



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

**City Hall - David B. Roberts Council Chambers
2729 Prospect Park Drive, Rancho Cordova**

**Monday, December 18, 2006
4:30 P.M. – Closed Session
5:30 P.M. – Regular Meeting**

AGENDA

CLOSED SESSION

Council will meet in Closed Session to discuss the following:

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a):

- (a) Name of case: Vineyard Area Citizens for Responsible Growth, et al. v. City of Rancho Cordova et al.; Case No. S132972
- (b) Name of case: California Native Plant Society v. City of Rancho Cordova et al.; Case No. 06CS01311.

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

ADJOURNMENT OF CLOSED SESSION

REGULAR MEETING – CALL TO ORDER

Call to Order

Roll Call: Council Members Budge, Cooley, McGarvey, Sander, and Skoglund

Metro Cable TV Telecast Announcement

Pledge of Allegiance

Note: *Time listed on the agenda is approximate and for convenience only

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

Invocation

1. Jeff Koons, First Covenant Church, will give the invocation.

Closed Session Report

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

Special Ceremonies

3. Swearing-in of New Mayor.
4. Presentation to Outgoing Mayor.
5. Swearing-in of New Vice Mayor.

ORAL COMMUNICATIONS

6. Public Comment

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

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

CONSENT CALENDAR ITEMS – ROLL CALL VOTE

7. **Subject:** Ordinance Amending Chapter 5.50, "Cable Television Ordinance" of the Rancho Cordova Municipal Code.
Recommendation: Waive the first reading and introduce Ordinance No. 59-2006. (**Roll Call Vote**)
Result of Recommended Action: This ordinance accomplishes some minor housekeeping changes requested by the Sacramento Metropolitan Cable Commission, which relate to the timing of meetings held by the Commission and the dissolution of the Commission.
Staff Report: Joe Chapman, City Attorney's Office
Advances Goals: 3 and 10
8. **Subject:** Resolution Authorizing the City Manager to Execute a One (1) Year Extension to the Non-Exclusive Commercial Solid Waste and Recyclables Collection Franchise Agreements Between the City and the Commercial Franchises.
Recommendation: Adopt Resolution No. 196-2006.
Result of Recommended Action: The primary objective of this extension to the Commercial Solid Waste and Recyclables Collection Franchise Agreements is to allow sufficient time for Staff to complete discussions with the Solid Waste Authority and execute a

new franchise agreements and an ordinance to commercial waste haulers in the City regarding a consistent regional commercial diversion strategy.

Staff Report: Cyrus Abhar, Public Works Department

Advances Goal: 3

9. **Subject:** Resolution Authorizing the City Manager to Execute a Consulting Service Contract Not To Exceed \$325,000 with Parsons Brinkerhoff Quade & Douglas, Inc. for the Promenade Feasibility Study Project.

Recommendation: Adopt Resolution No. 197-2006.

Result of Recommended Action: This project addresses feasibility and preliminary engineering for a gateway structure over Highway 50 and will deliver a concept that will set the stage for environmental evaluation design and construction of this future landmark. The project will also fulfill the City's requirements for obligating a \$300,000 SACOG Community Design Program grant.

Staff Report: Cyrus Abhar, Public Works Department

Advances Goals: 1 and 2

10. **Subject:** Resolution Authorizing the Execution of a Consultant Service Agreement with Jones and Stokes in the Amount of \$423,804 for Preparation of Westborough at Easton EIR.

Recommendation: Adopt Resolution No. 198-2006.

Result of Recommended Action: This resolution will authorize the City Manager to execute a contract with Jones and Stokes for the preparation of the Westborough at Easton Environmental Impact Report.

Staff Report: Paul Junker, Planning Department

Advances Goal: 10

11. **Subject:** Resolution Approving the Execution of the First Amendment to the Collection Services Contract with Allied Waste Services to Establish the Illegal Pile Collection Fee for the Bulky Item Pickup Program.

Recommendation: Adopt Resolution No. 188-2006.

Result of Recommended Action: The primary objective of this First Amendment to the Contract is to establish the Illegal Pile Collection Fee, which will allow Allied to charge a fee to residents for the collection of "illegal" bulky item debris piles.

Staff Report: Cyrus Abhar and Kathy Garcia, Public Works Department

Advances Goals: 1, 3, 5, 7, and 9

CONSENT PUBLIC HEARING ITEMS – ROLL CALL VOTE

12. **Subject:** An Ordinance Amending Chapter 16.18 "Nuisance Code" Section 16.18.205 (f) of the Rancho Cordova Municipal Code relating to Administrative Citations.

Recommendation: Waive the first reading and introduce Ordinance No. 60-2006. (**Roll Call Vote**)

Result of Recommended Action: Adoption of this Ordinance will provide step-by-step guidelines for designated staff to issue administrative citations for violations of the City Code. The Ordinance will also establish fines associated with the citations and hearing procedures for all citation challenges.

Staff Report: Curt Haven, Economic Development Department and Kerry Simpson, Neighborhood Services Division

Advances Goals: 1, 5, 6, 8, 10, and 13

13. **Subject:** Ordinance Adopting Title 8, “Animals”, Regarding the Regulations and Functions of Animal Services and Establishment of Fees Associated with Licensing and Field Services.
Recommendation: Waive the first reading and introduce Ordinance No. 61-2006. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this Ordinance will establish regulations and functions pertaining to Animal Services and establish fees associated with licensing, impoundment of non-spayed or un-neutered dogs or cats, and field services.
Staff Report: Curt Haven, Economic Development Department and Michael Rodriquez, Animal Services Division
Advances Goals: 1, 4, 6, 8, 10, and 13
14. **Subject:** Capital Village Commercial Project RC-05-193, Chili’s Restaurant Request for Amendment to Conditions of Approval to Allow a Larger Sign, Located at Zinfandel Drive between Data Drive and International Drive.
Recommendation: Staff recommends Council deny this request.
Result of Recommended Action: No changes to the Capital Village Commercial Project Conditions of Approval.
Staff Report: Jeffrey Beiswenger, Planning Department
Advances Goals: 1 and 5

PUBLIC HEARING ITEMS

15. **Subject:** Anatolia Marketplace Project RC-06-222 Design Review and Conditional Use Permit, Located at Southeast corner of Sunrise Boulevard and Douglas Road.
Recommendation: Adopt Resolution No. 199-2006.
Result of Recommended Action: Approval would grant planning entitlements needed to construct a 125,529 sq. ft. shopping center on approximately 14.7 acres with a grocery store, gas station with a carwash, fast-food restaurant with a drive-thru, and 5 multi-tenant retail buildings. The applicant is requesting conditional use permits to allow the construction of a gas station and to allow additional building height.
Staff Report: Jeffrey Beiswenger, Planning Department
Advances Goals: 1, 2, 6, 8, and 9
16. **Subject:** Urgency Ordinance Extending a Temporary Moratorium on the Establishment of New Cardrooms.
Recommendation: Adopt Urgency Ordinance 62-2006. **(Roll Call Vote)**
Result of Recommended Action: This ordinance will extend the current moratorium on the establishment of new cardrooms in the City for an additional 6 months.
Staff Report: Joseph Chapman, City Attorney’s Office
Advances Goals: 1, 4, and 8

***7:00 P.M. - BREAK**

REGULAR CALENDAR ITEMS

17. **Subject:** Planning Commissioner Appointments.
Recommendation: That re-elected Council Members Linda Budge and Dan Skoglund submit their respective nominations for Planning Commissioner to the full City Council for

formal approval to fill Planning Commissioner terms that coincide with their Council Member terms.

Result of Recommended Action: Action on this item will result in Council's appointment of two members of the community to serve on the Planning Commission for terms commencing January 2007 and ending December 2010.

Staff Report: Anna Olea-Moger, City Clerk's Department

Advances Goals: 1 through 13

18. **Subject:** 2007 City Council Conference Attendance & Meeting Schedule.

Recommendation: That Council determine its conference attendance and meeting schedule for 2007.

Result of Recommended Action: Action on this item will confirm the 2007 conference attendance and meeting schedule for Rancho Cordova City Council Members.

Staff Report: Anna Olea-Moger, City Clerk's Department

Advances Goals: 1 through 13

19. **Subject:** Council Member Appointments to Regional Boards, Commissions, 2x2's and Subcommittees for 2007.

Recommendation: That Council Member appointments for 2007 be determined for the listed Boards, Commissions, 2x2's and Subcommittees reflected in the attachment to the staff report.

Result of Recommended Action: Action on this item will confirm the 2007 Rancho Cordova City Council Member appointees and alternates to various boards and committees within the region to which Rancho Cordova provides leadership representation.

Staff Report: Anna Olea-Moger, City Clerk's Department

Advances Goals: 1 through 13

CORRESPONDENCE

COUNCIL REPORTS

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

CITY MANAGER'S REPORT

ADJOURNMENT

ADDITIONAL INFORMATION

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

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

UPCOMING MEETINGS	
<i>Tuesday, January 2, 2007</i>	<i>5:30 p.m. Tentative Study Session in lieu of a regular meeting TBD: Sacramento Public Library Authority JPA Master Plan Agreement</i>
<i>Tuesday, January 16, 2007</i>	<i>4:00 p.m. Tentative Study Session: Traffic Threshold Policy Discussion 5:30 p.m. Regular Meeting</i>
<i>Monday, January 22, 2007 and Tuesday, January 23, 2007</i>	<i>8:00 a.m. to 5:00 p.m. Tentative Special Meeting for Annual Council / Management Staff Meeting</i>
<i>Tuesday, January 30, 2007 Or Wednesday, January 31, 2007</i>	<i>6:00 p.m. Tentative American River Parkway Joint Meeting with City of Sacramento, Sacramento County, CORC</i>
<i>Monday, February 5, 2007</i>	<i>4:00 p.m. Tentative Study Session: Smart Growth Leadership Institute 5:30 p.m. Regular Meeting</i>

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

DEPARTMENTAL GENERAL TELEPHONE NUMBERS	
Building Department	(916) 851-8760
Finance Department	(916) 851-8730
Planning Department	(916) 851-8750
Public Works Department	(916) 851-8710
Redevelopment & Economic Development Department	(916) 851-8780

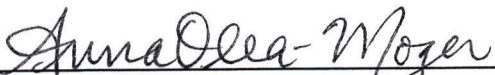
The Rancho Cordova City Council/CRA/RCFC will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, SureWest and Strategic Technologies Cable Systems. Tune to Metro Cable Channel 14, for playback times. It will be webcast at www.sacmetroable.tv. A VHS copy is also available for check out from any library branch. The City does not control scheduling of this telecast and persons interested in watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14.

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

CERTIFICATION OF POSTING OF AGENDA

I, Anna Olea-Moger, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the Monday, December 18, 2006 Regular Meeting of the Rancho Cordova City Council/CRA/RCFC was posted and available for review on December 14, 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 14th day of December 2006 at Rancho Cordova, California.


Anna Olea-Moger, CMC, City Clerk

MEMORANDUM



Date: December 18, 2006
To: Honorable City Council
From: Joseph Chapman, Deputy City Attorney
Subject: An Ordinance Amending Rancho Cordova Municipal Code Chapter 5.50, "Cable Television Ordinance"

RECOMMENDATION

Waive the first reading, and introduce Ordinance No. 59-2006.

*Held to
Jan 15th*

RESULT OF RECOMMENDED ACTION

This ordinance accomplishes changes requested by the Sacramento Metropolitan Cable Commission, which relate to the timing of meetings held by the Commission and the dissolution of the Commission.

BACKGROUND

Cable franchising throughout the County of Sacramento is handled through the Sacramento Metropolitan Cable Television Commission (the "Commission"), a joint powers association involving the County of Sacramento and the incorporated cities of the County, including the City of Rancho Cordova.

The ordinance provisions governing the formation and operation of the Commission are set forth in Chapter 5.50, "Cable Television Ordinance," of the City's Municipal Code. Chapter 5.50 was adopted by reference from the County Code following the City's incorporation in 2003.

Earlier this year, the City received a request from the Commission to make two changes to the City's cable television ordinance:

A. Extend the Term of the JPA and Commission Through 2024.

The Joint Power Agreement ("JPA") that created the Commission is included in the cable franchise ordinances of each member agency. The Commission's termination date is currently December 2007. This date is consistent with the original franchise with Sacramento Cable, which was to have expired in 2003. However, in 1988, as part of a litigation settlement agreement with Sacramento Cable, an optional 20 year extension was provided. This option has been exercised and the franchise term now ends on December 23, 2023.

At the time of the settlement, the member agencies did not take action to adjust the JPA. As a result, the Commission is scheduled to dissolve in 2007. If the Commission is allowed to dissolve, the franchise agreement will still exist, but the Commission will no longer exist to manage the franchise. Member agencies would instead need to come to some alternative arrangements in order to operate those aspects of the franchise that require joint action by the member agencies.

The Commission is now requesting that all member agencies, including the City, amend their codes in order to extend the Commission's termination date from December 2007 to December 2024. It is the Commission's opinion that this date will provide the Commission and its member agencies with maximum flexibility in addressing the dissolution of the Commission.

The Commission is also asking the City to amend its ordinance to provide for a general review of the Commission in 2010 in order to evaluate the status of the Commission and determine whether any other additional actions affecting the Commission should be taken by the member agencies. Regardless of the proposed amendments, the member agencies can act to dissolve the JPA and the Commission at any time.

B. Amend the Timing of Commission Meetings.

The current JPA requires the Commission to hold regular meetings at least once per quarter. The Commission is now employing a part time Executive Director. As a result, it is the Commission's opinion that streamlining the number of Commission meetings is appropriate. The Commission is asking that the City's ordinance be amended to reflect that the Commission will only have one required meeting per year. The Commission will still have the authority, however, to meet as often as necessary in order to conduct the business of the Commission.

MOTION

"I move that the City Council adopt Ordinance No. 59-2006 of the City of Rancho Cordova amending Rancho Cordova Municipal Code Chapter 5.50, "Cable Television Ordinance."

ATTACHMENT(S)

1. Ordinance 59-2006

CITY OF RANCHO CORDOVA

ORDINANCE NO. 59-2006

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
RANCHO CORDOVA AMENDING RANCHO CORDOVA
MUNICIPAL CODE CHAPTER 5.50, "CABLE TELEVISION ORDINANCE"**

RECITALS

WHEREAS, the Sacramento Metropolitan Cable Television Commission (the "Commission") was created pursuant to the Agreement of Formation set forth in Sacramento County Code Chapter 5.50, Section 5.50.112, "Agreement of Formation"; and

WHEREAS, on September 20, 2003, upon incorporation, the City of Rancho Cordova adopted by reference certain provisions of the Sacramento County Code, including Chapter 5.50, "Cable Television Ordinance" and Section 5.50.112, and became a member of the Commission; and

WHEREAS, on February 2, 2006, the Commission adopted a resolution endorsing the amendment of Section 5.50.112 by the Commission's member agencies, including the City of Rancho Cordova; and

WHEREAS, this Ordinance will amend Section 5.50.112 to reflect the Commission's proposed amendments to the Agreement of Formation; and

WHEREAS, the City Council finds that the Commission's proposed amendments are needed to extend the termination date of the Commission to accommodate for the extension of the current franchise with Sacramento Cable from 2003 to 2023, which will allow the Commission sufficient time to wind up franchise and Commission business after the franchise ends; and

WHEREAS, the City Council finds that the Commission's proposed amendment to reduce the number of required Commission meetings from 4 to 1 per year is warranted in light of the Commission's employment of a part-time Executive Director.

DECISION

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

SECTION 1. Title 5, Chapter 5.50, Section 5.50.112, "Agreement of Formation," Subsection 2a of the Rancho Cordova Municipal Code is hereby amended to read as follows:

"a. Meetings of the Board of Directors and of such advisory or other committees as the Board may appoint, shall be governed by the provisions of the Ralph M. Brown Act (Government Code Sec. 54950 et seq.). The Board of Directors shall establish a

time and place for its regular meetings, which shall be held not less frequently than once per year."

SECTION 2. Title 5, Chapter 5.50, Section 5.50.112, "Agreement of Formation," Subsection 9, "Term," of the Rancho Cordova Municipal Code is hereby amended to read as follows:

"9. Term. Except as hereinafter provided, this Agreement shall terminate and the Commission shall be deemed dissolved on December 31, 2024.

The Commission shall review the status of the franchise and the status of state and federal law related to cable franchises no later than June 30, 2010 and shall make a recommendation to the member agencies on whether the Commission shall be dissolved prior to December 31, 2024. Nothing in this section shall preclude the Commission from making a recommendation regarding the continuation or early dissolution of the Commission either prior to or after June 2010."

SECTION 3: Severability

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

SECTION 4: Effective Date and Publication

Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Grapevine Independent, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with California Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

PASSED AND ADOPTED this 16th day of January, 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

MEMORANDUM



DATE: December 18, 2006

TO: Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: RESOLUTION NO. 196-2006 AUTHORIZING THE CITY MANAGER TO EXECUTE A ONE (1) YEAR EXTENSION TO THE NON-EXCLUSIVE COMMERCIAL SOLID WASTE AND RECYCLABLES COLLECTION FRANCHISE AGREEMENTS BETWEEN THE CITY OF RANCHO CORDOVA AND THE COMMERCIAL FRANCHISEES

RECOMMENDATION

Staff recommends that City Council adopt Resolution No. 196-2006 authorizing the City Manager to execute a One (1) Year Extension to the Commercial Solid Waste and Recyclables Collection Franchise Agreements between the City of Rancho Cordova and the Commercial Franchisees.

RESULT OF RECOMMENDED ACTION

The primary objective of this extension to the Commercial Solid Waste and Recyclables Collection Franchise Agreements is to allow sufficient time for Staff to complete discussions with the Solid Waste Authority and execute a new franchise agreements and an ordinance to commercial waste haulers in the City regarding a consistent regional commercial diversion strategy.

BACKGROUND AND SUMMARY

On September 2, 2003 the City Council adopted Ordinance No. 15-2003, which established the authority of the City to regulate private solid waste hauling companies that provide waste collection and recycling services to commercial businesses and multi-family complexes in the City of Rancho Cordova. Prior to incorporation these private solid waste haulers were regulated by the Sacramento Regional Solid Waste Authority ("SWA"), which consists of the City and County of Sacramento and the City of Citrus Heights. Ordinance No. 15-2003 also provided continuation rights for holders of a valid SWA franchise to provide waste collection and recycling services in the City through calendar year 2005.

On November 7, 2005 the City Council adopted a new Commercial Solid Waste Ordinance (22-2005) and adopted Resolution No. 140-2005, which authorized the City Manager to execute new commercial franchise agreements. On December 19, 2005 the City Manager executed eleven (11) non-exclusive commercial franchises.

The eleven (11) commercial franchises executed in December 2005 expire in December 2006. It was the intent of City staff to work closely with the SWA and the franchisees on the

implementation of a new franchise agreement and development of a new ordinance prior to the end of calendar year 2006. However, due to on-going regional discussions with SWA staff and the commercial franchisees, the new franchise agreement and ordinance have not been finalized to-date. The staff recommendation is therefore to extend the current franchise agreements for one (1) additional year in order to allow sufficient time to complete the discussions and execute a new franchise agreement and ordinance.

FISCAL IMPACT

Section 6 of the Commercial Solid Waste and Recyclables Collection Franchise Agreement requires the franchisees to pay an eight percent (8%) franchise fee on gross revenues received for providing commercial solid waste services within the City. Franchise fees are required to be paid monthly, and are due on the first day of the second month immediately following the month in which collection revenues are received. For example, franchise fees on revenues received during January are due to the City on March 1.

The eight percent (8%) franchise fee currently generates revenue in the range of \$225,000 to \$250,000 per year, which will remain unchanged with the execution of the amendment of the commercial franchises.

ISSUES AND DISCUSSION

The SWA has regulated commercial solid waste haulers operating in the City and County of Sacramento, and the City of Citrus Heights, since the early 1990's. Upon incorporation the City of Rancho Cordova elected not to become a member of the SWA.

In an effort to comply with the fifty percent (50%) waste diversion mandates of AB 939, the SWA has historically required the commercial franchisees to divert thirty percent (30%) of the waste they collect from commercial businesses and multi-family complexes. The requirement was set at thirty percent (30%), as opposed to fifty percent (50%), in recognition of the other waste diversion and recycling activities in the region that are not performed by the franchisees.

During the past eighteen months the commercial franchisees have argued to SWA and City staff that it is difficult for them to comply with the 30% diversion requirement for two primary reasons. First, the diversion requirement is placed only on the franchisees, while local businesses have no requirements to participate in recycling or waste reduction programs or activities. In other words, while the franchisees may offer recycling services to local businesses, there is no requirement on the businesses to participate. Second, there are several local companies that collect only "source separated" recyclable materials from local businesses, and also some local businesses that recycle their own materials. The franchisees have stated that it is difficult to comply with the 30% diversion requirement because they receive no diversion credit for these "other" recycling activities.

The commercial franchisees have advocated a mechanism whereby the diversion requirement is transferred from them to the local businesses. City staff has participated in on-going discussions with the commercial franchisees and SWA staff regarding this proposal, however a consensus has not been reached to-date on the proposed diversion mechanism. Please note that while City staff has agreed to participate in these regional discussions, there is no obligation for the City to implement the revised diversion mechanism if it does not meet the needs or objectives of the City. However, City staff acknowledges the mutual benefit of a consistent

wave!
regional commercial diversion strategy, and will continue to participate in the regional discussions until the revised regional mechanism is finalized.

SUMMARY OF PROPOSED FRANCHISE AGREEMENT AND ORDINANCE

Section 3(a) of the Commercial Solid Waste and Recyclables Collection Franchise Agreement Between the City of Rancho Cordova and (Franchisee) will be amended to read as follows:

"(a) Subject to Section 20 of the Agreement, the term of the Franchise granted to FRANCHISEE shall be from the date first indicated above to December 31, 2007."

CONCLUSION

Staff recommends the Council approve the attached Resolution No. 196-2006 titled "A Resolution of the City Council of the City of Rancho Cordova, California Authorizing the City Manager to Execute the First Amendment to the Commercial Solid Waste and Recyclables Collection Franchise Agreements Between the City of Rancho Cordova and the Commercial Franchisees."

ATTACHMENTS

- A. Resolution No. 196-2006
- B. First Amendment to the Commercial Solid Waste and Recyclables Collection Franchise Agreement between the City of Rancho Cordova and the Commercial Franchisees

extend for 1 yr!

- do the haulers monitor?
- or does the City monitor?

ATTACHMENT A

Resolution No. 196-2006

**A RESOLUTION OF THE CITY OF RANCHO CORDOVA AUTHORIZING THE CITY
MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE COMMERCIAL SOLID WASTE
AND RECYCLABLES COLLECTION FRANCHISE AGREEMENTS BETWEEN THE CITY OF
RANCHO CORDOVA AND THE COMMERCIAL FRANCHISEES**

CITY OF RANCHO CORDOVA

RESOLUTION NO. 196-2006

**A RESOLUTION OF THE CITY OF RANCHO CORDOVA AUTHORIZING THE CITY MANAGER
TO EXECUTE THE FIRST AMENDMENT TO THE COMMERCIAL SOLID WASTE AND
RECYCLABLES COLLECTION FRANCHISE AGREEMENTS BETWEEN THE CITY OF RANCHO
CORDOVA AND THE COMMERCIAL FRANCHISEES**

WHEREAS, in December 2006 the City executed eleven (11) non-exclusive Commercial Solid Waste and Recyclables Collection Franchise Agreements; and

WHEREAS, the Franchises expire on December 31, 2006; and

WHEREAS, City staff are participating in on-going discussions with SWA staff and the Commercial Franchisees regarding proposed new mechanisms and strategies for commercial waste reduction and recycling programs; and

WHEREAS, commercial waste reduction and recycling programs are an important component of the City's overall efforts to comply with the 50% waste diversion requirement of AB 939; and

WHEREAS, the City and the Commercial Franchisees mutually agree to extend the non-exclusive commercial Franchise Agreements for one calendar year in order to allow sufficient time to implement a new commercial waste reduction and recycling strategy; and

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

- A) The City Manager is authorized to execute the First Amendment to the Commercial Solid Waste and Recyclables Collection Franchise Agreements.

PASSED AND ADOPTED by the City Council of on the 18th day of December, 2006 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

ATTACHMENT B

**FIRST AMENDMENT TO THE COMMERCIAL SOLID WASTE AND RECYCLABLES
COLLECTION FRANCHISE AGREEMENT BETWEEN THE CITY OF RANCHO CORDOVA
AND (FRANCHISEE NAME)**

**First Amendment to the Commercial Solid Waste and
Recyclables Collection Franchise Agreement Between
the City of Rancho Cordova and (Franchisee Name)**

This First Amendment to the Commercial Solid Waste and Recyclables Collection Franchise Agreement Between the City of Rancho Cordova and the Franchisees is made and entered into as of this ____th day of December, 2006 by and between the City of Rancho Cordova, a Municipal Corporation in the State of California ("City"), and _____ (Franchisee Name).

RECITALS

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 ("AB 939") (California Public Resources Code Section 40000 et seq.), has declared that it is in the public interest to authorize and require local agencies to make adequate provisions for solid waste and recyclables handling within their jurisdictions; and

WHEREAS, the CITY has determined that the public health, safety and welfare require that non-exclusive Franchises be awarded to qualified companies for the collection, transport, processing and disposal of commercial solid waste and recyclables in the CITY; and

WHEREAS, the Legislature has found and declared in Section 49510 of the Public Resources Code that it is in the public interest to foster and encourage solid waste and recyclables enterprise so that, at all times, there will continue to be competent enterprises willing and financially able to furnish needed solid waste and recyclables handling service; and

WHEREAS, the City requires all haulers, including governmental and public entities providing commercial solid waste services in the CITY, to obtain a non-exclusive Commercial Franchise in order to regulate this business, ensure its orderly operation and to minimize the potential for adverse effects it may have on the local environment; and

WHEREAS, FRANCHISEE agrees to and acknowledges that it shall arrange for the proper disposal of all commercial solid waste collected in the CITY and CITY is not instructing Franchisee how to collect, transport, process or dispose of commercial solid waste or recyclables so long as its operation is consistent with CITY Ordinance 22-2005; and

WHEREAS, the CITY acknowledges that the Sacramento Regional Solid Waste Authority ("SWA") is currently reviewing the non-exclusive Commercial Franchise Agreement and Ordinance for commercial Franchisees operating in the SWA region, and CITY further acknowledges the benefit of a consistent Franchise Agreement for commercial Franchisees operating in the City and in the SWA region. CITY therefore intends to review the new SWA Franchise Agreement at such time as it is available and, if it is in the CITY'S best interest to do so, to execute a new Franchise Agreement that is functionally similar to the new SWA Franchise Agreement in order to maintain regional consistency between the City and the SWA; and

WHEREAS, in December 2006 the City executed eleven (11) non-exclusive Commercial Solid Waste and Recyclables Collection Franchise Agreements; and

WHEREAS, the Franchises expire on December 31, 2006; and

WHEREAS, commercial waste reduction and recycling programs are an important component of the City's overall efforts to comply with the 50% waste diversion requirement of AB 939; and

WHEREAS, CITY and FRANCHISEE desire to amend the Commercial Solid Waste and Recyclables Collection Franchise Agreement by extending the term for on year through December 31, 2007.

NOW, THEREFORE, based on the mutual promises contained herein, the parties agree as follows:

1. Illegal Pile Collection Fee

Section 3 "Term of Franchise" is hereby amended as follows:

(a) Subject to Section 20 of this Agreement, the term of the Franchise granted to Franchisee shall be from the date first indicated above to December 31, 2007.

2. Effective Date.

This Amendment shall be effective as of _____, 2006.

IN WITNESS WHEREOF, the parties have executed this Amendment the day and year set forth below.

City of Rancho Cordova:

Franchisee Name:

Ted A. Gaebler, City Manager

Signature

Date

Date

Attest:

Anna Olea-Moger, City Clerk

Date

Approved as to Form:

Adam U. Lindgren, City Attorney

Date

MEMORANDUM



DATE: December 18, 2006

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Director of Public Works

SUBJECT: RESOLUTION 197-2006 AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTING SERVICE CONTRACT WITH PARSONS BRINKERHOFF QUADE & DOUGLAS, INC. FOR THE PROMENADE FEASIBILITY STUDY PROJECT

RECOMMENDATION

Staff recommends that the City Council adopt Resolution 197-2006 authorizing the City Manager to execute a consulting services contract with Parsons Brinkerhoff Quade & Douglas, Inc. for \$325,000 to provide engineering and architectural services on "The Promenade" project.

RESULT OF RECOMMENDED ACTION

This project addresses feasibility and preliminary engineering for a gateway structure over Highway 50 and will deliver a concept that will set the stage for environmental evaluation design and construction of this future landmark. The project will also fulfill the City's requirements for obligating a \$300,000 SACOG Community Design Program grant.

BACKGROUND

In January of 2006 the City submitted a grant application to the Sacramento Area Council of Governments to study the feasibility of a bicycle and pedestrian over crossing of Highway 50 that will connect office parks and future residents south of the highway with the City's commercial core to the north, linking jobs with light rail and retail services. The SACOG Board of Directors approved the Promenade project as part of the Community Design Program in March of 2006.

During the development of the City's Transit Master Plan, staff recommended that this Highway over crossing location, just east of the Zinfandel Interchange, would be ideal for the Transit Signature Route alignment. After further discussion with SACOG's grant administrators, it was determined that expansion of the over crossing concept to include a transit facility would be appropriate for the intent of the Community Design Program.

SACOG Agreement and Consultant Selection

SACOG completed a standard Memorandum of Understanding (MOU) between the MPO and grant awardees in the summer of 2006. City staff followed this effort with a

consultant selection process that resulted in the selection of Parsons Brinkerhoff Quade & Douglas, Inc. for project development. The SACOG MOU will be presented with the agreed upon scope of work in order to obligate the funding for the project.

ATTACHMENT(S)

1. Resolution 197-2006 authorizing the City Manager to execute a contract with Parsons Brinkerhoff Quade & Douglas, Inc.
2. Consultant scope of services, schedule and fees

CITY OF RANCHO CORDOVA

RESOLUTION NO. 197-2006

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSULTING SERVICES
CONTRACT WITH PARSONS BRINKERHOFF QUADE & DOUGLAS, INC. FOR THE
PROMENADE FEASIBILITY STUDY PROJECT**

WHEREAS, the City of Rancho Cordova desires to enter into a contract with Parsons Brinkerhoff Quade & Douglas, Inc.; and

WHEREAS, the purpose of the contract is for development of a feasibility study for The Promenade project; and:

WHEREAS, the contract is in the amount of \$325,000.00; and therefore exceed the maximum amount that the City Manager has authorization to approve.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the City Manager is authorized to execute a contract with Parsons Brinkerhoff Quade & Douglas, Inc. in a form approved by the City Attorney.

PASSED and ADOPTED at a meeting of the City Council of the City of Rancho Cordova held on the 18th day of December 2006 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Sander, Mayor

ATTEST:

Anna Olea-Moger, City Clerk

Scope of Services for the Development of Architectural Concepts and Initial Engineering for The Promenade in Rancho Cordova, CA

The following scope of services is proposed for the conduct of Development of Architectural Concepts and Initial Engineering for The Promenade project in Rancho Cordova, California. For each task identified below and on the following pages, a general description of the proposed task is provided, followed by a description of the deliverable, the proposed staff assigned to the task and the anticipated/proposed schedule for the task effort.

Phase 0—Project Management

The Promenade project will be managed from the Sacramento office of Parsons Brinckerhoff (PB). Project Management will focus on maintaining the scope/schedule/budget for the project and delivering quality products. The project management activities include:

- Preparing and implementing a Quality Control Plan which prescribes and documents QC procedures;
- Progress Reports accompanying Invoices every four weeks identifying charges incurred and the related actions and issues;
- Periodic check-ins and updates with the Principal-in-Charge;
- Periodic reviews with city of Rancho Cordova PM on scope/schedule/budget progress; and
- Identification and documentation of any changed condition(s), new directions or other substantive changes to the scope of services.

Deliverable(s): A Quality Control Plan; periodic updates to schedule; every four weeks Progress Reports and Invoices

Assigned Staff: Jeff Damon of the PB Team with support staff and the PIC.

Schedule: Assuming a January 3, 2007 NTP, this task will continue through the duration of the project and be completed no later than December 31, 2007.

Phase 1—Alternatives Development

Developing alternatives is a highly interactive process between the city of Rancho Cordova staff and decision-makers, the technical agencies of Caltrans and FHWA, and the PB Team. Our revised/proposed process will take approximately three (3) months to complete the “alternatives development” phase of effort.

The alternatives are presently envisioned as having three dimensions of variables:

- The take-off and touch-down locations and horizontal location of the bridge structure may vary within 1,200-feet along Prospect Park parallel to the freeway;
- The design concept of the bridge, modes carried, and/or phasing, may vary between a more-minimal ped/bike-only bridge and a more-ambitious ped/bike/transit bridge structure; and
- The architectural treatment of the bridge structure will undoubtedly consist of multiple concepts.

The following task activities and deliverables will be undertaken using the staff identified and in the timeframe noted (recognizing that certain schedule issues such as setting up the Project Development Team (PDT) may be out of PB's control and thus could adversely affect the schedule):

Task 1.1: Project Kickoff and Prepare Program Statement

Upon receiving a written Notice-to-Proceed (NTP), key members of the PB Team will meet with City staff within two days to discuss the various parameters of the project, protocols and drawing scale and numbers of copies, etc., membership in the Project Development Team (PDT), the schedule, who are the key stakeholders and finalizing a strategy for the successful completion of this overall work effort.

Following this initial meeting, the City staff will develop and invite the PDT membership. An initial set of key stakeholder interviews (up to eight) will be conducted by the PB Team and documented in a "blind" summary.

Based on the PDT members input, key stakeholder input, and professional judgment/guidance, a Program Statement will be prepared by the PB Team, which will define the various parameters (as they are known) for the project including the opportunities, constraints, and design aspirations. In addition, a draft set of Study Goals (up to three) and Objectives (up to two for each Goal) will be developed and presented in the Program Statement for consideration and refinement by City staff. The Program Statement will be used as the basis for beginning the design concept development process.

Up to six additional PDT meetings will be held at regular and agreed-to times for the duration of the project.

Deliverable(s): A 3-page "blind" summary of key stakeholder interviews; minutes of PDT meetings; and a Program Statement up to 10 pages in length will be prepared with this task.

Assigned Staff: Jeff Damon and Ali Seyedmadani, as well as select architecture, planning & engineering staff of PB, Kim Pollari of the Hoyt Company.

Schedule: Assuming a January 3, 2007 NTP, this task will occur during the month of January 2007.

Task 1.2: Conduct One PDT Design Charrette

The first PDT meeting will be held at the City offices approximately the last week of January 2007/first week of February 2007. This PDT meeting will last approximately 4 hours in length with the first hour or two reviewing the project, the schedule, the Program Statement components, and possibly a short field tour of the site area. Following a break, the remaining 2 hours will consist of an interactive design charrette with the PDT and will be led by the PB Team. The outcome of this effort will be the identification of up to six initial concepts for fulfilling the expectations for The Promenade.

Following the design charrette with the PDT, the PB Team would like to meet the same day with City staff to debrief the effort and address/refine any issues that arise. If any follow-on meetings are required with City staff, the PB Team will assess the implications and needs and respond in accordance with the schedule and budget limitations.

Deliverable(s): Up to six graphic portrayals of the design concepts derived from the PDT design charrette will be prepared and incorporated into a working paper/memorandum that documents the design charrette process and results.

Assigned Staff: All key members of the PB Team will be involved in the design charrette including Jeff Damon, Scott Danielson, Ali Seyedmadani, Katie Eastham, and Kim Pollari, along with selected support staff.

Schedule: This full-day effort will occur in the late January/early February 2007 timeframe on a day mutually agreed to. The event will begin at 9 or 10 AM and include the provision of lunch by the consultant team for all members of the PDT and consultant team.

Task 1.3: Synthesize Results and Prepare Concept-Level Cost Estimates

Based on the results of Task 1.2, the PB Team will synthesize the results of the work effort and determine an initial set of engineering and environmental issues and opportunities and preliminary costs. An initial set of up to two engineering designs (e.g., a horizontally expandable structure and a full-structure) will be developed based on the charrette. Up to four architectural design treatments will also be developed and hand-rendered for this effort. Initial cost estimates with "significant" contingencies will be developed by the PB Team as a basis for determining the overall feasibility of the concepts relative to the City's anticipated budget resources. The Consultant and City will strive to have flexibility to reflect the community interests.

The PB Team will meet with City staff to review this material and then meet with the PDT for further review and limited refinement based on the comments received.

Deliverable(s): A working paper/memorandum of approximately 20 pages will be prepared and will include up to two engineering concepts and up to four architectural treatments/hand renderings. Cost estimates will be prepared reflecting a range of potential costs associated with the concepts (but not an individual cost estimate for each variation of engineering concept and architectural treatment). A review of potential environmental issues, opportunities and constraints will also be documented in the paper.

Assigned Staff: All key members of the PB Team will be involved in the design charrette including Jeff Damon, Scott Danielson, Ali Seyedmadani, Katie Eastham, and Kim Pollari, along with selected support staff.

Schedule: Task 1.3 will occur during the month of February 2007.

Task 1.4: City Council/Planning Commission Workshop #1

A single joint City Council/Planning commission workshop lasting approximately 2-3 hours will occur in approximately mid-March 2007. The purpose of this workshop will be to present the results of the design charrette and refine the concepts based on input from the decision-makers. The City will be responsible for determining an appropriate meeting day and time and inviting the various members to the event. The PB Team will be responsible for presenting the various concepts, engaging the decision-makers in the design process, and documenting the results of the task effort.

Deliverable(s): The results of this first workshop will be documented in a 10-15 page working paper/memorandum.

Assigned Staff: Key staff from the PB Team will include Jeff Damon, Scott Danielson, and Ali Seyedmadani, as well as select design staff and Kim Pollari of the Hoyt Company.

Schedule: This event is anticipated to occur in mid-March, approximately the week of March 19, 2007.

Phase 2—Alternatives Refinement and Select Locally Preferred Alternative(s)

Refining the alternatives will be conducted in Phase 2 and will be based on the input received from the PDT as refined by the City Council and Planning Commission. The refinement of the concepts developed in Phase 1 will begin with determining a short-list of up to three concepts for more-detailed refinement. The phase will conclude with a second workshop with the City Council and the identification of up to two locally preferred alternatives. The following task activities and deliverables will be undertaken using the staff identified and in the timeframe noted:

Task 2.1: Screen Long List of Concepts to a Short-List of Alternatives for Further Development

Using the input gained from Task 1, as well as the Goals and Objectives, a matrix-based screening process will be undertaken; the end product will be up to three alternatives for further study. The screening effort will occur with City staff and then (if desired by the City) reviewed with the PDT for review and input. A “short-list” of up to three alternatives reflecting a specific engineering design concept and architectural treatment will be determined and documented.

Deliverable(s): A “Screening of Concepts” report up to 10 pages in length will be prepared documenting the matrix screening process, considerations and results. If desired by the City, an up to 3-page “talk piece” will also be prepared presenting an illustration of the design concept and bulleted information regarding the concept illustrated.

Assigned Staff: Jeff Damon, Ali Seyedmadani, Katie Eastham and selected PB Team staff as appropriate.

Schedule: This effort will occur in late March 2007 following the City Council/Planning Commission workshop.

Task 2.2: Refine Up to Three Alternatives in More Detail and Prepare Visualizations and Cost Estimates

Utilizing the three alternatives identified from the screening process in Task 2.1 they will be refined further focusing on developing the engineering and architectural details to a more refined-conceptual level of detail. Environmental and funding issues will also be studied further in this task effort and documented. The level of effort, while general in this scope, will be consistent with the resources budgeted in the accompanying cost proposal and shall not exceed those resources unless mutually agreed-to in writing and in advance of undertaking this task effort.

Visualizations will be prepared for the concepts. The number of visualizations will be a function of the desire of the City to communicate what images and perspectives, as well as the consultant resources available for this task effort. The PB Team will meet with City staff at the onset of this effort to determine what visualizations should occur and when they should be prepared; it is assumed for budgeting purposes that up to three (3) static visualizations will be prepared.

Note Changed Task: Based on discussions held with SACOG staff late in the week of November 27th, 2006 it was revealed that the most-recent thinking is that SACOG will request in approximately March-April 2007 a “two-page” summary of candidate projects for further SACOG funding consideration. As the projects will be tied to specific funding guidance, SACOG and Caltrans will be reviewing these initially and identifying those candidate projects that will at least initially meet the funding requirements. As desired, the PB Team will assist the City in the preparation of this two-page summary.

The PB Team will assess the funding opportunities and guidelines associated with the SACOG Community Design Grant program, as well as other potential state and federal funding opportunities in association with

Caltrans and SACOG. The assessment will consist of identifying programs, eligibility requirements and timeframes, and potential “next steps”.

Deliverable(s): This task effort will result in the preparation of a “Summary of Environmental Issues” (up to 5 pp); a “Summary of Funding Opportunities” (up to 5 pp); Conceptual Engineering drawings (up to 4); a refined preliminary cost estimate for the alternatives; and a set of computer-generated visualizations (up to 3 initially assumed, but would be a function of the type and extent and will be determined in consultation with the City and key staff).

Assigned Staff: Jeff Damon, Ali Seyedmadani, Katie Eastham, Bryan Porter and selected PB Team staff

Schedule: This effort will occur in April 2007. The following task activities and deliverables will be undertaken using the staff identified and in the timeframe noted.

Task 2.3: Attend Rancho Cordova Parkway Interchange Open House (Optional)

At the request of the City, members of the PB Team will attend the Rancho Cordova Parkway Interchange Open House that is being organized by others. The PB Team role will be refined in consultation with City staff, but will be limited to a support role and for information purposes only.

Deliverable(s): No specific deliverables are assumed for this task, although a comment card and selected graphical depictions already prepared by the PB Team may be used at this Open House to help communicate community expectations.

Assigned Staff: Jeff Damon and Kim Pollari of the PB Team, as well as potentially some select Team members.

Schedule: The Open House to be determined and organized by others.

Task 2.4: City Council/Planning Commission Workshop #2

A second joint City Council/Planning commission workshop lasting approximately 1-2 hours will occur in approximately late-May 2007. The purpose of this workshop will be to present the results of the concepts refinement based on input from the decision-makers, the community, the screening process and the more-detailed engineering and architectural study. The City will be responsible for determining an appropriate meeting day and time and inviting the various members to the event. The PB Team will be responsible for presenting the various alternatives, engaging the decision-makers in reviewing the alternatives and helping to guide the process to the selection of up to two locally preferred alternatives, and documenting the results of the task effort.

Deliverable(s): The results of this second workshop will be documented in a 5-10 page working paper/memorandum.

Assigned Staff: Key staff from the PB Team will include Jeff Damon, Scott Danielson, and Ali Seyedmadani, as well as select design staff and Kim Pollari of the Hoyt Company.

Schedule: This event is anticipated to occur in late-May, approximately the week of May 22, 2007 with documentation following thereafter.

Phase 3—Refine the Locally Preferred Alternative(s)

The third and final technical phase of the feasibility study will be to refine the locally preferred alternative(s) [up to two] and advance the conceptual/preliminary engineering recognizing that there will be flexibility

based on the actual expenditures in the earlier task items. The proposed budget for this task is approximately 500 hours. As applicable, this will also involve assisting the city of Rancho Cordova in the preparation of a SACOG Community Design Grant application for eventual submittal.

Task 3.1: Further Refinement of the Locally Preferred Alternative(s)

After the completion of Phase 2, the PB Team members will meet with City staff to review the results and determine the next step. It is envisioned that further project development and refinement of the alternative(s) will occur in this phase leading to enhanced definition of the alternative(s). The specific tasks to be undertaken will be determined in concert with city staff and mutually agreed-to based on the resources available and the needs of the community, grant programs, or other considerations identified.

Deliverable(s): Additional technical work as appropriate and mutually agreed to.

Assigned Staff: Assigned staff will include key members of the PB Team and will be based on the needs of the project identified at the onset of Phase 3.

Schedule: It is envisioned that this phase of effort will extend from June to September or October 2007.

Task 3.2: City Council/Planning Commission Workshop #3

A third and final joint City Council/Planning commission workshop lasting approximately 1-2 hours will occur in approximately October 2007. The purpose of this workshop will be to present the results of the concepts refinement based on input from the decision-makers and the more-detailed engineering and architectural study. The City will be responsible for determining an appropriate meeting day and time and inviting the various members to the event. The PB Team will be responsible for presenting the locally preferred alternative(s) and engaging the decision-makers and documenting the results of the task effort.

Deliverable(s): The results of this third workshop will be documented in a 5-10 page working paper/memorandum; the visualizations developed earlier in the process will be used and included in a "summary and overview" presentation to the workshop group.

Assigned Staff: Key staff from the PB Team will include Jeff Damon, Scott Danielson, and Ali Seyedmadani, as well as select design staff and Kim Pollari of the Hoyt Company.

Schedule: This event is anticipated to occur in October 2007.

Task 3.3: Assist City of Rancho Cordova in the Preparation of SACOG Grant Application Materials

The PB Team will assist the city of Rancho Cordova in the preparation of SACOG Grant Application materials; the goal will be to jointly develop a high-quality and competitive application for the next phase of project development. As of December 5, 2006, the "known" submittal is now envisioned as a "two-page" overview/project description to be used for initial consideration and screening by SACOG and Caltrans. This submittal will be due in approximately March or April 2007. Based on the initial review and screening by SACOG and Caltrans, a more-detailed application may be required for project definition and competitive ranking with other projects in the region. The PB Team will work with the city to jointly develop the technical, graphic and literary materials (within the limitations of the budget resources available and allocated) for these submittals.

Deliverable(s): Materials for SACOG Grant applications.

Assigned Staff: Jeff Damon plus technical staff as necessary based on the needs identified.

Schedule: At this time, the known submittal is march-April 2007; subsequent submittals are anticipated. SACOG intends to notify previous Grant recipients of the schedule in January 2007. *Note: it is imperative that the SACOG Community Design Grant liaison remain apprised of this project's status on a regular (monthly) basis with a brief e-mail update so that he can keep his management apprised of the project and its progress.*

Task 3.4: Final Report

A Final Report will be prepared for the project and will describe the various activities, Goals & Objectives, guidance received, screening and results, and final Locally Preferred Alternative(s) and cost estimates. The Final Report will incorporate substantive comments received on the various working papers plus new information as applicable. *(Note: Comments received on the various working papers will be noted and filed for use at this time; revised versions of the individual working papers are not assumed to be prepared as part of this contract.)* A draft Final Report will be prepared for city review and comment and a final Final Report will be prepared incorporating those comments mutually agreed to.

Deliverable(s): A draft Final Report and a final Final Report each approximately 15 pages in length.

Assigned Staff: Jeff Damon plus technical staff as necessary based on the needs identified.

Schedule: The Final Report will be prepared in the October-November, 2007 timeframe.

Phase	Task Effort	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
	0. Project Management and Project Development Team Meetings													< -- Assume NTP on 1/3/07 and project ends no later than 350 days later
1 -- Alternatives Development	1. Kickoff and Prepare Program Statement													
	2. Conduct One PDT -- Level Design Charrette													
	3. Synthesize Results & Prepare Concepts													
	4. Present Results at City Council Workshop #1													
2 -- Alt's Refinement and Select Locally Preferred Alternative	1. Screen "Long List" to "Short List" of Concepts													
	2. Refine up to 3 Concept Designs and Prepare Visualizations													
	3. Attend RC Parkway I/C Open House (Optional)													
	4. Present Results at City Council Workshop #2													
3 -- Refine the Preferred Alternative	1. Refine Locally Preferred Alternative													
	2. Present Results at City Council Workshop #3													
	3. Assist City in Prep of SACOG Community Design Grant Application													

ESTIMATE OF PERSON HOURS AND COSTS BY TASK, KEY INDIVIDUALS, FIRMS AND IN TOTAL

December 7, 2006

PHASE, TASK # & NAME/DESCRIPTION	Parsons Brinckerhoff							The Hoyt Company							Approximate Cost Per Task					
	Project Manager J. Dawson	Principal In Charge and QA/QC	Architectural Lead S. Davidson	Structural Lead S. Davidson	Urban Design J. Goldberg	Environmental Lead K. Eastham	Funding Lead B. Porter	Engineering & Planning Staff	Graphics & Technical Support Staff	Project Administration & Support	TOTAL PH	Project Manager K. Pallat	Principal In Charge W. Hoyt	Outreach Specialist		Graphic Technician	Executive Assistant	TOTAL Hoyt	TEAM TOTAL HOURS & DOLLARS	% Hours by Task
0 Project Management (POT Meetings, Involving, Progress Reports & QA/QC)	120	12		40	16	32		24	16	60	320	20	4	16	16	24	80	400	17%	\$ 56,228
1-1 Project Kickoff & Prepare Program Statement for Project Definition	40	4	4	16		16	8	40	12		140						-	140	6%	\$ 19,680
1-2 Conduct One POT Design Charrettes	16		12	24	12	8		40	12		124	12				12	24	148	6%	\$ 20,804
1-3 Synthesize Results & Prepare Concept-Level Designs and Cost Estimates	16	4	16	24	16	12	4	120	12		224						-	224	10%	\$ 31,488
1-4 City Council/Ping Commission Public Workshop #1	16		12	16	12			40	16		112	24	4	16		6	50	162	7%	\$ 22,772
2-1 Screen "Long List" Concepts to "Short List" or Alternatives	16	2	4	12	16	16	4	24	12		108						-	106	5%	\$ 14,901
2-2 Refine Concept Designs and Prepare Visualizations	8	4	8	24	12	18		140	40		252						-	252	12%	\$ 38,674
2-3 Attend Rancho Cordova Pkwy I/C Open House (Optional)	8							6	4		18						-	18	1%	\$ 2,530
2-4 City Council/Ping Commssn/ Public Workshop #2	16		12	12	12			24	16		92	24	4	16		6	50	142	6%	\$ 19,961
3-1 Finalize Concepts Based on Workshop #2 and Screen	16	4	8	50	32	32	40	280	20		482						-	482	22%	\$ 72,224
3-2 Select Preferred Alternative w/ City Council/Planning Commission (Workshop #3)	16		16	24				14			70	24	4	16		6	50	120	5%	\$ 16,868
Assist City in Preparation of Grant (Recommd Optional Task)	56	2	4			8		24	16		118						-	118	5%	\$ 16,587
Total Hours:	344	32	96	242	136	132	64	776	176	60	2,058	104	16	64	16	54	254	2,312	102%	
Hourly Rate	\$ 184	\$ 198	\$ 246	\$ 192	\$ 189	\$ 127	\$ 170	\$ 93	\$ 98	\$ -	\$ 1,940	\$ 135	\$ 185	\$ 83	\$ 95	\$ 75	254	\$ 305,985		
Total Hourly Costs	\$ 63,355	\$ 6,347	\$ 23,569	\$ 46,464	\$ 25,727	\$ 16,723	\$ 10,902	\$ 72,084	\$ 16,871	\$ -	\$ 282,153	\$ 14,040	\$ 2,960	\$ 5,312	\$ 1,520	\$ 4,050	\$ 23,832	\$ 305,985		
TOTAL \$											\$ 282,153						\$ 23,832	\$ 306,985		

ESTIMATE OF FEES, % of TOTAL & HOURS BY FIRM 7-Dec-06

	Estimated Fee	% of Total	Hours
Parsons Brinckerhoff	\$ 282,153		2,058
Other Direct Costs*	14,080		
3 Months Escalation	2,822		
Total Parsons Brinckerhoff	\$ 299,054	92%	
The Hoyt Company	\$ 23,832		254
Other Direct Costs*	2,114		
Total Hoyt Company	\$ 25,946	8%	
TOTAL TEAM	\$ 325,000	100%	2,312

*Other Directs Costs are mapping, travel, phone, deliveries, printing and so forth

*Other Directs Costs include travel, food, phone, deliveries, printing and so forth.

12/7/2006

Parsons Brinckerhoff Team Cost Estimate

MEMORANDUM



DATE: December 18, 2006
TO: Honorable Mayor and City Council
FROM: Paul Junker, Planning Director

**SUBJECT: RESOLUTION AUTHORIZING A CONSULTANT SERVICE AGREEMENT
WITH JONES & STOKES FOR THE PREPARATION OF THE
WESTBOROUGH AT EASTON EIR**

RECOMMENDATION

Adopt Resolution No. 198-2006.

RESULT OF RECOMMENDED ACTION

Adoption of the resolution will authorize the City Manager to execute a contract with Jones & Stokes for the preparation of an Environmental Impact Report for the Westborough at Easton development project.

BACKGROUND

The Westborough at Easton project (RC-23-0040-180; Applicant: GenCorp) will entitle 1140 acres of land within the City limits of Rancho Cordova located south of Highway 50, east of the Folsom South Canal and north of White Rock Road. As proposed the project could include; over 3,500 dwelling units; 88 acre transit-oriented town center; 96 acres of general commercial; a high school, middle school and two elementary schools; an open space network with parks, drainage facilities and natural resource areas.

The project will require the preparation of a Specific Plan document, rezone, design review and tentative subdivision maps entitlements.

Before these various entitlements can be approved and construction of the project begun, it is necessary to conduct an environmental review of the project in accordance with the California Environmental Quality Act (CEQA).

The City issued an RFP for preparation of the EIR. Based on review of the proposals submitted by City staff and input from the project applicant, Jones & Stokes was determined as the most appropriate firm to prepare the EIR.

Financial Impacts

Jones & Stokes' total estimated cost for preparing the EIR is \$423,804. The attached resolution will authorize the City Manager to execute a contract with Jones & Stokes for that

amount. Funding for the preparation of the EIR will be provided by the project applicant and will not involve the City's general fund.

REQUESTED MOTION

"I move that the City Council adopt the resolution authorizing the City Manager to execute a consultant services agreement with Jones & Stokes for the preparation of the Westborough at Easton EIR.

ATTACHMENTS

1. Resolution No. 198-2006
2. Proposed Work Program
3. Cost Estimate Worksheets

CITY OF RANCHO CORDOVA

RESOLUTION NO. 198-2006

**A RESOLUTION OF THE CITY COUNCIL OF RANCHO CORDOVA
AUTHORIZING THE EXECUTION OF A CONSULTANT SERVICES AGREEMENT BETWEEN
JONES & STOKES AND THE CITY OF RANCHO CORDOVA
FOR PREPARATION OF AN ENVIRONMENTAL IMPACT
REPORT FOR THE WESTBOROUGH AT EASTON DEVELOPMENT PROJECT**

WHEREAS, the City of Rancho Cordova ("City") has determined that the preparation of an environmental impact report ("EIR") for the Westborough at Easton development project ("Project"; RC-23-0040-180) is necessary in order to comply with the requirements of the California Environmental Quality Act ("CEQA"); and

WHEREAS, the City solicited proposals from environmental consultant firms for the preparation of an EIR for the Project; and

WHEREAS, following review of the proposals received, Jones & Stokes ("Consultant") was determined to be the most appropriate consultant firm to prepare the EIR for the Project; and

WHEREAS, funding for preparation of the EIR shall be provided by the project applicant and shall not use money from the City's general fund.

NOW, THEREFORE, BE IT RESOLVED the City Council hereby authorizes the City Manager to execute a consultant services agreement between Jones & Stokes and the City of Rancho Cordova, which shall be in a form approved by the City Attorney, and which shall be for an amount not to exceed Four Hundred Twenty-Three Thousand Eight Hundred Four Dollars (\$423,804.00).

PASSED AND ADOPTED by the City Council of on the 18th day of December, 2006 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

Revised Section 2. Work Program and Cost Estimate
for

Proposal

**Environmental Impact Report
for Westborough at Easton
Development**

Prepared for:

City of Rancho Cordova, Planning Department
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November 16, 2006



Jones & Stokes

November 16, 2006

Mr. Ben Ritchie, Environmental Coordinator
City of Rancho Cordova Planning Department
2729 Prospect Park Drive
Rancho Cordova, CA 05670

SUBJECT: Revised Section 2. Work Program of the Scope of Work and Cost Estimate for the Westborough
at Easton Development

Dear Mr. Ritchie:

Thank you for the opportunity to submit Jones & Stokes' revised Section 2. Work Program and cost estimate of our proposal to work with the City of Rancho Cordova (City) on the preparation of the environmental impact report (EIR) and possible environmental impact statement (EIS) process for the Westborough at Easton Development. Enclosed are three copies of the revised Work Program and cost estimate.

The revised section and cost estimate have been updated since September 15, 2006 to reflect the City's and the Applicant's review comments on the original proposal. The changes we made to the original section resulted from our conference call with you on November 10, 2006. We anticipate that the changes are accurate and respond to the review comments.

Terry and I want to restate our commitment to support the City in developing an EIR that will satisfy the legal requirements of CEQA and provide complete information about the potential environmental (including traffic effects) of the project. If you have any questions or need additional information, please contact Terry Rivasplata or me at 916/737-3000.

Sincerely,

Jack Gougé
Project Director
Attachment/Enclosure
PS437.06

Terry Rivasplata, AICP
Project Manager

Section 2

Work Program

Proposed Work Program

Task 1. Project Initiation

Jones & Stokes is currently in receipt of the following project information and technical studies. We understand that a cultural resources report is also currently being prepared for the applicant by the applicant's consultant.

- Preliminary Project Description.
- Draft Land Use Plan.
- Large Lot Tentative Map.
- Preliminary Drainage Master Plan; MacKay and Somps. September 2005.
- Preliminary Water Supply Master Plan; MacKay and Somps. September 2005.
- Sanitary Sewer Study; MacKay and Somps. July 2005.
- Tree Inventory; MacKay and Somps. June 2005.
- Biological Resources Assessment; Ecorp Consulting, Inc. October 2005.
- Wetland Delineation; Ecorp Consulting, Inc. August 2005.

Once the site plans and other available technical reports are received from the City, and the work plan and cost estimate are confirmed with City staff, we will initiate the project. The Jones & Stokes project manager, Terry Rivasplata, will meet with City staff on two separate occasions to review the scope of work and project schedule, and agree upon the format of monthly progress reports and the means of documenting communication with City staff. We will obtain information for the project description; review key issues; discuss known areas of controversy, environmental measures being incorporated in the project design and layout, and the schedule; and obtain relevant documents and updated site plans. City suggestions for project redesign or mitigation measures will also be discussed. We propose a project kick-off meeting involving key project staff and representatives from the City and the applicant be held following the coordination described above.

Task Deliverables:

- None.

Task Meetings:

- Two coordination and project kick-off meetings.

Task 2. Project Work Plan

With the initiation of the project, Jones & Stokes will prepare and implement procedures and guidelines included in the project work plan as the management tools used by Jones & Stokes'

project manager to monitor changes in the project and to monitor the quality of the deliverables prepared by Jones & Stokes. The plan will be an ongoing record of project decisions, project descriptions, contract (scope) and change management process, communication procedures, summary of key coordination meetings with local, state, and federal agencies, and various appendices documenting key project issues and their resolution. The plan will also include the routing of project documents, staffing, invoicing procedures, and project schedule. Two appendices have been identified at this time for inclusion in the plan. These appendices are QA/QC review (documentation thereof) and design criteria and related issues (environmental constraints). The plan will be prepared at the beginning of the project and will be updated as necessary and maintained by Jones & Stokes' project manager. At the conclusion of the project, the most current version of the plan will be delivered to the City as a project record.

Task 3. Prepare Project Description

Jones & Stokes will prepare the Project Description for the EIR. Working with the City, Jones & Stokes will prepare a Project Description that describes the project in terms appropriate for an EIR and includes all elements required by CEQA Guidelines Section 15124. The Project Description will include a site location map, a site plan, description of proposed infrastructure and public facilities, the types and amounts in square feet and housing units of proposed development, and sufficient information to address the areas of potential environmental concern. The project description will also include assumptions regarding project construction, construction schedule, required permits and approvals, and any applicant-proposed mitigation measures to avoid or minimize potential environmental effects.

Jones & Stokes will first prepare a preliminary draft Project Description for review and comment by the City. Following the review of the City's comments on the preliminary Project Description, we will prepare a data needs listing for use in scoping technical reports supporting the EIR, and for identifying informational needs from the City and/or applicant, as well as from resource agencies. We propose that one coordination and one comment review meeting be held with the City. Following the initial impact analysis that could result in a change in the Project Description, we will prepare the draft Project Description on which the EIR will be based. Once the impact analysis has begun, changes in the draft Project Description may require a contract modification (depending on the level of revision necessary to reflect the Project Description changes).

Assumptions: The City and/or the applicant will provide descriptions of construction activity, equipment, and scheduling to support development of the project description. The Specific Plan is being drafted by the applicant in close consultation with City staff. Having a steady, consistent project description is important to efficiently and accurately prepare the EIR. Jones & Stokes assumes that the draft Specific Plan will be completed before the draft Project Description is finalized for the EIR and that the City will apply its policies to the proposed specific plan and reconcile as many inconsistencies as possible before approving the project description for the EIR. Accordingly, the project description will identify any general plan amendments being requested as part of the project. During preparation of the EIR, Jones & Stokes assumes that mitigation may take the form of design changes or policies added to the Specific Plan.

Task Deliverables:

- One PDF copy each of the Preliminary draft and draft Project Description.
- One copy of the data needs listing.

Task Meetings:

- One coordination and one comment review meeting.

Task 4. Notice of Preparation and Scoping Meeting

Prepare Notice of Preparation

Jones & Stokes will prepare a Notice of Preparation (NOP) for the project. We will submit to the City a draft NOP that meets the requirements of Section 15082 of the State CEQA Guidelines, including a location map, for the City's review. The NOP will also note that the City will hold a scoping meeting on the project and will include the date, time, and place of that meeting. Upon the City's approval, Jones & Stokes will submit one final copy of the NOP to the State Clearinghouse in Sacramento, and mail a copy to each of the following agencies. We will coordinate with the city to obtain the City's preferred contacts at these agencies.

- California Department of Conservation;
- California DFG;
- California Department of Parks and Recreation;
- Office of Historic Preservation;
- California Department of Transportation, District 3;
- State Lands Commission;
- Regional Water Quality Control Board, Region 5;
- Sacramento County Planning Department;
- Sacramento Metropolitan Air Quality Management District;
- Native American tribe, if any;
- Regional office of the U.S. Fish and Wildlife Service (USFWS); and
- U.S. Army Corps of Engineers; and
- Bureau of Reclamation

Attend Scoping Meeting

Because the project is considered of "regional significance", a scoping meeting is required under Public Resources Code Section 21083.9. The scoping meeting would need to be held with affected agencies to discuss the project's potential effects. Jones & Stokes recommends that the City also invite neighbors and other concerned individuals and groups to the meeting. Jones & Stokes' project manager and project coordinator will prepare for and attend the 4-hour meeting, answer questions regarding the CEQA process, and take general notes (not an official transcript) of the comments received. Jones & Stokes will provide the City with a written summary of the comments.

Jones & Stokes will rely on the City to select a date for the scoping meeting, arrange and pay for a meeting place, and send out notices to anyone not included on the above list of public agencies.

Assumptions: The City will be responsible for providing notice, as required by CEQA. Jones & Stokes will provide the City with a final summary of comments made at the public scoping meeting.

Task Deliverables:

- One PDF copy of the draft NOP.
- Twenty hard copies, one camera-ready, and one PDF copy of the final NOP.
- One copy of the summary scoping meeting notes.

Task Meeting:

- Scoping meeting.

Task 5. NEPA Compliance

If NEPA compliance is required as a result of federal agency permitting action, and Jones & Stokes will prepare a supplemental scope and cost estimate for converting the EIR into a joint CEQA/NEPA document. The type of NEPA document that will be required is dependent in part on the federal agency that will take lead agency responsibility. The most likely candidate for federal lead agency is the U.S. Army Corps of Engineers (Corps). Jones & Stokes will meet and discuss that agency's approach to NEPA compliance and needs with the City and the federal agency prior to preparing the supplemental scope. To the extent practical, the scope and cost will utilize studies and other information prepared for the Draft EIR. Following up to three 2-hour coordination meetings with the Corps and the City, Jones & Stokes will prepare a revised scope leading to the preparation of a project EIR/EIS. Two copies of the revised scope and budget will be submitted to the City for review and approval.

NEPA requires a level of integration with other federal laws not generally undertaken under CEQA. As part of the process of preparing a joint CEQA/NEPA document, Jones & Stokes will undertake the reviews required under the applicable Executive Orders (EOs) and federal laws. These include, but are not limited to EO 12898 on Environmental Justice, EO 11990 on Protection of Wetlands, EO 11988 on Floodplain Management, the National Historic Preservation Act, Federal ESA, the Clean Air Act (CAA), and others. The applicable reviews will be determined after discussions with the Corps over its approach to NEPA compliance. The following could be required: Federal ESA compliance (which typically requires preparation of a biological assessment if the federal lead agency undertakes consultation as part of its NEPA process); analysis of the least environmentally damaging practicable alternative as part of the Section 404 Clean Water Act (CWA) permitting; analysis of environmental justice concerns; and consultation with the State Historic Preservation Officer regarding Section 106 of the National Historic Preservation Act and related laws dealing with historic and cultural resources.

Jones & Stokes will utilize its substantial experience in crafting a joint document that fully complies with NEPA. Our regulatory experts, Michael Jewell and Nancy Haley, have many years of practical experience preparing, managing and executing Corps Regulatory Program EISs, including joint documents, for projects in California. During Mr. Jewell's assignment at Corps Headquarters in 2005, he was responsible for crafting guidance currently used by Corps Districts to prepare EISs. **Having expert staff on the project team that know and understand Corps EIS requirements is key to a timely, effective, and successful environmental document.**

Task Deliverables:

- One hard copy and one PDF copy of the revised scope and budget (Effort not billed to the City).

Task Meeting:

- Three 2-hour coordination meetings.

Task 6. Review Technical Studies

The applicant has prepared a number of technical studies for the project site. Jones & Stokes will peer review again and in further detail. Based on this review and for budgeting purposes, we have assumed the studies are adequate for incorporation into the EIR without additional analyses. In effect, Jones & Stokes' technical staff will provide third-party review for the following completed studies:

- Preliminary Drainage Master Plan; MacKay and Somps. September 2005.
- Preliminary Water Supply Master Plan; MacKay and Somps. September 2005.
- Sanitary Sewer Study; MacKay and Somps. July 2005.
- Tree Inventory; MacKay and Somps. June 2005.
- Biological Resources Assessment; Ecorp Consulting, Inc. October 2005.
- Wetland Delineation; Ecorp Consulting, Inc. August 2005.
- Cultural Resources Survey (currently being prepared).

Review of the technical studies will require the following site visits by Jones & Stokes team members:

- Biological resources and wetlands assessment (wildlife biologist and botanist), and
- Cultural resources pedestrian survey (archeologist).

A technical memorandum identifying any data gaps in the scope and/or results of the technical studies listed above will be prepared. Summary field notes will also be prepared and incorporated into the technical memorandum for review by the City. The technical memorandum will identify any additional studies that may be needed for the preparation of the EIR. One review meeting with the City has been included in the budget.

Assumptions: This scope of work and cost estimate assumes that the technical studies are adequate for CEQA purposes to support the EIR, and contain accurate characterization of the project site. Should additional technical research and analysis be necessary, Jones & Stokes will work with City staff to identify additional work needed and the budget for the additional work. Alternatively, the applicant (and their consultants) could be directed to complete such additional technical analyses and Jones & Stokes would provide peer review of the scope and results of any new studies conducted.

Task Deliverable:

- One copy of the Technical memorandum (including any data gaps and field notes).

Task Meeting:

- Technical memorandum review meeting.

Task 7. Prepare Administrative Draft EIR

Jones & Stokes will prepare the Administrative Draft EIR in compliance with requirements of CEQA and of the City of Rancho Cordova. A sample outline for the EIR is presented below. If a combined EIR/EIS is prepared, this outline will be modified. Likely revisions include an additional section on Environmental Justice; analysis of the project and alternatives in each section within Chapter 3.0; and a separate discussion of "significance" in each of these sections to distinguish the CEQA requirements from those of NEPA.

Westborough at Easton EIR Preliminary Table of Contents

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The following sections provide an overview of the scope to prepare the Chapters of the EIR.

Executive Summary:

Often, the Executive Summary consists of repetition of the project description and a table of impacts and mitigation measures. While satisfying the requirements of CEQA, this is not very helpful to the reader. Jones & Stokes will prepare an Executive Summary that meets the requirements of CEQA and is written as a true summary of EIR findings. The chapter will contain a concise, clearly written summary of the proposed project's elements, alternatives analyzed, and findings of the EIR. The exact wording of the impacts and mitigation measures presented in the EIR will be presented in table format and will be placed at the end of the Executive Summary.

Chapter 1 Introduction:

The Introduction to the EIR will contain an explanation of the requirements of CEQA for preparation of an EIR, project objectives, and an explanation directing readers how to find information in the EIR.

Chapter 2 Project and Alternatives Description:

The Project Description section of the EIR will contain the Project Description prepared in Task 3. The study area for the EIR will be defined in text and depicted graphically. This section will also include a description of the alternatives analyzed in the EIR.

Chapter 3 Environmental Analysis: Setting, Impacts, and Mitigation Measures:

Each technical chapter will contain a concise description of the methodology used in the analysis, and the standards used to determine whether an impact is significant. We will work with the County to determine appropriate Standards of Significance, which will be based on County standards and thresholds, CEQA guidelines (Appendix G Environmental Checklist), relevant agency standards, and professional judgment. The methodology for development of mitigation measures will also be described.

Three project alternatives, in addition to the No Project Alternative, will be analyzed in the EIR, within each environmental analysis section. These alternatives will be analyzed at a level of detail allowing comparison of the impacts of the alternatives with those of the proposed project, but not at an equal level of detail to the proposed project. Jones & Stokes will work with the City and the applicant to develop feasible project alternatives that would substantially reduce one or more of the project's potentially significant impacts. The three project alternatives will include:

- alternative street layout, with or without the east/west connector to Sunrise Boulevard;
- site redesign, with a different distribution of land uses than the project; and
- alternative density.

The EIR will also discuss those alternatives to the project that were considered for analysis, but rejected, and the reasons for rejection.

Jones & Stokes will prepare the following are descriptions of sections within Chapter 3:

Aesthetics and Visual Resources

The newly adopted City of Rancho Cordova General Plan gives clear direction to guide development toward taking advantage of existing natural and manmade landmarks, vistas, and viewsheds while screening utility sites, facilities, and equipment. The City's Design Guidelines also provide a detailed framework for meeting the general plan goals. Jones & Stokes staff will use their expertise in visual assessment, viewshed mapping, impact analysis, and landscape architecture to assess the potential impacts of the Westborough at Easton development, related to aesthetics and visual resources.

The visual resources assessment will follow standards of professional practice for aesthetic analysis to ensure adherence with standards for environmental compliance. Jones & Stokes will perform the assessment using a methodology developed by Jones & Stokes applicable to development projects. This methodology is generally based on methods and protocol developed by the Federal Highway Administration (FHWA) and adopted by the Caltrans, in combination with elements of other visual resources assessment methods (including U.S. Forest Service and Bureau of Land Management methods).

We will collect and review the appropriate municipal plans from the City, County, and other general and specific area plans. The plans will be reviewed for applicable guidelines, policies, and objectives pertaining to highway facilities and visual resources. In addition, Jones & Stokes will coordinate with local agencies and City staff to collect and analyze relevant project information including community design issues, public comments and concerns, and aerial photographs. Jones & Stokes will review the relevant project information, maps, and data.

A field visit will be conducted to assess existing visual resource conditions in the project area. The field visit will include an inventory of these existing conditions: viewpoints; notable visual resources; and the vividness, intactness, and unity of the project area. This scope assumes that one Jones & Stokes staff person can conduct all necessary field investigations in 1 day.

The visual assessment will include:

- Methodology for Visual Assessment: discussion of the methods, terms, and thresholds for significance;
- Regulatory Setting and Relevant Public Policies: an overview of applicable policies and guidelines regarding visual resources (including, but not limited to, the City of Rancho Cordova General Plan);
- Environmental Setting:
 - Physical setting – a description of the regional visual character and area-specific landscape viewshed units (which comprise the baseline conditions for assessing aesthetic impacts);
 - Viewer groups - characterization of viewer groups and their responses to changes in views;

- Impacts Discussion: an impact analysis that focuses on changes in key public views, overall visual character, nighttime light, and daytime glare;
- Mitigation Measures (if necessary); and
- References.

The analysis will include these graphics: a vicinity map, photo locations, and representative photographs.

Assumptions: This scope of work assumes that the City will provide the following:

- Site plan drawings for the project site including conceptual layout/massings and proposed aesthetic treatments supplied by the appropriate project consultant;
- The client will provide planting and lighting plans for each alternative from other similar projects at the first client project kick-off meeting;
- Aerial photographs showing land uses and environmental concerns within 500 feet of the project site at a scale of 1:2,000 or less; and
- Community impact studies and public comments.

Air Quality

In the air quality analysis, Jones & Stokes will focus on construction and operational emissions, and emissions of carbon monoxide (CO) emitted by vehicles operating within the proposed project area.

The air quality analysis will focus on the criteria pollutants of greatest concern in the Sacramento Valley Air Basin (SVAB) that will be generated by construction and operation of the proposed project. Those pollutants include ozone precursors (reactive organic gases [ROGs] and oxides of nitrogen [NOX]), carbon monoxide (CO), and inhalable particulate matter (PM10 and PM 2.5). Jones & Stokes' air quality specialists will prepare an air quality analysis describing existing air quality conditions, the project's air impacts, and mitigation measures designed to reduce the significance of project-related air impacts.

In the project setting section, Jones & Stokes will describe the existing environmental conditions and the current air quality regulatory environment as it applies to this project. We will summarize meteorological and climatological data for the project study area, as well as localized conditions in the vicinity of the proposed project using data collected by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the California Air Resources Board (ARB). The pollutants of concern in the proposed project area, and their known health effects, will also be described. The existing state and federal ambient air quality standards, the SVAB's attainment status with regard to those standards, and a discussion of applicable air quality goals, policies, and attainment plans of state and local agencies, including the region's most recent air quality plans will be summarized.

Jones & Stokes will complete the air quality section of the EIR and prepare a discussion of the potential impacts. This discussion will describe the air quality thresholds used to identify

significant impacts. We also will describe the methodology used to estimate construction and operational emission impacts and discuss existing sensitive receptors in the project vicinity, as well as the excavation of contaminated soils.

The impacts section will identify significance thresholds for air quality impacts, using the SMAQMD's Guide to Air Quality Assessment in Sacramento County for the assessment of CEQA impacts. Construction-related emissions, including ozone precursors, CO, and PM10, will be estimated using emission factors obtained from the California Environmental Protection Agency (Cal EPA) and ARB as well as information provided by the project applicant. An evaluation of increased health risks associated with exposure of nearby sensitive receptors to construction-related diesel exhaust will also be performed. Operational emissions of ozone precursors, CO, and PM10 associated with mobile and area sources will be estimated using the URBEMIS2002 model and traffic data contained in the transportation and traffic technical report prepared by Fehr & Peers, a subconsultant to Jones & Stokes for this project. .

For the assessment of CO impacts, data from the transportation and circulation analysis will be reviewed to determine the need for localized CO modeling, based on methodology contained in the Caltrans Transportation project-Level Carbon Monoxide Protocol. In the event that localized CO modeling is warranted, we will use the CALINE4 model and the latest version of ARB emission factors (EMFAC2002) to estimate CO concentrations at the key intersections analyzed in the transportation and circulation analysis. CO concentrations at up to five intersections will be evaluated under existing, completion year, and build-out year conditions. CO impacts will be assessed by evaluating whether the proposed project meets the ambient air quality requirements for localized pollutants by determining whether it causes or contributes to an exceedance of state or federal CO standards. Jones & Stokes will identify mitigation measures to reduce or eliminate any significant air quality impacts that are identified in the analysis.

The results of the air quality analysis will be summarized in tables showing total operational emissions and CO concentrations. A detailed description of the CO modeling methodology, including the CALINE4 CO modeling computer output, will be summarized in an air quality appendix to the EIR.

Biological Resources and Wetlands

The project site supports a number of important biological resources, including, but not limited to vernal pools; threatened and endangered species; other wetlands; cottonwood woodlands; oak tree habitat; raptor habitat and/or foraging areas; and Valley Elderberry Longhorn Beetle habitat. The General Plan contains several policies that will help to guide the environmental analysis, including NR 1.1.1 – 1.1.3 requiring consideration of habitat issues; NR 1.1.4 requiring nesting surveys for migratory birds; NR 2.1.1 requiring evaluation of feasible on-site alternatives to reduce impacts to wetlands; and NR 4.1.3 requiring development guidelines to require the avoidance of oak habitat to the maximum extent feasible.

Sacramento County, in cooperation with the USFWS and California DFG as well as the City of Rancho Cordova, is preparing a habitat conservation plan for a major portion of the County,

including the project site. The South Sacramento Habitat Conservation Plan (SSHCP), currently in draft form, is intended to allow projects that would result in the incidental take of listed species to proceed as long as the plan's protective requirements are applied to the projects. The SSHCP is expected to be adopted in early 2008.

Jones & Stokes will conduct an additional peer review of the three biotic reports that have been submitted for the proposed project (Biological Resources Assessment; Wetland Delineation; Tree Inventory). Jones & Stokes will also thoroughly review the City's interim Swainson's hawk ordinance and how the ordinance will affect the project. The peer review will include the following reconnaissance field surveys:

- Obtain and review existing and available information that pertains to the project area. This will include a review of records from the California Natural Diversity Database (CNDDB) (2005), environmental documents prepared for the project by the Applicant's biological team and Jones & Stokes file information. This information would be used to develop lists of special-status species and other sensitive biological resources that have the potential to occur in the project region.
- Review existing information already collected on suitable habitat for the valley elderberry longhorn beetle.
- Coordinate with resource agencies. The purpose of this coordination effort will be to obtain additional information on special-status species. As part of this task, we will also obtain species lists from the USFWS. We will also coordinate closely with the City to produce a reasonable and defensible compensation strategy regarding the valley elderberry longhorn beetle. We will coordinate with the City and the Applicant during their consultation efforts with the USFWS. This scope does not include direct and formal consultation with the USFWS.
- Conduct a 1-day reconnaissance-level field visit to document existing conditions and become familiar with the project site. The general purpose of the biological field visit will be to:
 - Confirm plant communities and describe associated wildlife habitat uses. We will use the best available base maps to prepare plant community and sensitive biological resource figures for the EIR.
 - Assess existing conditions to ensure that habitat quality and suitability for special-status plant and wildlife species has not changed since prior evaluations.
 - Observe wetland areas identified in the existing wetland delineation for the project site and areas proposed for mitigation.

Jones & Stokes will peer review the wetland delineation report that was prepared for the proposed project in 2005. The peer review will include a 1-day reconnaissance field visit to observe wetland areas identified in the existing wetland delineation and to become familiar with the project site. The reconnaissance field surveys will focus on clarifying the wetlands descriptions in the project area, characterizing the resource values and function of each wetland, and evaluating the feasibility of on-site wetland mitigation. This scope assumes that the wetland technical study is generally adequate. We are not proposing to conduct any additional wetland

delineations as part of this scope. Based on a review of existing information and data as well as any information gathered during a Jones & Stokes' field visit, we will prepare a wetlands setting section that describes wetlands documented in the project area.

The biological resource section will include a setting section that describes vegetation, wildlife, and wetlands resources documented in the project area. The setting section will be based on a review of existing information and data as well as any information gathered during a Jones & Stokes' field visit. This section will also contain a regulatory subsection that discusses the project's consistency with county, state, and federal policies and regulations. We are not proposing to conduct any additional field protocol-level surveys (i.e., botanical surveys) as part of this scope.

The impacts and mitigation measures section of the EIR will include an evaluation of potential impacts from on-site and off-site project elements on biological resources (i.e., special-status species, wetlands, riparian habitats, and protected trees) and will identify feasible mitigation measures to reduce potential impacts to a less than significant level.

Cultural Resources

Jones & Stokes cultural resources specialists will use existing information to the extent possible for preparation of the cultural resources analysis in the EIR. The cultural resources survey report currently in preparation will be used as the primary source to document the application of adequate methods to determine if significant cultural resources are present in the proposed project area. Our scope of work assumes that the previously prepared report documents that both a cultural resources records search and an archaeological field reconnaissance have already been conducted; therefore, our scope of work does not include those tasks.

Our scope of work is designed to be adequate for the purposes of compliance with CEQA requirements for the identification and assessment of impacts on cultural resources. This scope of work also includes tasks, such as Native American consultation. SB 18 of 2004 requires the City to undertake meaningful consultation with any Native American tribes identified by the Native American Heritage Council (NAHC) as part of its Specific Plan adoption process. This is a government-to-government consultation. Jones & Stokes will assist the City to begin this consultation, as described below.

Jones & Stokes cultural resources specialists will review the previously prepared cultural resources inventory report for adequacy for compliance with CEQA and for compliance with Section 106 of the NHPA. A Jones & Stokes archaeologist will also conduct a brief field review of the project site to confirm the findings of the inventory report and to confirm that no potentially significant cultural resources are present in the project area.

Our staff will contact the Native American Heritage Commission (NAHC) and Native American organizations and individuals identified by the NAHC to request information about cultural resources important to Native Americans, if necessary. The results of this Native American consultation will be documented in the cultural resources section of the EIR.

As part of this task, Jones & Stokes cultural resources staff will prepare a draft letter for the City to request consultation with Native American groups identified by the NAHC.

Jones & Stokes will prepare the cultural resources section of the EIR which will include information on the cultural setting of the project area, regulatory requirements, methods used in the analysis, identification of impacts and potential impacts, and feasible mitigation measures, where available, that will reduce any impacts to a less than significant level.

This scope assumes that there are no potentially significant archaeological or historical resources within the study area and that the mining tailings have already been determined to be not significant. If the mine tailings need to be evaluated for California Register of Historical Resources or for the National Register of Historic Places, additional task(s) may be necessary and Jones & Stokes will notify the City immediately and help determine an appropriate course of action. Our scope also assumes that no additional technical reports will be necessary.

Geology and Soils/Mineral Resources (Including Mine Tailings)

Earth scientists from Jones & Stokes will prepare a summary of existing geologic, soil, and mineral resource conditions in the affected area using project-specific geotechnical reports provided by the applicant, and existing maps and literature published by the U.S. Geological Survey, California Geological Survey, and Natural Resources Conservation Service. Based on information gathered from these sources, Jones & Stokes will qualitatively evaluate the project's potential to substantially alter existing soil and geologic conditions in the project area, and its potential to expose people and structures to substantial adverse impacts involving fault rupture, strong seismic ground shaking, seismic-related ground failure, landslides, expansive soils, soil erosion, and unstable geologic units. If necessary, Jones & Stokes will provide mitigation measures to address potentially significant impacts.

Most of the project site is underlain with dredge tailings – resulting from prior placer mining along the American River. The tailings are made up of large river cobbles and, in some areas, support cottonwoods. The dredge tailings create a challenge for urbanization in that they are unsuitable for development in their current state and will need to be leveled. The work engendered in removing the tailings to prepare the site for development will result in construction-related traffic, noise, and air quality impacts. A brief description of the mine tailings and its environment will be included in Section 3.5, Geology and Soils/Mineral Resources, of the EIR.

In addition, past activities at the site have resulted in soil contamination, which is limited to the eastern edge of the site. The EIR would disclose the extent of soil contamination and the status of remediation efforts. Mitigation may be needed in order to avoid health risks from contaminated soils, if development requires their removal.

Hazards and Hazardous Materials

Jones & Stokes will evaluate hazards and hazardous materials in the project area and associated with project construction and operation to determine if the project will create a significant hazard to the public or the environment, as described in Appendix G of the CEQA Guidelines.

Jones & Stokes assumes that a Phase I Environmental Site Assessment (Phase I), or an equivalent or higher level of site characterization will be provided by the City, the applicant, or the County. It is our understanding that substantial documentation exists from prior site characterizations.

Specifically, Jones & Stokes understands and assumes:

- The proposed project area was carved out of the Superfund site because it was determined by US EPA and Department of Toxic Substance Control (DTSC) to be "clean". Jones & Stokes assumes the documentation for this determination is available and will be provided.
- The characterization of the site and associated hazards and hazardous materials required substantial documentation which should be useful in assessing hazards and hazardous materials associated with past uses. Jones & Stokes assumes this information is available and will also be provided.
- The applicant, GENCORP, had no operations in the vicinity of the project area; it was a buffer area in case of an explosion.

Analysis of the existing site conditions will be based on this background information and previous site assessments and hazards analysis. At a minimum, Jones & Stokes assumes that a Phase I site assessment for the site will be provided. The level of detail of the hazards and hazardous material analysis proposed in this scope of work assumes that this background information is available and will be provided to Jones & Stokes.

No samples will be collected and analyzed for the presence of soil and/or groundwater contamination. The analysis will be based primarily on the information provided in the background reports or the Phase I report. The analysis will also be based on the assumption that the proposed project will comply with all pertinent regulations regarding the presence, use, and storage of hazardous materials on-site and their transportation off-site. Health risk assessments will not be performed under this scope of work.

This section of the EIR will present a detailed discussion of regulatory setting and background information. In addition, the EIR will present thresholds of significance and a discussion of the methodology used to evaluate impacts. In the event that significant impacts are identified, the EIR will recommend appropriate mitigation measures.

Hydrology and Water Quality

Water quality issues will arise due to the increase in impermeable surface that would result from the project, and potential impacts of construction. The National Pollution Discharge Elimination System (NPDES) consists of regulations that attempt to minimize the discharge of materials into

surface waters. NPDES is a federal law administered by the state through the Regional Water Quality Control Board. The EIR will consider increases in runoff and needed provisions for on-site drainage facilities, and the need to examine the potential impacts of the extensive work necessary to prepare the existing mine tailings for development. The EIR will contain feasible and enforceable mitigation measures to ensure that water quality is not compromised. The EIR will also examine water quality at sufficient detail for it to be used by the Regional Water Quality Control Board in issuing permits.

This section of the EIR will address existing conditions, the potential for impacts, and any necessary mitigation related to hydrology, flooding, and water quality. Jones & Stokes will review existing information, including the *Preliminary Drainage Master Plan for Westborough at Easton* prepared by MacKay & Soms (September 2005), the City's General Plan and relevant reports by the Regional Water Quality Control Board (RWQCB), the California Department of Water Resources, and other agencies and sources to prepare the water resources section of the EIR.

The documents mentioned above provide a sound basis and technical methodology for evaluating water resource impacts of the proposed project. Jones & Stokes will review this methodology and ensure that it adequately addresses the potential impacts associated with the project. The EIR will identify significance thresholds based on City guidance, the CEQA guidelines, and the professional judgment of Jones & Stokes staff. Based on these thresholds, Jones & Stokes will prepare a detailed discussion of project impacts, and design feasible mitigation measures to avoid, reduce or eliminate these impacts. The level of significance associated with each impact will be clearly identified both prior to and following mitigation.

Setting. The setting will include a description of the surface hydrology and hydrogeology of the site, including local groundwater levels and characteristics of the American River, Folsom South Canal, and Buffalo Creek. Federal Emergency Management Agency (FEMA)-identified floodplains will be identified and mapped, and surface and groundwater quality will be documented using available data. It is assumed that the applicant will provide any additional engineering studies, such as a conceptual water quality treatment plan, required to adequately assess the potential impacts in this resource area. This scope does not include additional studies related to hydrology, water quality, groundwater, and modeling. Relevant federal, state, and local regulations and agencies will be described, including provisions of the federal CWA, the state Porter-Cologne Water Quality Control Act, and the permitting and regulatory authority of the RWQCB.

Drainage and Flooding. The EIR will address the potential for increased runoff as a result of the proposed project, and any related impacts to drainage systems on site and downstream based on information provided in the *Preliminary Drainage Master Plan for Westborough at Easton* prepared by Mackay & Soms. The storm system infrastructure, described in the Drainage Master Plan, will be considered, as well as FEMA-identified floodplains. Risks to people or structures as a result of construction within FEMA floodplains will also be addressed. Potential public safety issues associated with the proposed onsite drainage systems (detention facility) and any potentially necessary measures to minimize these risks, including implementation of gradual slopes at the basin sides, signage, and/or fencing, will be discussed.

Potential impacts existing on the Folsom South Canal from construction or operation of the project will also be addressed following coordination and informal consultation with Reclamation. This assumes that necessary coordination efforts with Reclamation will be minimal. If an extensive coordination effort is required, the scope and estimated costs may need to be revisited.

Water Quality. The EIR will identify any potential impacts related to water quality as a result of construction and post-construction runoff from the project area. This qualitative analysis will consider sources and types of pollutants based on the proposed land uses, the storm system infrastructure described in the Preliminary Drainage master Plan, and a conceptual water quality treatment plan, prepared by the applicant. Both on-site and off-site impacts will be addressed, including potential impacts on nearby surface water bodies such as Buffalo Creek or the American River, and feasible mitigation measures will be developed to reduce impacts below significance thresholds.

Past activities at the site have resulted in some groundwater contamination. Groundwater contamination is extensive, extending beyond the GENCORP property. The EIR would disclose the extent of groundwater contamination and the status of remediation efforts. Mitigation may be needed in order to avoid health risks from contaminated water, if development requires their removal.

The proposed project would result in the filling of waters of the United States, making it subject to permitting by the Corps. The Section 404 permit process is subject to NEPA, and may be the impetus to prepare a joint CEQA/NEPA environmental document. Consideration of alternatives to the placement of fill (as required under Section 404) will be included in the documentation prepared in support of the EIR.

Land Use and Planning

The City adopted its General Plan in late June 2006. The General Plan is considered a city's "constitution" for land use decision-making – embodying the objectives and policies for growth, conservation, transportation, and other planning-related issues. Specific plans, such as the Westborough at Easton proposal, are required to be consistent with the General Plan.

The General Plan contains numerous policies that require the City to analyze the design of major projects before considering their approval. The General Plan contains many policies that will affect the design of the proposed Westborough at Easton Specific Plan. For example, LU 1.1.2 requires the City to apply the PLACES3 model to proposed development in order to analyze the impact of new development on existing uses and the roadway network; LU 1.7.1 limits transit oriented development to within ¼ mile of major transit hub; C 1.1.5 requires development projects to implement the City's circulation plan; OSPT 1.1.1 requires new development to provide five acres of parkland per 1,000 residents; NR 2.1.1 requires evaluation of feasible on-site alternatives to reduce impacts to wetlands; and NR 4.1.3 requiring development guidelines to require the avoidance of oak habitat to the maximum extent feasible. At first blush, without having more detail about the proposed project than what was provided in the RFP, the proposed

project may be inconsistent with numerous General Plan policies. Additionally, the proposed land use diagram provided us does not conform to the road network shown on the General Plan's Roadway System Map.

Jones & Stokes assumes that the City will apply its policies to the proposed specific plan and reconcile as many inconsistencies as possible before approving the project description for use in the EIR. Accordingly, the project description will identify any general plan amendments being requested as part of the project.

Jones & Stokes' planners will prepare the land use and planning section of the EIR. This section will address the following issues:

- Consistency and compatibility of the proposed project with existing and planned land uses in the vicinity;
- Consistency of the proposed project with Rancho Cordova General Plan and zoning ordinance; and
- Consistency with other applicable plans and policies, including, but not limited to: building height limitations, roadway exceptions, level of service policies, parking and landscape requirements, riparian exceptions and setbacks, minimization of grading, and tree removal requirements.

Jones & Stokes' planners will review the applicable plans and policies and prepare a list for City review for applicability. We will review the project's consistency with the listed plans and policies and prepare a table identifying the project's consistency or inconsistency for City review. For all identified significant impacts, mitigation measures will be proposed to reduce potential impacts to less-than-significant levels.

The EIR will include a General Plan and City land use policy/ordinance consistency table in each technical section, based on the information compiled in this analysis.

Noise and Vibration

Jones & Stokes will assess the noise impacts associated with implementation of the proposed project and prepare the noise section of the EIR. Key noise issues to be addressed will include:

- Exposure of existing and proposed noise-sensitive land uses to construction,
- Exposure of existing noise-sensitive land uses to project-related changes in traffic, and
- Exposure of proposed noise-sensitive land uses to noise from traffic, aircraft, and proposed recreational activities.

In the setting section, existing noise conditions and existing noise-sensitive uses in the project vicinity along with applicable noise standards will be described. Existing noise conditions in the project area will be quantified based on noise monitoring to be conducted at selected locations, data from previous studies, and traffic noise modeling. Traffic noise levels along roadways leading into the project site will be modeled under existing conditions using traffic data provided

by the project traffic consultant and the FHWA Traffic Noise Model (TNM), Roadways associated with up to 10 intersections in the project area will be evaluated. Aircraft noise associated with operations at Mather Airport will be described based on the most recent noise contour mapping available from the airport.

Applicable noise standards in the City's General Plan noise element and noise ordinance (if any) will be summarized. Existing noise-sensitive land uses in the project such as residences, parks, and health care facilities will be identified and discussed.

In the impact section, significance thresholds based on applicable City noise standards will be identified. Construction noise will be evaluated based on construction equipment data to be provided by the project applicant and noise modeling methods recommended by the U.S. Department of Transportation. The potential exposure of existing and planned noise-sensitive land uses to construction noise will be evaluated. Traffic noise levels under cumulative conditions with and without the project will be modeled using The Noise Model (TNM) and traffic data provided by Fehr & Peers. This data will be used to assess noise impacts related to project induced changes in traffic noise levels along local and regional roadways. Impacts related to the exposure of noise-sensitive land uses to traffic noise from existing and planned major roadways in the area (e.g Highway 50, Folsom Boulevard, Rancho Cordova Parkway, and Sunrise Boulevard) and aircraft noise from Mather Airport will be evaluated. Aircraft noise will be evaluated using the most current aircraft noise mapping available from the airport. Proposed uses within the project site may include a park with recreational uses. Noise from recreational activities on adjacent residential uses will also be evaluated, based on typical park uses and their general noise levels.

The significance of noise impacts will be assessed based on the defined significance thresholds. Where significant noise impacts are identified, mitigation measures to reduce impacts to a less than significant level (where feasible and reasonable) will be identified.

Population and Housing

The effects of the proposed project on the projected population of Rancho Cordova and the surrounding areas will be quantified based on population projections by the California Department of Finance and the Sacramento Area Council of Governments (SACOG) and analysis of applicable policies from the Rancho Cordova General Plan. The effects of the proposed project on housing demand and on the housing supply, including affordable housing, will be assessed using information from the City General Plan Housing Element. We will also use any pertinent information available from the general plan EIR.

The Sacramento Association of Governments (SACOG) has adopted a "Blueprint" for compact regional growth patterns. While Rancho Cordova is not required to comply with the policies or generalized development maps contained in the Blueprint, the City has agreed to follow the principles set out in that document. The EIR will discuss the project's conformity to Blueprint smart growth policies and land use patterns.

Appendix G of the CEQA Guidelines identifies growth inducement, loss of housing, and displacement of housing as the issues of interest under population and housing. The analysis will address each of these areas. The analysis will consider whether the project may indirectly induce growth at some other location. We will address that possibility in a qualitative, rather than quantitative fashion.

The City's General Plan provides broad guidance in the location and density of housing within this planning area. In addition, the General Plan's housing element establishes requirements for the provision of affordable housing within new developments. This section of the EIR will discuss these requirements, including the opportunity for second units, and the project's level of compliance. Based on the assessment of project effects on population and housing, a determination will be made if the project will have a significant impact on housing or affordable housing. Mitigation measures for any identified significant impacts will be developed in coordination with the City staff, using the City General Plan Housing Element policies and programs as the basis.

Public Services and Utilities

This section of the EIR will address potential impacts on public services and utilities of the proposed project. Jones & Stokes will collect background information from existing documents, including the County General Plan and EIR. Information in previous studies will be updated through consultation with service providers, including the County, school districts, PG&E, and applicable cable and telephone providers.

Jones & Stokes will describe existing services in the County; identify future service needs resulting from buildout of the project; and assess the proposed project's impacts on public services (police, fire, and schools) and utilities (water supply; wastewater collection, conveyance, and treatment; solid waste collection and storage; telephone; cable; and energy). Impact determination will be based on the significance threshold criteria in Appendix G of the State CEQA Guidelines or as provided by the City. City standard mitigation measures regarding issues such as fire protection, energy conservation, and source reduction and recycling, will be included as applicable.

Impacts related to drainage will be addressed in the Hydrology and Water Quality section of the EIR. Water supply contamination will be addressed in the hazards and hazardous material section of the Draft EIR.

We will describe existing services in the City and evaluate these services relative to future service needs resulting from buildout of the project. This would include the following key areas:

Police and Fire. Police protection is provided by the Rancho Cordova Police Department. The Sacramento Metropolitan Fire District provides fire and emergency response services. Based on information obtained from the service providers, we will describe existing fire and police services, including response times, locations of stations, and number of personnel and will assess future police and fire protection needs resulting from project buildout. Mitigation measures

needed to reduce any significant impacts related to facilities to a less-than-significant level will be presented in the Draft EIR.

Schools. We will discuss the existing and planned school facilities within the districts that will serve the project site and identify the available capacity and any existing or potential deficits. Using the estimated school demand by grade level at buildout of the project, we will identify potential impacts to school services and facilities. Mitigation pursuant to Government Code Section 65995(h) will be presented in the Draft EIR.

Recreation. The Cordova Recreation and Park District (CRPD) has the primary responsibility for providing and maintaining recreation facilities and services within the General Plan Planning Area. The City collects Quimby Act fees, which contribute to a fund that is used to acquire properties for future parkland development. Fees collected under the Quimby Act are determined by CRPD. CRPD's Quimby Act standard for dedication of parkland is 5 acres per 1,000 residents. Additional community amenities such as landscaped corridors, parkways, passes, multiuse trails, and accessible open space are considered critical in defining a community; therefore, CRPD does not include those acreages within its standard of 5 acres per 1,000 residents. The City's General Plan EIR requires 1.75 acres of open space per 1,000 residents.

Jones & Stokes will examine potential impacts on recreation infrastructure in the project vicinity, based on available information and projected demand created by the project. We will base the analysis on the applicable recreation standards in the City's General Plan and will consider compliance with the Cordova Recreation and Park District policies. Jones & Stokes will qualitatively analyze the potential impacts on existing City recreation facilities from an influx of new residents and the impacts resulting from construction and operation of parks and recreation facilities.

Solid Waste. BFI contracts with the City and the County of Sacramento to provide collection and disposal services for those portions of the Planning Area within the existing city limits. Jones & Stokes will describe existing solid waste collection and disposal capabilities, including residential and commercial recycling service, and the location, capacity, and expected closure date of the landfill serving the project site. We will estimate solid waste generation resulting from project buildout, identify potential impacts on solid waste service and landfill capacity, and identify appropriate feasible mitigation measures, if needed.

Communications and Energy. We will describe the existing telephone and cable service and distribution systems and energy (gas and electric) distribution systems and the existing capacity and demand on these systems.

Wastewater. The Sacramento Regional County Sanitation District (SRCSD) provides public wastewater conveyance, treatment, and disposal in the urbanized portions of Sacramento County. SRCSD is a publicly owned wastewater agency with contributing agencies including the Sacramento County Sanitation District 1 (CSD-1). The Rancho Cordova General Plan Planning Area falls within the CSD-1 and SRCSD district boundaries and its sphere of influence. Within the Planning Area, SRCSD treats the wastewater and maintains the wastewater interceptors,

while CSD-1 maintains the rest of the conveyance system. The project is tributary to the proposed GENCORP Interceptor; however, the GENCORP Interceptor is not scheduled for completion until after 2020, creating the need for interim force mains to convey wastewater flows from Westborough to the Folsom/Bradshaw Interceptor System, which is scheduled for completion in 2006. CSD-1 analyzed the available capacity in the Bradshaw interceptor for interim flows in 2003. Using information from MacKay & Soms' Sanitary Sewer Study, CSD-1's analysis of the Bradshaw interceptor capacity, and information from the City, Jones & Stokes will describe the existing sewer service and increased demand on these systems resulting from the project. We will work with SRCSD and CSD-1 to identify appropriate mitigation measures to the proposed project.

Water Supply. Water supply is a contentious issue in Rancho Cordova, as exemplified by the *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* litigation that is now on appeal to the California Supreme Court. If the Westborough project is litigated, the assessment and adequacy of water supplies can be expected to have a central role in that litigation.

Years of disposal of hazardous wastes at the GENCORP site has resulted in the contamination of area groundwater. This affects the City's ability to tap groundwater for its domestic water supply. The ongoing Superfund remediation is utilizing groundwater extraction and treatment systems to clean up the groundwater with the oversight of the U.S. EPA and Regional Water Quality Control Board. At the same time, other efforts are underway that will provide water to Rancho Cordova and its environs. These include the regional Water Forum planning process, which identifies sources of water within the region and the means of filling future demands.

However, the project site is not currently served by any of the agencies discussed in the General Plan EIR's water supply evaluation. And, the evaluation indicates that in any case there may not be sufficient water supplies to meet demand at full build-out under the General Plan. According to the Preliminary Water Supply Master Plan submitted with the Westborough at Eaton application, providing water to the project would depend upon annexation of the site to the Southern California Water Company by action of the California Public Utilities Commission.

After a preliminary review of the 2005 Preliminary Water Supply Master Plan (WSMP) prepared by MacKay & Soms, Jones & Stokes has determined that the WSMP does not appear to meet the statutory requirements of Water Code Section 10910 *et seq.* (commonly referred to as Senate Bill 610, or SB 610). Therefore, Jones & Stokes will prepare a WSA for the project that complies with all of the requirements of SB 610. Under SB 610, cities or counties preparing a CEQA document for a proposed residential development of more than 500 dwelling units must prepare and include in the CEQA document a WSA to determine whether the water supplier's water supplies meet the projected water demand of the proposed project, in addition to the water supplier's existing and planned future uses.

The Water Supply Assessment (WSA) for the proposed project will need to provide additional information about future supplies, their reliability, and provisions for securing any needed additional supplies. The accuracy and veracity of the WSA will be a key factor in preparing a defensible EIR. The WSA will be based on the existing conditions, and utilize existing

information to the maximum extent, including the Preliminary Water Supply Master Plan prepared by MacKay & Soms, SCWC's Master Plan, the Rancho Cordova General Plan and General Plan EIR, the Sacramento County Water Agency Zone 40 Water Supply Master Plan and EIR, the Water Forum Agreement and EIR, California Department of Water Resources (DWR) Bulletin 118, and other available information related to the surface and groundwater resources that may serve the proposed project. The WSA will follow the guidelines presented in DWR's *Draft Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001*.

Jones & Stokes will summarize the WSA in the text of the Draft EIR under the Public Services and Utilities section. The full WSA will be attached to the Draft EIR as an appendix. The Draft EIR under the Public Services and Utilities section will address the potential cumulative water supply impacts of the proposed project and other reasonably foreseeable projects under buildout conditions of the Rancho Cordova General Plan and under the 20-year projection period required by the SB 610. If water supplies are determined to be insufficient for the proposed project, or the project is anticipated to result in adverse impacts, we will identify mitigation measures and other techniques that may be implemented by the City to reduce project impacts on water supply. Mitigation measures and BMPs to offset water demand may include demand reduction, water conservation, and other measures.

The proposed scope for this task assumes that sufficient information is available to perform the required analysis, and that no primary data collection or analysis (such as groundwater level monitoring or modeling) will be necessary. In addition, the scope assumes that the project will conform to the City's existing or planned water conservation requirements. The WSA will assume that all of the plan amendments currently being proposed will be approved, in order to provide a conservative analysis of future water supplies.

The WSA will contain the following sections:

Document wholesale supplies. This section will address supplies, and will include a description of the quantities of water received from the American River and groundwater supplies in prior years, and an identification of any existing entitlements, water rights, and water service contracts held by the City for the wholesale supply. In addition, the WSA will include details on written contracts or other proof of entitlements, water rights and service contracts for the City's supplies; copies of relevant capital outlay programs; federal, state and local permits for construction of necessary infrastructure associated with delivering the wholesale supplies, if any, and; regulatory approvals required in order to convey or deliver the wholesale supply.

Document groundwater supplies. Based on existing information, the WSA will include a description of the groundwater basin, including basin boundaries and total groundwater in storage (average specific yield times the volume of the aquifer). Groundwater trends over time, including overdraft conditions, will be described and evaluated, including actions and/or program designed to mitigate for overdraft conditions. A description and analysis of the amount and location of groundwater pumped by the City for the past five years, and information on proposed pumping locations and quantities, will be provided. Finally, this section will include an

analysis of the location, amount, and sufficiency of groundwater that is projected to be pumped by the City.

Identify and quantify existing and planned sources of water. As required by SB 610, existing and planned sources of water during normal, single-dry, and multiple-dry years will be presented in 5-year increments for a 20-year projection. For each identified supply, the quantity available will be detailed and it will be identified whether it is a water supply entitlement, a water right, or a water service contract. For entitlements, rights or contracts under which no water has been received in prior years (such as the proposed surface water sources), other public water systems or water service contractors will be identified that receive a water supply or have existing entitlements, water rights, or water service contracts to the same source of water.

Single-dry and multiple-dry year supplies will be identified based on historic records, and will be presented either as a firm quantity, or as a probability of exceedance or probability of occurrence. Because multiple supplies will be available to the City in the future, each individual supply will be evaluated independently.

Document project demand. Future water demand, including existing uses, planned future uses, proposed project use and agricultural and industrial uses, will be identified. Project demand will be based on information supplied by the City and the applicant regarding existing and planned demand, including proposed water conservation measures that will offset water demand associated with the plan amendment. Demand calculations may also include demographic factors contributing to variability in demand, such as current and projected population, climate, density, and the mix of customer types. Water demand will be refined to document expected changes to demand by sector during single-dry and multiple-dry years.

Determination of sufficiency. The WSA will compare current and projected supply and demand for normal, single dry and multiple dry years, both with and without the proposed project demand so that the impact of the project is clearly articulated. This data will be used to make a determination of the level of impact of the proposed project with respect to water supply. If water supplies are determined to be insufficient, Jones & Stokes will work with the City to identify a plan to offset demand through on- and off-site water conservation measures and/or groundwater recharge. This plan will be used as a mitigation measure for any significant impacts resulting from insufficient supplies.

Traffic and Transportation

Fehr & Peers the traffic and transportation subconsultant has completed numerous transportation impact analysis studies in the Rancho Cordova Area over the last three years, including the Rio del Oro EIR/EIS, Sunridge Specific Plan EIR, Preserve at Sunridge EIR, and the Rancho Cordova General Plan EIR. Additionally, Fehr & Peers are currently working on the Easton EIR/EIS project for Sacramento County. This gives Fehr & Peers extensive experience in and knowledge of the Rancho Cordova area.

Fehr & Peers' scope of work below reflects a considerable amount of detailed analysis, consistent with Fehr & Peers past and present work in the area, to evaluate the impacts of the Westborough Specific Plan to determine the specific impacts and mitigation measures according to the most current land use and roadway network assumption sets.

To determine traffic conditions on critical transportation facilities, Fehr & Peers will analyze the traffic operations for the following transportation facility types:

- Highway 50 mainline freeway segments and freeway ramps
- Intersections
- Roadway segments

The analysis will incorporate appropriate information from the City of Rancho Cordova's General Plan, the City of Rancho Cordova's CIP, the most recent Metropolitan Transportation Plan information, and modeling information identified through the City's participation in the Highway 50 Corridor Mobility Partnership. The Mobility Partnership is made up of the City of Rancho Cordova, City of Folsom, County of Sacramento, El Dorado County, Caltrans, Sacramento Regional Transit District (RT), Sacramento Area Council of Governments (SACOG), and private developers. The Mobility Partnership was formed to guide the identification of and implementation of transportation improvements in the southeast portion of Sacramento County. Included in the Mobility Partnership's work is the identification of base land use and transportation network assumptions for the Year 2012 and Year 2030 for use as a base in the analysis of proposed land use development in Southeast Sacramento County.

Fehr & Peers will complete the tasks for this project described in the scope of work below. The reuse of relevant data and analysis previously conducted for the region is accounted for in the scope.

Data Collection. Fehr & Peers will collect available data for use in the analysis of existing (Year 2006), base year (Year 2012), and cumulative (Year 2030) conditions. The project study area is anticipated to extend just north of Highway 50, and to Grant Line Road on the south and east, and Excelsior Road to the west. Data requirements within the project study area are listed below:

- Existing and planned roadway geometrics and traffic controls,
- Existing and planned transit service and facility descriptions,
- Existing and planned park-and-ride lots,
- Location of existing and planned bicycle and pedestrian facilities,
- Proposed project land uses, and
- Proposed project transportation network.

The above information will be collected from field observations and by reviewing long range planning documents published by Caltrans, RT, Sacramento County, and the City of Rancho Cordova. One site visit will be conducted to verify existing lane configurations, traffic control devices, and intersection operating conditions.

Traffic count data collected by Fehr & Peers in 2003, 2004, and 2005 as part of the Sunrise/Douglas 2, Rio del Oro, Suncreek, and Easton studies will be used as the existing conditions data for a majority of the locations listed under Existing Conditions Analysis below. Additional counts may be taken at specific locations to supplement existing data sets.

Existing Conditions Analysis. For the existing conditions analysis, the intersections, roadways, and freeway segments listed in the table on the following page will be analyzed. The locations were selected based on conversations with City staff and previous experience in the project study area.

The methodologies defined in the *Highway Capacity Manual* (Transportation Research Board, 2000) will be used to evaluate operating conditions at the study area intersections. The analysis will be for weekday A.M. (7:00 to 9:00) and P.M. (4:00 to 6:00) peak hours conditions. Several intersections, identified above, currently operate at capacity. At those locations, the existing conditions analysis will be verified during the field observations conducted in Task 1.

Roadway segments will be analyzed by comparing volumes to capacities consistent with capacities presented in the Rancho Cordova General Plan EIR. Analysis results will include daily levels of service for the study roadway segments.

The freeway ramp junction merge/diverge freeway mainline analyses will be conducted using the methodologies contained in the *Highway Capacity Manual*, 2000. Freeway ramp weaving analyses will be evaluated using the Leisch methodology as defined in *Highway Design Manual*, Caltrans.

Travel Demand Forecasts. Fehr & Peers will use the travel demand-forecasting model developed by the Highway 50 Corridor Mobility Partnership as a base to develop Year 2012 and Year 2030 traffic volume forecasts for the study intersections and roadway segments listed in Task 3.

Year 2030 roadway network assumptions will be consistent with the City's CIP roadway network, the Metropolitan Transportation Plan roadway improvements, and improvements identified by the Highway 50 Corridor Mobility Partnership. Adjustments will be made to the transportation model forecasts to account for model error. This will be accomplished using an industry standard adjustment procedure. Fehr & Peers will use the difference method, which adds the increment of growth between the future year (2030 and 2012) and Year 2004 traffic models to the existing counts.

Intersections

1. State Route (SR) 16/Excelsior Road
2. SR 16/Eagles Nest Road
3. SR 16/Sunrise Boulevard
4. SR 16/Grant Line Road
5. Florin Road/Sunrise Boulevard
6. Grant Line Road/Sunrise Boulevard
7. Grant Line Road/Kiefer Boulevard
8. Douglas Road/Grant Line Road
9. Douglas Road/Sunrise Boulevard
10. Mather Field Road/Folsom Boulevard
11. Mather Field Road/U.S. 50 Westbound Ramps
12. Mather Field Road/U.S. 50 Eastbound Ramps
13. Mather Field Road/International Drive
14. Zinfandel Drive/International Drive
15. Zinfandel Drive/White Rock Road
16. Zinfandel Drive/U.S. 50 Eastbound Ramps
17. Zinfandel Drive/U.S. 50 Westbound Ramps
18. Sunrise Boulevard/White Rock Road
19. Sunrise Boulevard/Folsom Boulevard
20. Sunrise Boulevard/U.S. 50 Eastbound Ramps
21. Sunrise Boulevard/U.S. 50 Westbound Ramps
22. Sunrise Boulevard/Zinfandel Drive
23. Hazel Avenue/Folsom Boulevard
24. Hazel Avenue/U.S. 50 Eastbound Ramps
25. Hazel Avenue/U.S. 50 Westbound Ramps
26. White Rock Road/Grant Line Road
27. White Rock Road/Kilgore Road
28. Hazel Avenue/Gold Country Boulevard
29. Sunrise Boulevard/Trade Center Drive
30. Sunrise Boulevard/Coloma Road

Roadways

31. SR 16 – Excelsior Road to Sunrise Boulevard
32. SR 16 – Sunrise Boulevard to Grant Line Road
33. Kiefer Boulevard – Grant Line Road to SR 16
34. Mather Boulevard – Fernoyer Street to Douglas Road
35. Douglas Road – Mather Boulevard to Sunrise Boulevard
36. Douglas Road – Sunrise Boulevard to Grant Line Road
37. International Drive – South White Rock Road to Zinfandel Drive
38. International Drive – Zinfandel Drive to Kilgore Road
39. White Rock Road – Zinfandel Drive to Sunrise Boulevard
40. White Rock Road – Sunrise Boulevard to Grant Line Road
41. Folsom Boulevard – Zinfandel Drive to Sunrise Boulevard
42. Folsom Boulevard – Sunrise Boulevard to Hazel Avenue
43. Mather Field Road – Folsom Boulevard to U.S. 50 Westbound Ramps
44. Mather Field Road – U.S. 50 Eastbound Ramps to International Drive
45. Zinfandel Drive – Folsom Boulevard to U.S. 50 Westbound Ramps
46. Zinfandel Drive – U.S. 50 Eastbound Ramps to White Rock Road
47. Zinfandel Drive – White Rock Road to International Drive
48. Sunrise Boulevard – Gold Country Boulevard to Coloma Road
49. Sunrise Boulevard – Coloma Road to U.S. 50 Westbound Ramps
50. Sunrise Boulevard – U.S. 50 Eastbound Ramps to Folsom Boulevard
51. Sunrise Boulevard – Folsom Boulevard to White Rock Road
52. Sunrise Boulevard – White Rock Road to Douglas Road
53. Sunrise Boulevard – Douglas Road to SR 16
54. Sunrise Boulevard – SR 16 to Grant Line Road
55. Hazel Avenue – U.S. 50 Westbound Ramps to Winding Way
56. Grant Line Road – White Rock Road to Douglas Road
57. Grant Line Road – Douglas Road to SR 16
58. Grant Line Road – SR 16 to Sunrise Boulevard

The model will be used to generate A.M. peak hour and P.M. peak hour intersection turning volumes and freeway facility volumes and daily roadway segment traffic forecasts under the scenarios listed below:

- Existing with project conditions (buildout of the Westborough land use plan)
- Base year (2012) conditions
- Base year (2012) with project conditions (buildout of the Westborough land use plan)
- Cumulative (2030) no project conditions
- Cumulative (2030) plus project conditions (buildout of the Westborough land use plan)

Base year (2012) conditions will include existing traffic levels combined with traffic from nearby approved projects (with tentative map approval), roadway improvements that are currently under construction, and other development in Rancho Cordova and the surrounding area. Fehr & Peers assumes that the City of Rancho Cordova will identify development and roadway projects that should be assumed for the base year (2012) and cumulative (2030) conditions.

Traffic Impact Analysis. The traffic impact analysis will be completed for the following scenarios.

- Existing Conditions;
- Existing with Project Conditions;
- Base Year (2012) Conditions;
- Base Year (2012) with Project Conditions;
- Cumulative (Year 2030) No Project Conditions; and
- Cumulative (Year 2030) with Project Conditions.

The project trip generation, distribution, and assignment assumptions used in the analysis will be defined.

Using the analysis methods identified in Task 3, Fehr & Peers will determine the operational conditions and level of service of the transportation facilities identified in Task 3 plus the additional facilities identified below for each of the conditions presented above for the no project and with project land use alternatives. The analysis results will contain A.M. and P.M. peak hour levels of service for intersections and freeway facilities and daily roadway levels of service for roadway segments.

The following locations either do not currently exist and will be created with the implementation of the proposed project or other surrounding projects or will be substantially altered with the implementation of the proposed project or other future development.

Additional Base Year (2012) Intersections

1. Sunrise Boulevard/Kiefer Boulevard
2. Douglas Road/Eagles Nest Road
3. Sunrise Boulevard/International Drive

Additional Base Year (2012) Roadway Segments

4. Douglas Road – Sunrise Boulevard to Jaeger Road
5. Douglas Road – Jaeger Road to Americanos Boulevard
6. Douglas Road – Americanos Boulevard to Grant Line Road
7. Sunrise Boulevard – Douglas Road to Kiefer Boulevard
8. Sunrise Boulevard – Kiefer Boulevard to SR 16

Additional Cumulative (Year 2030) Intersections

9. Rancho Cordova Parkway/White Rock Rd
10. Rancho Cordova Parkway/Easton Valley Parkway
11. Rancho Cordova Parkway/U.S. 50 Eastbound Ramps
12. Rancho Cordova Parkway/U.S. 50 Westbound Ramps
13. Rancho Cordova Parkway/White Rock Rd
14. Americanos Blvd/White Rock Rd
15. Douglas Rd/Jaeger Rd
16. Douglas Rd/Americanos Blvd
17. Chrysanthy Blvd/Sunrise Blvd
18. Chrysanthy Blvd/Jaeger Rd
19. Chrysanthy Blvd/Americanos Blvd
20. Kiefer Blvd/Jaeger Rd

Additional Cumulative (Year 2030) Roadway Segments

21. Chrysanthy Blvd – Sunrise Blvd to Jaeger Rd
22. Chrysanthy Blvd – Jaeger Rd to Americanos Blvd
23. Kiefer Blvd – Eagles Nest Rd to Sunrise Blvd
24. Kiefer Blvd – Sunrise Blvd to Jaeger Rd
25. Zinfandel Drive – Mather Blvd to Douglas Rd
26. Eagles Nest Rd – Douglas Rd to Kiefer Blvd
27. Eagles Nest Rd – Kiefer Blvd to SR 16
28. Sunrise Blvd – Douglas Rd to Chrysanthy Blvd
29. Sunrise Blvd – Chrysanthy Blvd to Kiefer Blvd
30. Sunrise Blvd – Kiefer Blvd to SR 16
31. Rancho Cordova Parkway – U.S. 50 to Americanos Blvd
32. Rancho Cordova Parkway – Americanos Blvd to White Rock Rd
33. Jaeger Rd – White Rock Rd to Douglas Rd
34. Jaeger Rd – Douglas Rd to Chrysanthy Blvd
35. Jaeger Rd – Chrysanthy Blvd to Kiefer Blvd
36. Americanos Blvd – Rancho Cordova Parkway to White Rock Rd
37. Americanos Blvd – White Rock Rd to Douglas Blvd
38. Americanos Blvd – Douglas Blvd to Chrysanthy Blvd

Additional Cumulative (Year 2030) Segments of U.S. 50

39. U.S. 50 – Sunrise Boulevard to Rancho Cordova Parkway
40. U.S. 50 – Rancho Cordova Parkway to Hazel Ave

Additional Cumulative (Year 2023) Merge/Diverge/Weave Analyses

41. U.S. 50/Rancho Cordova Parkway Interchange

Impacts will be identified by comparing the analysis results to the City of Rancho Cordova, Sacramento County, and Caltrans significance criteria. For locations where a significant impact is identified, Fehr & Peers will propose mitigation measures to reduce the impact to a less than significant level. Mitigation measures may include widening roadway segments, freeway facilities and/or intersections. Each mitigation measure will identify the specific action necessary, feasibility of the measure, responsibility for implementation, and expected level of significance after mitigation.

Fehr & Peers will also evaluate the effect of the proposed project on transit, bicycle, and pedestrian facilities using the City of Rancho Cordova and Sacramento County significance criteria. For significant impacts, Fehr & Peers will propose mitigation measures to improve conditions for transit riders, bicyclists, and pedestrians to a less than significant level.

Fehr & Peers will also provide a qualitative discussion of safety issues for vehicular, pedestrian, and/or bicycle users.

Three other alternatives, (two assumed to be land use alternatives and the third a circulation alternative) identified by City staff, will be qualitatively evaluated by comparing relative trip generation estimates to the proposed project or estimating general shifts in traffic due to new roadway alignments. An equal level of detail analysis will not be completed for these alternatives.

Fehr & Peers will prepare a magnetic media copy and a camera-ready hard copy of the transportation section for the Administrative Draft EIR and Draft EIR. Fehr & Peers has budgeted 24 hours to respond to comments on the Administrative Draft EIR. A letter response to comments on the Draft EIR will be provided after receiving a numbered list of comments. Fehr & Peers has budgeted 16 hours to respond to comments on the Draft EIR.

Cumulative Impacts

Cumulative impacts refer to two or more individual impacts that, when considered together, are considerable or that compound or increase other environmental impacts. The analysis will focus on the project's contribution to any cumulative impacts and whether that contribution is considerable, when viewed in the cumulative context. Jones & Stokes will work with the City to develop the basis for the analysis of cumulative impacts for the proposed project. Development of an appropriate background for analysis of cumulative impacts will be crucial. Therefore, we anticipate using a combination of the "List Approach" and the "Projection Approach". The List Approach will consider all past, present, and probable future projects that could contribute to a significant cumulative environmental impact, including planned developments under consideration in the City and the County, and other projects in the vicinity of the project site. The Projection Approach will consider development projections listed in the County General Plan as a basis for area wide conditions contributing to the cumulative impact.

Growth-Inducing Impacts

As required by State CEQA Guidelines Section 15126.2, the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either

directly or indirectly, will be assessed in the EIR. Jones & Stokes' planners will consider the project's General Plan amendment (thereby increasing residential density), in terms of both exceeding the County's long-range growth projections and serving as compact, infill development within the urbanized setting. The EIR will also consider the growth-inducing effects of expansion of public services and utilities to accommodate the proposed project.

Significant, Irreversible Environmental Changes

As required by CEQA Guidelines Section 15126, the EIR will present information on the extent to which the project would result in an irreversible commitment of environmental resources.

Prepare the Administrative DEIR for City Review

Jones & Stokes will provide five (5) hard copies and one PDF version of the Administrative Draft EIR to the City for review and comment. During the City's review, one general coordination meeting has been budgeted to discuss aspects and issues presented in the EIR. We assume that the City will provide copies to its legal counsel for their review, and that the Corps may also be sent a copy or copies of the EIR for review and comment. It is expected the City will provide Jones & Stokes with one set of consolidated review comments on the Administrative Draft EIR. For scheduling purposes, we have assumed the City's, Corps, and the applicant's review (if appropriate) may take up to three to 30 days.

For budgeting purposes, the EIR is expected to be approximately 250 pages in length, excluding appendices, contain approximately 30 black and white, 8 x 11-inch figures, and eight 11 x 17-inch color figures.

Prepare Second Administrative DEIR

Jones & Stokes will prepare a second Administrative DEIR based on a set of consolidated comments from the City and other reviewers. We will provide another five (5) hard copies and one PDF version of the second Administrative DEIR to the City for review and comment. During this second review, one coordination meeting has been budgeted to discuss preliminary comments, if any, on the first Administrative DEIR. We have assumed no new technical analyses will need to be conducted in order to incorporate the City's as well as others' comments.

Prepare Screencheck Draft EIR

After receipt of the reviewers comments on the second Administrative DEIR, Jones & Stokes staff will meet with all reviewers to discuss any comments and establish what changes may be required and a schedule for the submittal on the formal Draft EIR. Following this review meeting, we will prepare a screencheck version of the Draft EIR for submittal to the City for final review and comment. Up to five copies and one PDF copy of the screencheck Draft EIR will be submitted to the City.

It is assumed the City will provide Jones & Stokes on set of consolidated comments, if any, on the screencheck version of the Draft EIR. For budgeting purposes we have assumed only a few minor comments will be received on the screencheck Draft EIR. The screencheck version of the

Draft EIR is therefore considered the formal Draft EIR to be submitted to the general public and reviewing agencies.

Task Deliverables:

- Memo defining assumptions.
- Memo regarding air quality and noise analysis data.
- One Magnetic media copy, one camera-ready hard copy, and one PDF of the transportation section..
- Five bound copies, one camera-ready copy, and one PDF copy of the Administrative Draft EIR
- Five bound copies, one camera-ready copy, and one PDF copy of the Second Administrative Draft EIR.
- Five bound copies, one camera-ready copy, and one PDF copy of the Screencheck Draft EIR.

Task Meeting:

- Three coordination meetings.
- One kick-off meeting with City staff.
- One scoping meeting with Caltrans.
- Eleven team meetings.

Task 8. Public Review Draft EIR and Notice Of Availability

Jones & Stokes will submit 50 copies of the public review Draft EIR to the City, as well as a camera-ready copy, and a web-ready electronic version on CD-ROM. In addition to the Draft EIR, Jones & Stokes will provide the City with a Notice of Completion which Jones & Stokes will submit to the State Clearinghouse.

Jones & Stokes will, at the City's request, deliver 15 of the copies of the Draft EIR and a copy of the Notice of Completion to the State Clearinghouse for circulation to interested state agencies. We will mail copies of the Draft EIR to the Sacramento County Planning Department, affected Native American groups, the Sacramento Metro Air Quality Management District, and the USFWS Regional Office.

Prior to submitting the copies of the Draft EIR, Jones & Stokes will also prepare a draft Notice of Availability for delivery to the Sacramento County Clerk for posting and to publish in a newspaper of general circulation in City of Rancho Cordova. Under this task, Jones & Stokes' project manager and project coordinator as appropriate, will also attend a public comment meeting on the Draft EIR, as requested by the City.

The review period for the Draft EIR, as set by the State Clearinghouse, will be at least 45 days.

Task Deliverable:

- Fifty bound copies, one camera-ready copy, and one PDF copy of the Public Review Draft EIR to the City.
- Fifteen bound copies of the Public Review Draft EIR to the State Clearinghouse.
- Up to five bound copies (one each) to the Sacramento County Planning Department, affected Native American groups, the Sacramento Metro Air Quality Management District, and the USFWS Regional Office.

Task Meeting:

- Public comment meeting on the Draft EIR.

Task 9. Prepare Final EIR (Including Administrative and Screencheck Final EIRs)

Jones & Stokes assumes that the Final EIR will be made up of two components: the "Final EIR" containing comments, responses to comments, the list of commenters, and revisions to the Draft EIR, and the Draft EIR itself. Taken together, the two constitute the Final EIR for purposes of CEQA. Jones & Stokes assumes that because of this approach, producing a single-volume Final EIR containing these components will not be necessary. The following discusses the preparation of the Final EIR.

Subtask 9.1 Prepare Administrative Final EIR

Prepare Responses to Comments. Jones & Stokes will prepare draft written responses to the comments received during the review period for the Draft EIR. We will work in consultation with the City (and the Corps as appropriate) to identify the comments that require responses and to ensure that the City is notified of any potentially problematic comments. We anticipate that we may meet with the City and Corps staff at two separate coordination meetings to discuss the comments and approach to the responses. Responses will be limited to those comments that raise environmental issues, as provided under CEQA.

At this time, it is difficult to ascertain the specific nature and extent of the comments that may be received on the Draft EIR. Our scope of work assumes that Jones & Stokes' technical staff will devote up to 100 technical hours in responding to comments, including time spent discussing the responses with the City's staff. Our scope further assumes that no new technical studies will be necessary. If additional time is required due to the number, length, or complexity of the public comments, if additional study is needed, or if the City desires Jones & Stokes to provide written responses to comments received after the public review period, we will provide the City with a brief scope for that work and request a contract augmentation.

Prepare Administrative Draft Final EIR. Jones & Stokes will prepare an Administrative Draft final EIR for the City's consideration, prior to preparing the Final EIR. The Administrative Draft Final EIR will contain the following:

- A short introduction describing the review period and the purpose of the Final EIR.

- Copies of the comments received during the review period.
- Written responses to the comments, organized by commenter.
- A list of the commenters.
- Revisions to the Draft EIR, in the form of errata, made in response to the comments.

Subtask 9.2 Submit Administrative Draft Final EIR

City Review and Comment. Jones & Stokes will submit five copies and one PDF copy of the Administrative Draft Final EIR to the City's staff for their review and comment. While we recognize that there may be multiple reviewers of the document, we assume that the City will provide us with one consolidated set of comments on the Administrative Draft Final EIR.

Subtask 9.3 Prepare and Submit Screencheck Final EIR

Following receipt of comments on the Administrative Draft Final EIR from the City, Jones & Stokes will prepare a Screencheck Final EIR for the City's and potentially the Corps' review. We propose that a comment/response meeting be held to review the responses to comments on the Administrative Draft Final EIR. Following resolution of all responses, we will prepare and submit five hard copies and one PDF copy of a Screencheck Final EIR to the City for review. At this time, we assume there will be few if any comments on the Screencheck Draft Final EIR.

Subtask 9.4 Prepare Final EIR

Jones & Stokes will revise the Screencheck Final EIR based on any comments from the City. If there is any apparent conflict between comments or where the City's comments are unclear, Jones & Stokes will meet and discuss, and resolve the issue with City staff prior to completing the Final EIR. Our scope assumes that no new technical studies will be necessary. Jones & Stokes will provide the City with 50 copies of the Final EIR and an unbound, camera-ready copy. We will also provide the City with a copy of the Final EIR on CD-ROM.

Task Deliverables:

- Five bound copies and one PDF copy of the Administrative Draft Final EIR (Including written responses to comments).
- Five bound copies and one PDF copy of the Screencheck Draft Final EIR.
- Fifty bound copies, one camera-ready copy, and one PDF copy of the Final EIR.

Task Meetings:

- Three EIR coordination meetings.

Task 10. Findings of Fact and Statement of Overriding Consideration

Jones & Stokes will prepare draft findings for each significant impact and statement of overriding consideration for significant impacts found to be unavoidable for the City's use in certifying the Final EIR and approving the project. The findings will be in compliance with Sections 21081 and

21081.5 of the California Public Resources Code. Following review and comment of the draft findings by the City, Jones & Stokes will meet with the City to finalize the findings for adoption.

Task Deliverables:

- One PDF copy of the Draft Findings of Fact.
- One PDF copy of the Final Findings of Fact.

Task Meeting:

- One comment review meeting.

Task 11. Meetings and Hearings

Under this task, Jones & Stokes' project manager and project coordinator, will, as appropriate and excluding meetings shown in other tasks, attend up to two public hearings and 15 project coordination meetings (once a month for the duration of the project as shown on the schedule on page 50) as requested by the City. The purpose of the project coordination meetings is to discuss project status, the next month's work, project schedule, and project budget.

- One public hearing before the Planning Commission.
- One (public hearing before the Board of Supervisors.
- Up to fifteen monthly project coordination meetings with the City.

Fehr & Peers will attend up to four public meetings including the public scoping meeting and the public comment meeting on the Draft EIR Additional meetings with City staff and/or attendance at additional public hearings will be considered extra work, and if approved by the City, will be billed on a time and material basis.

Assumption: The City will provide all arrangements for public meetings and hearings.

Task Deliverable:

- None.

Task Meeting:

- Two public hearings.
- Fifteen monthly project coordination meetings.

Optional Task – Mitigation Monitoring and Reporting Program

Although not requested in the RFP, Jones & Stokes proposes an optional task of preparing the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project as required under Section 21081.6 of the California Public Resources Code. Below is a description of activities that could be undertaken by Jones & Stokes, if requested by the City. A more detailed scope can be prepared should the City request. Estimated cost to perform this task has not been included in this proposal.

After preparation of the Final EIR, Jones & Stokes would prepare the MMRP in coordination with City staff. The MMRP will ensure that mitigation measures are implemented as required under Section 21081.6 of the California Public Resources Code. The following is a brief description of the process and the plan content. The MMRP would:

- Describe each relevant mitigation measure being adopted by the City; and
- Specify the agency or individual responsible for implementing and monitoring each mitigation measure and the specific qualifications for monitoring and reporting personnel.

The City will be responsible for ensuring full compliance with the provisions of the MMRP. Jones & Stokes would coordinate with the City during preparation of the MMRP regarding its format and the relative monitoring responsibilities of City agencies. Jones & Stokes would submit four bound copies and one electronic copy of the Draft MMRP to the City for review and comment along with the Admin Final EIR. Jones & Stokes would revise the MMRP based on comments, and would submit ten copies and one electronic copy of the Final MMRP to the City along with the Final EIR.

Task Deliverables:

- Four bound copies and one PDF copy of the Draft MMRP.
- Ten bound copies and one PDF copy of the Final MMRP.

Task Meetings:

- None.

Task	Group J										Group K										Group L										Group M										Group N										Group O										Group P										Group Q										Group R										Group S										Group T										Group U										Group V										Group W										Group X										Group Y										Group Z										Group AA										Group AB										Group AC										Group AD										Group AE										Group AF										Group AG										Group AH										Group AI										Group AJ										Group AK										Group AL										Group AM										Group AN										Group AO										Group AP										Group AQ										Group AR										Group AS										Group AT										Group AU										Group AV										Group AW										Group AX										Group AY										Group AZ										Group BA										Group BB										Group BC										Group BD										Group BE										Group BF										Group BG										Group BH										Group BI										Group BJ										Group BK										Group BL										Group 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a detailed cost estimate for Peter & Peter's scope of work is attached as Table 2.

Fehr & Peers	Staff Person Labor (hours)						Total	
	Principal	Associate	Senior Engineer	Engineer	Graphics/Support	Hours	Cost	
	\$220 / hr	\$190 / hr	\$165 / hr	\$120 / hr	\$90 / hr			
Data Collection and Model Input	0	4	8	8	4	24	\$	3,400
Existing Conditions Analysis	0	6	8	40	6	60	\$	7,800
Travel Demand Forecasts	2	10	20	80	16	128	\$	16,680
Traffic Impact Analysis	2	20	60	100	40	222	\$	29,740
Alternatives Evaluation	4	6	12	24	10	56	\$	7,780
Documentation	4	16	80	38	16	154	\$	23,120
Meetings	0	6	30	30	0	66	\$	9,690
	12	68	218	320	92	710	\$	98,210
							Other Direct Costs	\$ 6,364
							Total Cost	\$ 104,574

STAFF REPORT



DATE: December 18, 2006
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director

SUBJECT: FIRST AMENDMENT TO THE COLLECTION SERVICES CONTRACT BETWEEN THE CITY OF RANCHO CORDOVA AND ALLIED WASTE SERVICES, CONTRACT NO. 130-2006 TO ESTABLISH THE *ILLEGAL PILE COLLECTION FEE* FOR THE BULKY ITEM PICKUP PROGRAM

RECOMMENDATION

Adopt Resolution No. 188-2006 approving the First Amendment to the Collection Services Contract with Allied Waste Services, Contract No. 130-2006 to establish the "Illegal Pile Collection Fee" for the Bulky Item Pickup Program.

BACKGROUND AND SUMMARY

On July 19, 2004, the City Council of the City of Rancho Cordova approved the execution of the Collection Services Contract ("Contract") with BFI Waste Services of Sacramento (later changed to Allied Waste Services) for residential solid waste collection and recycling services.

On February 1, 2005, Allied began providing residential solid waste collection and recycling services to residential solid waste customers. The Contract requires Allied to provide an "on-call" Bulky Item Pickup Program, which allows each resident to request bulky item collection service up to three (3) times per year, and allows residents to place a maximum of ten (10) cubic yards of bulky item debris on the curb per collection event. The Contract requires Allied to provide bulky item collection service within two (2) business days of a customer request.

The program experienced operational difficulties in the spring and summer months of both 2005 and 2006. The two primary factors contributing to the performance problems included: 1) the lack of an adequate contingency plan on the part of Allied to provide sufficient equipment and staff to comply with the 48-hour service requirement during the peak spring and summer months; and 2) "illegal" piles set-out for collection by residents, including "unscheduled" piles set-out for collection without the resident first calling Allied to schedule and appointment for collection, and "excess" piles which exceed the ten cubic-yard volume limit. The illegal piles have negatively impacted performance and resulted in a poor public perception of the program.

The primary objective of this First Amendment to the Contract is to establish the Illegal Pile Collection Fee, which will allow Allied to charge a fee to residents for the collection of "illegal" bulky item debris piles.

FISCAL IMPACT

The proposed Illegal Pile Collection Fee is in the amount of \$7.68 per cubic yard. This amount both compensates Allied for the collection and disposal of "illegal" bulky item debris piles, and provides an economic incentive for residents to comply with the program rules and guidelines.

In accordance with Article 3 of the Contract, Allied will remit ten percent (10%) of the collected revenues from the Illegal Pile Collection Fee to the City on a monthly basis in the form of a franchise fee. Also, in accordance with Article 4 of the Contract, the Illegal Pile Collection Fee will be escalated annually using the Refuse Rate Index methodology.

ISSUES AND DISCUSSION

The following provides a summary of various issues and discussion regarding the First Amendment to the Collection Services Contract to establish the Illegal Pile Collection Fee.

I. Update on Previous Council Direction:

On September 5, 2006, staff presented options and strategies to improve the performance of the Bulky Item Pickup Program. The following is a status update of the direction from Council to improve the program performance:

- **Enforcement Options:** Staff identified two preferred strategies to increase enforcement of the Bulky Item Pickup Program rules and guidelines, including:
 - **Illegal Pile Collection Fee,** which is established with the execution of the First Amendment to the Collection Services Contract (**Exhibit A**). City staff and Allied are prepared to implement the fee upon execution of the contract amendment.
 - **Administrative Citation Process,** which is intended to allow City staff to issue Administrative Citations to repeat offenders of the program rules. Staff will present an update on the Administrative Citation Process under a separate item.
- **Additional Allied Resources:** Exhibit A to the September 5 staff report to Council included a contingency plan submitted by Allied to provide additional equipment and labor during seasonal peaks in service requests in order to comply with the 48-hour service requirement. According to Allied staff, the program is currently operating in compliance with the contractual requirements and no customer complaints have been filed with Allied Customer Service Department or City Hall.
- **Public Education:** City staff and Allied have worked closely on the development of additional public education and outreach strategies for the Bulky Item Pickup Program. The strategies presented to Council on September 5 include a direct mailer, truck signs and magnets, updated information on the City web-site, articles in the City newsletter, canvassing problem areas, etc. City staff and Allied agreed to implement the public education campaign in early 2007, which will coincide with the spring cleanup schedule and seasonal peaks in service requests.

II. 24-Hour Notice and Process Maps:

- **24-Hour Notice:** **Attachment 2** contains a draft of the 24-hour notice. The notice will be placed by Allied or City staff at the front-door of a residence with an "illegal" pile, and contains specific instructions to correct the violation of the program rules. Residents will therefore be given an opportunity to correct the problem before Allied returns to collect the illegal bulky item debris pile and charges the resident accordingly.
- **Process Maps:** **Attachments 3 and 4** contain process maps for the proposed corrective action for "unscheduled" and "excess" bulky item debris piles. These were included in the September 5 staff report, and are included in this staff report for the convenience of Council members.

Attachments:

1. Resolution No. 188-2006 with Exhibit A, First Amendment to the Collection Services Contract - Contract No. 130-2006
2. Draft 24-Hour Notice
3. Process Map for "Unscheduled" Bulky Item Debris Piles
4. Process Map for "Excess" Bulky Item Debris Piles

CITY OF RANCHO CORDOVA

RESOLUTION NO. 188-2006

**A RESOLUTION OF THE CITY OF RANCHO CORDOVA
AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT
TO THE COLLECTION SERVICES CONTRACT WITH ALLIED WASTE SERVICES
TO ESTABLISH THE ILLEGAL PILE COLLECTION FEE**

WHEREAS, on July 19, 2004, the City executed a contract with BFI Waste Services of Sacramento, which later changed to Allied Waste Services, to provide residential garbage collection and recycling services to Rancho Cordova solid waste customers; and

WHEREAS, the City wishes to amend the Collection Services Contract to establish the Illegal Pile Collection Fee; and

WHEREAS, the Illegal Pile Collection Fee both compensates Allied for the collection and disposal of bulky item set-out in violation of the program rules; and

WHEREAS, City staff and Allied Waste Services have worked closely to develop the responsibilities and logistics of the Illegal Pile Collection Fee.

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

- A) The City Manager is authorized to execute the First Amendment to the Collection Services Contract between the City and Allied Waste Services, attached as **Exhibit A**.

PASSED AND ADOPTED, by the City Council on the 18th day of December, 2006 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Sander, Mayor

ATTEST:

Anna Olea-Moger, City Clerk

**First Amendment to the Collection Services Contract
Between the City of Rancho Cordova and Allied Waste Services
To Establish the "Illegal Pile Collection Fee"**

This First Amendment to the Collection Services Contract is made and entered into as of _____, 2006 by and between the City of Rancho Cordova, a Municipal Corporation in the State of California ("City"), and Allied Waste Services ("Allied"). This Amendment establishes the *Illegal Pile Collection Fee* ("Fee"), which allows Allied to charge a service fee to residential solid waste customers for the collection and disposal of bulky items set-out in violation of the program rules and guidelines.

RECITALS

A. On July 19, 2004, the City Council of the City of Rancho Cordova approved the execution of the Collection Services Contract ("Contract") with BFI Waste Services of Sacramento, which later changed to Allied Waste Services, for residential solid waste collection and recycling services.

B. On February 1, 2005, Allied began providing residential solid waste collection and recycling services to residential solid waste customers. The Contract requires Allied to provide an "on-call" Bulky Item Collection Program, which allows each resident to request bulky item collection service up to three (3) times per year, and allows residents to place a maximum of ten (10) cubic yards of bulky item debris on the curb per collection event. The Contract requires Allied to provide bulky item collection service within two (2) business days of a customer request.

C. The program experienced operational difficulties in the spring and summer months of both 2005 and 2006. The two primary factors contributing to the performance problems included: 1) the lack of an adequate contingency plan on the part of Allied to provide sufficient equipment and staff to comply with the 48-hour service requirement during the peak spring and summer months; and 2) illegal piles set-out for collection by residents, including "unscheduled" and "excess" piles.

D. The City and Allied mutually agree that an "unscheduled" pile is one that is placed on the curb, street or gutter by a resident without first calling Allied to schedule an appointment, and an "excess" pile is one that exceeds the ten (10) cubic-yard limit.

E. On September 5, 2006, the City Council directed staff to prepare a Contract amendment to establish the Illegal Pile Collection Fee.

F. The City and Allied will continue to work together to implement strategies and policies to enhance the performance and efficiency of the Bulky Item Collection Program. Accordingly, in addition to the Illegal Pile Collection Fee, the

Contract No. 130-2006

City is concurrently working to implement an Administrative Citation Process in order to allow the City to issue citations to repeat offenders of the program rules.

G. City staff and Allied have worked together to develop the "24-hour notice", which is an important component of the Illegal Pile Collection Fee. The 24-hour notice alerts the resident of the illegal pile and directs the resident to correct the identified problem within 24-hours. All residents therefore have an opportunity to correct the problem prior to the application of the Illegal Pile Collection Fee.

H. The City and Allied mutually agree upon an Illegal Pile Collection Fee in the amount of \$7.68 per cubic yard. This amount was calculated from the original cost proposal forms submitted by Allied and included as Exhibit 1 to the Contract. Both parties mutually agree that this amount both fairly compensates Allied for the collection of illegal piles. *(Example: A ten (10) cubic yard illegal pile would be charged \$76.80. 10 yards x \$7.68 = \$76.80)*

I. The Illegal Pile Collection Fee shall be adjusted annually in accordance with the Refuse Rate Index methodology specified in Article 4 of the Contract. The Illegal Pile Collection Fee will be included in Allied's gross revenue subject to franchise fees, in accordance with Article 3 of the Contract.

J. The City and Allied share the following goals with regards to the execution of this Amendment: 1) to provide better service to the City's residential solid waste customers; 2) to keep streets and neighborhoods safe, clean and free of debris; and 3) to improve the degree of community satisfaction with the program.

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1. Illegal Pile Collection Fee

Article 7, "Residential Collection Service," of the Contract is hereby amended to add Section 7.09.6 to read as follows:

7.09.6 Illegal Pile Collection Fee. This fee allows Allied to charge a service fee to residential solid waste customers for the collection and disposal of bulky items set-out in violation of the program rules and guidelines. This fee will be governed by the following terms and conditions:

7.09.6.1 Allied shall assign staff to patrol City streets on a daily basis to identify illegal bulky item debris piles.

7.09.6.2 Allied shall submit a list to the City on a daily basis in electronic format of all "scheduled" bulky item collection appointments. The list shall be submitted to the City no later than 8:30 a.m. and shall include the service address and scheduled collection date.

7.09.6.3 Unscheduled Piles: Allied shall execute the following steps upon identification of an unscheduled bulky item debris pile:

Contract No. 130-2006

7.09.3.6.1 Allied shall place a 24-hour notice on the front door of the residence with the following information and instructions:

7.09.6.3.1.1 The bulky item debris pile does not appear on the list of "scheduled" piles in the Allied Customer Service system, and is therefore an unscheduled pile; and

7.09.6.3.1.2 Directs the resident to call Allied within 24-hours to schedule the collection of the bulky-item debris pile.

7.09.6.3.1.3 Warns resident that failure to contact Allied Waste within 24-hours to schedule an appointment will result in the resident being charged a collection fee of \$7.68 per cubic yard for the removal of the bulky items.

7.09.6.3.2 If within 24 hours the resident *has* called Allied to schedule the collection of the bulky item debris pile, Allied shall return to the residence and collect the entire bulky item debris pile at no charge to the resident or the City.

7.09.6.3.3 If within 24 hours the resident *has not* called Allied to schedule the collection of the bulky item debris pile, Allied shall return to the residence to collect the entire bulky item debris pile and charge the resident the Illegal Pile Collection fee in the amount of \$7.68 per cubic yard. The Illegal Pile Collection Fee shall appear on the next bi-monthly billing for solid waste services.

8.09.6.4 Excess Piles: Allied shall execute the following steps upon identification of an "excess" bulky item debris pile:

7.09.6.4.1 Allied shall place a 24-hour notice on the front door of the residence with the following information and instructions:

7.09.6.4.1.1 The bulky items debris pile exceeds the ten (10) cubic yard limit; and

7.09.6.4.1.2 Directs the resident to either: 1) immediately reduce the size of the pile to the 10 cubic yard limit, or 2) call Allied to make special arrangements for the collection of the excess pile.

7.09.6.4.1.3 Warns resident that failure to reduce the pile size to comply with the 10 cubic yard limit within 24-hours will result in the resident being charged a collection fee of \$7.68 per cubic yard for the removal of the bulky items.

Contract No. 130-2006

7.09.6.4.2 If within 24 hours the resident *has* reduced the pile size to comply with the 10 cubic yard limit, Allied shall collect the entire bulky item debris pile at no charge to the resident or the City.

7.09.6.4.3 If within 24 hours the resident *has* called Allied to make special arrangements for the collection of the excess pile, Allied shall collect the entire bulky item debris pile and charge the resident accordingly on the next bi-monthly billing.

7.09.6.4.4 If within 24 hours the pile *has not* been reduced in size or the resident *has not* called Allied to make special arrangements, Allied shall collect the entire bulky item debris pile and charge the resident the Illegal Pile Collection Fee in the amount of \$7.68 per cubic yard. The Illegal Pile Collection Fee shall appear on the next bi-monthly billing for solid waste services

7.09.6.5 Digital Photograph: Allied shall take a digital photograph of all bulky item debris piles for which a 24-hour notice has been issued. The digital photograph will create a visual record of non-compliance in the case of a dispute between Allied and the resident. Upon request by the City, Allied shall provide a copy of the digital photograph in print or electronic format within one (1) business day of the request. Allied shall maintain such digital photographs on file for two (2) years.

7.09.6.6 Monthly Reporting: Starting January 1, 2007, and on a monthly basis thereafter, Allied shall submit a monthly bulky item status report to the City for the previous month. The monthly status report shall include, but is not limited to, the following:

7.09.6.6.1 The total tonnage of bulky item debris collected during the previous month and year-to-date.

7.09.6.6.2 The total tonnage of illegal dumping cleanup service provided the previous month and year-to-date.

7.09.6.6.3 The total number of bulky item debris piles collected during the previous month and year-to-date.

7.09.6.6.4 The total tonnage of bulky item debris diverted from landfill disposal, by waste type, during the previous month and year-to-date.

7.09.6.6.5 The total number of "24-hour notices" distributed by Allied during the previous month and year-to-date for unscheduled and excess piles.

7.09.6.6.6 The total number of residents that corrected the problem within 24-hours of receipt of the notice, and the total

Contract No. 130-2006

number of residents that did not correct the problem within 24-hours and were therefore charged the Illegal Pile Collection Fee.

7.09.6.6.7 Any other data or information with respect to the Bulky Item Collection Program as requested by the Contract Administrator.

7.09.6.7 Exempt Waste: If Allied encounters a bulky item debris pile that contains Exempt Waste as defined in the Contract, Allied shall take the following steps:

7.09.6.7.1 Allied shall collect those bulky items that are in compliance with program guidelines and place a "warning" notice on the front door of the residence with the following information:

7.09.6.7.1.1 Some or all of the bulky items were not collected due to the presence of Exempt Waste.

7.09.6.7.1.2 Directs the resident to immediately remove the Exempt Waste from the street or curb, and provides information on the proper disposal and handling of Exempt Waste.

7.09.6.7.1.3 Warns resident that failure to comply with the removal of the Exempt Waste from the street or curb will result in Allied contacting the City. The City shall determine how to proceed in achieving compliance by resident.

7.09.6.7.2 Allied shall submit a list of addresses to the City by the end of each business day with a listing of the specific addresses that received an Exempt Waste warning notice.

2. Effective Date.

This Amendment shall be effective as of _____, 2006.

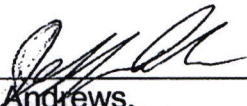
Contract No. 130-2006

IN WITNESS WHEREOF, the parties have executed this Amendment the day and year set forth below.

City of Rancho Cordova:

Allied Waste Services:

Ted Gaebler,
City Manager


Jeff Andrews,
Senior Vice President

Date

Date

11-16-06

Attest:

Anna Olea-Moger
City Clerk

Approved as to Form:

Adam U. Lindgren
City Attorney

Date

24-HOUR WARNING NOTICE

RANCHO CORDOVA BULKY ITEM PICKUP PROGRAM

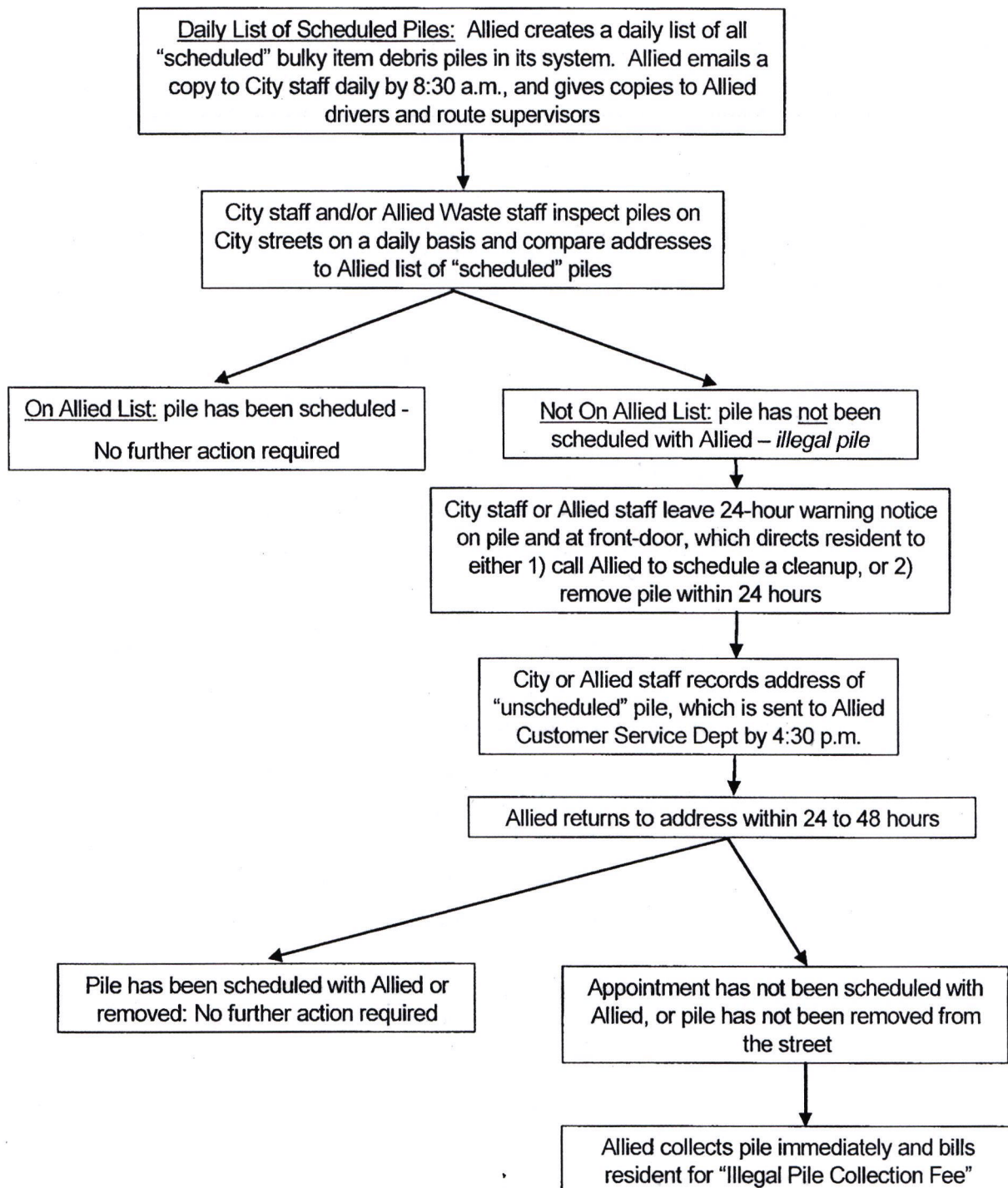
- ❑ **Bulky items in the street and no appointment scheduled.**
 - According to our records, you have placed bulky items in the street without first scheduling a collection appointment with Allied Waste Services.
 - You must contact Allied Waste Services at (916) 638-9000 within 24-hours to schedule a collection appointment.
 - If you do not contact Allied Waste Services within 24-hours to schedule an appointment, you will be charged a collection fee of \$7.68 per cubic yard for the removal of the bulky items.

- ❑ **Bulky items exceed 10 cubic yard maximum size limit.**
 - Bulky item debris piles may not exceed 10 cubic yards (10 feet x 7 feet x 4 feet).
 - Within 24-hours you must either:
 - Reduce the pile size to the 10 cubic yard limit; or
 - Call Allied Waste Services to make special arrangements for the collection of your excess bulky items.
 - If you do not correct the problem within 24-hours, you will be charged a collection fee of \$7.68 per cubic yard for the removal of the bulky items.

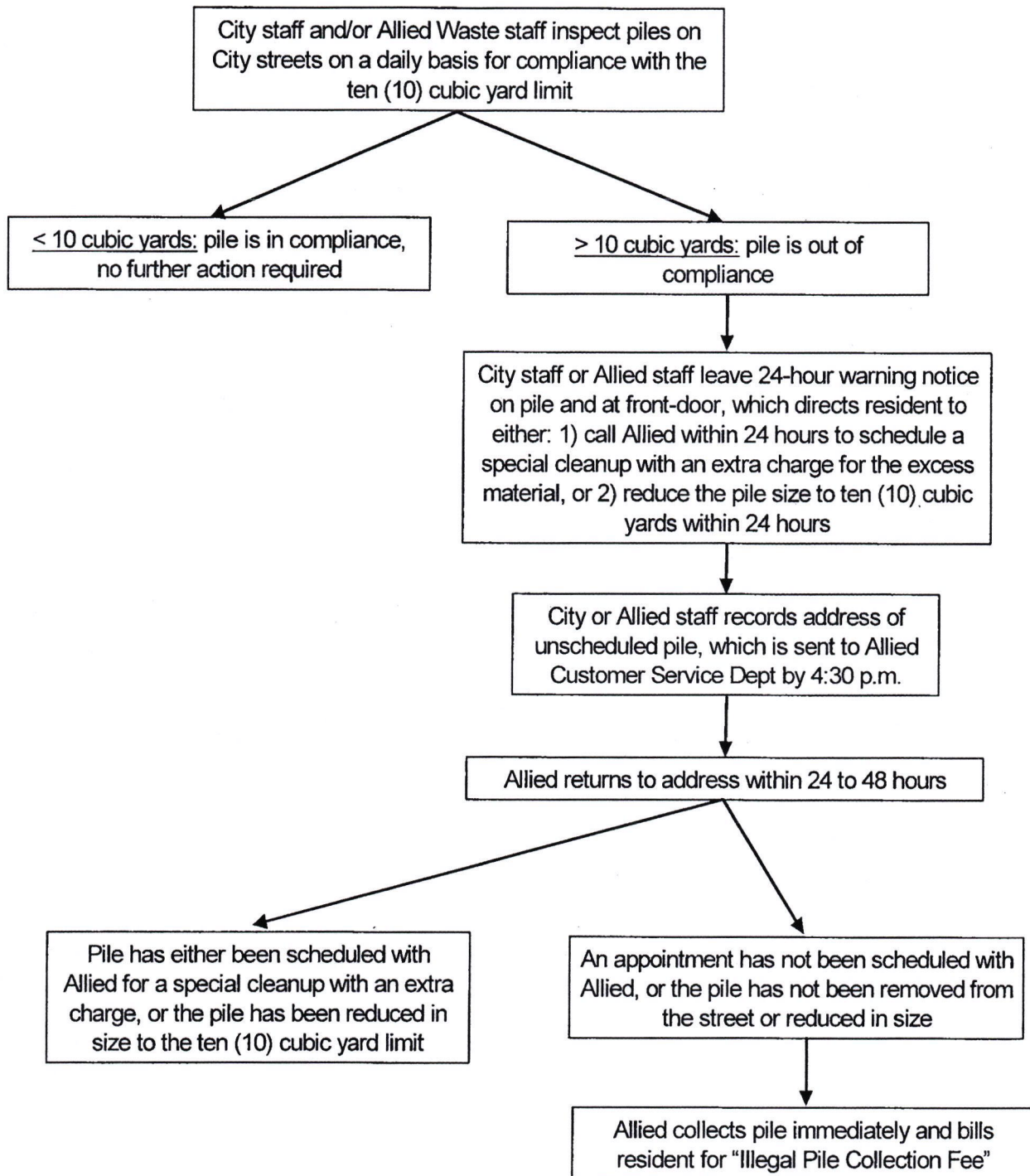
- ❑ **Items set-out more than 48 hours before scheduled collection date.**
 - According to our records, you have placed bulky items in the street more than 48-hours before your scheduled collection date.
 - Within 24-hours you must either:
 - ❑ Completely remove the bulky items from the street; or
 - ❑ Call Allied Waste Services to reschedule your collection appointment.
 - If you do not take action within 24-hours, you will be charged a collection fee of \$7.68 per cubic yard for the removal of the bulky items.

**Call Allied Waste Services
(916) 638 – 9000**

Bulky Item Cleanup Program
"Unscheduled" Pile Process Map



Bulky Item Cleanup Program
"Excess" Pile Process Map



MEMORANDUM



DATE: December 18, 2006

TO: Mayor and Council Members

FROM: Curt Haven, Economic Development Director
Kerry Simpson, Neighborhood Services Supervisor

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AMENDING RANCHO CORDOVA MUNICIPAL CODE CHAPTER 16.18 "NUISANCE CODE" SECTION 16.18.205(f), RELATING TO ADMINISTRATIVE CITATIONS

RECOMMENDATION

Introduce and waive the first reading of Ordinance No. 60-2006 amending City Code Section 16.18.205(f), relating to administrative citations.

RESULT OF RECOMMENDED ACTION

Adoption of this Ordinance will provide step by step guidelines for designated staff to issue administrative citations for violations of the City Code. The Ordinance will also establish fines associated with the citations and hearing procedures for all citation challenges.

BACKGROUND

Since the City's incorporation in 2003, the City's Code Enforcement Division has focused on improving the efficiency of enforcement and adding the right set of enforcement tools to the City Code in order to enhance the current program. Staff has identified that there is a current problem in the City with repeat offenders, and with offenders who do not comply with the City Code even after receiving notices of the violation by the City.

The proposed Ordinance will set forth the procedures for issuing administrative citations to responsible parties who violate any provisions of any City ordinances. It will provide step by step guidelines that will not only be beneficial for City Staff, but also for residents of the City by clarifying the process and functions of the administrative citation. This Ordinance contains a detailed explanation of what information will be afforded in the citation, a detailed description of the hearing processes in case the person that receives a citation wishes to appeal the fine, and provisions regarding the City's ability to recover all costs for achieving compliance.

Staff proposes that fines be imposed as follows:

- A. One hundred dollars (\$100.00) for the first violation;
- B. Two hundred dollars (\$200.00) for the second violation of the same ordinance;
and
- C. Five hundred dollars (\$500.00) per day for each additional violation of the same ordinance within one year.

All persons who are issued an administrative citation will have the opportunity to request a hearing in order to challenge such issuance. The Ordinance sets out the procedures for these administrative hearings. The hearing officer's decision becomes final, but the person aggrieved by the decision has the right to judicial review by the Superior Court in Sacramento County.

Staff concerns regarding repeat offenders and people that do not comply after being notified of the violation will be addressed by this Ordinance. The administrative citation tool allows the City to escalate the fines if the person wishes to violate the same code within a year, or does not wish to comply with the Code. Staff will allow the responsible party a reasonable time to comply with the law before re-inspection. If the responsible party has not complied at the time of re-inspection, an administrative fine will be issued. For repeat offenders, the fee schedule above will be followed. For the purposes of issuing administrative citations, every day may be a separate violation, providing an incentive for the responsible party to comply.

The proposed Ordinance will improve the quality of life for residents of Rancho Cordova by clarifying the process and repercussions of administrative citations. This will prove to be a valuable tool in remedying violations of City ordinances. The administrative citation process will assist the City in providing compliance with violations involving, but not limited to, junk and rubbish, substandard housing, and illegal dumping. Administrative Citations have proven to be very effective in other jurisdictions by providing a tool that helps the City correct current and ongoing violations. This tool also serves useful when the responsible party lives out of the area because the citation is issued to the property owner, regardless of where the owner is located.

MOTION

"I move that the City Council introduce and waive the first reading of Ordinance __-2006 amending Rancho Cordova Municipal Code Chapter 16.18, Section 16.18.205(f), relating to Administrative Citations."

ATTACHMENTS

1. Ordinance No. 60-2006 Amending Rancho Cordova Municipal Code Chapter 16.18, Section 16.18.205(f), Relating to Administrative Citations

CITY OF RANCHO CORDOVA

ORDINANCE NO. 60-2006

**AN ORDINANCE OF THE CITY COUNCIL AMENDING RANCHO
CORDOVA MUNICIPAL CODE CHAPTER 16.18, SECTION 16.18.205(f),
RELATING TO ADMINISTRATIVE CITATIONS**

WHEREAS, upon incorporation, the City of Rancho Cordova adopted by reference Sacramento County Code Chapter 16.18, "Nuisance Code"; and

WHEREAS, on September 20, 2004, the City adopted Ordinance 50-2004 amending the chapter; and

WHEREAS, currently Code Section 16.18.205(f) does allow for administrative citations, however, this Ordinance will set out specific procedures explaining how administrative citations are administered, making the process more efficient and effective; and

WHEREAS, administrative citations can be utilized for zoning violations, property maintenance issues, signage, substandard housing violations, and any other violation of the City Code; and

WHEREAS, setting procedures for the imposition of administrative citations will allow the City to easily and quickly resolve many ongoing public nuisances administratively rather than pursuing criminal remedies.

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

Section 1. Rancho Cordova Municipal Code Chapter 16.18, "Nuisance Code," Section 16.18.205(f), "Violations and Penalties," is hereby amended to read as follows:

"f. Administrative Citations.

1. **Applicability.** This section provides for administrative citations, which are in addition to all other legal remedies, criminal or civil, which the City may pursue to address a violation of this Code. Use of this section is at the sole discretion of the City. This section is authorized under Government Code Section 53069.4 and 36901.

The procedures in this section shall not be used to enforce a continuing violation regarding building, plumbing, electrical, or other similar structural or zoning issues, without first allowing the person in violation a reasonable time to correct the violation, consistent with the procedures set forth in Section 16.18.205(f)(2) below.

Due Process

2. **Continuing Violations of Building and Zoning Issues.** If a violation is a continuing one and pertains to a building, plumbing, electrical, or other structural or zoning issue that does not create an immediate danger to health or safety, the City shall provide a reasonable period of time for the responsible person to correct or otherwise remedy the violation before the imposition of an administrative citation or penalty.

define?

3. Administrative Citation.

- A. Authority. Whenever an Enforcement Officer determines that a violation of any of the provisions of any of the ordinances of the City has occurred, the Enforcement Officer has the authority to issue an administrative citation to the person responsible for the violation.
- B. Contents of Citation. Each administrative citation shall contain the following information:
- i. The date of the violation.
 - ii. The address or a definite description of the location where the violation occurred.
 - iii. The section of the Code violated and a description of the violation.
 - iv. The amount of the fine for the code violation.
 - v. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid.
 - vi. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation.
 - vii. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained.
 - viii. The name and signature of the citing Enforcement Officer. In the case of a continuing violation involving building, plumbing electrical, or other similar structural or zoning issues identified under Section 16.18.205(f)(2), the administrative citation shall also have attached a copy of the prior notice that was sent to the responsible party.
- registered!*
- C. Delivery of Citation. The administrative citation shall be delivered personally or ~~sent by first class mail~~ or certified mail to the person responsible for the violation.
- D. Dismissal of Citation. At any time before the hearing, if the Enforcement Officer determines that there was no violation as charged in the administrative citation or that the citation should be dismissed in the interest of justice, the Enforcement Officer shall dismiss the administrative citation, cancel the hearing, and refund any administrative citation fine.

4. Amount of Fine.

- A. Maximum Amount of Fine. The maximum amount of the fine imposed for each code violation under this section is as follows:

*Lien against
the Property?*

- i. One hundred dollars (\$100.00) per day for a first violation;
- ii. Two hundred dollars (\$200.00) per day for a second violation of the same ordinance within one year; and
- iii. Five hundred dollars (\$500.00) per day for each additional violation of the same ordinance within one year.

B. Additional Amounts. Administrative costs, interest, late payment charges, costs of compliance reinspections, and collection costs are in addition to the fine. These include:

- i. Administrative costs: based on time spent by Code Enforcement staff, supervisors and City Attorney's office, at the full cost hourly rate of each employee, including salary, benefits and overhead.
- ii. Late payment charges: due at the rate of 10 percent per month.
- iii. Compliance reinspections: based on staff time at the full cost hourly rate.
- iv. Collection costs: actual collection costs.

C. Discretion of Enforcement Officer or Hearing Officer – Factors in Establishing Fine. In determining the amount of the fine and additional amounts, the Enforcement Officer or hearing officer has the discretion to set the fine lower than the maximum amount, or to reduce the additional costs, based on any or all of the following factors:

- i. The duration of the violation;
- ii. The frequency, recurrence and number of violations, related or unrelated, by the same violator;
- iii. The seriousness of the violation;
- iv. The good faith efforts of the violator to come into compliance;
- v. The economic impact of the fine on the violator;
- vi. The impact of the violation on the community; and
- vii. Such other factors as justice requires.

5. Payment of the Fine.

- A. Due Date. The fine shall be paid to the City within 30 days from the date of the administrative citation. The city may suspend the imposition of fines for any period of time during which the violator has filed for necessary permits, and such permits are required to achieve compliance,

and the permit applications are actively pending before the appropriate governmental agency.

- B. Refund. The City shall refund a fine paid if the hearing officer determines, after a hearing held under Section 16.18.205(f)(8), that the person charged in the citation was not responsible for the violation or that there was no violation as charged.
- C. Further Violations Not Excused. Payment of a fine under this section shall not excuse or discharge any continuation or repeated occurrence of the code violation.

6. Hearing Request.

- A. Hearing Request. A person who receives an administrative citation may contest the citation on the basis that there was no violation of the Code or that he or she is not the responsible party. To contest the citation, the person shall submit a request for hearing form to the City within 30 days from the date of the administrative citation. Directions on how to obtain the request form will be provided on the administrative citation. The completed request must be submitted together with an advance deposit of the fine.
- B. Notice of Hearing. The person requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.
- C. Additional Reports. If the Enforcement Officer submits an additional written report concerning the administrative citation to the hearing officer for consideration at the hearing, then a copy of this report also shall be provided to the person requesting the hearing at least five (5) days before the date of the hearing.

7. Hearing Officer. Pursuant to Section 16.18.204, a Hearing Officer will be assigned the responsibility of conducting a hearing by the City Manager. The City Manager shall be authorized to assign hearing responsibilities from time to time to any person or persons, qualified by training or experience, who the City Manager may appoint, employ or who are retained by contract to conduct such hearings.

8. Hearing Procedure.

- A. Setting the Hearing. A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the Enforcement Officer submits a written report concerning the citation to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing.

No hearing shall be held unless the fine has been deposited in advance, under Section 16.18.205(f)(6)(A).

- B. Failure to Appear. The failure of the person requesting the hearing to appear at the hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.
- C. At the Hearing. The administrative citation and any additional report submitted by the Enforcement Officer shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.
- D. Continuances. The hearing officer may continue the hearing and may request additional information from the Enforcement Officer or the person receiving the citation before issuing the decision.

9. Hearing Officer's Decision.

- A. Decision. After considering the testimony and evidence presented at the hearing, the hearing officer shall issue a written decision to uphold, dismiss or modify the administrative citation. The hearing officer shall state the reasons for the decision and shall send a copy of the decision to the person that requested the hearing and to the Enforcement Officer. The decision of the hearing officer is final, and may not be appealed.
- B. Status of Fine. If the citation is upheld, then the fine amount on deposit with the City shall be retained by the City.

If the citation is dismissed, the City shall promptly refund the amount of any fine deposited, together with interest at the average rate earned on the City's portfolio for the period of time that the fine was held by the City.

10. Late Payment Charges. A person who fails to pay to the City the fine imposed under this section on or before the date that fine is due is also liable for the payment of the applicable late payment charges set forth in Section 16.18.205(f)(6)(B).

11. Recovery of Administrative Citation Fines and Costs.

- A. Costs of Securing Payment. A person who fails to pay any fine or other charges owed to the City under this Section is liable in any action brought by the City for all costs incurred in securing payment of the delinquent amount, including but not limited to administrative costs and attorney's fees. Such collection costs are in addition to any fines, interest, and late charges.
- B. Other Costs. In addition to the administrative citation fine, the City may collect its administrative costs, interest, late payment charges, costs of compliance reinspections, and collection costs.

- C. Collection. The City may collect any past due administrative citation fine and other costs and charges by any available legal means.

2. 12. Right to Judicial Review. A person aggrieved by the hearing officer's decision on an administrative citation may obtain review of the decision by filing a petition for review with the Superior Court in Sacramento County within 20 days after service of the final decision in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

no politics!

13. Notices.

- A. Method of Service. The administrative citation and all notices required to be given by this section shall be served on the responsible party either by personal service, by first class mail, or by certified mail, return receipt requested.
- B. Real Property. When real property is involved in the violation, the original notice, the administrative citation and all notices required to be given by this section shall be served on the responsible party and, if different, to the property owner at the address as shown on the last equalized County assessment roll. If personal service or service by mail on the property owner is unsuccessful, a copy of each notice and the citation shall be conspicuously posted at the property which is the subject of the violation. The City may, in its discretion, also serve notice on a tenant, a mortgagor or any other person having an interest in the property.
- C. Failure to Receive Notice. The failure of a person to receive a required notice shall not affect the validity of any proceedings taken under this section."

Section 2. Severability.

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

Section 3. Effective Date and Publication.

Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Grapevine Independent, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with California Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 16th day of January 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

MEMORANDUM



DATE: December 18, 2006

TO: Honorable Mayor and Council Members

CC: Ted Gaebler, City Manager
Kerry Simpson, Neighborhood Services Supervisor

FROM: Adam U. Lindgren, City Attorney
Jose M. Sanchez, Deputy City Attorney

SUBJECT: **An Ordinance Amending Chapter 16.18 "Nuisance Code" Section 16.18.205(f) of the Rancho Cordova Municipal Code relating to Administrative Citations**

Following the release of the packet, the City Attorney's office received the following three proposed revisions to the Administrative Citation Ordinance from a City Council Member:

1. Section 16.18.205(f)(3)(C):

- C. Delivery of Citation. The administrative citation shall be delivered personally or sent by certified mail to the person responsible for the violation.

Deleted: first class mail or

2. Section 16.18.205(f)(11)(C):

- C. Collection. The City may collect any past due administrative citation fine and other costs and charges by any available legal means, including without limitation, placing a lien on the property.

3. Section 16.18.205(f)(12):

12. Right to Judicial Review. A person aggrieved by the hearing officer's decision on an administrative citation may obtain review of the decision by filing a lawsuit with the Superior Court in Sacramento County within 20 days after service of the final decision in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

Deleted: petition for review

MEMORANDUM



DATE: December 18, 2006

TO: Mayor and Council Members

FROM: Curt Haven, Economic Development Director
Michael Rodriguez, Animal Services Manager

SUBJECT: AN ORDINANCE ADOPTING TITLE 8, ANIMALS, REGARDING THE REGULATIONS AND FUNCTIONS OF ANIMAL SERVICES AND ESTABLISHMENT OF FEES ASSOCIATED WITH LICENSING, AND FIELD SERVICES

RECOMMENDATION

Introduce and waive first reading of Ordinance No. 61-2006 repealing Title 8, Animals, of the Rancho Cordova Municipal Code and adopting Title 8, Animals, regarding the regulations and functions of Animal Services and establishment of fees associated with licensing and field services.

RESULT OF RECOMMENDED ACTION

Adoption of this Ordinance will establish regulations and functions pertaining to Animal Services and establish fees associated with licensing, impoundment of non-spayed or un-neutered dogs or cats, and field services.

BACKGROUND

This Ordinance will repeal the City's existing Animal Control laws, which were inherited from Sacramento County upon incorporation, and replace them with an entirely new set of regulations pertaining to Animal Services in the City. This change is needed in order to properly reflect the services and regulations that are currently being offered and enforced by the Animal Services department in the City. The County Code contains many regulations that only apply at the County level, requiring the need for this amendment.

Staff recognizes the importance of providing residents of the City with a clear understanding of what regulations apply to animal owners. This Ordinance will set out the duties of Animal Services pertaining to vaccination of animals, licensing of cats and dogs, impoundment, and how to deal with vicious animals. It will inform residents of their responsibilities and liabilities regarding the care and licensing of animals in the City. It will also afford Animal Services flexibility in how they enforce violations relating to this Ordinance by declaring any violation a public nuisance and subject to the penalties in Chapter 16.18 (the Nuisance Code). Under the penalties of Chapter 16.18 is the

Administrative Citation tool, which Staff expects will be highly beneficial in achieving compliance by residents.

Residents will also be provided with procedural safeguards by allowing them to request a hearing in order to challenge any decision made by the Animal Services Officer. The hearing officer's decision becomes final, but the person aggrieved by the decision has the right to judicial review by the Superior Court in Sacramento County.

At the next Council meeting, City Staff will bring forth a Resolution establishing the amount of fees for the licensing of dogs and cats. It will establish licensing fees for altered dogs and cats as follows: \$10 annual fee; \$20 two year fee; and \$30 three year fee. For unaltered dogs and cats the fee will be established as follows: \$30 annual fee; \$60 two year fee; and \$90 three year fee. The Resolution will give seniors over 65 years of age a 50% discount on these fees. The Resolution will also establish fees for field services.

City Staff believes this Ordinance will allow Animal Services to better serve the City's by providing rules and regulations for the protection of residents and their animals.

MOTION

"I move that the City Council introduce and waive the first reading of Ordinance No. __-2006 repealing Title 8 of the Municipal Code and adopting a new Title 8 regarding the regulations and functions of Animal Services and establishment of fees associated with licensing and field services."

ATTACHMENTS

1. Ordinance No. 61-2006 repealing Title 8, Animals, of the Rancho Cordova Municipal Code and Adopting Title 8, Animals, regarding the regulations and functions of Animal Services and establishment of fees associated with licensing and field services.

CITY OF RANCHO CORDOVA

ORDINANCE NO: 61-2006

**AN ORDINANCE OF THE CITY COUNCIL OF REPEALING TITLE 8, ANIMALS, OF THE
RANCHO CORDOVA MUNICIPAL CODE AND ADOPTING TITLE 8, ANIMALS, REGARDING
THE ESTABLISHMENT AND FUNCTIONS OF ANIMAL SERVICES AND FEES
ASSOCIATED WITH LICENSING AND FIELD SERVICES**

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

SECTION 1. Repealing Title 8 of Rancho Cordova Municipal Code.

The City Council hereby repeals Title 8, Animals, of the Rancho Cordova Municipal Code in its entirety.

SECTION 2. Adoption of Title 8, Animals.

The City Council hereby adopts Title 8, Animals, to read as follows:

“TITLE 8, ANIMALS

Chapter 8.01 DEFINITIONS

8.01.010	Animal Services
8.01.020	Impoundment
8.01.030	Licensing Authority
8.01.040	Owner
8.01.050	Person
8.01.060	Rabies Vaccination
8.01.070	Veterinarian
8.01.080	Guide Dog
8.01.090	Signal Dog
8.01.100	Service Dog

Chapter 8.02 ANIMAL SERVICES

8.02.010	Purpose
8.02.020	Animal Services
8.02.030	Regulations
8.02.040	Animal Services Records
8.02.050	Information on Animal Care
8.02.060	Animal Services Duties

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8.03.020	Abandonment Unlawful
8.03.030	Dead Animal Disposal
8.03.040	Epidemic – Rules Enforcement
8.03.050	Field Service Charges

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8.04.020 Authority to Pursue and Enter Private Property
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8.04.050 Violation and Penalties

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8.05.040 Animal Bite – Medical Report
8.05.050 Quarantine
8.05.060 Carcass Delivery

Chapter 8.06 LICENSING

8.06.010 License – Required
8.06.020 License - Renewal or Suspension
8.06.030 License – Tags
8.06.040 License – Rabies Vaccination Certificate Required
8.06.050 Exemption – Guide Dogs, Signal Dogs, and Service Dogs
8.06.060 Exemption – Licensed Under Another Jurisdiction
8.06.070 Exemption – Medical Treatment
8.06.080 Exemption – Government Ownerships
8.06.090 Licensing – Dangerous Animal
8.06.100 Licenses Fees

Chapter 8.07 VICIOUS ANIMALS

8.07.010 Investigation
8.07.020 Impoundment Authorized – Vicious Animals

Chapter 8.08 IMPOUNDMENT

8.08.010 Impoundment Authorized Upon Reasonable Cause
8.08.020 Fine for Impounded Non-spayed or Un-neutered Dog
8.08.030 Equipment to Impound Authorized

Chapter 8.09 PROCEDURAL PROVISIONS

8.09.010 Notice of Hearing
8.09.020 Hearing Officer
8.09.030 Hearing Procedure
8.09.040 Hearing Officers Decision
8.09.050 Right to Judicial Review

Chapter 8.10 RECOVERY OF FINES AND COSTS

- 8.10.010 Costs of Securing Payment
- 8.10.020 Other Costs
- 8.10.030 Collection

Chapter 8.01 DEFINITIONS

The words and terms used in this chapter shall have the meaning stated as set forth in this Section, unless the meaning is clearly intended to be otherwise.

8.01.010 Animal Services. Animal Services means that division of the City government which is specifically charged with the regulation of animals and the enforcement of laws dealing with animals within the incorporated area of the City of Rancho Cordova.

8.01.020 Impoundment. "Impoundment" means the taking and holding of an animal by an Animal Services officer.

8.01.030 Licensing Authority. "Licensing Authority" means the City Clerk or such other City official or department designated by resolution of the City Council.

8.01.040 Owner. "Owner" means a person, who owns, possesses harbors or controls an animal for fifteen (15) or more consecutive days, except a veterinarian or an operator of a kennel or a pet shop engaged in the regular practice of this business as such.

8.01.050 Person. "Person" means one or more human beings and all fictional entities such as corporations, estates, associations, partnerships and trusts.

8.01.060 Rabies Vaccination. "Rabies vaccination" means the inoculation of an animal with a rabies vaccine approved by and in the manner prescribed by the California State Department of Public Health.

8.01.070 Veterinarian. "Veterinarian" means a person licensed to practice veterinary medicine in the state.

8.01.080 Guide Dog. "Guide Dog" means any guide dog or seeing-eye dog which was trained by a person licensed under the provisions of the Business and Professions Code or as defined in the regulations implementing Title III of the Americans with Disabilities Act of 1990.

8.01.090 Signal Dog. "Signal Dog" means any dog trained to alert a deaf person, or person whose hearing is impaired to intruders or sounds.

8.01.100 Service Dog. "Service Dog" means any dog individually trained to the requirements of the individual including but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items.

A "service dog" is also any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, or any dog approved by the manager of Animal Services, which he/she believes to come within the definitions listed, after consultation with knowledgeable professionals.

Chapter 8.02

ANIMAL SERVICES

8.02.010 Purpose.

This Title establishes regulations for the formation, function, and penalties associated with Animal Services.

8.02.020 Animal Services.

Animal Services shall be administered by the Neighborhood Services Supervisor. For purposes of this title, any reference to the Neighborhood Services Supervisor shall include his or her designees.

8.02.030 Regulations.

The City Council may establish by resolution, regulations for the administration and implementation of this Title which may include a schedule of fees for licenses and for services provided in accordance with this Title. A copy of the regulations established by resolution of the City Council shall be filed with the City Clerk and posted at City Hall.

8.02.040 Animal Services Records.

The Neighborhood Services Supervisor shall keep records concerning the operation of Animal Services as prescribed by regulations established pursuant to all state and City laws and City policies.

8.02.050 Information on Animal Care.

The Neighborhood Services Supervisor is authorized to make available and/or distribute to the people of the City brochures and information pertaining to care and control of animals.

8.02.060 Animal Services Duties.

Animal Services is primarily responsible for the enforcement and administration of this chapter. The duties shall include but not be limited to the following:

- (A) To keep such records as may be required by the City Council.
- (B) To take up and impound animals when authorized by City Code.
- (C) To remove and dispose of the carcass of any animal found on any public highway, street, alley, or any other public place in the incorporated area of the City.
- (D) To quarantine animals and to cooperate with the local health officer.
- (E) To administer licensing programs as delegated by the Licensing Authority.
- (F) To educate the community on the importance of spaying and neutering and promote responsible pet ownership.

Chapter 8.03

GENERAL PROVISIONS

8.03.010 Animal Restraint.

(A) No owner of any animal, wild or domestic, except the domestic cat, shall permit or suffer the animal to:

- (1) Be off a leash or be restrained by a leash which is more than eight feet in length. An animal need not be on a leash while it is on the premises of its owner nor while on other private property with consent of the owner. This subsection shall apply to all areas of the City unless clearly designated as areas where leashes are not required.
- (2) Enter upon private property without consent of the private property's owner.
- (3) Habitually make loud noises. For purposes of this Chapter, an animal is habitually making loud noises if its conduct results in the owner receiving two or more notices from Animal Services of such behavior within a 30 day period.
- (4) Act in such other manner so as to constitute a public nuisance.

(B) Nothing in this section shall prohibit the use of animals on school property for teaching, use for the blind, or other school purposes when permitted by school officials, or require a person to keep any animal in his possession on a leash if, at the time, the animal is restrained in a vehicle or cage.

8.03.020 Abandonment Unlawful.

It is unlawful for any person to abandon any animal whether dead or alive.

8.03.030 Dead Animal Disposal.

The owner of a dead animal shall, within a reasonable time, provide for the disposal in a manner approved by the Animal Services Officer or the disposition of the carcass in a safe and sanitary manner. The owner may request the Animals Services Officer to dispose of the animal at a fee fixed by resolution of the City Council. The Animal Services Officer shall be responsible for disposal of all dead animals whose ownership cannot be established.

8.03.040 Epidemic – Rules Enforcement.

It shall be the duty of the Animal Services Officer to comply with all directives of the health officer in the enforcement of the rules and regulations. The rules and regulations, when adopted, shall become and thereafter be a part of this chapter.

8.03.050 Field Service Charges.

Animal Services will impose a fee, as set by resolution of the City Council, for all field services.

8.03.060 Amendment of Fees.

The City Council may amend by resolution all fees under this Title.

Chapter 8.04

ENFORCEMENT

8.04.010 Generally.

The Neighborhood Services Supervisor and such authorized officers are empowered, and it shall be his or her duty, to enforce the provisions of this title.

To the extent authorized by law, an Animal Services officer may enter, at reasonable times, upon and inspect any premises where any animal is kept or harbored when such entry is necessary to enforce the provisions of this title.

8.04.020 Authority to Pursue and Enter Private Property.

Any person charged with the duty to enforce this chapter who is in pursuit of an animal, shall have the authority to go upon the property of the owner or other person, in order to impound such animal; provided, however, he shall not enter a dwelling without a search warrant and he shall exercise reasonable care to avoid causing damage to the property.

8.04.030 Firearms Authorized.

The Neighborhood Services Supervisor and such authorized officers as he or she may specifically designate in writing are authorized to carry weapons when acting in the course and scope of their employment pursuant to and in accordance with Section 12031 of the Penal Code of the State of California.

8.04.040 Authority to Arrest and Issue Notices to Appear.

Pursuant to the provisions of California Penal Code Section 836.5, the Neighborhood Services Supervisor and such authorized officers, are authorized to arrest without a warrant and issue a written notice to appear whenever any such person has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his or her presence which is a violation of this chapter or a violation of any other ordinance or statute which he or she has the duty to enforce.

8.04.50 Violations and Penalties.

Any violation of this Title shall be declared a public nuisance and subject to such penalties as provided in Chapter 16.18 of this Code.

Chapter 8.05

RABIES

8.05.010 Vaccination – Required.

Every dog and cat shall have a medically current vaccination with an anti-rabies vaccine approved by the Health Department of the state. The vaccination shall be administered by a veterinarian or as provided through City recognized clinics, and a certificate of vaccination shall be issued to the owner. The certificate of rabies vaccination which accompanies the license application shall be valid if in compliance with the following immunization schedule:

Primary Immunization - Primary immunization shall be defined as the initial inoculation of an approved canine rabies vaccine administered to young dogs and cats at the age of four months.

8.05.020 Vaccination – Exemption.

Notwithstanding the provisions, no dog or cat need be vaccinated for rabies where a licensed veterinarian has certified that the vaccination would endanger the dog or cat's health, and the health officer endorses on the certificate his approval. The certificate must bear the date of issuance and must be renewed each year.

8.05.030 Animal Bite – Victim Report.

Any person or parent or guardian of such person, or an owner of an animal, bitten or scratched by an animal of a species subject to rabies shall immediately report such incident to the Animal Service Officer.

8.05.040 Animal Bite – Medical Report.

Every veterinarian and every person providing professional medical treatment for animal bite by an animal of a species subject to rabies shall immediately notify Animal Services whenever rabies is suspected.

8.05.050 Quarantine.

(A) The Animal Services Officer shall assure that all animals falling into the following categories are isolated or quarantined at the place and under the conditions prescribed by the health officer and pertinent state laws and regulations.

- (1) Known rabid animals;
- (2) Suspected rabid animals;
- (3) Animals that have bitten a human or otherwise exposed a human to rabies;
- (4) Animals of a species subject to rabies, which have been bitten by a known rabid or suspected rabid animal or have come in close contact with a rabid or suspected rabid animal.

(B) It is unlawful for the owner or keeper of an animal to violate any of the conditions of isolation or quarantine prescribed by the health officer.

8.05.060 Carcass Delivery.

Upon the death of any rabid animal, clinically suspected rabid animal, or animal which has bitten or otherwise exposed a human to rabies, the Animal Services Officer shall obtain and turn over to the health officer the carcass of such animal or an adequate specimen thereof.

Chapter 8.06 LICENSING

8.06.010 License – Required.

Every person who owns, possesses, harbors or controls any dog or cat shall obtain a license before the dog or cat reaches the age of four months. Within thirty days after any unlicensed

dog or cat over the age of four months is acquired or brought into the City, its owner shall obtain a license.

8.06.020 License - Renewal or Suspension.

Whenever provision is made in this Chapter for a license, such license shall be renewed annually thereafter or at the next succeeding regular renewal date and annually thereafter as provided by the licensing authority. The Neighborhood Services Supervisor may revoke or suspend a license whenever such action is necessary to protect the public health and safety, or to accomplish the purposes of this Title.

8.06.030 License – Tags.

The licensing authority shall issue, upon proper application and payment of license fees, a serially numbered license tag stamped with the name of the City. The owner shall provide a dog with a suitable collar or other device to which the license tag shall be attached. The Neighborhood Services Supervisor shall keep a copy of the application or other records sufficient to establish the identity of the person that owns or harbors the dog.

8.06.040 License - Rabies Vaccination Certificate Required.

Each application for a dog license shall be on a form furnished by the licensing authority. An application for a license shall not be accepted unless a valid certificate of rabies vaccination by a licensed veterinarian covering the license period accompanies the application.

8.06.050 Exemption – Guide Dogs, Signal Dogs, and Service Dogs.

Guide dogs, signal dogs, and service dogs as defined in this ordinance, with a current rabies vaccination, shall be licensed without charges.

8.06.060 Exemption – Licensed Under Another Jurisdiction.

A dog brought into the City which has a current license in another County or City within the state shall not be subject to licensing provisions of this section for so long as the license would be current and valid at its place of issuance or for one year, whichever is the lesser period.

8.06.070 Exemption – Medical Treatment.

Dogs brought into the City for the exclusive purpose of receiving medical care and in the custody of a licensed veterinarian need not be licensed.

8.06.080 Exemption – Government Ownership.

Dogs owned by the City or other public agency shall be licensed without charge.

8.06.090 Licensing – Dangerous Animal.

(A) No person shall possess any animal not commonly kept or raised in the City as a domesticated animal and which is or may be, in the opinion of the Neighborhood Services Supervisor, dangerous to the health and safety of any person, without first obtaining a license for the possession of the animal.

(B) If the possession of the animal does not violate any federal or state law or zoning ordinance, a dangerous animal license may be issued.

(C) Each application for a dangerous animal license shall be upon a form furnished by the licensing authority.

(D) All licenses issued under this chapter shall be kept posted in a conspicuous place on the premises where the animal resides.

(E) Upon filing an application for an original, or a renewal of a dangerous animal license, the licensing authority shall issue such license, only after certification by the Neighborhood Services Supervisor that:

(1) The keeping of a dangerous animal for which the license is requested, and at the place set forth in the application, will not violate any law or regulation;

(2) The keeping of the dangerous animal will not endanger the health, peace, or safety of the community;

(3) The premises where the dangerous animal or animals are to be kept are clean, safe, and sanitary and that the animals will not be subjected to suffering, cruelty, or abuse; and

(4) The applicant has not had a similar license revoked within one year prior to the application.

(F) Any license issued for a dangerous animal may be subject to such additional conditions as may be required by the Neighborhood Services Supervisor.

(G) A license shall not be issued, or if issued, shall be revoked, where, in the opinion of the Neighborhood Services Supervisor, the possession of the dangerous animal will endanger the health and safety of one or more persons.

(H) In the event that a license is denied or revoked, the owner shall, within the time designated and under the conditions required by the Neighborhood Services Supervisor, dispose of the unlicensed animal.

8.06.100 License Fees.

Every person required to obtain a license for a dog or a cat under this Title, will be subject to licensing fees as set by resolution of the City Council.

Chapter 8.07 VICIOUS ANIMALS

8.07.010 Investigation.

Whenever an animal suspected of being vicious is reported, the Neighborhood Services Supervisor shall investigate the circumstances and if he or she finds that the animal shows a propensity to attack, bite, scratch, or harass people or other animals without provocation, he shall notify the owner in writing, stating all the facts and circumstances. He or she may order that the animal be kept within a substantial enclosure, securely leashed or otherwise controlled.

If the owner cannot provide restraint, the animal shall be temporarily impounded at the expense of the owner.

8.07.020 Impoundment Authorized – Vicious Animals.

If upon receiving written notification the owner fails to restrain or control a vicious animal, as ordered, the owner is in violation of this Title and the Neighborhood Services Supervisor is empowered to seize and impound or destroy the animal pursuant to a court order.

Chapter 8.08 **IMPOUNDMENT**

8.08.010 Impoundment Authorized Upon Reasonable Cause.

Any animal which the Animal Services officer has reasonable cause to believe is engaged in activities, or existing in a condition prohibited by this chapter, shall be impounded.

8.08.020 Fine for Impounded Non-spayed or Un-neutered Dog or Cat.

The owner of a non-spayed or un-neutered dog or cat that is impounded by Animal Services shall be fined thirty-five dollars (\$35) on the first occurrence, fifty dollars (\$50) on the second occurrence, and one hundred dollars (\$100) for the third or subsequent occurrence. These fines are for unaltered impounded dogs and cats only, and are not in lieu of any fines or impound fees imposed by the Sacramento SPCA.

An Animal Services Officer, Humane Officer, Police Officer, Peace Officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided above. The fines shall be paid to the City Animal Services agency and shall be collected at the City Animal Services agency. Any funds collected under this section shall be expended for the purpose of humane education, programs for low cost spaying and neutering of dogs or cats, and any additional costs incurred by the City Animal Services agency or Sacramento SPCA in the administration of requirements of this section. This section is adopted pursuant to Section 30804.7 and 31751.7 of the California Food and Agriculture Code.

8.08.030 Equipment to Impound Authorized

Any person charged with the duty to enforce this chapter may use any humane equipment or device necessary to take up and impound an animal.

Chapter 8.09 **PROCEDURAL PROVISIONS**

8.09.010 Notice of Hearing.

(A) Notice of the right to appeal any violation issued by Animal Services shall be issued in person or mailed through the U.S. postal service. To contest the violation, the person shall submit a request for hearing form to the City within 30 days from the date of the notice of violation. Directions on how to obtain the request form will be provided on the notice. The completed request must be submitted together with an advance deposit of any fine or fee associated with the violation.

(B) The person requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.

(C) If the Animal Services Officer submits an additional written report concerning the violation to the hearing officer for consideration at the hearing, then a copy of this report also shall be provided to the person requesting the hearing at least five (5) days before the date of the hearing.

8.09.020 Hearing Officer.

A Hearing Officer will be assigned the responsibility of conducting a hearing by the City Manager. The City Manager shall be authorized to assign hearing responsibilities from time to time to any person or persons, qualified by training or experience, who the City Manager may appoint, employ or who are retained by contract to conduct such hearings.

8.09.030 Hearing Procedure.

(A) Setting the Hearing. A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the Animal Services Officer submits a written report concerning the citation to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing. No hearing shall be held unless the fine has been deposited in advance, under Section 8.09.010(a).

(B) Failure to Appear. The failure of the person requesting the hearing to appear at the hearing shall constitute a forfeiture of the fine and a failure to exhaust his or her administrative remedies.

(C) At the Hearing. The administrative citation and any additional report submitted by the Animal Services Officer shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.

(D) Continuances. The hearing officer may continue the hearing and may request additional information from the Animal Services Officer or the person receiving the citation before issuing the decision.

8.09.040 Hearing Officer's Decision.

(A) Decision. After considering the testimony and evidence presented at the hearing, the hearing officer shall issue a written decision to uphold, dismiss or modify the administrative citation. The hearing officer shall state the reasons for the decision and shall send a copy of the decision to the person that requested the hearing and to the Animal Services Officer. The decision of the hearing officer is final, and may not be appealed.

(B) Status of Fine. If the citation is upheld, then the fine amount on deposit with the City shall be retained by the City.

If the citation is dismissed, the City shall promptly refund the amount of any fine deposited, together with interest at the average rate earned on the City's portfolio for the period of time that the fine was held by the City.

8.09.050 Right to Judicial Review.

A person aggrieved by the hearing officer's decision on an administrative citation may obtain review of the decision by filing a petition for review with the Superior Court in Sacramento County within 20 days after service of the final decision in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

Chapter 8.09 RECOVERY OF FINES AND COSTS

8.10.010 Costs of Securing Payment.

A person who fails to pay any fine or other charges owed to the City under this Section is liable in any action brought by the City for all costs incurred in securing payment of the delinquent amount, including but not limited to administrative costs and attorney's fees. Such collection costs are in addition to any fines, interest, and late charges.

8.10.020 Other Costs.

In addition to any violation fine, the City may collect its administrative costs, interest, late payment charges, costs of compliance reinspections, and collection costs.

(A) Administrative costs: based on time spent by Code Enforcement staff, supervisors and City Attorney's office, at the full cost hourly rate of each employee, including salary, benefits and overhead.

(B) A person who fails to pay to the City the fine imposed under this section on or before the date that fine is due is also liable for the late payment charges due at the rate of 10 percent per month.

(C) Compliance reinspections: based on staff time at the full cost hourly rate.

(D) Collection costs: actual collection costs.

8.10.030 Collection.

The City may collect any past due fines and other costs and charges by any available legal means.

Section 3. Severability.

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

Section 4. Effective Date and Publication.

Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Grapevine Independent, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with California Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 16th day of January 2007, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

MEMORANDUM

DATE: December 18, 2006

TO: Honorable Mayor and Council Members

FROM: Jeffrey S. Beiswenger, AICP, Senior Planner

SUBJECT: CAPITAL VILLAGE COMMERCIAL (Zinfandel Drive, between Data Drive & International Drive)– Project No. RC-05-193 – Chili's restaurant request for amendment to COAs to allow a larger sign



RECOMMENDATION

Deny the applicant's request for a larger sign on the Chili's front building façade that would allow a four-foot, three-inch (4'-3") fiberglass pepper. The approved Capital Village Commercial, conditions of approval limit the size of the fiberglass pepper to 3'-0" in height.

RESULT OF RECOMMENDED ACTION

No action is required, unless the City Council wishes to change the condition of approval as requested by the applicant. If the Council wishes to authorize the larger sign, staff should be directed to prepare a resolution changing the conditions of approval.

BACKGROUND

On October 2, 2006 the City Council approved the Capital Village Commercial project. As part of this approval, the Council conditionally approved the applicant's sign package subject to required changes to the Capital Village, Sign Criteria document, including a 3'-0" limit to the height of a fiberglass chili pepper sign on the façade of the proposed Chili's restaurant building. The applicant had proposed a 6'-0" chili pepper. The applicant is now requesting a 4'-3" tall pepper. The applicant has emphasized to city staff that the chili pepper is extremely important to the branding of the Chili's restaurant chain and a 4'-3" tall pepper is the minimum height acceptable to the chain.

The following page has an illustration of three different heights of the fiberglass Chili's pepper:

- Figure 1 is a 3'-0" tall pepper – the size currently allowed by the conditions of approval for the Capital Village Commercial project and the size of a chili pepper in an early draft (August 31, 2006) of the sign criteria document.
- Figure 2 is a 4'-3" tall pepper – the size requested by the applicant (additional images provided as Attachment 1).
- Figure 3 is a 6'-0" tall pepper – the size requested by the applicant as part of the October 2, 2006 package.

Chili's Restaurant Signage

Figure 1 - Facade w/ 3'-0" Chili Pepper

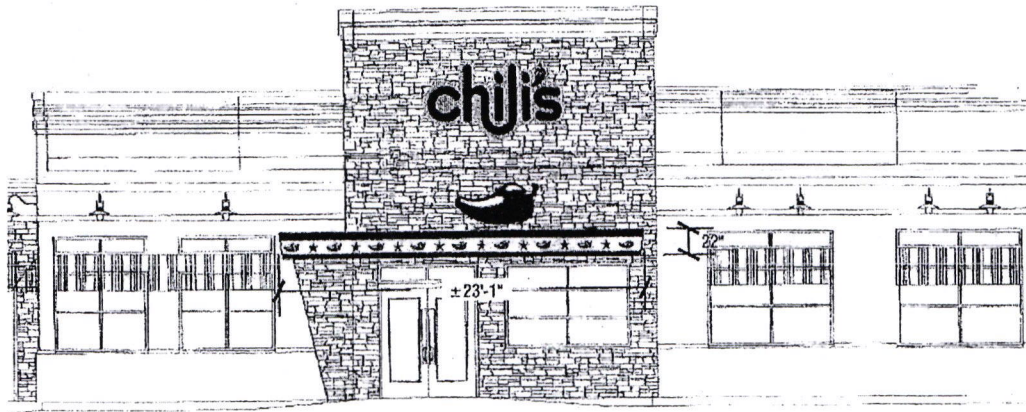


Figure 2 - Facade w/ 4'-3" Chili Pepper

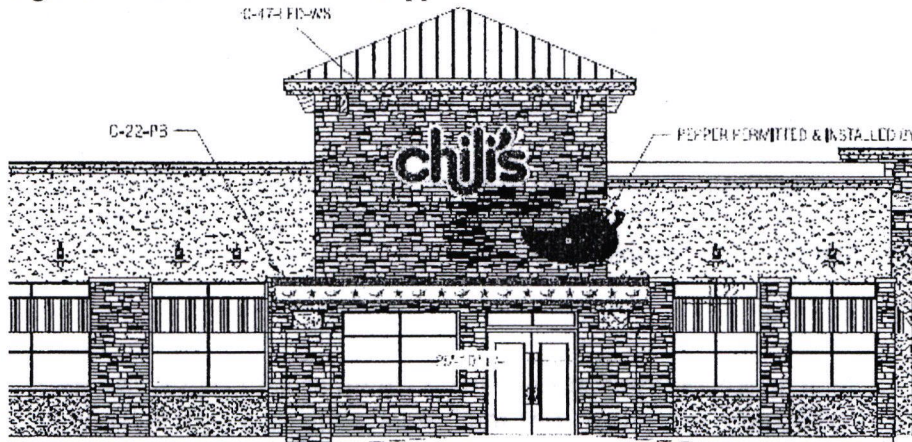
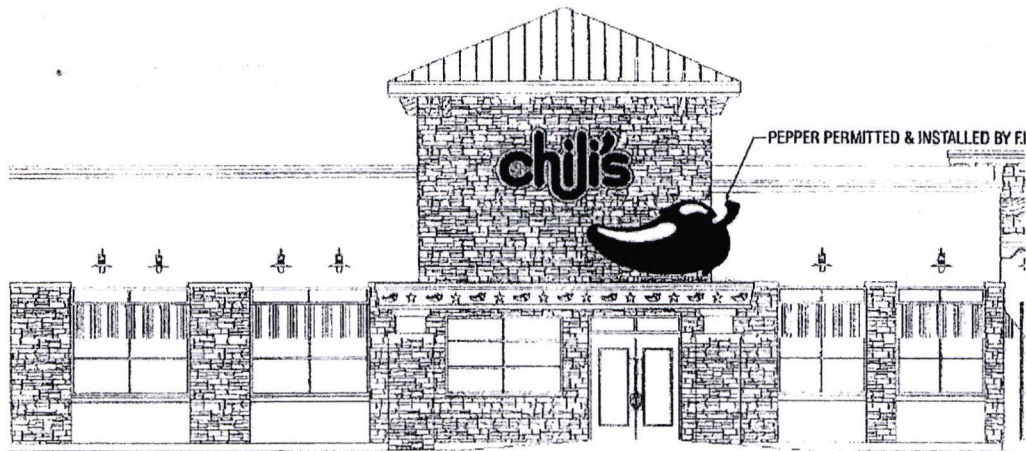


Figure 3 - Facade w/ 6'-0" Chili Pepper



ATTACHMENTS

1. Applicant's request for condition of approval modification related to the Capital Village commercial project to allow a 4'-3" fiberglass chili pepper sign.
2. 500' Radius Map and Labels¹

Brian Cooley



ARCHITECTURE • ENGINEERING • ENVIRONMENTAL SERVICES
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www.rhldesign.com

November 28, 2006

Paul Junker
Planning Director
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

**RE: Chili's Restaurant Signage
Capital Village Shopping Center**

Dear Mr. Junker:

RHL is currently working with Chili's Restaurants to assist in the permitting process for the proposed location in the City of Rancho Cordova. In an effort to minimize the processing time, we submitted our signs with the overall Capital Village Design Review. During the course of the process, there was some miscommunication about the size of the signs that Chili's would like to have on their building.

I would like to request an amendment to the approved Conditions of Approval for RC 05-193, specifically condition 16, which states that our pepper shall be no taller than (3) feet. Attached is a drawing which shows the size of the pepper that we would like to have approved. Although the pepper is taller than (3) feet, we feel that it is appropriately scaled in relationship to the front elevation and will not overpower the pedestrian viewer.

Per Jeff's recommendation, I am submitting this information to you, so that our request can be heard at the next City Council meeting on December 18, 2006.

Respectfully,
RHL DESIGN GROUP, INC.

A handwritten signature in black ink, appearing to read "Rachael Miller", is written over a faint, stylized signature that looks like "RJM".

Rachael Miller

CC: Bob Ballmaier, Brinker Restaurant Corporation

FEDERAL HEATH

SIGN COMPANY
www.federalheath.com

2300 North Highway 121
Euless, Texas 76039
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Fax (817) 485-9103

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Building Quality Signage For American Business

- Requests:**
1. Local Electrical Signage, Approx. 400
 2. Local Electrical Signage, Approx. 400
 3. Local Electrical Signage, Approx. 400
 4. Local Electrical Signage, Approx. 400
 5. Local Electrical Signage, Approx. 400
 6. Local Electrical Signage, Approx. 400
 7. Local Electrical Signage, Approx. 400

Account Rep: J. Dunavan

Project Manager: Jon Breed

Drawn By: Alan Pennington

Project / Location:

chili's

Store #1324
Capital Village
Rancho Cordova, Ca

The original drawings & specifications are part of a contract document and are not to be reproduced or modified without the written permission of Federal Heath Sign Company LLC or its authorized agent.

Job Number:

Part Number:

Date: 08 31 06

Sheet Number: 1 Of 6

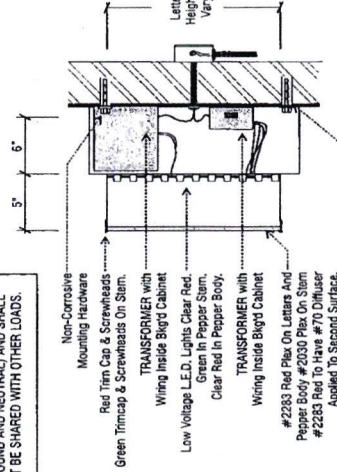
Design Number: 23-60551R3

ELECTRICAL REQUIREMENTS

Total: 2.0 Amps

(1) 120V 20A Circuit Required.

ALL BRANCH CIRCUITS SHALL BE DEDICATED TO SIGNS (INCLUDING GROUND AND NEUTRAL) AND SHALL NOT BE SHARED WITH OTHER LOADS.

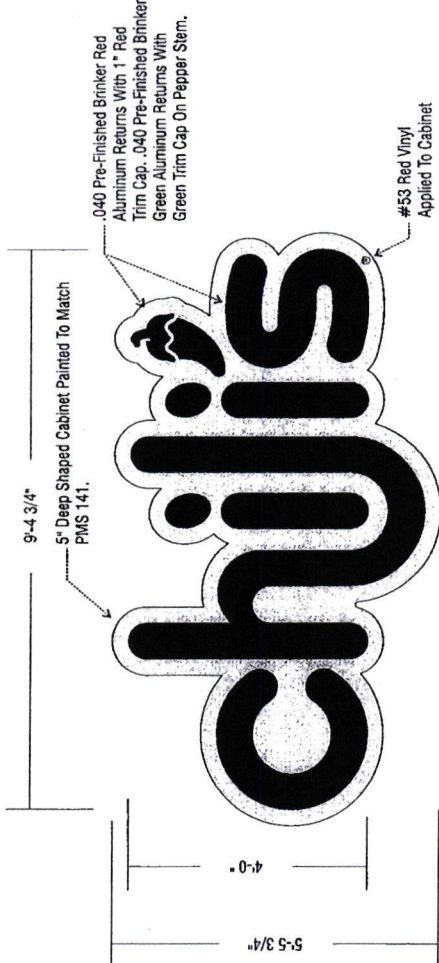


Sign Attaches To Wall With 8"-3/8" Lag Bolts

SECTION DETAIL

SCALE: 1/8" = 1'-0"

Installers: Do not take direction from Brinker on-site operations. Please call your contact at Federal Heath Sign Company (800-527-9495) with any questions on signage placement or if you have been asked to modify the signage installation in any way that is different from what is shown on the approved Federal Heath drawing.



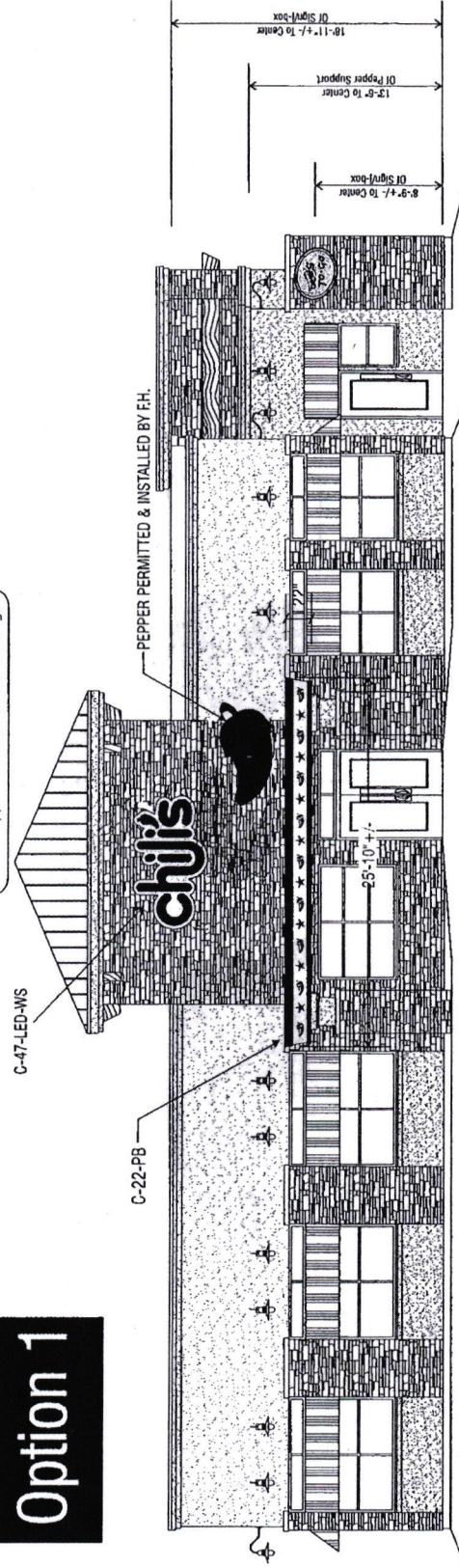
PLEX FACE L.E.D. CHANNEL LETTER SET

C-47-LED-WS 46.76 TOTAL SQUARE FEET

ONE (1) SET REQD

SCALE: 1/2" = 1'-0"

Option 1



FRONT ELEVATION

Scale: 1/8" = 1'-0"



SIGN COMPANY

www.FederalHealth.com

2300 North Highway 121

Eulless, Texas 76039

(817) 685-9077 (800) 527-9495

Fax (817) 685-9103

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Tampa - Daytona Beach

Building Quality Signage For American Business

Revisions:

1. Revised Dimensions, Project #12

2. Revised Project Schedule, On F. Revision

3. Revised Project Schedule, On F. Revision

4. Revised Project Schedule, On F. Revision

5. Revised Project Schedule, On F. Revision

6. Revised Project Schedule, On F. Revision

7. Revised Project Schedule, On F. Revision

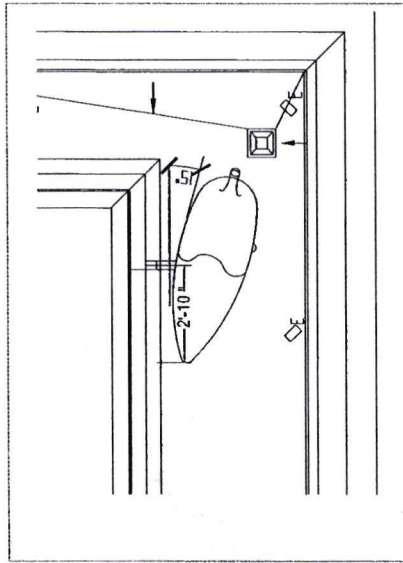
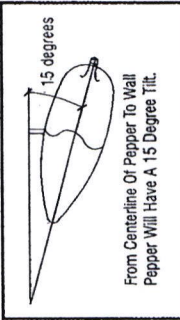
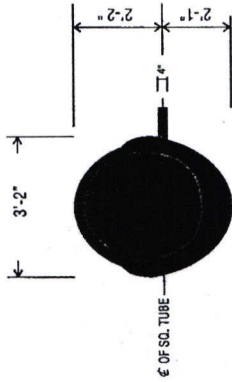
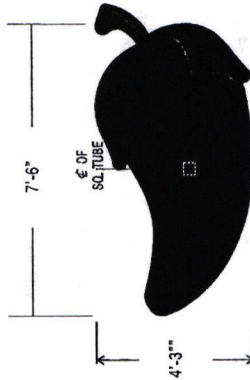
END VIEW

SMALL 3D PROTO 14 S/P FIBERGLASS PEPPER

NTS

AREA OF PEPPER MEASURES 32.48 SQUARE FEET.

WEIGHT: 130 LBS.



Store #1324
Capital Village
Rancho Cordova, Ca

This drawing is provided as part of a planned project and is not to be copied, reproduced, or used without the written permission of Federal Health Sign Company LLC or its authorized agent.

Job Number:

Part Number:

Date: 08 31 06

Sheet Number: 2 Of 6

Design Number: 23-60551R3



500 FT. RADIUS MAP

APN 072-0680-010, 011, 012, 013 & 014
August 27, 2005

072-0680-010

John Arrillaga Survivors
Trust/ETAL
2560 Mission College Blvd
Santa Clara, CA 95054

072-0650-025

Lexington Lion Rancho
Cordova LP
1 Penn Plz 4015
New York, NY 10119

072-0690-064

One Capital Center
1201 K St. 1840
Sacramento, CA 95814

072-0690-098

ZH 44 Incorporated/XXI
Evergreen
1755 Creekside Oaks Dr. 2
Sacramento, CA 95833

072-0650-021

SMUD
P.O. Box 15830
Sacramento, CA 95813

072-0680-051

Catlin Benjamin S/ETAL
13573 Romany Dr.
PCFC Palisades, CA 90272

072-0690-089

Altair Holding Company
3333 Quality Dr.
Rancho Cordova, CA 95670

RSC Engineering Inc.

2270 Douglas Blvd. Ste 205
Roseville, CA 95661

072-0650-023

EDS Realty Corp.
5400 Legacy Dr. PPT
Plano, TX 75024

072-0680-052

Cordova LLC
P.O. Box 2818
Alpharetta, GA 30023

072-0690-096

Salvatore A Rubino
Declaration of Trust/ETAL
P.O. Box 5699
San Jose, CA 95150

APN 072-0680-010, 011, 012, 013 and 014

APN	NAME	ADDRESS	CITY	ST	ZIP
072-0680-010	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-011	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-012	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-013	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-014	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0650-021	S M U D	P O BX 15830	SACRAMENTO	CA	95813
072-0650-023	E D S REALTY CORP	5400 LEGACY DR PPT	PLANO	TX	75024
072-0650-025	LEXINGTON LION RANCHO CORDOVA LP	1 PENN PLZ 4015	NEW YORK	NY	10119
072-0650-026	E D S REALTY CORPORATION	5400 LEGACY DR PPT	PLANO	TX	75024
072-0680-015	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-016	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-017	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-035	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-036	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-037	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-038	JOHN ARRILLAGA SURVIVORS TRUST/ETAL	2560 MISSION COLLEGE BL	SANTA CLARA	CA	95054
072-0680-051	CATLIN BENJAMIN S/ETAL	13573 ROMANY DR	PCFC PALISADES	CA	90272
072-0680-052	CORDOVA LLC	PO BOX 2818	ALPHARETTA	GA	30023
072-0690-064	ONE CAPITAL CENTER	1201 K ST 1840	SACRAMENTO	CA	95814
072-0690-089	ALTAIR HOLDING COMPANY	3333 QUALITY DR	RANCHO CORDOVA	CA	95670
072-0690-090	ALTAIR HOLDING COMPANY	3333 QUALITY DR	RANCHO CORDOVA	CA	95670
072-0690-091	ALTAIR HOLDING COMPANY	3333 QUALITY DR	RANCHO CORDOVA	CA	95670
072-0690-096	SALVATORE A RUBINO DECLARATION OF TRUST/ETAL	PO BOX 5699	SAN JOSE	CA	95150
072-0690-098	ZH 44 INCORPORATED/XXI EVERGREEN	1755 CREEKSIDE OAKS DR 2	SACRAMENTO	CA	95833
072-0690-099	ALTAIR HOLDING COMPANY	3333 QUALITY DR	RANCHO CORDOVA	CA	95670
	RSC ENGINEERING INC	2270 DOUGLAS BL STE 205	ROSEVILLE	CA	95661

gas station by Raleys

MEMORANDUM

DATE: December 18, 2006
TO: Honorable Mayor and Council Members
FROM: Jeffrey S. Beiswenger, AICP, Senior Planner *JSP*
SUBJECT: ANATOLIA MARKETPLACE DESIGN REVIEW AND
CONDITIONAL USE PERMIT



PROPERTY OWNER:

Anatolia LLC
Contact: Mark Enes
7700 College Town Drive, Suite 101
Sacramento, CA 95826

APPLICANT/DEVELOPER:

Rauschenbach, Marvelli & Becker
Contact: Mark Marvelli
2277 Watt Avenue, 2nd Floor
Sacramento, CA 95825

PROJECT: Anatolia Marketplace – Design Review and Conditional Use Permit

FILE: RC-06-222

LOCATION: Southeast Corner of Sunrise Boulevard and Douglas Road

APN: 067-0460-001

PLANNER: Jeffrey S. Beiswenger, AICP, Senior Planner

RECOMMENDATION

Planning Commission recommends that the City Council determine that the project is consistent with the SunRidge Specific Plan EIR and Anatolia MND and adopt Resolution 199-2006 approving commercial design review and conditional use permits, subject to the findings, attached Design Package (Exhibit A), and Conditions of Approval (Exhibit B).

RESULT OF RECOMMENDED ACTION

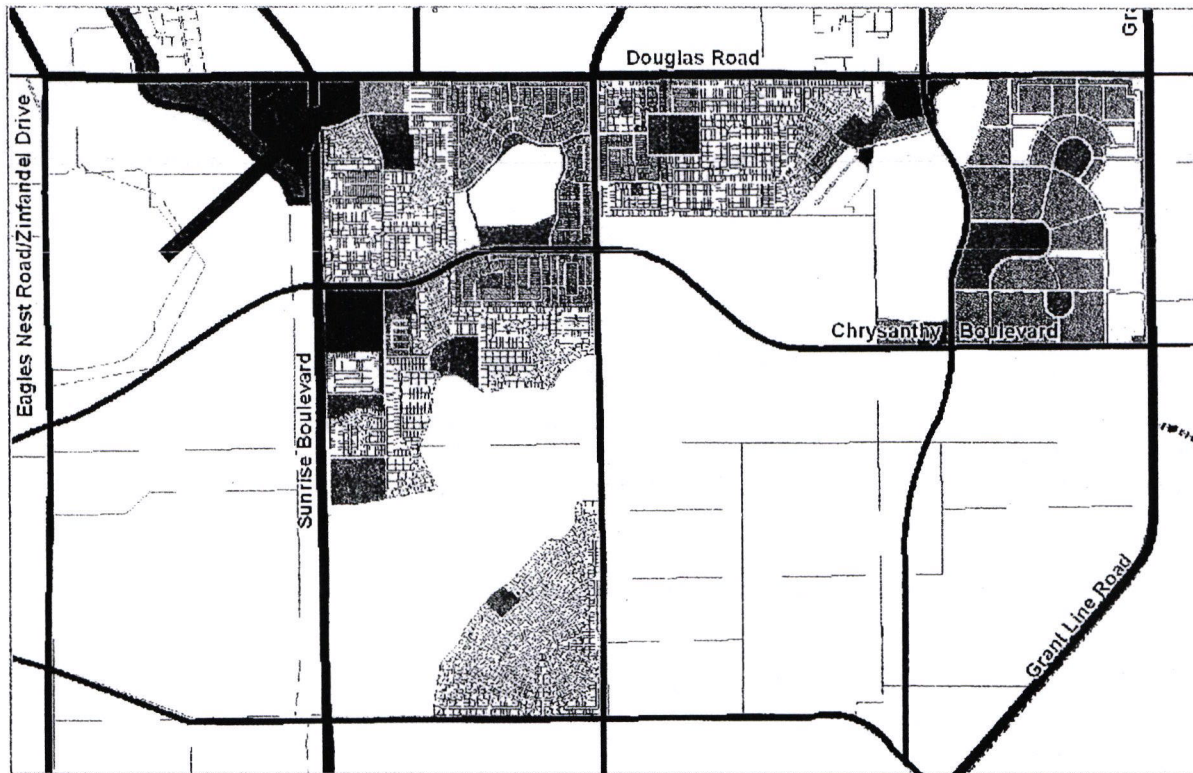
Approval would provide design review and conditional use permit entitlements needed to construct a 125,529 square foot shopping center on approximately 14.7 acres with a grocery store, gas station with a carwash, fast-food restaurant with a drive-thru, and 5 multi-tenant retail buildings. The applicant is requesting conditional use permits to allow the construction of a gas station and to allow additional building height.

PROJECT DESCRIPTION

Anatolia Marketplace is a 14.7 acre retail project located at the southeast corner of the intersection of Douglas Road and Sunrise Boulevard within the SunRidge Specific Plan. It has been anticipated that a shopping center would be constructed at this location since adoption of the Specific Plan (prior to City incorporation). The project site is bordered on the west by

Sunrise Boulevard, on the north by Douglas Road, on the South by Herodian Drive and to the east by a residential subdivision.

FIGURE 1 – LOCATION MAP



The project consists of eight buildings as listed in the following chart. The project is anchored by a 68,160 square foot grocery store with a pharmacy. Five buildings are proposed to be multi-tenant retail. One building is proposed to be a fast food restaurant with a drive-thru window. One building is proposed to be a gas station with a 1,200 square foot convenience store, a car wash, and six pump islands.

Table 1

Building	Type	Square Feet
1	Multi-tenant Retail	12,910
2	Grocery	68,160
3	Multi-tenant Retail	8,920
4	Multi-tenant Retail	12,700
5	Fast Food Restaurant w/ drive-thru	3,560
6	Multi-tenant Retail	8,794
7	Multi-tenant Retail	12,845
8	Gas Station/Car Wash/Store	1,200
Total		125,529

The site plan has been reviewed for consistency with code requirements and reviewed for consistency with the Rancho Cordova Design Guidelines. The project meets requirements in the zoning code (e.g. parking, landscaping, shade requirements, etc.).

The property has an underlying zoning designation of Shopping Center (SC), described as follows:

225-30. Purpose

The purpose of this zone is to provide an area which will offer a wide choice of retail goods and services while promoting the unified grouping of retail and service uses with convenient off-street parking and loading areas. It is intended that the Shopping Center District be designed in such a manner as to be an integral part of the neighborhood, community and urban area in which it is located.

The proposed shopping center meets the intent of the SC district by providing a combination of retail and service uses and the related parking and loading areas. The project also integrates well with the street system and will provide a convenient place for nearby neighborhood residents to shop near where they live.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends that the City Council approve this project. The commission held a public hearing on November 9, 2006. The discussion at the hearing centered on the following topics:

- Access from the corner of Sunrise Boulevard and Douglas Road. The Planning Commission supported the need for pedestrian access from the corner up to the shopping center, but recognized the challenge of making this connection based on the eleven foot grade change. The applicant proposed adding a ramp around the end of Building 6 to provide access.
- Access to future pedestrian over-crossings of Sunrise Boulevard and Douglas Road. Due to the eleven foot height elevation between street grade and the plaza between Building 6 and Building 7 it makes sense to use this plaza as "jumping-off" point for a pedestrian to access future pedestrian over-crossings of Sunrise Boulevard and/or Douglas Road. City staff recommends that easements be provided to allow access to the Building 6/7 plaza and an area to accommodate the structure and ramping for future pedestrian over-crossings. Planning Commission was concerned that the location of the easement has not yet been determined and urged staff to meet with the applicant prior to the City Council hearing to listen to concerns and discuss alternative. This meeting was held and Staff listened to the concerns of the applicant, but believes that this intersection is of critical importance to the pedestrian and bicycle system and will likely need pedestrian over-crossings in the near future. Pedestrian easements on this property will accommodate the necessary structure and ramping.
- Concern with width and location of sidewalks along Sunrise Boulevard and Douglas Road. The Planning Commission was concerned that sidewalks were only six feet in width and immediately adjacent (not separated) to the busy streets of Sunrise Boulevard and Douglas Road. Staff explained that this is due to the fact that the public improvements for both of these streets have already been approved and are now under construction. Wider sidewalks and/or separated sidewalks would require a redesign, demolition and reconstruction of some street sections.
- Concern with the materials used. Members of the Planning Commission expressed a desire to have a more diverse mix of materials used (e.g. stone, slate, etc.). Overall the Planning Commission felt that the project was well designed.

DESIGN ANALYSIS

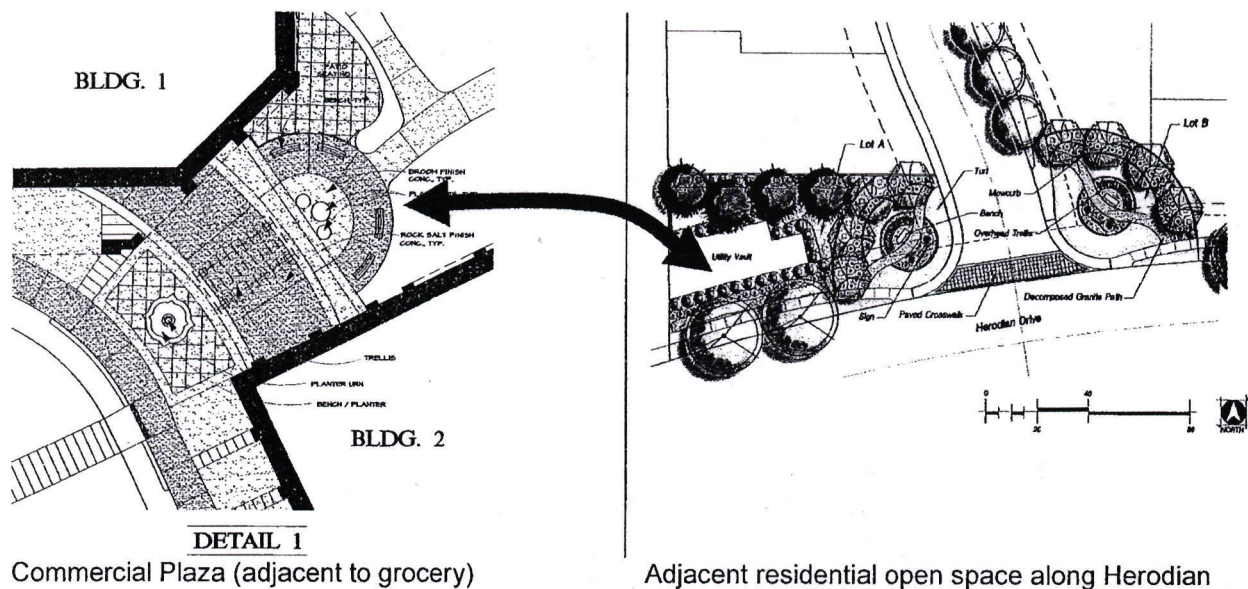
The Rancho Cordova Design Guidelines contain provisions to evaluate site design and architectural characteristics. The site meets or exceeds the majority of the guidelines.

Site Design

- The site design accommodates easy vehicular access to the site and truck movement for loading and unloading activities.
- The site is well landscaped with wide buffer areas along the perimeter. The parking area has canopy trees to meet the shade requirements.
- Buildings face internal to the site, which is not the preferred orientation. The City guidelines state a preference for buildings with front doors facing towards the public street. Given the suburban, vehicular oriented setting, the orientation is acceptable.
- Pedestrian movement and connections are excellent internal to the site with clearly defined pathways provided throughout. Plazas are provided at key building entrances and internal to the site to break-up the parking area in front of the grocery store. The parking lot is well landscaped and shaded.
- Connections to the public sidewalk system are provided at multiple locations. The only "missing link" is at the intersection of Douglas Road and Sunrise Boulevard. A significant grade change exists at this intersection (approximately 11'-0"), which results in significant challenges to providing an ADA accessible access in this location.
- A good pedestrian connection is provided at the intersection of Herodian and Sunrise, which is important to allow easy access to transit facilities. Direct connections to the transit stops are not provided. This is a weakness of the site design, but those arriving by transit will have reasonable opportunities to access the site.
- The pedestrian connection at the southeast corner of the site creates an important link to the adjacent residential neighborhood. The plaza space adjacent to the grocery store has been designed to make this an inviting location for people to walk to (see Figure 3).
- The loading area for the grocery store backs up to Herodian Drive. This is not an ideal location, since it is the preference to have the front doors of stores facing public streets. However, the loading area is adequately screened from view with landscaping. This configuration allows the grocery store to follow the typically suburban model with the front door facing the internal parking field and recognizes that most people will arrive to the site by vehicle.

The residential development immediately to the east of the proposed shopping center has a landscaped open space area at the entrance into the development, in part to screen the utility equipment. This provides an opportunity to create a quality pedestrian connection between the residential and commercial project in this location. Figure 2 illustrates the plaza provided between the grocery store (Building 2) and Building 1, which connects to the residential open space along Herodian.

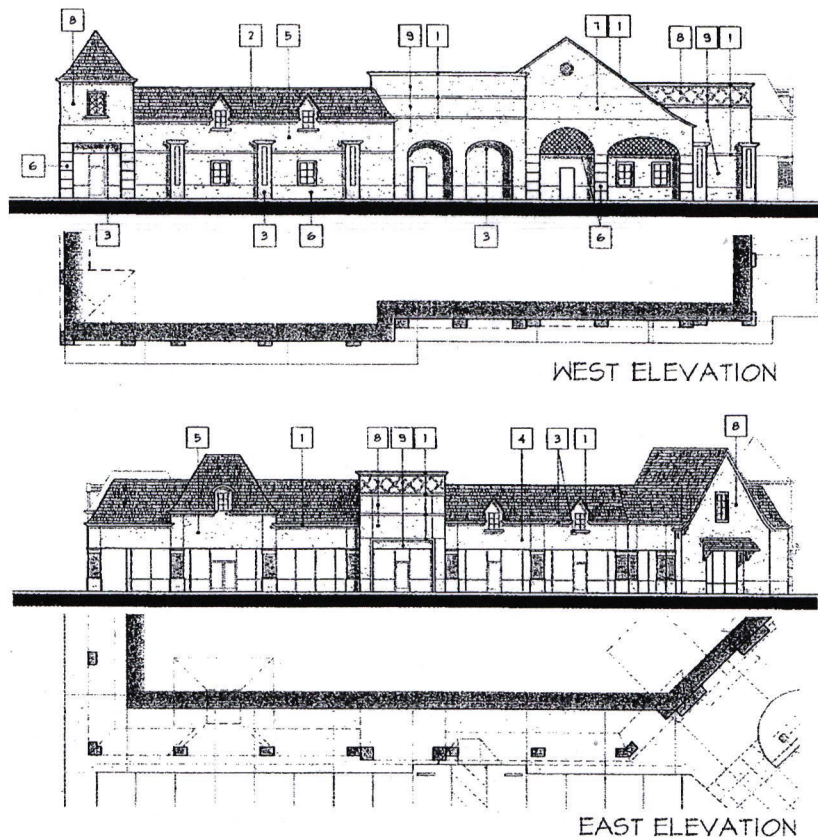
FIGURE 2 – PLAZA DESIGNS AND OPEN SPACE CONNECTION



Architecture

- All sides of the building are designed with consistent architecture and facade elements, resulting in “four-sided” architecture. The facades interior to the site are designed to a higher level of detail and are clearly the “front” of the buildings. The facades facing the street are provided with enough detail to be architecturally compatible and some windows have been provided to avoid “blank” facades facing the streets.
- The building materials and colors used throughout the project are high quality and consistently applied throughout, enhancing architectural compatibility.
- Entries are articulated with architectural details (archways, porticos, etc.) which help to identify the location of building entries for customers and also to provide visual variety to the building facades.
- Windows provided visual interest to building facades and also provide the opportunity for surveillance of the public sidewalk and parking areas. Windows that allow all sides of the building to be monitored are important for crime deterrent purposes.
- All four facades have architectural details. The buildings face internal to the site and the windows have been concentrated on that facade. Windows have been provided on the facades facing public streets to allow some visibility from inside the buildings. This is important from a security/crime deterrent stand-point as well as from an aesthetic stand-point.

FIGURE 3 – TYPICAL ELEVATIONS (top – street facing, bottom – parking lot facing)



CONDITIONAL USE PERMIT

The project requires a Conditional Use Permit (CUP) for the gas station with the convenience store and carwash and to allow buildings to exceed 24 feet in height within 100 feet of property zoned for residential purposes. CUPs are required for uses that require special consideration so that they may be located and developed properly with respect to the objectives of the Zoning Code and with respect to their effect on surrounding properties. To grant the CUP, the City must determine that the proposed establishments will not be detrimental to the public or adjacent properties.

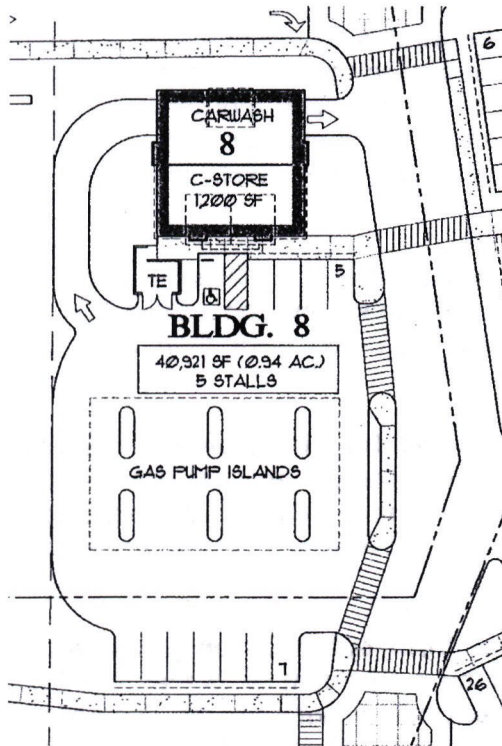
The gas station requires a CUP due to the intensive nature of vehicular movement, access required, potential for noise and light impacts on adjacent residential properties. The gas station will have complex vehicular movement as motorists access the pump islands, the carwash, and the convenience store. The building and islands have been located on the site to minimize potential conflicts. The carwash has enough stacking space to allow a few vehicles to line up without blocking driveways. The facility has been located to avoid impacting the public street system, with adequate space for vehicular stacking and clearly defined driveways and circulation paths. The carwash appears to have enough separation from the adjacent residential properties to avoid negative impacts from noise, but this will be further analyzed in the noise assessment for the project (and design changes made if necessary).

Due to its location on the site (away from the residential properties) and its design, the fast-food facility does not require a CUP. It is required to meet specific criteria established in the zoning

code such as adequate stacking room to avoid blocking driveways for through vehicular traffic and distance from project access points. The facility meets these requirements.

Since the gas station will not have significant impact on vehicular movement and minimal impact on the adjacent residential neighborhood, Staff recommends approval of the CUP.

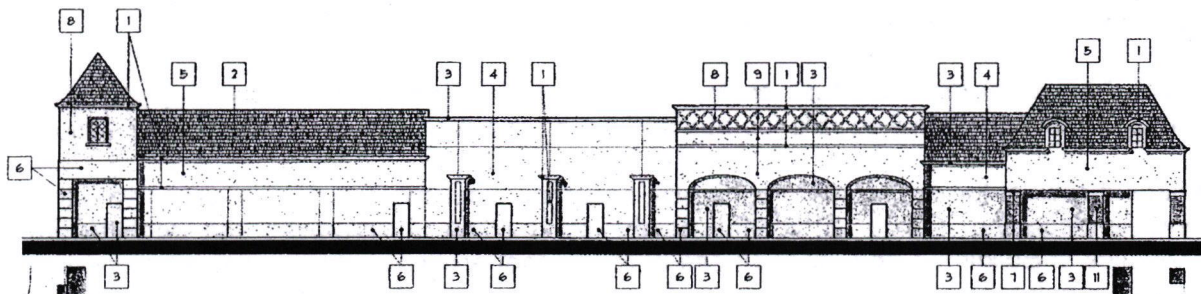
FIGURE 4 – GAS STATION



Building Height

Section 315-44 of the zoning code limits the building height to a maximum of 40 feet and 24 feet when within 100 feet of residential development. An exception to the 24 foot building height limit is permitted with the issuance of a Conditional Use Permit and an exception to the 40 foot building height may also be considered if certain criteria are met. This project meets the code requirements to allow additional building height.

FIGURE 5 – BUILDING 1 (EAST FAÇADE)



Staff recommends that the City Council approve a Conditional Use Permit (CUP) to allow commercial buildings along the eastern property that are within 100 feet of residential properties to exceed the 24 foot building height limitation. Section 315-44 of the zoning code requires that the following factors be considered prior to approval of a CUP:

1. **The uses of contiguous parcels.** The backyards of two-story residential homes are adjacent to Building 1 of the project site. The backyards are located on the opposite side of a sound wall and screened by landscaping. The roof line of Building 1 is mostly below twenty-eight feet in height which will not exceed the height of the neighboring residential homes. This additional height is necessary to provide screening of roof-top equipment. One roof peak of Building 1 reaches 33 feet in height and a second roof peak reaches 40 feet in height. The roof peaks are a significant architectural element of the building architecture and provide a more interesting and varied façade than would result from a building limited to a 24 foot height.
2. **The topography of the parcel and all contiguous parcels.** Building 1 and the neighboring residential homes are at approximately the same elevation. Building 1 is down-slope and therefore will be at a slightly lower elevation (less than one foot difference).
3. **The height and number of stories of structures and buildings on contiguous parcels.** Two-story homes are located on the adjacent parcels and will not exceed thirty-feet in height. Building 1 is one-story but has additional building height to provide additional ceiling height inside the stores, room for mechanical equipment and screening of roof-top equipment.
4. **The distance of the buildable area of the parcel from buildings on contiguous parcels.** The neighboring residential buildings will be a minimum of 15 feet from the property line and Building 1 is 60 feet from the property line. Therefore, the separation between Building 1 and the closest residential home will be 75 feet. A masonry wall separates the two properties.
5. **The beneficial or harmful effect of a higher building on existing terrain or vegetation.** Not applicable. The terrain is relatively flat and there is no existing vegetation. New planting will be provided along the property line between the residential and commercial use.
6. **The opportunity for a higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas.** The additional building height for Building 1 is for architectural enhancement purposes only and will not result in two-story structures that could overlook into yards. Building 1 is down-slope from the residential homes reducing the apparent height.
7. **The impact of the structure on traffic circulation.** The additional building height will not result in additional square footage and does not have an impact on traffic circulation.

The adjacent residential properties are visually screened from the commercial property with a wall and landscaping. The additional height of Building 1 improves the architectural characteristics of Building 1 and other on-site buildings that are visible from adjacent properties. The additional height is a key element of the French Provincial style of the architecture which is

characterized by steep roof pitches and gables. The additional building height also allows screening of roof-top equipment.

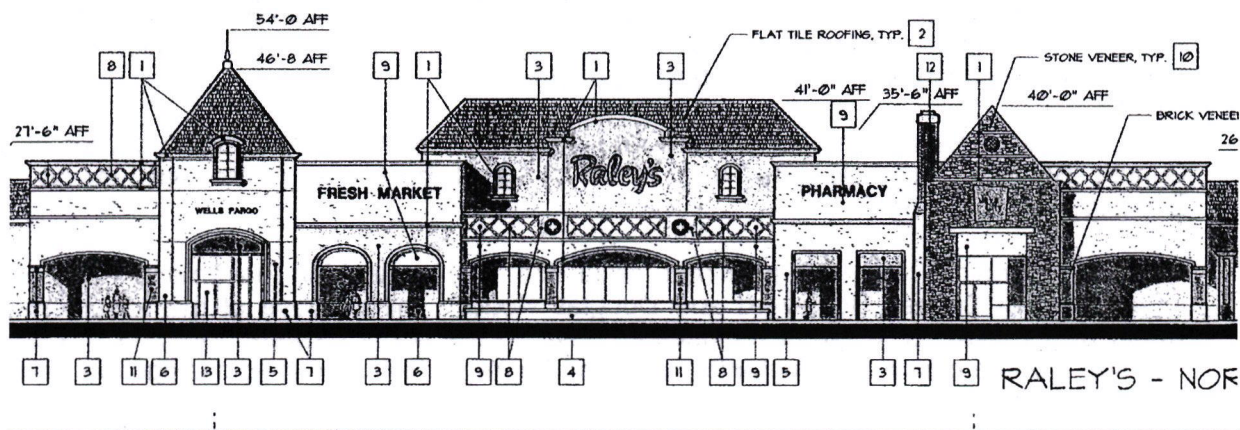
Grocery Store Height Exception: (no CUP required)

All site buildings are limited to a maximum height of 40 feet in height unless provisions of Section 301-22 are met. The proposed grocery store will exceed 40 feet in height and therefore must meet the requirements of this section (a CUP is not required). This section of the code allows for exceptions to the 40 foot maximum height requirement if the following factors are adequately addressed:

- 1) **Glare/reflected heat.** The additional building height will not result in additional glare or reflected heat onto adjacent properties.
- 2) **Energy efficiency.** The additional building height is to accomplish a more varied architectural look and will not result in additional building mass, resulting in less energy efficient building.
- 3) **Traffic impacts.** The additional building height will not result in additional building square footage since the building will remain one story. No additional traffic impacts will result.
- 4) **Effects on adjacent parcels relating to height, scale, and mass of the proposed building.** The additional building height will help execute the French Provincial style and will allow tower elements on the building facades to add visual interest to the architecture.

Section 301-22 (b) limits the maximum height of buildings based on the distance from the ultimate right-of-way line (one-foot of setback from the right-of-way allows one-foot in total building height). This store is setback 60 feet which would allow a maximum height of sixty feet. The grocery store is below this maximum height threshold and has a varied roof height and form. The central portion of the store has a 41 foot height. The building also has a tower element at the front entrance with a steep roof gable topped with a decorative spire. The roof peak exceeds 46 feet in height and the spire reaches a height of 54 feet.

FIGURE 6 – GROCERY STORE (parking lot view)



ENVIRONMENTAL ANALYSIS

The proposed project is adequately described in both the Sunrise Douglas Community Plan/Sunridge Specific Plan EIR and the Anatolia Subdivisions MND. Development of a commercial shopping center in this location was analyzed as part of these documents. Certain mitigation measures from the environmental documents will need to be addressed as part of the project. The noise mitigation measure may have the most relevance for design review:

- Mitigation Measure NS-6. Future commercial uses with the potential to create noise related land use conflicts with proximate residential land uses are required to prepare an acoustical analysis and implement noise attenuation measures necessary to ensure compliance with the noise standards of the City's noise element.

Based on the results of the acoustical analysis, changes may need to be made to the architecture or site design to address noise mitigation. The site is required to address all relevant mitigation measures in the Mitigation and Monitoring Reporting Program of the SunRidge Specific Plan EIR.

CONDITIONS OF APPROVAL SUMMARY

The project's Conditions of Approval (COA) are attached. The applicant indicated a desire to eliminate COA #22 at the Planning Commission meeting. The more significant COAs are as follows:

- COA #10 requires the addition of deceleration lanes and restricts some access to the site. The granting of additional right-of-way to the City will not require additional setback of buildings.
- COA #14 requires the submittal of a sign program to the City. Since this property is in the special sign corridor the applicant will likely pursue a Conditional Use Permit to allow certain signs.
- COA #18 requires that a bicycle parking plan to be submitted. Staff has reviewed the site plan and has determined that adequate space is available for bicycle parking. The COA requires that a bicycle parking plan be prepared for review and approval by the Planning Director.
- COA #20 requires that the project proponent complete a noise analysis and implement any needed mitigation measures prior to Building Permit. The noise mitigation could result in minor changes to the building architecture.
- COA #21 requires a direct ADA accessible pedestrian connection from the corner of Sunrise Boulevard and Douglas Road to the plaza at the corner of the site between Building 6 and Building 7.
- COA #22 requires that the applicant grant the City pedestrian easements at the intersection of Sunrise Boulevard and Douglas Road. The purpose of the easement would be to allow for a direct connection between the plaza between Building 6 and Building 7 at the corner of Douglas/Sunrise and future pedestrian over-crossings that will cross Sunrise Boulevard and Douglas Road. Designs for these over-crossings have not been done, but the easement will provide the necessary legal access on the shopping

center site to make the needed connection. The location of the easement will be determined prior to building permit.

RECOMMENDED MOTIONS

"I move that the City Council determine that the Anatolia Marketplace project is consistent with the Sunridge Specific Plan EIR and the Anatolia MND, and recommend that the City Council adopt Resolution 199-2006 approving commercial design review for the Anatolia Marketplace project, Condition Use Permits for a gas station and for additional building height subject to the design package and Conditions of Approval."

ATTACHMENTS

1. Resolution 199-2006, including design package (Exhibit A) and Conditions of Approval (Exhibit B)
2. 500' Radius Map and Labels.
3. Agency letters
4. Public comment

CITY OF RANCHO CORDOVA

RESOLUTION NO. 199-2006

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
APPROVING COMMERCIAL DESIGN REVIEW AND CONDITIONAL USE PERMIT
APPROVAL FOR ASSESSOR PARCEL NUMBER 067-0460-001 FOR THE
ANATOLIA MARKETPLACE PROJECT NO. RC-06-222, SUBJECT TO THE
FINDINGS AND CONDITIONS OF APPROVAL**

WHEREAS, Anatolia LLC (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova (hereinafter referred to as City) for Commercial Design Review and Conditional Use Permit; and

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

WHEREAS, the project has been previously assessed in the SunRidge Specific Plan (SRSP) EIR and the Mitigated Negative Declaration (MND) for the Anatolia project, according to California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the City Council considered the Applicant's request at a duly published public hearing on December 18, 2006 and received a staff report and public testimony at the public hearing.

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

Approve Commercial Design Review and Conditional Use Permits subject to the following findings:

1. CEQA

Finding: The project has been reviewed and is in accordance with the Guidelines of the California Environmental Quality Act.

Evidence: The County of Sacramento adopted the SunRidge Specific Plan (SRSP) in July of 2002. A parcel on the southeast corner of Sunrise Boulevard and Douglas Road was included in the Plan and designated for Shopping Center (SC). The cumulative development impacts of the SRSP were addressed in the EIR for the Specific Plan and the adopted Mitigated Monitoring Reporting Program will be implemented for this project. The proposal does not raise any new environmental issues and has been determined to be consistent with the previous environmental assessments.

2. CONDITIONAL USE PERMIT (gas station)

Finding: The establishment, maintenance and operation of the use, building, or structure applied for will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be

detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Evidence: The proposed gas station and convenience store are compatible with the proposed shopping center use and will not negatively impact adjacent properties or the public in general. Current California rules and regulations require new storage tanks to be placed in concrete vaults thereby eliminating hydrocarbon leaks. The traffic and noise from this use will not be significantly greater than the shopping center itself and the orientation of the gasoline pump islands reduces any potential noise and light impacts on adjacent properties.

3. CONDITIONAL USE PERMIT (Building 1, height)

Finding: Section 315-44 of the zoning code limits the building height to a maximum of 24 feet when within 100 feet of residential development. An exception to the 24 foot building height limit is permitted with the issuance of a Conditional Use Permit after consideration of the following:

- a. The uses of contiguous parcels.
- b. The topography of the parcel and all contiguous parcels.
- c. The height and number of stories of structures and buildings on contiguous parcels.
- d. The distance of the buildable area of the parcel from buildings on contiguous parcels.
- e. The beneficial or harmful effect of a higher building on existing terrain or vegetation.
- f. The opportunity for a higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas.
- g. The impact of the structure on traffic circulation.

Evidence: All of the above factors have been considered and the additional building height will not have a negative impact on adjacent properties.

- a. The backyards of two-story residential homes are adjacent to Building 1 of the project site. The backyards are located on the opposite side of a sound wall and screened by landscaping. The roof line of Building 1 is mostly below twenty-eight feet in height which will not exceed the height of the neighboring residential homes. This additional height is necessary to provide screening of roof-top equipment. The roof peaks are significant architectural element of the building architecture and provide a more interesting and varied façade than would result from a building limited to a 24 foot height.
- b. The terrain of Building 1 is slightly lower in elevation than the neighboring residential homes reducing the apparent height of Building 1.
- c. Building 1 is one-story but has additional building height to provide additional ceiling height inside the stores, room for mechanical equipment and screening of roof-top equipment. The additional height will improve the ability to screen equipment.
- d. The neighboring residential buildings will be a minimum of 15 feet from the property line and Building 1 is 60 feet from the property line. Therefore, the separation between Building 1 and the closest residential

home will be 75 feet. A masonry wall and landscaping separates the two properties.

- e. The terrain has been graded flat at the location of Building 1 and starts to slope downward towards the northwest and there is no existing vegetation. New planting will be provided along the property line between the residential and commercial use.
- f. The additional building height for Building 1 is for architectural enhancement purposes and will not result in two-story structures that could overlook into yards. The additional height allows key elements of the French Provincial architectural style characterized by steep roof pitches and gables. The additional building height also allows screening of roof-top equipment.
- g. The additional building height will not result in additional square footage and does not have an impact on traffic circulation.

4. DESIGN REVIEW

Finding: The project was reviewed for compliance with the City Design Guidelines. The following Design Concepts apply:

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

Evidence: The project design meets the City design guidelines, as follows:

- a. High quality materials are used for the buildings and site plan amenities. The buildings have been designed in a French Provincial style that will be unique for the area.
- b. The main building mass is well articulated and the height of the structure varies in height, with tower features emphasizing corners and entries of buildings. Considerable detail has been exercised in the design of the buildings, pedestrian amenities, trellis features and connection with the open common areas of the shopping center.
- c. One of the unique features of the pedestrian plaza is key pedestrian entrance plazas to the site creating linkages to the surrounding community.
- d. The proposed project is internally focused, but pedestrian connections are provided. The designs of buildings are sensitive to surrounding properties with varied roof forms and design details that fit in with surrounding residential architecture.
- e. The building walls are composed of various materials and the parapets are staggered in height to give the building mass greater articulation. The new buildings use additional height to shield roof-top equipment providing sound attenuation and visual screening.

- f. The landscaping and perimeter fence details have been designed to provide sufficient depth and height to protect the adjoining residential from noise and light/glare of the building.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on this 18th day of December, 2006.

AYES:

NOES:

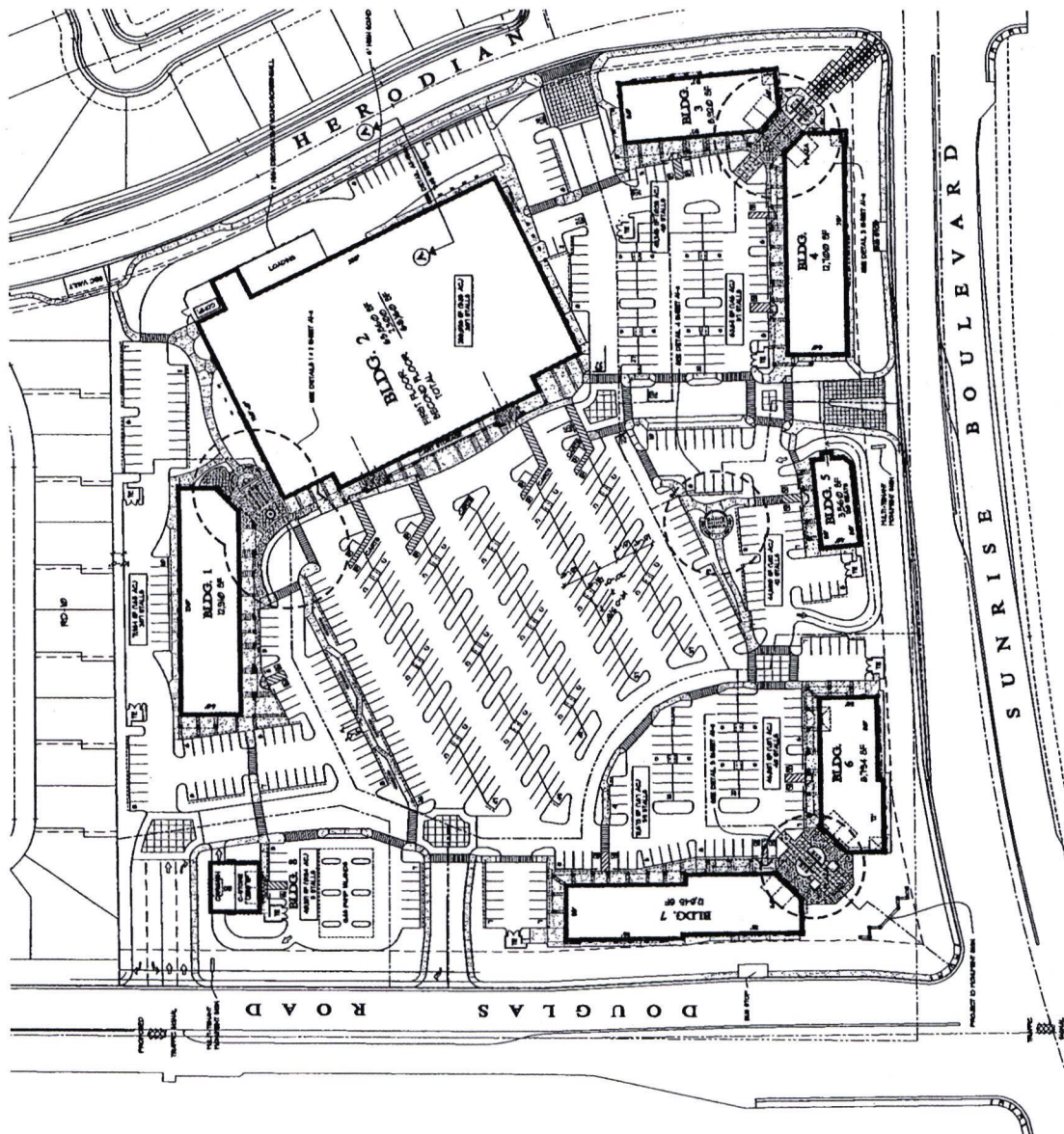
ABSENT:

ABSTAIN:

David Sander, Mayor

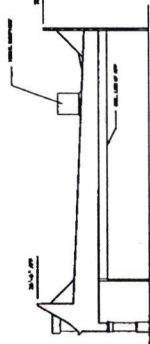
ATTEST:

Anna Olea-Moger, City Clerk

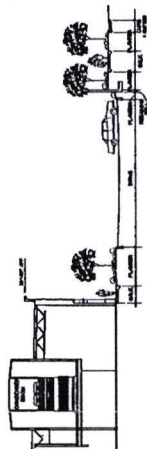


ANATOLIA MARKETPLACE RANCHO CORDOVA, CALIFORNIA

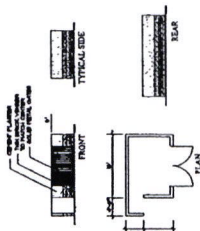
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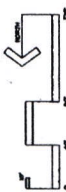
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TRASH ENCLOSURE DETAILS
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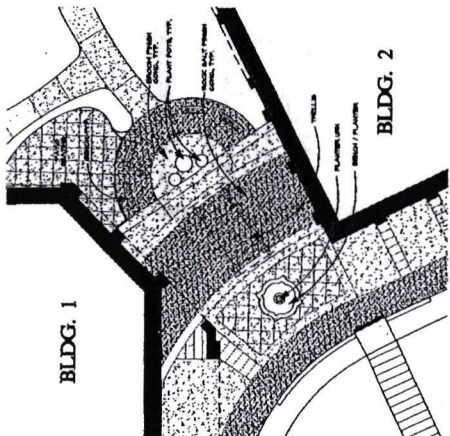
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BLDG. 2	30,000 SF	BLDG. 6	8,700 SF
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BLDG. 4	12,500 SF		
BLDG. 5	3,500 SF		
BLDG. 6	8,700 SF		
BLDG. 7	9,400 SF		
TOTAL	109,500 SF	BLDG. 8	400 STALLS
PARKING REQUIRED	* 48 STALLS	BLDG. 9	400 STALLS
BLDG. 8 (FRESH)	400 STALLS	BLDG. 10	400 STALLS
PARKING REQUIRED	* 112 STALLS	BLDG. 11	400 STALLS
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TOTAL PARKING PROVIDED	160 STALLS		

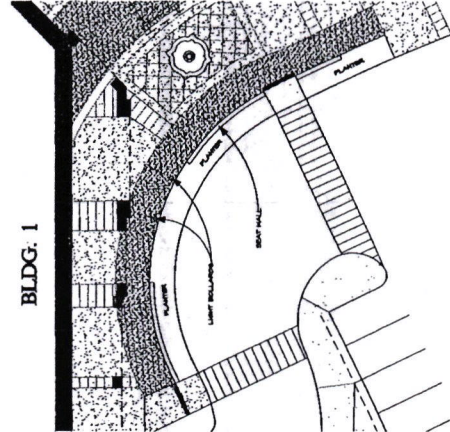
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Revised	01/99	Revised	01

**Rauschenbach
Marcelli
Becker**

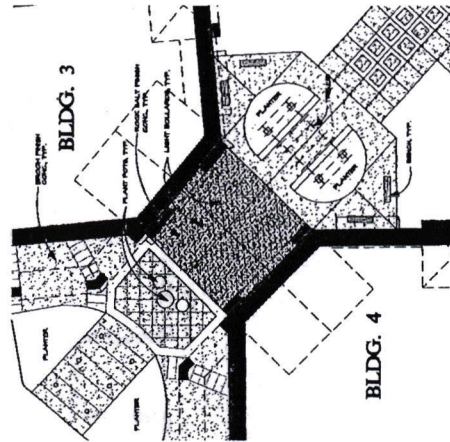
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916-448-8000 FAX 916-448-8006



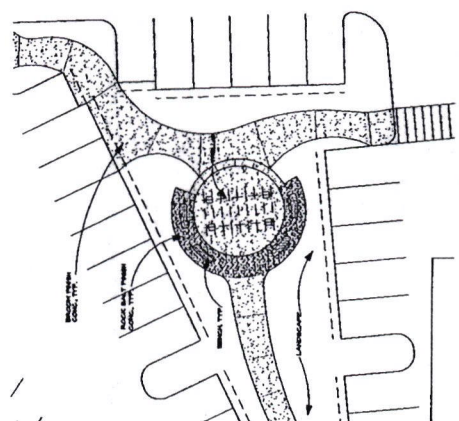
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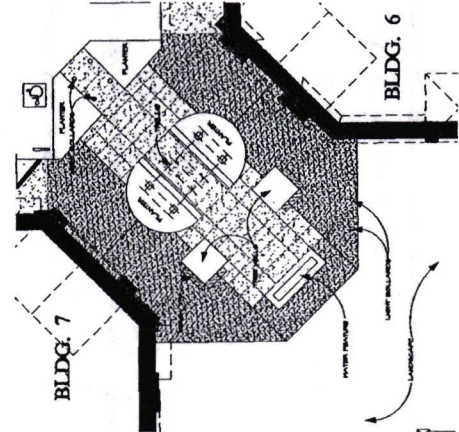
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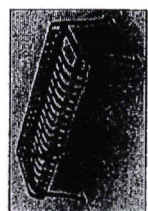
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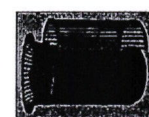
DETAIL 5



EXTERIOR LIGHTING
TYPICAL



BOVERY BACKLESS BENCH



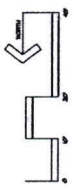
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COLOR - SET-GLASS BLACK



BOVERY BENCH

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PLAZA FOCUS PLAN



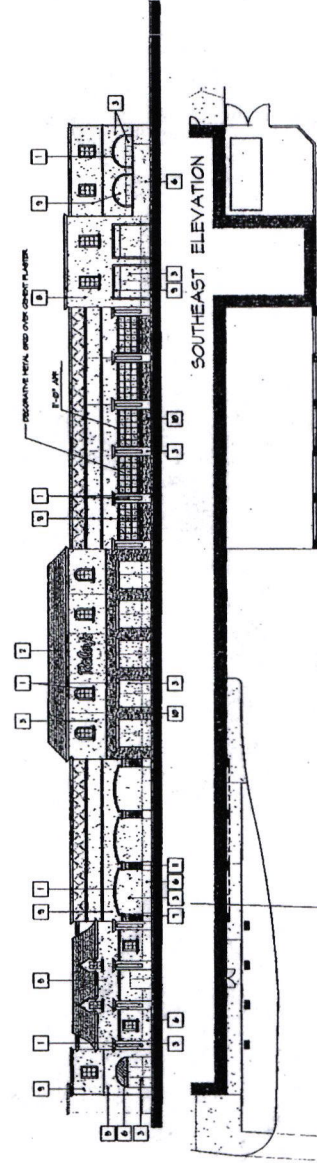
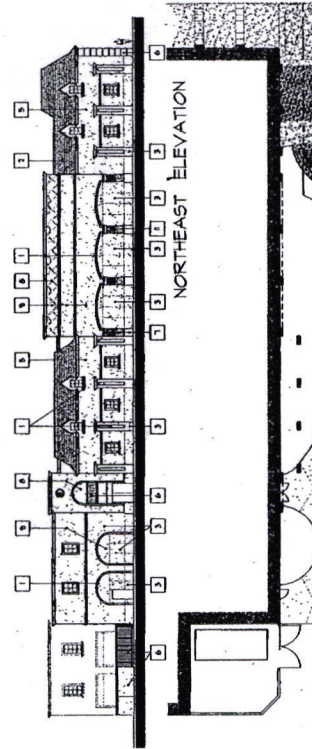
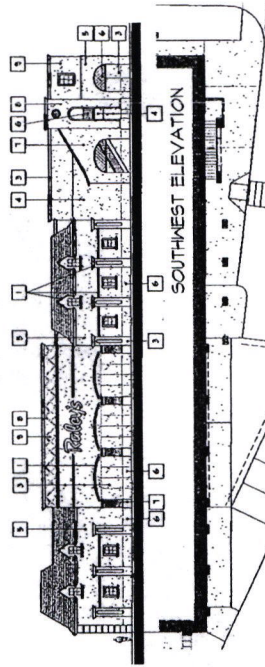
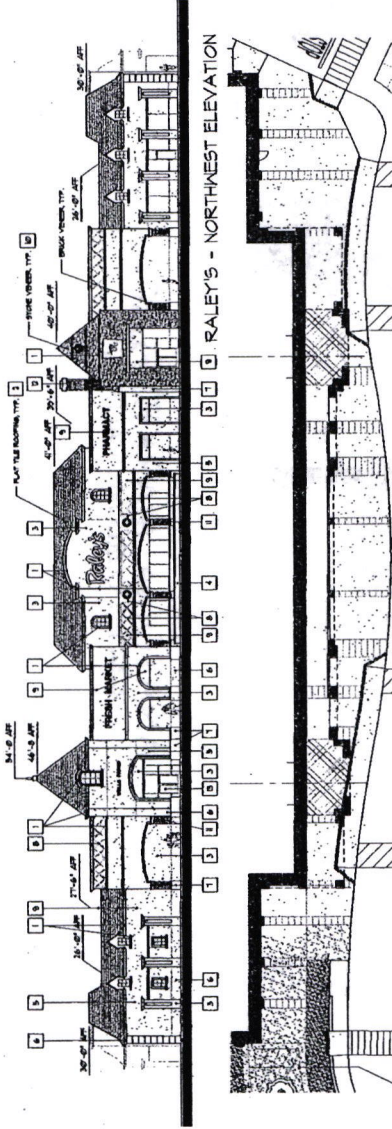
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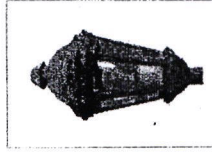
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 PRODUCT: SANTA ROSA (SRL-1) ON
 WALL MOUNTED DECORATIVE ARM
 (M15)-BLACK (BK)
 EXTERIOR
 LIGHTING
 (TYPICAL)

PRELIMINARY ELEVATIONS

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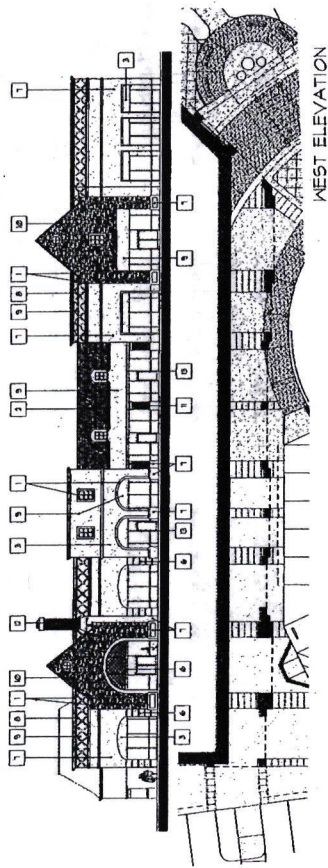
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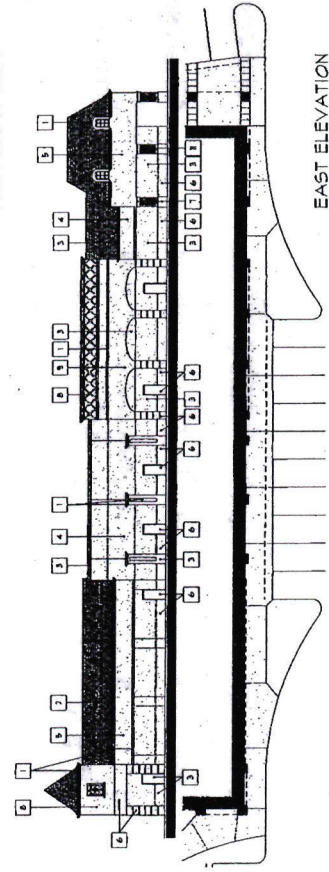
ANATOLIA MARKETPLACE RANCHO CORDOVA, CALIFORNIA

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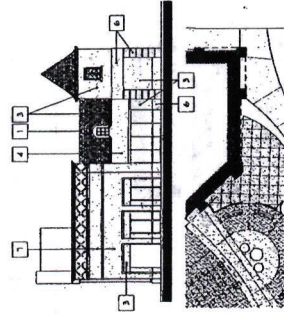
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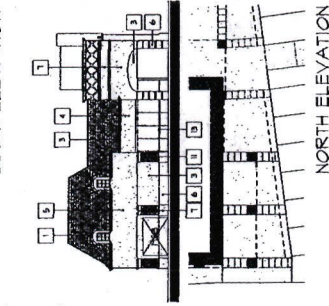
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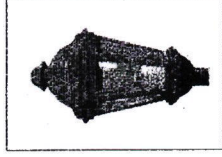
EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

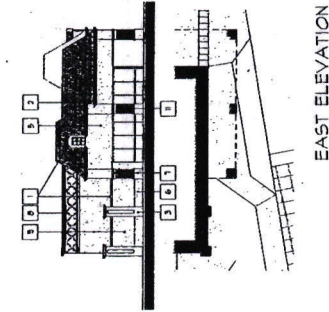


MANUFACTURER, VISIONAIRE LIGHTING
PRODUCT, SANTA ROSA (SEL-1) ON
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**EXTERIOR
LIGHTING**
(TYPICAL)

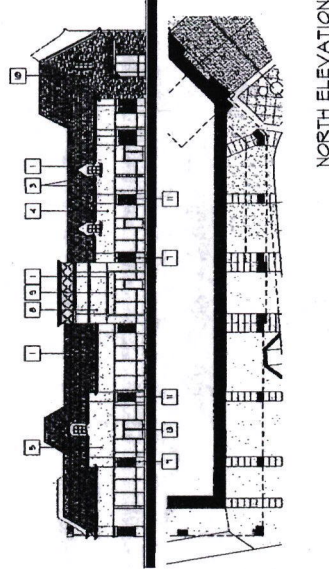
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| 72 PLAT ROOF TILE | 2002 BONE WHITE INT |
| 73 PLAT ROOF TILE | 2002 BONE WHITE INT |
| 74 PLAT ROOF TILE | 2002 BONE WHITE INT |
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| 79 PLAT ROOF TILE | 2002 BONE WHITE INT |
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| 90 PLAT ROOF TILE | 2002 BONE WHITE INT |
| 91 PLAT ROOF TILE | 2002 BONE WHITE INT |
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| 93 PLAT ROOF TILE | 2002 BONE WHITE INT |
| 94 PLAT ROOF TILE | 2002 BONE WHITE INT |
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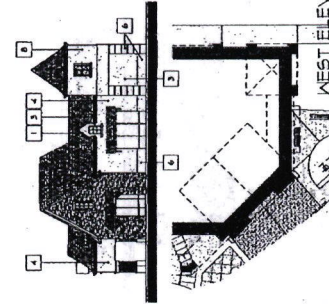
BUILDING 1



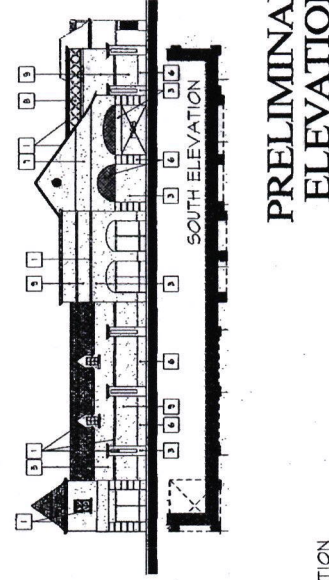
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

BUILDING 3

**PRELIMINARY
ELEVATIONS**

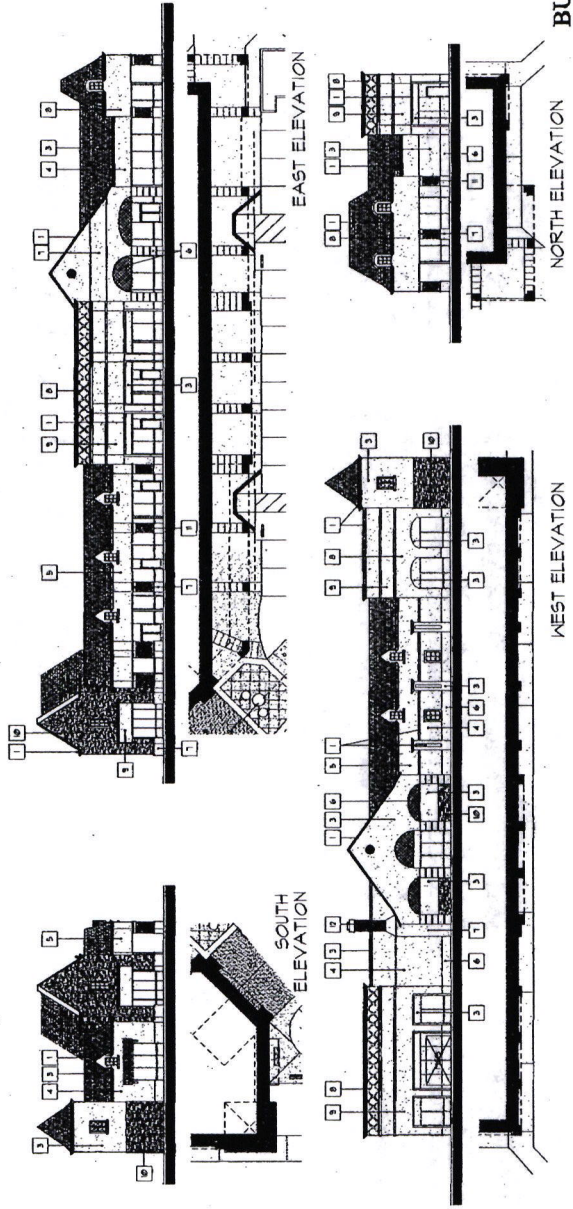
SCALE 1/8" = 1'-0"

Job Number _____ Sheet **A3**
Date _____
Revised _____
Revised _____
Revised _____

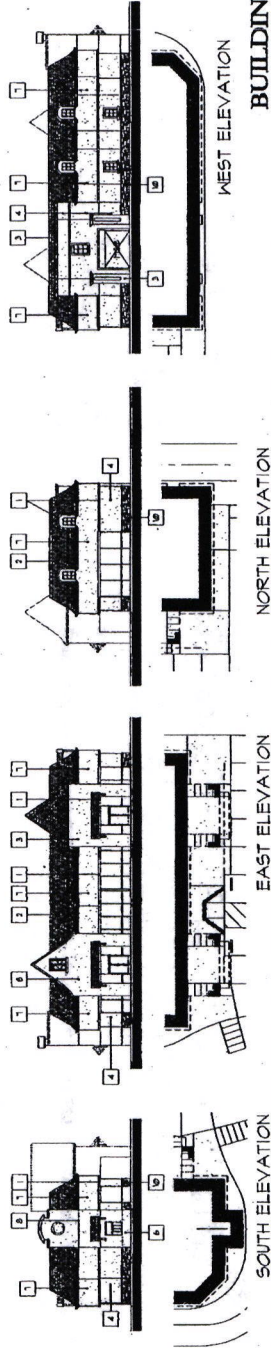
**Rauschenbach
Marvelli
Becker**

2277 West Ave • Second Floor • Sacramento, CA 95825
916-439-8200 FAX 916-439-8566

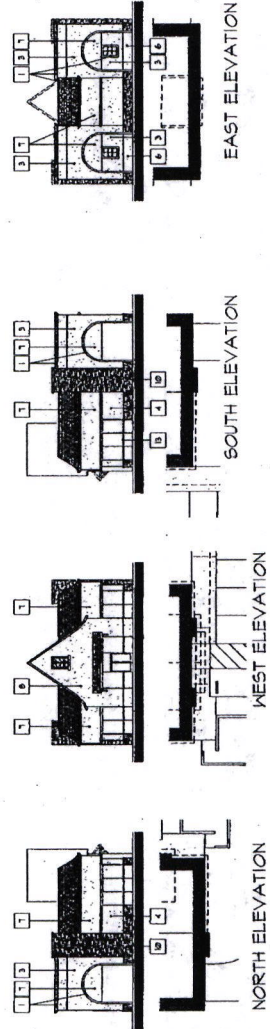
ANATOLIA MARKETPLACE
RANCHO CORDOVA, CALIFORNIA



BUILDING 4



BUILDING 5

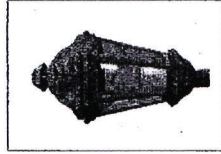


CARWASH/C-STORE

ANATOLIA MARKETPLACE RANCHO CORDOVA, CALIFORNIA

MATERIALS/COLOR SCHEDULE

- 1 CORNICE TRIM - 1/2" PAINT
- 2 1000 BONE WHITE RT
- 3 PLAT ROOF TILE - 1/2" PAINT
- 4 1/2" PAINT
- 5 1/2" PAINT
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MANUFACTURER: VISIONAIRE LIGHTING
PRODUCT: SANTA ROSA (SRL-1) ON
MAIL MOUNTED DECORATIVE ARM
(VAIS)-BLACK (BK)
**EXTERIOR
LIGHTING**
(TYPICAL)

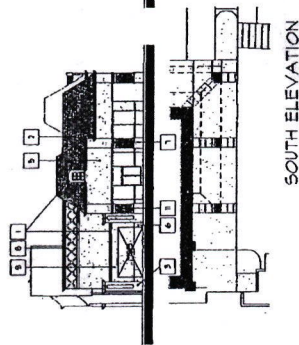
PRELIMINARY ELEVATIONS

SCALE 1/8" = 1'-0"

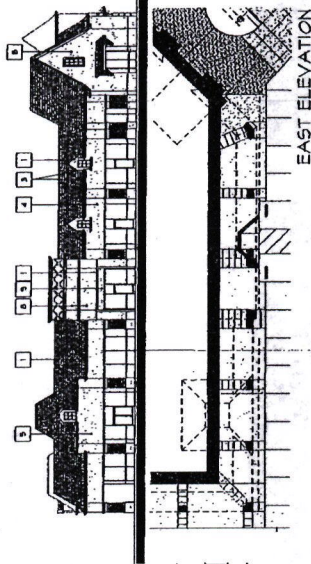
Job Number _____ Sheet **A4**
Date _____
Drawn _____
Revised _____ of _____

*Rauschenbach
Marcelli
Becker*

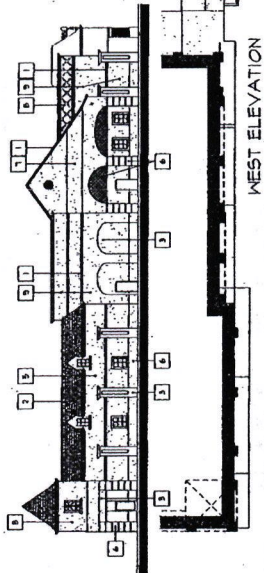
2077 West Ave - Second Floor - Sacramento, CA 95825
(916) 448-5500 FAX (916) 448-5568



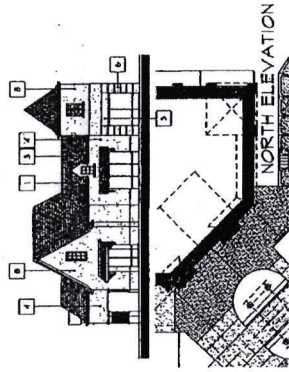
SOUTH ELEVATION



EAST ELEVATION

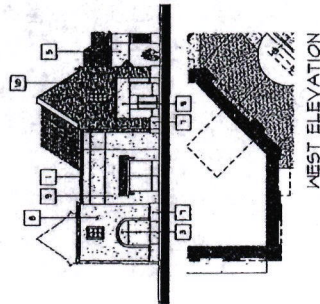


WEST ELEVATION

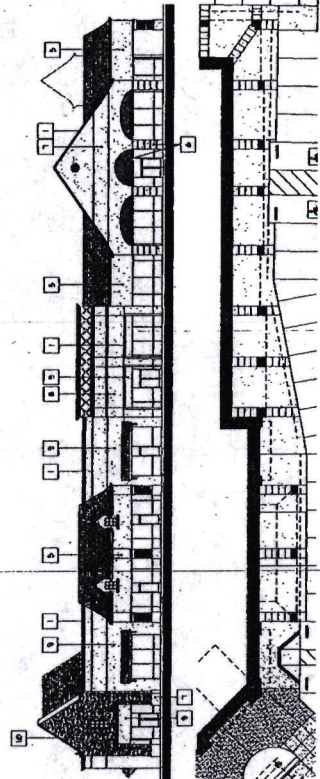


NORTH ELEVATION

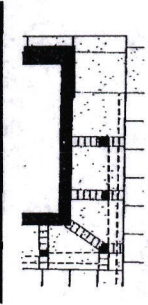
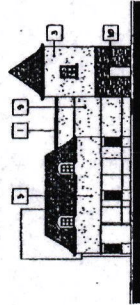
BUILDING 6



WEST ELEVATION

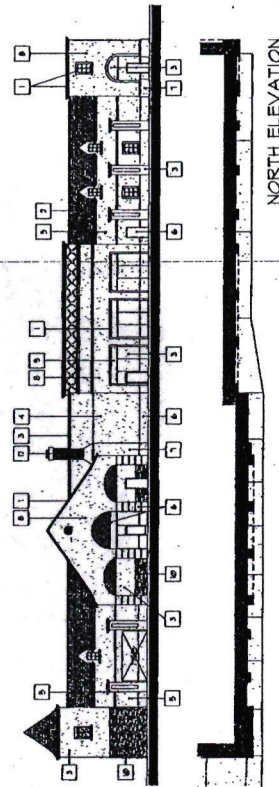


SOUTH ELEVATION



EAST ELEVATION

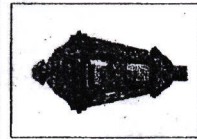
BUILDING 7



NORTH ELEVATION

MATERIALS/COLOR SCHEDULE

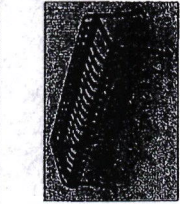
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|----|----------------|-----|-------|
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| 2 | FLAT ROOF TILE | 11 | PAINT |
| 3 | CEMENT PLASTER | 12 | PAINT |
| 4 | CEMENT PLASTER | 13 | PAINT |
| 5 | CEMENT PLASTER | 14 | PAINT |
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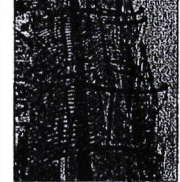
EXTERIOR LIGHTING
(TYPICAL)



WOODEN BENCH

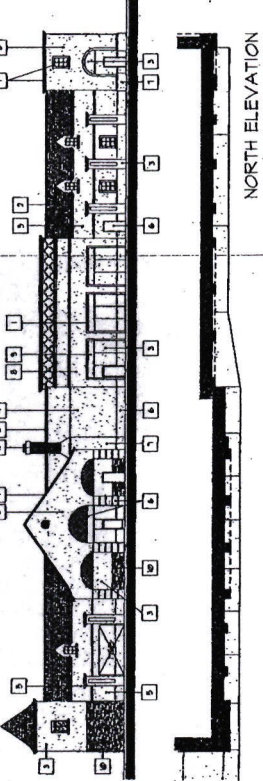


WOODEN BENCH



WOODEN BENCH

SITE FURNISHING BY CANTERBURY INTERNATIONAL
NOT TO SCALE



NORTH ELEVATION

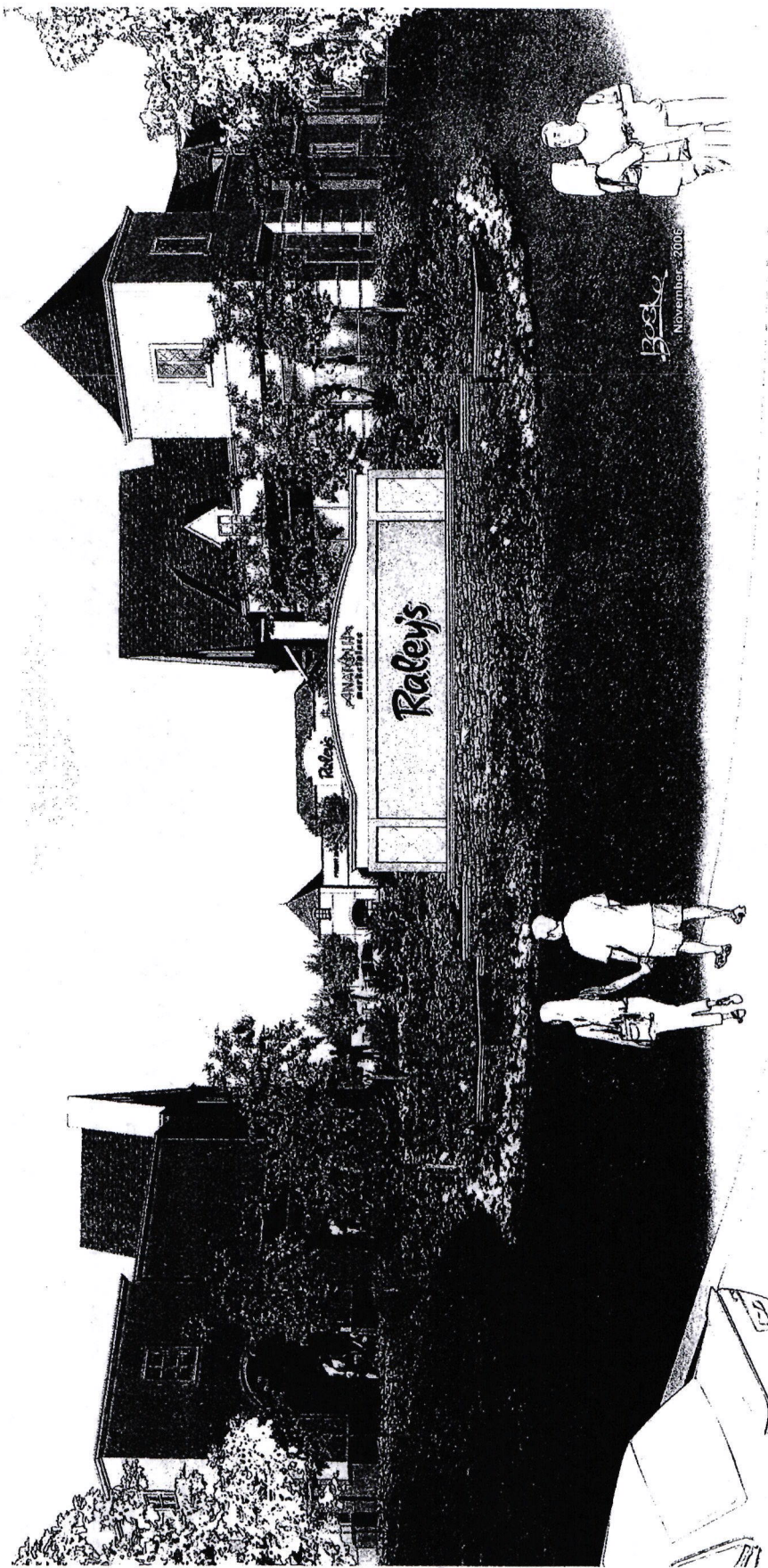
PRELIMINARY ELEVATIONS

SCALE 1/8" = 1'-0"

Job Number _____
Date _____
Drawn _____
Revised _____
Sheet _____ of _____

Rauschenbach
Marcelli
Becker
227 West Ave. Second Floor - Sacramento, CA 95825
(916) 442-6500 FAX (916) 442-6506

ANATOLIA MARKETPLACE
RANCHO CORDOVA, CALIFORNIA



Corner of Sunrise & Douglas

Anatolia Marketplace

Sunrise Blvd. & Douglas Road
Rancho Cordova, CA

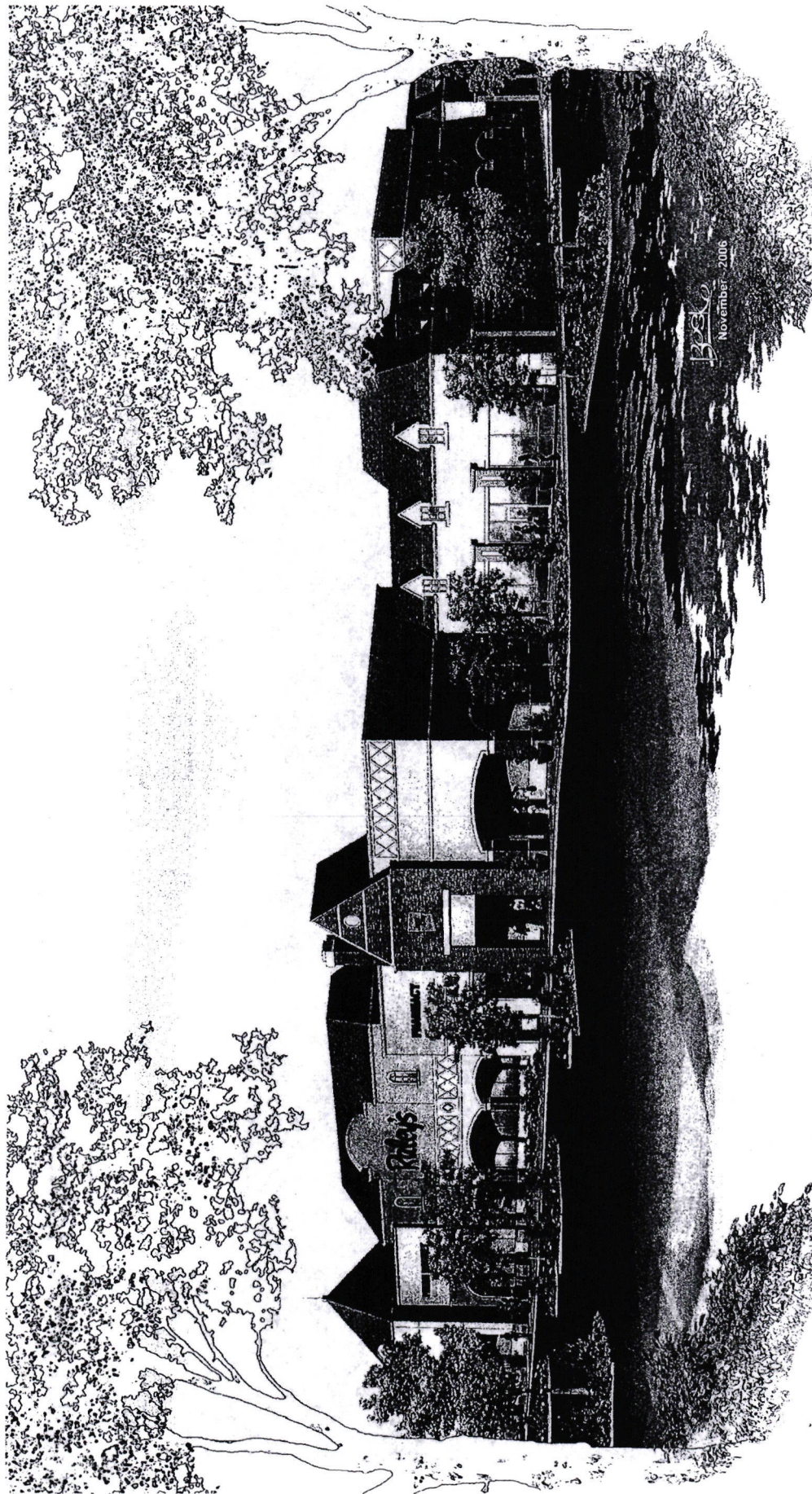
402.138

11.20.06

Rauschenbach
Marvelli
Becker

architects

277 West Ave. Second Floor-Saratoga, CA 95075
(408) 881-6500 FAX (408) 881-5506



Raley's

Anatolia Marketplace ■

Sunrise Blvd. & Douglas Road
Rancho Cordova, CA

422.138

11.24.06

Rauschenbach
Marvelli
Becker



2777 Wall Ave. Second Floor-Sacramento, CA 95825
(916) 486-8000 FAX (916) 486-8556



402.154

12.1.06

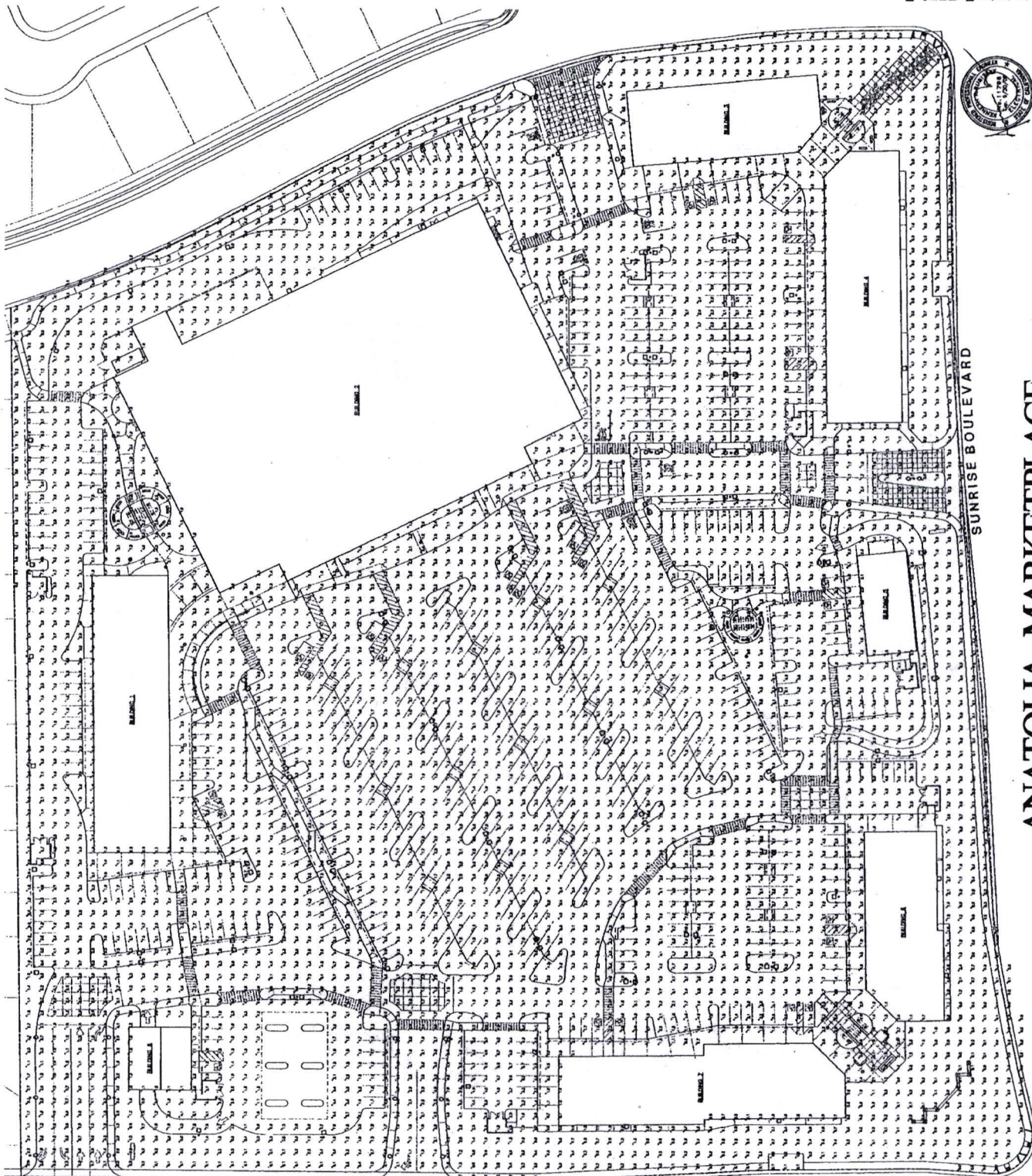
Rauschenbach
Marvelli
Becker

2277 Hill Ave. Second Floor - Sacramento, CA 95815
(916) 381-8500 FAX (916) 468-8566

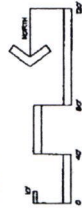
Shops

■ Sunrise Blvd. & Douglas Road
Rancho Cordova, CA

Anatolia Marketplace



SITE PHOTOMETRIC
PLAN



Job Number	000	Sheet	PT1
Date	01-27-00	Drawn	
Revised		Reviewed	

**Rauschenbach
Marcelli
Becker**

2771 West Ave - Second Floor - San Ramon, CA 94583
925-488-6500 FAX 925-488-6501



ANATOLIA MARKETPLACE

RANCHO CORDOVA, CALIFORNIA

DOUGLAS BOULEVARD

SUNRISE BOULEVARD

	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and Signature)
1.	On-Going	Planning	
This approval is for the design review of the shopping center on the southeast corner of Sunrise Blvd and Douglas Road. The project consists of 125,529 sf of retail commercial space on 14.7 acres. The main anchor of the center is a grocery store, a gas station, a fast food restaurant pad and five multi-tenant buildings. The applicant is also requesting a conditional use permit to allow the construction of the gas station and a conditional use permit to allow a building within 100 feet of residential property to exceed 24 feet in height. The project shall be constructed in substantial compliance with the approved design package dated December 18, 2006.			
2.	On-Going	Planning	
The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.			
3.	On-Going	Planning	
Implement applicable mitigation measures from the MMRP for the SunRidge Specific Plan EIR.			
Prior to approval of improvement plans			
4.	Prior to improvement plan	Public Works	
Applicant shall photo-document the condition of adjacent streets and sidewalks to the satisfaction of the Public Works Department. Applicant shall be responsible for all damage to City streets associated with construction of the project.			

CONDITIONS OF APPROVAL

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
5.	Enter into a frontage agreement for construction of public improvements to the satisfaction of the Public Works Department.	Prior to improvement plan	Public Works	
6.	The District's turning radii of 25-feet inside and 50-feet outside does not appear to be met in the current design of the site plan. Please ensure that the site plan meets the District's turning standard.	Prior to improvement plan	Metro Fire	
7.	A copy of the road maintenance agreement shall be provided to the Fire District with the site improvement or Civil Engineering drawings upon submittal for review. If the roadway agreement is not provided with the site improvement or civil engineering drawings, it shall be presented to the Fire District prior to the issuance of any CORs (Certificates of Release) or construction permit cards.	Prior to improvement plan	Metro Fire	
Prior to Issuance of Building Permits				
8.	Property Owner/Applicant shall provide a funding mechanism for maintenance of frontage and median landscaping, not otherwise maintained by Property Owner/Applicant, by annexation to the City Landscape Maintenance Community Facilities District. All costs associated with the annexation shall be borne by the Property Owner/Applicant.	Prior to Building Permits	Public Works	
9.	Property Owner/Applicant shall provide a funding mechanism for maintenance services for all new public improvements associated with the project including but not limited to dedicated mandatory open space and performance based open space, streets, bridges/culverts, traffic signals, traffic signs, striping and legends, ITS operations, and street lights. This may be accomplished through annexation to the City Road	Prior to Building Permits	Public Works	

CONDITIONS OF APPROVAL

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	Maintenance Assessment District. All costs associated with the annexation shall be borne by the Property Owner/Applicant.			
10.	Applicant shall submit public improvement plans to the satisfaction of the Public Works Department. Public improvement plans shall include, but shall not be limited to, necessary driveways, signals, striping, signage, etc. Specific improvements shall include: • Deceleration lanes for access points on Sunrise Boulevard and Douglas Road. • The Sunrise access point shall be right in/out only. • A signalized intersection on Douglas Road shall not be permitted. • The western Douglas access point shall be right in/out only. The eastern Douglas access point shall be right in/out and left in only. • Left out access to Douglas shall not be permitted. • One access point from Herodian Drive shall be allowed. Public improvement plans shall clearly delineate all transitions to existing improvements. All improvements to be designed and constructed to satisfaction of Public Works Department. Improvements that require additional right-of-way shall not require relocation of buildings or parking spaces.	Prior to Building Permits	Public Works	
11.	Fire department connections (FDCs) shall be located on the address side of the building and within forty-feet (40') of a fire hydrant. The FDC and the fire hydrant shall be located on the same side of the fire apparatus access roadway and at least forty-feet from any openings from the building they serve. The plans currently show the FDCs for buildings 1 and 2 in the rear; this is not acceptable.	Prior to Building Permits	Metro Fire District	

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
12.	Reciprocal access and roadway maintenance agreements shall be provided for the interior roadways of the proposed complex. The roadway maintenance and reciprocal access agreements shall be recorded with the Public Records Office having jurisdiction and shall provide for the following: A. Provisions for the necessary repair and maintenance of the roadway surface. B. Removal of vegetation overgrowing the roadway and infringing on the roadway clear vertical height of thirteen feet six inches (13'6") and/or width of twenty feet (20'). C. Provisions for the maintenance, repair, and/or replacement of NO PARKING-FIRE LANE signage or striping. D. Provisions for the necessary repair and maintenance of vehicle and pedestrian access gates and opening systems. E. Unrestricted use of and access to the roadways covered by the agreements. F. Provisions for the control of vehicle parking in prohibited areas and a mechanism for the removal of vehicles illegally parked.	Prior to Building Permits	Metro Fire District	
13.	Development plans shall be reviewed for architectural and site plan consistency with the approved plans by the Planning Director. Any significant change to the development may require review and approval by the City, at the Planning Director's discretion.	Prior to Building Permits	Planning	
14.	Prior to the issuance of any sign permit, the applicant shall submit a sign program for the shopping center that complies with the Rancho	Prior to Building Permits	Planning	

CONDITIONS OF APPROVAL

EXHIBIT B

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	Cordova zoning code. Note that the property is subject to the requirements of the Sunrise Special Sign Corridor.			
15.	Final landscape plans shall be reviewed and approved prior to building permit for consistency with City water conservation requirements and to ensure that appropriate plant materials are utilized.	Prior to Building Permits	Planning	
16.	Developer shall pay any City adopted impact fee that is applicable, at the time of building permit issuance.	Prior to Building Permits	Planning	
17.	Grocery store applicant shall implement a shopping cart program, which may include but is not limited to electronic or mechanical devices that will restrict the removal of shopping carts from the site and provide convenient cart storage areas on site, to be approved by the Planning Director.	Prior to Building Permits of the grocery pad	Planning	
18.	Project proponent shall provide bicycle parking plan for review and approval by the Planning Director that is consistent with the Rancho Cordova Zoning Code and provide bike parking near building entrances.	Prior to Building Permit	Planning	
19.	CSD-1 shall review and approve the project sewer system plan prior to issuance of building permits that meets the following: • Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction. • Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system. • In order to obtain sewer service, construction of CSD-1 sewer	Prior to Building Permit	CSD-1	

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	infrastructure will be required. Off-site sewer lines may be required. An on-site collection system will also be required for all pipes carrying waste from two or more buildings or sewage sources and shall consist of 8-inch (min.) pipes in public easements. • Sewer easements will be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the District Engineer. CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance. • CSD-1 requires their sewers be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to final approval of improvement plans, the applicant shall prepare and submit a utility plan that will demonstrate that this condition is met. All structures along on-site easements shall have a minimum 10-foot setback so that CSD-1 can properly maintain sewer services. • The trunk and collector sewer system for the project will not be accepted for maintenance, and building occupancy will not be granted until the downstream sewer system serving the project is also accepted for maintenance.			
20.	The project proponent shall complete a noise analysis as required by the MMRP for the SunRidge Specific Plan EIR. If minor design changes to the site plan or building design are required as a result of this analysis, the changes shall be reviewed and approved by the Planning Director prior to Building Permit.	Prior to Building Permit	Planning	
21.	The project shall submit schematic plans showing pedestrian and	Prior to First	Public Works	

		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	bicycle access from the intersection of Sunrise Boulevard and Douglas Road to the plaza at the corner of the site between Building 6 and Building 7. The plans shall meet ADA requirements and submitted to the Public Work director for review and approval prior to building permit. The access (e.g. ramps, railing, etc.) shall be constructed prior to final inspection/occupancy.	Building Permit		
22.	The project proponent shall grant easements as required to facilitate construction and permanent use of the pedestrian/bicycle ramps and pedestrian over-crossings, and to provide future access to the pedestrian over-crossings of Sunrise Boulevard and Douglas Road. Easements shall be recorded prior to building permit or as approved by the Public Works Director.	Prior to Building Permit	Public Works	
Prior to Occupancy Permits				
23.	Construct the buildings and install final site landscaping, hardscape elements, plaza designs, bike parking, etc. according to the approved plans and receive approval by the Planning Director. Provisions for the on-going maintenance of the public right of way improvements shall be in place.	Prior to Final Inspection	Planning	
24.	Obtain appropriate permits from Public Works and provide adequate drain facilities into the established flood control system, in accordance with the Sacramento County Improvement Standards.	Prior to Final Inspection	Public Works / Water Resources	
25.	The installation of approved traffic control equipment may be required on all signal lights installed or modified as a part of this project to allow emergency fire apparatus to activate the traffic signal.	Prior to Final Inspection	Metro Fire	

POR. SEC. 8, T.8N., R.7E., M.D.B. & M.

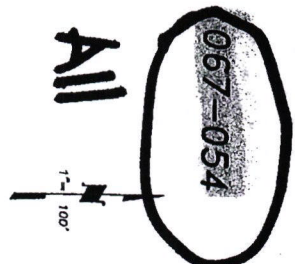


Anatolia / Village 8, R.M. Bk. 325, Pg. 2 (1-26-2004)

CITY OF RANCHO CORDOVA
Assessor's Map Bk. 067 Pg. 054
County of Sacramento, Calif.

SEP 08 2004

For Reference Only, See 067-054 & 067-055



1. 067-0430-001-0000
Akt & Markos Kounalakis
7700 College Town Dr Ste 101
Sacramento Ca 95826

4. 067-0030-036-0000
United States Of America
Sunrise Bl
Mather Ca 95655

7. 067-0030-040-0000
Bd Props & Crouse Development
735 Sunrise Ave Ste 220
Roseville Ca 95661

10. 067-0430-002-0000
CH
1816 Tribute Rd Ste 100
Sacramento Ca 95815

13. 067-0440-031-0000
Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

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Richmond Va 23226

25. 067-0440-061-0000
Lennar Renaissance
1075 Creekside Ridge Dr Ste 100
Roseville Ca 95678

28. 067-0440-064-0000
Lennar Renaissance
1075 Creekside Ridge Dr Ste 100
Roseville Ca 95678

2. 067-0030-002-0000
Cordova Recreation & Park District
Rancho Cordova Ca 95670

5. 067-0030-038-0000
Donahue Schriber
555 Capitol Mall Fl 9th
Sacramento Ca 95814

8. 067-0030-051-0000
Cemo Commercial Inc
1107 Investment Blvd Ste 150
El Dorado Hills Ca 95762

11. 067-0430-023-0000
Sunridge Anatolia Llc
7700 College Town Dr Ste 101
Sacramento Ca 95826

14. 067-0440-032-0000
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Richmond Va 23226

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Roseville Ca 95678

3. 067-0030-035-0000
United States Of America
Douglas Rd
Mather Ca 95655

6. 067-0030-039-0000
Bd Props & Crouse Development
735 Sunrise Ave Ste 220
Roseville Ca 95661

9. 067-0030-052-0000
Cemo Commercial Inc
1107 Investment Blvd Ste 150
El Dorado Hills Ca 95762

12. 067-0430-024-0000
Lennar Sunridge Investors Llc
7700 College Town Dr Ste 101
Sacramento Ca 95826

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Roseville Ca 95678

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Us Home Corp
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Gold River Ca 95670

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Gold River Ca 95670

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Gmac Model Home Finance Inc
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Gold River Ca 95670

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Us Home Corp
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Gmac Model Home Finance Inc
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Us Home Corp
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Gmac Model Home Finance Inc
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Gold River Ca 95670

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Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

194. 067-0550-043-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

197. 067-0550-046-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

200. 067-0550-103-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

203. 067-0550-106-0000

Us Home Corp
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206. 067-0550-109-0000

Us Home Corp
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209. 067-0550-112-0000

Us Home Corp
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183. 067-0550-017-0000

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186. 067-0550-020-0000

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189. 067-0550-038-0000

Us Home Corp
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Gold River Ca 95670

192. 067-0550-041-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

195. 067-0550-044-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

198. 067-0550-101-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

201. 067-0550-104-0000

Us Home Corp
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Gold River Ca 95670

204. 067-0550-107-0000

Us Home Corp
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207. 067-0550-110-0000

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211. 067-0550-114-0000

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Us Home Corp
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Gold River Ca 95670

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Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
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220. 067-0550-123-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

223. 067-0550-126-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

226. 067-0550-129-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

229. 067-0550-132-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

235. 067-0660-101-0000

Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630

238. 067-0660-104-0000

Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630

212. 067-0550-115-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

215. 067-0550-118-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

218. 067-0550-121-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

221. 067-0550-124-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

224. 067-0550-127-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

227. 067-0550-130-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

230. 067-0550-133-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

233. 067-0660-002-0000

Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630

236. 067-0660-102-0000

Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630

239. 067-0660-105-0000

Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630

213. 067-0550-116-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

216. 067-0550-119-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

219. 067-0550-122-0000

Us Home Corp
2366 Gold Meadow Way # 200
Gold River Ca 95670

222. 067-0550-125-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

225. 067-0550-128-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

228. 067-0550-131-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

231. 067-0550-134-0000

Gmac Model Home Finance Inc
7204 Glen Forest Dr Ste 201
Richmond Va 23226

234. 067-0660-003-0000

Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630

237. 067-0660-103-0000

Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630

240. 067-0660-106-0000

Morrison Homes Inc
1180 Iron Point Rd Ste 100
Folsom Ca 95630





Sacramento Metropolitan Fire District

2729 Prospect Park Drive • Rancho Cordova, California 95670 • Phone (916) 851-8937 • Fax (916) 851-8939

DON METTE
Fire Chief

October 10, 2006

City of Rancho Cordova
Planning Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Attention: Alison Thornberry, Assistant Planner

RE: Application Number: RC-06-222
APN: 067-0460-001
Project Name: Anatolia Market Place
Project Location: Sunrise Blvd. and Douglas Blvd.
Applicant's Name: Rauschenbeck, Marvelli, & Becker
SMFD Project Number: 2006-3148

Dear Ms Thornberry:

This office is in receipt of your request for Fire District review and comment for the referenced project. Upon consideration of the plans submitted to date, the following requirements and areas of concern have been identified:

NOTE: THE FOLLOWING ITEMS ARE SPECIFIC TO THE STAFF REPORT FOR THIS PROJECT AND REQUIRE SPECIAL ATTENTION:

1. Fire department connections (FDCs) shall be located on the address side of the building and within forty-feet (40') of a fire hydrant. The FDC and the fire hydrant shall be located on the same side of the fire apparatus access roadway and at least forty-feet from any openings from the building they serve. The plans currently show the FDCs for buildings 1 and 2 in the rear; this is not acceptable.
2. The District's turning radii of 25-feet inside and 50-feet outside does not appear to be met in the current design of the site plan. Please ensure that the site plan meets the District's turning standard.

NOTE: The preceding comments were generated in response to a request from the City of Rancho Cordova Planning Department for comments, conditions, and areas of Fire District concern relative to this project. The comments and conditions provided do not constitute Fire District approval for Rancho Cordova Building Department or Fire District construction permit purposes, nor are they meant as a substitute for project plan submittal, review, and approval. Additional requirements may be identified during the plan review process necessitating further project compliance.

**NOTE: THE FOLLOWING INFORMATION IS FOR THE APPLICANTS/ENGINEER'S REVIEW
PRIOR TO SUBMITTAL OF SITE IMPROVEMENT DRAWINGS:**

Applicant: It is highly recommended that specific requirements for your project be obtained from the Fire District during the pre-construction planning stage. Specific requirements for bridges, fire hydrants, entry gates, and access roadways must be clearly understood and complied with. It is advisable to schedule a design review conference with the Fire District to provide any necessary requirement clarification.

If there are no immediate plans for construction or the on-site storage of combustible construction materials, the requirements applicable to construction may be held in abeyance until such time that construction occurs. If this property is sold prior to development, the seller must disclose the above requirements to the buyer.

1. Reciprocal access and roadway maintenance agreements shall be provided for the interior roadways of the proposed complex. The roadway maintenance and reciprocal access agreements shall be record with the Public Records Office having jurisdiction and shall provide for the following:

Provisions for the necessary repair and maintenance of the roadway surface

- A. Removal of vegetation overgrowing the roadway and infringing on the roadway clear vertical height of thirteen feet six inches (13'6") and/or width of twenty feet (20')
- B. Provisions for the maintenance, repair, and/or replacement of NO PARKING-FIRE LANE signage or striping
- C. Provisions for the necessary repair and maintenance of vehicle and pedestrian access gates and opening systems
- D. Unrestricted use of and access to the roadways covered by the agreements.
- E. Provisions for the control of vehicle parking in prohibited areas and a mechanism for the removal of vehicles illegally parked.

Building permit

2. A copy of the road maintenance agreement shall be provided to the Fire District with the site improvement or Civil Engineering drawings upon submittal for review. If the roadway agreement is not provided with the site improvement or civil engineering drawings, it shall be presented to the Fire District prior to the issuance of any CORs (Certificates of Release) or construction permit cards.

Improvement plan

3. The installation of approved traffic control equipment may be required on all signal lights installed or modified as a part of this project to allow emergency fire apparatus to activate the traffic signal.

occupancy

4. Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than twelve (12) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background. Where multiple occupancies are serviced by vehicular access to the rear of the building

via any driveway, alleyway, or parking lot the numbers or addresses shall be displayed on the rear of the building.

occupancy

Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the route of the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of commercial developments is 1,500 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for a two-hour duration.

Building permit

5. Plans shall be submitted to the fire prevention bureau showing hydrant locations for review and approval prior to construction. ***Fire hydrant details and fire department notes shall be shown on the site plans or improvement drawings.***

Improvement plans

6. Provide access roadways with all weather driving surfaces of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radii of 25 feet inside and 50 feet outside dimension. The access roadways shall be capable of supporting the imposed loading of fire apparatus and shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. ***The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways. Traffic calming measures, speed bumps, humps, etc., shall not be installed in fire apparatus access roadways.***

Building permit

7. All structures proposed for this project shall be equipped with an approved automatic fire sprinkler system. The automatic fire sprinkler system shall be designed to NFPA 13 standards.

Occupancy

8. Due to the width of the access and interior roadways proposed for this project, less than 28 feet, vehicle parking is prohibited along the entire length of the roadways and approved fire lane identification signage/stripping shall be provided.

Occupancy

9. Traffic calming measures, speed bumps, humps, etc. shall not be installed in fire apparatus access roadways.

Occupancy

10. Approved fire hydrants shall be spaced at 300-foot intervals along the route of the interior access roadway. The fire hydrants shall be capable of supplying a minimum fire flow of 1,500 gallons per minute at 20 pounds per square inch of pressure.

Building Permits

11. All structures will be connected to the public water supply; private wells shall not be permitted.

Occupancy



RECEIVED

September 21, 2006 SEP 26 2006
E225.000

RANCHO CORDOVA
PLANNING

10545 Armstrong Avenue

Mather

California

95655

Tele: [916] 876-6000

Fax: [916] 876-6160

www.csd-1.com

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Marcia Maurer
Chief Financial Officer

Alison Thornberry
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Subject: Anatolia Market Place - UP
APN: 067-0430-001
Control No. RC-06-022

Dear Ms. Thornberry:

Both the County Sanitation District 1 (CSD-1) and the Sacramento Regional County Sanitation District (SRCSD) reviewed the subject documents and have the following comments.

CSD-1 Conditions:

Connection to the District's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to sewer construction.

Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.

Participation in the financing and/or construction of interim regional sewer facilities to serve the Sunrise/Douglas area is required to the satisfaction of SRCSD and CSD-1. Facilities could include, but not be limited to, lift stations, lift station pumps, and interceptor force and gravity mains. Required financing mechanisms shall be implemented prior to recordation of the final map.

In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required. Off-site sewer lines may be required.

An on-site collection system will also be required for all pipes carrying waste from two or more buildings or sewage sources and shall consist of 8-inch (min.) pipes in public easements.

Sewer easements will be required. All sewer easements shall be dedicated to CSD-1 in a form approved by the District Engineer. CSD-1 will provide maintenance only in public right-of-ways and in minimum 20-foot wide easements dedicated to CSD-1 for the purpose of continuous access and maintenance.

The subject project owner(s) and subsequent unit buyers shall be responsible for repair and/or replacement of all non-asphalt and/or enhanced surface treatments of on-site parking aisles and drives within these easements damaged by District maintenance and repair operations. This requirement shall be set forth in easement grant documents and be a covenant running with the land, be responsibility of successors in interest in future land transfers and divisions and by language approved by the District. Surface enhancements include, but are not limited to non-asphaltic paving, landscaping, lighting, curbing and all non-driveable street appurtenances.

CSD-1 requires their sewers to be located 10 feet from other parallel utilities (water, drain, electrical, etc.). Prior to final approval of improvement plans, the applicant shall prepare and submit a utility plan that will demonstrate that this condition is met.

Alison Thornberry
September 21, 2006
Page 2

All structures along on-site easements shall have a minimum 10-foot setback so that CSD-1 can properly maintain sewer services.

The trunk and collector sewer system for the project will not be accepted for maintenance, and building occupancy will not be granted until the downstream sewer system serving the project is also accepted for maintenance.

CSD-1 Advisories:

Any use of CSD-1 sewer easements, which is not compatible or interferes with the construction, reconstruction, operation, maintenance, or repair of the District's sanitary sewer(s), shall not be allowed. Each proposed use shall be reviewed and approved in writing by the District Engineer prior to the use of the easement by the Grantor. This includes landscaping.

If a lifting and/or pumping station is required to serve this project, the applicant shall submit a Hazardous Materials Plan (HMP) to CSD-1. The HMP shall satisfy state and CSD-1 requirements, and shall be approved by CSD-1 prior to acceptance of the facility.

If a lifting and/or pumping station is required to serve this project, the applicant shall install all necessary infrastructures (electrical power and wiring, telemetry, piping, manholes, wells, gates etc.) for the complete operation of the facility at full development and final maximum service capacity as identified in applicable approved sewer studies. The only exception to this requirement is the pump size, which shall be installed in accordance with the initial designed service capacity.

If interim sewer infrastructure (such as sewer pipes, manholes, and lifting and/or pumping stations) is required to serve this project, the applicant shall be responsible for the cost to CSD-1, to decommission, and abandon such interim sewer infrastructure. The mechanism to capture these costs shall be approved and accepted by CSD-1 prior to recordation of the Final Map or approval of Improvement Plans for plan check to CSD-1, whichever comes first.

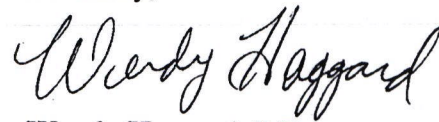
Developing this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

The service station (car wash) use proposed under the subject application constitutes a potential industrial waste discharge. Applicant should contact Waste Water Source Control at (916) 875-6470 for additional industrial waste discharge concerns.

Alison Thornberry
September 21, 2006
Page 3

If you have any questions regarding these comments, please call Stephen Moore at (916) 876-6296 or myself at (916) 876-6094.

Sincerely,

A handwritten signature in cursive script that reads "Wendy Haggard".

Wendy Haggard, P.E.
Department of Water Quality
Development Services

WH/JRO: cc

cc: Melenie Davis
Amber Schalansky
Linda Cochran (64-123)
Steve Norris
Mark Marvelli
Rauschenbeck, Marvelli & Becker
2277 Watt Ave, 2nd Floor
Sacramento, CA 95825



RANCHO CORDOVA POLICE DEPARTMENT

Reuben Meeks
Chief of Police

10361 Rockingham Drive
Sacramento, California 95827

916.875.9600 – Main
916.875.8673 – Fax

www.RanchoCordovaPD.com

August 31, 2006

Alison Thornberry
City of Rancho Cordova Planning Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670

RE: 06-222 ANATOLIA MARKET PLACE

Dear Alison:

The Rancho Cordova Police Department has reviewed this project, and offers the following revised conditions based on a meeting with the applicant on August 16, 2006, the following conditions are agreed to by the applicant related to crime prevention

1) OVERALL SITE COMMENTS AND CONDITIONS

- a) Parking areas should be laid out to allow a high degree of observation. Close-in employee parking for people working late should be provided adjacent to the entrances.
- b) Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along fence and property lines and in any other locations where the applicant wishes to restrict sitting, loitering, or cutting through landscaped areas.
- c) It is recommended that the shown "Building 4" be broken into two buildings around the shown bus stop for ease of access by bus riders. This will allow for easy, walkable access into the property from the stop.
 - i) Alternately, the bus stop should be relocated to a position that provides easy access into the shopping center, possibly at the corner of Herodian Drive and Sunrise Blvd.
 - ii) A second alternative is to provide street-front access to these businesses, instead of the typical inside only designs. This would be in keeping with a pedestrian-friendly design and access principles.
- d) All curbs shall be vertical in design. Rounded curbs shall be avoided whenever possible.
- e) The Police Department does not suggest that a pay phone be installed on the premises. If a pay phone should be installed, it will make outgoing calls only, and not accept incoming calls.
- f) The use of window signs shall not exceed the limits prescribed in the zoning ordinance and signs shall not be installed in such a fashion that visibility of the

service counter is impaired for passing police patrol units as well as customers and passersby. Natural surveillance and visibility is an important consideration in projects of this size.

- g) All private walking paths and sidewalks shall incorporate exposed aggregate or other rough-surface materials to discourage skateboarding on the property.
- h) The perimeter of the site shall be fence during construction, and security lighting and patrols shall be employed as necessary.

2) LIGHTING

- a) Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with metal halide lighting with sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of business darkness and provide a safe, secure environment for all persons, property, and vehicles on site. Such lighting shall be equipped with vandal-resistant covers. A lighting level of one foot-candle minimum, maintained at ground level is required.
- b) All exterior doors shall be provided with their own light source and shall be adequately illuminated at all hours to make clearly visible the presence of any person on or about the premises and provide adequate illumination for persons exiting the building.
- c) The premises, while open or closed for business after dark, must be sufficiently lighted by use of interior night-lights.
- d) Exterior door, perimeter, canopy, and parking area lights shall be controlled by photocell and shall be left on during hours of darkness or diminished lighting.
- e) Security personnel should be provided to monitor activity 24 hours, 7 days per week, including during time of construction.
- f) External lighting requirements should consider general lighting level of one foot-candle minimum maintained at ground level for medium use facilities, utilizing High Intensity Discharge fixtures with vandal-resistant covers. This shall be consistent throughout the property, including loading zones and driveways on the rear of the building.

3) PHYSICAL SECURITY

- a) The jamb on all aluminum frame swinging doors shall be so constructed or protected to withstand 1600 lbs. of pressure in both a vertical distance of three (3) inches and a horizontal distance of one (1) inch each side of the strike.
- b) Glass doors shall be secured with a deadbolt lock* with minimum throw of one (1) inch. The outside ring should be free moving and case hardened.

ALISON THORNBERRY

October 10, 2006

Page 4

- g) Lotto, ATM, & other machines shall not block primary visibility into the convenience store.
 - i) For the security of employees as well as the machines, they shall be placed against a wall not constructed of glass.
- h) A public address system shall be installed specifically to disperse loiters; however may also be used for general business practices.
- i) Theft of Alcoholic Beverages
 - i) The Police Department will require that alcoholic beverage coolers be locked at 2:00 am to prevent thefts and attempts to purchase after 2:00 am. There shall be no "warm shelves" containing alcohol.
 - ii) The applicant shall adopt a "no loitering" policy. Signage shall be posted on the property to discourage loitering and alcohol consumption in the parking lot, citing the authority of the penal code section regarding trespassing, and municipal code sections. The applicant should institute a day time policy to limit the numbers of students allowed in the store at any given time and orderly control students queuing outside awaiting entry. A lot of potential loitering problems will be minimized by an active concerned attitude projected by store personnel. If loitering does become a problem on the site, the Police Department will reserve the right to require a security guard on site during periods of peak activity, if necessary.

The Police Department reserves the right to make additional security and safety conditions, if necessary, upon receipt of detailed/revised building plans.

If you should have any questions, please contact me any time at 876-7599.

Very Truly Yours,

REUBEN MEEKS, CHIEF OF POLICE



CSS III Jeffrey Rodriguez
Crime Prevention Specialist
Sacramento County Sheriff's Department
Rancho Cordova Police Department

October 11, 2006

Ms. Alison Thornberry

Planning Department

City of Rancho Cordova

2729 Prospect Park Drive

Rancho Cordova CA 95670

AThornberry@cityofranchocordova.org

RE: Design Review and Conditional Permit: Anatolia Market Place, RC-06-222

SAC200601058

Dear Ms. Thornberry:

Thank you for forwarding this document to the Sacramento Metropolitan Air Quality Management District (District). Staff comments follow:

The project is located in the SunRidge Specific Plan area. This letter references the draft SunRidge Specific Plan document, released by the County of Sacramento on May 27, 2002. This specific plan contains air quality mitigation measures which should be applied to subsequent projects. All relevant mitigation measures from this specific plan for reducing construction and operational emissions should be incorporated into this project.

The project should comply with measure 9 from section 7.6 of the SunRidge Specific Plan, which specifies that the projects within the specific plan area will provide "multiple and direct pedestrian access." To better comply with the intent of this mitigation measure, the project should feature:

.. Detached sidewalks: These sidewalks are necessary because of the high volumes and speeds expected along the roadways adjacent to the

project. Separating the sidewalks from the roadway is critical to creating a safe, pedestrian friendly environment that encourages walking around, as well as to and from, the project area. In order to mitigate the impacts on pedestrians posed by Douglas Road, Sunrise Boulevard, and Herodian Drive, the district supports the inclusion of detached sidewalks along the entire perimeter of the project site. We also recommend that the sidewalk

Larry Greene

AIR POLLUTION CONTROL OFFICER

widths be consistent with new city standards, including a minimum width of at least 7' along major arterials.

.. A direct link from the corner of Sunrise & Douglas to the project: As designed, a person who is located on the southeast corner of Sunrise and Douglas has to walk approximately 500' to access Buildings 6 and 7, which are only about 100' away. The district recommends the addition of direct pedestrian access to the project from this corner.

.. Reconfigured driveways: Any automobile/motor vehicle access routes to the project from adjacent roadways needs to be designed as driveways and not intersections. By continuing the sidewalk across the entrance, the driver is given a clear message that pedestrians may be present and encourages slower turns.

.. Crosswalks on Herodian Drive: In order to encourage nearby residents to walk to the retail center the district recommends the inclusion of marked crosswalks across Herodian Drive. Asking nearby residents to travel to the intersection of Sunrise and Herodian in order to cross the road will discourage pedestrian travel between the project and adjacent residential uses.

.. Better interior walkways: The district recommends that crosswalks be included across Building 8's car wash exit and also around the textured parking lot intersection directly to the east of the car wash exit. In addition, the project should provide details about the width of sidewalks internal to the project to ensure that there is a 5' minimum of pedestrian travel space on these walkways.

Section 7.6 of the SunRidge Specific Plan specifies that projects in the plan area will be supportive of bicycle use. Specific measures include measure 1 which specifies that "non residential projects provide bicycle lockers and racks," and measure 8 which specifies that the project will provide class I or II bike lanes in addition to those in the Bike Master Plan. To remain in compliance with these measures, the district recommends that the project provide greater detail about planned Bicycle Parking facilities within the project. The district recommends the inclusion of exhibits that specify the number, location, and rack models for the bicycle parking facilities' that will be included in the project to fulfill the

requirements of bicycle parking measure. Additionally, the project should provide exhibits that demonstrate the scope and layout of bicycle routes internal to the project, and how these bicycle facilities will connect to the class II

bicycle facilities along Douglas avenue to the bicycle parking internal to the project. This information and exhibits should be considered as part of the cities

Design Review of this project.

The SunRidge Specific Plan requires that Non-residential sites provide a display case or kiosk with transportation information (section 7.6; measure 4). The design plans should show the position of this display or kiosk within the project site. The district recommends the kiosk be located in the "east community bus drop-off and gathering area" because this is the most likely location for transit users to congregate and make use of the transit information.

Measure 12 in section 7.6 of the SunRidge Specific Plan specifies that projects in the plan area will provide preferential parking to carpool and vanpool users. The plan documents should include information on the number of carpool and vanpool parking spaces provided, and provide exhibits that demonstrate how they are located in such a way as to provide "preferential parking."

Finally, all projects are subject to SMAQMD rules and regulations in effect at the time of construction. Please see the attached document describing SMAQMD Rules which may apply to this project.

Sincerely,

Joseph Hurley

Assistant Air Quality Planner Analyst

cc: Larry Robinson SMAQMD

Anne Gheraghty Walk Sacramento

Enc: SMAQMD Rules & Regulations Statement

Table 7.1 SunRidge Specific Plan Compliance with AQ-15 from the SunRidge Specific Plan

SMAQMD Rules & Regulations Statement

The following statement is recommended as standard condition of approval or construction document language for all construction projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):

All projects are subject to SMAQMD rules and regulations in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916.874.4800. Specific rules that may relate to construction activities may include, but are not limited to:

Rule 201: General Permit Requirements. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration.

Rule 403: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities or any other construction activity to prevent airborne dust from leaving the project site.

Rule 442: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 902: Asbestos. The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

Other general types of uses that require a permit include dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

From: DeAge, Tom [TAD6@pge.com]
Sent: Monday, October 09, 2006 8:33 AM
To: Alison Thornberry
Subject: RC-06-222, Anatolia Market Place

Alison Thornberry
Rancho Cordova Planning

Alison, thank you for the referenced application for requested review.

PG&E has no conflicts with the project.

Thank you,

Don Kennedy
PG&E
Land Agent
(530) 889-5089

(Tom deAge)
PG&E
Land Agent
(530) 889-5089



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OCT 12 2006

RANCHO CORDOVA
PLANNING

October 10, 2006

Alison Thornberry
Planning Department
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Re: Design Review for Anatolia Market Place (Project RC-06-222)

Dear Ms. Thornberry:

WALKSacramento is pleased to offer comments on the Design Review for the Anatolia Market Place proposal to build 8 retail buildings, totaling 129,019 square feet on 14.6 acres.

WALKSacramento is a member of the Partnership for Active Communities, an Active Living by Design project funded by the Robert Wood Johnson Foundation. The Partnership is working to support increased physical activity, such as walking and bicycling in local neighborhoods, as well as helping to create community environments that support walking and bicycling. One way that the Partnership is doing this is through the review of proposed development projects in Natomas and Rancho Cordova. The benefits of such active environments include improved physical fitness, less motor vehicle traffic congestion, better air quality, and a stronger sense of cohesion and safety in local neighborhoods.

After reviewing the project's plans and drawings, and inspecting the project site and the surrounding neighborhood, we offer the following additional comments and recommendations:

1. Include detached sidewalks: WALKSacramento believes that the most important pedestrian improvement needed for this project is to include detached sidewalks. Based on the high volumes and speeds expected along these roads, and on Sunrise Boulevard in particular, separating the sidewalks from the roadway is critical to creating the pedestrian friendly environment the City is striving to achieve. In order to mitigate the impacts on pedestrians posed by Douglas Road, Sunrise Boulevard, and Herodian Drive, we ask for detached sidewalks along the entire perimeter of the project site. We also

recommend that the City ask for sidewalk widths that meet the new standards, including at least 7' along major arterials.

2. Provide a direct link from the corner of Sunrise & Douglas to the project: As designed, a person who is located on the southeast corner of Sunrise and Douglas has to walk approximately 500' to access Buildings 6 and 7, which are only about 100' away. Sending pedestrians out of their way to access a business does not encourage people to use that mode of travel or to frequent that business. We ask for a link from the corner to the plaza between the buildings. We understand there may be some grade issues that make it more difficult to design, but we believe there must be a better alternative to simply leaving the connection out. Any connection that is created should also meet American with Disabilities Act standards.
3. Bicycle Parking details needed: Bicycle parking was not included in the materials we received. The number, location, and rack models all need to be determined as part of Design Review. In our experience, if left for later, these key details may unintentionally fall through the cracks. We recommend that the Planning Commission ask for more details before approval.

The most effective way to ensure that dedicated space for bicycle parking is used is for it to be visible, accessible, convenient, and easy to use. It needs to be out of the way of pedestrians and motor vehicles. If any of these aspects are not met, there is a good chance cyclists won't use what is provided and park wherever they think their bike will be safe. The minimum standard for a bicycle rack is to support the whole bike and enable the user to lock the frame and wheel with a cable or U-shaped lock. The bicycle advocacy group which covers Rancho Cordova, Sacramento Area Bicycle Advocates, recommends four rack designs which can be found in Attachment "A."

4. Reconfigure driveways: Any driveways constructed need to be designed as driveways and not intersections. By continuing the sidewalk across the entrance, the driver is given a clear message that pedestrians may be present and encourages slower turns. For clarification, please see Attachment "B", an illustration from the 2006 Federal Highway Administration's Pedestrian Safety Planning course.

Based on the information provided, it is unclear if any of the entrances have the proper treatment, although there does appear to be some decorative paving used at driveways off of Herodian and Sunrise. We also recommend using the decorative paving at every entrance as it helps reinforce the message that the driver is entering an area that is different from the roadway and requires their increased attention.

5. Provide crosswalks on Herodian Drive: In order to encourage nearby residents to walk to the retail center we suggest including marked crosswalks

across Herodian Drive. The residential street directly across from the driveway entrance off of Herodian would be the most convenient location for a crosswalk. Asking nearby residents to travel to the intersection of Sunrise and Herodian in order to cross the road will discourage walking and instead encourage driving the short distance, adding to congestion and pollution.

6. Improve interior walkways: In general, the interior plan for pedestrian movement is good, but we do ask for a few more improvements. First, please ensure that crosswalks are included across Building 8's car wash exit and also around the textured parking lot intersection directly to the east of the car wash exit. This will complete the network of pedestrian walkways. Second, the parking lot island west of Building 1 includes a meandering walkway that will prove to be difficult for the visually impaired to use. We recommend straightening the walkway. Finally, details about the width of sidewalks around the buildings was not available for us to review. This is another detail the City should have before the project is brought to the Planning Commission to ensure that there is a 5' minimum of pedestrian travel space throughout the project.

Thank you for your consideration of these comments and recommendations. If you have questions or need additional information, please contact Scott Clark or me at (916) 446-9255 or via email at sclark@walksacramento.org or ageraghty@walksacramento.org.

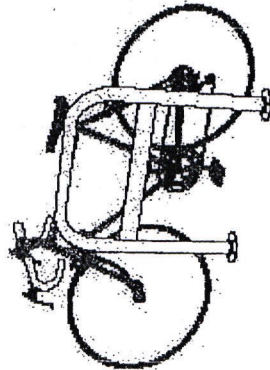
Sincerely,



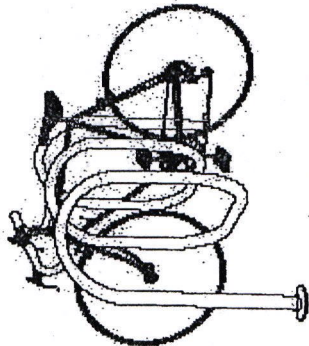
Anne Geraghty
Executive Director

Cc: Mark Marvelli, Rauschenbeck, Marvelli, & Becker
Albert Stricker, City of Rancho Cordova Public Works
Rich Bell, Active Living by Design
Jeane Borkenhagen, Sacramento Metro Air Quality Management District
Traci Canfield, Sacramento Regional Transit
Teri Duarte, Sacramento County Department of Health
Rebecca Garrison, 50 Corridor TMA
Walt Seifert, Sacramento Area Bicycle Advocates (SABA)
Sharon Sprowls, Odyssey
Paul Zykovsky, Local Government Commission

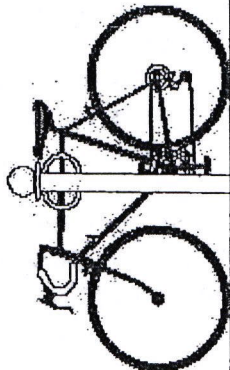
A



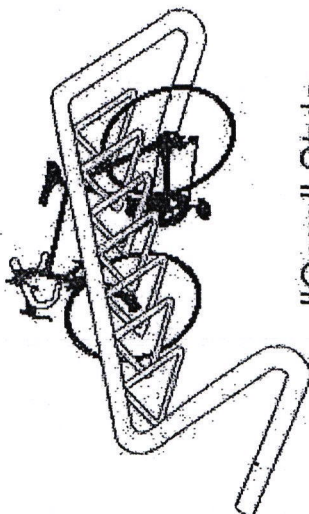
"A" Rack



Spiral Design

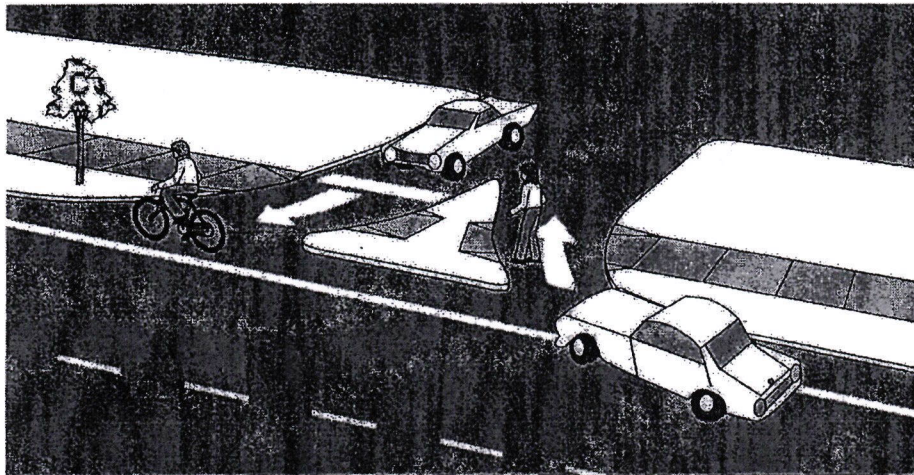


Hitching Post



"Cora" Style

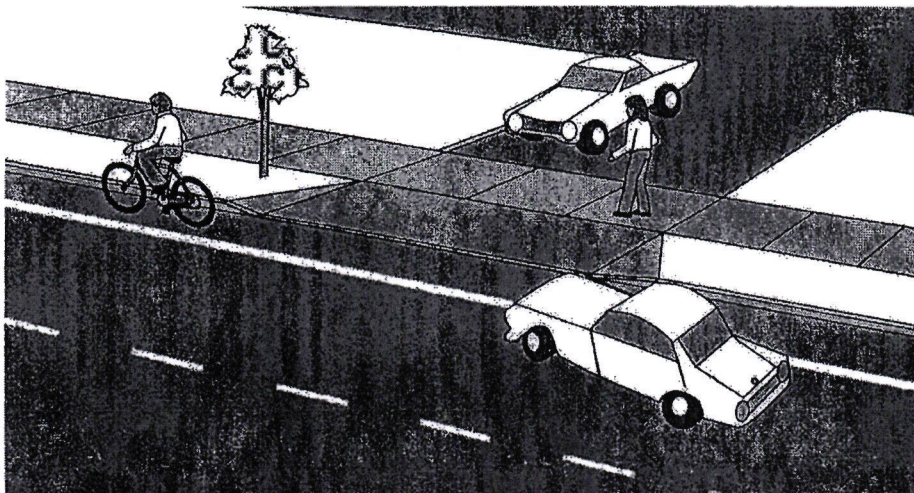
Preferred Bike Parking Designs



Driveways built like intersections encourage high-speed turns

Designing Streets for Pedestrian Safety – Walking along the road crashes

75



Driveways built like driveways encourage slow-speed turns

Designing Streets for Pedestrian Safety – Walking along the road crashes

76

MEMORANDUM



Date: December 18, 2006
To: Honorable City Council
From: Joseph Chapman, Deputy City Attorney
Subject: Urgency Ordinance Extending a Temporary Moratorium on the Establishment of New Cardrooms Pending the Review and Possible Amendment of Zoning Regulations Applicable to Cardrooms

RECOMMENDATION

Adopt Urgency Ordinance No. 62-2006.

BACKGROUND

On November 4, 2006, the City Council adopted Ordinance 58-2006 (**Attachment 1**), imposing a 45-day moratorium on the establishment of new cardrooms in the City. The purpose of the moratorium was to give the City time to study the possible adoption of new zoning regulations for cardrooms.

City Activities

Since the adoption of Ordinance 58-2006, City staff has met and discussed possible alternative zoning provisions related to cardrooms. Staff continues to study the matter.

Extension of Moratorium

The 45-day moratorium expires on December 21, 2006. Since the threats to the public health, safety and welfare identified by the Council in Ordinance No. 58-2006 still exist, staff recommends that the Council extend the moratorium. Per Government Code Section 65858, the Council may, following a public hearing, extend the moratorium for a period of up to 10 months and 15 days. In order to allow the City sufficient time to complete the above stated activities, staff recommends that the moratorium be extended only for 6 months. It is the opinion of staff that its review will be completed in the next 30-60 days. A 6-month extension, however, will allow the City more flexibility in the event of unforeseen complications. If necessary, the City will still have the ability to extend the moratorium one additional time for a period of up to one year.

This report constitutes the written report required by Government Code Section 65858(d). It was made available for public inspection beginning November 11, 2006.

REQUESTED MOTION

"I move that the City Council adopt an urgency ordinance extending a moratorium on the establishment of new cardrooms pending the review and possible amendment of zoning regulations applicable to cardrooms."

ATTACHMENTS

1. Ordinance 58-2006
2. Draft Extension Ordinance 62-2006

CITY OF RANCHO CORDOVA
URGENCY ORDINANCE NO. 58-2006

**AN URGENCY ORDINANCE OF THE CITY OF RANCHO CORDOVA MAKING FINDINGS
AND ESTABLISHING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF NEW
CARDROOMS PENDING THE REVIEW AND POSSIBLE AMENDMENT OF ZONING
REGULATIONS APPLICABLE TO CARDROOMS, TO BECOME EFFECTIVE IMMEDIATELY**

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

Section 1. Findings

The Rancho Cordova City Council ("City Council") hereby finds as follows:

- A. The City of Rancho Cordova ("City") was incorporated on July 1, 2003; and
- B. In adopting laws and regulations following incorporation, the City has relied heavily upon the laws and regulations adopted by the County of Sacramento, which were applicable to the area of the City prior to incorporation; and
- C. Pursuant to Ordinance No. 20-2003 and Ordinance No. 21-2003, the City adopted by reference certain provisions of the Sacramento County Code and all Titles of the Sacramento County Zoning Code, including those relating to the regulation of cardrooms; and
- D. The Rancho Cordova City Council ("City Council") finds that one problem inherent in adopting County regulations drafted to serve the needs of the County is that some or all of those adopted regulations may prove to be inadequate to meet the needs of the City and may need to be amended in order to better reflect and serve the needs of the City; and
- E. On June 26, 2006, the City Council adopted Resolution 117-2006 approving and establishing a new General Plan. The General Plan sets forth the long-term planning goals and policies of the City, establishes a future vision for the City, and sets forth the ground rules that guide development within the City; and
- F. The City is now, and will be in the future, taking steps to update its zoning laws in order ensure that the City's zoning laws are consistent with the goals, policies and standards set forth in the new General Plan; and
- G. Gambling operations known as cardrooms are authorized under and in accordance with California law, including the Gambling Control Act (California Business and Professions Code sections 19800 et seq.); and
- H. In accordance with state law, the City's current regulations authorize up to two cardrooms to operate in the City; and

I. Under the City's current zoning regulations, which were inherited from the County of Sacramento, cardrooms are permitted in all commercial zones in the City, subject to a conditional use permit; and

J. Pursuant to California Business and Professions Code section 19801, the California State Legislature has found, among other things, that gambling can become addictive and is not an activity to be promoted or legitimized as entertainment for children and families; that, if not properly regulated, gambling operations such as cardrooms pose a threat to the public health, safety and welfare; and that in order to protect the public health, safety, and welfare, it is necessary to enact comprehensive measures to ensure that gambling is free from criminal and corruptive elements, that it is conducted honestly and competitively, and that it is conducted in suitable locations.

K. Pursuant to California Business and Professions Code section 19801, the California State Legislature has also found, among other things, that the location of lawful gambling premises and the hours of operation of those premises are proper subjects for regulation by local governmental bodies; and

L. Pursuant to California Business and Professions Code section 19960, the City has broad authority to adopt ordinances relating to licensed cardrooms as long as such ordinances are consistent with state laws regulating cardrooms; and

M. The City Council finds that it is necessary to ensure that cardrooms are properly located within the City, both to protect the public health, safety and welfare, and to ensure that cardroom locations are established in a manner that is consistent with the standards, goals and policies of the City's new General Plan; and

N. The City Council finds that it is necessary and desirable to have the Planning Department review and consider the possible adoption of new zoning standards regulating cardrooms in the City in order to ensure the protection of the public health, safety and welfare, and to ensure that cardroom locations are established in a manner that is consistent with the standards, goals and policies of the City's new General Plan.

O. On the basis of the foregoing findings, the City Council finds that issuing business licenses and other entitlements for cardrooms prior to the completion of the Planning Department's review poses a current and immediate threat to the public health, safety and welfare and, in accordance with California Government Code section 65858, justifies the adoption of an urgency ordinance establishing a moratorium on the approval and issuance of business licenses and other entitlements for cardrooms in the City.

Section 2. Imposition of Moratorium

In accordance with the authority granted the City of Rancho Cordova under Government Code Section 65858, from and after the date of this ordinance, no use permit, variance, building permit, or any other applicable entitlement for use, including but not limited to the issuance of a business license, shall be approved or issued for the operation of a cardroom for a period of 45 days. This moratorium shall not apply to the renewal of a business license for an existing cardroom in the City provided the renewal seeks to maintain the cardroom in its existing location.

Section 3. Compliance with California Environmental Quality Act

The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly; it prevents changes in the environment pending the completion of the contemplated review.

Section 4. Severability

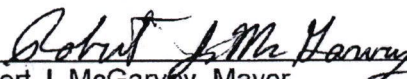
If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. 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 5. Effective Date

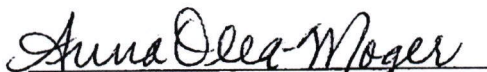
This ordinance shall become effective immediately upon adoption if adopted by at least four-fifths vote of the City Council and shall be in effect for forty-five days from the date of adoption unless extended by the City Council as provided for in the Government Code.

ADOPTED, THIS 6th day of November, 2006, by the following vote:

AYES: Budge, Cooley, Skoglund, Sander, and McGarvey
NOES: None
ABSENT: None
ABSTENTIONS: None


Robert J. McGarvey, Mayor

ATTEST:


Anna Olea-Moger, CMC, City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. 62-2006

**AN URGENCY ORDINANCE OF THE CITY OF RANCHO CORDOVA EXTENDING A
TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF NEW CARDROOMS
PENDING THE REVIEW AND POSSIBLE AMENDMENT OF ZONING REGULATIONS
APPLICABLE TO CARDROOMS, TO BECOME EFFECTIVE IMMEDIATELY**

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

Section 1. Findings

The Rancho Cordova City Council ("City Council") hereby finds as follows:

- A. On November 4, 2006, the City Council of the City of Rancho Cordova adopted Ordinance No. 58-2006 as an urgency ordinance imposing a 45-day moratorium on the establishment of new cardrooms.
- B. Ordinance No. 58-2006 will, unless extended, expire by its own terms on December 21, 2006.
- C. Government Code Section 65858 authorizes the extension of an urgency ordinance, after a noticed public hearing, to prohibit uses of land which may conflict with a contemplated general plan, specific plan or zoning proposal which the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable period of time.
- D. The City continues to consider and study the issue of possible new zoning regulations for cardrooms in the City.
- E. The City Council has received and considered a report prepared by staff describing the measures that have been taken to date to alleviate the condition which led to the adoption of Ordinance 58-2006.
- F. The City Council has conducted a properly noticed public hearing pursuant to Government Code Section 65090, and has duly considered all written and verbal testimony presented during the hearing.
- G. The City Council finds that the current and immediate threat to the public health safety and welfare, as described in the findings adopted pursuant to Ordinance No. 58-2006 still exist, and that a temporary moratorium on the approval and issuance of

business licenses and other entitlements for cardrooms in the City should continue to remain in effect pending completion of the City's review.

Section 2. Imposition of Moratorium

In accordance with the authority granted the City of Rancho Cordova under Government Code Section 65858, from and after the date of this ordinance, no use permit, variance, building permit, or any other applicable entitlement for use, including but not limited to the issuance of a business license, shall be approved or issued for the operation of a cardroom for a period of six (6) months. This moratorium shall not apply to the renewal of a business license for an existing cardroom in the City provided the renewal seeks to maintain the cardroom in its existing location.

Section 3. Compliance with California Environmental Quality Act

The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly; it prevents changes in the environment pending the completion of the contemplated review.

Section 4. 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 5. Effective Date

This ordinance shall become effective immediately upon adoption if adopted by at least four-fifths vote of the City Council and shall be in effect for six (6) months from the date of adoption unless extended by the City Council as provided for in the Government Code.

PASSED AND ADOPTED this 18th day of December, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

David Sander, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

MEMORANDUM

Date: December 18, 2006
To: Mayor and Council Members
From: Anna Olea-Moger, CMC, City Clerk *AM*
Subject: **PLANNING COMMISSIONER APPOINTMENTS**



RECOMMENDATION

That re-elected Council Members Linda Budge and Dan Skoglund submit their respective nominations for Planning Commissioner to the full City Council for formal approval to fill Planning Commissioner terms that coincide with their Council Member terms.

RESULT OF RECOMMENDED ACTION

Action on this item will result in Council's appointment of two members of the community to serve on the Planning Commission for terms commencing January 2007 and ending December 2010.

ADVANCES GOALS: 1 through 13

BACKGROUND

Council's Ordinance No. 56-2004 provides that following each election of City Council Members, re-elected or newly elected members must nominate one member to serve on the Planning Commission within 90 days of taking office. There is no limit on the number of terms an appointee can serve on the Planning Commission.

On December 11th, a panel consisting of Council Member Budge, Council Member Skoglund and Planning Director Junker interviewed ten applicants who responded to the City's invitation to apply for Planning Commissioner. Following the interviews, each Council Member selected her/his nominee and so notified the candidate. The City Clerk's office notified the remaining candidates they would be placed in the candidate pool from which Council will make future appointments to the Planning Commission, should it be necessary, as well as appoint for service on ad-hoc advisory committees.

MEMORANDUM

Date: December 18, 2006
To: Mayor and Council Members
From: Anna Olea-Moger, CMC, City Clerk *AM*
Subject: **2007 CITY COUNCIL CONFERENCE ATTENDANCE & MEETING SCHEDULE**



RECOMMENDATION

That Council determine its conference attendance and meeting schedule for 2007.

RESULT OF RECOMMENDED ACTION

Action on this item will confirm the 2007 conference attendance and meeting schedule for Rancho Cordova City Council Members.

ADVANCES GOALS: 1 through 13

BACKGROUND

In December, as part of its annual business planning for the upcoming new year, the City Council reviews the next year's calendar and determines its conference attendance and meeting schedule for the new year

Attached is a month-by-month detailed calendar (with colored legend & graphics) listing local, state, and national events, including the League of California Cities, the National League of Cities, the California Redevelopment Association, the American Society for Public Administration and various other organization conferences.

ATTACHMENT: Draft 2007 Council Meeting & Conference Calendar

2007 Council Meeting & Conference Calendar

January

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:	1 New Year's Holiday Closed 	2 5:30pm Work Session In Lieu of Regular Meeting	3	4 9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	5 8:30am Sac Co. 2x2 - Mayor & V. Mayor	6
7	8 6:00pm RT Board	9	10 9:30am Co. Sanitation Dist. 1 & Sac. Reg. - Skoglund 7:00pm Park District	11 8:00am Criminal Justice Cabinet - Mayor 1:30pm STA - Cooley 4:30pm CRPD 2x2 - Mayor / V. Mayor 6:00pm PC Mtg	12	13
14	15 BCS Championship Bowl ML King Jr. Holiday Closed	16 4:00pm Study Session 5:30pm CC Mtg	17 LCC - Mayors/Council Academy Jan 10-12 (Hyatt Regency, Sac) - Usually New Council Members Only	18 9:00am SACOG - Budge 6:00pm School District	19 11:30am Cordova Community Council	20
21	22 8:00am - 5:00pm CORC Council / Staff Retreat 6:00pm RT Board	23 8:00am - 5:00pm CORC Council / Staff Retreat	24 9:30am Co. Sanitation Dist. 1 & Sac. Reg.-Skog 3:00pm Metro Fire 2x2 - Budge & Mayor 7:00pm Park District	25 9:30am SMAQMD - McGarvey 6:00pm PC Mtg	26	27
28	29 5:30pm Jt. Mtg. w/ CORC/CRPD-TENT	30 6:00pm HOLD FOR: American River Parkway Mt. w/Sac City/Sac Co./CORC - TENT	31 GALEL: Key to Successful Economic Dev. Course Jan 24-26 (Sacramento) Notes: 6:00pm HOLD FOR: American River Parkway Mt. w/Sac City/Sac Co./CORC - TENT	NLC-LTI Building Partnerships for a Stronger Comm. Jan 25-27(Santa Monica, CA)		
(DRAFT) - Updated: 12/12/2006 at 3:54 PM						
Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2007 Council Meeting & Conference Calendar

February

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:						
4 Super Bowl 	5 4:00pm Study Session 5:30pm CC Mtg	6	7 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	8 8:00am Criminal Justice Cabinet - Mayor 1:30pm STA - Cooley 4:30pm CRPD 2x2 - Mayor & V. Mayor 6:00pm PC Mtg	9 8:30am Sac Co. 2x2 - Mayor & V. Mayor	10
11	12 6:00pm RT Board	13 9:00am-4:00pm First Annual Corporate Report Special Council Mtg	14 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District 	15 9:00am SACOG - Budge 11:30am Cordova Community Council	16	17
18 NBA All Star 	19 President's Day Holiday Closed 	20 3:30pm CC Mtg	21	22 9:30am SMAQMD - McGarvey 6:00pm PC Mtg	23	24
25	26 6:00pm RT Board	27 5:30pm Work Session	28 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 3:00pm Metro Fire 2x2 - Budge & Mayor 7:00pm Park District	Notes:		
(DRAFT) - Updated: 12/12/2006 at 3:54 PM						
Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2007 Council Meeting & Conference Calendar

March

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:						
4	5	6	7	8	9	10
11 Daylight Saving Time Begins 	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
ASPA National Conference May 23-26 (Washington DC) Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

GRA Annual Conference Feb 28-Mar 2 (Long Beach)

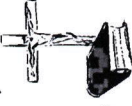
NLC-LTI Congressional City Conference - March 10-14 (Washington, DC) - March 9 is all day fly day.

ASPA National Conference Mar 23-26 (Washington DC)

ASPA National Conference May 23-26 (Washington DC)
Regular Council Mtg.

2007 Council Meeting & Conference Calendar

April

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 April Fools' Day 	2 4:00pm Study Session 5:30pm CC Mtg (Consider CANCELLING Due to School Dist. Spring Break)	3 Spring Vacation for FCUSD, EGUSD & Sac City SD	4 5:30pm LAFCO	5 9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	6 8:30am Sac Co. 2x2 - Mayor & V. Mayor  Good Friday	7
8 Easter Sunday 	9 6:00pm RT Board	10 5:30pm Work Session	11 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	12 8:00am Criminal Justice Cabinet - Mayor 1:30pm Sac Trans 4:30pm CRPD 2x2 Budge & Cooley 6:00pm PC Mtg	13	14
15	16 6:00pm RT Board	17	18	19 9:00am SACOG - Budge 6:00pm School District	20 11:30am Cordova Community Council	21
22	23 6:00pm RT Board	24	25 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 3:00pm Metro Fire 2x2 Budge & McGarvey 7:00pm Park District	26 9:30am SMAQMD - McGarvey 6:00pm PC Mtg	27	28 CAP-to-CAP April 21-25 (Washington, DC)
29 CAP-to-CAP April 21-25 (Washington, DC)	Notes:					
30 5:30pm Work Session	NLC-LT: The Price of Government April 26-28 (Little Rock, AK)					
Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

(DRAFT) - Updated: 12/12/2006 at 3:54 PM

May

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:	1	2	3	4	5	
	5:30pm Work Session	5:30pm LAFCO	9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	8:30am Sac Co. 2x2 - Mayor & V. Mayor		
	8	9	10	11	12	
	4:00pm Study Session 5:30pm CC Mtg	9:30am Co. Sanitation Dist. 1 & Sac. Reg. - Skoglund 7:00pm Park District	8:00am Criminal Justice Cabinet - Mayor 1:30pm Sac Trans 4:30pm CRPD 2x2 - Budge & Cooley 6:00pm PC Mtg			
13 Mother's Day	14	15	16	17	18	19
	6:00pm RT Board	5:30pm Work Session	9:00am SACOG - Budge 6:00pm School District	11:30am Cordova Community Council		
20	21	22	23	24	25	26
	5:30pm Possible Budget Work Session I - TENTATIVE	9:30am Co. Sanitation Dist. 1 & Sac. Reg. - Skoglund 3:00pm Metro Fire 2x2 Budge & McGarvey 7:00pm Park District	9:30am SMAQMD - McGarvey 6:00pm PC Mtg			
	28	29	30	31		
	Memorial Day Holiday Closed			Time TBD - Mayor/Bd Chair or Core Group - Reception Dinner - TENTATIVE	Notes:	
	27					

(DRAFT)--Updated: 12/12/2006 at 3:54 PM

Regular Council Mtg Study Sess. w/Reg CC Mtg Proposed Work Session Other Council Related Mtg Information Item Holiday

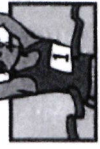
2007 Council Meeting & Conference Calendar

June

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:						
3	4 Noon-5:00pm Budget Study Session II 5:30pm CC Mtg	5	6 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	7 9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	8 8:30am Sac Co. 2x2 - Mayor & V. Mayor	9
Air Show - June 4-10						
10	11 6:00pm RT Board	12	13 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	14 8:00am Criminal Justice Cabinet - Mayor 1:30pm Sac Trans 4:30pm CRPD 2x2 - Budge & Cooley 6:00pm PC Mtg	15 11:30am Cordova Community Council	16
IG 13th Annual Conference June 6-8 (Bellevue, WA)						
Mnet Staff - Annual Retreat June 12-13 - Granlibaken						
17 Father's Day 	18 6:00pm CC Mtg	19	20 5:30pm Sac Metro Cham- State Legislation 5:30pm SMCC-2007 State Legislators Recognition Dinner	21 1st Day of Summer 9:00am SACOG - Budge 6:00pm School District	22	23
24	25 6:00pm RT Board	26 5:30pm Work Session	27 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 3:00pm Metro Fire 2x2 - Budge & McGarvey 7:00pm Park District	28 9:30am SMAQMD - McGarvey 6:00pm PC Mtg	29	30
(DRAFT) - Updated: 12/12/2006 at 3:54 PM						
Regular Council Mtg	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2007 Council Meeting & Conference Calendar

July

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4 Independence Day Closed 	5 9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	6 8:30am Sac Co. 2x2 - Mayor & V. Mayor	7
8	9 6:00pm RT Board	10 5:30pm Work Session	11 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	12 8:00am Criminal Justice Cabinet - Mayor 1:30pm Sac Trans 4:30pm CRPD 2x2 - Budge & Cooley 6:00pm PC Mtg	13	14
15	16 4:00pm Study Session 5:30pm CC Mtg	17	18	19 9:00am SACOG - Budge 6:00pm School District	20 11:30am Cordova - Community Council	21 Eppies Great Race 
22	23 6:00pm RT Board	24 5:30pm Work Session	25 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 3:00pm Metro Fire 2x2 - Budge & McGarvey 7:00pm Park District Sister Cities International 51st Anniversary Conference - July 18-21 (Fort Lauderdale, FL)	26 9:30am SMAQMD - McGarvey 6:00pm PC Mtg	27	28
29	30	31	Notes: LCC-Mayors/Council Members Academy-Executive Forum July 25-27 (Monterey, CA)			
(DRAFT) - Updated: 12/12/2006 at 3:54 PM						
Regular Council Mtg	Study Sess. w/Reg CC Mtg	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2007 Council Meeting & Conference Calendar

August

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:			1 11:00am SMCC - 2007 Congressional Speaker Series	2 9:00am FCUSD 2x2 Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	3 8:30am Sac Co. 2x2 Mayor & V. Mayor	4
	5	6 4:00pm Study Session 5:30pm CC Mtg	7	8 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	9 8:00am Criminal Justice Cabinet - Mayor 1:30pm Sac Trans 4:30pm CRPD 2x2 - Budge & Cooley 6:00pm PC Mtg	10
11	12	13	14	15	16 9:00am SACOG - Budge 6:00pm School District	17 11:30am Cordova Community Council
18	19	20	21	22 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 3:00pm Metro Fire 2x2 - Budge & McGarvey 7:00pm Park District	23 9:30am SMAQMD - McGarvey 6:00pm PC Mtg	24
25	26	27	28	29	30	31
Notes:						
6:00pm-8:00pm Mayor/Bd Chair or Core Group - TENTATIVE						
(DRAFT) - Updated: 12/12/2006 at 3:54 PM						
Regular Council Mtg	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2007 Council Meeting & Conference Calendar

September

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:						1
2	3 Labor Day Holiday Closed	4 CC Mtg	5 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	6 9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	7 8:30am Sac Co. 2x2 - Mayor & V. Mayor	8
9	10	11 6:00pm RT Board	12 LCC Annual Conference - September 5-8 (Sacramento, CA) 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	13 8:00am Criminal Justice Cabinet - Mayor 1:30pm Sac Trans 4:30pm CRPD 2x2 - Budge & Cooley 6:00pm PC Mtg	14	15
16	17 4:00pm Study Session 5:30pm CC Mtg	18 5:30pm Work Session	19	20 9:00am SACOG - Budge 6:00pm School District	21 10:00am SMCC Perspectives 2007 11:30am Cordova Community Council	22
23 First Day of Autumn 	24 6:00pm RT Board	25 5:30pm Work Session	26 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 3:00pm Metro Fire 2x2 - Budge & McGarvey 7:00pm Park District	27 9:30am SMAQMD - McGarvey 6:00pm PC Mtg	28	29
30 Notes:	NLC-LTI 15th Annual Leadership Summit - September 27-29 (Chicago, IL)					

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Regular Council Mtg.	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday
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October

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:	1	2	3	4	5	6
	8:00pm CC Mtg		5:30pm LAFCO	9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	8:30am Sac Co. 2x2 - Mayor & V Mayor	
7	8	9	10	11	12	13
	6:00pm RT Board		9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund	8:00am Criminal Justice Cabinet - Mayor 1:30pm Sac Trans 4:30pm CRPD 2x2 - Budge & Cooley 6:00pm PC Mtg		
			ICMA Annual Conference - October 5-10 (Pittsburgh, PA)			
14	15	16	17	18	19	20
	4:00pm Study Session 5:30pm CC Mtg			9:00am SACOG - Budge	11:30am Cordova Community Council	
				6:00pm School District		
21	22	23	24	25	26	27
	6:00pm RT Board	5:30pm Work Session	9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 3:00pm Metro Fire 2x2 Budge & McGarvey 7:00pm Park District	9:30am SMAQMD - McGarvey 6:00pm PC Mtg		
28	29	30	31	Notes:		
	Pumpkin Pie for Ted 5:00pm Closed Session (CM Eval)		Halloween 			
(DRAFT) - Updated: 12/12/2006 at 3:54 PM						
Regular Council Mtg	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

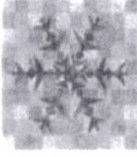
2007 Council Meeting & Conference Calendar

November

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes: 4 Daylight Saving Time Ends Fall Back	5 4:00pm Study Session 5:30pm CC Mtg	6	7 9:30am Co. Sanitation Dist. 1 & Sac. Reg. Skoglund 7:00pm Park District	1 9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	2 8:30am Sac Co. 2x2 - Mayor & V. Mayor	3
11	12 Veteran's Day Holiday Closed	13 5:30pm Work Session	14 9:30am Co. Sanitation Dist. 1 & Sac. Reg. Skoglund 7:00pm Park District	8 8:00am Criminal Justice Cabinet - Mayor 1:30pm Sac Trans 4:30pm CRPD 2x2 - Budge & Cooley 6:00pm PC Mtg	9	10
18	19 6:00pm RT Board	20 NLC 48th Annual Congress of Cities Conference - November 13-17 (New Orleans, LA)	21	15 9:00am SACOG - Budge 6:00pm School District	16 11:30am Cordova Community Council	17
25	26 6:00pm RT Board	27 5:30pm Work Session	28 9:30am Co. Sanitation Dist. 1 & Sac. Reg. Skoglund 3:00pm Metro Fire 2x2 - Budge & McGarvey 7:00pm Park District	22 Thanksgiving Day Holiday Closed	23 Day After Thanksgiving Day Holiday Closed	24
25	26 6:00pm RT Board	27 5:30pm Work Session	28 9:30am Co. Sanitation Dist. 1 & Sac. Reg. Skoglund 3:00pm Metro Fire 2x2 - Budge & McGarvey 7:00pm Park District	29 Time TBD MBCF Core Group Mtg - Reception Dinner	30	Notes:
(DRAFT) - Updated: 12/12/2006 at 3:54 PM						
Regular Council Mtg	Study Sess. w/Reg CC Mtg.	Proposed Work Session	Other Council Related Mtg.	Information Item	Holiday	

2007 Council Meeting & Conference Calendar

December

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Notes:						1
2	3 4:00pm Study Session 5:30pm CC Mtg	4	5 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	6 9:00am FCUSD 2x2 - Cooley & Sander 2:30pm Sac Metro Cable TV Comm. - McGarvey 6:00pm School District	7 8:30am Sac Co. 2x2 - Mayor & V. Mayor	8
9	10 6:00pm RT Board	11	12 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 7:00pm Park District	13 1:30pm Sac Trans 4:30pm CRPD 2x2 - Budge & Cooley 6:00pm PC Mtg	14	15
16	17 5:00pm CC Mtg	18	19	20 9:00am SACOG - Budge	21 11:30am Cordova Community Council	22 First Day of Winter 
23	24 Christmas Day Holiday Closed 	25 Day After Christmas Day Holiday Closed	26 9:30am Co. Sanitation Dist. 1 & Sac. Reg.- Skoglund 3:00pm Metro Fire 2x2 - Budge & McGarvey 7:00pm Park District	27 9:30am SMAQMD - McGarvey 6:00pm PC Mtg	28	29
30	31 New Year's Eve 	Notes:				

(DRAFT) - Updated: 12/12/2006 at 3:54 PM

MEMORANDUM

Date: December 18, 2006
To: Mayor and Council Members
From: Anna Olea-Moger, CMC, City Clerk *AM*
Subject: **COUNCIL MEMBER APPOINTMENTS TO REGIONAL BOARDS COMMISSIONS, 2x2's & SUBCOMMITTEES FOR 2007**



RECOMMENDATION

That Council Member appointments for 2007 be determined for the listed Boards, Commissions, 2x2's and Subcommittees reflected on the attached matrix.

RESULT OF RECOMMENDED ACTION

Action on this item will confirm the 2007 Rancho Cordova City Council Member appointees and alternates to various boards and committees within the region to which Rancho Cordova provides leadership representation.

ADVANCES GOALS: 1 through 13

BACKGROUND

In December, as part of Council's annual business planning for the upcoming new year, the Mayor and Council Members review and determine who will serve as the City's representative on various regional boards, commissions, 2x2's and subcommittees for the next year. A list of the respective jurisdictional agencies is shown on the attached matrix. Some of the boards and commissions require the Mayor to be the City's appointee, e.g., Mayors & Board Chair Forum Collaborative and County Criminal Justice Cabinet, others require only that the appointee and alternate be a member of the City Council.

ATTACHMENT: Draft 2007 Council Member Appointments to Other Agency Boards & Committees Matrix

CITY OF RANCHO CORDOVA
2007
COUNCIL MEMBER APPOINTMENTS
TO
OTHER AGENCY BOARDS & COMMITTEES MATRIX

Agency	Term	Meeting Schedule	Special Requirements or Comments	2006 Appointee	2007 Appointments
City Selection Committee	Term of serving mayor	Called as needed.	Mayor serves	McGarvey Alternate: Sander	Not Applicable
County Criminal Justice Cabinet	Term of serving mayor	2 nd Thurs. of the month; 8 AM at County Courthouse	Mayor serves	McGarvey Alternate: Sander	
Sacramento Metropolitan Cable Television Commission	Term is determined by appointing agency	1 st Thurs. of the month; 2:30 PM at County Board of Supervisors Chambers		McGarvey (Ex-officio Member) Alternate: Skoglund	
Mayors' & Board Chair Forum Collaborative	Term of serving Mayor	Meeting schedule published regularly	(Must be Mayor for Mayors' & Board Chair Forum) & Mayor plus alternate for Core Group)	McGarvey Alternate: Sander	
County Sanitation District No. 1 (Meets with Regional Sanitation District)	Term is determined by appointing agency	2 nd & 4 th Wed. of the month; 9:30 a.m. at County Board of Sups. Chambers		Skoglund Alternate: McGarvey	
Sacramento Regional County Sanitation District (Meets with County Sanitation District)	Term is determined by appointing agency	2 nd & 4 th Wed. of the month; 9:30 a.m. at County Board of Sups. Chambers		Skoglund Alternate: McGarvey	
Sacramento Transportation Authority (STA)	Term is determined by appointing agency	2 nd Thurs. of the month; 1:30 PM at County Board of Sups. Chambers		Cooley Alternate: Budge	
Sacramento Area Council of Governments (SACOG)	Term is determined by the appointing agency	3 rd Thurs. of the month; 9AM at SACOG offices		Budge Alternate: McGarvey	

Agency	Term	Meeting Schedule	Special Requirements or Comments	2006 Appointee	2007 Appointments
Sacramento Regional Transit District Board of Directors		2 nd and 4 th Monday at 6:00 p.m.		Sander Alternate: McGarvey	
Sacramento Metropolitan Air Quality Management District (SMAQMD)	Term is determined by the appointing agency	4 th Thursday of the month at 9:30 a.m. at the Sacramento County Board of Supervisors Chambers		McGarvey Director Alternate: Skoglund	
Sacramento-Placerville Transportation Corridor Joint Powers Authority		Quarterly meetings of the Board are at Folsom City Hall. Next two meetings are February 7 and May 16 at 9:00 a.m. (Staff attends the monthly meeting.)		Budge Alternate: TBD <i>Cooley</i>	
Sacramento County & Cities Board on Homelessness		Meets at SETA, 925 Del Paso Blvd, Sac Contact: Cindy Jorgensen 1590 No. A Street Sacramento, CA 95814 Phone 874-4344		McGarvey	
Sacramento County Library Authority			*City will not have representation until middle of next year when recommendation to add Rancho Cordova to current JPA is acted upon by affected parties	Budge - Past Member appointed to represent <u>Supervisor Collin's 2nd District</u>	*
Elk Grove/RC/El Dorado Connector Study JPA			**Appointed by SACOG to represent Rancho Cordova	**Budge	

2x2 Meetings (2 Council Members, 2 Members of other Agency Board)

Meeting	2006 Council Assignments	2007 Council Assignments
Folsom Cordova Unified School District	Cooley, Sander*	
Sacramento County	McGarvey, Sander*	Mayor - Vice Mayor
Sacramento Metro Fire	Budge, McGarvey*	
Cordova Recreation and Park District	Budge, Cooley*	Mayor - Vice Mayor
Elk Grove School District	Cooley, Sander*	

*The City Manager will also attend 2X2 meetings.

Council Subcommittee Assignments

Council Subcommittees		
Subcommittee	2006 Council Assignments	2007 Council Assignments
Sister Cities Council	Budge, McGarvey	
Kilgore Cemetery	Budge, McGarvey	

Note: Council Member Cooley is a Director At-Large of the 2006-07 League of California Cities Board of Directors, the Past President of the Sacramento Valley Division of the League, and Vice Chair to the Housing, Community & Economic Development Policy Committee of the League.

Vice Mayor Budge is Chair of the SACOG Land Use and Housing Committee