources.

- *The owner/developer shall pay the Sacramento County Water Agency up to \$1,000 per equivalent dwelling unit at the time of the building permit to fund a fair share portion of any water project(s) identified by the SCWA Board of Directors that optimizes available local groundwater resources.*

This fee is specific to County water projects and is not for recycled water reclamation and distribution.

COST

The estimated cost for Scenario C for a public recycled water distribution system not including storage, pumping or transmission facilities is \$3,200 per gross acre of development.

Attachment(s): Attachment A: Resolution No. 11-2006

Sub-attachment 1: Figure – Scenario C Recycled Water System

CITY OF RANCHO CORDOVA

RESOLUTION NO. 11-2006

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
ADOPTING A WATER RECYCLING PROGRAM IN RANCHO CORDOVA AND ITS INTENT
TO ADOPT A CITY-WIDE RECYCLED WATER DISTRIBUTION SYSTEM ORDINANCE**

WHEREAS, the City of Rancho Cordova has a primary interest in the development of a Recycling Water Program to assist in meeting future water use needs in Rancho Cordova; and

WHEREAS, conservation of all available water resources requires the maximum reuse of wastewater for beneficial uses of water; and

WHEREAS, continued use of potable water for irrigation of greenbelt areas and other non-potable use may be an unreasonable use of such water where recycled water is available; and

WHEREAS, it is the City's intent to have new development in the City install "purple pipe" during the construction phase of development; and

WHEREAS, it is the City's intent to establish a Recycled Water Distribution System Ordinance.

NOW, THEREFORE, the Rancho Cordova City Council hereby resolves that the City shall impose a condition of approval for minor subdivision, major subdivision, nonresidential development and other discretionary land use approvals to install a "purple pipe" recycled water system similar to "Scenario C" as defined by The Sacramento Regional County Sanitation District and illustrated in Attachment 1 attached hereto.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted by the City Council of Rancho Cordova, State of California, this 6th, day of February, 2006 with the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Lillian E. Hare, City Clerk

SUB-ATTACHMENT 1

Scenario C – Basic Recycled Water System

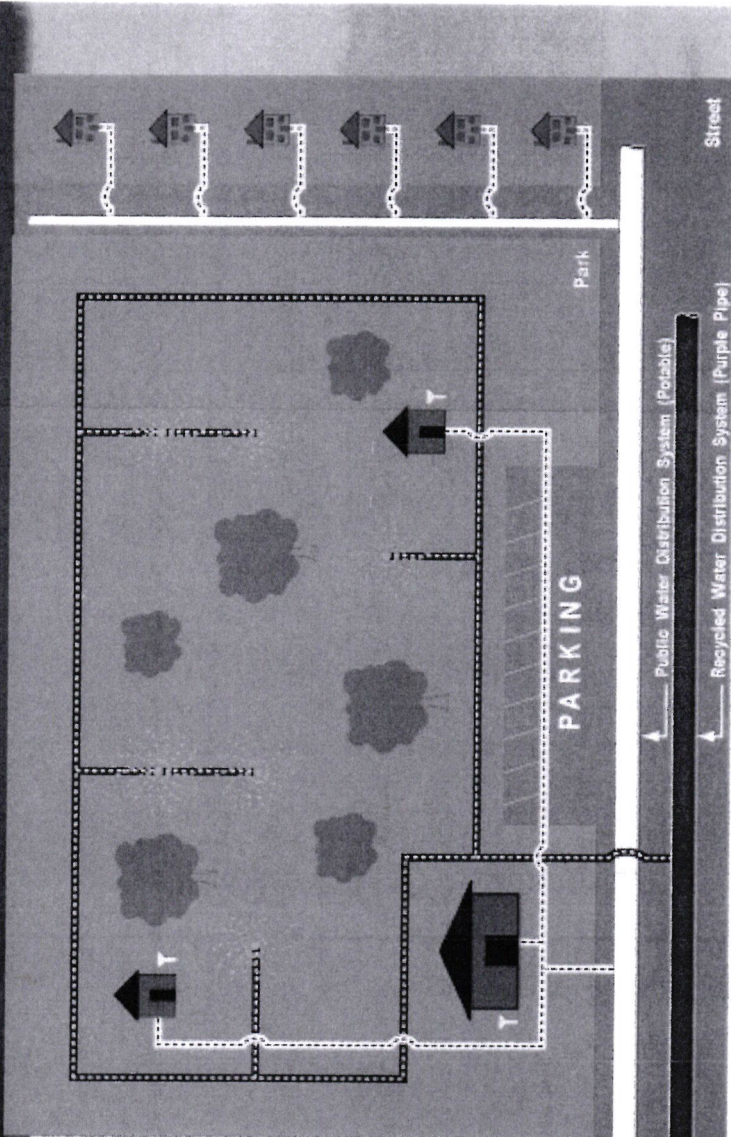
Ardie
• 900 members
•
Rex



Scenario C - Basic Recycled Water System (Laguna Model)

LEGEND

- Irrigation System (shown as both recycled water)
- Archie's System
- Residences
- Cab House
- Water Fountain
- Sprinkler
- Tree



PURPLE PIPE

Installation Cost:
\$3,200 / acre

Retrofit Cost:
\$0 / acre

MEMORANDUM



DATE: February 6, 2006
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
Tom McMahon, Chief of Police

SUBJECT: CITY OF RANCHO CORDOVA ON STREET TRUCK PARKING

RECOMMENDATION

It is recommended that the Council provide direction to staff regarding what policy they would like to implement in regards to on street truck parking in the City of Rancho Cordova.

RESULT OF RECOMMENDED ACTION

Once direction has been provided by the Council, Public Works and Police Department staffs will begin the process of implementing the chosen method of truck restriction.

BACKGROUND

We have received complaints regarding large trucks parking in commercial and office park areas. These complaints say the large trucks parked on the street are causing visual blight as well as a safety problem. Public Works and Police Department staffs have been asked to develop different solutions to prevent large trucks from parking in these areas. Public Works met with the Police Department to discuss possible solutions and contacted numerous city agencies in the area to determine what methods they use to restrict on street truck parking. Listed below are alternatives that have been identified and will be further explored;

- Install no parking signs restricting parking by either height or weight of the vehicle on the identified street.
- Install no parking signs restricting parking by time of day to prevent on street parking during business hours or over night.
- Adopt a citywide policy restricting on street truck parking to light and heavy industrial zones. A map showing these areas is presented as attachment A.

- 
- Construct an offsite parking facility, possibly owned and operated by the City.
 - Take no action and allow on street truck parking on all nonresidential streets.

FISCAL IMPACT

Potential costs associated will include;

- Manufacturing and installation of parking restriction signs (\$125 per sign)
- Increased enforcement by the City's Police Department
- Cost associated with construction, operation, and maintenance of a parking facility

Attachment A – Light and Heavy Industrial Zones

Light and Heavy Industrial Zones City of Rancho Cordova

