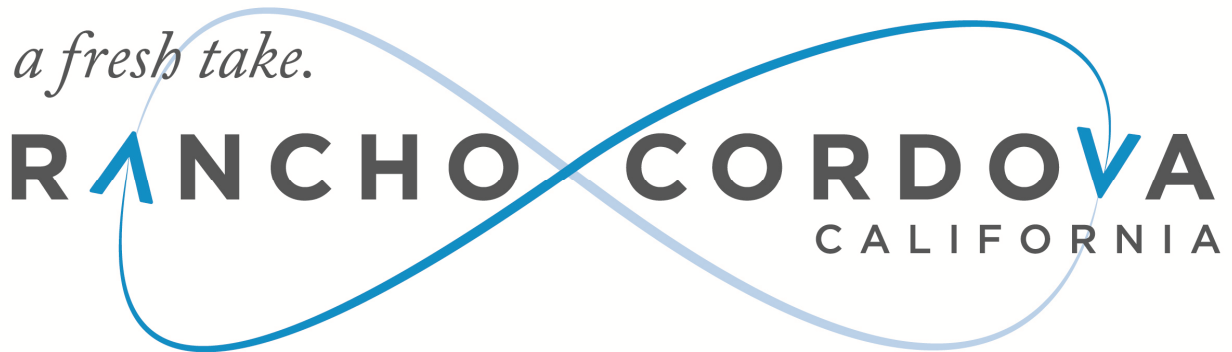


CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

Tuesday, January 22, 2019

5:30 PM – Regular Meeting

AGENDA

Robert J. McGarvey, Mayor

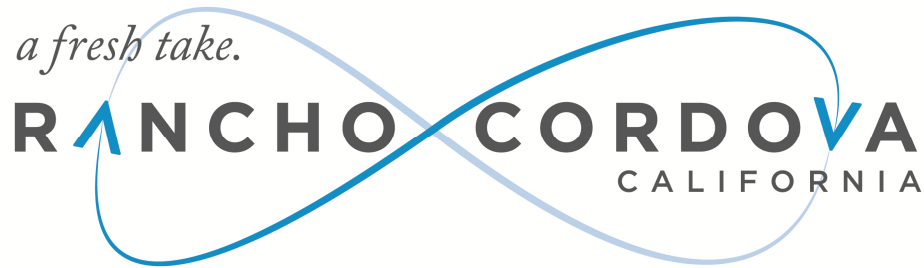
David Sander, Vice Mayor

Garrett Gatewood, Council Member

Donald Terry, Council Member

Linda Budge, Council Member

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

City Hall
2729 Prospect Park Drive, Rancho Cordova

Tuesday, January 22, 2019

5:30 PM – Regular Meeting
David B. Roberts Council Chambers

AGENDA

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Council Members Budge, Gatewood, Sander, Terry and Mayor McGarvey.

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Clerk will announce the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor will call on someone in attendance to lead the Pledge.

4. INVOCATION

Sacramento County Law Enforcement Chaplaincy will give the invocation.

5. PRESENTATIONS

- 5.1 Community Enhancement Fund Grant Check Presentations to 1) Sacramento City Unified School District (Black Box Theatre at George Washington Carver); 2) Sacramento City Unified School District (A.M. Winn Play Garden); 3) Cordova Recreation and Park District (Neil Orchard Sr. Center Ceramics Improvements); 4) Campus Life Connection (Point Break and Climbing Academy); 5) Police Activities League (PAL Van); and, 6) Cordova Community Council (Support of Youth Sports).

- 5.2 Presentation of Honorary Membership to City Council by Rotary Club of Rancho Cordova.
- 5.3 Introduction of Natasha Erickson, Public Works Administrative Assistant I by Steve Harriman, Public Works Division Manager.
- 5.4 Proclamation Honoring Jill Stockinger on her Retirement from the Sacramento Public Library.
- 5.5 Proclamation Honoring Economic Development Director, Curt Haven, on his Retirement.

6. PUBLIC COMMENT

Citizens wishing to address the Council for any matter not on the agenda may do so at this time by completing and submitting a 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.

Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking immediate action on any item not on the agenda unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

7. COUNCIL REPORTS

8. CITY MANAGER'S REPORT

9. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

- 9.1 **Subject:** Meeting Minutes from the December 17, 2018, December 19, 2018 and January 8, 2019 Special and Regular City Council Meetings.
Recommendation: Adopt the Minutes.
- 9.2 **Subject:** An Ordinance Establishing a Special Tax Zone No. 23 for Transit-Related Services for Gold Valley Center Project.
Recommendation: Waive the second reading and adopt the Ordinance.
Result of Recommended Action: Adoption of the Ordinance will assist the City in meeting the costs of providing transit-related services by creating a Special Tax Area Zone No. 23 and establishing a Special Tax for transit-related services for the Gold Valley Center project.
Staff Report: Elizabeth Sparkman, Community Development Director and Jeanette Cervantes, Management Technician.
Advances Goal: 5.
- 9.3 **Subject:** An Ordinance of the City of Rancho Cordova Rescinding Ordinances No. 28-2004, 29-2004, 30-2004, 32-2004, 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 and 38-2006 Removing Various Development Projects in Rancho Cordova From the Special Police Tax Area as a Result of Different Financing Mechanisms Being Established to Fund the Required Special Tax for Police Protection for These Projects.

Recommendation: Waive the second reading and adopt the Ordinance.

Result of Recommended Action: Adoption of this Ordinance will rescind Ordinance 28-2004, 29-2004, 30-2004, 32-2004 and 33-2004 establishing a special tax for police protection within Sunridge Park (Zones 10, 11, 12, 13 & 14); Ordinance 40-2004 establishing a special tax for police protection within Sunridge North Douglas (Zone 9); Ordinance 25-2006, 26-2006, 27-2006 and 28-2006 establishing a special tax for police protection within Sunridge Park, Phase II (Zones 33, 34, 35 & 36); Ordinance 31-2006 establishing a special tax for police protection within Cresleigh, Lot J (Zone 32); Ordinance 32-2006 establishing a special tax for police protection within Douglas 98 (Zone 28) and Ordinance 38-2006 establishing a special tax for police protection within Grantline 208 (Zone 37).

Staff Report: Michelle Mingay, Senior Finance Analyst.

Advances Goal: 5.

- 9.4 **Subject:** A Resolution Authorizing the City Manager to Execute Contract Amendment No. 62-2018-1 to Increase the Contract Amount From \$215,367 to a Not to Exceed Amount of \$485,767 With Bennett Engineering Services for Design, Environmental and Right-Of-Way Services for the Sunrise Boulevard Rehabilitation Project, CP18-2187.

Recommendation: Adopt the Resolution.

Result of Recommended Action: Adoption of the Resolution will authorize the City Manager to execute Contract Amendment No. 62-2018-1 with Bennett Engineering Services to increase the contract amount from \$215,367 to a not-to-exceed amount of \$485,767 for design, environmental and right-of-way services for the Sunrise Boulevard Rehabilitation Project, CP18-2187.

Staff Report: Albert Stricker, Public Works Director and Edgar Medina, Senior Civil Engineer.

Advances Goals: 1, 2 and 5.

- 9.5 **Subject:** A Resolution Authorizing the City Manager to Execute Contract Amendment 140-2016-1 With Psomas to Increase the Contract Amount From \$233,725 to a Not-To-Exceed Amount of \$269,848 and Extend the Contract Term to October 31, 2019 for Additional Engineering Design Services for the Rod Beaudry–Routier Bikeway Project (CP16-2169).

Recommendation: Adopt the Resolution.

Result of Recommended Action: Adoption of this Resolution would authorize the City Manager to execute a contract amendment with Psomas Engineering to increase the contract amount from \$233,725 to a not-to-exceed amount of \$269,848 and extend the contract term to October 31, 2019 for additional engineering design services for the Rod Beaudry-Routier Bikeway Project, (CP16-2169).

Staff Report: Albert Stricker, Public Works Director and Edgar Medina, Senior Civil Engineer.

Advances Goals: 1, 2 and 5.

- 9.6 **Subject:** A Resolution Declaring the Results of the Mail Ballot Election Relating to the Imposition of the Annual Stormwater Utility Fee on the Sunridge Village Project in the City of Rancho Cordova.

Recommendation: Adopt the Resolution declaring the results of the mail ballot election relating to the imposition of the annual Stormwater Utility Fee on the Sunridge Village Project.

Result of Recommended Action: Adoption of the Resolution will declare the results of the ballot tabulation in connection with the imposition of the annual Stormwater Utility Fee on the Sunridge Village Project. If majority approval exists, the City Council may impose the annual Stormwater Utility Fee on the Sunridge Village Project pursuant to

the Fee Ordinance. If there is no majority approval, the Stormwater Utility Fee shall not be imposed for the project.

Staff Report: Elizabeth Sparkman, Community Development Director and Jeanette Cervantes, Management Technician.

Advances Goal: 5.

- 9.7 **Subject:** A Resolution Appointing a City Representative to Fill a Vacant Position on the Governing Board of the Sacramento Central Groundwater Authority.

Recommendation: Adopt the Resolution.

Result of Recommended Action: Adoption of this Resolution will appoint designated City staff to fill a vacant position on the Sacramento Central Groundwater Authority (SCGA) Governing Board.

Staff Report: Albert Stricker, Public Works Director and Dalia Fadl, Senior Civil Engineer.

Advances Goals: 1 and 2.

10. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

- 10.1 **Subject:** A Resolution Declaring a Protest Hearing and Authorizing the Mailing of Property Owner Ballot Relating to the Imposition of the Annual Stormwater Utility Fee for the Gold Valley Center Project.

Recommendation: Adopt the Resolution.

Result of Recommended Action: Adoption of the Resolution will declare the results of the property owner protest and, if there exists less than a majority protest, authorize the mailing of a ballot to the property owner to approve the levy of the fee to pay for maintenance of storm drainage and flood protection systems for the Gold Valley Center project. The action also sets 1:30 p.m. on February 13, 2019 in the office of the City Clerk, as the time and date for the ballot tabulation for the matter.

Staff Report: Elizabeth Sparkman, Community Development Director and Jeanette Cervantes, Management Technician.

Advances Goal: 5.

11. PUBLIC HEARING ITEMS

- 11.1 **Subject:** Introduction and First Reading of an Ordinance Amending Sections of the Rancho Cordova Municipal Code Related to Title 4 Business Regulations, Title 6 Health and Sanitation and Title 23 Zoning Code and Discussion and Direction on Future Code Amendments.

Recommendation: Introduce and waive first reading of the Ordinance and receive a report and direct staff on potential future code amendments.

Result of Recommended Action: The Ordinance would come back for a second reading and adoption at the next regular City Council meeting. Approval of the Ordinance would amend Title 4 (Business Regulations), Chapter 4.29 (Bingo Suppliers), Title 6 (Health and Sanitation), Chapter 6.68 (Noise Control) and Title 23 (Zoning Code), Article 3 (Zoning District, Allowable Uses, and General Development Standards), Article 7 (Site Planning and Development Standards), Article 9 (Specific Use Provisions) and Article 11 (Definitions) of the Rancho Cordova Municipal Code. No formal action is requested of Council at this time on the discussion of future code amendments.

Staff Report: Darcy Goulart, Planning Manager.

Advances Goals: 1, 2, 5 and 6.

12. REGULAR CALENDAR ITEMS

- 12.1 **Subject:** Enforceable Covenants, Conditions and Restrictions for the Douglas 98 Project.
Recommendation: Receive information.
Result of Recommended Action: This is an informational item with no action required.
Staff Report: Elizabeth Sparkman, Community Development Director.
Advances Goals: 1, 2 and 3.

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

14. ADJOURNMENT

ADDITIONAL INFORMATION

SPECIAL MEETINGS LISTED BELOW ARE SUBJECT TO CHANGE/CANCELLATION WITHOUT FURTHER NOTICE.

UNLESS THE COUNCIL ADOPTS A MOTION TO EXTEND THE MEETING, ANY ITEM THAT IS NOT INITIATED BEFORE 11:00 PM WILL BE CONTINUED TO THE NEXT DAY AT 5:30 PM OR SCHEDULED ON THE NEXT REGULAR MEETING AGENDA OF THE COUNCIL.

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

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

CITYWIDE GOALS - (Adopted March 27, 2012)	
1.	Promote the Positive Image of Rancho Cordova
2.	Ensure a Safe, Inviting and Livable Community
3.	Empower Responsible Citizenship
4.	Establish Logical City Boundaries that Provide Regional Leadership and Address Financial Challenges
5.	Ensure the Availability of the Best Public Services in the Region while Practicing Sound Fiscal Management
6.	Drive Diverse Economic Opportunities

UPCOMING MEETINGS	
Tuesday, January 29	1:00 PM Special Meeting/Work Session
Monday, February 4	3:00 PM Special Meeting/Regular Meeting
Tuesday, February 19	5:30 PM Regular Meeting
Tuesday, February 26	5:30 PM Special Meeting/Work Session
Monday, March 4	4:00 PM Special Meeting/Regular Meeting
Monday, March 18	5:30 PM Regular Meeting
Tuesday, March 26	5:30 PM Special Meeting/Work Session
Monday, April 1	4:00 PM Special Meeting/Regular Meeting
Monday, April 15	5:30 PM Regular Meeting
Tuesday, April 30	5:30 PM Special Meeting/Work Session
Monday, May 6	CANCELLED REGULAR MEETING
Tuesday, May 14	5:30 PM Special Meeting/Work Session
Monday, May 20	5:30 PM Regular Meeting
Tuesday, May 28	5:30 PM Special Meeting/Work Session
Monday, June 3	4:00 PM Special Meeting/Regular Meeting
Monday, June 17	5:30 PM Regular Meeting
Tuesday, June 25	5:30 PM Special Meeting/Work Session
Monday, July 1	4:00 PM Special Meeting/Regular Meeting
Monday, July 15	CANCELLED REGULAR MEETING
Monday, August 5	4:00 PM Special Meeting/Regular Meeting

UPCOMING MEETINGS	
Monday, August 19	5:30 PM Regular Meeting
Tuesday, August 27	5:30 PM Special Meeting/Work Session
Tuesday, September 3	4:00 PM Special Meeting/Regular Meeting
Monday, September 16	5:30 PM Regular Meeting
Tuesday, September 24	5:30 PM Special Meeting/Work Session
Monday, October 7	4:00 PM Special Meeting/Regular Meeting
Tuesday, October 8	5:30 PM Special Meeting/Closed Session
Tuesday, October 15	5:30 PM Special Meeting/Closed Session
Monday, October 21	5:30 PM Regular Meeting
Tuesday, October 22	5:30 PM Special Meeting/Closed Session
Tuesday, October 29	5:30 PM Special Meeting/Work Session
Monday, November 4	4:00 PM Special Meeting/Regular Meeting
Tuesday, November 12	5:30 PM Special Meeting/Work Session
Monday, November 18	5:30 PM Regular Meeting
Tuesday, November 26	5:30 PM Special Meeting/Work Session
Monday, December 2	4:00 PM Special Meeting/Regular Meeting
Tuesday, December 10	5:30 PM Special Meeting/Work Session
Monday, December 16	5:30 PM Regular Meeting

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

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

The Rancho Cordova City Council meeting will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, Consolidated Communications and AT&T U-Verse Systems. Closed Captioning will be available on the playback cablecast. A DVD copy is available from the City Clerk's Department and a webcast of this meeting will be available for viewing via video streaming from the City's website within 48 hours of adjournment of this meeting.

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

CERTIFICATION OF POSTING OF AGENDA

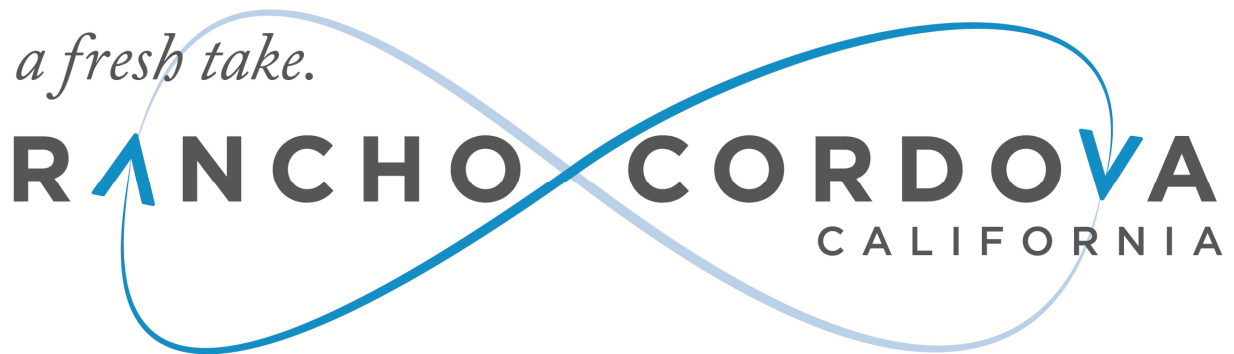
I, Stacy Leitner, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the Tuesday, January 22, 2019 Regular Meeting of the Rancho Cordova City Council was posted and available for review on January 17, 2019 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city website at www.cityofranhocordova.org.

Signed January 17, 2019 at Rancho Cordova, California.



Stacy Leitner, City Clerk

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

Monday, December 17, 2018

5:30 PM – Regular Meeting

AMENDED AGENDA

Linda Budge, Mayor

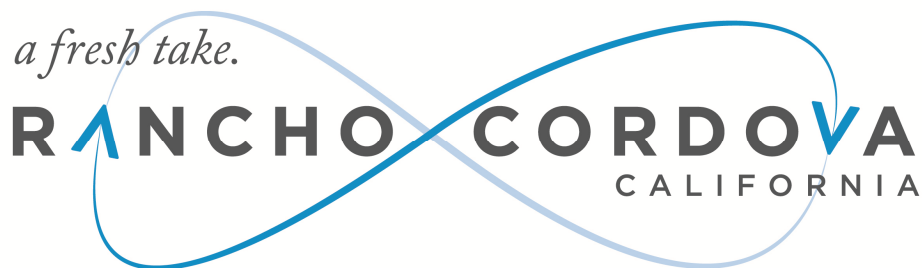
Robert J. McGarvey, Vice Mayor

David Sander, Council Member

Garrett Gatewood, Council Member

Donald Terry, Council Member

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, December 17, 2018

5:30 PM – Regular Meeting
David B. Roberts Council Chambers

DRAFT MINUTES

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Budge called the Regular meeting to order in the American River Room North at 4:06 PM.

Council Members Present: Gatewood, McGarvey, Terry, Sander, Budge.

Council Members Absent: None.

Staff Members Present: Abhar, Carr, Cuffe, Fadl, Haven, Heisler, Juran, Kniestedt, Leitner, Lindgren, Schelldorf, Simpson, Sparkman, Stokes, Stricker, Weber.

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedule.

3. PLEDGE OF ALLEGIANCE

Dylan McGarvey led the Pledge.

4. INVOCATION

Dr. Dan DeShong with Capital Ministries gave the invocation.

5. CERTIFICATION OF NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION

ACTION: Motion to approve item 5.1 by Sander second by Terry; Motion passed with a 5:0 vote.

- 5.1 **Subject:** A Resolution Certifying the November 6, 2018 General Municipal Election.
Recommendation: Adopt the Resolution certifying the results of the November 6, 2018 General Municipal Election with regard to two members of the City Council.
Result of Recommended Action: Adoption of the Resolution results in the City's compliance with California Elections Code Sections 10262, 10263, and 10264 which, in part, state that the governing body shall declare the results of each election under its jurisdiction.
Staff Report: Stacy Leitner, City Clerk.
Advances Goals: 1, 3, 4, and 5.

6. SPECIAL CEREMONIES - SWEAR IN COUNCIL MEMBERS

- 6.1 Swearing-in and Seating of Council Members.

Linda Budge was sworn in to a 4-year term as Council Member by granddaughter Agnes Budge.

Garrett Gatewood was sworn in to a 4-year term as Council Member by father Stephen Gatewood.

7. SELECTION OF MAYOR AND VICE MAYOR

ACTION: Motion to appoint David Sander as Vice Mayor by Gatewood second by Terry; Motion passed with a 5:0 vote.

Motion to appoint Robert J. McGarvey as Mayor by Terry second by Gatewood; Motion passed with a 5:0 vote.

- 7.1 **Subject:** Selection of 2019 Mayor and Vice Mayor.
Recommendation: Council selection of the 2019 Mayor and Vice Mayor.
Result of Recommended Action: City Council Leadership officers for 2019 are appointed, per City Council Resolution No. 5-2004.
Staff Report: Stacy Leitner, City Clerk.
Advances Goals: 1, 3, 4, and 5.

8. SPECIAL CEREMONIES - SWEAR IN MAYOR AND VICE MAYOR

- 8.1 David Sander was sworn in as Vice Mayor by wife Dr. Maggie Parsons and son Charles Sander.
- 8.2 Robert J. McGarvey was sworn in as Mayor by wife Terry McGarvey.
- 8.3 Presentation to Outgoing Mayor Budge.

9. CELEBRATORY BREAK

AT THIS POINT: At 5:57 PM the Council took a break for refreshments in the lobby in honor of the elected Council Members, the swearing in of Vice Mayor Sander,

and the swearing in of Mayor McGarvey. The full Council resumed at 6:29 PM.

10. PRESENTATIONS

- 10.1 Present Ceremonial Grant Checks to Community Enhancement Fund Grant Recipients: 1) Ankur, Inc.; 2) Elk Grove Unified School District; 3) American River Grange No. 172; 4) Soil Born Farms Urban Agriculture Project; and 5) Rebuilding Together Sacramento.
- 10.2 ~~Sacramento County Grand Jury Presentation on the Grand Jury Presented by Patricia Gayman, President of the Sacramento County Grand Jurors' Association~~
- 10.3 2018 Legislative Update, Joe A. Gonsalves & Son.
- 10.4 Introduced New Employees: Dalia Fadl, Senior Civil Engineer was Introduced by Albert Stricker, Public Works Director and Steve Stokes, Assistant Building Official was Introduced by Joe Cuffe, Building Official.

11. PUBLIC COMMENT

Mayor Budge opened the public comment period. The following people addressed the Council:

- 1. Larry Ladd
- 2. Pamela Bradley
- 3. Angel Ball

Mayor Budge closed the public comment period.

12. COUNCIL REPORTS

Council reported on events since the last meeting.

13. CITY MANAGER'S REPORT

City Manager Cyrus Abhar gave his report.

14. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

ACTION: Motion to approve items 14.1 through 14.11 by Terry second by Sander; Motion passed with a 5:0 vote.

- 14.1 **Subject:** Meeting Minutes from the December 3, 2018 and December 11, 2018 Regular and Special City Council Meetings.
Recommendation: Adopt Minutes.
- 14.2 **Subject:** An Ordinance of the City of Rancho Cordova Rescinding Ordinances 28-2004, 29-2004, 30-2004, 32-2004, 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 and 38-2006 Removing Various Development Projects in Rancho Cordova from the Special Police Tax Area as a Result of Different Financing Mechanisms Being Established to Fund Police Protection Costs for the Projects.
Recommendation: Introduce and Waive the First Reading of the Ordinance.

Result of Recommended Action: Adoption of the proposed Ordinance will rescind:

- 1) Ordinance 28-2004, 29-2004, 30-2004, 32-004 and 33-2004 establishing a special tax for police protection within Sunridge Park (Zones 10, 11, 12, 13 & 14);
- 2) Ordinance 40-2004 establishing a special tax for police protection within Sunridge North Douglas (Zone 9);
- 3) Ordinance 25-2006, 26-2006, 27-2006 and 28-2006 establishing a special tax for police protection within Sunridge Park, Phase II (Zones 33, 34, 35 & 36);
- 4) Ordinance 31-2006 establishing a special tax for police protection within Cresleigh, Lot J (Zone 32);
- 5) Ordinance 32-2006 establishing a special tax for police protection within Douglas 98 (Zone 28); and
- 6) Ordinance 38-2006 establishing a special tax for police protection within Grantline 208 (Zone 37).

Staff Report: Michelle Mingay, Senior Finance Analyst.

Advances Goal: 5.

- 14.3 **Subject:** A Resolution Authorizing the City Manager to Execute Contract Amendment No. 24-2018-1 for On-Call Engineering Services with Interwest Consulting Group to Extend the Contract Term from June 30, 2019 to June 30, 2020 that Results in Increasing the Contract Amount from \$100,000 to \$300,000.

Recommendation: Adopt the Resolution.

Result of Recommended Action: Adoption of the Resolution will authorize the City Manager to execute Contract Amendment No. 24-2018-1 with Interwest Consulting Group to extend the contract term from June 30, 2019 to June 30, 2020 and to increase the contract amount from \$100,000 to \$300,000 for continued on-call engineering services for the Public Works Department.

Staff Report: Albert Stricker, Public Works Director and Quoc Nham, Associate Civil Engineer.

Advances Goals: 1, 2, and 5.

- 14.4 **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 176-2018 in an Amount Not to Exceed \$1,628,586.50 with Martin General Engineering, Inc. to Construct the Rod Beaudry & Routier Bikeway Project, Cp16-2169

Recommendation: Adopt the Resolution.

Result of Recommended Action: Adoption of this Resolution will authorize the City Manager to execute Contract No. 176-2018 in an amount not to exceed \$1,628,586.50 with Martin General Engineering, Inc. to construct the Rod Beaudry-Routier Bikeway Project, CP16-2139.

Staff Report: Albert Stricker, Public Works Director and Edgar Medina, Senior Civil Engineer.

Advances Goals: 1, 2 and 5.

- 14.5 **Subject:** A Resolution Authorizing The City Manager To Execute Contract Amendment No. 75-2018-1 For Marketing and Public Relations Services for Economic Development and Citywide Communications With FleishmanHillard To Extend The Contract Term From July 31, 2018 To December 31, 2018 That Results In Increasing The Contract Amount From \$99,000 To \$118,168

Recommendation: Adopt the Resolution.

Result of Recommended Action: Adoption of the Resolution would authorize the City Manager to execute contract amendment No. 75-2018-1 with FleishmanHillard to extend the contract term from July 31, 2018 to December 31, 2018 and to increase the contract not-to-exceed amount from \$99,000 to \$118,168 to cover additional project costs outside of the original Scope of Work for the Economic Development Department,

Community Enhancement Fund Program and Citywide communications.
Staff Report: Maria Kniestedt, Communications & Public Affairs Director.
Advances Goals: 1, 2 and 6.

- 14.6 **Subject:** Resolutions Authorizing the City Manager to Execute an Amendment to a Cooperative Agreement; and Execute a Separate Cooperative Agreement with Caltrans for the Zinfandel Complex Project, CP14-2132.
Recommendation: Adopt both Resolutions.
Result of Recommended Action: Adoption of the first Resolution will authorize the City Manager to execute an Amendment to Cooperative Agreement No. 03-0609 (Rancho Cordova Contract No. 122-2016). The second Resolution will authorize the City Manager to execute a new Cooperative Agreement No. 210-2018 with Caltrans to identify each agency's obligations in the Zinfandel Complex Project, CP14-2132.
Staff Report: Albert Stricker, Public Works Director and Edgar Medina, Senior Civil Engineer.
Advances Goals: 1, 2 and 5.
- 14.7 **Subject:** A Resolution of the City Council of the City of Rancho Cordova Making Certain Findings and Determinations Related to, and Accepting, the FY 2017-18 Development Impact Fee Report for the AB1600 Development Fees
Recommendation: Adopt the Resolution.
Result of Recommended Action: Adoption of this Resolution approves the annual Development Impact Fee Report prepared in accordance with California Government Code Section 66000, et seq. and ensures the City remains in compliance with AB1600 reporting requirements. Ongoing compliance means that the City can continue to collect fees from developers to ensure that new development is providing new infrastructure or funds to ensure that their impact upon the City is funded by the development, not by existing residents.
Staff Report: Michelle Mingay, Senior Finance Analyst.
Advances Goal: 5.
- 14.8 **Subject:** A Resolution Declaring the City's Intention to Impose an Annual Stormwater Utility Fee for the Maintenance of Storm Drainage and Flood Protection Systems for the Gold Valley Center Project
Recommendation: Adopt the Resolution designating a time and place for hearing protests in connection with the annual Stormwater Utility Fee for the Gold Valley Center project.
Result of Recommended Action: Action on this Resolution will declare the Council's intention to impose the annual Stormwater Utility Fee for the maintenance of the storm drainage and flood protection system for the Gold Valley Center project and sets a public hearing for January 22, 2019 on the matter.
Staff Report: Elizabeth Sparkman, Community Development Director and Jeanette Cervantes, Management Technician.
Advances Goal: 5.
- 14.9 **Subject:** Approval of the Annexation Boundary Map for the Gold Valley Center Project and Annexation to the City of Rancho Cordova Community Facilities District No. 2008-1 (Street Lighting and Road Maintenance)
Recommendation: Adopt the Resolution.
Result of Recommended Action: Adoption of the Resolution approves Annexation Boundary Map No. 24 for the Gold Valley Center Project and Annexation of the Property to Community Facilities District No. 2008-1 (Street Lighting and Road Maintenance, hereinafter "CFD No. 2008-1"). There is no financial impact to existing

residents.

Staff Report: Elizabeth Sparkman, Community Development Director and Jeanette Cervantes, Management Technician.

Advances Goal: 5.

- 14.10 **Subject:** Approve Parcel Map of Subdivision No. FM-2018-005-01, 9777 and 9779 Business Park Drive.

Recommendation: Approve Parcel Map.

Result of Recommended Action: Approval of this recommendation will result in the recording of the parcel map creating two separate parcels.

Staff Report: Albert Stricker, Public Works Director.

Advances Goals: 1 and 2.

- 14.11 **Subject:** A Resolution Approving the Final Map of Montelena Villages 9 and 10, Subdivision No. RC-04-132.9 and Execution of the Subdivision Improvement Agreement.

Recommendation: Adopt the Resolution.

Result of Recommended Action: Approval of the Resolution will result in the City entering into Subdivision Improvement Agreement Contract No. 188-2018 (Attachment 2) guaranteeing the construction of public roads and utilities with Premier Chrysanthy LLC and recording the final subdivision map of Montelena Villages 9 and 10, creating 169 new residentially zoned lots located south of the easterly extension of Chrysanthy Boulevard and approximately 1500 feet west of Rancho Cordova Parkway.

Staff Report: Albert Stricker, Public Works Director.

Advances Goals: 1 and 2.

- 14.12 **Subject:** Approval of Council Member Appointments to Regional Boards, Commissions, and Committees.

Recommendation: That Council confirms commitments to serve on other agency boards, commissions, and committees.

Result of Recommended Action: The City Council will continue to serve in leadership roles throughout the region. The City Clerk will notify each agency board, commission, or committees of any changes or reappointments and will ensure that any necessary Fair Political Practices Commission (FPPC) filings are completed.

Staff Report: Stacy Leitner, City Clerk.

Advances Goals: 1, 2, and 5.

ACTION: Motion to approve item 14.12 by Budge second by Sander; Motion passed with a 5:0 vote.

15. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

Mayor McGarvey opened the Public Hearing. Seeing no speakers, Mayor McGarvey closed the Public Hearing.

ACTION: Motion to approve items 15.1 through 15.3 by Budge second by Terry; Motion passed with a 5:0 vote.

- 15.1 **Subject:** A Resolution Creating Special Tax Area Zone 23 and an Ordinance Establishing a Special Tax for Transit-Related Services for the Gold Valley Center Project.

Recommendation: Adopt a Resolution creating special tax area Zone 23; and

introduce and waive the first reading of an Ordinance establishing a special tax for transit-related services for the Gold Valley Center project.

Result of Recommended Action: Adoption of the Resolution and Ordinance will assist the City in meeting the costs of providing transit-related services by creating a Special Tax Area Zone and establishing a Special Tax for Transit-Related Services for the Gold Valley Center project.

Staff Report: Elizabeth Sparkman, Community Development Director and Jeanette Cervantes, Management Technician.

Advances Goal: 5.

- 15.2 **Subject:** General Plan Safety Element Amendment to Include the Multi-Jurisdictional Local Hazard Mitigation Plan.

Recommendation: Adopt the Resolution.

Result of Recommended Action: The approval of the Resolution will amend the General Plan Safety Element to include the 2016 Multi-Jurisdictional Local Hazard Mitigation Plan.

Staff Report: June Cowles, Senior Planner.

Advances Goals: 2 and 5.

- 15.3 **Subject:** Grantline 208 Lennar Homes Major Design Review and Adjustment; Project No. DD9818 - Located South of Douglas Road and West of Grantline Road.

Recommendation: That Council:

- 1) Determine the project Exempt per Section 15182, of the CEQA Guidelines
- 2) Adopt Resolution

Result of Recommended Action: Adoption of the Resolution would approve the design for 9 floor plans ranging from 1,603 square feet to 3,312 square feet, located within the Grantline 208 community. Approval would allow the applicant to pursue necessary building permits for new construction.

Staff Report: Nicholas Sosa, Assistant Planner.

Advances Goals: 1, 2, and 6.

16. PUBLIC HEARING ITEMS

- 16.1 **Subject:** Mather Field Chevron Conditional Use Permit and Letter of Public Convenience and Necessity; Project No. DD9734 – Located at 2931 Mather Field Road.

Recommendation: Adopt a Resolution for the Denial of a Conditional Use Permit (CUP) for off-site alcoholic beverage sales and contingent Letter of Public Convenience and Necessity (PCN).

Result of Recommended Action: Adoption of the Resolution would deny the Applicant's request for a CUP as well as the contingent PCN. Without the approval of the local jurisdiction, the Applicant would not obtain a license from the Department of Alcoholic Beverage Control for the off-site sale of beer and wine.

Staff Report: Nicholas Sosa, Assistant Planner.

Advances Goals: 1 and 2.

Mayor McGarvey opened the Public Hearing. The following people spoke:

1. Samy Chauhan
2. Larry Ladd

Mayor McGarvey closed the Public Hearing.

ACTION: Motion to continue item 16.1 in sixty (60) days by Terry second by Gatewood;
Motion passed with a 5:0 vote.

16.2 **Subject:** Introduction and First Reading of an Ordinance Amending Sections of the Rancho Cordova Municipal Code Related to Title 4 Business Regulations, Title 6 Health and Sanitation and Title 23 Zoning Code and Discussion and Direction on Future Code Amendments.

Recommendation: Introduce and waive first reading of the Ordinance and receive a report and direct staff on potential future code amendments.

Result of Recommended Action: The Ordinance would come back for a second reading and adoption at the next regular City Council meeting. Approval of the Ordinance would amend Title 4 (Business Regulations), Chapter 4.29 Bingo Suppliers, Title 6 (Health and Sanitation), Chapter 6.68 Noise Control and Title 23 (Zoning Code), Article 3 Zoning District, Allowable Uses, and General Development Standards, Article 7 Site Planning and Development Standards, Article 9 Specific Use Provisions and Article 11 Definitions of the Rancho Cordova Municipal Code. No formal action is requested of Council at this time on the discussion of future code amendments.

Staff Report: Darcy Goulart, Planning Manager.

Advances Goals: 1, 2, 5, and 6.

ACTION: Item 16.2 was pulled from the agenda and continued to January 22, 2019.

17. REGULAR CALENDAR ITEMS

17.1 **Subject:** 2019 Legislative Priorities

Recommendation: Hear presentations by Simon and Company, Inc. and Joe A. Gonsalves & Son. Provide direction and approval to staff on City's 2019 Legislative Priorities.

Result of Recommended Action: Staff will proceed with recommended direction and approval to finalize the City's 2019 legislative program. This includes producing the annual legislative brochure, which Council and staff use for meetings with legislators and key agencies.

Staff Report: Maria Kniestedt, Communications & Public Affairs Director and Kerry Simpson, Neighborhood Services Manager.

Advances Goals: 1, 2, 3, 4, 5, and 6.

ACTION: Council provided direction to staff regarding the City's 2019 legislative priorities.

17.2 **Subject:** Updates Regarding Recent Shelter Crisis Declarations by Other Agencies in the Region.

Recommendation: Receive updates from city staff regarding recent shelter crisis declarations by other agencies in the region.

Result of Recommended Action: Receive information and provide input and direction to staff.

Staff Report: Elizabeth Sparkman, Community Development Director and Stefan Heisler, Reinvestment Analyst.

Advances Goals: 2 and 5.

ACTION: Council received information regarding recent shelter crisis declarations and directed staff to schedule a special meeting.

18. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

19. ADJOURNMENT

Mayor McGarvey adjourned the meeting at 9:55 PM to closed session in the Community Board Room in memory of Natomas Librarian, Amber Clark, who lost her life.

20. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Mayor McGarvey called the closed session to order in the Community Board Room at 10:01 PM.

21. CLOSED SESSION

Council may adjourn to Closed Session to discuss the following item(s):

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 of the Government Code: (1 case).

22. OPEN SESSION - REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that Council Members received information from legal counsel and took no reportable action.

23. ADJOURNMENT

Mayor McGarvey adjourned the meeting at 10:41 PM.

ADDITIONAL INFORMATION

SPECIAL MEETINGS LISTED BELOW ARE SUBJECT TO CHANGE/CANCELLATION WITHOUT FURTHER NOTICE.

UNLESS THE COUNCIL ADOPTS A MOTION TO EXTEND THE MEETING, ANY ITEM THAT IS NOT INITIATED BEFORE 11:00 PM WILL BE CONTINUED TO THE NEXT DAY AT 5:30 PM OR SCHEDULED ON THE NEXT REGULAR MEETING AGENDA OF THE COUNCIL.

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

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

CITYWIDE GOALS - (Adopted March 27, 2012)	
1.	Promote the Positive Image of Rancho Cordova
2.	Ensure a Safe, Inviting and Livable Community
3.	Empower Responsible Citizenship
4.	Establish Logical City Boundaries that Provide Regional Leadership and Address Financial Challenges
5.	Ensure the Availability of the Best Public Services in the Region while Practicing Sound Fiscal Management
6.	Drive Diverse Economic Opportunities

UPCOMING MEETINGS	
Monday, January 7	CANCELLED REGULAR MEETING
Tuesday, January 8	4:00 PM Special Meeting/Work Session
Tuesday, January 22	5:30 PM Regular Meeting (Tuesday due to Holiday)
Tuesday, January 29	4:00 PM Special Meeting/Work Session

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

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

The Rancho Cordova City Council meeting will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, Consolidated Communications and AT&T U-Verse Systems. Closed Captioning will be available on the playback cablecast. A DVD copy is available from the City Clerk's Department and a webcast of this meeting will be available for viewing via video streaming from the City's website within 48 hours of adjournment of this meeting.

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

CERTIFICATION OF POSTING OF AGENDA

I, Stacy Leitner, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the Monday, December 17, 2018 Regular Meeting of the Rancho Cordova City Council was posted and available for review on December 14, 2018 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city website at www.cityofranchocordova.org.

Signed December 14, 2018 at Rancho Cordova, California.

Stacy Leitner, City Clerk



CITY COUNCIL MEETING

City Hall
2729 Prospect Park Drive, Rancho Cordova

Wednesday, December 19, 2018

6:00 PM – Special Meeting
American River Community Room North

DRAFT MINUTES

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Mayor McGarvey called the special meeting to order in the American River Community Room at 6:06 PM.

Council Members Present: McGarvey, Sander, Terry, Budge.

Council Members Absent: Gatewood.

Staff Members Present: Abhar, Heisler, Leitner, Schelldorf, Splendorio, Sparkman.

2. PUBLIC COMMENT

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

3. SPECIAL MEETING ITEM

ACTION: Motion to adopt the shelter crisis declaration without any expiration date and direct staff to update the Council in six months regarding the impacts and benefits of this declaration by Budge second by Terry; Motion passed with a 4:0 vote.

3.1 **Subject:** Consideration of Adoption of a Resolution Declaring a Shelter Crisis.

Recommendation: Consider Adoption of a Resolution Declaring a Shelter Crisis Pursuant to Senate Bill 850 (Chapter 48, Statutes of 2018 and Government Code Section 8698.2) as Required in Order to Benefit from State Homeless Emergency Aid Program (HEAP) Funds Allocated to Sacramento Steps Forward, the Sacramento County Continuum of Care Administering Entity.

Result of Recommended Action: Approval of the Resolution Declaring a Shelter Crisis Pursuant to Senate Bill 850 (Chapter 48, Statutes of 2018 and Government Code Section 8698.2) will make the City of Rancho Cordova Eligible to Benefit from HEAP Funds Allocated to Sacramento Steps Forward, the Sacramento County

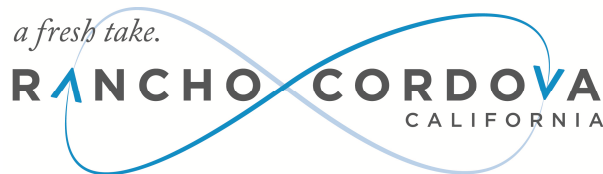
Continuum of Care Administering Entity.
Staff Report: Stefan Heisler, Reinvestment Analyst.
Advances Goals: 2 and 5.

4. ADJOURNMENT

Mayor McGarvey adjourned the meeting at 6:11 PM.



Stacy Leitner, City Clerk



CITY COUNCIL MEETING

City Hall
2729 Prospect Park Drive, Rancho Cordova

Tuesday, January 08, 2019

4:00 PM – Special Meeting
American River Community Room North

DRAFT MINUTES

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Mayor McGarvey called the special meeting to order in the American River Community Room at 4:14 PM.

Council Members Present: McGarvey, Sander (arrived at 4:29pm), Terry, Gatewood, Budge.

Council Members Absent: None.

Staff Members Present: Abhar, Behrends, Carr, Chan, Cuffe, Crone, Delaney, Ducharme, Goulart, Juran, Hartley, Heisler, Johnson, Kniestedt, Leitner, Lewis, Lindgren, Pittman, Roche, Rodriguez, Schelldorf, Shah, Siren, Simpson, Sosa, Splendorio, Sparkman, Stricker, Taylor, Ulm.

2. PUBLIC COMMENT

No public comment was provided.

3. SPECIAL MEETING ITEM

ACTION: Public comments and input were received with the assistance of a facilitator and staff. This item will come back at a future meeting.

3.1 **Subject:** Presentation to City Council on Code Enforcement Activities and a Request for Policy Direction on Programs and Priorities.

Recommendation: Accept presentation and provide direction on policies, programs, and priorities.

Result of Recommended Action: Future changes to Code Enforcement programs will be made pursuant to Council direction.

Staff Report: Kerry Simpson, Neighborhood Services Manager and Jessica Crone,

Management Technician.
Advances Goals: 1, 2, 3, 5, and 6.

4. ADJOURNMENT

Mayor McGarvey adjourned the meeting at 6:28 PM.



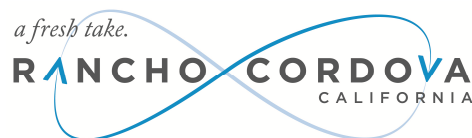
Stacy Leitner, City Clerk

MEMORANDUM

DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Elizabeth Sparkman, Community Development Director
Jeanette Cervantes, Management Technician



SUBJECT: AN ORDINANCE ESTABLISHING A SPECIAL TAX ZONE NO. 23 FOR TRANSIT-RELATED SERVICES FOR GOLD VALLEY CENTER PROJECT

RECOMMENDATION

Waive the second reading and adopt the Ordinance.

RESULT OF RECOMMENDED ACTION

Adoption of the Ordinance will assist the City in meeting the costs of providing transit-related services by creating a Special Tax Area Zone No. 23 and establishing a Special Tax for transit-related services for the Gold Valley Center project.

BACKGROUND

On December 17, 2018, the City Council waived the first reading and introduced the Ordinance. On the same date, the City Council also approved a Resolution that established Special Tax Zone No. 23, the boundaries of which will be contiguous to the boundaries of the Gold Valley Center project.

FISCAL IMPACT

There is no impact to the general fund.

ATTACHMENTS

1. Ordinance
2. Boundary Map
3. Land Use Categories

ATTACHMENT 1**CITY OF RANCHO CORDOVA****ORDINANCE NO. XX-2019****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, ESTABLISHING A SPECIAL TAX FOR TRANSIT-RELATED
SERVICES FOR THE GOLD VALLEY CENTER PROJECT SUBJECT TO VOTER
APPROVAL****THE CITY COUNCIL OF THE CITY OF THE RANCHO CORDOVA DOES ORDAIN AS
FOLLOWS:**Section 1. Purpose, Intent and Authority.

It is of critical importance to the City Council of the City of Rancho Cordova that residents of and employees working in the City receive high quality transit-related services. In carefully reviewing the City's budget and revenue projections, it is clear to City staff that the City budget does not contain adequate funding to ensure the continued delivery of adequate high quality transit-related services unless additional revenues are obtained.

It is the purpose and intent of this Ordinance to generate additional funds to pay for transit-related services by authorizing the levy of a tax on improved parcels of real property on the secured property tax roll of Sacramento County that are within Zone 23 of the Rancho Cordova Transit-Related Services Special Tax Area (the "Zone").

This tax is a special tax within the meaning of Section 4 of the Article XIII A of the California Constitution. Because the burden of this tax falls upon property, this tax also is a property tax, but this tax is not determined according to nor in any manner based upon the value of property; this tax is levied on a parcel and use of property basis. Insofar as not inconsistent with this Ordinance or with legislation authorizing special taxes and insofar as applicable to a property tax that is not based on value, such provisions of the California Revenue and Taxation Code and of Article XIII of the California Constitution as relate to ad valorem property taxes are intended to apply to the collection and administration of this tax (Section 4 of this Ordinance), as authorized by law. This tax is not an ad valorem property tax; it is an excise tax on the use of property. Because the revenue from the tax may be used only to fund transit-related services, it is also a special tax.

The revenues raised by this tax are to be used solely for the purpose of providing transit-related services as are deemed necessary by the City Council for the benefit of the residents and/or employees of Zone 23.

At the time that the Council adopted this Ordinance, there were zero (0) registered voters residing in Zone 23 and one (1) property owner. Because the Transit-Related Services Special Tax will be imposed on property in Zone 23 and paid by the owner of the property, the Council finds that restricting the vote on the Transit-Related Services Special Tax to property owners in Zone 2 is appropriate and consistent with the principles and requirements of California Constitution article XIII C (Proposition 218).

ATTACHMENT 1

Section 2. Definitions.

The following definitions shall apply throughout this Ordinance.

A. "Constant first year dollars" shall mean an actual dollar amount which, in years subsequent to the first fiscal year the tax is levied, shall have the same purchasing price as the base amount in first fiscal year dollars as measured by the Consumer Price Index. The base amount shall be the amount of tax per parcel as specified in Section 3(A) herein. The adjustments from actual to constant dollars shall be made by use of the Consumer Price Index, as specified in Section 3(B) herein.

B. "Consumer Price Index" means the Consumer Price Index for all Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose Area as published by the U.S. Department of Labor, Bureau of Labor Statistics. If the Consumer Price Index is discontinued or revised, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the Consumer Price Index had not been discontinued or revised.

C. "Fiscal year" means the period of July 1 through the following June 30.

D. "Parcel" means the land and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Sacramento County. For the purposes of this Ordinance, parcel does not include any land or improvements outside the boundaries of Zone 2 nor any land or improvements owned by any governmental entity.

E. "Rancho Cordova Transit-Related Services Special Tax Area" means all the properties within the jurisdictional limits of the City of Rancho Cordova.

F. "Rancho Cordova Transit-Related Services Special Tax Area Zone 23 (the "Zone")" means that portion of the incorporated area of the City of Rancho Cordova located within the boundaries as shown on the map, ATTACHMENT 2.

G. "Transit-Related Services" means providing, operating, maintaining and subsidizing transit services and all supporting facilities, infrastructure, programs and incentives that benefit the residents of the Rancho Cordova Transit-Related Services Special Tax Area, and shall be calculated and set according to the methodology described in Engineer's Report County Service Area No. 10 and Benefit Zone No. 2 County of Sacramento, September 7, 2004, which established the methodology for the original service charge for Benefit Zone No. 2.

H. "Voter" means a person who owns real property within Zone 23, as shown on the last equalized assessment role prepared by the Sacramento County Assessor's Office, at the time that the City Council adopts an ordinance authorizing the imposition of a transit-related services tax to the voters of Zone 23.

Section 3. Amount and Level of Taxes.

The tax per year on each parcel in the Zone shall not exceed the amount applicable to the parcel, as specified below.

A. For First Fiscal Year:

ATTACHMENT 1

The tax per year for the first fiscal year (July 1, 2019 through June 30, 2020) shall be the amount of Tax per Parcel for a Land Use Code Category as set forth in ATTACHMENT 3 hereto. The use code assigned to each parcel shall be reviewed and updated periodically. Rates in ATTACHMENT 3 shall be calculated and set according to the methodology described in Engineer's Report County Service Area No. 10 and Benefit Zone No. 2 County of Sacramento, September 7, 2004, which established the methodology for the original service charge for Benefit Zone No. 2.

B. For Subsequent Fiscal Years:

In order to keep the tax on each parcel in constant first year dollars for each fiscal year subsequent to the first fiscal year, the tax per year shall be adjusted as set forth below to reflect any increase in the Consumer Price Index beyond the first fiscal year the tax is levied.

In June or July of each year, City Council shall determine the amount of taxes to be levied upon the parcels in Zone 23 for the then current fiscal year, as set forth below.

For each Land Use Category on ATTACHMENT 3, the tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

Tax Per Parcel For then Current Fiscal Year	=	Tax Per Parcel For Immediately Preceding X Fiscal Year	Consumer Price Index from April of immediately Preceding Fiscal Year to April of then Current Fiscal Year OR 6 percent, whichever is less
---	---	---	--

Provided, however, that in no event shall the tax per parcel for any fiscal year be less than the amount established for the first fiscal year.

C. Nature of Tax Levy.

The taxes levied on each parcel pursuant to this Article shall be a charge upon the parcel and shall be due and collectible as set forth in Section 4, below.

Section 4. Collection and Administration.

A. Taxes as Liens Against the Property.

The amount of taxes for each parcel each year shall constitute a lien on such property, in accordance with Revenue and Taxation Code Section 2187, and shall have the same effect as an ad valorem real property tax lien until fully paid.

B. Collection.

The taxes on each parcel shall be billed on the secured roll tax bills for ad valorem property taxes and are to be collected in the same manner in which Sacramento County collects secured roll ad valorem property taxes. Insofar as feasible and insofar as not inconsistent with this Ordinance, the times and procedures regarding exceptions, due dates,

ATTACHMENT 1

installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes (as established by Sacramento County) shall be applicable to the collection of this tax. Notwithstanding anything to the contrary in the foregoing, as to this tax:

1. The secured roll tax bills shall be the only notices required for this tax, and
2. The homeowners and veterans exemptions shall not be applicable because such exemptions are determined by dollar amount of value.

C. Costs of Administration by County.

The reasonable costs incurred by the County officers collecting and administering this tax shall be deducted from the collected taxes.

D. Use of Tax Revenue.

The revenue collected from the tax imposed by this ordinance shall be placed into a separate account and may be used only to fund transit-related services, including the costs of administering and collecting the tax and enforcing the provisions of this ordinance. Revenue from the tax may be used for transit-related services citywide.

E. Refunds.

1. Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the City pursuant to this ordinance, it may be refunded as provided in this Section.
2. No refund may be made except upon a written claim verified by the person who paid the tax or by his or her guardian or conservator or the executor or administrator of his or her will or estate and stating the grounds upon which the claim is made. All claims filed pursuant to this subsection must be presented within one year after payment of the amount for which the claimant is seeking a refund.
3. No order of a refund may be made until a written claim therefor has been presented in accordance with this subsection. No suit for money, damages or a refund may be brought against the City until a written claim therefor has been presented to the City and has been acted upon or has been deemed rejected by the City, in accordance with this subsection. Only the person who filed the claim may bring such a suit, and if another person should do so, judgment shall not be rendered for the plaintiff.

F. Initiatives to Affect Tax.

Consistent with the California Constitution (art. XIII C, § 3) the tax imposed by this ordinance may be affected by initiative. The procedures for qualification of such an initiative and the election on a qualified initiative shall be consistent with the California Constitution (art. 2, sec. 8), the California Elections Code (Chapter 3 of Division 9), and the Municipal Code. The minimum number of signatures necessary to qualify an initiative to affect the tax approved by this ordinance shall be equal to 5 percent of the votes in the City for all

ATTACHMENT 1

candidates for Governor at the last gubernatorial election. The election on a qualified initiative to affect the tax shall be a regular citywide election. An initiative affecting the tax shall be approved only if at least two-thirds of the votes cast on the measure are in favor of its approval.

Section 5. Severability Clause.

If any article, section, subsection, sentence, phrase or clause of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The voters of Zone 23 hereby declare that they would have adopted the remainder of this Ordinance, including each article, section, subsection, sentence, phrase or clause, irrespective of the invalidity of any other article, section, subsection, sentence, phrase or clause.

Section 6. Effective Date and Posting.

This Ordinance shall take effect immediately upon its approval by two-thirds of the voters voting within the Zone in an election to be held on March 18, 2019 so that taxes shall first be collected hereunder for the tax year beginning July 1, 2019.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Stacy Leitner, City Clerk

CITY OF RANCHO CORDOVA
TRANSIT RELATED SERVICES SPECIAL TAX AREA
ANNEXATION 23
(GOLD VALLEY CENTER PROJECT)

**Legend**

Annexation Boundary

Parcel Boundary

ATTACHMENT 3**Amount of Tax per Parcel by Land Use Category****A. Residential Dwelling Units**

As adjusted for inflation from the original base year, the amount of Tax per Parcel for fiscal year 2018/2019 for Residential Land Use Categories shall be \$71.34 per low density residential dwelling unit or low density residential dwelling unit equivalent, \$57.07 per medium density residential dwelling unit or medium density residential dwelling unit equivalent, or \$42.80 per high density residential dwelling unit or high density residential dwelling unit equivalent (Multi-family residential units on a single parcel shall be assessed on a proportionately equivalent basis (e.g., a two-unit attached housing structure, such as a duplex, would be deemed to consist of two residential parcels for purposes of the Transit-Related Services Special Tax).

B. Non-Residential

As adjusted for inflation from the original base year, the amount of Tax per Parcel for fiscal year 2018/2019 for Non-Residential Land Use Categories (except Recreational and Agricultural) shall be \$1,829.16 per retail and service commercial acre, \$1,572.33 per commercial mixed use or office commercial acre, and \$656.33 per light industrial acre.

C. Inflation Formula

The tax is subject to an annual inflation formula based on the Consumer Price Index for all Urban Consumers (CPI-U) for the San Francisco-Oakland-San Jose Area, or six percent, whichever is less.

MEMORANDUM

DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Michelle Mingay, Sr. Finance Analyst



SUBJECT: AN ORDINANCE OF THE CITY OF RANCHO CORDOVA RESCINDING ORDINANCES No. 28-2004, 29-2004, 30-2004, 32-2004, 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 AND 38-2006 REMOVING VARIOUS DEVELOPMENT PROJECTS IN RANCHO CORDOVA FROM THE SPECIAL POLICE TAX AREA AS A RESULT OF DIFFERENT FINANCING MECHANISMS BEING ESTABLISHED TO FUND THE REQUIRED SPECIAL TAX FOR POLICE PROTECTION FOR THESE PROJECTS

RECOMMENDATION

Waive the second reading and adopt the Ordinance.

RESULT OF RECOMMENDED ACTION

Adoption of this Ordinance will rescind Ordinance 28-2004, 29-2004, 30-2004, 32-2004 and 33-2004 establishing a special tax for police protection within Sunridge Park (Zones 10, 11, 12, 13 & 14); Ordinance 40-2004 establishing a special tax for police protection within Sunridge North Douglas (Zone 9); Ordinance 25-2006, 26-2006, 27-2006 and 28-2006 establishing a special tax for police protection within Sunridge Park, Phase II (Zones 33, 34, 35 & 36); Ordinance 31-2006 establishing a special tax for police protection within Cresleigh, Lot J (Zone 32); Ordinance 32-2006 establishing a special tax for police protection within Douglas 98 (Zone 28) and Ordinance 38-2006 establishing a special tax for police protection within Grantline 208 (Zone 37).

BACKGROUND

On December 17, 2018 the City Council waived the first reading and passed to a second reading the Ordinance rescinding Ordinance 28-2004, 29-2004, 30-2004, 32-2004 and 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 and 38-2006.

FISCAL IMPACT

This action does not change the amount of the Special Police Tax revenue, rather it ensures properties within these tax zones are not double taxed in the future.

ATTACHMENT

1. Ordinance

ATTACHMENT 1**CITY OF RANCHO CORDOVA****ORDINANCE NO. XX-2019**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, RESCINDING ORDINANCES No. 28-2004, 29-2004, 30-2004, 32-
2004, 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 AND 38-2006
REMOVING VARIOUS DEVELOPMENT PROJECTS IN RANCHO CORDOVA FROM THE
SPECIAL POLICE TAX AREA AS A RESULT OF DIFFERENT FINANCING MECHANISMS
BEING ESTABLISHED TO FUND THE REQUIRED SPECIAL TAX FOR POLICE
PROTECTION FOR THESE PROJECTS**

THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS FOLLOWS:**Section 1. Recitals**

WHEREAS, it is of critical importance to the City Council of the City of Rancho Cordova that residents of the City be provided with high quality police services and after carefully reviewing the City's pre-incorporation Comprehensive Fiscal Analysis with the Sheriff's Department, it became clear to City staff that the City budget did not contain adequate funding to assure the continued delivery of adequate, high quality law enforcement services unless additional revenues were obtained; and

WHEREAS, since the City's incorporation in 2003, the City has been imposing a special tax on new development to pay for its fair share of police services. The special tax was placed on improved parcels of real property within each new residential subdivision and parcel that received discretionary land use approvals. The revenues raised by this tax are to be used solely for the purposes of obtaining, furnishing, operating and maintaining police protection equipment or apparatus, for paying the salaries and benefits of police protection personnel, and for such other police protection service expenditures that are deemed necessary for the benefit of the residents within the individual zones that are to be formed through separate Council action and vote of the person(s) owning real property within the zone at the time the zone is formed; and

WHEREAS, on July 1, 2003, the City Council approved Resolution 30-2003, Creating a Special Police Tax Area and Indicating Its Intent to Impact the Tax on New Development; and

WHEREAS, on July 6, 2004, the City Council adopted Ordinance Nos. 29-2004, 30-2004, 32-2004 and 33-2004 establishing tax zones for the special tax for police protection for the Sunridge Park development project, which was approved by the landowners at an election held on July 19, 2004; and

WHEREAS, on September 20, 2004, the City Council adopted Ordinance No. 40-2004, which established a tax zone for the special tax for police protection for the Sunridge North Douglas development project, which was approved by the landowners at an election held on October 4, 2004; and

WHEREAS, on June 19, 2006, the City Council adopted Ordinance Nos. 25-2006, 26-2006, 27-2006 and 28-2006 establishing a tax zones for the special tax for police protection for the Sunridge Park Phase II project, which was approved by the landowners at an election held on July 17, 2006; and

ATTACHMENT 1

WHEREAS, on June 19, 2006, the City Council adopted Ordinance No. 31-2006, which established a tax zone for the special tax for police protection for the Cresleigh Lot J development project, which was approved by the landowners at an election held on July 17, 2006; and

WHEREAS, on June 19, 2006, the City Council adopted Ordinance No. 32-2006, which established a tax zone for the special tax for police protection for the Douglas 98 development project, which was approved by the landowners at an election held on July 17, 2006; and

WHEREAS, on July 5, 2006, the City Council adopted Ordinance No. 38-2006, which established a tax zone for the special tax for police protection for the Grantline 208 development project, which was approved by the landowners at an election held on August 7, 2006; and

WHEREAS, subsequent to the establishment of the police tax on these development projects, the various landowners have elected to provide the required funding for police protection through the creation of a Community Facilities District ("CFD"); and

WHEREAS, in order to prevent these projects from being double taxed in the future, the City Council must now take action to rescind Ordinance 28-2004, 29-2004, 30-2004, 32-004 and 33-2004 establishing a special tax for police protection within Sunridge Park (Zones 10, 11, 12, 13 & 14); Ordinance 40-2004 establishing a special tax for police protection within Sunridge North Douglas (Zone 9); Ordinance 25-2006, 26-2006, 27-2006 and 28-2006 establishing a special tax for police protection within Sunridge Park, Phase II (Zones 33, 34, 35 & 36); Ordinance 31-2006 establishing a special tax for police protection within Cresleigh, Lot J (Zone 32); Ordinance 32-2006 establishing a special tax for police protection within Douglas 98 (Zone 28) and Ordinance 38-2006 establishing a special tax for police protection within Grantline 208 (Zone 37).

Section 2. Rescind Ordinance 28-2004

The City Council hereby rescinds Ordinance No. 28-2004 in its entirety.

Section 3. Rescind Ordinance 29-2004

The City Council hereby rescinds Ordinance No. 29-2004 in its entirety.

Section 4. Rescind Ordinance 30-2004

The City Council hereby rescinds Ordinance No. 30-2004 in its entirety.

Section 5. Rescind Ordinance 32-2004

The City Council hereby rescinds Ordinance No. 32-2004 in its entirety.

Section 6. Rescind Ordinance 33-2004

The City Council hereby rescinds Ordinance No. 33-2004 in its entirety.

Section 7. Rescind Ordinance 40-2004

ATTACHMENT 1

The City Council hereby rescinds Ordinance No. 40-2004 in its entirety.

Section 8. Rescind Ordinance 25-2006

The City Council hereby rescinds Ordinance No. 25-2006 in its entirety.

Section 9. Rescind Ordinance 26-2006

The City Council hereby rescinds Ordinance No. 26-2006 in its entirety.

Section 10. Rescind Ordinance 27-2006

The City Council hereby rescinds Ordinance No. 27-2006 in its entirety.

Section 11. Rescind Ordinance 28-2006

The City Council hereby rescinds Ordinance No. 28-2006 in its entirety.

Section 12. Rescind Ordinance 31-2006

The City Council hereby rescinds Ordinance No. 31-2006 in its entirety.

Section 13. Rescind Ordinance 32-2006

The City Council hereby rescinds Ordinance No. 32-2006 in its entirety.

Section 14. Rescind Ordinance 38-2006

The City Council hereby rescinds Ordinance No. 38-2006 in its entirety.

Section 3. Effective Date

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

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTACHMENT 1

Robert J. McGarvey, Mayor

ATTEST:

Stacy Leitner, City Clerk

MEMORANDUM

DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director and Edgar Medina, Senior Civil Engineer

SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO. 62-2018-1 TO INCREASE THE CONTRACT AMOUNT FROM \$215,367 TO A NOT TO EXCEED AMOUNT OF \$485,767 WITH BENNETT ENGINEERING SERVICES FOR DESIGN, ENVIRONMENTAL AND RIGHT-OF-WAY SERVICES FOR THE SUNRISE BOULEVARD REHABILITATION PROJECT, CP18-2187**



RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will authorize the City Manager to execute Contract Amendment No. 62-2018-1 with Bennett Engineering Services to increase the contract amount from \$215,367 to a not-to-exceed amount of \$485,767 for design, environmental and right-of-way services for the Sunrise Boulevard Rehabilitation Project, CP18-2187.

BACKGROUND

Sunrise Boulevard between Folsom Boulevard and White Rock Road has been identified as a high priority road rehabilitation project. The purpose of the Sunrise Boulevard Rehabilitation Project is to renovate Sunrise Boulevard between Folsom Boulevard and White Rock Road. Bennett Engineering was awarded Contract 62-2018 in the amount of \$215,367 May 2018 based on competitive process.

This project will be delivered in phases, commensurate with the available funding. The original engineering scope of work included the preparation of design plans for road rehabilitation, median landscaping, ADA improvements and installation of intelligent transportation system Elements along Sunrise Boulevard from Folsom Boulevard to Folsom South Canal.

In late 2018, the City received a Sacramento Area Council of Governments Regional grant in the amount of \$2,500,000. Per that grant, this project scope is increased to include a widened shared use path along the east side of Sunrise Boulevard from the Folsom South Canal Trail to Citrus Road, then bike facilities along Citrus Road to the Sunrise Light Rail Station. The grant also covers a portion of the design and construction cost for pavement rehabilitation along Sunrise Boulevard from Folsom Boulevard to the Folsom South Canal.

The \$2.5 million grant enables the City to deliver a larger project that rehabilitates the roadway surface, beautifies with landscaping, and fills a critical gap in the bicycle network. The larger

scope requires additional engineering services including survey, right-of-way design, etc. Amendment 62-2018-1 increasing the contract to \$485,767 accommodates the increased scope.

Construction is tentatively scheduled for late 2019.

FISCAL IMPACT

Funding consists of Measure A Gas Tax, Federal Grant, Supplemental Transportation Tax and SACOG Regional Program Funds. The project is included in the City's approved Capital Improvement Plan and in the 2018/19 budget. There is no impact to the general fund.

ATTACHMENTS

1. Resolution
2. Contract Amendment No. 62-2018-1

ATTACHMENT 1**CITY OF RANCHO CORDOVA****RESOLUTION NO. XX-2019**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT 62-2018-01 FOR THE SUNRISE BOULEVARD REHABILITATION PROJECT WITH BENNETT ENGINEERING TO INCREASE THE CONTRACT AMOUNT FROM \$215,367 TO A NOT TO EXCEED AMOUNT OF \$485,767

WHEREAS, on May 7, 2018 the City of Rancho Cordova approved contract 62-2018 in the amount of \$215,367 with Bennett Engineering for consulting services to design the Sunrise Boulevard Rehabilitation Project; and

WHEREAS, Contract Amendment No. 62-2018-1 will increase the contract amount from \$215,367 to \$485,767 to cover the additional scope of services resulting from the SACOG Regional Program Fund; and

WHEREAS, the services will exceed the maximum amount the City Manager has authorization to approve; and

WHEREAS, funding consists of Measure A Gas Tax, Supplemental Transportation Tax and SACOG Regional Program Funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute Contract Amendment No. 62-2018-1 with Bennett Engineering to increase the amount from \$215,367 to an amount not to exceed \$485,767 in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Stacy Leitner, City Clerk

ATTACHMENT 2
CONTRACT NO. 62-2018-1

FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND BENNETT ENGINEERING
FOR THE SUNRISE BOULEVARD REHABILITATION PROJECT

This First Amendment to the Agreement for Professional Services ("Amendment") is made by and between the City of Rancho Cordova ("City" or "LOCAL AGENCY") and Bennett Engineering ("Professional" or "CONSULTANT") as of January 22, 2019. City and Professional are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a Professional Services Agreement ("PSA") dated May 7, 2018 for the purpose of providing engineering design services; and

WHEREAS, this Amendment will reimburse the Professional for additional design scope of services related to work required under the grant funds received through the SACOG Regional Program Funds. Specifically, the Consultant will provide design services for the inclusion bike facilities along Sunrise Boulevard from Folsom South Canal to the Citrus Ave and on Citrus Avenue from Sunrise Boulevard to the Sunrise Light Rail Station; and

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

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. Section 1 of the PSA, "Services," provides a description of the Scope of Work required for the project. The Parties agree to amend Section 1 of the PSA to describe the revised Scoped of Work dated 11/26/2018, attached hereto as Exhibit A-1:
2. Section 2 of the PSA, "Compensation," provides for the City to pay Professional a sum not to exceed \$215,367. The Parties agree to amend Section 2 of the PSA in order to increase the compensation amount to pay Professional for additional services. The first two sentences of Section 2 of the PSA is amended to read as follows:

"City hereby agrees to pay Professional a sum not to exceed \$485,767 (Four Hundred Eighty Five Thousand Seven Hundred Sixty Seven Dollars), notwithstanding any contrary indications that may be contained in Professional's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Professional's Cost Proposal, attached as Exhibit B dated 11/26/18, regarding the amount of compensation, this Agreement shall prevail."

3. The document entitled "Cost Proposal" attached hereto as Exhibit B-1 dated 11/26/2018, shall replace and supersede the PSA's Exhibit B.
4. All other terms and conditions in the PSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.

ATTACHMENT 2
ATTACHMENT 2
CONTRACT NO. 62-2018-1

5. The signatures of the Parties to this Amendment may be executed and acknowledged on separate pages or in counterparts which, when attached to this Amendment, shall constitute one complete Amendment.
6. **Contract Administration.** This Agreement shall be administered by Mr. Edgar Medina, P.E. ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

Notices. Any written notice to Professional shall be sent to:

Mr. Leo Rubio, P.E., President
Bennett Engineering Services Inc.
1082 Sunrise Avenue, Suite 100
Roseville, CA 95661 LRubio@Ben-En.com

Any written notice to City shall be sent to:

Mr. Edgar Medina, P.E.
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670 emedina@cityofranchocordova.org

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

CITY OF RANCHO CORDOVA

PROFESSIONAL

Cyrus Abhar, City Manager

Leo Rubio, President

Date: _____

Date: _____

Attest:

Stacy Leitner, City Clerk

Date: _____

Approved as to Form:

Adam Lindgren, City Attorney

Date: _____

Amendment No. 1 - Scope of Services

Client: City of Rancho Cordova

Consultant: Bennett Engineering Services Inc

Project: South Sunrise Boulevard Pavement Rehabilitation

Date: November 26, 2018



TRUSTED ENGINEERING ADVISORS

Bennett Engineering Services
1082 Sunrise Avenue, Suite 100
Roseville, California 95661

T 916.783.4100
F 916.783.4110

www.ben-en.com

Consultant's services shall be limited to those expressly set forth below, and Consultant shall have no other obligations or responsibilities for the Project or to the Client except as agreed to in writing or as provided in this Agreement. All of Consultant's services in any way related to the Project or Client shall be subject to the terms of this Agreement.

Project work description and location:

Bennett Engineering Services (BEN|EN) will provide engineering support services to City staff including, survey & topo mapping, utility coordination, re-design existing median, landscape and irrigation design, and pavement evaluation & resurfacing recommendation. Additional work includes updating the following intersections to include video and radar detection, Accessible Pedestrian Signals (APS) to replace pedestrian pushbuttons, count-down pedestrian signals to replace existing pedestrian signals, as well as DSRC radio for Communicated Vehicles (CV) and Autonomous Vehicles (AV).

- Traffic signal modification at Sunrise Blvd/Folsom Blvd
- Traffic signal modification at Sunrise Blvd/Trade Center Drive
- Traffic signal modification at Sunrise Blvd/Sun Center Drive
- Traffic signal modification at Sunrise Blvd/Folsom South Canal Trail Crossing
- Traffic signal modification at Sunrise Blvd/Sunrise Park Drive
- Traffic signal modification at Sunrise Blvd/White Rock Road

BEN|EN will also prepare electrical plan for replacement of existing Dynamic Message Sign (DMS) on the northbound approach on Sunrise Boulevard south of the Sunrise Blvd/Folsom Blvd intersection. We assume the brand of DMS, the sign structure and foundation details will be provided by the City. The electrical plan will show providing power to the new DMS as well as connecting the new DMS to the City's Traffic Management Center through the City's fiber optic system.

This project includes the preparation of (PS&E) plans, specifications, & estimate, and construction assistance. Other services if needed, as determined by City staff will be added by amendment.

The project is along Sunrise Blvd, from the White Rock Blvd Intersection to Folsom Blvd Intersection.

Amendment No. 1 Items as requested by the City of Rancho:

Bennett Engineering Services (BEN|EN) was requested during the project kick-off meeting and subsequent communication to amend the current scope of work by the City of Rancho Cordova. The following items summarize the requests for scope change:

- Add a tree Survey (to be done by Foothill Associates)
- Add survey along the eastern side of Sunrise Blvd from Folsom South Canal all the way to Folsom Blvd.

In subsequent meetings, Bennett Engineering Services (BEN|EN) was been requested to add additional scope and fee for the design of a 10' shared used path (commonly referred to as a Sidepath) that will run long Sunrise Blvd on the east side. The path limits would be from the Folsom South Canal, to Citrus Rd. The intended use of the path would be to accommodate pedestrians and bicyclist. The preliminary design approach for the Sidepath will be to leave the existing curb and gutter and replace the existing 6' sidewalk with a Sidepath that will extent to the back of the existing ROW. The existing utilities will be design to be relocated behind the sidewalk, within

ATTACHMENT 2

the existing 12.5' Public Utility Easement (PUE) that runs parallel and adjacent to the ROW. Only the electrical poles and existing underground vaults will be protected in place, with the vaults adjusted to grade.

In addition, on Citrus Road between Sunrise Blvd and Trade Center Drive, the project would provide for an overlay of the roadway and provide new striping to include the addition of bike lane facilities. This scope includes the additional tasks required to incorporate the design of the shared used path along with the current pavement rehabilitation project and the overlay and restriping of Citrus Road. The design will also include boundary determination, plat & legals for ROW acquisition (assume 6), ROW negotiations, utility relocation coordination, street lighting relocation, and fiber optic relocation.

BEN|EN will perform the necessary CEQA and NEPA work required for acquiring the RFA for Construction. BEN|EN will continue to provide the same scope for tasks such as Task 1. Project Management, but will add additional fee to deal with the extended duration of the project.

As a result of the request, BEN|EN would like to modify the scope and fee as follows:

TASK 1. Project Management**Subtask 1.1. Meetings and Field Reviews**

BEN|EN, in coordination with City Project Manager, will coordinate monthly project meetings with representatives from subconsultants and appropriate City staff. BEN|EN will setup and facilitate all interagency, field review, and other project related meetings. BEN|EN will prepare all meeting agendas and meeting minutes and distribute these to the meeting attendees.

Subtask 1.2. Project Schedule

BEN|EN will provide a project schedule, using Microsoft Project, showing the activities and milestones outlined in our project scope. The activities will show begin and end dates, duration and dependency on other tasks. The schedule will be refined and maintained on a regular basis and as decisions are made throughout the life of the project. We will discuss issues that may affect the project design, budget or schedule.

Subtask 1.3. Agency Coordination

BEN|EN will coordinate with the City and the Operations and Maintenance Department, along with utility purveyors. BEN|EN will inform the City Project Manager of all coordination efforts with outside agencies prior to any meeting with an outside agency or organization.

Subtask 1.4. Monthly Invoices and Status Reports

A draft status report will be submitted for City approval prior to submittal of the first invoice. BEN|EN will prepare and submit monthly invoices and status reports to the City. The status reports will include project tasks completed, deliverables submitted and budget expenditures for that months invoice. Invoices will include employee rates, expenses per task, and a copy of any subconsultant invoices. BEN|EN will keep track of the DIR and prevailing wages from sub.

Subtask 1.5. Quality Control

BEN|EN will utilize our existing internal controls and the guidelines as set by the City, and we will provide technical resources necessary to ensure that deliverables are complete, and that they meet the City's requirements. Reviews will be conducted by experienced staff not directly involved with the design or preparation of the deliverables. The review will be documented using a review form indicating the reviewer name, date of review, and the resolution of any comments. This task includes providing quality control reviews for the 60%, 100% and Final PS&E submittals.

DELIVERABLES:

- *Meeting notices, agendas, minutes, and sign-in-sheets.*
- *Hardcopy and PDF of Project Schedule*
- *Meeting Minutes*

ATTACHMENT 2

- *Status report and monthly invoices*
- *Quality Control review forms*

TASK 2. Topographic Survey and Mapping**Subtask 2.1. Topographic Surveying and Mapping (Scope Change)**

The City of Rancho Cordova will provide existing topographic information in the project vicinity. BEN|EN will use the similar control datum to mesh City surveys with new topographic surveying and base mapping. BEN|EN will perform topographic field surveys, locate the lip of gutter along the entire segment for paved area dimensions, and locate all angle points, curve points and all other change in horizontal direction along the lip of gutter from White Rock Road to Folsom Boulevard. BEN|EN team will also locate the edge of pavement along all medians. BEN|EN will provide imagery as a visual backdrop of the segment.

BEN|EN will locate and detail up to eight (8) four (4) curb ramps for ADA assessment. This will include detailed (non-aerial) topographic surveying of ramp features such as curbs, domes, walks, slopes and breaks of each curb ramp out to 15' beyond each return for conform and transition. BEN|EN will survey the pavement out to 15' from the curb ramp for slope verification and conform and will locate all poles, signals and other visible utilities within these limits. Appropriate labeling, 1' contours and digital surface will be provided in an AutoCAD based drawing. BEN|EN will set control points to be preserved for utilization of surveys and for future construction control. BEN|EN will base its survey on an approved City of Rancho Cordova Horizontal and Vertical Datum.

BEN|EN will perform (non-aerial) topographic field surveys of the roadway segment along the easterly side of Sunrise Boulevard for a Class I Bike Path. BEN|EN will locate the top back of curb and features to minimally 20' beyond the curb or further where conforms are critical. BEN|EN will locate all angle points, curve points and all other change in horizontal direction along this segment. BEN|EN will locate utilities, trees, signals, poles, parking, striping, driveways and other relevant features. This survey will be incorporated into the large aerial survey and meshed to provide one resolved surface for design. Appropriate labeling, 1' contours and digital surface will be provided in an AutoCAD based drawing. BEN|EN will set control points to be preserved for utilization of surveys and for future construction control. BEN|EN will base its survey on an approved City of Rancho Cordova Horizontal and Vertical Datum and relate to previous City topographic information for overall consistency.

Subtask 2.2. Utility Lid and Rim Survey

BEN|EN will locate all utility lids and rims within the paved portion of Sunrise Boulevard along the project segment. All valves, manholes, boxes, vaults and monument well boxes will be surveyed and mapped into the overall survey base drawing.

Subtask 2.3. Monument Perpetuation and Preservation (Optional Task)

State law requires that survey monuments in roadways that may be compromised by construction be preserved and/or re-set. Upon visual discovery of a street monument, BEN|EN will locate the monument and set nearby reference ties to each monument. BEN|EN will prepare a Corner Record Card "A" prior to construction and submit to the County Surveyors Office. After Construction, any monument that has been proven to be compromised will be re-set by the contractor. BEN|EN Contractor will be responsible for preparing prepare a Corner Record Card "B" and submit to the County Surveyors Office depicting the location and character of the new monument.

~~BEN|EN will assume that this task will include the re-setting and installation of conventional monuments such as nails and washers or iron pipes and does not include the re-setting of Street Monument Well Boxes. In the event the City requires the re-setting of Street Monument Well Boxes, BEN|EN will arrange to have these priced and set accordingly.~~

ATTACHMENT 2**Subtask 2.4. Aerial and Photogrammetric Surveying and Mapping (New Scope)**

The City of Rancho Cordova will provide existing topographic information and project control from a nearby project at Sunrise Boulevard and Folsom Boulevard. UNICO will utilize existing control for overall datum consistency. UNICO will coordinate the delivery of an overall aerial based survey along the entire project corridor, including Citrus Rd from Sunrise to Trade Center Drive. This will include the task of setting and surveying aerial targets along the corridor. The purpose will be to map the corridor from edge of sidewalk to opposite edge of sidewalk or curb along the proposed route. Aerial map will consist of full planimetrics, 1' contours, spot elevations, digital surface and color orthophotography.

Subtask 2.5. Boundary Determination (New Scope)

UNICO will research and survey to tie down the existing RW with monument found in the field.

Subtask 2.6. Plat & Legals (New Scope)

UNICO will generate up to 6 plats and legals to help with the acquisition of ROW (Temporary Construction Easements) along the new shared used path. BEN|EN will provide the necessary line work outlining the total TCE required for each parcel.

Subtask 2.7. Temporary Construction Easement Appraisal (New Scope)

Interwest will provide services for up to six (6) property (APN's) listed below:

- 072-040-84, 072-040-68, 072-040-38, 072-040-54, 072-040-77, and 072-040-78

These "Subject Properties" were identified as necessary to complete the Sunrise Blvd between Folsom South Canal and Citrus Road construction ("Project") in the City of Rancho Cordova.

The Interwest team will manage the right of way services on behalf of the City from start to finish. Interwest subconsultant, Seevers Jordan Ziegenmeyer, will prepare a formal appraisal report for each of the Subject Properties.

BEN|EN will provide a ROW Exhibit for each parcel (up to 6) that will be used during the TCE appraisal and acquisition for each parcel.

Subtask 2.8. Temporary Construction Easement Acquisition (New Scope)

Interwest staff will perform acquisition services, which will include all contact with the property owners for the purpose of negotiating the acquisition of the real property interests within the six (6) Subject Properties identified above. Services to be provided include meeting with the impacted property owners to explain the Project in general and the Right of Way Process, preparing the offer letters based upon the value to be determined as "just compensation" by the City, preparing the Acquisition Agreements, and necessary conveyance documents. We also will provide progress reports regarding the status of all right-of-way activities (i.e. appraisal, negotiations, and/or tenant interests)

Once negotiations with the property owners are complete and acquisition documents are signed, we will also initiate the closing (escrow) process with the designated title company. Interwest will secure preliminary title reports.

DELIVERABLES:

- AutoCAD Base File (Subtask 2.1)
- Point Files (Excel) (Subtask 2.1)
- Corner Record Cards (Subtask 2.3)
- (Intentionally delete)
- Aerial Survey AutoCAD base file (Subtask 2.4)
- Digital Surface File (Subtask 2.4)
- Color Ortho Image File (Subtask 2.4)

ATTACHMENT 2

- *AutoCAD Base Map File (Subtask 2.5)*
- *Signed Plat & Legals (Subtask 2.6)*
- *Appraisal Reports for 6 parcels (Subtask 2.7)*
- *Acquisition documents for 6 parcels (Subtask 2.8)*

TASK 3. Utility Coordination

BEN|EN will prepare Utility Letters A, B, C, along with utility plans for the utility companies. Utilities known to operate in the vicinity of the project will be contacted. BEN|EN will map the existing utilities based on as-built plans, utility maps, field observation, and topographic survey of above ground utilities. Utilities conflicts with the proposed design will be identified and we will work with each utility company to develop relocation plans if necessary.

Subtask 3.1. Utility Letters ABC (Scope Change)

BEN|EN will provide utility coordination based on the City of Rancho Cordova standard Utility Letters ABC Process. BEN|EN will coordinate with utility companies to reflect all findings on the plans and identify utilities that will need to be adjusted to grade. BEN|EN will perform up to 12 potholes to locate existing utilities along the shared used path and coordinate with utility companies to reflect all findings on the plans.

Subtask 3.2. Utility Relocation Coordination & ROI (New Scope)

BEN|EN will coordinate with all the utility companies that will need to relocate to the back of the new proposed shared used path. BEN|EN will prepare the Utility Agreements, Record of Investigation (ROI), and Notice to Owner (NTO) for each utility impacted (assumed up to 6 utilities), in order to help the City of Rancho prepare Exhibit 3-D: Request for Authorization for Construction (A.K.A E-76).

Subtask 3.3. Right of Way Certification (New Scope)

BEN|EN will help generate and obtain Right of Way Certification approval from Caltrans. This process will help the city prepare for the Request for Authorization for Construction.

DELIVERABLES:

- *Utility Agreements (up to 6) (Subtask 3.2)*
- *Record of Investigation (ROI) (up to 6) (Subtask 3.2)*
- *Notice To Owners (NTO) (up to 6) (Subtask 3.2)*
- *ROW Certification Form (Subtask 3.3)*

TASK 4. Preliminary Engineering, Pavement Evaluation, and Recommendations, Preliminary Landscape Design**Subtask 4.1. Preliminary Engineering (Scope Change)**

BEN|EN will work with City staff to confirm the proposed project improvements during an initial site visit. Any curb ramps needing to be design rather than simply referring to county standards will be identified during initial meeting. BEN|EN along with the City staff will determine how to phase the project to match the available funding for construction. Additional field review along Sunrise from White Rock Rd to Folsom South Canal & Citrus Road from Sunrise to Trade Center will be performed to determine best design approach.

Preliminary plans to confirm conceptual design will include:

- *Layout identifying limits of street rehab, curb ramp improvements, center median improvements, and landscape and irrigation limits*
- *Inclusion of Citrus Road to Plan Set*

ATTACHMENT 2**DELIVERABLES:**

- *PDF's of the layout exhibit and one (1) 36" x 60" exhibits of the entire project, and estimate at the preliminary engineering level. (Note: No estimate for electrical work will be provided during preliminary engineering)*

Subtask 4.2. Pavement Evaluation and Recommendations (Scope Change)

BEN|EN will evaluate existing pavement and subgrade conditions by performing pavement coring along Sunrise Boulevard between Folsom Boulevard and White Rock Road and provide conclusions and recommendations for repair and/or rehabilitation. Rehabilitation will likely include isolated dig outs and grind/overlay with or without a pavement reinforcement interlayer.

BEN|EN will perform the following services:

- A senior staff engineer will perform a site visit to observe existing pavement conditions and to pre-mark proposed core locations.
- Notify subscribing utility companies via Underground Service Alert (USA) a minimum of two working days (as required by law) prior to performing exploratory excavations at the site.
- Perform up to **6 pavement cores** within the northbound and southbound lanes of Sunrise Boulevard. We will attempt to locate the cores such that one core each is located within the each of the three unidirectional lanes (e.g. right, middle, and left lanes) for both northbound and southbound.
- Perform up to **2 pavement cores** within the limits of Citrus Road between Sunrise and Trade Center.
- Provide necessary traffic control measures during field work.
- Measure existing pavement section material thicknesses at the core locations.
- Obtain subgrade soil samples from the core locations.
- Patch the cores with rapid-set concrete or epoxy concrete mix.

DELIVERABLES: *Summary report with conclusions and recommendations. Report will include (but not be limited to) the following:*

- *Map showing core locations*
- *Site plan with typical pavement distress and recommended dig out locations noted*
- *Pavement condition description*
- *Pavement section material thicknesses at the core locations*
- *Pavement repair/rehabilitation recommendations*

Subtask 4.3. Preliminary Landscape Design (Scope Change)

Foothill Associates' landscape architects will meet with City staff and the project team to discuss the project goals and vision. The kick-off meeting will include a site walk with City maintenance staff to discuss what plants and equipment work well in the existing medians and their maintenance concerns and priorities. Soil samples will also be collected, as required for compliance with AB 1881. Foothill Associates will provide a summary of the discussion related to landscape items for inclusion in the meeting minutes.

Based on the information provided at the kick-off meeting and arborist survey provided by the City, Foothill Associates will prepare a black and white conceptual landscape plan. The plan will identify paving treatments, planting areas, plant palette, irrigation points of connection, controller locations, and required upgrades, and proposed irrigation equipment. The paving treatment and plant palette will be based on the existing Sunrise Boulevard median landscape north of Coloma Road. A conceptual cost estimate will also be prepared. The draft conceptual landscape plans will be provided to Bennett Engineering in PDF format for inclusion in the conceptual plan set. Foothill Associates will address one round of client comments to produce the final conceptual landscape plan.

ATTACHMENT 2

Following review of the conceptual plan by City Staff, Foothill Associates will attend a meeting with the project team and City Staff to review the conceptual plans and discuss any questions or concerns.

Foothill Associates' ISA-Certified Arborists will conduct a tree survey and assessment on the existing trees in the project area to determine which ones are suitable for preservation or recommended for removal. Each tree will be numbered with a pre-printed aluminum tag and the species, size, condition, and suitability for preservation will be noted. The information will be summarized in a letter report, which will be provided to the City in PDF format.

DELIVERABLES:

- *Draft and Final black and white Conceptual Landscape Plans in PDF format*
- *Arborist Letter Report in PDF Format*

Subtask 4.4. Preliminary Environmental Study (New Scope)

At project initiation, GPA will work closely with the City to define a project description and delineate a project study area sufficient to support the completion of the Preliminary Environmental Study (PES) form. The project description will identify the project purpose and need, project objectives, project components, project location, and timing of the project. GPA will perform a review of available information to ensure that all pertinent information related to the existing site is considered.

Once all the necessary information is gathered and reviewed, GPA will prepare a PES Form and provide it to the City for their submittal to Caltrans. It is anticipated that Caltrans will require a field review of the project site during the PES process, which GPA will attend.

DELIVERABLES:

- *One (1) electronic copy and two (2) hard copies of the Project Description and PES*

Subtask 4.5. Notice of Exemption/Categorical Exemption (New Scope)

It is assumed that the project would qualify as categorically exempt from CEQA under CEQA Guidelines Section 15301: Existing Facilities. GPA will prepare a Notice of Exemption (NOE) for the City's use in documenting the categorical exemption after project approval. The NOE will include all elements as required pursuant to CEQA Guidelines Section 15062 and will include supporting documentation demonstrating the project's compliance with the requirements of a CEQA CE. GPA assumes that City will file the NOE with the Sacramento County Clerk's Office and pay applicable fees. GPA will file the NOE with the California State Clearinghouse.

DELIVERABLES:

- *One (1) electronic copy of the Notice of Exemption and supporting documentation for City's use in filing with the Sacramento County Clerk's Office. One (1) electronic copy of the Notice of Exemption filed with the California State Clearinghouse.*

Subtask 4.6. Visual Impact Analysis Technical Memo (New Scope)(Optional)

GPA will conduct a visual impact analysis for the project, specifically relating to the removal of trees. GPA will describe the existing visual setting and analyze visual impacts resulting from the project. GPA will summarize the results of the analysis in a technical memorandum that will outline the existing setting, project impacts, and recommended minimization measures, if necessary. GPA assumes that visual simulations will not be required for the project.

DELIVERABLES:

- *One electronic copy and two (2) hard copies of the VIA technical*

ATTACHMENT 2**Subtask 4.7. Natural Environmental Study (Minimal Impact) (New Scope) (Optional)**

Due to tree removal, Caltrans may request the preparation of a Natural Environmental Study (Minimal Impacts) NES(MI)). The NES(MI) will be completed pursuant to Caltrans' Standard Environmental Reference. Following completion of the background research, site investigations, and field surveys, GPA will summarize the results of these studies in a NES(MI). The NES(MI) will describe the existing biological resources in the project area, identify potential project impacts in the BSA, applicable regulations, potential project impacts, and proposed avoidance, minimization, and mitigation measures to minimize and/or mitigate these impacts to the extent feasible. The NES(MI) will also include a discussion of any consultation required with other regulatory agencies to obtain project approvals and environmental permits, if necessary. GPA will coordinate with the City and Caltrans for review and approval of the NES(MI).

Tasks included in the NES(MI) scope are:

- Background research and biological study area delineation: GPA will review available data on biological resources recorded on and within the vicinity of the project area, including all plant and wildlife species with the potential to be in the area. This review will include conducting searches in databases such as the California Natural Diversity Database (CNDDB), and the California Native Plant Society. Additionally, a list of threatened and endangered species with the potential to be within the project area will be requested from the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS). GPA will also work with the project team to delineate an appropriate Biological Study Area (BSA) that will cover the direct and indirect impact area for the project, including temporary construction areas, and create a BSA map to be used for the biological analysis.
- Field Survey: GPA will survey the BSA for plant and wildlife species, their signs, and/or potential habitat. GPA will work with the project team to limit the size of the survey area to the extent feasible, based on proposed construction areas. GPA will inventory botanical and wildlife resources observed in the BSA and will identify and record all existing vegetation communities in this area. Based on aerial investigations, waters of the United States (U.S.) and waters of the state are not expected in the project area and therefore, a comprehensive jurisdictional delineation is not expected to be required. GPA will confirm the existing habitat and potential for special-status species to be in the BSA during field surveys. Focused wildlife surveys to determine presence/absence of federally or state threatened and endangered species, if required, are not included in this scope of work.

DELIVERABLES:

- *One electronic copy and two (2) hard copies of the NES(MI)*

Environmental Assumptions:

This scope has been prepared based on the following assumptions:

- Up to two rounds of comments on each deliverable. If responses to additional comments are requested, GPA will provide an additional scope of work and budget to support this effort.
- Caltrans will classify the project as a Screened Undertaking for historic and archaeological resources.
- If Caltrans identifies the need for preparation of additional technical studies not included in this scope as part of the PES and/or Caltrans field review process, GPA will complete these studies under a separate scope of work.

ATTACHMENT 2

- This scope of work is based on the project information provided by the City/design engineering team. If the limits of the project area or scope of the project change substantially, GPA will provide an additional scope of work and budget to support this effort.
- A high-resolution aerial map with the project boundaries will be provided by the engineer for GPA use in the APE, BSA, and other maps.
- Thirty five percent plans and associated CAD/MicroStation files will be provided prior to initiating technical studies.
- The project would be constructed entirely within existing City-owned rights-of-way and no acquisition would be required.
- Any rights of entry required to conduct field surveys within the entire BSA will be provided. Protocol-level surveys for special-status wildlife species would not be needed and are not included in this scope of work. If requested, GPA will provide an additional scope of work and budget to support this effort.
- Environmental monitoring support during construction is not included in this scope. If requested, GPA will provide an additional scope of work and budget to support these efforts.
- GPA assumes that the City will be responsible for paying the required CEQA filing fees.
- No regulatory agency permits would be required for the project.

Subtask 4.8. Initial Site Assessment (ISA) (New Scope) (Optional)

We propose to perform research to estimate the existing potential for impacts to the project Site (i.e., levels of hazardous materials/wastes warranting regulatory cleanup action) from the presence of hazardous materials/wastes on, or within, the vicinity of the Site. For the purposes of this ISA, the "vicinity" of the Site is defined as properties located within ¼-mile of the Site. The guidelines used for the definition of hazardous materials/wastes are presented in the California Code of Regulations, Title 22. The ISA will be performed in general accordance with American Society for Testing and Materials (ASTM) Designation E1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*.

The scope of services for the ISA is presented as follows.

- Perform a reconnaissance of the Site to assess conditions for the presence, or make visual observations of indicators of the potential existing presence, of hazardous materials, hazardous wastes, or soil and/or groundwater impacts on the Site. These indicators include, but are not limited to, 55-gallon drums, USTs and aboveground storage tanks, chemical containers, waste storage and disposal areas, industrial facilities, discolored surficial soils, electrical transformers that may contain polychlorinated biphenyls (PCBs), and areas conspicuously absent of vegetation.
Client would be responsible for providing us with a site plan clearly depicting the site boundaries. Client would also be responsible for obtaining permission to enter the Site prior to our visit. If access is unavailable to any portions of the Site, our ability to complete the assessment described herein may be hindered. Provisions for a survey of wetlands delineation, asbestos, lead-based paint, and lead in drinking water, radon gas, and methane gas are not provided in this scope of services.
- Perform a visual survey of the adjacent properties from the Site and from public thoroughfares to observe general types of land use surrounding the Site.
- Review the Standard Environmental Records Sources: Federal and State referenced in American Society for Testing and Materials (ASTM) Designation E 1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* to obtain

ATTACHMENT 2

information regarding the potential presence of hazardous materials/wastes on the Site or on properties located within the approximate minimum search distance specified for each source.

- Review reasonably ascertainable regulatory agency files the Site and/or properties in the vicinity of the Site whose environmental conditions might potentially impact the Site. The sources for these files may include the Sacramento County Environmental Management Department (SCEMD) and the Regional Water Quality Control Board (RWQCB).
- Review documents provided by Client at Client's discretion. Potentially useful documents may include geotechnical, geologic, and environmental reports, Site plans, plot plans, and correspondence with regulatory agencies.
- Conduct interviews by telephone or in writing with present and past tenants/owners of the Site to evaluate activities conducted at the Site with regard to the use, generation, storage, or disposal of hazardous materials/wastes onsite. **The names and telephone numbers of the contacts for the above interviews are to be provided by Client.**
- Prepare a report summarizing the findings of the ISA which will qualitatively describe the potential for environmental impairment of the Site. If necessary, the report will also provide recommendations for additional environmental services.

Subtask 4.9. Aerially Deposited Lead (ADL) Investigation (New Scope) (Optional)

The ADL Investigation will consist of the following activities:

- We assume that encroachment permits and access agreements are not required or have been obtained by others.
- Establish shoulder closures, as necessary, where sampling is being conducted using "SHOULDER WORK AHEAD" advance warning signs and cones.
- Advance ten soil borings (at approximate 225-foot intervals) to a depth of 2 feet using hand-auger sampling techniques along the east side of Sunrise Boulevard. Soil samples will be collected at 1-foot depth intervals (0-1 and 1-2 feet) from each boring. Soil samples will be transferred directly from the hand-auger to Ziploc® re-sealable plastic bags. The soil samples will be field homogenized within the sample bags and subsequently labeled, placed in an ice chest, and delivered to the analytical laboratory under standard chain-of-custody documentation. The borings will be backfilled with the excavated soil materials. General soil types encountered in the borings will be noted on the daily field log.
- Determine the location of each boring using a global positioning system (GPS). The GPS to be utilized will have the ability to determine a horizontal position with an error of no more than 3.3 feet. The GPS will be used to record the horizontal position of the sampling location using the latitude-longitude coordinate system.
- Perform quality assurance/quality control (QA/QC) procedures during the field exploration activities. These procedures will include decontamination of sampling equipment before each sample is collected, and providing chain-of-custody documentation for each soil sample submitted to the laboratory. The soil sampling equipment will be cleansed between each sample by washing the equipment with an Alconox® solution followed by a double rinse with deionized water. The rinse water will be discharged to ground surface areas within the right-of-way which do not slope to drainage inlets or surface water bodies.
- Analyze each of the soil samples for total lead following EPA Test Method 6010B (20 samples).

ATTACHMENT 2

- Analyze samples with total metals concentrations exceeding ten times their respective STLC concentrations for soluble metals using the WET method, EPA Test Method 7000, where necessary (assume eight samples).
- Analyze soil samples with total metals concentrations greater than their respective TTLC concentrations for TCLP soluble metals, where necessary (assume two samples).
- Prepare a letter report presenting our findings and conclusions. The report will include the following:
 - Introduction/project description
 - Vicinity Map and Site Plan showing boring locations
 - Investigative methods
 - Investigative results and field observations
 - Conclusions and recommendations
 - Appendices including laboratory reports and chain-of-custody documentation

TASK 5. Final Plans, Specifications, and Estimate Documents**Subtask 5.1. 65% Plans, Specifications & Estimate (Scope Change)**

BEN|EN will prepare and **RESUBMIT** Plans, Specifications and Estimates to the City for review and comment. This submittal will include a complete set of construction drawings including but not limited to the following:

- *Title Sheet – 1*
- *General Notes – 1*
- *Survey Control Sheet/ Key Sheet – 1*
- *Typical Cross Sections – 1*
- *Roadway Layouts – 10 (2 for Citrus Road)(scale 1"=20')*
- *Shared Used Path Layouts – 4 (scale 1" = 10')*
- *Construction Details – 6 (2 more for Shared Used Path)*
- *Signage and Striping – 5 (1 for Citrus Road)(scale 1"-40')*
- *Irrigation and Landscape Plans – 8*
- *Lighting Plans – 3*
- *Traffic Signal Modification – 6*
- *Equipment and Conductor Schedule – 6*
- *Electrical plan for DMS Replacement – 1*
- *Electrical Details – 2*
- *Electrical plan for street lights – 2*
- *Electrical plan for Fiber Optic – 2*
- *Detailed Construction Cost Estimate*

Previous review comments received from the City will be tabulated; responses will be addressed and incorporated on the project plans as necessary.

DELIVERABLES:

- *One Full size set and three (3) 11 x 17 sets of the Plans Specifications and Estimate at the 65% level*

Subtask 5.2. 90% Plans, Specifications, and Estimate (New Scope)

BEN|EN will prepare and submit a 90% Plans, Specifications and Estimates to the City for review and comment. Previous review comments received from the City will be tabulated; responses will be addressed and incorporated on the project plans as necessary.

ATTACHMENT 2**DELIVERABLES:**

- *One Full size set and three (3) 11 x 17 sets of the Plans and Estimate at the 90% level*

Subtask 5.3. 100% and Final Plans, Specifications, and Estimate

Prepare and submit Plans, Specifications and Estimates to the City for review and comment. Previous review comments received from the City will be tabulated; responses will be addressed and incorporated on the project plans as necessary. Upon verification of all comment incorporated into the 100% submittal, BENEN will provide the stamp copy of the PS&E. Additional revision to plan set will be done as part of an amendment if required at this phase of the project.

DELIVERABLES:

- *One Full size set and three (3) 11 x 17 sets of the Plans and Estimate at the 100% level*
- *One Full size stamped set of plans, and specifications. A PDF copy of the cost estimate, and the stamped plans and specification*

TASK 6. Bidding and Construction Assistance**Subtask 6.1. Bidding Assistance**

BEN|EN will draft responses to bidder inquiries during the bidding process for City review and distribution to all bidders. Our team assumes responding to four (4) bidder inquiries.

Subtask 6.2. Construction Assistance

BEN|EN will attend the pre-construction meeting and will assist the City staff to review any RFI and change order requests. BEN|EN will also perform field reviews during construction as requested by the City. Our team assumes responding to four (4) field visits and four (4) RFI's.

Subtask 6.3. Record Drawings (Optional Task)

Upon completion of construction, BEN|EN will provide Record Drawing and an Electronic file submittal in accordance to the City of Rancho Cordova Specifications for Digital Submission of Civil Engineering Plans (version 1.2).

Fee Estimate

Client: City of Rancho Cordova

Consultant: Bennett Engineering Services Inc

Project: South Sunrise Boulevard Pavement Rehabilitation

Date: April 4, 2018

Exhibit B-1

Page 1 of 2

ATTACHMENT 2

BEN|EN

TRUSTED ENGINEERING ADVICE

Fee Estimate			Principal Engineer 240 \$/hr		Project Manager III 185 \$/hr		Engineer IV 185 \$/hr		Engineer II 160 \$/hr		Engineer I 145 \$/hr		Engineering Intern 75 \$/hr		Designer III 150 \$/hr		Administrative 75 \$/hr		BEN EN Subtotal		MISC. EXPENSES	UNICO	Y & C	GEOCON	Foothills	TOTAL	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost		Contract	Contract	Contract	Contract		
Task 1: Project Management																											
1.1 - Meetings and Field Reviews			4 hrs	\$960	16 hrs	\$2,960	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	20 hrs	\$3,920	\$80	\$0	\$0	\$0	\$0	\$4,000	
1.2 - Project Schedule			2 hrs	\$480	2 hrs	\$370	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	4 hrs	\$850	\$0	\$0	\$0	\$0	\$0	\$850	
1.3 - Agency Coordination			2 hrs	\$480	6 hrs	\$1,110	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	8 hrs	\$1,590	\$0	\$0	\$0	\$0	\$0	\$1,590	
1.4 - Monthly Invoices and Status Reports			hrs	\$0	6 hrs	\$1,110	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	22 hrs	\$1,650	28 hrs	\$2,760	\$60	\$0	\$0	\$0	\$0	\$2,820	
1.5 - Quality Control			2 hrs	\$480	hrs	\$0	12 hrs	\$2,220	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	14 hrs	\$2,700	\$0	\$0	\$0	\$0	\$0	\$2,700	
Subtotal			10 hrs	\$2,400	30 hrs	\$5,550	12 hrs	\$2,220	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	22 hrs	\$1,650	74 hrs	\$11,820	\$140	\$0	\$0	\$0	\$0	\$11,960	
Task 2: Topographic Survey and Mapping																											
2.1 - Topographic Surveying and Mapping			hrs	\$0	2 hrs	\$370	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	12 hrs	\$1,800	hrs	\$0	14 hrs	\$2,170	\$50	\$14,490	\$0	\$0	\$0	\$16,710	
2.2 - Utility Lid and Rim Survey			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$3,220	\$0	\$0	\$0	\$3,220	
2.3 - Monument Perpetuation and Preservation (Optional Task)			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Subtotal			hrs	\$0	2 hrs	\$370	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	12 hrs	\$1,800	hrs	\$0	14 hrs	\$2,170	\$50	\$17,710	\$0	\$0	\$0	\$0	\$19,930
Task 3 Utility Coordination																											
3.1 - Utility Letters ABC			hrs	\$0	4 hrs	\$740	hrs	\$0	16 hrs	\$2,560	hrs	\$0	16 hrs	\$1,200	hrs	\$0	hrs	\$0	36 hrs	\$4,500	\$0	\$0	\$0	\$0	\$0	\$4,500	
Subtotal			hrs	\$0	4 hrs	\$740	hrs	\$0	16 hrs	\$2,560	hrs	\$0	16 hrs	\$1,200	hrs	\$0	hrs	\$0	36 hrs	\$4,500	\$0	\$0	\$0	\$0	\$0	\$4,500	
Task 4: Preliminary Engineering, Pavement Evaluation and Recommendations																											
4.1 - Preliminary Engineering			2 hrs	\$480	12 hrs	\$2,220	hrs	\$0	24 hrs	\$3,840	16 hrs	\$2,320	hrs	\$0	4 hrs	\$600	hrs	\$0	58 hrs	\$9,460	\$100	\$0	\$0	\$0	\$0	\$9,560	
4.2 - Pavement Evaluation and Recommendations			hrs	\$0	4 hrs	\$740	hrs	\$0	12 hrs	\$1,920	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	16 hrs	\$2,660	\$0	\$0	\$0	\$7,475	\$0	\$10,135	
4.3 - Preliminary Landscape Design			hrs	\$0	2 hrs	\$370	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	2 hrs	\$370	\$0	\$0	\$0	\$0	\$11,690	\$12,060	
Subtotal			2 hrs	\$480	18 hrs	\$3,330	hrs	\$0	36 hrs	\$5,760	16 hrs	\$2,320	hrs	\$0	4 hrs	\$600	hrs	\$0	76 hrs	\$12,490	\$100	\$0	\$0	\$7,475	\$11,690	\$31,755	
Task 5 Final Plans, Specifications, and Estimate Documents																											
5.1 - 65% Plans, Specifications & Estimate			2 hrs	\$480	36 hrs	\$6,660	hrs	\$0	60 hrs	\$9,600	40 hrs	\$5,800	hrs	\$0	32 hrs	\$4,800	hrs	\$0	170 hrs	\$27,340	\$200	\$0	\$29,900	\$0	\$11,713	\$69,153	
5.2 - 100% and Final Plans, Specifications, and Estimate			2 hrs	\$480	24 hrs	\$4,440	hrs	\$0	32 hrs	\$5,120	20 hrs	\$2,900	hrs	\$0	16 hrs	\$2,400	hrs	\$0	94 hrs	\$15,340	\$200	\$0	\$31,050	\$0	\$14,329	\$60,919	
Subtotal			4 hrs	\$960	60 hrs	\$11,100	hrs	\$0	92 hrs	\$14,720	60 hrs	\$8,700	hrs	\$0	48 hrs	\$7,200	hrs	\$0	264 hrs	\$42,680	\$400	\$0	\$60,950	\$0	\$26,042	\$130,072	
Task 6 Bidding and Construction Assistance																											
6.1 - Bidding Assistance			hrs	\$0	4 hrs	\$740	hrs	\$0	6 hrs	\$960	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	10 hrs	\$1,700	\$0	\$0	\$2,875	\$0	\$0	\$4,575	
6.2 - Construction Assistance			hrs	\$0	4 hrs	\$740	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	8 hrs	\$1,200	hrs	\$0	12 hrs	\$1,940	\$100	\$0	\$2,875	\$0	\$2,640	\$7,555	
6.3 - Record Drawings (Optional Task)			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Subtotal			hrs	\$0	8 hrs	\$1,480	hrs	\$0	6 hrs	\$960	hrs	\$0	hrs	\$0	8 hrs	\$1,200	hrs	\$0	22 hrs	\$3,640	\$100	\$0	\$5,750	\$0	\$2,640	\$12,130	
PROJECT TOTAL			16 hrs	\$3,840	122 hrs	\$22,570	12 hrs	\$2,220	150 hrs	\$24,000	76 hrs	\$11,020	16 hrs	\$1,200	72 hrs	\$10,800	22 hrs	\$1,650	486 hrs	\$77,300	\$790	\$17,710	\$66,700	\$7,475	\$40,372	\$210,347	
OPTIONAL TASKS:																											
2.3 Monument Perpetuation and Preservation			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$3,450	\$0	\$0	\$0	\$3,450	
9.3 Record Drawings			hrs	\$0	2 hrs	\$370	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	8 hrs	\$1,200	hrs	\$0	10 hrs	\$1,570	\$0	\$0	\$0	\$0	\$0	\$1,570	
OPTIONAL TASKS TOTAL			hrs	\$0	2 hrs	\$370	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	8 hrs	\$1,200	hrs	\$0	10 hrs	\$1,570	\$0	\$3,450	\$0	\$0	\$0	\$5,020	
PROJECT TOTAL with OPTIONAL TASKS			16 hrs	\$3,840	124 hrs	\$22,940	12 hrs	\$2,220	150 hrs	\$24,000	76 hrs	\$11,020	16 hrs	\$1,200	80 hrs	\$12,000	22 hrs	\$1,650	496 hrs	\$78,870	\$790	\$21,160	\$66,700	\$7,475	\$40,372	\$215,367	

AGENDA ITEM 9.4

Additional Fee Information

This fee estimate is valid for 90 days.

This fee estimate contains an abbreviated list of staff classifications and does not restrict BEN|EN to those classifications. The Standard Rate Schedule with a full list of staff classifications is available upon request.

Standard hourly rates do not apply to a demand to perform work during an overtime period. Work required to be performed during an overtime period (as mandated by California law) will be charged at a 50% premium.

Substantial changes in the required scope of work or schedule may result in the revision of the proposed fees and total contract amount.

Rates are subject to change annually effective July 1st.

INITIALS:

Fee Estimate			Project Manager IV 201 \$/hr		Engineer IV 191 \$/hr		Engineer II 165 \$/hr		Engineer I 149 \$/hr		Designer III 155 \$/hr		Administrative 77 \$/hr		BEN EN Subtotal		MISC. EXPENSES	UNICO	Y & C	GEOCON	Foothills	Interwest	GPA	AMENDMENT NO. 1 TOTAL	ORIGINAL CONTRACT TOTAL	ORIGINAL + AMEND NO. 1 TOTAL	
	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost		Contract	Contract	Contract	Contract	Contract	Contract				
Task 1: Project Management																											
1.1 - Meetings and Field Reviews			24 hrs	\$4,824	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	24 hrs	\$4,824	\$120	\$0	\$0	\$0	\$0	\$0	\$0	\$4,944	\$4,000	\$8,944	
1.2 - Project Schedule			8 hrs	\$1,608	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	8 hrs	\$1,608	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,608	\$850	\$2,458	
1.3 - Agency Coordination			12 hrs	\$2,412	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	12 hrs	\$2,412	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,412	\$1,590	\$4,002	
1.4 - Monthly Invoices and Status Reports			24 hrs	\$4,824	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	40 hrs	\$3,080	64 hrs	\$7,904	\$0	\$0	\$0	\$0	\$0	\$0	\$7,904	\$2,820	\$10,724
1.5 - Quality Control			16 hrs	\$3,216	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	16 hrs	\$3,216	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,216	\$2,700	\$5,916	
Subtotal			84 hrs	\$16,884	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	40 hrs	\$3,080	124 hrs	\$19,964	\$120	\$0	\$0	\$0	\$0	\$0	\$0	\$20,084	\$11,960	\$32,044	
Task 2: Topographic Survey and Mapping																											
2.1 - Topographic Surveying and Mapping (Scope Change)			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	-\$3,565	\$0	\$0	\$0	\$0	\$0	-\$3,565	\$16,710	\$13,145	
2.2 - Utility Lid and Rim Survey			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,220	\$3,220	\$3,220	
2.3 - Monument Perpetuation and Preservation			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,450	\$3,450	\$3,450	
2.4 - Aerial and Photogrammetric Surveying and Mapping (New Scope)			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$10,925	\$0	\$0	\$0	\$0	\$0	\$10,925	\$0	\$10,925	
2.5 - Boundary Determination (New Scope)			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$30	\$4,370	\$0	\$0	\$0	\$0	\$0	\$4,400	\$0	\$4,400	
2.6 - Plat & Legals (New Scope)			hrs	\$0	2 hrs	\$382	hrs	\$0	4 hrs	\$596	hrs	\$0	hrs	\$0	6 hrs	\$978	\$0	\$6,900	\$0	\$0	\$0	\$0	\$0	\$7,878	\$0	\$7,878	
2.7 - Temporary Construction Easements Appraisals (New Scope)			hrs	\$0	2 hrs	\$382	hrs	\$0	18 hrs	\$2,682	hrs	\$0	hrs	\$0	20 hrs	\$3,064	\$0	\$0	\$0	\$0	\$20,700	\$0	\$23,764	\$0	\$23,764	\$23,764	
2.8 - Temporary Construction Easements Acquisitions (New Scope)			hrs	\$0	2 hrs	\$382	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	2 hrs	\$382	\$0	\$0	\$0	\$0	\$34,500	\$0	\$34,882	\$0	\$34,882	\$34,882	
Subtotal			hrs	\$0	6 hrs	\$1,146	hrs	\$0	22 hrs	\$3,278	hrs	\$0	hrs	\$0	28 hrs	\$4,424	\$30	\$18,630	\$0	\$0	\$0	\$55,200	\$0	\$78,284	\$23,380	\$101,664	
Task 3 Utility Coordination																											
3.1 - Utility Letters ABC (Scope Change)			hrs	\$0	4 hrs	\$764	16 hrs	\$2,640	hrs	\$0	hrs	\$0	hrs	\$0	20 hrs	\$3,404	\$12,000	\$0	\$0	\$0	\$0	\$0	\$0	\$15,404	\$4,500	\$19,904	
3.2 - Utility Relocation Coordination & ROI (New Scope)			hrs	\$0	8 hrs	\$1,528	24 hrs	\$3,960	hrs	\$0	hrs	\$0	hrs	\$0	32 hrs	\$5,488	\$0	\$0	\$0	\$0	\$0	\$0	\$5,488	\$0	\$5,488	\$5,488	
3.3 - ROW Cert (New Scope)			hrs	\$0	4 hrs	\$764	8 hrs	\$1,320	hrs	\$0	hrs	\$0	hrs	\$0	12 hrs	\$2,084	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,084	\$0	\$2,084	
Subtotal			hrs	\$0	16 hrs	\$3,056	48 hrs	\$7,920	hrs	\$0	hrs	\$0	hrs	\$0	64 hrs	\$10,976	\$12,000	\$0	\$0	\$0	\$0	\$0	\$0	\$22,976	\$4,500	\$27,476	
Task 4: Preliminary Engineering, Pavement Evaluation and Recommendations, Preliminary Landscape Design																											
4.1 - Preliminary Engineering (Scope Change)			hrs	\$0	8 hrs	\$1,528	16 hrs	\$2,640	hrs	\$0	hrs	\$0	hrs	\$0	24 hrs	\$4,168		\$0	\$0	\$0	\$0	\$0	\$0	\$4,268	\$9,560	\$13,828	
4.2 - Pavement Evaluation and Recommendations (Scope Change)			hrs	\$0	2 hrs	\$382	4 hrs	\$660	hrs	\$0	hrs	\$0	hrs	\$0	6 hrs	\$1,042	\$0	\$0	\$0	\$2,300	\$0	\$0	\$0	\$3,342	\$10,135	\$13,477	
4.3 - Preliminary Landscape Design (Scope Change)			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$0	\$0	\$0	\$2,237	\$0	\$0	\$2,237	\$12,060	\$14,297	
4.4 - Preliminary Environmental Study (New Scope)			hrs	\$0	6 hrs	\$1,146	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	6 hrs	\$1,146	\$0	\$0	\$0	\$0	\$0	\$11,263	\$12,409	\$0	\$12,409	\$12,409	
4.5 - Notice of Exemption/Categorical Exemption (New Scope)			hrs	\$0	4 hrs	\$764	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	4 hrs	\$764	\$0	\$0	\$0	\$0	\$0	\$3,717	\$4,481	\$0	\$4,481	\$4,481	
4.6 - Visual Impact Analysis Technical Memo (New Scope)(Optional)			hrs	\$0	4 hrs	\$764	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	4 hrs	\$764	\$0	\$0	\$0	\$0	\$0	\$5,204	\$5,968	\$0	\$5,968	\$5,968	
4.7 - Natural Environmental Study (Minimal Impact)(New Scope)(Optional)			hrs	\$0	4 hrs	\$764	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	4 hrs	\$764	\$0	\$0	\$0	\$0	\$0	\$20,533	\$21,297	\$0	\$21,297	\$21,297	
4.8 - Initial Site Assessment (ISA) (New Scope) (Optional)			hrs	\$0	2 hrs	\$382	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	2 hrs	\$382	\$0	\$0	\$0	\$6,912	\$0	\$0	\$0	\$7,294	\$0	\$7,294	
4.9 - Aerially Deposited Lead (ADL) Investigation (New Scope) (Optional)			hrs	\$0	2 hrs	\$382	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	2 hrs	\$382	\$0	\$0	\$0	\$9,114	\$0	\$0	\$0	\$9,496	\$0	\$9,496	
Subtotal			hrs	\$0	32 hrs	\$6,112	20 hrs	\$3,300	hrs	\$0	hrs	\$0	hrs	\$0	52 hrs	\$9,412	\$100	\$0	\$0	\$18,326	\$2,237	\$0	\$40,717	\$70,792	\$31,755	\$102,547	
Task 5 Final Plans, Specifications, and Estimate Documents																											
5.1 - 65% Plans, Specifications & Estimate (Scope Change)			hrs	\$0	24 hrs	\$4,584	60 hrs	\$9,900	60 hrs	\$8,940	40 hrs	\$6,200	hrs	\$0	184 hrs	\$29,624	\$50	\$0	\$11,500	\$0	\$0	\$0	\$0	\$41,174	\$69,153	\$110,327	
5.2 - 90% Plans, Specifications & Estimate (New Scope)			hrs	\$0	20 hrs	\$3,820	34 hrs	\$5,610	20 hrs	\$2,980	26 hrs	\$4,030	hrs	\$0	100 hrs	\$16,440	\$0	\$0	\$9,200	\$0	\$0	\$0	\$0	\$25,640	\$0	\$25,640	
5.3 - 100% Final Plans, Specifications, and Estimate			hrs	\$0	8 hrs	\$1,528	16 hrs	\$2,640	16 hrs	\$2,384	hrs	\$0	hrs	\$0	40 hrs	\$6,552	\$0	\$0	\$2,300	\$0	\$0	\$0	\$0	\$8,852	\$60,919	\$69,771	
Subtotal			hrs	\$0	52 hrs	\$9,932	110 hrs	\$18,150	96 hrs	\$14,304	66 hrs	\$10,230	hrs	\$0	324 hrs	\$52,616	\$50	\$0	\$23,000	\$0	\$0	\$0	\$0	\$75,666	\$130,072	\$205,738	
Task 6 Bidding and Construction Assistance																											
6.1 - Bidding Assistance			4 hrs	\$804	hrs	\$0	6 hrs	\$990	hrs	\$0	hrs	\$0	hrs	\$0	10 hrs	\$1,794	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,794	\$4,575	\$6,369	
6.2 - Construction Assistance			4 hrs	\$804	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	4 hrs	\$804	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$804	\$7,555	\$8,359	
6.3 - Record Drawings (Optional Task)			hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,570	\$1,570	
Subtotal			8 hrs	\$1,608	hrs	\$0	6 hrs	\$990	hrs	\$0	hrs	\$0	hrs	\$0	14 hrs	\$2,598	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,598	\$13,700	\$16,298	
PROJECT TOTAL			92 hrs	\$18,492	106 hrs	\$20,246	184 hrs	\$30,360	118 hrs	\$17,582	66 hrs	\$10,230	40 hrs	\$3,080	606 hrs	\$99,990	\$12,300	\$18,630	\$23,000	\$18,326	\$2,237	\$55,200	\$40,717	\$270,400	\$215,367	\$485,767	

MEMORANDUM

DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director and Edgar Medina, Senior Civil Engineer

SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT 140-2016-1 WITH PSOMAS TO INCREASE THE CONTRACT AMOUNT FROM \$233,725 TO A NOT-TO-EXCEED AMOUNT OF \$269,848 AND EXTEND THE CONTRACT TERM TO OCTOBER 31, 2019 FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE ROD BEAUDRY-ROUTIER BIKEWAY PROJECT (CP16-2169)**



RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of this Resolution would authorize the City Manager to execute a contract amendment with Psomas Engineering to increase the contract amount from \$233,725 to a not-to-exceed amount of \$269,848 and extend the contract term to October 31, 2019 for additional engineering design services for the Rod Beaudry-Routier Bikeway Project, (CP16-2169).

BACKGROUND

The Rod Beaudry-Routier Bikeway project will provide a north-south bicycle connection to the American River Parkway utilizing barrier separated bicycle lanes. The project provides an improved connection to the river and encourages citizens and visitors to engage in an active and healthy lifestyle.

On September 19, 2016, the City entered into an agreement with Psomas for the design of the project. Additional necessary services were identified as the design developed including evaluating options for the Routier Road Bridge crossing US 50, additional storm drainage design, and utility location.

This amendment will increase the contract limits to accommodate the additional design work and engineering support during the construction phase. The contract increase for this additional scope is within the existing project budget. Construction is anticipated to commence in spring 2019 and be completed summer 2019.

FISCAL IMPACT

The total cost for this project is approximately \$2,887,000. Funding consists of \$1,815,000 in Federal Active Transportation Program Grant Funds; \$200,000 from the City's Community Enhancement Funds; \$50,000 in Transportation Development Act Funds; \$341,087 in Capital Infrastructure Funds; 192,000 in Measure A Funds and \$290,000 in Gas Tax Funds. This contract amendment is contained within the existing overall project budget and there is no impact to the general fund beyond what is already allocated.

ATTACHMENTS

1. Resolution
2. Contract Amendment 140-2016-1

ATTACHMENT 1**CITY OF RANCHO CORDOVA****RESOLUTION NO. XX-2019**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT 140-2016-1 WITH PSOMAS TO INCREASE THE CONTRACT AMOUNT FROM \$233,725 TO A NOT-TO-EXCEED AMOUNT OF \$269,848 AND EXTEND THE CONTRACT TERM TO OCTOBER 31, 2019 FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE ROD BEAUDRY-ROUTIER BIKEWAY PROJECT (CP16-2169)

WHEREAS, the City of Rancho Cordova entered into Contract No. 140-2016 with Psomas in the amount of \$233,725 on September 19, 2016 for engineering design services for the Rod Beaudry-Routier Bikeway Project; and

WHEREAS, additional design services have been identified as necessary to complete the project including evaluating options for the Routier Road Bridge crossing US 50, additional storm drainage design, and utility location; and

WHEREAS, Contract Amendment 140-2016-1 will increase the contract amount from \$233,725 to a not to exceed amount of \$269,848; and

WHEREAS, contract amendment 140-2016-1 will extend the contract expiration date from February 20, 2019 to October 31, 2019; and

WHEREAS, the contract will be paid through various funding sources earmarked for the project. The contract amendment is funded within the existing project budget and will not impact the general fund above what is already allocated.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute Contract Amendment 140-2016-1 with Psomas to increase the contract amount from \$233,725 to a not to exceed amount of \$269,848 and extend the contract term to October 31, 2019 for additional engineering design services for the Rod Beaudry-Routier Bikeway Project and in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTACHMENT 1**ATTEST:**

Stacy Leitner, City Clerk

ATTACHMENT 2
CONTRACT NO. 140-2016-1

FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND PSOMAS
FOR THE ROD BEAUDRY – ROUTIER BIKEWAY PROJECT

This First Amendment to the Agreement for Professional Services ("Amendment") is made by and between the City of Rancho Cordova ("City" or "LOCAL AGENCY") and PSOMAS ("Professional" or "CONSULTANT") as of January 22, 2019. City and Professional are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a Professional Services Agreement ("PSA") dated September 19, 2016 for the purpose of providing engineering design services; and

WHEREAS, this Amendment will reimburse the Professional for additional design expenses related to work not anticipated in the original agreement. Specifically, the Professional was directed to design a new railing system across the existing Routier Road bridge crossing at US 50, additional storm drainage improvements, potholing of existing utilities and related project coordination work, all which was not anticipated in the original project scope; and

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

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. The Parties agree to modify the end date of the PSA from February 20, 2019, to October 31, 2019. The entire paragraph of Section 1.1.1 of the PSA, "Performance Period," is amended to read as follows:

"This contract so go into effect on September 19, 2016, contingent upon approval by LOCAL AGENCY, and CONSULTANT shall commence work after notification to proceed by LOCAL AGENCY'S Contract Administrator The term of this Agreement shall begin on the date first noted above and shall end on October 31, 2019, and Professional shall complete the work described in Exhibit A prior to that date; unless the term of the Agreement is otherwise terminated or extended, as provided in Section 8."

2. Section 2 of the PSA, "Compensation," provides for the City to pay Professional a sum not to exceed \$269,848. The Parties agree to amend Section 2 of the PSA in order to increase the compensation amount to pay Professional for additional services. The first two sentences of Section 2 of the PSA is amended to read as follows:

"City hereby agrees to pay Professional a sum not to exceed \$269,848, notwithstanding any contrary indications that may be contained in Professional's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Professional's Cost Proposal, attached as Exhibit B dated 12/17/18, regarding the amount of compensation, this Agreement shall prevail."

3. The documents entitled "Additional Scope of Work" attached here to as Exhibit A-1 dated January 22, 2019 shall be incorporated into the existing Exhibit A. The document entitled "Cost Proposal" attached hereto as Exhibit B dated January 22, 2019, shall replace and supersede the existing PSA's Exhibit B.

ATTACHMENT 2
CONTRACT NO. 140-2016-1

4. All other terms and conditions in the PSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.
5. The signatures of the Parties to this Amendment may be executed and acknowledged on separate pages or in counterparts which, when attached to this Amendment, shall constitute one complete Amendment.
6. **Contract Administration.** This Agreement shall be administered by Mr. Edgar Medina, P.E. ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

Notices. Any written notice to Professional shall be sent to:

Mr. Tim Hayes, P.E., Vice President
PSOMAS
1075 Creekside Ridge Drive, Suite200
Roseville, CA 95678

Email Address (for Insurance Update Requests): thayes@psomas.com

Any written notice to City shall be sent to:

Mr. Edgar Medina, P.E. emedina@cityofranchocordova.org
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

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

CITY OF RANCHO CORDOVA

PROFESSIONAL

Cyrus Abhar, City Manager

Tim Hayes, P.E., Vice President

Date: _____

Date: _____

Attest:

Stacy Leitner, City Clerk

Date: _____

Approved as to Form:

Adam Lindgren, City Attorney

Date: _____

CONTRACT NO. 140-2016

EXHIBIT A
SCOPE OF SERVICES

PROJECT UNDERSTANDING AND ASSUMPTIONS

Project Understanding

Psomas will provide services to complete preliminary engineering, environmental services; and final technical design services for the Rod Beaudry-Routier Class IV Bikeway Project. The goal of the project is to connect the Lincoln Village neighborhood to the American River Parkway by constructing a one-way barrier-separated bicycle lane along Routier Road from Old Placerville Road to Folsom Boulevard and along Rod Beaudry Drive between Folsom Blvd and the American River Parkway.

Key Assumptions

The following key assumptions have been used to develop our scope of work:

- The project will not require any new right of way and will be limited to work from back of walk to back of walk.
- The environmental document will be a Categorical Exemption under CEQA/Categorical Exclusion under NEPA.
- The scope and extent of the project has been defined by the City and will be presented to the City Council by Public Works at the September 19 Council Meeting. There will only be one alternative.
- No utility potholing or utility relocations are anticipated.
- There is no roadway widening required.
- No technical engineering studies will be required by Caltrans for the work within their right of way.
- Extensive public outreach has already been completed by the City. There will only be one community workshop.

SCOPE OF WORK

TASK 1 – PROJECT MANAGEMENT AND COORDINATION

This task emphasizes Psomas' role as the central coordinator for all activities. We will be responsible for base mapping, utility coordination, preliminary engineering, environmental support, public outreach, final design, and project management and coordination.

1.1 Schedule and Attend Meetings

Psomas will facilitate a team kickoff meeting to review the project scope and schedule with the City Project Manager and other key team members. Psomas will facilitate bi-monthly team progress meetings with City staff and other key team members to closely monitor the project status. Some of these will be conference calls. It is assumed that there will be eight progress meetings. Psomas will schedule, facilitate, and prepare meeting agendas and minutes for all meetings. The minutes shall

include, but not be limited to, a list of attendees with phone numbers and e-mail, a synopsis of discussion items, any pertinent information, action items, and follow-up to action items.

1.2 Progress Reports and Invoices

Psomas will prepare progress reports and invoices that will reflect the professional services provided and summarize the anticipated and completed tasks on a monthly basis. The progress reports will include the status of utility coordination and identify any problems encountered that may affect the schedule, budget, or deliverable. The progress report will consist of a summary of the budget spent on each task, in relationship to the work performed.

1.3 Develop and Update Project Schedule

Psomas will prepare a Critical Path Method schedule. The schedule will be updated bi-monthly and reviewed with the City during the team progress meetings. Working closely with the City Project Manager, Psomas will supplement the initial schedule to include all key activities necessary for the successful completion of the project.

1.4 Quality Control/Quality Assurance

Psomas will provide the quality control and quality assurance for the project. This task includes providing senior reviews to ensure conformance with City standards, identify conflicts, and monitor the overall quality and efficiency of the project. The reviews of all deliverables will be conducted to ensure conformance with the City standards. This task includes documentation of review comments and responses to these comments prior to each submittal.

1.5 Sacramento Regional Transit District (RT) and Caltrans Coordination

Psomas will coordinate with RT to confirm their specific requirements for the work affecting RT operations and within the Joint Powers Authority right of way. We will use our existing relationships with RT to establish these requirements early on in the preliminary engineering design process. We will provide copies of submittals to RT for their review. We anticipate two meetings with RT during the course of the project.

Psomas will coordinate with Caltrans to confirm specific requirements for the work on the Routier Road bridge overcrossing of Highway 50. We will prepare the encroachment application for the work within Caltrans right of way. Considering the minimal nature of work within Caltrans right of way, it is assumed that engineering technical studies are not required for the encroachment permit. We also anticipate coordination with Caltrans Local Assistance staff, environmental reviewers and the right of way/utility coordinator.

Deliverables

- Team progress meeting agendas and minutes
- Progress reports and invoices
- Initial and updated project schedule

TASK 2 – PERFORM FIELD SURVEYING AND TOPOGRAPHIC MAPPING

2.1 Aerial Mapping and Color Ortho-imagery

The basis of bearings for field surveys will be referenced to NAD83, California Coordinate System Zone II as established using local County/City survey control or as established using GPS survey methods. The vertical datum will be referenced to NAVD88 based upon nearby published Sacramento County benchmarks, local City data or as established using GPS survey methods.

Psomas surveyors will set and survey approximately 18 aerial panels to control the photogrammetric models needed to produce photogrammetric mapping and high resolution digital color ortho-imagery.

The color ortho-imagery mentioned above will be produced along the project alignment illustrated in the RFQ. Aerial topographic mapping at a scale of 1" = 40' with a DTM capable of supporting a 1-foot contour interval will be completed on the following street corridors:

- Routier Road from Old Placerville Road to Folsom Blvd (1.4 miles)
- Folsom Blvd from Routier Rd to Rod Beaudry Road (0.2 miles)
- Rod Beaudry Drive from Folsom Blvd to American River Trail spur (0.6 miles)

The ortho-imagery and the photogrammetric mapping will be used in the early phases of the project.

2.2 Topographic Infill Surveys

Once the aerial mapping is complete and the proposed design becomes more finalized, Psomas surveyors will perform ground-based surveys to infill the photogrammetric mapping where needed and perform a quality review. It is not intended to complete full field surveys of the entire alignment, just infill of the aerial mapping where design details require more specific grade information. We have assumed a total of one day of infill field survey work. Psomas surveyors will set a minimum of four permanent survey control points to be used for the topographic survey and to be preserved for use during the construction phase of the project.

Psomas will infill pertinent features such as the edge of pavement, crown of roadway, grade breaks, medians, high and low points, visible utilities, utility paint markings, driveways, curb and gutter and back of walk where existing, retaining walls, signs and other visible improvements within the project limits that were not visible from the air. The mapping for this project will be confined to the public right of way, which is assumed to be at the back of walk.

During this phase, Psomas surveyors will produce a composite archival base map combining all the topographic information together into one seamless mapping product. Contours will be generated at an interval of 1 foot. The break lines and spot measurements from the ground surveys will be used to create one DTM for each street. Mapping scale will be 1 inch = 40 feet.

Deliverables

- Color digital ortho-imagery
- Design base mapping on the street segments mentioned above in Autocad Civil 3D format at 1"= 40' with a surface capable of producing a 1 foot contour interval
- A minimum of four survey control monuments left behind to support future project related survey tasks

TASK 3 – RESEARCH/FIELD INVESTIGATIONS**3.1 Research/Data Collection**

Psomas will collect data and perform the preliminary research to identify the existing constraints and gather background information for the project. For this task, Psomas will perform the following: obtain and review available as-built roadway plans, obtain all City GIS information available at this location, and obtain and review drainage reports, geotechnical reports and improvement plans for projects recently completed along adjacent City streets.

3.2 Field Investigations

The Psomas Team will conduct an in-depth field review to become more familiar with the existing conditions and identify and document non-standard facilities and physical features that may be design constraints for the proposed improvements. City staff is invited to participate in the field review as well.

TASK 4 – UTILITY COORDINATION

Psomas will provide utility coordination with the owners of existing and planned utilities within and adjacent to the project work area. Conflicts will be identified and utility owners will be provided with information on the proposed improvements. Although not anticipated, it is assumed that utility relocation design, if required, will be handled by the respective utility owner and is not part of this scope of work. Psomas will assist with the coordination of any new or relocated facilities within the project limits.

4.1 Utility A Letters and Plans

Psomas will send A letters on City letterhead and plans (location map) to the applicable utility companies requesting utility information and verification of their existing facilities including the location, size, and depth (if available) within the work area, or those that might be affected by the proposed improvements. Psomas will prepare and update a utility tracking list to summarize the information received and correspondence with each utility company. Information received will be added to the base mapping and field verified where feasible.

4.2 Utility B Letters and Plans

Once the draft plans are completed, Psomas will send the B letters and plans to the applicable utility

companies notifying the utility companies of potential conflicts between existing facilities and the proposed improvements.

4.3 *Coordinate Potholing and Utility Relocation Activities (Optional Task)*

As an optional task, Psomas will prepare utility conflict maps where utility conflicts are identified and show potential pothole locations. Potholing will be completed by Exaro Technologies if required.

4.4 *Utility C Letters and Plans (Optional Task)*

For utility conflicts, Psomas will send the C letters and plans to the applicable utility companies to coordinate the utility relocation. If utility conflicts are positively identified, Psomas will coordinate with the utility companies through on-site review meetings to discuss the relocation requirements, design, and construction schedule. The C letters, distributed at 95% PS&E, will include the project schedule and deadlines for completion of utility relocations.

4.5 *Utility Certification Documentation (Optional Task)*

Where utility relocations are required Psomas will prepare the necessary utility documentation in accordance with Chapter 14 of the Caltrans Right of Way Manual and submit these to the Caltrans right of way coordinator for review and approval. This will include Record of Investigations, Notice to Owner, Utility Agreements if needed.

Deliverables

- Utility A Letters and Plans
- Utility B Letters and Plans
- *Utility Conflict Maps – (Optional Task)*
- *Utility C Letters and Plans– (Optional Task)*
- *Utility Certification Documentation– (Optional Task)*

TASK 5 – PUBLIC OUTREACH

5.1 **Stakeholder Database**

AIM will develop and maintain a stakeholder database throughout the project. This database will include: stakeholder name, contact information as well as the preferred method of contact and potential key concerns and/or areas of project interest. Potential stakeholders may include:

- | | |
|---------------------------------------|---|
| • Bradview Business Park | • AM Winn Elementary School |
| • Rancho Cordova Chamber of Commerce | • Abraham Lincoln Elementary School |
| • Rancho Cordova Parks and Recreation | • Cordova Meadows Elementary |
| • George Washington Carver School | • 50 Corridor TMA |
| | • Neil Orchard Senior Activities Center |

- Apartment Complexes
- Mobile Home Parks
- Local churches
- Sacramento Area Bicycle Advocates
- Bicycle Advocates for Rancho Cordova (BARC)
- WALK Sacramento

5.2 Community Workshop

AIM will plan and facilitate one community workshops to provide an opportunity to update the community about the project and gather feedback. In collaboration with the City and the project team, AIM will develop the format, notify the community, and facilitate each meeting. AIM will provide a summary of the meeting and community feedback received with photos.

As needed, AIM will provide assistance with a City Council or commission presentation. This may include developing displays and presentations, creating informational handouts, coordinating with the media, and attending a council or commission meeting

5.3 Electronic Communication

Project Webpage Content - AIM will develop content for a project webpage, to be hosted on the City's website to inform community members of important project information and opportunities to provide input throughout the project.

Deliverables – Public Outreach

- Outreach Materials
- Project Web-Page

TASK 6 – PRELIMINARY ENGINEERING

6.1 Preliminary Design Plans and Estimate– 65%

Psomas will prepare preliminary design plans that show the layout of the proposed improvements identifying features that may be impacted including existing roadway improvements, utilities, sidewalks and driveways, drainage and right-of-way. The conceptual plans shall be produced at 1" = 40' scale. The preliminary design plans (65%) will be developed showing the key project elements (including bikeway improvements, drainage improvements, access/driveway conforms, striping and signage, traffic signals) in sufficient detail to allow the project footprint to be accurately defined and a detailed cost estimate to be developed.

Quantities for the major construction items will be determined and unit costs will be applied based on our experience and recent applicable bid results to develop a preliminary construction cost estimate. At the end of this task, a review meeting will be held with the City to review the proposed preliminary design plans and to obtain concurrence on the basis of design, prior to moving forward into final design.

Y&C will obtain as-built signal plans for the following locations and verify them in the field:

- Rod Beaudry Drive/Folsom Blvd
- Routier Road/Folsom Blvd (re-cut loops only)
- Routier Road/System Parkway (re-cut loops only)
- Routier Road/Old Placerville Road

Y&C will prepare PS&E for signal modifications at locations mentioned above. In addition, Y&C will prepare PS&E for installation of a Rectangular Rapid Flashing Beacon (RRFB) system on Routier Road approximately 350 feet north of System Parkway.

Based on the obtained information, Y&C will prepare 65% plans and construction cost estimate for electrical items.

Deliverables

- Preliminary design plans (65%) including
 - Y&C - Four sheets of 1"=20' traffic signal modification plan
 - Y&C - Four sheets of no scale signal equipment and conductor schedules
- Preliminary cost estimates (65%)

TASK 7 – ENVIRONMENTAL – DEVELOP TECHNICAL REPORTS

Michael Baker International (MBI) will perform all required environmental research and analysis necessary for the project, pursuant to CEQA and NEPA. Federal funds will be administered through the Caltrans Local Assistance program, and Michael Baker proposes to complete required technical analyses in Caltrans-accepted format to facilitate review and approval.

7.1 Project Initiation

MBI will obtain and review existing information for the project site and will work with the PDT to prepare a detailed project description, including identification of the project footprint and timing of construction.

7.2 Preliminary Environmental Studies

MBI will attend a field review with Caltrans and conduct preliminary research to complete a Preliminary Environmental Studies (PES) Form consistent with Caltrans' *Local Assistance Procedures Manual*. MBI will coordinate with Caltrans for the review and approval of the PES Form.

7.3 Technical Studies

MBI will complete the following technical studies:

7.3.1 Cultural Resource Analysis

Under NEPA, the cultural resources portion of the work requires compliance with Section

106 of the National Historic Preservation Act (NHPA). With Caltrans acting as the lead federal agency, all work for archaeological resources work will also be completed in accordance with the guidelines and recommended procedures outlined in Volume 2 of Caltrans' Standard Environmental (SER) Handbook. The work will be supervised or performed by personnel who meet or exceed the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (36 CFR Part 61) and the professional qualifications standards outlined in Attachment 1 to the Section 106 Programmatic Agreement with the Federal Highway Administration (FHWA).

Michael Baker will conduct the following tasks to identify cultural resources in the project's study area.

7.3.2 Research and Field Investigation

- A records search will be conducted at the North Central Information Center. The records search will identify previously recorded or otherwise known cultural resources and previous cultural resource studies within or adjacent to the study area.
- A review of cultural resource inventories will be completed to identify cultural resources that may be listed within or adjacent to the study area. If available, appropriate City and County listings will be reviewed.
- Background research and a literature review, consisting of a review of archaeological, ethnographic, historical, and environmental publications and maps at historical archives, will also be performed. The background research will identify previously recorded or otherwise known cultural resources in or adjacent to the study area.
- Complete an archaeological field survey of the study area.
- Assist Caltrans with meeting Native American consultation requirements pursuant to Section 106 of the National Historic Preservation Act. Michael Baker will contact the Native American Heritage Commission in Sacramento for a review of the Sacred Lands File to determine if the study area contains any known sacred lands, and a list of Native American contacts who may have concerns about the project within the study area. On behalf of Caltrans, invitations to begin Section 106 consultation letters will be sent to Native American contacts and follow-up calls will be made. If meetings or additional consultations are required, a budget augment will be prepared.
- Assist the City with meeting Native American consultation requirements pursuant to Assembly Bill 52. Michael Baker will prepare initial consultation letters to tribes that have requested consultation, and document responses to these letters in two consultation logs, one for public disclosure and another that is not for public disclosure. If additional consultation or meetings are required, a budget augment will be prepared.
- Contact the Rancho Cordova Historical Society for any information or concerns they

may have about the project within the study area.

- Consult with Caltrans Professionally Qualified Staff to determine if additional studies will be required.

Deliverables

- Prepare a study area map per Caltrans standards. The study area map is prepared ahead of the APE map and is utilized as an in-progress APE map.
- Prepare an HPSR and ASR, per Caltrans standards.
- Prepare an APE map per Caltrans standards. The APE map is presented with submittal of the HPSR and ASR.

Assumptions for Cultural Resource Analysis

- This scope assumes that there are no built environment or archaeological resources within the Study Area/APE that require evaluation for inclusion in either the California Register of Historical Resources or National Register of Historic Places. We also assume the need for an HPSR and ASR, however, as project design develops, Michael Baker will consult with the City and Caltrans concerning the need for additional cultural Caltrans compliance documents.

7.3.3 Biological Resources Analysis

The initial phase of this task background research of the project vicinity. During this phase of the evaluation applicable data from the US Geological Survey (USGS), US Fish and Wildlife Service (Service), California Department of Fish and Wildlife (CDFW), California Native Plant Society (CNPS) and various other scientific resources will be reviewed and analyzed. These data are then used to develop preliminary delimitations of onsite land cover types, and outline special-status species with the potential to occur in the project vicinity.

The second phase of this task will be field surveys of the project area. These surveys serve to ground-truth and refine data collected during the preliminary assessment. Data collected during field surveys will result in the description and mapping of land use patterns on and adjacent to the project, as well as the identification and classification of the suitability of those land uses for utilization by special-status species.

If the biological evaluation determines that a formal wetland delineation, protocol-level surveys for listed species, and/ or a Biological Assessment of impacts to federally listed species are required; Michael Baker will meet with City staff to identify the additional work, and submit an estimated cost and schedule under separate cover.

Natural Environment Study-Minimal Impacts

The preparation of the Natural Environment Study-Minimal Impacts (NES-MI) document will satisfy the requirements of Caltrans, as well as provide the necessary information for the preparation of the CEQA/NEPA environmental document.

Data collected during the biological evaluation and other site activities will be utilized to prepare the NES-MI, which will include:

- The baseline conditions of the project area and vicinity;
- Impacts to endangered, threatened, or rare species;
- Impact to local natural communities, protected trees, and jurisdictional waters; and
- Mitigation for significant impacts to biological resources that will reduce project impacts to less than significant.

Deliverables

- One (1) electronic copy of the draft report in Word format, for comment/change tracking purposes. Two (2) hard copies of the final report, plus one (1) formatted electronic copy in PDF format.

Assumptions for Biological Resource Analysis

This scope is based on the assumption that no wetland delineation, Section 7 consultation, protocol level surveys for special status species, or tree surveys will be needed.

7.3.4 Initial Site Assessment (Phase 1)

Michael Baker will prepare a Phase I Initial Site Assessment (ISA) for the proposed Rod Beaudry-Routier Bikeway Project. The ISA will be prepared in accordance with the ASTM International (ASTM) Standard Practice E 1527-13 and the California Department of Transportation's (Caltrans') Standard Environmental Reference (SER). It should be noted that the completion of this Phase I ISA is only one component of the process required to satisfy the AAI Rule.

The goal of a Phase I ISA is to evaluate site history, existing observable conditions, current site use, and current and former uses of surrounding properties to identify the potential presence of recognized environmental conditions (RECs) associated with the subject site. RECs are defined in the ASTM E 1527-13 Standard as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment." De minimis conditions are not RECs. This Phase I ISA is not intended to provide specific qualitative or quantitative information as to the actual presence of hazardous substances at the subject site, but is to merely identify the potential presence based on available information.

The Phase I ISA will consist of four components: Records Review; Site Reconnaissance; Interviews; and Report Preparation. Michael Baker will document past activities, facilities, and/or waste disposal practices, which may have resulted in soil or groundwater contamination. Past site usage will be investigated through an aerial photograph review,

interviews, review of former permits, review of documents on file with applicable agencies, and research of former citations from State and local agencies. Current site conditions will be documented by an on-site inspection of the project area. A review of the commercial database summaries, provided by Environmental Data Resources, Inc. (EDR), regarding public agency records will be included. Regulatory sites within and surrounding the project area will be mapped within a one-mile radius (as required by the ASTM E 1527-13 search radius requirements). Potential hazardous materials conditions within the project site will be considered based on the EDR database search. The report will include a summary of the report findings and a discussion of our opinions and conclusions regarding the absence or presence of RECs in connection with the subject site. Documentation supporting the conclusions presented will be appended to the report.

Deliverables

- Michael Baker shall provide one (1) electronic copy (PDF format) of the Phase I ISA for Client submittal approximately eight weeks from the date of receipt of authorization to proceed.

Assumptions/Data Needs for ISA

- This scope of work assumes that one build alternative will be considered.
- The Project Engineer will provide the project description/purpose and need, and site plan.
- This scope of work assumes that all work would occur within existing roadway right-of-way and no new permanent right-of-way acquisition would occur.
- This scope specifically excludes environmental lien searches and chain of title documents (although these can be provided by Michael Baker on a time and materials basis, if requested by the Client).
- Our scope of work will be performed in accordance with the standards and practices set forth in 40 CFR Part 312, and consistent with the ASTM E 1527-13 Standard Practice for Phase I ESAs. The following list of "additional issues" are non-scope considerations outside of the ASTM Phase I practice: asbestos-containing materials (ACMs) sampling, radon sampling, lead-based paints (LBPs) sampling, lead in drinking water, wetlands, regulatory compliance, cultural and historic resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality, bio-agents, and mold. Assessment of these items is not included in our proposed scope of work.

7.4 Notice of Exemption

The proposed project may be exempt under CEQA Guideline 15304(h): The creation of bicycle lanes on existing rights-of-way. Upon completion of the technical analysis, if the determination that the project would have no significant impacts on the environment is supported, Planning will prepare a

Notice of Exemption and file the notice with the State Clearinghouse. This notice will serve as the CEQA documentation for the project

Deliverables

- One (1) PDF copy of the signed and stamped Notice of Exemption to Public Works.

7.5 Categorical Exclusion

Upon completion of the technical analysis and approval by Caltrans, if the determination that the project would have no significant impacts on the environment is supported, Planning will coordinate with Caltrans for the completion and signature of a Categorical Exclusion form under 23 CFR 771 activity (c)(3) (Construction of bicycle and pedestrian lanes, paths, and facilities), which will serve as the NEPA documentation for the project.

Deliverables

- One (1) PDF copy of the signed Categorical Exclusion form to Public Works.

TASK 8 – RIGHT OF WAY ENGINEERING

8.1 Right of Way Engineering

Psomas will process and evaluate record information to develop a right of way base map with the purpose of delineating the public right of way along the project alignment on Routier Road, Folsom Blvd., and Rod Beaudry Drive. During the initial survey to establish topographic and aerial control, Psomas surveyors will search for and recover existing centerline monumentation sufficient to resolve the location of the public right of way. Properties that adjoin the public right of way will be shown on the base mapping, but an actual boundary resolution will not be performed on these parcels until it is determined that a Temporary Construction Easement or other acquisition is required, at which time we will refine the property line locations in order to prepare the required documents for the acquisition. We anticipate that this effort will require 1 day of additional field work to perform the boundary resolutions.

8.2 TCE Plats and Legal Descriptions

Where Psomas determines that Permit to Enter/Right of Entry methods are not applicable and Temporary Construction Easements are required, we will prepare plat and legal descriptions (if needed). It is assumed that up to 4 TCEs will be required. Where Preliminary Title Reports are needed it is assumed the City will provide those to Psomas. It is assumed that City staff will prepare the right of entry and permit to enter documentation if required for the project.

Deliverables

- Right of Way base map in AutoCAD format
- Plat and Legal Descriptions for up to 4 TCEs

TASK 9 – FINAL DESIGN (PREPARE PLANS, TECHNICAL SPECIFICATIONS, ESTIMATE)

Psomas will prepare the Plans, Technical Specifications, and Estimate (PS&E) based on the preliminary plans approved by the City.

9.1 95% Plans, Technical Specifications and Estimate

Psomas will prepare 95% plans, technical specifications and estimate following the City Standards. The plans will include all details necessary to construct the improvements including drainage, roadway resurfacing, sidewalk, driveways, signing and striping and other improvements necessary for the project. It is not anticipated that the disturbed soil area will exceed 1 acre and preparation of a Stormwater Pollution Prevention Plan (SWPPP) is not anticipated. Y&C will prepare 95% PS&E for traffic signal modifications and RRFB at uncontrolled pedestrian crossings. Any comments by the City will be incorporated into 100% PS&E.

The quantities, engineer's estimate and bid items list will be broken out into separate sections to correspond to the separate funding sources.

9.2 100% Final Plans, Technical Specifications, and Estimate

The Psomas team will prepare and submit the 100% PS&E for final review and comment by the City staff. The 100% PS&E will include response to comments received for the 95% submittal. After acceptance by the City, Psomas will submit signed mylar (reproducible) plans to the City for bidding purposes.

Deliverables

- 95%, 100% plans, technical specifications and estimate (3 half size sets, 1 full size set)
- Construction schedule
- Signed final plans (full-size mylars (22x34) and electronic files)

TASK 10 – BIDDING ASSISTANCE AND CONSTRUCTION SUPPORT

Psomas will provide assistance in advertising the project. This assistance will include answering questions regarding the intent of the construction documents and preparation of addendums. Psomas will assist the City in responding to bidder inquiries, and clarifications. This task is to be completed on a time and materials basis.

Psomas will provide construction support including answering RFIs, reviewing submittals, and preparing record drawings. For the record drawings, it is assumed that clear and concise redlines will be provided by the Contractor and/or CM-RE personnel and require minimal interpretation to prepare the as-built drawings.

This task is to be completed on a time and materials basis.

EXHIBIT A -1

ADDITIONAL SCOPE OF SERVICES

This Exhibit A-1 modifies the original Exhibit A dated September 19, 2016, Contract No. 140-2016 by adding the following Services:

Task 4.2 Coordinate Potholing and Utility Relocation Activities.

At the request of the City, Psomas will pothole two locations for potential utility conflicts as described in their letter dated November 5, 2018 (attached). Upon completion of the potholing work, Psomas will provide the information to the City and modify the mapping as appropriate.

Task 9 Final Design (Prepare Plans, Technical Specifications and, Estimate)

During the preparation of the 95% and 100% PS&E, City requested Psomas include two additional design components that were not anticipated in the original design. Psomas is to include a new drainage facility on Rod Beaudry Road and replacement decorative fencing in the Routier Road/US 50 overcrossing structure. Said work will incrementally increase the cost of completing the proposed project PS&E as described in the letter dated November 5, 2018 and as provided in the revised Exhibit B, "Cost Proposal" dated January 22, 2019.

All other provisions of the original Exhibit A Scope of Services dated September 19, 2016 are not revised and remain in full effect.

PSOMAS

November 5, 2018

Balancing the Natural and Built Environment

Mr. Ed McCarthy
City of Rancho Cordova
Public Works Department
2729 Prospect Park Drive
Rancho Cordova, CA 95670

**Subject: Rod Beaudry-Routier Bikeway Project
Amendment Request for Additional Professional Engineering Services**

Dear Mr. McCarthy:

Psomas is requesting an amendment to the existing contract to perform additional professional engineering services related to additional work to prepare plans for the installation of new fencing on Routier Road bridge over US-50, utility potholing and coordination, new drainage improvements along Rod Beaudry Road, and modifications to the design to incorporate traffic calming measures.

The additional work includes the following:

Additional Design Work

- The executed contract assumed the City had completed the 30% plans. Psomas was required to perform a significant amount of work in preparing the 30% plans for the City. *This work has been invoiced and paid for by transferring unspent budget from environmental tasks as agreed to by the City.*
- The City requested Psomas prepare exhibits and cost estimates for two traffic calming alternatives along Rod Beaudry Road. Psomas incorporated the recommended traffic calming improvements into the PS&E package, later removing them per City direction. *This work has been invoiced and paid for by transferring unspent budget from environmental tasks as agreed to by the City.*
- Design of Decorative Fencing (Type 6 Picket Fence) on the Routier Road/US-50 overcrossing structure.
- The City requested Psomas add a new drainage system on Rod Beaudry Road. Based on direction from the City, the original scope of work assumed no drainage improvements were required.

1075 Creekside Ridge Drive
Suite 200
Roseville, CA 95678-3504

Tel 916.788.8122
Fax 916.788.0600
www.Psomas.com

Mr. Ed McCarthy
Page 2 of 2
November 5, 2018

Utility Potholing

The executed contract excluded potholing, Utility C letters, and Utility Certification Documentation.

- The City agreed to completing utility potholing to confirm the location of gas facilities along the west side of Routier Road (Vanguard Drive to Bexley Drive) and utilities in the vicinity of the new drainage pipe crossing on Rod Beaudry Drive. This includes up to six potholes, USA pre-marking, incorporation of results into base mapping.
- Preparation of Utility C letters and Utility Certification Documentation are not included in this amendment request.

The cost for Psomas to provide the additional services listed above, including coordination is \$36,123. A detailed fee summary is attached for your reference.

After you have an opportunity to review this amendment request, let us know if you have any questions or need anything to process this amendment.

Sincerely,
PSOMAS



Timothy G. Hayes, P.E.
Project Manager

TH:sr

EXHIBIT B
COST PROPOSAL

See Page 2 for PSOMAS Hours and Fee Summary
Dated 12/17/18

Rod-Beaudry-Routier Bikeway Project, Psomas Hours and Fee Summary 12/17/18

ORIGINAL CONTRACT

Task No.	Description	Project Manager	Design Lead	Senior Project Engineer	Professional Engineer	Assistant Engineer	CAD Designer	Project Admin	Psomas Labor Fee	Psomas Other Direct Costs	Psomas Surveys	Y&C	AIM	MBI	Total Fee Per Task
1.0	Project Management and Coordination	32	28	8	20	0	0	36	18,769	188	-	-	-	-	18,956
1.1	Schedule and Attend Meetings	14	12	0	12	0	0	0	6,863	69	-	-	-	-	6,932
1.2	Progress Reports and Invoices	12	0	0	0	0	0	36	5,439	54	-	-	-	-	5,494
1.3	Develop and Update Project Schedule	0	12	0	0	0	0	0	2,288	23	-	-	-	-	2,311
1.4	Quality Control/Quality Assurance	4	0	0	0	0	0	0	928	9	-	-	-	-	938
1.5	Sacramento Regional Transit District (RT) and Caltrans Coordination	2	4	8	8	0	0	0	3,250	32	-	-	-	-	3,282
2.0	Perform Field Surveys and Topographic Mapping	0	4	0	8	0	0	0	1,647	16	17,450	-	-	-	19,113
2.1	Aerial Mapping and Color Ortho-imagery	0	2	0	4	0	0	0	823	8	12,100	-	-	-	12,932
2.2	Topographic Infill Surveys	0	2	0	4	0	0	0	823	8	5,350	-	-	-	6,182
3.0	Field Investigations and Research	4	4	0	12	12	0	0	3,997	40	-	-	-	-	4,037
3.1	Research/Data Collection	2	0	0	4	4	0	0	1,233	12	-	-	-	-	1,245
3.2	Field Investigations	2	4	0	8	8	0	0	2,764	28	-	-	-	-	2,792
4.0	Utility Coordination	0	0	0	8	8	16	0	3,037	30	-	-	-	-	3,068
4.1	Utility A Letters and Plans	0	0	0	4	8	8	0	1,845	18	-	-	-	-	1,864
4.2	Utility B Letters Plans	0	0	0	4	0	8	0	1,192	12	-	-	-	-	1,204
5.0	Public Outreach	3	4	0	4	0	4	0	2,276	20	-	-	16,047	-	18,343
5.1	Stakeholder Database	0	0	0	0	0	0	0	-	-	-	-	-	-	-
5.2	Community Workshop and Council Assistance	3	4	0	4	0	4	0	2,276	20	-	-	-	-	2,296
5.3	Electronic Communication	0	0	0	0	0	0	0	-	-	-	-	-	-	-
6.0	Preliminary Design Plans and Estimate (65%)	6	28	12	88	56	80	0	30,237	302	-	19,000	-	-	49,539
6.1	Preliminary Design Plans – 65%	4	24	8	80	40	80	0	26,250	262	-	-	-	-	26,512
6.2	Preliminary Design - Engineers Estimate - 65%	2	4	4	8	16	0	0	3,987	40	-	-	-	-	4,027
7.0	Environmental (Develop Technical Reports)	10	0	0	16	0	0	0	4,089	542	-	-	-	39,115	43,746
7.1	Project Initiation	2	0	0	4	0	0	0	906	112	-	-	-	-	1,019
7.2	Preliminary Environmental Studies	2	0	0	4	0	0	0	906	109	-	-	-	-	1,015
7.3	Technical Studies	2	0	0	4	0	0	0	906	109	-	-	-	-	1,015
7.4	NOE	2	0	0	4	0	0	0	906	109	-	-	-	-	1,015
7.5	Cat Ex	2	0	0	0	0	0	0	464	103	-	-	-	-	567
8.0	Right of Way Engineering	0	0	0	4	0	0	0	442	4	14,000	-	-	-	14,446
8.1	Right of Way Engineering	0	0	0	2	0	0	0	221	2	9,000	-	-	-	9,223
8.2	TCE Plats and Legals	0	0	0	2	0	0	0	221	2	5,000	-	-	-	5,223
9.0	Prepare Plans and Specs - Final Design (PS&E)	8	32	16	100	48	100	0	34,581	346	-	23,000	-	-	57,927
9.1	95% PS&E	4	16	8	60	24	60	0	19,333	193	-	-	-	-	19,526
9.2	100% PS&E	4	16	8	40	24	40	0	15,248	152	-	-	-	-	15,400
10.0	Bidding Assistance and Construction Support	2	4	0	8	8	8	0	3,514	35	-	1,000	-	-	4,549
	Totals	65	104	36	268	132	208	36	102,589	1,524	31,450	43,000	16,047	39,115	233,725

AMENDMENT #1

Task No.	Description	Project Manager	Design Lead	Senior Bridge Engineer	Professional Engineer	CADD Designer	CAD Designer	Project Admin	Psomas Labor Fee	Psomas Other Direct Costs	Badger Potholing				Total Fee Per Task
		\$251.02	\$206.25	\$245.65	\$116.20		\$110.51	\$79.74			Fee				
A1-1.0	Project Coordination	2	8	16	8	0	6	4	\$8,000	\$300	\$0				\$8,300
A1-4.0	Utility Potholing	0	2	2	8	0	4	4	\$2,595	\$0	\$11,564				\$14,159
A1-9.0	Drainage Design	0	4	4	8	0	16	0	\$4,505	\$0	\$0				\$4,505
A1-9.0	New Picket Fencing (Router/US-50)	2	2	8	16	0	40	0	\$9,159	\$0	\$0				\$9,159
	Amendment Totals	4	16	30	40	0	66	8.08	24,260	300	11,564				36,123
	Grand Total														269,848

A. The method of payment for this contract will be based on actual cost plus a fixed fee. LOCAL AGENCY will reimburse CONSULTANT for actual costs (including labor costs, employee benefits, travel, equipment rental costs, overhead and other direct costs) incurred by CONSULTANT in performance of the work. CONSULTANT will not be reimbursed for actual costs that exceed the estimated wage rates, employee benefits, travel, equipment rental, overhead, and other estimated costs set forth in the approved CONSULTANT'S Cost Proposal, unless additional reimbursement is provided for by contract amendment. In no event, will CONSULTANT be reimbursed for overhead costs at a rate that exceeds LOCAL AGENCY's approved overhead rate set forth in the Cost Proposal. In the event, that LOCAL AGENCY determines that a change to the work from that specified in the Cost Proposal and contract is required, the contract time or actual costs reimbursable by LOCAL AGENCY shall be adjusted by contract amendment to accommodate the changed work. The maximum total cost as specified in Paragraph "H" shall not be exceeded, unless authorized by contract amendment.

B. In addition to the allowable incurred costs, LOCAL AGENCY will pay CONSULTANT a fixed fee of \$11,531.63. The fixed fee is nonadjustable for the term of the contract, except in the event of a significant change in the scope of work and such adjustment is made by contract amendment.

C. Reimbursement for transportation and subsistence costs shall not exceed the rates specified in the approved Cost Proposal.

D. When milestone cost estimates are included in the approved Cost Proposal, CONSULTANT shall obtain prior written approval for a revised milestone cost estimate from the Contract Administrator before exceeding such cost estimate.

E. Progress payments will be made monthly in arrears based on services provided and allowable incurred costs. A pro rata portion of CONSULTANT's fixed fee will be included in the monthly progress payments. If CONSULTANT fails to submit the required deliverable items according to the schedule set forth in the Statement of Work, LOCAL AGENCY shall have the right to delay payment or terminate this Contract in accordance with the provisions of Article VI Termination.

F. No payment will be made prior to approval of any work, nor for any work performed prior to approval of this contract.

G. CONSULTANT will be reimbursed, as promptly as fiscal procedures will permit upon receipt by LOCAL AGENCY's Contract Administrator of itemized invoices in triplicate. Invoices shall be submitted no later than 45 calendar days after the performance of work for which CONSULTANT is billing. Invoices shall detail the work performed on each milestone and each project as applicable. Invoices shall follow the format stipulated for the approved Cost Proposal and shall reference this contract number and project title. Final invoice must contain the final cost and all credits due LOCAL AGENCY including any equipment purchased under the provisions of Article XI Equipment Purchase of this contract. The final invoice should be submitted within 60 calendar days after completion of CONSULTANT's work. Invoices shall be mailed to LOCAL AGENCY's Contract Administrator at the following address:

Edgar Medina, P.E.
City of Rancho Cordova, Public Works
2729 Prospect Park Drive
Rancho Cordova, CA 95670

H. The total amount payable by LOCAL AGENCY including the fixed fee shall not exceed \$269,848

I. Salary increases will be reimbursable if the new salary is within the salary range identified in the approved Cost Proposal and is approved by LOCAL AGENCY's Contract Administrator.

For personnel subject to prevailing wage rates as described in the California Labor Code, all salary increases, which are the direct result of changes in the prevailing wage rates are reimbursable.

J. All subcontracts in excess of \$25,000 shall contain the above provisions.

MEMORANDUM

DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Elizabeth Sparkman, Community Development Director
Jeanette Cervantes, Management Technician



SUBJECT: A RESOLUTION DECLARING THE RESULTS OF THE MAIL BALLOT ELECTION RELATING TO THE IMPOSITION OF THE ANNUAL STORMWATER UTILITY FEE ON SUNRIDGE VILLAGE PROJECT IN THE CITY OF RANCHO CORDOVA

RECOMMENDATION

Adopt the Resolution declaring the results of the mail ballot election relating to the imposition of the annual Stormwater Utility Fee on the Sunridge Village Project.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will declare the results of the ballot tabulation in connection with the imposition of the annual Stormwater Utility Fee on the Sunridge Village Project. If majority approval exists, the City Council may impose the annual Stormwater Utility Fee on the Sunridge Village Project pursuant to the Fee Ordinance. If there is no majority approval, the Stormwater Utility Fee shall not be imposed for the project.

BACKGROUND

The City Council previously adopted a Resolution on November 19, 2018 declaring its intention to impose the annual Stormwater Utility Fee ("Fee") pursuant to Ordinance No. 7-2014 on the Sunridge Village Project. A protest hearing was conducted on December 3, 2018 at which time no written protest was received from the property owner representing a majority of the parcel subject to the Fee. Council then adopted a Resolution authorizing the mailing of a property owner ballot for the purpose of submitting the Fee to a vote of the owners subject to the Fee. The four parcels comprising the project area are subject to the fee.

The Clerk has tabulated the ballot returned by the property owner for the Sunridge Village Project. If majority approval exists, Council may impose the annual Fee on the Sunridge Village Project pursuant to the Ordinance. If a majority approval does not exist, the Stormwater Utility Fee shall not be imposed for the project. Council action is to adopt the Resolution declaring the results of the mail ballot election.

ATTACHMENTS

1. Resolution

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, DECLARING THE RESULTS OF A MAIL BALLOT ELECTION RELATING TO THE IMPOSITION OF THE ANNUAL STORMWATER UTILITY FEE ON SUNRIDGE VILLAGE PROJECT PROJECT IN THE CITY OF RANCHO CORDOVA

WHEREAS, on November 19, 2018 City Council adopted a Resolution declaring its intention to impose the Annual Stormwater Utility Fee ("Fee") for Sunridge Village Project; and

WHEREAS, Article XIII D of the California Constitution (Proposition 218) requires the City to follow certain procedural and substantive requirements relating to the imposition of property-related fees and charges (as defined in Proposition 218); and

WHEREAS, the City has determined that the Fee is a property related fee, subject to the provisions of Proposition 218; and

WHEREAS, before imposing the Fee, the City Council is required to hold a noticed public hearing on a written report (the "Written Report") containing a description of each parcel of real property within the City to which the Fee is applicable and the amount of the Fee for each such parcel for Fiscal Year 2019-2020 and to consider protests to the Fee and, if a majority protest is not received at the public hearing, the Council must submit the question of the imposition of the Fee to a vote of the owners of the property subject to the proposed Fee for approval before the proposed Fee may be levied; and

WHEREAS, in accordance with Proposition 218 the City Council held a duly noticed public hearing on the matter of the Written Report and the proposed Fee on December 3, 2018 and took testimony, both written and oral; and

WHEREAS, having determined a written protest was not received from property owner representing a majority of the parcels subject to the Fee, the City Council adopted a Resolution authorizing the mailing of a property owner ballot (the "Ballot Measure") for the purpose of submitting the Fee to a vote of the owner of parcel subject to the Fee, and subject to approval by a majority vote of the owner of parcel subject to the Fee; and

WHEREAS, pursuant to the terms of Ordinance No. 7-2014 and the unanimous consent of the property owner, the Property Owner Balloting was conducted and completed and the City Clerk has on file a Certificate of the City Clerk as to the Results of the Canvass of the Ballot Return in Connection with the Proposed Stormwater Utility Fee (the "Certificate"), a copy of which is attached hereto as Exhibit A and by this reference incorporated herein.

NOW, THEREFORE, BE IT IS HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA:

1. The above recitals are true and correct.
2. The Certificate is hereby accepted into the records of the City.
3. The results of the Ballot Measure are as set forth in the Certificate on file with the City Clerk and attached to this Resolution as Exhibit A ("Certificate").

4. The City Clerk is authorized to declare the results of the mail ballot election relating to the imposition of the Stormwater Utility fee on the Sunridge Village Project.
5. Pursuant to said Certificate, if the Ballot Measure submitted was approved by a majority vote of the owner of parcels subject to the Fee, the Fee is hereby imposed pursuant to Ordinance No. 7-2014 on the Sunridge Village Project, otherwise, if the Ballot Measure submitted was not approved by a majority vote of the owner of parcel subject to the Fee, the imposition of the Fee is hereby abandoned for the Sunridge Village Project.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 22nd day of January, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Stacy Leitner, City Clerk

Exhibit A

**CERTIFICATE OF THE CITY CLERK AS TO
THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS
IN CONNECTION WITH THE PROPOSED STORMWATER UTILITY FEE
IN THE CITY OF RANCHO CORDOVA**

I, Stacy Leitner, City Clerk of the City of Rancho Cordova, hereby certify that I canvassed the returns of the election in connection with the imposition of an annual stormwater utility fee that the day for the return of mailed ballot, scheduled for December 19, 2018. The election was concluded on that date and that the total number of ballots cast in said election and the total number of votes cast for and against the ballot measure, as specified below, are full, true and correct.

Total of Ballots Received:

Total "Yes" Ballots:

Total "No" Ballots:

Stacy Leitner, City Clerk

Exhibit A

**CERTIFICATE OF THE CITY CLERK AS TO
THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS
IN CONNECTION WITH THE PROPOSED STORMWATER UTILITY FEE
IN THE CITY OF RANCHO CORDOVA**

I, Stacy Leitner, City Clerk of the City of Rancho Cordova, hereby certify that I canvassed the returns of the election in connection with the imposition of an annual stormwater utility fee that the day for the return of mailed ballot, scheduled for December 19, 2018. The election was concluded on that date and that the total number of ballots cast in said election and the total number of votes cast for and against the ballot measure, as specified below, are full, true and correct.

Total of Ballots Received: /

Total "Yes" Ballots: /

Total "No" Ballots: 0


Stacy Leitner, City Clerk

ATTACHMENT 2

Rancho Cordova Stormwater Utility Fee – Official Property Owner Ballot

The person completing and submitting this Property Owner Ballot must be the owner of the property identified above or the representative of the owner of such property who is legally authorized to complete and submit this ballot for and on behalf of the owner. The enclosed "Summary of Property Owner Ballot Procedures" has been provided to assist you in filling out the ballot. If there are two or more property owners, only one needs to sign and return the ballot. One ballot will be counted per property.

Assessor's Parcel Numbers: 067-1060-001, 067-1060-002, 067-1060-003, 067-1060-004

Property Address: Douglas RD, East of Rancho Cordova Parkway

Designation: Vacant Land

Total Parcel(s) Area (acres): 76.15 acres

DMUs: 0

Assessor's Parcel Numbers: 067-1060-001, 067-1060-002, 067-1060-003, 067-1060-004

Owner Name: Cresleigh Homes Corporation

Proposed Maximum FY 2018-2019 Annual Fee Amount: \$125.98 per DMU

In order to provide the City of Rancho Cordova with a dedicated funding source to repair, reconstruct and maintain the storm drain system and to protect water quality, shall the City impose an annual Stormwater Utility Fee as shown in the Rate Analysis Report, dated 8/7/2014?



YES I support the proposed annual Stormwater Utility Fee



NO I oppose the proposed annual Stormwater Utility Fee

I hereby declare, under penalty of perjury under the laws of the State of California, that I am the owner, or the authorized representative of the owner, of the parcel identified above. Your ballot will not be counted if you do not sign below.

12/12/2018

Date

ROBERT WALTER

Printed Name



Signature

Vote Here

If approved by a majority of the returned ballots, the proposed maximum annual Storm Drain User Fee rate for FY 2018-2019 will be \$125.98 per Drainage Measurement Unit (DMU). The maximum rate per DMU will increase annually by the amount of the increase of the CPI. However, each year the City Council will hold a public hearing and determine the actual rate per DMU that will be charged. At the annual public hearing, the City Council will set the actual rate for the next year, which would be equal to or less than the annual maximum rate. The Council may decide to reduce the rate or set the rate to \$0 per DMU in any fiscal year.

Please mark your ballot in ink and return the entire page.

Upon completion, fold the ballot, place it in the addressed, return envelope and seal the envelope. Pursuant to the enclosed instructions, mail the ballot to the address shown on the return envelope, or deliver to the City Clerk at City Hall located at 1:30 Wednesday, December 19, 2018.

Please see the "Summary of Property Owner Ballot Procedures" on the enclosed sheet.

return to:

Cresleigh Homes Corporation
3001 Douglas Boulevard, Suite 110
Roseville, CA 95661

City of Rancho Cordova
City Clerk
2729 Prospect Park Drive
Rancho Cordova, CA 95670

MEMORANDUM



DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director and Dalia Fadl, Senior Civil Engineer

SUBJECT: **A RESOLUTION APPOINTING A CITY REPRESENTATIVE TO FILL A VACANT POSITION ON THE GOVERNING BOARD OF THE SACRAMENTO CENTRAL GROUNDWATER AUTHORITY**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of this Resolution will appoint designated City staff to fill a vacant position on the Sacramento Central Groundwater Authority (SCGA) Governing Board.

BACKGROUND

On August 7, 2006, the City Council authorized the creation of the Sacramento Central Groundwater Authority (SCGA) through execution of a Joint Powers Agreement (JPA) with the Cities of Elk Grove, Folsom, Sacramento, and the County of Sacramento. The purpose of the SCGA is to:

- Maintain the long-term sustainable yield of the Central Groundwater Basin.
- Ensure implementation of the Basin Management Objectives prescribed in the Groundwater Management Plan.
- Oversee the operation of a Well Protection Program.
- Manage the use of groundwater in the Central Basin.
- Facilitate implementation of an appropriate conjunctive use program by water purveyors.
- Coordinate efforts among those entities represented on the governing board of the SCGA to devise and implement strategies to safeguard groundwater quality.
- Work collaboratively with other entities to promote coordination of water policies and activities throughout the region.

As outlined in the JPA, City of Rancho Cordova staff and Golden State Water representatives are appointed by the Rancho Cordova City Council to the SCGA Board. The following staff are currently appointed to the SCGA Board:

Organization	Current Appointed Board Members
City of Rancho Cordova	Albert Stricker, Public Works Director Allen Quynn, Associate Civil Engineer (alt)
Golden State Water Company	Paul Schubert, District Manager Travis Anderson, Water Supply Superintendent (alt)

Allen Quynn is no longer employed by the City. Accordingly, the alternate Board Member position he formerly held, is currently vacant. It is recommended that Dalia Fadl, Senior Engineer for the City of Rancho Cordova, fill the vacant alternate Board Member position.

FISCAL IMPACT

The City makes an annual contribution to SCGA of \$20,000, per the JPA, which is paid with Public Works operating budget revenues. The appointment of representatives to the governing board of the SCGA will have no additional fiscal impact to the City.

ATTACHMENT

1. Resolution

ATTACHMENT 1**CITY OF RANCHO CORDOVA****RESOLUTION NO. XX-2019**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, APPROVING APPOINTMENT OF CITY REPRESENTATIVE TO
FILL A VACANT POSITION ON THE GOVERNING BOARD OF THE SACRAMENTO
CENTRAL GROUNDWATER AUTHORITY**

WHEREAS, on August 7, 2006, City Council authorized the creation of the Sacramento Central Groundwater Authority (SCGA) through execution of a Joint Powers Agreement (JPA) with the Cities of Elk Grove, Folsom, Sacramento and the County of Sacramento; and

WHEREAS, one of the primary purposes of the JPA is to maintain the sustainable yield of the Central Groundwater Basin; and

WHEREAS, each SCGA member makes appointments to the Governing Board of the SCGA, as set forth in the JPA; and

WHEREAS, the members of the Governing Board serve four-year terms and are subject to reappointment; and

WHEREAS, City Council previously appointed Allen Quynn as the City of Rancho Cordova's alternate to the Governing Board, and Allen Quynn is no longer employed by the City of Rancho Cordova, thus leaving a vacant position for appointment to the Governing Board.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does appoint Dalia Fadl, Rancho Cordova Senior Engineer, as City of Rancho Cordova's Alternate Board Member to serve on the Sacramento Central Groundwater Authority Governing Board.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Stacy Leitner, City Clerk

MEMORANDUM

DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Elizabeth Sparkman, Community Development Director
Jeanette Cervantes, Management Technician

SUBJECT: **A RESOLUTION DECLARING A PROTEST HEARING AND AUTHORIZING THE MAILING OF PROPERTY OWNER BALLOT RELATING TO THE IMPOSITION OF AN ANNUAL STORMWATER UTILITY FEE FOR THE GOLD VALLEY CENTER PROJECT**



RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will declare the results of the property owner protest and, if there exists less than a majority protest, authorize the mailing of a ballot to the property owner to approve the levy of the fee to pay for maintenance of storm drainage and flood protection systems for the Gold Valley Center project. The action also sets 1:30 p.m. on February 13, 2019 in the office of the City Clerk, as the time and date for the ballot tabulation for the matter.

BACKGROUND

The Gold Valley Center project has a condition of approval which requires funding for operation and maintenance of the storm drainage system. This condition will be satisfied by the participation in the new Stormwater Utility Fee for storm drainage and flood protection services which is the subject of tonight's action.

The property owner of the Gold Valley Center project has requested the City annex the project to the City's Stormwater Utility Fee pursuant to the California Health and Safety Code Section 5471 et seq. to provide the method of financing for storm drainage and flood protection services required to meet the condition.

On December 17, 2018 Council adopted a Resolution which established Procedures for the Conduct of a Protest Hearing and Balloting Relating to a Stormwater Utility Fee (the "Procedures") and designated January 22, 2019 at 5:30 p.m. as the time and place for hearing protests in connection with the annual Stormwater Utility Fee for the Gold Valley Center project.

DISCUSSION

The property owner has submitted a petition and waiver for the City to institute the proceedings to participate in the Stormwater Utility Fee. This annexation to the Stormwater Utility Fee will include the project generally known as the Gold Valley Center project, see ATTACHMENT 2. The maintenance services to be funded include the furnishing of services and materials for the ordinary and usual operation, maintenance, and servicing of the storm drain and flood protection systems.

ATTACHMENT 1 is the Resolution declaring the results of the property owner protest and authorizing the mailing of the property owner ballot, as required by Article XIII D of the California Constitution (also known as Proposition 218). The resolution sets forth the tabulation of ballots on February 13, 2019 at 1:30 p.m. in the office of the City Clerk. The results of the mailed ballot election will be presented to City Council at their regularly scheduled meeting March 4, 2019 and additional actions may be recommended based the ballot results.

A "Rate Analysis Report" was approved by City Council on September 4, 2014 by Resolution 103-2014 setting Fiscal Year 2014/2015 maximum annual Stormwater Utility Fee amount for each parcel proportionate to the estimated stormwater runoff for each parcel, see ATTACHMENT 3. The maximum annual fee will increase each subsequent Fiscal Year by the annual change in the Consumer Price Index (CPI), during the preceding year, for All Urban Consumers, for the San Francisco-Oakland-San Jose areas, published by the United States Department of Labor, Bureau of Labor Statistics.

A sample of the Stormwater Utility Fees for Fiscal Year 2018/2019 are summarized in the following table:

Table 1

Land Use Description	Total Area (acres)	Sample Fee
Single Family Residential (SFR1)	0.16	\$125.98
Single Family Residential (SFR2)	0.22	\$138.57
Single Family Residential (SFR3)	0.30	\$148.03
Single Family Residential (SFR4)	0.40	\$157.46
Single Family Residential (SFR5)	1.00	\$157.46
Multi-Family Residential (MFR1)	5.00	\$1102.35
Commercial	1.00	\$1181.10
Industrial	1.00	\$1259.85
Schools	5.00	\$787.40
Private Recreation	1.00	\$393.69
Parks/Greenbelts	2.00	\$157.46
Public Property (with structures)	2.00	\$472.43

ATTACHMENTS

1. Resolution
2. Boundary Map
3. Rate Analysis Report

ATTACHMENT 1**CITY OF RANCHO CORDOVA****RESOLUTION XX-2019**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, DECLARING THE RESULTS OF THE PROPERTY OWNER
PROTEST AND AUTHORIZING THE MAILING OF A PROPERTY OWNER BALLOT
RELATING TO THE IMPOSITION OF AN ANNUAL STORMWATER UTILITY FEE FOR
THE GOLD VALLEY CENTER PROJECT**

WHEREAS, this Council has received petitions and waivers from the owners of 100% of the area of land proposed to be annexed into the Stormwater Utility Fee; and

WHEREAS, on January 11, 2019 the City Clerk caused a notice of the time and place of the hearing thereon and on the proposed annexation to the Stormwater Utility Fee to be published and such public hearing was opened on January 22, 2019; and

WHEREAS, the Council adopted Resolution 103-2014 approving a written report entitled, "Rate Analysis Report", dated September 4, 2014 (the "Written Report") prepared by Harris & Associates and filed with the City Clerk containing a description of each parcel of real property within the City to which the Stormwater Utility Fee is applicable (collectively, the "Identified Parcels") and the amount of the Stormwater Utility Fee for each such Identified Parcel for Fiscal Year 2014-15. The Written Report is on file in the office of the City Clerk and is available for public inspection; and

WHEREAS, this Council adopted a Resolution which established Procedures for the Conduct of a Protest Hearing and Balloting Relating to a Stormwater Utility Fee (the "Procedures") and set the date of public hearing; and

WHEREAS, this Council has conducted the public hearing and all interested persons have been afforded the opportunity to be heard, and the City Council has considered all protests against the annexation to the Stormwater Utility Fee; and

WHEREAS, there was no majority protest of the owner of the Identified Parcel subject to the Proposed Stormwater Utility Fee.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE
CITY OF RANCHO CORDOVA:**

1. The foregoing recitals are true and correct.
2. The City Clerk is hereby authorized and directed to mail a property owner ballot in accordance with law and the Procedures.
3. The date of the ballot tabulation shall be February 13, 2019 at 1:30 pm.
4. The date of the public hearing to report the results of the mailed ballot election shall be March 4, 2019 at 5:30 or as soon thereafter as the matter may be heard.

ATTACHMENT 1

5. The City Council hereby designates Elizabeth Sparkman, Community Development Director, telephone number, (916) 851-8714 to answer inquiries regarding the ballot proceedings and procedural or technical matters.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 22nd day of January 22, 2019, by the following vote:

AYES:

NOES:

ABSENT:

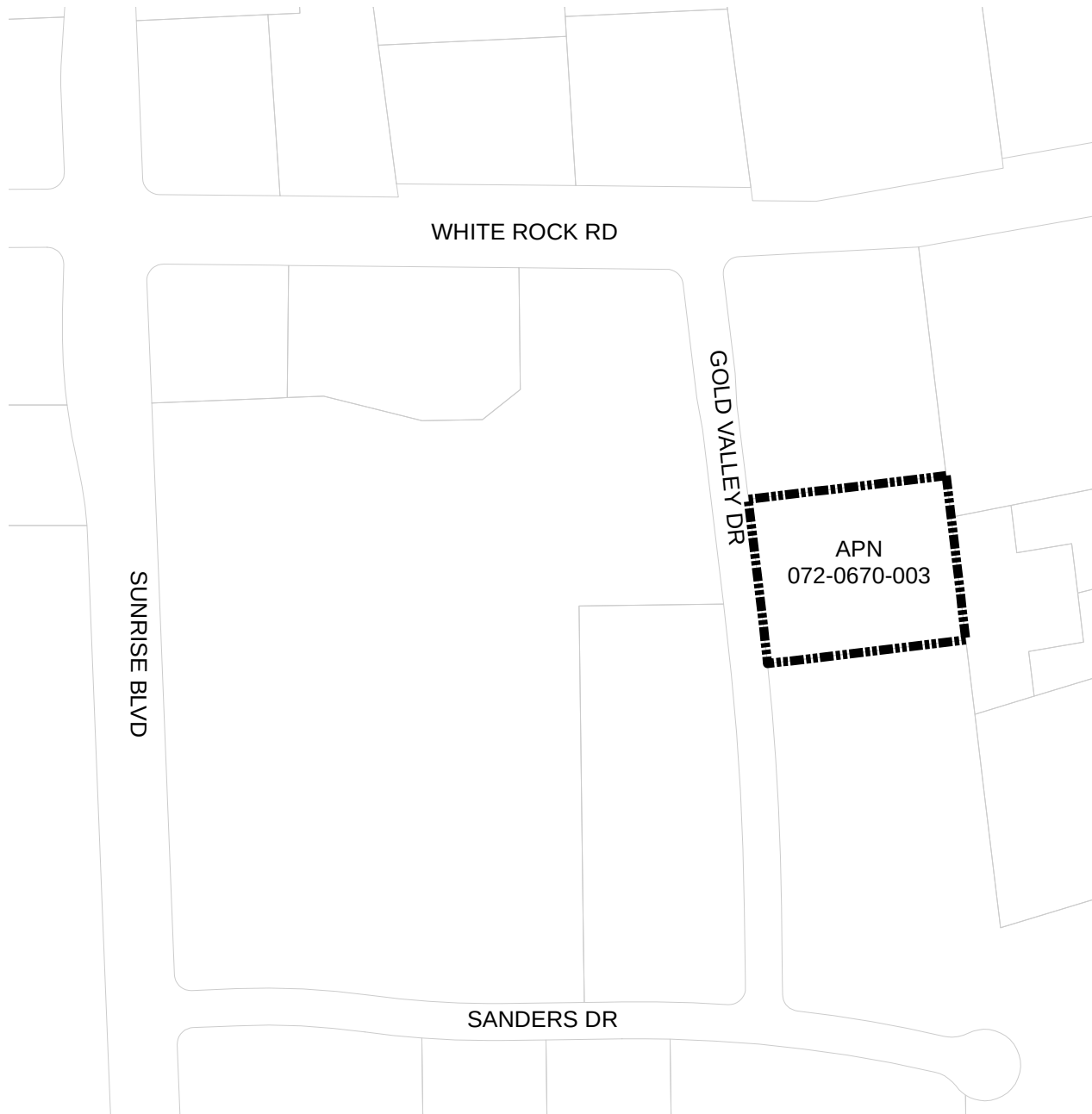
ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Stacy Leitner, City Clerk

CITY OF RANCHO CORDOVA
STORMWATER UTILITY FEE AREA
ANNEXATION 15
(GOLD VALLEY CENTER PROJECT)



Legend



Annexation Boundary

Parcel Boundary



Harris & AssociatesSM

SHAPING THE FUTURE ONE PROJECT AT A TIMESM

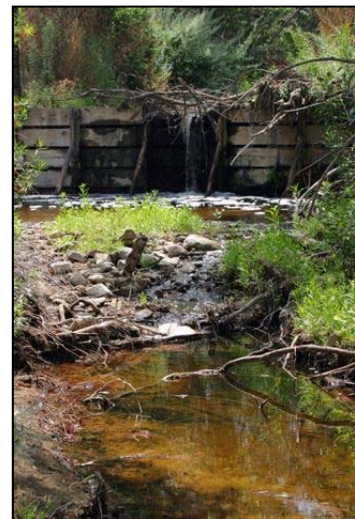
Rate Analysis Report

for the

Stormwater Utility Fee

For the

City of Rancho Cordova



August 7, 2014

Introduction

The City of Rancho Cordova (City) is detaching from the County of Sacramento fee and is creating their own Stormwater Utility Fee, which is being levied per the California Health and Safety Code Section 5471 et seq.

The purpose of this Rate Analysis Report is to:

- Review the Stormwater Utility Fee and improvements to be funded.
- Review the requirements of Article XIID of the State Constitution (Proposition 218) relating to requirements for apportioning the costs associated with the City's stormwater runoff system.
- Analyze and recommend an appropriate rate structure and provide estimated rates based on cost data information provided by the City.

Proposition 218 Requirements

This fee must comply with the provisions of Article XIID of the California Constitution (Proposition 218). Section 6 of Proposition 218 has the following requirements for all "new, extended, imposed or increased" fees and charges:

- 1) "Revenues derived from the fee or charge shall not exceed the funds required to provide the property-related service."
- 2) "Revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed."
- 3) "The amount of a fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel."
- 4) "No fee or charge may be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question. Fees or charges based on potential or future use of service are not permitted. Standby charges, whether characterized as charges or assessments, shall be classified as assessments and shall not be imposed without compliance with [the assessment section of this code]."
- 5) "No fee or charge may be imposed for general governmental services including, but not limited to, police, fire, ambulance or library services where the service is available to the public at large in substantially the same manner as it is to property owners."

Background Information

In accordance with the Federal Clean Water Act of 1972, the United States Environmental Protection Agency (EPA) is required to establish regulations setting forth National Pollution Discharge Elimination System (NPDES) permit standards. The enactment of 1987 amendments to the Federal Clean Water Act (Act) of 1972 imposes permit requirements for discharge of storm waters. The Act allows the EPA to delegate its NPDES permitting authority to states with an approved environmental regulatory program. The State of California is one of the delegated states.

The responsibility for implementing various NPDES permits in the State of California has been delegated to the State Water Resources Control Board (SWRCB). The SWRCB administers NPDES authority through its nine Regional Boards. As an NPDES permittee, the City is required to manage stormwater pollution within its jurisdiction.

In order to provide for the safety of the residents of the City and protect property in the City from the damage associated with flooding and to meet the requirements of the NPDES permit, it is necessary to design, construct, operate, maintain, improve and replace storm drainage facilities which collect storm and surface water runoff and convey and treat such runoff in a safe manner to an acceptable point of discharge. It is also necessary to inspect, monitor, and take enforcement action related to illegal dumping, and illicit discharges. In order to properly fund such facilities and activities, the City has determined that it is necessary to impose on all developing properties in Rancho Cordova a user charge for storm drainage service.

Based on the 2030 General Plan and current specific plan areas, Rancho Cordova is expected to develop as shown in Table 1 below. The proposed boundary for the stormwater utility is shown in Appendix A.

Table 1 – Land Use

	Land Use/ Zoning Description	Total Acres	Total Units
Residential:			
LDR	SF (2.1-6.0 DU/AC)	2,635	13,156
	MD (6.1-12 DU/AC)	322	2,524
MDR	MD (6.1-18.0 DU/AC)	1,852	13,231
	MD (14.0-29.9 DU/AC)	60	885
HDR	HD (18.1-40.0 DU/AC)	192	4,372
	HD (30+ DU/AC)	30	825
	Residential Total	5,090	34,993
Non-Residential:			
VC	Village Commercial	202	
LTC	Local Town Center	134	
RTC	Regional Town Center	172	
BP	Business Park	158	
MP	Industrial Park	283	
Education:			
HS/MS	High School/Middle School	356	
MS	Middle School	20	
ES	Elementary School	102	
Open Space & Public:			
CP	Community Park	313	
P/QP	Public/Quasi Public	37	
NP	Neighborhood Park	194	
SWD	Storm Water Detention	186	
WP	Wetland Preserve	745	
DP	Drainage Parkway	270	
PR	Private Recreation	63	
OS	Open Space	168	
OS/P	Open Space/Preserve	279	
LC	Landscape Corridors	123	
GB	Green Belts	54	
ROW	Right-of-way	596	
BR/WP	Reservoir / Wetland Preserve	528	
S	Sewer Lift Station / Utility Substa	14	
	Vacant (unknown dev plan)	595	
	Total Non-residential	5,590	
	Total Residential & Non-Res	10,680	

A more detailed land use table by development area is shown in Appendix D.

This development is expected to require significant stormwater drainage and flood control facilities. Based on the development area and improvements that were required in four (4) recent developments

within the County of Sacramento, Table 2 summarizes the improvements that are expected once development is complete.

Table 2 – Expected Improvements

Infrastructure Type	Quantity	
Inlets	6,400	LF
Manholes	4,460	LF
66" Pipe	3,950	LF
60" Pipe	10,280	LF
54" Pipe	11,140	LF
48" Pipe	10,210	LF
42" Pipe	28,620	LF
36" Pipe	42,420	LF
30" Pipe	51,050	LF
27" Pipe	540	LF
24" Pipe	91,960	LF
21" Pipe	2,230	LF
18" Pipe	100,300	LF
15" Pipe	101,300	LF
12" Pipe	529,890	0
10" Pipe	4,170	0
Creeks and Channels	80	AC
Basins	320	AC

Services Funded

Expenditures from the revenue generated from the Stormwater Utility Fee are intended to comply with the requirements set forth in the NPDES permit. The activities and services funded by this fee include, but are not limited to:

1. Administration and oversight of the requirements set forth in the NPDES permit to City departments, developments, and local agencies.
2. Respond to and investigate incidents of illicit discharges and illegal connections to the storm drain system.
3. Periodically inspect facilities for proper handling of materials, chemicals, pollutants, garbage, waste, and debris and prevent any discharges to the storm drain system.
4. Regularly clean and maintain catch basins, the flowline, and storm drainage facilities.
5. Installation and maintenance of water quality devices required to keep pollutants out of the storm drain system.
6. Discourage illegal dumping or discharge of pollutants into the storm drain system by stenciling all City-owned catch basins with a "No Dumping" message.
7. Augment public education and outreach programs in regards to the proper use and function of the storm drainage system and the receiving waters.

8. Develop programs to promote, publicize, and facilitate public reporting of illicit discharges to the storm drain system.
9. Encourage the proper disposal of household hazardous waste (HHW) to prevent the improper disposal to the storm drain system or to the sewer system.
10. Discourage the improper disposal of litter, garden clippings, leaves, and pet waste into the street or the storm drain system.
11. Capital replacement of storm drainage and flood control improvements at the end of the expected useful life for such improvements.

Rate Structure Analysis

Section 6.b of Article XIID of the State Constitution (Proposition 218) states that:

“The amount of a fee or charge imposed upon any parcel or person as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel.”

and

“No fee or charge may be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question.”

By definition, all properties that shed stormwater into the City’s stormwater drainage system use, or are served by, the City’s stormwater drainage system. The amount of use attributed to each parcel is measurable by the amount of storm runoff contributed by the property, which is directly proportional to the amount of impervious area on a parcel (such as buildings and concrete). The more impervious area on a property, the more storm runoff the property generates, the more demand placed on the storm drain system.

The amount each parcel uses the stormwater drainage system is computed by the following formula:

$$(\text{Parcel Area}) \times (\text{Impervious Percentage}) = \text{Drainage Units}$$

The typical percent impervious (% Impervious) for land uses in the City, have been applied for the purposes of estimating the runoff generated by each property. These are shown in Appendix B.

The more Drainage Units a parcel has, the more storm run-off it generates, and the more it uses and impacts the stormwater drainage system.

It is standard practice to relate other land uses to a developed single family residential (SFR) parcel, instead of working exclusively with drainage units. The median size of a SFR parcel will be approximately 0.16 acre. Therefore, it makes sense to relate all parcels to this median residential property. The runoff from a 0.16-acre SFR parcel is set equal to one Drainage Measurement Unit (DMU) and this base DMU is calculated as follows:

$$(0.16 \text{ acres of area}) \times 50\% = 0.0800 \text{ Impervious Area} = 1 \text{ DMU}$$

Single Family Residential Parcels

As a SFR property increases in size over the median parcel size, the typical percentage of impervious area decreases, as shown in Appendix B. Conversely, as a SFR parcel decreases in size below the median parcel size, the typical percentage of impervious area increases, and such increase is typically proportional to the decrease in size. Therefore, SFR properties are separated into five (5) groups. The median parcel area for each group was used and their DMUs are calculated as follows:

<u>SFR Category</u>	<u>DMU/ Formula</u>
SFR1 – SFR parcels 0.16 acres or less	1.00 DMU
SFR2 – SFR parcels 0.17 - 0.25 acres	1.10 DMUs
SFR3 – SFR parcels 0.26 – 0.33 acres	1.175 DMUs
SFR4 – SFR parcels 0.34 – 0.50 acres	1.25 DMUs
SFR5 – SFR parcels greater than 0.50 acres	$1.25 + \frac{[(\text{acres} - 0.50) \times 5\%]}{0.0800} = \text{DMUs}$

Multi-Family Residential Parcels

Multi-Family Residential (MFR) units (including condominiums) are split into categories by the density, or number of dwelling units per acre (DU/Ac) as follows:

<u>MFR Category</u>	<u>Density</u>	<u>% Impervious</u>
MFR1 - High Density	Greater than 18 DU/Ac	75%
MFR 2 - Med Density	10 – 18 DU/Ac	70%

$$\frac{\text{Acreage} \times \% \text{Impervious}}{0.0800} = \text{DMUs}$$

Condominium unit parcel areas are calculated by dividing the total area of the condominium complex (which includes the common area) by the number of condominium units, and the total imperviousness of the entire complex is attributed to each individual condo parcel in the complex. (This divides the runoff of the entire complex to each of the individual units.) Because these condominium common areas are taken into consideration in this manner, they are exempt from the charge.

Non- Residential Parcels

All non-residential parcel DMUs will be based on the impervious area (runoff coefficient) table shown in Exhibit B, using the following formula:

$$\frac{\text{Acreage} \times \% \text{Impervious}}{0.0800} = \text{DMUs}$$

All parcels draining into Rancho Cordova Stormwater Utility Fee-maintained drainage infrastructure are proposed to be charged the same user fee rate per DMU for stormwater runoff treatment. The Rancho Cordova Stormwater Utility Fee is proposed in perpetuity.

For the purposes of this report, City-maintained drainage infrastructure includes streets, pipes, inlets, outlets, and natural drainage courses. Parcels related to these types of property uses are exempt from the runoff charge, as they are part of the infrastructure being funded. Also exempt from the runoff charge is Caltrans right-of-way, because Caltrans handles its own runoff under a separate NPDES permit.

Drainage units may be adjusted based on appeal from the property owner. See the Appeals Process below.

Table 3, below, provides a preliminary summary of DMUs for the various land uses in Rancho Cordova.

Table 3 – Drainage Measurement Unit Summary Table

Landuse Description	Number of Units	Total Area (acres)	Impervious Area (acres)	DMUs
SINGLE FAMILY RESIDENTIAL (SFR1)	15,107	2,028		15,107.00
SINGLE FAMILY RESIDENTIAL (SFR2)	13,790	2,776		15,169.00
SINGLE FAMILY RESIDENTIAL (SFR3)	14	4		16.45
SINGLE FAMILY RESIDENTIAL (SFR4)				-
SINGLE FAMILY RESIDENTIAL (SFR5)				-
MULTI-FAMILY RESIDENTIAL (MFR1)	6,082	282		2,639.06
COMMERCIAL		666	499	6,240.00
INDUSTRIAL		283	226	2,830.00
SCHOOLS		478	239	2,985.00
PRIVATE RECREATION		63	16	195.31
PARKS/GREENBELTS		561	140	1,752.47
PUBLIC		51	15	190.13
TOTAL	34,993	7,190		47,124

Cost Estimate

Table 4 below shows the estimated costs to maintain infrastructure in the developing areas. Unit costs for maintenance were derived using budget information provided by the County, since the County currently maintains the storm drainage system. The budget information is shown in Appendix C.

Table 4 – Estimated Costs

	Estimated Quantity	Unit	Cost (\$/unit)	Frequency	Total Cost/Year
Maintenance Costs:					
Trunk Lines (larger than 24") - TV Lines	158210	LF	\$ 7.50	25 years	\$ 47,463.00
Drainage Lines 10"-24" Cleaning	829850	LF	\$ 3.00	10 years	\$ 248,955.00
Drainage Lines 10"-24" TV	829850	LF	\$ 7.50	25 years	\$ 248,955.00
Creek and Channel Maintenance and Repair	65070	LF	\$ 0.75	1 year	\$ 49,009.83
Pipe Repairs	998920	LF	\$ 0.45	1 year	\$ 451,380.43
Creeks and Channels Mowing	80	AC	\$6,825	1 year	\$ 546,000.00
Creeks and Channels Herbicides	80	AC	\$680	1 year	\$ 54,400.00
HydroMod Basin Maintenance	320	AC	\$4,830	1 year	\$ 1,545,600.00
Basin De-silt	320	AC	\$1,000	25 years	\$ 12,800.00
Basins Herbicides	320	AC	\$761	1 year	\$ 243,360.00
Replacement Costs:					
Inlets	6400	EA	\$2,000	75 years	\$170,667
Manholes	4460	EA	\$3,500	75 years	\$208,133
66" Pipe	3950	LF	\$550	100 years	\$21,725
60" Pipe	10280	LF	\$475	100 years	\$48,830
54" Pipe	11140	LF	\$400	100 years	\$44,560
48" Pipe	10210	LF	\$325	100 years	\$33,183
42" Pipe	28620	LF	\$275	100 years	\$78,705
36" Pipe	42420	LF	\$225	100 years	\$95,445
30" Pipe	51050	LF	\$175	100 years	\$89,338
27" Pipe	540	LF	\$150	100 years	\$810
24" Pipe	91960	LF	\$125	100 years	\$114,950
21" Pipe	2230	LF	\$115	100 years	\$2,565
18" Pipe	100300	LF	\$105	100 years	\$105,315
15" Pipe	101300	LF	\$95	100 years	\$96,235
12" Pipe	529890	LF	\$85	100 years	\$450,407
10" Pipe	4170	LF	\$75	100 years	\$3,128

Total: \$5,011,917

Annual Fee Administration: \$45,000

Operating (Cash Flow) Reserve (10% of Maintenance Costs): \$344,792

Estimated Total: **\$5,401,709**

Fee Calculations

The estimated annual costs for the proposed storm drain improvements are \$5,401,709 as shown in Table 4 above. Dividing that by the total number of proposed DMU's in Rancho Cordova (47,124), the maximum estimated annual Stormwater Utility Fee rate is **\$114.63 per DMU**.

This would be the proposed maximum fee rate for fiscal year 2014-15. The maximum rate will be increased each subsequent Fiscal Year by the annual change in the Consumer Price Index (CPI), during the preceding year, for All Urban Consumers, for the San Francisco-Oakland-San Jose areas, published by the United States Department of Labor, Bureau of Labor Statistics (or a reasonably equivalent index should the stated index be discontinued, as determined by the Director of Public Works).

The actual rate to be levied each year will be as approved by the City at a public hearing, after they consider an Annual Fee Report outlining the estimated annual costs of the program for the ensuing fiscal year.

Table 5 provides sample fee calculations for various land uses and parcel sizes.

Table 5 – Sample Calculations

Land Use Description	Total Area (acres)	Impervious Area (acres)	DMUs	Sample Fee
SINGLE FAMILY RESIDENTIAL (SFR1)	0.16		1.000	\$ 114.63
SINGLE FAMILY RESIDENTIAL (SFR2)	0.22		1.100	\$ 126.09
SINGLE FAMILY RESIDENTIAL (SFR3)	0.30		1.175	\$ 134.69
SINGLE FAMILY RESIDENTIAL (SFR4)	0.40		1.250	\$ 143.28
SINGLE FAMILY RESIDENTIAL (SFR5)	1.00		1.563	\$ 179.10
MULTI-FAMILY RESIDENTIAL (MFR1)	5.00	3.75	46.875	\$ 5,373.12
COMMERCIAL ¹	1.00	0.75	9.375	\$ 1,074.62
INDUSTRIAL	1.00	0.80	10.000	\$ 1,146.27
SCHOOLS	5.00	2.50	31.250	\$ 3,582.08
PRIVATE RECREATION	1.00	0.25	3.125	\$ 358.21
PARKS/GREENBELTS	2.00	0.20	2.500	\$ 286.57
PUBLIC	2.00	0.60	7.500	\$ 859.70

¹ Average of Downtown and Neighborhood Commercial as shown in Appendix B

The Preliminary Charge Roll, which is a listing of each parcel to be charged a fee and its proposed maximum fee for FY 2014-15, is on file in the office of the City Clerk.

Appeals Process

If a property owner disagrees with the calculation of his or her fee, based on the parcel area and estimated impervious percentage assigned to the property, then the property owner may appeal the calculation as follows:

1. Property owner must provide written documentation explaining the reason why the charge should be changed. This documentation must include:
 - a. The name, phone number, mailing address, and email address, if available, of the property owner.
 - b. The Assessor's Parcel Number (APN) of the property in question.
2. If additional documentation is required or insufficient documentation was submitted, a representative of the Department of Public Works (Staff) will notify the property owner in writing.
3. Once Staff has determined that sufficient documentation has been submitted, Staff will perform the initial review. Staff will notify the property owner in writing within four (4) weeks from the time sufficient documentation was submitted as to whether or not the fee amount will be changed.
 - a. If the determination is to change the fee amount, then the new fee amount will be documented within the City's fee database.

- b. If the determination is that the fee should not be changed, the property owner can appeal Staff's decision to the Director of Public Works. The appeal must be made in writing and returned no later than four (4) weeks from the date of mailing of Staff's initial review decision. The Director of Public Works will notify the property owner in writing within four (4) weeks from the date of receipt of the appeal as to whether or not the fee amount will be changed.

If the owner of any parcel shall have reason to feel that the computation of the DMU for his/her parcel is not correct, that person may file an appeal with the Director of Public Works in the manner prescribed by the Director of Public Works. The Director of Public Works will consider all data provided by the appellant and shall render a decision in writing. The decision of the Director of Public Works will be final with respect to City action on the appeal.

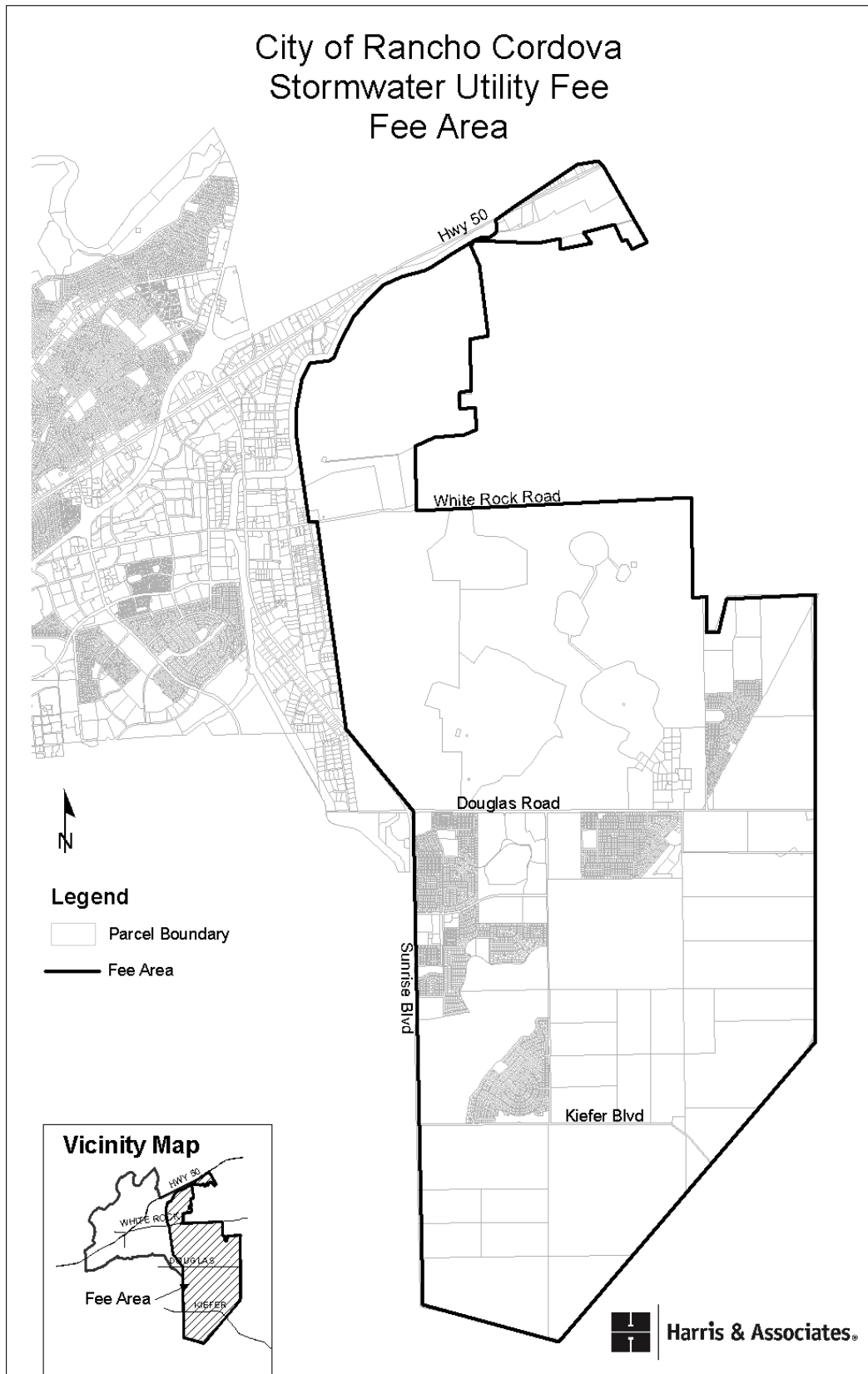
Appeals will be accepted annually up until June 30 for inclusion on the following fiscal year's property tax roll submittal. However, if an appeal is granted by Staff or the Director of Public Works that does not permit inclusion for the following fiscal year's property tax roll submittal, a reimbursement will be provided to the property owner by the City.

Respectfully submitted:

Harris & Associates

Dennis A. Anderson
Senior Project Manager

APPENDIX A



APPENDIX B

Runoff Coefficient

Land Use	Impervious
Single Family Residential less than 0.166 acres	50%
Single Family Residential 0.166 acres to 0.250 acres	40%
Single Family Residential 0.251 acres to 0.330 acres	30%
Single Family Residential 0.331 acres to 0.500 acres	25%
Single Family Residential Over 0.500 acres (excluding the first 0.500 acres)	5%
High-Density Residential (including Apartments and Mobile Home Parks)	75%
Condominiums	70%
Commercial Downtown Areas ¹	80%
Commercial Neighborhood Areas	70%
Industrial	80%
Schools	50%
Parks	25%
Greenbelts	10%

Footnotes:

¹ City of Rancho Cordova Municipal Code Chapter 15.

Sources:

1. Yolo County City/County Drainage Manual, February 2010.
2. Stormwater Quality Design Manual for the Sacramento and South Placer Regions, May 2007.

Appendix C

Cost Information

County of Sacramento/City of Rancho Cordova
Current Storm Drain Maintenance Costs

Pipe Repair Costs

Budget Classification		Repair Type	Actual Expenditures for FY 11/12	FY 13/14 Budget
County North				
	OCUO	Drain Line Upgrade or Repair	\$ 630,912.90	\$ 630,912.90
	OFFO	Fence Repair	\$ 19,343.41	\$ 19,343.41
	OHKO	Inlet Outfall Repair	\$ 455,724.02	\$ 455,724.02
	OMSO	Erosion Control	\$ 26,189.60	\$ 26,189.60
	OY8O	Manhole Repair	\$ 63,362.44	\$ 63,362.44
	RAMP	ADA Compliant Ramp	\$ -	\$ -
	Overhead	36.39%	\$ 435,026.56	\$ 435,026.56
		Total Budget=	\$ 1,630,558.93	\$ 1,630,558.93
County South				
	OCUO	Drain Line Upgrade or Repair	\$ 105,317.24	\$ 105,317.24
	OFFO	Fence Repair	\$ 35,802.01	\$ 35,802.01
	OHKO	Inlet Outfall Repair	\$ 214,660.90	\$ 214,660.90
	OMSO	Erosion Control	\$ -	\$ -
	OY8O	Manhole Repair	\$ 8,585.40	\$ 8,585.40
	RAMP	ADA Compliant Ramp	\$ -	\$ -
	Overhead	23.51%	\$ 85,667.45	\$ 85,667.45
		Total Budget=	\$ 450,033.00	\$ 450,033.00
Rancho Cordova				
	OCUO	Drain Line Upgrade or Repair	\$ 222,809.74	\$ 229,850.53
	OFFO	Fence Repair	\$ 26,326.14	\$ 27,158.05
	OHKO	Inlet Outfall Repair	\$ 224,877.26	\$ 231,983.38
	OMSO	Erosion Control	\$ -	\$ -
	OY8O	Manhole Repair	\$ 4,498.84	\$ 4,641.00
	RAMP	ADA Compliant Ramp	\$ -	\$ -
	Overhead	23.51%	\$ 112,504.88	\$ 116,060.03
		Total Budget=	\$ 591,016.86	\$ 609,692.99
Total LF of Pipes				
		County	7,865,755	7,865,755
		Rancho Cordova	1,349,271	1,349,271
Cost/LF of pipe for Repairs				
		County	\$ 0.26	\$ 0.26
		Rancho	\$ 0.44	\$ 0.45

* Costs were increased for 12/13 based on comparing actual expenditures in 11/12 with actual expenditures in 12/13.

County of Sacramento/City of Rancho Cordova
Current Storm Drain Maintenance Costs

Creek and Channel Cleaning

Budget Classification		Repair Type	Actual Expenditures FY 11/12	FY 13/14 Budget
County	OCCO	Inspect Channels	\$ 149,684.06	\$ 149,684.06
	ODSO	Clean, Inspect trach Racks and Box Culverts	\$ 203,337.83	\$ 203,337.83
	OF8O	Sandbag Distribution	\$ 5,184.60	\$ 5,184.60
	OFCO	Drainage Response	\$ 82,451.66	\$ 82,451.66
	OFDO	Concrete Channel Cleaning Bobcat	\$ 552,150.54	\$ 552,150.54
	OHWO	Vegetation Removal County Forces		
	OJZO	Clean and Inspect Outfall Structures	\$ 191,840.84	\$ 191,840.84
	OLCO	Access Road Maintenance	\$ -	\$ -
	OLDO	Mowing		
	OMPO	Expose Pipe End Mechanically	\$ 2,720.90	\$ 2,720.90
	OMRO	Channel Cleaning Mechanical	\$ 49,087.50	\$ 49,087.50
	OORC	Rodent Control	\$ 32,695.06	\$ 32,695.06
	OTVD	Tree Removal	\$ 79,463.44	\$ 79,463.44
	OVDO	Dry Spoil Dumping	\$ 8,137.34	\$ 8,137.34
	OWCO	Weed Control Chemical		
	Overhead	36.39%	\$ 493,691.29	\$ 493,691.29
	Total Budget=		\$ 1,850,445	\$ 1,850,445
County	OCCO	Inspect Channels	\$ 1,797.15	\$ 1,797.15
	ODSO	Clean, Inspect trach Racks and Box Culverts	\$ -	\$ -
	OF8O	Sandbag Distribution	\$ 2,464.80	\$ 2,464.80
	OFCO	Drainage Response	\$ 1,293.11	\$ 1,293.11
	OFDO	Concrete Channel Cleaning Bobcat	\$ 144,294.58	\$ 144,294.58
	OHWO	Vegetation Removal County Forces		
	OJZO	Clean and Inspect Outfall Structures	\$ -	\$ -
	OLCO	Access Road Maintenance	\$ 57,345.54	\$ 57,345.54
	OLDO	Mowing		
	OMPO	Expose Pipe End Mechanically	\$ -	\$ -
	OMRO	Channel Cleaning Mechanical	\$ 32,935.75	\$ 32,935.75
	OORC	Rodent Control	\$ -	\$ -
	OTVD	Tree Removal	\$ 214,736.46	\$ 214,736.46
	OVDO	Dry Spoil Dumping	\$ -	\$ -

Budget Classification		Repair Type	Actual Expenditures FY 11/12	FY 13/14 Budget
	OWCO	Weed Control Chemical		
	Overhead	23.51%	\$ 106,945.71	\$ 106,945.71
		Total Budget=	\$ 561,813	\$ 561,813
Rancho Cordova	OCCO	Inspect Channels	\$ -	\$ -
	ODSO	Clean, Inspect trach Racks and Box Culverts	\$ 413.30	\$ 413.30
	OF8O	Sandbag Distribution	\$ -	\$ -
	OFCO	Drainage Response	\$ -	\$ -
	OFDO	Concrete Channel Cleaning Bobcat	\$ 65,905.39	\$ 65,905.39
	OHWO	Vegetation Removal County Forces		
	OJZO	Clean and Inspect Outfall Structures	\$ -	\$ -
	OLCO	Access Road Maintenance	\$ -	\$ -
	OLD0	Mowing		
	OMPO	Expose Pipe End Mechanically	\$ -	\$ -
	OMRO	Channel Cleaning Mechanical	\$ -	\$ -
	OORC	Rodent Control	\$ -	\$ -
	OTVD	Tree Removal	\$ -	\$ -
	OVDO	Dry Spoil Dumping	\$ -	\$ -
	OWCO	Weed Control Chemical		
	Overhead	23.51%	\$ 15,592.45	\$ 15,592.45
		Total Budget=	\$ 81,911	\$ 81,911
Total LF of Channels				
		Rancho Cordova (unlined)	74,628	74,628
		Rancho Cordova (lined)	37,562	37,562
		Total Rancho Cordova	112,189	112,189
		County (unlined)	1,677,768	1,677,768
		County (lined)	216,153	216,153
		Total County	1,893,920	1,893,920
Cost/LF of Channel for Cleaning:				
		County	\$ 1.27	\$ 1.27
		Rancho	\$ 0.73	\$ 0.75

* Costs were increased for 12/13 based on comparing actual expenditures in 11/12 with actual expenditures in 12/13.

County of Sacramento/City of Rancho Cordova
Current Storm Drain Maintenance Costs

Activity	Size/Location	Cost/LF	Frequency	Notes
Pipes/Channels				
Hydro Cleaning	6"-24"	\$ 3.00	10 years	
TV Lines	all	\$ 7.50	25 years	
Creek and Channel Cleaning	Rancho	\$ 0.75	each year	Within SWU Budget
	Sac County	\$ 1.27		
Pump Maintenance	Covered within budget			Per County Staff Assume no pumps in new areas.
Repairs	2 crews year round	SWU funds support this		
Hydromod Basin		cost/ac		
Maintenance		\$ 4,830.00	annul	see detailed estimate
Herbicides		\$ 325.00	2 x's/year	
Additional costs				
Pesticide Control Advisor		\$ 20,000.00	annually	
Engineering admin support with regulatory agencies		10%	of maint costs/year	
Supervisors and managers		5%	of maint costs/year	

Hydromod Basin Maintenance

Basin Maintenance Costs	Cost per Acre
Trash Clean-up and Disposal (4 x's/year)	\$ 1,200
Mowing (2 x's/year)	\$ 200
Inspection 4 x's/year	\$ 1,600
Erosion Repair	\$ 800
Vegetation and Landscape Maintenance	\$ 800
Sub-total	\$ 4,600
Over-head Mark-up (5%)	\$ 230
Total Cost	\$ 4,830

Inspection Includes: Examine gates, fences and access ramp for damage and overgrown vegetation, check basin slopes for erosion, excess vegetation, debris and animal burros, check flow line for excess vegetation and sediment, check for erosion at water line, large/floating debris, and excess vegetation. Check for debris, creacks and instructure, and erosion at inlets and outlets. Also check access control racks for debris and to snrue they are locked and secured. Check riprap at inlet weir

Appendix D

Detailed Land Use Data

December 20, 2013

AC, Landuse & units derived from GIS/Aerials

		Arista Del Sol		Arboretum		Douglas 98		Douglas 103		Grantline 208		Montelena		Rio Del Oro		Suncreek		The Ranch (Sunridge)			Sunridge Lot J		Westborough		North Douglas II		Heritage Falls		Anatolia IV		Anatolia				Sunridge			
	Land Use/ Zoning Description	AC	Units	AC	Units		AC	Units	AC	Units	AC	Units	AC 2012	Units 2012	AC	Units	AC 2013	Units 2012		AC 2013	Units 2012	Est.	Units 2013	AC	Units	AC	Units	AC	Units	AC	Units	GIS AC	GIS Units	GIS AC	GIS Units	Total Acres	Total Units	
Residential:																																						
LDR	SF (2.1-6.0 DU/AC)	35.3	176	144.8	698				3.7	14	44.7	276	71.4	388	1,518.5	7,593	179.4	899		142.3	694	35.8	179	347.2	1,580	17.70	153.00	72.20	303.00	21.60	203.00					2,635	13,156	
	MD (6.1-12 DU/AC)																321.5	2,524																	322	2,524		
MDR	MD (6.1-18.0 DU/AC)	83.8	556	290.0	2,334 ^a	94.2	528	28.2	287	42.8	227	54.4	402	256.0	2,048	43.7	286 ^c		105.4	685	17.5	192	146.8	1,389			92.10	525.00			450.8	2,831	146.4	941	1,852	13,231		
	MD (14.0-29.9 DU/AC)			60.4	885																														60	885		
HDR	HD (18.1-40.0 DU/AC)																98.0	1,960	44.2	980							6.80	132.00							192	4,372		
	HD (30+ DU/AC)			29.5	825															12.2	378 [*]			30.4	922									30	825			
	Residential Total	119.1	732	524.7	4,742	94.2	528	31.9	301	87.5	503	125.8	790	1,872.5	11,601	588.8	4,689		259.9	1,757	53.3	371	524.4	3,891	17.7	153	171	960	22	203	450.8	2,831	146.4	941	5,090	34,993		
Non-Residential:																																						
VC	Village Commercial			16.9											20.0		22.0							93.3											202			
LTC	Local Town Center			30.4											20.0																					134		
RTC	Regional Town Center			0.9											113.0		58.4							83.5												172		
BP	Business Park	6.6		65.0											86.0																					158		
MP	Industrial Park														283.0																					283		
Education:																																						
HS/MS	High School/Middle School			72.6											78.0		110.9 ^b							94.0 ^b												356		
MS	Middle School														20.0																					20		
ES	Elementary School			21.2							10.6				54.0													5.50			10.8						102	
Open Space & Public:																																						
CP	Community Park	11.4		60.7							7.8				107.0		44.9		29.3					52.3												313		
P/QP	Public/Quasi Public			2.0								3.2			7.5		12.3							10.6							1.1					37		
NP	Neighborhood Park	3.1		3.8		8.2		5.2		3.4		20.8			67.5		17.0		8.6		6.4					0.71		17.20		3.70	21.2		7.0			194		
SWD	Storm Water Detention	4.0								15.0		9.6			39.0		53.5		24.3							4.00		17.40			9.5		9.6			186		
WP	Wetland Preserve	55.8						43.8		81.0		54.5			510.0																					745		
DP	Drainage Parkway														138.0		5.0							104.6				15.30					7.2			270		
PR	Private Recreation														54.0													4.20			4.3					63		
OS	Open Space			144.5											22.0												0.60		0.80							168		
OS/P	Open Space/Preserve														12.0		45.6		174.0					47.7											279			
LC	Landscape Corridors	1.1				2.8									82.0		19.2											2.70		1.30	13.4		0.7			123		
GB	Green Belts										2.6				51.0																					54		
ROW	Right-of-way	9.5		104.3				8.5		5.3		22.4			192.0		82.6		20.5		14.5		127.1													596		
BR/WP	Reservoir / Wetland Preserve			302.8													205.1									19.80										528		
S	Sewer Lift Station / Utility Substation			1.0																											6.6		6.4			14		
	Vacant (unknown dev plan)																													567.4		27.3				595		
	Total Non-residential	91.5		826.1		11.0		79.6		123.1		127.1			1,956.0		676.5		270.2		20.9		613.1		25.1	0.0	70.0	0.0	7.2	0.0	634.3		58.2			5,590		
	Total Residential & Non-Res	210.6	732.0	1,350.8	4,742.0	105.2	528.0	111.5	301.0	210.6	503.0	252.9	790.0		3,828.5	11,601.0	1,265.3	4,689.0		530.1	1,757.0	74.1	371.0	1,137.5	3,891.0	42.8	153.0	241.1	960.0	28.8	203.0	1,085.1	2,831.0	204.6	941.0	10,680		

Notes: All data is from recent plans received in Nov 2013 unless specified otherwise.
^a Arboretum has 2 MD residential classifications. The first line is for 6.1-13.9 DU/AC (instead of 6.1-18)
^b Acreage for all schools
^c Suncreek has 2 MD residential classifications. The second line is for 12.1-18 DU/AC (instead of 6.1-18)

Includes April 2012
Amendment

AC estimated

MEMORANDUM



DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Darcy Goulart, Planning Manager

SUBJECT: INTRODUCTION AND FIRST READING OF AN ORDINANCE AMENDING SECTIONS OF THE RANCHO CORDOVA MUNICIPAL CODE RELATED TO TITLE 4 BUSINESS REGULATIONS, TITLE 6 HEALTH AND SANITATION AND TITLE 23 ZONING CODE AND DISCUSSION AND DIRECTION ON FUTURE CODE AMENDMENTS

RECOMMENDATION

Introduce and waive first reading of the Ordinance and receive a report and direct staff on potential future code amendments.

RESULT OF RECOMMENDED ACTION

The Ordinance would come back for a second reading and adoption at the next regular City Council meeting. Approval of the Ordinance would amend Title 4 (Business Regulations), Chapter 4.29 (Bingo Suppliers), Title 6 (Health and Sanitation), Chapter 6.68 (Noise Control) and Title 23 (Zoning Code), Article 3 (Zoning District, Allowable Uses, and General Development Standards), Article 7 (Site Planning and Development Standards), Article 9 (Specific Use Provisions) and Article 11 (Definitions) of the Rancho Cordova Municipal Code. No formal action is requested of Council at this time on the discussion of future code amendments.

BACKGROUND

Periodically, amendments to the Municipal Code are necessary to address ambiguities, provide clarification, to be consistent with customary practice or comply with changes in State law. In the past, various Titles of the code have routinely been amended for these assorted reasons, as well as to include new development standards to address uses that may not be in the code. Past practice has been to provide the City Council with information on the various areas where amendments are needed and seek direction before preparation and scheduling the amendments for a public hearing and action. The amendments proposed with this Ordinance are mostly clean up items to address unnecessary permit processes and clarify uncertainties in the code. Staff did not believe these minor changes warranted a discussion with the City Council prior to scheduling the amendments for a public hearing. However, there are two discussion items that staff is seeking direction from the City Council on. Those will be discussed later in this staff report after the proposed amendments.

ANALYSIS

Attachment 3 includes all draft amendments to Title 4 Business Regulations, Title 6 Health and Safety and Title 23 Zoning Code. Draft amendments are shown with track changes with new draft language underlined and language proposed for removal with strike-throughs. Only those chapters and/or sections with proposed changes are included in the attached documents as excerpts from the Rancho Cordova Municipal Code. A summary of the changes is provided below. As a note, Attachment 2 includes all the codes amendments in a non-track change format. This is provided as an exhibit to the Ordinance. The items that staff is seeking discussion and direction on from the Council are discussed after the summary of the proposed amendments.

Title 4, Chapter 4.29 Bingo Suppliers

Section 4.29.030 C. – delete the reference to Chapter 4.28, as this chapter was repealed in September and combined with Chapter 4.26 Bingo of the RCMC.

Title 6, Chapter 6.68 Noise Control

Chapter 6.68 discusses various aspects of noise control for properties located within the City. Within this Chapter there are sections that refer to obtaining permits to exceed the maximum noise levels on a temporary basis or long term through a variance process. Staff has reviewed these sections of the code and is recommending deleting the following sections:

- Section 6.68.190 Special condition permits
- Section 6.68.200 Variance procedure
- Section 6.68.210 Hearing board
- Section 6.68.220 Appeals

To date, the City has not issued any special condition permits or variances to temporarily or permanently operate outside of the specified noise control measures. The City has not established a hearing board per the requirements outlined in the code and would not be able to do so as currently written. These procedures were set up as a joint effort between the County and City of Sacramento. Temporary noise increases would likely be associated with an event and increases of noise could be addressed through a temporary use permit if need be. The City does not have uses that would operate in a manner that would benefit from a special condition permit or variance for noise increases. Therefore staff is proposing to delete these sections from the code and renumber some of the sections.

Title 23, Article 3

Dormitories

One of the colleges currently located in the City has a draft proposal to build a dormitory on the site of the college in order to expand the classes they currently offer and be able to house students, including international students. While the code is clear as to what zones a college or university are allowed in, it is not clear if this includes accessory uses such as a dormitory. Upon further review of the land use definitions, a dormitory is included in the definition of “group residential.” Unfortunately, group residential facilities are not allowed in most of the zones that permit a college or university. This makes it very difficult to provide student housing opportunities for existing or future schools.

In consideration of how to resolve this in the code, staff looked at the typical uses associated with a college or university. Besides classrooms, other uses typically associated with a college or university include common areas, cafeteria, administration buildings, sports facilities and dormitories. Rather than create a new land use category in the permitted uses tables in the code, staff has proposed to add a footnote that states:

Dormitories are permitted as an accessory use to a public or private school, subject to approval of the appropriate design review.

Requiring a design review for the living aspect of the school will ensure that the site can adequately accommodate the use and is integrated with the learning aspect of the college. The level of design review required will be determined by the size of the building. In many cases, a major design review will be required, which is for new construction over 5,000 sq. ft. Table 23.310-1 Allowed Use and Permit Requirements for Residential Zoning Districts and Table 23.313-1 Allowed Use and Permit Requirements for Mixed-use Districts would be amended to add the above mentioned footnote.

Storage, Warehouse

Table 23.313-1 Allowed Use and Permit Requirements for Mixed-use Districts and Table 23.316-1 Allowed Use and Permit Requirements for General Commercial and Industrial Zoning Districts are being amended to call out the reference to a specific chapter in the code that further regulates outdoor storage. This is just a clean-up item and will help guide readers to additional information in the code related to outdoor storage areas.

Title 23, Article 7

Parking for Dormitories

Chapter 23.719 Parking and Loading does not address parking requirements for dormitories and parking the use similar to an apartment complex could result in more parking than necessary. Research of other jurisdictions resulted in very similar results. Most places park them based on 1 stall per every 3 occupants or 3 beds. This seems to be a consistent industry standard, as not all students that live on the premises will have a car. Therefore, staff is proposing to amend Table 23.719-1 Required Minimum Vehicle Ratios to add dormitories to the table with a ratio of 1 stall/3 occupants.

Outdoor Storage

Chapter 23.728 discusses special use regulations for outdoor display, sales and storage. Within this Chapter there are development standards specific to each use, including outdoor storage as an incidental use to a principal use. The code currently states that if not approved as part of the original development permit for the principal use, permanent outdoor storage can be permitted with a design review. Additionally, it must be consistent with all the listed development standards (i.e. screening, height, noise, hours of operation, etc.).

Often times, the review of permanent outdoor storage for a use that is already established is fairly routine, as the development standards are clearly identified in the code. Outdoor storage usually consists of storage of goods, materials, etc. behind a screened in area and usually doesn't involve construction requiring a building permit. There is very little review of any type of site design, other than general layout of where items are stored. Typically a design review can take 2-3 months to process due to routing and public notification requirements. While this process is more effective and often necessary for storage yards as a primary use, as an accessory use, this type of permit and the submittal requirements are not necessary. The

Zoning Code has a zoning certification process that would be more suitable for approving these incidental storage yards. Staff is still required to ensure that all development standards and findings are met and provide a written approval, but a public hearing would not be required. Therefore staff is proposing to amend Section 7.28.020 B. to delete the reference to a minor design review and replace it with a zoning certification.

Additionally, to ensure that there is not any confusion as to what process is required for approval of a permanent storage yard as a primary use, staff is also proposing an amendment to the same section to add a clarifying sentence related to the discretionary process for this type of use. The new section would read as follows:

23.728.020 Permit requirements and exemptions.

B. Permanent Outdoor Storage. Permanent outdoor storage is permitted as an incidental use to a principal use in all zoning designations, except for agricultural and residential zoning districts. If not part of the original development permit for the principal use, permanent outdoor storage may be permitted subject to a zoning certification, when consistent with the development standards of this chapter. A storage yard as a primary use may be permitted subject to a minor design review, when consistent with the development standards of this chapter.

Accessory Structures

Chapter 23.734 address various development standards for accessory structures and includes a section of exceptions to the standards. More specifically, Section 23.734.030 (A) and (B) exempts enclosed/solid-roofed accessory structures, landscape features and play equipment less than 120 sq. ft. and 8 ft. in height from the development standards. However, if these structures are combustible, they must maintain a 3 ft. setback to the side and rear property lines to maintain necessary fire breaks. Because the code does not specifically identify or define combustible structures, staff has to make determinations on each accessory structure as to whether or not it is combustible. While more times than not, they are combustible, it would be easier to just require all accessory structures to meet the 3 ft. setback and avoid any missed determinations. Therefore, staff is proposing to amend this section to delete the reference to combustible structures. Structures that meet the square footage and height limitations will still be exempt from certain standards, but all will now have to maintain the 3 ft. setback.

Title 23, Article 9 Site Planning and Development Standards

Chapter 23.922 regulates temporary uses, including those uses that need to obtain a temporary use permit (TUP). One use on the list that requires a TUP is a model home or model home complex. Routinely what staff is looking at is to ensure that the homes are meeting all the required setbacks, have landscaping, and generally comply with all code and regulations. All of these items are also routine items staff checks when reviewing building permits for the model homes. Therefore, the effort is being unnecessarily duplicated. Once the model homes are no longer needed, any office space has to be converted back into the garage and landscaping installed before Planning will sign off on the final inspection. Therefore, everything that is currently be addressed by the TUP, can be addressed through the building permit. Staff is proposing to delete Section 23.922.030 (B)(4) and renumber the remaining numbers in the section.

Title 23, Article 11 Definitions

Staff is proposing to amend the following definitions:

- Group residential – delete dormitories

- Schools, private and special studio and Schools, public to include a reference to dormitories as an accessory use to the school.

DISCUSSION ITEMS

As previously mentioned, staff is seeking discussion and direction from the City Council on potential code amendments that would be brought back for consideration in the first quarter of 2019. Along with what is discussed below, staff is also working on a code amendment to address new legislation that will go into effect on January 1, 2019 related to street vendors.

Solar Canopies

Staff has received several inquiries in the past few months regarding the desire to remove existing parking lot shade trees and replace them with solar shade structures. Essentially, these structures look like a carport, but the roof is a solar panel. While this is something that is commonly occurring in many of the surrounding jurisdictions, up until recently, there hasn't been the need to amend the code to address these types of structures, as there wasn't a high demand for it.

The code currently states that parking lots shall include shade trees to cover 50 percent of the total parking area with tree canopies within 15 years of securing a building permit. If the code language was not specific to say tree canopies, there may be some area of discretion to allow solar canopies to serve as parking lot shading. While staff recognizes that solar is an important aspect of energy generation, there are some aesthetic and environmental impacts caused by removing all parking lot trees to accommodate these types of structures.

In looking at what other jurisdictions have done to address these structures, the examples range from allowing the canopies to count towards the total shade requirement without replacement of trees, to allowing them to count towards a percentage, with some replacement of trees or other landscaping on site in the parking lot islands. Language could also be included to retain perimeter trees to serve as a buffer between the street and the parking lot. Staff is seeking direction on the following:

- A potential amendment to the code to allow solar canopies to count towards all or a percentage of the required parking lot shade.
- Requirement to retain perimeter trees.
- Replacement of trees or other landscape on site.

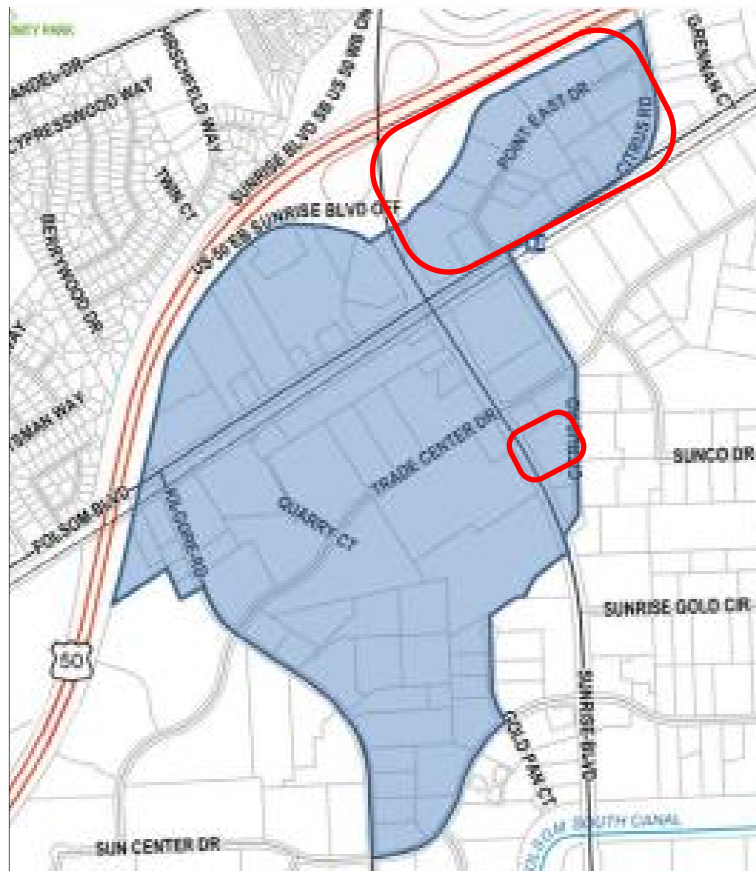
Based upon the direction that the City Council gives staff, the tree ordinance may also need to be amended to address the removal of trees due to the installation of solar shade canopies. The ordinance currently does not speak to this particular circumstance and whether or not mitigation would be required.

Cigar Lounge

The owner of the Magnolia House located on Folsom Boulevard, east of Sunrise has inquired about the potential to open up a cigar lounge in a space above the existing restaurant. A cigar lounge would fall within the land use category of a smoking lounge, which is only permitted in two zones within the City: General Commercial (GC) and Light Industrial (M-1). While the property in question has a GC zone, it is also located in the Convention Overlay District, which has a specific use table and smoking lounges are not permitted. Additionally, Section 23.919.100 which outlines all the operational and development standards for a smoking lounge, states that smoking lounges cannot be located with 1,000 feet of a card room. While not yet

operational, a card room will be opening in the near future within the same building. Due to these specific provisions, a code amendment would be required if the City Council was open to permitting a cigar lounge within the Convention Overlay District only.

The figure below depicts the area included within the overlay district, which is consistent with the General Plan's convention overlay. Uses in this district include some retail, entertainment, hotels, office complexes, eating establishments and some lighter industrial users. The parcels outlined in red below are GC zoned parcels that are located within the convention overlay district. The parcel south of Trade Center Drive is currently vacant. The parcels in between Hwy 50 and Folsom Blvd. include a few office uses, automotive based uses, hotels, a sushi restaurant and the Magnolia House.



Staff is seeking the following direction from City Council:

- A potential amendment to the convention overlay use table to permit smoking lounges in the GC zone in the overlay.
- A potential amendment to consider a distance requirement of less than 1,000 ft. from a card room, but specific to the convention overlay district.

ENVIRONMENTAL ANALYSIS

CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” (CEQA Guidelines, § 15378.) The proposed project includes discretionary

amendments to the City's Municipal Code and is a project under CEQA; but it is exempt from CEQA review as set forth below.

CEQA Guidelines section 15060(c)(2) states that a project is not subject to CEQA review where the activity will not result in a direct or reasonably foreseeable indirect physical change to the environment. CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." The approval of the code amendments set forth in the proposed ordinance does not approve any physical development project, and it would not result in a direct or indirect physical changes in the environment. The proposed changes to Title 4, Business Regulations, Title 6, Health and Sanitation and Title 23, Zoning are clean up items to address unnecessary permit processes and clarify uncertainties in the code. Any specific development projects that may result from these changes will be subject to environmental review. The proposed amendments are consistent with the City's General Plan. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these Municipal Code amendments are exempt from review under CEQA and no further environmental review is necessary.

FISCAL IMPACT

There is no anticipated fiscal impact of the proposed action on City finances.

ATTACHMENTS

1. Ordinance
2. Exhibit A of Ordinance
3. Draft Amendments in track change format
4. Presentation

ATTACHMENT 1**CITY OF RANCHO CORDOVA****ORDINANCE NO. XX-2019**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AMENDING TITLE 4 (BUSINESS REGULATIONS), CHAPTER 4.29 BINGO SUPPLIERS, TITLE 6 (HEALTH AND SANITATION), CHAPTER 6.68 NOISE CONTROL; AND TITLE 23 (ZONING CODE), ARTICLE 3 ZONING DISTRICT, ALLOWABLE USES, AND GENERAL DEVELOPMENT STANDARDS, ARTICLE 7 SITE PLANNING AND DEVELOPMENT STANDARDS, ARTICLE 9 SPECIAL USE PROVISIONS, AND ARTICLE 11 DEFINITIONS OF THE RANCHO CORDOVA MUNICIPAL CODE

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

Section 1. Purpose and Declarations.

WHEREAS, the City conducts periodic updates of the provisions of the Municipal Code to ensure compliance with current laws, changes in local policy, consistency with adopted plans and programs, clarify ambiguities, address changing market conditions, reflect best practices, and to address issues or concerns with current regulations; and

WHEREAS, certain amendments to the Title 4 (Business Regulations), Chapter 4.29 Bingo Suppliers are necessary to delete a reference to Chapter 4.28 which has been repealed; and

WHEREAS, certain amendments to the Title 6 (Health and Sanitation), Chapter 6.68 Noise Control are necessary to delete a permit process that was included in Sacramento County Codes that the City no longer uses; and

WHEREAS, certain amendments to the Title 23 (Zoning), Articles 3, 7, 9 and 11 are necessary to reflect best management practices and eliminate ambiguities in the code; and

WHEREAS, on December 17, 2018 the City Council held a properly noticed public hearing for this Ordinance and considered all oral and written testimony.

Section 2: Findings. The City Council hereby finds:

A. **CEQA Compliance.** CEQA requires analysis of agency approvals of discretionary "projects." A "project," under CEQA, is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (CEQA Guidelines, § 15378.) The proposed project includes discretionary amendments to the City's Municipal Code and is a project under CEQA; but it is exempt from CEQA review as set forth below.

CEQA Guidelines section 15060(c)(2) states that a project is not subject to CEQA review where the activity will not result in a direct or reasonably foreseeable indirect physical change to the environment. CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment." The approval of the code amendments set forth in the proposed ordinance does not approve any physical development project, and it would not result in a direct or indirect physical changes in the environment. The proposed changes to Title

ATTACHMENT 1

4 Business Regulations, Title 6, Health and Sanitation and Title 23, Zoning are to clean up inconsistencies, delete reference to old County Code sections, and clarify when specific uses are permitted or require additional discretionary review. The proposed amendments are consistent with the City's General Plan. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these Municipal Code amendments are exempt from review under CEQA and no further environmental review is necessary.

B. The proposed amendment is consistent with the General Plan. The attached Municipal Code Amendments ("Amendment") are consistent with the General Plan. The amendments would clean up inconsistencies, delete reference to old County Code sections, and clarify when specific uses are permitted or require additional discretionary review. The amendments would not have any conflicts with existing General Plan goals and policies.

C. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. The attached amendment is focused on reflecting best practices and new market conditions while ensuring land use compatibility. None of these proposed amendments will be detrimental to the public interest, health, safety, convenience, or welfare of the City as they implement state law, reflect best practices, streamline procedures, clear up ambiguities, and incorporate select new uses in a manner to ensure land use compatibility.

D. The proposed amendments are internally consistent with other applicable provisions of this zoning code. The Amendments have been reviewed for consistency with the entirety of the Municipal Code and is consistent with other applicable provisions of the Municipal Code.

Section 3. Amendments to Title 4 Business Regulations

The City Council hereby adopts the amendments to Chapter 4.29 Bing Suppliers of Title 4 of the Rancho Cordova Municipal Code (Business Regulations), as shown and incorporated in **Exhibit A** to this ordinance.

Section 4. Amendments to Title 6 Health and Sanitation

The City Council hereby adopts the amendments to Chapter 6.68 Noise Control of Title 6 of the Rancho Cordova Municipal Code (Health and Sanitation), as shown and incorporated in **Exhibit A** to this ordinance.

Section 5. Amendments to Title 23 Zoning

The City Council hereby adopts the amendments to Article 3, Article 7, Article 9, and Article 11 of Title 23 of the Rancho Cordova Municipal Code (Zoning), as shown and incorporated in **Exhibit A** to this ordinance.

Section 6. Severability

If any provision of this Ordinance or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby

ATTACHMENT 1

declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid or unenforceable.

Section 7. Effective Date

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

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the ____ day of _____, 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert J. McGarvey, Mayor

ATTEST:

Stacy Leitner, City Clerk

ATTACHMENT 2
Exhibit A to the Ordinance

Rancho Cordova

Municipal Code Amendments

ATTACHMENT 2
Exhibit A to the Ordinance

Note to Reader: Section placeholders to indicate the sections between changed subsections remain the same are indicated with three stars (*)**.

Title 4 Business Regulations

Chapter 4.29

Bingo Suppliers

ATTACHMENT 2
Exhibit A to the Ordinance

Chapter 4.29

BINGO SUPPLIERS

4.29.030 Issuance.

The chief of police shall issue a special business license unless:

C. The applicant has a current license under Chapter 4.26 RCMC; or

ATTACHMENT 2
Exhibit A to the Ordinance

Title 6 Health and Sanitation
Chapter 6.68
Noise Control

ATTACHMENT 2 Exhibit A to the Ordinance

Chapter 6.68

NOISE CONTROL

Sections:

- 6.68.010 Findings.
- 6.68.020 Declaration of policy.
- 6.68.030 Liberal construction.
- 6.68.040 Severability.
- 6.68.050 Definitions.
- 6.68.060 Sound level measurement generally.
- 6.68.070 Exterior noise standards.
- 6.68.080 Interior noise standards.
- 6.68.090 Exemptions.
- 6.68.110 Schools, hospitals and churches.
- 6.68.120 Machinery, equipment, fans and air conditioning.
- 6.68.130 Off-road vehicles.
- 6.68.140 Waste disposal vehicles.
- 6.68.145 Audio devices on publicly owned property.
- 6.68.150 General noise regulations.
- 6.68.160 Administration.
- 6.68.170 Noise control program – Recommendations.
- 6.68.180 Rules and standards.
- 6.68.190 Violation.
- 6.68.200 Other remedies

6.68.190 Violation.

Upon the receipt of a complaint from any person, the Rancho Cordova chief of police, the city health officer, or their duly authorized representatives may investigate and assess whether the alleged noise levels exceed the noise standards set forth in this chapter. If such officers have reason to believe that any provision(s) of this chapter has been violated, they may cause written notice to be served upon the alleged violator. Such notice shall specify the provision(s) of this chapter alleged to have been violated and the facts alleged to constitute a violation, including dBA readings noted and the time and place of their detection, and may include an order that corrective action be taken within a specified time. If corrective action is not taken within such specified time or any extension thereof approved by the city health officer, upon conviction the violation shall constitute an infraction. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 576 § 6, 1983; SCC 254 § 1 (part), 1976].

6.68.200 Other remedies.

A. Provisions of this chapter are to be construed as an added remedy of abatement of the public nuisance declared and not in conflict or derogation of any other action, proceedings or remedies provided by law.

B. Any violation of the provisions of this chapter shall be and the same is declared to be unlawful and a public nuisance, and the duly constituted authorities of the city shall, upon order of the city council, immediately commence actions or proceedings for the abatement or enjoinder thereof in the manner

ATTACHMENT 2
Exhibit A to the Ordinance

provided by law and shall take such steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate such nuisance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 254 § 1 (part), 1976].

ATTACHMENT 2
Exhibit A to the Ordinance

Note to Reader: Section placeholders to indicate the sections between changed subsections remain the same are indicated with three stars (*)**.

Article 3 Zoning District, Allowable Uses, and General Development Standards

ATTACHMENT 2 Exhibit A to the Ordinance

Chapter 23.310

RESIDENTIAL ZONING DISTRICTS

Table 23.313-1: Allowed Use and Permit Requirements for Residential Zoning Districts

Land Use Category	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10	RD-15	RD-20	RD-25	RD-30	MDR	HDR	RMH	Specific Use Regulations
Recreation, Education, and Public Assembly Uses																		
Cemeteries, Mausoleums	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	
Clubs, Lodges, and Private Meeting Halls	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C	C	
Community Centers/Civic Uses	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Golf Courses/Clubhouse	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	
Indoor Fitness and Sports Facility	N	N	N	N	N	N	N	N	N	N	N	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	
Libraries and Museums	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	N	
Outdoor Commercial Recreation	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Parks and Public Plazas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreational Vehicle Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	
Religious Institutions	C	C	C	C	C	C	C	C	C	C	C	N	N	N	C	N	C	
Resource Protection and Restoration	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Resource-Related Recreation	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Schools, Private and Special/Studios ¹⁷	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	C	
Schools, Public ¹⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Notes:

17. Dormitories are permitted as an accessory use to a public or private school, subject to approval of a Conditional Use Permit.

ATTACHMENT 2 Exhibit A to the Ordinance

Chapter 23.313

MIXED-USE ZONING DISTRICTS

Table 23.313-1: Allowed Use and Permit Requirements for Mixed-Use Districts

Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Recreation, Education, and Public Assembly Uses									
Clubs, Lodges, and Private Meeting Halls	P	P	P	P	AUP	P	P	P	
Community Centers/Civic Uses	P	P	P	P	AUP	P	P	P	
Indoor Amusement/Entertainment Facility	AUP	P	P	P	AUP	AUP	P	P	
Indoor Fitness and Sports Facility	AUP	P	P	P	AUP	AUP	P	P	
Libraries and Museums	P	P	P	P	P	P	P	P	
Outdoor Commercial Recreation	N	C	N	N	P	C	C	C	
Parks and Public Plazas	P	P	P	P	C	P	P	P	
Public Safety Facility	P	P	P	P	P	P	P	P	
Religious Institutions	P	P	P	P	P	P	P	P	
Schools, Private and Special/Studios ³¹	P	P	P	P	C	P	P	P	
Schools, Public ³¹	P	P	P	P	P	P	P	P	
Theaters and Auditoriums	C	P	P	P	N	AUP	P	P	

Industrial, Manufacturing, and Processing Uses									
Agricultural Products Processing	N	N	N	N	C	N	N	N	
Artisanal and Specialty Manufacture, Display, and Sales	N	P	P	P	P	P	P	P	
Brewery, Winery, Distillery	N	p ²⁹	p ²⁹	p ²⁹	p ²⁹	p ²⁹	p ²⁹	p ²⁹	
Manufacturing, Major	N	N	N	N	C ¹⁴	N	N	N	
Manufacturing, Minor	N	N	N	P	P	N	N	N	
Manufacturing, Small Scale	N	P	P	P	P	P	N	N	
Printing and Publishing	N	C	C	P	P	N	N	N	
Recycling Facility, Processing	N	N	N	N	C	N	N	N	
Recycling Facility, Scrap and Dismantling Facility	N	N	N	N	C	N	N	N	

ATTACHMENT 2

Exhibit A to the Ordinance

Research and Development	N	N	P	P	P	N	N	N	
Storage, Personal Storage Facility	N	N	N	C ²⁷	P ²⁷	N	N	N	Chapter 23.915 RCMC
Storage, Warehouse	N	N	N	P	P	N	N	N	
Storage, Yards	N	N	N	P ¹⁴	P ¹⁴	N	N	N	Chapter 23.728 RCMC
Wholesaling and Distribution	N	N	N	P ¹⁴	P ¹⁴	N	N	N	

Notes:

31. Dormitories are permitted as an accessory use to a public or private school, subject to approval of a Conditional Use Permit.

[Ord. 17-2018 § 4 (Exh. A); Ord. 15-2018 § 4 (Exh. A); Ord. 4-2018 § 3 (Exh. A); Ord. 5-2017 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 3-2017 § 3 (Exh. A); Ord. 1-2016 § 4; Ord. 15-2015 §§ 2, 3; Ord. 8-2015 § 4 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.5.030)].

ATTACHMENT 2

Exhibit A to the Ordinance

Chapter 23.313

MIXED-USE ZONING DISTRICTS

**Table 23.316-1: Allowed Use and Permit Requirements for
General Commercial and Industrial Zoning Districts**

Land Use Category	GC	M-1	M-2	Specific Use Regulations
Industrial, Manufacturing, and Processing Uses				
Agricultural Products Processing	N	C	P	
Artisanal and Specialty Manufacture, Display and Sales	P	AUP	AUP	
Brewery, Winery, Distillery	N	P ¹⁵	P ¹⁵	
Junk Tire Facility	N	N	P	RCMC 23.916.020
Manufacturing, Major	N	AUP ²	P	
Manufacturing, Minor	N	P ²	P	
Manufacturing, Small Scale	P	P ²	P	
Printing and Publishing	N	P	P	
Recycling Facility, Processing	N	AUP	P	
Recycling Facility, Scrap and Dismantling Facility	N	N	C	
Research and Development	N	P	P	
Storage, Personal Storage Facility	N	P ^{2, 13}	P ¹³	Chapter 23.915 RCMC
Storage, Warehouse	AUP	P ²	P	
Storage, Yards	N	N	P ²	Chapter 23.728 RCMC
Wholesaling and Distribution	P	P ²	P	

ATTACHMENT 2
Exhibit A to the Ordinance

Note to Reader: Section placeholders to indicate the sections between changed subsections remain the same are indicated with three stars (*)**.

Article 7 Site Planning and Development Standards

ATTACHMENT 2 Exhibit A to the Ordinance

Chapter 23.719

PARKING AND LOADING

Table 23.719-1: Required Minimum Vehicle Ratios

Land Use Category	Vehicle Parking Spaces
Residential Uses	
Adult Day Care Home	None beyond single-family
Caretaker Housing	1/bedroom
Dwelling, Multifamily	
Studio and one-bedroom units	1.5/unit
Two- and three-bedroom units	2/unit
Four- or more bedroom units	2/unit
+ Guest parking	0.6/unit
Accessory Dwelling Unit ¹	1/unit
Junior Accessory Dwelling Unit	No minimum
Dwelling, Single-Family ^{1,2}	2/unit
Dwelling, Two-Family ^{1,2}	2/unit
Family Day Care Home, Large	1 additional
Family Day Care Home, Small	No minimum
Dormitories	1 space/3 occupants
Group Residential	None beyond single-family
Guest House	0 additional
Home Occupations ³	1 additional
Live-Work Facility	2/unit (plus 0.25/unit for guests)
Manufactured Home	2/unit
Mobile Home	2/unit
Mobile Home Park	2/unit
Residential Care Home	1 space per employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Senior Independent Living Facility	0.5/unit (plus 0.1 per unit for guests)

ATTACHMENT 2

Exhibit A to the Ordinance

Chapter 23.728

OUTDOOR DISPLAY, SALES, AND STORAGE

23.728.020 Permit requirements and exemptions.

The following outdoor activities shall be subject to the permit requirements listed herein:

B. Permanent Outdoor Storage. Permanent outdoor storage is permitted as an incidental use to a principal use in all zoning designations, except for agricultural and residential zoning districts. If not part of the original development permit for the principal use, permanent outdoor storage may be permitted subject to a zoning certification, when consistent with the development standards of this chapter. A storage yard as a primary use may be permitted subject to a minor design review, when consistent with the development standards of this chapter.

ATTACHMENT 2

Exhibit A to the Ordinance

Chapter 23.734

ACCESSORY STRUCTURES

23.734.030 Permit requirements and exceptions.

Except as otherwise exempt below, the majority of accessory structures governed by this chapter shall go through a simple plan check (zoning certification) at the time a building permit is issued to ensure compliance with applicable regulations. The following structures shall be exempt from the requirements of this chapter as specified below and are subject to compliance with all other provisions of this title:

A. Enclosed and/or solid-roofed accessory structures that are smaller than 120 square feet in size with no portion of the structure equal to or greater than eight feet in height. Structures shall not be located in a required front yard. Accessory structures shall be set back a minimum of three feet from side and rear property lines with a minimum six-foot separation between structures.

B. Landscape features and play equipment that are smaller than 120 square feet in size with no portion of the structure equal to or greater than eight feet in height. Landscape features that exceed 120 square feet in size and greater than eight feet in height shall meet the accessory structure standards and setbacks. Landscape features shall be set back a minimum of three feet from all interior property lines with a minimum six-foot separation between structures.

ATTACHMENT 2
Exhibit A to the Ordinance

Note to Reader: Section placeholders to indicate the sections between changed subsections remain the same are indicated with three stars (*)**.

Article 9 Specific Use Provisions

ATTACHMENT 2 Exhibit A to the Ordinance

Chapter 23.922

TEMPORARY USES

23.922.030 Temporary use regulations.

B. Allowed Temporary Uses and Related Standards. The following temporary uses may only be established after first obtaining a valid temporary use permit as described in RCMC 23.922.020 (Permit required). Uses that do not fall within the categories defined below shall comply with the use and development regulations and planning permit requirements that otherwise apply to the property:

1. Construction office. A temporary construction office, used during the construction of a main building or buildings on the same site.
2. Construction yards – off-site. Site contractors' construction yards, in conjunction with an approved construction project.
3. A mobile home for temporary caretaker quarters during the construction of a subdivision, multifamily, or nonresidential project, while a valid building permit is in force.
4. Temporary real estate offices, including sales trailers and related facilities, may be established within the area of an approved residential subdivision project, solely for the first sale of homes. In addition, conditions of approval regulating the hours of operation, landscaping, or other aspects as deemed necessary may be imposed as part of the temporary use permit.
5. Outdoor storage, displays, and sales (e.g., sidewalk sales). Outdoor storage, sales, and display of goods, including promotional sales, may be conducted as part of an otherwise lawfully permitted or allowed permanent use. The temporary activity must be related to the on-site use and provided all activities shall be conducted within the buildable portion of the lot. The temporary activity is limited to a maximum of 30 consecutive days. A total maximum of four 30-day periods are permitted per year. Storage, sales, and display may not occupy more than 10 percent of the parking area and shall not substantially alter the existing circulation pattern of the site. Temporary storage, sales, and displays shall not obstruct any existing handicapped-accessible parking space.
6. Seasonal sales lots. Temporary seasonal sales activities (e.g., Christmas trees, pumpkin sales, and other similar outdoor sales) may be permitted in any commercial or industrial zoning district, or on any religious facility or school site that abuts a collector or arterial roadway as designated in the General Plan. Seasonal sales (e.g., Christmas tree sales, pumpkin sales) may be permitted in any nonresidential zoning district upon issuance of a temporary use permit. Only one permit per property is permitted within a one-year time period and the term of permit shall not exceed 60 days.
7. Temporary dwellings, including mobile homes, when a primary dwelling is being constructed or remodeled may be permitted, provided a valid building permit has been issued. The temporary dwelling shall be limited to a maximum of one year.
8. Temporary signs. Banners and other signage displays are permitted for a period not to exceed 60 days. No more than two temporary use permits for temporary signs shall be issued for the same property per calendar year. Inflatable signs are prohibited. See RCMC 23.743.070 (Allowed temporary on-site sign standards, for standards); and additional limitations.

ATTACHMENT 2

Exhibit A to the Ordinance

9. Temporary structures (e.g., tents). A Sacramento metro fire permit is required as part of application.

10. Grand opening event/special day or weekend event (e.g., auction, craft fair, carnival, parking lot sale). The temporary activity is limited to a maximum of 30 consecutive days. A total maximum of four 30-day periods are permitted per year. The use must be located on mixed-use, automotive, and industrial zoned land. Flea markets are not permitted.

11. Farmers' markets may be permitted, provided such markets qualify as certified farmers markets and all producers/vendors qualify as certified producers under the California Department of Food and Agriculture. The market must be located within the buildable portion of the lot on which it is to be located. The temporary use permit may impose conditions establishing the length of the permit, days and hours of operation, and other development factors as deemed appropriate.

12. When a temporary use is not specifically listed in this section, the director shall determine whether the proposed use is similar in nature to listed use(s) and shall establish the term and make necessary findings and conditions for the particular use. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.8.030)].

ATTACHMENT 2
Exhibit A to the Ordinance

Note to Reader: Section placeholders to indicate the sections between changed subsections remain the same are indicated with three stars (*)**.

Article 11 Definitions

ATTACHMENT 2 Exhibit A to the Ordinance

Chapter 23.1104

GENERAL DEFINITIONS

23.1104.040 Land use definitions.

“Group residential” means shared living quarters without separate kitchen and/or bathroom facilities for each room or unit. This classification includes residential hotels, fraternities, sororities, convents, rectories, and private residential clubs but does not include living quarters shared exclusively by a family. This category includes boarding houses, which are defined as a building other than a hotel or restaurant where meals or lodging or both meals and lodging are provided for compensation for four or more persons.

“Schools, private and special/studio” includes private educational institutions (e.g., boarding schools, business, secretarial and vocational schools, colleges and universities, establishments providing for courses by mail or online), and special schools/studios (e.g., art, ballet and other dance, computers and electronics, drama, driver education, language, music, photography). This also includes dormitories as an accessory use to a private school. Also includes facilities, institutions, and conference centers that offer specialized programs in personal growth and development (e.g., fitness training studios, gymnastics instruction, and aerobics and gymnastics studios, environmental awareness, arts, communications, management). Also see “Indoor fitness and sports facilities.”

“Schools, public” means public educational institutions such as community colleges, universities, elementary schools, middle/junior high schools, high schools, and military academies. This also includes dormitories as an accessory use to a public school.

Chapter 4.29**BINGO SUPPLIERS**

4.29.030 Issuance.

The chief of police shall issue a special business license unless:

C. The applicant has a current license under Chapter 4.26 ~~or 4.28~~ RCMC; or

Chapter 6.68

NOISE CONTROL

Sections:

- 6.68.010 Findings.
- 6.68.020 Declaration of policy.
- 6.68.030 Liberal construction.
- 6.68.040 Severability.
- 6.68.050 Definitions.
- 6.68.060 Sound level measurement generally.
- 6.68.070 Exterior noise standards.
- 6.68.080 Interior noise standards.
- 6.68.090 Exemptions.
- 6.68.110 Schools, hospitals and churches.
- 6.68.120 Machinery, equipment, fans and air conditioning.
- 6.68.130 Off-road vehicles.
- 6.68.140 Waste disposal vehicles.
- 6.68.145 Audio devices on publicly owned property.
- 6.68.150 General noise regulations.
- 6.68.160 Administration.
- 6.68.170 Noise control program – Recommendations.
- 6.68.180 Rules and standards.
- 6.68.190 ~~Special condition permits.~~ [Violation.](#)
- 6.68.200 ~~Variance procedure.~~ [Other remedies](#)
- ~~6.68.210 Hearing board.~~
- ~~6.68.220 Appeals.~~
- ~~6.68.230 Violation.~~
- ~~6.68.240 Other remedies.~~

~~6.68.190~~——~~Special condition permits.~~

~~Notwithstanding any provision of this chapter, the city health officer may grant special condition permits for a period not exceeding three days when the general purpose and intent of this chapter can be carried out by the granting of the special condition permit. Said special condition permits may be renewed for periods not exceeding three days at the discretion of the health officer. [Ord. 21 2003 §§ 2, 4; Ord. 20 2003 §§ 2, 4; SCC 254 § 1 (part), 1976].~~

~~6.68.200~~——~~Variance procedure.~~

~~A. The owner or operator of a noise source which violates any of the provisions of this chapter may file an application with the health officer for a variance from the provisions thereof. The application shall set forth all actions taken to comply with this chapter, the reasons why immediate compliance cannot be achieved, a proposed method for achieving compliance, and a proposed time schedule for its accomplishment. Said application shall be accompanied by a fee in the amount of \$75.00. A separate application shall be filed for each noise source; provided, however, that several mobile sources under common ownership or several fixed sources on a single property may be combined into one application. Upon receipt of said application and fee, the health officer shall refer the application, with his recommendation thereon, within 10 days to the hearing board.~~

~~B. Upon receipt of an application for a variance, the hearing board shall schedule a public hearing, to be conducted within 60 days of receipt of the application. During the public hearing the applicant and the health officer may submit oral and documentary evidence relative to their respective contentions.~~

~~C. The hearing board may deny the application for a variance or may grant a variance. A variance may be for a limited period and may be subject to any other terms, conditions and requirements as the hearing board may deem~~

~~reasonable to achieve maximum compliance with the provisions of this chapter. Such terms, conditions and requirements may include, but shall not be limited to, limitations on noise levels and operating hours.~~

~~D. Each variance shall set forth the approved method of achieving maximum compliance and a time schedule for its accomplishment. In its determinations, the hearing board shall consider the magnitude of nuisance caused by the offensive noise, the uses of property within the area of impingement by the noise, the time factors related to study, design, financing and construction of remedial work, the economic factors related to age and useful life of equipment, and the general public interest and welfare.~~

~~E. In deciding whether to grant a variance, the hearing board shall consider all facts relating to whether strict compliance with the requirement of this chapter will cause practical difficulties, unnecessary hardship or unreasonable expense and any other relevant considerations.~~

~~F. The hearing board shall render a decision within 30 days of completion of the hearing. The decision of the hearing board shall be transmitted to the applicant and to the health officer. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 254 § 1 (part), 1976].~~

6.68.210 — Hearing board.

~~A. There is created a joint city-county hearing board consisting of nine members.~~

~~B. Four members of the hearing board shall be appointed by the mayor of the city of Sacramento with the approval of the city council. One member shall be an acoustical consultant with a background in engineering and with a demonstrated knowledge and experience in the field of acoustics; one member shall have been admitted to the practice of law in the state of California; one member shall be a mechanical contractor holding a current active state of California C-20 or SC-20 license; and one member shall be representative of the general public.~~

~~C. Four members shall be appointed by the board of supervisors of the county of Sacramento. One member shall be a licensed professional mechanical engineer; one member shall be a physician licensed in the state of California, qualified in the field of physiological effects of noise; one member shall be a general contractor engaged in general building or engineering construction holding a current active state of California A or B license; and one member shall be a representative of the general public.~~

~~D. One member shall be appointed by the members of the board who have been appointed by the city of Sacramento and the county of Sacramento pursuant to subsections (B) and (C) of this section. This member shall be a representative of business and industry.~~

~~E. The term of office of each member shall be for three years and until the appointment and qualification of a successor. The first members of the hearing board shall classify themselves by lot so that the term of three members is for one year, three members is for two years, and three members is for three years.~~

~~F. Any member may be removed by the appointing authority or authorities. Vacancies occurring during a term, whether by removal, resignation or other cause, shall be filled for the unexpired term by the appointing authority or authorities.~~

~~G. The health officer of the county of Sacramento, or his appointing representative, shall be a nonvoting ex-officio member of the hearing board and shall act as secretary of the board.~~

~~H. The hearing board shall adopt rules and regulations for its own procedures in carrying out its functions under the provisions of this chapter.~~

~~I. Five members of the hearing board shall constitute a quorum. If five or more members of the hearing board conduct a hearing, concurrence of the majority of those present shall be necessary for decision.~~

~~J. Meetings of the hearing board shall be held at the call of the secretary and at such times and locations as said board shall determine. All such meetings shall be open to the public. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 360 § 1, 1978; SCC 351 § 1, 1978; SCC 273 § 1, 1976; SCC 254 § 1 (part), 1976].~~

6.68.220—Appeals.

~~A. Within 10 days following the decision of the hearing board on an application for a variance, the applicant or the health officer may appeal the decision to the city council by filing a notice of appeal with the secretary of the hearing board.~~

~~B. Within 10 days following receipt of a notice of appeal, the secretary of the hearing board shall forward to the city council copies of the application for variance and all papers and exhibits concerning said application received by the hearing board and its decision thereon. Any person may file with the city council written arguments in favor of or against said decision.~~

~~C. The clerk of the city council shall mail to the applicant, health officer and other individuals or entities so requesting a notice of the date set for hearing of the appeal. The notice shall be mailed at least 10 days prior to the hearing date.~~

~~D. Within 30 days following conduct of the hearing before the city council, the council shall either affirm, modify or reverse the decision of the hearing board. In deciding the appeal, the city council shall have the same powers as are conferred on the hearing board. The city council may also direct the hearing board to conduct further proceedings on said application. Failure of the city council to affirm, modify or reverse a decision of the hearing board, or to direct the hearing board to conduct further proceedings within a 30 day period from the date of the hearing, shall constitute an affirmation of the decision of the hearing board. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 254 § 1 (part), 1976].~~

6.68.230190 Violation.

Upon the receipt of a complaint from any person, the Rancho Cordova chief of police, the city health officer, or their duly authorized representatives may investigate and assess whether the alleged noise levels exceed the noise standards set forth in this chapter. If such officers have reason to believe that any provision(s) of this chapter has been violated, they may cause written notice to be served upon the alleged violator. Such notice shall specify the provision(s) of this chapter alleged to have been violated and the facts alleged to constitute a violation, including dBA readings noted and the time and place of their detection, and may include an order that corrective action be taken within a specified time. If corrective action is not taken within such specified time or any extension thereof approved by the city health officer, upon conviction the violation shall constitute an infraction. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 576 § 6, 1983; SCC 254 § 1 (part), 1976].

6.68.20040 Other remedies.

A. Provisions of this chapter are to be construed as an added remedy of abatement of the public nuisance declared and not in conflict or derogation of any other action, proceedings or remedies provided by law.

B. Any violation of the provisions of this chapter shall be and the same is declared to be unlawful and a public nuisance, and the duly constituted authorities of the city shall, upon order of the city council, immediately commence actions or proceedings for the abatement or injunction thereof in the manner provided by law and shall take such steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate such nuisance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 254 § 1 (part), 1976].

ATTACHMENT 3

Chapter 23.310

RESIDENTIAL ZONING DISTRICTS

Table 23.310-1: Allowed Use and Permit Requirements for Residential Zoning Districts

Land Use Category	RR	ER	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7	RD-10	RD-15	RD-20	RD-25	RD-30	MDR	HDR	RMH	Specific Use Regulations
Recreation, Education, and Public Assembly Uses																		
Cemeteries, Mausoleums	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	
Clubs, Lodges, and Private Meeting Halls	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C	C	
Community Centers/Civic Uses	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Golf Courses/Clubhouse	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	
Indoor Fitness and Sports Facility	N	N	N	N	N	N	N	N	N	N	N	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	P ⁷	
Libraries and Museums	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	N	
Outdoor Commercial Recreation	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Parks and Public Plazas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreational Vehicle Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	
Religious Institutions	C	C	C	C	C	C	C	C	C	C	C	N	N	N	C	N	C	
Resource Protection and Restoration	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Resource-Related Recreation	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
Schools, Private and Special/Studios ¹⁷	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	C	
Schools, Public ¹⁷	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Notes:

¹⁷ Dormitories are permitted as an accessory use to a public or private school, subject to approval of the appropriate design review.

ATTACHMENT 3

Table 23.313-1: Allowed Use and Permit Requirements for Mixed-Use Districts

Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Recreation, Education, and Public Assembly Uses									
Clubs, Lodges, and Private Meeting Halls	P	P	P	P	AUP	P	P	P	
Community Centers/Civic Uses	P	P	P	P	AUP	P	P	P	
Indoor Amusement/Entertainment Facility	AUP	P	P	P	AUP	AUP	P	P	
Indoor Fitness and Sports Facility	AUP	P	P	P	AUP	AUP	P	P	
Libraries and Museums	P	P	P	P	P	P	P	P	
Outdoor Commercial Recreation	N	C	N	N	P	C	C	C	
Parks and Public Plazas	P	P	P	P	C	P	P	P	
Public Safety Facility	P	P	P	P	P	P	P	P	
Religious Institutions	P	P	P	P	P	P	P	P	
Schools, Private and Special/Studios ³¹	P	P	P	P	C	P	P	P	
Schools, Public ³¹	P	P	P	P	P	P	P	P	
Theaters and Auditoriums	C	P	P	P	N	AUP	P	P	

Industrial, Manufacturing, and Processing Uses									
Agricultural Products Processing	N	N	N	N	C	N	N	N	
Artisanal and Specialty Manufacture, Display, and Sales	N	P	P	P	P	P	P	P	
Brewery, Winery, Distillery	N	p ²⁹	p ²⁹	p ²⁹	p ²⁹	p ²⁹	p ²⁹	p ²⁹	
Manufacturing, Major	N	N	N	N	C ¹⁴	N	N	N	
Manufacturing, Minor	N	N	N	P	P	N	N	N	
Manufacturing, Small Scale	N	P	P	P	P	P	N	N	
Printing and Publishing	N	C	C	P	P	N	N	N	
Recycling Facility, Processing	N	N	N	N	C	N	N	N	
Recycling Facility, Scrap and Dismantling Facility	N	N	N	N	C	N	N	N	
Research and Development	N	N	P	P	P	N	N	N	
Storage, Personal Storage Facility	N	N	N	C ²⁷	p ²⁷	N	N	N	Chapter 23.915 RCMC

ATTACHMENT 3

Storage, Warehouse	N	N	N	P	P	N	N	N	
Storage, Yards	N	N	N	p ¹⁴	p ¹⁴	N	N	N	Chapter 23.728 RCMC
Wholesaling and Distribution	N	N	N	p ¹⁴	p ¹⁴	N	N	N	

Notes:

[31. Dormitories are permitted as an accessory use to a public or private school, subject to approval of the appropriate design review.](#)

[Ord. 17-2018 § 4 (Exh. A); Ord. 15-2018 § 4 (Exh. A); Ord. 4-2018 § 3 (Exh. A); Ord. 5-2017 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 3-2017 § 3 (Exh. A); Ord. 1-2016 § 4; Ord. 15-2015 §§ 2, 3; Ord. 8-2015 § 4 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 2.5.030)].

Table 23.316-1: Allowed Use and Permit Requirements for General Commercial and Industrial Zoning Districts

Land Use Category	GC	M-1	M-2	Specific Use Regulations
Industrial, Manufacturing, and Processing Uses				
Agricultural Products Processing	N	C	P	
Artisanal and Specialty Manufacture, Display and Sales	P	AUP	AUP	
Brewery, Winery, Distillery	N	P ¹⁵	P ¹⁵	
Junk Tire Facility	N	N	P	RCMC 23.916.020
Manufacturing, Major	N	AUP ²	P	
Manufacturing, Minor	N	P ²	P	
Manufacturing, Small Scale	P	P ²	P	
Printing and Publishing	N	P	P	
Recycling Facility, Processing	N	AUP	P	
Recycling Facility, Scrap and Dismantling Facility	N	N	C	
Research and Development	N	P	P	
Storage, Personal Storage Facility	N	P ^{2, 13}	P ¹³	Chapter 23.915 RCMC
Storage, Warehouse	AUP	P ²	P	Chapter 23.728 RCMC
Storage, Yards	N	N	P ²	Chapter 23.728 RCMC
Wholesaling and Distribution	P	P ²	P	

Chapter 23.719

PARKING AND LOADING

Table 23.719-1: Required Minimum Vehicle Ratios

Land Use Category	Vehicle Parking Spaces
Residential Uses	
Adult Day Care Home	None beyond single-family
Caretaker Housing	1/bedroom
Dwelling, Multifamily	
Studio and one-bedroom units	1.5/unit
Two- and three-bedroom units	2/unit
Four- or more bedroom units	2/unit
+ Guest parking	0.6/unit
Accessory Dwelling Unit ¹¹	1/unit
Junior Accessory Dwelling Unit	No minimum
Dwelling, Single-Family ^{1,2}	2/unit
Dwelling, Two-Family ^{1,2}	2/unit
Family Day Care Home, Large	1 additional
Family Day Care Home, Small	No minimum
Dormitories	1 space/3 occupants
Group Residential	None beyond single-family
Guest House	0 additional
Home Occupations ³	1 additional
Live-Work Facility	2/unit (plus 0.25/unit for guests)
Manufactured Home	2/unit
Mobile Home	2/unit
Mobile Home Park	2/unit
Residential Care Home	1 space per employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Senior Independent Living Facility	0.5/unit (plus 0.1 per unit for guests)

Chapter 23.728

OUTDOOR DISPLAY, SALES, AND STORAGE

23.728.020 Permit requirements and exemptions.

The following outdoor activities shall be subject to the permit requirements listed herein:

B. Permanent Outdoor Storage. Permanent outdoor storage is permitted as an incidental use to a principal use in all zoning designations, except for agricultural and residential zoning districts. If not part of the original development permit for the principal use, permanent outdoor storage may be permitted subject to a ~~minor design review~~zoning certification. ~~In all cases, permanent outdoor storage shall be~~ when consistent with the development standards of this chapter. A storage yard as a primary use may be permitted subject to a minor design review, when consistent with the development standards of this chapter.

Chapter 23.734

ACCESSORY STRUCTURES

23.734.030 Permit requirements and exceptions.

Except as otherwise exempt below, the majority of accessory structures governed by this chapter shall go through a simple plan check (zoning certification) at the time a building permit is issued to ensure compliance with applicable regulations. The following structures shall be exempt from the requirements of this chapter as specified below and are subject to compliance with all other provisions of this title:

A. Enclosed and/or solid-roofed accessory structures that are smaller than 120 square feet in size with no portion of the structure equal to or greater than eight feet in height. Structures shall not be located in a required front yard. ~~In order to maintain necessary fire breaks, all combustible a~~ Accessory structures shall be set back a minimum of three feet from side and rear property lines with a minimum six-foot separation between structures.

B. Landscape features and play equipment that are smaller than 120 square feet in size with no portion of the structure equal to or greater than eight feet in height. Landscape features that exceed 120 square feet in size and greater than eight feet in height shall meet the accessory structure standards and setbacks. ~~In order to maintain necessary fire breaks, combustible l~~ Landscape features shall be set back a minimum of three feet from all interior property lines with a minimum six-foot separation between structures.

Chapter 23.922

TEMPORARY USES

23.922.030 Temporary use regulations.

B. Allowed Temporary Uses and Related Standards. The following temporary uses may only be established after first obtaining a valid temporary use permit as described in RCMC 23.922.020 (Permit required). Uses that do not fall within the categories defined below shall comply with the use and development regulations and planning permit requirements that otherwise apply to the property:

1. Construction office. A temporary construction office, used during the construction of a main building or buildings on the same site.
2. Construction yards – off-site. Site contractors' construction yards, in conjunction with an approved construction project.
3. A mobile home for temporary caretaker quarters during the construction of a subdivision, multifamily, or nonresidential project, while a valid building permit is in force.

~~4. Model homes. A model home or model home complex may be authorized before the completion of subdivision improvements.~~

~~5~~4. Temporary real estate offices, including sales trailers and related facilities, may be established within the area of an approved residential subdivision project, solely for the first sale of homes. In addition, conditions of approval regulating the hours of operation, landscaping, or other aspects as deemed necessary may be imposed as part of the temporary use permit.

~~5~~6. Outdoor storage, displays, and sales (e.g., sidewalk sales). Outdoor storage, sales, and display of goods, including promotional sales, may be conducted as part of an otherwise lawfully permitted or allowed permanent use. The temporary activity must be related to the on-site use and provided all activities shall be conducted within the buildable portion of the lot. The temporary activity is limited to a maximum of 30 consecutive days. A total maximum of four 30-day periods are permitted per year. Storage, sales, and display may not occupy more than 10 percent of the parking area and shall not substantially alter the existing circulation pattern of the site. Temporary storage, sales, and displays shall not obstruct any existing handicapped-accessible parking space.

~~6~~7. Seasonal sales lots. Temporary seasonal sales activities (e.g., Christmas trees, pumpkin sales, and other similar outdoor sales) may be permitted in any commercial or industrial zoning district, or on any religious facility or school site that abuts a collector or arterial roadway as designated in the General Plan. Seasonal sales (e.g., Christmas tree sales, pumpkin sales) may be permitted in any nonresidential zoning district upon issuance of a temporary use permit. Only one permit per property is permitted within a one-year time period and the term of permit shall not exceed 60 days.

~~7~~8. Temporary dwellings, including mobile homes, when a primary dwelling is being constructed or remodeled may be permitted, provided a valid building permit has been issued. The temporary dwelling shall be limited to a maximum of one year.

~~8~~9. Temporary signs. Banners and other signage displays are permitted for a period not to exceed 60 days. No more than two temporary use permits for temporary signs shall be issued for the same property per calendar

year. Inflatable signs are prohibited. See RCMC 23.743.070 (Allowed temporary on-site sign standards, for standards); and additional limitations.

~~109~~. Temporary structures (e.g., tents). A Sacramento metro fire permit is required as part of application.

~~101~~. Grand opening event/special day or weekend event (e.g., auction, craft fair, carnival, parking lot sale). The temporary activity is limited to a maximum of 30 consecutive days. A total maximum of four 30-day periods are permitted per year. The use must be located on mixed-use, automotive, and industrial zoned land. Flea markets are not permitted.

~~112~~. Farmers' markets may be permitted, provided such markets qualify as certified farmers markets and all producers/vendors qualify as certified producers under the California Department of Food and Agriculture. The market must be located within the buildable portion of the lot on which it is to be located. The temporary use permit may impose conditions establishing the length of the permit, days and hours of operation, and other development factors as deemed appropriate.

~~123~~. When a temporary use is not specifically listed in this section, the director shall determine whether the proposed use is similar in nature to listed use(s) and shall establish the term and make necessary findings and conditions for the particular use. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.8.030)].

Chapter 23.1104

GENERAL DEFINITIONS

23.1104.040 Land use definitions.

“Group residential” means shared living quarters without separate kitchen and/or bathroom facilities for each room or unit. This classification includes residential hotels, ~~dormitories~~, fraternities, sororities, convents, rectories, and private residential clubs but does not include living quarters shared exclusively by a family. This category includes boarding houses, which are defined as a building other than a hotel or restaurant where meals or lodging or both meals and lodging are provided for compensation for four or more persons.

“Schools, private and special/studio” includes private educational institutions (e.g., boarding schools, business, secretarial and vocational schools, colleges and universities, establishments providing for courses by mail or online), and special schools/studios (e.g., art, ballet and other dance, computers and electronics, drama, driver education, language, music, photography). This also includes dormitories as an accessory use to a private school. Also includes facilities, institutions, and conference centers that offer specialized programs in personal growth and development (e.g., fitness training studios, gymnastics instruction, and aerobics and gymnastics studios, environmental awareness, arts, communications, management). Also see “Indoor fitness and sports facilities.”

“Schools, public” means public educational institutions such as community colleges, universities, elementary schools, middle/junior high schools, high schools, and military academies. This also includes dormitories as an accessory use to a public school.

Municipal Code Amendments

January 22, 2019

MEETING GOALS

- Review various Municipal Code Amendments
- Introduce and waive first reading for Ordinance
- Discussion and direction on future code amendments

Title 4 – Ch. 4.29 Bingo

- ***Section 4.29.030 C.***
 - Delete reference to Chapter 4.28 (repealed in September)

Title 6 – Ch. 6.68 Noise Control

- ***Delete Sections:***
 - 6.68.190 Special condition permits
 - 6.68.200 Variance procedure
 - 6.68.210 Hearing board
 - 6.68.220 Appeals
- City has not issued any special condition permits or variances for noise.
- Temporary noise increases typically associated with events or construction.
- Absent uses that would operate in a manner to need to increase noise standards with a variance.

Title 23 – Article 3

Dormitories

- Generally an accessory use to a college or university.
 - Definition of schools in code does not include dormitories
 - Group residential includes dormitories
 - College/universities and group residential aren't always allowed in the same zone which makes it difficult to provide housing opportunities when the need arises.
- Amend the allowed use tables to include a footnote stating that dormitories are permitted as an accessory use to a public or private school, subject to a design review.

Title 23 – Article 3

Storage, Warehouse

- Add reference to Chapter 23.728 to the allowed use table to guide the reader to additional information in the code related to outdoor storage areas.

Parking for Dormitories

- Add parking requirements to Table 23.719-1 requiring 1 stall/3 occupants

Outdoor Storage – amend Section 23.728.020 to:

- Require a zoning certification for outdoor storage as an incidental use to a primary use.
- Clarify that a design review is required for outdoor storage as a primary use.

Accessory Structures

- Delete a reference to accessory structures that are combustible. Code does not define combustible material and requires staff to make a determination on the ultimate setback.
- Deleting the reference will require all accessory structures to maintain the 3 foot setback.

Title 23 – Article 9

Temporary Use Permit

- Model home complex/model home must obtain a TUP
- Routine items checked for TUP are also handled through the building permit – duplicating the process.
- Amend Section 23.922.030 to delete (B)(4) which will no longer require a TUP for model home complexes/model homes.

Title 23 – Article 11

- Amend definition of group residential to delete dormitories.
- Amend definition of schools, public and private, to include a reference to dormitories as an accessory use to the school.

Solar Canopies

- Inquiries to remove parking lot shade trees and replace with solar canopies or carport structures.
- Code requires parking lots to include shade trees to cover 50% of the parking area with a tree canopy w/in 15 years.
- Existing language leaves no room to allow solar canopies to count towards shade requirement.



Potential amendments could include:

- Allowing canopies to count for the entire percentage of required shade.
- Canopies count for a percentage of shade and the rest has to be achieved with a tree canopy.
- Require the perimeter trees to be maintained to serve as a buffer.
- Require landscape islands to be planted with low lying shrubs/greenery.

Cigar Lounge – Convention Overlay

ATTACHMENT 4

- Magnolia House – inquired about opening up a cigar lounge (smoking lounge) in a space above the existing restaurant.
- Only allowed in GC and M-1 zones.
- Magnolia House is zoned GC but within the convention overlay which does not allow smoking lounges
- Additionally there is a separation requirement of 1,000 ft. from a card room, which will open within the building in the near future.



Cigar Lounge

Potential amendments could include:

- Permit smoking lounges in the GC zone in the overlay.
- A distant requirement of less than 1,000 ft. from a card room, but specific to the convention overlay district.

Recommendation

- 1. Find the project exempt from CEQA*
- 2. Introduce and waive the first reading of Ordinance.*

City Council Direction

Solar Canopies:

1. A potential amendment to the code to allow solar canopies to count towards all or a percentage of the required parking lot shade.
2. Requirement to retain perimeter trees.
3. Replacement of trees or other landscape on site.

Cigar Lounge:

1. A potential amendment to the convention overlay use table to permit smoking lounges in the GC zone in the overlay.
2. A potential amendment to consider a distance requirement of less than 1,000 ft. from a card room, but specific to the convention overlay district.

THANK YOU

QUESTIONS & DISCUSSION

MEMORANDUM



DATE: January 22, 2019

TO: Honorable Mayor and Council Members

FROM: Elizabeth Sparkman, Community Development Director

SUBJECT: Enforceable Covenants, Conditions and Restrictions for the Douglas 98 Project

RECOMMENDATION

Receive information.

RESULT OF RECOMMENDED ACTION

This is an informational item with no action required.

DISCUSSION

The second amendment to the Development Agreement relative to the Douglas 98 Project executed in April 2018 required the landowner to record a Declaration of Covenants, Conditions, Restrictions and Reservations that contain enforcement provisions. The intent was for the City to be a third-party beneficiary to the duties and covenants imposed on the development and be entitled to, without obligation, take appropriate legal action to enforce these duties and covenants.

As a follow through on the requirement, the property owner recorded a Declaration of Covenants, Conditions, Restrictions, Reservations, and Easements of Cypress against the Douglas 98 properties on October 24, 2018 (Attachment 1), generally referred to as the "CC&Rs."

Prior to and during the preparation of the CC&Rs, staff from Code Enforcement and Planning generally identified the most prevalent issues in residential areas, including but not limited to as follows:

- Garbage cans stored in plain view
- Inoperable/non-registered vehicles
- Dead/overgrown landscape
- Maintaining and/or replacing trees that were part of original landscaping
- Excessive paving exceeding 40% impervious surface in the front yard
- Accessory structures/patio covers that don't meet code and/or are unpermitted
- Relocated fences that cause visibility issues
- Commercial vehicles in residential areas
- Front yard fences/new chain link fences
- Home based business operating outside of regulations
- Landscape maintenance

Woodside Homes worked cooperatively with City staff to incorporate language into the CC&Rs recorded against the property that are relevant to these identified issues.

Although all of the identified issues are addressed within the various sections of the Zoning Code and the Property Maintenance Code, the intent of including provisions into the enforceable CC&Rs was to identify the most frequent property maintenance violations into a format that was easily accessible for the future residents in the project area. The purpose of the CC&Rs is to educate future residents of the project area, in an effort to enhance and protect the property values, desirability, and attractiveness of the community.

ATTACHMENTS

1. Declaration of Covenants, Conditions, Restrictions, Reservations, and Easements of Cypress
2. PowerPoint Presentation



RECORDING REQUESTED BY:
Placer Title Company

WHEN RECORDED RETURN TO:
Woodside 05N, LP
111 Woodmere Road, Suite 190
Folsom, CA 95630
Attn: Brian Cutting

P-245791

Sacramento County
Donna Allred, Clerk/Recorder

Doc # **201810241032**

10/24/2018 12:29:56 PM

JLJ

Titles 2
Pages 20

Fees \$247.00

Taxes \$0.00

PCOR \$0.00

Paid \$247.00

Mail tax statements to the above address

R&T Code 11911 – No Consideration

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF CYPRESS

THIS DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF CYPRESS (the “Declaration”) is made this 28th day of September, 2018, by Woodside 05N, LP, whose business address is 111 Woodmere Road, Suite 190, Folsom, CA 95630, herein “Declarant”, owner of the real property in the City of Rancho Cordova (the “City”), Sacramento County (the “County”), State of California, described in Exhibit “A” attached hereto and incorporated herein by reference (the “Property”).

DECLARANT HEREBY CERTIFIES AND DECLARES that the covenants, conditions, restrictions, reservations, and easements, hereinafter collectively referred to as the provisions of this Declaration, constitute a general scheme for use, occupancy, and enjoyment, and are placed on the Property for the protection of the Property and all future grantees (“Owners”) thereof. Except as may be provided to the contrary herein, such provisions, apply in their entirety to all lots or parcels shown on any recorded map that may now or hereafter subdivide the Property (each a “Lot” and collectively, the “Lots”).

Each and all of the provisions contained in this Declaration, whether affirmative or negative in nature, shall be covenants running with the land, and are intended to comply with the requirements of Section 1468 of the California Civil Code or any similar statute then in effect. This Declaration and all provisions herein shall be binding upon and inure to the benefit of Declarant and all Owners for a term of fifty (50) years from the date this Declaration is recorded. At and after that mutual fifty (50) year term, this Declaration shall be automatically extended for successive terms of ten (10) years unless an instrument signed by Owners owning a majority of the Lots in the Property agreeing to terminate this Declaration at the end of the term then in effect has been recorded. The Declaration and all provisions herein shall also be mutual equitable servitudes upon the Property and each part thereof in favor of and appurtenant to each and every other part thereof.

Declarant shall also mean and refer to any person or entity, his or its successors and assigns, to which the foregoing Declarant has assigned any or all of its rights and obligations by any express assignment incorporated in a deed, lease, option agreement, land sale contract, or assignment, as the case may be, transferring such interest if such assignee agrees in writing with Declarant to accept

such assignment, except that any Owner who has acquired fee title to any of Declarant's Lots by reason of a foreclosure of the lien of a first mortgage or by acquisition of a first mortgage or by acquisition of a first mortgage by a deed in lieu of foreclosure shall automatically succeed to the rights and obligations of the Declarant notwithstanding that such rights may not have been expressly assigned or accepted.

ARTICLE I PROPERTY USAGE

1.01 Use of Lots. No lot shall be used for anything other than residential purposes. No building shall be erected, altered, placed or permitted to remain on a Lot other than one detached single-family dwelling not to exceed two stories in height with a private garage, capable of housing not less than two, standard sized automobiles. Accessory structures may be located in the rear yard and must not exceed one hundred twenty (120) square feet in footprint, twelve (12) feet in height, must be at least five (5) feet from the rear and side property lines, and must be otherwise consistent with the City's development standards for accessory structures (Rancho Cordova Municipal Code Section 23.734 and any similar codes, ordinances, and standards in effect at the time of such accessory structure is constructed). Notwithstanding the foregoing, Owners are advised to contact the Planning Department of the City for the most current requirements regarding accessory structures.

1.02 Access. Each Owner, by accepting conveyance of a Lot, agrees to permit free access by Owners of adjacent or adjoining Lots to slopes or drainage paths located on that Owner's Lot, when such access is reasonably necessary for the maintenance or permanent stabilization of slopes or maintenance of the drainage facilities for the protection of any portion of the Property.

1.03 New Construction and Material. All buildings erected on any Lot or parcel shall be of new construction. However, this subparagraph shall neither prevent the use of used brick or any other materials that may be attractive and preservative of property values. When the construction of a building is begun on a Lot or parcel, work shall be pursued diligently and continuously to completion, subject to weather, strikes, acts of God, and other matters beyond the control of the Owner.

1.04 Building Location. No building shall be located on any Lot nearer than the minimum standard established by the City municipal code for front, side, and rear setbacks unless shown otherwise on the recorded map for the properties. On all Lots adjacent to block walls, setbacks shall be measured from the inside face of the block wall. On corner Lots that face toward arterial or collector street intersections, driveways shall be located away from the intersection.

1.05 Landscaping Requirements. Every owner of a Lot or parcel within the Property shall be responsible for installing, within ninety (90) days after occupancy, and maintaining in good and attractive condition, landscaping on those portions of the Lot or parcel, which are visible from any street within the Property. In addition, Owners are required to abide by City landscape provisions. At least twenty-five percent (25%) of the Lot area shall be pervious surface. Additionally, no more than forty percent (40%) of the front yard area of a Lot shall be non-pervious surface (e.g. sidewalks, driveway, or parking). Driveway pavement shall be five (5) feet from the side property line of the Lot in order to provide an area of landscaping between adjacent Lots. This setback requirement

excludes pedestrian walkways from the driveway to the side yard area. The remaining unpaved portion shall be landscaped, irrigated, and maintained by the Owner of the Lot. Landscaped (pervious) areas shall include a combination of well-maintained ground cover, shrubs, hedges, trees, and other pervious landscape materials.

1.06 Window Covers. Only curtains, drapes, shutters or blinds may be installed as window coverings, and shall be placed in those windows. No window shall be covered with aluminum foil, newspaper, sheets, or any similar material.

1.07 Trees. The Lot shall include a minimum of one (1) tree. Should an existing tree be destroyed, uprooted, cut or removed on any Lot, the Owner of such Lot shall promptly thereafter replace such tree with a tree of like size and species.

1.08 Fences. No fences composed of chain link, woven wire, barbed wire, electrified fence, razor, or concertina wire shall be allowed on a Lot or parcel if visible from the public streets or other Lots or parcels. Any such visible fencing shall be composed of Redwood, Cedar, Douglas Fir, masonry, and/or wrought iron. No fencing that exceeds three (3) feet in height shall be allowed to extend into a front yard (i.e., beyond the front of a dwelling unit). Rear and side yard fencing shall not exceed seven (7) feet in height.

1.09 Garages and Vehicles. All driveways and garages shall be maintained in a neat and orderly condition. A trailer, boat or recreational vehicle (but only one of each and only two per Lot or parcel) may be parked on a Lot or parcel (rather than within a garage) provided that any such vehicle is parked in an enclosed area, is maintained in a neat and clean manner, and is not visible from the public streets within the Property or from other Lots or parcels. Trailers, boats, or recreational vehicles shall not be parked on the driveway of a Lot or in the public right of way. No vehicle of any type (including motorcycles), shall be parked in or upon any Lot or parcel, excluding the garage, for the purpose of accomplishing repairs thereto or the reconstruction thereof, except for emergency repairs and then only to the extent necessary to enable movement of the vehicle. For any repairs conducted within a garage, the garage door(s) shall remain closed during any such repair work and any noise caused by such work shall not unreasonably disturb another Owner's quiet enjoyment of his Lot or parcel. No vehicles shall be parked within any alleyways at any time. Non-registered or inoperable vehicles, boats, trailers, or vehicular parts may not be parked within the public right of way within the Property, on a driveway of a Lot, or in a front yard of a Lot. Such vehicles (and only one of any kind) may only be parked within a garage, or within an enclosed area, provided that it is maintained in a neat and clean manner and is not visible from the public streets within the Property or other Lots or parcels.

Each Owner shall generally make use of his garage for parking any vehicle(s) which said Owner brings to the subdivision. To assure appropriate use of the garages within the subdivision, the following restrictions shall apply to each Lot:

(a) To the extent that any space remains after Owner's vehicles are accommodated in the garage, Owner may use the garage for storage or any other permitted purpose.

(b) Subject to any contrary municipal regulations, garages may also be used for storing or parking any recreational vehicle or commercial vehicle if such vehicle is completely enclosed by the garage and there is a space available after all of the Owner's passenger vehicles have been enclosed in the garage. No commercial vehicle shall be allowed to park overnight in any driveway or public right-of-way.

(c) No Owner or resident shall permit overnight guests or frequent visitors to the subdivision to park in any manner, which violates the provisions of this Section.

1.10 Diligent Construction. The work of construction and erection of any building or structure on the Property by any Owner, which is a successor to Declarant, shall be prosecuted diligently and continuously from the commencement thereof until the same is completed.

1.11 Drainage. For purposes of this Declaration, "established" drainage is defined as the drainage, which existed at the time the overall grading of the Property was completed by Declarant or its agents. Each Owner, by accepting conveyance of a Lot, agrees to accept the burden of, and not in any way interfere with, the established drainage pattern over such Lot from adjoining or other Lots in the Property.

1.12 Business or Commercial Activity. No part of the Property shall ever be used, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending, or other such non-residential purposes, except that professional and administrative occupations without external evidence thereof may be conducted by Owners so long as such occupations are in conformance with local governmental ordinances, and such activities are merely incidental to the use of the Lot as a single family residence. No Lot or residence in the Property may be used for any use not permitted by local law. Prior to establishing a home-based business, if otherwise allowed under the terms of this Declaration, an Owner shall submit a business license application to the City for review and approval.

1.13 No Mining, Drilling, or Wells. No derrick or other structure designed for use in boring, mining, or quarrying for minerals, oil, natural gas, or precious metals shall ever be erected, maintained, or permitted upon the surface of any Lot in the Property, nor shall any boring, mining, quarrying, or similar operations be performed within five hundred (500) feet of the surface of the Property. No wells shall ever be constructed, maintained, or permitted upon the Property.

1.14 Nuisance. No noxious or offensive activity shall be carried on upon any Lot nor anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

1.15 Animals. No animals or fowl, other than household pets, shall be kept or maintained on any Lot or any portions thereof, and none shall be kept, maintained, or raised on the premises for commercial purposes. Household pets shall not be kept in unreasonable numbers or in violation of any law, ordinance, or regulation. Each Owner shall be responsible for clean-up, waste, and removal of any unsanitary conditions created by such Owner's animals on any portion of the Property. All animals kept or maintained on any Lot shall be licensed as required by the City.

1.16 Signs. No sign, poster, announcement, proclamation, personal statement, billboard, advertising device, or other display of any kind shall be displayed to the public view, provided, however, this prohibition shall not apply to signs on any Owner's Lot or on a Lot owned by another with that person's consent, of reasonable dimensions and design typical of signs used in the general vicinity for the real estate resale business, advertising the Lot for sale, rent, or exchange. Such sign may also provide directions to the Lot or give the Owner's or agent's name, address, or telephone number. Such restrictions shall not apply to signs used only in connection with the development and sale of any Lots owned by Declarant or a Successor (as defined below). Notwithstanding the foregoing, nothing herein contained shall be construed in such a manner as to permit the maintenance of any sign which is not in conformance with any ordinance of the local government agency having jurisdiction thereof.

1.17 Garage Doors. No garage doors are to remain open except for a temporary purpose.

1.18 Electrical Interference. No electrical or electronic devices, which may unreasonably interfere with television or radio reception of any Owner shall be located, used, or placed on any portion of the Property.

1.19 Refuse. Trash, garbage, or other waste shall be disposed of only by depositing the same into a trash container, which shall be screened from view of other Lots and all streets. No portion of the Property shall be used for the deposit or storage of building materials, other than in connection with approved construction. No shrub or tree clippings, plant waste, scrap, refuse, or trash shall be kept, stored, or allowed to accumulate on any Lot. Trash containers may be placed on the curb in front of a Lot the evening before the designated trash collection day and must be collected by Owner on the day that garbage is collected. No Owner or Mortgagee (as defined hereafter) shall allow the accumulation or presence of packing boxes, cardboard boxes, lumber, refuse, barrels, drums, salvage materials, broken or discarded furniture, garbage receptacles including unpermitted storage containers such as shipping containers, shopping carts, laundry carts, or other debris on any Lot.

1.20 Temporary Buildings. No tent, shack, outbuilding or other temporary building or improvement of any kind may be located or built on any portion of a Lot, whether intended to be used temporarily or permanently. No type of motor vehicle, whatsoever, operative or inoperative, which is otherwise permitted by the terms of this Declaration, may be used as a temporary or permanent residence anywhere within the boundaries of the Property.

1.21 Line of Sight Limitations. No fence, hedge, or shrub planting which obstructs line of sight at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a round property corner, from the intersection of the street property lines extended. The same line of sight limitations shall apply on any Lot within ten (10) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such lines of sight.

1.22 Radio and Television Antennas. Subject to applicable law, no Owner shall construct or use an external radio or television antenna or satellite dish except for one (1) exterior single-family residential television satellite dish per Lot having a radius of no more than one (1) meter screened from view from streets in and around the Property.

1.23 Right to Lease. The Lots shall be used only as single-family residences and shall not be rented for transient purposes (defined as rental for a period of less than thirty (30) days). Subject to the foregoing restrictions, the Owners of the Lots shall have the right to lease the same provided that the lease is in writing, expressly provides that the tenancy is made subject to the covenants, conditions, limitations, and restrictions contained in this Declaration, and provides that any failure by the tenant to comply with the terms of this Declaration shall be deemed to be a default under the lease.

1.24 Clothes Lines. No clothing or household fabrics shall be hung, dried, or aired in such a way upon any Lot so as to be visible from any street or other Lot in the Property.

1.25 No Subdivision. No Lot shall be further subdivided by any Owner into smaller lots or parcels and no portion less than all of any such Lot shall be conveyed, transferred, or hypothecated by any Owner. Nothing in the foregoing shall preclude Declarant from replatting the Property or re-subdividing any Lot.

1.26 Model Homes. The provisions of this Declaration which prohibit non-residential use of Lots and regulate parking of vehicles shall not prohibit the construction and maintenance of model homes or temporary trailers for marketing by Declarant or other builders specifically designated by Declarant and parking incidental to the use of such model homes. Nor shall the provisions of this Declaration prohibit or restrict the right of Declarant and/or other builders designated by Declarant from erecting lights, light poles, flags, flagpoles, all improvements, fences, signs, and other features associated with the construction, operation, and maintenance of such model homes. The Declarant may also permit other areas to be used for parking in connection with the showing of model homes.

1.27 Maintenance by Owner. Each Owner shall maintain all improvements upon his Lot in good condition and repair and in a clean and attractive condition. All slopes on any Lot shall be maintained so as to prevent any erosion thereof upon adjacent streets or adjoining property. Each Owner shall maintain, to the point where it meets the curb, all front yard and side yard landscaping, or other landscaping extending beyond such Owner's property line/fence lines. This includes any landscaping located between the curb and sidewalk on City property.

1.28 Perimeter Walls and Fencing. Some of the Lots feature a perimeter block wall at the side or rear of the Lot, which is owned and maintained by the City. Such perimeter block wall may not be modified or altered in any way whatsoever. Some of the Lots feature a perimeter wood fence at the rear of the Lot. Owners of such Lots shall be solely responsible for the maintenance and replacement as necessary of any wood fencing on such Owners' Lots.

1.29 Right to Farm. Each Owner is hereby notified that there are pre-existing agricultural operations on adjacent, neighboring, or nearby parcels and that those agricultural operations may emit noise, dust, odor, and occasionally use fertilizers, pesticides, and herbicides in the normal pursuit of

agricultural operations. No Owner shall lodge complaints for dust, noise, odor, or other descriptions associated with traditional agricultural operations so long as those operations are conducted within the applicable regulations, rules, and guidelines of the City, County, State of California, and the United States of America.

a. Owners of any portion of the Property are notified that the Property is subject to Sacramento County Code Section 14.05 (the "Right To Farm Ordinance") which states, among other things, the following:

The Board of Supervisors of Sacramento County, on July 10, 1990, adopted a Right-to-Farm Ordinance. The purpose of this ordinance is to insure that established agricultural operations which are operated in a manner consistent with proper and accepted customs and standards be allowed to continue. Residents of property which are adjacent to land which is zoned for agricultural use or which is designated on the Sacramento County General Plan for agricultural use may be subject to inconveniences or discomfort from the pursuit of agricultural operations including but not limited to cultivation, plowing, spraying, fertilizing, pruning, and harvesting which occasionally generates dust, smoke, noise and odor; from the noise, odors, and other features attributed to the keeping of farm animals; and from the conduct of farming activities during typical working hours, as well as late in the evening, early in the morning, or 24-hours a day during certain times and seasons of the year. The Sacramento County Board of Supervisors has designated areas within its boundaries for agricultural uses and has adopted policies supporting continued agricultural production. Residents within these areas and on adjacent property should be prepared to accept such inconvenience and recognize that these uses will occur. If, however, an agricultural operation is being conducted in a manner which does not appear to be consistent with accepted agricultural practices, any person may file a complaint with the office of the Agricultural Commissioner, located at 4137 Branch Center Road, Sacramento, California.

b. Further, notice is hereby given that pursuant to California Civil Code Section 3482.5, typical agricultural activities such as those conducted in the vicinity of the Property shall not be considered a nuisance except as otherwise provided in that Civil Code Section and the County's Right to Farm Ordinance.

1.30 Painting. Any painting of new structures or repainting of existing structures shall be in a neutral color palette consistent with and in harmony with that of other structures in the Property.

1.31 Adjoining Open Space Areas. No Owner is permitted to place any structures, fences, materials, improvements, plantings, excavation, grading, lawn clippings, or yard waste, etc., in any open space areas adjoining the Property.

1.32 Wood Stoves and Open Fireplaces. Wood stoves and open fireplaces (except for EPA certified Phase II wood stoves and inserts) are prohibited within the Property. Open fireplaces without EPA certified inserts are not allowed.

ARTICLE II EASEMENTS

2.01 Utility Easements. Each Owner agrees, by acceptance of his deed, that his Lot is granted subject to easements for utility installations and maintenance as shown on the tract map for

the Property. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities and drainage facilities. These utility easement areas and all improvements therein shall be maintained continuously by the Owner of such Lot, except for those improvements for which a public authority or utility company is responsible.

2.02 Reservation of Easements. Easements for installation and maintenance of utilities and drainage facilities, if any, are reserved as shown on the tract map or appearing in the public records of the County. Declarant hereby reserves a temporary blanket easement, subject to automatic termination as provided in this Article, upon, across, over, through, and under each Lot for ingress, egress, construction, installation, operation, replacement, repair, and maintenance of all utility and service lines, systems, and other devices and improvements which may be reasonably necessary or beneficial to the development, marketing, and sale of the Lots within the Property including, but not limited to, water, sewer, gas, telephone, electricity, television, cable, and communication lines and systems, and storm and water drains and pipes (each a "Facility") as further provided below.

(a) Declarant shall have the power to grant and convey to any third party one or more particularly described easements and rights-of-way in, on, over, or under each Lot ("Special Easement(s)") for the purposes described above. Each Owner, in accepting a deed to a Lot, expressly consents to such easements and rights-of-way and authorizes and appoints Declarant (so long as Declarant owns one or more Lots in the Property) as attorney-in-fact of such Owner to execute any and all instruments particularly describing and conveying such easements or rights-of-way. Each such Owner specifically recognizes that more than one particularly described Special Easement may be reasonably necessary or beneficial to the development, marketing, and sale of the Lots within the Property.

(b) The locations of each Special Easement shall be fixed at the earlier of (i) recordation in the public records of the County of a document whereby the Special Easement is granted, in which case the Special Easement shall be located at the location referenced in such document, or (ii) initial construction or installation of the Facility, in which case the Special Easement shall be located at the location where the Facility is actually installed; provided, however, that such Special Easement locations may be moved or altered upon reconstruction of the Facility.

(c) Within the locations of each Special Easement so fixed, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the permitted use of such Special Easement or the operation of the applicable Facility, which may be in violation of any ordinance or resolution of a governmental agency, or which may change the direction or flow of drainage channels or may obstruct or retard the flow of water through such channels; provided, however, that an Owner may install property-line fencing or walls subject to removal or destruction at the Owner's risk and expense if necessary to accommodate the purposes of this Section.

(d) The easement area of each Lot, as set forth on the tract map or other recorded document or established herein, and all improvements on it shall be maintained continuously in good condition and repair by the Owner of said Lot, except for those improvements which a public authority or utility is responsible to maintain.

(e) The grantee of each Special Easement shall, after exercising its rights under the Special Easement, expeditiously repair, replace, and reconstruct any damage to a Lot caused by the exercise of such rights to at least the condition existing prior to such exercise.

(f) Upon Declarant's sale of the last Lot owned by Declarant in the Property, the blanket easement described in the first paragraph of this Section shall terminate and each Owner's Lot shall be subject only to the particularly described Special Easement(s) actually conveyed by Declarant prior to the sale of such last Lot as otherwise provided in this Section.

2.03 Encroachment Easements. Should any improvement made by Declarant or an Owner on a Lot, including walls or fences, encroach on any portion of the Property adjacent thereto due to engineering errors, errors in original construction, settlement or shifting of structures, or any other inadvertent cause, the Owner of the adjacent portion of the Property shall be deemed to have granted an appurtenant easement for such encroachment for so long as said improvement, as constructed or reconstructed, shall remain in a useful state, provided, however, that no valid easement for encroachment shall exist if said encroachment occurred due to negligence or willful misconduct of the Owner of the portion of the Property to be benefited thereby.

2.04 Amendment to Eliminate Easements. This Declaration cannot be amended to modify or eliminate the easements reserved to Declarant without prior approval of Declarant and any attempt to do so shall have no effect. Any attempt to modify or eliminate this Section shall likewise require the prior written approval of Declarant.

2.05 Nature of Easements. Unless otherwise set forth herein any easement reserved to Declarant herein shall be nonexclusive.

2.06 Emergency Vehicle Access. There is hereby reserved to Declarant, together with the right to grant and transfer the same to its successors and assigns, easements over the Property, for fire department and other emergency vehicle access, as needed to service the Property and/or the Lots, provided, however, such easements shall not unreasonably interfere with the use and enjoyment by the Owners of their Lots.

2.07 Drainage and Overland Release Easements. There is hereby reserved to the Declarant together with the right to transfer and grant the same, easements in and over portions of Lots for the purpose of: (i) the drainage of water from one Lot over one or more of the other Lots within the Property (including, but not limited to, sheet flow drainage and drainage from streets or open space), and (ii) installation and placement of drainage pipes in order to drain water from the roof of a Lot. No Owner shall interfere with the operation of such drainage, such drainage pipes, gutters, or other drainage device. These drainage and overland release easement areas and all improvements therein shall be maintained continuously by the Owner of such Lot, except for those improvements for which a public authority or utility company is responsible.

ARTICLE III
INTEGRATED NATURE OF THE NEIGHBORHOOD

The Property and/or any other real property may be annexed to, or de-annexed from, and become subject to, or relieved of, this Declaration by any of the methods set forth hereinafter in this Article, as follows:

3.01 Supplementary Declarations. A "Supplementary Declaration" shall be a writing in recordable form which annexes real property to the plan of this Declaration and which incorporates by reference all of the covenants, conditions, restrictions, easements, and other provisions of this Declaration and shall contain such other provisions as set forth in this Declaration relating to Supplementary Declarations. Such Supplementary Declarations contemplated above may contain such complementary additions and modifications of the covenants, conditions, and restrictions contained in this Declaration as may be necessary to reflect the different character, if any, of the annexed property and as are not inconsistent with the plan of this Declaration.

3.02 Annexation Pursuant to General Plan. All or any part of any future annexed property may be annexed to and become subject to this Declaration, provided that a Supplementary Declaration covering the portion of the property to be annexed, shall be executed and recorded by Declarant. The recordation of said Supplementary Declaration shall constitute and effectuate the annexation of the said real property described therein, making said real property subject to this Declaration.

3.03 De-Annexation. Any property that is subject, or annexed to the Property by the Declarant, in accordance with the provisions of this Declaration, may be removed by Declarant at any time by the recordation of any appropriate "Declaration of Removal," provided that such removal shall take place before any Lot in the annexed parcel has been sold by Declarant to an Owner. Any property which is removed by Declarant may be annexed, at a future date, to the Property in accordance with the provisions of this Declaration.

ARTICLE IV
EXEMPTION AND RIGHTS OF DECLARANT AND SUCCESSOR

4.01 Exemption and Rights of Declarant and Successor. Nothing in this Declaration shall limit, condition, or abridge the unfettered right of Declarant to specify and approve the design for the complete construction of improvements on Lots owned by Declarant, or to alter or modify completed improvements or to construct such additional improvements as Declarant deems advisable prior to the final sale by Declarant of all of the Lots in the Property. Such right shall include, but shall not be limited to, designing, erecting, constructing, and maintaining on any portion of the Property owned by Declarant such structures and displays as may be reasonably necessary for the conduct of its business of completing the work and disposing of the same by sale, lease, or otherwise. Declarant specifically reserves the right to use any unsold Lots on the Property for models, construction offices, trailers, and sales offices, and further reserves the right to rent any unsold Lots and the improvements thereon. This Declaration shall not limit the right of Declarant at any time prior to acquisition of title by a purchaser from Declarant to establish on the Property additional easements, reservations, and rights of way for itself, utility companies, or others as may from time to time be reasonably necessary

for the proper development and disposal of the Lots. Declarant reserves the right to alter its construction plans and designs as it deems appropriate. Any rights of Declarant under this Declaration may be assigned by Declarant to an Owner designated by Declarant to be a successor ("Successor") to all or part of Declarant's interest in the Property by an express assignment incorporated in a recorded deed or supplemental declaration transferring such interest to such Successor.

ARTICLE V GENERAL PROVISIONS

5.01 Enforcement.

5.01.1 Any Owner, and/or the holder of a mortgage of an Owner (the "Mortgagee"), shall have the right to enforce, by proceedings at law or in equity, all restrictions, conditions, covenants, and reservations, now or hereafter imposed by the provisions of this Declaration or any amendment thereto, including the right to prevent the violation of any such restrictions, conditions, covenants, or reservations and the right to recover damages or other dues for such violation. Any Owner shall also have the right to enforce, by proceedings at law or in equity, the provisions of this Declaration and any amendments thereto. The Declarant has no obligation to enforce any provision of this Declaration but shall have the right to do so provided the Declarant is an Owner of any Lot in the Property.

5.01.2 The City shall be a third-party beneficiary to the duties and covenants imposed herein and shall be entitled to, without obligation, take appropriate legal action to enforce these duties and covenants. If an action is commenced, the City shall be entitled to recover costs including reasonable attorneys' fees. The provisions of this paragraph may not be amended or rescinded without the prior written approval of the City.

5.02 No Waiver. Failure by any Owner or Mortgagee to enforce any covenant, condition, or restriction herein contained, in any certain instance or on any particular occasion shall not be deemed a waiver of such right on any such future breach of the same or any other covenant, condition, or restriction.

5.03 Cumulative Remedies. All rights, options, and remedies of Declarant, the Owner or Mortgagees under this Declaration are cumulative, and not one of them shall be exclusive of any other. The Declarant, the Owners, and the Mortgagees shall have the right to pursue any one or all of such rights, options, and remedies, or any other remedy or relief which may be provided by law, whether or not stated in this Declaration.

5.04 Severability. Invalidation of any one, or a portion of any one, of these covenants, conditions, or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

5.05 Covenants to Run with the Land: Term. The covenants, conditions and restrictions of this Declaration shall run with and bind the Property and each Lot within the Property, and shall inure to the benefit of and be enforceable by any Owner, their respective legal representatives, heirs, successors and assigns for a term of fifty (50) years from the date this Declaration is recorded, and then to the extent consistent with applicable law, this Declaration shall automatically be extended at the expiration of such period for successive 10-year periods unless terminated as provided above.

5.06 Lender Protection. A breach of any of the provisions contained in this Declaration shall not affect, impair, or render invalid the lien or charge of any bona fide mortgage or deed of trust (the holder of which is defined as "Mortgagee" elsewhere in this Declaration) made in good faith and for value on any Lot or Lots or portions of Lots in the Property, and it is expressly understood and agreed that a violation of any of said provisions shall not result in a re-entry, forfeiture, or reversion of title. All Owners shall be bound by this Declaration, whether or not such Owner's title was acquired by foreclosure, a trustee's sale, a deed in lieu of foreclosure, or otherwise.

5.07 Amendments. This Declaration may be amended or terminated prior to the expiration date herein established only by the affirmative vote or written assent of the Owners of at least fifty-one percent (51%) of the Lots in the Property, and further, this amendment provision shall not itself be amended to allow amendments by vote of the Owners of less than fifty-one percent (51%) of the Lots thereof. In determining the number of votes that may be cast hereunder, it shall be understood that an Owner is entitled to one (1) vote for each Lot owned. When more than one (1) person holds an interest in any Lot, the vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one (1) vote be cast with respect to any Lot. However, notwithstanding the above, as long as Declarant, or a Successor is the Owner of a Lot in the Property the provisions of this Declaration shall not be altered or terminated without the prior written consent of Declarant and such Successor(s). Any amendment to Section 1.29 shall require the written consent of the City before it is effective. All amendments, and the consent(s) so required, shall be recorded in the official records of the County prior to being effective.

5.08 Declarant's Exemption. Nothing contained in this Declaration shall be construed to prevent the erection or maintenance by Declarant or its duly authorized agents, of structures, improvements, construction trailers, equipment yards, landscape or materials storage, or signs on any part of the Property as may be necessary or convenient to the development or sale of Lots within the Property.

5.09 Declarant's Disclaimer of Representations. Anything to the contrary in this Declaration notwithstanding, and in addition to the disclaimers respecting drainage as set forth above, Declarant makes no warranties or representations whatsoever that the plans presently envisioned for the complete development of the Property can, or will be, carried out, or that any land now owned or hereafter acquired by any of them is, or will be, subjected to this Declaration, or that any such land (whether or not it has been subjected to this Declaration) is, or will be, committed to, or developed for, a particular (or any) use, or that if such land is once used for a particular use, such use will continue in effect. Declarant makes no representations or warranties that the use of any Property subject to this Declaration will not be changed in the future and Declarant makes no representations or warranties with regard to any neighboring property. Nothing contained in this Declaration and nothing which may be represented to a purchaser of a Lot by real estate brokers or salespersons

representing the Declarant shall be deemed to create any implied covenants or restrictions with respect to the use of any Property. Each Owner acknowledges that Declarant may undertake development of the Property in phases and that by undertaking development of a phase, Declarant is making no representation that such phase or any other phase will be completed.

5.10 References to the Covenants in Deeds. Deeds to, and instruments affecting, a Lot or any part of the Property, may contain the covenants herein set forth by reference to this Declaration, but regardless of whether any such reference is made in any deed or instrument, each and all of the covenants shall be binding upon the grantee/Owner or other person claiming through any instrument and his heirs, executors, administrators, successors, and assigns.

5.11 Exempt Rights. Notwithstanding anything contained in this Declaration to the contrary, restrictions contained in this Declaration shall not be construed or deemed to limit or prohibit any act of Declarant or its employees, agents, and subcontractors or parties designated by it in connection with the construction or completion of improvements upon the sale or leasing of the Lots or any other properties in the Property.

5.12 Sale or Title Transfer. Any Owner, prior to the sale or transfer of his interest, must provide the prospective purchaser with a copy of this Declaration.

5.13 Construction. The Section headings have been inserted for convenience only and shall not be considered in resolving questions of interpretation or construction.

5.14 Singular Includes Plural. Whenever the context of this Declaration requires, the singular shall include the plural and the masculine shall include the feminine and the neuter.

5.15 Nuisance. The result of every act or omission, whereby any provision, condition, restriction, covenant, easement, or reservation contained in this Declaration is violated in whole or in part, is hereby declared to be and constitutes a nuisance, and every remedy allowed by law or equity against a nuisance, either public or private, shall be applicable against every such result, and may be exercised by any Owner. Such remedies shall be deemed cumulative and not exclusive.

5.16 Attorneys' Fees. In the event arbitration, judicial reference, or legal action is instituted to enforce any of the provisions contained in this Declaration, the party prevailing in such arbitration or legal action shall be entitled to recover from the other party thereto as part of the judgment, reasonable attorneys' fees and costs of such suit.

5.17 Notices. Any notice to be given to an Owner or a Mortgagee or mortgage servicing contractor under the provisions of this Declaration shall be in writing and may be delivered as follows:

(a) Notice to an Owner shall be deemed to have been properly delivered when delivered to the Owner's Lot, whether said Owner personally receives said notice or not, or placed in the first class United States mail, postage prepaid, to the most recent address, or if no such address shall have been furnished, then to the street address of such Owner's Lot. Any notice so deposited in the mail within the County shall be deemed delivered forty-eight (48) hours after such deposit in the

mail. Any such notice may be delivered or sent to any one of the co-Owners on behalf of all co-Owners and shall be deemed to be effective delivery on all such co-Owners, and

(b) Notice to a Mortgagee or its mortgage servicing contractor shall be deemed to have been properly delivered when placed in the first class United States mail, postage prepaid, to the address furnished by such Mortgagee or such contractor for the purposes of notice or, if no such address is furnished, to any office of the Mortgagee in the County, or if no such office is located in the County, to any office of such Mortgagee.

5.18 Effect of Declaration. This Declaration is made for the purposes set forth in the Recitals to this Declaration and Declarant makes no warranties or representations, express or implied, as to the binding effect or enforceability of all or any portion of this Declaration, or as to the compliance of any of these provisions with public laws, ordinances, and regulations applicable thereto.

5.19 Personal Covenant. To the extent the acceptance of a conveyance of a Lot creates a personal covenant between the Owner of such Lot and Declarant or other Owners, such personal covenant shall terminate and be of no further force or effect from and after the date when a person or entity ceases to be an Owner.

5.20 Right to Cure Alleged Defects. In the event that any Owner or Owners (collectively, "Claimant") claim, contend, or allege that any portion of any Lot, and/or any improvements constructed on the Property are defective or that Declarant, its agents, consultants, contractors, or subcontractors (collectively, "Agents") were negligent in the planning, design, engineering, grading, construction, or other development thereof (collectively, an "Alleged Defect"), Declarant hereby reserves and is granted the right for itself and any Successor or assign to inspect, repair, and/or replace such Alleged Defect as set forth herein.

(a) Notice. In the event that a Claimant discovers any Alleged Defect, Claimant shall, within a reasonable time after discovery, but in no event later than fifteen (15) days after discovery, notify Declarant, in writing, of discovery of the Alleged Defect and of the specific nature of such Alleged Defect ("Notice of Alleged Defect").

(b) Right to Enter, Inspect, Repair, and/or Replace. Within a reasonable time after the receipt by Declarant of a Notice of Alleged Defect or the independent discovery of any Alleged Defect by Declarant, as part of Declarant's reservation of right, Declarant shall have the right, upon reasonable notice to Claimant and during normal business hours, to enter onto or into, any residence, including any residential dwelling unit constructed thereon, and/or any improvements for the purposes of inspecting and, if deemed necessary by Declarant, repairing and/or replacing such Alleged Defect. In conducting such inspection, repairs, and/or replacement, Declarant shall be entitled to take any actions, as it shall deem reasonable and necessary under the circumstances.

(c) Legal Actions. In the event that a Claimant initiates any arbitration, reference, or other proceeding against Declarant alleging damages (1) for the costs of repairing or the replacement of any Alleged Defect, (2) of the diminution in value of any real or personal property resulting from such Alleged Defect, or (3) for any consequential damages resulting from such

Alleged Defect, any judgment or award in connection therewith shall first be used to correct and/or repair such Alleged Defect or to reimburse the Claimant for any costs actually incurred in correcting and/or repairing the Alleged Defect.

(d) No Additional Obligations; Irrevocability and Waiver of Right. Nothing set forth in this Section shall be construed to impose any obligation on Declarant to inspect, repair, or replace any item or Alleged Defect for which Declarant is not otherwise obligated to do under applicable law or any limited warranty provided by Declarant in connection with the sale of the Lots and/or the improvements constructed thereon. The right of Declarant to enter, inspect, repair, and/or replace reserved hereby shall be irrevocable and may not be waived or otherwise terminated except by a writing, in recordable form, executed and recorded by Declarant in the official records of the County.

5.21 Alternate Dispute Resolution. It is the desire and intention of the parties to agree upon a mechanism and procedure under which any controversy, breach or dispute arising out of this Declaration or the condition of the Property and/or Lots (including, without limitation, any dispute between Declarant and any Owner, arising over the design, specifications, surveying, engineering, planning, supervision, testing, or observation of construction or construction of an improvement to, or survey of, the Property and/or Lots) will be resolved in a prompt and expeditious manner. Accordingly, any controversy, breach, or dispute arising out of this Declaration or the condition of the Property, or relating to the interpretation of any term or provision of this Declaration, shall be heard by a referee pursuant to the provisions of the California Code of Civil Procedure, Sections 638 – 645.1 inclusive (the “Judicial Reference Process”), or by other means if the parties have so agreed. If the parties utilize the Judicial Reference Process, then the following terms shall apply:

(a) The parties shall promptly and diligently cooperate with one another and the referee and shall perform such acts as may be necessary to obtain a prompt and expeditious resolution of the dispute or controversy in accordance with the terms of this Declaration.

(b) The parties agree that the referee shall have the power to decide all issues of fact and law and report his/her decision thereon, and to issue all legal and equitable relief appropriate under the circumstances of the controversy before him/her.

(c) The parties shall agree upon a single referee who shall then try all issues, whether of fact or law, and report a finding and judgment thereon. If the parties are unable to agree upon a referee within ten (10) days of a written request to do so by any party, then any party may seek to have a referee appointed pursuant to the California Code of Civil Procedure Sections 638 and 640.

(d) The cost of such proceeding shall be borne equally by the parties to the dispute.

Notwithstanding any other provision of this Declaration, this Section 5.21 shall not be amended without prior written consent of Declarant.

5.22 Electric and Magnetic Fields Disclosure. Underground and overhead electric transmission and distribution lines may be located within and/or adjacent to the Property. These lines are owned, operated, and maintained by the local utility purveyor. Numerous scientific and epidemiological studies have been conducted as to whether there are any adverse health effects from electric and magnetic fields ("EMFs") generated by electric power lines. Although the California State Department of Education has established site selection standards for locating new schools near power lines with voltages of 50kV or greater, no state agency has established any setback or other limitations on construction of residential housing in the vicinity of electric power lines. In November 1993, the California Public Utilities Commission ("PUC") found that recent EMF studies have not concluded that an EMF health hazard actually exists. However, the PUC also found that additional research is necessary to determine if there is a health hazard from EMFs. Not only is there concern among experts as to whether health risks are associated with EMF exposure, but there may also be consequences resulting from perceptions relating to EMF exposure. Some people claim to experience emotional distress resulting from fears relating to EMF exposure. Others have worried about or believe they have experienced diminution of property values relating to proximity to sources of EMF exposure or the possibility of what may be discovered from further research on the subject. It is possible that future scientific research may lead to new conclusions on health risks associated with EMFs, which could dramatically affect people's lifestyle choices and property values.

5.23 View Obstructions. Each Owner, by accepting title to a Lot, hereby acknowledges that (a) there are no protected views within the Property, and no Lot is assured the existence or unobstructed continuation of any particular view or any particular source of natural light, and (b) any construction, landscaping, or other installation of improvements by Declarant or other Owners may impair the view from any Lot. The Owners hereby consent to such impairment of views or sources of natural light.

ARTICLE VI PARTY WALLS

6.1 Definition. Each wall or fence which is placed on the dividing line between two Lots shall constitute a party wall and to the extent not inconsistent with the provisions of this Article, the general rules of law regarding party walls and liability for property damage due to negligence or willful acts or omissions shall apply thereto. A party wall shall be considered to adjoin and abut against the property line dividing the Lots from the bottom of the foundation over the full length and height of any wall or fence.

6.2 Use. Owners whose Lots are separated by a party wall shall equally have the right to use such party wall, except that each shall have the right to the exclusive use of the surface of the wall on his side. Neither such Owner shall use any portion of such party wall so as to interfere with the use and enjoyment of the other Owner.

6.3 Sharing of Repair and Maintenance. The cost of reasonable repair and maintenance of a party wall shall be at the joint expense of the Owners who make use of the party wall; such expense to be allocated among the Owners in accordance with the frontage of their Lots on the party wall.

6.4 Destruction. If a party wall is destroyed or damaged by fire or other casualty, any Owner who has the use of such party wall may restore it, and any Owner who shares the use of the same wall shall contribute to the cost of restoration of that portion of the party wall that forms the boundary of such Owner's Lot without prejudice, notwithstanding, however, the rights of any such Owners to call for a larger contribution from others under any rule of law regarding liability for negligent or willful acts or omissions.

6.5 Right to Contribution Runs with Land. The right of an Owner to contribution from any other Owner under this Article shall be appurtenant to the land and shall pass to such Owner's successors in title.

ARTICLE VII MORTGAGEE PROTECTION

7.1 Priority of Mortgage Lien. No breach of the covenants, conditions, or restrictions set forth in this Declaration shall affect, impair, defeat, or render invalid the lien or charge of any first mortgage made in good faith and for value encumbering any Lot, but all of said covenants, conditions, and restrictions shall be binding upon and effective against any Owner whose title is derived through foreclosure or trustee's sale, or otherwise, with respect to a Lot.

7.2 Curing Defaults. A Mortgagee, or the immediate transferee of such Mortgagee, who acquires title by judicial foreclosure, deed in lieu of foreclosure, or trustee's sale shall not be obligated to cure any breach of the provisions of this Declaration which is not reasonably economically feasible to cure.

7.3 Resale. It is intended that any loan to facilitate resale of any Lot after judicial foreclosure, deed in lieu of foreclosure, or trustee's sale is a loan made in good faith and for value and entitled to all of the rights and protections afforded to other Mortgagees.

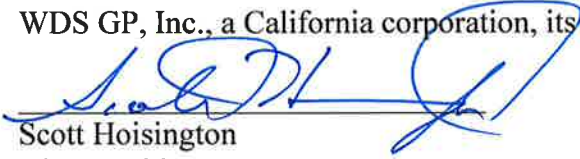
7.4 Conflicts. In the event of any conflict between any of the provisions of this Article and any of the other provisions of this Declaration, the provisions of this Article shall control.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be signed as of the day and date first set forth above.

By: Woodside 05N, LP,
a California limited partnership

By: WDS GP, Inc., a California corporation, its General Partner

By: 
Scott Hoisington

Its: Vice President

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }
COUNTY OF SACRAMENTO }

On October 17, 2018 before me, E. Bennett, Notary Public, personally appeared Scott Hoisington who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)



EXHIBIT "A"
Legal Description of the Property

The land described herein is situated in the State of California, County of Sacramento, City of Rancho Cordova, described as follows:

Lots 1-4, inclusive, as shown on the map entitled "Final Map of Douglas 98 Large Lot Map", filed for record September 11, 2018 in Book 404 of Maps, at Page 4, Sacramento County Records.

Assessor's Parcel Number 067-0040-033-0000

Enforceable CC&Rs

Douglas 98 Project

INTRODUCTION

The purpose of the enforceable CC&Rs is to promote a healthy and safe community by providing a clear standard for appearance and maintenance on properties within the Douglas 98 project.

Most Prevalent Issues Encountered

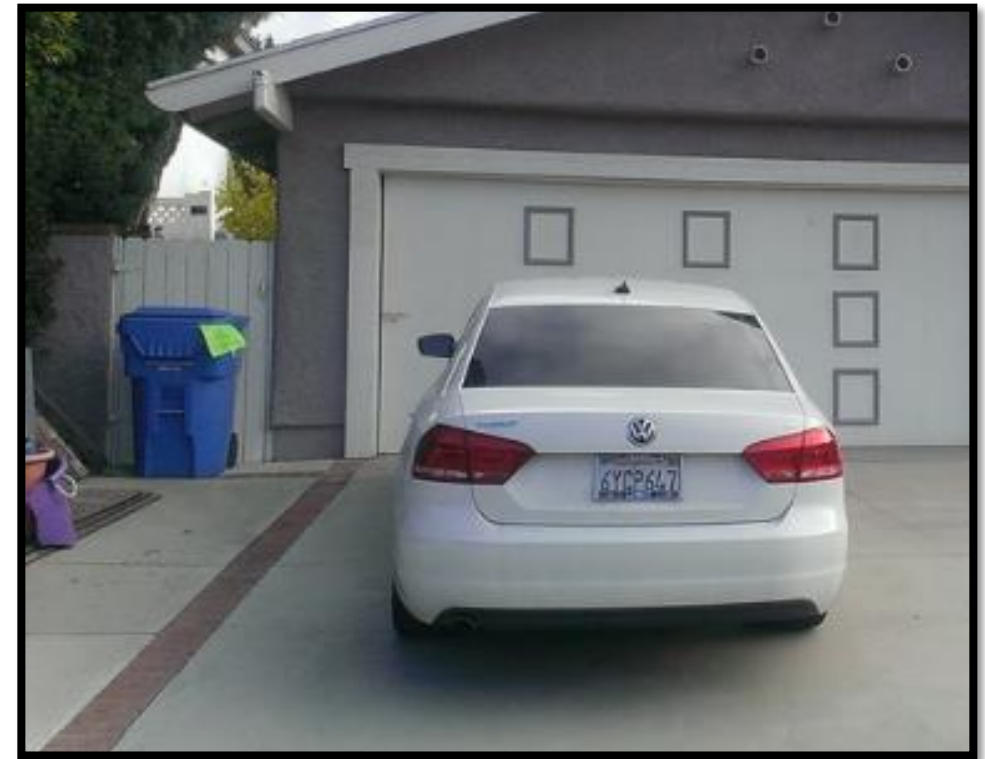
Garbage cans stored in plain view	Fence visibility issues
Inoperable/non-registered vehicles	Commercial vehicles in residential areas
Dead/overgrown landscaping	Front yard fences/chain link fences
Removal of trees	Accessory structures or patio covers
Excessive paving	Home based businesses

Intent of CC&Rs

Include language in the CC&Rs that addressed these specific items to reinforce property maintenance standards set forth in the Rancho Cordova Municipal Code (RCMC) and minimize unintended violations.

Garbage Can Storage

Trash, garbage, or other waste shall be disposed of only by depositing the same into a trash container, which shall be screened from view of other lots and all streets.

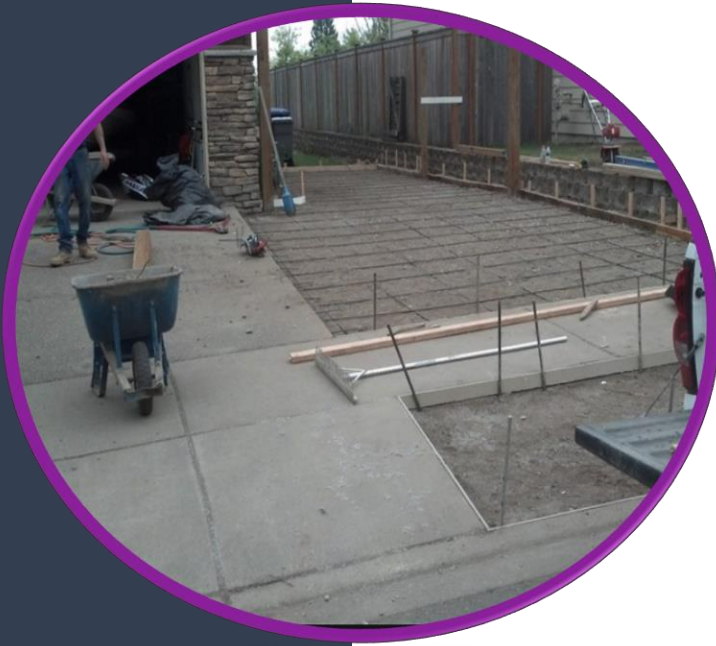


Inoperable & Non-Registered



Non-registered or inoperable vehicles, boats, trailers or vehicular parts may not be parked within the right of way, within the property, on a driveway of a lot, or in a front yard of a lot. Such vehicles (and only one of any kind) may be parked within a garage, or within an enclosed area, provided that it is maintained in a neat and clean manner and is not visible from the public streets within the property or other lots or parcels.

Paving Surface



No more than forty percent (40%) of the front yard area of the lot shall be non-pervious surface (e.g. sidewalks, driveway, or parking). Driveway pavement shall be five (5) feet from the side property line of the lot in order to provide an area of landscaping between adjacent lots.

Trees

The lot shall include a minimum of one (1) tree. Should an existing tree be destroyed, uprooted, cut or removed on any lot, the owner of such lot shall promptly thereafter replace such tree with a tree of like size and species.



Accessory Structures & Patio Covers

Accessory structures may be located on the rear yard and must not exceed one hundred twenty (120) square feet in footprint, twelve (12) feet in height, must be at least five (5) feet from the rear and side property lines, and must be otherwise consistent with the City's development standards for accessory structures (Rancho Cordova Municipal Code).



Fences

Visibility Issues



No fencing that exceeds three (3) feet in height shall be allowed to extend into a front yard (i.e. beyond the front of a dwelling unit). Rear and side yard fencing shall not exceed seven (7) feet in height.

Front Yard & New Chain Link



No fences composed of chain link, woven wire, barbed wire, electrified fence, razor, or concertina wire shall be allowed... Any visible fence shall be composed of Redwood, Cedar, Douglas Fir, masonry, and/or wrought iron.

Commercial Vehicles

Subject to any contrary municipal regulations, garages may also be used for storing or parking any recreational or commercial vehicle if such vehicle is completely enclosed by the garage...



Home-Based Businesses

No part of the property shall ever be used directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending, or other such non-residential purposes, except that professional and administrative occupations without external evidence thereof may be conducted by owners as long as such occupations are in conformance with local government ordinances, and such activity are merely incidental to the use of the lot as a single family residence.

APPLICATION FOR CITY OF RANCHO CORDOVA <u>HOME BASED BUSINESS LICENSE</u> 29 PROSPECT PARK DRIVE – RANCHO CORDOVA – CA – 95670 (916) 851-8737 – (916) 851-8787 FAX businesslicense@cityofranchocordova.org	
Date _____ DOJ Check: Y____ N____ AC _____	Can your business be operated from your home? Call the City of Rancho Cordova Planning Department to verify that the proposed business use is allowed under City Zoning Code. Call (916) 851-8750 to be sure!
_____ Month/Year business will start _____	

Landscaping

Each owner of a lot or parcel shall be responsible for installing, within ninety (90) days after occupancy, and maintaining in good and attractive condition, landscaping...



Boats, RVs & Trailers

A trailer, boat or recreation vehicle (RV)(but only one of each and only two per lot or parcel) may be parked on a lot or parcel (rather than in the garage)provided that any such vehicles is parked in an enclosed area...and not visible from the public street or other lots. Trailers, boats and RVs shall not be parked on the driveway...



THANK YOU

Questions

