

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING Monday, December 7, 2020

**4:00 PM – Special Meeting
David B. Roberts Council Chambers**

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

In response to Governor’s Executive Order N-29-20 and the Resolution Declaring the Existence of a Local Emergency Relating to the COVID-19 Pandemic adopted by the City of Rancho Cordova, the City is following the state guidelines on social distancing including the requirement of wearing a face covering. This meeting will also be available to the public via video/teleconferencing.

**City Hall
2729 Prospect Park Drive, Rancho Cordova**

Join the Meeting Via Zoom Link:

<https://cityofranhocordova.zoom.us/j/98737484702?pwd=UENOQ0ZsQTZwSXV0b0JuNXIaS0hyQT09>

Join the Meeting via the Zoom Phone Number

Zoom Phone Number: US: +1 669 900 6833, +1 253 215 8782, 888 475 4499 (Toll Free)

Webinar ID: 987 3748 4702

Password: 069290

Live video streams and indexed archives of meetings are also available via the Internet. Visit the City’s official website at: <https://ranhocordovaca.civicclerk.com/web/home.aspx>

Instructions to Make Public Comment

Members of the public who wish to provide public comment via email will need to submit comments to CityClerk@cityofranhocordova.org no later than 2:30 p.m. on Monday, December 7, 2020. All comments submitted later than 2:30 p.m. will be sent to the City Council for their review and may not be read during the meeting.

During the meeting, members of the public who wish to provide verbal comments during the meeting,

may do so in-person by attending the City Council Meeting at Rancho Cordova City Hall or by video/teleconference. If you wish to provide verbal comments via video/teleconference, follow these instructions:

Listening to a Zoom Meeting by Zoom Video Conference

To make a public comment using the Zoom platform, please use the “raise hand” feature at the bottom center of the screen. Please make sure to enable audio controls once access has been given by the City Clerk’s office to speak. Please wait to be called upon by the City Clerk.

Listening to a Zoom Meeting by Phone Only

You can join a Zoom meeting via teleconferencing/audio conferencing using a cell phone or traditional landline phone. To request to make a public comment by phone press *9 to raise your hand. Please wait to be called upon by the City Clerk.

All public comments will be limited to three-minutes.

If you have questions related to the City Council Meeting or the use of Zoom, please contact the City Clerk’s Office at (916) 851-8720 before 2:30 p.m.

AGENDA

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

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

2. PUBLIC COMMENT

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

3. SPECIAL MEETING

3.1. **Subject:** Tribute to Council Member Robert McGarvey.

3.2. **Subject:** Certification of the Results of the November 3, 2020 General Municipal Election with Regard to Members of the City Council and One Measure.

3.3. **Subject:** Swearing-in and Seating of Council Members.

4. ADJOURNMENT OF SPECIAL MEETING

Mayor Sander will adjourn the special meeting to regular meeting in the David B. Roberts Council Chambers.

5. REGULAR MEETING - CALL TO ORDER/ROLL CALL

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

6. METRO CABLE TV TELEVISION ANNOUNCEMENT

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

7. PLEDGE OF ALLEGIANCE

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

8. INVOCATION

Jennifer Laret of The Church of Jesus Christ of Latter-day Saints will give the invocation.

9. PRESENTATIONS

10. 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.

11. COUNCIL REPORTS

12. CITY MANAGER'S REPORT

13. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

- 13.1. **Subject:** Meeting Minutes from the Regular City Council Meeting of November 16, 2020.
Recommendation: Adopt the Minutes.

- 13.2. **Subject:** A Resolution Declaring Results of the Mail Ballot Election Relating to the Imposition of the Annual Stormwater Utility Fee on the Rancho Cordova Retirement Residence 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 Rancho Cordova Retirement Residence project.

- 13.3. **Subject:** A Resolution Declaring the Results of the Mail Ballot Election Relating to the Imposition of the Annual Stormwater Utility Fee for the Anatolia Retail Center Project.
Recommendation: Adopt the Resolution declaring the results of the mail ballot election relating to the imposition of the annual Stormwater Utility Fee on the Anatolia Retail Center project.

- 13.4. **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 2020-196 with McGuire-Pacific Constructors in an Amount not to Exceed \$293,205 for On-Call Overhead and Street Signage Services.
Recommendation: Adopt the Resolution.

- 13.5. **Subject:** A Resolution Accepting a Grant from the State of California Department of Alcoholic Beverage Control (ABC) in the Amount of \$20,000 and Authorizing the City Manager to Execute a Grant Agreement.
Recommendation: Adopt the Resolution.

- 13.6. **Subject:** Treasurer's Report - September 30, 2020.

Recommendation: This report is informational only. It is recommended that the City Council receive and file the September 30, 2020 Treasurer's Report.

14. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

- 14.1. **Subject:** DD10004 - Gianelli's Appliance Expansion - Non-Conforming Use Permit.

Recommendation: Adopt the Resolution.

- 14.2. **Subject:** An Ordinance Decriminalizing Minor Purchase of Tobacco.

Recommendation: Waive first reading and introduce Ordinance.

- 14.3. **Subject:** An Ordinance Amending Sections 10.50.010 and 10.50.020 of the Rancho Cordova Municipal Code to Establish Radar Enforceable Speed Limits on the Roads Listed in the Ordinance.

Recommendation: Waive first reading and introduce the Ordinance.

- 14.4. **Subject:** A Resolution Approving the Abandonment of a Portion of a No Ingress/Egress Rights Easement Dedicated At 11390 and 11400 White Rock Road.

Recommendation: Adopt the Resolution.

15. PUBLIC HEARING ITEMS

None.

16. REGULAR CALENDAR ITEMS

- 16.1. **Subject:** Discussion Regarding COVID-19 Enforcement and County of Sacramento Ordinance.

Recommendation: Discussion and direction to staff on potential position or communication to Sacramento County.

- 16.2. **Subject:** Biennial Review and Resolution Updating the Conflict of Interest Code for the City of Rancho Cordova Designated Employees.

Recommendation: Adopt the Resolution.

- 16.3. **Subject:** 2020 Legislative Update: Top California Laws of Concern to the Rancho Cordova City Council.

Recommendation: Receive presentation.

- 16.4. **Subject:** A Resolution Approving the 2021 Rancho Cordova City Council Meeting Schedule.

Recommendation: Adopt the Resolution.

- 16.5. **Subject:** Selection of 2021 Mayor and Vice Mayor.

Recommendation: Council selection of the 2021 Mayor and Vice Mayor.

17. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

18. 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.cityofranhocordova.org on Thursdays or Fridays prior to the Regular City Council Meeting.

UPCOMING MEETINGS

December 15, 2020	5:30 PM Special Meeting/Work Session
December 21, 2020	5:30 PM Regular Meeting

If you have any technical questions related to the agenda items, please contact City Hall at (916) 851-8700.

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 December 7, 2020 Regular Meeting of the Rancho Cordova City Council was posted and available for review on December 4, 2020 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 December 4, 2020 at Rancho Cordova, California.



Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 3.2.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Stacy Leitner, City Clerk
SUBJECT: **CERTIFICATION OF THE RESULTS OF THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION WITH REGARD TO MEMBERS OF THE CITY COUNCIL AND ONE MEASURE**

RECOMMENDATION

Adopt the Resolution certifying the results of the November 3, 2020 General Municipal Election with regard to three members of the City Council and passage of Measure R.

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.

BACKGROUND

The City Council, as the governing body of the City, declares the results of the election for each City Council office voted on at a municipal election. As a result of the election, the following Council Members have been elected to the City Council for full, four-year terms:

Siri Pulipati
David Sander
Donald Terry

The City Council, as a governing body of the City, declares the results of the election for each measure voted on at a municipal election. The following measure approved an ordinance by a vote of the People of the City of Rancho Cordova on November 3, 2020.

Measure R - Ordinance No. 18-2020 - An Ordinance Adding Chapter 3.06 to the Rancho Cordova Municipal Code to Impose a One-Half Cent Per Dollar Transactions and Use Tax to be

Administered by the State Department of Tax and Fee Administration.

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution - Certification of Election
3. Ordinance No. 18-2020

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION
HELD ON NOVEMBER 3, 2020 AND DECLARING THE RESULTS**

WHEREAS, a General Municipal Election was held and conducted in the City of Rancho Cordova, California, on Tuesday, November 3, 2020, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects, the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in the time, form, and manner required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, pursuant to the following City of Rancho Cordova Resolutions:

a. Resolution No. 51-2020 called for the General Municipal Election on November 3, 2020, adopted June 1, 2020;

b. Resolution No. 96-2020 established November 3, 2020 as the date of an election for a proposed ballot measure seeking voter approval to impose a one-half of a cent transactions and use tax, adopted on August 3, 2020;

WHEREAS, the Sacramento County Voter Registration and Elections Department canvassed the returns of the election and has certified the results to this City Council, and the results are received, attached, and made a part hereof as Exhibit A.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

1. That the names of persons voted for at the election for Member of the City Council are as follows: Donald Childs, Robert J. McGarvey, Siri Pulipati, David Sander, Donald Terry, and Jack Zwald.
2. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates are listed in Exhibit A attached.
3. The City Council does declare and determine that:
 - Siri Pulipati was elected as a Member of the City Council for the full term of four years; and

ITEM 3.2.

ATTACHMENT 1

- David Sander was elected as a Member of the City Council for the full term of four years; and
- Donald Terry was elected as a Member of the City Council for the full term of four years.

BALLOT MEASURES:

1. That the measure voted for at the election was Measure R.
2. That the number of votes given at each precinct and the number of votes given in the City to each of the measures above names are listed in Exhibit A attached.
3. That the City Council does declare and determine that:

Measure R passed by the voters of the City of Rancho Cordova.

That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December 2020 by following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

David M. Sander, Mayor

Stacy Leitner, CMC
City Clerk



**CERTIFICATION OF
REGISTRAR OF VOTERS OF THE
RESULTS OF THE CANVASS
OF THE NOVEMBER 3, 2020,
GENERAL ELECTION**

STATE OF CALIFORNIA } ss.
County of Sacramento }

I, Courtney Bailey-Kanelos, Registrar of Voters of County of Sacramento, do hereby certify that in pursuance of Section 15300, et seq., I did canvass the results of the votes cast in the General Election held in said County on November 3, 2020, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast, to which this certificate is attached is full, true, and correct.

I hereby set my hand and official seal this 1st day of December, 2020, at the County of Sacramento.





Courtney Bailey-Kanelos
Registrar of Voters
County of Sacramento
State of California

Canvass Certification of Elections Official
(11/2020)

ITEM 3.2.

STATE OF CALIFORNIA }
 County of Sacramento } ss.

CERTIFICATE OF FACTS

I, COURTNEY BAILEY-KANELOS, Registrar of Voters of the County of Sacramento, State of California, do hereby certify that the names of the candidates shown below were submitted to the known qualified electors in Sacramento County in the **City of Rancho Cordova** for the purpose of electing **Three (3) Councilmembers** at the November 3, 2020 Presidential General Election.

The results of the Official Canvass conducted by this office are as follows:

Name	Votes Cast
David Sander*	13,470
Siri Pulipati*	12,162
Donald Terry*	12,151
Robert J. McGarvey	9,599
Jack Zwald	8,647
Donald Childs	5,095

And that the conduct of the election and canvass of the ballots were in every respect in accordance with the election laws of the State of California.

Witness My Hand and Seal this 1st day of December, 2020.




 COURTNEY BAILEY-KANELOS
 REGISTRAR OF VOTERS
 County of Sacramento
 State of California

*Elected

ITEM 3.2.

STATE OF CALIFORNIA

County of Sacramento

} ss.

CERTIFICATE OF FACTS

I, COURTNEY BAILEY KANELOS, Registrar of Voters of the County of Sacramento, State of California, do hereby certify that **Measure R** (shown below) was submitted to the known electors in Sacramento County in the **City of Rancho Cordova** at the November 3, 2020 Presidential General Election.

To support City of Rancho Cordova through relief/recovery including: repairing streets/potholes; keeping public areas healthy, clean/safe; maintaining neighborhood public safety; supporting/attracting new and local businesses/jobs; preparing for any natural disaster/health emergency; addressing homelessness; other general city services; shall the Rancho Cordova measure be adopted levying a ½¢ sales tax, until ended by voters, raising \$8,000,000 annually, with yearly audits, citizen oversight, local control/investment during uncertain times, no money for administrator salaries?

The results of the Official Canvass conducted by this office are as follows:

YES VOTES

16,979

NO VOTES

15,205

And that the conduct of the election and canvass of the ballots was in every respect in accordance with the election laws of the State of California.

Witness My Hand and Seal this 1st day of December, 2020.




 COURTNEY BAILEY-KANELOS
 REGISTRAR OF VOTERS
 County of Sacramento
 State of California

ORDINANCE NO. 18-2020

**AN ORDINANCE OF THE CITY OF RANCHO CORDOVA ADDING CHAPTER
3.06 TO THE MUNICIPAL CODE TO IMPOSE A ONE-HALF CENT PER
DOLLAR TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE
STATE DEPARTMENT OF TAX AND FEE ADMINISTRATION**

WHEREAS, Rancho Cordova must do more to continue to make City streets better, make neighborhoods even safer, and fund programs to attract new businesses and create jobs;

WHEREAS, local businesses would benefit from having enhanced public safety, roads and funding for business promotion and retention;

WHEREAS, the City seeks to help support existing businesses and attract more retail, restaurants and recreation opportunities, making Rancho Cordova a place where young families want to live and put down roots after the crisis is over;

WHEREAS, revitalizing commercial corridors in the City will further improve safety, reduce panhandling and help revitalize old, vacant buildings to attract new business and entertainment to the area;

WHEREAS, the City of Rancho Cordova must have local control over local funds for local needs, allowing the City to be self-reliant in recovering from the uncertain times of the COVID-19 crisis, the likely recession that will follow, and potential future crises;

WHEREAS, the proposed revenue measure includes accountability requirements including independent audits and annual reports to the community and citizen oversight to ensure that all funds are spent as directed. Funds cannot be taken by the State;

WHEREAS, the tax to be submitted to the voters, if approved, would be imposed on the sale of tangible personal property and the storage, use, or other consumption of such property; the tax rate would be one-half of one percent (one-half a cent for each dollar in sales price); the tax revenue would be collected by the California Department of Tax and Fee Administration and remitted to the City; the tax would be in effect until repealed; and the tax shall be approved if the measure receives at least a simple majority vote of affirmative votes;

WHEREAS, California Constitution Article XIII C, Section 2, provides that no local government may impose, extend or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote;

WHEREAS, California Constitution Article XIII C, Section 2, provides that a measure proposing to impose, extend or increase a general tax must be consolidated with a regularly scheduled general election for members of the City Council; and

WHEREAS, November 3, 2020 is the date of the City's regular municipal election.

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

SECTION 1. Incorporation of Recitals. The City Council of Rancho Cordova finds that all Recitals are true and correct and are incorporated herein by reference.

SECTION 2. Amendment of Municipal Code. The Rancho Cordova Municipal Code is hereby amended to add Chapter 3.06 to read as follows:

"3.06.010 - Title.

This Ordinance shall be known as the Rancho Cordova Relief and Recovery 2020 Transactions and Use Tax Ordinance. The City of Rancho Cordova hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

3.06.020 - Operative Date.

"Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this Ordinance, the date of such adoption being as set forth below.

3.06.030 - Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
- B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.
- C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.
- D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this Ordinance.

3.06.040 - Contract With State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

3.06.050 - Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one-half of one percent (0.5%) on the sale of all tangible personal property sold at retail in said territory on and after the operative date of this Ordinance, in addition to the rate charged pursuant to Rancho Cordova Municipal Code Title 3, Chapter 3.05.

3.06.060 - Place of Sale.

For the purposes of this Ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

3.06.070 - Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this Ordinance for storage, use or other consumption in said territory at the rate of one-half of one percent (0.5%) of the sales price of the property, in addition to the rate charged pursuant to Rancho Cordova Municipal Code Title 3, Chapter 3.05. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3.06.080 - Adoption of Provisions of State Law.

Except as otherwise provided in this Ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Ordinance as though fully set forth herein.

3.06.090 - Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California;
2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.
3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;
 - b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

1. "A retailer engaged in business in the District" shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

3.06.100 - Permit Not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

3.06.110 - Exemptions and Exclusions.

- A.** There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- B.** There are exempted from the computation of the amount of transactions tax the gross receipts from:
 - 1.** Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
 - 2.** Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:
 - a.** With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - b.** With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
 - 3.** The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.
 - 4.** A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Ordinance.
 - 5.** For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or

lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

- C. There are exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in this City of tangible personal property:
1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
 3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.
 4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
 6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.
 7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

- D. Any person subject to use tax under this Ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3.06.120 - Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

3.06.130 - Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this Ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3.06.140 - Annual Audit, Committee.

Annually the City Council retains an independent auditor to conduct an audit of and provide audited financial statements for all of the City's financial activities. The auditor shall include an accounting of the revenue received from the tax in the audited financial statements. The auditor's report shall be presented to the Council and made available to the public. There shall also be a committee consisting of no fewer than five (5) members of the public to review and report on the receipt of revenue and the expenditure of funds from the tax authorized by this chapter for consistency with City Council direction regarding the expenditure of the funds. The committee members shall be Rancho Cordova residents, students or business representatives. The auditors' annual report required by this section shall be provided to the committee. The City Council shall by resolution establish the composition of the committee, setting the terms of office of the committee members, and further defining the scope of the committee's responsibilities.

3.06.150 – Amendments by City Council.

The following amendments to this Chapter must be approved by the voters of the City: increasing the tax rate or revising the methodology for calculating the tax such that a tax increase would result; imposing the tax on transactions and uses not previously subject to the tax (unless such amendment occurs automatically by operation of Section 12); or extending the tax. The City Council may otherwise amend this Chapter without submitting the amendment to the voters for approval.

3.06.160 - Termination Date.

The authority to levy the tax imposed by this Ordinance shall continue until this ordinance is repealed by a majority vote of the voters of the City, or until it is repealed or suspended or by a majority vote of the City Council, in the event that the City Council repeals or

suspends the tax, it may resume collection without voter approval as long as the transactions tax rate and use tax rate are not higher than the rates set forth in Sections 3.06.050 and 3.06.070, respectively.”

SECTION 3. Adjustment of Appropriations Limit. Pursuant to Article XIII B of the Constitution of the State of California and applicable laws, the appropriations limit for the City is hereby increased by the aggregate sum authorized to be levied by this tax for fiscal year 2020-21 and each year thereafter.

SECTION 4. Compliance with the California Environmental Quality Act. The approval of this Ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., “CEQA,” and 14 Cal. Code Reg. §§ 15000 et seq., “CEQA Guidelines”). This Ordinance imposes a general tax that can be used for any legitimate governmental purpose; it is not a commitment to any particular action. As such, under CEQA Guidelines section 15378(b)(4), the Ordinance is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. If revenue from the tax were used for a purpose that would have either such effect, the city would undertake the required CEQA review for that particular project. Therefore, pursuant to CEQA Guidelines section 15060, CEQA analysis is not required.

SECTION 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 6. Effective Date. This Ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 16th day of November, 2020 pursuant to the approval of the voters at the November 3, 2020 election.

AYES: Budge, Gatewood, McGarvey, Terry, and Sander

NOES: None

ABSENT: None

ABSTAIN: None



David M. Sander, Mayor

ATTEST:



Stacy Leitner, CMC
City Clerk

APPROVED AS TO FORM:



Adam Lindgren, City Attorney

ITEM 13.1.

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

4:00 PM – Special Meeting
David B. Roberts Council Chambers

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

Monday, November 16, 2020

City Hall
2729 Prospect Park Drive, Rancho Cordova

MINUTES

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Vice Mayor Gatewood called the Special meeting to order in the David B. Roberts Council Chambers at 4:01 p.m.

Council Members Present: Linda Budge, Robert McGarvey, Donald Terry and Vice Mayor Garrett Gatewood

Council Members Absent: Mayor David Sander

Staff Members Present: Cyrus Abhar, Adam Lindgren, Stacy Leitner and Kelly Thompson

2. PUBLIC COMMENT

Vice Mayor Gatewood opened the public comment period. Seeing no speakers. Vice Mayor Gatewood closed the public comment period.

3. SPECIAL MEETING

3.1. Subject: Multi-family Housing Pre-approved Design Booklet Discussion.

Recommendation: Receive presentation from staff and TG+P and provide feedback on the draft booklet goals, draft architectural styles, building types, and guidelines.

Vice Mayor Gatewood opened the public comment period. The following individuals

ITEM 13.1.

Rancho Cordova City Council - MINUTES
Meeting of Monday, November 16, 2020

addressed the Council or sent public comment via email:

1. Neal Payton
2. Mary Butcher
3. Virginia Volk-Anderson

Vice Mayor Gatewood closed the public comment period.

ACTION: Input was received regarding the Multi-family Housing Pre-approved Design Booklet Discussion.

4. **ADJOURNMENT OF SPECIAL MEETING**

Vice Mayor Gatewood adjourned to the regular meeting at 5:23 p.m.

5. **REGULAR MEETING - CALL TO ORDER/ROLL CALL**

Vice Mayor Gatewood called the Regular meeting to order in the David B. Roberts Council Chambers at 5:43 p.m.

Council Members Present: Linda Budge, Garrett Gatewood, Robert McGarvey, and Mayor David Sander (arrived at 6:15 p.m.)

Council Members Absent: None

Staff Members Present: Cyrus Abhar, Adam Lindgren, Stacy Leitner and Kelly Thompson

6. **METRO CABLE TV TELEVISION ANNOUNCEMENT**

The City Clerk read the meetings recordings and playback schedule.

7. **PLEDGE OF ALLEGIANCE**

Cyrus Abhar led the pledge.

8. **INVOCATION**

Vice Mayor Garrett Gatewood led the invocation.

9. **PRESENTATIONS**

9.1. Rancho Cordova Love Our Schools Week.

9.2. Mayor Sander's Birthday November 25, 2020.

10. **PUBLIC COMMENT**

Vice Mayor Gatewood opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Mark Berry
2. Andranik Poladyam
3. Artak Tovmasyan
4. Helen Whelan Bashaw
5. Virginia Volk-Anderson
6. Diann Rogers

Vice Mayor Gatewood closed the public comment period.

11. **COUNCIL REPORTS**

Council reported on events since the last meeting.

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Rancho Cordova City Council - MINUTES
Meeting of Monday, November 16, 2020

12. CITY MANAGER'S REPORT

City Manager Cyrus Abhar gave his report.

13. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

ACTION: Motion to approve items 13.1 through 13.8 by Budge second by McGarvey;
Motion passed with a 5:0 vote.

13.1. **Subject:** Meeting Minutes from the Regular City Council Meeting of November 2, 2020.
Recommendation: Adopt the Minutes.

13.2. **Subject:** A Resolution Authorizing the City Manager to Execute a Contract with the Sacramento Society for the Prevention of Cruelty to Animals (SPCA) for an Amount not to Exceed \$936,168.00 for a Three Year Term Starting January 1, 2021 through December 31, 2023 for Animal Shelter Services for City Residents and the Animal Services Division.
Recommendation: Adopt the Resolution.

13.3. **Subject:** A Resolution Authorizing the City Manager to Award Construction Contract No. 2020-173 in an amount not to exceed \$216,183 with Otto Construction, Inc. for the Peace Officers Memorial Project.
Recommendation: Adopt the Resolution.

13.4. **Subject:** A Resolution Authorizing the City Manager to Execute Contract Amendment No. 01-2019-4 to Increase the Contract Amount by \$212,000 to an Amount not to Exceed \$965,450 with Wood Rodgers, Inc. for Engineering Design and Right of Way Acquisition Support Services for the White Rock Road Safety Improvement Project
Recommendation: Adopt the Resolution.

13.5. **Subject:** Approve the Final Map of Montelena Village 5, Subdivision No. Fm-2014-006-40, and Execution of the Subdivision Improvement Agreement
Recommendation: Adopt the Resolution.

13.6. **Subject:** Second Reading and Adoption of an Ordinance Adding Chapter 3.06 to the Municipal Code to Impose a One-Half Cent Per Dollar Transactions and Use Tax to be Administered by the State Department of Tax and Fee Administration.
Recommendation: Waive second reading and adopt the Ordinance.

13.7. **Subject:** Second Reading of an Ordinance Repealing and Replacing Chapter 6.20 "Solid Waste Management" and Chapter 6.21 "Business and Multifamily Recycling and Organics Recycling" to Place Certain Requirements on Franchised Waste Hauling Companies to Ensure Compliance with State Law.
Recommendation: Waive the second reading and adopt the Ordinance.

13.8. **Subject:** A Resolution for Local Control of Zoning and Housing Issues.
Recommendation: Adopt the Resolution.

14. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

None.

15. PUBLIC HEARING ITEMS

15.1. **Subject:** Public Review Draft 2021-2029 Housing Element Update.
Recommendation: Receive presentation and direct staff to submit the Draft Housing Element Update to the California Department of Housing and Community Development for its 60-day review period.

ITEM 13.1.

Rancho Cordova City Council - MINUTES
Meeting of Monday, November 16, 2020

Mayor Sander opened the public comment period. The following individuals addressed the Council or submitted comment via email:

1. Kendra Cathy
2. Fayzah Mugal
3. Ejiro Okuro
4. Fayzah Mugal
5. Helen Whelan Bashaw

Mayor Sander closed the public comment period.

ACTION: Motion to approve item 15.1. by Budge second by McGarvey;
Motion passed with a 5:0 vote.

16. REGULAR CALENDAR ITEMS

None.

17. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

1. Coordinate with Rancho Cordova Chamber of Commerce Regarding the Sacramento County's Proposed Urgency Ordinance Related to Imposing Fines for COVID-19 Violations.
2. Request for Roundtable with Local Business Owners to Discuss COVID-19 Related Support and Designate Mayor David Sander and Vice Mayor Garrett Gatewood as Subcommittee Members.

18. ADJOURNMENT

Mayor Sander adjourned the meeting in memory of Ernie Sheldon at 7:36 p.m.

Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 13.2.

DATE: December 7, 2020

TO: Honorable Mayor and Council Members

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

SUBJECT: **A RESOLUTION DECLARING RESULTS OF THE MAIL BALLOT ELECTION RELATING TO THE IMPOSITION OF THE ANNUAL STORMWATER UTILITY FEE ON THE RANCHO CORDOVA RETIREMENT RESIDENCE 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 Rancho Cordova Retirement Residence project.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will declare the results of the ballot tabulation for the proposed imposition of the annual Stormwater Utility Fee on the Rancho Cordova Retirement Residence project. If majority approval exists, the City Council may impose the annual Stormwater Utility Fee on the Rancho Cordova Retirement Residence project pursuant to the Fee Ordinance.

BACKGROUND

The City Council previously adopted a Resolution on October 19, 2020 declaring its intention to impose the annual Stormwater Utility Fee ("Fee") pursuant to Ordinance No. 7-2014 on the Rancho Cordova Retirement Residence project. A protest hearing was conducted on November 2, 2020 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 owner, subject to the Fee. Only one parcel is subject to the fee.

The Clerk has tabulated the ballot returned by the property owner for the Rancho Cordova Retirement Residence project. The majority vote of the owner of the parcel approved to impose the annual Fee on the Rancho Cordova Retirement Residence project pursuant to the Ordinance. The Council action tonight is to adopt the Resolution declaring the results of the

mail ballot election.

FISCAL IMPACT AND FUNDING SOURCE

There is no impact to the City's General Fund.

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution
3. Exhibit B to the Resolution

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2020

**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 THE
RANCHO CORDOVA RETIREMENT RESIDENCE**

WHEREAS, on September 21, 2020, the City Council adopted a Resolution declaring its intention to impose the Annual Stormwater Utility Fee ("Fee") for the Rancho Cordova Retirement Residence 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 2021-2022 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 November 2, 2020 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 B and by this reference incorporated herein.

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

ITEM 13.2.

ATTACHMENT 1

1. The above recitals are true and correct.
2. The Certificate is hereby accepted into the records of the City.
3. The Ballot Measure is authorized as set forth in Exhibit A attached hereto and by this reference incorporated herein.
4. 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 B ("Certificate").
5. 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 Rancho Cordova Retirement Residence project.
6. Pursuant to said Certificate, the Ballot Measure submitted was approved by a majority vote of the owner of parcel subject to the Fee, the Fee is hereby imposed pursuant to Ordinance No. 7-2014 on the Rancho Cordova Retirement Residence project.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December 2020 by following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

David M. Sander, Mayor

Stacy Leitner, CMC
City Clerk

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: 072-2360-042
Property Address: 3370 Zinfandel Drive
Designation: Vacant Land
Total Parcel(s) Area (acres): 5.49
DMUs: 0

Assessor's Parcel Numbers: 072-2360-042

Owner Name: Rancho Cordova Retirement Residence, LP

Proposed Maximum FY 2020-2021 Annual Fee Amount: \$134.93 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

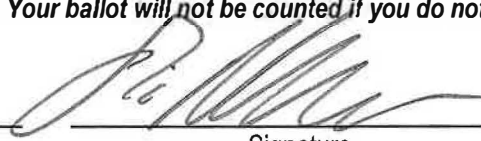
☐ **NO** I oppose the proposed annual Stormwater Utility Fee

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.

11/10/2020 Eric Mulligan

Date

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 2020-2021 will be \$134.93 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 Thursday, November 19, 2020.

return to:

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

Exhibit B

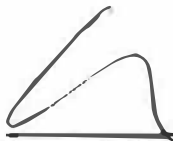
CERTIFICATE OF THE CITY CLERK AS TO
THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS
IN CONNECTION WITH THE PROPOSED STORMWATER UTILITY FEE
IN THE CITY OF RANCHO CORDOVA

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, November 19, 2020 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: 1

Total "No" Ballots: 0


Stacy Leitner, CMC
City Clerk



MEMORANDUM



ITEM 13.3.

DATE: December 7, 2020

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 FOR THE ANATOLIA RETAIL CENTER PROJECT**

RECOMMENDATION

Adopt the Resolution declaring the results of the mail ballot election relating to the imposition of the annual Stormwater Utility Fee on the Anatolia Retail Center project.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will declare the results of the ballot tabulation for the proposed imposition of the annual Stormwater Utility Fee on the Anatolia Retail Center project. If majority approval exists, the City Council may impose the annual Stormwater Utility Fee on the Anatolia Retail Center project pursuant to the Fee Ordinance.

BACKGROUND

The City Council previously adopted a Resolution on October 5, 2020 declaring its intention to impose the annual Stormwater Utility Fee ("Fee") pursuant to Ordinance No. 7-2014 on the Anatolia Retail Center project. A protest hearing was conducted on October 21, 2020 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 owner, subject to the Fee. Only one parcel is subject to the fee.

The Clerk has tabulated the ballot returned by the property owner for the Anatolia Retail Center project. The majority vote of the owner of the parcel approved to impose the annual Fee on the Anatolia Retail Center project pursuant to the Ordinance. The Council action tonight is to adopt the Resolution declaring the results of the mail ballot election.

FISCAL IMPACT AND FUNDING SOURCE

There is no impact to the City's General Fund.

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution
3. Exhibit B to the Resolution

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2020

**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 THE
ANATOLIA RETAIL CENTER PROJECT IN THE CITY OF RANCHO CORDOVA**

WHEREAS, on October 5, 2020, the City Council adopted a Resolution declaring its intention to impose the Annual Stormwater Utility Fee ("Fee") for the Anatolia Retail Center 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 2021-2022 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 October 21, 2020 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 B and by this reference incorporated herein.

**NOW, THEREFORE, BE IT 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 Ballot Measure is authorized as set forth in Exhibit A attached hereto and by this reference incorporated herein.
4. 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 B ("Certificate").
5. 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 Anatolia Retail Center project.
6. Pursuant to said Certificate, the Ballot Measure submitted was approved by a majority vote of the owner of parcel subject to the Fee, the Fee is hereby imposed pursuant to Ordinance No. 7-2014 on the Anatolia Retail Center project.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December 2020 by following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

David M. Sander, Mayor

Stacy Leitner, CMC
City Clerk

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: 067-0430-0001

Property Address: SE of the intersection of Douglas Rd. and Sunrise Blvd.

Designation: Vacant Land

Total Parcel(s) Area (acres): 14.98

DMUs: 0

Assessor's Parcel Numbers: 067-0430-0001

Owner Name: Anatolia Marketplace, LLC

Proposed Maximum FY 2020-2021 Annual Fee Amount: \$134.93 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.

Vote Here

11/9/2020
Date

Mark Enes
Printed Name


Signature

If approved by a majority of the returned ballots, the proposed maximum annual Storm Drain User Fee rate for FY 2020-2021 will be \$134.93 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 Thursday, November 19, 2020.

return to:

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

Exhibit B

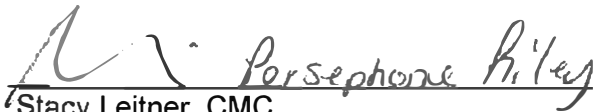
CERTIFICATE OF THE CITY CLERK AS TO
THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS
IN CONNECTION WITH THE PROPOSED STORMWATER UTILITY FEE
IN THE CITY OF RANCHO CORDOVA

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, November 19, 2020 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: 1

Total "No" Ballots: 0

for 
Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 13.4.

DATE: December 7, 2020

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director
Steve Harriman, Public Works Division Manager

SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 2020-196 WITH MCGUIRE-PACIFIC CONSTRUCTORS IN AN AMOUNT NOT TO EXCEED \$293,205 FOR ON-CALL OVERHEAD AND STREET SIGNAGE SERVICES**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will authorize the City Manager to execute a contract with McGuire-Pacific Constructors in an amount not to exceed \$293,205 for On-Call Overhead and Street Signage Services.

BACKGROUND

The City of Rancho Cordova manages thousands of street signs that help citizens to be informed, find their destination, and travel safely. To manage variable workloads the City hires companies to perform work including installation, repairs and maintenance of signs in the public right-of-way. The scope of services covers street name signs, overhead illuminated signs, traffic signs and specialty signs maintained by the City such as Wayfinding signs and Neighborhood monuments.

The City advertised for a new contract to perform fabrication, delivery, installation and/or repair of City street signs. Proposals were solicited on the City's Website, CIPList.com, the Rancho Cordova Chamber of Commerce, and the Sacramento, Placer and El Dorado County Builders Exchanges on October 2, 2020. One proposal was received on October 23, 2020 from McGuire-Pacific Constructors, who holds the current contract with the City for street signage services. Staff has evaluated the proposal and determined that the proposal contains fair pricing for the services performed.

FISCAL IMPACT AND FUNDING SOURCE

The contract is funded through Measure A maintenance funds, Gas Tax, and other special revenues and does not impact the City's General Fund.

ATTACHMENT(S)

1. Resolution
2. McGuire Pacific Contract 2020-196

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT
NO. 2020-196 WITH MCGUIRE-PACIFIC CONSTRUCTORS IN AN AMOUNT NOT TO
EXCEED \$293,205 FOR ON-CALL OVERHEAD AND STREET SIGNAGE SERVICES**

WHEREAS, the City of Rancho Cordova desires to execute a contract with McGuire-Pacific Constructors in an amount not to exceed \$293,205 for On-Call Overhead and Street Signage Services; and

WHEREAS, the City solicited proposals for On-Call Overhead and Street Signage Services under the requirements of state law and the Rancho Cordova Municipal Code, and received one proposal from McGuire Pacific Constructors on October 23, 2020; and

WHEREAS, the new contract will include on-call services consisting of new installations, repairs, resetting and replacements of street name signs, overhead illuminated signs, traffic signs and specialty signs maintained by the City including Wayfinding and neighborhood entry signs and monuments.

WHEREAS, the contract is funded through Measure A maintenance funds, Gas Tax, and other special revenues and does not impact the City's General Fund.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute Contract No. 2020-196 in an amount not to exceed \$293,205 with McGuire-Pacific Constructors and in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December 2020 by following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

David M. Sander, Mayor

ITEM 13.4.

ATTACHMENT 1

Stacy Leitner, CMC
City Clerk

**GENERAL SERVICES AGREEMENT BETWEEN
THE CITY OF RANCHO CORDOVA AND MCGUIRE-PACIFIC CONSTRUCTORS
FOR ON-CALL OVERHEAD AND STREET SIGNAGE SERVICES**

THIS AGREEMENT (hereinafter referred to as "Agreement") is made by and between the City of Rancho Cordova, a California municipal corporation, (herein "City") and McGuire-Pacific Constructors, (herein "Contractor"), as of January 1, 2021.

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Contractor shall provide to City the services described in the Scope of Work attached as Exhibit A ("Services") at the time and place and in the manner as specified therein. In the event of a conflict or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

Section 2. TERM. The term of this Agreement shall begin on the date first noted above and shall end on **June 30, 2024**, unless the term of the Agreement is otherwise terminated as provided for in Section 10. The time provided to Contractor to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 10.

Section 3. CONTRACT ADMINISTRATOR. This Agreement shall be administered by Steve Harriman ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

Section 4. COMPENSATION OF CONTRACTOR. The Contractor shall be paid up to \$293,205 for performance of the Services pursuant to this Agreement. The Contractor shall submit invoices to the City Finance Director on a monthly basis detailing the Services performed. In the event of a conflict between this Agreement and Contractor's Exhibit A regarding the amount of compensation, the Agreement shall prevail. Upon receipt and approval of the Contractor's invoices, the City shall remit payment to the Contractor for Services provided within thirty (30) days. Payment to Contractor shall be considered as full compensation for performing the Services.

City's failure to discover or object to any unsatisfactory work or billing prior to payment will not constitute a waiver of City's right to request Contractor to correct such work or billings or seek any other legal remedy.

Section 5. PERFORMANCE STANDARDS.

A. Contractor shall comply with all applicable laws now in force or which may hereafter be in force with regard to the provision of Services and this Agreement.

B. Contractor represents that it has the skills, expertise, licenses and permits necessary to perform the Services. Contractor shall perform all such Services in the manner and according to the standards observed by a competent practitioner of the same profession in which Contractor is engaged and in accordance with applicable industry standards. Permits and/or licenses shall be obtained and maintained by Contractor without additional compensation throughout the term of this Agreement.

Section 6. INDEPENDENT CONTRACTOR. Contractor shall perform the Services as an independent contractor and nothing herein contained shall be construed to make Contractor an agent or employee of the City while providing the Services. Contractor shall be entitled to no other benefits or compensation except as provided in this Agreement.

Section 7. INSURANCE REQUIREMENTS. Prior to beginning any Service under this Agreement, Contractor, at its own cost and expense, shall procure insurance coverage at such levels of coverage, scope, limits, and/or forms as set forth in Exhibit B ("Insurance Requirements") hereto. Contractor shall provide proof satisfactory to City of such insurance and maintain the insurance throughout the term of this Agreement.

Section 8. INDEMNIFICATION. Contractor shall indemnify, defend with counsel selected by the City, and hold harmless City, its officers, agents, employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from Services performed pursuant to this Agreement caused in whole or in part by any negligent or willful act or omission of Contractor, its officers, agents, employees, or anyone directly or indirectly acting on behalf of Contractor. The foregoing obligation of Contractor shall not apply when (1) the injury, loss of life, damage to property, or violation of law arises wholly from the negligence or willful misconduct of the City or its officers, employees, agents, or volunteers and (2) the actions of Contractor or its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law. It is understood that the duty of Contractor to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Contractor from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Contractor acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

Section 9. NONDISCRIMINATION AND EQUAL OPPORTUNITY. Contractor shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Contractor under this Agreement. Contractor shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Contractor thereby. Contractor shall include the provisions of this section in any subcontract approved by the City.

Section 10. AMENDMENTS. No modification or amendment of this Agreement is effective unless made in writing and signed by both the City and Contractor.

Section 11. ASSIGNMENT AND SUBCONTRACTING. Contractor shall not assign or transfer any interest in this Agreement without the prior written consent of the City.

Section 12. TERMINATION. Either party may terminate this Agreement without cause, upon 30 days written notice to the other party. In the event of termination, Contractor shall be entitled to payment for Services then satisfactorily completed. Contractor shall not be entitled to any claim against City for any additional compensation or damages in the event of such termination.

Section 13. NOTICES. All notices that are regarding this Agreement shall be in writing and shall be deemed to have been given if delivered personally or enclosed in a properly addressed envelope and deposited in a United States Post Office for delivery by registered or certified mail addressed to the parties at the following addresses:

City: City of Rancho Cordova
3303 Luyung Drive
Rancho Cordova, CA 95742
ATTN: Steve Harriman

Contractor: John McGuire Jr. mpci@jps.net
PO BOX 4072
Auburn, CA 95604-4072

Section 14. GOVERNING LAW AND VENUE. The laws of the State of California shall govern this Agreement. Venue for any action regarding this Agreement shall be in the Superior Court of the County of Sacramento.

Section 15. ATTORNEYS' FEES. If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

Section 16. SEVERABILITY. If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

Section 17. WAIVER. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

Section 18. SURVIVAL. The obligations of this Agreement, which by their nature would continue beyond the term or expiration of the Agreement, including without limitation obligations regarding indemnification shall survive the term or expiration of this Agreement.

Section 19. ENTIRE AGREEMENT. This Agreement represents the entire and integrated Agreement between City and Contractor and supersedes all prior negotiations, representations, and Agreements regarding the subject matter of this Agreement, either written or oral.

SIGNATURE PAGE FOLLOWING

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year set forth above, which date shall be considered the effective date of this Agreement.

CITY OF RANCHO CORDVA

CONTRACTOR

By: _____
Cyrus Abhar, City Manager

By: _____
John McGuire Jr., Owner

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Adam U. Lindgren, City Attorney

ATTEST:

By: _____
Stacy Leitner, CMC, City Clerk

EXHIBIT A
SCOPE OF WORK/RFP

EXHIBIT B
INSURANCE REQUIREMENTS

Before beginning any work under this Agreement, Contractor, at its own cost and expense, shall procure "occurrence coverage" insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Professional and its agents, representatives, employees, and subcontractors. Contractor shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Professional shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Contractor's bid. Contractor shall not allow any subcontractor to commence work on any subcontract until Contractor has obtained all insurance required herein for the subcontractor(s) and provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution. Contractor shall maintain all required insurance listed herein for the duration of this Agreement.

1. **Workers' Compensation.** Contractor shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Contractor. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than ONE MILLION DOLLARS (\$1,000,000.00) per accident. In the alternative, Contractor may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the Contract Administrator. The insurer, if insurance is provided, or the Contractor, if a program of self-insurance is provided, shall waive all rights of subrogation against the City and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement.

An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Contractor shall notify City within fourteen (14) days of notification from Contractor's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

The requirement to maintain Statutory Worker's Compensation and Employer's Liability Insurance insurance may be waived by the City upon written verification that Contractor does not have any employees.

2. **Commercial General and Automobile Liability Insurance.**

- 2.1 **General requirements.** Contractor, at its own cost and expense, shall maintain commercial general liability insurance for the term of this Agreement in an amount not less than TWO MILLION DOLLARS (\$2,000,000.00) and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00). The commercial general liability and automobile liability insurance shall be per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a commercial general liability insurance or an automobile liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to

the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

2.2 Minimum scope of coverage. Commercial general liability coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition), Code 1 (any auto). No endorsement shall be attached limiting the coverage.

2.3 Additional requirements. Each of the following shall be included in the insurance coverage or added as an endorsement to the policy:

- a. City and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Contractor, including the insured's general supervision of Contractor; products and completed operations of Contractor; premises owned, occupied, or used by Contractor; and automobiles owned, leased, or used by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to City or its officers, employees, agents, or volunteers.
- b. The insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.
- c. An endorsement must state that coverage is primary insurance with respect to the City and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by the City shall be called upon to contribute to a loss under the coverage.
- d. Any failure of Contractor to comply with reporting provisions of the policy shall not affect coverage provided to City and its officers, employees, agents, and volunteers.
- e. An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Contractor shall notify City within fourteen (14) days of notification from Contractor's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

3. All Policies Requirements.

- 3.1 Acceptability of insurers.** All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.
- 3.2 Verification of coverage.** Prior to beginning any work under this Agreement, Contractor shall furnish City with certificates of insurance and with original endorsements effecting coverage required herein. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 3.3 Subcontractors.** Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.
- 3.4 Deductibles and Self-Insured Retentions.** Contractor shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.
- During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Contractor may increase such deductibles or self-insured retentions with respect to City, its officers, employees, agents, and volunteers. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Contractor procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.
- 3.5 Waiver of Subrogation.** Contractor hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the Contractor, its employees, agents, and subcontractors.
- 3.6 Notice of Reduction in Coverage.** In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, Contractor shall provide written notice to City at Contractor's earliest possible opportunity and in no case later than five (5) days after Contractor is notified of the change in coverage.

- 4. Remedies.** In addition to any other remedies City may have if Contractor fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which

are alternatives to other remedies City may have and are not the exclusive remedy for Contractor's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Contractor to stop work under this Agreement or withhold any payment that becomes due to Contractor hereunder, or both stop work and withhold any payment, until Contractor demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Form W-9 (Rev. September 2007) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification	Give form to the requester. Do not send to the IRS.
Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name, if different from above	
	Check appropriate box: ☐ Individual/Sole proprietor ☐ Corporation ☐ Partnership ☐ Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ ☐ Exempt payee ☐ Other (see instructions) ▶	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number
or
Employer identification number

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). Check the "Limited liability company" box only and enter the appropriate code for the tax classification ("D" for disregarded entity, "C" for corporation, "P" for partnership) in the space provided.

For a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

For an LLC classified as a partnership or a corporation, enter the LLC's name on the "Name" line and any business, trade, or DBA name on the "Business name" line.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Note. You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

Exempt payees. Backup withholding is not required on any payments made to the following payees:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),
2. The United States or any of its agencies or instrumentalities,
3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,
4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
5. An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

6. A corporation,
7. A foreign central bank of issue,
8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
9. A futures commission merchant registered with the Commodity Futures Trading Commission,
10. A real estate investment trust,
11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
12. A common trust fund operated by a bank under section 584(a),
13. A financial institution,
14. A middleman known in the investment community as a nominee or custodian, or
15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for 9
Broker transactions	Exempt recipients 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt recipients 1 through 7

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, and payments for services paid by a federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting www.irs.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A *disregarded domestic entity that has a foreign owner must use the appropriate Form W-8*.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see *Exempt From Backup Withholding* on page 2.

Signature requirements. Complete the certification as indicated in 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ³
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
For this type of account:	Give name and EIN of:
6. Disregarded entity not owned by an individual	The owner
7. A valid trust, estate, or pension trust	Legal entity ⁴
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or "DBA" name on the second name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see Special rules for partnerships on page 1.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

Call the IRS at 1-800-829-1040 if you think your identity has been used inappropriately for tax purposes.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS personal property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.consumer.gov/idtheft or 1-877-IDTHEFT(438-4338).

Visit the IRS website at www.irs.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, the District of Columbia, and U.S. possessions to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

YEAR	Withholding Exemption Certificate	CALIFORNIA FORM
2010	(This form can only be used to certify exemption from nonresident withholding under California R&TC Section 18662. Do not use this form for exemption from wage withholding.)	590

File this form with your withholding agent. (Please type or print)

Withholding agent's name _____

Vendor/Payee's name _____

 Vendor/Payee's ☐ SSN or ITIN
☐ SOS file no. ☐ CA corp. no. ☐ FEIN

Address (number and street, PO Box, or PMB no.) _____

Apt. no./ Ste. no. _____

City _____

State _____

ZIP Code _____

Read the following carefully and check the box that applies to the vendor/payee.

I certify that for the reasons checked below, the entity or individual named on this form is exempt from the California income tax withholding requirement on payment(s) made to the entity or individual.

☐ **Individuals — Certification of Residency:**

I am a resident of California and I reside at the address shown above. If I become a nonresident at any time, I will promptly notify the withholding agent. See instructions for General Information D, Who is a Resident, for the definition of a resident.

☐ **Corporations:**

The above-named corporation has a permanent place of business in California at the address shown above or is qualified through the California Secretary of State (SOS) to do business in California. The corporation will file a California tax return and withhold on payments of California source income to nonresidents when required. If this corporation ceases to have a permanent place of business in California or ceases to do any of the above, I will promptly notify the withholding agent. See instructions for General Information F, What is a Permanent Place of Business, for the definition of permanent place of business.

☐ **Partnerships or Limited Liability Companies (LLC):**

The above-named partnership or LLC has a permanent place of business in California at the address shown above or is registered with the California SOS, and is subject to the laws of California. The partnership or LLC will file a California tax return and will withhold on foreign and domestic nonresident partners or members when required. If the partnership or LLC ceases to do any of the above, I will promptly inform the withholding agent. For withholding purposes, a Limited Liability Partnership (LLP) is treated like any other partnership.

☐ **Tax-Exempt Entities:**

The above-named entity is exempt from tax under California R&TC Section 23701 _____ (insert letter) or Internal Revenue Code Section 501(c) _____ (insert number). The tax-exempt entity will withhold on payments of California source income to nonresidents when required. If this entity ceases to be exempt from tax, I will promptly notify the withholding agent. Individuals cannot be tax-exempt entities.

☐ **Insurance Companies, IRAs, or Qualified Pension/Profit Sharing Plans:**

The above-named entity is an insurance company, IRA, or a federally qualified pension or profit-sharing plan.

☐ **California Trusts:**

At least one trustee and one noncontingent beneficiary of the above-named trust is a California resident. The trust will file a California fiduciary tax return and will withhold on foreign and domestic nonresident beneficiaries when required. If the trustee becomes a nonresident at any time, I will promptly notify the withholding agent.

☐ **Estates — Certification of Residency of Deceased Person:**

I am the executor of the above-named person's estate. The decedent was a California resident at the time of death. The estate will file a California fiduciary tax return and will withhold on foreign and domestic nonresident beneficiaries when required.

☐ **Nonmilitary Spouse of a Military Servicemember:**

I am a nonmilitary spouse of a military servicemember and I meet the Military Spouse Residency Relief Act (MSRRA) requirements. See instructions for General Information E, MSRRA.

CERTIFICATE: Please complete and sign below.

Under penalties of perjury, I hereby certify that the information provided in this document is, to the best of my knowledge, true and correct. If conditions change, I will promptly notify the withholding agent.

Vendor/Payee's name and title (type or print) _____ Daytime telephone no. _____

Vendor/Payee's signature ► _____ Date _____

Instructions for Form 590

Withholding Exemption Certificate

References in these instructions are to the California Revenue and Taxation Code (R&TC).

What's New

Backup Withholding – For taxable years beginning on or after January 1, 2010, with certain limited exceptions, payers that are required to withhold and remit backup withholding to the Internal Revenue Service (IRS) are also required to withhold and remit to the Franchise Tax Board (FTB). The California backup withholding rate is 7% of the payment. For California purposes, dividends, interests, and any financial institutions release of loan funds made in the normal course of business are exempt from backup withholding. For additional information on California backup withholding, go to ftb.ca.gov and search for backup withholding.

Military Spouse Residency Relief Act (MSRRA) – The MSRRA amended the federal Servicemembers Civil Relief Act. For taxable years beginning on or after January 1, 2009, a nonmilitary spouse of a military servicemember shall neither lose nor acquire a residence or domicile for purposes of taxation by reason of being absent from or present in California to be with the servicemember serving in compliance with the servicemember's military orders if the servicemember and spouse have the same domicile. Income of a military servicemember's nonmilitary spouse for services performed in California is not California source income subject to state tax if the spouse is in California to be with the servicemember serving in compliance with military orders, and the servicemember and spouse have the same domicile in a state other than California. For additional information, get FTB Pub. 1032, Tax Information for Military Personnel.

General Information

For purposes of California income tax, references to a spouse, husband, or wife also refer to a Registered Domestic Partner (RDP) unless otherwise specified. For more information on RDPs, get FTB Pub. 737, Tax Information for Registered Domestic Partners.

Private Mail Box – Include the Private Mail Box (PMB) in the address field. Write "PMB" first, then the box number. Example: 111 Main Street PMB 123.

Foreign Address – Enter the information in the following order: City, Country, Province/Region, and Postal Code. Follow the country's practice for entering the postal code. Do not abbreviate the country's name.

A Purpose

Use Form 590, Withholding Exemption Certificate, to certify an exemption from nonresident withholding. California residents or entities should complete and present Form 590 to the withholding agent. The withholding agent is then relieved of the withholding

requirements if the agent relies in good faith on a completed and signed Form 590 unless told by the Franchise Tax Board (FTB) that the form should not be relied upon.

Important – This form cannot be used for exemption from wage withholding. If you are an employee, any wage withholding questions should be directed to the FTB General Information number, 800.852.5711. Employers should direct their calls to the California Employment Development Department (EDD) at 888.745.3886 or go to www.edd.ca.gov.

Sellers of California real estate use Form 593-C, Real Estate Withholding Certificate, not Form 590.

B Requirement

R&TC Section 18662 requires withholding of income or franchise tax on payments of California source income made to nonresidents of California.

Withholding is required on the following, but is not limited to:

- Payments to nonresidents for services rendered in California.
- Distributions of California source income made to domestic nonresident S corporation shareholders, partners and members and allocations of California source income made to foreign partners and members.
- Payments to nonresidents for rents if the payments are made in the course of the withholding agent's business.
- Payments to nonresidents for royalties for the right to use natural resources located in California.
- Distributions of California source income to nonresident beneficiaries from an estate or trust.
- Prizes and winnings received by nonresidents for contests in California.

However, withholding is optional if the total payments of California source income are \$1,500 or less during the calendar year.

For more information on withholding and waiver requests, get FTB Pub. 1017, Resident and Nonresident Withholding Guidelines. To get a withholding publication see General Information H, Publications, Forms, and Additional Information.

C Who can Execute this Form

Form 590 can be executed by the entity or individual listed on this form.

If an entertainer (a person or a business entity) is paid for a performance, the entertainer's information must be provided. Do not submit the entertainer's agent or promoter information.

The grantor of a grantor trust shall be treated as the vendor/payee for withholding purposes. Therefore, if the vendor/payee is a grantor

trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors on the trust are residents, no withholding is required. Resident grantors can check the box on Form 590 labeled "Individuals — Certification of Residency."

D Who Is a Resident

A California resident is any individual who is in California for other than a temporary or transitory purpose or any individual domiciled in California who is absent for a temporary or transitory purpose.

An individual domiciled in California who is absent from California for an uninterrupted period of at least 546 consecutive days under an employment-related contract is considered outside California for other than a temporary or transitory purpose.

An individual is still considered outside California for other than a temporary or transitory purpose if return visits to California do not total more than 45 days during any taxable year covered by an employment contract.

This provision does not apply if an individual has income from stocks, bonds, notes, or other intangible personal property in excess of \$200,000 in any taxable year in which the employment-related contract is in effect.

A spouse/RDP absent from California for an uninterrupted period of at least 546 days to accompany a spouse/RDP under an employment-related contract is considered outside of California for other than a temporary or transitory purpose.

Generally, an individual who comes to California for a purpose which will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident.

For assistance in determining resident status, get FTB Pub. 1031, Guidelines for Determining Resident Status, and FTB Pub. 1032, Tax Information for Military Personnel, or call the FTB at 800.852.5711 or 916.845.6500.

E Military Spouse Residency Relief Act (MSRRA)

Generally, for tax purposes you are considered to maintain your existing residence or domicile. However, under newly enacted MSRRA, if a military servicemember and nonmilitary spouse have the same state of domicile, the MSRRA provides:

- A spouse shall not be deemed to have lost a residence or domicile in any state solely by reason of being absent to be with the servicemember serving in compliance with military orders

- A spouse shall not be deemed to have acquired a residence or domicile in any other state solely by reason of being there to be with the servicemember serving in compliance with military orders

Domicile is defined as the one place:

- Where you maintain a true, fixed and permanent home
- To which you intend to return whenever you are absent

A military servicemember's nonmilitary spouse is considered a nonresident for tax purposes if the servicemember and spouse have the same domicile outside of California and the spouse is in California solely to be with the servicemember who is serving in compliance with Permanent Change of Station orders (Note: California may require nonmilitary spouses of military servicemembers to provide proof that they meet the criteria for California personal income tax exemption as set forth in the MSRRRA).

For assistance in determining whether the applicant meets the MSRRRA requirements, get FTB Pub. 1032, Tax Information for Military Personnel.

F What Is a Permanent Place of Business

A corporation has a permanent place of business in California if it is organized and existing under the laws of California or if it is a foreign corporation qualified to transact intrastate business by the California SOS. A corporation that has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in California only if it maintains a permanent office in California that is permanently staffed by its employees.

G Withholding Agent

Keep Form 590 for your records. Do not send this form to the FTB unless it has been specifically requested.

For more information, contact Withholding Services and Compliance, see General Information H.

The vendor/payee must notify the withholding agent if any of the following situations occur:

- The individual vendor/payee becomes a nonresident.
- The corporation ceases to have a permanent place of business in California or ceases to be qualified to do business in California.
- The partnership ceases to have a permanent place of business in California.
- The LLC ceases to have a permanent place of business in California.
- The tax-exempt entity loses its tax-exempt status.

The withholding agent must then withhold and report the withholding using Form 592, Resident and Nonresident Withholding Statement, and remit the withholding using Form 592-A, Payment Voucher for Foreign Partner or Member Withholding. Form 592-B, Resident and Nonresident Withholding Tax Statement, is retained by the withholding agent and a copy is given to the payee.

H Publications, Forms, and Additional Information

You can download, view, and print California tax forms and publications at ftb.ca.gov.

To have publications or forms mailed to you or to get additional nonresident withholding information, contact the Withholding Services and Compliance.

WITHHOLDING SERVICES AND
COMPLIANCE MS F182
FRANCHISE TAX BOARD
PO BOX 942867
SACRAMENTO CA 94267-0651

Telephone: 888.792.4900
916.845.4900

Fax: 916.845.9512

For all other questions unrelated to withholding or to access the TTY/TDD numbers, see the information below.

Internet and Telephone Assistance

Website: ftb.ca.gov
Telephone: 800.852.5711 from within the United States
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

Asistencia Por Internet y Teléfono

Sitio web: ftb.ca.gov
Teléfono: 800.852.5711 dentro de los Estados Unidos
916.845.6500 fuera de los Estados Unidos

TTY/TDD: 800.822.6268 personas con discapacidades auditivas y del habla

MEMORANDUM



ITEM 13.5.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Kate Adams, Chief of Police
SUBJECT: **A RESOLUTION ACCEPTING A GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) IN THE AMOUNT OF \$20,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will authorize the City Manager, to accept \$20,000 in grant money from ABC to undertake education and enforcement of state alcoholic beverage laws with a focus on general enforcement at on-sale and off-sale problem establishments.

BACKGROUND

The Rancho Cordova Police Department submitted a grant application to the California Department of Alcoholic Beverage Control (ABC) and was awarded \$20,000. The project will utilize sworn personnel to conduct training to local businesses, participate in youth alcohol prevention programs, and conduct undercover and enforcement operations on an overtime basis.

Patrols will be used to focus on areas where there is a high concentration of liquor establishments that often contribute to increased crimes such as assaults, thefts, robberies and narcotic violations.

The effectiveness of this program will be measured by a decrease in future calls for service at problem establishments, reduction in minors purchasing alcohol, fewer people cited for purchasing/selling alcohol to minors, and a reduction in DUI arrests/collisions.

The goals and objectives for this funding will focus on the following:

- Continue Minor Decoy/Shoulder Tap operations.
- Implement general enforcement operations around problem areas.
- Provide training to local business owners and employees.
- Team with community based organizations on education and preventative programs.
- Educate members of the community to reduce the amount of sales and consumption of alcohol to minors.

Officer Farrar will be assigned as the Project Director. He has participated in several ABC Operations in the past and has been briefed on coordinating these operations and training for local business owners and employees.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution - Grant Application
3. Exhibit B to the Resolution - Grant Letter

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, ACCEPTING A GRANT FROM THE STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) IN THE AMOUNT OF
\$20,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT**

WHEREAS, the Rancho Cordova Police Department desires to undertake education and enforcement of ABC laws with a focus on general enforcement at on-sale and off-sale problem establishments; and

WHEREAS, this education and enforcement will be funded in part from funds in the amount of \$20,000 made available by the Department of Alcoholic Beverage Control (ABC); and

WHEREAS, Kate Adams, Chief of Police of the Rancho Cordova Police Department is authorized to execute a grant agreement with the California State Department of Alcoholic Beverage Control for the program as described in Exhibit A; and

WHEREAS, any liability arising out of the performance of this contract, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency; and

WHEREAS, grant funds received hereunder shall not be used to supplant expenditures controlled by the City of Rancho Cordova.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does hereby authorize the City Manager to execute a grant agreement with the California Department of Alcoholic Beverage Control (ABC).

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December 2020 by following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

David M. Sander, Mayor

ITEM 13.5.

ATTACHMENT 1

Stacy Leitner, CMC
City Clerk

ITEM 13.5

Exhibit A to the Resolution

STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 04/2020)

AGREEMENT NUMBER

21-OTS-10

PURCHASING AUTHORITY NUMBER (If Applicable)

ABC-2100

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

Alcoholic Beverage Control

CONTRACTOR NAME

City of Rancho Cordova through the Rancho Cordova Police Department

2. The term of this Agreement is:

START DATE

October 1, 2020

THROUGH END DATE

August 31, 2021

3. The maximum amount of this Agreement is:

\$20,000.00 Twenty thousand dollars and no cents

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

Exhibits	Title	Pages
Exhibit A	Scope of Work	3
Exhibit B	Budget Detail and Payment Provisions	1
Exhibit C *	General Terms and Conditions	04/2017
+ - Exhibit D	Special Terms and Conditions	1

Items shown with an asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.

These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources>

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

City of Rancho Cordova through the Rancho Cordova Police Department

CONTRACTOR BUSINESS ADDRESS

2729 Prospect Park Drive

CITY

Rancho Cordova

STATE

CA

ZIP

95670

PRINTED NAME OF PERSON SIGNING

Cyrus Abhar

TITLE

City Manager

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

Alcoholic Beverage Control

CONTRACTING AGENCY ADDRESS

3927 Lennane Drive, #100

CITY

Sacramento

STATE

CA

ZIP

95834

PRINTED NAME OF PERSON SIGNING

Patty Nelson

TITLE

Chief, Business Management Branch

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

EXHIBIT A SCOPE OF WORK

I. PROJECT REPRESENTATIVES

The project representatives during the term of this agreement will be:

Rancho Cordova Police Department
 Lucas Farrar
 2897 Kilgore Road
 Rancho Cordova, CA 95670
 (916) 642-5110
lfarrar@sacsheriff.com

Department of Alcoholic Beverage Control
 Diana Fouts-Guter, Grant Coordinator
 3927 Lennane Drive, Suite 100
 Sacramento, CA 95834
 (916) 928-9807
Diana.fouts-guter@abc.ca.gov

Direct all fiscal inquiries to:

Rancho Cordova Police Department
 Glirea Bell
 2897 Kilgore Road
 Rancho Cordova, CA 95670
 (916) 875-9605
gbell@sacsheriff.com

Department of Alcoholic Beverage Control
 Kristine Okino, Fiscal Grant Analyst
 3927 Lennane Drive, Suite 100
 Sacramento, CA 95834
 (916) 419-2572
Kristine.okino@abc.ca.gov

II. SCOPE OF WORK

- Contractor agrees to implement the Department of Alcoholic Beverage Control programs as listed:
 - o Minor Decoy operations
 - o Shoulder Tap operations
 - o Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) Inspections
- This agreement is for overtime compensation only.
- The project is targeted to reduce underage drinking and the resultant DUI driving injuries and fatalities, and/or property damages, reduce youth access to alcoholic beverages through the education of licensee, enforcement intervention and the impressions of omnipresence of law enforcement.
- In addition, Contractor agrees to the following goals:
 - o The operation period of the grant is October 1, 2020 through August 31, 2021.
 - o Contractor agrees to raise public awareness that selling, serving and/or furnishing alcoholic beverages to individuals under twenty-one years old is a criminal violation that will be prosecuted by local city and district attorneys.

ITEM 13.5.

- o Minor Decoy operations are designed to educate and deter licensed locations from selling/furnishing alcohol to minors. Contractor agrees to conduct Minor Decoy Operations at both "On-Sale" and "Off-Sale" licensed establishments within the operation period of the grant.
- o Shoulder Tap operations are used to detect and deter adult furnishers outside of a licensed business. Contractor agrees to conduct Shoulder Tap Operations at "Off-Sale" licensed locations to apprehend adults that are unaffiliated with the licensed businesses and who are purchasing alcohol for minors outside of the stores within the operation period of the grant.
- o Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) primary goal is to educate licensee's on alcohol related laws to help reduce alcohol-related crime in and around licensed premises. Contractor agrees to conduct visits and inspections of licensed premises identifying areas of non-compliance at "On-Sale" and "Off-Sale" licensed locations within the operation period of the grant.
- o Contractor agrees to establish and implement a coordinated effort between Contractor and ABC, and acknowledges no operations will be conducted until after the Contractor's representative has completed training conducted by ABC.
- o Contractor agrees to issue press releases as follows:
 - 1. To announce the start of the program;
 - 2. At the conclusion of each Minor Decoy Operation has been held (to announce the number of licensed premises who sold to the minor decoy)
 - 3. At the conclusion of each Shoulder Tap Operation has been held (to announce the number of adults arrested for purchasing alcoholic beverages for the decoy).
 - 4. At the conclusion of each IMPACT operation has been held
- o Contractor will fax (916) 419-2599 or email each press release to the Department's Public Information Officer (John.carr@abc.ca.gov) as soon as it is released.
- o Contractor agrees in all press releases, in addition to any credits the agency wishes to give, will include the following statement: "This project is part of the Department of Alcoholic Beverage Control's Minor Decoy/Shoulder Tap Grant Project, funded by the California Office of Traffic Safety through the National Highway Traffic Safety Administration.
- o Contractor agrees to complete and submit bi-monthly reports, on a format designed by the Department of Alcoholic Beverage Control due no later than 15 days after operations conducted:
 - On or before **January 15, 2021** (with results of operations October, November & December 2020)
 - On or before **March 15, 2021** (with results of operations January & February 2021)
 - On or before **May 15, 2021** (with results of operations March & April 2021)
 - On or before **July 15, 2021** (with results of operations May & June 2021)
 - On or before **September 15, 2021** (with results of operations July & August 2021)
- o Contractor agrees to submit an Executive Summary as part of the final report due on or before **September 15, 2021**. The summary shall contain the following:
 - 1. An evaluation statement concerning the end product and cost benefits; and a listing of recommended and/or adopted policy or procedure changes, if any, occurring as a result of the project.

2. Project personnel identifying the key personnel who worked on the project, together with their job classification, and a brief description of their contribution.
3. Problems – describe any operational or cost problems that were encountered in project implementation. If known, state alternative methods that would have avoided the problem and increased the effectiveness of the project.
4. Results – describe the results of the project in terms of meeting the original objectives as stated in the project agreement. Also, describe the results in terms of how they will be specifically applied for future improvement of the agency's continuing activities relating to alcohol problem prevention and enforcement. Where possible, describe estimated savings resulting from implementing project results.
5. Disclaimer – The final report shall include the following: *"The opinions, findings, and conclusions expressed in this publication are those of the authors and not necessarily those of the State of California, Business, Consumer Services and Housing Agency, or the Department of Alcoholic Beverage Control."*
6. Documentation – Attach any relevant documents developed. Examples are: new or revised forms, diagrams, management reports, photos, coding manuals, instructional manuals, etc.

EXHIBIT B BUDGET DETAIL AND PAYMENT PROVISIONS

I. INVOICING AND PAYMENT

- For services satisfactorily rendered and upon receipt and approval of the invoice, the Department of Alcoholic Beverage Control agrees to pay a bi-monthly payment of approved reimbursable costs per the Budget Detail of personnel overtime and benefits (actual cost).
- Invoices shall clearly reference this contract number (21-OTS-10) and must not exceed the contract total authorized amount of \$19,800.00. Invoices are to be submitted on a bi-monthly basis, on the prescribed form designed by the Department of Alcoholic Beverage Control.

Submit to: Department of Alcoholic Beverage Control
 Attn: Kristine Okino, Grants Fiscal Analyst
 3927 Lennane Drive, Suite 100
 Sacramento, California 95834

- Payment shall be made in arrears within 30 days from the receipt of an undisputed invoice.
- Contractor understands in order to be eligible for reimbursement; cost must be incurred on or after the effective date of the project, October 1, 2020 and on or before the project termination date, August 31, 2021.
- Contractor understands any other costs incurred by Contractor, other than attendance at initial training and/or personnel overtime and benefits as authorized above, in the performance of this agreement are the sole responsibility of Contractor.

II. BUDGET CONTINGENCY CLAUSE

- It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
- If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

III. PROMPT PAYMENT CLAUSE

- Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

EXHIBIT D
SPECIAL TERMS AND CONDITIONS

1. Disputes: Any disputes concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Director, Department of Alcoholic Beverage Control, or designee, who shall reduce his decision in writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Department shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the State a written appeal addressed to the Director of the Department of Alcoholic Beverage Control. The decision of the Director of Alcoholic Beverage Control or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, capricious, arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, Contractor shall proceed diligently with the performance of the contract and in accordance with the decision of the State.
2. Cancellation/Termination: This agreement may be cancelled or terminated without cause by either party by giving thirty (30) calendar days advance written notice to the other party. Such notification shall state the effective date of termination or cancellation and include any final performance and/or payment/invoicing instructions/requirements. No penalty shall accrue to either party because of contract termination.
3. Contractor Certifications: By signing this agreement, Contractor certifies compliance with the provisions of CCC 04/2017, Standard Contractor Certification Clauses. This document may be viewed at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Standard-Contract-Language>
4. If the State determines that the grant project is not achieving its goals and objectives on schedule, funding may be reduced by the State to reflect this lower level of project activity.



RANCHO CORDOVA POLICE DEPARTMENT

Kate Adams
Chief of Police

2897 Kilgore Road
Rancho Cordova, California 95670
916.875.9600 – Main
916.875.8673 – Fax
www.RanchoCordovaPD.com

September 17, 2020

Officer Robert Ranum
Rancho Cordova Police Department
2897 Kilgore Road
Rancho Cordova, California 95670

California Department of Alcoholic Beverage Control:

The City of Rancho Cordova is located in the County of Sacramento. The City of Rancho Cordova's current population is approximately 78,381. The Rancho Cordova Police Department (RCPD) is a full service agency which fully embraces the concept of community oriented policing as the manner in which it serves an incorporated community. Within the RCPD is the Problem Oriented Police (POP) team. The POP team consists of one sergeant and six sworn officers. The POP Sergeant oversees all alcoholic beverage licensing and enforcement.

The City of Rancho Cordova currently has 99 Active On-Sale Retail Licenses and 47 Active Off-Sale Retail Licenses for a total of 146 ABC Licensed Retailers. The City of Rancho Cordova is bifurcated by Folsom Boulevard. Folsom Boulevard itself is representative of the majority of licensed ABC establishments within the city. Folsom Boulevard is a 7.5 mile corridor which has historically been an area of high crime rates. The corridor accounts for approximately ten percent of the city's area and 15 percent of all reported crime. In 2019, 849 of the city's 5475 crime reports were generated in the Folsom Boulevard corridor. RCPD believes there is a nexus between over concentration of these licenses and subsequent concentration of crime within these areas. Additionally, 12 of the 36 schools (33%) are located within a half mile of Folsom Boulevard. Folsom Boulevard is a major thoroughfare which is commonly used by minors who visit the large number of retailers. Through enforcement, inspections, and education we believe a measurable reduction of alcohol related crimes can be achieved.

The Rancho Cordova Police Department fully supports deterring the illegal sale of alcohol to minors. As a way to combat this, RCPD POP officers will conduct minor decoy operations at ABC licensed retailers. POP officers will be able to identify problematic licensed alcohol retailers by having an underage decoy enter the premises in an attempt to purchase alcohol.

RCPD will also conduct shoulder tap operations with the goal of preventing minors from circumventing laws and obtaining alcohol through a person of legal age. With the assistance of press releases, shoulder tap operations will raise awareness in the community regarding to the seriousness of minors being able to obtain alcohol.

During the course of the grant, POP officers will conduct Informed Merchants Preventing Alcohol-Related Crime Tendencies (IMPACT) inspections at ABC licensed alcohol retailers. POP officers will meet with retail employees and owners in an educational approach, with a focus on voluntary

ALCOHOL BEVERAGE CONTROL

09/17/2020

Page 2 of 2

compliance. POP officers will build community relationships with the ABC retailers with the goal of increased compliance with state and local laws. POP officers will re-contact licensed retailers and conduct follow up IMPACT inspections to ensure compliance.

Crime and public nuisance problems are associated with problem alcohol retail outlets. Problem licensed alcohol retailer's outlets can become magnets for crime in our communities that, unless fixed, quickly become the norm and deteriorate the quality of life in our neighborhoods. Through the operations and inspections, POP officers will identify these retailers and enforce the crimes associated with them. The operations will limit a minor's ability to purchase and obtain alcohol and the inspections will create partnerships with our licensed alcohol retailers.

RCPD has partnered with the Sacramento County District Attorney's Office for a full time Community Prosecutor. This prosecutor is dedicated to the Rancho Cordova community and surrounding areas. The RCPD has the support of the Sacramento County District Attorney's office to conduct Shoulder Tap Operations, Minor Decoy Operations, and IMPACT inspections. The DA's office believes these types of operations will reduce criminal activity and educate businesses, individuals, and juveniles about the dangers regarding underage alcohol consumption.

The community prosecutor is very supportive of the ABC program and will ensure violations will be prosecuted. The District Attorney's Office has also implemented a Chronic Nuisance Offender (CNO) program and Serial Inebriate Program (SIP) to deal with chronic alcohol related problems. The Sacramento County District Attorney's Office has worked closely with the ABC to include alcohol related charges as qualifying offenses for both CNO and SIP.

After speaking with the RCPD communications officer, they have agreed a press release would be beneficial in many ways. A press release would show the citizens of Rancho Cordova that RCPD is making it a priority to deter underage drinking in our community. Press releases at the conclusion of each minor decoy and shoulder tap operations will deter future criminal activity around licensed ABC retailers.

With the approval of the grant, the Rancho Cordova Police Department is requesting \$20,000 which will be directed towards minor decoy operations, shoulder tap operations, and IMPACT inspections. The POP team will operate solely on paid overtime.

Sincerely,

Officer Robert Ranum
Problem Oriented Police Officer
Rancho Cordova Police Department

Name: Kate Adams
Title: Chief of Police
Date:

MEMORANDUM

ITEM 13.6.



DATE: December 7, 2020

TO: Honorable Mayor and Council Members

FROM: Kim Juran-Karageorgiou,
Administrative Services Director

SUBJECT: TREASURER'S REPORT – SEPTEMBER 30, 2020

RECOMMENDATION

This report is informational only. It is recommended that the City Council receive and file the September 30, 2020 Treasurer's Report.

RESULT OF RECOMMENDED ACTION

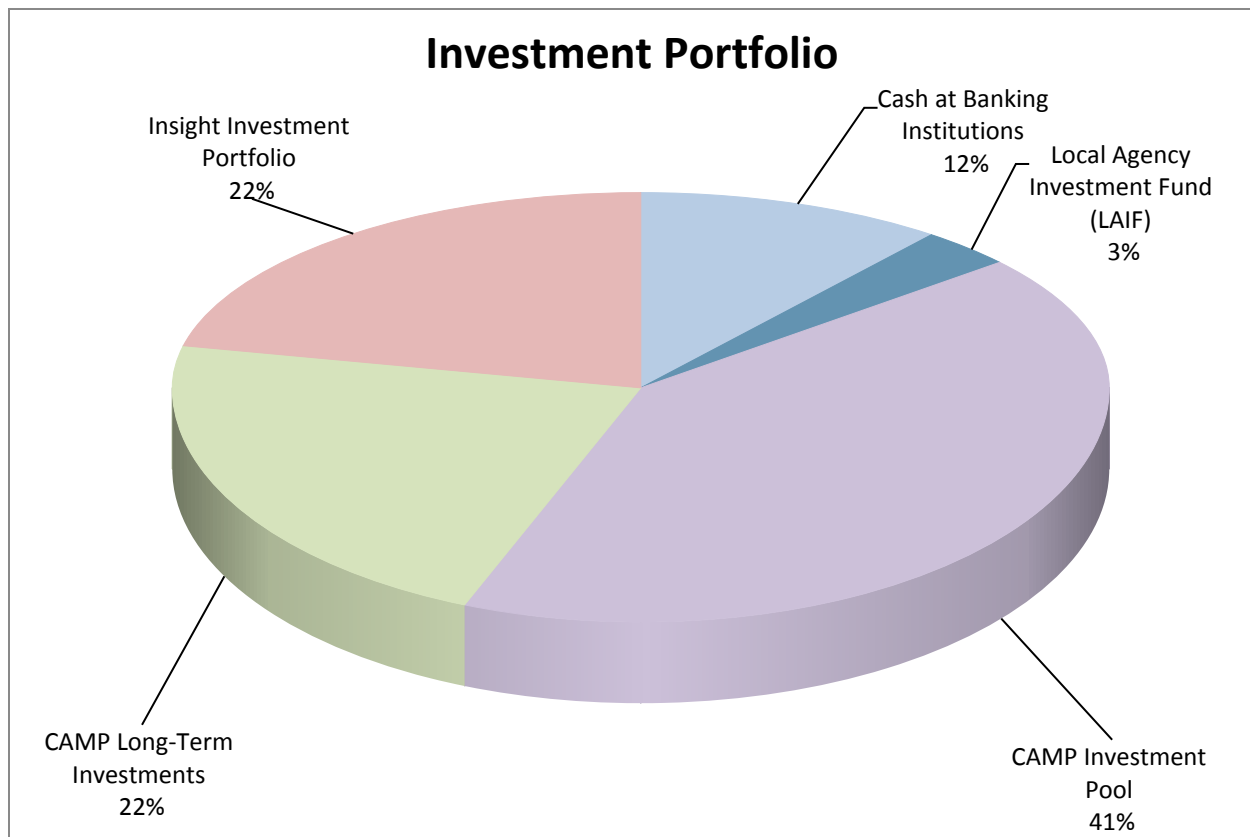
The Treasurer's Report is required to be submitted to the City Council at least quarterly in accordance with California Government Code Section 53600 et. seq. The purpose of the Treasurer's Report is to update the City Council and the public on the status of the City's cash balances and investments and highlight material changes from one period to another. The scope of this report covers the third quarter of this calendar year ending September 30, 2020 and is in compliance with the State's reporting requirements.

BACKGROUND

Attached is the quarterly Treasurer's Report for the period ending September 30, 2020. Treasurer's Reports are provided to Council on a quarterly basis.

At June 30, 2020, the value of the City's total portfolio was \$195.7 million. Since that time, the balances decreased by \$4.0 million with an ending balance of \$191.7 million as of September 30, 2020. The funds are held as follows:

Investment Distribution	Par Value	Market Value
Cash at Banking Institutions	23,172,827	23,172,827
Local Agency Investment Fund (LAIF)	6,138,538	6,138,538
CAMP Investment Pool	78,318,460	78,318,460
CAMP Long-Term Investments	40,518,892	41,725,854
Insight Investment Portfolio	45,339,487	42,373,284
Total	193,488,205	191,728,964

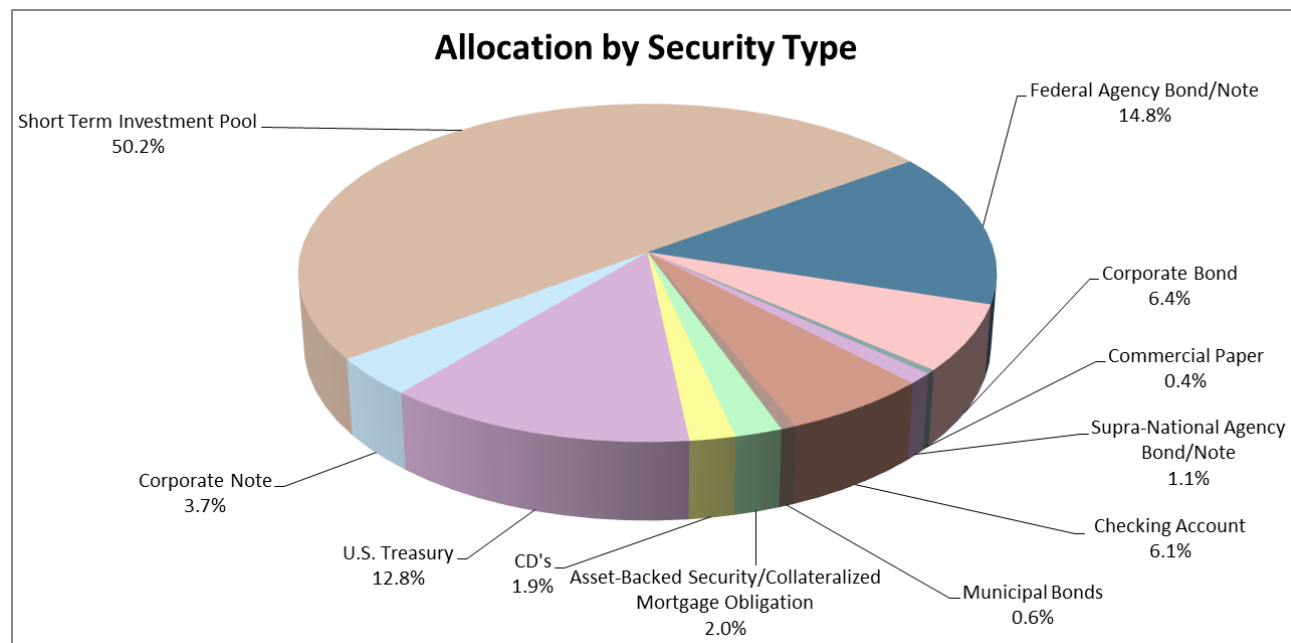
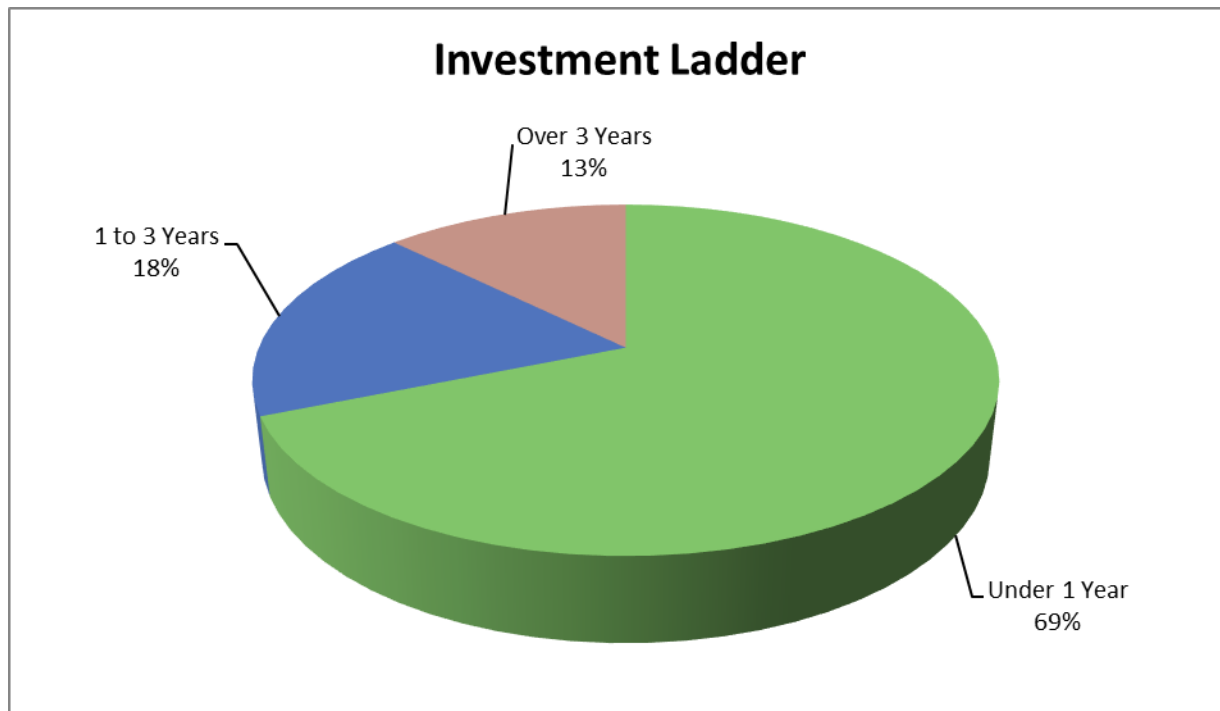


While the U.S and global economic recoveries were stronger than expected during the late second and early third quarter of 2020, the pace of recovery did start to slow towards the end of the third quarter. Due to the continuing economic uncertainty from the COVID-19 pandemic, the City held the portfolio duration in a neutral position relative to the benchmark at this time. The City also maintained a heightened focus on safety during these challenging economic times and has continued to be highly selective when evaluating new investments.

The overall portfolio is well diversified with \$85.9 million invested in marketable securities, \$84.5 million is invested in short-term investments that are considered liquid (LAIF, CAMP, and money markets), and another \$23.1 million is on deposit with our banks, which includes \$11.5 million on deposit with three local banks as part of the City's participation in the RISE program and COVID-19 Lift Program. While economic data showed some improvement over the course of the third quarter, interest rates remained well below pre-pandemic levels at the end of September. Staff, in conjunction with our financial advisors, periodically reviews the mix of liquid and long-term investments and adjusts the portfolio according to the market conditions and our short-term cash needs.

Staff thoroughly reviews investment statements and makes appropriate inquiries of its investment advisors to confirm the existence and viability of the City's assets. The City invests conservatively in investment policy options in accordance with California State Government Code. The long-term assets are in securities that can be held to maturity, thus are less vulnerable to the fluctuations of the market. All securities are in compliance with the City's investment policy. There are sufficient funds to meet the City's expenditure requirements for the next six months.

The distributions of investments are displayed in the following charts:



ATTACHMENT(S):

1. City of Rancho Cordova Treasurer's Report as of September 30, 2020

ITEM 13.6.

City of Rancho Cordova
Treasurer's Report September 30, 2020

ATTACHMENT 1

Security Held	Coupon	Par Value	Cost	Market Value
Wells Fargo Checking		11,664,311	11,664,311	11,664,311
Wells Fargo Adv Treasury Plus MMF		356,487	356,487	356,487
American River Bank	0.784	5,254,015	5,254,015	5,254,015
Five Star Bank	0.794	5,254,486	5,254,486	5,254,486
Tri Counties Bank		1,000,015	1,000,015	1,000,015
Local Agency Investment Fund (LAIF)	0.84	6,138,538	6,138,538	6,138,538
California Asset Management Program (CAMP)		78,318,460	78,318,460	78,318,460
Insight Investment Portfolio				
Bank of America Credit	2.7	700,000	709,503	706,469
Toyota Auto Receivables	2.57	5,000,000	508,181	512,984
American Honda Finance	3.15	600,000	600,099	604,506
Cisco Systems Inc	2.2	850,000	848,346	856,641
Berkshire Hathaway Inc	2.2	600,000	600,877	604,333
Citibank NA	3.4	1,000,000	1,004,695	1,023,067
Caterpillar Finl Service	3.15	1,000,000	1,004,655	1,027,174
Wells Fargo Bank NA	3.625	1,000,000	1,007,406	1,031,107
John Deere Capital Corp	2.65	593,000	597,506	610,116
Toyota Motor Credit Corp	2.6	1,000,000	1,001,008	1,029,396
American Express Credit	2.7	500,000	504,222	515,545
PNC Financial Services	3.3	750,000	763,742	779,701
Bank of America Corp	3.499	800,000	815,188	814,999
JPMorgan Chase & Co	3.25	1,000,000	1,008,018	1,056,980
Chevron Corp	3.191	1,100,000	1,133,842	1,175,510
US Bank NA Cincinnati	3.4	650,000	673,471	701,578
Apple Inc.	2.85	400,000	410,522	431,612
Federal Farm Credit Bank	2.5	1,000,000	999,867	1,008,521
Federal Farm Credit Bank	2.54	1,000,000	1,000,241	1,012,186
Federal Home Loan Bank	3.625	800,000	806,993	819,243
Federal Farm Credit Bank	1.9	900,000	902,387	911,394
Fannie Mae	2	1,000,000	996,512	1,023,839
Freddie Mac	2.375	750,000	756,734	771,649
Federal Home Loan Bank	2.5	1,000,000	1,002,320	1,033,938
Fannie Mae	2	1,000,000	993,609	1,037,076
Federal Farm Credit Bank	1.96	1,000,000	1,006,714	1,037,340
Fannie Mae	2.375	980,000	991,815	1,028,072
Federal Farm Credit Bank	2.25	840,000	848,795	880,378
Federal Home Loan Bank	2.75	1,000,000	1,009,342	1,061,792
Federal Farm Credit Bank	2.25	1,000,000	997,582	1,051,100
Freddie Mac	2.75	1,000,000	1,010,101	1,067,601
Fannie Mae	2.875	985,000	1,011,562	1,061,626
Freddie Mac	0.27	1,000,000	999,606	999,053
Federal Farm Credit Bank	2.3	1,100,000	1,116,060	1,170,065
Freddie Mac	0.5	1,000,000	1,000,000	1,000,889
Federal Farm Credit Bank	2.23	2,100,000	2,121,704	2,239,976
Federal Home Loan Bank	2.875	835,000	872,195	915,795
USA Treasury	2.25	1,000,000	999,638	1,017,695
USA Treasury	1.75	1,000,000	990,882	1,028,320
USA Treasury	1.625	1,000,000	987,499	1,028,633
USA Treasury	1.75	850,000	853,290	885,693
USA Treasury	1.375	1,000,000	990,616	1,035,625
USA Treasury	1.375	1,000,000	990,119	1,036,484

Security Held	Coupon	Par Value	Cost	Market Value
USA Treasury	2.125	1,000,000	1,015,140	1,067,734
California St	2.625	300,000	302,710	303,360
		44,983,000	40,765,309	42,016,797
CAMP Long-Term Investments				
Toyota ABS 2017-B A3	1.76	4,809	4,808	4,811
HAROT 2017-3 A3	1.79	12,462	12,461	12,483
ALLY ABS 2017-3 A3	1.75	15,147	15,147	15,154
ALLYA 2017-5 A3	1.99	40,833	40,830	40,922
FORDO 2017-C A3	2.01	136,218	136,194	136,662
TAOT 2018-A A3	2.35	69,662	69,661	70,119
ALLYA 2018-2 A3	2.92	121,640	121,618	122,884
ALLYA 2018-3 A3	3.0	189,960	189,947	192,077
HAROT 2018-4 A3	3.16	309,907	309,861	315,588
CCCIT 2018-A1 A1	2.49	350,000	349,952	352,367
VALET 2018-2 A3	3.25	272,323	272,312	277,903
COMET 2019-A2 A2	1.72	700,000	699,824	719,217
HAROT 2020-3 A3	0.37	175,000	174,974	174,945
GMALT 2020-3 A4	0.51	100,000	99,986	99,990
Swedbank (New York) Cert Depos	2.27	700,000	700,000	701,723
Royal Bank of Canada NY CD	3.24	625,000	625,000	638,299
Credit Suisse New York Cert Depos	0.52	350,000	350,000	350,299
MUFG Bank LTD/NY Cert Depos	2.98	350,000	350,000	363,408
Sumitomo Mitsui Bank NY Certs Depos	0.7	360,000	360,000	360,390
Nordea Bank ABP New York Cert Depos	1.85	400,000	400,000	411,818
Skandinav Enskilda Bank LT CD	1.86	400,000	400,000	411,894
DNB Bank ASA/NY LT CD	2.04	400,000	400,000	414,832
MUFG Bank LTD/NY Comm Paper	0	750,000	739,988	749,975
Bank of America Corp Notes	2.328	225,000	225,000	225,011
Paccar Financial Corp Note	2.05	150,000	149,987	150,302
Wal-Mart Stores Inc Corp Note	1.9	350,000	349,493	351,204
IBM Corp Corp Notes	2.65	350,000	349,829	352,867
National Rural Util Coop Note	2.9	150,000	149,834	151,801
National Rural Util Coop Note	2.9	200,000	199,154	202,402
Bank of America Corp Note	2.625	35,000	35,272	35,435
American Express Credit (Callable) Notes	2.25	500,000	502,735	504,883
Hershey Company Corp Notes	3.1	150,000	149,897	152,634
Charles Schwab Corp Notes	3.25	225,000	224,993	228,603
John Deere Capital Corp Notes	2.65	250,000	248,898	257,148
Paccar Financial Corp Note	2.85	100,000	99,912	103,556
Bank of America Corp Notes	3.499	90,000	90,000	91,566
JPMorgan Chase & Co Bonds	3.207	375,000	375,000	389,642
Caterpillar Finl Service Corporate	0.65	300,000	299,832	301,673
PNC Bank NA Corp Notes	3.5	375,000	377,670	408,146
Morgan Stanely Corp Notes	3.875	375,000	396,484	412,577
American Honda Finance Corp Note	2.4	375,000	373,140	396,083
Goldman Sachs Group Inc Bonds	3.85	375,000	392,468	411,412
BB&T Corporation Corp Bonds	2.5	375,000	375,623	398,285
Walt Disney Company	1.75	375,000	373,470	390,307
Bank of NY Mellon Corp	2.1	150,000	150,660	158,811
Toyota Motor Credit Corp	1.8	50,000	50,489	52,160
Toyota Motor Credit Corp	1.8	50,000	50,696	52,160
Toyota Motor Credit Corp	1.8	200,000	201,954	208,642
Citigroup Inc Corp Notes	3.3	300,000	332,985	330,417
Apple Inc	1.125	400,000	400,804	408,660
FHLMC Notes	1.875	700,000	699,328	701,574
FHLB Global Note	1.125	700,000	695,743	705,470
Freddie Mac Notes	0.375	400,000	399,832	401,636
Freddie Mac Notes	0.25	1,200,000	1,198,776	1,200,803

ITEM 13.6.

City of Rancho Cordova
Treasurer's Report September 30, 2020

ATTACHMENT 1

Security Held	Coupon	Par Value	Cost	Market Value
Freddie Mac Notes	0.25	365,000	365,067	365,141
Freddie Mac Notes	0.25	485,000	484,840	485,187
Federal Home Loans Bank Notes	0.5	500,000	497,520	502,283
Fannie Mae Notes	0.625	500,000	498,970	505,114
Freddie Mac Notes	0.375	500,000	497,510	498,732
Freddie Mae Notes	0.375	450,000	447,894	448,837
Federal Home Loans Bank Notes	0.375	200,000	199,400	199,967
Freddie Mac Notes	0.375	450,000	448,646	448,598
FNA 2018-M5 A2	3.56	114,395	116,671	115,180
FHLMC Series K721 A2	3.09	200,000	201,703	206,076
FHMS KP05 A	3.203	55,178	55,178	57,151
FHMS KJ27 A1	2.092	111,359	111,356	114,940
FHMS K043 A2	3.062	275,000	288,621	301,653
Inter-American Development Bank	2.125	700,000	706,488	701,204
International Finance Corporation Note	2.635	350,000	349,738	353,662
Inter-American Devel. Bank Note	2.625	215,000	214,527	217,764
Intl Bank of Reconstruction and Dev Note	2.75	750,000	748,245	765,181
CT ST TXBL GO BONS	1.998	75,000	75,000	77,805
Chaffey UHSD, CA Txbl GO Bonds	2.101	100,000	100,000	105,231
UNIV OF CAL TXBL REV BONDS	0.883	100,000	100,000	100,414
CT ST TXBL GO BONS	2	100,000	105,097	104,811
FL ST BOARD OF AMIN TXBL REV BONDS	1.258	75,000	75,530	76,138
FL ST BOARD OF AMIN TXBL REV BONDS	1.258	100,000	100,663	101,517
FL ST BOARD OF AMIN TXBL REV BONDS	1.258	200,000	200,000	203,034
MN ST TXBL GO BONDS	0.63	130,000	130,000	130,582
U.S. Treasury Notes	1.75	150,000	154,717	150,609
U.S. Treasury Notes	2	235,000	243,491	236,836
U.S. Treasury Notes	1.375	1,250,000	1,217,529	1,260,352
U.S. Treasury Notes	2	125,000	125,376	127,129
U.S. Treasury Notes	2	1,000,000	1,010,898	1,017,031
U.S. Treasury Notes	2	1,150,000	1,156,963	1,169,586
U.S. Treasury Notes	1.25	600,000	588,492	607,219
U.S. Treasury Notes	1.875	350,000	337,723	359,570
U.S. Treasury Notes	1.875	450,000	435,621	462,305
U.S. Treasury Notes	1.875	800,000	789,844	821,875
U.S. Treasury Notes	1.625	425,000	407,170	436,887
U.S. Treasury Notes	2.125	350,000	344,449	365,531
U.S. Treasury N/B Notes	1.625	550,000	545,682	571,570
U.S. Treasury N/B Notes	1.625	850,000	844,389	888,117
U.S. Treasury N/B Notes	1.625	1,000,000	1,005,742	1,044,844
U.S. Treasury N/B Notes	2	450,000	462,217	480,234
U.S. Treasury N/B Notes	2	725,000	760,315	773,711
U.S. Treasury N/B Notes	2	1,000,000	1,014,727	1,067,188
U.S. Treasury N/B Notes	2	1,550,000	1,581,363	1,654,141
U.S. Treasury N/B Notes	2	2,450,000	2,486,750	2,614,609
U.S. Treasury N/B	1.75	475,000	507,693	505,430
U.S. Treasury N/B	1.75	800,000	852,250	851,250
		40,518,892	40,734,578	41,725,854
TOTAL		193,488,205	189,486,200	191,728,964

MEMORANDUM

ITEM 14.1.

DATE: December 7, 2020

TO: Honorable Mayor and Council Members

FROM: Nicholas Sosa, Associate Planner



SUBJECT: GIANELLI'S APPLIANCE EXPANSION – NON-CONFORMING USE PERMIT - PROJECT NO. DD10004 – LOCATED AT 10853 FOLSOM BLVD

PROPERTY OWNERS:	APPLICANT/DEVELOPER:
Bryan Kwong 4030 Truxel Road, Suite D Sacramento, CA 95834	Bryan Kwong 4030 Truxel Road, Suite D Sacramento, CA 95834

PROJECT:	The Applicant is requesting a non-conforming use permit (NCUP) to re-locate Gianelli's Appliance and Repair to a larger suite within the existing Rancho Plaza Shopping Center. Although the building is a commercial retail building, the property is zoned High Density Residential (HDR) and therefore a NCUP is required for its expansion to a larger suite.
FILE:	DD10004
LOCATION:	10853 Folsom Boulevard
APN:	058-0291-003-0000
ZONING:	High Density Residential (HDR)
PLANNER:	Nicholas Sosa, Associate Planner

RECOMMENDATION

Determine the project Exempt per Sections 15301 of the CEQA Guidelines; and adopt the Resolution for the Gianelli's Appliance Expansion, Non-Conforming Use Permit (NCUP).

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would approve the NCUP to allow Gianelli's Appliance & Parts to re-locate to a larger suite within the shopping center and move forward with any additional permitting required for the re-location.

EXISTING SITE CONDITIONS

The subject property is an existing shopping center located at the intersection of Cordova Lane and Folsom Boulevard. The property currently has two commercial buildings on-site, one large commercial shopping center building and the other a small restaurant building known as Tugboat

Fish & Chips. Prior to 2013, the property was zoned Urban Reserve 1 (UR1) which encouraged residential and commercial mixed-use development. The UR1 zoning designation was no longer a designation that the City utilized and was therefore removed. In 2013, the Folsom Boulevard Specific Plan (FBSP) was reviewed and approved for multiple amendments including the rezoning of this property from its previous UR1 designation to High Density Residential (HDR). Although the property has residential zoning the commercial shopping center and restaurant are still on-site.

The existing commercial center and stand-alone restaurant, built in 1960, are a combined total of 43,379 square feet. The property includes an expansive parking area along with a large vacant lot next door. Both the shopping center and vacant lot are on the same parcel (**See Figure 1**).

Figure 1: Site Location



Surrounding Land Use:

The following Table provides the current use, General Plan/Community Plan, and zoning of the adjacent properties (**Table 1**).

Table 1: Surrounding Designations and Existing Uses

Location	Existing Use	General Plan Designation	Zoning Designation
10853 Folsom Boulevard	Rancho Plaza Shopping Center	Downtown Planning Area	High Density Residential (HDR) in FBSP
North	Single Family Dwelling Units	Low Density Residential (LDR)	Residential-5 (RD5)
East	Pep Boys/Apartments	Downtown Planning Area (DTP)	Commercial Mixed Use (CMU) in FBSP Medium Density Residential (MDR) in FBSP
South	Folsom Boulevard and Light Rail	Downtown Planning Area (DTP)	Transit (T) in FBSP

Location	Existing Use	General Plan Designation	Zoning Designation
West	Cordova Lane, Gas Station and Apartments	Downtown Planning Area (DTP)	High Density Residential (HDR) and Commercial Mixed Use (CMU) in FBSP

ANALYSIS

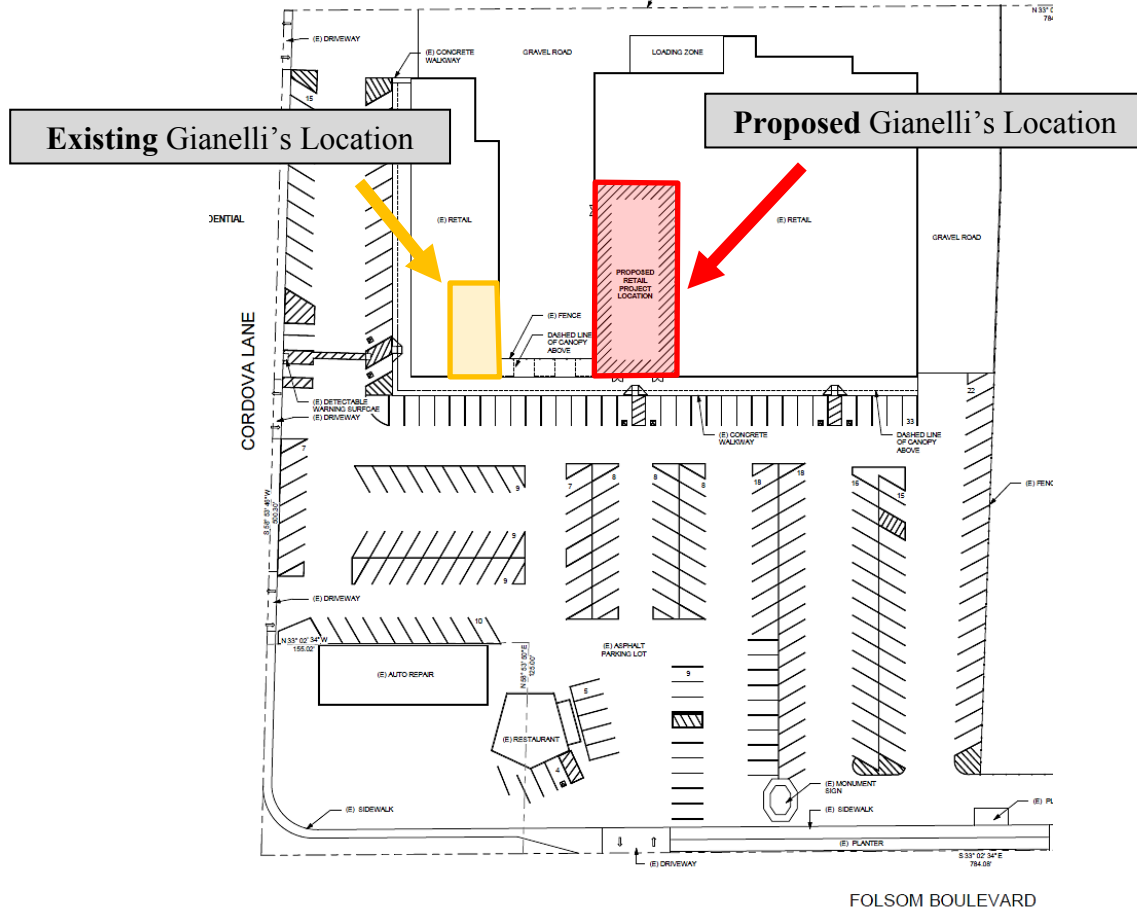
In Chapter 3 of The Folsom Boulevard Specific Plan (FBSP), the expansion or modification of a non-conforming use may be allowed subject to the nonconforming use permit procedures. These procedures include a Nonconforming Use Permit application with required findings and evidence to be reviewed by approved by City Council.

The Applicant is requesting a Non-Conforming Use Permit (NCUP) to re-locate Gianelli's Appliance & Parts Store from their existing 1,200 square foot suite at 10855 Folsom Boulevard, to a new 5,000 square foot suite located at 10853 Folsom Boulevard within the same commercial building. The project is not proposing any exterior modifications to the building at this time. Due to the HDR zoning of the property and the increased square footage, a NCUP is required before a re-location can be approved.

NON-CONFORMING USE PERMIT

Gianelli's Appliance and Parts is currently located at 10855 Folsom Boulevard. The business is located on the same parcel and within the same commercial center as their requested new location at 10853 Folsom Boulevard (**See Figure 2**).

Figure 2: 10855 Folsom Blvd. & 10853 Folsom Blvd.



Gianelli's Appliances sells new & factory certified used appliances, HVAC equipment and new parts for major brand appliances and housewares. The business also provides services for installation and repair of appliances. This business has been categorized by Staff as Retail, General. Although the business is re-locating within the same building, the new suite is approximately 3,800 square feet larger than their current location and therefore the re-location would be considered an expansion of the non-conforming use.

The Non-conforming Use Permit procedures, as described within the Folsom Boulevard Specific Plan, require that final decision of the NCUP is determined by City Council and shall be granted only when the proposal has been determined to comply with all required findings. The findings and evidence for this project are listed below.

Findings & Evidence:

The Non-Conforming Use Permit, as conditioned, adheres to the approval findings defined by the Folsom Boulevard Specific Plan, Chapter 3, Subsection (E)(6) as follows:

- A. *Finding: The establishment, maintenance, or operation of the use expansion applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or*

general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city.

Evidence: Gianelli's Appliance and Parts will continue to operate similar to its current location at 10855 Folsom Boulevard. However, the additional square footage of the expansion will allow for the business to provide more inventory to its customers and provide a larger showroom for its products. Currently the business is utilizing storage containers as additional storage in the rear of the building. Due to the residential zoning of the property, these containers cannot be allowed to remain and therefore must be removed. Should the NCUP be approved, the business will have the additional storage space indoors and the storage containers will no longer be necessary. The project has been conditioned to have the containers removed "Prior to Final Occupancy".

- B. Finding: The benefit to the public health, safety, or welfare exceeds the detriment inherent in the expansion of nonconformity.*

Evidence: The current location is approximately 1,200 square feet in size and does not provide adequate storage and showroom area for the business and its customers. In order to provide additional storage, the business has obtained storage containers in the rear of their business which is not an allowed structure/use within the property's residential zoning designation. The re-location to a larger 5,000 square foot suite would provide enough space for the business to remove the outdoor storage and bring the property into compliance. The overall building already consists of retail and commercial uses and the expansion of the nonconformity would not contribute to any additional detriment to the property or its neighbors.

- C. Finding: The modified or expanded nonconforming structure or use would not be incompatible with reasonably foreseeable uses as allowed under the applicable zoning regulations.*

Evidence: The expansion of Gianelli's Appliance would not be incompatible with the adjacent uses as the overall building is a commercial building consisting of retail and restaurant businesses. The shopping center will maintain its access from Cordova Lane and Folsom Boulevard and will also continue to provide adequate parking for all businesses on-site. The expansion of the business does not require any physical expansion of the footprint of the building and only involves the relocation of the business to a larger, already existing suite.

- D. Finding: The modified or expanded nonconforming structure or use would be consistent with the General Plan.*

Evidence: The project location is within the Downtown Planning Area of the City of Rancho Cordova General Plan. The City's intent for the Downtown Planning Area is that this location becomes a vibrant place to live, work, play, and shop. The area shows a range of commercial, office and mixed-use areas with a transit-oriented center near the intersection of Folsom and Zinfandel. Although the property is zoned High Density Residential (HDR) the requested expansion of the business would still be consistent with the mixed-use development intentions of the General Plan.

ENVIRONMENTAL

City Staff finds the project categorically exempt from further CEQA analysis per Categorical Exemption, Section 15301 "Existing Facilities". The requested Non-Conforming Use Permit involves the relocation of an existing business to an adjacent larger suite that is within the same building. No additional square footage will be added to the building and no environmental resources are within the immediate project area.

RECOMMENDED MOTIONS

Staff recommends that the City Council find the project categorically exempt from further CEQA review and adopt the Resolution approving the Non-Conforming Use Permit for the re-location and expansion of Gianelli's Appliance and Parts to a larger suite subject to the findings, project plans, (Attachment 2) and Conditions of Approval (Attachment 3).

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution – Project Plans
3. Exhibit B to the Resolution – Conditions of Approval
4. 500' Radius Map with Mailing Labels

CITY OF RANCHO CORDOVA
CITY COUNCIL RESOLUTION NO. XX-2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, APPROVING A NON-CONFORMING USE PERMIT FOR
EXPANSION OF GIANELLI'S APPLIANCE & PARTS PROJECT NO. DD10004**

WHEREAS, the property owner, Bryan Kwong, (hereinafter referred to as Applicant) filed an application with the City of Rancho Cordova for a non-conforming use permit to re-locate Gianelli's Appliance and Parts to a larger suite; and

WHEREAS, Gianelli's Appliance and Parts is currently located in a 1,200 square foot suite at 10855 Folsom Boulevard which is an existing suite in the same shopping center; and

WHEREAS, the proposed new location is a larger 5,000 square foot suite at 10853 Folsom Boulevard; and

WHEREAS, the overall property is zoned High Density Residential (HDR) and the re-location to a larger suite is considered an expansion of a currently non-conforming use and therefore would require a non-conforming use permit for the re-location; and

WHEREAS, the project is a demolition and reconstruction of an existing use and therefore was determined to be Exempt per California Environmental Quality Act Sections 15301 (Existing Facilities); and

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

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

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

1. The CEQA exemption found in California Code of Regulation Title 14, sections 15301 (Existing Facilities) is an adequate exemption according to the Guidelines of the California Environmental Quality Act.
 - A. **Finding:** The project has been analyzed and is exempt per California Environmental Quality Act Guidelines Section 15301 "Existing Facilities"
- Evidence:** The Applicant is requesting to re-locate from their existing suite to a larger suite within the same commercial building. No additional square footage will be added to the building and no environmental resources are within the immediate project area.
2. Approve the **Non-Conforming Use Permit** subject to the Conditions of Approval attached hereto as Exhibit B, and subject to the findings as defined by Zoning Code section 23.134.030 and evidence as follows:

- A. **Finding:** The establishment, maintenance, or operation of the use expansion applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city.

Evidence: Gianelli's Appliance and Parts will continue to operate similar to its current location within the shopping center. However, the additional square footage of the expansion will allow for the businesses to provide more inventory to its customers and provide a larger showroom for its products. Currently the business is utilizing storage containers as additional storage in the rear of the building. Due to the residential zoning of the property, these containers cannot be allowed to remain and therefore must be removed. Should the NCUP be approved, the business will have the additional storage space indoors and the storage containers will no longer be necessary. The project has been conditioned to have the containers removed "prior to final occupancy".

- B. **Finding:** The benefit to the public health, safety, or welfare exceeds the detriment inherent in the expansion of nonconformity.

Evidence: The current location is approximately 1,200 square feet in size and does not provide adequate storage and showroom area for the business and its customers. In order to provide additional storage, the business has obtained storage containers in the rear of their business which is not an allowed structure/use within the property's residential zoning designation. The re-location to a larger 5,000 square foot suite would provide enough space for the business to remove the outdoor storage and bring the property into compliance. The overall building already consists of retail and commercial uses and the expansion of the nonconformity would not contribute to any additional detriment to the property or its neighbors.

- C. **Finding:** The modified or expanded nonconforming structure or use would not be incompatible with reasonably foreseeable uses as allowed under the applicable zoning regulations

Evidence: The expansion of Gianelli's Appliance would not be incompatible with the adjacent uses as the overall building is a commercial building consisting of retail and restaurant businesses. The shopping center will maintain its access from Cordova Lane and Folsom Boulevard and will also continue to provide adequate parking for all businesses on-site. The expansion of the business does not require any physical expansion of the footprint of the building and only involves the relocation of the business to a larger, already existing suite.

- D. **Finding:** The modified or expanded nonconforming structure or use would be consistent with the General Plan.

Evidence: The project location is within the Downtown Planning Area of the City of Rancho Cordova General Plan. The City's intent for the Downtown Planning Area is that this location becomes a vibrant place to live, work, play, and shop. The area shows a range of commercial, office and mixed-use areas with a transit-oriented center near the intersection of Folsom and Zinfandel. Although the property is zoned High Density Residential (HDR) the requested expansion of the business would still be consistent with the mixed-use development intentions of the General Plan.

ITEM 14.1.

ATTACHMENT 1

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December, 2020 by the following vote:

AYES:

NOES:

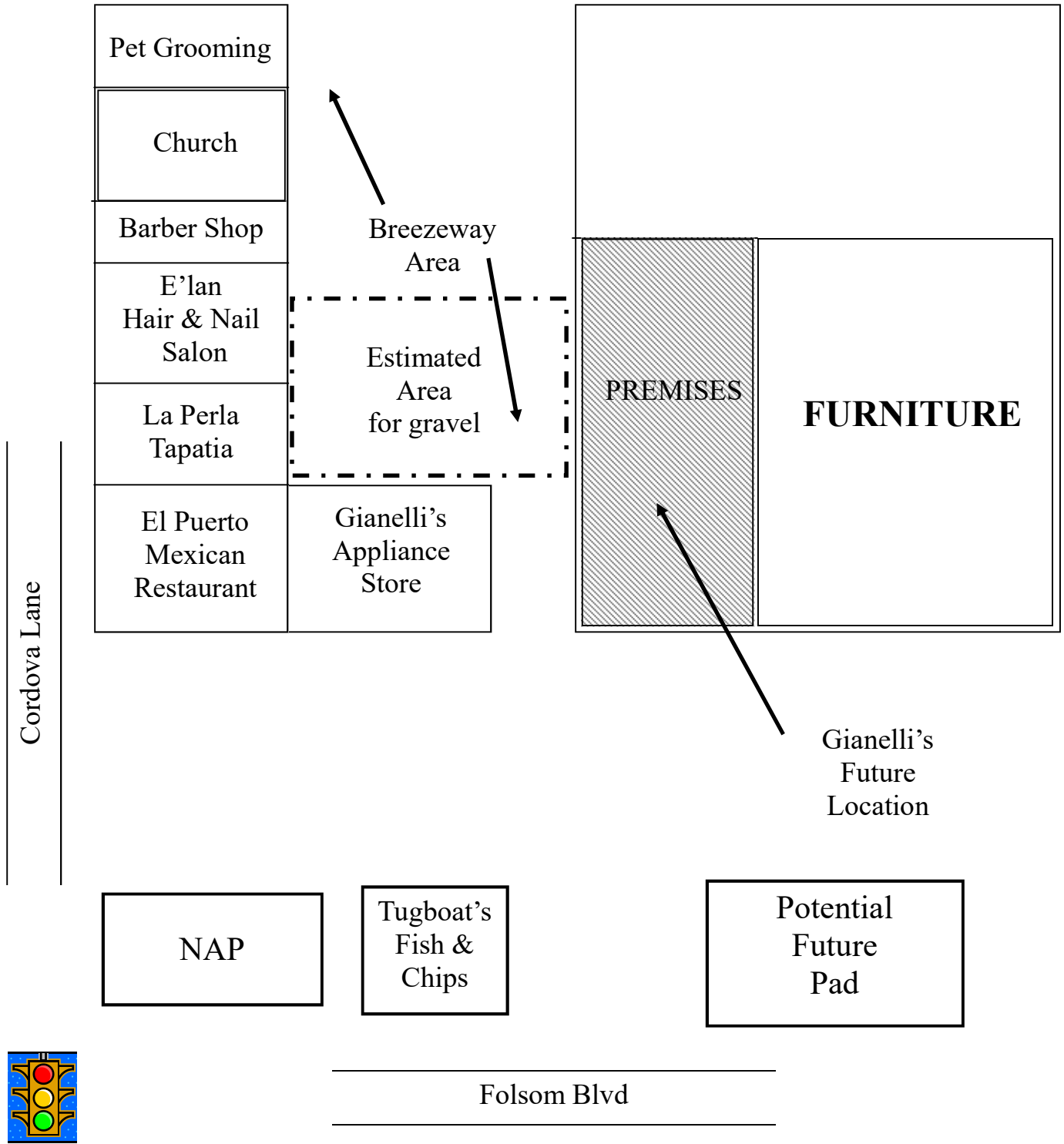
ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk



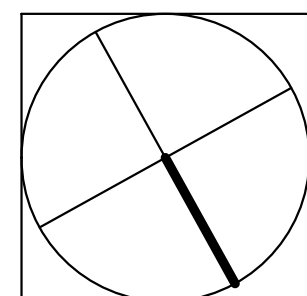
NOT TO SCALE

(E) RESIDENTIAL

CORDOVA LANE

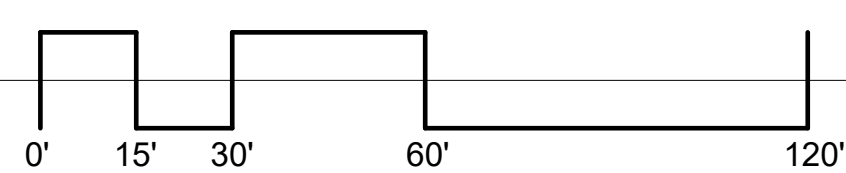
CMU

NORTH



SITE PLAN

SCALE: 1'-0" = 30'-0"



FOLSOM BOULEVARD

Preliminary Design For:

GIANELLI'S APPLIANCES & PARTS EXPANSION

10853 FOLSOM BLVD,
RANCHO CORDOVA, CA 95670

VICINITY MAP



SITE AREA:	373,745 SQ. FT. / 8.58 ACRES
AREA OF PROPOSED STORE:	5,496 SQ. FT.
(E) PARKING COUNT:	245
ZONING:	HDR

MDR

**CMU
(E) RETAIL**

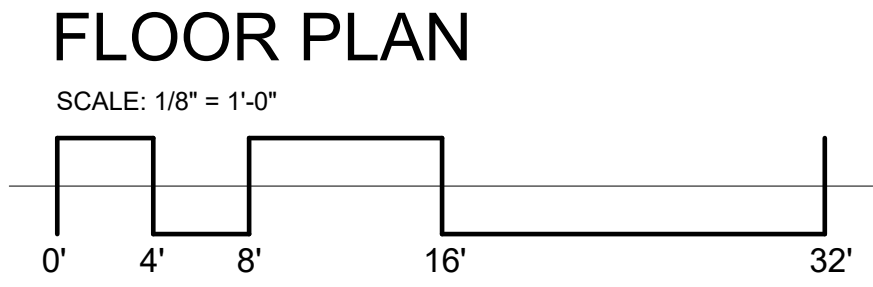
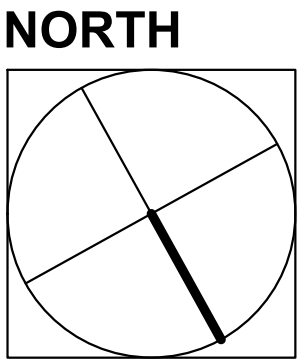
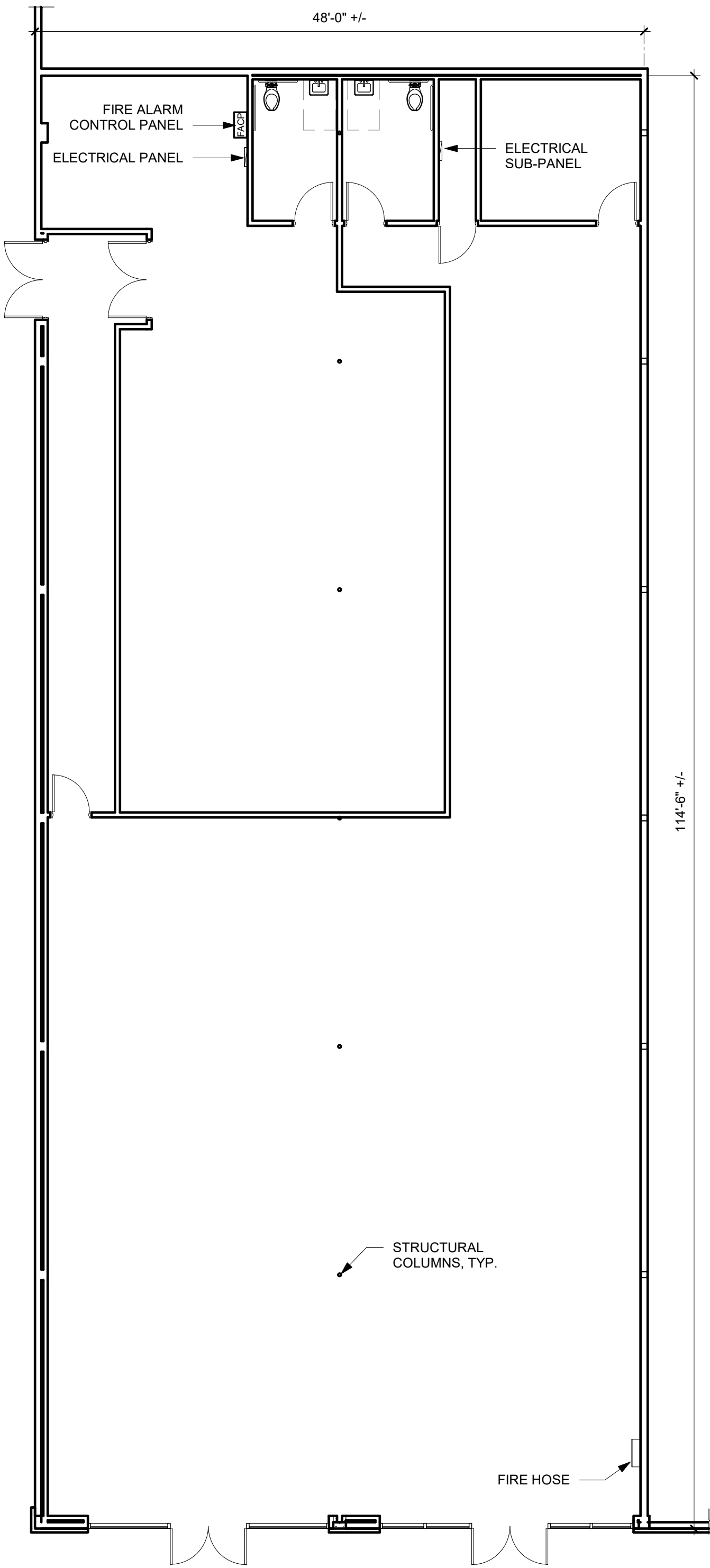
PROPERTY LINE

JJR /YA 2019197.00 03/12/20



ARCHITECTS INC.

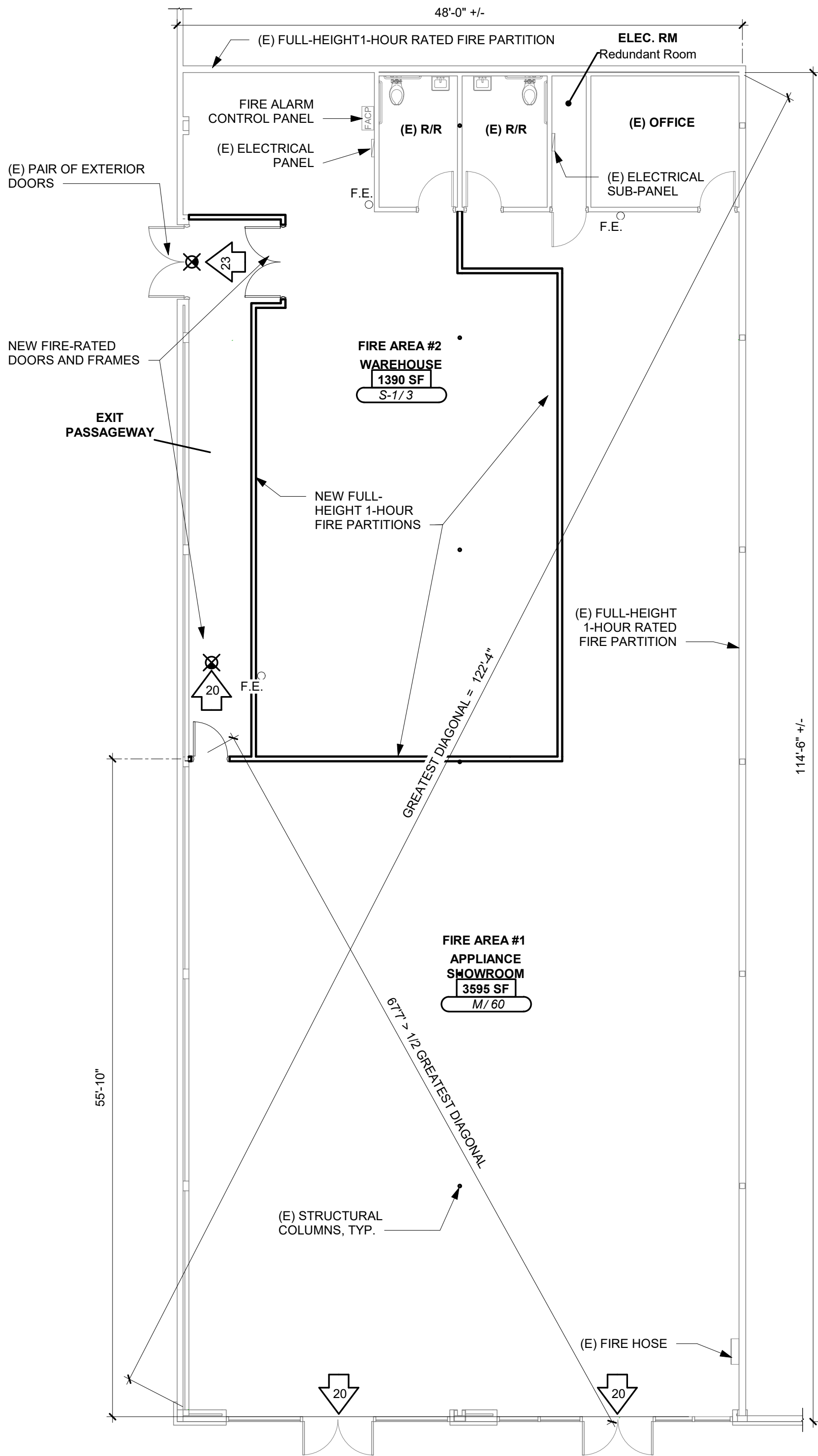
COMSTOCK JOHNSON ARCHITECTS, INC. 10520 ARMSTRONG AVENUE, MATHER, CA 95655
916.362.6303(P) 916.362.5841(F)



Preliminary Design For:
GIANELLI'S APPLIANCES & PARTS EXPANSION
10853 FOLSOM BLVD,
RANCHO CORDOVA, CA 95670

JJR /YA 2019197.00 03/10/20





(E) BUILDING CONSTRUCTION TYPE: III-B (NON-SPRINKLERED)
FIRE AREA #1: 3595 SQ. FT.
FIRE AREA #2: 1397 SQ. FT.
TOTAL OCCUPANT LOAD: 63
OF TOTAL EXITS REQUIRED: 2
OF TOTAL EXITS PROVIDED: 3

(E) MERCANTILE
OCCUPANY

NORTH

EGRESS + OCCUPANCY PLAN

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

Preliminary Design For:
GIANELLI'S APPLIANCES & PARTS EXPANSION
10853 FOLSOM BLVD,
RANCHO CORDOVA, CA 95670

ITEM 14.1.
DRAFT - Conditions of Approval

ATTACHMENT 3
Exhibit B to the Resolution

		<u>Category</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date & Signature)
General Conditions					
1.	The approved entitlement is for a non-conforming use permit (NCUP) for Gianelli's Appliance & Repair to be located at 10853 Folsom Boulevard. The existing Rancho Plaza shopping center is a commercial building however because the property is zoned High Density Residential (HDR) and the business is requesting to re-locate within the center, a NCUP is required in order to comply with the RCMC. The re-location will be as described in the City Council Staff Report dated December 7, 2020 and Exhibit A with the conditions herein, for Project No. DD10004.	Project Description	On-Going	Planning	
2.	The Applicant shall hold harmless the City, its Council Members, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or challenging the validity of any environmental or other documentation submitted by the applicant related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	General	On-Going	Planning	
3.	Any future alteration to the buildings, change in use, intensification of the site, or modification to the parking and landscaped area must be reviewed by the City to ensure compliance with all local, state, and federal regulations. Minor modifications that are found to be in substantial conformance with the approved plans such as colors, plant materials, or minor lot line adjustments, may be approved administratively. Major modifications shall be approved by the applicable decision making body.	General	On-Going	Planning/ Building /Public Works	
4.	Applicant/Developer shall not carry a negative account balance with the City for the processing of the project. If a negative account balance occurs, it will be the developer's responsibility to pay the balance due, in order to avoid delays in the processing of future permits or recordation of maps. Please email the Finance Department at billings@cityofranchocordova.org for the status of	General	On-Going	Finance	

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	your account with the City.				
5.	Signage is not approved with this permit. All signage shall comply with the City of Rancho Cordova Zoning Code and must obtain an approved sign permit from the Building and Safety Department.	Signage	On-Going	Planning/ Building	
6.	This non-conforming use permit shall expire 3 years from the date of approval, unless: A. Substantial construction of the permitted use/design has commenced and is diligently pursued to completion; clear documentation is provided to establish that the permit holder has made a good faith effort to commence work upon the use; the permitted use has clearly been established; actual occupancy of an existing building or land occurs under the terms of the permitted use. B. An extension is filed for and approved in accordance with RCMC 23.110.070 (extension of land use entitlement).	Permit Expiration	On-Going	Planning	
7.	The existing building is currently connected to public sewer. Any required construction and/or modification to the public sewer system must be to the satisfaction of SASD prior to the approval of improvement plans. SASD Design Standards and Specifications apply to any onsite and offsite public sewer construction.	Existing Sewer Connections	Ongoing	Sacramento Area Sewer District	
8.	SASD Design Standards and Specifications require minimum 6-inch lower laterals for commercial and industrial buildings. Demolishing of the building may require replacing the existing 4-inch lower lateral to a 6-inch lower lateral.	Lower Lateral Replacement	Ongoing	Sacramento Area Sewer District	
9.	The owner must contact Permit Services Unit at Permitservices@sacsewer.com or by phone at (916) 876-6100 to determine if sewer impact fees are due. Fees are to be paid prior to the issuance of building permits.	Sewer Fees	Prior to Issuance of Building Permit	SASD	

Prior to Final inspection/Certificate of Occupancy

ITEM 14.1.
DRAFT - Conditions of Approval

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Exhibit B to the Resolution

		<u>Category</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date & Signature)
10.	The applicant shall comply with the Fire conditions as follows; - Show the design for a fire access roadway of not less than 20-feet of unobstructed width, 13-feet, 6-inches of vertical clearance, and turning radii of 25 feet inside and 50 feet outside dimension on the improvement plans. The access roadway shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. <i>The use of turf-block or grass-crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways.</i> - Show the design for a minimum of 2 remote fire access roadways. Remote fire access roadways shall be spaced a distance apart that is no less than ½ the diagonal measurement of the overall project site. - Show the design for an approved fire apparatus turnaround. The fire apparatus turnaround shall conform to Sacramento Metro Fire Districts, Fire Prevention Standard #3. The fire access turn-around shall be located within 50 feet of the end of the access roadway. - Show on the plan how Fire Lanes will be marked. Fire Lane identification shall be provided along required fire access roadway. Fire Lane identification shall be in accordance with the Sacramento Metro Fire Districts Fire Prevention Standard #3 and the California Vehicle Code. Vehicle parking is prohibited on any street less than 28 feet in width. Vehicle parking is permitted on both sides of streets 36 feet or more in width. Roadway widths shall be measured between the gutter-line or edge of pavement on opposite sides of the road. Identification of fire apparatus access roadways may be required on private roads. - Provide a note on the plan that reads, "Fire apparatus access roads shall be designed and maintained to support the imposed live load of 80,000 pounds, with a maximum axle	Fire	Prior to Approval of Improvement Plans	Sac Metro Fire District/ Public Works	

ITEM 14.1.
DRAFT - Conditions of Approval

ATTACHMENT 3
Exhibit B to the Resolution

		<u>Category</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date & Signature)
	load of 31,000 pounds, and meet Public Works Standards for roadways. A report, prepared by a registered geotechnical engineer, verifying the ability of the road to bear the required minimum weight, shall be submitted with any plan indicating construction of roadway. Verification of constructed roadway shall be provided by a registered geotechnical engineer prior to final of the project.” f. Show the location of the required fire hydrants for this project on the improvement plans. Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the fire apparatus access roadway. The required fire hydrants shall be installed and operational prior to any construction or on-site storage of combustible materials. The minimum required fire flow for the protection of commercial developments is 1,500 gallons per minute (gpm) at a pressure of 20 pounds per square inch (psi) for two-hour duration.				
11.	Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than six (6) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background.	Fire	Prior to Final Inspection/ Certificate of Occupancy	Fire	
12.	Upon completion of the installation of the landscaping, the designer shall certify that the landscape complies with all city water conserving landscape requirements. Certification shall be accomplished by completion of a certificate of compliance on a form approved by the Director of the City Public Works Department. Failure to submit a complete and accurate certificate of compliance will delay final approval of the project and/or discontinue water service per RCMC 22.180.090. Upon receipt of the certificate of compliance and site inspection from City staff, the landscaping performance bond will be released.	Landscaping	Prior to Final Inspection/ Certificate of Occupancy	Planning/ Public Works	

ITEM 14.1.
DRAFT - Conditions of Approval

ATTACHMENT 3
Exhibit B to the Resolution

		<u>Category</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification</u> (date & Signature)
13.	Property Owner/Applicant must remove existing Storage Containers on site. Storage Containers cannot be allowed to remain as the property is zoned High Density Residential (HDR)	Storage Containers	Prior to Final Inspection/ Certificate of Occupancy	Planning	
14.	The Applicant shall meet the following: Architectural Plans shall be submitted <u>and</u> approved prior to Final Building Permit being issued.	Architectural Plans	Prior to Issuance of Building Permit	Sacramento Metro Fire	
15.	Where a bridge or elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17.	Access Roads	Prior to Issuance of Building Permit	Sacramento Metro Fire	

ADVISORY:

1. SACRAMENTO METRO FIRE

- a. Any gate installations shall be installed in accordance with The County Emergency Access Gates and Barriers Standard. Plan Submittal is required prior to installation.

2. SMUD

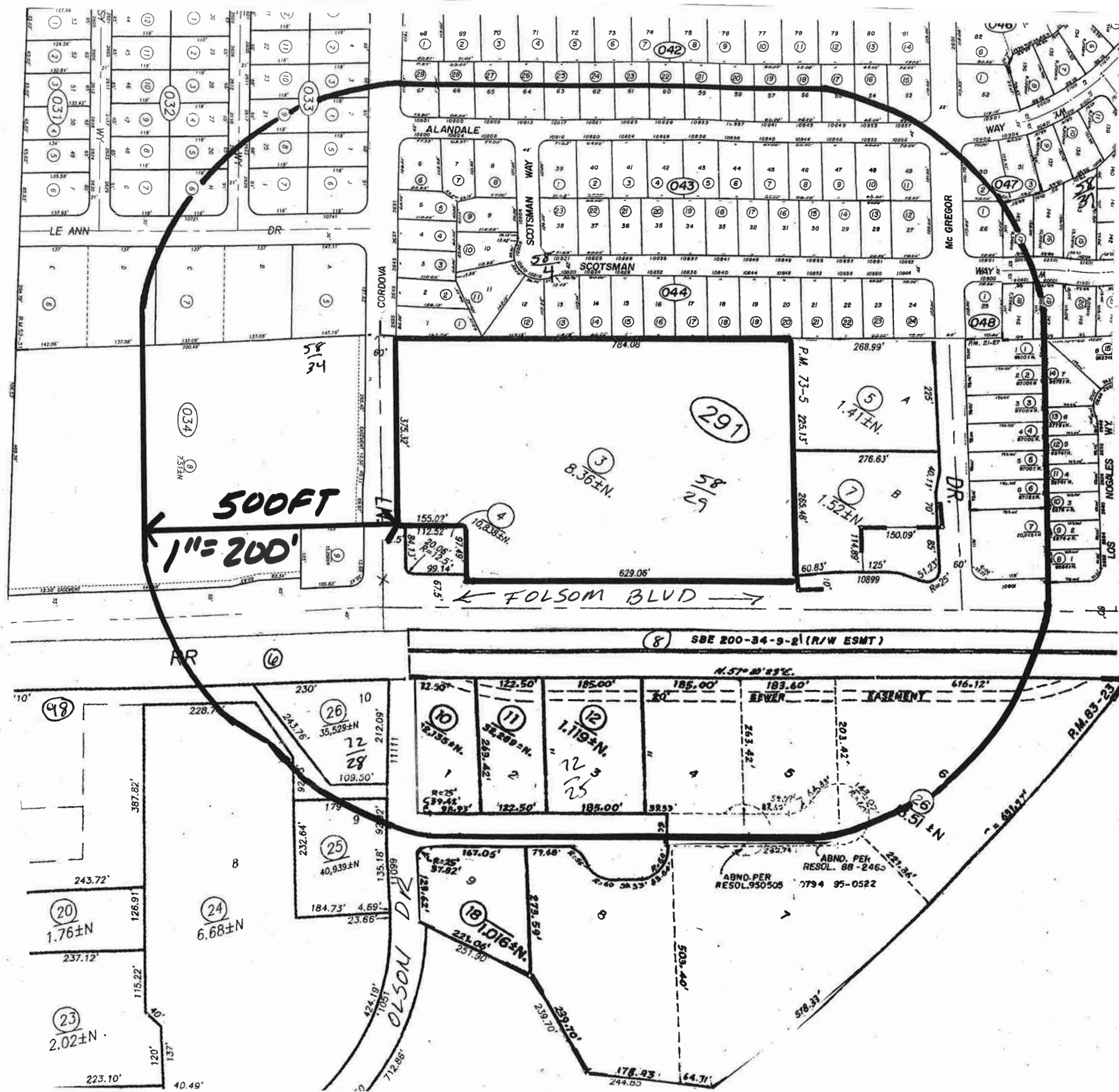
- a. SMUD has existing overhead 12kV facilities on the north side of the perimeter and the southwest corner of the parcel that will need to be remained. SMUD also has 69kV overhead lines along the south side of Folsom Boulevard and west of Cordova Lane. The Applicant shall be responsible for maintain all CalOSHA and State of California Public Utilities Commission General Order No. 95 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.
- b. SMUD has existing underground 12kV underground facilities on the parcel. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances

ITEM 14.1.
DRAFT - Conditions of Approval

ATTACHMENT 3
Exhibit B to the Resolution

during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.

- c. Structural setbacks less than 14-feet shall require the Applicant to conduct a pre-engineering meeting with all utilities to ensure property clearances are maintained.
- d. In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.
- e. SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.
- f. In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the Applicant shall dedicate a 12.5 foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City's IOD.
- g. The Applicant shall comply with SMUD siting requirement (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>



1" = 200'

058-0291-003
RICHARD A & IRENE J QUON TRUST
839 SHORE BREEZE DR
SACRAMENTO CA 95831

058-0291-003
OCCUPANT
10855 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0291-003
OCCUPANT
10873 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0032-006
RESIDENT
2630 ANGIE WAY
RANCHO CORDOVA CA 95670

058-0033-004
ZHANNA BADIKYAN
2618 CORDOVA LN
RANCHO CORDOVA CA 95670

058-0033-006
RESIDENT
10741 LE ANN DR
RANCHO CORDOVA CA 95670

058-0033-008
SAMUEL MEDRANO
2623 ANGIE WAY
RANCHO CORDOVA CA 95670

058-0034-005
DONNA M/MAURICE J FARGEN
2640 CORDOVA LN
RANCHO CORDOVA CA 95670

058-0034-005
OCCUPANT
2640 CORDOVA LN STE 102
RANCHO CORDOVA CA 95670

058-0034-005
OCCUPANT
2640 CORDOVA LN STE 120
RANCHO CORDOVA CA 95670

058-0291-003
OCCUPANT
10851 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0291-003
OCCUPANT
10857 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0032-005
JOSEPH P WALKER
2624 ANGIE WAY
RANCHO CORDOVA CA 95670

058-0032-006
RESIDENT
10721 LE ANN DR
RANCHO CORDOVA CA 95670

058-0033-005
EDWARD/HELEN ISAAC
2624 CORDOVA LN
RANCHO CORDOVA CA 95670

058-0033-007
NEIL PHILIP/ROSEMARY FLORENCE
HARTSELL
2629 ANGIE WAY
RANCHO CORDOVA CA 95670

058-0033-009
CHARLES C/JULIE L SMITH
2617 ANGIE WAY
RANCHO CORDOVA CA 95670

058-0034-005
OCCUPANT
2640 CORDOVA LN STE 102
RANCHO CORDOVA CA 95670

058-0034-005
OCCUPANT
2640 CORDOVA LN STE 102
RANCHO CORDOVA CA 95670

058-0034-006
SEPAHMANSOUR FAMILY L P
11031 WOODRING DR
MATHER CA 95655

058-0291-003
OCCUPANT
10853 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0291-003
OCCUPANT
10861 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0032-006
JOAN M ALBU 2007 TRUST
3910 RIVA RIDGE DR
FAIR OAKS CA 95628

058-0033-003
CHRISTOPHER A GONZALES
2612 CORDOVA LN
RANCHO CORDOVA CA 95670

058-0033-006
LARRY DEE WILLIAMS/SHERYL R MCFALL
2001 MARYVALE WAY
RANCHO CORDOVA CA 95670

058-0033-007
RESIDENT
10731 LE ANN DR
RANCHO CORDOVA CA 95670

058-0033-010
AUDREY D KAAKE
2611 ANGIE WAY
RANCHO CORDOVA CA 95670

058-0034-005
OCCUPANT
2640 CORDOVA LN STE 102
RANCHO CORDOVA CA 95670

058-0034-005
OCCUPANT
2640 CORDOVA LN STE 102
RANCHO CORDOVA CA 95670

058-0034-006
RESIDENT
10700 LE ANN DR APT 1
RANCHO CORDOVA CA 95670

058-0034-006
RESIDENT
10700 LE ANN DR APT 2
RANCHO CORDOVA CA 95670

058-0034-006
RESIDENT
10700 LE ANN DR APT 3
RANCHO CORDOVA CA 95670

058-0034-006
RESIDENT
10700 LE ANN DR APT 4
RANCHO CORDOVA CA 95670

058-0034-006
RESIDENT
10718 LE ANN DR APT 1
RANCHO CORDOVA CA 95670

058-0034-006
RESIDENT
10718 LE ANN DR APT 2
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058-0034-006
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058-0034-006
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058-0034-006
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10720 LE ANN DR APT 1
RANCHO CORDOVA CA 95670

058-0034-006
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10722 LE ANN DR APT 1
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058-0034-006
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10722 LE ANN DR APT 2
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10722 LE ANN DR APT 3
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058-0034-006
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10722 LE ANN DR APT 4
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058-0034-006
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10724 LE ANN DR APT 1
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058-0034-006
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058-0034-006
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10726 LE ANN DR APT 1
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058-0034-006
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10726 LE ANN DR APT 2
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058-0034-006
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RANCHO CORDOVA CA 95670

058-0034-006
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058-0034-006
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058-0034-006
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RANCHO CORDOVA CA 95670

058-0034-006
RESIDENT
10730 LE ANN DR APT 4
RANCHO CORDOVA CA 95670

058-0034-007
RESIDENT
10732 LE ANN DR APT 2
RANCHO CORDOVA CA 95670

058-0034-008
JENNIFER WILLIAMSON
550 HOWE AVE #200
SACRAMENTO CA 95825

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 203
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 206
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 209
RANCHO CORDOVA CA 95670

058-0034-008
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10833 FOLSOM BLVD APT 212
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058-0034-008
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10833 FOLSOM BLVD APT 215
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 218
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 221
RANCHO CORDOVA CA 95670

058-0034-007
CUSHARD FAMILY TRUST
77 SCRIPPS DR #200
SACRAMENTO CA 95825

058-0034-007
RESIDENT
10732 LE ANN DR APT 3
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 201
RANCHO CORDOVA CA 95670

058-0034-008
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10833 FOLSOM BLVD APT 204
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10833 FOLSOM BLVD APT 222
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058-0034-007
RESIDENT
10732 LE ANN DR APT 1
RANCHO CORDOVA CA 95670

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10732 LE ANN DR APT 4
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10833 FOLSOM BLVD APT 202
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10833 FOLSOM BLVD OFC
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10833 FOLSOM BLVD APT 301
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10833 FOLSOM BLVD APT 130
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 131
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 132
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 133
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 134
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 135
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 136
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 137
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 138
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 139
RANCHO CORDOVA CA 95670

058-0034-008
RESIDENT
10833 FOLSOM BLVD APT 140
RANCHO CORDOVA CA 95670

058-0042-015
GLENN E & WILDA H RICKARD TRUST
10857 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-017
RESIDENT
10849 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-020
DEBRA L TURNER
PO BOX 1571
RANCHO CORDOVA CA 95741

058-0042-022
RICHARD TERZAGHI
10829 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-025
DONALD L PARK
10817 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-028
YELENA TOVMASYAN
12321 MONTAUK WAY
RANCHO CORDOVA CA 95742

058-0043-001
DAVID/JEAN HATFIELD
PO BOX 325
RANCHO CORDOVA CA 95741

058-0043-003
WENDE J PHILLIPS
10824 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0043-005
RESIDENT
10832 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0034-009
IN JE/OK HEE SUNG
7955 CARMENCITA AVE
SACRAMENTO CA 95829

058-0042-016
ANA BERTHA GODINEZ
10853 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-018
ROBERT B/TANYA ANN BANACH WELLS
10845 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-020
RESIDENT
10837 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-023
ROBERT/THERESA UECKER
10825 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-026
FREDDIE L BRAY
10813 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-028
RESIDENT
10805 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0043-001
RESIDENT
10816 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0043-004
LEVI D MILLER/CRYSTAL J BRITTON
10828 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0043-006
ROSLYN J HYDE REVOCABLE TRUST
10836 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0034-009
OCCUPANT
10847 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0042-017
HRONEC FAMILY LIVING TRUST
136 CANYON RIM DR
FOLSOM CA 95630

058-0042-019
JACK MONTES/KARINA R SUAREZ
10841 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-021
GREGORY FAMILY REVOCABLE 2001
TRUST
10833 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-024
JESSIE W/LUCIANA D KIMBRIEL
10821 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-027
WILLIS BOYD JENSEN
10809 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0042-029
CHRISTOPHER A FORDHAM
10801 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0043-002
JANIS/LEE LATONA
10820 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0043-005
TIMOTHY O MALIEPAARD 2003
REVOCABLE TRUST
11841 PYXIS CIR
RANCHO CORDOVA CA 95742

058-0043-007
JON R/ROSALIND ANNE STURTZ
10840 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0043-008
 JACK/PATRICIA SANDERSON
 10844 ALANDALE WAY
 RANCHO CORDOVA CA 95670

058-0043-011
 JAMES T & GLENDA F CHASTAIN JOINT
 LIVING TRUST
 10856 ALANDALE WAY
 RANCHO CORDOVA CA 95670

058-0044-017
 RESIDENT
 10836 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-015
 JUAN A ZARAGOZA ALVAREZ
 10853 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-017
 RESIDENT
 10845 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-020
 DERRICK/NHUNG KELLY
 8604 WINDING WAY
 FAIR OAKS CA 95628

058-0043-022
 GLENDA O LLOYD/SANDRA J LYONS
 10825 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0044-002
 FERMIN/JOSEPHINE LUKBAN
 2649 CORDOVA LN
 RANCHO CORDOVA CA 95670

058-0044-004
 RESIDENT
 2637 CORDOVA LN
 RANCHO CORDOVA CA 95670

058-0044-006
 EVELYN M HARTHUN
 10800 ALANDALE WAY
 RANCHO CORDOVA CA 95670

058-0043-009
 MARGARET T KOZLAK TRUST
 10848 ALANDALE WAY
 RANCHO CORDOVA CA 95670

058-0043-012/0044-017
 DERRICK & NHUNG KELLY LIVING TRUST
 8604 WINDING WAY
 FAIR OAKS CA 95628

058-0043-013
 DULCE M CHRISTENSEN/RENE A SANCHEZ
 10861 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-016
 LEON J/KATIE A BAPTIST
 10849 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-018
 KENNETH W/ROBERT W DUNBAR
 10841 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-020
 RESIDENT
 10833 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-023
 TREVOR J/NADIA A SMITH
 10821 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0044-003
 ANTHONY A/CYNTHIA C GAGNON
 2643 CORDOVA LN
 RANCHO CORDOVA CA 95670

058-0044-005
 LGC PROPS 3 LLC
 8266 W ZAYANTE RD
 FELTON CA 95018

058-0044-007
 MERRELL & MAGGIE BISHOP REVOCABLE
 TRUST
 8508 BERRY RD
 WILTON CA 95693

058-0043-010
 ERIKA M GRANADOS REVOCABLE TRUST
 10852 ALANDALE WAY
 RANCHO CORDOVA CA 95670

058-0043-012
 RESIDENT
 10865 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-014
 HECKMAN 2018 REVOCABLE TRUST
 10857 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-017
 TODD/TIFFANY GUERIN
 217 MASTICK AVE
 SAN BRUNO CA 94066

058-0043-019
 MICHELLE R BRYANT
 10837 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0043-021
 EUGENE & PATRICIA WEEKES FAMILY
 TRUST
 10829 SCOTSMAN WAY
 RANCHO CORDOVA CA 95670

058-0044-001
 SUNNY JEON
 2655 CORDOVA LN
 RANCHO CORDOVA CA 95670

058-0044-004
 DAVID & MARIA SHARP DECLARATION OF
 TRUST
 10640 VALLEY VIEW DR
 RANCHO CORDOVA CA 95670

058-0044-005
 RESIDENT
 2631 CORDOVA LN
 RANCHO CORDOVA CA 95670

058-0044-007
 RESIDENT
 10804 ALANDALE WAY
 RANCHO CORDOVA CA 95670

058-0044-008
SEMEN/VLADIMIR PETROSYAN
10808 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0044-009
VERNON R/CATHY S HUNT
10804 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-010
ARTHUR L REED
10808 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-011
ANDREY/MARINA ZIMINA
10812 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-012
RUSSELL G THOMAS LIVING TRUST
10816 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-013
URBAN REVOCABLE LIVING TRUST
10820 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-014
CARLOS D RUECKERT
10824 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-015
BIGTIME HOUSING LLC
8398 ELK GROVE BLVD #1-304
ELK GROVE CA 95624

058-0044-015
RESIDENT
10828 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-016
CAITLIN M BARTH
10832 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-018
HERBERT DOUGLAS AREVALO
10840 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-019
LESLIE K JENSON
10844 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-020
EMILY R EAGLE
10848 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-021
PATRICIA HUNNINGTON
10852 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-022
DANIEL MCPEAK JR TRUST
12647 EVANSTON WAY
RANCHO CORDOVA CA 95742

058-0044-022
RESIDENT
10856 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-023
VICTOR & CORLE MITCHELL TRUST
10860 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0044-024
LEATRICE V MILLETT REVOCABLE TRUST
PO BOX 308
ROCKLIN CA 95677

058-0044-024
RESIDENT
10864 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0047-001
HUNTER & OWEN HOWLETT FAMILY
TRUST
2421 N ST
SACRAMENTO CA 95816

058-0047-001
RESIDENT
10901 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0047-002
HOWARD JOHN/MARILYN J BENNETT
10900 ALANDALE WAY
RANCHO CORDOVA CA 95670

058-0048-001
TACHERA TRUST
10900 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0291-004
KOGOS FAMILY TRUST
6003 HELVA LN
CARMICHAEL CA 95608

058-0291-004
OCCUPANT
10849 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0291-005
DIAKONIA HOUSING I INC
911 N STUDEBAKER RD
LONG BEACH CA 90815

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 1
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 2
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 3
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 4
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 5
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 8
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 11
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 14
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 17
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 20
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 23
RANCHO CORDOVA CA 95670

058-0291-007
BOYS MANNY MOE PEP
3111 W ALLEGHENY AVE
PHILADELPHIA PA 19132

058-0370-018
JEFFREY C/SHARON D BLACK
10904 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0420-001
RONALD CENICEROS
2643 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 6
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 9
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 12
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 15
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 18
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 21
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 24
RANCHO CORDOVA CA 95670

058-0291-007
OCCUPANT
10899 FOLSOM BLVD
RANCHO CORDOVA CA 95670

058-0370-019
2017 1 IH BORROWER LP
1717 MAIN ST #2000
DALLAS TX 75201

058-0420-001
RESIDENT
2645 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 7
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 10
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 13
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 16
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 19
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 22
RANCHO CORDOVA CA 95670

058-0291-005
RESIDENT
2654 MCGREGOR DR APT 25
RANCHO CORDOVA CA 95670

058-0370-017
WAYNE/MADELINE M PARHAM
10905 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0370-019
RESIDENT
10908 SCOTSMAN WAY
RANCHO CORDOVA CA 95670

058-0420-002
SUM H NGUYEN BYPASS TRUST
177 BLACK MOUNTAIN CIR
FREMONT CA 94536

058-0420-002
RESIDENT
2647 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-003
RESIDENT
2651 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-004
RESIDENT
2655 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-005
RESIDENT
2659 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-006
RESIDENT
2663 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-007
RESIDENT
10901 FOLSOM BLVD STE A
RANCHO CORDOVA CA 95670

058-0420-007
RESIDENT
10901 FOLSOM BLVD STE D
RANCHO CORDOVA CA 95670

058-0420-008
RESIDENT
2668 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-009
RESIDENT
2664 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-010
RESIDENT
2662 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-002
RESIDENT
2649 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-003
RESIDENT
2653 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-004
RESIDENT
2657 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-005
RESIDENT
2661 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-006
RESIDENT
2665 MCGREGOR DR
RANCHO CORDOVA CA 95670

058-0420-007
RESIDENT
10901 FOLSOM BLVD STE B
RANCHO CORDOVA CA 95670

058-0420-007
RESIDENT
10901 FOLSOM BLVD STE F
RANCHO CORDOVA CA 95670

058-0420-008
RESIDENT
2670 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-009
RESIDENT
2666 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-011
IRINA PROSHAK
2421 GWEN DR
SACRAMENTO CA 95825

058-0420-003
DOUGLAS W GLOVER & MELANIE K HALE
4605 BENTON WAY
SHINGLE SPRINGS CA 95682

058-0420-004
AGNES B/WILLIAM L FRANZWA
21 CYPRESS POINT CT
ALAMO CA 94507

058-0420-005
VITALIY/SVETLANA LEVKOVICH
320 CRANBROOK CT
CAMERON PARK CA 95682

058-0420-006
DIONISIO/BENJAMIN PATRICK GOMEZ
MELGOZA
687 SIMPSON ST
SANTA ROSA CA 95401

058-0420-007
A & S FAMILY PROPERTIES LLC
3618 OMEC CIR
RANCHO CORDOVA CA 95742

058-0420-007
RESIDENT
10901 FOLSOM BLVD STE C
RANCHO CORDOVA CA 95670

058-0420-008
PRADEEP/HARVINDER SHERGILL
4506 CARMEN DR
EL DORADO HILLS CA 95762

058-0420-009,010
BLASQUEZ FAMILY TRUST
14019 SKI SLOPE WAY
TRUCKEE CA 96161

058-0420-010
RESIDENT
2660 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-011
RESIDENT
2656 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-011
RESIDENT
2658 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-012
RESIDENT
2654 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-013
RESIDENT
2650 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-014
RESIDENT
2646 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-015
RESIDENT
2642 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

072-0250-018
BETH/FRED BURGER SURVIVORS TRUST
5486 CALLE REAL #B-116
SANTA BARBARA CA 93111

072-0280-024,099
KOREANA DEVELOPMENT ASSOCIATES
LLC
2370 TELEGRAPH AVE
OAKLAND CA 94612

072-0280-099
OCCUPANT
10947 OLSON DR STE 402
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10947 OLSON DR STE 407
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10947 OLSON DR STE 410
RANCHO CORDOVA CA 95670

058-0420-012
PAMELA A HILLMON
4143 BROOKFIELD DR
SACRAMENTO CA 95823

058-0420-013
LEE FAMILY TRUST
12030 MADI LN
HERALD CA 95638

058-0420-014
SONIA HELBANO SMOTHERS
5128 WESTBURY CIR
GRANITE BAY CA 95746

058-0420-015
VLADIMIR/ANHELINA PATSULA
2636 ZUIDER ZEE CIR
ELVERTA CA 95626

072-0250-008/0280-006
TRANSPORTATION CORR JOINT POWERS
AUTHO SAC-PLCRVLE
PO BOX 2110
SACRAMENTO CA 95812

072-0250-018
OCCUPANT
11088 OLSON DR
RANCHO CORDOVA CA 95670

072-0280-024
OCCUPANT
11051 OLSON DR
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10947 OLSON DR STE 403
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10947 OLSON DR STE 408
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10947 OLSON DR STE 411
RANCHO CORDOVA CA 95670

058-0420-012
RESIDENT
2652 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-013
RESIDENT
2648 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-014
RESIDENT
2644 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

058-0420-015
RESIDENT
2640 LOS NOGALES WAY
RANCHO CORDOVA CA 95670

072-0250-010-012
UNITED STATES POSTAL SERVICE
850 CHERRY AVE
SAN BRUNO CA 94066

072-0250-026
RIVER CITY CHRISTIAN
10933 PROGRESS CT
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10947 OLSON DR STE 401
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10947 OLSON DR STE 406
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10947 OLSON DR STE 409
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10971 OLSON DR
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10981 OLSON DR #201
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10981 OLSON DR #204
RANCHO CORDOVA CA 95670

072-0280-025
KENLEY LINDA LLC
3140 GOLD CAMP DR #150
RANCHO CORDOVA CA 95670

072-0280-026
FIRSTAR BANK
2800 E LAKE ST
MINNEAPOLIS MN 55406

072-0280-099
OCCUPANT
10981 OLSON DR #202
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10981 OLSON DR #205
RANCHO CORDOVA CA 95670

072-0280-025
OCCUPANT
11099 OLSON DR STE 1
RANCHO CORDOVA CA 95670

072-0280-026
OCCUPANT
11111 OLSON DR
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10981 OLSON DR #203
RANCHO CORDOVA CA 95670

072-0280-099
OCCUPANT
10995 OLSON DR
RANCHO CORDOVA CA 95670

072-0280-025
OCCUPANT
11099 OLSON DR STE 3
RANCHO CORDOVA CA 95670

ITEM 14.1.

SACRAMENTO SANITATION DISTRICT
10060 GOETHE ROAD
SACRAMENTO CA 95827

PG&E
2730 GATEWAY OAKS DRIVE
SACRAMENTO CA 95833

SMUD
6301 S STREET MS B304
SACRAMENTO CA 95817

FOLSOM CORDOVA UNIFIED SCHOOL
DISTRICT
1965 BIRKMNT DRIVE
RANCHO CORDOVA CA 95742

SACRAMENTO REGIONAL COUNTY
SANITATION DISTRICT
10060 GOETHE ROAD
SACRAMENTO CA 95827

PG&E
343 SACRAMENTO STREET
AUBURN CA 95603

SMUD
6301 S STREET MS B404
SACRAMENTO CA 95817

GOLDEN STATE WATER
3005 GOLD CANAL DRIVE
RANCHO CORDOVA CA 95670

ATTACHMENT 4

SACRAMENTO COUNTY WATER
AGENCY
10151 FLORIN ROAD
SACRAMENTO CA 95829

SMUD
6301 S STREET MS B304
SACRAMENTO CA 95817

SACRAMENTO METROPOLITAN FIRE
10545 ARMSTRONG AVE STE 310
MATHER CA 95655

CITY OF RANCHO CORDOVA
2729 PROSPECT PARK DR
RANCHO CORDOVA CA 95670

MEMORANDUM



ITEM 14.2.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Adam Lindgren, City Attorney
Trevor Taniguchi, Deputy City Attorney
SUBJECT: AN ORDINANCE DECRIMINALIZING MINOR PURCHASE OF TOBACCO

RECOMMENDATION

Waive first reading and introduce Ordinance.

RESULT OF RECOMMENDED ACTION

Upon approval, the Ordinance will return to Council for a second reading and adoption.

BACKGROUND

This item is based upon several previous discussions of the Council pertaining to tobacco sales and use within the City. At the direction of Council, staff prepared this Ordinance which removes Section 6.86.110 "Purchase of tobacco products by minors" from the Rancho Cordova Municipal Code.

ANALYSIS

In 2016, Governor Brown signed into law SBX2 7 (Hernandez), which increased the minimum legal age to purchase or consume tobacco and tobacco products to 21 years of age, exempting active duty military members 18 years of age and older. Additionally, the law removed criminal penalties for those under 21 years of age that are found to be in possession of tobacco and tobacco products.

The City's current Municipal Code provisions regarding tobacco youth purchase were carried over from the Sacramento County Code when the City incorporated in 2003. Currently Rancho Cordova Municipal Code section 6.86.110 states that, "It shall be unlawful and an infraction for any minor under the age of 18 years to purchase a tobacco product within the city of Rancho Cordova."

Given that state law has decriminalized minor possession of tobacco, and after significant discussion with members of the community, the Council decided to direct staff to decriminalize minor purchase of tobacco within the City. This direction was given with the understanding that the City would continue to utilize a variety of measures to combat the sale and use of tobacco and tobacco products to minors.

FISCAL IMPACT AND FUNDING SOURCE

There is no fiscal impact from this Ordinance.

ATTACHMENT(S)

1. Ordinance

CITY OF RANCHO CORDOVA

ORDINANCE NO. XX-2020

**AN ORDINANCE OF THE RANCHO CORDOVA CITY COUNCIL ELIMINATING
SECTION 6.86.110 FROM THE RANCHO CORDOVA MUNICIPAL CODE
REGARDING THE PURCHASE OF TOBACCO BY MINORS**

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

Section 1. Findings. This Ordinance is adopted pursuant to the following findings:

1. In 2016, the State of California enacted legislation which raised the minimum legal age to purchase and consume tobacco products to 21 years of age, except for active duty military members 18 years of age or older.
2. Additionally, the legislation deleted penalty provisions for those under the age of 21 found in possession of tobacco products.
3. The City believes state restrictions regarding the purchase and possession of tobacco products by minors sufficiently addresses the needs of the City. The City reaffirms its commitment to continue to take various proactive measures to prevent the sale and consumption of tobacco and tobacco products by minors.

Section 2. Amendment of Code. Section 6.86.110 "Purchase of tobacco products by minors prohibited" of the Rancho Cordova Municipal Code is hereby deleted and removed in its entirety.

Section 3. CEQA. Approval of the amendments in this Ordinance is exempt from further environmental review under the general rule in California Environmental Quality Act ("CEQA") Guidelines section 15061(b)(3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that this Ordinance will have a significant effect on the environment.

Section 4. Severability. If any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid or unenforceable.

Section 5. Effective Date. 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 adoption.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the ____ day of _____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 14.3.

DATE: December 7, 2020

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director
Byron Tang, Senior Civil Engineer

SUBJECT: **AN ORDINANCE AMENDING SECTIONS 10.50.010 AND 10.50.020 OF THE RANCHO CORDOVA MUNICIPAL CODE TO ESTABLISH RADAR ENFORCEABLE SPEED LIMITS ON THE ROADS LISTED IN THE ORDINANCE**

RECOMMENDATION

Waive first reading and introduce the Ordinance.

RESULT OF RECOMMENDED ACTION

Adoption of the Ordinance will allow the City of Rancho Cordova to establish radar enforceable speed limits on the roads listed in the Ordinance.

BACKGROUND

State law establishes the process for setting speed limits for roadways in California. The California Vehicle Code (CVC) and the California Manual on Uniform Traffic Control Devices (CAMUTCD) contain guidelines and processes to make speed limits radar enforceable by law enforcement agencies. Certain roadways are assigned speed limits by default in CVC, including 15 MPH in alleys, 25 MPH in residential and business districts, and 55 MPH on two-lane highways. These speed limits do not require additional analysis to be radar enforceable because they are established in the CVC.

To establish radar enforceable speed limits other than the default speed limits in the CVC, local jurisdictions must conduct and approve Engineering and Traffic Surveys (ETS) every five years. An ETS establishes speed limits on specific roadways based upon two factors, including 1) the measured 85th percentile speed (that speed at which 85% of the traffic is traveling at or below), and 2) whether or not conditions are readily apparent to motorists.

In the interest of public safety and to comply with the requirements of the CVC, staff has completed ETS to determine the appropriate speed limits for specific roads nearing the end of

the five-year cycle. A summary of the speed surveys is shown in Attachment 2.

This update will not change any existing speed limit. The boundary limits for Rancho Cordova Parkway will be extended to the new intersection at Douglas Road corresponding with recent roadway expansion.

FISCAL IMPACT AND FUNDING SOURCE

The Ordinance has no impact on the General Fund.

ATTACHMENT(S)

1. Ordinance
2. List of Streets Surveyed

CITY OF RANCHO CORDOVA

ORDINANCE NO. XX-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AMENDING SECTIONS 10.50.010 AND 10.50.020 OF CHAPTER 10.50 OF TITLE 10 OF THE RANCHO CORDOVA MUNICIPAL CODE REGARDING REDUCED SPEED LIMITS ON SPECIFIC STREETS

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

Section 1. Purpose and Declarations.

WHEREAS, California Vehicle Code Section 22358 authorizes the City of Rancho Cordova ("City") to determine and declare by ordinance a prima facie speed limit less than the speed limit set forth in Vehicle Code Section 22349 if the City determines upon the basis of an engineering and traffic survey that the speed limit set forth in Vehicle Code Section 22349 is more than is reasonable or safe upon any portion of any street other than a state highway where the speed limit set forth in Vehicle Code Section 22349 is applicable; and

WHEREAS, an engineering and traffic survey ("Survey") was conducted by the City; and

WHEREAS, the Survey established speed limits for certain City streets, as set forth in Section 3; and

WHEREAS, the City Council has determined that the speed limits set forth in the Survey are most appropriate to facilitate the orderly movement of traffic within the City and are reasonable and safe; and

WHEREAS, this ordinance would modify Rancho Cordova Municipal Code section 10.50.010 and 10.50.020 by establishing speed limits for certain City streets, based upon the results of the Survey.

Section 2. Amendment of Code. Section 10.50.010 of Chapter 10.50 of Title 10 of the Rancho Cordova Municipal Code is hereby amended to read as follows:

10.50.010 Determination and declaration of prima facie speed limits.

The City Council approves and adopts the engineering and traffic surveys dated November 9, 2020, prepared by the city, for the streets and portions thereof set forth therein, copies of which are on file and available for public inspection in the offices of the city clerk. The city council finds and determines that the surveys were conducted in accordance with the Vehicle Code and methods of conducting engineering and traffic surveys prescribed in the California Department of Transportation and that the survey justifies the speed limits recommended for the streets and portions of streets therein described. The city council declares these speed limits as prima facie speed limits for the streets or portions thereof, which limits shall be effective when appropriate signs giving notice thereof are erected upon the streets or portions thereof.

Section 3. Amendment of Code. Section 10.50.020 of Chapter 10.50 of Title 10 of the Rancho Cordova Municipal Code is hereby amended to read as follows:

10.50.020 Prima Facie Speed Limits Declared.

The following prima facie speed limits are established based on prevailing speeds and according to traffic and engineering studies.

A. Baroque Drive:

1. Between Zinfandel Drive and Zinfandel Drive, 35 mph;

B. Bear Hollow Drive:

1. Between Zinfandel Drive and North Mather Boulevard, 35 mph;

C. Business Park Drive:

1. Between Horn Road and Bradshaw Road, 35 mph;

D. Capital Center Drive:

1. Between White Rock Road and International Drive, 35 mph;

E. Chase Drive:

1. Between Coloma Road and Hagan Park, 25 mph;

F. Chrysanthy Boulevard:

1. Between Sunrise Boulevard and eastern terminus of street, 35 mph;

G. Coloma Road:

1. Between Folsom Boulevard and Sunrise Boulevard, 40 mph;

H. Data Drive:

1. Between International Drive and White Rock Road, 35 mph;

I. Disk Drive:

1. Between Data Drive and Prospect Park Drive, 35 mph;

J. Douglas Road:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 55 mph,
2. Between Rancho Cordova Parkway and Americanos Boulevard, 50 mph;

K. Explorer Drive:

1. Between Lincoln Village Drive to Lincoln Village Drive, 25 mph;

L. Femoyer Street:

1. Between Mather Boulevard and International Drive, 40 mph;

M. Fitzgerald Road:

1. Between White Rock Road and Recycle Road, 35 mph,

N. Folsom Boulevard:

1. Between Horn Road and Routier Road, 45 mph,
2. Between Routier Road and Cordova Lane, 40 mph,
3. Between Cordova Lane and Sunrise Boulevard, 45 mph,
4. Between Sunrise Boulevard and Hazel Avenue, 45 mph;

O. Georgetown Drive:

1. Between Coloma Road and McGregor Drive, 25 mph;

P. Gold Camp Drive:

1. Between Sun Center Drive and Prospect Park Drive, 35 mph;

Q. Gold Canal Drive:

1. Between Sun Center Drive and White Rock Road, 35 mph;

R. Gold Center Drive:

1. Between Zinfandel Drive and Prospect Park Drive, 30 mph,
2. Between Prospect Park Drive (west) and Prospect Park Drive (east), 35 mph;

S. Horn Road:

1. Between Folsom Boulevard and Routier Road, 35 mph;

T. International Drive:

1. Between Mather Field Road and Sunrise Boulevard, 45 mph;

U. Kiefer Boulevard:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 45 mph;

V. Kilgore Road:

1. Between Folsom Boulevard and White Rock Road, 35 mph,
2. Between White Rock Road and Baroque Way, 40 mph;

W. Lincoln Village:

1. Between Bradshaw Road and Draco Drive, 35 mph,
2. Between Draco Drive and Routier Road, 25 mph;

X. Luyung Drive:

1. Between White Rock Road and Mechanical Drive, 35 mph;

Y. Mather Field Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;

Z. McGregor Drive:

1. Between Folsom Boulevard and Coloma Road, 25 mph;

AA. Mills Park Drive:

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ATTACHMENT 1

1. Between Routier Road and Mather Field Road, 35 mph,
2. Between Mather Field Road and White Rock Road, 25 mph;

BB. Mills Station Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph,
2. Between Mather Field Road and White Rock Road, 25 mph;

CC. Monier Circle:

1. Between Sunrise Boulevard and Sunrise Boulevard, 30 mph;

DD. Old Placerville Road:

1. Between Systems Parkway and Rockingham Drive, 45 mph;

EE. Olson Drive:

1. Between Mills Park Drive and Zinfandel Drive, 25 mph,
2. Between Zinfandel Drive and Folsom Boulevard, 35 mph;

FF. Paseo Drive:

1. Between Folsom Boulevard and Las Casas Way, 25 mph;

GG. Peter A McCuen Boulevard:

1. Mather Boulevard and Femoyer Street, 30 mph;

HH. Prospect Park Drive:

1. Between White Rock Road and White Rock Road, 35 mph,
2. Between White Rock Road and Baroque Way, 35 mph;

II. Quality Drive:

1. Between International Drive and White Rock Road, 35 mph;

JJ. Rancho Cordova Parkway:

1. Between Kiefer Boulevard and Douglas Road, 45 mph;

KK. Recycle Road:

1. Between Sunrise Boulevard and Elks Circle, 30 mph;

LL. Reserve Drive:

1. Between Data Drive and International Drive, 35 mph;

MM. Rockingham Drive:

1. Between Mather Field Road and S. White Rock Road, 25 mph,
2. Between Mather Field Road and Old Placerville Road, 35 mph;

NN. Routier Road:

1. Between Old Placerville Road and Folsom Boulevard, 40 mph;

OO. S. White Rock Road:

ITEM 14.3.

ATTACHMENT 1

1. Between International Drive and White Rock Road, 25 mph;

PP. Sun Center Drive:

1. Between Prospect Park Drive and Sunrise Boulevard, 35 mph;

QQ. Sunrise Boulevard:

1. Between Kiefer Boulevard and Herodian Drive, 50 mph,
2. Between Herodian Drive and White Rock Road, 45 mph,
3. Between White Rock Road and Folsom Boulevard, 45 mph,
4. Between Folsom Boulevard and Coloma Road, 45 mph,
5. Between Coloma Road and city limits, southbound, 45 mph;

RR. Systems Parkway:

1. Between Routier Rd and Old Placerville Rd, 35 mph;

SS. Trade Center Drive:

1. Between Sun Center Road and Mercantile Road, 30 mph;

TT. Trinity River Drive:

1. Between Coloma Road and Sunrise Boulevard, 30 mph;

UU. Vanguard Drive:

1. Between Explorer Drive and Routier Road, 25 mph;

VV. White Rock Road:

1. Between Mills Station Road and Mills Park Drive, 25 mph,
2. Between S. White Rock Road and Zinfandel Drive, 40 mph,
3. Between Zinfandel Drive and Sunrise Boulevard, 45 mph;

WW. Zinfandel Drive:

1. Between Sunrise Boulevard and Folsom Boulevard, 30 mph,
2. Between Folsom Boulevard and White Rock Road, 35 mph,
3. Between White Rock Road and International Drive, 40 mph,
4. Between International Drive and city limits, 45 mph.

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances, is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phases be held unconstitutional, invalid or unenforceable.

Section 5. Effective Date

Within fifteen (15) days after adoption, a Summary of this Ordinance shall be published once in

ITEM 14.3.

ATTACHMENT 1

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 _____, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

David M. Sander, Mayor

Stacy Leitner, CMC
City Clerk

Location	From - to	Existing Speed (MPH)	Recommended Speed Limit
Business Park Dr	Horn Rd to Bradshaw Rd	35	35
Chase Dr	Coloma Rd to Hagan Park	25	25
Data Dr	International Dr to White Rock Rd	35	35
Douglas Rd	Sunrise Blvd to Rancho Cordova Pkwy	55	55
Fitzgerald Rd	White Rock Rd to Recycle Rd	35	35
Gold Canal Dr	Sun Center Dr to White Rock Rd	35	35
Horn Rd	Folsom Blvd to Routier Rd	35	35
Luyung Dr	White Rock Rd to Mechanical Dr	35	35
Olson Dr	Zinfandel Dr to Folsom Blvd	35	35
Prospect Park Dr	White Rock Rd to Baroque Dr	35	35
Rancho Cordova Pkwy	Kiefer Blvd to Douglas Rd	45	45
Reserve Dr	Data Dr to International Dr	35	35
Routier Rd	Old Placerville Rd to Folsom Blvd	40	40
Sun Center Dr	Propsect Park Dr to Sunrise Blvd	35	35
Zinfandel Dr	International Dr to city limit	45	45

MEMORANDUM



ITEM 14.4.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Albert Stricker, Public Works Director
Quoc Nham, Associate Civil Engineer
SUBJECT: **A RESOLUTION APPROVING THE ABANDONMENT OF A PORTION
OF A NO INGRESS/EGRESS RIGHTS EASEMENT DEDICATED AT
11390 AND 11400 WHITE ROCK ROAD**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will remove the “no ingress/egress rights” to allow construction and use of a proposed 35-foot driveway access between 11390 and 11410 White Rock Road.

BACKGROUND

SFC Leasing, LP, owner of 11390 and 11400 White Rock Road request the abandonment of a portion of a no ingress/egress rights easements dedicated on Parcel 65 of the Parcel Map recorded in Book 60 of Parcel Maps, Page 27. A major design review was approved by City Council on June 12, 2020 with a condition to abandon the no ingress/egress rights easement to accommodate a new shared driveway for the proposed development.

FISCAL IMPACT AND FUNDING SOURCE

There is no fiscal impact to the City’s General Fund.

ATTACHMENT(S)

1. Resolution
2. Exhibit A to Resolution
3. Exhibit B to Resolution

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, TO VACATE A NO INGRESS/EGRESS RIGHTS EASEMENT
PURSUANT TO THE PROVISIONS OF CHAPTER 3, PART 3 OF PUBLIC STREETS,
HIGHWAYS, AND SERVICE EASEMENTS VACATON LAW COMMENCING AT SECTION
8320 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

WHEREAS, a hearing date was scheduled for a proposed resolution to abandon a portion of a no ingress/egress rights easement; and

WHEREAS, a notice of the hearing has been posted at City Hall at least two weeks in advance of the hearing; and

WHEREAS, at least two weeks before the date set for the hearing at least three notices of vacation were conspicuously posted along the easement to be vacated, not more than 300 feet apart; and

WHEREAS, the hearing described above has been conducted, and this Council, having heard and considered all oral, documentary and other evidence presented, hereby finds, determines and order as follow.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the Council hereby finds as follows:

1. City Council previously approved a Major Design Review that included a new shared driveway on White Rock Road.
2. The proposed driveway will be a right in and right out only to accommodate emergency access vehicles and reduce traffic from the existing westerly driveway.
3. The proposed driveway also supports inter-connectivity within the development without traveling on public right of way.
4. The proposed driveway is in compliance with Sacramento county Improvement Standards and future White Rock Road improvements.
5. The Department of Public Works recommends the abandonment be approved.

BE IT FURTHER RESOLVED AND ORDERED that the following portion of a certain ingress/egress rights easement shown and dedicated along the north line of lot 65, recorded in Book 60 of Parcel Maps, page 27; further described on Exhibit A and Exhibit B made a part of the resolution is hereby abandoned:

ITEM 14.4.

ATTACHMENT 1

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

David M. Sander, Mayor

Stacy Leitner, CMC
City Clerk

EXHIBIT A
DESCRIPTION OFABANDONMENT OF A PORTION OF NO INGRESS OR EGRESS RIGHTS LINE

THAT PORTION OF THAT CERTAIN NO INGRESS OR EGRESS RIGHTS LINE SHOWN ALONG THE NORTH LINE OF LOT 65, ON THAT CERTAIN AMENDED PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 60, AT PAGE 27, SAID LINE BEING ALSO ALONG THE SOUTH RIGHT OF WAY LINE OF WHITE ROCK ROAD AS SHOWN ON SAID MAP, AND DESCRIBED AS THE FOLLOWING TWO LINES:

LINE ONE:

BEGINNING AT A POINT LOCATED ON THE RIGHT OF WAY LINE OF SAID LOT 65, WHICH BEARS THE FOLLOWING TWO (2) COURSES FROM THE INTERSECTION OF THE CENTERLINE OF WHITE ROCK ROAD WITH THE CENTERLINE OF LUYUNG DRIVE: (1) SOUTH 80° 20' 06" WEST 219.75 ALONG THE CENTERLINE OF WHITE ROCK ROAD AND (2) SOUTH 09° 32' 34" EAST 49.74 FEET ALONG THE SHARED PARCEL LINE OF PARCELS A AND B OF THAT CERTAIN GRANT DEED FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN DOCUMENT NUMBER 202008261305, OF OFFICIAL RECORDS; THENCE FROM SAID POINT OF BEGINNING SOUTH 80° 24' 13" WEST 17.89 FEET ALONG SAID RIGHT OF WAY LINE OF LOT 65, TO THE END OF SAID LINE.

LINE TWO:

HAVING THE SAME POINT OF BEGINNING AS SAID LINE ONE DESCRIBED HEREIN-ABOVE; THENCE FROM SAID POINT OF BEGINNING ALONG SAID RIGHT OF WAY LINE OF PARCEL B, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 65, NORTH 80° 24' 13" EAST 17.11 FEET, TO THE END OF SAID LINE.

END OF DESCRIPTION


WILLIAM F. MCKINNEY, PLS 4715

OCTOBER 23, 2020

DATE



EXHIBIT "B"**ABANDONMENT OF****A PORTION OF A NO INGRESS OR EGRESS RIGHTS LINE**

A PORTION OF THAT CERTAIN NO INGRESS OR EGRESS RIGHTS LINE SHOWN ALONG THE NORTH LINE OF LOT 65, ON THAT CERTAIN AMENDED PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 60, AT PAGE 27 OFFICIAL RECORDS CITY OF RANCHO CORDOVA, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

OCTOBER, 2020 SCALE: 1"=80'

RFE ENGINEERING, INC.

SHEET 1 OF 1

LEGEND

PROPERTY LINE

RIGHT-OF-WAY (ROW) LINE

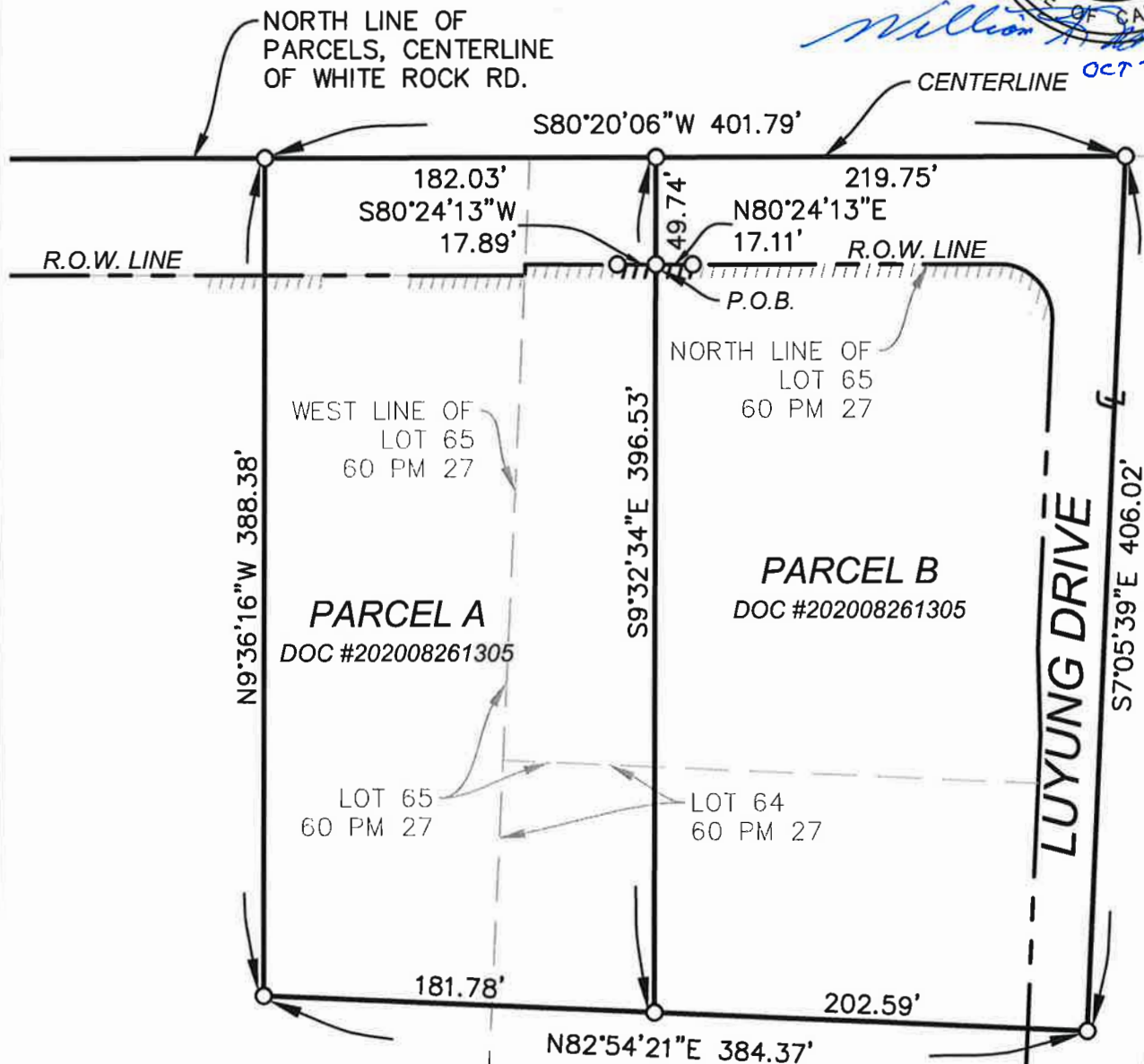
RECORD NO INGRESS / EGRESS

INGRESS / EGRESS TO BE ABANDONED

WHITE ROCK ROAD

CENTERLINE

OCT 23, 2020



MEMORANDUM



ITEM 16.1.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Cyrus Abhar, City Manager
Micah Runner, Deputy City Manager
SUBJECT: **DISCUSSION REGARDING COVID-19 ENFORCEMENT AND
COUNTY OF SACRAMENTO PROPOSED ORDINANCE**

RECOMMENDATION

Discussion and direction to staff on potential position or communication to Sacramento County.

RESULT OF RECOMMENDED ACTION

Receive comment and direction to provide to Sacramento County.

BACKGROUND

On November 17, 2020 the Sacramento County Board of Supervisors placed an Urgency Ordinance on their Agenda proposing penalties for violations of the Public Health Order ([Attachment 1](#)). This item was continued to the December 8, 2020 Board Meeting without any comment or discussion by the Board of Supervisors. There was interest expressed by the City Council at the November 16, 2020 City Council Meeting to discuss this topic. Since staff was informed that the item would be postponed to the County Board of Supervisors December 8, 2020 agenda, staff committed to placing the item on the December 7, 2020 City Council agenda for comment and direction.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Draft Sacramento County Urgency Ordinance

ORDINANCE NO. _____

**AN URGENCY ORDINANCE OF THE SACRAMENTO COUNTY
BOARD OF SUPERVISORS ADOPTING PENALTIES FOR VIOLATIONS OF
PUBLIC HEALTH ORDERS ADDRESSING THE COVID-19 PANDEMIC**

The Board of Supervisors of the County of Sacramento, State of California,
ordains as follows:

SECTION 1. INTRODUCTION, PURPOSE AND DECLARATION OF URGENCY.

At a national, state, and local level, the COVID-19 pandemic is a serious public health crisis. Over 242,000 Americans have died and millions are infected or recovering from infection, and the crisis is worsening. Statistics within California and Sacramento County are also sobering. As of November 12, 2020:

- Nearly one million Californians have been confirmed to be infected with COVID-19 and over 18,000 have died.
- 29,510 confirmed cases of COVID-19 were reported in Sacramento County.
- 517 people in Sacramento County have died of COVID-19.
- Sacramento County experienced a sharp increase in cases during the week ending on November 7 with 1,917 new cases, a 74.0% increase compared to the previous week and a 207.2% increase over the week four weeks prior.
- Hospitalizations due to COVID-19 in Sacramento County have increased by 80.0% since November 1.
- Sacramento County added 496 new COVID-19 cases on November 12, 2020, the highest single day total since the pandemic began.

Significant state and local government actions have been taken to address the pandemic and reduce its public health effects. Section 2 (Legal Background and Findings), below, summarizes these actions, including steps taken to close many businesses, schools, and organized activities long considered essential to everyday life in our community. In recent weeks, many businesses have reopened and activities have resumed under orders and other guidance issued by the California Department of Public Health, the State Public Health Officer, and the County Health Officer, defined

collectively in Section 5, below, as “Public Health Orders.” The vast majority of reopened businesses and activities are being conducted in compliance with applicable Public Health Orders, reducing the risk of COVID-19 spread.

The purpose of this Urgency Ordinance is to address the small but increasing number of businesses and activities that are being conducted partly or entirely in a manner that disregards Public Health Orders adopted in response to the COVID-19 pandemic. These violations present a serious and immediate risk to public health and safety, contributing greatly to the likelihood of a crisis that will cause many preventable illnesses and deaths. These violations also jeopardize local social and economic wellbeing, increasing the potential for renewed curtailment of business operations, school closures, and activity restrictions. This Urgency Ordinance provides a framework for addressing such violations by establishing an administrative enforcement strategy to complement other, existing means of enforcing Public Health Orders.

SECTION 2. LEGAL BACKGROUND AND FINDINGS.

On March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency in the State of California related to the COVID-19 pandemic. The County Health Officer proclaimed a local health emergency related to the COVID-19 on March 5, 2020. The County Chief of Emergency Services proclaimed the existence of a local emergency related to COVID-19 on March 5, 2020. The Board of Supervisors ratified these proclamations on March 10, 2020.

In light of the COVID-19 pandemic and Governor Newsom's state of emergency proclamation, on March 12, 2020, the Governor issued Executive Order N-25-20, ordering residents to heed any order by local public health officials, “including but not limited to the imposition of social distancing measures, to control the spread of COVID-

19.” A violation of the Governor’s Executive Order N-25-20 is a misdemeanor pursuant to California Government Code section 8665. Further, a violation of the County Health Officer’s orders adopted to control the spread of COVID-19 is a violation of the Governor’s Executive Order N-25-20.

Health and Safety Code sections 120275 and 120295 make it a misdemeanor to violate certain sections of the Health and Safety Code, including those requiring individuals to comply with health orders to facilitate isolation. Government Code section 25132 makes it a misdemeanor to violate any County ordinance unless by ordinance it is made an infraction. Finally, as set forth in Section 1, above, Government Code section 53069.4 authorizes the Board of Supervisors to set administrative penalties for violation of any County ordinance, and Government Code section 8634 authorizes the County to adopt orders and regulations (which this Ordinance and all Public Health Orders shall constitute) that apply during a local emergency, including within incorporated areas.

In support of the adoption of this Urgency Ordinance, the Board of Supervisors finds as follows:

- A. The facts set forth in Section 1, above, are true and correct.
- B. Violations of Public Health Orders adopted to control of the spread of COVID-19 present an immediate threat to the public health and safety. Consistent with Government Code section 25123(d), the Board finds that such violations increase the likelihood that the COVID-19 virus will spread throughout the County and overwhelm our health care systems, cause preventable illnesses and deaths, and inflict other significant harms—including economic and social effects—on our community.
- C. Immediate enforcement of Public Health Orders is necessary to ensure

their consistent, effective implementation and to achieve their intended purposes, including controlling the spread of COVID-19 in Sacramento County.

D. Existing strategies for enforcing Public Health Orders include misdemeanor citations and prosecution, civil actions to obtain injunctive relief, code enforcement actions under existing authorities, business license suspension or cancellation, and a variety of other approaches. These approaches are not sufficient to deter violations.

E. Government Code section 8634 authorizes the County to promulgate rules and regulations in the event of a declared state of emergency. Such rules and regulations may apply throughout the County, including within incorporated as well as unincorporated territory. Government Code section 53069.4 authorizes the Board of Supervisors to set administrative penalties for violation of any County ordinance.

F. Administrative penalties will provide an alternative enforcement mechanism to augment the County's ability to combat the negative effects of the COVID-19 pandemic. In particular, administrative penalties deter violations of public health orders and other binding, enforceable mandates adopted in connection with the COVID-19 pandemic. Administrative penalties could also provide relief to law enforcement, enabling additional County staff to assist with enforcing Public Health Orders and enhancing the County's ability to control the spread of COVID-19.

G. In some circumstances, Public Health Order violations demand a substantial penalty to provide an effective and significant deterrent. Administrative penalties must be—where necessary and appropriate—significant enough to ensure they cannot be dismissed as “the cost of doing business.”

H. Government Code section 25131 expressly authorizes the Board of

Supervisors to adopt an urgency ordinance immediately upon its introduction. The Board finds that, as set forth herein, the facts and circumstances support adoption of this Ordinance on an urgency basis. The Board further finds that this Ordinance should apply within both unincorporated and incorporated areas to provide the County with broad authority to address violations of Public Health Orders that contribute to the spread of COVID-19 in our communities.

SECTION 3. CITATION.

This Ordinance may be referred to as the “COVID-19 Penalty Ordinance.”

SECTION 4. DEFINITIONS.

- A. “Board” means the Sacramento County Board of Supervisors.
- B. “Citation” or “Administrative Citation” means a citation issued pursuant to this Ordinance.
- C. “County” means the County of Sacramento.
- D. “Days” means calendar days.
- E. “Enforcement Officer” means any peace officer, the County Health Officer and anyone designated by the Health Officer, the Director of Emergency Services and anyone designated by the Director, any Code Enforcement Officer from the Division of Code Enforcement in the Office of Development and Code Services, the Environmental Health Director and anyone designated by the Director, and anyone identified by resolution of the Board.
- F. “Hearing Officer” means any person appointed to conduct any hearing or proceeding under the provisions of this Ordinance, unless otherwise specified, including, without limitation, the administration of oaths, the issuance of subpoenas, the receipt of evidence, and the entry of findings of fact and law.

G. “Public Health Order(s)” shall have the meaning set forth in Section 5, below.

H. “Responsible Party” means an individual or legal entity, or the agent or legal guardian of such individual or entity, whose action or failure to act violated a Public Health Order. This term specifically means and includes any of the following:

1) Any person or entity that causes, maintains, permits, or allows a violation of this Ordinance.

2) Any person or entity that owns, possesses, or controls any parcel of real property in the County upon which a violation of this Ordinance is maintained.

3) Any trustee of any trust that holds legal title to any parcel of real property in the County upon which a violation of this Ordinance is maintained.

4) Any person or entity that owns, possesses, operates, manages, or controls any business within the County that is responsible for causing or maintaining a violation of this Ordinance.

SECTION 5. ADOPTION OF PUBLIC HEALTH ORDERS AS COUNTY LAW.

All of the following are hereby incorporated by reference into this Ordinance and shall constitute “Public Health Orders,” as that term is used herein:

1) County Health Officer orders relating to the COVID-19 pandemic, including those now in existence and any that later come into existence, and including all materials expressly incorporated by reference into such orders;

2) All orders of the State Public Health Officer, state guidance documents issued for businesses and activities that have been adopted or approved by the County Health Officer, as well as any state guidance and directives posted on covid19.ca.gov that are described as mandatory, binding, or otherwise presented as enforceable

obligations;

3) Any site-specific protocol (including but not limited to a completed Social Distancing Protocol Worksheet) completed as required by state and local requirements. The failure to post such protocol in violation of any of the foregoing requirements shall also be a violation of this Ordinance.

All Public Health Orders are hereby deemed orders and regulations of the Board of Supervisors pursuant to Government Code section 8634, shall constitute the law of the County within both unincorporated and incorporated areas, and are determined to be necessary for the protection of life and property during the local emergency declared in connection with the COVID-19 pandemic. Any violation of a Public Health Order shall constitute an immediate danger to public health and safety pursuant to Government Code section 53069.4 and shall constitute a public nuisance. Nothing in this Ordinance shall be interpreted to make any conduct that does not violate a Public Health Order a violation of this Ordinance.

SECTION 6. VIOLATION AND ENFORCEMENT.

A. Citations; Each Day a Separate Violation. This Ordinance may be enforced at any location within the County by an Enforcement Officer through the issuance of an Administrative Citation with penalties, as described more fully in Section 8, below. Each and every day, or portion thereof, that a violation of this Ordinance exists constitutes a separate and distinct offense.

B. Powers of Enforcement Officer. As set forth more fully in Section 8, below, the Enforcement Officer shall have the authority and powers necessary to determine whether a violation exists and take appropriate action to gain compliance with the law and abate any violation. The Enforcement Officer shall further have authority to

issue Administrative Citations and any other notices and orders necessary to obtain compliance and cost recovery, as well as the power to inspect public and private property as provided by law, impose fines and fees, and use the administrative remedies that are available under state law, this Ordinance, and other applicable provisions of the Sacramento County Code.

C. Obstruction. In addition, every person who willfully resists, delays, or obstructs any Enforcement Officer or Hearing Officer in the discharge or attempt to discharge any duty of their office or employment in connection with this Ordinance shall be guilty of a misdemeanor, punished by a fine not exceeding \$1,000, or by imprisonment in a County jail not to exceed one year, or by both that fine and imprisonment.

D. False Statements. Further, every person who willfully states anything which that person knows to be false in any oral or written statement to an Enforcement Officer or Hearing Officer regarding the subject of an investigation, Citation, or hearing occurring pursuant to this Ordinance shall be guilty of a misdemeanor, punished by a fine not exceeding \$1,000, or by imprisonment in a County jail not to exceed one year, or by both that fine and imprisonment.

E. Litigation Authority. The Office of the County Counsel is hereby authorized to file a civil action on behalf of the County to enjoin any violation(s) of this Ordinance and to obtain other appropriate relief needed to cease and abate such violations, as well as to recover all associated County costs, attorneys' fees, and any fines or penalties imposed. No further Board authority or permission to initiate litigation is required to enforce violations of this Ordinance.

SECTION 7. NONEXCLUSIVITY AND ELECTION OF PROCEEDINGS.

A. This Ordinance provides for enforcement proceedings that are supplemental to all other enforcement proceedings authorized by local, state or federal law, whether administrative, civil or criminal in nature. Any election to proceed under this Ordinance and shall be without prejudice to the County choosing to also proceed simultaneously or subsequently by pursuing different or additional means of enforcing the same violation. Election to issue a Citation or take any other action authorized by this Ordinance shall be at the sole discretion of the Enforcement Officer, and nothing in this Ordinance shall be interpreted to mandate that an Enforcement Officer take certain steps in response to potential violations of Public Health Orders or to preclude and Enforcement Officer from engaging informal oral or written requests to gain compliance.

B. Nothing in this Ordinance alters or diminishes the authority of the Sheriff, local police departments, the County Counsel, or the District Attorney to address any such violations. Further, nothing in this Ordinance or decisions made hereunder, including decisions not to take an enforcement action authorized in this Ordinance, shall create any liability for the County or the Enforcement Officer.

SECTION 8. ADMINISTRATIVE CITATIONS; PENALTIES AND FEES.

A. Issuance. An Enforcement Officer may issue a Citation to any Responsible Party violating any provision of this Ordinance. The Enforcement Officer may issue a Citation for a violation not committed in their presence if they determine through investigation, including but not limited to credible input from County staff, that the Responsible Party did commit or is otherwise responsible for the violation.

B. Penalties. Penalties (fines) for Administrative Citations issued pursuant to this Ordinance shall be as follows:

1) The civil penalty for each non-commercial violation shall be a fine not to exceed \$500. The minimum amount of any such fine shall be \$25.

2) The civil penalty for each violation involving a commercial activity shall be a fine not to exceed \$10,000. The minimum amount of any such fine shall be \$250.

C. Factors in Setting Amount. In determining the amount of a fine pursuant to subsection B, above, the Enforcement Officer shall consider:

- 1) The gravity of the public health risk posed by the violation;
- 2) Whether the Responsible Party has been previously counseled regarding the violation;
- 3) For a violation arising from commercial activities, whether the violation is likely to result in increased revenue or avoided costs;
- 4) Whether the violation is the subject of a prior Citation;
- 5) Whether the Responsible Party is making good faith efforts to achieve and maintain compliance with Public Health Orders; and
- 6) Any other matters relating to the nature, circumstances, extent, and gravity of the violation.

For a Citation that includes one or more violations arising from commercial activity, fines imposed for each day of violation shall automatically double, up to the maximum amounts set forth above.

D. Grace Period. If a violation is capable of being cured (i.e., is an ongoing violation and the Responsible Party has the apparent ability to effect a resolution), an Administrative Citation may include a grace period to cure the violation(s) and avoid the civil penalty set forth in the Citation. The grace period may range from 24-72 hours from the date of the Citation. In determining whether to provide a grace period and in

determining the length of any grace period included in a Citation, the Enforcement Officer shall consider the same factors provided above in connection with setting a fine amount. All matters relating to grace periods are within the sole discretion of the Enforcement Officer and are not appealable.

E. Compliance Reporting Following Grace Period. The Responsible Party must cure each cited violation and must report to the Enforcement Officer when each cited violation is cured prior to expiration of the grace period. Each such report must include the Responsible Party's contact information and availability information sufficient to ensure the Enforcement Officer can verify compliance within 72 hours of the date of cure.

F. Payment of Administrative Fines. All fines and fees shall be payable to the County in accordance with the procedures specified in this Ordinance, unless otherwise directed in the Citation. Fines shall be paid to the County within 30 days from the date of service of the Administrative Citation, unless an appeal is properly requested. If an appeal is properly requested and the fine is upheld or reduced at that administrative hearing, then the confirmed fine amount shall be paid to the County within 30 days from the date of service of the decision. Payment of the fines and fees shall not excuse the failure to correct the violation or bar further enforcement action by the County.

G. Administrative Fees. The County may adopt one or more administrative fees to recover the costs associated with the issuance, enforcement, processing, and collection of Administrative Citations. The administrative fees shall be established by resolution of the Board. The administrative fees shall be assessed on each Administrative Citation and collected in the same manner and at the same time as the

civil penalty; however, the administrative fees shall be assessed only once per Administrative Citation.

H. Late Fee; Collection Costs. Any person who fails to pay any fine or administrative fee imposed pursuant to the provisions of this Ordinance shall be liable for the payment of a late fee. The late fee shall be in an amount established by resolution of the Board. In addition to the administrative fee and late fee, the County is entitled to recover all costs, expenses, fees, and attorneys' fees associated with collecting upon any administrative fines, fees, or costs authorized by this Ordinance.

SECTION 9. CONTENTS OF AN ADMINISTRATIVE CITATION; SERVICE.

- A. Contents. Each Citation issued under this Ordinance shall contain:
- 1) The date of the violation.
 - 2) The name of the Responsible Party being cited.
 - 3) The address or a description of the location where the violation occurred.
 - 4) Identification and a brief description of the Public Health Order(s) requirements violated by the Responsible Party.
 - 5) The grace period (if any) to cure each cited violation in order to avoid a fine, along with an order that the Responsible Party report to the Enforcement Officer when each cited violation is cured, along with the Responsible Party's contact information, in order for the Officer to verify compliance promptly after the correction.
 - 6) The amount of the fine for each cited violation that will be imposed if the cited Violation is not cured within the grace period (if any). If there is no Grace Period, the fine shall be immediately imposed.
 - 7) The amount of all other fees and charges authorized by this Ordinance.
 - 8) A brief statement that the violation determination and/or fine amount may

be appealed, as follows:

To Appeal this Citation: The violations(s) identified in this Citation and the amount of fine imposed (if \$1000 or greater) may be appealed within ten calendar days of service of the Citation by providing the Clerk of the Board of Supervisors (700 H St. Sacramento CA) with a request in writing for an appeal. The request shall be entitled “REQUEST FOR APPEAL OF ADMINISTRATIVE CITATION” and must set forth the factual and/or legal basis for the appeal in detail sufficient to apprise the County of the nature of the appeal and general objections and arguments to be raised by the Responsible Party. All appeal requests shall include a deposit of \$750 toward the costs of a hearing officer unless you include a request for waiver of the deposit concurrently with filing the appeal. The Clerk of the Board may grant the waiver request if you provide sufficient evidence of an inability to pay. If your request is denied, you must provide the deposit within five calendar days or the appeal shall be deemed withdrawn. Any appeal that does not meet all of these requirements will be rejected following review by the Office of the County Counsel.

If you do not prevail on the appeal, the hearing officer will require you to reimburse all hearing costs incurred by the County, including the hearing officer's fees and charges.

9) A brief description of the fine payment process, including the 30-day timeframe to pay the fine and other fees and charges, the late fee for failure to pay on time, and that unpaid amounts may become a lien and special assessment against the real property where the violation occurred.

10) The name and signature of the citing Enforcement Officer and appropriate contact information.

B. Service. Service of a Citation may occur by any of the following methods:

1) Personal service upon the owner or other Responsible Party.

2) First-class or certified mail to a Responsible Party's business address, or last known personal address using data from the last equalized assessment roll or other reliable information available to the Enforcement Officer.

3) For violations involving the use of real property owned or leased by a Responsible Party, by posting the notice in a conspicuous place at the property entrance.

4) For any Responsible Party registered with the Secretary of State, by certified mail to that party's agent for service of process at the address registered with the Secretary of State, or as otherwise permitted by law. For any such party required to register with the Secretary of State that has not designated an agent for service of process with the Secretary of State, then a notice may be served on that party by certified mail to the Secretary of State.

5) By e-mail when an email address is provided by that party.

6) In any other manner reasonably calculated to effectuate notice. Service by posting shall be deemed effective at the time of posting. Service by mail or e-mail shall be deemed effective upon deposit in the mail or transmission of the e-mail. The failure of any Responsible Party to receive any Citation served in accordance with this Section shall not affect the validity of the Citation nor any subsequent proceeding or action relating to the Citation or the violation(s) identified therein.

SECTION 10. ADMINISTRATIVE APPEALS.

A. To hear appeals of Administrative Citations issued pursuant to this Ordinance, the Board of Supervisors authorizes the use of a hearing officer appointed

pursuant to Sacramento County Code section 16.18.204.

B. Upon receipt of the written appeal, the matter shall be set for a hearing before the hearing officer. The hearing will be conducted remotely using video technology, such as WebEx or ZOOM, unless the parties otherwise mutually agree to an in-person hearing with the concurrence of the hearing officer.

C. Unless a hearing is waived by the County and the Responsible Party (appellant) in favor of a determination based upon written filings, including arguments and supporting evidence in the form of declaration testimony and other competent evidence, the hearing officer shall hold an de novo administrative hearing to determine whether the conditions described in the Citation constitute a violation under this Ordinance and to review and decide any other matters properly appealed by the appellant. The hearing may be continued from time to time for good cause.

D. The appellant shall be given an opportunity at the hearing to present and elicit testimony (including by cross-examination) and other evidence regarding matters properly appealed, including the existence of one or more violations and the administrative penalty amount (if \$1,000 or greater). Failure of the appellant(s) to appear and present evidence at the hearing shall be deemed a withdrawal of the request for hearing and shall constitute a failure to exhaust administrative remedies.

E. The appellant may choose to be represented by an attorney; however, formal rules of evidence or procedure shall not apply, including rules relating to evidence, witnesses and hearsay. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions. The

hearing officer has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will require an undue amount of time.

F. The standard of proof shall be a preponderance of the evidence and the County bears the burden of proof to establish the existence of the violation, if placed in dispute by the notice of appeal. The burden of proof on all other matters shall be borne by the appellant.

G. The hearing shall be conducted in the English language. The proponent of any testimony by a witness who does not proficiently speak the English language shall provide an interpreter certified by the state or Sacramento County Superior Court at its sole cost.

H. After the hearing, the hearing officer shall render his or her written decision affirming, reversing or modifying the determination that one or more violations occurred. If the violation is affirmed, the decision shall include a statement that the County is entitled to recover administrative penalties and any other fees, charges, or costs authorized by this Ordinance and included in the Citation. The hearing officer may also reduce the amount of the administrative penalty if warranted, taking into consideration all evidence provided by the appellant (and any responsive evidence adduced by the County) in connection with the factors set forth in Section 8, above.

I. A copy of the decision shall be served on the parties and shall be final and conclusive when signed by the hearing officer and served upon the County Counsel and the appellant. For service upon the appellant, the hearing officer shall effect service in the manner requested by the appellant or, if no manner of service is provided, pursuant to the service methods in Section 9, above, with the assistance of the County if desired.

J. Payment of all fines, fees, charges, and costs specified in the hearing

officer's decision shall be made to the County within 30 calendar days of service of the decision, unless timely appealed to the Superior Court. Any Responsible Party aggrieved by the decision of a Hearing Officer may obtain further review by filing appropriate materials with the Sacramento County Superior Court in accordance with the timelines and provisions as set forth in California Government Code section 53069.4. The Hearing Officer's decision shall constitute the final administrative order or decision of the County pursuant to Section 53069.4.

K. Excepting the \$750 deposit required at the time an appeal is filed, hearing officer fees and costs shall be advanced by the County. If the violation is affirmed, the hearing officer shall award the County reimbursement of all hearing expenses borne by the County, including the Hearing Officer's compensation. If the Enforcement Action is only partially upheld and/or if the fine amount is reduced, the Hearing Officer may proportionately reduce the County's reimbursement of hearing expenses in his or her sole discretion. If the Enforcement Action is dismissed entirely, then the County shall bear the hearing costs and reimburse any deposit provided by the appellant.

L. The appellant may settle any appeal with the Office of the County Counsel at any time for good cause, without the need for approval by the Board of Supervisors. The County Counsel shall consult with the County Administrator and County Health Officer, or their designees, prior to entering into any settlement. The terms of all such settlements shall be publicly disclosed upon request.

SECTION 11. CONFIDENTIALITY OF COMPLAINTS.

The County shall take all reasonable steps to ensure that the identity and personal information of any person making a complaint to the County concerning a violation of this Ordinance shall remain confidential. It is declared and found by the

Board that the public interest served by encouraging complaints to the County without fear of retribution clearly outweighs the public interest served by disclosure of the complainant's identity and information.

SECTION 12. REAL PROPERTY LIENS.

All violations of this Ordinance constitute a public nuisance and associated enforcement costs are considered costs of abatement. All unpaid abatement costs may be secured by a nuisance abatement lien recorded on title to the property where the violation occurred. All steps taken to impose a lien shall comply with applicable requirements of state law.

SECTION 13. SEVERABILITY.

The provisions of this Ordinance are separate and severable. If any provision of this Ordinance is for any reason held by a court to be unconstitutional or invalid, the Board declares that it would have passed this Ordinance irrespective of the invalidity of the provision held to be unconstitutional or invalid. Such unconstitutionality or invalidity shall therefore not affect the remaining provisions of this Ordinance, or the validity of its application to other persons or circumstances.

SECTION 14. EFFECTIVE DATE AND PUBLICATION.

This Ordinance shall take effect immediately as an urgency ordinance upon its passage by a 4/5 or greater vote of the Board of Supervisors. A fair and accurate summary of this Ordinance shall be published once within 15 days of its passage or as may otherwise be required by state law.

This ordinance was introduced and the title thereof read at the regular meeting of the Board of Supervisors on _____ and on _____ further reading was waived by the unanimous vote of the Supervisors present.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this ____ day of _____ 2020, by the following vote:

AYES: Supervisors,

NOES: Supervisors,

ABSENT: Supervisors,

ABSTAIN: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

Chair of the Board of Supervisors
of Sacramento County, California

(SEAL)

ATTEST: _____
Clerk, Board of Supervisor

1997998

MEMORANDUM



ITEM 16.2.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Stacy Leitner, City Clerk
SUBJECT: **BIENNIAL REVIEW AND RESOLUTION UPDATING THE CONFLICT OF INTEREST CODE FOR THE CITY OF RANCHO CORDOVA DESIGNATED EMPLOYEES**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution will result in the City's compliance with Fair Political Practices Commission requirements.

BACKGROUND

Local agencies must review their Conflict of Interest Code biennially to ensure the Code still accurately designates the appropriate positions and requires disclosure by designated officials in the appropriate disclosure category. The Political Reform Act requires all positions that make or participate in making governmental decisions be designated.

The City Council, City Manager, City Attorney, and Chief Financial Officers are not covered under this Code, but are mandated filers and subject to the disclosure requirements set forth in Government Code Section 87200.

By adopting the Resolution, the City is adopting by reference the terms of Title 2 California Code of Regulations Section 18730 and designating the following positions and disclosure categories. The attached table shows the changes from the last biennial review.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Resolution

2. California Code of Regulations
3. Conflict of Interest Code Designated Positions Final
4. Proposed Conflict of Interest Code

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2020

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA UPDATING THE CITY'S CONFLICT OF INTEREST CODE WHICH
INCLUDES THE LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES**

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

WHEREAS, the City of Rancho Cordova is an agency subject to the Political Reform Act's code-filing requirements; and

WHEREAS, pursuant to City Council Resolutions 69-2003, 143-2004 177-2006, 113-2008, 109-2010, 112-2016, and 123-2018 the City has previously adopted by reference the conflict of interest code provisions set forth in Title 2 California Code of Regulations Section 18730 and established a Conflict of Interest Code which lists designated positions and required categories of disclosure; and

WHEREAS, the City has determined that changes to the staffing and/or position titles of City positions requires that the City amend its list of designated positions; and

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

Section 1. The City Council hereby approves and adopts by reference the terms of Title 2 California Code of Regulations Section 18730, as it may be amended after a public notice and hearing, and as it may be amended from time to time by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Section 2. The provisions of this Resolution and its attachments shall supersede any conflicting provisions and attachments previously adopted by the City Council pertaining to the City of Rancho Cordova's Conflict of Interest Code.

Section 3. Following adoption of the Code, the designated officials, employees, and consultants shall file statements of economic interest and shall disqualify themselves from participation in decisions in which they may have a conflict of interest, in accordance with the Code.

Section 4. Individuals holding designated positions shall file their statements with the City Clerk, which will retain the statements and make the statements available for public inspection and reproduction.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December, 2020 by the following vote:

AYES:

NOES:

ITEM 16.2.

ATTACHMENT 1

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

ITEM 16.2.



California Code of Regulations

[Home Table of Contents](#)

§ 18730. Provisions of Conflict of Interest Codes.

2 CA ADC § 18730

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 2. Administration

Division 6. Fair Political Practices Commission

Chapter 7. Conflicts of Interest

Article 2. Disclosure (Refs & Annos)

2 CCR § 18730

§ 18730. Provisions of Conflict of Interest Codes.

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

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

(1) Section 1. Definitions.

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

(2) Section 2. Designated Employees.

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

(3) Section 3. Disclosure Categories.

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

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

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

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

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

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify

ITEM 16.2.

which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

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

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

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

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

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

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

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

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

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

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

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

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

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

(A) Contents of Initial Statements.

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

(B) Contents of Assuming Office Statements.

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

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

(D) Contents of Leaving Office Statements.

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

(7) Section 7. Manner of Reporting.

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

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

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

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

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

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

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

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

ITEM 16.2.**(8) Section 8. Prohibition on Receipt of Honoraria.**

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

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

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

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$500.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$500 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

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

(8.2) Section 8.2. Loans to Public Officials.

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

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

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

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

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

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

ITEM 16.2.

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

3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

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

(8.3) Section 8.3. Loan Terms.

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

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

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

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

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

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

(8.4) Section 8.4. Personal Loans.

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

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

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

a. The date the loan was made.

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

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

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

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

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

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

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

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

ITEM 16.2.

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

(9) Section 9. Disqualification.

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

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

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

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

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

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$500 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

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

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

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

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

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

(10) Section 10. Disclosure of Disqualifying Interest.

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

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

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

(12) Section 12. Violations.

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

ITEM 16.2.**ATTACHMENT 2**

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

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

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

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

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

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

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

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14). Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).
9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.

ITEM 16.2

12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).
14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).
15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).
16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).
18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
19. Editorial correction of subsection (a) (Register 98, No. 47).
20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).
22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).
23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).
24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).
25. Editorial correction of History 24 (Register 2003, No. 12).
26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).
27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).
28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).
29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

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30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

33. Amendment of subsections (b)(8.1)-(b)(8.1)(A), (b)(8.2)(E)3. and (b)(9)(E) filed 12-15-2014; operative 1-1-2015 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. Submitted to OAL for filing and printing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2014, No. 51).

34. Redesignation of portions of subsection (b)(8)(A) as new subsections (b)(8)(B)-(D), amendment of subsections (b)(8.1)-(b)(8.1)(A), redesignation of portions of subsection (b)(8.1)(A) as new subsections (b)(8.1)(B)-(C) and amendment of subsection (b)(9)(E) filed 12-1-2016; operative 12-31-2016 pursuant to Cal. Code Regs. tit. 2, section 18312(e). Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 49).

35. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-12-2018; operative 1-11-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2018, No. 50).

This database is current through 11/20/20 Register 2020, No. 47

2 CCR § 18730, 2 CA ADC § 18730

**END OF
DOCUMENT**

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CONFLICT OF INTEREST CODE FOR THE CITY OF RANCHO CORDOVA

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

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

DESIGNATED POSITIONS

The positions listed below constitute the list of designated positions required by the City of Rancho Cordova Conflict of Interest Code (2 Cal. Code of Regs. Section 18730). The individual occupying each position is deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest of that individual. The individuals occupying the designated positions shall disclose their economic interests in accordance with the corresponding disclosure categories, defined in Section II below.

POSITION	CATEGORY
Accountant	2
Administrative Services Director	1
Animal Services Officer I/II	2
Assistant Building Official	1
Assistant City Attorney	1
Assistant City Clerk	1
Assistant City Manager	1
Assistant Police Chief	1
Building Inspector I/II	2
Business Systems Analyst	1
Building Official	1
City Clerk	1
City Engineer/Public Works Director	1
Code Enforcement Officer I/II	2
Communications, Legislative Affairs, & Community	1
Engagement Director	
Community Development Director	1

ITEM 16.2.**ATTACHMENT 3**

POSITION	CATEGORY
Community Engagement Analyst	3
Community Enhancement Analyst (Management Analyst)	2
Community Enhancement Technician	2
Deputy City Attorney	1
Economic Development Director	1
Economic Development Analyst	2
Economic Development Manager	2
Engineering Manager	2
Facilities Services Manager	2
Facilities Services Supervisor	2
Housing and Neighborhood Development Analyst II	2
Human Resources Manager	1
Information Technology Director	1
Management Analyst I/II	2
Neighborhood Services Manager	1
Neighborhood Services Supervisor	1
Planning Manager	1
Principal Planner	2
Police Chief	1
Principal Building Inspector	2
Public Works Division Manager- Maintenance and Operations	1
Reinvestment Analyst	1
Senior Civil Engineer	1
Senior Code Enforcement Officer	1
Senior Engineer	2
Senior Finance Analyst	2
Senior Human Resources Analyst	1
Senior Information Technology Analyst	1
Senior Management Analyst	1
Senior Planner	2
Supervising Building Inspector	2

Consultants shall be designated on a case-by-case basis, depending upon the nature of their services.

DISCLOSURE CATEGORIES

Disclosure Category 1

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

Disclosure Category 2

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

Disclosure Category 3

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

CONFLICT OF INTEREST CODE FOR THE CITY OF RANCHO CORDOVA

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

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

DESIGNATED POSITIONS

The positions listed below constitute the list of designated positions required by the City of Rancho Cordova Conflict of Interest Code (2 Cal. Code of Regs. Section 18730). The individual occupying each position is deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest of that individual. The individuals occupying the designated positions shall disclose their economic interests in accordance with the corresponding disclosure categories, defined in Section II below.

POSITION	CATEGORY
Accountant	2
Administrative Services Director	1
Animal Services Officer <u>I/II</u>	2
Assistant Building Official	1
Assistant City Attorney	1
Assistant City Clerk	1
Assistant City Manager	1
Assistant Police Chief	1
Building Inspector <u>I/II</u>	2
Business Systems Analyst	1
Building Official	1
City Clerk	1
City Engineer/Public Works Director	1
Code Enforcement Officer <u>I/II</u>	2
Communications, Legislative Affairs, & Community	1
Engagement Director	
Community Development Director	1

ITEM 16.2.**ATTACHMENT 4**

POSITION	CATEGORY
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Community Engagement Analyst	3
Community Enhancement Analyst (Management Analyst)	2
<u>Community Enhancement Technician</u>	<u>2</u>
Deputy City Attorney	1
Economic Development Director	1
Economic Development Analyst	2
<u>Economic Development Manager</u>	<u>2</u>
Engineering Manager	2
Facilities Services Manager	2
<u>Facilities Services Supervisor</u>	<u>2</u>
<u>Housing and Neighborhood Development Analyst II</u>	<u>2</u>
Human Resources Manager	1
Information Technology Director	1
Management Analyst <u>I/II</u>	2
Neighborhood Services Manager	1
Neighborhood Services Supervisor	1
Planning Manager	1
Principal Planner	2
Police Chief	1
Principal Building Inspector	2
Public Works Division Manager-	
Maintenance and Operations	1
Reinvestment Analyst	1
Senior Civil Engineer	1
Senior Code Enforcement Officer	1
Senior Engineer	2
Senior Finance Analyst	2
Senior Human Resources Analyst	1
Senior Information Technology Analyst	1
Senior Management Analyst	1
Senior Planner	2
Supervising Building Inspector	2

Consultants shall be designated on a case-by-case basis, depending upon the nature of their services.

DISCLOSURE CATEGORIES
Disclosure Category 1

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

Disclosure Category 2

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

Disclosure Category 3

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

MEMORANDUM



ITEM 16.3.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Adam Lindgren, City Attorney
Trevor Taniguchi, Deputy City Attorney
SUBJECT: **2020 LEGISLATIVE UPDATE: TOP CALIFORNIA LAWS OF CONCERN TO THE RANCHO CORDOVA CITY COUNCIL**

RECOMMENDATION

Receive presentation.

RESULT OF RECOMMENDED ACTION

None.

BACKGROUND

The presentation highlights key new statutes of interest enacted in 2020. Each year, the City Attorney's Office analyzes and summarizes notable new statutes which may have significant impacts on the City and its residents.

FISCAL IMPACT AND FUNDING SOURCE

No fiscal impact.

ATTACHMENT(S)

1. 2020 New Laws Update

meyers | nave
A Professional Law Corporation

2020 Legislative Update: Top California Laws of Concern to the Rancho Cordova City Council

Adam Lindgren, City Attorney
Trevor Taniguchi, Assistant City Attorney

- 2020 was a modest year for the CA legislature b/c COVID-19
 - Fewer bills of concern than in most years
- Presentation is based on LOCC briefing of new California laws
 - Provides City Attorney's further analysis
 - Focuses on issues and opportunities that we believe may be of particular interest or concern to the Rancho Cordova City Council
- Additional briefings and discussions with City Dept. Heads on bills making technical changes

Housing, Community and Economic Development

Shelter Crisis Declarations and Permits AB 2553

- Expands the Shelter Crisis Act to all cities and counties. Agencies that declare a shelter crisis may:
 - allow homeless in facilities designated as emergency housing for the duration of the crisis
 - suspend local housing, health and safety standards
- Agencies making the declaration must adopt a plan to address the crisis
 - Implement a “safe parking” program to designate certain city owned or leased parking lots as homeless shelters
- Removes requirement of HCD approval of city ordinances providing standards for design, development and operation of homeless shelters

COVID-19 Evictions, Rental Payment Default, Mortgage Forbearance AB 3088

- Establishes a moratorium on evictions for non-payment of rent due to COVID-19 financial hardship
 - Prohibits qualified tenants from being evicted for failure to pay rent from March 1, 2020 to January 31, 2021
 - Must pay 25% of the rent accrued from September 1 to January 31
 - City has adopted protections for residential and commercial tenants (RCMC 4.56 *et seq.*), which expire automatically 120 days after the expiration of the Governor's Executive Order N-28-20
- Allows landlords to sue for unpaid COVID-19 rent beginning March 1, 2021
- Raises complex and controversial legal and policy issues for both tenants and landlords

Police

DOJ Review of Use of Force Policies AB 1506

- AB 1196 prohibits law enforcement agencies from authorizing the use of a carotid restraint or a choke hold by any peace officer
 - RCPD has given significant attention to this topic and is working diligently to ensure it is in full compliance with this requirement
- AB 1506 requires the California Attorney General to investigate incidence of an officer-involved shooting resulting in the death of a person who is not in possession of a deadly weapon
 - Additionally, the CA Dept. of Justice is required to operate a “Police Practices Division” to review and make recommendations on local use of force policies upon the request of a local law enforcement agency

Revenue and Taxation

ITEM 16.3. Proposition 19 (Assm. Const. Amendment 11) ATTACHMENT 1

- Beginning April 1, 2021, an owner of a primary residence who is: over 55 years of age; severely disabled; or a victim of a wildfire or natural disaster; may transfer the taxable value to a replacement primary residence located anywhere in the state
 - Must be purchased or newly constructed as that person's principal residence within 2 years of the sale of the original primary residence
- Transfer of a family home at the time of death, must continue as a family home by the inheritor(s) in order to keep current property taxable value (without being reassessed)

- Coronavirus Aid, Relief, and Economic Security Act Funding
 - \$275M to cities w/population less than 300,000
 - No city shall receive less than \$50,000
- Homeless funding
 - \$300M to Homeless Coordinating and Financing Council (HCFC)
 - \$500M for homeless housing solutions (hotels, motels, hostels, etc.)

Labor

- California Family Rights Act (CFRA) is expanded to permit employees to take up to 12 workweeks leave, unpaid, within a 12 month period to care for themselves or a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner.
 - Applies to employers who employ 5 or more employees.
 - If both parents work for the same employer, both employees are entitled to leave.

- If an employer, including the City, receives notice of potential exposure to COVID-19, within one business day, it must:
 - Provide written notice to all employees and subcontractors who were on premises that they may have been exposed
 - Provide all employees who may have been exposed information about their COVID-19 related benefits
 - Notify employees and subcontractors about the disinfection and safety plan
- If there is an “outbreak,” within 48 hours, the City must notify County Public Health (info of Cal/OSHA form)

Governance & Transparency

- SB 970 moves the statewide direct primary in non-presidential election years, to the first Tuesday after the first Monday in June in even-numbered years
- AB 992 clarifies that Council Member conversations and/or communications on social media platforms are permissible under the Brown Act so long as they:
 1. Answer questions from the public;
 2. Provide information to the public;
 3. Solicit information from the public regarding a matter within their jurisdiction.
 - Majority of Council Members cannot use social media platforms to discuss among themselves, nor can they respond directly to a communication on social media from another Council Member, if that communication is regarding a matter that is within the subject matter jurisdiction of that city

- In 2020 major bills stalled on
 - wildfire funding
 - Housing
 - Police reform
- Expect attention to these topics in 2021
- Reminder, January 1, 2021, AB 571 enacted in 2019, goes into effect. Absent adoption of a resolution by RC setting a different limit, it will limit candidates for Council in future elections from accepting contributions totaling more than \$3,000 per election from any single person, as that amount may be adjusted by the FPPC

Questions?

MEMORANDUM



ITEM 16.4.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Stacy Leitner, City Clerk
SUBJECT: **A RESOLUTION APPROVING THE 2021 RANCHO CORDOVA CITY COUNCIL MEETING SCHEDULE**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Confirm the 2021 Rancho Cordova City Council meeting schedule.

BACKGROUND

To ensure maximum attendance of council members and the community in our legislative process we set our meeting schedule well in advance. We also constantly monitor local, state, and national events, including the League of California Cities, National League of Cities, Cordova Community Council, Rancho Cordova Chamber of Commerce, and various other events and conferences that the council and the community may be participating in so that we avoid conflicts.

As part of its annual business planning for the upcoming year, the City Council review the next year's calendar and determines its meeting schedule for the following year. Exhibit A to the attached Resolution is the proposed City Council Meeting dates for 2021.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Resolution
2. 2021 Proposed Rancho Cordova City Council Meeting Schedule
3. 2021 Outlook Calendar

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, CONFIRMING THE 2021 CITY COUNCIL MEETING SCHEDULE

WHEREAS, Government Code Section 54954 provides that the legislative body of a local agency may establish the time and place for regular meetings by Resolution; and

WHEREAS, Resolution No. 18-2010 set the time and place for Regular meetings as 5:30 PM on the first and third Monday of the month, provided that if a regular meeting date is an official holiday, the meeting will be held on the following day; and

WHEREAS, in order to ensure maximum attendance of Council Members and the community in our legislative process the City is setting its City Council meeting schedule for the calendar year 2021.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA sets its 2021 City Council meeting schedule as outlined in the attached Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of December, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David M. Sander, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

Proposed 2021 Rancho Cordova City Council Meeting Schedule

JANUARY 2021	
Monday, January 4	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, January 19	5:30 PM Regular Meeting (Tuesday due to Holiday)
Tuesday, January 26	1:00 PM – 6:00 PM Special Meeting/Work Session – (Budget Visioning Session)
Wednesday, January 27	1:00 PM – 6:00 PM Special Meeting/Work Session – (Budget Visioning Session)
FEBRUARY 2021	
Monday, February 1	3:00 PM Special Meeting/Study Session (AB1234 Ethics Training) 5:30 PM Regular Meeting
Tuesday, February 16	5:30 PM Regular Meeting (Tuesday due to Holiday)
Tuesday, February 23	5:30 PM Special Meeting/Work Session
MARCH 2021	
Monday, March 1	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, March 15	5:30 PM Regular Meeting
Tuesday, March 23	5:30 PM Special Meeting/Work Session
APRIL 2021	
Monday, April 5	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, April 19	5:30 PM Regular Meeting
Tuesday, April 27	5:30 PM Special Meeting/Work Session
MAY 2021	
Monday, May 3	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, May 11	5:30 PM Special Meeting/Work Session
Monday, May 17	5:30 PM Regular Meeting
Tuesday, May 25	5:30 PM Special Meeting/Work Session – (Budget)
JUNE 2021	
Monday, June 7	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, June 21	5:30 PM Regular Meeting
Tuesday, June 29	5:30 PM Special Meeting/Work Session
JULY 2021	
Tuesday, July 6	PROPOSE TO CANCEL REGULAR MEETING
Monday, July 19	4:00 PM Special Meeting (Tuesday due to Holiday) 5:30 PM Regular Meeting

AUGUST 2021	
Monday, August 2	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, August 16	5:30 PM Regular Meeting
Tuesday, August 24	5:30 PM Special Meeting/Work Session
SEPTEMBER 2021	
Tuesday, September 7	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting (Tuesday due to Holiday)
Monday, September 20	5:30 PM Regular Meeting
Monday, September 28	5:30 PM Special Meeting/Work Session
OCTOBER 2021	
Monday, October 4	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, October 12	5:30 PM Special Meeting/Closed Session for City Manager Evaluation
Monday, October 18	5:30 PM Regular Meeting
Tuesday, October 26	5:30 PM Special Meeting/Closed Session for City Manager Evaluation – ONLY IF NEEDED
NOVEMBER 2021	
Monday, November 1	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, November 9	5:30 PM Special Meeting/Work Session
Monday, November 15	5:30 PM Regular Meeting
DECEMBER 2021	
Monday, December 6	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, December 14	5:30 PM Special Meeting/Work Session
Monday, December 20	5:30 PM Regular Meeting

January 2021

January 2021							February 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	7	1	2	3	4	5	6
10	11	12	13	14	15	16	14	8	9	10	11	12	13
17	18	19	20	21	22	23	21	15	16	17	18	19	20
24	25	26	27	28	29	30	28	22	23	24	25	26	27
31													

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Dec 27	28	29	30	31	Jan 1, 21 New Year's Day Holiday - City Hall Closed Pay Day	2
3	4 4:00pm City Council Special Meeting and 5:30 pm Regular Meeting	5	6 5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	7	8 Timesheets Due	9
10	11 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit	12	13 9:00am Sacramento Central Groundwater 9:30am Sacramento Regional Sanitation	14 1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento	15 Pay Day 11:30am Rancho Cordova Luncheon (American River	16
17	18 MLK Day - City Hall Closed	19 10:00am Sacramento-Yolo 5:30pm City Council Regular Meeting	20	21 US Conference of Mayors Winter Meeting (Virtual) LCC New Mayors and Council Members Academy (Virtual) 9:30am Sacramento Area Council of	22 Timesheets Due 8:30am Capital	23
24	25 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit	26 1:00pm City Council Special Meeting/Work Session - Budget	27 9:30am Sacramento Regional Sanitation 1:00pm City Council Special	28 LCC New Mayors and Council Members Academy (Virtual) 9:00am Sacramento Metropolitan Air 3:00pm Sacramento	29 Pay Day	30
31	Feb 1	2	3	4	5	6

February 2021

February 2021							March 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6		1	2	3	4	5	6
7	8	9	10	11	12	13	7	8	9	10	11	12	13
14	15	16	17	18	19	20	14	15	16	17	18	19	20
21	22	23	24	25	26	27	21	22	23	24	25	26	27
28							28	29	30	31			

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jan 31	Feb 1 3:00pm City Council Special Meeting and 5:30 pm Regular Meeting	2	3 5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	4 LCC City Managers Conference	5 Timesheets Due	6
7	8 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium, 1400	9	10 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	11 1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento County Board of	12 Pay Day	13
14 Valentine's Day	15 President's Day - City Hall Closed	16 CA Society of Municipal Finance Officers Conference 10:00am Sacramento-Yolo 4:00pm City Council Regular Meeting	17	18 9:30am Sacramento Area Council of Governments (SACOG) Board	19 Timesheets Due 11:30am Rancho Cordova Luncheon (American River Community Rooms)	20
21	22 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium), 1400	23 5:30pm City Council Special Meeting/Work Session	24 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	25 9:00am Sacramento Metropolitan Air Quality Management 3:00pm Sacramento Public Library	26 Pay Day 8:30am Capital SouthEast Connector JPA (Rancho Cordova City Hall)	27
28	Mar 1	2	3	4	5	6

March 2021

March 2021							April 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Feb 28	Mar 1	2	3	4	5	6
	Transforming Local Government Conference (Virtual)					
	4:00pm City Council Special Meeting and 5:30 pm Regular Meeting		5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)		Timesheets Due	
7	8	9	10	11	12	13
	NLC Congressional City Conference (Virtual)			1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento County Board of	Pay Day	
	5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit		9:00am Sacramento Central Groundwater 9:30am Sacramento Regional Sanitation			
14	15	16	17	18	19	20
	EGUSD - Spring Break					
	5:30pm City Council Regular Meeting	10:00am Sacramento-Yolo Mosquito & Vector	St Patrick's Day	SXSW Online Conference		
				9:30am Sacramento Area Council of Governments	Timesheets Due 11:30am Rancho Cordova Luncheon	
21	22	23	24	25	26	27
	5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium), 1400	5:30pm City Council Special Meeting/Work Session	9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	9:00am Sacramento Metropolitan Air Quality Management 3:00pm Sacramento Public Library	Pay Day 8:30am Capital SouthEast Connector JPA (Rancho Cordova City Hall)	
28	29	30	31	Apr 1	2	3
	FCUSD - Spring Break					
	SCUSD - Spring Break					

April 2021

April 2021							May 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 28	29	30	31	Apr 1	2	3
				FCUSD - Spring Break		
				SCUSD - Spring Break		
				Timesheets Due		
4	5	6	7	8	9	10
FCUSD - Spring Break Easter	4:00pm City Council Special Meeting and 5:30 pm Regular Meeting		5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento County Board of	Pay Day	RCAA Sports Hall of Fame Induction Ceremony
11	12	13	14	15	16	17
	5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium, 1400		9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	9:30am Sacramento Area Council of Governments (SACOG) Board Meeting (SACOG	Timesheets Due 11:30am Rancho Cordova Luncheon (American River Community Rooms)	
18	19	20	21	22	23	24
	5:30pm City Council Regular Meeting	10:00am Sacramento-Yolo Mosquito & Vector Control District Board (8631 Bond Road, Elk		9:00am Sacramento Metropolitan Air Quality Management 3:00pm Sacramento Public Library	Pay Day 8:30am Capital SouthEast Connector JPA (Rancho Cordova City Hall)	
25	26	27	28	29	30	May 1
	5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium), 1400	5:30pm City Council Special Meeting/Work Session	9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700		Timesheets Due	

May 2021

May 2021							June 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	1	6	7	1	2	3	4	5
9	10	11	12	13	14	8	13	14	8	9	10	11	12
16	17	18	19	20	21	15	20	21	15	16	17	18	19
23	24	25	26	27	28	22	27	28	22	23	24	25	26
30	31					29			29	30			

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Apr 25	26	27	28	29	30	May 1 Rancho Cordova Community Golf Classic
2	3 3:00pm City Council Special Meeting/Study Session and 5:30 pm	4	5 Cinco de Mayo 5:30pm LAFCo Board Meeting (County of Sacramento Admin	6	7 Pay Day	8
9	10 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit	11 Great Place to Work Conference (New Orleans, LA) 5:30pm City Council Special Meeting/Work	12 9:00am Sacramento Central Groundwater 9:30am Sacramento	13 1:30pm Sacramento Transportation Authority (STA) Board	14 Timesheets Due	15
16	17 5:30pm City Council Regular Meeting	18 10:00am Sacramento-Yolo Mosquito & Vector Control District Board	19	20 9:30am Sacramento Area Council of Governments (SACOG) Board	21 Pay Day 11:30am Rancho Cordova Luncheon (American River	22
23	24 Memorial Day - City Hall Closed 5:30pm Sacramento Regional Transit (RT)	25 5:30pm City Council Special Meeting/Work Session	26 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District	27 9:00am Sacramento Metropolitan Air 3:00pm Sacramento Public Library	28 Timesheets Due 8:30am Capital SouthEast Connector JPA (Rancho Cordova	29
30	31 Memorial Day Holiday - City Hall Closed	Jun 1	2	3	4	5

June 2021

June 2021							July 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5					1	2	3
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
May 30	31	Jun 1	2 5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	3	4 National Civic League All-America City Conference (Denver, CO) Pay Day	5
6 National Civic League All-A	7 4:00pm City Council Special Meeting/Study Session and 5:30 pm Regular Meeting	8	9 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	10 1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento County Board of	11 Timesheets Due	12
13	14 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium, 1400	15 10:00am Sacramento-Yolo Mosquito & Vector Control District Board (8631 Bond Road, Elk	16	17 9:30am Sacramento Area Council of Governments (SACOG) Board Meeting (SACOG	18 Pay Day 11:30am Rancho Cordova Luncheon (American River Community Rooms)	19 US Conference of Mayors An
20 US Conference of Mayors Annual Meeting (Austin, TX)	21 5:30pm City Council Regular Meeting	22	23 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	24 9:00am Sacramento Metropolitan Air Quality Management 3:00pm Sacramento Public Library	25 Timesheets Due 8:30am Capital SouthEast Connector JPA (Rancho Cordova City Hall)	26
27 Government Finance Officers Association Annual Conference	28 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit	29 5:30pm City Council Special Meeting/Work Session	30	Jul 1	2	3

July 2021

July 2021							August 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jun 27	28	29	30	Jul 1 City of Rancho Cordova Anniversary (Incorporated 2003)	2 Pay Day	3
4	5 Independence Day - City Hall Closed	6	7 5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	8 1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento County Board of	9 Timesheets Due	10
11	12 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit	13	14 9:00am Sacramento Central Groundwater 9:30am Sacramento Regional Sanitation	15 9:30am Sacramento Area Council of Governments (SACOG) Board	16 Pay Day 11:30am Rancho Cordova Luncheon (American River	17
18	19 4:00pm City Council Special Meeting and 5:30 pm Regular Meeting	20 10:00am Sacramento-Yolo Mosquito & Vector Control District Board	21	22 9:00am Sacramento Metropolitan Air 3:00pm Sacramento Public Library	23 Timesheets Due 8:30am Capital SouthEast Connector JPA (Rancho Cordova	24
25	26 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium), 1400	27	28 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	29	30 Pay Day	31

August 2021

August 2021							September 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 1	2 4:00pm City Council Special Meeting/Study Session and 5:30 pm Regular Meeting	3	4 5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	5	6 Timesheets Due	7
8	9 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium, 1400	10	11 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	12 1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento County Board of	13 Pay Day	14
15	16 5:30pm City Council Regular Meeting	17 10:00am Sacramento-Yolo Mosquito & Vector Control District Board (8631 Bond Road, Elk	18	19 9:30am Sacramento Area Council of Governments (SACOG) Board Meeting (SACOG	20 Timesheets Due 11:30am Rancho Cordova Luncheon (American River Community Rooms)	21
22	23 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium), 1400	24 5:30pm City Council Special Meeting/Work Session	25 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	26 9:00am Sacramento Metropolitan Air Quality Management 3:00pm Sacramento Public Library	27 Pay Day 8:30am Capital SouthEast Connector JPA (Rancho Cordova City Hall)	28
29	30	31	Sep 1	2	3	4

September 2021

September 2021							October 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	1	2	3	4	3	4	5	6	7	1	2
12	13	14	8	9	10	11	10	11	12	13	14	8	9
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 29	30	31	Sep 1 5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	2	3 Timesheets Due	4
5	6 Labor Day Holiday - City Hall Closed	7 4:00pm City Council Special Meeting/Study Session and 5:30 pm Regular Meeting	8 9:00am Sacramento Central Groundwater Authority Board 9:30am Sacramento Regional Sanitation	9 1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento County Board of	10 Pay Day	11
12	13 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium, 1400	14	15	16 9:30am Sacramento Area Council of Governments (SACOG) Board Meeting (SACOG	17 Timesheets Due 11:30am Rancho Cordova Luncheon (American River Community Rooms)	18
19	20 5:30pm City Council Regular Meeting	21 10:00am Sacramento-Yolo Mosquito & Vector Control District Board (8631 Bond Road, Elk	22 League of CA Cities Annual Conference & Expo (Sacramento, CA) 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District	23 9:00am Sacramento Metropolitan Air 3:00pm Sacramento Public Library	24 Pay Day 8:30am Capital SouthEast Connector JPA (Rancho Cordova	25
26	27 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium), 1400	28 5:30pm City Council Special Meeting/Work Session	29	30	Oct 1	2

October 2021

October 2021							November 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	7	1	2	3	4	5	6
10	11	12	13	14	15	16	14	8	9	10	11	12	13
17	18	19	20	21	22	23	21	15	16	17	18	19	20
24	25	26	27	28	29	30	28	22	23	24	25	26	27
31								29	30				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Sep 26	27	28	29	30	Oct 1 Timesheets Due	2
3	4 4:00pm City Council Special Meeting/Study	5 ICMA Annual Conference (Portland, OR)	6 5:30pm LAFCo Board Meeting (County of Sacramento Admin	7	8 Pay Day	9
10	11 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit	12 5:30pm City Council Special Meeting/Work Session	13 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District	14 1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento	15 Timesheets Due 11:30am Rancho Cordova Luncheon (American River	16 Boss's Day
17	18 5:30pm City Council Regular Meeting	19 10:00am Sacramento-Yolo Mosquito & Vector Control District Board	20	21 9:30am Sacramento Area Council of Governments (SACOG) Board	22 Pay Day 8:30am Capital SouthEast Connector JPA (Rancho Cordova	23
24	25 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit	26 5:30pm City Council Special Meeting/Work Session (if needed)	27 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District	28 9:00am Sacramento Metropolitan Air 3:00pm Sacramento Public Library	29 Timesheets Due	30
31 Halloween	Nov 1	2	3	4	5	6

November 2021

November 2021							December 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	5	6	7	1	2	3	4
14	8	9	10	11	12	13	12	13	14	8	9	10	11
21	15	16	17	18	19	20	19	20	21	15	16	17	18
28	22	23	24	25	26	27	26	27	28	22	23	24	25
	29	30							29	30	31		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Oct 31	Nov 1 4:00pm City Council Special Meeting/Study Session and 5:30 pm Regular Meeting	2	3 5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	4	5 Pay Day	6
7	8 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium, 1400	9 5:30pm City Council Special Meeting/Study Session	10 9:00am Sacramento Central Groundwater Authority Board 9:30am Sacramento Regional Sanitation	11 Veterans Day - City Hall Closed 1:30pm Sacramento Transportation Authority (STA) Board	12 Timesheets Due	13
14	15 5:30pm City Council Regular Meeting	16 10:00am Sacramento-Yolo Mosquito & Vector Control District Board (8631 Bond Road, Elk	17	18 9:30am Sacramento Area Council of Governments (SACOG) Board Meeting (SACOG	19 Pay Day 11:30am Rancho Cordova Luncheon (American River Community Rooms)	20
21	22 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium), 1400	23	24 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	25 Thanksgiving Day - City Hall Closed	26 Thanksgiving Weekend - City Hall Closed Timesheets Due	27
28	29	30	Dec 1	2	3	4

December 2021

December 2021							January 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	1	2	3	4	2	3	4	5	6	7	1
12	13	14	8	9	10	11	9	10	11	12	13	14	8
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30	31					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 28	29	30	Dec 1 5:30pm LAFCo Board Meeting (County of Sacramento Admin Building)	2	3 Pay Day	4
5	6 4:00pm City Council Special Meeting/Study Session and 5:30 pm Regular Meeting	7 Pearl Harbor Remembrance Day	8 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	9 1:30pm Sacramento Transportation Authority (STA) Board Meeting (Sacramento County Board of	10 Timesheets Due	11
12	13 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium, 1400	14 5:30pm City Council Special Meeting/Work Session	15	16 9:30am Sacramento Area Council of Governments (SACOG) Board Meeting (SACOG	17 Pay Day 11:30am Rancho Cordova Luncheon (American River Community Rooms)	18
19	20 5:30pm City Council Regular Meeting	21 10:00am Sacramento-Yolo Mosquito & Vector Control District Board (8631 Bond Road, Elk	22 9:30am Sacramento Regional Sanitation District/Sacramento Area Sewer District Board Meeting (700	23 9:00am Sacramento Metropolitan Air Quality Management 3:00pm Sacramento Public Library	24 Christmas Eve Holiday - City Hall Closed Timesheets Due 8:30am Capital SouthEast Connector	25 Christmas Day Holiday
26	27 5:30pm Sacramento Regional Transit (RT) Board Meeting (Regional Transit Auditorium), 1400	28	29	30	31 New Year's Eve Pay Day	Jan 1, 22

MEMORANDUM



ITEM 16.5.

DATE: December 7, 2020
TO: Honorable Mayor and Council Members
FROM: Stacy Leitner, City Clerk
SUBJECT: **SELECTION OF 2021 MAYOR AND VICE MAYOR.**

RECOMMENDATION

Council selection of the 2021 Mayor and Vice Mayor.

RESULT OF RECOMMENDED ACTION

City Council Leadership Officers for 2021 are appointed, per City Council Resolution No. 5-2004.

BACKGROUND

On January 5, 2004, the City Council adopted Resolution No. 5-2004 establishing the Council policy that one of its members would be selected as Mayor and one of its members selected as Mayor Pro Tempore at the first regular City Council meeting in December. Subsequently, Council adopted Resolution No. 185-2004 changing the Mayor Pro Tempore designation to Vice Mayor.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Resolution 5-2004
2. Resolution 185-2004

CITY OF RANCHO CORDOVA

RESOLUTION NO. 5-2004

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
SELECTING DATE ON WHICH THE CITY COUNCIL SHALL ANNUALLY SELECT
A MAYOR AND MAYOR PRO TEMPORE**

RECITALS

WHEREAS, Government Code §36801 provides that the City Council shall select one of its members as mayor and one of its members as mayor pro tempore.

NOW, THEREFORE, the City Council of the City of Rancho Cordova resolves that the City Council shall select one of its members as Mayor and one of its members as Mayor Pro Tempore at the first regular City Council meeting in December.

ADOPTED, THIS 5th day of January, 2004 by the following vote:

AYES: Cooley, McGarvey, Sander, Budge, Roberts

NOES: None

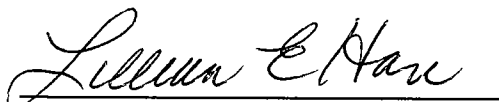
ABSENT: None

ABSTENTIONS: None

APPROVED:


MAYOR

ATTEST:


CITY CLERK

RESOLUTION NO. 185-2004**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA , CALIFORNIA AMENDING RESOLUTION 31-2004 AND CHANGING THE DESIGNATION OF MAYOR PRO TEMPORE TO VICE MAYOR**

WHEREAS, the City Council is desirous of changing the designation of "Mayor Pro Tempore" to "Vice Mayor."

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rancho Cordova does hereby determine and order that:

1. Section 4 and 5 of Resolution No. 31-2003 is amended to replace the "Mayor Pro Tempore" designation with "Vice Mayor" and that
2. That references to "Mayor Pro Tempore" in Resolution No. 5-2004 are hereby amended to be "Vice Mayor."

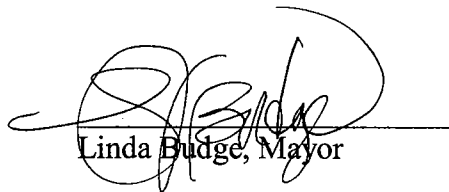
I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Rancho Cordova, held on the 6th day of December, 2004, by the following vote:

AYES: Skoglund, Sander, McGarvey, Cooley, Budge

NOES: None

ABSENT: None

ABSTAIN: None



Linda Budge, Mayor

ATTEST:



Lillian E. Hare, City Clerk